



City of Avondale

City Council Meeting

 [**Link to Summary of Council Actions**](#)

 [**Link to Meeting Minutes**](#)



City of Avondale

City Council Online Meeting

Monday, April 20, 2020

Summary of Council Actions

Mayor and Council

Kenn Weise, Mayor

Pat Dennis, Vice Mayor

Tina Conde, Council Member | Bryan Kilgore, Council Member

Veronica Malone, Council Member | Curtis Nielson, Council Member

Mike Pineda, Council Member

Administration

Charles A. Montoya, City Manager

Gina Montes, Assistant City Manager

Michael Wawro, City Attorney

Marcella Carrillo, City Clerk

Online Meeting

Join the meeting and view presentations: <https://avondaleaz.zoom.us/j/3083557784>

Using a Mobile Device? Download the Zoom Cloud Meeting App

Join the meeting with audio only: Call 301-715-8592 (meeting ID: 308 355 7784)



Summary of Council Actions

City Council Online Meeting Notice & Agenda Monday, April 20, 2020

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WORK SESSION

6:00 PM

CALL TO ORDER BY MAYOR

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION AND DISCUSSION OF DEPARTMENT FY2021 BUDGET SUPPLEMENTAL REQUESTS

City Council **received** an overview of department budget supplemental requests for the fiscal year (FY) 2021 budget.

3. ADJOURNMENT

Unscheduled public appearances will **not** be permitted at this meeting. Members of the public may listen to the discussions by joining the meeting online at <https://avondaleaz.zoom.us/j/3083557784>. Anyone wishing to address the Council regarding the public hearing item listed on the agenda should email their comments to CityClerk@AvondaleAZ.gov prior to consideration of the item.

REGULAR MEETING

Convene immediately following the Work Session

CALL TO ORDER BY MAYOR

1. ROLL CALL BY THE CITY CLERK

2. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. MINUTES

City Council **approved** the February 18, 2020 and March 2, 2020 City Council Meeting Minutes. The Council will take the appropriate action.

b. LIQUOR LICENSE - SERIES 6 (BAR) - CLUB SANTA FE - CHANGE OF OWNERSHIP

City Council **recommended** approval to the Arizona Department of Liquor License and Control of an application for a Series 06 (Bar) License - Acquisition of Control submitted by Servando Lopez for the sale of beer, wine, and spirits at Club Santa Fe located 10907 West Buckeye Road, in Avondale and authorized the City Clerk to execute the necessary documents. The Council will take appropriate action.

c. FIRST AMENDMENT - PROFESSIONAL SERVICES AGREEMENT WITH CAROLLO ENGINEERS – DESIGN & CONSTRUCTION MANAGEMENT - NORTH AVONDALE WATER SUPPLY PROJECT

City Council **approved** Amendment No. 1 to the Professional Services Agreement with Carollo Engineers, Inc. for additional design and construction management services for the North Avondale Water Supply project in the amount of \$524,772 and authorized the Mayor, or City Manager and City Clerk to execute the contract documents. Council will take appropriate action.

d. THIRD AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT (CMAR) CONTRACT WITH PCL CONSTRUCTION FOR THE NORTH AVONDALE WATER SUPPLY PROJECT

City Council **approved** Contract Amendment No. 3 to the CMAR with PCL Construction, Inc., to establish the Guaranteed Maximum Price (GMP) No. 3 for the North Avondale Water Supply Project, WA1469 in the amount of \$7,190,436, **authorized** the necessary budget transfers, and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. RESOLUTION 1023-0420 - MOU WITH THE CITY OF PHOENIX POLICE DEPARTMENT FOR SCHEDULING AND USE OF NIBIN

City Council **adopted** Resolution 1023-0420, authorizing the Avondale Police Department's participation in a Memorandum of Understanding (MOU) with the Phoenix Police Department to schedule and use their National Integrated Ballistic Information Network (NIBIN), and authorized the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

f. RESOLUTION 1024-0420 - INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF LITCHFIELD PARK PROVIDING THE USE OF THE AVONDALE CITY COURT

City Council **adopted** Resolution 1024-0420 authorizing an Intergovernmental agreement with the City of Litchfield to allow the Litchfield Park Municipal Court to use the Avondale City Court for courtroom operations for a period of four (4) hours on one day each week in the amount of \$14,400.00 annually, with a 3% increase each year for a three (3) year period and may be extended for up to five (5) additional one year extensions, and authorized the Mayor and City Clerk to execute the necessary documents.

g. RESOLUTION 1025-0420- INTERGOVERNMENTAL AGREEMENT AGREEMENT WITH THE SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY FOR JURY SERVICES

City Council **adopted** Resolution 1025-0420, authorizing an amendment to the Intergovernmental Agreement (IGA) with the Maricopa County Superior Court to extend the IGA for two additional two-year terms to provide jury services for the City Court, and authorized the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

h. RESOLUTION 1026-0420 - APPOINTING THE APPLICANT AGENT FOR DISASTER RELIEF FUNDING

City Council **adopted** Resolution 1026-0420, to appoint the City's Budget and Finance Director, Lindsey Duncan, as the Applicant Agent for public assistance from the Arizona Department of Emergency and Military Affairs (DEMA) under the Disaster Relief Act, and to authorize the Applicant Agent to execute the necessary documents. The Council will take appropriate action.

