

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
May 1, 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: Mayor Kenn Weise; Vice Mayor Mike Pineda; Council Members Veronica Malone, Curtis Nielson, Gloria Solorio and Max White.

Members Absent (Excused): Council Members Tina Conde.

Other Municipal Officials Present: Ron Corbin, City Manager; Cherlene Penilla, Assistant City Manager; Tracy Stevens, Assistant City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Margaret Carey, Deputy City Clerk; Ken Chapa, Economic Development Services Director; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Corey Larriva, Parks and Recreation Assistant Director; Andy Mesquita, Human Resources 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: Approximately fifteen members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. EMPLOYEE INTRODUCTION AND ANNOUNCEMENTS (DISCUSSION ONLY)

The following employee introductions and announcements were presented to City Council:

City Attorney's Office

- Lisa Fitch, Legal Assistant

Development Services Department

- Frank Gonzalez, Building Plans Examiner

Human Resources Department

- Andy Mesquita, Human Resources Director
- Phil Cundiff, Risk Manager (Industrial Commission of Arizona and Arizona OSHA Recognition)

Information Technology Department

- Jacob Hunter, Help Desk Technician

Neighborhood & Family Services

- Alexia Grady, Management Analyst
- Anthony Quesada, Family Education Assistant
- Jaime Moen, Housing Rehabilitation Coordinator
- Mariela Gonzalez, Youth & Community Engagement Coordinator
- Mayra Garibo-Davila, Administrative Assistant
- Yvonne Bravo, Administrative Assistant

Office of Public Safety

- Gemma Nazerau, Administrative Assistant

Police Department

- | | |
|--|--------------------------|
| • Jonathon Martin, Assistant Chief (Promotion) | • Leslie Green, Officer |
| • Tom Alt, Lieutenant (Promotion) | • Jake McMains, Officer |
| • Morgan Ayers, Sergeant (Promotion) | • Roberto Cruz, Officer |
| • Joshua Selby, Sergeant (Promotion) | • Juan Galindo, Officer |
| • Alyssa Taylor, Park Ranger | • Emanuel Johns, Officer |
| • Araceli Gonzales, Park Ranger | • Sean Wallace, Officer |
| • Benjamin Beebe, Officer | |

3. PROCLAMATION – ECONOMIC DEVELOPMENT AND TRAVEL & TOURISM WEEK

City Council presented a proclamation recognizing May 7 through May 13, 2023, as Economic Development and Travel & Tourism Week. This item was for discussion only.

4. ADJOURNMENT

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

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

Meeting adjourned at 5:58 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 6:07 p.m.

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

Members Present: Mayor Kenn Weise; Vice Mayor Mike Pineda; Council Members Veronica Malone, Curtis Nielson, Gloria Solorio and Max White.

Members Absent (Excused): Council Members Tina Conde.

Other Municipal Officials Present: Ron Corbin, City Manager; Cherlene Penilla, Assistant City Manager; Tracy Stevens, Assistant City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Margaret Carey, Deputy City Clerk; Ken Chapa, Economic Development Services Director; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Craig Jennings, Judge; Corey Larriva, Parks and Recreation Assistant Director; Andy Mesquita, Human Resources Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Public Safety Chief; Jodie Novak, Development Services Director; Abril Ruiz-Ortega, Court Administrator; 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: Approximately five members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

None.

3. PRESENTATION ITEM

3a. CITY COUNCIL CHAMBER AUDIO AND VIDEO CHANGES

City Council received an update from staff regarding the audio and video changes to the Council Chamber. This item was for discussion only.

Marcella Carrillo, City Clerk, provided an update on the audio and video changes made in Council chambers. On March 18, 2020, Mayor Weise signed an emergency proclamation declaring a State of Emergency for Avondale, due to the COVID-19 pandemic. On March 23rd, 2020, the first online City Council meeting was held. Council Members attended meetings from their homes for nearly two years. In January of 2022, the City reopened its doors for public meetings with the option to watch the meetings online through Zoom. A few weeks ago, the City added permanent cameras in Council chambers. An overview of the new system and camera views was provided.

The public will have the ability to place bookmarks on past meetings by visiting the website and clicking on links within the page. Meetings will be livestreaming on the website, Channel 11, YouTube and Facebook. Some of the open meeting law training points from the Arizona League of Cities and Towns Open Meeting Law trainings were reviewed.

Council Member Nielson recommended staff provide the link to parents during student recognition items so family members can watch online.

Council Member White inquired on best practices with respect to appearance. Ms. Carrillo explained no changes are needed as the cameras are high quality.

Council Member Malone inquired on the website information. Ms. Carrillo explained the website will remain the same; however, the website will be updated to include a link to watch the meeting.

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. Having no requests from Council, motion was made by Council Member Nielson, seconded by Council Member Solorio, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 6 to 0.

Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

a. MINUTES

City Council approved the March 21, 2023 and April 1, 2023 City Council meeting minutes.

b. AMENDMENT TO THE EMPLOYMENT AGREEMENT WITH THE CITY AUDITOR, BARBARA COPPAGE

City Council approved an amendment to the Employment Agreement with City Auditor, Barbara Coppage and authorized the Mayor, City Attorney and City Clerk to execute the necessary documents.

c. RE-APPOINTMENT OF JUDGES PRO TEMPORE

City Council re-appointed the existing judges pro tempore to two-year terms expiring on June 1, 2025 and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

d. SERIES 10 (BEER AND WINE STORE) LIQUOR LICENSE - HOME2SUITES BY HILTON

City Council recommended 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 Amy S Nations for the sale of alcohol at Home2Suites by Hilton located at 10275 W McDowell Road in Avondale and authorized the City Clerk to execute the necessary documents.

e. VEHICLE PURCHASE BUDGET AND AWARD AUTHORITY

City Council (a) approved a budget amendment in the amount \$645,000 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) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. RESOLUTION 1021-0523 - 2023-2024 HUD ANNUAL ACTION PLAN

City Council adopted Resolution 1021-0523 approving the City's 2023-2024 Annual Action Plan, identifying housing and community development needs and strategies and defining how Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds will be allocated next fiscal year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

g. MAP OF DEDICATION - FULTON HOMES ACCLAIM - 99TH AVENUE - APPLICATION PL-22-0142

City Council approved request by Meikle Garrett of EPS Group, Inc., on behalf of the property owner, Fulton Homes, for approval of "Map of Dedication for Fulton Homes Acclaim – 99th Avenue", a Map of Dedication (MOD) to dedicate 37 feet of right-of-way along the 99th Avenue frontage of the Fulton Homes Acclaim development site, and authorized the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

5. REGULAR AGENDA

a. ANNUAL COMPREHENSIVE FINANCIAL REPORT – FISCAL YEAR 2022

City Staff presented the City's Annual Comprehensive Financial Report and the results of the annual audit for the fiscal year ending June 30, 2022. This item was for information and discussion only.

Renee Weatherless, Director of Finance & Budget, provided an overview of the report for the following topic areas:

- Annual Comprehensive Financial Report (ACFR)
- Management letter
- Communication with Governance
- Highway User Revenue Fund (HURF) report
- Single audit report
- Expenditure limit report

The Annual Comprehensive Financial Report (ACFR), which is the financial statement package, received an unmodified opinion, which is the best possible opinion. Financial and fund statuses were reviewed. There was a letter from the auditors that went to senior management, which addressed internal controls that did not operate as designed. There was also communication to governance, including with Mayor, City Council and City Management from the auditors. It included references to accounting policies, estimates utilized, interactions with staff, corrected and uncorrected misstatements and findings. No issues were noted in the HURF report.

The single audit report findings were reviewed, with total expenditure of federal awards at \$5.79 million. The City met compliance requirements for the major federal programs and received an unmodified opinion on the schedule of expenditures of federal awards. A deficiency in internal control was identified for financial reporting. In Fiscal Year 2022, the City implemented a new enterprise resource planning system, which includes the general ledger, accounts payable, accounts receivable and utility billing. At the end of the fiscal year, there was some turnover in key accounting team positions, which resulted in requests for extensions. The auditor's recommendation is to ensure that internal controls are properly designed and operating correctly. An action plan has been developed to address the identified deficiencies. The vacant accounting positions have been filled.

Ms. Weatherless introduced external auditor, Brittney Williams, Heinfeld Meech. Ms. Williams stated that the Fiscal Year 2022 annual comprehensive annual report will still receive the Government Financial Officers Association (GFOA) award of excellence.

In response to a question from Mayor Weise, Ms. Williams stated they interview one Council Member each year.

In response to a question from Council Member White, Ms. Williams stated that management is permitted to make estimates in financial reporting. The audit includes a listing of all the estimates actually contained in the report. These include items such as estimating depreciation expense for capital assets and incurred but not reported insurance claims.

b. FISCAL YEAR 2024 BENEFITS UPDATE

City Council received an employee benefits update from the Human Resources Department. This item was for discussion only.

Presented by Ted Flores, Assistant Director of Human Resources, provided an overview of the benefits survey, which was conducted from December 2022 to January 2023 and

garnered a 71 percent participation rate. Areas of inquiry included employee satisfaction with medical insurance and knowledge of benefits and retirement. Feedback included desire for more information and training on benefits offered; lower cost of insurance; increased vacation/sick leave accruals and increased contribution to the 457 Plan. Recommendations for Fiscal Year 2024 were reviewed. This includes a health insurance contribution increase of 5 percent for both City and employee contributions per pay period and a 3.6 increase for dental insurance contributions. The plan structure will remain the same. For the high deductible health plan, out of pocket costs will increase, due to new IRS regulations. HSA contributions will increase from the City to offset the out-of-pocket costs. The premium amounts and increase for medical and dental were reviewed on a per pay period basis.

Council Member White commended staff for the wide range of benefits that are being provided to employees. Council Member White recommended modifying surveys to include only a yes or no response and remove the middle option or minimize the response options.

Mr. Corbin noted staff look at the middle responses and make it a goal to move them to the yes category on the survey.

Council Member Solorio agreed with Council Member White's comments regarding the survey.

In response to a question from Mayor Weise, Mr. Flores stated the participate rate has increased and he believes that is because employees feel as if they have a voice at the City and the department heads understand the importance of the feedback.

Council Member Malone noted that younger employees (up to age 26) may not have completed the survey if they are still on their parent's benefits. Council Member Malone inquired on the participation comparison from the previous insurance to the current insurance and Mr. Flores stated he would research the information and follow-up with a response.

Council Member Solorio spoke positively about the City's benefits plan and her onboarding with the benefits team.

c. RESOLUTION 1022-0523 - ADOPTION OF THE FISCAL YEAR 2024 TENTATIVE BUDGET

City Council considered a request to adopt Resolution 1022-0523, setting forth the fiscal year (FY) 2024 tentative budget and establishing the city's annual expenditure limitation and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Presented by Renee Weatherless, Director of Finance & Budget, reviewed the tentative budget adoption, which will set the maximum expenditures limit. The final budget may be reduced but cannot increase above the tentative budget amount. It may be amended throughout the fiscal year.

Notable changes to the recommended budget include:

- Fire PPE and upfitting of vehicles
- Added projected revenue from proposed SRO agreements
- Fiber mapping project
- Increase in landfill fees and city solid waste rates
- Adjustments for compensation study implementation
- Carryover adjustments and changes for estimates for FY2023
- Homeless services moving to ARPA funded

Considering all adjustments made since the recommended budget, the City continues to submit a structurally balanced budget. Upcoming steps and actions in the budget process were reviewed.

Vice Mayor Pineda moved to adopt Resolution 1022-0523, setting forth the fiscal year (FY) 2024 tentative budget and establishing the city's annual expenditure limitation and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Council Member White seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

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

d. RESOLUTION 1023-0523 - INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF CHANDLER FOR CONVEYANCE OF RIGHTS (PURCHASE) OF NEW RIVER AGUA FRIA UNDERGROUND STORAGE PROJECT (NAUSP) STORAGE ENTITLEMENT

City Council considered a request to adopt Resolution 1023-0523 approving the Intergovernmental Agreement with the City of Chandler for the Conveyance of Rights in the New River Agua Fria Underground Storage Project and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Kirk Beaty, Director of Public Works, provided an overview of the two agreements between the City of Avondale and the City of Chandler. The first agreement is a conveyance agreement, whereby the City of Avondale will purchase storage entitlements from the City of Chandler at the New River Agua Fria Underground Storage Project (NAUSP). The second agreement is a temporary assignment of declared firm lease capacity, whereby the City of Avondale will lease back to Chandler a portion of storage entitlements. An overview of the NAUSP was provided. Avondale obtained 10 percent

storage entitlement upon the signing of the agreement. Other parties include Chandler, Glendale, Peoria and Salt River Project. It is the closest recharge facility to the City (two miles north of Avondale's northern border), with the exception of Avondale's own facility, located on McDowell Road north of Friendship Park. Avondale currently stores approximately 2,880 acre-feet per year in the facility. An overview of the conveyance details and temporary assignment (lease) was provided.

Benefits to Avondale include:

- NAUSP is the next closest recharge facility to Avondale and it provides flexibility in water storage and recovery
- More cost effective than building another recharge facility
- Provides more recharge capacity for future water resources:
 - Bartlett Reservoir expansion
 - Roosevelt Dam Temporary Deviation
 - White Mountain Apache Tribe lease
 - Spill water (free water)

In response to a question from Council Member Nielson, Mr. Beaty stated that the term "entitlement" refers to the available volume for the City. The space purchased will be approximately the same volume the City receives from the Colorado River allocation.

Council Member Nielson moved to adopt Resolution 1023-0523 approving the Intergovernmental Agreement with the City of Chandler for the Conveyance of Rights in the New River Agua Fria Underground Storage Project and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Council Member White seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

e. RESOLUTION 1024-0523 - AGREEMENT FOR THE TEMPORARY ASSIGNMENT OF DECLARED FIRM LEASE CAPACITY IN THE NEW RIVER AGUA FRIA UNDERGROUND STORAGE PROJECT (NAUSP)

City Council considered a request to adopt Resolution 1024-0523 approving the Agreement with the City of Chandler for the Temporary Assignment of Declared Firm Lease Capacity in the New River Agua Fria Underground Storage Project (NAUSP), and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Council Member White moved to adopt Resolution 1024-0523 approving the Agreement with the City of Chandler for the Temporary Assignment of Declared Firm Lease Capacity in the New River Agua Fria Underground Storage Project (NAUSP), and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Council Member Solorio seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

6. ADJOURNMENT

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

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

Meeting adjourned at 7:05 p.m.


kenn weise (Jun 6, 2023 05:29 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 1st day of May 2023. I further certify that the meeting was duly called and held, and that the quorum was present.



Marcella Carrillo, City Clerk

June 5, 2023

Date Approved by City Council