

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



Monday, July 8, 2024

5:00 p.m.

Meeting Minutes

CALL TO ORDER

Mayor Pizzillo called the Regular Meeting to order at 5:00 p.m.

ROLL CALL

Present: **Mayor Joe Pizzillo; Vice Mayor Laura Kaino; Councilmember Sheri Lauritano; Councilmember Wally Campbell; Councilmember Bill Stipp; Councilmember Brannon Hampton; Councilmember Vicki Gillis**

Staff City Manager Wynette Reed; City Attorney Roric Massey; City Clerk Darcie
Present: McCracken

PLEDGE OF ALLEGIANCE AND INVOCATION BY VICE MAYOR KAINO

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

There were no citizen comments.

CONSENT

MOTION BY Councilmember Brannon Hampton, SECONDED BY Councilmember Wally Campbell to APPROVE Consent Agenda Items 1 through 15. The motion carried as follows:

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

Passed - Unanimously

1. APPROVAL OF MINUTES

Approve the July 1, 2024 Regular Meeting draft minutes. (Darcie McCracken, City Clerk)

2. **FINAL PLAT OF LIBERTY WELL SITE 19B**

RECOMMENDATION

Conditionally approve the Final Plat of Liberty Well Site 19B subdividing approximately 0.230 acres into one lot, subject to stipulations. (Marty Crossland, Deputy Director of Development Engineering)

3. **FINAL PLAT OF LA JOLLA VISTA - PHASE 1**

RECOMMENDATION

Approve the Final Plat of La Jolla Vista – PHASE 1, subject to stipulations. (Marty Crossland, Deputy Director of Development Engineering)

4. **REPLAT OF PALM VALLEY PAVILIONS LOT 6 AND A PORTION OF LOT 7**

RECOMMENDATION

Approve the Replat of Palm Valley Pavilions Lot 6 and A Portion of Lot 7 of the Final Plat of Palm Valley Pavilions, subject to stipulations (Marty Crossland, Deputy Director of Development Engineering)

5. **REQUEST FOR 90-DAY EXTENSION OF THE FINAL PLAT FOR LA PRIVADA PARCELS 3 & 7 PHASE 1**

RECOMMENDATION

Approve a 90-day extension of the Final Plat for La Privada Parcels 3 & 7 Phase 1 approved on January 23, 2023, subject to stipulations, which extension shall commence on August 10, 2024, the date of the current approval expiration. (Marty Crossland, Deputy Director of Development Engineering)

6. **MAP OF DEDICATION FOR LA JOLLA VISTA**

RECOMMENDATION

Conditionally approve the Map of Dedication for La Jolla Vista, subject to stipulations. (Marty Crossland, Deputy Director of Development Engineering)

7. **LITCHFIELD ROAD ANNEXATIONS, SOUTH OF W LOWER BUCKEYE ROAD (SDC I AND II)**

RECOMMENDATION

Authorize staff to initiate the annexation of approximately 0.558 acres of property along Litchfield Road south of West Lower Buckeye Road and 3.342 acres of property along Litchfield Road south of West Lower Buckeye Road. (Guadalupe Ortiz Cortez, Senior Planner)

8. **FEDERAL BUREAU OF INVESTIGATIONS (FBI) CHILD EXPLOITATION AND HUMAN TRAFFICKING TASK FORCE (CEHTTF) MEMORANDUM OF UNDERSTANDING (MOU) WITH CITY OF GOODYEAR**

RECOMMENDATION

Approve the MOU between the City of Goodyear Police Department and the FBI for participation in the CEHTTF and the Cost Reimbursement Agreement. (Jeff Mercy, Interim Chief of Police)

9. **TWO INTERGOVERNMENTAL AGREEMENTS (IGA) WITH AGUA FRIA UNION HIGH SCHOOL DISTRICT NO. 216 FOR DESERT EDGE AND MILLENNIUM HIGH SCHOOL RESOURCE OFFICER SERVICES**

RECOMMENDATION

Authorize the City Manager or designee to execute two Intergovernmental Agreements (IGA) between Agua Fria Union High School District No. 216 and the City of Goodyear to provide SRO services to the District at Desert Edge High School and Millennium High School. (Jeff Mercy, Interim Chief of Police)

