

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
June 03, 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 5:36 p.m.

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

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

Note: Council Member Max White attended the meeting by telephone.

Members Absent: None.

Other Municipal Officials Present: Ron Corbin, City Manager; Tracy Stevens, Assistant City Manager; Nicholle Harris, City Attorney; Marcella Sarmiento, City Clerk; Edith Baltierrez, Neighborhood and Family Services Assistant Director; 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; Bryan Hughes, Parks and Recreation Director; Julie Knoll, Deputy City Clerk; Catherine Lorbeer, Deputy Director of Planning; Kimberly Moon, Engineering 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: Approximately fifteen members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION ITEMS (DISCUSSION ONLY)

a. EMPLOYEE INTRODUCTIONS

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

City Attorney's Office

- Blessing Adejo, Legal Intern
- Mary Grace McNear, Attorney II

Facilities

- Abraham Bandin, Building Maintenance Worker
- Rosamaria Brown, Day Porter

Finance and Budget Department

- Takiya Greene, Buyer

b. 4TH OF JULY FIREWORKS UPDATE

Varney Lopez, Police Lieutenant, provided information regarding the Avondale Police Department's response to firework calls for service. This item was for discussion only.

The Avondale Police Department responds to reports of the use of illegal fireworks year-round, however, enforcement details are deployed during the July 4th and New Year's Eve Holidays. Pursuant to Ariz. Rev. Stat. § 36-1606, consumer firework regulation use is May 4-6, June 24-July 6, and December 26-Jan 4. Consumers cannot use fireworks between 11:00 p.m. and 8:00 a.m., except on New Year's Eve and the 4th of July.

The City of Avondale is working with 6 police agencies on an educational campaign during the week of July 4th. The police department provides an educational campaign through social media and by visiting the vendors prior and during the holidays. Enforcement is done through dedicated officers for fireworks, aerial drone use, on-view activity in neighborhood, calls for service, and citations.

Firework calls and citation statistics were reviewed.

Mayor Weise spoke about his negative experience with fireworks. In response to a question, Lieutenant Lopez stated he prefers fireworks to be used in a public open space to avoid fires in backyards and homes.

Council Members Conde spoke about the importance of educating the public on calling when they see illegal fireworks.

Council Members Malone commended the Police Department on their work to enforce the fireworks law.

Council Member Nielson recommended using drones and incentives for residents who report a violation. Lieutenant Lopez stated the department currently uses drones and unmarked vehicles to monitor areas.

Council Member Solorio recommended the Marketing and Public Relations department promote the non-emergency number.

Vice Mayor Pineda recommended the city educate the public that the city takes fireworks seriously.

Council Member White expressed concern for her veteran neighbors and encouraged residents to attend the Light Up the Sky event.

3. UNSCHEDULED PUBLIC APPEARANCES

Gonzalo Ortiz discussed the devastating fire that destroyed St. Williams Catholic Church and thanked all the first responders, everyone who has donated gift cards, the Mayor, City Council, and the community for their support. He also thanked Mercy House for offering their facility as a place to provide food and necessities to those in need.

Leo Ekdahl discussed a recently purchased home that is seeking permits for SMI (Severely Mental Ill) housing within his neighborhood. Mr. Ekdahl expressed safety concerns based on the vicinity of three schools and many growing children within the neighborhood. He asked the Council to do what they can to not allow this to happen.

Diana Duke discussed the same matter as Mr. Ekdahl, noting having unstable people living next door is disheartening and frightening. She is not against helping others but feels this family neighborhood is not the best place for this house to be. In an attempt to stop this home from going into the neighborhood, calls have been made to the mayor's office, Congressman Grijalva, Council Member Nielson, and the Police Department.

Yvonne Hopper discussed the same matter, noting everyone has rights. She is asking for the rights of the neighborhood residents to be protected as well and requests the Council to give everything they have to deliver on their promises of serving the community.

4. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

Mayor Weise asked if any Council Member wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Council Member Nielson, seconded by Vice Mayor Pineda, 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 May 6, 2024 City Council meeting minutes.

b. ADOPTION OF THE FISCAL YEAR 2025 PENSION FUNDING POLICY

City Council adopted an updated Pension Funding Policy for Fiscal Year 2025 and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

c. WIRED TELECOMMUNICATIONS LICENSE AND RIGHT-OF-WAY USE AGREEMENT WITH LIGHT SOURCE COMMUNICATIONS, LLC

City Council approved a new Wired Telecommunications License and Right-of-Way Use Agreement with Light Source Communications, LLC, to allow the placement of fiber telecommunication infrastructure in City right-of-way, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

d. RESOLUTION 1050-0624 - GRANT ACCEPTANCE FROM WATER INFRASTRUCTURE FINANCE AUTHORITY (WIFA) OF ARIZONA FOR ENHANCED WATER EFFICIENCY AUDITS

City Council a) adopted Resolution 1050-0624, accepting grant funding from Water Infrastructure Finance Authority of Arizona (WIFA) for Enhanced Water Efficiency Audits in the amount of \$52,500; b) authorized and direct 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 1052-0624 - DESIGNATION OF CHIEF FISCAL OFFICER FOR THE ANNUAL EXPENDITURE LIMITATION REPORT (AELR)

City Council adopted Resolution 1052-0624, designating Renee Weatherless as the Chief Fiscal Officer for the submittal of the AELR and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. RESOLUTION 1053-0624 - COMPREHENSIVE FINANCIAL POLICIES

City Council adopted Resolution 1053-0624, adopting Comprehensive Financial Policies and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

g. RESOLUTION 1055-0624 - INTERGOVERNMENTAL AGREEMENT WITH THE AGUA FRIA UNION HIGH SCHOOL #216 FOR TRANSPORTATION FOR RECREATION CAMPS AND PROGRAMS

City Council adopted Resolution 1055-0624, authorizing an Intergovernmental Agreement with the Agua Fria Union High School #216 to provide transportation services for youth recreation camps and programs and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

h. ORDINANCE 2014-0624 – ABANDONMENT OF FINAL PLATS FOR FLEMING FARMS AND FLEMING FARMS, LOT 2

City Council adopted Ordinance 2014-0624 authorizing the abandonment of the final plats for Fleming Farms and Fleming Farms, Lot 2, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

i. AMENDED FINAL PLAT FOR ALTA AVONDALE - APPLICATION PL-24-0054

City Council (a) approved Application PL-24-0054, a request by Derek Nichols, PE, with Wood, Patel and Associates, Inc., on behalf of Alta Avondale, LLC, for approval of the Amended Final Plat for Alta Avondale generally located north of Van Buren Street and east of Avondale Boulevard and (b) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

j. FINAL PLAT FOR HERMOSA RANCH – APPLICATION PL-23-0372

City Council (a) approved Application PL-23-0372, a request from Parker Froehlich of Coe and Van Loo Consultants, Inc., on behalf of Hermosa North, LLC, for approval of the Final Plat for Hermosa Ranch located at the southwest corner of Avondale Boulevard and Lower Buckeye Road, and (b) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

5. REGULAR AGENDA

a. PUBLIC HEARING – TRUTH IN TAXATION HEARING SETTING FORTH THE INTENT TO RAISE THE PROPERTY TAX LEVY

City Council held a public hearing and considered a request to set forth the City's intent to levy primary property taxes in the amount of \$0.6241 per hundred (\$100) of assessed valuation and secondary property taxes in the amount of \$0.8351 per hundred (\$100) of assessed valuation and set the property tax adoption for June 17, 2024 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Renee Weatherless, Director of Finance & Budget, provided an explanation of Truth in Taxation, noting it is required when you levy more than you did the prior year. Per statute, the levy can increase up to 2% annually and there are public notice requirements that result from this. The property tax consists of the primary property tax which is used for general purposes and the secondary tax which is used solely to repay bond principal and interest. The proposed levy for FY25 focuses on the primary property tax which increases by \$304,630 but the tax rate decreases by \$1.32. The increase is the result of increased property values. With the addition of the secondary tax, approximately \$9.5 million will be generated in tax revenue.

It is recommended to set forth the intent to raise the property tax levy with the Council acting two weeks after the adoption of the budget.

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.

In response to Mayor Weise's questions, Ms. Weatherless notes Avondale's property tax rate is on the lower end. The financial policy has a \$2.00 cap on the tax rate, but the trend is going down because of property values.

Council Member Solorio moved to approve a request to set forth the City's intent to levy primary property taxes in the amount of \$0.6241 per hundred (\$100) of assessed valuation and secondary property taxes in the amount of \$0.8351 per hundred (\$100) of

assessed valuation and set the property tax adoption for June 17, 2024 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Council Member Nielson seconded the motion.