i. ORDINANCE 2013-0420 - ACQUISITION OF REAL PROPERTY AND TEMPORARY CONSTRUCTION EASEMENT FOR RELOCATION OF RILEY LIFT STATION

City Council **adopted** Ordinance 1013-0420 authorizing the acquisition, by purchase, condemnation or dedication of real property and a temporary construction easement for the relocation of Riley Lift Station, Project No. SW1391 and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

3. REGULAR AGENDA

Comments for Public Hearing: Anyone wishing to address the Council regarding public hearing items shall email their comments to CityClerk@AvondaleAZ.gov prior to consideration of that agenda item.

a. PUBLIC HEARING - RESULTS OF BIENNIAL AUDIT OF DEVELOPMENT IMPACT FEES.

City Council **held** a public hearing on the development impact fee biennial certified audit, as required by A.R.S. 9-463.05. This item is for discussion only and no action will be taken at this time.

4. ADJOURNMENT

Council Members of the City of Avondale will attend either in person or by telephone conference call. Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.

Los miembros del Concejo de la Ciudad de Avondale participaran ya sea en persona o por medio de llamada telefonica. Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
ONLINE MEETING
April 20, 2020

The April 6, 2020 City Council meetings were hosted online using the Zoom Cloud Meeting platform. All participants attended by phone or video.

A **Work Session** of the City Council of the City of Avondale, Arizona was convened using the Zoom Cloud Meeting platform in open and public session at 6:03 p.m.

Members Present: Mayor Kenn Weise; Vice Mayor Pat Dennis; Council Members Tina Conde, Bryan Kilgore, Veronica Malone, Curtis Nielson, and Mike Pineda.

Note: All Council Members attended the meeting through phone or video conference with the exception of Mayor Weise.

Members Absent: None.

Other Municipal Officials Present: Charles Montoya, City Manager; Gina Montes, Assistant City Manager; Tracy Stevens, Deputy City Manager; Michael Wawro, City Attorney; Marcella Carrillo, City Clerk; Cindy Blackmore, Public Works Director; Jessica Blazina, Intergovernmental Affairs Administrator; Jeff Case, Fire Chief; Ken Chapa, Economic Development Services Director; Lindsey Duncan, Finance and Budget Director; Craig Jennings, Judge; Bryan Hughes, Acting Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Cherlene Penilla, Human Resources Director; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Community Relations and Public Affairs Director.

Audience: Approximately five members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION AND DISCUSSION OF DEPARTMENT FY2021 BUDGET SUPPLEMENTAL REQUESTS

City Council received an overview of department budget supplemental requests for the fiscal year (FY) 2021 budget.

City Administration

Charles Montoya reviewed the City Administration budget. The Building Maintenance item of \$167,700 is the increased cost for contractual obligations going forward for maintenance of the buildings in the City. The Employee Recognition Program item of \$8,000 is requested as a recurring cost, rather than requesting smaller amounts on an ongoing basis. The Federal Representation item reflects the increased contractual amount for the federal lobbyist. The Strategic Plan Update item of \$30,000 will assist with obtaining a facilitator to move through the process of updating the strategic plan, with \$15,000 for ongoing expenses.

The City is three years into a five-year intergovernmental agreement with the Veteran's Success Project, which goes through December of 2021. At this time, there is not clarity as to how much benefit has come to the City; however, it is believed to support the region as a whole, which Avondale is a part of. In the near future, it is likely that representatives will come before Council with an update. Vice Mayor Dennis expressed concern that the City has not received detailed financial reports. If additional funding is requested, she recommended that the representatives go through the Council Subcommittee on the Contribution Assistance Program to seek funding in the future. Mayor Weise noted he did not see that as an issue and agreed that it would make sense with the limited feedback that has been received. The program is great and does benefit the region overall. Mr. Montoya stated that he would provide Council with a document received from the organization; however, he acknowledged that it does not contain significant details. Vice Mayor Dennis stated that other nonprofit organizations who request funding from the City must go through a lengthy application process, including accountability throughout.

Mr. Montoya reviewed the list of General Fund - Contingent on Funding items, including a Part-Time Council Assistant item of \$52,800. There is not an intent to move forward with hiring unless or until Council expresses a desire to do so. The Innovation Program item of \$20,000 involves all departments coming together with ideas and projects to move the City forward. The NASCAR Race item of \$75,000 is for the NASCAR Race event in November. For the Professional Development item of \$10,500, a few positions were added over the last couple years; however, funding was not added into the budget for continued training and education classes.

Vice Mayor Dennis recommended that the NASCAR Race come out of the Economic Opportunities Program fund through the Economic Development Department. Mr. Montoya agreed to this possibility. He noted that staff are unsure of how large the November race will be due to it being a championship race. With that, the line item was added to City Administration to prevent excess NASCAR funds from being taken out of the economic development fund.

Council Member Malone asked if the \$75,000 would be moved to the Economic Opportunities Program fund. Mr. Montoya stated that for the NASAR budget, the preference would be to add the amount to the Economic Opportunities Program at a later time. He noted that the requested amount of \$75,000 may not be enough to fund the event. He stated they have communicated with the County and State, but they have not wanted to do a coordinated effort for funding to the state legislature for the race.