10. **APPROVAL OF PARTIAL TERMINATION AND RELEASE OF EASEMENT**

RECOMMENDATION

Approve the Partial Termination and Release of Easement, terminating and releasing portions of an existing sidewalk easement no longer needed and authorize its execution by the City Manager and recordation with the Maricopa County Recorder. (Colton Blyle, Real Estate Services Specialist)

11. **AUTHORIZATION FOR ACQUISITIONS OF REAL PROPERTY INTERESTS NEEDED FOR SARIVAL ROAD WIDENING PROJECT AND FOR LOWER BUCKEYE ROAD AND SARIVAL AVENUE INTERSECTION IMPROVEMENT PROJECT**

RECOMMENDATION

ADOPT RESOLUTION NO. 2024-2419 FINDING THAT ACQUISITION OF REAL PROPERTY INTERESTS NEEDED FOR THE COMPLETION OF IMPROVEMENTS TO THE WEST HALF OF SARIVAL AVENUE BETWEEN YUMA ROAD AND ELWOOD STREET AND THE INTERSECTION AT LOWER BUCKEYE ROAD AND SARIVAL AVENUE IS A MATTER OF PUBLIC NECESSITY; AUTHORIZING AND DIRECTING CITY STAFF TO ACQUIRE SUCH INTERESTS BY DEDICATION, DONATION, PURCHASE OR THE EXERCISE OF THE POWER OF EMINENT DOMAIN; PROVIDING AUTHORIZATION TO CITY MANAGER AND PROVIDING AN EFFECTIVE DATE. (Kimberly Romero, Real Estate Coordinator)

12. **DEVELOPMENT AGREEMENT WITH GOODYEAR LEASED HOUSING ASSOCIATES II, LIMITED PARTNERSHIP, FOR MULTI-FAMILY RENTAL DEVELOPMENT UNDER THE AMERICAN RESCUE PLAN ACT**

RECOMMENDATION

Authorize the City Manager to execute a development agreement to pass-through ARPA funds to be used to support the development of affordable housing in Goodyear and associated budget transfers. (Jenna Goad, Assistant to the City Manager)

Councilmember Stipp commented on the benefit of adding affordable housing to the community.

13. **AUTHORIZE A CONTRACT FOR THE EXPENDITURE OF FUNDS FOR DESIGN AND PRE-CONSTRUCTION SERVICES ON THE APPROVED CIP PROJECT #61014 – GOODYEAR WRF EXPANSION**

RECOMMENDATION

Authorize a contract for the expenditure of funds for design and pre-construction services for up to \$6,428,000 for Capital Improvement Program (CIP) Project #61014 – Goodyear

WRF Expansion. (Barbara Chappell, Water Services Director)

14. **AUTHORIZATION OF CONTRACT FOR THE EXPENDITURE OF CONSTRUCTION FUNDS FOR CIP PROJECT #60103 - CORGETT WRF CLARIFIER REHABILITATION AND TRANSFER OF FUNDS IN THE AMOUNT OF \$651,000 TO CIP PROJECT #61016 – CENTRAL AVENUE SEWER LINE AND WELLS FARGO LIFT STATION.**

RECOMMENDATION

Authorize the contract for the expenditure of construction funds up to \$2,900,000 for Capital Improvement Program (CIP) Project #60103 – Corgett WRF Clarifier Rehabilitation and transfer of wastewater operating funds in the amount of \$651,000 to CIP Project #61016 – Central Avenue Sewer Line and Wells Fargo Lift Station. (Barbara Chappell, Water Services Director)

15. **DEVELOPMENT AGREEMENT WITH OLAM PHOENIX ARIZONA LLC RELATED TO OWNER’S REQUEST THAT THE CITY SUPPORT FOR EPCOR TO PROVIDE WATER SERVICE TO OWNER’S PROPERTY**

RECOMMENDATION

ADOPT RESOLUTION NO. 2024-2410 APPROVING THE DEVELOPMENT AGREEMENT (WATER SERVICE) WITH OLAM PHOENIX, ARIZONA, LLC.; PROVIDING DIRECTION AND AUTHORIZATION, AND AN EFFECTIVE DATE. (Barbara Chappell, Water Services Director)

Councilmember Stipp expressed support for partnering with EPCOR to provide water services to this property.

