



**CITY OF BUCKEYE
REGULAR COUNCIL MEETING
SEPTEMBER 1, 2015
MINUTES**

City Council Chambers
530 E. Monroe Ave.
Buckeye, AZ 85326
6:00 p.m.

1. Call to Order/Invocation/Pledge of Allegiance/Roll Call

Mayor Meck called the meeting to order at 6:00 p.m. Councilmember Strauss led the invocation.

Members Present: Councilmember Garza, Councilmember Strauss, Councilmember Hess, Councilmember McAchran, Councilmember Heustis, Vice Mayor Orsborn and Mayor Meck.

Members Absent: None.

Departments Present: City Manager Stephen Cleveland, Assistant City Manager Roger Klingler, City Attorneys Scott Ruby and Shiela Schmidt, City Clerk Lucinda Aja, Deputy City Clerk Summer Stewart, Assistant to Council Carol Conley, Police Chief Larry Hall, Fire Chief Bob Costello, Finance Director Larry Price, Development Services Director George Flores, City Engineer Scott Zipprich, Public Works Director Scott Lowe, Water Resources Director Dave Nigh, Information Technology Director Greg Platacz, Community Services Director Cheryl Sedig, Human Resources Director Nancy Love, Economic Development Director Len Becker, Chief Communications Officer Jennifer Rogers, Construction and Contracting Manager Chris Williams, and Government Relations Manager George Diaz.

2A. Comments from the Public – None.

2B. Awards/Presentations/Proclamations

Council recognized and honored both Buckeye Deputy Fire Chief Dave Dubois and Buckeye Officer Jason Woliver for being awarded the “Phoenix Business Journal Healthcare Hero First Responder of 2015”.

Mayor Meck proclaimed the month of September as “Grand Family & Kinship Care Month”.

3. Minutes

A motion was made by Councilmember Heustis and seconded by Councilmember McAchran to approve the minutes of the August 4, 2015 Council Workshop, Special Council Meeting and Regular Council Meeting. Motion passed unanimously.

4. Expenditures

A motion was made by Vice Mayor Orsborn and seconded by Councilmember Strauss to ratify the payment of the accounts payable expenditures made. Copies of invoices are available at City Hall. Motion passed unanimously.

CONSENT AGENDA ITEMS

Approval of items on the Consent Agenda - All items with an (*) are considered to be routine matters. Councilmember Heustis requested Item *5A. be pulled for discussion. A motion was made by Vice Mayor Orsborn and seconded by Councilmember Heustis to approve Consent Items *5B., *5C., *5D., *5E., and *5F. Motion passed unanimously.

*5. New Business

- *5A. Ratification and Approval of the Emergency Base Station Agreement, Dated as of January 1, 2014, between Banner Health and the City of Buckeye, as Amended by the First Amendment, Relating to the Community Paramedicine Program; Authorizing the City Manager or Designee to Execute and Deliver said Agreement and Amendment**
Staff Liaison: Bob Costello, Fire Chief
District No. All

Chief Costello provided an overview of the Emergency Base Station Agreement, the First Amendment to the Agreement, and how they relate to the Community Paramedicine Program. A motion was made by Councilmember Heustis and seconded by Councilmember Hess to ratify and approve the Emergency Base Station Agreement, dated as of January 1, 2014, between Banner Health and the City of Buckeye, as amended by the First Amendment, relating to the Community Paramedicine Program; authorizing the City Manager or designee to execute and deliver said Agreement and Amendment. Motion passed unanimously.

- *5B. Resolution No. 77-15 Approving the First Amendment to Economic Development and Public Infrastructure Reimbursement Agreement between the City of Buckeye and Jones Brothers Investments, LLC Relating to Development of the Land as a Ford Dealership; Authorizing the Mayor to Execute and Deliver said Amendment**
Staff Liaison: George Flores, Development Services Director
District No. All

Council adopted Resolution No. 77-15 approving the First Amendment to the Economic Development and Public Infrastructure Reimbursement Agreement between the City of Buckeye and Jones Brothers Investments, LLC relating to the development of the land as a Ford Dealership; authorizing the Mayor to execute and deliver said Amendment.

- *5C. Resolution No. 66-15 Enlarging City of Buckeye Street Lighting Improvement District No. 2013-SLID-02 (Sun City Festival Parcel L1-2); Accepting the Petition, Waiver and Consent to Inclusion of Additional Land within an Existing Municipal Improvement District by the City of Buckeye; Authorizing the Mayor to Execute and Deliver said Petition; Declaring an Emergency**
Staff Liaison: Scott Lowe, Public Works Director
District No. 4

Council adopted Resolution No. 66-15 enlarging City of Buckeye Street Lighting Improvement District No. 2013-SLID-02 (Sun City Festival Parcel L1-2); accept the Petition, Waiver and Consent to Inclusion of additional land within an existing Municipal Improvement District by the City of Buckeye; authorizing the Mayor to execute and deliver said Petition; declaring an emergency.

