



City of Goodyear

Meeting Minutes

City Council Regular Meeting

Meeting Location:
Goodyear Municipal Court
and Council Chambers
14455 W. Van Buren St.,
Suite B101
Goodyear, AZ 85338

Mayor Georgia Lord
Vice Mayor Bill Stipp
Councilmember Joe Pizzillo
Councilmember Sheri Lauritano
Councilmember Wally Campbell
Councilmember Brannon Hampton
Councilmember Laura Kaino

Monday, September 23, 2019

18:00

Goodyear Municipal Court and Council
Chambers

AGENDA AMENDED ON SEPTEMBER 20, 2019

Item 20. added

CALL TO ORDER

Mayor Lord called the Regular Meeting to order at 6:01 p.m.

PLEDGE OF ALLEGIANCE AND INVOCATION BY MAYOR LORD

ROLL CALL

Council Present 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton, and Councilmember Kaino

Staff Present: City Manager Julie Arendall, City Attorney Roric Massey and Deputy City Clerk Laura Jara

COMMUNICATIONS

1. [CO-2019-366](#) Mayor Lord will read and present a proclamation to New Life Center recognizing October as Domestic Violence Awareness Month.

Mayor Lord read a proclamation declaring October as Domestic Violence Awareness Month and presented it to Myriah Mhoon, chief executive officer of the New Life Center.

2. [CO-2019-367](#) Warren Tenney, executive director of the Arizona Municipal Water Users Association, will provide an overview of the association's 50-year role in regional water collaboration.

Public Works Director Javier Setovich introduced Warren Tenney, executive director of the Arizona Municipal Water Users Association (AMWUA), who presented an overview of the organization's 50-year history.

Mr. Tenney stated that AMWUA is committed to continuing its collaboration with Goodyear and the

other member cities to protect Arizona's water resources and to advocate for the wise management of these resources for the benefit of the Valley and the state.

Council thanked Mr. Tenney for his presentation and commented how well everyone in the association works together for the common good. Water conservation is an important topic for Goodyear residents and appreciates how AMWUA provides a forum for communities to communicate and collaborate on this issue.

3. [CO-2019-362](#) Water Resources staff will provide an update on the Water Conservation Committee recommendations.

Water Resources Planning Advisor Ray Diaz provided an update on implementation of the Water Conservation Committee's conservation plan recommendations that were presented to Council in May 2018. The plan consisted of 12 recommendations to be incorporated into current and future City projects, policies and guidelines to assist the city in meeting its future water demands.

Mr. Diaz stated progress has been made on nearly all of the recommendations. Staff hopes to continue the trend and to have additional updates for the Council on an annual basis.

Council thanked the Water Conservation Committee and staff for their work on this project and for keeping it at the forefront.

APPOINTMENTS

4. [2019-6772](#) **APPOINTMENTS TO THE PUBLIC IMPROVEMENT CORPORATION, THE YOUTH COMMISSION AND THE FIRE PUBLIC SAFETY PERSONNEL RETIREMENT BOARD**

Deputy City Clerk Laura Jara presented. The City Council Subcommittee for Board, Commission and Committee Appointments has recommended to reappoint Michael Delleo and Kueth Yul to the Public Improvement Corporation and Patrick Mackie to the Youth Commission. The Fire Department held an election and re-elected Patrick Doyle to serve as the fire representative on the Fire Public Safety Personnel Retirement Board.

MOTION BY Councilmember Campbell, SECONDED BY Councilmember Hampton, to APPROVE the recommended appointments to the Public Improvement Corporation (PIC), Youth Commission and Fire Public Safety Personnel Retirement Board for the terms set forth in the Council Action Report and authorize the City Clerk to administer the Oath of Loyalty to the appointees in attendance. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

Deputy City Clerk Laura Jara administered the Oath of Loyalty to Patrick Doyle.

CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

None.

CONSENT

Item 8 was withdrawn from Consent and moved to Business at the request of Planning and Zoning staff.

