



City of Avondale

City Council Meeting

Monday, October 21, 2024

Mayor and Council

Mike Pineda, Mayor

Tina Conde, Councilmember		Jeannette Garcia, Councilmember
Curtis Nielson, Councilmember		Veronica Malone, Councilmember
Gloria Solorio, Councilmember		Max White, Councilmember

Administration

Ron Corbin, City Manager

Tracy Stevens, Assistant City Manager		Katie Gregory, Assistant City Manager
Dale Nannenga, Deputy City Manager		Nicholle Harris, City Attorney

Marcella Sarmiento, 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 the City Council shall appear in person to speak.



City Council Meeting Notice & Agenda Monday, October 21, 2024

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

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

5:30 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. PRESENTATION ITEMS (DISCUSSION ONLY)

a. NEW EMPLOYEE INTRODUCTIONS

The following Finance and Budget Department employees will be presented to City Council. This item is for discussion only.

- Shawn Pierce, Grants Coordinator
- Laura Robinson, Procurement Officer

b. 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.

3. UNSCHEDULED PUBLIC APPEARANCES (Time is limited per person. Please state your name.)

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.

a. MINUTES

City Council will consider a request to approve the September 23, 2024 and October 7, 2024 City Council meeting minutes. The Council will take appropriate action.

b. QUARTERLY BUDGET TRANSFER

City Council will consider requests to approve the Fiscal Year 2025 budget for carryover appropriation and approve quarterly budget transfers as summarized in the attached Exhibit A, increase the award authority for the projects and authorize Finance and Budget Department staff to take the steps necessary to execute the transfers. The Council will take appropriate action.

c. AMERICAN RESCUE PLAN ACT (ARPA) PLAN UPDATE

City Council will consider a request to modify the city's American Rescue Plan Act (ARPA) plan as summarized in the attached Exhibit A and facilitate the modification of the city's ARPA plan by authorizing Finance and Budget Department staff to take the steps necessary to execute the necessary budget transfers. The Council will take appropriate action.

d. RESOLUTION 1101-1024 - AUTHORIZING GRANT ACCEPTANCE FROM GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR DUI/IMPAIRED DRIVING ENFORCEMENT OVERTIME

City Council will consider a request to: a) adopt Resolution 1101-1024, authorizing a grant provided by the Governor's Office of Highway Safety in the amount of \$25,000, which will support the Police Department's funding of Personnel Services (Overtime), and Employee Related Expenses to enhance DUI/Impaired Driving Enforcement Overtime throughout the City of Avondale; b) authorize 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) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. RESOLUTION 1102-1024 - AUTHORIZING GRANT ACCEPTANCE OF 100 CLUB OF ARIZONA'S SAFETY ENHANCEMENT STIPEND AWARDS

City Council will consider a request to: a) adopt Resolution 1102-1024, authorizing a grant provided by the 100 Club of Arizona in the amount of \$9,000; b) authorize and direct staff to take all steps necessary to cause the execution of the Agreement; and c) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

f. RESOLUTION 1103-1024- AUTHORIZING BANKING & INVESTING AUTHORITY

City Council will consider a request to adopt Resolution 1103-1024, authorizing certain city officials and staff to execute and endorse checks and other items for and on behalf of the City, authorizing certain city staff to authorize certain electronic payments and transfers of funds, authorizing certain city staff to open investment and safekeeping accounts, invest city funds, and execute contracts, agreements or transactions in connection with such investment accounts, and declaring an emergency; and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take the appropriate action.

5. REGULAR AGENDA

a. ORDINANCE 2030-1024 - AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR PUBLIC USE AS A TRAILHEAD AND RELATED PARKING AREA

City Council will consider a request to adopt Ordinance 2030-1024, authorizing the acquisition of real property for public use as a trailhead and related parking area and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

b. SELECTION OF NEW VICE MAYOR

City Council will accept nominations and designate one of its members as Vice Mayor for a partial term (until the next full-term selection in January 2025). The Council will take appropriate action.

6. SUMMARY OF CURRENT EVENTS FROM MAYOR, VICE MAYOR, AND COUNCILMEMBERS

(5 minutes)

7. 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 claim of Daeng Phongsavath.

Councilmembers 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.

ITEM NUMBER: 2.b.

SUBJECT: Exceptional Student of Avondale Recognition (Avi Star Student)

MEETING DATE: 10/21/2024

TO: Mayor and Council

FROM: Christopher Lopez, Neighborhood and Family Services Director

THROUGH: Tracy Stevens, Assistant City Manager

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Creative and Sustainable Community Development - Avondale is committed to creating a sense of place, a community of residents and local businesses unified by pride and common values.
-

PURPOSE:

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

BACKGROUND:

The Avi Star Student recognition goes to an Avondale student(s) who are to be recognized for their achievements. The achievement may be academic, extracurricular or personal and highlights the impact the student has made for themselves, their family, school, or community.

DISCUSSION:

Avondale students will be recognized for their character and achievement.

BUDGET IMPACT:

None

RECOMMENDATION:

This item is for information and discussion only.

Contact person for document distribution: Christopher Lopez; Edith Baltierrez; Donna Gardner

ITEM NUMBER: 4.a.

SUBJECT: Minutes

MEETING DATE: 10/21/2024

TO: Mayor and Council

FROM: Marcella Sarmiento, City Clerk

THROUGH: Tracy Stevens, Assistant City Manager, (623) 333-1014

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area: Connected Community - Avondale will work directly and closely with our communities to develop programs and infrastructure that connect residents to the city's resources, the region, and each other. The approval of this agenda item provides residents with access to a previous meeting's minutes. The meeting minutes provide another outlet for residents to connect with the City Council.

PURPOSE:

City Council will consider a request to approve the September 23, 2024 and October 7, 2024 City Council meeting minutes. The Council will take appropriate action.

BACKGROUND:

Pursuant to Arizona Revised Statute § 38-431.01(B), the City must provide written minutes of all City Council meetings.

DISCUSSION:

City Council held a meeting and the attached minutes have been prepared for approval.

BUDGET IMPACT:

This item has no budget impact.

RECOMMENDATION:

Staff recommends City Council approve the September 23, 2024 and October 7, 2024 City Council meeting minutes.

Contact person for document distribution: Chris Pierson

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
September 23, 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.

Cub Scouts – Pack 91 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, Curtis Nielson, Gloria Solorio, and Max White.

Members Absent: Council Member Malone.

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 Coppage, City Auditor; Cheryl Covert, Interim Economic Development Services Director; Justin Ernst, Assistant Chief; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Jerie Guajardo, Family Services Manager; Julie Knoll; Deputy City Clerk; Corey Larriva, Parks and Recreation Director; Catherine Lorbeer, Deputy Director of Planning; Andy Mesquita, Human Resources Director; Kimberly Moon, Engineering Director; Jeffrey Scheetz, Chief Information Officer; Pier Simeri, Marketing and Public Relations Director; and Renee Weatherless, Finance and Budget Director.

Audience: Approximately 20 members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION ITEMS (DISCUSSION ONLY)

a. NEW EMPLOYEE INTRODUCTIONS

The following employee was introduced to City Council. This item was for discussion only.

Office of Public Safety

- Martha Ortiz, Lead Code Compliance Officer (promotion)

b. PROCLAMATION – OVARIAN CANCER AWARENESS MONTH

City Council presented a Proclamation recognizing September as Ovarian Cancer Awareness Month. This item was for discussion only.

c. PROCLAMATION – HISPANIC HERITAGE MONTH

City Council presented a Proclamation recognizing September 15, 2024, through October 15, 2024 as Hispanic Heritage Month. This item was for discussion only.

3. UNSCHEDULED PUBLIC APPEARANCES

Amber Medina, leader of Cub Scouts – Pack 91, provided a brief overview noting the troop has 12 scouts and 4 siblings, they are sponsored by the American Legion Post 61. The Scouts participate in various activities throughout the year such as STEM, outdoor activities, leadership skills, and citizenship. They go camping twice a year, participate in various community events, and schedule two meet and greets per year with their next one being the Avondale Fire Department.

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. Council Member White requested agenda item 4g to be removed for separate consideration. Motion was made by Council Member Solorio, seconded by Council Member White, to approve the Consent Agenda with the exception of agenda item 4g.

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Conde	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 August 26, 2024, City Council meeting minutes.

b. RESOLUTION 1093-0924 - INTERGOVERNMENTAL AGREEMENT WITH AVONDALE ELEMENTARY SCHOOL DISTRICT #44, MICHAEL ANDERSON ELEMENTARY SCHOOL – SCHOOL RESOURCE OFFICER

City Council adopted Resolution 1093-0924, authorizing an Intergovernmental Agreement with the Avondale Elementary School District to share the cost of providing a School Resource Officer (SRO) at Michael Anderson Elementary 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.

c. RESOLUTION 1094-0924 - INTERGOVERNMENTAL AGREEMENT WITH AVONDALE ELEMENTARY SCHOOL DISTRICT #44, AVONDALE MIDDLE SCHOOL – SCHOOL RESOURCE OFFICER

City Council adopted Resolution 1094-0924, authorizing an Intergovernmental Agreement with the Avondale Elementary School District to share the cost of providing a School Resource Officer (SRO) at Avondale Middle 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 1095-0924 - INTERGOVERNMENTAL AGREEMENT WITH THE SALT RIVER PIMA MARICOPA INDIAN COMMUNITY

City Council adopted Resolution 1095-0924, approving an Intergovernmental Agreement with the Salt River Pima Maricopa Indian Community (“SPRMIC”), allowing the SPRMIC to remove and take possession of invasive vegetation in 21 acres of city property in the Agua Fria Riverbed near Festival Fields Park and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

e. RESOLUTION 1096-0924 - GRANT ACCEPTANCE OF A VICTIMS OF CRIME ACT (VOCA) GRANT FROM THE ARIZONA DEPARTMENT OF PUBLIC SAFETY

City Council adopted Resolution 1096-0924 authorizing the City of Avondale’s acceptance of grant funding through the Arizona Department of Public Safety / Victims of Crime Act (VOCA) Grant in the amount of \$300,810 to the City of Avondale Police Department/Southwest Family Advocacy Center over the period October 1, 2024, through September 30, 2025, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. RESOLUTION 1097-0924 - AUTHORIZING PASS-THROUGH GRANT FROM TOHONO O’ODHAM NATION

City Council adopted Resolution 1097-0924, authorizing the City of Avondale’s acceptance of grant funding through the Tohono O’odham Nation and passing those grant funds to the Arizona Justice Center, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

g. RESOLUTION 1098-0924 - AUTHORIZING TECHNICAL ASSISTANCE ACCEPTANCE FROM DEPARTMENT OF ENERGY

This item was pulled from the consent agenda for further discussion. Item is listed below in more detail.

h. ORDINANCE 2028-0924 AND ORDINANCE 2029-0924 – ABANDONMENT OF BELMONT DRIVE RIGHT-OF-WAY AND RESERVATION OF A PUBLIC UTILITY EASEMENT

City Council a) adopted Ordinance 2028-0924 authorizing the abandonment of Belmont Drive right-of-way generally located south of Western Avenue, east of 5th Street and west of 6th Street, reserving a public utility easement thereon; b) adopted Ordinance 2029-0924 authorizing the reservation of a public utility easement on City-owned property; and c) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

i. FINAL PLAT OR FULTON HOMES ACCLAIM – PHASE 2C – APPLICATION PL-24-0136

City Council approved Application PL-24-0136, a request by Meikle Garrett with EPS Group, Inc., on behalf of Fulton Homes Corporation, for approval of the Final Plat for Fulton Homes Acclaim – Phase 2C located generally north of Thomas Road and west of 99th Avenue and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

j. FINAL PLAT FOR V TOWNHOMES AT ENCANTO – PL-23-0191

City Council (a) approved Application PL-23-0191, a request by Keilah Casillas with Sandbox Development, on behalf of Randy Richter with Trilogy Investment Company, for approval of a final plat for V Townhomes at Encanto located at the southwest corner of Avondale Boulevard and Encanto Boulevard, and (b) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

NOTE FROM THE CITY CLERK: THE FOLLOWING ITEM WAS PULLED FROM THE CONSENT AGENDA TO BE VOTED ON SEPARATELY:

g. RESOLUTION 1098-0924 - AUTHORIZING TECHNICAL ASSISTANCE ACCEPTANCE FROM DEPARTMENT OF ENERGY

City Council considered a request to: a) adopt Resolution 1098-0924, authorizing technical assistance acceptance from the Department of Energy (DOE) in the amount of \$138,310; b) authorize 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) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Council Member White asked for additional information to ensure understanding of what accepting the grant funding means and how it will be used.

