

City Council Regular Meeting

City Hall - Work Session Room 1900 N. Civic Square Goodyear, AZ 85395

Monday, January 9, 2023

Immediately following the Special meeting that begins at 5:00 p.m.

Mayor Joe Pizzillo CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

Please complete a speaker card and submit it to the City Clerk prior to the meeting being convened, if possible. Each speaker is limited to three (3) minutes. Once the City Clerk has called your name, step up to the lectern and begin by clearly stating your name for the record and whether you are a Goodyear resident.

Vice Mayor Laura Kaino

NON-AGENDA ITEMS

Members of the public may address the City Council regarding any non-agenda item within the jurisdiction of the City Council. The City Council will listen to comments and may take any of the following actions:

Councilmember Sheri Lauritano

- Respond to criticism.
- Request that staff investigate and report on the matter.
- Request that the matter be scheduled on a future agenda.

Councilmember Wally Campbell

AGENDA ITEMS

Members of the public may address the City Council regarding any item on the Consent, Public Hearing and/or Business portions of the agenda. Each speaker's name will be called in turn once the item has been reached and after City staff have completed their presentation.

Councilmember Bill Stipp

PROCEDURES

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Goodyear City Council and to the general public that the Council of the city of Goodyear will hold a meeting open to the public. Public body members of the city of Goodyear will attend either in person or by telephone conference call and/or video communication. The Goodyear City Council may vote to go into Executive Session, pursuant to A.R.S. § 38-431.03(A)(3), which will not be open to the public, to discuss certain matters. Meetings are conducted in accordance with the City Council Meetings Council Rules of Procedure adopted by Resolution No.2018-1879

Councilmember Brannon Hampton

Councilmember Vicki Gillis





City Clerk's Office: 1900 N. Civic Square, Goddyear, AZ 85395 (623) 882-7830 www.goodyearaz.gov/cityclerk

City Council Meeting Live Broadcast: https://www.facebook.com/goodyearazgov/videos

Immediately following the Special Meeting that begins at 5:00 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE AND INVOCATION BY MAYOR PIZZILLO

BOARDS, COMMISSIONS, AND COMMITTEES

1. City Clerk will administer the Oath of Office to members that were unable to attend the December 12, 2022, Regular Meeting. (Darcie McCracken, City Clerk)

COMMUNICATIONS

2. **RECOGNIZE THE 10 heART OF GOODYEAR ARTISTS** (Layne Ruiz, Arts and Culture Coordinator)

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

CONSENT

3. APPROVAL OF MINUTES

Recommendation

Approve the draft minutes from the Regular Meeting and Special Meeting held on December 12, 2022. (Darcie McCracken, City Clerk)

4. INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE CITY OF PHOENIX FOR THE ADMINISTRATION OF THE DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)

Recommendation

Approve the IGA with the City of Phoenix for grant administration for the Edward Byrne Justice Assistance Grant. (Santiago Rodriguez, Chief of Police)

5. AMERICAN RESCUE PLAN ACT PASS-THROUGH GRANT APPLICATION TO MARICOPA COUNTY

Recommendation

ADOPT RESOLUTION NO. 2023-2287, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR AMERICAN RESCUE PLAN ACT (ARPA) PASS-THROUGH FUNDS TO THE MARICOPA COUNTY HUMAN SERVICES DEPARTMENT, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE ALL DOCUMENTS RELATING TO SAID APPLICATION, AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO NEGOTIATE THE TERMS OF AN INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY AND AN AGREEMENT WITH DOMINIUM, INC. (IF GRANT FUNDS ARE AWARDED). (Jenna Goad, Assistant to the City Manager)

BUSINESS

6. **2023 STATE AND FEDERAL LEGISLATIVE AGENDA**

Recommendation

ADOPT RESOLUTION NO. 2023-2286, ADOPTING A 2023 STATE AND FEDERAL LEGISLATIVE AGENDA AND PROVIDING AUTHORIZATION TO THE CITY MANAGER OR HER DESIGNEE(S) TO TAKE ACTION. (Ginna Carico, Government Relations Manager)

INFORMATION ITEMS

Comments, commendations, report on current events and presentations by Mayor, Councilmembers, staff or members of the public. The Council may not propose, discuss, deliberate or take any legal action on the information presented, pursuant to A.R.S. § 38-431.02.

- 1. Reports from the Mayor and City Council
 - a. This may include current events and activities as well as requests for information or future agenda items.
- 2. Report from the City Manager
 - a. This may include updates from events, staff summary, update of legislative issues, clarification on items being requested by City Council and Manager's update on Council Related Matters.

FUTURE MEETINGS

These future meetings are tentatively scheduled as follows:

January 23, 2023 Regular Meeting 5:00 p.m.

ADJOURNMENT

THE CITY OF GOODYEAR ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 48-hour advance notice, special assistance can be provided for sight and/or hearing-impaired persons at this meeting. Reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (623) 882-7830 or Arizona Relay (TDD) 7-1-1 to request an accommodation to participate in this public meeting.

For Non-English assistance please contact the City Clerk at (623) 882-7830.

Si necesita asistencia o traducción en español, favor de llamar al menos 48 horas antes de la reunión al (623) 882-7830.

POSTING VERIFICATION

This agenda was posted on 01/04/2023 at 3:13 p.m. by VM.

ITEM #: 2.

DATE: 01/09/2023

AI #:1260



CITY COUNCIL COMMUNICATION

STAFF PRESENTER(S): Layne Ruiz, Arts and Culture Coordinator

SUBJECT:

RECOGNIZE THE 10 heART OF GOODYEAR ARTISTS (Layne Ruiz, Arts and Culture Coordinator)

Attachments

heART of Goodyear

heART of Goodyear Public Art Project

Goodyear the Beautiful



PRESENTER

Layne Ruiz, Arts & Culture Coordinator

DATE

January 9, 2023



BRIGITTE DE MARCO-JEROME

Bullard Wash Park

152nd Ave. (amphitheater)

LICHEN SHEPARD

Goodyear Ballpark

1933 S. Ballpark Way

KELSEY PHILLIPS

Bullard Wash Park

Virginia Ave. (Playground)

EWA KOBACKA-BUGALA

Foothills Community Park

112795 S. Estrella Pkwy.

DEBRA GOLEY

Estrella Vista Park North

12575 S. 157th Ave.



CONNIE WHITLOCK & MARTY WOLFE

Falcon Park

15050 W. Indian School Rd.

MERITA JAHA

Goodyear Community Park

3075 N. Litchfield Rd.

JESSI KERR

Loma Linda Park

430 E. Loma Linda Blvd.

ARIEL FAN

Parque De Paz

1601 N. Palo Verde Dr.

DEBRA GOLEY

Wildflower Park South

16150 W. Desert Bloom St.

Thank you!

Access the Goodyear Public Art Collection at goodyearaz.gov/arts



ITEM #: 3.

DATE: 01/09/2023

AI #:1160



APPROVAL OF MINUTES

SUBJECT APPROVAL OF MINUTES

Recommendation

Approve the draft minutes from the Regular Meeting and Special Meeting held on December 12, 2022. (Darcie McCracken, City Clerk)

Attachments

December 12, 2022 Draft Regular Meeting minutes December 12, 2022 Draft Special Meeting minutes

City Council Regular Meeting

City Hall - Council Chambers 1900 N. Civic Square Goodyear, AZ 85395



Monday, December 12, 2022

6:00 p.m.

