



City of Avondale

City Council Meeting

Monday, October 23, 2023

Mayor and Council

Kenneth Weise, Mayor

Mike Pineda, Vice Mayor

Tina Conde, Council Member | Curtis Nielson, Council Member

Veronica Malone, Council Member | Gloria Solorio, Council Member

Max White, Council Member

Administration

Ron Corbin, City Manager

Cherlene Penilla, Assistant City Manager | Tracy Stevens, Assistant City Manager

Nicholle Harris, City Attorney | Marcella Carrillo, City Clerk

City Council Chamber

11465 West Civic Center Drive

Avondale, AZ 85323

Watch a City Council Meeting Online

Visit the link below to watch a City Council meeting live online:

<https://www.avondaleaz.new.swagit.com/views/540/>

Please note, the live stream will not be monitored by staff; therefore, anyone wishing to address City Council shall appear in person to speak.



City Council Meeting Notice & Agenda Monday, October 23, 2023

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

SPECIAL MEETING

5:30 PM

Physical Access to the Council Chambers will be available 30 minutes prior to the meeting.

CALL TO ORDER BY MAYOR

1. ROLL CALL BY THE CITY CLERK

2. NEW EMPLOYEE INTRODUCTIONS (DISCUSSION ONLY)

The following employees will be introduced to the City Council. This item is for discussion only.

City Manager's Office

- Dillard Collier, ASU Marvin Andrews Fellow (Intern)
- Alexis Ayala, Administrative Assistant

City Clerk's Office

- Emily Soria, City Clerk Specialist

Information and Technology Department

- Carlos Garcia, Network Analyst
- Abby Schultz, Application Manager

Parks and Recreation Department

- | | |
|---|--|
| - Juan Castillo, Parks Main. Worker | - Ali Modrell, Parks and Recreation Intern |
| - Leonard Lara, Parks Main. Worker | - Laine Secrest, Recreation Programmer |
| - Jose Vegara, Parks Main. Worker | - Victoria Robertson, Librarian II |
| - Esteban Fana, Aquatics Main. Coordinator | - Christina Amarillas, Librarian I |
| - Brittany Westlund, Recreation Coordinator | |

Police Department

- | | |
|---------------------------|---|
| - Officer Valente Peru | - Officer Rafael Spindola |
| - Officer Berton Van Rens | - Officer Frank Robles-Gerds |
| - Officer Jose Guerra | - Support Services Manager Gregory Harsha |

3. PROCLAMATION - DOMESTIC VIOLENCE AWARENESS MONTH

The City Council will present a Proclamation recognizing October 2023 as Domestic Violence Awareness Month. This item is for discussion only.

4. BOARD & COMMISSION RECRUITMENT VIDEO

The City Clerk will present the newly produced Board & Commission recruitment video. This item is for discussion only.

5. EXCEPTIONAL STUDENT OF AVONDALE RECOGNITION (AVI STAR STUDENT)

City Council will recognize Avondale students from schools located in Avondale for their character and achievement. This item is for discussion only.

6. ADJOURNMENT

Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda or under unscheduled public appearance should submit a Request to Speak online at <http://www.avondaleaz.gov/requesttospeak> prior to consideration of that agenda item.

REGULAR MEETING

6:00 PM

Physical Access to the Council Chambers will be available 30 minutes prior to the meeting.

CALL TO ORDER BY MAYOR

PLEDGE OF ALLEGIANCE & MOMENT OF REFLECTION

1. ROLL CALL BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES (Time is limited 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 will consider a request to approve the September 11, 2023 City Council meeting minutes. The Council will take appropriate action.

b. RESOLUTION 1063-1023 - AMENDMENT NO. 3 TO INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY, TRELLIS

City Council will consider a request to adopt Resolution 1063-1023 approving Amendment No. 3 to an Intergovernmental Agreement (IGA) between Maricopa County, Trellis, and the City of Avondale relating to the construction of three single-family homes and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

c. RESOLUTION 1064-1023 AMENDMENTS TO THE PERSONNEL POLICIES AND PROCEDURES, CHAPTER 4 RECRUITMENT AND SELECTION

City Council will consider a request to adopt Resolution 1064-1023, amending the Personnel Policies and Procedures Chapter Policy 4, Recruitment and Selection to add language that will allow for the hiring of individuals less than eighteen (18) years of age for positions in the temporary service (including Seasonal Appointments) as determined by department directors, with concurrence from the Human Resources Department and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. ORDINANCE 2060-1023 - AVONDALE CITY CODE AMENDMENT, CHAPTER 13 LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS, ARTICLE IX, RELATING TO THE LICENSING AND REGULATION OF SHORT-TERM RENTALS

City Council will consider a request to adopt Ordinance 2060-1023, amending Avondale City Code Chapter 13 relating to the licensing and regulation of short-term rentals and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. ORDINANCE 2061-1023 - TEMPORARY FIRE ACCESS EASEMENT AGREEMENT FROM ALAMAR COMMUNITY ASSOCIATION, INC.

