

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
July 11, 2022

A **Special Meeting** of the City Council of the City of Avondale, Arizona was convened at 11465 Civic Center Drive in open and public session at 5:32 p.m.

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

**Council Member Conde arrived at the meeting at 5:35 p.m.*

***Council Member Solorio attended the meeting by telephone.*

Members Absent: None.

Other Municipal Officials Present: Tracy Stevens, Acting Assistant City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Andrea Dumbrell, Human Resources Director; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Ken Gilliam, Fire Chief; Craig Jennings, Judge; Corey Larriva, Parks and Recreation Assistant Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Public Safety Chief; Jodie Novak, Development Services Acting Director; Marshall Pimentel, Intergovernmental Affairs Administrator; Jeffrey Scheetz, Chief Information Officer; Pier Simeri, Marketing and Public Relations Director; Aric Stuart, Engineering Services Acting Director; and Renee Weatherless, Finance and Budget Director.

Audience: Approximately ten members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. NEW EMPLOYEE INTRODUCTIONS

The following employees were introduced to the City Council. This item was for discussion only.

City Clerk's Office

- Chris Pierson - City Clerk Specialist

Finance and Budget

- Aneyssa Romo - Budget Analyst
- Hortencia Reyes - Accounting Specialist

Office of Public Safety

- Gabrielle Bobinsky - Community Outreach Coordinator

3. LEGISLATIVE UPDATE

Marshall Pimentel, Intergovernmental Affairs Administrator, provided a legislative update to City Council. This item was for discussion only.

Mr. Pimentel stated that as a city, Avondale's guiding principles include: Preserving local funding mechanisms; protecting local authority and maintaining flexibility in service delivery. A brief overview of bill highlights was provided for the following topics: Extension of Proposition 400; affordable housing; water policy, fireworks, municipal residential rental tax; and prime contracting. The State budget packet consists of an \$18 billion spending plan. Significant investments include \$1 billion for water; \$1 billion for infrastructure; \$425 million to the state's rainy-day fund; \$60 million for the Housing Trust Fund; \$1 billion for K-12 education; and \$1.25 billion to pay down debt and pension obligations. Other budget highlights include establishment of a major events fund; establishment of an anti-human trafficking grant fund; and widening of the I-10 between Casa Grande and Chandler. An overview of the current redistricting legislative map was reviewed. A list of state legislative candidates includes the following individuals: Diego Espinoza; Richard Andrade; Lupe Contreras; Lorenzo Sierra; Leezah Sun; Natacha Chavez; Brian Fernandez; Gary Garcia Snyder; Jesus Lugo, Jr., and Mariana Sandoval.

Mayor Weise stated that he became Chair of the Maricopa County Association of Governments (MAG) on July 1st. He provided an overview of challenges facing MAG, which funds the majority of ADOT maintenance projects. Once the existing transportation tax from Prop 400 expires on January 1st, 2025, these funds go away. One of MAG's objectives is to reach out to the legislature in terms of supporting the Prop 400 extension. He read into the record a letter MAG wrote to legislators in support of the extension.

4. MINUTES

City Council considered a request to approve the May 16, 2022, June 6, 2022, and June 13, 2022 City Council meeting minutes.

Vice Mayor Malone moved to approve the May 16, 2022, June 6, 2022, and June 13, 2022 City Council meeting minutes; 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

5. ADJOURNMENT

There being no further business before the Council, Vice Mayor Malone moved to adjourn the Special 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 Nielson	Aye
Council Member Pineda	Aye
Council Member Solorio	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

Meeting adjourned at 6:00 p.m.

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 6:27 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*.

**Council Member Solorio attended the meeting by telephone.*

Members Absent: None.

Other Municipal Officials Present: Tracy Stevens, Acting Assistant City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Andrea Dumbrell, Human Resources Director; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Ken Gilliam, Fire Chief; Craig Jennings, Judge; Corey Larriva, Parks and Recreation Assistant Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Public Safety Chief; Jodie Novak, Development Services Acting Director; Marshall Pimentel, Intergovernmental Affairs Administrator; Jeffrey Scheetz, Chief Information Officer; Pier Simeri, Marketing and Public Relations Director; Aric Stuart, Engineering Services Acting Director; and Renee Weatherless, Finance and Budget 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

Jeff Uber, resident, provided comments of concern regarding drug activity and other destructive activity in the area of Western Avenue and the Boys and Girls Club.

