

MINUTES OF THE AVONDALE CITY COUNCIL  
CITY OF AVONDALE, ARIZONA  
CITY COUNCIL CHAMBER  
March 20, 2023

A **Special Meeting** of the City Council of the City of Avondale, Arizona was convened at 11465 West Civic Center Drive in open and public session at 5:30 p.m.

**Members Present:** Vice Mayor Mike Pineda; Council Members Tina Conde, Veronica Malone, Gloria Solorio and Max White.

**Members Absent:** Mayor Kenn Weise and Council Member Curtis Nielson.

**Other Municipal Officials Present:** Ron Corbin, City Manager; Cherlene Penilla, Assistant City Manager; Tracy Stevens, Assistant City Manager; Nicholle Harris, City Attorney; Lisa Maxie-Mullins, Deputy City Attorney; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Margaret Carey, Deputy City Clerk; Ken Chapa, Economic Development Services Director; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Ted Flores, Acting Human Resources Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Public Safety Chief; Jodie Novak, Development Services Director; Larry Rooney, Fire Chief; Jeffrey Scheetz, Chief Information Officer; Pier Simeri, Marketing and Public Relations Director; Aric Stewart, Engineering Director; and Renee Weatherless, Finance and Budget Director.

**Audience:** 26 members of the public were present.

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

**2. RECOGNITION OF AVONDALE A+ SCHOOL OF EXCELLENCE AWARD RECIPIENTS**

City Council recognized Rancho Santa Fe Elementary School and Garden Lakes Elementary School for their recent accomplishment of receiving the A+ School of Excellence Award from the Arizona Educational Foundation. This item was for discussion only.

Council Member Solorio explained the A+ School of Excellence Award began in 1983 as a way to showcase public schools by identifying, celebrating, and recognizing educational excellence for schools in Arizona. Schools who earn this distinguished award go above and beyond every day in practices all schools are expected to implement. These schools share such traits as modeling quality and equity, a strong commitment to academic excellence, responding successfully to the changing educational environment, encouraging innovative instruction by supporting teachers, actively addressing student social, emotional, physical, and intellectual needs, and demonstrating superior ability to go above and beyond the norm by providing services to children, families, and the local community. The program provides schools with an outstanding comprehensive framework that serves as the basis for school self-assessment and planning.

Welcome to Rancho Santa Fe Elementary School and Garden Lakes Elementary School on their recent accomplishment in receiving the A+ School Excellence Award. Present this evening are Jody Gunning, Superintendent of Litchfield Elementary School District; Vanessa Zuniga, Principal of Rancho Santa Fe Elementary School; Jennifer Cruz, Superintendent of Pendergast School District; Jill Helland, Principal of Garden Lakes Elementary School; and Ann-Jeanette Estrada, Assistant Principal of Garden Lakes Elementary School.

### **3. EMPLOYEE INTRODUCTIONS (DISCUSSION ONLY)**

The following new employees were introduced to City Council.

#### **Finance & Budget Department**

- Elvira Dye, Senior Revenue Analyst

#### **Information Technology Department**

- Vladislav Sihov, Sr. Systems Engineer

#### **Parks and Recreation Department**

- Chelsea Abasta, Parks Maintenance Worker
- Paige Berriochoa, Recreation Programmer
- Daniele Cornejo, Recreation Programmer
- Armando Garza, Parks Maintenance Worker
- Cindy Hernandez, Recreation Programmer
- Rachelle Nunez, Administrative Assistant
- Laura Pimentel, Customer Services Representative
- Saul Rabadan, Parks Maintenance Worker
- Brandon Rodriguez, Parks Maintenance Lead
- Luis Rosales, Parks Maintenance Worker
- Zakrey Simmons, Parks Maintenance Worker
- Brian Thompson, Parks Maintenance Lead

### **4. ADJOURNMENT**

There being no further business before the Council, Council Member White moved to adjourn the Special Meeting; Council Member Malone seconded the motion.

Upon vote, the motion was carried unanimously 5 to 0.

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|------------------------|-----|
| Council Member Conde   | Aye |
| Council Member Malone  | Aye |
| Council Member Solorio | Aye |
| Council Member White   | Aye |
| Vice Mayor Pineda      | Aye |

Meeting adjourned at 5:46 p.m.

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

Vice Mayor Pineda led the Pledge of Allegiance, followed by a moment of silent reflection.

