

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
April 08, 2024

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 5:31 p.m.

Mayor Kenn Weise led the Pledge of Allegiance, followed by a moment of silent reflection with thoughts for the Police Officers within the community.

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; Tracy Stevens, Assistant City Manager; Dale Nannenga, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Sarmiento, City Clerk; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Barbara Coppage, City Auditor; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Keith Fallstrom, Finance and Budget Assistant Director; Bryan Hughes, Parks and Recreation Director; Julie Knoll, Deputy City Clerk; Craig Jennings, Judge; Chris Lopez, Neighborhood and Family Services Director; Andy Mesquita, Human Resources Director; Kimberly Moon, Engineering Director; Jodie Novak, Development Services Director; Abril Ruiz-Ortega, Court Administrator; Larry Rooney, Fire Chief; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director

Audience: Approximately 15 members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION ITEMS (DISCUSSION ONLY)

a. EMPLOYEE INTRODUCTIONS

The following employees were presented to City Council. This item was for discussion only.

Court

- Micaela Machuca, Clerk II – Photo Speed Specialist

Finance and Budget Department

- Cindi Hawk, Senior Buyer

Parks and Recreation Department

- Falon Thompson, Pool Manager
- Noah Fechter, Lead Lifeguard
- Uriel Carillo Camarena, Park Maint. Worker
- Timothy Jeffery, Park Maintenance Worker

Human Resources Department

- Elvia Echeverria, Sr. Human Resources Analyst

Public Works Department

- Anthony Perkins, Water Distribution Opr.
- Doryan Curd, Solid Waste Equipment Opr.
- Ryan Scott, Utility Electrician
- Israel Vasquez, Water Distribution Opr.
- Eduardo Osuna, Solid Waste Equip. Opr.
- Davis Bubnick, Street Maint. Worker II
- Gustavo Garcia, Pavement Program Mgr.

Police Department

- Mariah Abasta, Community Service Officer
- Shawn Bonds, Community Service Officer
- Donald Douglas, Community Service Officer
- Amber Monarrez, Community Service Officer
- Patricia Abeyta-Young, Victim Advocate
- Richard Reyes, Detention Supervisor
- Allison Vance, Detention Supervisor (Promotion)
- Angela Romero, Detention Officer
- Jessica Ruiz, Detention Officer
- Amanda Beecham, Dispatcher
- Destyne Rosas, Dispatcher
- Jocelyn Corona, Records Clerk
- Adelita Godinez, Officer
- Jesseca Fernandez, Officer
- Celso Avila, Officer
- Alexander Reyes, Officer
- Dale Wyman, Officer
- Kayden Walsh, Officer
- Marcus Strecker, Officer
- Asitosh Murti, Officer
- Davian Campbell, Officer
- Alfonso Nuza-Ramonetti, Officer
- Officer Lucas Connors, Officer
- Roberto Adame, Officer

b. PROCLAMATION – MONTH OF THE YOUNG CHILD

City Council presented a proclamation recognizing April as the Month of the Military Child. This item was for discussion only.

c. PROCLAMATION – NATIONAL LIBRARY WEEK

City Council presented a proclamation recognizing April 7-13 as National Library Week. This item was for discussion only.

d. PROCLAMATION – WEEK OF THE YOUNG CHILD

City Council presented a proclamation to Valley of the Sun United Way and Arizona Association of Education of Young Children (AzAEYC) recognizing April 6-12 as the Week of the Young Child. This item was for discussion only.

3. UNSCHEDULED PUBLIC APPEARANCES

The City Clerk read the following comment into the record: "We have very serious problems with both excessive truck traffic (as in 18-wheelers) and drivers of cars with souped-up NASCAR-sounding engines/exhausts who are also driving at excessive speeds in the stretch of Van Buren St. between 107th Ave. & 111th Ave. specifically. I'm sure this is a city-wide problem but with our property abutting the community wall along Van Buren, we hear all of this all the time. The trucks don't just make a rumbling sound but actually make our home shake & vibrate; this is now intolerable and must be addressed. The city conducted some very poor planning in having so many commercial businesses allowed to be built to the east of what has now in effect become a residential