Kirk Beaty, Director of Public Works discussed the Energy Efficiency and Conservation Block Grant funding (EECBG), which is a federal program

established through the Bipartisan Infrastructure Law and has allocated \$550 million nationwide to support local energy initiatives. The City of Avondale was allocated \$138,000 through the funding formula which does not require a match fund and offers an opportunity for the city to advance energy efficiency efforts. Where the allocation was less than \$250,000, it was recommended the city receive funding through a voucher which also requires less administrative effort to monitor. The funding will enable utilizing technical assistance provided by the Department of Energy to evaluate energy efficiency in city buildings and implement possible improvements.

Kimberly Anderson, Sustainability Officer discussed the goals outlined in Avondale's Community Sustainability Plan regarding renewable energy and emissions reduction and the Avondale's 2014 Municipal Sustainability Plan to identify energy efficiency opportunities for buildings and reducing office building energy use by 10% by 2025. Noting the strategic opportunity to use the EECBG grant to get technical assistance and focus on two critical areas being municipal energy efficiency and planning and municipal renewable energy planning.

1. Evaluate municipal buildings current energy efficiencies, which serves the purpose of determining where we currently are and provides insights on what we can do to become more efficient. 20 city owned buildings, 26 city well and booster sites, and 8 city parks have been identified for this evaluation.
2. The Department of Energy will be selecting the Technical Assistant contractor, which will hopefully be concluded this fall.
3. The Technical Assistant will help conduct a thorough energy audit of the municipal buildings, develop comprehensive energy efficiency plan, and create a strategy for integrating renewable energy sources in the future.
4. It is not clear if there is enough funding to complete all the deliverables and sites outlined. The Technical Assistant will focus on energy efficiency audits and planning first then renewable energy evaluation and strategy development.

Mr. Beaty noted the Technical Assistant deliverables being developed include development of an implementation plan and a multi-year implementation schedule to execute the recommended efficiency upgrades, prioritize projects based on factors such as energy savings potential, cost effectiveness, and consideration of timeframes in the sustainability plan. A cost analysis is being requested to determine the return on the investment to assist in making decisions and prioritizing improvements. Additionally, identification of potential funding sources to implement the recommendations set forth.

Mayor and Council Members were given an opportunity to comment and ask questions. In response to questions Ms. Anderson explained the electricity grid is 50% of the 2020 Municipal Greenhouse Gas Emissions Report, sustainability plan. However, vehicle fleet is on the radar but not sure it will fit into the specific funding opportunity. This funding opportunity provides an opportunity to get answers in the future on battery storage facilities. Mayor Weise noted this is a

regional issue and battery storage could be a collaboration with other municipalities. Ms. Anderson explained the Community Sustainability Plan audit was done with 2020 as the base line and another reason why the EECBG is essential to provide a clearer look of where we are now and what needs to be done moving forward. The Technical Assistant audit will be a learning opportunity for the sustainability division as we see what the process is moving forward and how we can replicate it for more frequent audits of our facilities. The utility companies will be part of the process of collecting data. Ms. Anderson discussed the initiatives within Avondale for increasing shade canopy especially with trees, which includes getting the community involved. Avondale will be hosting a tree drop off location for SRP next month. A brief discussion ensued. Katrece Swenson, Senior Management Analyst, Public Works, explained this is a one-time grant through formula funding but they are continuing to look and apply for future opportunities

Council Member White moved to adopt Resolution 1098-0924, authorizing technical assistance acceptance from the Department of Energy (DOE) in the amount of \$138,310; b) authorize 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) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Council Member Nielson seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Conde	Aye
Council Member Nielson	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

5. REGULAR AGENDA

a. POLICE DEPARTMENT'S RESPONSE TO LOUD NOISE CALLS FOR SERVICE

City Council received information regarding the Avondale Police Department's response to loud noise calls for service. This item was for discussion and feedback only.

Lieutenant Tom Alt presented information related to the department's response to loud noise complaints. A loud noise disturbance can be a loud party, loud music, or loud noises coming from a residence. The process begins with a call for service received by dispatch, the officer is dispatched to the specific address or general

location, and the officer determines what the loud noise is. There are many factors that go into the investigation to determine the next steps, such as what time of day, is this a repeat offender, what is making the noise, and is it reasonable or unreasonable.

If the noise was determined to be loud, the officer will contact the person responsible and talk to them about the situation and provide them with a warning based on policy. It is important to educate citizens to ensure they understand under AZ Revised Statutes and City Code they could be cited for disorderly conduct or noise violation. However, if there have been subsequent calls for service or a warranted citation to cease the situation an Officer can cite the violator or responsible party at the first call.

In FY 2023 Avondale Police Department responded to 1,691 loud noise calls, wrote 879 reports, cited 11 citizens for noise violations, and 809 calls for loud noise were not located, canceled, or referred to another agency based on jurisdiction. In FY 2024 Avondale Police Department responded to 1,626 loud noise calls, wrote 876 reports, cited 19 citizens for noise violations, and 743 calls for loud noise were not located, canceled, or referred to another agency based on jurisdiction. Most calls came in on Saturday and Sunday between the hours of 8:00 p.m. and 3:00 a.m. Compared to other calls for service such as animal noise, ATC disturbance, shots fired, and fireworks, the number of loud noise complaints far exceed them.

Mayor and Council Members were given an opportunity to comment and ask questions. Mayor Weise inquired how residents and the City Council can assist the Police Department do their job more effectively. He suggested a possible permitting program for large parties or gatherings that will have a band or DJ. Council Member Solorio disagreed with permitting but was open to hearing ideas on how the Council could be helpful. Chief Espinoza noted the City Ordinance and State Statutes are sufficient with only 11 citizens being cited in FY 24. In his experience most residents encountered are cooperative and once you warn them, they turn the music down or off. Lt. Alt advised he was only prepared to discuss loud noise calls, but he can gather information on the other calls and present it another time. Shots fired calls for service would not be noted on this chart if it led to a different charge because that person would not be cited for a noise violation.

Mr. Corbin noted the Police Department has been working on a River Detail that addresses many calls for ATCs and shots fired from that area, and the uptick in fireworks could be from the city's effort to educate people to call it in. Chief Espinoza explained the calls related to ATC, shots fired, and fireworks would have to be separated out between citizen and officer generated because of the River Bottom Detail and an officer proactively encountering a situation and calling it in. Lt. Alt explained when an officer contacts a responsible party it gets documented and if contact is made with them again the officer can see contact was previously made and what it was for, and they will issue a citation instead of a warning.

Council Member Nielson suggested making the non-emergency number readily available. Chief Espinoza noted he tells everyone to bother his officers because they are not only there to protect and serve but to improve the quality of life of the residents. Lt. Alt noted the city does not have a specific time limit regarding noise. Vice-Mayor Pineda recognized the customer service in providing education to residents instead of making a situation worse.

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

Mayor Weise discussed Economic Development's notation on median household income for the city being \$69,000 in 2021 and is now \$91,000 in 2024. Additionally, college graduation rates are now above 30%, which is a testament to the efforts from Council and leadership to provide opportunities for residents, collaboration with Estrella Mountain Community College, and what is done through the schools.

Council Member White discussed her attendance at the Black Excellence Luncheon on Friday, September 13, 2024, in Washington, D.C. at the Rose Garden.

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 6 to 0.

Council Member Conde	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 6:27 p.m.

Mike Pineda, 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 23rd 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

Date Approved by City Council

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
October 7, 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 the hurricane victims.

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; Nicholle Harris, City Attorney; Marcella Sarmiento, City Clerk; Kirk Beaty, Public Works Director; Barbara Coppage, City Auditor; Memo Espinoza, Police Chief; Stephanie Flood, Arts, Culture & Library Manager; 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; John Reddy, Facilities Manager; Larry Rooney, Fire Chief; Jeffrey Scheetz, Chief Information Officer; Pier Simeri, Marketing and Public Relations Director; Nikki Taylor, Destination Sales Manager; and Renee Weatherless, Finance and Budget Director.

Audience: Approximately 5 members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION ITEMS (DISCUSSION ONLY)

a. EMPLOYEE ANNOUNCEMENTS

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

City Manager's Office

- Aneyssa Romo, Senior Management Analyst (promotion)

Development Services

- Torin Sadow, Business Operations & Strategy Manager (promotion)

b. PROCLAMATION – NATIONAL COMMUNITY PLANNING MONTH

City Council presented a Proclamation recognizing the month of October 2024 as Community Planning Month in Avondale and extend appreciation to the staff of the Development Services Department for their dedication and service to Avondale. This item was for discussion only.

c. PROCLAMATION – CODE COMPLIANCE MONTH

City Council presented a Proclamation recognizing the month of October 2024 as Code Compliance Month and extend appreciation to the staff of the Code Compliance Division for their dedication and service to Avondale. This item was for discussion only.

d. PROCLAMATION – FIRE PREVENTION WEEK

City Council present a Proclamation recognizing the week of October 6-12, 2024, as Fire Prevention Week in Avondale and extend appreciation to the staff of the Fire and Medical Department for their dedication and service to Avondale. This item was for discussion only.

e. PROCLAMATION – DOMESTIC VIOLENCE AWARENESS MONTH

City Council presented a Proclamation recognizing the month of October 2024 as Domestic Violence Awareness Month. This item was for discussion only.

f. PROCLAMATION – CITIES AND TOWN WEEK 2024

City Council presented a Proclamation recognizing the week of October 13-19, 2024, as Arizona Cities and Towns Week. This item was for discussion only.

g. HOMELESS SERVICES UPDATE, 2024

City Council received an update from Brian Planty, Homeless Services Manager, on the City's Homeless Services. This item was for discussion only.