Vice Mayor Dennis stated that she would like an overview of the race's financial benefit to the City, stating that she was not comfortable with the funding unless it is taken from the economic development opportunity funds. Mr. Montoya said he has no problem adding the \$75,000 to the fund and will provide Council with a summary of benefits, adding that the benefits to City far outweigh the \$75,000.

City Attorney

The budget includes a one-time cost of \$7,000 to set up a law library for the City Attorney's Office.

City Clerk

The 2020 Election item of \$70,000 is for the August Council and Home Rule election as well as an election in November, if the Council wishes to put a sales tax initiative forward. There is \$10,000 as an ongoing item for a software for electronic signatures on an annual basis. The Part-Time Admin Clerk to Full-Time item of \$36,500 will move the part-time administrative clerk to full-time to handle the volume of visitors to the Civic Center. The Passport Postage item of \$2,900 is a reimbursement item for passport postage.

Council Member Kilgore addressed the Home Rule proposition and noted that those writing an argument in support must pay \$50 for submission. As this fee has never been in place in the past, the fee should be removed. Mr. Montoya stated that the item was increased a couple years ago, as surrounding communities are all taking in this fee, with the exception of the City of Litchfield and the City of Tolleson. The cost is a reimbursement to the City for publication of the pamphlet and booklet. Council Member Kilgore stated that if someone is writing a letter in support, they should not be required to pay the fee even if other cities are doing it. He noted that Avondale was not doing it when he was first on Council.

Mayor Weise asked about the number of arguments typically received. Marcella Carrillo, City Clerk stated that on the last publicity pamphlet, there were no arguments received for the Home Rule proposition. He explained to Council Member Kilgore that he was not minimalizing his concern as he was surprised to hear about the fee as well. Mayor Weise commented that if there is an election for a tax increase for parks in November, there will be arguments. He asked whether any other Council Members had an issue with the \$50 charge.

Vice Mayor Dennis stated that if the City funds the \$50 fee, it is essentially paying for whatever arguments are submitted. The onus should be on the individuals to pay that cost.

Mayor Weise opined that there would be very few residents stepping forward to support an initiative. Rather, input would be coming from unions, police and fire, which would be paid for by their union funds and not an individual.

In response to a question by Council Member Malone, City Attorney Michael Wawro, stated it does not raise a legal issue. Council Member Malone asked Mayor Weise whether during his time on Council, he has been aware of this fee being charged to residents.

Mr. Montoya stated it would be unusual for the City to pay the fee for an argument against the Home Rule proposition. In response, Council Member Malone acknowledged that if the City was going to pay for arguments for the propositions, then arguments against a proposition would also need to be covered.

Council Member Malone asked Mayor Weise if the fee has ever been charged before. Mayor Weise said he does not recall this fee being charged in the past. However, he also does not remember a pro or against statement coming out on the Home Rule proposition. He asked how long a pro or con argument has been on the ballot at the state level. Mr. Wawro stated it has existed as long as he is aware of. He noted that the City is free to lay out its interests to explain what will happen if a proposition passes or fails.

Mayor Weise stated that if a city puts something forth on a ballot, the presumption is that they want the ballot measure to pass. The fee is rarely paid by individuals, but by unions, organizations or committees. He gave the example of Western Maricopa Association of Realtors or the Home Builders of Arizona supporting the Home Rule proposition. The City should not pay the \$50 fee for them to do so.

Vice Mayor Dennis stated that before coming to Avondale, she was accustomed to seeing pro and con arguments with the submitting individual paying the fee. She asked whether the \$50 is an appropriate amount in terms of what is required to include the argument on the printed ballot. Mr. Montoya stated that the \$50 is remitted to the City. The \$50 was included on the fee schedule adopted by Council. At this point in time, they are not allowed to change it.

Council Member Kilgore stated that since being on City Council in 2012, there has never been a fee or a problem. He also noted that there was never an argument filed against the Home Rule proposition, always arguments for the propositions. He noted that the arguments that were paid for by the city in the past were always positive. Mayor Marie Lopez Rogers had asked individuals to submit arguments which were all positive. In closing, he stated if someone is going to advocate for a proposition, they should not be required to pay.

Council Member Malone agreed with Council Member Kilgore noting she contacted members of the public who did not want to file an argument due to the \$50 fee. Mr. Montoya reiterated that in order to change the fee, Council would have to modify and re-adopt the current fee schedule. Council Member Malone requested a copy of the fee schedule.

City Council

Mr. Montoya stated that the City Council Travel Budget Increase item of \$3,500 includes an amount of \$500 for each Council Member annually and is contingent on funding.

City Court

Mr. Montoya stated the Interpreter Fee item of \$50,000 is for an increase in interpreter fees. City Court is also requesting the Court Security Offer Reclass item of \$5,000 and a New Postage Meter Lease item of \$1,000. Vice Mayor Dennis asked for the current cost of interpreter fees. Mr. Montoya stated that staff will provide the requested figure.

