

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
May 17, 2021

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 6:00 p.m. All participants attended by phone or video.

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

Members Absent: Vice Mayor Veronica Malone*.

**Vice Mayor Malone joined the online meeting at 6:14 p.m.*

Other Municipal Officials Present: Charles Montoya, City Manager; Cherlene Penilla, Assistant City Manager; Tracy Stevens, Deputy City Manager; Lindsey Duncan, Interim Deputy City Manager; Nicholle Harris, City Attorney; Linda Mendenhall, Deputy City Clerk; Kirk Beaty, Public Works Director; Marcella Carrillo, City Clerk; Ken Chapa, Economic Development Services Director; Tony Corsi, Fire & Medical Director; Keith Fallstrom, Interim Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Craig Jennings, Judge; Chris Lopez, Neighborhood and Family Services Director; Darcy Lowery, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Mark Neerings, Assistant Chief Information Officer; Marshall Pimentel, Intergovernmental Affairs Administrator; Abril Ruiz-Ortega, Court Administrator; and Pier Simeri, Marketing and Public Relations Director.

Audience: Three members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. PROPOSED CHANGES FOR SANITATION RATES

City Council received a presentation from staff on the forecast for the sanitation utility and discuss potential rate changes for sanitation. This item was for discussion only.

Keith Fallstrom, Interim Director of Finance and Budget stated that sanitation services are offered for residents only. Currently, there are 22,900 customers with an average fee of \$20 per month. The last rate increase was in 2009. A review of services was provided. Cost increases are due to landfill fees, recycling changes, vehicle and equipment costs, personnel costs, and growth and development. The statistics on the various cost increases were discussed, with costs nearly doubling from 2009. Failure to take action will result in a reduction of the minimum fund balance. Initial increases are proposed, to be followed by consistent, predictable smaller increases. Proposed rate increases were presented along with a comparison of services to surrounding cities. Next steps were reviewed.

Council Member Pineda stated he is looking forward to receiving information regarding comments from the public. He noted that, as the graph presented, small incremental increases may not be a long-term solution. He noted the importance of preparing residents for the incremental changes, stressing the importance of the feedback from the public and residents.

Mayor Weise stated he is looking at the future and the cost of living increase, making the public aware of a possibly two to three percent increase in the upcoming years.

In response to a question from Council Member Conde, Mr. Fallstrom stated that there were eight people in attendance at the last public meetings. He noted on the feedback received from the public regarding the online tool. Council Member Conde acknowledged the need of the increase and agreed with the more predictable smaller increases.

Council Member Kilgore requested clarification on the sanitation services through the Town of Gilbert. Mr. Fallstrom clarified that the Town of Gilbert has bulk trash pick-up monthly and no green waste collection. Council Member Kilgore stated he was curious how the Town of Gilbert sanitation rates were so low. Mr. Fallstrom was not aware of why sanitation was at such a low rate. Council Member Kilgore explained he understood the need to increase rates gradually. He stated he was able to attend one of the public meetings and there was only one question from the public. He stated he is looking forward to additional feedback from residents.

Mayor Weise added that the Town of Gilbert is currently conducting a rate study for recycling and sanitation.

Council Member Nielson inquired on the recycling program. Mr. Fallstrom stated the city has a contract with the City of Phoenix for recycling services. Council Member Nielson suggested revisiting the categories of recycling allowed in order to potentially lower costs.

Mayor Weise added that some of the intervening issues with recycling is due to the contamination rate for recycled products.

Mr. Montoya stated that the City of Chandler and Town of Gilbert have lower rates because they have a long-term agreement with the Salt River Pima-Maricopa Indian Community, while Avondale's recycling goes through the City of Phoenix or the City of Glendale. The current agreement with the City of Phoenix continues for the next few years.

Vice Mayor Malone joined the meeting at 6:14 p.m.

In response to a question from Council Member Dennis, Mr. Fallstrom stated that impact fees cannot be used for expansion and growth, such as buying new trucks or adding new routes. Development fees can be used for the increased cost of the development for water and sewer. Council Member Dennis inquired on when that changed as she recalls development impact fees being used in such a manner in the past. Mr. Montoya commented that over the past eight to ten years, impact fees have been reduced

dramatically. Action by the legislature no longer allows cities to service commercial businesses. Rates currently being discussed are solely based on what it costs to provide the service. Mr. Fallstrom concurred, clarifying that in 2011, the legislature eliminated the authority for the development impact fee for sanitation.