area on Van Buren between 107th & Avondale Blvd. which keeps growing what with the new apartments being built in addition to the Mattamy Homes building of the final phase of Roosevelt Park. This truck traffic needs to be banned on Van Buren in this stretch and re-routed which is completely possible. As to the private drivers, the horrendous noise from their vehicles causes us problems getting to sleep at night, staying asleep, and is at all other times a horrible disturbance of the peace. I have been working with APD on this issue and while polite, helpful and responsive, they are simply not doing enough, but I believe thru no real fault of their. I'm sure it's simply due to not having enough officer resources to literally "camp out" along this stretch for a sufficient amount of hours each night to catch these lawless, reckless drivers. The city must do something about this in the form of a zero-tolerance policy that is actually implemented as some other local cities have already done. This lawless, reckless driving behavior has become rampant on the freeways and clearly has spilled onto our local streets as well. It is a public safety hazard and cannot be tolerated. I would like some form of reply from the city about what is going to be done about our concerns, including the status of the traffic light I was told by the Engineering Dept. that Mattamy Homes provided funding for to be installed at the Roosevelt Pkwy. entrances on Van Buren. I also invite all the city leaders to simply spend some time outside actively listening at night and in the early morning to the endless number of vehicles easily heard all around the area literally tearing down the roads...their horrendous noise can even be heard indoors with our windows closed. Thank you."

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

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

a. MINUTES

City Council approved the February 26, 2024 and March 4, 2024 City Council meeting minutes.

b. SERIES 10 (BEER AND WINE STORE) LIQUOR LICENSE - DODGE CITY MARKET

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 Shivani Gaurang Patel for the sale of alcohol at Dodge City Market located at 705 East Main Street in Avondale and authorized the City Clerk to execute the necessary documents.

c. QUARTERLY BUDGET TRANSFER AND ARPA UPDATE

City Council a) approved quarterly budget transfers as summarized in the attached Exhibit A; b) modified the city's American Rescue Plan Act (ARPA) plan as summarized in the attached Exhibit B; and c) facilitated items (a) and (b) by increasing the award authority for the projects, modify the interfund transfer schedule, and authorize Finance and Budget Department staff to take the steps necessary to execute the transfers.

d. RESOLUTION 1031-0424 - AUTHORIZING GRANT ACCEPTANCE FROM ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR COMMUNITY RECYCLING DROP-OFF CENTER

City Council a) adopted Resolution 1031-0424, accepting grant funding from the Arizona Department of Environmental Quality (ADEQ) Community Recycling Drop-Off Center in the amount of \$64,000; b) authorized and directed staff to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Resolution; and c) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

e. RESOLUTION 1032-0424 - INTERGOVERNMENTAL AGREEMENT BETWEEN THE SOUTHWEST FAMILY ADVOCACY CENTER (SWFAC) PARTNERING AGENCIES AND THE DEPARTMENT OF CHILD SAFETY (DCS)

City Council adopted Resolution 1032-0424, authorizing an Intergovernmental Agreement (IGA) between the partnering agencies (the City of Avondale, the City of Buckeye, the City of Goodyear, and the Maricopa County Sheriff's) of the SWFAC and DCS and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. RESOLUTION 1033-0424 AND 1034-0424 ENTRADA PHASE 2 – MAINTENANCE IMPROVEMENT DISTRICT NO. 43 - APPLICATION PL-23-0153

City Council a) approved a Petition for Formation; b) adopted Resolution 1033-0424, declaring its intention to form the City of Avondale Maintenance Improvement District No. 43, Entrada Phase 2, providing for the assessment; c) adopted Resolution 1034-0424, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment, declaring an emergency; and d) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. Entrada Phase 2 is located at the northwest corner of 107th Avenue and Broadway Road.

g. ORDINANCE 2006-0424 - AMENDMENT TO THE INTERNATIONAL BUILDING CODE (IBC) 2018 AS REFERENCED IN MUNICIPAL CODE CHAPTER 4, BUILDINGS AND BUILDING REGULATIONS