Development and Engineering Services

Mr. Montoya stated the Engineering Permit Technician item of \$80,100 is an added position. There has not been a slowdown in the building industry and last month was the highest number of permits submitted to the City in years. The Appraisal Services item of \$20,000 is due to the City consistently looking at selling, leasing or purchasing land.

Kevin Murphy, Development and Engineering Services Director, stated that the Project Management Services item of \$175,000 are primarily for the Resource Center and the City Annex Building. The City does not have the technical ability in-house for this type of vertical construction, so they rely on consultants to provide this service. Mr. Montoya explained these services will be used for the Neighborhood and Family Services department buildings as well as the Police Station. He noted that these project management services fees were not budgeted into the mentioned projects to keep the consulting services separate.

Vice Mayor Dennis stated her understanding that Council had previously approved the hiring of a position to handle City projects. Mr. Montoya stated that it was addressed during budget discussions last year; however, Council gave no final position to move forward on project management. Gina Montes, Assistant City Manager, clarified that originally, Council had authorized a limited term FTE for the project management of the two major projects. When trying to fill the position, it became evident that it was nearly impossible to find someone for the position due to the specific expertise in vertical construction and the current job market. Since the need is temporary, they were able to find a consultant with the expertise to provide the needed service.

Mr. Montoya added that the most difficult positions to fill currently are in finance, building, and engineering services. He noted the firms will assist with the mentioned projects as well as possible future project throughout the year.

Mayor Weise added that Arcadis has been a longtime partner for the City, noting their consultant work with the Wolf Water Treatment Facility. Mayor Weise inquired on the reasoning why staff were unable to fill the position. Ms. Montes explained staff did not have a large response to the advertising. She explained the position was posted for a three-year term which staff believes was sufficient and paid well.

Mayor Weise noted that some of the issues experienced within Development and Engineering Services will be relieved through the requested positions. He stated it was interesting that the City is not experiencing a decrease in requested building permits.

Mr. Montoya stated the following items are contingent on funding: Engineering Inspector, Senior Building Inspector, Engineering Professional Services. The items are especially necessary if residential and commercial growth continue at the current pace. The Aesthetic Enhancements item is a new item in terms of outside amenities for courtyards, enhancement of crosswalks and similar items. Mayor Weise asked if detail will be forthcoming on what the expected enhancements will be. Mr. Montoya confirmed that those details will be provided to Council.

Vice Mayor Dennis asked about the budgeted amount from last year for appraisal services. Mr. Montoya stated that it was approximately \$20,000 and is not expected to increase but is shifting from one department to another.

Economic Development

Mr. Montoya cited the budgeted amount of \$2 million for the Economic Opportunities Program, noting that Council had previously requested a breakdown of funding.

Vice Mayor Dennis surmised that once the City spends the anticipated amount, they will have \$56,000 going into this new \$2 million budget, which Mr. Montoya concurred. Vice Mayor Dennis commented that if additional funds for NASCAR are needed, this should be the source. Mr. Montoya commented that the mentioned amount may not be available to roll over to the next fiscal year depending on the next few months.

Ken Chapa, Economic Development Services Director, stated that the Small Business Support Program is a virtual accelerator program, which has resulted in good success stories. The Business Development item primarily addresses lead generation contracts, sales missions and other activities to prospect in and outside the region. The Real Estate Value Proposition Collateral item is focused on City-owned properties in The BLVD as well as City-owned assets to develop value propositions and marketing materials in key sectors. Mr. Montoya stated that the Software Licenses, Software, & Training item of \$13,800 is for a software program solely for economic development. The department has been using an Excel document to keep track of generational leads, which is very inefficient.

Mayor Weise commented on a software he uses that allows companies to keep track of sales prospects, activities and tasks.

Mr. Montoya noted that the Tourism & Marketing Initiatives item of \$178,000 is for the City to set up its own Designated Marketing Organization (DMO). This will allow the City to avoid having to request funds generated from Avondale's own hotels back to the State. Avondale would no longer be required to submit a budget to the State and the Council would have final approval on what projects would be funded in the City. The Health Tech Corridor GAP Analysis item of \$25,000 is for a Health Tech Corridor GAP analysis.

Council Member Kilgore referred to the \$50,000 budget for graphic designer services, noting that the City currently has an in-house graphic designer. Mr. Montoya stated that City does have an in-house graphic designer, but the Economic Development Department uses a different type of marketing and digital aspects to develop programs and brochures that are entirely different than the City's marketing department.

Council Member Kilgore inquired if a full-time graphic designer is needed for the Economic Development Department. Mr. Montoya recommended against that, stating the City is not at the point yet and he recommended continuing with a consultant basis on a contract. He noted that within the next year or two, there may be a request for such a position depending on growth, noting the addition of a position would be an added \$150,000. In response, Council Member Kilgore stated the budget could be modified to add the position. Council

Member Kilgore inquired if cities of like size have a graphic designer in the Economic Development department. Mr. Montoya stated cities of similar size do not, but they do have staff who meet with businesses and travel, but they contract out the graphic designing work. Mr. Montoya added that larger cities such as Phoenix and Glendale will often have in-house graphic designer for the department.

Council Member Kilgore asked Mr. Chapa if he was aware of any cities of like size that have an in-house graphic design professional. Mr. Chapa concurred that most cities do not have an in-house graphic design professional and usually use outside contractors. It is typically more cost-effective in the long run.