Council Member Dennis agreed with the increases, but she expressed concern with the legislature continuing to degrade the City's ability to manage growth. In response to the questions from Council Member Dennis, Lindsey Duncan, Interim Deputy City Manager, stated that the City has a replacement schedule for sanitation vehicles. There is a separate line item for this, with funds set aside on an annual basis for vehicle replacement. The City also plans for additional growth-related vehicles and positions throughout the five-year plan.

Mayor Weise agreed that the proposed increases were reasonable, and he looked forwarded to public comments.

Council Member Pineda stressed the importance of effective outreach, noting the average resident does not have an understanding as to why the rates should be raised. He stressed the importance of providing information to the residents to ensure as many of the 22,000 customers are made aware. Mr. Montoya provided details on the City's extensive outreach and education efforts.

Council Member Dennis commented that electric companies provide opportunities for residents to donate to a fund for payment assistance to residents in need. Ms. Duncan confirmed that this is one of the services the City is considering implementing this year.

3. HOMELESS SERVICES UPDATE

City Council received an update from staff on the City's homeless services. This item was for discussion only.

Christopher Lopez, Director of Neighborhood and Family Services, reviewed the historic point in time data for the City. The peak of the unsheltered count occurred in 2020, with 56 unsheltered homeless individuals. The first summertime point in time count took place in the summer of 2020, as recommended by Dr. Sheila Harris, consultant for the City, as an approach to gather more data. The increase in homelessness in Avondale is consistent with what is being seen across Maricopa County.

The resources provided within Avondale were reviewed. Dr. Sheila Harris' assessment included three specific recommendations to the current services. Prioritize expanding the I-HELP shelter services seven days a week, gather long-term data, and broaden the spectrum of affordable housing. All three recommendations have been accomplished and incorporated into the City's ongoing practices and planning.

Mr. Lopez presented the programs offered through the Neighborhood and Family Services Department designed to prevent or intervene homelessness. A total of \$1.5 million is being programmed to address the causes of homelessness. New program offerings were presented with a total funding of \$10.4 million. Maricopa Association of

Governments (MAG) is collaborating with the Maricopa Regional Continuum of Care and the Regional Collaborative on Homelessness. They have initiated a comprehensive process to develop a regional framework and strategies to address homelessness. The goals of the effort were reviewed. MAG has conducted extensive data collection through surveys, interviews, and stakeholder forums. More than ten key stakeholder interviews were conducted with representatives from cities, counties, and the Continuum of Care as well as several stakeholder forums with a variety of sectors.

The five themes and strategies that emerged include: Diversion/prevention, housing, coordination, services, and shelter. The existing challenges and promising practices were reviewed.

Mayor Weise encouraged Council Members to view the video from the May 12 MAG Management Committee meeting, which included discussion on funding and each city's role on homelessness. MAG's 14-point program is generally agreeable; however, there are issues in terms of funding allocation and priorities.

Mr. Montoya stated that over the past eight to ten months, Avondale and other cities have been taking part in the effort to institute working groups which resulted in a 70-page report. At the last Management Team meeting, he had concerns that most staff in surrounding cities had not read the report. There are 14 strategic tenets and all cities were pushed for acceptance and adoption; however, there was not clear acknowledgement that all cities are working from a leveled platform. A general acknowledgement of conditions must be provided from all cities as a starting point. Mr. Montoya has pushed for the adoption of the 14 tenets, which were subsequently adopted. Avondale is providing more services than any other city within the West Valley.

Council Member Conde commented that the City is doing a phenomenal job but cannot bear the burden of the region alone. Conversations with surrounding communities is essential. During meetings with MAG, the consensus was the need for more temporary housing with case management.

Council Member Dennis noted that if the homeless population regionally is increasing by 219 percent then it is from other West Valley cities. Issues need to be addressed with a regional approach. She inquired as to legal aid services for assisting organizations in Avondale or the region. Mr. Lopez said the City continues to work with Community Legal Aid; however, they are extremely overwhelmed in trying to assist those who are in the process of being evicted. Council Member Dennis inquired if there are other agencies providing similar services. Mr. Lopez stated the City had a meeting with A New Leaf which is an organization that provides tools such as landlord engagement that they are exploring.

