



**PLEASE SILENCE ALL ELECTRONIC COMMUNICATION DEVICES. THANK YOU.**

**NOTICE OF POSSIBLE QUORUM OF THE CITY OF BUCKEYE PLANNING AND ZONING COMMISSION OR OTHER COUNCIL APPOINTED BOARD: PLEASE NOTE THAT THERE MAY BE A QUORUM PRESENT BUT THERE WILL BE NO VOTING TAKING PLACE BY THE CITY PLANNING AND ZONING COMMISSION OR OTHER COUNCIL APPOINTED BOARD AT THIS MEETING.**

**CITY OF BUCKEYE  
REGULAR COUNCIL MEETING AND EXECUTIVE SESSION  
AUGUST 2, 2016  
AGENDA**

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

*Accessibility for all persons with disabilities will be provided upon request. Please telephone your accommodation request (623) 349-6911, 72 hours in advance if you need a sign language interpreter or alternate materials for a visual or hearing impairment.*

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*Members of the City Council will either attend in person or by telephone conference call or video presentation.  
Items listed may be considered by the Council in any order.*

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

**2A. Comments from the Public - Members of the audience may comment on any item of interest.**

*Council Action: Open Meeting Law does not permit Council discussion of items not specifically on the agenda.*

**2B. Awards/Presentations/Proclamations**

Mayor Meck will proclaim August 2016 as “Drowning Impact Awareness Month”.

Mayor Meck will present Certificates of Completion to participants of the Youth Entrepreneur Outreach Network (YEON) Summer Camp.

**3. Minutes**

Council to take action on approval of the minutes of the June 21, 2016 Executive Session and Special Council Meeting, June 21, 2016 Council Workshop, June 21, 2016 Regular and Special Council Meeting, June 29, 2016 Special Council Meeting, July 5, 2016 Council Workshop, and July 5, 2016 Regular Council Meeting.

**4. Expenditures**

Council to take action on the request to ratify the payment of the accounts payable expenditures made. Copies of invoices are available at City Hall.

## CONSENT AGENDA ITEMS

**Approval of items on the Consent Agenda - All items with an (\*) are considered to be routine matters and will be enacted by one motion and vote of the City Council. There will be no separate discussion of these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.**

### **\*5. New Business**

- \*5A. Council to take action on Resolution No. 56-16 approving the modification to the Intergovernmental Agreement between the City of Buckeye and the State of Arizona acting through the Arizona Department of Revenue (ADOR) regarding the administration of taxes imposed by the City.**

Summary: This agreement modification will extend the existing agreement effective July 1, 2016. By continuing the agreement, the City of Buckeye will be able to collect the Transaction Privilege Taxes (TPT) as required under A.R.S. § 42-6001. In the past year certain modifications were deemed necessary to address issues with the initial agreement required by ADOR.

Staff Liaison: Larry Price, Finance Director, (623) 349-6164, [lprice@buckeyeaz.gov](mailto:lprice@buckeyeaz.gov)

- \*5B. Council to take action on Resolution No. 58-16 ratifying the submission of a grant proposal to the Tohono O’Odham Nation for Proposition 202 funding for equipment, supplies and personnel for the Buckeye Fire-Medical Rescue Department’s Community Paramedicine Program which supports public health care and public safety areas within the City; authorizing the acceptance of any resulting grant award; and authorizing the City Manager and City Fire Chief to execute and deliver the resulting Grant Agreement on behalf of the City.**

Summary: Funding received from the grant award will provide supplies, a community paramedicine vehicle, and overtime expenses that will allow the Fire Department’s Community Paramedicine Program to continue while providing the best possible customer service to the citizens of Buckeye.