Meeting Minutes

CALL TO ORDER

Mayor Pizzillo called the Regular Meeting to order at 6:37 p.m.

ROLL CALL

Present: Mayor Joe Pizzillo; Vice Mayor Brannon Hampton; Councilmember Sheri

Lauritano: Councilmember Wally Campbell: Councilmember Bill Stipp:

Councilmember Laura Kaino; Councilmember Patrick Bray

Staff City Manager Julie Karins; City Attorney Roric Massey; City Clerk Darcie McCracken

Present:

PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER LAURITANO

Mayor Pizzillo observed a moment of silence in memory of former Mayor Georgia Lord who passed away one year ago.

APPOINTMENTS

1. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

MOTION BY Councilmember Laura Kaino, SECONDED BY Councilmember Sheri Lauritano to APPROVE the recommended appointments to Boards, Commissions and Committees. The motion carried as follows:

AYE: Mayor Joe Pizzillo, Vice Mayor Brannon Hampton, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Bill Stipp, Councilmember Laura Kaino, Councilmember Patrick Bray

Passed - Unanimously

City Clerk Darcie McCracken administered the loyalty oath to those appointees present.

COMMUNICATIONS

2. RECOGNITION OF SERVICE FOR COUNCILMEMBER PATRICK BRAY

Mayor Pizzillo thanked Councilmember Bray for his over 9 years of service to the City of Goodyear, having served on the Planning Commission and for the last nine months on the City Council. Mayor Pizzillo also presented a plaque to Councilmember Bray.

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

Nic Silvester, a Goodyear resident, spoke about not feeling heard by City Council when he spoke at a prior meeting about the businesses going in near his home.

CONSENT

MOTION BY Councilmember Laura Kaino, SECONDED BY Councilmember Patrick Bray to APPROVE Consent Agenda Items 3 through 7. The motion carried as follows:

AYE: Mayor Joe Pizzillo, Vice Mayor Brannon Hampton, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Bill Stipp, Councilmember Laura Kaino, Councilmember Patrick Bray

Passed - Unanimously

3. APPROVAL OF MINUTES

Recommendation

Approve the draft minutes from the December 5, 2022 Regular Meeting. (Darcie McCracken, City Clerk)

4. TERMINATION AND RELEASE OF EASEMENT RELATED TO THE REPLAT OF PALM VALLEY CROSSING

Recommendation

Approve the termination of the access easement dedicated to the City in the Replat of Palm Valley Crossings Lots 8 and 9 and authorize and direct the City Manager or designee to execute the Termination and Release of Easement. (Kimberly Romero, Real Estate Coordinator)

5. APPROVE FOURTH AMENDMENT TO DEVELOPMENT AGREEMENT WITH GLOBE LAND INVESTORS, LLC

Recommendation

Approve and authorize the City Manager to execute the Fourth Amendment to the Development Agreement with Globe Land Investors, LLC. (Roric Massey, City Attorney)

6. APPROVE EXPENDITURE UP TO \$1,909,140 FOR DESIGN SERVICES ON THE BRINE DISPOSAL IMPROVEMENT PROJECT (60034)

Recommendation

Approve expenditure of funds up to \$1,909,140 for the design of the Brine Disposal Improvement Project #60034. (Steve Scinto, Interim Deputy Public Works Director; Jose Murillo, Utilities Engineer)

7. AUTHORIZATION OF EXPENDITURE OF DESIGN FUNDS FOR APPROVED FY2023 CIP PROJECT #42048- SARIVAL AVENUE (WEST HALF) YUMA ROAD TO ELWOOD STREET

Recommendation

Authorize the expenditure of funds for the Sarival Avenue project in an amount not to exceed \$2,563,800. (Hugh Bigalk, PE, City Traffic Engineer)

PUBLIC HEARINGS

8. USE PERMIT FOR A CONVENIENCE USE (ONO HAWAIIAN BBQ RESTAURANT WITH DRIVE-THROUGH)

Mayor Pizzillo opened the public hearing at 6:56 p.m.

Planning Manager Steve Careccia presented information on the request for a use permit for a convenience use (drive-through) for Ono Hawaiian BBQ restaurant. He outlined the ingress and egress of traffic through the 1-acre parcel within the Canyon Trails Towne Center located on the northeast corner of Yuma Road and Cotton Lane.

Mayor Pizzillo closed the public hearing at 7:00 p.m.

Council inquired on the drive-through and expressed concern that it would not be sufficient to keep cars from blocking or backing up traffic. Mr. Careccia said that the traffic study supported the placement of the drive-through.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Sheri Lauritano to APPROVE the use permit for the Ono Hawaiian BBQ at Canyon Trails Towne Center. The motion carried as follows:

AYE: Mayor Joe Pizzillo, Vice Mayor Brannon Hampton, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Bill Stipp, Councilmember Laura Kaino, Councilmember Patrick Bray

Passed - Unanimously

9. ANNEXATION OF LAND WITHIN A PARCEL AT THE SOUTHWEST CORNER OF W. LOWER BUCKEYE ROAD AND CITRUS ROAD

Mayor Pizzillo opened the public hearing at 7:10 p.m.

Planning Manager Steve Careccia spoke about the annexation process and the parcel of land this covered. Mr. Careccia added that the hearing tonight is a hearing only to get public input and there is no action required by Council.

Mayor Pizzillo closed the public hearing at 7:12 p.m.

10. ZONING ORDINANCE TEXT AMENDMENT TO AMEND THE CITY'S LANDSCAPE STANDARDS

Mayor Pizzillo opened the public hearing at 7:13 p.m.

Planning Manager Steve Careccia reviewed the changes in the Landscape standard, including the number of trees required in a specific area and the limits now put on turf.

Mayor Pizzillo closed the public hearing at 7:20 p.m.

Council asked questions about future development for recreation use such as a golf course, or soccer fields. Mr. Careccia responded that uses like that would likely need a Planned Area Development where waivers to standards could be evaluated by staff and sent through the governing bodies.

MOTION BY Councilmember Patrick Bray, SECONDED BY Councilmember Bill Stipp to ADOPT RESOLUTION NO. 2022-2281 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK AND TITLED "LANDSCAPE STANDARDS ZONING ORDINANCE TEXT AMENDMENT," AND "APPROVED PLANT MATRIX." The motion carried as follows:

AYE: Mayor Joe Pizzillo, Vice Mayor Brannon Hampton, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Bill Stipp, Councilmember Laura Kaino, Councilmember Patrick Bray

Passed - Unanimously

BUSINESS

11. APPROVE THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF GOODYEAR FIRE DEPARTMENT AND THE CITY OF PHOENIX FIRE DEPARTMENT FOR THE PARTICIPATION IN THE AUTOMATIC AID AGREEMENT

Interim Deputy City Manager Paul Luizzi presented information on the Automatic Aid agreement. He spoke about the agreement beginning in 1976 with Goodyear joining in 1999. He outlined the obligations of the parties listed in the agreement.