Council Member Kilgore thanked staff for the presentation and thanked staff for all they do. He noted he has been advocating for the department since 2014 and gave accolades for their wonderful job as a department. He noted that each time residents contact him for assistance, staff are quick to provide the necessary resource. He agreed with the regional approach and in closing, thanked staff for its diligent service to the homeless population.

Council Member Nielson asked about methods for reaching out to those who need assistance. Mr. Lopez said staff works on this on a daily basis and the most important aspect is building relationships. The City uses social media platforms and press releases to promote its services. The City also has solid relationships with school district leadership, which has intimate knowledge of the families and their needs.

Mayor Weise noted that staff can only do so much in respect to outreach. Mr. Lopez stated that his whole team of 53 employees is working on this with seven employees within family services.

Council Member Pineda agreed that a regional approach would be the most successful. The services provided in Avondale attract those in need, which gives the appearance that Avondale has a larger homeless population than surrounding cities. He applauded all who are working towards this cause, including Council Members who attend the various relevant meetings as well as Mr. Montoya and his leadership.

Vice Mayor Malone thanked staff for their continued work and agreed with a regional approach. Even as Avondale is a beacon of hope in the West Valley, they must still engage surrounding cities. She noted that the population has increased since last summer and surmised that there would be continued increases. She noted that there will be additional funding from the CARES Act and asked whether this would be to engage just the Avondale community or whether it will extend beyond the City. Mr. Montoya stated that for the new funding, the City will look at specific programs for individuals living in Avondale that have been displaced. Funds of approximately \$800 million are also being filtered by the Valley. If the City employs a blanket open-door policy, it cannot be restricted just to Avondale community members.

Mayor Weise added that there has been more engagement by West Valley mayors on the homeless issue than ever before. The City needs to pay special attention to developers who build affordable housing developments. Mr. Montoya commented that the legislature gives no abilities to cities for such requirements. Unfortunately, the cost of steel and wood have escalated, and development is generally cost-prohibitive at this time.

4. ADJOURNMENT

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

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

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

Meeting adjourned at 7:11 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 7:20 p.m. All participants attended by phone or video.

Mayor Kenn Weise led the Pledge of Allegiance, followed by a moment of silent reflection in remembrance of the people of Palestine and Israel.

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

Members Absent: None.

Other Municipal Officials Present: Charles Montoya, City Manager; Cherlene Penilla, Assistant City Manager; Tracy Stevens, Deputy City Manager; Lindsey Duncan, Interim Deputy City Manager; Nicholle Harris, City Attorney; Linda Mendenhall, Deputy City Clerk; Kirk Beaty, Public Works Director; Marcella Carrillo, City Clerk; Ken Chapa, Economic Development Services Director; Tony Corsi, Fire & Medical Director; Keith Fallstrom, Interim Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Craig Jennings, Judge; Chris Lopez, Neighborhood and Family Services Director; Darcy Lowery, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Mark Neerings, Assistant Chief Information Officer; Marshall Pimentel, Intergovernmental Affairs Administrator; Abril Ruiz-Ortega, Court Administrator; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately ten members of the public were present.

1. ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

Miguel Banuelos, resident of Avondale, addressed the noise ordinance regarding automotive exhaust noise. He was recently cited and fined due to exhaust noise from his vehicle. He was unable to find a fee schedule attached to the governing ordinance. Mr. Banuelos surmised that the officer used the noise issue to pull him over in search of other citable issues. He requested that Council revisit the noise ordinance as there is a gray area being used to pull vehicles over. In addition, motorcycles in the City are not held to the same standard. Mayor Weise stated that someone from staff would follow up with Mr. Banuelos.

Bryan Depauw, President of the Avondale Professional Firefighters Association, spoke on behalf of the Association to thank City Council and the employees of Avondale for their diligent work, dedication, and service during the COVID pandemic. He presented a plaque for the Mayor Weise, noting that the Association has made plaques for City Council and City Management.