MOTION BY Vice Mayor Stipp, SECONDED BY Councilmember Lauritano, to APPROVE Consent Items 5 through 7, 9 and 10. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

5. [MINUTES](#) **APPROVAL OF MINUTES**
 [2019-69](#) **RECOMMENDATION:**
 Approve draft minutes from a Regular Meeting and a Special Meeting held on September 9, 2019.
6. [2019-6707](#) **APPROVE THE FY2019 AND FY2020 BUDGET TRANSFERS**
 RECOMMENDATION:
 Approve the FY2019 and FY2020 budget transfers.
7. [2019-6714](#) **APPROVE AGREEMENTS WITH THE SALT RIVER VALLEY WATER**
 USERS' ASSOCIATION AND THE SALT RIVER PROJECT
 AGRICULTURAL IMPROVEMENT AND POWER DISTRICT
 RECOMMENDATION:
 1. Approve the Groundwater Savings Facility Agreement Between Salt River Valley Water Users' Association and city of Goodyear, Arizona.
 2. Approve the Well Lease and Credit Recovery Agreement Among city of Goodyear, Salt River Valley Water Users' Association and Salt River Project Agricultural Improvement and Power District.
 3. Authorize and direct the City Manager or her designee to take any and all actions to execute all documents necessary to carry out the intent of these agreements.
9. [2019-6746](#) **APPROVE EXPENDITURES OF \$643,600 AND A RELATED BUDGET**
 TRANSFER FOR THE PURCHASE AND INSTALLATION OF A NEW
 CENTRIFUGE FOR THE RAINBOW VALLEY WATER
 RECLAMATION FACILITY
 RECOMMENDATION:
 Approve expenditure of funds in the amount of \$643,600 to purchase and install a new centrifuge, piping, and associated electrical equipment per approved plans and specifications for the Rainbow Valley Water Reclamation Facility (WRF) and related budget transfer.

10. [2019-6757](#) **RECOMMEND APPROVAL OF A NEW SERIES 12 LIQUOR LICENSE FOR FEDERICO'S MEXICAN FOOD**

RECOMMENDATION:

Recommend approval to the Arizona Department of Liquor Licenses and Control of Application No. 71641, a request from Isidro Araiza-Pinales, agent for AB NG Family LLC, dba Federico's Mexican Food, for a new Series 12 liquor license located at 1360 South Cotton Lane, Goodyear, Arizona 85338 (Generally located south of the southwest corner of West Yuma Road and South Cotton Lane).

PUBLIC HEARINGS

11. [2019-6762](#) **USE PERMIT FOR A CONVENIENCE USE (KFC DRIVE-THROUGH RESTAURANT)**

Mayor Lord opened the Public Hearing at 6:39 p.m.

Planning Manager Katie Wilken presented a request for approval of a use permit for a convenience use (drive-through restaurant) for a Kentucky Fried Chicken restaurant on a one-acre parcel at the south end of the Canyon Trails Towne Center along Yuma Road. The site plan consists of a 2,200 square foot building with an 11-car drive-through queue (five vehicles per queue).

There being no public comments, Mayor Lord closed the Public Hearing at 6:42 p.m.

Council asked whether the location will be a corporate store or a local franchisee? The engineer's representative stated that it is a local owner with one partner in Phoenix and one in Houston, Texas.

Council welcome the restaurant to the city.

MOTION BY Councilmember Kaino, SECONDED BY Councilmember Pizzillo, to APPROVE a request for a use permit for a convenience use (drive-through restaurant) to be constructed within the Canyon Trails Towne Center PAD located at the northeast corner of Cotton Lane and Yuma Road, subject to stipulations. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

12. [2019-6767](#) **USE PERMIT FOR MODIFICATIONS TO AN EXISTING CONVENIENCE USE (CHICK-FIL-A DRIVE-THROUGH RESTAURANT)**

Mayor Lord opened the Public Hearing at 6:45 p.m.

Planner III Steve Careccia presented a request for a use permit for the Chick-fil-A restaurant to allow building and site modifications to an existing convenience use on property zoned PAD (Planned Area

Development)/Mixed Use Commercial. The restaurant sits on 1.3 acres in the Palm Valley Cornerstone commercial center, which is located within Palm Valley PAD Phase I.

Bruce Ploeser, local operator of the Chick-fil-A restaurant thanked the Council and stated the modifications will allow continued growth of the business and relieve some of the congestion on Dysart Road.