Council spoke about the provisions of the automatic aid agreement that said if a party annexes area outside their service area that they will create and distribute a plan to the other parties. Council stated that the city of Glendale has annexed area up to and past the Loop 303 without making any plans to service the area. Council asked that staff approach the Life Safety Council to develop an alternative governance mechanism and not just Fire Chiefs that oversee the agreements. Council also asked that letters be sent to the Council members in the City of Glendale outlining the issues.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Patrick Bray to APPROVE and authorize the City Manager or designee to enter into a new Intergovernmental Agreement ("IGA") between the City of Goodyear and the City of Phoenix to provide and receive automatic assistance for fires and other types of emergency incidents. It was further noted that the approval of the agreement was under protest with the current conditions in place involving the City of Glendale. The motion carried as follows:

AYE: Mayor Joe Pizzillo, Vice Mayor Brannon Hampton, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Bill Stipp, Councilmember Laura Kaino, Councilmember Patrick Bray

Passed - Unanimously

12. HOME ARIZONA RESOLUTION

Development Services Director Christopher Baker spoke about the resolution to support Home Arizona that shows a public commitment to supporting development within the City. He added that other cities have also passed the resolution.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Wally Campbell to ADOPT RESOLUTION NO. 2022-2284 RESOLVING TO ASSIST HOME ARIZONA IN SOLVING THE HOUSING SHORTAGE. The motion carried as follows:

AYE: Mayor Joe Pizzillo, Vice Mayor Brannon Hampton, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Bill Stipp, Councilmember Laura Kaino, Councilmember Patrick Bray

Passed - Unanimously

INFORMATION ITEMS

City Manager Julie Karins spoke about the second week at the Holidays on the Square event and attendance over 3000 guests and 17 entries in the car show.

Future Meetings

These future meetings are tentatively scheduled as follows:

January 3, 2023 Council Induction 5:00 p.m.
January 9, 2023 City Council Meeting 5:00 p.m.

EXECUTIVE SESSION

A VOTE MAY BE HELD TO CALL AN EXECUTIVE SESSION FOR THE FOLLOWING:

13. Pursuant to A.R.S.§38-431.03(A)(1): Discussion with the Presiding Judge regarding her annual performance evaluation.

MOTION BY Councilmember Patrick Bray, SECONDED BY Councilmember Sheri Lauritano to CONVENE an Executive Session. The motion carried as follows:

AYE: Mayor Joe Pizzillo, Vice Mayor Brannon Hampton, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Bill Stipp, Councilmember Laura Kaino, Councilmember Patrick Bray

Passed - Unanimously

Council moved into Executive Session at 7:45 p.m.

ADJOURNMENT OF EXECUTIVE SESSION

Mayor Pizzillo adjourned the Executive Session at 9:00 p.m.

RECONVENING OF SPECIAL MEETING

Mayor Pizzillo reconvened the Special Meeting at 9:00 p.m.

CONTINUATION OF BUSINESS

14. Council will consider for possible action the renewal of the Presiding Judge's employment agreement.

MOTION BY Councilmember Patrick Bray, SECONDED BY Councilmember Sheri Lauritano to not renew Judge Galindo's contract and direct the City Attorney to work with Judge Galindo to draft a three-month severance package to include sick and vacation time payouts, as directed by her contract, and granting administrative leave for the remainder of her contract. The motion carried as follows:

AYE: Mayor Joe Pizzillo, Vice Mayor Brannon Hampton, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Bill Stipp, Councilmember Laura Kaino, Councilmember Patrick Bray

Passed - Unanimously

	ADJOURNME	ENT
There being no further business to di	scuss, Mayor Pizz	rillo adjourned the Regular Meeting at 9:01 p.m.
Darcie McCracken, City Clerk	Joe Pizzillo,	, Mayor
Date:		
	CERTIFICA	ATION
, ,	ne city of Goodyea	nd correct copy of the minutes of the CITY ar, Arizona, held on December 12, 2022. I furthe art a quorum was present.
Dated this day of	, 2022.	SEAL:
Darcie McCracken, City Clerk		

City Council Special Meeting

City Hall - Work Session Room 1900 N. Civic Square Goodyear, AZ 85395



Monday, December 12, 2022 Immediately Following the Work Session that began at 5:00 p.m.

CALL TO ORDER

Mayor Pizzillo called the Special Meeting to order at 5:47 p.m.

ROLL CALL

Present: Mayor Joe Pizzillo; Councilmember Sheri Lauritano; Councilmember Wally Campbell;

Councilmember Bill Stipp; Councilmember Laura Kaino; Councilmember Patrick Bray

Absent: Vice Mayor Brannon Hampton

Staff City Manager Julie Karins; City Attorney Roric Massey; City Clerk Darcie McCracken

Present:

MOTION BY Councilmember Wally Campbell, **SECONDED BY Councilmember Laura Kaino** to EXCUSE Vice Mayor Hampton. The motion carried as follows:

AYE: Mayor Joe Pizzillo, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Bill Stipp, Councilmember Laura Kaino, Councilmember Patrick Bray

Passed - Unanimously

BUSINESS

A VOTE MAY BE HELD TO CALL AN EXECUTIVE SESSION FOR THE FOLLOWING:

1. Pursuant to A.R.S. § 38-431.03(A)(3)(4)): Discussion and consultation with the City Attorney and City Manager to receive an update, to consider its position, and to provide instruction/direction to City Attorney and City Manager regarding City's position in connection with contractual negotiations related to the Intergovernmental Agreement for The Regional Metropolitan Phoenix Fire Services Automatic Aid and for legal options related to the provision of fire services outside of Goodyear jurisdictional limits.

MOTION BY Councilmember Wally Campbell, **SECONDED BY Councilmember Bill Stipp** to CONVENE an Executive Session. The motion carried as follows:

AYE: Mayor Joe Pizzillo, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Bill Stipp, Councilmember Laura Kaino, Councilmember Patrick Bray

Passed - Unanimously

The Council moved into the Executive Session at 5:48 p.m.

ADJOURNMENT OF EXECUTIVE SESSION

Mayor Pizzillo adjourned the Executive Session at 6:20 p.m.

RECONVENING OF SPECIAL MEETING

Mayor Pizzillo reconvened the Special Meeting at 6:20 p.m. in the Council Chambers.

ADJOU	JRNMENT
There being no further business to discuss, Mayor I	Pizzillo adjourned the Special Meeting at 6:20 p.m.
Darcie McCracken, City Clerk Joe Pizzi	illo, Mayor
Date:	
CERTII	FICATION
I hereby certify that the foregoing minutes are a true COUNCIL SPECIAL MEETING of the city of Goody certify that the meeting was duly called and held an	rear, Arizona, held on December 12, 2022. I further
Dated this day of, 2022.	SEAL:
Darcie McCracken, City Clerk	

ITEM #: 4.

DATE: 01/09/2023

AI #:1237



CITY COUNCIL ACTION REPORT

SUBJECT: INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE CITY OF PHOENIX FOR THE ADMINISTRATION OF THE DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)

STAFF PRESENTER(S): Santiago Rodriguez, Chief of Police

SUMMARY

The City of Phoenix is administering the Edward Byrne JAG funding on behalf of Maricopa County.