City Council adopted Ordinance 2006-0424, amending the 2018 International Building Code (IBC) as referenced in Municipal Code Chapter 4, Buildings and Building Regulations by repealing the adoption of Appendix A, retaining the adoption of Appendices C and I and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

h. ORDINANCE 2007-0424 – ARIZONA PUBLIC SERVICE UTILITY EASEMENT FOR THE AVONDALE POLICE DETENTION CENTER

City Council adopted Ordinance 2007-0424, authorizing the granting of a utility easement to Arizona Public Service (APS) in connection with the Avondale Police Detention Center Project and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

i. ORDINANCE 2008-0424 - AUTHORIZE PURCHASE OF REAL PROPERTY LOCATED AT 190 N. LITCHFIELD ROAD, GOODYEAR, ARIZONA FOR THE SOUTHWEST FAMILY ADVOCACY CENTER

City Council adopted Ordinance 2008-0424, authorizing the City of Avondale to purchase real property for public use from the City of Goodyear and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

j. FINAL PLAT – ENTRADA PHASE 2 – APPLICATION PL-23-0153

City Council approved a request by Daniel Auxier, EPS Group Inc., on behalf of the property owner Meritage Homes of Arizona Inc., for approval of the Entrada Phase 2 Final Plat, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The proposed Final Plat subdivides approximately 24.8 acres into 177 single family lots (14.4 acres), open space tracts (4.7 acres), and dedicates approximately 5.68 acres of right-of-way and associated public utility easements throughout the subdivision. The subject property is located at the northwest corner of 107th Avenue and Broadway Road.

5. REGULAR AGENDA

a. PUBLIC HEARING – 2024-2025 HUD ANNUAL ACTION PLAN

City Council held a public hearing and received an update on the draft of the City's 2024-2025 Annual Action Plan which is required by the U.S. Department of Housing and Urban Development (HUD) as a condition of the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funding.

Chris Lopez, Neighborhood and Family Services Director, provided a review of the HUD Action Plan, which is an extension of the five-year consolidated plan and defines program activities and recommends funding allocations. The Annual Action Plan (AAP) details specific activities that occur within a program year, which can be amended depending on the need and environmental factors within the community but

must address the goals within the five-year consolidated plan as outlined during the presentation.

Mr. Lopez provided an overview of the CDBG recommended program activities, funding allocations, and expected outcomes and outputs as listed below. The total anticipated award for the coming year is approximately \$650,000.

- Administration and planning will have \$130,000 allocated to support a Management Analyst, and a portion of the funding will go toward the Housing and Rehab Coordinator.
- Capital Improvement Projects will have \$215,000 allocated for improvements to parks within historic Avondale as well as improvements to the Sam Garcia Library.
- Youth Services will have \$40,000 allocated for the Summer Youth Employment Program for twenty youth within various City departments.
- The Home Repair Program will have \$215,000 allocated for the program. Note residual funds were used last year to rehab ten homes because funds were not allocated to this program.
- Workforce Development will have \$50,000 allocated for Avondale's cost share with the agreement in place with Arizona at Work that has a Workforce Development Coordinator at the Resource Center to assist residents with finding employment.

The recommended activities and funding through HOME were reviewed, noting most of the funds will be used for security and utility deposits. The focus is preventing and addressing homelessness and being able to help residents and households enter safe, affordable housing. The anticipated allocation is \$266,000 which includes a 25% general fund match that totals \$51,000.

The first public hearing was held on February 14, 2024, during a Neighborhood and Family Services Partner Meeting. A draft of the plan was made available to the public in early March. On March 27, 2024, the plan was presented to the Neighborhood and Family Services Commission, who expressed their support for all the program activities and funding levels. Tonight is the third public hearing, and on April 22, 2024, this will be back before City Council for action and possible approval of the plan.

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 voiced support of the workforce housing program.

In response to Council Member Nielson's question, Mr. Lopez explained the process for addressing lead-based paint through the Home Rehab Program.

This item was for discussion only.

b. AVONDALE ANIMAL CONTROL

City Council received information regarding the Avondale Police Department's Animal Control Unit.

Meresa Ruffinelli, Police Support Services Supervisor, provided an overview of the Avondale Animal Control Unit (AACU). This department has two full-time officers and one supervisor and operates seven days a week from 7:00 a.m. to 5:00 p.m. Park Rangers are cross trained to assist with handling animal control matters. A review of AACU responsibilities was provided to include enforcing ordinances; promoting responsible pet ownership; providing low-cost spay/neuter; impounding stray, loose, sick, or injured animals; and investigating/facilitating/prosecuting animal cruelty, among others. Procedures for addressing deceased and injured animals, leash laws, licensing requirements, animal bites, and after-hours stray dogs were discussed. Avondale does not have an animal shelter but partners with the City of Tolleson and Maricopa County Animal Care and Control.

