



## **City of Avondale**

City Council Meeting

Monday, May 16, 2022

### **Mayor and Council**

Kenneth Weise, Mayor

Veronica Malone, Vice Mayor

Tina Conde, Council Member | Bryan Kilgore, Council Member

Curtis Nielson, Council Member | Mike Pineda, Council Member

Gloria Solorio, Council Member

### **Administration**

Cherlene Penilla, Acting City Manager | Tracy Stevens, Deputy City Manager

Nicholle Harris, City Attorney | Marcella Carrillo, City Clerk

### **City Council Chambers**

11465 West Civic Center Drive

Avondale, AZ 85323



City Council Meeting  
Notice & Agenda  
Monday, May 16, 2022

**CITY COUNCIL CHAMBERS | 11465 WEST CIVIC CENTER DRIVE | AVONDALE, AZ 85323**

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**SPECIAL MEETING  
5:30 PM**

**CALL TO ORDER BY MAYOR**

**1. ROLL CALL BY THE CITY CLERK**

**2. PROCLAMATION - NATIONAL PUBLIC WORKS WEEK**

The City Council will present a proclamation recognizing May 15 through May 21, 2022, as National Public Works Week. This item is for discussion only.

**3. MAYOR MARIE LOPEZ ROGERS SCHOLARSHIP ART CONTEST RECOGNITION**

The City Council will receive an update from staff regarding the Mayor Marie Lopez Rogers Scholarship Art Contest. This item is for discussion only.

**4. MORALE BOOSTER ADVISORY (MBA) COMMITTEE UPDATE**

The City Council will receive an update from staff regarding the Morale Booster Advisory (MBA) Committee. This item is for discussion only.

**5. ADJOURNMENT**

## **REGULAR MEETING**

**6:00 PM**

### **CALL TO ORDER BY MAYOR**

### **PLEDGE OF ALLEGIANCE & MOMENT OF REFLECTION**

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

#### **2. UNSCHEDULED PUBLIC APPEARANCES** (Time is limited per person. Please state your name.)

#### **3. 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 will consider a request to approve the April 4, 2022 City Council meeting minutes. The Council will take appropriate action.

##### **b. SERIES 10 (BEER AND WINE STORE) LIQUOR LICENSE - LAMS MARKET**

City Council will consider a request to recommend approval to the Arizona Department of Liquor License and Control of an application for a Series 10 (Beer and Wine Store) Liquor License submitted by Max Phat Lam for the sale of alcohol at Lams Market located at 11575 West Van Buren Street in Avondale and authorize the City Clerk to execute the necessary documents. The Council will take appropriate action.

##### **c. SERIES 12 (RESTAURANT) LIQUOR LICENSE - THE SPOT IN AVONDALE**

City Council will consider a request to recommend approval to the Arizona Department of Liquor License and Control of an application for a Series 12 (Restaurant) Liquor License submitted by Letitia Torres for the sale of alcohol at The Spot in Avondale located at 214 East Western Avenue in Avondale and authorize the City Clerk to execute the necessary documents. The Council will take appropriate action.

##### **d. BUDGET AMENDMENT - FUND TRANSFERS**

City Council will consider a request to amend the Fiscal Year 2022 budget and authorize interfund transfers to facilitate the closure of various funds that are no longer needed, correct historical coding errors, and prepare for the close of the fiscal year and corresponding debt service payments and authorize staff to execute the necessary documents. The Council will take appropriate action.

##### **e. AWARD AUTHORITY AMENDMENT FOR THE SOUTHWEST FAMILY ADVOCACY CENTER LEASE**

City Council will consider a request to amend the Administrative Award Authority for the Family Advocacy Center building lease for FY2021-2022 and authorize the Mayor, or Acting City Manager, and City Clerk to execute the necessary documents. The Council will take appropriate action.

**f. AWARD AUTHORITY AMENDMENT FOR BANKING SERVICE FEES**

City Council will consider a request to amend the Administrative Award Authority for banking service fees for FY2021-2022 and authorize the Mayor, or Acting City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**g. ACCEPTANCE OF ADDITIONAL PROP 302 REVENUE**

City Council will consider a request to increase the Prop 302 Tourism Fund 22745001-61900 in the amount of \$48,000 and authorize the Mayor, or Acting City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**h. PROFESSIONAL SERVICES TASK ORDERS FOR WELL 25 REHABILITATION AND WELL 26 REPLACEMENT**

City Council will consider a request to approve an amendment for Task Orders 7 and 8 to the Professional Services Agreement with Carollo Engineers, Inc. for design and inspection services for the Well 25 Rehabilitation and Well 26 Replacement Projects in advance of the FY2023 Budget award, using realized operational savings in the amount of \$205,726, create the necessary budget transfers, and authorize the Mayor, or Acting City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**i. STARBUCKS – AVONDALE GATEWAY RE-PLAT – APPLICATION PL-22-0013**

City Council will consider a request by George Morgan III, SDC III-AZ, LLC, for approval of a Re-Plat. The proposed Re-Plat divides a 1.52-acre subject property into two (2) parcels. The site is located at the northeast corner of Avondale Boulevard and Hilton Drive. The Council will take appropriate action.

