

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
August 21, 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 Tina Conde, Veronica Malone, Curtis Nielson, Gloria Solorio and Max White.

Members Absent: None.

Other Municipal Officials Present: Ron Corbin, City Manager; Cherlene Penilla, Assistant City Manager; Lisa Maxie-Mullins, Deputy City Attorney; Marcella Carrillo, City Clerk; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Kirk Beaty, Public Works Director; Margaret Carey, Deputy City Clerk; Ken Chapa, Economic Development Services Director; Barbara Coppage, City Auditor; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Andy Mesquita, Human Resources 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; and Renee Weatherless, Finance and Budget Director.

Audience: No Approximately thirty members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. EMPLOYEE INTRODUCTIONS & ANNOUNCEMENTS (DISCUSSION ONLY)

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

Development Services Department

- Cole Hunger, Planner
- Sylvia Willem Marcor, Planner

Finance and Budget Department

- Christina Baker, Senior Budget Analyst
- Elizabeth Villegas, Revenue Analyst
- Monique Torres, Senior Customer Service Representative
- Vianca Garcia, Customer Service Representative

Information Technology Department

- William "Bill" Kellens, GIS Technician

Police Department

- Al Bates, Assistant Chief (Promotion)
- William Penny, Sergeant (Promotion)
- Manny Rios, Lieutenant (Promotion)
- Nicole Mendez, Records Supervisor (Promotion)
- Angela Destin, Communications Manager (Promotion)

3. POLICE DEPARTMENT RECOGNITION – LIFE SAVING AWARDS

Police Chief Espinoza and Officer Daniel Benavidez presented the following:

- Resident Jason Cotton and Officers Monarrez and Cirrito for their service in rescuing a resident who had fallen into a canal. The resident was underwater and not returning to the surface.
- Police Officer Robert Simington for his life-saving assistance to a child who nearly drowned.

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 7 to 0.

Council Member Conde	Aye
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 5:48 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.

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

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

Members Absent: None.

Other Municipal Officials Present: Ron Corbin, City Manager; Cherlene Penilla, Assistant City Manager; Lisa Maxie-Mullins, Deputy City Attorney; Marcella Carrillo, City Clerk; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Kirk Beaty, Public Works Director; Margaret Carey, Deputy City Clerk; Ken Chapa, Economic Development Services Director; Barbara Coppage, City Auditor; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Chris Lopez, Neighborhood and Family Services Director; Andy Mesquita, Human Resources 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; and Renee Weatherless, Finance and Budget Director.

Audience: Two members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

Paul Lemmon, member of the Sustainability Commission, addressed the Council regarding recycling and the long-term costs associated with continued recycling. He encouraged the Council to engage the public in planning for the future of recycling.

Daniel Schuh, Chairman of the Sustainability Commission, echoed Mr. Lemmon's comments regarding recycling and stated it is an integral part of a sustainable city. He stated public opinion would aid in fortifying the value of recycling.

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 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 Conde, seconded by Council Member White, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
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 July 10, 2023 City Council meeting minutes.

b. SERIES 12 (RESTAURANT) LIQUOR LICENSE - MACAYO'S MEXICAN FOOD

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 Navayogasingam Thuraisingam for the sale of alcohol at Macayo's Mexican Food located at 10220 West McDowell Road in Avondale and authorized the City Clerk to execute the necessary documents.

c. ADMINISTRATIVE AWARDING AUTHORITY FOR HOMELESS SERVICES FISCAL YEAR 2024 OPERATING BUDGET

City Council amended the Administrative Awarding Authority for the full budget allocated to the Homeless Services Division and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

d. RESOLUTION 1045-0823 - INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY HUMAN SERVICES DEPARTMENT - EXPANSION OF HOMELESS SERVICES

City Council adopted Resolution 1045-0823, approving an Intergovernmental Agreement with the Maricopa County Human Services Department for a grant in the amount of \$262,500 for the expansion of homeless services in Avondale and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents and amendments.

e. RESOLUTION 1046-0823 - INTERGOVERNMENTAL AGREEMENT WITH AMERICAN CHARTER SCHOOLS FOUNDATION, ESTRELLA HIGH SCHOOL - SCHOOL RESOURCE OFFICER (SRO)

City Council adopted Resolution 1046-0823, authorizing an Intergovernmental Agreement with the American Charter Schools Foundation to share the cost of providing a SRO during the 2023/2024 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. RESOLUTION 1047-0823 - INTERGOVERNMENTAL AGREEMENT WITH TOLLESON UNION HIGH SCHOOL DISTRICT #216, LA JOYA/WESTVIEW - SCHOOL RESOURCE OFFICER (SRO)

City Council adopted Resolution 1047-0823, authorizing an Intergovernmental Agreement with the Tolleson Union High School District #214 to share the cost of providing a SRO during the 2023/2024 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

g. RESOLUTION 1048-0823 - INTERGOVERNMENTAL AGREEMENT WITH TOLLESON UNION HIGH SCHOOL DISTRICT #216, WEST POINT - SCHOOL RESOURCE OFFICER (SRO)