Council Member Kilgore asked how often Economic Development goes out to have design work such as pamphlets and brochures done. Mr. Montoya said this has changed quite a bit over the past couple of years. The department not only generates its own brochures for the City as a whole, but also individual brochures for site selectors. He concluded to saying these services are happening on a monthly basis. To see if it is feasible, Council Member Kilgore requested a write-up on how often the City uses a graphic designer. He would like to see the financial figures and then compare the numbers with other cities to see if it is feasible. Mr. Montoya stated he will provide the requested information.

Council Member Pineda stated several businesses in the West Valley have gone through the Local First program and have done well. He may have more comments on this during the next budget cycle.

Council Member Malone stated that the Tourism & Marketing Initiatives item of \$178,000 ongoing; however, the provided packet indicates \$135,000. She asked about this difference and whether these are the tourism dollars previously going to the Chamber of Commerce. Mr. Montoya stated that \$135,000 was allocated by the Office of Tourism for the State of Arizona but these are not the funds removed from the Chamber. The mentioned funds are derived through work with other cities, including a DMO with Wickenburg. The difference in cost is because this is a new program for the City and they want to ensure ample funding. They were only limited by the amount of money going for two hotels to the State of Arizona Office of Tourism. Now that there are four operating hotels, this amount will increase.

Council Member Malone asked about the amount of tourism dollars from the Southwest Chamber Office funneled over and brought back in-house. Mr. Montoya stated that the Southwest Chamber Office has not been helping specifically with any programs with the City related to tourism; the amount of their contract this year is \$15,000. Council Member Malone cited a discussion a couple of months ago, whereby the City would be pulling in the tourism dollars it was giving to the Chamber to assist with tourism and marketing for the City. Mayor Weise confirmed that the City pulled in money from the Southwest Chamber and used it towards this budget. In response to a question from Council Member Malone, Mayor Weise said the total pulled was \$5,000.

Vice Mayor Dennis noted the comment at the bottom of the slide mentioning the \$43,000 that has been increased since April 2020. She inquired if the adjustment was due to a change in data that will be sent to the City. In response, Mr. Montoya stated since the City

is taking over the program, the funds are no longer being sent to the State of Arizona, so staff are required to budget and take over the program effective July 2020.

Mayor Weise noted that other cities are taking similar steps to manage funds themselves, as they are seeing a better return on investment.

Finance and Budget

Mr. Montoya reviewed that there was a mid-year supplemental request for an internal auditor. There is also an ongoing cost for software and training needed for the individual staff member. The second item is contingent upon funding and would move a part-time accountant to full-time. While other departments have continued to grow, internal operating departments are lacking staff.

In response to a question from Council Member Malone, Mr. Montoya confirmed that they are proposing to add half a position for a total of 34 full-time employees.

Fire and Medical

The APFA MOU Overtime Requirements item of \$12,500 is to pay firefighters overtime who are working over 96-hours, they were formerly being paid straight time. The Fire Deputy Chief – Emergency Med item of \$225,400 is for emergency medical services and is reimbursable based on revenue. An individual will be hired to manage and oversee the medical operations for the City through the Fire Department. The Firefighter Overtime item of \$50,000 is allocated for firefighter overtime to address the overall issue of under-budgeting for these costs. Jeff Case, Fire Chief, stated that the computer-aided dispatch budget is a fee generated annually, based on call volume. The City is invoiced in arrears, with the City being billed on call volume, which means they do not have an accurate estimate. The amount of \$28,600 makes up the difference between what was budgeted and the actual number of calls. Mr. Montoya stated the EOC Radio Communications item of \$20,000 is for the EOC radio communications annual maintenance agreement the Fire Department must pay. The Firefighter Equipment Replacement item of \$175,000 includes general replacement items such as hoses and materials on the trucks. The Fire Deputy Chief - Emergency Medical Services item of \$15,500 is the portion derived from the public safety sales tax.

Council Member Malone sought clarification on the firefighter equipment replacement. Mr. Montoya stated that Council will likely see the \$175,000 budgeted each year. This year, it includes replacement of hoses and other equipment needed to operate. Next year the amount may fluctuate, depending on needs.

Council Member Nielson thanked staff for the detailed information that was submitted in their budget requests.

Vice Mayor Dennis asked whether the self-contained breathing apparatus (SCBA) items are included in the \$175,000. Mr. Montoya stated that they are not, as they are included in the capital program for the Fire Department and are recommended to be funded.

Human Resources

Mr. Montoya stated that as the City staff continues to grow, internal growth is also required. The Human Resources Department is currently behind, as they have significant work to do in recruitment. Therefore, they have requested a Senior Human Resources Analyst item for \$107,000 to support their current staff. The City-Wide Training item of \$50,000 will be used for training in several categories. Risk Management insurance premiums are also included in the budget at \$200,000. As with other departments, Risk Management has been using Excel spreadsheets to track incidents and costs. They are looking to purchase a software program at \$100,000 plus \$40,000 for ongoing maintenance.