Brian Planty, Homeless Services Manager provided an overview of efforts to make homelessness rare, brief, and nonrecurring. An update on Avondale's homeless services for FY 2024, included data used to measure success and demonstrate the impact of this investment, initiatives implemented, and community partnerships.

During FY 2024 the SONAR Team along with community partners and other departments within the city accomplished the following.

- Closed four homeless encampments promptly and humanely and ensured everyone had services.
- Through partnerships with the county, developed six units of Bridge Housing to provide long-term housing to families experiencing homelessness.
- Provided access to hotel and motel vouchers through other programs for families transitioning out of homelessness.

- During FY 2024 21 families representing 31 adults and 51 minors gained access to safe shelter through this initiative.
- There were 31 positive exits, meaning individuals resolved their homelessness by entering shelter, treatment, or permanent housing. During FY 2024 there were 31 positive exits.
- Responded to 120 unique individuals from AviWise tickets are received daily
- Served 105 individuals on the street or at the Resource Center.
- Distributed 498 kits or 1,000 doses of Narcan to ensure people live through overdoses.
- Managed heat relief efforts with cooling centers open seven days a week serving just under 2,000 individuals at the Arizona Complete Health Avondale Resource Center and ensured water was available to all residents by partnering with the Police Department, Libraries, and WeRide. 35,000 bottles of water were distributed this summer.
- Spent 1,900 hours increasing the presence of the outreach team throughout the city and neighborhood engaging with unhoused community members resulting in 2,000 encounters. This makes the SONAR team a trusted and integral part of the community.

All of this is done with community support and through partnerships with many agencies such as Maricopa County and The New Leaf organization, Phoenix Rescue Mission to expand outreach hours, and a third-party consultant Public Works, LLC. A survey was conducted of housed and unhoused community members. The consultants developed a strategic plan that will be used over the next five years to guide our work. One of the recommendations was to begin case conferencing and in January 2024 the team participated in a West Valley Case Conferencing where strategies and resources were shared with neighboring cities.

Mr. Planty shared five of the many success stories of individuals and a family that were assisted in various ways such as obtaining temporary housing, treatment, finding family support, or permanent housing. These show the direct impact of the work being done.

The Mayor and Councilmembers were given an opportunity to comment and ask questions. Mayor Weise commented on the humane proof provided of what can happen when a community comes together to help the most vulnerable. He asked that future presentations continue to include success stories that can be shared with the community. Councilmember Conde commented on the team being proactive instead of reactive, such as the frozen bottles of water that are available at the Resource Center that people can take with them. She discussed the importance of outreach for those that can't make it to the Resource Center, the connection with Phoenix Rescue Mission, and the partnership with The New Leaf Organization. Councilmember Nielson spoke about the great accomplishment of one success story a week and the one-on-one interactions.

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 Weise asked if any Councilmember wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Councilmember Solorio, seconded by Councilmember White, to approve the Consent Agenda.

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 September 9, 2024 City Council meeting minutes.

b. SERIES 12 (RESTAURANT) LIQUOR LICENSE - ROLLIN SMOKE BBQ

City Council recommended approval to the Arizona Department of Liquor License and Control of an application for a Series 12 (Restaurant) Liquor License submitted by Christopher Michael Devers for the sale of alcohol at Rollin Smoke BBQ, located at 10120 W McDowell Road, Suite 160 in Avondale and authorized the City Clerk to execute the necessary documents.

c. SERIES 10 (BEER AND WINE STORE) LIQUOR LICENSE - SPRINGHILL SUITES AVONDALE

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 Lonnie Lee Kim for the sale of alcohol at Springhill Suites Avondale, located at 9950 W Encanto Blvd in Avondale and authorized the City Clerk to execute the necessary documents.

d. RESOLUTION 1099-1024 - AMENDING THE COUNCIL RULES OF PROCEDURE, SECTIONS 6.10 BUSINESS ITEMS AND 10.4 LIMITATION REGARDING PUBLIC COMMENT AND REPORTS

City Council adopted Resolution 1099-1024, amending the Council Rules of Procedure Sections 6.10 Business Items and 10.4 Limitation Regarding Public Comment and Reports and authorized the Mayor or City Manager, City Attorney and the City Clerk to execute the necessary documents.

e. RESOLUTION 1100-1024 - FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY FOR ADDITIONAL AMERICAN RESCUE PLAN ACT FUNDS FOR THE CONSTRUCTION OF BRIDGE HOUSING

City Council adopted Resolution 1100-1024, approving Amendment 1 to the Intergovernmental Agreement with Maricopa County Human Services Department to increase funding by \$286,061 (\$1,986,061 in total) toward the development of bridge housing for families in Avondale and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

5. REGULAR AGENDA

a. SOLID WASTE AND RECYCLING PROGRAM UPDATE

Harold Siguenza, Assistant Director of Public Works provided an update to City Council regarding the City's Solid Waste and Recycling Program. This item was for discussion and feedback only.

Harold Siguenza, Assistant Director of Public Works, provided an update on the Solid Waste and Recycling Program including a recap of the previous update, service improvements, successes since implementing new services, current challenges, and the future of the program. NewGen Solutions & Strategies conducted an operational study in response to the city's growth, which identified opportunities to improve and meet customer demands. The suggested improvements that controlled costs and fee increases to modest levels.

The trash collection zones were changed to ensure they were even regarding home counts to allow quick and efficient services. This was a big undertaking since changes hadn't been made for two decades. Services are provided on all non-major holidays, which exclude Thanksgiving, Christmas, and New Years. If one of these holidays falls on a workday they get pushed one day over. Courtesy pickup (\$23) and nonbroken container replacement fees (\$83) were implemented as a deterrent for continuous requests. There were several updates to the Solid Waste Chapter 11 Code as required to meet today's needs.

Staff worked a four 10-hour day rotating schedule to provide services Monday through Friday. A heavy equipment mechanic was hired to ensure the trucks were continuously up and running. Solid waste management software and GPS systems

were implemented into the operations. The software allowed drivers to communicate back to supervisors and inspectors any concerns, issues, or code violations while out on the road. The GPS system installed cameras on all vehicles that can report incidents or concerns from residents. A community recycling drop off center was implemented on July 17, 2024 and has been a great success by diverting 1.2 tons of recycling from the landfill.

One of the largest challenges is cost, specifically landfill and recycling facility costs. Landfill costs have increased by 13% over the last three years. ADEQ is in the process of reviewing their fees which will impact municipalities and private haulers. In July, Mayor Weise signed a Letter of Concern that was sent to ADEQ about the fees and the impact it will have on our residents and community. Recycling costs increased by over 60% in the past three years. Other challenges are with bulk trash services, navigating new communities which requires extra time, fuel, and expense of operations. Since 2022, more than 1,700 homes have been added to the community. The pickup schedule for trash and recycling was last updated in 2003 and the significant growth since then has caused an imbalance in the number of homes per zone.

At this time no changes will be made to bulk trash, but it will continue to be monitored to ensure quality on time service is being provided to residents. There is a plan to also review what other cities best practices, the pros and cons, and look at all alternatives for bulk trash disposal. Changes will be made to curbside trash and recycling by providing services Monday through Thursday starting February 1st. The rotating schedule will discontinue, and all employees will work 10-hour days Monday through Thursday, which aligns with fleet services. This will also redistribute the workload for recycling trash services more evenly, because we want to be efficient in the things we can control.

Mr. Siguenza noted this was a staff lead initiative to provide several map options to Public Works leadership. An overview of the map was provided. The new map and work schedule allows for courtesy pickups when requested on any given day.

The changes to curbside and recycling will go into effect February 1, 2025, there will be no changes to bulk trash. Operational changes bring efficiency to the program to keep costs down. There are costs that are out of our control such as recycling fees and landfill fees that will continue to be monitored. Working with Marketing and Public Relations outreach efforts will be developed to include a possible letter and sticker with pick-up days mailed to all residents. A grace period will be provided to all residents. In the spring a rate increase will be presented to the Council during the budget process.

Mayor and Councilmembers were given an opportunity to comment and ask questions. Mayor Weise praised them for including employees in creating the

schedule. Mr. Siguenza explained if a major holiday fell on a normal workday, it would be pushed to the next day even if it was a Friday. Mr. Corbin clarified that new equipment has not been purchased, but a new heavy equipment mechanic was added. Mr. Siguenza explained the need for a second heavy equipment mechanic to maintain the 14-truck fleet. There is an anticipated request for an equipment operator during the budget development. Currently there are 12 FTEs. The fleet department does a great job of keeping the trucks on the roads as much as possible.

The new management software allows the department to be proactive in replacing broken lids or cans. We are monitoring a recent batch of cans that appear weaker, and we are also working to get another contractor on board as well. The changes were based on lessons learned from changes made since the last update and we wanted the employees to continue to have a voice in the changes. Mr. Corbin discussed the annual employee satisfaction survey conducted by the Public Works department. Further clarifying, the changes are needed because of the rising costs and wanting to be more efficient with rate payers' dollars and giving the most service for the least money possible.

Mr. Siguenza clarified that the recycling cost is the net cost being the difference between the cost per ton and the revenue. Footage received from the trucks if retrieved is held as long as required by attorneys for risk management and in adherence to the record keeping laws. If it is not retrieved all footage is written over every two weeks. Councilmember White suggested creating magnets to hand out at events and Councilmember Nielson suggested adding information about how to report broken lids or cans.

6. SUMMARY OF CURRENT EVENTS FROM MAYOR, VICE MAYOR, AND COUNCILMEMBERS

- Mayor Weise noted Billy Moore Days were held this weekend.
- Councilmember Conde spoke about the Kwanis Club of Litchfield Installation ceremony where the Avondale Interfaith partnership which is Co-Chaired by Councilmembers Conde and Nielson was recognized as the Community Partner of the Year.
- Councilmember Nielson spoke about the proclamation Mayor Weise read on Friday at the Mercy House and the wonderful opportunity it was to attend the Gala. The Mercy House has been a blessing to so many in the Avondale and Cashion area.
- Councilmember White spoke about her opportunity to participate in the Leadership West.
- Councilmember Malone spoke about attending the ribbon cutting ceremony for the new detention center. She inquired if photos would be posted or available for those who attended to post on their individual social media accounts. Mr. Corbin

noted a press release was done today, and the Police Department and City Marketing posted pictures.

- Vice-Mayor Pineda spoke about Justice Pep Guzman along with several elected leaders' celebration of Hispanic Heritage Month for October 10th. Mercy will also be honored that evening along with Martina with Cashion has Heart for everything they have done for the community. Mayor Weise noted Mercy was also Grand Marshall at the Billy Moore Days.
- Mayor Weise spoke about reading a book on volunteerism to 3–5-year-old children at the Preschool in Garden Lakes at the Church. Police and Fire received the biggest applause followed by teachers. He also noted that Sherry did the research and wrote the proclamation for the Mercy House, which was a great surprise.

7. MAYOR'S REPORT

Mr. Corbin noted this is Mayor Weise's last meeting and a celebration would be held in December. Mayor Weise was presented with a coin from Mr. Corbin, Chief Rooney, Chief Espinoza and members of the Avondale Police Department.

Mayor Weise presented incoming Mayor Pineda with a gavel and base, noting he hopes this starts a tradition.