PUBLIC HEARINGS

16. **USE PERMIT FOR A CONVENIENCE USE (CONVENIENCE STORE WITH A GAS STATION)**

Mayor Pizzillo opened the public hearing at 5:07 p.m.

Planning Manager Christian Williams presented the request for a use permit for a convenience store with a gas station located at The Triangle at PV303. He reviewed the surrounding area, project site proposal, zoning requirements and results of the noise and traffic study conducted by the applicant. Mr. Williams explained that the project includes a 5,300 square foot convenience store with eight fueling islands. He then reviewed the public participation process which included a neighborhood meeting and citizen review meeting. Mr. Williams noted that staff received 11 emails in support of the project and 27 emails in opposition, and that the applicant submitted 916 signatures from Goodyear residents in support of the project. Mr. Williams concluded that the project complies with all city requirements and is compatible with the surrounding area, and that the stipulations prohibit a truck stop/travel center facilities and services and any on-site semi-truck parking and overnight parking accommodations.

Brian Greathouse, attorney representing the applicant, gave a brief overview of QuikTrip's business model highlighting their best practices in design, security, lighting, and operations. He also explained that the site is more than 700 feet from the nearest residential home to the property line and more than 850 feet from the fueling pumps. Mr.

Greathouse discussed that a 24/7 operations allows for 24/7 surveillance of the site, a safe space for at-risk youth, an option for first responders to go to, and consistent products and service daily.

Goodyear residents Jackie Brandt, Vic Knight, Joan Knight, Jeffrey Specter and Sandra Clinton spoke in opposition to the project. Those in opposition spoke about the hours of operation, proximity to the PebbleCreek community, and environmental, health and safety concerns.

The following Goodyear residents submitted a comment card in opposition to the project but did not wish to speak: Shirley Seymour, Dennis Seymour, Pat Chernow, James Laham, Pam Grimwood, Dan Grimwood, Mark Jacobs, Judy Parker, and Bill Cailer.

Mayor Pizzillo closed the public hearing at 5:41 p.m.

Council discussed the proposal and The Triangle parcel including its proximity to the Pebblecreek community, and other permitted commercial uses on the property. Council highlighted the approved 24/7 Filiberto's restaurant with a drive-thru directly adjacent to the proposed QuikTrip. They expressed support for QuikTrip's safety and security procedures, convenient location to the Loop 303, as well as its commitment to public safety. Council confirmed that this project is not a truck stop and that it is included in the stipulations.

In response to Council inquiry, Mr. Williams explained that there are three QuikTrip locations around the city that are significantly closer to residential than what is being proposed for this location. Mr. Williams also clarified that the location is within Luke Air Force base noise contour.

Daniel Chambers, representing QuikTrip, explained that the applicant must go through several regulatory agencies for permitting prior to construction as well as ongoing compliance monitoring and maintenance.

Mr. Greathouse confirmed that there are more than 50 cameras operated 24/7 both inside and outside the facility. Mr. Chambers responded to Council that their surveillance videos can be made available and shared with law enforcement when requested.

MOTION BY Councilmember Brannon Hampton, SECONDED BY Councilmember Sheri Lauritano to APPROVE the Use Permit request for a Convenience Use (QuikTrip convenience store with a gas station) on Parcel 4 on the final plat of PV303 East II Phase 1 recorded on February 16, 2018 in the official records of Maricopa County at Book 1370 of Maps Page 10 (Instrument 20180122777) (the "Property") subject to stipulations. The motion carried as follows:

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

Passed - Unanimously

17. **AMENDMENT TO ZONING ORDINANCE REGULATIONS RELATED TO SELF-SERVICE STORAGE FACILITIES, USE PERMITS, AND SPECIAL USE PERMITS**

Mayor Pizzillo opened the public hearing at 6:20 p.m.