There being no public comments, Mayor Lord closed the Public Hearing at 6:49 p.m.

Council remarked that the restaurant is very successful and supported the modifications and urged the representative to move forward as quickly as possible. Mr. Ploeser responded that the modifications will allow the drive-through capacity to double. They are also looking at additional properties in Goodyear.

MOTION BY Vice Mayor Stipp, SECONDED BY Councilmember Hampton, to APPROVE a request for a use permit to allow building and site modifications to an existing convenience use (Chick-fil-A drive-through restaurant) on property zoned PAD (Planned Area Development)/Mixed Use Commercial, subject to stipulations. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

BUSINESS

13. [2019-6774](#) **CHANGING THE STREET NAME OF N. 166TH AVENUE NORTH OF INDIAN SCHOOL ROAD TO THE UPS WAY**

Economic Development Project Manager Harry Paxton presented a request by United Parcel Service (UPS) to rename N. 166th Avenue north of Indian School Road to “The UPS Way.” The UPS campus is comprised of 137 acres between the Loop 303 and Sarival Avenue. The customer service center is scheduled to open towards the end of 2019 and will be equipped to assist customers with domestic and international shipments.

Council expressed excitement at seeing the project move forward.

Council asked whether the customer service center will be equipped to service individual customers as well as business customers. Charles Hoover representing UPS responded that the customer service center will be open to anyone to do any type of shipping. It will operate similar to a post office.

MOTION BY Councilmember Kaino, SECONDED BY Councilmember Lauritano, to ADOPT RESOLUTION NO. 2019-1998 AUTHORIZING A STREET NAME CHANGE FOR N. 166TH AVENUE NORTH OF INDIAN SCHOOL ROAD, LOCATED EAST OF THE LOOP 303 FREEWAY, TO THE UPS WAY IN THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA AND ESTABLISHING AN EFFECTIVE DATE. The

motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

8. [2019-6731](#) **APPROVE THE FINAL PLAT FOR ESTRELLA PARCEL 7.1**

Planning Manager Katie Wilken presented a request to subdivide approximately 20 acres into 80 lots in the Montecito Development at the northwest corner of Estrella Parkway and Calistoga Drive with the modifications to Stipulations One and Two.

Ms. Wilken stated that Stipulation No. One is requested to be struck in its entirety. Stipulation No. Two (now Stipulation No. One) was modified due to the fact that part of the property is in a flood plain, which is subject to the CLOMR (Conditional Letter of Map Revision) and LOMR (Letter of Map Revision) process.

Councilmember Stipp requested clarification on whether the FEMA review is required by the federal navigable waterways statutes, which may be significantly modified in 2020. Director of Engineering Rebecca Zook explained there is a correlation between the FEMA review and the navigable waterways statute.

MOTION BY Councilmember Campbell, SECONDED BY Councilmember Pizzillo, to APPROVE the Final Plat for Estrella Parcel 7.1, subject to the amended stipulations. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

14. [2019-6768](#) **PRELIMINARY PLAT FOR PROLOGIS COMMERCE PARK AT GOODYEAR**

Planner III Steve Careccia presented a request to approve a Preliminary Plat for Prologis Park at Goodyear. The request is to subdivide 112 acres into five industrial lots and one tract to facilitate industrial development of the parcel.

Council asked whether the east side of the property is accessible from 143rd Avenue. Mr. Careccia explained that the site would be accessible from Bullard Avenue, Yuma Road and 143rd Avenue.

MOTION BY Vice Mayor Stipp, SECONDED BY Councilmember Pizzillo, to APPROVE the Preliminary Plat for Prologis Commerce Park at Goodyear subdividing 112.38 acres into five lots and one tract generally located at the northeast corner of Bullard Avenue and Yuma Road, subject to stipulations. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

15. [2019-6736](#) **PRELIMINARY PLAT FOR ESTRELLA PARCEL 9.28**

Planning Manager Katie Wilken presented the request to approve the Preliminary Plat for Estrella Parcel 9.28 consisting of approximately 18 acres subdivided into 64 residential lots in the Montecito development in Estrella. The typical lot within the subdivision will be 50-feet wide, and 24 percent will consist of open space.