- *5D. Resolution No. 67-15 Enlarging City of Buckeye Municipal Parkway Maintenance Improvement District No. 2013-MID-02 (Sun City Festival Parcel L1-2); Accepting the Petition, Waiver and Consent to Inclusion of Additional Land within an Existing Parkway Maintenance Improvement District by the City of Buckeye; Authorizing the Mayor to Execute and Deliver said Petition; Declaring an Emergency**
Staff Liaison: Scott Lowe, Public Works Director
District No. 4

Council adopted Resolution No. 67-15 enlarging City of Buckeye Street Lighting Improvement District No. 2013-MID-02 (Sun City Festival Parcel L1-2); accepting the Petition, Waiver and Consent to Inclusion of Additional Land Within an Existing Parkway Maintenance Improvement District by the City of Buckeye; authorizing the Mayor to execute and deliver said Petition; declaring an emergency.

- *5E. Boards and Commissions Appointments and Removals**
Staff Liaison: Lucinda Aja, City Clerk
District No. All

Council approved the following changes to Boards and Commissions:

- Remove Cary Juve (employee) as a Regular Member on the Public Safety Retirement Board (Fire) whose term has expired;
- Appoint Dave Dubois (employee) as a Regular Member on the Public Safety Retirement Board (Fire) with a term expiration date of September, 2019;
- Remove Richard Napolitano as a Regular Member on the Buckeye Pollution Control Corporation;
- Remove Henry Pasinski as a Regular Member on the Buckeye Pollution Control Corporation;
- Appoint Carl Goin (District 6) as a Regular Member on the Buckeye Pollution Control Corporation with a term expiration date of September, 2021.

- *5F. Special Event Liquor License Application for Oktoberfest to be held on October 10, 2015 at the 6th Street Plaza**
Staff Liaison: Lucinda Aja, City Clerk
District No. 2

Council approved the Special Event Liquor License for the Oktoberfest event to be held on October 10, 2015 at the 6th Street Plaza in Buckeye. Requested by John Broadbent on behalf of the Buckeye Rotary.

6. Continued / Tabled Items – None.

7. Public Hearings / Non-Consent - New Business

- 7A. Public Hearing and Action Preliminary Plat for Verrado Marketside-Phase I**
Staff Liaison: Sean Banda, Planner II
District No. 6

Vice Mayor Orsborn declared a conflict of interest and recused himself from discussion and voting. Mayor Meck opened the public hearing at 6:21 p.m. to hear citizen input regarding the Verrado Marketside-Phase I Preliminary Plat. Mr. Banda provided an overview of the Verrado Marketside-Phase I Preliminary Plat; a vicinity map was displayed and lot descriptions provided. The site is west of Verrado Way and north of McDowell Road. Recommended stipulations were discussed including stipulations proposed by the Fire Department and approved by the Planning and Zoning Commission; the applicant has agreed to all recommended stipulations. Kurt Jones (Tiffany & Bosco), representing DMB, expressed agreement with all proposed stipulations. David Nilsen (DMB), explained that the Park Street extension to Indian School Road is related to a master drainage plan; retention basins will need to be placed prior to the building of a culvert extension and dedication of a right-of-way. There being no further comment, Mayor Meck closed the public hearing at 6:33 p.m. A motion was made by Councilmember Heustis and seconded by Councilmember Hess to approve the Preliminary Plat for Verrado Marketside-Phase I within

the Verrado Community Master Plan (Verrado CMP) consisting of 227 single-family residential lots on approximately 37.9 acres generally located on the northwest corner of Verrado Way and McDowell Road (within the Marketside District). Motion passed unanimously.

**7B. Public Hearing and Action Resolution No. 79-15 Transitioning Global Water Customers to City of Buckeye Water Rates, Fees and Service Charges; Establishing a Water Resource Service Fee; Establishing Effective Dates
Staff Liaison: Dave Nigh, Water Resources Director
District No. All**

Mayor Meck opened the public hearing at 6:33 p.m. to hear citizen input regarding transitioning Global Water customers to City of Buckeye water rates, fees and service charges, establishing a Water Resource Service Fee, and establishing effective dates. Mr. Nigh provided an overview of the request to transition Global Water Customers to the City of Buckeye water rate structure, with an effective date of January 1, 2016. A service area map was presented. Water service fees are used to pay the cost to provide service, to include financial obligations; the fees consist of a monthly usage charge, commodity charge and non-potable water charges. All rates will be consistent for both current City customers and Global Water customers. Current and proposed rates for Global Water customers were discussed; the proposed rates will cover the debt services. The proposed \$3,000 water resource service fee was discussed; the fee does not apply to current accounts and will only be assessed to new accounts in the Global Water service area. Meetings have been held with developers to address their concerns related to the fee. Documents and records have been and continue to be provided by Global Water. The records received have been reviewed and it has been determined that the current Global Water customer base will cover the debt service ratio and operating expenses of managing the Global Water system. Council has discretion to adopt the rates without adopting the water resource service fee. If the City absorbs the costs rather than establishing the \$3,000 water resource fee, the timeline of previously scheduled system improvements will need to be amended; with anticipated growth, improvements and upgrades to the water system are projected to take six to seven years as opposed to five years. Nick Vanderwey (TGV Investments, 5202 South Verrado Way, Buckeye) stated concerns related to the proposed fee. Michele VanQuatham with Riley Carlock and Applewhite (1 North Central Avenue, Phoenix), on behalf of Walton Development and Management, stated opposition to the fee. Chris Heeter of Stardust Companies (6730 North Scottsdale Road, Suite 230, Scottsdale) stated the fee does not benefit the project owned by Stardust Companies and expressed opposition to the fee. Andrew Gasparo of Evergreen Devco, Inc. (2390 East Camelback Road, Suite 410, Phoenix) stated opposition to the fee and its negative impact on potential projects. Jackson Moll of Home Builders Association of Central Arizona (7740 North 16th Street, Suite 385, Phoenix) expressed opposition to the proposed fee. Mr. Nigh stated if rates are approved, they will be effective January 1, 2016; if the water resource fee is approved, it will be effective October 2, 2015. A separate item will be presented to Council at a later date to address unification of additional fee components. There being no further comment, Mayor Meck closed the public hearing at 7:08 p.m. General discussion was held regarding the necessity of the fee and the importance of approving rates that are consistent for all City water accounts and customers. A motion was made by Vice Mayor Orsborn to adopt Resolution No. 79-15 transitioning Global Water customers to City of Buckeye water rates, fees and service charges; *without* establishing a Water Resource Service Fee; and establishing effective dates. Motion passed unanimously.

**7C. Action Resolution No. 78-15 Approving the Intergovernmental Agreement between the City of Buckeye, Buckeye Union High School District No. 201 and Buckeye Elementary School District No. 33 Relating to the Delivery and Reuse of Reclaimed Water for Landscaping and School Ground Irrigation; Authorizing the Mayor to Execute and Deliver said Agreement
Staff Liaison: Roger Klingler, Assistant City Manager
District No. All**

Mr. Klingler provided an overview of the Intergovernmental Agreement (IGA) related to delivery and reuse of reclaimed water for landscaping and school ground irrigation. Responsibilities of the City and the Districts were listed and summarized; maps depicting the existing systems were presented. Benefits of the agreement were discussed and include conservation of groundwater through reuse, future recharge, new revenue, cost savings and positive environmental impact. Staff recommends approval of the IGA. Clarification was provided that rates would be charged at the rate in effect at the time of delivery. A motion was made by Vice Mayor Orsborn and seconded by Councilmember Heustis to adopt Resolution No. 78-15 approving the Intergovernmental Agreement between the City of Buckeye, Buckeye Union High School District No. 201 and Buckeye Elementary School District No. 33 relating to the delivery and reuse of reclaimed water for landscaping and school ground irrigation; authorizing the Mayor to execute and deliver said Agreement. Motion passed unanimously.

**7D. Action Resolution No. 76-15 Cancelling the Regularly Scheduled City Council Meeting for November 3, 2015
Staff Liaison: Lucinda Aja, City Clerk
District No. All**

Ms. Aja provided information related to the request to cancel the November 3, 2015 regularly scheduled meeting; the cancellation will provide several councilmembers the opportunity to attend the National League of Cities Conference that will be held in Nashville, Tennessee. A motion was made by Councilmember Heustis and seconded by Councilmember McAchrans to adopt Resolution No. 76-15 cancelling the regularly scheduled City Council Meeting for November 3, 2015. Motion passed unanimously.

8. City Manager's Report and Government Relations

See attached City Manager's Report.

9. Comments from the Mayor and Council

Councilmember Garza: no comment.

Councilmember Strauss: no comment.

Councilmember Hess: discussed reading programs in the libraries and local schools; thanked staff for successful and popular City booth at the League Annual Conference.

Councilmember McAchrans: requested volunteers for the Veterans Day Parade scheduled November 7, 2015; stated six members of the Youth Council attended the League Annual Conference and proudly represented the City.

Councilmember Heustis: stated All Faith donation boxes will be placed in City Hall for donations of egg cartons and plastic bags; 1,000 cases of water have been donated to All Faith in partnership with Abraza Healthcare; the Veterans of Foreign Wars and the American Legion will hold a combined BBQ for Veterans Day.

Vice Mayor Orsborn: stated the City shined at the League Annual Conference; thanked staff for efforts related to several major events and projects in recent months.

Mayor Meck: commented with regard to the Salt Cedar Committee; regulations have been suggested related to salt cedar removal, interest has increased and efforts are moving forward.

10. Adjournment

A motion was made by Vice Mayor Orsborn and seconded by Councilmember Hess to adjourn the meeting at 7:51 p.m. Motion passed unanimously.

Jackie A. Meck, Mayor

ATTEST:

Lucinda J. Aja, City Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the Regular Council Meeting held on the 1st day of September, 2015. I further certify that a quorum was present.

Lucinda J. Aja, City Clerk