**Members Present:** Vice Mayor Mike Pineda; Council Members Tina Conde, Veronica Malone, Gloria Solorio and Max White.

**Members Absent:** Mayor Kenn Weise and Council Member Curtis Nielson.

**Other Municipal Officials Present:** Ron Corbin, City Manager; Cherlene Penilla, Assistant City Manager; Tracy Stevens, Assistant City Manager; Nicholle Harris, City Attorney; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Margaret Carey; Deputy City Clerk; Ken Chapa, Economic Development Services Director; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Public Safety Chief; Jodie Novak, Development Services Director; Larry Rooney, Fire Chief; Jeffrey Scheetz, Chief Information Officer; Pier Simeri, Marketing and Public Relations Director; Aric Stewart, Engineering Director; and Renee Weatherless, Finance and Budget Director.

**Audience:** No members of the public were present.

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

### **2. UNSCHEDULED PUBLIC APPEARANCES:**

None.

### **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. Vice Mayor Pineda asked if any Council Member wished to have an item removed from the Consent Agenda. Council Member White requested agenda item 3c be removed from the Consent Agenda to be considered separately.

Motion was made by Council Member Malone, seconded by Council Member White, to approve the Consent Agenda with the exception of agenda item 3c.

Upon vote, the motion carried unanimously 5 to 0.

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|------------------------|-----|
| Council Member Conde   | Aye |
| Council Member Malone  | Aye |
| Council Member Solorio | Aye |
| Council Member White   | Aye |
| Vice Mayor Pineda      | Aye |

**a. AWARD AUTHORITY FOR VEHICLE MAINTENANCE REPAIR**

City Council recommended approval to increase spending authority for fire apparatus maintenance and repairs in the amount of \$150,000 and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

**b. SETTLEMENT AGREEMENT AND PAYMENT FOR THE CLAIM OF JAVIER CASTANEDA AND SAMUEL CASTANEDA, JR.**

City Council approved the settlement agreement with Javier Castaneda and Samuel Castaneda, Jr., a minor, in the amount of \$75,000 for the claim and \$2,500 for the minor's conservatorship and authorized the Mayor, City Manager, City Attorney and City Clerk to execute the necessary documents.

**c. RESOLUTION 1013-0323 - AUDIT COMMITTEE BYLAWS**

*This item was pulled from the consent agenda to be considered separately. Full discussion and vote is listed below.*

**d. RESOLUTION 1015-0323 - 5TH AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY HUMAN SERVICES**

City Council adopted Resolution 1015-0323, approving Amendment five (5) of an Intergovernmental Agreement with Maricopa County Human Services Department for reduction of the FY2023 funding amount from \$107,500 to \$76,250 related to the Family Navigator/Bridge Housing Case Manager line item; and (b) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

**e. FINAL PLAT - A RE-PLAT OF LOT 2 FOR MGN, LLC - APPLICATION PL-22-0357**

City Council approved a request by James Williamson of Superior Surveying Services, Inc., on behalf of the property owner Max Ghazool of MGN1, LLC, to approve a Re-Plat at the southeast corner of Avondale Boulevard and The BLVD, and authorized the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

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**3c. RESOLUTION 1013-0323 - AUDIT COMMITTEE BYLAWS**

City Council considered a request to adopt Resolution 1013-0323, approving the Audit Committee Bylaws to establish voting rights, meetings, member terms, and conflicts of interest and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Council Member White stated she wanted to make sure Council is transparent, since the Audit Committee is new to the City and to hear more about the Bylaws and processes started.

Barbara Coppage, City Auditor, stated this item is for Council to consider the resolution for approving the Audit Committee Bylaws. Recently Council approved the City Audit Department and Audit Committee, which held its first meeting in February. Council Member White is the Chair of the Audit Committee with a member of the public as Vice-Chair.

Vice-Mayor Pineda stated this is another layer of checks and balances that addresses concerns related to compliance within the City.

Council Members expressed their gratitude for establishing the Audit Committee and the transparency they provide while making sure the City remains in compliance.

Council Member White stated a member of the Maricopa County Audit Committee will be joining this committee. The Avondale committee will be approaching the audit differently than Maricopa County, but it will be beneficial to have different sets of eyes reviewing the information.

Council Member White moved to adopt Resolution 1013-0323, approving the Audit Committee Bylaws to establish voting rights, meetings, member terms, and conflicts of interest and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents, approving the Audit Committee Bylaws; Council Member Conde seconded the motion.

Upon vote, the motion carried unanimously 5 to 0.