Upon roll call 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

b. RESOLUTION 1051-0624 - FISCAL YEAR 2025 PROPOSED FEE CHANGES

City Council considered a request to adopt Resolution 1051-0624, approving the Fiscal Year 2025 proposed fee changes and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Renee Weatherless, Director of Finance & Budget, provided an overview of the fee changes that are being proposed to eliminate outdated fees, update fees to account for updated pricing, create new fees, and align with surrounding communities. All posting requirements were met.

Kimberly Moon, Director of Engineering, discussed the engineering service fee changes developed to reflect actual costs and align with surrounding communities. Comments were received related to telecommunication projects, specifically the plan review fee, construction permit for boring and permit fee for handhold vaults. City staff have met with telecommunication agencies and recommend changes to the fee schedule, creating new fees and a new section for telecommunications in response to feedback from fiber companies and reducing costs. The number of fiber projects are increasing, and telecommunications infrastructure continues to change over time. City staff will continue to work with the telecommunications industry so Avondale can be competitive in the mkt and help ensure quality services to the residents and businesses of Avondale. Staff recommend revisions to the fee schedule as proposed. Fees assist in covering the cost to inspect and make corrections associated with fiber infrastructure installations. Staff recommend revisions to the fee schedule as proposed.

Mayor Weise noted the extended period between fee updates creates what appears as a significant increase and suggested reviews be conducted on a regular basis going forward.

Ms. Weatherless noted the recommendation is for the Council to adopt Resolution 1054-0624 to approve the fiscal year 2025 summary of proposed fee changes. The next steps will be to post the new schedule prior to July 1, which is the effective date of the new fees.

Mayor Weise opened the public hearing and received two previously submitted comments.

Gregg Dysart remarks, “to pay for a police report about my local street at \$5.00 per report per day costs is unamerican. Voters expect that our government will provide transparency and not fee out a citizen from understanding city safety issues. Taxpayers fund our police to report back to citizens. In a voting year, listen to voters. We will vote against those who vote to prevent open data and worse make money a barrier to freedom of information. We appeal to the Council, be mindful that inflation is costing us all more than we can absorb. Voters expect the government to do more with less as we all endure each trip to the local grocery store. Voters don’t want memorial park benches. Voters only get a 4-day work week from city staff. Voters don’t need to pay for police reports and voters don’t want the City Council to approve any property tax increases until you cut back first on all department expenditures. Vote no on more spending and vote yes on resolutions to restore a commonsense approach to each of these. The City of Avondale cut costs first.”

Avondale Voter remarks, “in the economic environment, it is a failure of the City Council to raise rates rather than cutting the budget. There is no reason to add city staff, approve projects that are high in job creation and stop allowing city staff to spend taxpayer dollars doing work outside of the scope of their jobs. When the recycling truck spills trash all over the street not one of two people in the truck stop to clean up the mess; seems like you could cut one of those jobs. Voters will elect candidates according to how they vote on issues affecting our communities leading into the next elections for mayor and city council. The city council and mayor should vote no to adopt new fees that will crush working households across Avondale.”

Mayor Weise closed the public hearing and opened the floor for comments from Council.

Mayor Weise discussed the importance of the City Council conducting an in-depth review of the fee structures. Mr. Corbin recommended this be conducted during a work session as it would affect policies. Council members concurred with the suggestion and a work session will be scheduled in September.

Council Member Nielson moved to adopt Resolution 1051-0624, approving the Fiscal Year 2025 proposed fee changes and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; 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

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

Mayor Weise stated there will be a fundraiser for the Selby family at the 8-Bit Aleworks on Saturday with 25% of their sales that night being donated to the family.

Council Member Conde and Council Member Malone praised the Parks and Recreation program and thanked Bryan Hughes for his service.

Council Member White thanked Mr. Hughes for his dedication to the Parks and Recreation Department.

7. ADJOURNMENT

There being no further business before the Council, Vice Mayor Pineda moved to adjourn the Regular Meeting; Council Member Nielson 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 6:45 p.m.


kenn weise (Jul 3, 2024 09:11 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 3rd day of June 2024. I further certify that the meeting was duly called and held, and that the quorum was present.


Marcella Sarmiento, City Clerk

July 1, 2024
Date Approved by City Council