



City Council Work Session
City Hall - Canyon Trails Room 1 & 2
1900 N. Civic Square
Goodyear, AZ 85395
Monday, November 18, 2024
5:00 PM

Mayor
Joe Pizzillo

Vice Mayor
Laura Kaino

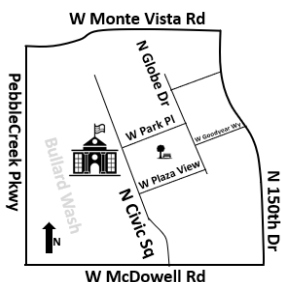
Councilmember
Sheri Lauritano

Councilmember
Wally Campbell

Councilmember
Bill Stipp

Councilmember
Brannon Hampton

Councilmember
Vicki Gillis



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.

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.

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



City Clerk's Office: 1900 N. Civic Square, Goodyear, AZ 85395 (623) 882-7830
www.goodyearaz.gov/cityclerk
City Council Meeting Live Broadcast: <https://www.facebook.com/goodyearazgov/videos>

CALL TO ORDER

ROLL CALL

AGENDA ITEMS FOR DISCUSSION

ALL ITEMS LISTED ARE FOR DISCUSSION ONLY. NO ACTION CAN NOR WILL BE TAKEN.

1. REVIEW OF DEVELOPMENT CONTINUUM STREAMLINED PROCESSES

Summary

Council to review the proposed streamlined processes to be put in place that will contribute to the Development Continuum Action Item in the Fiscal Year (FY) 2025-2027 Strategic Plan. (Katie Wilken, Development Services Director)

ADJOURNMENT

POSTING VERIFICATION

This agenda was posted on 11/13/2024 at 5:13 p.m. by VM.

ITEM #: 1.
DATE: 11/18/2024
AI #:2344



CITY COUNCIL ACTION REPORT

SUBJECT: REVIEW OF DEVELOPMENT CONTINUUM STREAMLINED PROCESSES

STAFF PRESENTER(S): Katie Wilken, Development Services Director

OTHER PRESENTER(S):

Roric Massey, City Attorney

Summary

Council to review the proposed streamlined processes to be put in place that will contribute to the Development Continuum Action Item in the Fiscal Year (FY) 2025-2027 Strategic Plan. (Katie Wilken, Development Services Director)

FISCAL IMPACT

There will be no fiscal impact to the city's FY2025 Budget, or any other fiscal year in the future.

BACKGROUND AND PREVIOUS ACTIONS

The city's current Strategic Plan contains an action item for the Development Services and Legal Department to evaluate processes to streamline and improve the city's development timeline in FY2025. This item is known as the Development Continuum Improvement action item.

STAFF ANALYSIS

As a result of the Strategic Plan's Development Continuum action item, the Development Services Department (DSD) and Legal Services Department (Legal) collaborated to identify and initiate efficiencies in support of streamlining the current development timeline. The following four initiatives were identified and put in place as a result of the collaboration.

FINAL PLATS:

Arizona Senate Bill 1103 was approved in March 2023 allowing the legislative body of a city authorize personnel to review and approve final plats and plat amendments. Previously, final plats required Council approval. The final plat process can have a significant impact on developer project timelines, especially when final plat recordation is necessary before a developer sells a piece of property to a home builder. The plats often need to be placed on the Council agenda quickly to meet tight timeframes and the Council agenda schedule does not align with the needs of the customer. Moving this action to an administrative process is anticipated to save customers time in the process, as well as staff time, that can be redirected to other activities. This administrative process will be handled by DSD and will remove Legal from the normal plat processing procedures. The city code change was adopted by City Council on October 7, 2024 and is effective as of November 7, 2024.

REZONING AND USE PERMIT TIMELINE:

Rezoning cases can take many months to get through the development review process due to complicated infrastructure planning and the public input process. The current review process typically begins with DSD staff completing the first review, drafting the Council staff report and stipulations, and then sending them to Legal for review and comment. This means that working through the recommended stipulations with the customer is done shortly before the Planning and Zoning Commission and City Council meetings which can cause last-minute changes and delays in the projects.

A change to this process is being implemented. DSD staff will now draft stipulations during the first review of the rezone or use permit review and send them to the customer along with the first review comments. DSD staff and the customer will work through the concepts of the stipulations during the comment review meeting held between staff and the customer. At second review of the rezoning case, the draft stipulations agreed to between DSD staff and the customer will then be transmitted to Legal for review and finalization. The finalized stipulations will be transmitted to the customer with any remaining second review comments. The stipulations will not be modified or added after this time unless it is requested by the customer. This new process will streamline the timeline and provide more certainty and predictability to the customer earlier in the process.