Council Member Kilgore stated he has the privilege of serving on the Risk Management Committee. He stated supporting them with maintenance and technology is important as staff needs more than just an Excel Worksheet. The new technology will allow staff to increase their data source capabilities, cost tracking, risk analysis, as well as the ability to report and track claims from the beginning to end. He expressed his support of this budget request.

Council Member Malone asked whether the software is licensed-based or will cover the entire department and she also inquired on upgrade costs. Mr. Montoya stated that \$40,000 covers upkeep for maintenance of the software with \$100,000 to cover the purchase of the software. The software will be specifically for the HR analysts on a license basis.

Information Technology

Mr. Montoya stated the Software & Services Maintenance item of \$212,000 is for overall maintenance of Citywide systems that are in place, including an annual increase in costs on an ongoing basis. The Cyber Security Software & Services item of \$90,000 is in response to the rampant number of attacks on U.S. cities, including Avondale. The cost assists the City with additional oversight and software for the IT department. The Enterprise Resource Planning System item of \$1 million is for the Finance and Budget Department. Just a few years ago, staff was utilizing an Excel document to create an entire \$250 million budget. With the size of the budget, the City requires an enterprise resource planning system to run the financial system overall. The Social Listening Software of \$27,000 reflects the cost of contracting with a company to track mentions of Avondale nationwide on any platform which have been appearing in Council's weekly updates. The Regional Wireless Cooperative item of \$45,000 refers to the Police and Fire Departments, as the cooperative agreement that most Maricopa County cities belong to. The license is held by the City of Phoenix. The Security Cameras & Equipment item of \$7,500 will fund enhancements of cameras and security throughout City facilities. The Legal Information Resources item of \$17,500 is the management software for the City Attorney's Office to manage documents processed on behalf of City departments and their annual maintenance. There are two full-time employee items that are contingent on funding: IT Assistant and Network Engineer.

Council Member Nielson inquired about resource management in terms of tracking items needing replacement. Mr. Montoya stated an asset management system is included in the CIP budget.

Marketing and Public Relations

Mr. Montoya stated the RAVE Review Magazine item of \$10,000 will allow the City to increase the number of pages in the magazine and expanding distribution. There are two items contingent on funding, including a full-time Digital & Communications Specialist and the Brand Content/News Placement item. The brand content item will allow City staff to continue to write articles on behalf of the City for inclusion in the West Valley View and other newspapers.

In response to a question from Council Member Malone, Mr. Montoya stated he would not recommend pulling the \$20,000 budget from the Economic Development department, as this is solely for content regarding the City as a whole and not related to economic development.

Council Member Nielson commented that the RAVE comes out every three months and the budget will make it larger. However, a neighboring community has a similar magazine, which they publish on a monthly basis. The monthly frequency better apprises residents of current events. The West Valley View is only given to people who call and ask for it. He recommended the possibility of reducing the size of RAVE and potentially publishing six times per year.

Council Member Malone stated that she is working with Emily Webb, Executive Management Assistant, towards a goal of publishing a digital newsletter every month on behalf of Council, which could help promote more events within the City.

Pier Simeri, Director of Marketing and Public Relations, agreed with Council Member Nielson that the RAVE is only published three times per year and does not always have the most up-to-date information. Efforts are being made to utilize other sources, such as social media platforms, newsletters, listservs, email blasts and news placement.

Council Member Conde agreed with Council Members Nielsen and Malone. She suggested the possibility of an insert in the water bill which would provide current City updates. The update could also direct residents to digital content. Mr. Montoya stated that this method has been used in the past. It is costly to add an additional piece of paper for the mailing, not only for the printout insert, but also for the cost of postage. He noted that moving the RAVE magazine to quarterly is very staff intensive and add extra costs.

Council Member Pineda commented that the Economic Development team and Marketing and Public Relation team are doing a great job, specifically in relation to the size of the department.

Vice Mayor Dennis stated that the need for increased publications will grow as the City increases its recreational programs. The digital communication specialist is more of a priority, as more people receive their information digitally. She recommended moving the position into the funded category. Mr. Montoya concurred, stating that they would move the position into the funded category, and this will be reflected in Council's next update.

Neighborhood and Family Services

Mr. Montoya stated that the Library Materials for Collection item reflects a need to acquire necessary materials for \$75,000 as well as \$75,000 for ongoing costs. The Health Partner Sponsored Assistant position is a reimbursable revenue item through the providers. In prior years, Council set aside funding for Fire Department personnel to obtain assistance for a down payment to purchase a home in the City of Avondale. The recommendation is to approve the Public Safety Housing Incentive to expand the program to the Police department. The Library Assistant item of \$1,500 for one-time costs and \$53,600 for ongoing costs is in response to the rapid growth in this area. The Resource Center Assistant item of \$70,900 is also in response to growth. The Resource Center Facility Equipment of \$16,000 is for equipment for senior exercise equipment.

Council Member Malone asked whether the Library Assistant position will result in expansion of library hours. Chris Lopez, Neighborhood and Family Services Director, stated the intent was to enhance customer service but this is an area they can explore. Before proceeding with expansion of hours, he would like to survey the community to find out which hours would be most used.

Mayor Weise recalled that in 2009 and 2010 hours were cut due to budget restraints. Considering the growth in the City and the need to provide services to the community, he expressed support for expansion of weekend hours.

