

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
September 9, 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 5:30 p.m.

Mayor Kenn Weise led the Pledge of Allegiance, followed by a moment of silent reflection in remembrance of Phoenix Police Officer Zane Coolidge who was killed in the line of duty on September 3, 2024. Additionally, Mayor Weise asked for a moment of silent reflection for Phoenix Police Officer Matthew Haney who was also injured in the incident.

Members Present: Mayor Kenn Weise; Vice Mayor Mike Pineda; Councilmembers 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; Katie Gregory, Assistant City Manager; Dale Nannenga, Deputy City Manager; Lisa Maxie-Mullins, Deputy City Attorney; Marcella Sarmiento, City Clerk; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Kirk Beaty, Public Works Director; Barbara Copping, City Auditor; Cheryl Covert, Interim Economic Development Services Director; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Corey Larriva, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Kimberly Moon, Engineering Director; Jodie Novak, Development Services Director; Larry Rooney, Fire Chief; Jeffrey Scheetz, Chief Information Officer; Pier Simeri, Marketing and Public Relations Director; Ted Flores, Human Resources Assistant 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. NEW EMPLOYEE INTRODUCTIONS

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

City Manager's Office

- Sandy Moshi, Management Intern

Development Services Department

- Mark Byrd, Deputy Building Official
- Christina LaVelle, Senior Planner

Fire and Medical Department

- Parker James, Firefighter
- Alan Galvez, Firefighter

Information Technology Department

- Tanner Engelhardt, Help Desk Technician

Engineering Department

- Chris Ray, CIP Project Manager

Finance and Budget Department

- Emily Zenk, Senior Budget Analyst
- Vasile Samartinean, Revenue Manager

Parks, Recreation, & Libraries Department

- Marysol Ortiz, Recreation Programmer
- Brittany Garcia, Administrative Assistant
- Stacy Swainston, Assistant Director

b. EMPLOYEE RECOGNITION – CERTIFIED DESTINATION MANAGEMENT EXECUTIVE (CDME)

City Council recognized Nikki Taylor for earning the Certified Destination Management Executive (CDME) designation. This item was for discussion only.

c. PROCLAMATION – NATIONAL SUICIDE PREVENTION MONTH

City Council presented a Proclamation recognizing September 2024 as National Suicide Prevention Month. This item was for discussion only.

d. PUBLIC ART UPDATE

City Council received an update from staff regarding Public Art. This item was for discussion only.

Dominic DeCono, Senior Management Analyst and Stephanie Flood, Library Manager, presented an update on the Public Art Program that included completed projects, projects in progress, upcoming projects, and funding.

The Public Art Program utilized the 2021 Master Plan as a guide on art project priorities within the city and to guide decisions and best practices. Public art not only humanizes the environment and invigorates space but adds cultural, social, and economic value to the community.

Over the past year thirteen projects were completed and three are in progress, three art sponsorships totaling \$7,000 were approved through the Municipal Art Committee, and four scholarships were awarded through the high school arts competition.

There are three funding sources for Public Art being the Public Art Fund, which is money from the General Fund and fees from developers: CIP program, and the private sector. The Public Art fund has a balance of \$525,000 with approximately \$97,000 under contract. This Fiscal Year \$314,000 has been budgeted for CIP Public Art with \$146,000 under contract.

Ms. Flood reviewed the projects completed in 2024 which included the sculpture at the Aquatic Center, the mural at Goodyear Farm Cemetery, Historic Marker at Cashion, and the traffic wraps on McDowell Road and Dysart Road.

Mr. DeCono reviewed the three projects in progress being the Nexus at the North Public Safety Facility, the Inspiring Yount Minds at the Mountain View Community Center, and Confluence at Park Avenue Plaza. An overview of the nine projects

planned for FY 2025 was reviewed which included five from the Public Arts Fund, three from the CIP fund, and one from a Private Developer.

Mayor Weise suggested an art piece should be included in the long-term planning along with the building of the train station. It was also noted that Cooper's Hawk Winery is coming to Avondale and is the private developer putting Park 10 Mural(s) on their building.

Ms. Flood explained the Confluence sculpture will be lit however she is unsure if the Nexus will be. Marketing is working on creating a map of all the wonderful public art within Avondale.