DEVELOPMENT AGREEMENT STANDARD OPERATING PROCEDURES:

With input from impacted departments and the City Manager's Office, Legal Services drafted a Standard Operating Procedure ("SOP"), outlining the steps and timelines to be adhered to in moving a proposed development agreement through the City's review process. As opposed to past practices, the SOP (Attachment A) outlines responsibilities and establishes a "shot clock" on city departments, including Legal, to analyze the city's requirements or needs from the proposed development agreement, gather consensus, provide those comments to the developer, and provides a process to respond when developer feedback is received.

The SOP envisions a process where the Development Agreement Coordinator ("DAC") shepherds the proposed development agreement through the process, and each impacted department has some accountability in responding to the DAC's request for input/information within defined timelines. In addition, the Legal Department is responsible for developing draft development agreements and/or drafting responses to developer comments within defined timelines.

The new SOP formalizes the process the City has generally followed in the development agreement process but adds accountability and adopted time frames to accomplish the specific areas of work that previously had no timeframes attached. This should serve to keep the proposed development agreements moving forward through the City process.

REAL ESTATE DIVISION RELOCATION TO THE ENGINEERING DEPARTMENT:

The Real Estate Division has been a part of the Legal Services Department for approximately seven-plus years. Prior to that, the Real Estate Coordinator was located in the Engineering Department managing city real estate acquisitions, easements, and dedication work. At the time, it was thought that due to the amount of integration between the Real Estate Coordinator's work and the Legal Department, it might be more efficient for the position to be located in Legal where it has remained for the last several years.

As a part of the Strategic Plan's Action Item related to Evaluating Processes to Streamline the

Development Timeline, Legal and the City Manager's Office and Engineering Department revisited whether the location of the Real Estate Division within Legal was the most efficient approach. A decision was made to relocate the Real Estate Division to the Engineering Department as of October 1, 2024. Much of the Real Estate Division's work is in support of Engineering projects including the acquisition of right-of-way and/or easements for city capital projects, or in the evaluation of the acceptance of easements and other land dedications related to the platting process. The Engineering Department proposes to create a workgroup consisting of two real estate professionals, a land surveyor, and administrative support within Engineering to streamline the land acquisition processes by integrating that team directly into those city projects. The close collaboration between Engineering and DSD on projects involving real estate work should further the improved efficiencies with the relocation of the Real Estate Division and remove the step of Engineering/DSD projects having to then be sent to Legal for the relatively small amount of real estate work contained within the larger development project. Finally, without the responsibility of supervising the Real Estate Division, the Deputy City Attorney should have significantly more time to dedicate to her legal work in support of development projects, again improving efficiencies in support of streamlining the development review process.

Attachments

Attachment A - Development Agreement SOP
Presentation



DEVELOPMENT AGREEMENT REQUEST STANDARD OPERATING PROCEDURES (SOP)

STEPS/STAGE		PROCESS/ACTIONS TO BE COMPLETED	# BUS DAYS
1	Applicant Request	<ul style="list-style-type: none"> ▪ Applicant submits an ¹Application for a Development Agreement (DA) to the Development Agreement Coordinator (DAC), including all documents required on the application, and proof of payment of the applicable Major Development Agreement fee. 	--
2	Pre-Review	<ul style="list-style-type: none"> ▪ DAC reviews the DA submittal package for completeness and forwards the submittal package to the identified department representatives for review. 	5
		<ul style="list-style-type: none"> ▪ Department representatives review the submittal package and respond to DAC within 5 days advising who, if anyone, from their departments, will attend the meeting with the Applicant (this group becomes the DA Team). 	5
3	Internal Discussion & Applicant Meeting	<ul style="list-style-type: none"> ▪ DAC schedules an internal pre-meeting for DA Team to prepare for the Applicant Meeting, review submittal documents, identify high-level city interests, and designate an individual as the City's main negotiator throughout the process. ▪ The Applicant Meeting is scheduled immediately following the DA Team's internal pre-meeting, providing the opportunity for the Applicant to present proposed deal points for the development project. 	10
4	Internal Follow-up Meeting	<ul style="list-style-type: none"> ▪ DAC prepares a summary of any agreed-upon deal points and outstanding issues identified during the internal and Applicant Meetings and distributes to the DA Team. ▪ DAC schedules an internal follow-up meeting with the DA Team to review and discuss any agreed-upon deal points and outstanding issues identified during the Applicant Meeting. 	10
5	Applicant Notification	<ul style="list-style-type: none"> ▪ Within 5 days of the internal follow-up meeting, the DAC will prepare and send a notification letter to the Applicant summarizing the agreed-upon deal points and any identified outstanding issues. 	5
6	Applicant Response	<ul style="list-style-type: none"> ▪ Upon receipt of the City's notification letter, the Applicant is provided an opportunity to respond to the City's letter. ▪ Applicant then responds to the City's notification letter with acceptance of the summarized deal points or proposes revised deal points for the City's consideration. 	--
7	Terms Revised	<ul style="list-style-type: none"> ▪ Upon receipt of the Applicant's response and any modified deal points proposed by the Applicant, the DAC will forward the modified terms to the DA Team for review and comment. 	5
		<ul style="list-style-type: none"> ▪ DA Team will review revised deal points and provide comments to the DAC within 5 days of receipt. 	5
8	^{2nd} Applicant Meeting	<ul style="list-style-type: none"> ▪ If requested, the DAC will schedule a follow-up meeting with the Applicant and DA Team to discuss the City's position regarding the Applicant's revised deal points and to resolve any outstanding issues identified. 	10
Repeat Steps 4-8		<ul style="list-style-type: none"> ▪ If no agreement in terms can be reached, the process circles back to Step 4 for internal review and response, and Steps 4-8 are repeated until a final agreement can be reached. ▪ If there is agreement on terms, the process continues with Step 9. 	--



