

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
February 7, 2022

A **Regular Meeting** of the City Council of the City of Avondale, Arizona was convened at 11465 Civic Center Drive in open and public session at 6:00 p.m.

Mayor Kenn Weise led the Pledge of Allegiance, followed by a moment of silent reflection.

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

Note: Council Member Bryan Kilgore attended the meeting through the zoom online meeting platform.

Members Absent: None.

Other Municipal Officials Present: Cherlene Penilla, Acting City Manager; Tracy Stevens, Deputy City Manager; Lindsey Duncan, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Tony Corsi, Fire & Medical Director; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Keith Fallstrom, Interim Finance and Budget Director; Corey Larriva, Parks and Recreation Assistant Director; Chris Lopez, Neighborhood and Family Services Director; Callie McGraw, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Public Safety Chief; Marshall Pimentel, Intergovernmental Affairs Administrator; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately 30 members of the public were present.

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

2. UNSCHEDULED PUBLIC APPEARANCES

Superintendent Mark Yslas with Agua Fria Union High School District submitted a Request to Speak but was not present when addressed.

3. PRESENTATION ITEMS

a. SWEARING IN OF NEW COUNCIL MEMBER

Newly appointed Council Member Gloria Solorio was sworn-in by Police Lieutenant Albert Bates. Arizona State Representative Lorenzo Sierra and City of Glendale Vice Mayor Jamie Aldama congratulated Council Member Solorio.

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.

Mayor Weise asked if any Council Member wished to have an item removed from the Consent Agenda. Vice Mayor Malone requested agenda item 4d be pulled for separate consideration.

Having no additional requests from Council, motion was made by Council Member Pineda, seconded by Vice Mayor Malone, to approve the Consent Agenda with the exception of agenda item 4d.

Upon vote, the motion carried unanimously 7 to 0.

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

a. MINUTES

City Council approved the following City Council meeting minutes: (a) December 22, 2021, (b) December 23, 2021, and (c) January 4, 2022.

b. TRANSFER OF BUDGET APPROPRIATION BETWEEN DEPARTMENTS

City Council approved certain transfers of budget appropriations between departments.

c. RESOLUTION 1007-0222 - MEMORANDUM OF UNDERSTANDING WITH MARICOPA COUNTY ATTORNEY'S OFFICE FOR TESTING OF SEXUAL ASSAULT KITS

City Council adopted Resolution 1007-0222, authorizing the Avondale Police Department's continued participation in the memorandum of understanding with Maricopa County Attorney's Office for the testing of Sexual Assault Kits and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

d. RESOLUTION 1008-0222 - FUNDING AGREEMENT WITH THE MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT FOUNDATION FOR THE AVONDALE EDGE EMCC SCHOLARSHIP FUND

This item was pulled from the consent agenda for further discussion. Item is listed below in more detail.

e. RESOLUTIONS 1009-0222 AND 1010-0222 – MAINTENANCE IMPROVEMENT DISTRICT NO. 22 FOR ALAMAR PHASE 4 AND ALAMAR PHASE 4 RE-PLAT

City Council (a) approved the Petition for Formation; (b) adopted Resolution 1009-0222, declaring its intention to form the Maintenance Improvement District No. 22, Alamar Phase 4 and Alamar Phase 4 Re-Plat, providing for the assessment; and (c) adopted Resolution 1010-0222, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency, and authorized the Mayor, City Attorney and City Clerk to execute the necessary documents.

f. ORDINANCE 2006-0222 - ABANDONMENT OF A WATER LINE EASEMENT - DUTCH BROS

City Council adopted Ordinance 2006-0222, authorizing the abandonment of a public water line easement on Dutch Bros. property located at the southwest corner of 114th Avenue and Dale Earnhardt Drive and authorized the Mayor or Acting City Manager, City Attorney and the City Clerk to execute the necessary documents.

g. ALAMAR PHASE 4 RE-PLAT - FINAL PLAT - APPLICATION PL-21-0311

City Council approved a request by Mr. Frank Koo PE, Wood, Patel & Associates, Inc., for approval of a Final Plat - Alamar Phase 4 Replat to create 22 single-family residential lots, area tracts, and dedicates streets and easements on approximately 14 acres located at the southwest corner of El Mirage Road and Alamar Boulevard.