Mr. Corbin explained the commission is working on partnerships to offer visual, musical, and use the amphitheater to provide a variety of art within Avondale.

Councilmembers were very grateful for what is being done around the city.

e. AQUATIC CENTER UPDATE

City Council received an update from staff regarding the Avondale Aquatic Center operations. This item was for discussion only.

Mark Foote, Aquatic Center Supervisor, provided an update on the operations since opening in April through Labor Day.

- 75,000 people utilized the facility.
 - 60,000 people for public swim
 - 11,000 prebooking
 - 44,000 resident attendants
 - 3,000 non-resident guests
 - 1,000 for camps and other events
- They received 4.3 stars via Google reviews
- Room rentals are full every Friday through Sunday
- 62 part-time/seasonal employees completed 5,000 shifts or 21,000 hours over the past four-months
- 95% of the swimming lessons and classes have wait list
 - 1,500 individual registrations
 - Classes meet eight times per session
 - 15,000 individual visits to the center

Overall revenues were just over \$230,000 which fell between FY24 (\$143,000) and FY25 (\$86,726) and exceeding estimated revenues and will continue to grow as operations continue during FY25.

Mr. Foote reviewed seven events that were hosted by the Aquatic Center between April 11, 2024, and August 1, 2024. The facility received the 2024 Outstanding Facility Award from the Arizona Parks and Recreation Association two weeks ago. Many external groups partner with the facility including the local high schools for swim

meets, the Arizona Parks and Recreation Association Lifeguard Challenge, Micheal Phelps Foundation, the Boys and Girls Club, and food trucks during public swim.

A lot has been learned over the past four months and modifications are being planned for staffing efficiency, adding security and maintenance staff. Based on the community interest's night swim, swimming lessons, swimming team, water polo, and pool bookings will be expanded. This is a year-round facility, and the fall programming was reviewed as well as upcoming special events scheduled for September 28, 2024, October 10, 2024, and November 16, 2024.

Councilmembers Solorio spoke about the successful decision to open the facility to residents only and the helpful staff. Mr. Foote discussed the surprising and appreciated support of residents from the beginning, especially with a year-round facility. Mayor Weise suggested having football Sunday events and a brief discussion ensued.

3. UNSCHEDULED PUBLIC APPEARANCES

None.

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. Councilmembers may pull items from consent if they would like them considered separately.

Mayor Wiese announced that staff has requested agenda item 4g be removed from the Consent Agenda and presented with the Regular Agenda. Mayor Weise asked if any Councilmember wished to have another item removed from the Consent Agenda. Motion was made by Councilmember Solorio, seconded by Councilmember White, to approve the Consent Agenda with the exception of item 4g.

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

Councilmember Conde	Aye
Councilmember Malone	Aye
Councilmember Nielson	Aye
Councilmember Solorio	Aye
Councilmember White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

a. MINUTES

City Council approved the August 19, 2024 City Council meeting minutes.

b. RESOLUTION 1087-0924 - FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY HUMAN SERVICES DEPARTMENT- LEGACY AVONDALE HOUSING REDEVELOPMENT PROJECT PHASE 3 AND AVONDALE INFILL HOUSING PROGRAM

City Council adopted Resolution 1087-0924, approving a First Amendment to an Intergovernmental Agreement with the Maricopa County Human Services Department (MCHSD) for the development of affordable housing in Avondale and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

c. RESOLUTION 1088-0924 - INTERGOVERNMENTAL AGREEMENT WITH AGUA FRIA UNION HIGH SCHOOL DISTRICT #216 - SCHOOL RESOURCE OFFICER

City Council adopted Resolution 1088-0924, authorizing an Intergovernmental Agreement between the Agua Fria Union High School District #216 and the City of Avondale to share the cost of providing a School Resource Officer at Agua Fria High School to provide a safer learning environment during the 2024/2025 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

d. RESOLUTION 1089-0924 - INTERGOVERNMENTAL AGREEMENT WITH TOLLESON UNION HIGH SCHOOL DISTRICT #214, LA JOYA/WESTVIEW - SCHOOL RESOURCE OFFICER