Recommendation

Approve the IGA with the City of Phoenix for grant administration for the Edward Byrne Justice Assistance Grant. (Santiago Rodriguez, Chief of Police)

FISCAL IMPACT

The DOJ Edward Byrne Memorial JAG program is funded by the Department of Justice and managed by the Bureau of Justice Assistance. The grant award for FY2023 is \$14,425, with no matching fund requirement from the City of Goodyear.

BACKGROUND AND PREVIOUS ACTIONS

The Bureau of Justice Assistance (BJA) is responsible for managing the Edward Byrne Memorial JAG program for the Department of Justice. Until 2021, the city of Goodyear had received a direct award from BJA for this grant. The BJA required that if the grant awarded to the county and multiple municipalities within that county are eligible for direct awards that exceed 400% of the county's total award amount, the county must administer the grant. The City of Phoenix has been designated as the administration entity for Maricopa County for the FY2023 awards. This agreement allocates 10% of our DOJ grant allocation (\$15,828) to the City of Phoenix for administration functions that it will perform on behalf of Goodyear. The total funding amount for FY2023 will be \$14,245. The City of Phoenix is requiring an IGA with the City of Goodyear in order to administer the Edward Byrne JAG program.

STAFF ANALYSIS

The IGA with the City of Phoenix allows the Goodyear Police Department to utilize the DOJ Edward Byrne JAG program award allocation of \$14,245 to provide breeching equipment for each of our patrol sergeants. The Office of the Chief has weighed the benefits of adding the additional breaching equipment to each patrol sergeant's vehicle and accepts the City of Phoenix's 10% administration fee.

Attachments

IGA with Phoenix for Edward Byrne Grant

CONTRACT NO	

INTERGOVERNMENTAL AGREEMENT **BETWEEN** THE CITY OF AVONDALE AND THE CITY OF BUCKEYE AND THE CITY OF CHANDLER AND THE TOWN OF GILBERT AND THE CITY OF GLENDALE AND THE CITY OF GOODYEAR AND THE COUNTY OF MARICOPA, ARIZONA AND THE CITY OF MESA, ARIZONA, AND THE CITY OF PEORIA **AND** THE CITY OF SCOTTSDALE **AND** AND THE CITY OF SURPRISE AND THE CITY OF TEMPE **AND** THE CITY OF PHOENIX, ARIZONA **FOR**

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #: 16.738)

Pursuant to A.R.S. §11-952, this Intergovernmental Agreement (AGREEMENT) is entered into as of the 1st day of October, 2021 by and between the City of Avondale, Arizona (AVONDALE), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Avondale Police Department; the City of Buckeye, Arizona (BUCKEYE), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Buckeye Police Department; City of Chandler, Arizona (CHANDLER), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Chandler Police Department; City of Gilbert, Arizona (GILBERT), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Gilbert Police Department; City of Glendale, Arizona (GLENDALE), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Glendale Police Department; City of Goodyear, Arizona (GOODYEAR), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Goodyear Police Department; Maricopa County (COUNTY), a political subdivision duly organized and existing under the laws of the State of Arizona, for and on behalf of the Maricopa County Office of the Medical Examiner; City of Mesa, Arizona (MESA), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Mesa

Police Department; City of Peoria, Arizona (PEORIA), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Peoria Police Department; City of Scottsdale, Arizona (SCOTTSDALE), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Scottsdale Police Department; City of Surprise, Arizona (Surprise), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Surprise Police Department; City of Tempe, Arizona (TEMPE), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Tempe Police Department; and the City of Phoenix, Arizona (PHOENIX), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Phoenix Police Department. AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE and PHOENIX may also be referred to individually as 'PARTY' or collectively as 'PARTIES'.

RECITALS

- WHEREAS, the PARTIES have become entitled to certain grant funds through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and
- WHEREAS, a disparity exists between the funding eligibility of the PARTIES as determined by 42 USC § 3755 (d)(3)(4); and
- WHEREAS, Federal law requires that units of local government within a group of jurisdictions identified as disparate to agree upon an allocation process; and
- **WHEREAS**, the PARTIES believe it to be in their best interests to reallocate the JAG funds to resolve said disparity.

NOW THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by reference, the following mutual covenants and conditions, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the PARTIES hereby agree as follows:

SECTION 1

The purpose of this AGREEMENT is to reallocate the funds available to the PARTIES from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program and to resolve disparities in compliance with 42 USC § 3755 (d)(3)(4). In compliance therewith the PARTIES agree PHOENIX shall receive all the funds and distribute the funds to AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, AND TEMPE as follows:

- 1. PHOENIX agrees to receive \$1,609,591 from the JAG award for the PHOENIX JAG Program; and
- 2. PHOENIX agrees to pay AVONDALE a total of \$21,021 of JAG funds; and
- 3. PHOENIX agrees to pay BUCKEYE a total of \$9,356 of the JAG funds; and

- 4. PHOENIX agrees to pay CHANDLER a total of \$43,233 of JAG funds; and
- 5. PHOENIX agrees to pay GILBERT a total of \$19,433 of JAG funds; and
- 6. PHOENIX agrees to pay GLENDALE a total of \$78,673 of JAG funds; and
- 7. PHOENIX agrees to pay GOODYEAR a total of \$14,245 of JAG funds; and
- 8. PHOENIX agrees to pay COUNTY a total of \$38,766 of JAG funds; and
- 9. PHOENIX agrees to pay MESA a total of \$143,150 of JAG funds; and
- 10. PHOENIX agrees to pay PEORIA a total of \$31,420 of JAG funds; and
- 11. PHOENIX agrees to pay SCOTTSDALE a total of \$32,437 of JAG funds; and
- 12. PHOENIX agrees to pay SURPRISE a total of \$12,731 of JAG funds; and
- 13. PHOENIX agrees to pay TEMPE a total of \$72,022 of JAG funds; and
- 14. PHOENIX shall retain \$1,093,104 for the JAG Program (collectively "allocated funds).
- 15. PHOENIX agrees to make all payments to AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, AND TEMPE within thirty (30) days after receipt of the JAG funds by PHOENIX.

SECTION 2

The PARTIES agree to use allocated funds for the JAG Program on or before September 30, 2025.

SECTION 3

- 1. **Term**. The term of this AGREEMENT shall commence simultaneously with the FY2022 JAG grant program year on October 1, 2021 and continue until September 30, 2025 unless terminated sooner in accordance with the terms of the grant, and such reasonable time thereafter as may be needed to complete the administration of the grant.
 - **A. Obligations of PHOENIX**. PHOENIX agrees to administer the Funds as provided in Section 1, and shall:
 - (a) Ensure that the funds received by PHOENIX are dispersed to AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, AND TEMPE in accordance to this AGREEMENT; and

- (b) Collect and transmit to the appropriate Federal funding authorities all financial and program reports as required by the terms and conditions of the grant and applicable Federal regulations.
- B. Obligations of AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, AND TEMPE. During the term of this AGREEMENT, AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, AND TEMPE:
 - (a) Agree that PHOENIX will administer the Funds as provided in Section 1; and
 - (b) Will maintain and provide to PHOENIX all financial and program reports as required by the terms and conditions of the grant and applicable Federal regulations; and
 - (c) Will be responsible for the actions of their respective employees in providing services under this AGREEMENT and shall hold harmless the PARTIES to this AGREEMENT from any liability that may arise from the furnishing of the services by the other PARTIES.
- 2. **DISCLAIMER**. This AGREEMENT is not intended to and will not constitute, create, give rise to, or otherwise recognize a joint venture, agency, partnership or formal business association or organization of any kind among the PARTIES, and the rights and obligations of the PARTIES shall be only those expressly set forth in this AGREEMENT.
- 3. NON-AVAILABILITY OF FUNDS. Each payment obligation of the PARTIES created hereby is conditioned on the availability of funds. The PARTIES recognize that the continuation of this AGREEMENT after the close of any of their respective fiscal years shall be subject to the approval of their respective governing bodies providing an appropriation covering this item as an expenditure. None of the PARTIES represent that said budget items will be actually adopted.