Council Member Malone asked where the Resource Center Assistant position would be funded from. Mr. Lopez stated that the goal is to have dedicated City employees in order to retain control over the schedule at the new resource center.

Council Member Kilgore expressed support for the \$16,000 for the new exercise equipment at the resource center, noting the Seniors will love the nice amenities.

Council Member Conde agreed with the extension of library hours, noting comments from members of the community expressing interest in extended hours.

Vice Mayor Dennis said she was surprised that the costs for the new exercise equipment was not part of the total dollar amount for building the new resource center. Mr. Montoya said that while he does not disagree with Vice Mayor Dennis, in a development such as this, there are typically items that fall through and need to be funded subsequently. Vice Mayor Dennis expressed concern regarding due diligence for such large projects and advised in a more detail-oriented approach to such projects in the future.

Parks and Recreation

Mr. Montoya stated that the Three Part-Time Park Specialists item of \$81,600 will fund three part-time park specialists which is necessary in response to the expansion of parks throughout the City as well as bringing Festival Fields online. The Special Events Programs item of \$305,000 is being reclassified from a one-time request to ongoing. The Park Maintenance Equipment item of \$76,700 will allow the Parks Department to purchase

miscellaneous tools used at all parks without having to transport the tools from one location to the next. The Reclass Recreation Programmers item of \$51,000 will change classifications of current employees.

In response to a question from Vice Mayor Dennis, Bryan Hughes, Acting Director of the Parks and Recreation Department, stated that the part time park specialist position is for maintenance.

Vice Mayor Dennis noted that Council approved a few positions during the past year and advised that those should be accounted for in the long-term counts. She estimated the total number of positions being 38 with two approved mid-year. Mr. Montoya stated that the management assistant position moved into the City Manager's Office. Two positions were approved by Council in the Economic Development Department and one position in Finance for the auditor. These were added in November/December and will be added to the summary for the total budget overall.

3. ADJOURNMENT

There being no further business before the Council, Council Member Malone moved to adjourn the Work Session meeting; Council Member Kilgore seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

Meeting adjourned at 7:32 p.m.

A **Regular Meeting** of the City Council of the City of Avondale, Arizona was convened using the Zoom Cloud Meeting platform in open and public session at 7:38 p.m.

Mayor Kenn Weise led the Pledge of Allegiance, followed by a moment of silent reflection in remembrance of Royal Canadian Mounted Police Constable Heidi Stevenson who was killed on April 19, 2020.

Members Present: Mayor Kenn Weise; Vice Mayor Pat Dennis; Council Members Tina Conde, Bryan Kilgore, Veronica Malone, Curtis Nielson, and Mike Pineda.

Note: All Council Members attended the meeting through phone or video conference with the exception of Mayor Weise.

Members Absent: None.

Other Municipal Officials Present: Charles Montoya, City Manager; Gina Montes, Assistant City Manager; Tracy Stevens, Deputy City Manager; Michael Wawro, City Attorney; Marcella Carrillo, City Clerk; Cindy Blackmore, Public Works Director; Jessica Blazina, Intergovernmental Affairs Administrator; Jeff Case, Fire Chief; Ken Chapa, Economic Development Services Director; Lindsey Duncan, Finance and Budget Director; Craig Jennings, Judge; Bryan Hughes, Acting Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Cherlene Penilla, Human Resources Director; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Community Relations and Public Affairs Director.

Audience: Approximately five members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

Mayor Weise asked if any Council Member wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Council Member Nielson, seconded by Council Member Pineda, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

a. MINUTES

City Council will consider a request to approve the February 18, 2020 and March 2, 2020 City Council Meeting Minutes.

b. LIQUOR LICENSE – SERIES 6 (BAR) – CLUB SANTA FE – CHANGE OF OWNERSHIP

City Council approved a request to recommend approval to the Arizona Department of Liquor License and Control of an application for a Series 06 (Bar) License Acquisition of Control submitted by Servando Lopez for the sale of beer, wine, and spirits at Club Santa Fe located 10907 West Buckeye Road, in Avondale and authorized the City Clerk to execute the necessary documents.

c. FIRST AMENDMENT – PROFESSIONAL SERVICES AGREEMENT WITH CAROLLO ENGINEERS – DESIGN & CONSTRUCTION MANAGEMENT NORTH AVONDALE WATER SUPPLY PROJECT

City Council approved Amendment No. 1 to the Professional Services Agreement with Carollo Engineers, Inc. for additional design and construction management services for the North Avondale Water Supply project in the amount of \$524,772 and authorized the Mayor, or City Manager and City Clerk to execute the contract documents.

d. THIRD AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT (CMAR) CONTRACT WITH PCL CONSTRUCTION FOR THE NORTH AVONDALE WATER SUPPLY PROJECT

City Council approved Contract Amendment No. 3 to the CMAR with PCL Construction, Inc., to establish the Guaranteed Maximum Price (GMP) No. 3 for the North Avondale Water Supply Project, WA1469 in the amount of \$7,190,436, authorized the necessary budget transfers, and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

e. RESOLUTION 1023-0420 – MOU WITH THE CITY OF PHOENIX POLICE DEPARTMENT FOR SCHEDULING AND USE OF NIBIN

City Council adopted Resolution 1023-0420, authorizing the Avondale Police Department's participation in a Memorandum of Understanding (MOU) with the Phoenix Police Department to schedule and use their National Integrated Ballistic Information Network (NIBIN), and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

f. RESOLUTION 1024-0420 – INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF LITCHFIELD PARK PROVIDING THE USE OF THE AVONDALE CITY COURT