DEVELOPMENT AGREEMENT REQUEST STANDARD OPERATING PROCEDURES (SOP)

9	Legal Drafts DA	<ul style="list-style-type: none"> ▪ DAC will submit a Legal Service Request (LSR) for the Development Services Department Attorney (DSD-Attorney) to prepare a "draft" DA document, with a requested due date of 15 days, and include the Applicant submittal package and agreed deal points. ▪ DSD-Attorney prepares draft DA based upon negotiated and agreed-upon deal points provided by the DAC. ▪ Upon completion of the draft document, DSD-Attorney will send the draft DA document to DAC who will then forward to the DA Team for review and comment. 	15
10	Internal Review Draft DA	<ul style="list-style-type: none"> ▪ Within 5 days of receipt, the DA Team will review and provide final comments on the previously agreed-upon terms of the final draft agreement. 	5
11		<ul style="list-style-type: none"> ▪ Within 5 days the DAC will summarize comments of proposed revisions and forward the summary to the DSD-Attorney. 	5
12		<ul style="list-style-type: none"> ▪ DSD-Attorney revises DA as needed. 	5
13	DA to Applicant	<ul style="list-style-type: none"> ▪ DSD-Attorney sends "draft" DA document to DAC to send to Applicant for review. ▪ DAC provides a "draft copy" of the DA to Applicant, advising Applicant to direct all communications regarding DA terms and/or requests for follow-up meetings to the DAC. 	5
Applicant Review & Comment		<ul style="list-style-type: none"> ▪ Applicant responds to DAC confirming the "draft" agreement or requests further revisions to the agreement. ▪ If additional revisions are requested, the process repeats Steps 7 & 8 until a final agreement can be reached and then proceeds to Step 9 until completion. 	--
Minimum # Business Days for Negotiation and Final Agreement			90
Council Action & FINAL APPROVAL		<ul style="list-style-type: none"> ▪ Applicant returns signed/notarized original to Legal Department ▪ DAC will schedule DA approval for an upcoming Council meeting and prepare a draft Council Agenda Report. ▪ DSD-Attorney prepares the resolution and finalizes the draft Council Agenda report prepared by DAC. 	
		<ul style="list-style-type: none"> ▪ At Council meeting - Council approves DA ▪ City Clerk records DA and sends electronically recorded agreement to pertinent parties. ▪ Upon Council approval, the DAC will schedule an internal coordination meeting with the identified City contacts to review the terms and conditions of the DA that impact City Departments. 	

¹ A Development Agreement Application will need to be created as well as a method for sending the application and required documents to the DAC.



Development Continuum Improvements





Strategic Plan Alignment

Development Continuum

Evaluate processes to streamline development timelines (FY25)

Development Services and Legal Services



Development Agreements





Development Agreement (DA) Request Standard Operating Procedure

What's New

- Application & fees paid upfront to start shot-clock
- Establishes number of days for each step
- DA Coordinator leads communication & process