Jessica Mefford-Miller, Valley Metro, introduced herself and provided a brief overview of Valley Metro current projects and initiatives.

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.

Mayor Weise asked item 3j be removed from the Consent Agenda as he declared a conflict of interest. Motion was made by Mayor Weise, seconded by Council Member Pineda, to approve the Consent Agenda with the exception of item 3j.

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. SERIES 10 (BEER AND WINE STORE) LIQUOR LICENSE FOR QUICK STOP SHOP

City Council recommended approval to the Arizona Department of Liquor License and Control of a Series 10 (Beer and Wine Store) Liquor License submitted by Jeffrey Craig Miller for the sale of beer and wine at Quick Stop Shop located at 127 West Main Street and authorized the City Clerk to execute the necessary documents.

b. SERIES 12 (RESTAURANT) LIQUOR LICENSE - FIRST WATCH RESTAURANT #498

City Council recommended approval to the Arizona Department of Liquor License and Control of an application for a Series 12 (Restaurant) Liquor License submitted by Joanne Karen Feinstein for the sale of alcohol at First Watch Restaurant #498 located at 10485 West McDowell Road in Avondale and authorized the City Clerk to execute the necessary documents.

c. SERIES 12 (RESTAURANT) LIQUOR LICENSE - BACKSTREET ASIA

City Council recommended approval to the Arizona Department of Liquor License and Control of an application for a Series 12 (Restaurant) Liquor License submitted by Lindsay Hansen Manchua for the sale of alcohol at Backstreet Asia located at 965 East Van Buren Street #124 in Avondale and authorized the City Clerk to execute the necessary documents.

d. VEHICLE PURCHASE BUDGET AND AWARD AUTHORITY

City Council (a) approved a budget amendment in the amount of \$844,000 from the Unanticipated Revenue line item for the purpose of ordering replacement vehicles scheduled for FY2024; (b) authorized administrative award authority for the outlined vehicle purchases; and (c) directed City staff to take appropriate action.

e. CONTRIBUTIONS ASSISTANCE PROGRAM FISCAL YEAR 2022-2023 FUNDING RECOMMENDATIONS

City Council approved the funding recommendations made by the City Council Subcommittee for distribution of the proposed \$200,000 Contributions Assistance Program fund.

f. FAIRWAY COMMERCE CENTER - RE-PLAT - APPLICATION PL-22-0099

City Council approved a request by Matt Kuehn, for approval of a Re-Plat. The proposed Re-Plat combines two (2) parcels into a 25.56 net-acre parcel, dedicates 0.465 acres of right-of-way, dedicates an eight (8) foot Public Utility Easement (PUE) along Fairway Drive, and dedicates a sidewalk easement along both Fairway Drive and Corporate Drive. The site is located at the northeast corner of Fairway Drive and Corporate Drive.

g. CONTRACT FOR SERVICES, LEASE AGREEMENT, AND ITEMIZED BUDGET - AREA AGENCY ON AGING FISCAL YEAR 2022-2023

City Council approved: (a) a contract with Area Agency on Aging (AAA) for fiscal year 2022-2023 in the amount of \$408,745; (b) a Vehicle Lease Agreement in the amount of \$6; (c) adopted an itemized budget for the Senior Center Program; (d) authorize a transfer of expenditure appropriations from the grant contingency account to provide the expenditure authority for these funds; and (e) authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

h. PROFESSIONAL SERVICES AND EMPLOYMENT AGREEMENT WITH CRAIG L. JENNINGS (PRESIDING JUDGE)

City Council approved the reappointment and employment agreement with Craig L. Jennings (Presiding Judge) and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

i. RESOLUTION 1047-0722 - EMPLOYMENT AGREEMENT FOR THE CITY ATTORNEY

City Council adopted Resolution 1047-0722, approving the Employment Agreement with Nicholle Harris as City Attorney and authorizing the Mayor, Special Legal Counsel and City Clerk to execute the necessary documents.