3. RECOGNITION ITEMS

a. EXCEPTIONAL STUDENT OF AVONDALE RECOGNITION (AVI STAR STUDENT)

City Council recognized Avondale students from schools located in Avondale for their character and achievement. This item was for discussion only.

Donna Gardner, Community Engagement Manager, presented the Exceptional Student of Avondale nominations:

- Angel Ndum, Avondale Elementary School District
- Jaylene Flores, Littleton Elementary School District
- Nazhly Ramirez, Pendergast Elementary School District
- Mason Hernandez, Avondale Elementary School District
- Adrianna Fernandez, Littleton Elementary School District
- Robert Grant, Tolleson Union High School District

Mayor Weise and Councilmembers each took a moment to offer congratulations, advice, and encouragement to the students.

b. NEW EMPLOYEE INTRODUCTION

Harold Siguenza, the new Deputy Director of the Public Works Department, was introduced to City Council.

4. 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.

Note from the City Clerk: The presented minutes of the April 5, 2021 City Council Meeting will be revised to reflect the following comments by Council Member Kilgore on Page 5: *“He spoke on comments received from residents within the area and stressed the importance of doing what is best for the residents.”*

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 Kilgore, seconded by Vice Mayor Malone, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

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

a. MINUTES

City Council approved the April 5, 2021 City Council Meeting Minutes as revised.

b. REAPPOINTMENT OF JUDGES PRO TEMPORE

City Council reappointed the existing judges pro tempore to two-year terms expiring on June 1, 2023 and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

c. AWARD AUTHORITY FOR SAFETY EQUIPMENT AND APPAREL

City Council approved a request to increase spending authority for safety equipment and apparel in the amount of \$80,000.

d. AWARD AUTHORITY FOR TECHNOLOGY EQUIPMENT REPLACEMENTS

City Council approved a request to increase Administrative Award authority for information technology related purchases in the amount of \$870,000.

e. AWARD AUTHORITY FOR ARSENIC/NITRATE BRINE DISPOSAL

City Council approved a request to increase spending authority for arsenic and nitrate brine disposal in the amount of \$45,000 and to authorized staff to execute the necessary documents.

f. PARK 10 MAIN ENTRY IDENTIFICATION SIGN – AMENDMENT TO THE PARK 10 COMPREHENSIVE SIGN PLAN – APPLICATION PL210109

City Council approved a request by Mr. James Kyung, Parkland Development, LLC for approval of Application PL-21-0109 Park 10 Main Entry Identification Sign to allow an amendment to the Park 10 Comprehensive Sign Plan (CSP).

g. FINAL PLAT FOR VILLAGE AT THE BLVD (RE-PLAT OF AVONDALE CITY CENTER PHASE 3 LOT C) – APPLICATION PL-20-0269

City Council approved a request by Ms. Shelby Duplessis, EMC Management, LLC, for approval of a Final Plat for Village at The BLVD, a re-plat of Avondale City Center Phase 3 Lot C, approximately 27.02 gross acres of land located at the southwest corner of the Roosevelt Street alignment and the 111th Avenue alignment. Consistent with the approved Village at The BLVD Development Plan, the proposed Final Plat divides the subject property into two (2) parcels, creating a 15.81 acre parcel for Village at The BLVD (Lot 1) and a separate 9.52 acre parcel to accommodate future high density multifamily residential development (Lot 2). The Final Plat also dedicates right-of-way for Roosevelt Street and 111th Avenue adjacent to Lot 1, dedicates public utility easements (PUEs) on Lot 1, and dedicates a 30-foot-wide public trail easement along the southern edge of Lot 1 to accommodate development of a trail that will connect 111th Avenue to Park Avenue.

h. THIRD AMENDMENT TO CONTRACT FOR SERVICES – AREA AGENCY ON AGING

City Council approved an amendment to the current contract with Area Agency on Aging (AAA) for fiscal year 2020-2021 to receive additional funding in the amount of \$10,000 for the Home Delivered Meal Program and authorize the City Manager and City Clerk to execute the necessary documents; and authorized a transfer of expenditure appropriations from the grant contingency account to provide the expenditure authority for these funds.