In the State of Arizona, cats are considered free roaming and Animal Control will respond to sick or injured cats. A discussion ensued related to procedures and agencies that assist with feral cats that become a nuisance. Animal cruelty has many components, such as neglect, torture, and failure to provide shelter or medical care, among others, and an owner can be prosecuted. Barking dogs or noise complaints is another area where an owner can be prosecuted. The 2023 statistics note 2,041 animal matters were addressed, with 836 impounds.

Mayor Weise provided a background of the noise ordinances and mentioned the noise ordinance will be discussed at a future City Council meeting. Police Chief Espinoza noted many of the barking dog matters are resolved after bringing the situation to the owners' attention.

In response to a question by Council Member Malone, Ms. Ruffinelli clarified if a message is left after hours, a call will be returned first thing in the morning. If a call for service is received during business hours, the response time is less than 15 minutes. Chief Espinoza noted officers handle animal calls after hours.

Council Member Solorio thanked staff for the presentation, allowing City Council and residents to be aware of the process.

In response to a question by Vice Mayor Pineda, Ms. Ruffinelli clarified what is considered appropriate shelter for an animal.

Mayor Weise noted the need to educate pet owners on the importance of microchipping pets.

This item was for discussion only.

c. RESOLUTION 1035-0424 - AMENDMENTS TO THE PERSONNEL POLICIES AND PROCEDURES, CHAPTER 4 RECRUITMENT & SELECTION

City Council considered a request to adopt Resolution 1035-0424, amending the Personnel Policies and Procedures Chapter Policy 4, Recruitment and Selection related to hiring youth under age 18; revising the process for extending original and promotional probationary periods; revising the timeframe for original and promotional probationary evaluations to be completed; revising the timeframe associated with extensions of promotional probation; and clarifying available actions that can be taken when promotional probation is unsuccessful.

Andy Mesquita, Human Resources Director, presented an overview of revised language within the Personnel Policies and Procedures noting many currently exists in practice but the language changes memorialize it into the policies.

- Minimum age of applicants — This section was previously amended to allow the hiring of youth in temporary positions and is coming back for further revision to allow flexibility to hire youth for part-time positions. The language would read *“We follow all applicable State and Federal laws regarding minimum age required for employment.”*
- Authority — The added language will ensure the City Manager is included in decisions regarding the City’s recruitment and selection process. Presently, the authority to make significant decisions that impact policy interpretation related to recruitment and selection lies solely with the Human Resources Director.
- Probationary Period — The added language clarifies positions designated as “at-will” are not subject to a probationary period. Positions identified as “at-will” were presented to the City Council last year and are specific to Department Directors, Assistant City Managers, and Deputy City Managers hired after October 30, 2023. These positions do not get a probationary period because they continuously serve the City Manager and can be released with or without cause and without appeal rights.
- Original Probation Duration — The revised language provides clarity and consistency for a 12-month duration, which is the original probationary period. Presently, the language indicates the probationary period is subject to what is indicated in the offer letter.
- Original Probation Duration (Police and Fire) — The added language clarifies new recruits going through the academy will be on probation during the education period, but a new 12-month probationary period will begin once they become sworn officers.
- Extensions of Original Probation — The added language provides clarity on the timeframe associated with extending an employee's original probation and streamlines the process, which includes working with Human Resources and

providing written notice of the extension to the employee prior to the end of the 12-month probationary period.