Mayor Weise began his comments noting this is not a goodbye. A lot has been accomplished over the last 18 years. He reminisced about when he was appointed to the Council in February 2006 and when he decided to put his name in for Mayor. Reading to the children at the church and hearing about the homeless update brings about all the good things we do. The Billy Moore Days were incredible, the number of people that showed up and the dedication of employees who were there before sunrise and after the sun went down was amazing. I have met some incredible, talented, and dedicated people, some I hope will be lifelong friends.

I want to tell you how I feel about my Council, they are by far the best council I have ever worked with. I see people who are dedicated to residents of Avondale who do this job because you are truly public servants.

- Veronica, your passion and fight inspires me, you fought from the first day on Council and continue to fight until the very last day for this community and I admire that greatly and wanted you to know.
- Tina and Curtis, you truly are servants through your love and compassion for this community and everyone else you run into.
- Max, your drive and determination will serve you well. Your vision for what you want to accomplish and for this community goes beyond these chambers, don't be afraid of that challenge.
- Gloria, I have known you the longest, your thoughtfulness and willingness to volunteer and learn is amazing.

- Mike, it is your leadership and coalition building for the city, and the many relationships, keep them strong while you are Mayor.

Maintain your strength of working together, don't let anything divide you or push you apart. Never bring up things that will divide you, focus on local things and don't worry what happens federally, things that you can't control, and be professionals in everything you do. Serve those who didn't vote for you, don't look like you, don't sound like you, have the same backgrounds, religious, political, or societal views. Once you take an oath you serve every resident of Avondale. You have residents who believe in you and put their trust in you, don't take that for granted. To all of you my letter to you said it all but let me just say that may God bless all of you, may God bless this city, and may God bless this country we are so lucky to live here.

8. ADJOURNMENT

There being no further business before the Council, Councilmember Malone moved to adjourn the Regular Meeting; 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

The meeting was adjourned at 7:10 p.m.

Mike Pineda, 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 7th day of October 2024. I further certify that the meeting was duly called and held, and that the quorum was present.

Marcella Sarmiento, City Clerk

Date Approved by City Council

ITEM NUMBER: 4.b.

SUBJECT: Quarterly Budget Transfer

MEETING DATE: 10/21/2024

TO: Mayor and Council

FROM: Renee Weatherless, Director of Finance and Budget

THROUGH: Ron Corbin, City Manager, (623) 333-1011

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Innovative Program and Service Delivery - Avondale will continue to serve as a model of innovative, efficient, and responsive government. This action will help ensure planned capital projects have adequate capacity and will enhance the flexibility within the budget, allowing the city to further innovate.
-

PURPOSE:

City Council will consider requests to approve the Fiscal Year 2025 budget for carryover appropriation and approve quarterly budget transfers as summarized in the attached Exhibit A, increase the award authority for the projects and authorize Finance and Budget Department staff to take the steps necessary to execute the transfers. The Council will take appropriate action.

BACKGROUND:

Per the city's adopted Comprehensive Financial Policies, budget transfers between departments, between funds, and between capital projects greater than \$50,000 require council approval.

DISCUSSION:

FY2024 Close-Outs

a. 2019 PRO Bond - The 2019 PRO Bond fund has \$101,889.94 in bond proceeds to be used on a water project before the bond can be closed-out. This transfer will swap the funding source for \$101,889.94 in FY2024 actual expenses on the Old Town Phase III project (T0200) from water funds to 2019 PRO Bond funds. This does not impact the total project budget. Once the transfer is complete, the 2019 PRO Bond will be closed.

b. Equipment Replacement Fund - The equipment replacement fund has a balance of \$40,800. Staff is requesting to transfer \$40,800 of expenses in the Computer and Equipment Asset Replacement project (A0169) from the general fund to the equipment replacement fund in order to close out the equipment

replacement fund. This transfer does not change the total project budget.

Operating Budget Adjustment

c. Avondale Strategic Plan Update - The City Manager's Office is requesting \$47,000 to complete the strategic planning process with the assistance of a third-party consultant. The City Manager's Office and City Council Office plan to update the 2021 Avondale Strategic Plan with the assistance of a third-party consultant. This update would provide the City Council, City Leadership, and community members the opportunity to identify new strategic outcome areas and goals, as well as review and revise the City's existing strategic goals. With a new Mayor and Councilmembers joining the City Council in 2025 it is important to ensure the City's Strategic Plan aligns with and includes their goals and priorities. Additionally, it is important that the plan is updated on a five-year cycle to ensure it is relevant and to review and revise the strategic goals and outcomes as the City continues to change. The updated Avondale Strategic Plan will set the city on a course for the future, with a five-year road map of aspiring but achievable goals. The process is planned to begin in December 2024 and conclude in April 2025.

d. Carryover Adjustments - Carryover appropriations accommodate planned expenditures that are not able to be completed within the current budget year. These are often needed for one-time expenses that take more than one year to complete. Staff estimates the amount needed to be "carried over" as part of the development of the FY2025 budget. Now that FY2024 is complete, these estimates need to be adjusted to match what was spent in FY2024 and what is still needed in FY2025 to complete these items.

Capital Improvement Project Adjustments

e. Totaled Vehicle Replacement - Public Works Fleet Services Division is requesting \$70,000 to replace the Facilities Department's 2016 Ford Transit Connect (vehicle 1982) which was involved in an accident and considered a total loss. This vehicle is critical to the Facilities Department to conduct their day-to-day operations. The current vehicle replacement budget does not account for the replacement of total loss vehicles. The replacement of this vehicle will be tracked through a new capital project, Totaled Vehicle Replacement (A0433).

f. Sideloader Solid Waste Trucks Replacement - Public Works Fleet Services Division is requesting a budget transfer in the amount of \$1,548,000 for the purchase of three replacement Solid Waste Side loader trucks. These three trucks are scheduled to be replaced in Fiscal Year 2026 but due to the lead time of 18 months to deliver the vehicles, Fleet Services would like to place the order in Fiscal Year 2025 so the vehicles arrive in the scheduled replacement fiscal year.

g. Agua Fria River Bottom Controls - The southern portion of the Agua Fria river-bottom has been used for large night time gatherings. Due to the open nature of the river bottom with easy access from Lower Buckeye, 127th Avenue/Vermeersch Road/Dysart Avenue, and Litchfield Road make it difficult for the police department to stop trespassers from using off-road vehicles to access the site and, once there, it is difficult for the Police Department to safely stop any illicit activities that may be happening. Staff is requesting \$500,000 for a new CIP project (Agua Fria River Bottom Controls (S0434)) that would add barriers along the Right-of-Way (ROW) to restrict access to property owners only. This request will fund the first phase starting along the 127th Avenue / Vermeersch Road ROW. Additional phases along Lower Buckeye and Litchfield are to be included in later budget requests.

h. Fire Station 171 Replacement (S0104) - Staff is requesting an additional \$525,000 for the Fire Station 171 Replacement project (S0104). The budget for this project was established in the fiscal year 2024 budget. Since that time, the inflation rate for construction has ranged from 5-8% increase in overall costs. Attempts were made to defray the increase by selecting a more cost-effective energy management system, reducing the amount of site concrete, and reducing some amenities, but the attempts did not offset the full value of the inflationary increase.

i. Dog Park Enhancements at Friendship Park (P0332) - Staff is requesting an additional \$450,000 for the Dog Park Enhancements at Friendship Park project (P0332). Inflationary pressures had the greatest impact on this

project, but the project also required the replacement of the irrigation system. In order to defray the cost, staff returned to a two-area design which still allows for flexibility of maintenance but reduces the overall costs related to fencing and gates.

BUDGET IMPACT:

a. The transfer does not impact the total project budget. Utilizing bond funds for these expenses allows Water funds to be used on other city priorities.

b. The transfer reduces FY2024 general fund capital expenditures by \$40,800 and moves those expenditures to the equipment replacement fund allowing staff to close that fund.

c. The transfer will reduce the general fund contingency by \$47,000. There is capacity within the general fund contingency to cover this transfer.

d. The proposed FY2025 carryover appropriation will increase the Unanticipated Resource Appropriation by \$542,300. However, the additional budget capacity from the budget transfer of excess carryover capacity does not increase the available funding, as the expenses occurred during FY2024.

e. The transfer will reduce the general fund contingency by \$70,000. If the city is reimbursed for the totaled vehicle, the reimbursement will be transferred to the general fund contingency. There is capacity within the general fund contingency to cover this transfer.

f. The transfer will increase the total project budget of the Vehicle Replacement FY2025 project (A0359) by \$1,548,000. The funds will be transferred from unanticipated revenues and will have no impact to the general fund contingency because the costs were already included in the FY2025 5-year CIP.

g. The transfer will reduce the general fund contingency by \$500,000 and create a new capital improvement project titled Agua Fria River Bottom Controls (S0434) with a budget of \$500,000. There is capacity within the general fund contingency to cover this transfer.

h. The transfer will reduce the general fund contingency by \$525,000 and increase the total project budget for the Fire Station 171 Replacement project (S0104) to \$15,839,000. There is capacity within the general fund contingency to cover this transfer.

i. The transfer will reduce the general fund contingency by \$450,000 and increase the total project budget for the Dog Park Enhancements at Friendship Park project (P0332) to \$1,334,000. There is capacity within the general fund contingency to cover this transfer.

RECOMMENDATION:

Staff recommends that City Council approve the transfer of budget capacity listed in the attached Exhibit A and the increased award authority for projects and authorize staff to modify the interfund transfer schedule to accommodate the transfers in Exhibit A.

Contact person for document distribution:

Exhibit A: Quarterly Budget Transfer Schedule - October 21, 2024

FY2024

Close-Outs

Transfer	From Account	From Account Description	To Account	To Account Description	Amount	Notes
(a)	51140900-80000-T0200	Old Town Phase III (T0200) - Water Capital	35040901-80000-T0200	Old Town Phase III (T0200) - 2019 PRO Bond	72,857.63	
	51140901-86000-T0200	Old Town Phase III (T0200) - Water Capital	35040901-86000-T0200	Old Town Phase III (T0200) - 2019 PRO Bond	29,032.31	
(b)	12016910-84000-A0169	Computer and Equipment Asset Replacement (A0169) - General Fund	38916910-84000-A0169	Computer and Equipment Asset Replacement (A0169) - Equipment Replacement Fund	40,800	

FY2025

Operating Budget Adjustments

Transfer	From Account	From Account Description	To Account	To Account Description	Amount	Notes
(c)	10190000-99000	General Fund Contingency	10111000-61800	City Administrative Office	47,000	Avondale Strategic Plan Update
(d)	10110101 -69000	Mayor Discretionary	28090000-69000	Unanticipated Special Revenue Appropriation	1,900	
(d)	10110201 -69000	City Council 1 Discretionary	28090000-69000	Unanticipated Special Revenue Appropriation	5,400	
(d)	10110301 -69000	City Council 2 Discretionary	28090000-69000	Unanticipated Special Revenue Appropriation	5,400	
(d)	10110401 -69000	City Council 3 Discretionary	28090000-69000	Unanticipated Special Revenue Appropriation	4,400	
(d)	10110501 -69000	City Council 4 Discretionary	28090000-69000	Unanticipated Special Revenue Appropriation	2,600	
(d)	10110601 -69000	City Council 5 Discretionary	28090000-69000	Unanticipated Special Revenue Appropriation	1,100	
(d)	10110701 -69000	City Council 6 Discretionary	28090000-69000	Unanticipated Special Revenue Appropriation	2,200	
(d)	10116001 -73020	Technology Services	28090000-69000	Unanticipated Special Revenue Appropriation	100	
(d)	10130530 -79000	Detention	28090000-69000	Unanticipated Special Revenue Appropriation	2,000	
(d)	10134140 -70050	Low Acuity Unit	28090000-69000	Unanticipated Special Revenue Appropriation	3,600	
(d)	10134140 -83900	Low Acuity Unit	28090000-69000	Unanticipated Special Revenue Appropriation	28,800	
(d)	10134210 -79000	Fire Prevention	28090000-69000	Unanticipated Special Revenue Appropriation	3,400	