City Council adopted Resolution 1048-0823, authorizing an Intergovernmental Agreement with the Tolleson Union High School District #214 to share the cost of providing a SRO during the 2023/2024 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

h. RESOLUTION 1049-0823 – INTERGOVERNMENTAL AGREEMENT WITH AGUA FRIA UNION HIGH SCHOOL DISTRICT #216 - SCHOOL RESOURCE OFFICER (SRO)

City Council adopted Resolution 1049-0823, authorizing an Intergovernmental Agreement with Agua Fria High School District #216 to share the cost of providing a SRO during the 2023/2024 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

i. RESOLUTION 1050-0823 - INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR FEDERAL TRANSIT ADMINISTRATION GRANT PASS-THRU

City Council adopted Resolution 1050-0823, approving an Intergovernmental Agreement with the City of Phoenix, for a Federal Transit Administration grant pass-thru agreement for microtransit services, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

j. ORDINANCE 2047-0823 – ACCEPTANCE OF A DECLARATION OF PUBLIC ACCESS EASEMENT FROM BROOKFIELD LAKIN, LLC

City Council adopted Ordinance 2047-0823 authorizing acceptance of a Declaration of Public Access Easement from Brookfield Lakin, LLC, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

k. ORDINANCE 2048-0823 – AMENDING ORDINANCE 2063-1122 FOR THE ACQUISITION OF REAL PROPERTY LOCATED EAST OF AGUA FRIA RIVER CHANNEL IMMEDIATELY SOUTH OF INTERSTATE 10 AND WEST OF 127TH AVENUE

City Council adopted Ordinance 2048-0823 amending Ordinance 2063-1122 correcting the legal description by increasing the square footage of the fee acquisition of real property and to include a permanent easement and a temporary construction easement for public use located along the east bank of the Aqua Fria River channel immediately south of Interstate 10 and west of 127th Avenue and assigned Assessor's Parcel Number 500-02-096 and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

l. ORDINANCE 2049-0823 - AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY TOTALING APPROXIMATELY 8.9 ACRES LOCATED ON THE NORTHEAST CORNER OF VAN BUREN ST. AND AVONDALE BLVD

City Council adopted Ordinance 2049-0823, authorizing the sale of certain real property totaling approximately 8.9 acres located at the northeast corner of Van Buren St. and Avondale Blvd., Avondale, Arizona Assessor Parcel Number 102-57-270, approve a budget transfer from Unanticipated Revenue to the General Fund for real estate transaction costs, and authorized the Mayor and City Manager, City Attorney and City Clerk to execute the necessary documents.

m. ORDINANCE 2050-0823 - AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY TOTALING APPROXIMATELY 2.5 ACRES LOCATED AT THE NORTHEAST CORNER OF AVONDALE BLVD AND THE BLVD

City Council adopted Ordinance 2050-0823, authorizing the sale of certain real property totaling approximately 2.5 acres located at the northeast corner of Avondale Blvd and The Blvd, Avondale, Arizona Assessor Parcel number 102-57-262, approving a budget transfer from Unanticipated Revenue to the General Fund for the real estate transaction costs, and authorized the Mayor and City Manager, City Attorney and City Clerk to execute the necessary documents.

n. ORDINANCE 2051-0823 – GRANTING OF AN IRRIGATION EASEMENT FOR INFRASTRUCTURE TO THE ROOSEVELT IRRIGATION DISTRICT

City Council adopted Ordinance 2051-0823 authorizing the granting of an irrigation easement to the Roosevelt Irrigation District and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

o. ORDINANCE 2052-0823 – GRANTING OF AN IRRIGATION EASEMENT TO THE ROOSEVELT IRRIGATION DISTRICT

City Council adopted Ordinance 2052-0823 authorizing the granting of an irrigation easement to the Roosevelt Irrigation District and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

p. ORDINANCE 2053-0823 – ACCEPTANCE OF DECLARATION OF PUBLIC ACCESS EASEMENT FROM ALAMAR COMMUNITY ASSOCIATION, INC.

City Council adopted Ordinance 2053-0823 authorizing acceptance of a Declaration of Public Access Easement from Alamar Community Association, Inc., and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

q. ORDINANCE 2054-0823 – BROADWAY ROAD RIGHT-OF-WAY ABANDONMENT

City Council adopted Ordinance 2054-0823 authorizing the abandonment of Broadway Road right-of-way generally located west of Dysart Road and east of Litchfield Road and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

r. ASCENT AVONDALE RE-PLAT – APPLICATION PL-23-0140 - VAN BUREN STREET AND FAIRWAY DRIVE

City Council considered a request by Brad Richardson, Ascent Companies, for approval of a Re-Plat of a site located at the southwest corner of Van Buren Street and Fairway Drive and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents. The proposed Re-Plat combines two (2) parcels into one (1) parcel with a lot size of approximately 14.2 acres and dedicates varying widths of right-of-way along Fairway Drive.