- Performance Evaluation — The added language indicates the hiring manager or supervisor has 30 days to complete a performance evaluation upon successful completion of probation.
- Completing Original Probation Early — The current language remains with the addition of adding the City Manager to evaluate the request.
- Accrual of Leave During Probation — The language was enhanced to clarify probationary employees follow normal policy and will accrue and use leave in accordance with City policy.
- Demotion and Dismissal During Original Probation — This adds clarifying language that notice must occur prior to the end of the 12-month probationary period.
- Promotional Probation — The added language clarifies and assures alignment with details regarding the duration of promotional probation. Most employees who are promoted will serve a six-month promotional probationary period. However, the Public Safety department employees, including the Police and Fire Departments, are required to serve a 12-month promotional probationary period.
- Extensions of Promotional Probation — This process is like the original probation extension, except the employees who have a six-month promotional probationary period can receive up to a 12-month extension. Public Safety employees can receive up to a six-month extension.
- Performance Evaluation Promotional Probation — Like the original performance evaluation, the promotional performance evaluation must be completed within 30 days of successfully completing probation.
- Appeal Rights — This clarifies the language that employees on original probation can be demoted or dismissed without any right of appeal because they have not successfully completed the probationary period. Involuntary demotions are not subject to an appeal and dismissals during promotional probation are subject to the appeal process.
- Demotion and Dismissal of Promotional Probation Employees — The revised language clarifies the options available when an employee is unsuccessful during their promotional probationary period. An employee who is demoted while on probation is not required to serve a new probationary period unless an original probation period has not been completed. Language related to the reduction in force (RIF) was removed as an option.

Mayor Weise commended the improvements in these policies, especially the RIF language change in addition to the appeal process.

In response to Council Member Neilson, Mr. Mesquita explained probationary policies are not part of negotiations and these changes would not be affected by an MOU.

Council Member Solorio moved to adopt Resolution 1035-0424, amending the Personnel Policies and Procedures Chapter Policy 4, Recruitment and Selection, and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents; Council Member Conde 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

d. PRESENTATION AND DISCUSSION OF THE CITY MANAGER'S RECOMMENDED BUDGET

City Council received a general overview of the City Manager's proposed budget for fiscal year 2025 (FY2025).

Keith Fallstrom, Finance and Budget Assistant Director, provided an overview of changes to the City Managers FY2025 proposed budget since last month. A brief review of the calendar for the phases of the budget process was provided. Changes discussed are as follows:

- The FY2024 projection includes the purchase of the building for Southwest Family Advocacy Center as approved in today's consent agenda for \$5 million.
- The FY2025 Budget has two CIP projects that were refined:
 - Police Communications Bureau Remodel, which increased by \$2.4 million
 - Fire training tower, which increased by \$562,000
- FY2026 and beyond now incorporate the annual lease of the Southwest Family Advocacy Center building.

The General Fund forecast remains relatively balanced, with revenues exceeding expenses. FY26/27 is very close due to the reduction in the Residential Rental Tax and revenue from the Flat Tax. One-time revenues and expenses show the spending down of balances accrued over the years, but everything is still in good shape. The

amount of money in the General Fund remains above the stabilization and capital reserve. The goal is to spend taxpayer's money wisely.

The prioritization within this budget is to attract and retain qualified employees, and the budget includes compensation and benefit increases, a compensation study, and 13.4 additional FTEs. Current programs will be maintained, including the homeless services, covering additional recycling costs, and permitting software improvements. Expanding or adding new programs includes summer camp, website updates, and adjustments to WeRIDE services to meet demands. Work will continue with current projects, such as the Detention Center, Fire Station, and Reclamation Facility Expansion. New requests include the Fire Training Tower and micro-surface in Avondale.

Next steps will include meeting with the City Council regularly through June, with the adoption of the Final Budget on June 3, 2024.

Mayor Weise recommended that the view of the budget stay flexible when it comes to obtaining employees and watching revenue.

This item was for discussion only.

6. SUMMARY OF CURRENT EVENTS FROM MAYOR, VICE MAYOR, AND COUNCIL MEMBER

Council Member Nielson thanked those who participated in the Health and Resource Fair on Saturday. It was successful and helpful to the community.

Mayor Weise mentioned Norton Circle and how well that went, noting it was expanded to 100 homes.

Council Member White discussed her experience on the River Bottom Tour with the City Manager and the Police Department.

Mayor Weise mentioned the First Things First Statewide Executive Board will be visiting Neighborhood and Family Resources for a tour, lunch, and sit-down with himself and Chris. Council Members are welcome to come by.

7. 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

The meeting was adjourned at 07:35 p.m.


kenn weise (May 8, 2024 08:31 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 Regular Meeting of the Council of the City of Avondale held on the 8th day of April 2024. I further certify that the meeting was duly called and held, and that the quorum was present.



Marcella Sarmiento, City Clerk

May 6, 2024

Date Approved by City Council