j. RESOLUTION 1048-0722 - FIRST THINGS FIRST GRANT RENEWAL

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

k. RESOLUTION 1049-0722 - INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY HUMAN SERVICES DEPARTMENT FOR COMMUNITY ACTION PROGRAM SERVICES

City Council adopted Resolution 1049-0722, approving the Intergovernmental Agreement for services between Maricopa County administered by its Human Services Department and the City of Avondale, for the provision of the Community Action Program (CAP) services, and authorized the Mayor or Acting City Manager, City Attorney and City Clerk to execute the necessary documents.

l. RESOLUTION 1050-0722 - AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY (RPTA) – TRANSIT SERVICES

City Council adopted Resolution 1050-0722, approving an Amendment to the Intergovernmental Agreement with the Regional Public Transportation Authority for Fiscal Year 2023 (Contact # 106-75-2023) relating to public transportation services and authorized the Mayor or Acting City Manager and City Clerk to execute the necessary documents.

m. RESOLUTION 1051-0722 - AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY RPTA – PARK AND RIDE

City Council adopted Resolution 1051-0722, approving an Amendment to the Intergovernmental Agreement with the Regional Public Transportation Authority for Fiscal Year 2023 (Contract # 106-75-2023-01-TC) relating to the design and construction of the Avondale Transit Center and Park and Ride, and authorized the Mayor or Acting City Manager and City Clerk to execute the necessary documents.

n. RESOLUTION 1052-0722 - FOURTH AMENDMENT INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY HUMAN SERVICES DEPARTMENT FOR SHELTER AND HOMELESS SUPPORT SERVICES

City Council adopted Resolution 1052-0722 and approved the Fourth Amendment to an intergovernmental agreement with the Maricopa County Human Services Department for a grant in the amount of \$107,500 for the provision of emergency shelter services, outreach, and case management to individuals and families experiencing homelessness in Avondale, and authorized the Mayor, Acting City Manager and City Clerk to execute the necessary documents and amendments.

o. ORDINANCE 2043-0722 - AMENDMENT TO CITY CODE CHAPTER 23 TRAFFIC, SECTION 23-56

City Council adopted Ordinance 2043-0722, amending City Code Chapter 23, Traffic, Section 23-56 (Definitions; Prima Facie Evidence; Separate Offense) and authorized the Mayor or Acting City Manager, City Attorney and City Clerk to execute the necessary documents.

p. ORDINANCE 2045-0722 - AMENDMENT TO CITY CODE - CITY AUDITOR

City Council (a) adopted Ordinance 2045-0722, approving changes to the city code related to the creation of the Office of the City Auditor and the position of City Auditor; (b) and authorized staff to transfer budget from the City Administration Department budget and contingency as necessary to establish the budget for the office; and (c) authorized the Mayor, Acting City Manager, City Attorney and City Clerk to take the necessary steps and execute the necessary documents.

THE FOLLOWING ITEM WAS PULLED FROM THE CONSENT AGENDA TO BE VOTED ON SEPARATELY:

j. RESOLUTION 1048-0722 - FIRST THINGS FIRST GRANT RENEWAL

City Council considered a request to adopt Resolution 1048-0722, authorizing a grant agreement with the First Things First Southwest Maricopa Regional Partnership Council to receive \$200,000 in funding and authorize the Mayor or Acting City Manager, City Attorney and City Clerk to execute the necessary documents.

Council Member Nielson moved to adopt Resolution 1048-0722, authorizing a grant agreement with the First Things First Southwest Maricopa Regional Partnership Council to receive \$200,000 in funding and authorize the Mayor or Acting 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 6 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	Absent for the vote due to declared conflict of interest
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4. REGULAR AGENDA

a. PUBLIC HEARING AND ORDINANCE 2044-0722 – MAJOR AMENDMENT TO THE GRIFFITH COMMERCE PARK PLANNED AREA DEVELOPMENT (PAD) – APPLICATION PL-22-0034

City Council held a public hearing and considered a request to adopt Ordinance 2044-0722, approving a request by Andy Jochums of Beus Gilbert McGroder PLLC, for a Major Amendment to the Griffith Commerce Park Planned Area Development (PAD); a proposed Major PAD Amendment to allow an auto body repair and paint facility to be permitted on Parcel J of the PAD development plan, also identified as Lot 12 of the

recorded "Final Plat for Griffith Commerce Park" subdivision. This parcel consists of 2.11 net acres of vacant land located at the southwest corner of 105th Avenue and Roosevelt Street. Permitted uses on other parcels within the Griffith Commerce Park PAD are not modified by the proposed Amendment.