SECTION 4

The PARTIES to this AGREEMENT do not intend for any third party to obtain a right by virtue of this AGREEMENT.

SECTION 5

Notice is given that pursuant to A.R.S. 38-511 the PARTIES may cancel any AGREEMENT without penalty or further obligation within three years after execution of the AGREEMENT, if any person significantly involved in initiating, negotiating, securing, drafting or creating the AGREEMENT on behalf of the PARTY is at any time while the AGREEMENT or any extension of the AGREEMENT is in effect, an employee or agent of any other party to the AGREEMENT in any capacity or consultant to any other party of the AGREEMENT with respect to the subject matter of the AGREEMENT. Additionally, pursuant to A.R.S. 38-511 the PARTIES may recoup any fee or commission paid or due to any person significantly involved in initiating, negotiating,

securing, drafting or creating the AGREEMENT on behalf of the PARTIES from any other party to the AGREEMENT arising as the result of the AGREEMENT.

SECTION 6

By entering into this AGREEMENT, the PARTIES do not intend to create any obligations express or implied other than those set out herein. Further, this AGREEMENT shall not create any rights in any party not a signatory hereto.

SECTION 7

The PARTIES warrant they are in compliance with the provisions in A.R.S. §41-4401 (e-verify).

SECTION 8

Each PARTY (as "Indemnitor") agrees to indemnify, defend, and hold harmless the other PARTY (as "Indemnitee") from and against all claims, losses, liability, costs, or expenses (including reasonable attorneys' fees, expert witnesses' fees and other litigation costs) (hereinafter collectively referred to as "Claims") arising out of bodily injury (including death) of any person or property damage, but only to the extent that such claims, which result in vicarious liability to the Indemnitee, are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers.

SECTION 9

Each PARTY agrees to comply with the federal certifications regarding lobbying, debarment, suspension and other responsibility matters, and drug free workplace requirements for this grant.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the PARTIES certify that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

Pursuant to Executive Order 12549, Debarment and Suspension, implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Section 2867.20(a), and other requirements:

A. The PARTIES certify that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency.
- (b) Have not within a three-year period preceding this AGREEMENT been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Have not within a two-year period preceding this AGREEMENT been convicted of a felony criminal violation under any Federal law, unless such felony criminal conviction has been disclosed in writing to the Office of Justice Programs (OJP) at Ojpcompliancereporting@usdoj.gov, and, after such disclosure, the has received a specific written determination from OJP that neither suspension nor debarment of the PARTY is necessary to protect the interests of the Government in this case.
- (d) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (e) Have not within a three-year period preceding this AGREEMENT had one or more public transactions (Federal, State, or local) terminated for cause or default.
- B. Where any PARTY is unable to certify to any of the statements in this certification, said PARTY shall attach an explanation to this AGREEMENT.

3. DRUG-FREE WORKPLACE

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, Subpart F, for grantees, as defined at 28 CFR Sections 83.620 and 83.650:

- A. The applicant certifies that it will or will continue to provide a drug-free workplace by:
 - (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - (b) Establishing an on-going drug-free awareness program to inform employees about
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
 - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
 - (e) Notifying the granting agency, and the PHOENIX Grant Administrator (Exhibit A), in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;
 - (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the PARTY, the undersigned hereby certify that the PARTY will comply with the above certifications.

(Remainder intentionally left blank. Signatures to follow)

CONTRA	CT NO)			

THE STATE OF ARIZONA COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT BETWEEN

CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND CITY OF PHOENIX, ARIZONA

FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF AVONDALE

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.	By: Type Name: Cherlene Penilla Its: City Manager (Acting)
Avondale City Attorney	Attest:
Tivolidate City Tittorney	Type Name: Nicholle Harris
Date _	Date:

CONTRA	CT NO)			

THE STATE OF ARIZONA COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT BETWEEN

CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND CITY OF PHOENIX, ARIZONA

FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF BUCKEYE

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.	By: Type Name: Dan Cotterman Its: City Manager
Buckeye City Attorney	Attest:
Buckeye City Automoy	Type Name: John Gaylord
Date	Date:

CONTRACT N	NO

THE STATE OF ARIZONA COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT BETWEEN

CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND CITY OF PHOENIX, ARIZONA

FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF CHANDLER

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.	By: Type Name: Sean E. Duggan Its: Chief of Police
	Attest:
Chandler Assistant City Attorney	
	Type Name: Dana DeLong
Date	Date:

CONTRA	CT NO)	

THE STATE OF ARIZONA COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT BETWEEN

CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND CITY OF PHOENIX, ARIZONA

FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #16.738)

TOWN OF GILBERT

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.	By: Type Name: Brigette Peterson Its: Mayor
Gilbert Town Attorney	Attest:
Ghoeft Town Attorney	Type Name: Chaveli Herrera
Date	Date:

CONTRACT NO	1
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THE STATE OF ARIZONA COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT BETWEEN

CITY OF AVONDALE, BUCKEYE CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND CITY OF PHOENIX, ARIZONA FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF GLENDALE

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.	By: Type Name: Kevin R. Phelps Its: City Manager
	Attest:
Glendale City Attorney	
	Type Name: Julie K. Bower
Date	Date:

CONTRACT NO	1
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THE STATE OF ARIZONA COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT BETWEEN

CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND CITY OF PHOENIX, ARIZONA FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF GOODYEAR

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.	By: Type Name: _Julie Karins Its: _City Manager
	Attest:
Goodyear City Attorney	
	Type Name: Roric Massey
Date	Date:

CONTRACT NO

THE STATE OF ARIZONA COUNTY OF MARICOPA

INTERGOVENMENTAL AGREEMENT BETWEEN

CITY OF AVONDALE, BUCKEYE CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND CITY OF PHOENIX, ARIZONA

FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #16.738)

COUNTY OF MARICOPA

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.	By: Type Name: Bill Gates Its: Chairman, Board of Supervisors
Maricopa Deputy County Attorney	Attest:
	Type Name: _ Juanita Garza
Date	Date:

CONTRACT NO	1
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THE STATE OF ARIZONA COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT BETWEEN

CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND CITY OF PHOENIX, ARIZONA FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF MESA

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.	By: Type Name: _Christopher J. Brady Its: _City Manager
Nancy Sorensen	Attest:
Mesa Police Staff Attorney	
	Type Name: Holly Moseley
Date	Date:

CONTRACT NO	1
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THE STATE OF ARIZONA COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT BETWEEN

CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND CITY OF PHOENIX, ARIZONA FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF PEORIA

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.	By: Type Name:
Peoria City Attorney	Attest:
1 cona City Attorney	Type Name: Lori Dyckman
Date	Date:

CONTRACT N	NO

THE STATE OF ARIZONA COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT BETWEEN

CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND CITY OF PHOENIX, ARIZONA

FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF SCOTTSDALE

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.	By: Type Name: David Ortega Its: Mayor
Scottsdale City Attorney	Attest:
	Type Name: Ben Lane
Date	Date:

CONTRACT NO	1
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THE STATE OF ARIZONA COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT BETWEEN

CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND CITY OF PHOENIX, ARIZONA

FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF SURPRISE

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.	By: Type Name: Robert Wingenroth Its: City Manager
	Attest:
Surprise City Attorney	
	Type Name: Sherry Aguilar
Date	Date:

CONTRA	CT NO)			

THE STATE OF ARIZONA COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT BETWEEN

CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND CITY OF PHOENIX, ARIZONA

FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF TEMPE

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.	By: Type Name: Corey D. Woods Its: Mayor
Sonia Blain Tempe City Attorney	Attest:
	Type Name: Carla R. Reece
Date	Date:

CONTRACT NO	
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THE STATE OF ARIZONA COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT BETWEEN

CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND CITY OF PHOENIX, ARIZONA

FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF PHOENIX

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.	By: Type Name:
Phoenix City Attorney	Attest:
Date	Type Name: Denise Archibald Date:

EXHIBIT A

TO

INTERGOVERNMENTAL AGREEMENT BETWEEN

CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND CITY OF PHOENIX, ARIZONA

FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2022 LOCAL SOLICITATION (CFDA #16.738)

Notices provided under this AGREEMENT shall be directed to the following persons:

The C	ITY (of A	VO	NDA	LE:
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Name: Kimberly Martinez

Address: 11485 W. Civic Center Dr.

Address: Address:

City/St/Zip: Avondale, AZ 85323

Phone: 623-333-7204

Fax: 623-333-0071

The CITY of **BUCKEYE**:

Name: LaMar Brown

Address: 100 N. Apache Rd # D

Address:

City/St/Zip: Buckeye, AZ 85326

Phone: 623-349-6447

Fax:

The CITY of **CHANDLER**:

Name: Melanie R. Smith Address: Mail Stop 303M Address: P.O. Box 4008

Address:

City/St/Zip: Chandler, AZ 85244-4008

Phone: 480-782-4085 Fax: 480-782-4110

The TOWN of **GILBERT**:

Name: Michael Soelberg, Address: Chief of Police Address: 75 E. Civic Center Dr.

Address:

City/St/Zip: Gilbert, AZ 85296

Phone: 480-635-7272 Fax: 480-635-7695

The CITY of GLENDALE:

Name: David Rice Address:6835 N 57th Dr.

Address: Address:

City/St/Zip: Glendale, AZ 85301

Phone: 623-930-3296 Fax: 623-931-2103

The County of **MARICOPA**:

Name: Amy A. Rex

Address: Office of the Medical Examiner

The CITY of **GOODYEAR**:

Name: Jennifer Calovini

Address: 14455 W. Van Buren St.

Address: Suite E-101

Address:

City/St/Zip: Goodyear, AZ 85338

Phone: 623-882-7805 Fax: 623-882-3007

The CITY of **MESA**:

Name: Dorothy O'Brien

Address: P.O. Box 1466, MS 6610

Address: 701 W. Jefferson St. Address: City/St/Zip: Phoenix, AZ 85007 Phone: 602-506-8062 Fax: 602-506-1546 The CITY of PEORIA :	Address: Address: City/St/Zip: Mesa, AZ 85211-1466 Phone: 480-644-2331 Fax: 480-644-2857 The CITY of SCOTTSDALE :
Name: Heather Cammarata Address: 8351 W. Cinnabar Ave. Address: Address: City/St/Zip: Peoria, AZ 85345 Phone: 623-773-7069 Fax: 623-773-5029	Name: Marcus Steele Address: 8401 E. Indian School Rd. Address: Address: City/St/Zip: Scottsdale, AZ 85251 Phone: 480-312-1993 Fax:
The CITY of SURPRISE: Name: Benny Pina Address: Chief of Police Address: 14250 W. Statler Plaza Address: Suite 103 City/St/Zip: Surprise, AZ 85374 Phone: 623-222-4020 Fax:	The CITY of <u>TEMPE</u> : Name: Dreamlyn Johnson Address: 120 E. 5 th St. Address: Police Department Address: City/St/Zip: Tempe, AZ 85281 Phone: 480-350-8358 Fax:
The CITY of PHOENIX : Name: Antoinette Bates Address: Phoenix Police Department Address: 4th Floor, Suite 422 Address: 620 W. Washington St City/St/Zip: Phoenix, AZ 85003 Phone: 602-534-3622 Fax: 602-534-1613	

ITEM #: 5.

DATE: 01/09/2023

AI #:1267



CITY COUNCIL ACTION REPORT

SUBJECT: AMERICAN RESCUE PLAN ACT PASS-THROUGH GRANT APPLICATION TO MARICOPA COUNTY

STAFF PRESENTER(S): Jenna Goad, Assistant to the City Manager

SUMMARY

Council consideration and possible authorization for staff to submit an application to Maricopa County for federal American Rescue Plan Act (ARPA) funds for the Suncrest Vista senior housing development.

Recommendation

ADOPT RESOLUTION NO. 2023-2287, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR AMERICAN RESCUE PLAN ACT (ARPA) PASS-THROUGH FUNDS TO THE MARICOPA COUNTY HUMAN SERVICES DEPARTMENT, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE ALL DOCUMENTS RELATING TO SAID APPLICATION, AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO NEGOTIATE THE TERMS OF AN INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY AND AN AGREEMENT WITH DOMINIUM, INC. (IF GRANT FUNDS ARE AWARDED). (Jenna Goad, Assistant to the City Manager)

FISCAL IMPACT

There is no local match required, however, if grant funds are awarded there will be administrative expenses associated with ongoing compliance and reporting. It is unknown if these costs can be offset by a portion of the grant funding. The estimated cost of the Suncrest Vista development is \$110,785,135 and the grant application would be for an amount not to exceed \$4.0 million.

BACKGROUND AND PREVIOUS ACTIONS

The Maricopa County Board of Supervisors has approved an additional allocation of \$65 million in American Rescue Plan Act (ARPA) 2021 State and Local Fiscal Recovery Funds for affordable housing development. The Maricopa County Human Services Department is looking to support affordable housing development projects that are in need of additional funding in cooperation with local jurisdictions who can demonstrate strong partnerships and the leveraging of local funding or assets.

Council approved a request to rezone approximately 29 acres generally located southeast of Cotton Lane and Van Buren Street for the Suncrest Vista and Estrella Springs multi-family housing developments on January 24, 2022.