THE FOLLOWING ITEMS WERE PULLED FROM THE CONSENT AGENDA TO BE VOTED ON SEPERATELY:

d. RESOLUTION 1008-0222 - FUNDING AGREEMENT WITH THE MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT FOUNDATION FOR THE AVONDALE EDGE EMCC SCHOLARSHIP FUND

City Council considered a request to adopt Resolution 1008-0222, approving the Funding Agreement between the City of Avondale and Maricopa County Community College District Foundation for the Avondale EDGE EMCC Scholarship Fund, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Vice Mayor Malone spoke positively on the presented agenda item and requested staff provide more information for the record.

Ken Chapa, Economic Development Director, provided a brief background of the Avondale EDGE EMCC Scholarship Fund. The purpose of this Agreement is for the City to fund a non-endowment scholarship to be administered by the Foundation that will provide financial support to students interested in pursuing programs in the public health and behavioral health fields, or the travel, tourism, and hospitality industry. This program will provide a workforce pipeline to help fill

some hard to fill positions in these fields and create new career pathways within the sectors.

Council Member Nielson moved to adopt Resolution 1008-0222, approving the Funding Agreement between the City of Avondale and Maricopa County Community College District Foundation for the Avondale EDGE EMCC Scholarship Fund, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Council Member Pineda seconded the motion.

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

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

5. REGULAR AGENDA

a. COUNCIL APPOINTMENT TO SUBCOMMITTEE ON BOARDS, COMMISSIONS AND COMMITTEES

City Council considered a request to appoint a member to the Council Subcommittee on Boards, Commissions and Committees.

Marshall Pimentel, Intergovernmental Affairs Administrator, noted that former Council Member Dennis resigned on January 3rd, 2022, leaving a vacant position on the Subcommittee for Boards, Commissions and Committees, an internal subcommittee of the Council, which meets on an as-needed basis, typically three to four times per year. The purpose of the Subcommittee is to review applications for residents wishing to serve on the City's boards and commissions. Upon discussion there was consensus with Council Member Solorio assuming former Council Member Dennis' seat on the Subcommittee.

Council Member Pineda moved to appoint Council Member Solorio to the Council Subcommittee on Boards, Commissions and Committees; Council Member Solorio seconded the motion.

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

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

Note from the City Clerk: Items 5b, 5c, and 5d were presented together and voted on individually.

b. PUBLIC HEARING AND ORDINANCE 2007-0222 — THE RESIDENCES AT AGUA FRIA ANNEXATION — APPLICATION PL-21-0191

City Council held a public hearing and considered a request to adopt Ordinance 2007-0222, approving a request by Adam Baugh, Withey Morris PLC, on behalf of property owner Mattfeld Holdings LLC to annex approximately 4.11 acres generally located approximately 1,203 feet southwest of the southwest corner of Buckeye Road and El Mirage Road.

Michelle Simerdla, Senior Planner, provided an overview of the project details. The overall project size is approximately 22.3 net acres, with the portion subject to the General Plan Amendment request being 7.16 acres. The site was annexed in 1976; however, there is approximately a 4.11-acre portion of the site located in the County. It is developed with an industrial storage use, mobile home, and four vacant parcels, excluding personal storage. The overall project currently has three zones: R1-6 Urban Residential, County Rural 43, and Diamond Ridge PAD. The property is approximately 460 feet west of the southwest corner of Buckeye Road and El Mirage Road. Surrounding zones and land uses were reviewed.