Development Agreement (DA) Request Standard Operating Procedure

Accountability for Timelines

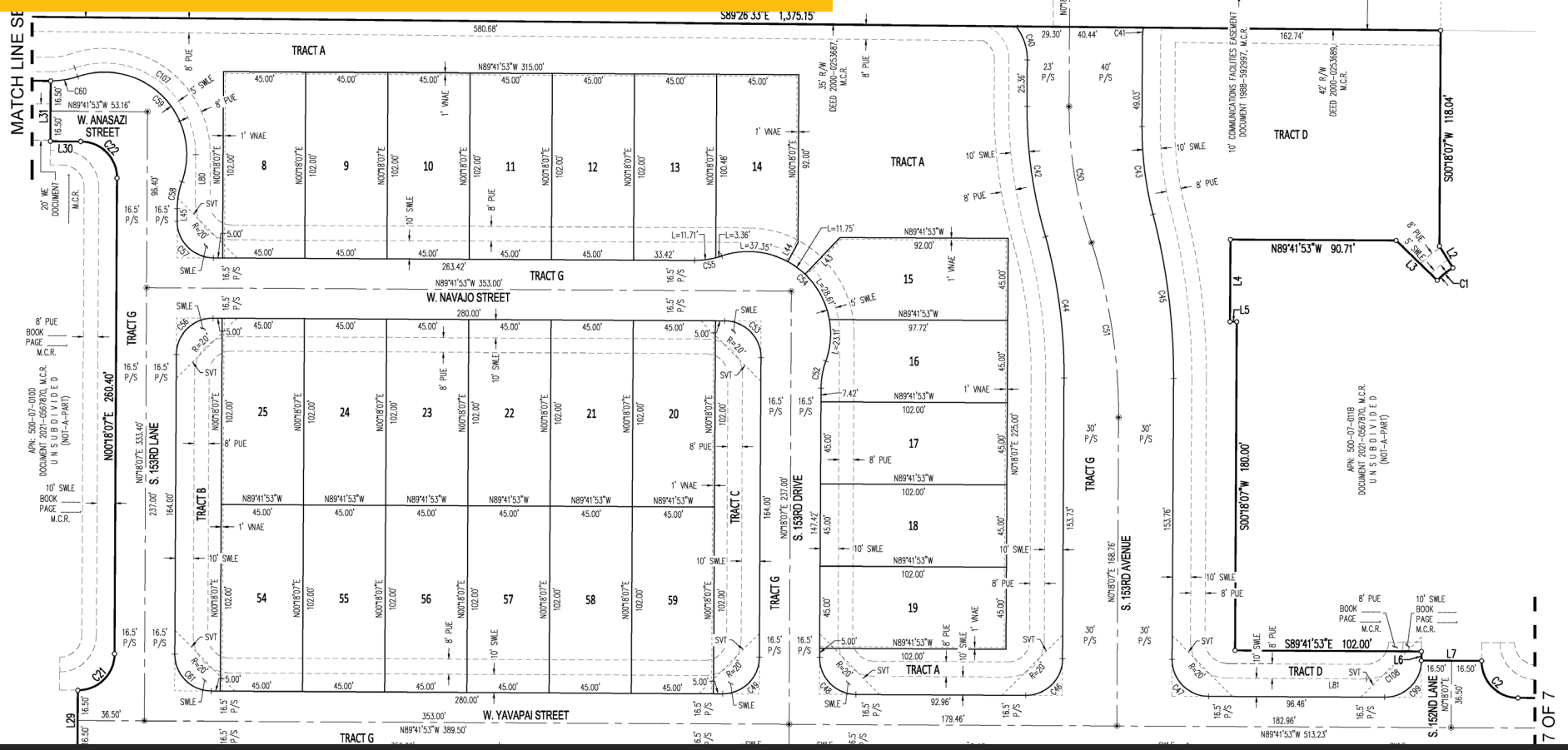
- Deal points discussed & confirmed in pre-meetings
 - Between staff & applicant
- Draft DA prepared within 15 days for staff review
- Final staff comments due to Legal Services within 10 days
- First draft DA sent to applicant for review

Development Agreement (DA) Request Standard Operating Procedure

Final Steps

- If applicant suggests revisions, review and revision process repeated; **OR**
- Applicant accepts draft DA
- Final DA prepared
- DA scheduled for Council approval

Final Plats



APN: 500-07-0100
DOCUMENT 2021-0567870, M.C.R.
UNSUBDIVIDED
(NOT-A-PART)

APN: 500-07-0118
DOCUMENT 2021-0567870, M.C.R.
UNSUBDIVIDED
(NOT-A-PART)

APN: 500-07-0118
DOCUMENT 2021-0567870, M.C.R.
UNSUBDIVIDED
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APN: 500-07-0118
DOCUMENT 2021-0567870, M.C.R.
UNSUBDIVIDED
(NOT-A-PART)

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Project:
"Ballpark Village - Phase 1A"
GOODYEAR, ARIZONA

Revisions:

NO.	DATE	DESCRIPTION



Real Estate Relocation

Effective October 1

- Real estate staff relocated to Engineering to streamline processes



Rezoning and Use Permits



Current Improvement Projects

Code Updates

- Zoning Ordinance
- Engineering Design Standards
- Building Codes



Current Improvement Projects

- Project management
- Project scheduling
- Proactive communication



Future Improvement Projects

- Review timeframes
- Connect with customers





Summary

Implemented Projects

- Final Plats
- Rezone
- Development Agreements



Development Continuum Improvements



Questions & Discussion