STAFF ANALYSIS

If funds are awarded, the City will enter into an Intergovernmental Agreement with Maricopa County in order to receive the funds. The terms of that IGA are not yet known. The City would also need to enter into an agreement with the developer, Dominium, Inc., to specify the terms of the funding pass-through. The City will likely be responsible for the ongoing monitoring and reporting associated with the use of federal ARPA funds, which may be for a period of 20 years or more. The City would also need to ensure compliance with any additional terms specified in the agreement with Dominium, Inc. If selected for award, the City Manager, or her designee, will negotiate the terms of both agreements and bring them to City Council for approval.

Attachments

Resolution

RESOLUTION NO. 2023-2287

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR AMERICAN RESCUE PLAN ACT (ARPA) PASS-THROUGH FUNDS TO THE MARICOPA COUNTY HUMAN SERVICES DEPARTMENT, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE ALL DOCUMENTS RELATING TO SAID APPLICATION, AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO NEGOTIATE THE TERMS OF AN INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY AND AN AGREEMENT WITH DOMINIUM, INC. (IF GRANT FUNDS ARE AWARDED).

WHEREAS, it is in the best interest of the City to support diverse housing options that meet the needs of Goodyear's residents; and

WHEREAS, Suncrest Vista qualifies as an eligible affordable housing project under the American Rescue Plan Act; and

WHEREAS, the maximum award would be \$4,000,000 and there is no local match required.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

- SECTION 1. The City Manager, or her designee, is hereby authorized to submit an application to Maricopa County for American Rescue Plan Act funds for the Suncrest Vista senior housing development for an amount not to exceed \$4,000,000.
- SECTION 2. If the grant application is awarded, the City will enter into an Intergovernmental Agreement (IGA) with Maricopa County and an agreement with Dominium, Inc. as necessary to implement the project as approved by the County.
- SECTION 3. The City Manager, or her designee, is hereby authorized to negotiate all documents relating to this application and any grant offer or other agreements resulting from such application.

		he City of Goodyear, Maricopa County,
Arizona, by a vote,	inis day of	, 20
	Joe Pizzillo,	Mayor

Date: ____

ATTEST:	APPROVED AS TO FORM:	
Darcie McCracken, City Clerk	Roric Massey, City Attorney	

ITEM #: 6.

DATE: 01/09/2023

AI #:1204



CITY COUNCIL ACTION REPORT

SUBJECT: 2023 STATE AND FEDERAL LEGISLATIVE AGENDA

STAFF PRESENTER(S): Ginna Carico, Government Relations Manager

SUMMARY

Government Relations staff is seeking Council approval of the 2023 State and Federal Legislative Agenda.

Recommendation

ADOPT RESOLUTION NO. 2023-2286, ADOPTING A 2023 STATE AND FEDERAL LEGISLATIVE AGENDA AND PROVIDING AUTHORIZATION TO THE CITY MANAGER OR HER DESIGNEE(S) TO TAKE ACTION. (Ginna Carico, Government Relations Manager)

FISCAL IMPACT

The legislative agenda includes aspects to protect existing state and local revenues as well as to explore available resources such as state and federal appropriations.

BACKGROUND AND PREVIOUS ACTIONS

The Council approved the 2022 Legislative Agenda by resolution on January 10, 2022, which continues to be the guiding document until the approval of an updated legislative agenda.

STAFF ANALYSIS

The First Regular Session of Arizona's 56th Legislature will convene on Monday, January 9, 2023 while the 118th United States Congress convened January 3, 2023 and will conclude January 3, 2025.

At the beginning of each legislative session, the Government Relations staff seeks Council adoption of the legislative agenda, which defines the City's legislative priorities and guides the City's government relation activities.

Throughout the year, Government Relations staff will provide regular updates on activity related to the legislative agenda as well as any other legislative activity that could have an impact on Goodyear and other municipalities. Government Relations staff may return to Council to present information and receive formal direction on specific bills and/or amendments that may have a significant impact, or do not fall under the guiding principles established in the legislative agenda.

Attachments

2023 Leg Agenda Resolution 2023 Federal & State Legislative Agenda Presentation

RESOLUTION NO. 2023-2286

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, ADOPTING A 2023 STATE AND FEDERAL LEGISLATIVE AGENDA AND PROVIDING AUTHORIZATION TO THE CITY MANAGER OR HER DESIGNEE(S) TO TAKE ACTION.

WHEREAS, an objective of the City Council is to adopt a legislative program which strengthens local government, promotes City goals and defends the City against legislative actions by State and Federal governments that would weaken local government and/or take away traditional revenue sources; and

WHEREAS, it is vital to the fiscal health and the self determination of the City to effectively communicate with state legislators and federal representatives in order to favorably influence state and federal legislation, regulations and grant requests; and

WHEREAS, the Arizona League of Cities and Towns conducts a legislative analysis and advocacy program on behalf of cities for state issues, which is governed annually by the League resolutions process adopted by cities around the state at the annual conference each fall; and

WHEREAS, the City desires to be proactive and involved in the governmental decision making processes directly affecting the City's legislative priorities identified in the Arizona League of Cities and Towns legislative priorities and other selected issues as may from time to time be recommended by the Arizona League of Cities and Towns; and

WHEREAS, a key component of the City's Legislative Action Program is face to face meetings between City representatives and elected officials at the federal, state and county levels, and coordination with similar efforts made by other regional and local entities such as Maricopa Association of Governments (MAG), Valley Metro, AMWUA, WESTMARC and Luke West Valley Partners;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

- SECTION 1. The 2023 State and Federal Legislative Agenda attached hereto as Exhibit A is adopted.
- The City Manager or her designee(s) are hereby authorized to take all actions necessary to carry out the intent of this Resolution and the 2023 State and Federal Legislative Agendas, attached hereto as Exhibit A.

	the Mayor and Council of the City of Good his day of	
	Joe Pizzillo, Mayor	
	Date:	
ATTEST:	APPROVED AS TO FORM:	
Darcie McCracken, City Clerk	Roric Massey, City Attorney	

City of Goodyear, Arizona 2023 Federal & State Legislative Agendas



INTRODUCTION

The purpose of this document is to define the City of Goodyear's legislative priorities and core values for the 2023 federal and state legislative sessions. This serves as the leading document to provide direction to Government Relations staff to ensure the City is actively engaging on issues at the U.S. and State Capitols that reflect the priorities and mission of the Goodyear City Council.

CORE VALUES

Maintain Goodyear's High Quality of Life

Protect those attributes that make Goodyear a desirable community for families and businesses alike. These may include: open space; economic prosperity; safe neighborhoods; efficient transportation; public safety; and managed growth.

Preserve Local Funding

Protect existing funding sources that bring revenue to the City of Goodyear, which support the quality of life for its residents. The most common examples of this are the portion of state shared income tax (urban revenue sharing), state transaction privilege tax, residential rental and food taxes, and Highway User Revenue Fund monies cities receive from the state. Any efforts to reduce, sweep or eliminate any of these shared revenue sources will be opposed.

Oppose Preemption of Local Authority

Support local decision-making authority. The City of Goodyear was created by its residents through incorporation in 1946 - the community entrusts their local elected officials to protect public health, safety and quality of life. Any efforts to weaken or eliminate local control and decision-making authority through preemption or mandates will be opposed.