(d)	10155160 -70020	Community Center	28090000-69000	Unanticipated Special Revenue Appropriation	17,300	
(d)	10155200 -85000	Grounds Maintenance	28090000-69000	Unanticipated Special Revenue Appropriation	49,700	
(d)	11070500 -85000	Fleet Service	28090000-69000	Unanticipated Special Revenue Appropriation	260,800	
(d)	20416001 -84100	Technology Services	28090000-69000	Unanticipated Special Revenue Appropriation	70,000	
(d)	20430100 -79000	Patrol	28090000-69000	Unanticipated Special Revenue Appropriation	300	
(d)	50170120 -61800	Water Resources	28090000-69000	Unanticipated Special Revenue Appropriation	67,600	
(d)	50170130 -61800	Water Quality	28090000-69000	Unanticipated Special Revenue Appropriation	15,700	

Capital Improvement Project Adjustments

Transfer	From Account	From Account Description	To Account	To Account Description	Amount	Notes
(e)	10190000-99000	General Fund Contingency	38870910-85000-A0433	Totaled Vehcile Replacement (A0433)	70,000	
(f)	28090000-69000	Unanticipated Revenues	57270910-85000-A0359	Vehicle Replacement FY2025 (A0359)	1,548,000	
(g)	10190000-99000	General Fund Contingency	11030900-82000-S0434	Agua Fria River Bottom Controls (S0434)	500,000	
(h)	10190000-99000	General Fund Contingency	11034900-82000-S0104	Fire Station 171 Replacement (S0104)	525,000	
(i)	10190000-99000	General Fund Contingency	11055900-86000-P0332	Dog Park Enhancements (P0332)	450,000	

ITEM NUMBER: 4.c.

SUBJECT: American Rescue Plan Act (ARPA) Plan Update

MEETING DATE: 10/21/2024

TO: Mayor and Council

FROM: Renee Weatherless, Finance and Budget Director

THROUGH: Ron Corbin, City Manager, (623) 333-1011

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Innovative Program and Service Delivery - Avondale will continue to serve as a model of innovative, efficient, and responsive government. This action will help ensure ARPA dollars are used in a timely manner while maintaining compliance with federal rules.
-

PURPOSE:

City Council will consider a request to modify the city's American Rescue Plan Act (ARPA) plan as summarized in the attached Exhibit A and facilitate the modification of the city's ARPA plan by authorizing Finance and Budget Department staff to take the steps necessary to execute the necessary budget transfers. The Council will take appropriate action.

BACKGROUND:

The American Rescue Plan Act (ARPA) was signed into law on March 11, 2021 to address the on-going impacts of the COVID-19 pandemic. As part of the legislation, \$65.1 billion of direct and flexible aid was provided to America's cities and towns. Avondale has used these resources to provide aid to non-profits impacted by the pandemic, enhance outdoor amenities in historically underserved areas, provide scholarships, and fund homeless services. The deadline to obligate ARPA funds is December 31, 2024 and all ARPA funds must be spent by December 31, 2026. Any payroll related items funded through ARPA must be spent by December 31, 2024.

DISCUSSION:

Savings in ARPA funded programs were realized in FY2024 in the On Demand Technical Assistance program (75,413), Community Action Program (214,899), and Deconcini Park (57,558). The revised plan allocates those ARPA funds to the city's homeless services (267,947), design for a potential park at the city's water recharge facility, and Mountain View Park (68,262). The city's revised ARPA plan is slightly over allocated, to ensure every dollar of ARPA is spent by the deadline. Any spend over the city's ARPA allocation will be charged to the General Fund. The proposed ARPA budget maintains compliance with federal guidelines. No

additional appropriation for these programs is being requested.

BUDGET IMPACT:

The proposed ARPA plan changes and necessary budget transfers will allow the city to use these resources in a timely manner while maintaining compliance with federal rules.

RECOMMENDATION:

Staff recommends that City Council modify the city's American Rescue Plan Act (ARPA) plan as summarized in the attached Exhibit A.

Contact person for document distribution: Robert Baer; Shawn Pierce; Maggie Lam

Exhibit A - Proposed ARPA Allocation

Project	Department	FY2022 Actuals	FY2023 Actuals	FY2024 Actuals	FY2025 Estimate	Total
Homeless Services	NFS	55,837	467,064	701,682	347,000	1,571,583
Neighborhood Revitalization	NFS/ED	121,135	-	-		121,135
On Demand Technical Assistance Platform/HUUB	ED	245,650	236,914	279,188		761,752
Quarterly Job Fairs for Avondale Businesses (Tourism, Hospitality, a	ED	39,605	39,980	40,000		119,585
Scholarships to attend EMCC/NAU Hospitality Leadership Program	ED	110,000	160,000	160,000		430,000
Contributions Assistance Program	NFS	113,300	200,000	200,000	200,000	713,300
Non-profit expansion	NFS/ED	73,120	44,232	-		117,352
City Events: Billy Moore, Fiesta, and Cycle Avondale Events	PRD	87,414	-	-		87,414
Tourism NASCAR promotion	ED	17,995	-	-		17,995
Destination Marketing Organization (Tourism)- local match	ED	86,487	-	-		86,487
Community Action Program	NFS	118,055	222,538	229,701		570,294
Youth Services	NFS	217,604	(664)	-		216,940
Resource Management Software	IT	13,759	-	-		13,759
Deconcini Park Improvements	PRD	-	-	822,142	1,192,000	2,014,142
Design Recharge Park	PRD	139,170	191,597	-	84,000	414,767
Mountain View Park Improvements	PRD	-	-	305,162	398,000	703,162
Police Salaries	PD	-	4,000,000	4,000,000		8,000,000
Fire Salaries	Fire	-	1,000,000	1,000,000		2,000,000
		1,439,131	6,561,661	7,737,875	2,221,000	17,959,667
ARPA Allocation			-			17,887,327
Unallocated / (Over Allocated)						(72,340)

ITEM NUMBER: 4.d.

SUBJECT: Resolution 1101-1024 - Authorizing Grant Acceptance from Governor's Office of Highway Safety for DUI/Impaired Driving Enforcement Overtime

MEETING DATE: 10/21/2024

TO: Mayor and Council

FROM: Renee Weatherless, Finance and Budget Director

THROUGH: Ron Corbin, City Manager, (623) 333-1011

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Public Health and Safety - Avondale is a city where all people feel safe and secure, relying on trusted public and community-based resources. The funding provides special enforcement and education during times when DUI/Impaired driving is most likely.
-

PURPOSE:

City Council will consider a request to: a) adopt Resolution 1101-1024, authorizing a grant provided by the Governor's Office of Highway Safety in the amount of \$25,000, which will support the Police Department's funding of Personnel Services (Overtime), and Employee Related Expenses to enhance DUI/Impaired Driving Enforcement Overtime throughout the City of Avondale; b) authorize 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) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The Governor's Office of Highway Safety (GOHS) provides funding to support DUI enforcement activities to local governments. Avondale has utilized these funds historically in its DUI enforcement. Impaired driving occurs throughout the year and especially during the holidays. Avondale has seen an increase in restaurants, bars, and entertainment districts. In addition, Avondale is a major hub for drivers as it borders Phoenix, Tolleson, Goodyear, and Litchfield Park.

DISCUSSION:

Funding will be utilized for DUI/Impaired Driving enforcement overtime and employee-related expenses. This Agreement shall become effective on October 1, 2024, and shall terminate on September 30, 2025.

BUDGET IMPACT:

The acceptance of this grant will require a transfer of appropriation from the unanticipated revenue line item.

RECOMMENDATION:

Staff recommends City Council adopt a resolution authorizing the acceptance of a grant from the Governor's Office of Highway Safety in the amount of \$25,000 and authorize staff to take the necessary actions to execute the terms of the agreement.

Contact person for document distribution: Shawn Pierce, Justin Iwen

RESOLUTION NO. 1101-1024

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR DUI AND IMPAIRED DRIVING ENFORCEMENT OVERTIME PAY.

WHEREAS, the Governor's Office of Highway Safety ("GOHS") has awarded the City of Avondale (the "City") a grant in the amount of \$25,000.00 for project funding relating to overtime pay and employee related expenses to support DUI and impaired driving enforcement (the "Grant"); and

WHEREAS, the Mayor and Council of the City of Avondale ("City Council") desire to accept the Grant funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The City Council hereby authorizes (i) the acceptance of the Grant in an amount not to exceed \$25,000.00 and (ii) the execution of the GOHS Highway Safety Contract with GOHS relating to the acceptance and administration of the Grant funds (the "Agreement") in substantially the form and substance attached hereto as Exhibit A and incorporated herein by reference.

SECTION 3. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute and submit the Agreement and any other necessary or desirable instruments in connection with the Grant and to take all steps necessary to carry out the purpose and intent of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 21, 2024.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1101-1024

[Agreement]

See following pages.

GOVERNOR'S OFFICE OF
HIGHWAY SAFETY

STATE OF ARIZONA

HIGHWAY SAFETY GRANT AGREEMENT

This page, the Project Director's Manual and attached hereto and incorporated herein by reference, constitute the entire Grant between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

FAIN: 69A3752530000405dAZM		Assistance Listings: 20.616
1. APPLICANT AGENCY Avondale Police Department	GOHS GRANT NUMBER: 2025-II-001	
ADDRESS 11485 W Civic Center Drive Avondale, Arizona 85323	PROGRAM AREA: 405d	
2. GOVERNMENTAL UNIT City of Avondale	AGENCY CONTACT: Heath Brittan	
ADDRESS 11465 W Civic Center Drive Avondale, Arizona 85323	3. PROJECT TITLE: DUI/Impaired Driving Enforcement	
4. GUIDELINES: 405d		
5. BRIEFLY STATE PURPOSE OF PROJECT: Federal 405d funds will support Personnel Services (Overtime), and Employee Related Expenses to enhance DUI/Impaired Driving Enforcement throughout the City of Avondale.		
6. BUDGET COST CATEGORY	Project Period FFY 2025	
I. Personnel Services	\$17,857.00	
II. Employee Related Expenses (40%)	\$7,143.00	
III. Professional and Outside Services	\$0.00	
IV. Travel In-State	\$0.00	
V. Travel Out-of-State	\$0.00	
VI. Materials and Supplies	\$0.00	
VII. Capital Outlay	\$0.00	
TOTAL ESTIMATED COSTS	\$25,000.00	
PROJECT PERIOD	FROM: Effective Date (Date of GOHS Director Signature)	TO: 09-30-2025
CURRENT GRANT PERIOD	FROM: 10-01-2024	TO: 09-30-2025
TOTAL FEDERAL FUNDS OBLIGATED THIS FFY: \$25,000.00		
A political subdivision or State agency that is mandated to provide a certified resolution or ordinance authorizing entry into this Grant agreement must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded Grant agreement.		