i. RESOLUTION 1028-0521 – AUTHORIZING BANKING & INVESTING AUTHORITY

City Council adopted Resolution 1028-0521 authorizing certain city officials and staff to execute and endorse checks and other items for and on behalf of the City, authorizing certain city staff to authorize certain electronic payments and transfers of funds, authorizing certain city staff to open investment and safekeeping accounts, invest city funds, and execute contracts, agreements or transactions in connection with such investment accounts, and declaring an emergency; and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

j. RESOLUTION 1029-0521 - – AUTHORIZING GRANT ACCEPTANCE FROM GOHS FOR “WORK ZONE SAFETY” ENFORCEMENT CAMPAIGN

City Council adopted Resolution 1029-0521 authorizing the acceptance of a grant provided by the Governor’s Office of Highway Safety (GOHS) in the amount of \$4,600, which will support the Police Department’s funding of Arizona’s Work Zone Safety Enforcement laws through overtime expenses and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

k. RESOLUTION 1030-0521 - – AUTHORIZING GRANT ACCEPTANCE FROM GOHS FOR “BUCKLE UP ARIZONA...IT’S THE LAW!” ENFORCEMENT CAMPAIGN

City Council adopted Resolution 1030-0521 authorizing the acceptance of a grant provided by the Governor’s Office of Highway Safety (GOHS) in the amount of \$3,000, which will support the Police Department’s funding of Arizona’ safety belt and child passenger safety laws through overtime expenses and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

l. RESOLUTION 1031-0520 - – INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY SHERIFF’S OFFICE

City Council adopted Resolution 1031-0520, authorizing to renew an Intergovernmental Agreement (IGA) with the Maricopa County Sheriff’s Office (MCSO) to utilize their sworn basic training academy for the training of new police recruits and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

m. RESOLUTION 1032-0521 – INTERGOVERNMENTAL AGREEMENT FOR WASTE COLLECTION AND TRANSPORTATION MUTUAL AID

City Council adopted Resolution 1032-0521 approving a five-year extension to the Intergovernmental Agreement with various cities for Waste Collection and Transportation Mutual Aid and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

n. RESOLUTION 1033-0521 - AMENDMENT NO. 7 TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY ADMINISTERED BY THE HUMAN SERVICES DEPARTMENT

City Council adopted Resolution 1033-0521, approving Amendment No. 7 of the Intergovernmental Agreement (IGA) with the Maricopa County Human Services Department for the provision of the Community Action Program (CAP) services, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

o. RESOLUTION 1034-0521 - – FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH CITY OF GLENDALE FOR LAW ENFORCEMENT SERVICES AT STATE FARM STADIUM

City Council adopted Resolution 1034-0521 for a First Amendment to an Intergovernmental Agreement (IGA) with the City of Glendale to provide professional law enforcement security and traffic management services at State Farm Stadium (formerly known as the University of Phoenix Stadium) and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

p. RESOLUTION 1035-0521 – INTERGOVERNMENTAL AGREEMENT WITH LITCHFIELD PARK FOR POLICE SERVICES

City Council adopted Resolution 1035-0521, authorizing an Intergovernmental Agreement (IGA) with the City of Litchfield Park to provide law enforcement services to their community beginning on July 1, 2021 and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

q. ORDINANCE 2023-0521 – DEDICATING AN IRRIGATION EASEMENT TO SALT RIVER PROJECT AT 119TH AVENUE AND CORPORATE DRIVE

City Council adopted Ordinance 2023-0521 dedicating an Irrigation Easement to Salt River Project (SRP) in the 119th Avenue right-of-way at the intersection of Corporate Drive, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

r. MEMORANDUM OF UNDERSTANDING WITH FLOCK GROUP, INC

City Council approved a Memorandum of Understanding (MOU) with the Flock Group, Inc. to grant access to the Avondale Police Department of Flock's technology platform and Flock Safety dashboard for investigative purposes, in order to view and search photos and videos recorded by Flock devices located throughout the City of Litchfield Park and authorized the City Manager and City Clerk to execute the necessary documents.

5. ADJOURNMENT

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

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

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

Meeting adjourned at 7:45 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 17th day of May 2021. I further certify that the meeting was duly called and held, and that the quorum was present.

Marcella Carrillo, City Clerk

Date Approved by City Council