Protect the Mission of Luke Air Force Base

Sustain the long-term mission and viability of Luke Air Force Base through local and regional community support as well as any state or federal legislation that strengthens local efforts to protect the base. Specific items may include: protecting military airports, limiting encroachment, and expanding future missions.

Promote Economic Development & Prosperity

Maintain and enhance the caliber of economic development opportunities available to the City through supporting new and existing tools for private sector growth and revitalization. Support legislative changes that allow growth to pay for itself in order to attract new and reliable development opportunities.

Collaborate to Build a Robust Transportation Network

Engage regional partners and collaborate to ensure Goodyear's residents have reliable and efficient transportation options in and out of their community. Support legislation to prepare for the possible extension of the voter-approved Proposition 400 sales tax for transportation. Encourage efforts that modernize existing funding sources to ensure viability and maintenance of the transportation network.

Support federal and state funding for statewide, regional and local transportation and infrastructure projects. Work collaboratively with our federal, state, regional, and other local delegations to secure grant funding for the region's important infrastructure needs.

Protect & Enhance Water Supply

Collaborate with the Arizona Municipal Water Users Association to support legislation that encourages practical water efficiency and conservation measures. Protect surface water and uphold the principles of the Groundwater Management Act. Ensure the City of Goodyear is able to supply assured, safe and sustainable water to its residents.

Phoenix-Goodyear Airport

Continue to partner with the City of Phoenix (Arizona) to ensure continued operations of the Phoenix-Goodyear Airport. Monitor and be aware of changes to made by the Federal Aviation Administration.



What To Expect...

- I. 2022 Session Overview
- II. Election Season
- III. Federal & State Agendas
- IV. 2023 Legislative Issues
- V. Questions

Government Relations Overview



FEDERAL, STATE, REGIONAL & LOCAL

The mission of Government Relations is to advance and protect the interests of Goodyear residents as represented by the Mayor and City Council.

















Session Stats & Overview



2021 & 2022

	<u>2021</u>	<u>2022</u>
Bills	1,774	1,613
Introduced		

500 THO	Bills Signed	446	388
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Bills Vetoed	28 4
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General Effective
Date

9/29/21

9/24/22





55TH LEGISLATURE, 2ND REGULAR SESSION

- Prop 400E Enabling Legislation
- Zoning, Permitting & Affordable Housing
- Short Term Rentals

Revenue Surplus & Tax Cuts

Interim Highlights



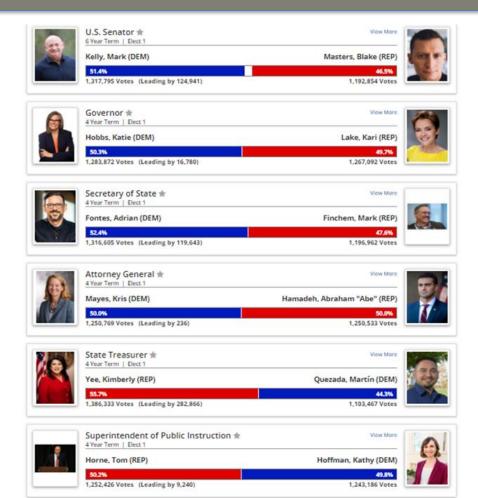
ELECTION SEASON

Senate Seat

New Governor

Key State Offices

Legislature 31-29; 16-14



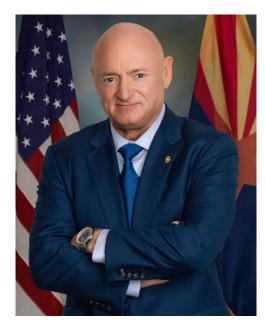
Federal Representation



STATE SENATORS, CD 7 & 9



Kyrsten Sinema



Mark Kelly



Raul Grijalva



Paul Gosar





ELECTION SEASON

Senate:

President – Sen. Warren Petersen President Pro Tempore – Sen. T.J. Shope Majority Leader – Sen. Sonny Borrelli Majority Whip – Sen. Sine Kerr

Minority Leader – Sen. Raquel Teran Asst. Minority Leader – Sen. Mitzi Epstein Minority Whip – Sen. Rosanna Gabaldon Caucus Chair – Sen. Lela Alston

<u>House:</u>

Speaker – Rep. Ben Toma Speaker Pro Tempore – Rep. Teresa Martinez Majority Leader – Rep. Leo Biasiucci Majority Whip – Rep. Teresa Martinez

Democratic Leader – Rep. Andre Cano **Asst. Democratic Leader** – Rep. Lupe Contreras

Minority Co-Whip – Rep. Melody Hernandez Minority Co-Whip – Marcelino Quinonez





SOUTHEAST GOODYEAR



Senator Eva Diaz

Member: Appropriations; Government; Military Affairs, Public Safety & Border Security



Representative Lupe Contreras **Assistant Minority Leader** Member: Judiciary



Representative Leezah Sun

Member: Commerce; Military Affairs & Public Safety; Transportation & Infrastructure





SOUTH GOODYEAR



Senator Brian Fernandez

Member: Appropriations; Natural Resources, Energy & Water



Representative Mariana Sandoval

Member: Ways & Means; Land, Ag & Rural Affairs



Representative Michele Pena

Vice-chair: Land, Ag & Rural Affairs Member: Education; Regulatory Affairs



Legislative District 25

NORTHWEST GOODYEAR



Senator
Sine Kerr

Majority Whip

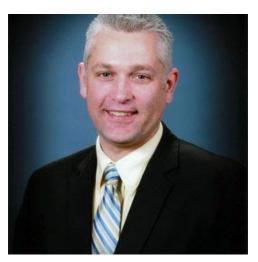
Chair: Natural Resources, Energy & Water Member: Rules; Appropriations;

Education



Representative Tim Dunn

Chair: Government
Member: Appropriations; Appropriations
Subcommittee on Health; Natural
Resources, Energy & Water



Representative Michael Carbone

Vice Chair: Commerce Member: Land, Ag & Rural Affairs; Ways & Means; Appropriations

Legislative District 29



NORTH GOODYEAR



Senator Janae Shamp

Vice Chair: Health & Human Services Member: Finance; Government



Representative Steve Montenegro

Chair: Health & Human Services Member: Government; Transportation & Infrastructure



Representative Austin Smith

Vice-chair: Natural Resources, Energy & Water Member: Municipal Oversight & Elections; Ways & Means

2022 Federal & State Agenda



GUIDING PRINCIPLES

- Maintain Goodyear's High Quality of Life
- Preserve Local Funding
- Support Local Control
- Protect the Mission of Luke Air Force Base
- Promote Economic Development & Prosperity
- Collaborate to Build a Robust Transportation Network
- Protect & Enhance Water Supply
- Goodyear-Phoenix Airport





Legislative Issues

56TH LEGISLATURE, 1ST REGULAR SESSION

Protecting Local Revenues

Extending the current Prop 400

Housing Supply Collaboration



Building Legislative Relationships

COLLABORATION & COMMUNITY INVOLVEMENT IS KEY

- Goodyear 2023 Legislative Outlook Breakfast
- Goodyear LEAD Day at the Capitol
- Thoughts? Suggestions?