PROBLEM IDENTIFICATION AND RESOLUTION:

Number of sworn officers: 155

Total Population in city/town or county: 95,000

Total Road Mileage: Highway: Local: 300 Total: 300

	2022	2021	2020
Total Crashes	1981	1826	1813
Total Injury Crashes	290	342	223
Total Fatal Crashes	3	5	6
Total Impaired-related Crashes	4	4	19
Total Impaired-related Serious Injuries	0	1	2
Total Impaired-related Fatalities	0	1	2
Total Speed-related Crashes	90	302	331
Total Speed-related Serious Injuries	0	0	3
Total Speed-related Fatalities	0	1	1

Agency Problem/Attempts to Solve Problem:

The Avondale Police Department continues to rely upon the Governor's Office of Highway Safety (GOHS) funding to support participation in DUI enforcement activities. The Avondale Police Department seeks to continue with its proud participation; however, the inability to fund the overtime necessary to address current issues regarding impaired driving continues to restrain active and sustained enforcement.

Impaired driving occurs statewide, and Avondale is no exception to the problem. Once a small agricultural community, Avondale's population has more than doubled and continuing to grow. With this population growth Avondale has seen an increase in restaurants, bars, and entertainment districts. These numerous bars and entertainment districts within Avondale are contributing factors to people driving while impaired. In addition, Avondale is a major hub for drivers as it borders, Phoenix, Tolleson, Goodyear, and Litchfield Park.

Agency Funding:

Federal 405d funds will support Personnel Services (Overtime), and Employee Related Expenses to enhance DUI Enforcement throughout the City of Avondale.

How Agency Will Solve Problem with Funding:

The Avondale Police Department is seeking funding for Fiscal Year 2025 DUI enforcement. If funded the grant would be utilized for DUI enforcement and employee related expenses. The Avondale Police Department has increased their involvement in DUI task forces and has committed to participate in a minimum of one (1) DUI task force and three (3) DUI saturation patrols, per quarter for Fiscal Year 2025. The Avondale Police Department has also increased sustained activity within the City of Avondale and would benefit from this funding to keep impaired drivers off the street.

PROGRAM MEASURES:**Agency Goals:**

To decrease the number of impaired driving-related crashes 50% from 5 during calendar year 2023 to 2 by December 31, 2025.

To decrease the number of serious injuries in impaired driving-related crashes 50% from 2 in calendar year 2023 to 1 by December 31, 2025.

To decrease the number of fatalities in impaired driving-related crashes 50 % from 2 in calendar year 2023 to 1 by December 31, 2025.

Grant Agreement Objectives:

To participate in a minimum of 3 DUI saturation patrols per quarter during FFY 2025.

To participate in a minimum of 1 DUI task force operations per quarter during FFY 2025.

Additional Grant Agreement Objectives:

1. To increase DUI arrests by 2 % above the Avondale Police Department 2023 statistics of 186 to 190 by December 31, 2024.
2. To increase traffic stops by 2 % above the Avondale Police Department 2023 statistics of 615 to 628 by December 31, 2024.

GOALS/OBJECTIVES:

Federal 405d funds will support Personnel Services (Overtime), and Employee Related Expenses to enhance DUI/Impaired Driving Enforcement throughout the City of Avondale.

Expenditures of funding pertaining to Impaired Driving Enforcement including Personnel Services and ERE, Materials and Supplies, Capital Equipment, and/or Travel In and Out-of-State shall comply with the Impaired Driving Program goals provided by the Arizona Governor's Office of Highway Safety. The Impaired Driving Program goal is to reduce the incidences of alcohol and drug related driving fatalities and injuries through enforcement, education, and public awareness throughout the State of Arizona. Law enforcement personnel participating in Impaired Driving Enforcement/DUI activities including, DUI Task Force details under this program, shall be HGN/SFST certified.

MEDIA RELEASE:

To prepare complete press release information for media (television, radio, print, and on-line) during each campaign period including a main press release, schedule of events, departmental plans, and relevant data.

The material will emphasize the campaign's purpose, aggressive enforcement, and the high cost of DUI/Impaired Driving in terms of money, criminal, and human consequences.

The Avondale Police Department will maintain responsibility for **reporting sustained enforcement** activity in a timely manner. Additionally, it is the responsibility of the Avondale Police Department to report all holiday task force enforcement statistics to GOHS on-line at the GOHS website **no later than 10:00 a.m. the morning following each day of the event.**

The holidays and special events include but not limited to: Super Bowl Sunday, Valentine's Day, President's Day, St. Patrick's Day, Spring Break, Easter, Cinco de Mayo, Prom Night, Memorial Day, Graduation Day, Independence Day, Labor Day, Columbus Day, Halloween, and the Thanksgiving through New Year's details.

PLEASE NOTE: Failure to submit Statistics, Quarterly Reports, and/or Report of Costs Incurred (RCIs) timely and correctly may delay reimbursement for expenditures to your Agency.

METHOD OF PROCEDURE:

The Avondale Police Department will make expenditures, as follows, to meet the outlined Program Goals/Objectives:

Personnel Services - To support Overtime for DUI/Impaired Driving Enforcement Activities

Employee Related Expenses - To support Employee Related Expenses for Agency Overtime

PRESS RELEASE:

Agencies are **required** to develop and distribute a press release announcing this grant award **upon receipt** of the executed Grant agreement. A copy of this press release shall be sent to the GOHS Director for approval prior to being sent to the media. This press release shall include the objective and specify that the funding is from the Governor's Office of Highway Safety.

BAC TESTING AND REPORTING REQUIREMENTS:

Alcohol impairment is a major contributing factor in fatality and serious injury motor vehicle collisions. Accurate data on alcohol involvement is essential to understanding the full extent of the role of alcohol and to assess progress toward reducing impaired driving.

Each law enforcement agency that receives an enforcement-related grant is required to ensure that accurate data on all drivers involved is reported. Failure to comply may result in withholding funds and cancellation of the enforcement Grant agreement until this requirement is met.

PURSUIT POLICY:

All law enforcement agencies receiving Federal funds are encouraged to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police (IACP) that are currently in effect.

METHOD OF PROCUREMENT:

The application of 2 CFR Part 200 "Procurement Standards" requires that:

Grantees and sub-grantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided the procurement procedures conform to applicable Federal laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency may use the State procurement process.

A clear audit trail must be established to determine costs charged against this Grant agreement. Substantiation of costs shall, where possible, be made utilizing the Avondale Police Department documentation consisting of, but not limited to, copies of time sheets, purchase orders, copies of invoices, and proof of payment.

The Agency shall retain copies of all documentation in the project file.

State Contract:

Procurement may be made using an open State contract award. Documents submitted to substantiate purchases using an open State contract must bear the contract number.

PROJECT EVALUATION:

This project shall be administratively evaluated to ensure the objectives have been met.

Quarterly Report

The purpose of the Quarterly Report is to provide information on grant activities conducted at the conclusion of each active quarter. The information provided is used to review progress of the funded project and the successfulness in meeting outlined goals and objectives. The information, photos, highlights, obstacles, and

mandatory statistical data provided in this report are analyzed by the assigned Project Coordinator. It is critical the report contains the following information:

- **Original signatures on all Quarterly Reports and RCIs**
 - **All Quarterly Reports and RCIs shall include the signature of the Project Director unless prior authorization for another is on file with GOHS.**

Report Schedule

Reporting Period	Due Date
1st Quarterly Report and RCI (October 1 to December 31, 2024)	January 30, 2025
2nd Quarterly Report and RCI (January 1 to March 31, 2025)	April 20, 2025
3rd Quarterly Report and RCI (April 1 to June 30, 2025)	July 20, 2025
4th Quarterly Report and RCI (July 1 to September 30, 2025)	October 15, 2025
Final Statement of Accomplishments	October 15, 2025

The Quarterly Report **shall be completed on the form available on-line and can be submitted by email** to the Governor's Office of Highway Safety.

NOTE: IT IS REQUIRED THAT ALL LAW ENFORCEMENT AGENCIES MUST ENTER STATISTICAL AND ENFORCEMENT ACTIVITY INTO THE ON-LINE GOHS DUI REPORTING SYSTEM, IN ADDITION TO SUBMITTING THE QUARTERLY ENFORCEMENT REPORT.

Final Statement of Accomplishments

The Project Director shall submit a Final Statement of Accomplishments Report to the GOHS **no later than fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th)**. All agencies receiving funding are required to submit a Final Statement of Accomplishments Report.

Note: Failure to comply with the outlined GOHS reporting requirements may result in withholding of Federal funds or termination of the Grant agreement.

PROFESSIONAL AND TECHNICAL PERSONNEL:

Memo Espinoza, Chief, Avondale Police Department, shall serve as Project Director.

Heath Brittan, Lieutenant, Avondale Police Department, shall serve as Project Administrator.

Rikki Robles, Governor's Office of Highway Safety, shall serve as Project Coordinator.

REPORT OF COSTS INCURRED (RCI):

The Agency shall submit a Report of Costs Incurred (RCI), with supporting documentation attached, to the Governor's Office of Highway Safety on a quarterly basis, for each active quarter, in conjunction with the

required report. Agencies may submit additional RCI forms for expenditures when funds have been expended for which reimbursement is being requested.

Accepted supporting documentation to submit with a Report of Cost Incurred (RCI) includes, but is not limited to; scanned copies of timesheets, payroll records, paid invoices/purchase orders, and other account records.

RCIs shall be typed and delivered via mail or hand delivered with appropriate supporting documentation to the Governor's Office of Highway Safety. **Electronically submitted RCIs will be accepted.** Final RCIs will not be accepted fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th). **Expenditures submitted after the expiration date may not be reimbursed and the Agency will accept fiscal responsibility.**

PROGRAM MONITORING:

Highway safety grant program monitoring is used by GOHS project coordinators to track the progress of project objectives, performance measures, and compliance with applicable procedures, laws, and regulations.

The process is used throughout the duration of the grant agreement and serves as a continuous management tool. Program monitoring also presents an opportunity to develop partnerships, share information, and provide assistance to granted agencies. Additionally, program monitoring outlines a set of procedures for grant review and documentation.