City Council adopted Resolution 1089-0924, authorizing an Intergovernmental Agreement with Tolleson Union High School District #214 and the City of Avondale to share the cost of providing School Resource Officers (SROs) at La Joya and Westview High Schools to provide a safer learning environment during the 2024/2025 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

e. RESOLUTION 1090-0924 - INTERGOVERNMENTAL AGREEMENT WITH AMERICAN CHARTER SCHOOLS FOUNDATION, ESTRELLA HIGH SCHOOL - SCHOOL RESOURCE OFFICER

City Council adopted Resolution 1090-0924, authorizing an Intergovernmental Agreement between the American Charter Schools Foundation and the City of Avondale to share the cost of providing a School Resource Officer at Estrella High School to provide a safer learning environment during the 2024/2025 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. RESOLUTION 1091-0924 - INTERGOVERNMENTAL AGREEMENT WITH TOLLESON UNION HIGH SCHOOL DISTRICT #214, WEST POINT HIGH SCHOOL - SCHOOL RESOURCE OFFICER

City Council adopted Resolution 1091-0924, authorizing an Intergovernmental Agreement between the Tolleson Union High School District #214 and the City of Avondale to share the cost of providing a School Resource Officer at West Point High School to provide a safer learning environment during the 2024/2025 school year and

authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

g. ORDINANCE 2026-0924 – AMENDING THE AVONDALE CITY CODE, CHAPTER 3, ARTICLE II, LIVESTOCK, FOWL, ETC TO ALLOW FOR BACKYARD FOWL

Agenda item 4g was pulled from the Consent Agenda for further discussion. Item discussion and vote is listed below with Regular Agenda item 5b.

5. REGULAR AGENDA

a. GENERAL OBLIGATION (G.O.) BONDS

City Council a) received a presentation from staff related to General Obligation (G.O.) bonds and information on a potential November 2025 ballot question; b) considered a request to adopt Resolution 1092-0924, approving the creation of the Avondale 2025 Citizen Bond Election Committee and the adoption of the Citizen Bond Election Committee bylaws; and c) considered a request to authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Renee Weatherless, Director of Finance and Budget, discussed the potential bond election in November 2025, creating a Citizen Bond Committee, and adopting Committee bylaws. General Obligation (G.O.) Bonds require voter approval/authorization during a November election. They are rated by two credit rating agencies which tell investors what the risk is and what affects the interest rates. Avondale has an AAA or AA rating which equals a low risk and interest rates. G.O. Bonds are used to fund infrastructure within the city and are repaid using a secondary property tax. Ms. Weatherless reviewed and discussed the current primary tax rate of \$1.46 / \$100.00 of assessed valuation. The primary tax funds operational expenses for the city and the secondary tax solely repays any debt or obligations of the city. The adopted financial policies say the combined tax rate will not exceed \$2 / \$100 of assessed valuation.

The city has two categories with remaining prior authorization, being Water and Sewer with \$15.5 million and Streets with \$9.2 million. All others would need new authorization solicited in those areas. When you look at the five-year CIP and projects that were presented during the FY2025 budget, the Water Reclamation Facility Expansion Project has an estimated cost of \$133 million. This project will use \$8.5 million of prior authorized debt, upon approval from the City Council and the remaining \$4 million would need to be solicited from the voters. The proposal is to have the additional \$100 million issued in \$20 million increments over five years which would allow the city to maintain a consistent tax rate.

The proposal is to create a Citizen Bond Election Committee that reports to City Council. There would be seven members and two alternates. Members would meet with city departments and identify anticipated capital needs, prioritize future projects, inform questions to voters of potential G.O. voter authorization, and make a final recommendation to the City Council by April 2025. The timeline was reviewed, and the Council was reminded they are only voting on the creation of the committee.

Councilmembers were given an opportunity to ask questions and comment. Mayor Weise spoke of the importance for community members to understand what is required and to have a voice. A discussion ensued on the process for selecting community members to serve on the committee.

Councilmember White moved to adopt Resolution 1092-0924, approving the creation of the Avondale 2025 Citizen Bond Election Committee and the adoption of the Citizen Bond Election Committee bylaws and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Councilmember Solorio seconded the motion.