City Council adopted Resolution 1024-0420 authorizing an Intergovernmental agreement with the City of Litchfield to allow the Litchfield Park Municipal Court to use the Avondale City Court for courtroom operations for a period of four (4) hours on one day each week in the amount of \$14,400.00 annually, with a 3% increase each year for a three (3) year period and may be extended for up to five (5) additional one year extensions, and authorized the Mayor and City Clerk to execute the necessary documents.

g. RESOLUTION 1025-0420 – INTERGOVERNMENTAL AGREEMENT WITH THE SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY FOR JURY SERVICES

City Council adopted Resolution 1025-0420, authorizing an amendment to the Intergovernmental Agreement (IGA) with the Maricopa County Superior Court to extend the IGA for two additional two-year terms to provide jury services for the City Court, and authorized the Mayor and City Clerk to execute the necessary documents.

h. RESOLUTION 1026-0420 APPOINTING THE APPLICANT AGENT FOR DISASTER RELIEF FUNDING

City Council adopted Resolution 1026-0420, to appoint the City's Budget and Finance Director, Lindsey Duncan, as the Applicant Agent for public assistance from the Arizona Department of Emergency and Military Affairs (DEMA) under the Disaster Relief Act, and to authorize the Applicant Agent to execute the necessary documents.

i. ORDINANCE 2013-0420 – ACQUISITION OF REAL PROPERTY AND TEMPORARY CONSTRUCTION EASEMENT FOR RELOCATION OF RILEY LIFT STATION

City Council adopted Ordinance 1013-0420 authorizing the acquisition, by purchase, condemnation or dedication of real property and a temporary construction easement for the relocation of Riley Lift Station, Project No. SW1391 and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

3. REGULAR AGENDA

a. PUBLIC HEARING RESULTS OF BIENNIAL AUDIT OF DEVELOPMENT IMPACT FEES.

City Council held a public hearing on the development impact fee biennial certified audit, as required by A.R.S. 9463.05.

Rob Baer, Budget Manager, stated that the City's Development Impact Fee Program is governed and regulated by State statute. There are many requirements in the statute, including that development impact fees must be calculated and documented in an Infrastructure Improvement Plan (IIP) and the Land Use Assumptions (LUA). The IIP outlines growth share of capital improvement projects and identifies growth-related projects and their costs. LUAs outline the forecast for growth in the City. These documents work in conjunction to determine the development impact fees charged to developers. The IIP and land use assumptions under review, were adopted in 2014 and revised in 2019. State statute requires review of the IIP and LUA either by an infrastructure improvement advisory committee or by annual audits of the City's development impact fee program. The audit must be completed by qualified professionals who are not employees of the City. The City has opted to do the biennial audit of the Development Impact Fee Program. The period under review for the purposes of this public hearing is July 1, 2016 through June 30, 2018. The City contracted with Heinfeld Meech to complete the audit. The report was posted to the City's website on April 16th, in accordance with the statute. The report examines the City's progress on the Infrastructure Improvement Plan, collection of impact fees and use of such fees towards projects. It looks for inequities in implementing the plan and imposing development impact fees.

The agreed-upon procedures cited four findings, including:

- Variances noted for growth projections.
- Development impact fee revenue has historically not been separated on the City's general ledger.
- Ineligible expenses found to have been charged and used.
- Projects not identified in the City's Infrastructure Improvement Plan in 2014 that were found to be using development impact fees.

The City is committing to resolving the findings. To cover the ineligible expenses in projects that were reported to use development impact fee revenue, the City will transfer funds from the General Fund for the streets portion and from the Water Operations Fund for water infrastructure that was reported to use development impact fees. The transfer of these funds will appear for consideration on a future Council agenda item. The City has contracted with

a third party to perform a deeper review of the usage of development impact fees. The City will segregate development impact fee revenue and the usage of these fees into separate funds to enable better tracking and transparency.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing and opened the floor for comments from Council.

Vice Mayor Dennis asked for clarification on the what will be done with respect to the projects that received funding and should not have. Mr. Baer stated that a transfer will be made from the General Fund to the fund where the development impact fee revenue posts, in order to cover ineligible expenses. The total amount is still being determined but the amount the auditor found is posted within the report online. In response to a question from Vice Mayor Dennis about instituting new methodologies for tracking, Mr. Montoya stated that many of these procedures were implemented approximately a year ago and the audit will ensure compliance with new procedures.

4. ADJOURNMENT

There being no further business before the Council, Council Member Conde moved to adjourn the Regular Meeting; Vice Mayor Dennis seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

Meeting adjourned at 7:51 p.m.

Kenn Weise, Mayor

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session and Regular Meeting of the Council of the City of Avondale held on the 20th day of April 2020. I further certify that the meeting was duly called and held, and that the quorum was present.

Marcella Carrillo, City Clerk