Planning Manager Christian Williams presented the zoning ordinance text amendment to streamline the approval process for mini-storage facilities. He explained that the proposal would eliminate the special use permit process in most cases and sets the minimum standards for mini-storage. He highlighted some of the new standards which include prohibiting auctions, hazardous material storage and outdoor RV storage in commercial zones. He further explained that buildings are limited to three stories and a mini-storage may not be located within 1/2 mile of another facility. He added that a special use permit may still be required under certain circumstances.

There being no speakers, Mayor Pizzillo closed the public hearing at 6:23 p.m.

Council discussed the public participation process and the common concerns expressed by residents regarding storage facilities.

In response to Council inquiry, Mr. Williams explained that staff looked at all of the prior storage cases including resident feedback and stipulations to set the new minimum zoning requirements. He also clarified that storage facilities in industrial zones may allow for outdoor RV storage, have no clustering requirements, and can be larger than 7.5 acres.

MOTION BY Councilmember Vicki Gillis, SECONDED BY Vice Mayor Laura Kaino to ADOPT ORDINANCE 2024-1606, AMENDING GOODYEAR ZONING ORDINANCE ARTICLE 2-2 (DEFINITIONS), AMENDING SECTIONS 3-3-2, 3-3-3, 3-4-1, 3-4-2 OF ARTICLE 3 (ZONING DISTRICTS), AMENDING SECTION 4-1-3 (SPECIAL USES CONSIDERED IN SPECIFIED DISTRICTS) OF ARTICLE 4 (REGULATION OF PARTICULAR USES) AND ADDING SECTION 4-2-20 TO ARTICLE 4-2 (USES REQUIRING ADDITIONAL EVALUATION) RELATED TO SELF-SERVICE STORAGE FACILITIES, USE PERMITS, AND SPECIAL USE PERMITS; PROVIDING FOR CORRECTIONS, SEVERABILITY, AND AN EFFECTIVE DATE; AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE. The motion carried as follows:

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

Passed - Unanimously

BUSINESS

18. RAINBOW VALLEY ENERGY STORAGE ANNEXATION REQUEST

Director of Development Services Katie Wilken presented the request for Council direction on the annexation process for a property located approximately four miles south of State Route 238, west of the Maricopa County/Pinal County line. She highlighted the annexation process and the subject property, which is partially within Goodyear city limits. Ms. Wilken explained that the project planned for this site involves solar energy generation with Battery Energy Storage System, which would require a Special Use Permit. She also addressed the challenges associated with the site and next steps should Council direct staff to move forward with the annexation.

Jordan Rose, attorney representing the applicant, stated that applicant intends to enter into a pre-annexation development agreement that would assign the responsibility for infrastructure costs to the applicant.

Council discussed the remote location, public safety and fire concerns, the annexation process, cost and infrastructure responsibilities and running the annexation and special use permit process concurrently.

Councilmember Campbell voiced opposition to the annexation, expressing concerns that the city would be responsible for roads and infrastructure if the project does not come to fruition.

In response to Council inquiry, Ms. Wilken explained that there is one property within the city limits located within the proposed project site. Ms. Rose confirmed that there are no permanent residential structures in the requested annexation area.

MOTION BY Councilmember Vicki Gillis, SECONDED BY Councilmember Sheri Lauritano to AUTHORIZE staff to initiate the annexation process of 828.33 acres of land generally located 4 miles south of State Route 238, west of the Maricopa County/Pinal County line. The motion carried as follows:

AYE: Mayor Joe Pizzillo, Vice Mayor Laura Kaino, Councilmember Sheri Lauritano, Councilmember Bill Stipp, Councilmember Brannon Hampton, Councilmember Vicki Gillis

NAY: Councilmember Wally Campbell

Passed

Council recessed the meeting at 7:33 p.m.

Mayor Pizzillo reconvened the meeting at 7:42 p.m.