The proposed development will consist of for-rent multifamily residential apartments, including 266 one-story detached apartment units, duplex units, and 15 carriage units over garages, which will create some two-story buildings. The overall density will be 11.95 dwelling units per acre. Amenities were discussed and elevations were reviewed.

For the annexation, the authorization to proceed was given by Council on December 13th, 2021. The public hearing was on January 24th, 2022. County zoning is RU-43 and will be assigned the City equivalent RR-43 upon annexation; however, there is a concurrent request to rezone to PAD. Tonight's hearing is the final public hearing and vote for adoption of the ordinance.

The second request is to amend the General Plan land use designation from Medium Density Residential (MDR) to High Density Residential (HDR) in order to facilitate a multifamily development. The MDR includes residential land with densities that range from 2.5 to four single-family dwelling units per acre. HDR is residential land with densities up to 30 dwelling units per acre. This density permits patio homes, apartments and townhomes. A portion of the overall project is already designated as HDR. Staff is in support of the minor GPA request, as only approximately 1.47 percent of land in Avondale is HDR. The site is already mostly developed. The site has remained vacant since 1976 and will not adversely affect existing land uses. The western portion of the site is already designated as HDR. This will be a quality infill project that will enhance the area and promote a pedestrian environment. The development furthers several goals in the General Plan, including promoting development of housing types not currently available in the City to serve a variety of socioeconomic levels.

The rezone request is to rezone from R1-6, RR-43 and Diamond Ridge PAD to the Residences at the Agua Fria PAD multifamily development. The applicant is requesting a multifamily residential R-3 base zoning with some modifications. This includes a request to reduce minimum building setbacks, open space, garage requirements, landscape setbacks and land use buffer adjacent to single family in order to accommodate the development and provide private backyards. The development will exceed car parking requirements. No two-story buildings will be adjacent to any single-family home. Staff supports the rezone, as the PAD will be in conformance with the requested high-density designation as well as the applicable design manual. It will result in compatible land use relationship. Design standards will ensure an interesting and varied streetscape. The modifications requested are consistent with similar projects approved in the City. All required notifications were completed. The neighborhood meeting was held on November 4th with two attendees. There were two comments submitted on aVOICE. The Planning Commission voted unanimously to approve the General Plan amendment and rezone on December 15th. Staff recommends adoption of the ordinances and resolution.

Mayor Weise opened the public hearing and received one request to speak by the applicant who noted he was available for questions. No additional requests to speak were received. Mayor Weise closed the public hearing and opened the floor for comments from Council.

Vice Mayor Malone requested clarification regarding adequacy of school space. Adam Baugh, a representative for the applicant, stated that they contacted the school district in November 2021 to discuss a voluntary donation agreement. It was recognized that no donation agreement has ever been created for this type of hybrid project; therefore, the agreement will be reviewed by the governing board. The school district letter will be complete prior to final approval of the plat.

Council Member Conde inquired about a deceleration lane onto the property. Ms. Simerdla confirmed construction of two deceleration lanes.

Council Member Pineda noted the grading of the property and asked whether it will be lifted to match the street level in order to prevent potential flooding. Mr. Baugh acknowledged that these issues are likely why the site has been vacant for so long. The drainage plan will be incorporated into the project, including the addition of fill dirt.

Council Member Nielson inquired about bussing at the site for children attending school. Mr. Baugh noted that this was part of the November discussion. There is some education that will have to occur, particularly for this type of community. Approximately 50 percent of the units are single-bedroom, making the development less appealing to large families with school-age children. Approximately five percent of units will have school-age children. The deceleration lane may service as a bus stop; however, the developer will work with the school district regarding preferences.

Council Member Kilgore asked about adequacy of the water supply. Ms. Simerdla stated that the General Plan Amendment project has been reviewed and approved by the Public Works Department.

Mayor Weise commented that given the long history of vacancy on the site, this is the best use of the property.