Program monitoring serves as a management tool for:

- Detecting and preventing problems
- Helping to identify needed changes
- Identifying training or assistance needed
- Obtaining data necessary for planning and evaluation
- Identifying exemplary projects

Types of Monitoring

Monitoring is formal and informal, financial and operational. The most common types of monitoring are:

- Ongoing contact with the grantee through phone calls, e-mails, correspondence, and meetings
- On-Site/In-House monitoring reviews of project operations, management, and financial records and systems
- Review of project Quarterly Reports
- Review and approval of Report of Costs Incurred (RCIs)
- Desk review of other documents in the project grant files for timely submission and completeness

Monitoring Schedule	
Total Awarded Amount:	Type of Monitoring:
Under \$100,000	Desk Review/Phone Conference
\$100,000 and over	May have an In-House GOHS Review
\$300,000+	May have an On-Site/In-House Review
Capital Outlay Greater than \$100,000 (combined)	May have an On-Site/In-House Review
Desk Review and Phone Conference	Internal review of all written documentation related to grant agreement including, but not limited to the Grant Agreement, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. A

	phone conference call conducted during the course of the project which includes the date and time of the call, the person(s) contacted, and the results. It serves as an informational review to determine progress of programmatic/financial activities. Both the designated project administrator and fiscal contact should be present, if possible, during the phone conference. If identified financial or operational problems are present, GOHS reserves the right to bring the grantee in for an in-house meeting at GOHS. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
In-House Review	Documents performance review results including project activities, reimbursement claims review, equipment purchases, approvals, and other information. Reviews applicable information related to the project(s) including, but not limited to the Grant agreement, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Completed at GOHS in a meeting with appropriate operational and financial personnel. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
On-Site Monitoring	Documents performance review results including project activities, reimbursement claims review, equipment purchases, and other information. Reviews applicable information related to the project(s) including, but not limited to the Grant agreement, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Conducted on-site at the grantee's Agency with monitoring form completed on-site by Project Coordinator. Any findings, areas of improvement, concern, or recognition, will be provided to the grantee.

On-site/In-house monitoring for grantees of designated projects with large Capital Outlay purchases, personnel services, and complex projects must be completed within the second or third quarter of the fiscal year. Granted projects displaying any problems may need on-site monitoring more than once during the fiscal year.

On-site/In-house monitoring includes a review and discussion of all issues related to ensure the effective administration of the granted project. The following are the most important items to review:

- Progress toward meeting goals/objectives and performance measures
- Adherence to the grant agreement specifications, timely submission of complete and correct reports, including required documentation
- Quarterly Reports
- Status of expenditures related to the outlined budget
- Accounting records and RCI's
- Supporting documentation (training documentation, inventory sheets, photographs, press releases, etc.)

In addition, the designated Agency will ensure that any equipment purchased will be available for inspection and is being used for the purpose for which it was bought under the outlined grant agreement.

Documentation

The Governor's Office of Highway Safety will retain all findings documented on the GOHS Monitoring Form in the Agency's respective Federal file. Findings will be discussed with the designated grant agreement representative (Project Administrator, fiscal specialist) by phone and/or e-mail. All noted deficiencies will be provided to the grantee with guidance for improvement and solutions to problems. Grantees that exhibit significantly poor performance may be placed on a performance plan as outlined by the GOHS Director. Grantee monitoring information will additionally provide documentation for potential funding in subsequent fiscal year grant proposal review.

PROJECT PERIOD:

The project period shall commence on the date the GOHS Director signs the Highway Safety Grant Agreement and terminate on September 30th of that or subsequent year as indicated on the Highway Safety Grant Agreement.

DURATION:

Grants shall be effective on the date the Governor's Office of Highway Safety Director signs the Grant Agreement and expire at the end of the project period.

If the Agency is unable to expend the funds in the time specified, the Agency will submit notification on the Agency's letterhead and hand deliver or submit via regular mail to the Director of the Governor's Office of Highway Safety a minimum of sixty days (60) prior to the end of the project period.

The Agency shall address all requests to modify the Grant Agreement to the Director of the Governor's Office of Highway Safety on Agency's official letterhead and either hand deliver or submit the request via regular mail. All requests for modification must bear the signature of the Project Director.

Failure to comply may result in cancellation of the Grant Agreement. Any unexpended funds remaining at the termination of the Grant Agreement shall be released back to the Governor's Office of Highway Safety.

ESTIMATED COSTS:

I.	Personnel Services (overtime)	\$17,857.00
II.	Employee Related Expenses (ERE) (40%)	\$7,143.00
III.	Professional and Outside Services	\$0.00
IV.	Travel In-State	\$0.00
V.	Travel Out-of-State	\$0.00
VI.	Materials and Supplies	\$0.00
VII.	Capital Outlay	\$0.00
TOTAL ESTIMATED COSTS		*\$25,000.00

*Includes all applicable training, tax, freight, and advertising costs. The GOHS reserves the right to limit reimbursement of Employee Related Expenses from zero (0) to a maximum rate of forty (40) percent. This is the maximum ERE amount to be reimbursed. It is agreed and understood that the Avondale Police Department shall absorb any and all expenditures in excess of \$25,000.00.

**QUARTERLY ENFORCEMENT REPORT
(Submitted to GOHS)**

Reporting Period

DESCRIPTION	GRANT AGREEMENT ACTIVITY	AGENCY ACTIVITY
Total Contacts (Traffic Stops)		
Total Sober Designated Drivers Contacted		
Total Know Your Limit Contacts		
TOTAL DUI ARRESTS		
Total DUI Aggravated		
Total DUI Misdemeanor		
Total DUI Extreme (.15 or Above)		
Under 21 DUI Citations		
Average BAC		
Distracted Driving Citations		
Total DUI Drug Arrests		
30-Day Vehicle Impounds		
Seat Belt Citations		
Child Restraint Citations		
Criminal Speed Citations		
Reckless Driving Citations		
Civil Speed Citations		
Other Citations		
Other Arrests		
Participating Officer/Deputies (Cumulative)		

CERTIFICATIONS AND AGREEMENTS

This GRANT AGREEMENT, is made and entered into by and between the STATE OF ARIZONA, by and through the Governor's Office of Highway Safety (GOHS) hereinafter referred to as "STATE", and the agency named in this Grant Agreement, hereinafter referred to as "AGENCY".

WHEREAS, the National Highway Safety Act of 1966, as amended (23 USC §§401-404), provides Federal funds to STATE for approved highway safety projects; and

WHEREAS, STATE may make said funds available to various state, county, tribal, or municipal agencies, governments, or political subdivisions upon application and approval by STATE and the United States Department of Transportation (USDOT); and

WHEREAS, AGENCY must comply with the requirements listed herein to be eligible for Federal funds for approved highway safety projects; and

WHEREAS, AGENCY has submitted an application for Federal funds for highway safety projects;

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOODS AND VALUABLE CONSIDERATION, it is mutually agreed that AGENCY will strictly comply with the following terms and conditions and the following Federal and State Statutes, Rules, and Regulations:

I. Project Monitoring, Reports, and Inspections

- A. AGENCY agrees to fully cooperate with representatives of STATE monitoring the project, either on-site or by telephone, during the life of the Grant Agreement.
- B. AGENCY will submit Quarterly Reports (one for each three-month period of the project year) to STATE in the form and manner prescribed by STATE. Notice of the specific requirements for each report will be given in this Grant Agreement or at any time thereafter by giving thirty (30) days written notice to AGENCY by ordinary mail at the address listed on the Grant Agreement. Failure to comply with Quarterly Report requirements may result in withholding of Federal funds or termination of this Grant Agreement.
- C. AGENCY will submit a Final Report/Statement of Accomplishment at completion of the Grant Agreement to include all financial, performance, and other reports required as a condition of the grant to STATE within thirty (30) days of the completion of the Grant Agreement.
- D. Representatives authorized by STATE and the National Highway Traffic Safety Administration (NHTSA) will have the right to visit the site and inspect the work under this Grant Agreement whenever such representatives may determine such inspection is necessary.

II. Reimbursement of Eligible Expenses

- A. AGENCY's Project Director, or Finance Personnel, will submit a Report of Costs Incurred Form (RCI) to STATE each time there have been funds expended for which reimbursement is being

requested. Failure to meet this requirement may be cause to terminate the project under Section XX herein, "Termination and Abandonment".

- B. AGENCY will reimburse STATE for any ineligible or unauthorized expenses for which Federal funds have been claimed and reimbursement received, as may have been determined by a State or Federal audit.
- C. STATE will have the right to withhold any installments equal to the reimbursement received by AGENCY for prior installments which have been subsequently determined to be ineligible or unauthorized.

III. Property Agreement

- A. AGENCY will immediately notify STATE if any equipment purchased under this Grant Agreement ceases to be used in the manner as set forth by this Grant Agreement. In such event, AGENCY further agrees to either give credit to the project cost or to another active highway safety project for the residual value of such equipment in an amount to be determined by STATE or to transfer or otherwise dispose of such equipment as directed by STATE.
- B. No equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of STATE, or unless otherwise provided elsewhere in this Grant Agreement.
- C. AGENCY will maintain or cause to be maintained for its useful life, any equipment purchased under this Grant Agreement.
- D. AGENCY will incorporate any equipment purchased under this Grant Agreement into its inventory records.
- E. AGENCY will insure any equipment purchased under this Grant Agreement for the duration of its useful life. Self-insurance meets the requirements of this section.

IV. Travel

In-State and Out-of-State Travel

In state and out-of-state travel claims will be reimbursed at rates provided by AGENCY's regulations, provided that such regulations are as restrictive as those of STATE. Where they are less restrictive, ARS §38-624 will apply.

The State must approve all out-of-state travel in writing and in advance.

V. Standard of Performance

AGENCY hereby agrees to perform all work and services herein required or set forth, and to furnish all labor, materials, and equipment, except that labor, material, and equipment as STATE agrees to furnish pursuant to this Grant Agreement.

VI. Hold Harmless Agreement

Neither party to this agreement agrees to indemnify the other party or hold harmless the other party from liability hereunder. However, if the common law or a statute provides for either a right to

indemnify and/or a right to contribution to any party to this agreement then the right to pursue one or both of these remedies is preserved.

VII. Non-Assignment and Sub-Contracts

This Grant Agreement is not assignable nor may any portion of the work to be performed be subcontracted unless specifically agreed to in writing by STATE. No equipment purchased hereunder may be assigned or operated by other than AGENCY unless agreed to in writing by STATE.

VIII. Work Products and Title to Commodities and Equipment

A. The work product and results of the project are the property of STATE, unless otherwise specified elsewhere in this Grant Agreement. All property, instruments, non-consumable materials, supplies, and the like, which are furnished or paid for by STATE under the terms of this Grant Agreement, unless otherwise provided for elsewhere in this Grant Agreement, are and remain the property of STATE and will be returned at the completion of this project upon request of STATE. The work product and results of the project will be furnished to STATE upon request, if no provision is otherwise made by this Grant Agreement.

B. The provisions of subparagraph A apply whether or not the project granted for herein is completed.

IX. Copyrights and Patents

Any copyrightable materials, patentable discovery, or invention produced in the course of this project may be claimed by STATE and a copyright or patent obtained by it at its expense. In the event STATE does not wish to obtain such copyright or patent, AGENCY may do so, but in any event, provision will be made by AGENCY for royalty-free, nonexclusive, nontransferable, and irrevocable licenses to be given the United States Government and STATE and its political subdivisions to use such copyrightable material, patented discoveries, or inventions in any manner they see fit. The STATE reserves the right

to impose such other terms and conditions upon the use of such copyrights or patents as may be deemed in the best interest of STATE in the event AGENCY is allowed to obtain a copyright or patent.

X. Uniform Administrative Requirements

(2 CFR Part 1201): *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*:

The application of 2 CFR Part 200 "Procurement Standards" Requires that:

AGENCY and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law. The most stringent purchasing requirement at each level must be met.