19. **AMENDMENT TO DEVELOPMENT AGREEMENT WITH MICROSOFT MODIFYING TERMS REGARDING CONVEYANCE OF CITY BOOSTER STATION SITE AND TERMINATION OF DRAINAGE EASEMENTS**

Water Services Director Barbara Chappell presented the fifth amendment to the Infrastructure Agreement with Microsoft. Ms. Chappell provided an overview of the previous agreements, and explained that the fifth amendment allows for the city's continued operation of the Booster Station site until replacement facilities are completed. She further explained that Microsoft will deposit \$3,545,459 into an escrow account to fund the design and construction of the replacement water facilities. Microsoft will purchase the land the current facility is on and demolish the Booster Station Site 8.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Sheri Lauritano to ADOPT RESOLUTION NO. 2024-2417 APPROVING THE FIFTH AMENDMENT TO INFRASTRUCTURE DEVELOPMENT AGREEMENT FOR PROJECT 10-11; AUTHORIZING THE TERMINATION OF DRAINAGE EASEMENTS; PROVIDING DIRECTION, AUTHORIZATION, AND AN EFFECTIVE DATE. The motion carried as follows:

AYE: **Mayor Joe Pizzillo, Vice Mayor Laura Kaino, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Bill Stipp, Councilmember Brannon Hampton, Councilmember Vicki Gillis**

Passed - Unanimously

20. **AUTHORIZE CONTRACT AMENDMENT FOR THE EXPENDITURE OF FUNDS FOR CIP PROJECT #60077 RAINBOW VALLEY WATER RECLAMATION FACILITY (WRF) EXPANSION AND #60110 RAINBOW VALLEY WRF OPERATIONAL IMPROVEMENTS**

Water Services Director Barbara Chappell presented the contract amendment for the Rainbow Valley Water Reclamation Facility. Ms. Chappell explained that the expansion supports future growth and will increase capacity to 2.0 million gallons per day, as well as, cleaning up the floodplain areas. The request allows staff to purchase long-lead items such as odor control and mechanical equipment.

Council expressed support for this project, the city's partnership with Harvard and thanked Ms. Chappell for her leadership.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Vicki Gillis to AUTHORIZE the contract amendment for the expenditure of funds for Capital Improvement Program (CIP) Project #60077 Rainbow Valley WRF Expansion and #60110 Rainbow Valley WRF Operation Improvements for GMP2 up to \$7,750,000. The motion carried as follows:

AYE: **Mayor Joe Pizzillo, Vice Mayor Laura Kaino, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Bill Stipp, Councilmember Brannon Hampton, Councilmember Vicki Gillis**

Passed - Unanimously

21. **DEVELOPMENT AGREEMENT WITH ESTRELLA NORTH LLC FOR THE RAINBOW VALLEY WATER RECLAMATION FACILITY EXPANSION**

Water Services Director Barbara Chappell gave the presentation for the development agreement with Estrella North, LLC, for the expansion of the Rainbow Valley Water Reclamation Facility. She outlined key terms of the agreement, including cost sharing, payment and reimbursement procedures, property acquisition for full buildout, and the establishment of a new access easement to the facility.

Andrew Yancey, attorney representing Estrella North, LLC, expressed appreciation to the city for their partnership.

MOTION BY Vice Mayor Laura Kaino, SECONDED BY Councilmember Brannon Hampton to ADOPT RESOLUTION NO. 2024-2412 APPROVING THE DEVELOPMENT AGREEMENT FOR RAINBOW VALLEY WATER RECLAMATION FACILITY (RVWRF) EXPANSION; PROVIDING DIRECTION, AUTHORIZATION, AND AN EFFECTIVE DATE. The motion carried as follows:

AYE: **Mayor Joe Pizzillo, Vice Mayor Laura Kaino, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Bill Stipp, Councilmember Brannon Hampton, Councilmember Vicki Gillis**

Passed - Unanimously

INFORMATION ITEMS

Council inquired about the measures the city has in place for employees working in excessive heat conditions and expressed concerns about traffic coming from the apartments at Sarival Avenue and Van Buren.

City Manager Wynette Reed provided an update on the Fourth of July event, which attracted over 16,000 participants. She expressed gratitude to the Engineering, Fire, Police and Parks and Recreation Departments, and Amazon for their efforts in putting this event together.

FUTURE MEETINGS

Future meetings are tentatively scheduled as follows:

August 19, 2024

Special Council Meeting

5:00 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Pizzillo adjourned the Regular Meeting at 8:04 p.m.

Darcie McCracken, City Clerk

Joe Pizzillo, 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 July 8, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2024.

SEAL:

Darcie McCracken, City Clerk