Staff Liaison: Bob Costello, Fire Chief, (623) 349-6723, [bcostello@buckeyeaz.gov](mailto:bcostello@buckeyeaz.gov)

- \*5C. Council to take action on Resolution No. 57-16 authorizing the submission of a grant application to Union Pacific Railroad’s Community-Based Grant Program for equipment, supplies and funds to support personnel of the Buckeye Fire-Medical Department’s Community Paramedicine Program; authorizing the acceptance of any resulting grant award; and authorizing the City Manager and Fire Chief to execute and deliver the resulting Grant Agreement on behalf of the City.**

Summary: This award will fund the Community Paramedicine Program so that it may continue on an ongoing and permanent basis. In the first year of operation, the Community Paramedicine Program made over 600 home visits to the citizens of Buckeye and traveled over 7,400 miles.

Staff Liaison: Bob Costello, Fire Chief, (623) 349-6723, [bcostello@buckeyeaz.gov](mailto:bcostello@buckeyeaz.gov)

- \*5D. Council to take action on approval of a Replat of Festival Ranch Phase II - Unit 19, located at the southeast corner of Festival Foothills and adjacent to Sun Valley Parkway within the Festival Ranch Master Planned Community.**

Summary: The applicant is proposing a replat of the 29.44 acre property to create 103 slightly larger lots than the original plat. Requested by Brad Squelch, Coe & Van Loo on behalf of Jared Geisler of the Pulte Group. The project is located in District 4.

Staff Liaison: Ed Boik, Principal Planner, (623) 349-6207, [eboik@buckeyeaz.gov](mailto:eboik@buckeyeaz.gov)

- \*5E. Council to take action on approval of the Estoppel Agreement by and between Tartesso 1261, L.L.C., an Arizona limited liability company successor by merger with Stardust-Tartesso W12, Inc., an Arizona corporation, Tartesso Partners LLC, an Arizona limited liability company, and the City of Buckeye.**

Summary: This agreement creates an understanding between the parties regarding the reimbursement amounts and past payments made by the City of the public infrastructure conveyed to the City pursuant to the Acceptance and Service Agreements. The sources of funding for the City's reimbursement for the public infrastructure will come from development impact fees and reimbursements from the sale of bonds by the Tartesso West Community Facilities District. The Estoppel Agreement does not further obligate the City financially or in any other capacity, rather it confirms the amounts paid and reimbursed for the public infrastructure conveyed to the City. The public infrastructure is located in District 4.

Staff Liaison: Ed Boik, Principal Planner, (623) 349-6207, [eboik@buckeyeaz.gov](mailto:eboik@buckeyeaz.gov)

- \*5F. Council to take action on approval of a Map of Dedication and acceptance of a Public Utility Easement for the northeast corner of Verrado Way and Energy Way.**

Summary: In an effort to accommodate a traffic signal at the intersection of Verrado Way and Energy Way, additional right-of-way and a public utility easement are necessary to accommodate the design requirements for the signal. The Banner Health Foundation is agreeable to conveying the necessary land and easements to the City to accommodate the project. The project is located in District 6.

Staff Liaison: Scott Zipprich, City Engineer, (623) 349-6217, [zipprich@buckeyeaz.gov](mailto:zipprich@buckeyeaz.gov)

- \*5G. Council to take action on Resolution No. 54-16 ratifying the submission of a grant application to the Federal Aviation Administration for grant funds to assist with maintenance equipment storage building design for the Buckeye Municipal Airport; authorizing the acceptance of any resulting grant award; and authorizing the Mayor or City Manager to execute and deliver the resulting Grant Agreement on behalf of the City.**

Summary: Buckeye Municipal Airport is scheduled to receive a grant for the design and environmental clearances for the eventual construction of a maintenance equipment storage building. When constructed, the facility will provide a storage area for airport maintenance equipment that is currently being stored in a hangar that could be better utilized for aeronautical purposes. The added benefit is that the design and construction will include extending water to the site for fire flow and potable water needs. This project is located in District 4. The total cost of the storage building design is \$150,000; the total cost to the City is \$7,500.