MOTION BY Councilmember Lauritano, SECONDED BY Councilmember Hampton, to APPROVE a request for Preliminary Plat approval for Estrella Parcel 9.28, subject to stipulations. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

16. [2019-6761](#) **PRELIMINARY PLAT FOR ESTRELLA PARCEL 9.30**

Planning Manager Katie Wilken presented a request to approve the Preliminary Plat for Estrella Parcel 9.30 consisting of approximately 15 acres subdivided into 62 residential lots. The typical lot within the subdivision will be 50-feet wide, and 19% will consist of open space. She reiterated that this parcel will provide secondary emergency access to Parcel 9.28.

MOTION BY Vice Mayor Stipp, SECONDED BY Councilmember Campbell, to APPROVE a request for Preliminary Plat approval for Estrella Parcel 9.30, subject to stipulations. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

17. [2019-6752](#) **AMENDMENTS TO GOODYEAR CITY CODE CHAPTER 11 AND ARTICLE 1-8 REGARDING VAPING REGULATIONS, RESTRICTIONS AND PENALTIES**

City Attorney Roric Massey presented. Previously, Council directed staff to submit for approval revisions to the 2002 non-smoking ordinance expanding the smoking regulations to include vaping. The proposed ordinance incorporates both the act of vaping and the vaping devices into the non-smoking ordinance and prohibits the use of these products in public places such as restaurants, places of employment, city facilities and vehicles and parks; restricts the use and possession of vaping products in schools; and requires retailers to physically check for an ID. Retailers are prohibited from selling smoking and vaping products to persons under 21.

The ordinance has an emergency clause, so it will go into effect immediately; however, the city will not actively enforce the ordinance for 90 days. Police Chief Jerry Geier added that there will be a communication plan to educate the community on the effects of the ordinance and will focus on residents, schools and retailers. Media outreach has already begun. Information will be published in the November 2019 edition of the inFocus.

Alex Nelson, a Goodyear business owner, spoke against the resolution, stating that the effects of vaping are being misrepresented by the media. He supports enforcing the current laws, increasing the fines for children caught smoking or vaping, and increasing the fines on vape stores caught selling to

minors.

Council thanked staff for bringing this item forward and expressed support for the communication plan and support for additional action by the state.

Council asked if the devices are confiscated on school property. Mr. Geier explained that issues involving tobacco or flavoring are handled administratively by the schools. The school resource officers are involved and an arrest is made for possession of THC or other illegal substances.

MOTION BY Councilmember Campbell, SECONDED BY Pizzillo, to ADOPT RESOLUTION NO. 2019-1994 DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT ENTITLED “AMENDMENT TO GOODYEAR CITY CODE, CHAPTER 11 (OFFENSES), AND CHAPTER 1, ARTICLE 1-8 (PENALTY) RELATED TO VAPING REGULATIONS, RESTRICTIONS AND PENALTIES, DATED SEPTEMBER 2019.”

The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

MOTION BY Councilmember Pizzillo, SECONDED BY Vice Mayor Stipp, to ADOPT ORDINANCE NO. 2019-1449 AMENDING CHAPTER 11 (OFFENSES) AND CHAPTER 1, ARTICLE 1-8 (PENALTY) OF THE GOODYEAR CITY CODE RELATED TO VAPING REGULATIONS, RESTRICTIONS, AND PENALTIES; AND PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES AND CODES, CORRECTIONS, SEVERABILITY AND DECLARING AN EMERGENCY. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

18. [2019-6765](#) **COMMUNITY PARAMEDICINE PILOT PROGRAM WITH UNITED HEALTHCARE**

Fire Chief Paul Luizzi presented. He recapped that community paramedicine involves paramedics proactively visiting patients who use the 9-1-1 system for non-emergency needs. The program is a partnership between United Healthcare and the cities of Peoria and Surprise to focus on broader healthcare and improving medical and public health systems. The goals of the program include reducing calls to 9-1-1 and reducing hospital admissions.