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

Councilmember Conde	Aye
Councilmember Malone	Aye
Councilmember Nielson	Aye
Councilmember Solorio	Aye
Councilmember White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

Note from the Clerk: Consent Agenda Item 4g is listed below with Regular Agenda Item 5b.

b. PUBLIC HEARING

City Council held a public hearing and considered a City-initiated request to adopt Ordinance 2027-0924, approving text amendments to the Zoning Ordinance to modify definitions and standards in the Zoning Ordinance to reflect recent changes in State law related to backyard fowl, provide for cross- references, and address the overall accuracy and usability and authorized the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

Catherine Lorbeer, Deputy Director of Planning, explained the purpose of the text amendments to the Zoning Code Chapters 3 and 28 related to backyard chickens are in response to recent changes to the State Law and the passage of HB-2325 that allows single-family detached residences to keep up to six chickens in their backyard. The bill becomes effective on September 14, 2024.

The proposed changes are:

- ▶ Section 3-17, (New) Definitions – Add definition for backyard fowl
- ▶ Section 3-26, (New) Allowance – Allowance for up to six backyard fowl, and enclosure as discussed in Section 28-133 (e)
- ▶ Section 28-15, Definitions – Backyard fowl will be defined consistent with State Law which excludes roosters. Swine will be removed from the definition of farm animals because the City Code prohibits them.

- ▶ Section 28-33(g), Permitted Uses with Conditions – Farm animals are permitted in certain areas with conditions, typically the larger lot zoning districts, but specifically by right in the agricultural zones. Backyard fowl will be added to subsection (g) and cross referenced to the City Code Chapter 3 which discusses the keeping of livestock and fowl. Additionally, text about keeping livestock will be removed because it is also contained in Chapter 3.
- ▶ Section 28-133 (e), Detached Accessory Buildings – The word fowl will be removed within the height limitation language because the changes to State Law set the max height for a chicken enclosure at 8-feet.

All required notifications were completed, the Chapter 28 revisions are posted on Avondale Connect, and one comment was received in support of the changes. The Planning Commission conducted a public hearing on August 21, 2024. No questions or comments were offered, and the motion passed 5-0 to recommend approval of Chapter 28 changes to the City Council.

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.

Councilmembers were given an opportunity to ask questions and comment. Mayor Weise discussed Avondale being a “Charter City” and the potential future need to push back on legislative decisions have overreached their authority.

Councilmember Vice Mayor Pineda moved to adopt Ordinance 2026-0924, amending the Avondale City Code, Chapter 3, Article II, Livestock, Fowl, etc. to allow for Backyard Fowl, and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents; Councilmember Nielson seconded the motion.

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

Councilmember Conde	Aye
Councilmember Malone	Aye
Councilmember Nielson	Aye
Councilmember Solorio	Aye
Councilmember White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

Councilmember Conde moved to adopt Ordinance 2027-0924, approving Application PL-24-0174, Zoning Ordinance Text Amendment, a request for text amendments to the City of Avondale Zoning Ordinance and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents; Councilmember Malone seconded the motion.

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

Councilmember Conde	Aye
Councilmember Malone	Aye
Councilmember Nielson	Aye
Councilmember Solorio	Aye
Councilmember White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

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

Mayor Weise stated the Phoenix Law Enforcement Association is holding a fundraiser for fallen Officer Zane Coolidge tomorrow at 1102 West Adams Street from 10:00 a.m. to 9:00 p.m.

Councilmember Conde recognized Councilmember Nielson and his wife Patty and the 95 volunteers who made beds for Sleep in Heavenly Peace. Over thirty beds were delivered and assembled along with mattresses, pillows, and comforters to children who are currently sleeping on the floor.

Mayor Weise reminded everyone the anniversary of 9/11 is in two days and to take a moment to remember the events of that day and how it affected our nation.

7. ADJOURNMENT

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

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

Councilmember Conde	Aye
Councilmember Malone	Aye
Councilmember Nielson	Aye
Councilmember Solorio	Aye
Councilmember White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

The meeting was adjourned at 7:01 p.m.


kenn weise (Oct 8, 2024 05:27 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 9th day of September 2024. I further certify that the meeting was duly called and held, and that the quorum was present.



Marcella Sarmiento, City Clerk

October 7, 2024

Date Approved by City Council