s. RESOLUTION 1051-0823 – SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR RECYCLING SERVICES

City Council adopted Resolution 1051-0823 approving the Second Amendment to the Intergovernmental Agreement with the City of Phoenix for Fiscal Year 2024 recycling services and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

4. REGULAR AGENDA

a. PUBLIC HEARING ND ORDINANCE 2055-0823 - ZONING ORDINANCE TEXT AMENDMENT PL-23-0072

City Council held a public hearing, considered a staff-initiated request for text amendments to adopt Ordinance 2055-0823, Zoning Ordinance Text Amendment PL-23-0072, modifying definitions in the Zoning Ordinance, providing procedures for various group type residences and changing the land use matrix, and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

Catherine Lorbeer, Deputy Director of Planning, presented proposed text amendments, noting the zoning codes were adopted in 1951 and were last updated in June 2023. The text amendments to the Zoning Ordinance are responsive to customer needs. The changes remove outdated content, reflect changes in policy and procedures, and ensure certain types of group housing are consistent with state law definitions and requirements.

Ms. Lorbeer reviewed the recommended changes for each zoning code. The required notification was completed, including posting information on Avondale Connect. No comments or questions were received. The recommended amendments were presented to the Planning Commission in July with one question by the Commission regarding the name change from Emergency Medical Care Facility to Urgent Care Center. Staff explained the name "Urgent Care" is more commonly understood.

Ms. Lorbeer recommended an edit to the definition of a group home to be consistent with the language in the definitions for Community Residents Home. Sober living home is defined separately and has its own standards. Staff continues to explore other definitions that are needed within the code and will bring back any possible code amendments in the future.

Staff, along with the Planning Commission, is recommending approval of application PL-23-0072 for reasons set forth in the staff report and the recommended edit.

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.

Mayor Weise stated he is pleased the amended language will clarify criteria for sober living homes. In response to a question by Mayor Weise, Ms. Lorbeer stated staff relied on the legal team to ensure the City is consistent with State and Federal laws for fair housing. Ms. Maxie-Mullins, Deputy City Attorney, explained the Attorney General is

investigating what these facilities are doing. Presently, there are no proposed laws, but they will continue to evaluate that. City Manager Corbin stated the City can now regulate these facilities, which allows them to know where they are. The change in the ordinances gives the City mechanisms to investigate and take care of issues as they arise.

In response to a question by Council Member Nielson, Ms. Lorbeer noted 25% of the overall parking required to be provided must be in a garage.

Council Member White expressed her appreciation for the updates to comply with the American with Disabilities Act.

In response to a question by Council Member Solorio, Mayor Weise clarified that an incubator kitchen is an educational facility that has a commercial kitchen and offers restaurant business training.

Council Member White moved to adopt Ordinance 2055-0823, approving Application PL-23-0072, a request for text amendments to the Zoning Ordinance for the reason set forth in the staff report, with the following staff recommended edit to the definition of "Group Home"; Vice Mayor Pineda seconded the motion.

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

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

5. SUMMARY OF CURRENT EVENTS FROM MAYOR, VICE MAYOR, AND COUNCIL MEMBERS (5 minutes)

Mayor Weise explained this is a new agenda item that is intended to provide Council Members an opportunity to share what they are working on, exciting things coming up, and any public encounters.

Mayor Weise stated he met with S.T.A.R, an organization that works with adults dealing with mental health issues and severe substance abuse. They would like to do something like the Citizen's Academy, meet with the police department and public works, come to a City Council Meeting, and will be touring the Phoenix Raceway.

Council Member Conde stated the Interfaith Council will be meeting tomorrow after taking two months off and the presenter will be AZ Justice Center. She noted S.T.A.R was a previous presenter.

Council Member White acknowledged Mayor Weise for his work with MAG and the Public Works Department for their work with Valley Metro. She stated as a member of the Valley Metro Board of Directors, WeRide will be expanding, and Avondale residents can ride for free from October through mid-November. She noted Valley Metro will be reaching out to the Police Department to possibly implement Blue Ride.

Council Member Nielson stated he went to the Agua Fria Food Bank and was amazed by the services they offer, such as 50 boxes of food daily and hot showers for 16 people every four hours.

Council Member Solorio stated she and Council Member Malone volunteered with the West Valley Mavericks Association over the weekend for their Child Spree. She also stated she is on the Federal Board of Transportation and thanked Intergovernmental Affairs Administrator Liz Barker Alvarez for keeping her current on what is happening as all ideas and updates are shared with the board.

6. ADJOURNMENT

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

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

Council Member Conde	Aye
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 6:28 p.m.


[Kenn Weise \(Oct 10, 2023 13:49 PDT\)](#)
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 21st day of August 2023. I further certify that the meeting was duly called and held, and that the quorum was present.


Marcella Carrillo, City Clerk

October 9, 2023
Date Approved by City Council