Council asked for information regarding the program, such as who will provide the service, when it will operate and which vehicles will be used. Mr. Luizzi explained that city paramedics who have been specially trained for the program will work in concert with firefighters and paramedics from Peoria and Surprise. The vehicle will operation from 9:00 a.m. to 5:00 p.m. three days per week. Staff has begun contacting high-use patients to schedule appointments.

MOTION BY Vice Mayor Stipp SECONDED BY Councilmember Pizzillo, to AUTHORIZE the City Manager to execute an Intergovernmental Agreement with the city of Peoria for

the provision of community paramedicine services. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

19. [2019-6770](#) **AMENDMENT EIGHT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE REGIONAL PUBLIC TRANSIT AUTHORITY TO IMPLEMENT A TWO-YEAR PILOT PROGRAM FOR RIDECHOICE**

Administrative Services Supervisor Christine McMurdy presented a proposal to implement a two-year pilot program that will provide transportation service to Goodyear residents who are ADA certified. The program is run by a contractor chosen by Valley Metro. The service operates 24 hours per day, seven days per week, including holidays.

Council expressed support for the program.

Council asked how many residents in Goodyear are eligible for the program. Ms. McMurdy responded that it is difficult to determine how many are eligible as they only have data for the three-and-half mile service area where transit service is currently provided.

Council requested staff provide service statistics in the near future and an analysis of the potential costs based on the highest number of users. Director of Engineering Rebecca Zook clarified that the program is capped at \$200,000 each year for two years.

MOTION BY Vice Mayor Stipp, SECONDED BY Councilmember Kaino, to AUTHORIZE the City Manager to approve Transit Services Amendment Eight between the city of Goodyear and the Regional Public Transit Authority to implement a two-year Pilot RideChoice program in Goodyear and AUTHORIZE a budget transfer of \$200,000 from the Park and Ride Marquee fund balance to pay for the first year of the two-year pilot program. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

20. [2019-6785](#) **BULLARD WASH EMERGENCY REMEDIATION AND CONSTRUCTION WORK**

Director of Engineering Rebecca Zook introduced Deputy Director of Engineering Sumeet Mohan, who gave a brief overview of his background and presented. The area of concern is the Bullard Wash between Camelback Road and Indian School Road.

The city is in the process of installing a temporary bypass to allow for the storm drain to be repaired and/or replaced. Staff is requesting funding of \$695,000 using proposed Funding Option 2, which calls for using \$125,000 from both the City Manager Contingency Fund and the Council Special Project Fund.

Councilmember asked what balance of the Council Special Project Fund and the City Manager Contingency Fund would be after the transfer? Finance Director Doug Sandstrom stated that \$12,000 would remain in the Council fund and \$125,000 would remain in the City Manager fund.

Councilmember asked whether the improvements will eliminate the water flows into PebbleCreek. Ms. Zook explained that the city has been coordinating closely with the PebbleCreek community. There are some improvements that PebbleCreek has to make, but they were waiting to determine what the city would do before acting. The improvements the city is making will alleviate some of the flows, but due to changing weather conditions each year, there is no way to guarantee that the flows will be stopped completely.

MOTION BY Councilmember Hampton, SECONDED BY Campbell, to APPROVE all budget transfers needed up to \$695,000 as shown in Funding Option 2 and all expenditures necessary to address emergency repairs to the storm water and irrigation system in Bullard Wash Phase 1 Park. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

INFORMATION ITEMS

Councilmember Lauritano announced that Mayor Lord will be the grand marshal for the Estrella Foothills High School homecoming parade this week.

City Manager Julie Arendall announced that Goodyear has been named the 22nd best place to live in the nation by Money Magazine. She highlighted the vision of Council and the hard work of staff and the community for achieving this honor.

FUTURE MEETINGS

The next meetings will be the Council Retreat on October 4 and 5, 2019, at City Hall, Room 117, and a Regular Meeting on October 7, 2019, at the Goodyear Municipal Court and Council Chambers.

ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 8:29 p.m.

Darcie McCracken, City Clerk

Georgia Lord, Mayor

Date: _____

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the CITY COUNCIL REGULAR MEETING of the city of Goodyear, Arizona, held on September 23, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 201__.

Darcie McCracken, City Clerk

SEAL: