



City of Avondale

City Council Meeting

 [**Link to Summary of Council Actions**](#)

 [**Link to Meeting Minutes**](#)



Summary of Council Actions

City Council Meeting

Agenda

Monday, April 22, 2019

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

WORK SESSION

6:00 PM

CALL TO ORDER BY MAYOR

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

2. **2019-2020 HUD ANNUAL ACTION PLAN**

City Council **received** an update on the draft of the City's 2019-2020 Annual Action Plan which is required by the U.S. Department of Housing and Urban Development (HUD) as a condition to receive the Community Development Block Grant (CDBG) and HOME Investment Partnership funding (HOME). For information, discussion and direction.

3. **FISCAL YEAR 2020 RECOMMENDED BUDGET**

City Council **received** an overview of the Fiscal Year 2020 Recommended Budget as part of the formal adoption process.

4. **ADJOURNMENT**

Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda or under unscheduled public appearance should fill out a card located at the back of the Council Chambers and hand it to the City Clerk prior to consideration of that agenda item.

REGULAR MEETING 7:00 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**

(Limit three minutes 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 **approved** the February 19, 2019, March 4, 2019, March 6, 2019, and March 18, 2019 City Council Meeting minutes. The Council will take the appropriate action

- b. APPOINTMENT OF MEMBERS TO THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES**

Council **approved** a request to approve the Council Subcommittee on Boards, Commissions and Committees's recommendations for the appointment of members of the city's boards, commissions and committees. The Council will take appropriate action.

- c. LIQUOR LICENSE - SERIES 07 (BEER AND WINE BAR) - ROOM ESCAPE GAMES**

City Council **approved** a request to approve an application for a Series 07 (Beer and Wine Bar) Liquor License submitted by Nohemi Quintero to sell beer and wine at Room Escape Games located at 10210 West McDowell Road, Suite #100 in Avondale and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

- d. **LIQUOR LICENSE - SERIES 12 (RESTAURANT) - CARRABBA'S ITALIAN GRILL**
City Council **approved** an application for a Series 12 (Restaurant) Liquor License submitted by Andrea Dahlman Lewkowicz to sell all spirituous liquors at Carrabba's Italian Grill located at 9920 West McDowell in Avondale and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.
- e. **LIQUOR LICENSE - SERIES 13 (DOMESTIC FARM WINERY) - SCALE & FEATHER MEADERY**
City Council **approved** an application for a Series 13 (Domestic Farm Winery) Liquor License submitted by Ben Joseph Chaney to produce and sell wine/mead at Scale & Feather Meadery located at 1050 North Fairway Drive, Suite #E-112 in Avondale and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.
- f. **FIRST AMENDMENT TO CONTRACT - REVOLUTION INDUSTRIAL - COLDWATER EAST RESERVOIR REHABILITATION**
City Council **approved** a first amendment to the construction contract with Revolution Industrial, LLC for Coldwater East Reservoir Rehabilitation to modify the scope of work and increase compensation in an amount not to exceed \$162,934.00, resulting in an increase of the aggregate not to exceed compensation from \$701,365.00 to \$864,299.00 and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.
- g. **FIRST AMENDMENT TO LEASE AGREEMENT WITH MRG CONSULTING SERVICES INC. DOING BUSINESS AS CROSSFIT RAVE,**
City Council **approved** the first amendment to lease agreement #14350C between MRG Consulting Services Inc. and the City of Avondale, reducing the leasable square footage from 7,500 square feet to 3,600 square feet, installing a demising wall, reducing the rental rate from the current \$16.54 per square feet to \$15.00 per square feet and extending the lease term from five-years to a seven-year lease and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.
- h. **ECONOMIC DEVELOPMENT AGREEMENT WITH AKOS MOB I, LLC**
City Council **approved** an Economic Development Agreement with Akos MOB I, LLC not to exceed \$500,000 towards the reimbursement of offsite public infrastructure and building permit and plan fees for the construction of two 68,000 square foot class "A" medical office buildings and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.
- i. **RESOLUTION 3547-419 - AMENDMENT TO THE CITY COUNCIL RULES OF PROCEDURE**
City Council **adopted** Resolution 3547-419 amending the Council Rules of Procedure Section 5.1, Preparation and Posting Notices and authorize the Mayor, or City Manager and the City Clerk to execute the appropriate documents. The Council will take appropriate action.
- j. **RESOLUTION 3548-419 - APPOINTING REPRESENTATIVES TO THE GLENDALE REGIONAL PUBLIC SAFETY TRAINING CENTER CHIEFS BOARD AND OPERATIONS COMMITTEE**
City Council **adopted** Resolution 3548-419 authorizing certain changes to the Avondale representatives under Sections 6 and 7 of the Regional Public Safety Training Center Intergovernmental Agreement effective immediately and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

k. RESOLUTION 3542-419 - AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH THE REGIONAL PUBLIC TRANSIT AUTHORITY

City Council **adopted** Resolution 3542-419 approving an Amendment to the Intergovernmental Agreement with the Regional Public Transportation Authority for FY 2019 relating to public transportation services and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

l. APPLICATION PL-18-0201 BIOLIFE PLASMA SERVICES - WITHDRAWAL OF A CONDITIONAL USE PERMIT FOR A PLASMA CENTER

City Council **approved** a request by Mr. Paul Gilbert, Beus Gilbert PLLC, to withdraw Application PL-18-0201 BioLife Plasma Services. The application is for a Conditional Use Permit to allow a plasma center use in the Community Commercial (C-2) and Planned Area Development (PAD) zoning districts. The location is in the former Fresh & Easy grocery store building within the Coldwater Springs Promenade commercial center at the southwest corner of Avondale Boulevard and Van Buren Street. The Council will take appropriate action.

4. REGULAR AGENDA

a. PUBLIC HEARING - ORDINANCE 1691-419 MC85 (BUCKEYE ROAD) AND AVONDALE BOULEVARD RIGHT-OF-WAY ANNEXATION

City Council **held** a public hearing and **approved** a City initiated request to adopt Ordinance 1691-419 annexing approximately 1.72 acres of right-of-way located at the intersection of MC85 (Buckeye Road) and Avondale Boulevard. The Council will take appropriate action.

b. ORDINANCE 1690-419 - AUTHORIZING THE SALE AND ISSUANCE OF CITY OF AVONDALE, ARIZONA GENERAL OBLIGATION BONDS, SERIES 2019

City Council **adopted** Ordinance 1690-419 authorizing all matters necessary to sell and issue General Obligation Bonds.

c. ORDINANCE 1689-419 - AUTHORIZING THE SALE AND ISSUANCE OF CITY OF AVONDALE, ARIZONA PLEDGED REVENUE OBLIGATIONS, SERIES 2019

City Council **adopted** Ordinance 1689-419 approving the sale and execution and delivery Pledged Revenue Obligations; approving the form and authorizing the execution and delivery of agreements necessary for such sale; delegating authority to determine certain matters and terms with respect to the foregoing and declaring an emergency.

5. ADJOURNMENT

Council Members of the City of Avondale will attend either in person or by telephone conference call.

Los miembros del Concejo de la Ciudad de Avondale participaran ya sea en persona o por medio de llamada telefonica.

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.

Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
April 22, 2019

A **Work Session** of the City Council of the City of Avondale, Arizona was convened at 11465 Civic Center Drive in open and public session at 6:01 p.m.

Members Present: Mayor Kenn Weise; Council Members Bryan Kilgore, Veronica Malone, and Curtis Nielson.

Members Absent: Vice Mayor Pat Dennis and Council Members Tina Conde and Mike Pineda.

Other Municipal Officials Present: Charles Montoya, City Manager; Gina Montes, Assistant City Manager; Michael Wawro, City Attorney; Marcella Carrillo, City Clerk; Cindy Blackmore, Public Works Director; Jessica Blazina, Intergovernmental Affairs Administrator; Lindsey Duncan, Finance and Budget Director; Craig Jennings, Judge; Kirk Haines, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Police Chief; Cherlene Penilla, Human Resources Director; and Abril Ruiz-Ortega, Court Administrator.

Audience: Members of the public were present.

1 ROLL CALL BY THE CITY CLERK

Note: Council Member Mike Pineda arrived to the meeting at 6:04 p.m.

2. 2019-2020 HUD ANNUAL ACTION PLAN

Matthew Hess, Housing and Community Development Manager, provided City Council with an update on the draft of the City's 2019-2020 Annual Action Plan which is required by the U.S. Department of Housing and Urban Development (HUD) as a condition to receive the Community Development Block Grant (CDBG) and HOME Investment Partnership funding (HOME).

Mr. Hess provided the following information:

- The Annual Action Plan is part of the five-year Consolidated Plan which is also known as a five-year needs analysis that will benefit low- and moderate-income citizens in Avondale.
- The Annual Action Plan is created each year within the five-year program to dictate how each year's allocation will be spent.
- Through the consolidated planning process, the city looks at housing, infrastructure, and community development needs and goals are determined.
- Current five-year plan expires at the end of the next fiscal year.
- Proposed 2019-2020 Activities and Funding

- o This year's funding is proposed at \$695,000 in CDBG funding which is approximately a 4% reduction.
 - o 20% is set aside for administration activity which is approximately \$139,000.
 - o Supporting both the emergency and substantial home repair programs with \$145,000 for emergencies and \$235,500 for substantial home repairs.
 - o Avitemp program, rebranded Next Step program, funded at \$48,500.
- New Homeless Emergency Rental program funded with the remaining balance of the Public Service Allocation of \$55-\$56 thousand and the remaining funding going to revitalization.
- HOME funding took more of a hit than the CDBG Program, about 10% lower, which is roughly in line with the overall congressional allocation of HOME Funds and consistent with anticipated amount.
 - o Co-share administration cost with the County at about \$11,000.
 - o Allocate funds for home buyer assistance.
 - o 25% match applies to activity funding (admin) at about \$44 thousand with \$244,000 to work with.
- Next steps:
 - o Currently in the 30-day comment period, which will expire on May 10th.
 - o Another public hearing scheduled for May 8th at the Community Center.
 - o On Council's agenda for May 20th for possible action.
 - o Required to submit action plans in conjunction with rest of the members of the Maricopa Home Consortium by June 11 which is 60 days from the date of HUD's announcement of the allocations.
 - o Funding agreement to be received in mid-August.

Mayor Weise asked for insight on the Homeless Emergency Rental Plan. Mr. Hess stated that staff has been thinking about this for some time and recognizes the increasing need for homeless services in the West Valley. He has been working with Sherry Steele and Chris Lopez regarding gaps in services. He added that this rental piece would be designed similarly to the CAP Program, even though it was not something that cities typically do with CDBG funds, which was usually considered an income payment. However, it is eligible if funding is restricted to three months. Mr. Hess said that details are being worked out. The budget is restricted to 15% of the overall allocation. He added that basic numbers would be approximately \$1,000 per month up to three months, divided by 55, and would be about 18 units with the number of units determined by the number in the household.

Mr. Hess stated that because the homeless are considered a limited clientele in the CDBG Program which requires individuals to have little to no income, staff would have to work closely with social services and other partners to identify eligible people. Wraparound services would get people housed on a permanent basis. The intent of the program is not to house people for three months, and then be evicted. The wraparound services would absolutely be needed to sustain permanent housing.

Council Member Malone asked where housing would be sought for this program. Mr. Hess stated that seeking housing for the Emergency Rental Program would generally be up to the family receiving the housing, similar to Section 8 housing where a landlord would

accept the program voucher but there is no obligation for a landlord to accept the program. Most programs like this require citizens to live in that city which conversations are being held to determine this.

Council Member Malone stated that the Maricopa County Housing Voucher Program has a waiting list of two to five years. She asked how staff would assist this population to obtain sustainable housing, so they are not reverted back to their initial situation. She expressed concerns with the program unless there is a partnership with Maricopa County. Mr. Hess said that all the details have not been worked out and he had not considered working with the County, but he is glad that she brought that up. He stated there is a population in Avondale right now that need assistance. He noted that many potential recipients of the program do have income, so they could maintain sustainable housing. Determining which clients would be the best candidates for maintaining housing would have to be done in collaboration with case management and a wraparound service process as he has seen it be successful in other cities. There would need to be ongoing contact with the clients to ensure the program is successful.

Council Member Malone stated that Michelle Harrison of the I-Help program could be of assistance and noted that there are several individuals who have income. She inquired if individuals could utilize the program without being involved in the I-Help program. In response to a question by Mayor Weise, Mr. Hess stated that he should have all the details worked out by the end of the current fiscal year. Mayor Weise suggested another update before the budget process is complete, to obtain more detail, including who would qualify and who the partners are which Council Member Malone stated that would be acceptable.

Council Member Nielson stated that it was important to identify partnerships to help establish the length of the program. He also inquired if the services would be extended outside of the city boundaries. Mr. Hess stated that he believed I-Help would assist in providing clients on an ongoing basis to ensure housing after three months. He added that the boundaries were not set yet and it is a policy decision to determine if only Avondale residents would be served. Mayor Weise stated that more details about that would be needed. Mr. Hess stated that would be determined by the middle of June.

Council Member Malone stated that she believed some of the I-Help population came from different parts of the valley, including some from the East Valley. Citizens were sometimes set up with a hotel room until they could get into the program. Staff will need to see where the clients are coming from and develop program parameters.

Council Member Pineda requested staff present a dollar amount or percentage in June for the programs under the revitalization, such as the façade or technical assistance, to break it down. Mr. Hess stated that, in the past, that had been left undetermined to allow more flexibility. He stated he could provide last year's expenditures for the programs.

Council Member Kilgore commended staff, stating they always do a great job on allocating the funds and using them. He asked if the city had received any funds from other cities, like they have received in the past. Mr. Hess explained funds have not been

received from other cities and he is unaware of any cities giving away their funding. Council Member Kilgore stated he agrees with the comments from Council, voicing that this is something we must take into consideration, if it is going to be first come first serve to Avondale residents or beyond as the homeless situation is broad. He also stated he wants to ensure we are consistent with the parks, ensuring people from Avondale utilize them as well as with other funds that we allocate, making sure we are fair across the board.

Chris Lopez, Neighborhood and Family Services Director, stated the discussions tonight provided staff with what they needed to determine if Council had an interest in moving forward with the discussed programs and noted that staff would return in about 30 days with more details.

3. FISCAL YEAR 2020 RECOMMENDED BUDGET

Lindsey Duncan, Finance and Budget Director, provided City Council with an overview of the Fiscal Year 2020 Recommended Budget as part of the formal adoption process.

Finance and Budget:

Ms. Duncan noted that, after reviewing the reports, staff noticed duplicated amended lines in the Fiscal Year 2019 budget and staff is working to correct this problem. Mayor Weise inquired if this issue impacted the issue presented at the last meeting discussing the drastic changes within City Council's budget. Ms. Duncan responded yes, stating the adjusted documents would be included in the final budget book.

Council Member Nielson inquired on the contract management software, and whether it was new or updated. Ms. Duncan said that this is something they are currently looking at as there was no way to manage all contracts citywide at this time. Multiple departments use single contracts, so staff is investigating options and reviewing demos for a city-wide solution.

Council Member Malone asked if IT would be the ones to assist in integrating the software and which department will give training on it. Ms. Duncan stated that the City staff would be working directly with IT on the review and implementation of all software packages, working to implement as few software packages as possible. When departments are looking to procure a new IT software, they will keep IT in the loop. With respect to Finance and Budget's new software, they will be training all department staff and she believed they have enough staff in place to meet the need.

Council Member Malone asked how often patches might occur on the new software. Ms. Duncan stated that would depend on the software package; usually an annual patch is released on the financial software that the city is looking to purchase which can have different implications such as little bug fixes or major enhancements. She explained it is desired to stay a step behind the most current patch, so the city is not the front runner who is running into the bugs but try not to stay too far behind where we would be losing out on fixes to the system. Council Member Malone asked if upgrades were included in

the cost of the package, which Ms. Duncan respond yes, the packages that are being purchased include updates within the base price.

Mayor Weise stated prior to Ms. Duncan being employed, staff were struggling with audits as well as getting caught up with tasks, he asked if she has enough man-power to cover the new software implementation. Ms. Duncan stated that she has enough staff at this time due to a restructure of the department to provide that leadership and to provide the authority to move through each of the steps of the software.

Human Resources

Mayor Weise asked if the \$1.5 million Workers' Compensation information, as presented in the budget book, is aligned with what the city does. Ms. Penilla reminded Council that this was the first year of being self-funded so next year would be the second year and it is in line and the city is not paying out as much as they have done in previous years.

Council Member Nielson asked if the attorney fees were external. Ms. Penilla stated that most fees were through one particular attorney at Gust Rosenfeld P.L.C., who had remained with the City. If someone from the City Attorney's Office takes over the HR functions, there will still be other instances where outside council is required, such as retirement boards, because sometimes the city's best interests can be at odds with a retiree.

Council Member Malone asked whether the PTSD services and tuition reimbursements programs would continue, and Ms. Penilla replied in the affirmative.

Development and Engineering Services

Mr. Montoya requested moving this topic to the next week, since Tracy Stevens was not present. Mayor and Council agreed to do so.

City Clerk

Mayor Weise commented on the cost to run an election.

Council Member Kilgore stated he is constantly approached by residents of the community and even residents outside of the community who are pleased with the passport services, noting they like the service and state staff treat them well. Ms. Carrillo stated she would pass on the comments to staff.

Council Member Pineda stated he is pleased that there will be additional assistance with passports as every time he comes through the lobby, staff are constantly busy.

Police Department

Mayor Weise mentioned information discussed the week prior between he and Chief Nannenga regarding how Chief Nannenga and Chief Espinosa had used social media

apps to divide duties which is commendable, but he believed that there had to be a better use of time. He and Chief Nannenga had discussed hiring someone to go through the social media apps and see what is happening underneath and direct information to the correct departments. Mr. Montoya suggested setting aside \$50 thousand in one-time funds; which is in the City Manager's budget for now and issue an RFP for someone to assist with this task. The results might be expanded to other departments to help the City as a whole. Council Member Malone asked if the \$50 thousand would support the entire city, which Mayor Weise answered in the affirmative.

Council Member Malone noted that within the positions that were not approved, including the Criminal Investigation Detective. She noted the 433 cases with four property detectives and requests for a School Resource Officer (SRO) Sergeant, a Criminal Investigations Detective, and a Traffic Officer. She added that the caseloads for detectives are heavy and would like to see if they could get additional positions funded. She added that there had not been a Traffic Officer hired in over seven years and were a lot of traffic issues. She stated she would like to have another Traffic Officer as well as a detective funded.

Mayor Weise stated that he recalled when the city could not fill positions, and as the city moves farther south and police and fire get stretched, the three positions are justified. Chief Nannenga stated that he leaves it to the City Manager and Ms. Duncan and if the funds could be found, he would support those positions. Mr. Montoya stated that he fully supports the recommendation. The requested positions would be added to the budget and the revisions will be presented to Council at the next meeting.

Council Member Nielson stated that on the supplemental budget page there was a SRO (Sargent) requested but on the supplemental page the school officer was included. Chief Nannenga clarified that the SRO has been supervised by a Patrol Sargent which the request would have separated the supervision, but staff have some ideas in mind to work to make the staffing a better fit. In response to an inquiry by Council Member Nielson, Chief Nannenga clarified the presented supplement would make a total of four SROs with a goal for an officer at each of the high schools.

Ms. Duncan stated that there are three officers, with one additional requested officer, which is shown on the supplemental documents.

Mayor Weise requested clarification regarding the amount the city pays for the SRO, which Ms. Duncan answered in the affirmative, as the cost is reimbursable by the schools.

Council Member Malone asked whether an SRO Officer would be able to work with residents near Agua Fria High School, to deal with students parking legally on residential streets. Chief Nannenga stated that, as they work as a team, the SRO would coordinate with a traffic officer. The SRO would address the behavior of the students and have a discussion with the principal on student parking around the high school. Discussion ensued regarding student parking on the streets at other schools.

Council Member Kilgore made a comment regarding an issue raised by Principal Ernest Molina, which Police quickly addressed the issue and worked with the school to resolve the issue. He stated the principal has not made any comments on the issue since and was glad staff assisted in the situation.

Council Member Kilgore added that he was made aware of Risk Management meeting with the Police Department on a quarterly basis to discuss ways to manage risks, which has been going well, and asked for feedback on improvements due to those meetings. Chief Nannenga stated, in the past, Risk Management would present to the Police department once a year but since Phil Cundiff, Risk Manager, has come on board, there has been an increase in interaction and Risk Management meets with the department quarterly, commenting on the dollars Mr. Cundiff saves the city and what that means to employees. He noted that PD has been very proactive, and that officers had taken it as a challenge to get the damages paid. He noted that Mr. Cundiff has been good at compiling information about safety.

Council Member Kilgore stated that Mr. Cundiff raved about the Police department and how the city's employees are eager to go back to work, rather than stay on light duty.

City Court

Mayor Weise commended Judge Jennings, stating he has not heard more positive comments about a court than he has with the City Court of Avondale. He shared a comment received from another local elected official who stated he had a positive experience within the courtroom.

In response to an inquiry by Mayor Weise, Judge Jennings stated all submitted supplements are straight forward, none are for huge amounts.

Council Member Nielson thanked City Court staff for their mock jury at the recently held Citizens' Academy.

Economic Development

Cheryl Covert with the Economic Development department offered to answer supplemental questions for Economic Development, and Mayor Weise stated that he wanted to look at the organizations that the city belongs to, not just dollar amounts, and what the benefit is to the City of Avondale. Ms. Covert explained that at the beginning of every year, staff review the membership list and analyze the return-on-investment for each organization. She stated each of the organizations that are listed within the budget have been reviewed in detail and staff feels the organizations listed are valuable to the city. Mayor Weise stated that although GPEC (Greater Phoenix Economic Council) does not bring a lot of business to the city, but what they do for others, is a benefit to Avondale. Avondale is becoming the entertainment hub for the southwest Valley, and Ms. Covert agreed, noting that the Greater Phoenix Economic Council was more than just a lead generation as they would run economic impact projects, and those could be worth several thousands of dollars of savings for the City.

Mayor Weise stated that it had been a while since an update had been provided from Gang Plank, noting that there is not a single Council Member who has received an update, except for Council Member Kilgore. Ms. Covert stated an update could be scheduled and noted that staff was also looking at Gang Plank and the return-on-investment to the city.

Council Member Kilgore clarified that he had not received an update from Gang Plank, noting that Pastor Oliver who is the Chaplain for the Avondale Police Department has services there to which he has attended once, but other than that, he is unaware of what they are doing or what is going on.

Mayor Weise commented that the building is the old City Hall behind Sonic.

Council Member Pineda stated he visited there five months ago and stated they were still working with the Avondale junior high and were looking to see how they could work more with the residents, specifically the Economic Development department. He also inquired on Fuerza Local, which Ms. Covert explained, Fuerza Local is a group brought into the City of Avondale that is hosted at a library, with the goal of creating a next step for the Spanish-speaking business entering into the Anglo market. She noted that the program is a unique program that is taught completely in Spanish with a goal to get home based business out into the community. In response to a comment by Council Member Pineda, Ms. Covert stated the program helped fund 12 business that were either in Avondale or relocating to Avondale, which has shown tremendous value.

Mayor Weise inquired on the \$100 thousand for tenant improvements for city owned facilities. Mr. Montoya stated that the city owns a number of facilities, with the sports center being one of them, and this request is for maintenance throughout the year on the facilities, especially on the ISM building that the city owns. Mayor Weise inquired on upcoming improvements to the sports center which Mr. Montoya stated not at this time, but staff are in working with tenants to see where they will go next with the program.

Mayor Weise stated that he would not be able to attend the next meeting, and Vice Mayor Dennis would run the meeting, but he stated he would do his best to dial in.

4. ADJOURNMENT

There being no further business before the Council, Council Member Kilgore moved to adjourn the meeting; Council Member Malone seconded the motion.

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

Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

Meeting adjourned at 7:00 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 7:10 p.m.

Mayor Kenn Weise led the Pledge of Allegiance followed by a moment of silent reflection in remembrance of the City of Surprise and City of Peoria fire fighters who were recently injured during an on-the-job incident.

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

Members Absent: Vice Mayor Pat Dennis and Council Member Tina Conde.

Other Municipal Officials Present: Charles Montoya, City Manager; Gina Montes, Assistant City Manager; Michael Wawro, City Attorney; Marcella Carrillo, City Clerk; Cindy Blackmore, Public Works Director; Jessica Blazina, Intergovernmental Affairs Administrator; Lindsey Duncan, Finance and Budget Director; Kirk Haines, Parks, Recreation and Libraries Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Police Chief; and Cherlene Penilla, Human Resources Director.

Audience: Members of the public were present.

1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2 UNSCHEDULED PUBLIC APPEARANCES

Bryan DePauw, Captain/Paramedic, provided an update on the City of Surprise and City of Peoria fire fighters who were recently injured during an on-the-job incident.

Captain DePauw explained that at approximately 8:30 p.m. on Friday, April 19th several different agencies responded to an incident around the 303 and Deer Valley at an APS sub-station. During the course of the incident, there was an explosion that occurred which resulted in four members of the Peoria Fire Department and four Surprise firefighters going to the hospital. That night, all four of the Surprise firefighters were discharged and all of the four Peoria firefighters stayed in the hospital. Two of the firefighters, who were airlifted to the hospital, both have a long recovery road ahead. Captain Hunter Claire had experienced fractured ankles on both legs, a broken back, broken scapula, and fractured ribs, although currently doing well. Engineer Justin Lopez was the most injured of all the firefighters with two fractured legs, significant burns to his face, and was on a ventilator but has since been taken off the ventilator and was awake yesterday. Captain DePauw stated that, sadly, Justin Lopez was not yet out of the woods, and could possibly lose a leg. Captain DePauw stated that despite the tragedy, the incident required a significant amount of resources, and through the Automatic Aid System, six different agencies responded to the incident. He added that the help, training, and collaborative effort that is provided by neighboring cities is truly amazing.

He added that Mayor Weise did reach out regarding helping these injured firefighters, and Captain DePauw was discussing with his department the possibilities for fundraisers for the individuals.

Mayor Wiese stated that he had reached out to the Peoria Mayor and urges Council to reach out to their counterparts in both Peoria and Surprise to send well wishes.

Captain DePauw added that he had arrived at the hospital that night to show support and found at least 300 firefighters from different agencies around the Valley showing support.

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 requested item 3e Liquor License – Series 13 (Domestic Farm Winery) – Scale and Feather Meadery be removed from the Consent Agenda for further discussion.

Mayor Weise asked if any Council Member wished to have any additional items removed from the Consent Agenda. Having no additional requests from Council, motion was made by Council Member Kilgore, seconded by Council Member Malone, to approve the Consent Agenda with the exception of agenda item 3e.

Upon vote, the motion carried unanimously 5 to 0.

Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

a. MINUTES

City Council approved the February 19, 2019, March 4, 2019, March 6, 2019, and March 18, 2019 City Council Meeting minutes.

b. APPOINTMENT OF MEMBERS TO THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES

City Council approved the Council Subcommittee on Boards, Commissions and Committees's recommendations for the appointment of members of the city's boards, commissions and committees.

c. LIQUOR LICENSE - SERIES 07 (BEER AND WINE BAR) - ROOM ESCAPE GAMES

City Council approved an application for a Series 07 (Beer and Wine Bar) Liquor License submitted by Nohemi Quintero to sell beer and wine at Room Escape Games located at

10210 West McDowell Road, Suite #100 in Avondale and authorized the Mayor and City Clerk to execute the necessary documents.

d. LIQUOR LICENSE - SERIES 12 (RESTAURANT) - CARRABBA'S ITALIAN GRILL

City Council approved an application for a Series 12 (Restaurant) Liquor License submitted by Andrea Dahlman Lewkowitz to sell all spirituous liquors at Carrabba's Italian Grill located at 9920 West McDowell in Avondale and authorized the Mayor and City Clerk to execute the necessary documents.

e. LIQUOR LICENSE - SERIES 13 (DOMESTIC FARM WINERY) - SCALE & FEATHER MEADERY

Mayor Weise asked the four representatives from the Scale & Feather Meadery to come forward and introduce themselves. He noted they were about three or four weeks away from opening the first meadery in the West Valley, which had been hampered by the government shutdown. He stated that the individuals had actually taken money out of their own bank accounts to make this happen. He stated that ACOS, who was present, was bringing a lot of jobs to Avondale, but he wanted to recognize the small business partners, commenting on them working full-time jobs outside the business.

Mayor Weise moved to approve the application for a Series 13 (Domestic Farm Winery) Liquor License submitted by Ben Joseph Chaney to produce and sell wine/mead at Scale & Feather Meadery located at 1050 North Fairway Drive, Suite #E-112 in Avondale and authorized the Mayor and City Clerk to execute the necessary documents; Council Member Pineda seconded the motion.

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

Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

f. FIRST AMENDMENT TO CONTRACT - REVOLUTION INDUSTRIAL - COLDWATER EAST RESERVOIR REHABILITATION

City Council approved a first amendment to the construction contract with Revolution Industrial, LLC for Coldwater East Reservoir Rehabilitation to modify the scope of work and increase compensation in an amount not to exceed \$162,934.00, resulting in an increase of the aggregate not to exceed compensation from \$701,365.00 to \$864,299.00 and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

g. FIRST AMENDMENT TO LEASE AGREEMENT WITH MRG CONSULTING SERVICES INC. DOING BUSINESS AS CROSSFIT RAVE,

City Council approved a request to amend a lease agreement #14350C between MRG Consulting Services Inc. and the City of Avondale, reducing the leasable square footage

from 7,500 square feet to 3,600 square feet, installing a demising wall, reducing the rental rate from the current \$16.54 per square feet to \$15.00 per square feet and extending the lease term from five-years to a seven-year lease and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

h. ECONOMIC DEVELOPMENT AGREEMENT WITH AKOS MOB I, LLC

City Council approved a request to approve an Economic Development Agreement with Akos MOB I, LLC not to exceed \$500,000 towards the reimbursement of offsite public infrastructure and building permit and plan fees for the construction of two 68,000 square foot class "A" medical office buildings and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

i. RESOLUTION 3547-419 - AMENDMENT TO THE CITY COUNCIL RULES OF PROCEDURE

City Council adopted Resolution 3547-419 amending the Council Rules of Procedure Section 5.1, Preparation and Posting Notices and authorized the Mayor, or City Manager and the City Clerk to execute the appropriate documents.

j. RESOLUTION 3548-419 - APPOINTING REPRESENTATIVES TO THE GLENDALE REGIONAL PUBLIC SAFETY TRAINING CENTER CHIEFS BOARD AND OPERATIONS COMMITTEE

City Council adopted Resolution 3548-419 authorizing certain changes to the Avondale representatives under Sections 6 and 7 of the Regional Public Safety Training Center Intergovernmental Agreement effective immediately and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

k. RESOLUTION 3542-419 - AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH THE REGIONAL PUBLIC TRANSIT AUTHORITY

City Council adopted Resolution 3542-419 approving an Amendment to the Intergovernmental Agreement with the Regional Public Transportation Authority for FY 2019 relating to public transportation services and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

l. APPLICATION PL-18-0201 BIOLIFE PLASMA SERVICES - WITHDRAWAL OF A CONDITIONAL USE PERMIT FOR A PLASMA CENTER

City Council approved a request by Mr. Paul Gilbert, Beus Gilbert PLLC, to withdraw Application PL-18-0201 BioLife Plasma Services. The application is for a Conditional Use Permit to allow a plasma center use in the Community Commercial (C-2) and Planned Area Development (PAD) zoning districts. The location is in the former Fresh & Easy grocery store building within the Coldwater Springs Promenade commercial center at the southwest corner of Avondale Boulevard and Van Buren Street.

4 REGULAR AGENDA

a. PUBLIC HEARING - ORDINANCE 1691-419 MC85 (BUCKEYE ROAD) AND AVONDALE BOULEVARD RIGHT-OF-WAY ANNEXATION

City Council held a public hearing regarding a City initiated request to adopt Ordinance 1691-419 annexing approximately 1.72 acres of right-of-way located at the intersection of MC85 (Buckeye Road) and Avondale Boulevard.

Mayor Weise opened the public hearing. There were no public speakers.

Mayor Weise closed the public hearing.

Council Member Pineda moved to adopt Ordinance 1691-419 annexing approximately 1.72 acres of right-of-way located at the intersection of MC85 (Buckeye Road) and Avondale Boulevard; Council Member Malone seconded the motion.

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

Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

b. ORDINANCE 1690-419 - AUTHORIZING THE SALE AND ISSUANCE OF CITY OF AVONDALE, ARIZONA GENERAL OBLIGATION BONDS, SERIES 2019

Ms. Duncan presented on a request to adopt Ordinance 1690-419 authorizing all matters necessary to sell and issue General Obligation Bonds.

Ms. Duncan provided the following update:

- On March 4, 2019, staff presented bonds types to Council which the general obligation bonds were proposed in the amount of \$17.4 million.
- Since that time, the market was evaluated staff is recommending that the City proceed with a greater amount of general obligation bonds in the amount of \$24.4 million.
- Tonight, staff will present the credit rating and request Council take action to authorize the sale and issuance of the bonds.
- The G.O. bonds would be sold at approximately \$24.4 million, with \$24.2 million of that for project costs, and .2 of that for cost of issuance, and a 20-year financing, with an estimated interest rate within estimates of 4%, but believe rates can be lower, given the interest rate environment
- At 4%, that would yield approximately \$11.3 million of interest over the 20-year term.
- The source of repayment for these bonds would be the secondary property tax.
- General Obligation Bond Projects:
 - o Police department administration expansion, looking to use a greater amount of the bonds revenue, freeing up the other funds.
 - o Identify development impact fees that would ultimately be used in the future.