Staff Liaison: Scott Lowe, Public Works Director, (623) 349-6815, [slowe@buckeyeaz.gov](mailto:slowe@buckeyeaz.gov)

- \*5H. Council to take action on approval of a Contract (No. 2017-09-BKY) between the City of Buckeye and the Area Agency on Aging Region One, Incorporated, for Fiscal Year 2016-2017 congregate and home-delivered meal programs, transportation, and multi-center operations for the City of Buckeye Community Center; and authorize the City Manager to execute and deliver said Contract.**

Summary: Approval of this contract secures funding for the continuation of congregate and home-delivered meals, transportation, and multi-center operations to the community.

Staff Liaison: Phil Yabes, Community Center Manager, (623) 349-6604, [pyabes@buckeyeaz.gov](mailto:pyabes@buckeyeaz.gov)

- \*5I. Council to take action on approval of the Vehicle Lease Agreement between the City of Buckeye and Area Agency On Aging Region One, Incorporated, for Fiscal Year 2016-2017; and authorize the City Manager to execute and deliver said Agreement.**

Summary: This Vehicle Lease Agreement allows the City of Buckeye Senior Program to lease four (4) vehicles from Area Agency on Aging, Region One, Inc. These vehicles used for numerous field trips, delivery of over 15,000 home-delivered meals annually, and other transportation services that benefit Buckeye seniors.

Staff Liaison: Phil Yabes, Community Center Manager, (623) 349-6604, [pyabes@buckeyeaz.gov](mailto:pyabes@buckeyeaz.gov)

- \*5J. Council to take action on approval of the following budgeted purchases in accordance with the City Vehicle Replacement Policy and budgeted in the FY 2016-2017 City of Buckeye annual appropriation from various State contract sources as follows: From Sanderson Ford one (1) 2017 Ford F550 (Contract No. ADSPO14-063240), in an amount not to exceed \$55,959 for the Public Works Department, Streets Division, to replace one (1) 2006 F450 Sign Body Truck; From Freightliner of Arizona one (1) Freightliner 114SD (Contract No. ADSPO15-093361), in an amount not to exceed \$193,056 for the Public Works Department, Streets Division, to replace one (1) 2006 Ford F750 water truck; From San Tan Ford, one (1) 2017 Ford F150 (Contract No. W1E/ ADSPO12-016671) in the amount not to exceed \$34,842 and one (1) 2017 Ford F250 (Contract No. F2A/ADSPO12-016671) in the amount not to exceed \$26,584, for the Public Works Department, Streets Division, to replace one (1) 2006 Ford F150 and one (1) 2007 Ford F150; From RDO Equipment, one (1) 2016 John Deere 710L (HGACBuy Contract No. EMO6-15) in the amount not to exceed \$177,607 for the Public Works Department, Streets Division, to replace one (1) 2006 John Deere 710; From LSH for emergency equipment and lighting (City of Tempe Contract No. FP-14-049) in an amount not to exceed \$13,136 to equip the above, in a total amount not to exceed \$501,183; authorizing the City Manager or designee to execute and deliver all documents necessary for such purchases.**

Summary: Following the City's Vehicle Replacement Policy replaces aging vehicles at risk of mechanical failure to ensure that our public safety and service departments are able to provide for the needs of our citizens. The budgeted vehicles include related emergency equipment and lighting to outfit the vehicles. The City utilizes various State contract sources for these purchases.

Staff Liaison: Scott Lowe, Public Works Director, (623) 349-6815, [slowe@buckeyeaz.gov](mailto:slowe@buckeyeaz.gov)

- \*5K. Council to take action on approval of the following budgeted purchases in accordance with the City Vehicle Replacement Policy and budgeted in the FY 2016-2017 City of Buckeye annual appropriation from various State contract sources as follows: From Midway Chevrolet three (3) 2017 Chevrolet Tahoe's (Contract No. ADSPO13-038803) in an amount not to exceed \$118,996 for the Police Department to replace three (3) patrol vehicles (2012 Chevrolet Tahoe); From Larry H Miller Dodge Ram one (1) 2017 Dodge Charger (Contract No. ADSPO13-049554) in an amount not to exceed \$37,640 for the Police Department to replace one (1) 2011 Ford F150; From San Tan Ford, One (1) 2017 Ford F250 (Contract No. W2B/ ADSPO12-016671) in the amount not to exceed \$38,066 for the Police Department to replace one (1) 2012 Chevrolet Tahoe; One (1) 2017 Ford Explorer (Contract No. K8D/ ADSPO12-016671) in an amount not to exceed \$39,238 for the Police Department to replace one (1) 2011 Chevrolet Tahoe; Five (5) 2017 Ford F150's (Contract No. W1C/ADSP12-016671) in an amount not to exceed \$165,425 for Police Department to replace one (1) 2009 Ford Taurus, Fire Department to replace two (2) 2007 Ford F150's,**