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|------------------------|-----|
| Council Member Conde   | Aye |
| Council Member Malone  | Aye |
| Council Member Solorio | Aye |
| Council Member White   | Aye |
| Vice Mayor Pineda      | Aye |

#### **4. REGULAR AGENDA**

##### **a. FISCAL YEAR 2024 CONTRIBUTIONS ASSISTANCE PROGRAM**

Edith Baltierrez, Assistant Director of Neighborhood & Family Services, provided an overview of the Contributions Assistance Program noting the purpose and background, criteria, process and timeline, and agencies funded in FY2023. Twenty-six non-profit agencies that provided health and human services to Avondale residents received funding. New recipients include Avondale Firefighter Charities, AZ Community Impact, Friends of Southwest Advocacy Center, and Westside Recreation. All recipients are on track to spend funds on or before June 2023.

In FY 24 there will be temporary \$200,000 increase to the funding supported by ARPA. This funding will continue the \$20,000 award per project per agency, which City Council approved in April 2022. This established amount provides adequate funding to effectively complete the proposed projects. Applicants can reside outside of Avondale so long they are serving Avondale residents.

The Council Subcommittee has Council Members Malone, Conde, and Nielson on it, and they assist with putting together the recommendation for award recipients. Applications

open on April 3rd and close on April 27th and the Subcommittee will review them on May 22nd and prepare recommendations to City Council for approval on June 5th. Once applications are available a press release, social media, and posting on the website will be made; current recipients will be notified by email.

Council Member Conde stated the difficult part is deciding who receives the funding as you want everyone to get it and inquired of success stories from the mid-year review process. Ms. Baltierrez stated some non-profits do not start until mid-year and some purchase equipment or products prior to December.

- New Life Center uses their funds in preparation for volunteers and programs that take place over the spring and for the resource center for tax preparation.
- Mission of Mercy purchases all medications early in the fiscal year in preparation to serve underinsured or noninsured residents.
- Read Better Be Better purchases book kits for their program early in the fiscal year.

Council Member Conde stated she hopes more new organizations apply this year and inquired if there was support available for completing applications. Ms. Baltierrez explained the process of an orientation as required by ARPA funding, where applicants are provided with a detailed overview of how to complete the application. Staff also make themselves available to assist anyone who reaches out to them.

Council Member Malone commented that assisting non-profit agencies ripples back into the community.

Council Member White stated how grateful she is to have all these organizations wanting to serve Avondale residents

Council Member Solorio shared her opportunity to speak to a panel of students and share her passion regarding community support and being able to see the results.

Vice-Mayor Pineda shared his experience of sitting on the subcommittee during the selection process and how they are the stewards of this public money and must make sure all agencies are reviewed fairly with funding going to those recipients that benefit from it. Ms. Baltierrez provided answers to Vice-Mayor Pineda's questions, noting that currently reporting is done quarterly and the scoring process is completed by the Neighborhood and Family Services staff prior to the subcommittee's review.

## **b. PAVEMENT MANAGEMENT PROGRAM UPDATE**

Aric Stewart, Director of Engineering provided an update on the City's Pavement Management Program and information on the overall condition of the City streets.

Avondale has over 7 million square yards of paved assets (also known as pavement), equal to over 290 miles of roadway with a replacement value of \$450 million. Mr. Stewart described how pavement is a combination of materials ; knowing the combination used for each road ensures proper treatment.

A roadway has four layers with asphalt on the top to seal and protect the layers below. If weather penetrates the asphalt the base materials can wash away and lose structural support, which is why pavement health is important because pavement is costly to replace.

The City recently hired a consultant to conduct a roadway condition assessment. Visual data was collected using a vehicle equipped with cameras and lasers to measure cracking and smoothness types. Structural data collection was done using a falling weight deflectometer, a non-destructive device that pounds on the pavement to measure structural integrity. The data collected is processed using software that determines the pavement index in accordance with the national standard ASTM D6433.

Pavement has a life cycle, and the age is determined using the Pavement Condition Index (PCI). Properly maintained pavement will have a longer life span. The average PCI in Avondale is 68.6 which is pretty good for 7 million square yards of paved assets. The goal is to reach an average of 80 PCI because a higher PCI means safer roads, less traffic noise, and higher quality of life.

Pavement condition changes over time due to asphalt oxidation, weather, and traffic. Pavement preservation can prevent deterioration of pavement assets by applying treatment early on, which allows the pavement to stay in better condition, perform longer, and save the city expensive preservation and reconstruction cost. Assigning pavement treatment at the right time is important.