- o Resource center at \$9.5 million from the bonds which was increased from what was previously recommended.
 - o Festival Fields park enhancements and improvements with that part of the bond still being held at \$7.2 million with no remaining authorization in the Park's area as previously discussed.
- Outstanding Voter Authorization:
 - o Current authority remains outstanding for the Parks, Community Centers, and Recreational Facilities at \$7.2 million with a plan to use the full balance of that remaining authorization.
 - o Public Safety Facilities with \$13 million of the authorization and plan to use a little less than half.
 - o General Government Facilities had authorization for \$17 million and plan to use less than half of that for the resource center.
- Have statutory and constitutional limitations for the uses of bonds, which Avondale is well within.
- Avondale has established a proposed schedule that has the property tax reducing over time which allows for evaluation of future bonding opportunities.
- With rates anticipating setting for Fiscal Year 2020, it would be approximately 40 cents per \$100 of assessed valuation.
- For home valued by the County at approximately \$100,000, the homeowner would pay additional \$40 for Fiscal Year 2020 in taxes.
- Since the last Council meeting, staff had an opportunity to present to the rating agencies, and had them re-evaluate the City's financial position and economic conditions as well as management status, and Avondale has been re-affirmed at a Aa2, which is not the top but still at the very high end of the range, as well as a bond rating of AAA.
- These ratings reflect the conservative approach to the City's finances, as well as a strong economy so these would be applied for these bonds
- The action tonight is Ordinance No. 1690-416, which includes approval for the sale of bonds and the levy of the tax and is coming before Council as part of the budget adoption.
 - o Allows staff to approve the related documents, which several are involved in the bond sales and delegate Ms. Duncan, the Mayor, and the City Manager to execute those documents.
 - o Allows City to adopt continuing disclosure procedures which allows Avondale to record procedures and obligations with respect to notifying bond holders about events that have occurred since bonds sold and also identifies all other actions necessary for the transaction.
- Next steps include bond closing in early May, followed by an update to Council in June of the final bond sale results.

Mayor Weise asked how general government is defined in the bond world and if it can be used for anything related to government or specific items. Ms. Duncan stated that there was specific language listed in the ballot question when the general government item was put before the voters in 2007, which the language is within the Ordinance itself to which Ms. Duncan read out loud. Mayor Weise pointed out the language was written broadly for a reason and the voters approved it for a reason.

Council Member Nielson moved to adopt Ordinance 1690-419 authorizing all matters necessary to sell and issue General Obligation Bonds; Council Member Malone seconded the motion.

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

Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

c. ORDINANCE 1689-419 - AUTHORIZING THE SALE AND ISSUANCE OF CITY OF AVONDALE, ARIZONA PLEDGED REVENUE OBLIGATIONS, SERIES 2019

Ms. Duncan presented on a request to adopt Ordinance 1689-419 approving the sale and execution and delivery Pledged Revenue Obligations; approving the form and authorizing the execution and delivery of agreements necessary for such sale; delegating authority to determine certain matters and terms with respect to the foregoing and declaring an emergency.

Ms. Duncan provided the following update:

- On March 4, 2019, staff presented bonds types to Council; which the pledged revenue bonds were proposed in the amount of \$10 million.
- Proceeding with pledged revenue obligations which is a private sale of the obligations.
- Amounts updated to \$10.1 million from \$10 million to include the cost of the sale.
- Asking for approval to authorize the sale and issuance of these obligations.
- Revenue bonds between historic Avondale infrastructure, as noted before, and other water/sewer projects to be determined.
- It is anticipated using the money for the Phoenix interconnect and historical Avondale infrastructure improvements, with \$10 million for project costs, and \$100,000 for the cost of the sale
- Anticipate 12-year financing on this issuance with estimated interest rate at 3.5% at approximately \$2.5 million of the 12-year term.
- The source of repayment is listed as excise taxes which are generally governmental taxes and more specifically, within the budget, the dedicated sales tax for the repayment of the bond.
- Approval of Ordinance 1689-419 will include related agreements, sale of obligations and levy of the tax, and delegation to the Mayor, the City Manager, and the Finance and Budget Director to execute the final sale and all other actions necessary for the transaction.
- Purchase would close in early May with an update to Council in June.

Council Member Malone asked what the total bond capacity that the city can have over time. Ms. Duncan explained it is a ratio relative to total taxes for the excise tax obligations which the city is well under that amount.

Mayor Weise asked Council Member Malone if she posed that question because she was looking at more for the future, to which she responded, she was inquiring on an opportunity to do more in the future.

Council Member Nielson moved to adopt Ordinance 1689-419 approving the sale and execution and delivery Pledged Revenue Obligations; approving the form and authorizing the execution and delivery of agreements necessary for such sale; delegating authority to determine certain matters and terms with respect to the foregoing and declaring an emergency; Council Member Malone seconded the motion.

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

Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

5 ADJOURNMENT

There being no further business before the Council, Council Member Nielson moved to adjourn the meeting; Council Member Kilgore seconded the motion.

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

Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

Meeting adjourned at 7:31 p.m.

Mayor Kenn Weise

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session and Regular Meeting of the Council of the City of Avondale held on the

Regular City Council Meeting Minutes

April 22, 2019

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22nd day of April 2019. I further certify that the meeting was duly called and held and that the quorum was present.

Marcella Carrillo, CMC
City Clerk