**Neighborhood Services to replace one (1) 2006 Ford F150 and Library to replace one (1) 2005 Dodge Van; One (1) 2017 Ford F250 (Contract No. X2B/ADSP012-016671) in the amount not to exceed \$35,077 for Parks to replace one (1) 2008 Ford F250; One (1) 2017 Ford Escape (Contract No. P2D/ADSP012-016671) in the amount not to exceed \$23,042 for Motor Pool to replace one (1) 2006 Ford Escape; From John Deere (Stotz Equipment) one (1) 2016 John Deere HPX utility vehicle (Contract No. ADSP013-035803) in the amount not to exceed \$10,647 for Parks to replace one, (1) 2007 John Deere Gator; From LSH for emergency equipment and lighting from (City of Tempe Contract No. FP-14-049) in an amount not to exceed \$99,028 to outfit the above vehicles; Miscellaneous equipment/materials from different vendors not to exceed \$33,425 to support the outfitting of these replacement vehicles, such items to include: radars, storage boxes and graphics approval of the budgeted General Fund Replacement Vehicles for Fiscal Year 16-17, in a total amount not to exceed \$600,584; authorizing the City Manager or designee to execute and deliver all documents necessary for such purchases.**

Summary: Following the City's Vehicle Replacement Policy replaces aging vehicles at risk of mechanical failure to ensure that our public safety and service departments are able to provide for the needs of our citizens. Vehicles include related equipment and materials to outfit the vehicles. The City utilizes various State contract sources for these purchases.

Staff Liaison: Scott Lowe, Public Works Director, (623) 349-6815, [slowe@buckeyeaz.gov](mailto:slowe@buckeyeaz.gov)

- \*5L. Council to take action on the approval of the Public Utilities Easement Agreement by Western Properties, Inc., a Washington corporation, as Grantor, in favor of the City of Buckeye relating to the reclaimed water line for delivery of City reclaimed water to the Buckeye Elementary School District – Sundance Elementary School.**

Summary: This easement for constructing and installing a water line for reclaimed water from the Beloat Wastewater Treatment Plant in accordance with an earlier agreement with the school districts will provide reclaimed water to Sundance Elementary School.

Staff Liaison: Scott Zipprich, City Engineer, (623) 349-6217, [szipprich@buckeyeaz.gov](mailto:szipprich@buckeyeaz.gov)

## **6. Continued / Tabled Items-None**

## **7. Public Hearings / Non-Consent - New Business**

- 7A. Council to hold a public hearing and take action on Ordinance No. 15-16 increasing the corporate limits of the City of Buckeye, pursuant to the provisions of Title 9, Chapter 4, Article 7, Arizona Revised Statutes and Amendments thereto, by annexing two (2) parcels containing approximately nine (9) acres generally located on the northwest corner of MC85 and Watson Road (Old Jones Ford Site).**

Summary: This site was previously owned by Jones Ford and was recently purchased by the City of Buckeye as part of the Jones Ford Development Agreement. Annexation of this property into the City of Buckeye will allow for future permits associated with building and site improvements to process more efficiently. The site is located in District 3.