Vice Mayor Malone moved to adopt Ordinance 2007-0222, annexing approximately 4.11 acres generally located approximately 1,203 feet southwest of the southwest corner of Buckeye Road and El Mirage Road, PL-21-0191 The Residences at the Agua Fria Annexation; Council Member Nielson seconded the motion.

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

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

c. PUBLIC HEARING AND RESOLUTION 1011-0222 - THE RESIDENCES AT THE AGUA FRIA - MINOR GENERAL PLAN AMENDMENT - APPLICATION PL-21-0335

City Council held a public hearing and consider a request to adopt Resolution 1011-0222, approving a request by Adam Baugh, Withey Morris PLC, on behalf of property owners Gisela and Carlos Roberto Blancas and Carl and Patricia Weiler, to amend the General Plan 2030 Land Use Map for approximately 7.16 acres of a larger 22-acre property, located approximately 500 west of the southwest corner of Buckeye Road and El Mirage Road, for The Residences at the Agua Fria which is a proposed 22 acre multi-family development. The proposed Minor General Plan Amendment (GPA), if approved, will amend the General Plan 2030 Land Use Map designation from Medium Density Residential (MDR) to High Density Residential (HDR).

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.

Council Member Pineda moved to adopt Resolution 1011-0222, approving Application PL-21-0335 The Residences at the Agua Fria, a request for a Minor Amendment to the General Plan 2030 Land Use Map changing the land use designation of the subject property from Medium Density Residential to High Density Residential; Council Member Conde seconded the motion.

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

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

d. PUBLIC HEARING AND ORDINANCE 2008-0222 – THE RESIDENCES AT THE AGUA FRIA – REZONE – APPLICATION PL-21-0192

City Council held a public hearing and consider a request to adopt Ordinance 2008-0222, approving a request by Adam Baugh, Withey Morris PLC, on behalf of property owners Mattfeld Holdings LLC, Gisela and Carlos Roberto Blancas and Carl and Patricia Weiler, to rezone approximately 22.3 net acres located approximately 500 feet west of the southwest corner of Buckeye Road and El Mirage Road from Urban Residential-6 (R1-6), Rural Residential-43 (RR-43), and Diamond Ridge PAD zoning to The Residences at the Agua Fria PAD for a multi-family residential use.

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.

Council Member Nielson moved to adopt Ordinance 2008-0222, approving Application PL-21-0192 The Residences at the Agua Fria, a request to Rezone approximately 22.3 net acres located approximately 500 west of the southwest corner of Buckeye Road and El Mirage Road from Urban Residential-6 (RI-6), Rural Residential-43 (RR-43), and Diamond Ridge PAD to The Residences at the Agua Fria PAD, subject to the 5 conditions of approval; Council Member Solorio seconded the motion.

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

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

e. LIV AVONDALE - DEVELOPMENT PLAN (SITE PLAN & DESIGN REVIEW) - APPLICATION PL-21-0260

City Council considered a request by Mr. Dan Mann, 3engineering on behalf of Jason Lentz, LIV Development, for approval of PL-21-0260 LIV Avondale Development Plan (Site Plan and Design Review), a proposed 316-unit multi-family residential apartment community and 1,064 square foot retail space located within The BLVD Specific Plan on approximately 13.03 acres at the southwest corner of Avondale Boulevard and the Roosevelt Street.

Eric Fitzer, Planning Manager, provided an overview of the general location and surrounding uses. Current zoning is TheBLVDD. The site was annexed in 1976 and is currently undeveloped. The General Plan Land Use designation is the BLVD Gateway. The application was approved unanimously by the Planning & Zoning Commission in January. Access to the site will be from Roosevelt with secondary egress and emergency ingress on 117th Avenue. A parking lot will be available to the public, as there is 1,000 square feet retail space which will become a coffee shop. Buildings will be three and four stories. Amenities were reviewed. There will be 316 units, consisting of 126 one-bedrooms, 149 two-bedrooms and 6 carriage units. Overall density is 24.25. The landscape plan and elevations were reviewed. Staff recommends approval of the application.