City Council will consider a request to adopt Ordinance 2061-1023 accepting the dedication of a temporary fire access easement agreement from Alamar Community Association, Inc., as it relates to the Sierra Estrella Energy Storage development and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

f. ORDINANCE 2062-1023 - LIMITED AND TEMPORARY EMERGENCY ACCESS EASEMENT AGREEMENT WITH SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT AND ARIZONA PUBLIC SERVICE COMPANY

City Council will consider a request to adopt Ordinance 2062-1023 accepting the dedication of a limited and temporary emergency access easement agreement from Salt River Project Agricultural Improvement and Power District (SRP) and Arizona Public Service Company (APS) as it relates to the Sierra Estrella Energy Storage development and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

g. ORDINANCE 2063-1023 - ACQUISITION OF REAL PROPERTY - SOUTH OF THE SOUTHWEST CORNER OF AVONDALE BOULEVARD AND LOWER BUCKEYE ROAD FOR A PRESSURE REDUCING VALVE FACILITY

City Council will consider a request to adopt Ordinance 2063-1023 authorizing the acquisition by purchase, dedication, or condemnation of real property for a Pressure Reducing Valve Facility and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

h. ORDINANCE 2064-1023 – ACQUISITION OF REAL PROPERTY LOCATED AT 351 E. WESTERN AVENUE

City Council will consider a request to adopt Ordinance 2064-1023 authorizing acquisition by purchase or dedication of real property for public use located at 351 E. Western Avenue and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

i. SIERRA ESTRELLA MINOR LAND DIVISION – APPLICATION PL-23-0119

City Council will consider a request to: (a) approve Application PL-23-0119, a request by Parker Froehlich with Coe and Van Loo Consultants, Inc., on behalf of Dustin Pulciani with Sierra Estrella Energy Storage, LLC, and Chris Sumter with 11753 Lower Buckeye Property, LLC, for approval of a Minor Land Division for Sierra Estrella located west of Avondale Boulevard and north of Broadway Road; and (b) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

4. REGULAR AGENDA

a. AVONDALE AQUATIC CENTER PROJECT UPDATE

City Council will receive an update from staff regarding the Avondale Aquatic Center Project. This item is for discussion only.

b. RESOLUTION 1065-1023 AMENDMENTS TO THE PERSONNEL POLICIES AND PROCEDURES, CHAPTER 18 DISCIPLINE

City Council will consider a request to: (a) adopt Resolution 1065-1023, amending the Personnel Policies and Procedures Chapter Policy 18, Discipline to add language indicating that policy implementing executive level positions or above as determined by the City Manager and appointed on or after October 30, 2023, have no appeal rights for disciplinary actions outlined in these policies; (b) declare an emergency and shall be effective immediately upon its passage and adoption; and (c) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

c. RESOLUTION 1066-1023 AMENDMENTS TO THE PERSONNEL POLICIES AND PROCEDURES, CHAPTER 19 APPEALS

City Council will consider a request to: (a) adopt Resolution 1066-1023, amending the Personnel Policies and Procedures Chapter Policy 19, Appeals to add language clarifying that the appeal process associated with disciplinary actions does not apply to policy implementing executive level positions or above as determined by the City Manager for individuals appointed on or after October 30, 2023; (b) declare an emergency and shall be effective immediately upon its passage and adoption; and (c) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. ORDINANCE 2065-1023 - AVONDALE CITY CODE AMENDMENT, CHAPTER 2 ADMINISTRATION, ARTICLE 2, DIVISION 3 SECTION 2-36 RELATING TO THE MERIT SYSTEM

City Council will consider a request to adopt (a) Ordinance 2065-1023 amending Avondale City Code, Chapter 2, Administration relating to the scope and creation of the Merit System; (b) declare an emergency and shall be effective immediately upon its passage and adoption; and (c) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. CAPITAL IMPROVEMENT PLAN UPDATE, QUARTERLY BUDGET TRANSFERS, & ARPA UPDATE

City Council will: (a) receive a presentation from staff regarding a Capital Improvement Plan update; (b) consider a request to approve quarterly budget transfers as summarized in the attached Exhibit A; and (c) modify the city's American Rescue Plan Act (ARPA) plan as summarized in the attached Exhibit B. The Council will take appropriate action.

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

6. ADJOURNMENT INTO EXECUTIVE SESSION

City Council will consider a request to adjourn the Regular Meeting and hold an Executive Session pursuant to Ariz. Rev. Stat. § 38-431.03 (A)(3) and (A)(4), discussion with the City Attorney or attorneys for the City for legal advice concerning contemplated or pending litigation and to instruct the City Attorney and attorneys for the City on such litigation for the matter of Keitha Tucker v. City of Avondale.

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

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