Ann Dolmage, Senior Planner, stated that the purpose of the presentation is to review a proposed Major Amendment to the Griffith Commerce Park Planned Area Development (PAD), conduct a public hearing and take action. The PAD was first adopted in 2003, with three subsequent minor amendments. The PAD consists of 80 acres, including lots for Commerce Park (CP) zoning and C-2 (Community Commercial) zoning. An overview of site details and surrounding uses was provided. The amendment will affect one lot at the southwest corner of Roosevelt Street and 105th Avenue (approximately 2.11 net acres). Caliber Collision seeks to develop the site with an autobody repair and paint facility at approximately 16,964 square feet, with 23 parking spaces and 64 storage spaces within a screened area. Conceptual site plan and design were reviewed. The main entrance will be off of Roosevelt, with a right-in, right-out driveway. A secondary driveway will be located at 105th Avenue. Rollup doors for the building will be on its east and south sides. The design comprises ample landscape buffers.

The site included in the amendment request is designated for C-2. Auto body repair and painting is not a permitted C-2 use. Therefore, the amendment would add it as a permitted use for this lot only. Permitted uses for other lots within the PAD will not be modified. The PAD amendment will be in conformance with the General Plan land use designation. It furthers goals in the General Plan and Freeway Corridor Specific Plan. The development standards meet or exceed zoning ordinance and PAD requirements. The site is close to Avondale Auto Park and will result in compatible land use relationships. All required notifications have been completed. There were four comments on aVoice, all expressing approval. A neighborhood meeting was held on April 11th with no attendees. The Planning Commission recommended approval on May 18, 2022.

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.

In response to a question from Council Member Conde, Andy Jochums, Beus Gilbert McGroder PLLC, stated that business hours are no earlier than 7 a.m. All repairs are conducted inside with the doors closed.

Council Member Conde moved to adopt Ordinance 2044-0722 approving PL-22-0034 Griffith Commerce Park Major PAD Amendment to amend the Griffith Commerce Park PAD to allow an auto body repair and paint facility on Lot 12 subject to two (2) recommended conditions of approval as listed in the staff report; Vice Mayor Malone 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

b. RESOLUTION 1053-0722 - SETTING THE FISCAL YEAR 2023 PRIMARY AND SECONDARY PROPERTY TAX

City Council considered a request to adopt Resolution 1053-0722, setting the primary and secondary property tax levy for the fiscal year ending June 30, 2023 and authorize the Mayor, Acting City Manager, and City Clerk to execute the necessary documents.

Renee Weatherless stated that the 2023 primary and secondary property tax rates were presented in conjunction with the budget package. The total levy amount is \$8.4 million. The primary tax rate is \$0.6458 and the secondary tax rate is \$0.9050 for a total of \$1.5508.

Council Member Nielson moved to adopt Resolution 1053-0722, setting the primary and secondary property tax levy for the fiscal year ending June 30, 2023 and authorized the Mayor, Acting City Manager, 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. ADJOURNMENT

There being no further business before the Council, Council Member Kilgore moved to adjourn the Regular Meeting and hold an executive session pursuant to (i) Ariz. Rev. Stat. § 38-431.03(A)(1) for the purpose of reviewing applications and discussing candidates for further consideration for the position of City Manager; and (ii) 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 Claim of Kenosha Skinner; 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 6:45 p.m.


[kenn weise \(Aug 23, 2022 09:10 PDT\)](#)
Kenn Weise, Mayor

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting and Regular Meeting of the Council of the City of Avondale held on the 11th day of July 2022. I further certify that the meeting was duly called and held, and that the quorum was present.


Marcella Carrillo, City Clerk

August 22, 2022
Date Approved by City Council