Council Member Pineda inquired about the community lounge. Mr. Fitzer stated it is open for residents with an overlook and outdoor space.

Council Member Conde stated she was pleased the retail space would be for public use. She asked about access to crosswalks on Roosevelt. Mr. Fitzer stated that there will be or currently is a light at Roosevelt with crosswalks. The development will build the entirety of Roosevelt, aside from the curb, gutters and sidewalk on the north side, as well as half the street of 117th Avenue. Mayor Weise commented that Council will address a mechanism for pedestrians to move across the street during an upcoming work session as pedestrian travel across four lanes of traffic is not ideal.

Council Member Solorio stated she was excited about the project, as she has worked across the street from the site for nearly 15 years and many people have expressed a desire for better views in the area.

Council Member Kilgore stated he liked the project, concept, and design elements.

Vice Mayor Malone expressed concern regarding the rapid growth and the need for grocery stores in the area. Mayor Weise noted that Lams will be opening in the coming months. Council has also put in specifications for a boutique grocery store on Avondale Boulevard. Mayor Weise is looking to the Economic Development department to bring in grocery stores to the area. Vice Mayor Malone asked about potential locations for a grocery store. Ken Chapa, Economic Development Director, stated that based on discussions with consultants and firms, there is attention with regard to the growth in the southern portion of the City with potential site locations in the lower Buckeye area.

Council Member Pineda asked about the number of commercial units to be located on the corner. Ms. Fitzer stated that the coffee shop is the only commercial location currently identified. The northwest corner is also available for commercial uses.

Mayor Weise commented on the quality of the layout, which addresses Council's interest in density on Avondale Boulevard. Quality developments will bring in individuals who may not have considered living in Avondale 10 to 15 years ago. It will be interesting to observe over the next two to three years how Instacart and curbside pickup impact the industry. There may also be development of hybrid model, smaller stores.

Vice Mayor Malone moved to approve Application PL-21-0260 LIV Avondale, a request for Development Plan (Site Plan and Design Review) for a proposed 316-unit multi-family residential community, subject to seven (7) conditions of approval as listed in the staff report; Council Member Conde seconded the motion.

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

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

6. RECESS OF THE REGULAR MEETING

Council Member Nielson moved to recess the Regular Meeting; Council Member Solorio seconded the motion.

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

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

City Council recessed of the regular meeting at 7:16 p.m.

A **Work Session** of the City Council of the City of Avondale, Arizona was convened at 11465 Civic Center Drive in open and public session at 7:17 p.m.

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

Note: Council Member Kilgore attended the meeting by telephone.

Members Absent: None.

Other Municipal Officials Present: Cherlene Penilla, Acting City Manager; Tracy Stevens, Deputy City Manager; Lindsey Duncan, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Tony Corsi, Fire & Medical Director; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Keith Fallstrom, Interim Finance and Budget Director; Corey Larriva, Parks and Recreation Assistant Director; Chris Lopez, Neighborhood and Family Services Director; Callie McGraw, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Public Safety Chief; Marshall Pimentel, Intergovernmental Affairs Administrator; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately 5 members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. WATER RESOURCES UPDATE

City Council received an update from staff regarding the City's diverse water portfolio, the current condition of our resources, and the planning underway to ensure that our water resources grow with the future of our City.

Kirk Beaty, Public Works Director, reviewed that the City's water portfolio consisting of three sources: Salt River Project, Central Area Project and Avondale's reclaimed wastewater. Nearly all water from these sources is used to replenish the groundwater aquifer through various recharge facilities. Water is placed into these recharge facilities, percolates through the ground and into the aquifer. The natural process of percolation cleans the water to the point that when the City draws water from this aquifer through groundwater wells, the water is essentially ready for distribution to customers. Excess water is stored for future needs and long-term storage credits. Because water is recharged and drawn back out of the ground, it is ideal to complete this process in locations close to the City. For Avondale, these locations are the New River Agua Fria Underground Storage Project and the Avondale McDowell Road recharge facility north of Friendship Park. The 2020 water use data and storage data were reviewed.