Staff Liaison: Adam Copeland, Principal Planner, (623) 349-6210, [acopeland@buckeyeaz.gov](mailto:acopeland@buckeyeaz.gov)

**7B. Council to take action on approval of an Access/Utility Easement between the City of Buckeye and TowerCom VII, LLC (TowerCom) for the purposes of operations and maintenance on a cellular tower located on Buckeye Union High School property (baseball field) generally located at 901 East Eason Avenue, to include revenue of a \$3,500 one-time application fee and an annual fee of approximately \$250.37.**

Summary: TowerCom approached the City and Buckeye Union High School District (BUHSD) about utilizing an existing ballfield light standard to house a cellular antenna. Since BUHSD owns the light standard, they are in separate negotiations with Verizon to convert the light into an antenna; however, Verizon requires access to the new antenna from the City for both vehicular and underground lines from the antenna to existing infrastructure in Eason Avenue. This Access/Utility Easement Agreement satisfies that requirement for the City and Verizon, ensuring that the City is given fair consideration for the use of City property.

Staff Liaison: Scott Lowe, Public Works Director, (623) 349-6815, [slowe@buckeyeaz.gov](mailto:slowe@buckeyeaz.gov)

**7C. Executive Session and Public Session to consider, and if advisable, fill the District 4 Council vacancy.**

- a) Council will take action regarding convening into Executive Session pursuant to A.R.S. 38-431.03 (A)(1) and (3) to discuss or consider an appointment to fill the District 4 City Council vacancy for the remainder of the term ending in 2018, and to discuss and consult with the City Attorney to receive legal advice.
- b) Appropriate written notice of the Executive Session will be provided to the candidates under consideration for the Council vacancy and if requested by any candidate, discussion and consideration of that requesting candidate will occur at the public meeting immediately following the Executive Session.
- c) Council will reconvene into the public meeting. If requested by any candidate, Council will discuss the candidate's qualifications.
- d) Council will take action regarding an appointment to fill the District 4 City Council vacancy for the remainder of the term ending in 2018.

Summary: On Tuesday May 31, 2016, District 4 Councilmember Ray Strauss resigned from his seat with a term ending in 2018. Because the deadline for filing petitions was June 1, 2016, the vacancy will be filled by appointment. The City Clerk published notice in two local newspapers, used Social Media and the City's webpage to notify persons interested in applying for the vacancy. The application submittal period ended on Wednesday July 6, 2016. A subcommittee consisting of three Councilmembers examined the applications and reduced the number of applicants to a finalist list for Council consideration.

Staff Liaison: Lucinda Aja, City Clerk, (623) 349-6911, [laja@buckeyeaz.gov](mailto:laja@buckeyeaz.gov)

## **8. City Manager's Report and Government Relations**

*Council will receive brief project and program updates from City Manager and his designees*

- *Council may ask questions that will be researched and staff will report before and at next meeting*
- *No legal action will be taken at the meeting on matters discussed*
- *Reports may be received on the topics list attached to the agenda*

## **9. Comments from the Mayor and Council**

*Mayor and Council may present a brief summary on current events and/or report on any of the Boards and Commissions and other organizations as necessary.*

Councilmember Garza:

Councilmember Orsborn:

Buckeye Pollution Control Corporation  
Community Development Advisory Committee (CDAC Regular Member)  
Valley Metro RPTA Board  
WESTMARC  
Greater Phoenix Economic Council (GPEC)

Councilmember McAchrans:

Airport Advisory Board  
Main Street Board  
Project Boost, SCOSIC Board  
Way Out West (WOW) Coalition Project Manager  
Buckeye Youth Council

Councilmember Heustis:

All Faith Board President  
Planning and Zoning  
Public Safety Retirement Board (Fire)

Vice Mayor Hess:

Community Development Advisory Board (CDAC Alternate Member)  
Community Services Advisory Board  
Public Safety Retirement Board (Police)  
MAG Human Services Coordinating Committee  
Southwest Lending Closet Board

Mayor Meck:

All Faith Board  
Chamber of Commerce Board  
MAG Economic Development Committee  
MAG Regional Council  
MAG Regional Council Executive Committee

*The Council may not propose, discuss, deliberate, or take any legal action on information presented. Council may direct inquiries to staff.*

## **10. Council will make a motion to adjourn the meeting.**