**j. FIRST AMENDMENT TO CONTRACT FOR SERVICES AND AMENDMENT TO LEASE AGREEMENT- AREA AGENCY ON AGING FISCAL YEAR 2021-2022**

City Council will consider a request to: (a) approve an amendment to the current contract with Area Agency on Aging (AAA) for fiscal year 2021-2022 to receive additional funding in the amount of \$10,000 for the Congregate Meal Program; (b) amend the current lease agreement with Area Agency on Aging (AAA) for fiscal year 2021-2022 to receive an additional 12 passenger vehicle in exchange for \$1 lease fee; and (c) authorize the City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**k. RESOLUTION 1032-0522 - AMENDMENT NO. 9 TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY ADMINISTERED BY THE HUMAN SERVICES DEPARTMENT**

City Council will consider a request to adopt Resolution 1032-0522, approving Amendment No. 9 of the Intergovernmental Agreement (IGA) with the Maricopa County Human Services Department for the provision of the Community Action Program (CAP) services, and authorize the Mayor or Acting City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

**l. RESOLUTION 1033-0522 - INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY FOR WORKFORCE DEVELOPMENT SERVICES**

City Council will consider a request to adopt Resolution 1033-0522 - an Intergovernmental Agreement (IGA) with the Maricopa County, Human Services Department, Workforce Development Division for the provision of workforce development services provided by the Workforce Development Coordinator and Youth Workforce Advisor and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

**m. RESOLUTION 1034-0522- FIRST AMENDMENT TO THE FUNDING AGREEMENT WITH MARICOPA COMMUNITY COLLEGE DISTRICT FOUNDATION FOR THE AVONDALE EDGE EMCC SCHOLARSHIP FUND**

City Council will consider a request to adopt Resolution 1034-0522, approving the First Amendment to the Funding Agreement between the City of Avondale and the Maricopa Community College District Foundation for the Avondale EDGE EMCC Scholarship Fund, and authorize the Mayor or Acting City Manager, City Attorney, and City Clerk to execute the necessary documents. The Council will take appropriate action.

**n. RESOLUTION 1035-0522 - AUTHORIZING BANKING & INVESTING AUTHORITY**

City Council will consider a request to adopt Resolution 1035-0522, 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 authorize the Mayor or Acting City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take the appropriate action.

**o. RESOLUTION 1036-0522 - "BUCKLE UP ARIZONA... IT'S THE LAW!" - GOVERNOR'S OFFICE OF HIGHWAY SAFETY GRANT ACCEPTANCE**

City Council will consider a request to adopt Resolution 1036-0522, authorizing 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's safety belt and child passenger safety laws through overtime expenses. This campaign "Buckle Up Arizona...It's the Law!" is part of the national "Click it or Ticket" campaign and authorize the Mayor or Acting City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

**p. ORDINANCE 2035-0522 - AMENDING CHAPTER 2 OF CITY CODE, RELATING TO THE CITY ATTORNEY'S OFFICE**

City Council will consider a request to adopt Ordinance 2035-0522, approving changes to the City Code related to the City Attorney's Office and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

**q. ORDINANCE 2036-0522 - AMENDING CHAPTER 2 OF CITY CODE, RELATING TO THE MERIT SYSTEM AND RISK AND INDEMNIFICATION**

City Council will consider a request to adopt Ordinance 2036-0522, approving changes to the City Code related to the merit system and risk and Indemnification and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

**4. REGULAR AGENDA**

**a. RESOLUTION 1037-0522 - AMENDMENT TO THE PERSONNEL POLICIES AND PROCEDURES ADDING CHAPTER 23 INTEGRITY LINE**

City Council will consider a request to adopt Resolution 1037-0522, approving the addition of Chapter 23 Integrity Line to the Personnel Policies and Procedures, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

**b. HOMELESS SERVICES UPDATE**

City Council will receive an update from staff on the City's homeless services. This item is for discussion only.

## **5. ADJOURNMENT INTO EXECUTIVE SESSION**

City Council will consider a request to adjourn the Regular Meeting and hold an executive session pursuant to Ariz. Rev. Stat. § 38--431.03(A)(4) for discussion with the City Attorney or attorneys for the City for legal advice concerning contemplated or pending litigation and to instruct the City Attorney and attorneys for the City on such litigation for the following matters: (a) Nazari v. Ajo Transportation, et al; (b) Claim of James Holland, Sr; (c) Claim of Kenosha Skinner; (d) former city manager.

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Council Members of the City of Avondale will attend either in person or by telephone or video 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 o por vídeo. Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oído, o con necesidad de impresión grande o intérprete, deben comunicarse con la Secretaría de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta del Concejo.