The Bureau of Reclamation declared a Tier 1 shortage of the Colorado River basin at the start of 2022. During a Tier 1 shortage, distribution of non-Indian Agriculture (NIA) priority

water is reduced. The City of Avondale has higher priority water, Municipal and Industrial (M&I) priority. It is not until a Tier 2B storage that Avondale would be impacted more significantly by the shortage on the Colorado River. There is a high probability in a continued shortage in reaching Tier 2B by 2024. The Tier 1 shortage has a 75 percent probability of continuing through 2023. There is a 64 percent probability than in 2024 Avondale will bypass the Tier 2A shortage and go into a Tier 2B shortage, at which time M&I water is impacted. Because of Avondale's diversified portfolio, solid water management, and conservation programs, the direct impact to the City of Avondale is lessened; however, no less serious.

Avondale is contributing to the drought contingency plan by assigning 3,500 acre-feet of its CAP allocation to the Maricopa-Stanfield Irrigation and Drainage District. Avondale continues to receive long-term storage credits for this water. An agreement is in place until 2022. Avondale will be seeing an increase in costs per acre for its CAP allocations for 2022. As the amount of water delivered reduces, the cost per acre-foot increases. Worsening drought conditions in the Colorado River have triggered another provision in the drought contingency plan. It requires the lower basin states of Arizona, California and Nevada to take additional actions to protect water levels in Lake Mead from dropping to below allowable levels. In late 2021, multiple agencies developed and agreed to the 500 Plus plan, which will conserve 500,000 acre-feet per year of water in Lake Mead. Participants will be compensated financially via funding from state and federal government. Because of Avondale's current commitment to the drought contingency plan and the Maricopa-Stanfield Irrigation District, Avondale is not participating in the 500 Plus plan in 2022. They will consider participating in 2023, after its obligation ends.

Mr. Beaty reviewed a number Avondale's planning efforts and projects currently underway, including:

- Growing Water Smart Workshop
- Drought Preparedness Plan
- McDowell Recharge Pipeline
- McDowell Recharge Expansion
- Roosevelt Damascus Flood Space Deviation Study
- Bartlett Dam Modification Feasibility
- White Mountains Apache Tribe Water lease
- Charles M. Wolf Water Reclamation Facility Expansion
- New River Agua Fria Underground Storage Project purchase opportunity
- 100-Year Assured Water Supply Program

In addition to planning for land based north of the Estrella Mountains, City Council also has a strategic goal for planning for development south of the Estrella Mountains. The City's consultant will conduct studies regarding water source and infrastructure development. It is anticipated that this area of the City may have a new and separate water resource portfolio and designation of assured water supply that is separate from the designation north of the Estrella Mountains. It is also anticipated that the development may use other water resource technologies.

Mayor Weise commented that Avondale City Council and leadership has always made investments in water. Negotiations with the White Mountain Apache Tribe took many years. Other cities struggle greatly, as they have only one or two water sources. It will be up to this Council and future Councils to determine mitigation strategies, including the potential of gray water use for landscape and potentially rainwater collection.

Council Member Nielson asked how Council can help residents and water users understand their role in water conservation. Mr. Beaty stated that the City has a very strong conservation program with a focus on education and information. Council can continue to encourage conservation and wise water use. Council may also choose to consider direction to developers on minimal water use landscape.

Council Member Pineda commented on the effectiveness of the City's multipronged approach. He also noted the high water use of the data center. He emphasized the need for continued public education on conservation.

Mayor Weise stated that a data center will push up the planning time on a new facility and the City has done a good job of budgeting. There should be a focus on incoming industries that does not utilize significant water volumes.