Typical surface treatment consists of three types:

1. Preservation

- a. Road Maintenance for roads with a PCI >85
- b. Seal Coating for roads with a PCI of 70-85  
Pavement rejuvenators applied prior to pavement oxidation
- c. Crack Sealing for roads with a PCI of 50-75  
Seals cracks to prevent damage to the structure
- Based on Performance Curves
- d. Patching is a lower cost treatment for local roads with a PCI of 55 -65
- e. Slurry Seals replaces the fines that wash away on the top surface of asphalt
- f. F.A.S.T (Fractured Aggregate Surface Treatment) Seal is for collector roads that show signs of pavement distress
- g. Microsurfacing is for arterial roads that provides a smoother roadway surface

2. Rehabilitation

- a. Overlay is the process of installing a new layer of asphalt on top of existing asphalt
- b. Mill & Fill is removing 1 to 3 inches of asphalt and replace it with new asphalt

3. Reconstruction

- a. Full depth reclamation for asphalt that has reached the end of its surface life

The goal is to portion out funding to optimize the service delivery of the asset inventory with approximately 40% goes to rehabilitation, 35% goes to preservation, and 25% goes to reconstruction. There are five funding options for the 5-year plan beginning in FY24:

1. \$66 million is the cost to complete all necessary preservation, rehabilitation, and reconstruction to bring the network into the best possible pavement condition, not considered a realistic option.
2. \$9 million each year over a ten-year period will fund all projects and bring the PCI to 80.
3. \$7.4 million is the recommended budget for the next five years and would bring the PCI to 70. This is a feasible option that will support capital improvement projects.
4. \$5.7 million per year creates a flat line maintenance program.
5. Doing nothing is not realistic; the PCI would drop 2 points per year.

In response to Council Member Conde's questions, Mr. Stewart stated a beta project will start in the spring where cool pavement treatment will be installed in Old Town. He explained the process. The level of traffic noise is determined by the products used, traffic volume, and type of surface. A new pavement management module has been budgeted for and will assist in being proactive in road maintenance and cost efficiency.

In response to Council Member Malone's questions, Mr. Stewart stated the budget for FY23 is \$2.5 million which allows them to treat 1 million square yards of paved assets. The plan over the next three years is to complete the work in Old Town and begin to minimize the backlog. City Manager Ron Corbin summarized that \$6 million is being spent to preserve \$16 million in assets. He explained City Council made a commitment to Old Town; staff has prioritized the work, funding, and resources.

In response to Council Member White's questions, Mr. Stewart stated the most common problems seen in Avondale are cracks, potholes, and patches from utilities who provide a one-year warranty. An update on the cool pavement pilot project will be presented next year.

In response to Council Member Solorio's questions, Mr. Stewart explained the ways to increase the PCI at a lower cost, such as the newest technology that recycles old asphalt could save 15-20%. Unfortunately, it has not been grasped by contractors in the community, but the plan is to introduce it near the end of the five-year plan. A further presentation can be presented during a future meeting. The pavement layers for local roads consist of three inches of asphalt and six inches of AB&C and the arterial roadways consist of eight inches of asphalt with 15 inches of AB&C.

Vice-Mayor Pineda stated these presentations are important as they help the community understand the five-year plan and feel comfortable knowing the professionals are on top of it.

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

There being no further business before the Council, Council Member Conde moved to adjourn the Regular Meeting into Executive Session pursuant to: (a) Ariz. Rev. Stat. § 38-431.03(A)(1) for discussion regarding the City Auditor's mid-year evaluation; and (b) Ariz.

Rev. Stat. § 38-431.03 (A)(3) and (A)(4), discussion with the City Attorney for legal advice concerning contemplated or pending litigation and to instruct the City Attorney on such litigation for the claim of Amanda L. Gregory; Council Member White seconded the motion.

Upon vote, the motion was carried unanimously 5 to 0.

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|------------------------|-----|
| Council Member Conde   | Aye |
| Council Member Malone  | Aye |
| Council Member Solorio | Aye |
| Council Member White   | Aye |
| Vice Mayor Pineda      | Aye |

Meeting adjourned at 7:05 p.m.

  
kenn weise (Apr 17, 2023 19:18 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 20<sup>th</sup> day of March 2023. I further certify that the meeting was duly called and held, and that the quorum was present.



Marcella Carrillo, City Clerk

April 17, 2023

Date Approved by City Council