Council Member Conde said she agrees with the City's proactive approach and encouraged staff to continue to monitor the City's growth. She suggested the possibility of providing a similar presentation to interested community members.

Council Member Solorio thanked Mr. Beaty for the informative presentation. She referenced the 100-year lease with the White Mountain Apache Tribe and the fact that they had not yet made a payment. Assistant City Attorney Steve Kemp stated that the White Mountain Apache Tribe had a piece of Central Arizona Project allocation. It includes two types, including M&I and Indian allocation. The M&I would be available for the City to use to meet its off-project needs. Because the water is coming through the Central Arizona Project canal, Avondale would be able to deliver through the Phoenix Interconnect or store it one of the City's recharge projects. This is a long-term agreement which must have federal approval through the Senate and House before being signed by the President. This is currently in process.

Mayor Weise commented on Goodyear's surface water treatment plant, which processes 8 million gallons per day at a total cost of \$128 million.

Council Member Kilgore agreed with the City's approach to not become reliant on a single source. He asked how much the percentage the City saves in water loss amounts. Mr. Beaty said water loss in 2020 was 4 percent, a reduction from 10 to 11 percent from years past. Council Member Kilgore suggested the possibility of having the Public Relations department produce brief educational videos on conservation. Mr. Beaty confirmed ramping up a campaign is a possibility. Council Member Kilgore asked if the City is required to pay to participate in the lower basin contingency plans. Mr. Beaty said there is no cost; however, the City is required to give some of its water.

Vice Mayor Malone thanked staff for the thorough presentation. She also commented on the high water use by the data center. She would like to see the conservation educational program continue in schools. In response to a question from Vice Mayor Malone, Mr. Beaty stated that development projects are reviewed to determine whether sufficient water resources exist to support the project. Much of this is dependent on the General Plan and zoning already in place. Staff is currently working on potentially developing a water dashboard, which would utilize data to quickly determine availability of water resources for different areas of the City. Jeremy Abbott, Assistant Director of Public Works, stated that at this time, the dashboard is a staff tool. They would be happy to make a presentation to Council on its intended uses and benefits.

3. ADJOURNMENT

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

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

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

Meeting adjourned at 8:08 p.m.

A **Regular Meeting** of the City Council of the City of Avondale, Arizona was reconvened at 11465 Civic Center Drive in open and public session at 8:09 p.m.

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

Note: Council Member Kilgore attended the meeting by telephone.

Members Absent: None.

Other Municipal Officials Present: Cherlene Penilla, Acting City Manager; Tracy Stevens, Deputy City Manager; Lindsey Duncan, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Tony Corsi, Fire & Medical Director; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Keith Fallstrom, Interim Finance and Budget Director; Corey Larriva, Parks and Recreation Assistant Director; Chris

Lopez, Neighborhood and Family Services Director; Callie McGraw, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Public Safety Chief; Marshall Pimentel, Intergovernmental Affairs Administrator; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately 5 members of the public were present.

1. ROLL CALL NOTED BY THE CITY CLERK

2. ADJOURNMENT

There being no further business before the Council, Vice Mayor Malone moved to adjourn the Regular Meeting and hold an executive session pursuant to Ariz. Rev. Stat. § 38--431.03(A)(3) and (A)(4) for discussion with the City Attorney or attorneys for the City for legal advice concerning contemplated litigation with the former city manager and to instruct the City Attorney or attorneys for the City on such litigation; Council Member Conde seconded the motion.

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

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

Meeting adjourned at 8:11 p.m.


Kenn Weise (Apr 6, 2022 12:58 PDT)

Kenn Weise, Mayor

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting and Work Session of the Council of the City of Avondale held on the 7th day of February 2021. I further certify that the meeting was duly called and held, and that the quorum was present.


Marcella Carrillo, City Clerk

04/04/2022
Date Approved by City Council