The Arizona Procurement Code (ARS §41-2501, et. seq.) and promulgated rules (A.A.C. Title 2, Chapter 7) are a part of this Grant Agreement as if fully set forth herein and AGENCY agrees to fully comply with these requirements for any procurement using grant monies from this Grant Agreement.

XI. Non-Discrimination

During the performance of this contract/grant agreement, the contractor/grant recipient agrees—

- A. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- B. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;
- C. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- D. That, in event a contractor/grant recipient fails to comply with any nondiscrimination provisions in this contract/grant agreement, the State highway safety agency will have the right to impose such contract/grant agreement sanctions as it or NHTSA determine are appropriate, including, but not limited to, withholding payments to the contractor/grant recipient under the contract/grant

agreement until the contractor/grant recipient complies; and/or cancelling, terminating, or suspending a contract or grant agreement, in whole or in part; and

- E. To insert this clause, including paragraphs A through E, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

XII. Executive Order 2023-01

It is mutually agreed that AGENCY will comply with the terms and conditions of Executive Order 2023-01, *Non-Discrimination in Employment by Government Contractors and Subcontractors*.

XIII. Application of Hatch Act

The AGENCY will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XIV. Minority Business Enterprises (MBE) Policy and Obligation

- A. Policy: It is the policy of the USDOT that minority business enterprises as defined in 49 CFR Part 23, will have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this Grant Agreement. Consequently, the minority business enterprises requirements of 49 CFR Part 23 apply to this Grant Agreement.
- B. Obligation: The recipient or its contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the subcontracts financed in whole or in part with Federal funds provided under this Grant Agreement. In this regard, all recipients or contractors will take all necessary and reasonable steps in accordance with 49 CFR, Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors will not discriminate on the basis of race, color, creed, sex, or national origin in the award and performance of USDOT-assigned Grant Agreements.

XV. Arbitration Clause, ARS §12-1518

Pursuant to ARS §12-1518, the parties agree to use arbitration, after exhausting applicable administrative reviews, to resolve disputes arising out of this agreement where the provisions of mandatory arbitration apply.

XVI. Inspection and Audit, ARS §35-214

Pursuant to ARS §35-214, all books, accounts, reports, files, and other records relating to this Agreement will be subject at all reasonable times to inspection and audit by STATE for five (5) years after completion of this Agreement. The records will be produced at the Governor's Office of Highway Safety.

XVII. Appropriation of Funds by U.S. Congress

It is agreed that in no event will this Grant Agreement be binding on any party hereto unless and until such time as funds are appropriated and authorized by the U.S. Congress and specifically allocated to the project submitted herein and then only for the fiscal year for which such allocation is made. In the

event no funds are appropriated by the U.S. Congress or no funds are allocated for the project proposed herein for subsequent fiscal years, this Grant Agreement will be null and void, except as to that portion for which funds have then been appropriated or allocated to this project, and no right of action or damages will accrue to the benefit of the parties hereto as to that portion of the Contract or Grant Agreement that may so become null and void.

XVIII. Continuation of Highway Safety Program

It is the intention of AGENCY to continue the Highway Safety Program identified in this Grant Agreement once Federal funding is completed. This intended continuation will be based upon cost effectiveness and an evaluation by AGENCY of the program's impact on highway safety.

XIX. E-Verify

Both parties acknowledge that immigration laws require them to register and participate with the E-Verify Program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this State. Both parties warrant that they have registered with and participate with E-Verify. If either party later determines that the other non-compliant party has not complied with E-Verify, it will notify the non-compliant party by certified mail of the determination and of the right to appeal the determination.

XX. Termination and Abandonment

- A. The STATE and AGENCY hereby agree to the full performance of the covenants contained herein, except that STATE reserves the right, at its discretion, to terminate or abandon any portion of the project for which services have not been already performed by AGENCY.
- B. In the event STATE abandons the services or any part of the services as herein provided, STATE will notify AGENCY in writing and within twenty-four (24) hours after receiving such notice, AGENCY will discontinue advancing the work under this Grant Agreement and proceed to close said operations under the Grant Agreement.
- C. The appraisal value of work performed by AGENCY to the date of such termination or abandonment shall be made by STATE on a basis equitable to STATE and AGENCY and a final reimbursement made to AGENCY on the basis of costs incurred. Upon termination or abandonment, AGENCY will deliver to STATE all documents, completely or partially completed, together with all unused materials supplied by STATE.
- D. AGENCY may terminate or abandon this Grant Agreement upon thirty (30) days written notice to STATE, provided there is subsequent concurrence by STATE. Termination or abandonment by

AGENCY will provide that costs can be incurred against the project up to and including sixty (60) days after notice is given to STATE.

- E. Any equipment or commodities which have been purchased as a part of this Grant Agreement and which have not been consumed or reached the end of its useful life will be returned to STATE upon its written request.

XXI. Cancellation Statute

All parties are hereby put on notice that this Contract/Grant Agreement is subject to cancellation pursuant to ARS §38-511, the provisions of which are stated below.

In accordance with ARS §38-511, this Contract/Grant Agreement may be cancelled without penalty or further obligation if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Contract/Grant Agreement on behalf of the STATE, its political subdivisions or any department or agency of either, is at any time while the Contract/Grant Agreement or any extension of the Contract/Grant Agreement is in effect, an employee of any other party to the Contract/Grant Agreement in any capacity or a consultant to any other party of the Contract/Grant Agreement with respect to the subject matter or the Contract/Grant Agreement.

The cancellation shall be effective when written notice from the Governor or Chief Executive Officer or governing body of the political subdivision is received by all other parties to the Contract/Grant Agreement unless the notice specifies a later time.

AGREEMENT OF UNDERSTANDING AND CERTIFICATION OF COMPLIANCE

Acceptance of Condition

It is understood and agreed by the undersigned that a grant received as a result of this Grant Agreement is subject to the Highway Safety Act of 1966, as amended (23 U.S.C.A. §§401-404), ARS §28-602, and all administrative regulations governing grants established by the USDOT and STATE. It is expressly agreed that this Highway Safety Project constitutes an official part of the STATE's Highway Safety Program and that AGENCY will meet the requirements as set forth in the accompanying Project Director's Manual, which are incorporated herein and made a part of this Grant Agreement. All State and Federal Statutes, Rules, Regulations, and Circulars referenced in this Grant Agreement are a part of this document as if fully set forth herein. It is also agreed that no work will be performed nor any obligation incurred until AGENCY is notified in writing that this project has been approved by the Governor's Highway Safety Representative.

Certificate of Compliance

This is to certify that AGENCY will comply with all of the State and Federal Statutes, Rules and Regulations identified in this Grant Agreement.

Certification of Non-Duplication of Grant Funds Expenditure

This is to certify that AGENCY has no ongoing nor completed projects under Grant Agreement with other Federal fund sources which duplicate or overlap any work contemplated or described in this Grant Agreement. It is further certified that any pending or proposed request for other Federal grant funds which would duplicate or overlap work described in the Grant Agreement will be revised to exclude

any such duplication of grant fund expenditures. It is understood that any such duplication of Federal funds expenditures subsequently determined by audit will be subject to recovery by STATE.

Single Audit Act

If your political subdivision has had an independent audit meeting the requirements of the Single Audit Act of 1984, (31 U.S.C.A. §7501 et. seq.), please forward a copy to GOHS, Attention: Finance Dept., within thirty (30) days of the effective date of this Grant Agreement. If such audit has not been performed, please advise when it is being scheduled.

Buy America Act

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron, and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than twenty-five (25) percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

Certification on Conflict of Interest*General Requirements*

No employee, officer or agent of a State or its subrecipient who is authorized in an official capacity To negotiate, make, accept Or approve, Or To take part In negotiating, making, accepting or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly Or indirectly, any financial Or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member Of his Or her immediate family, his Or her partner, Or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in Or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

1. The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions To be applied For violations Of such standards by officers, employees, Or agents.
 - a. The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, Or anything Of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
 - b. The code or standards shall establish penalties, sanctions or other disciplinary actions for violations, as permitted by State or local law or regulations.
2. The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

Disclosure Requirements

No State or its subrecipient, including its officers, employees or agents, shall perform or continue to perform under a grant Or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or otherwise, in organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

1. The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate And full disclosure In writing To NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.
2. NHTSA will review the disclosure and may require additional relevant information from the recipient. If a conflict of interest is found to exist, NHTSA may
 - (a) terminate the award, or
 - (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict.
3. Conflicts of interest that require disclosure include all past, present or currently planned organizational, financial, contractual Or other interest(s) With an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, And which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, And the officers, employees Or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or Action can have an economic Or other impact on the interests of a regulated Or affected organization

Prohibition on Using Grant Funds to Check for Helmet Usage

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

Certification Regarding Debarment and Suspension

- A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in

addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

- D. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- E. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used* in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- F. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- G. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled Instructions for Lower Tier Certification including the Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction, provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
- I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- J. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause of default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matter

- A. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principal:
1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- B. Where the prospective primary tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

- A. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- C. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- D. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- E. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4,

debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

- F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions Website (<https://www.sam.gov>).
- H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- I. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

- A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
- B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Restriction on State Lobbying

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Certification for Contracts, Grant, Loans, and Cooperative Agreements (Federal Lobbying)

The undersigned certifies, to the best of his or her knowledge and belief, that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients will certify and disclose accordingly.
- D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Project Director:

Memo Espinoza, Chief
Avondale Police Department

Date

Telephone

***Signature of Authorized Official of
Governmental Unit:***

Ron Corbin, City Manager
City of Avondale

Date

Telephone

REIMBURSEMENT INSTRUCTIONS

1. Agency Official preparing the Report of Costs Incurred:

Name: Daniel Vazquez

Title: Sr. Management Analyst

Telephone Number: 623-333-7263

Fax Number: _____

E-mail Address: dvazquez@avondaleaz.gov

2. **Agency's Fiscal Contact:**

Name: Veronica Martinez

Title: Sr. Accountant

Telephone Number: 623-333-2044

Fax Number: _____

E-mail Address: vmartinez@avondaleaz.gov

Federal Identification Number: 86-6000233

3. ***REIMBURSEMENT INFORMATION:***

Warrant/Check to be made payable to:

City of Avondale

Warrant/Check to be mailed to:

City of Avondale, Finance Department, Accounting Division

(Agency)

11465 W Civic Center Dr

(Address)

Avondale, AZ 85323

(City, State, Zip Code)

4. ***Unique Entity Identifier:***

GDTNM5BLN9Y4

(Unique Entity Identifier #)

11465 W Civic Center Dr., Avondale, AZ 85323

(Registered Address & Zip Code)

ITEM NUMBER: 4.e.

SUBJECT: Resolution 1102-1024 - Authorizing Grant Acceptance of 100 Club of Arizona's Safety Enhancement Stipend Awards

MEETING DATE: 10/21/2024

TO: Mayor and Council

FROM: Renee Weatherless, Finance and Budget Director

THROUGH: Ron Corbin, City Manager, (623) 333-1011

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Public Health and Safety - Avondale is a city where all people feel safe and secure, relying on trusted public and community-based resources. The funds will be used to provide safety equipment for City of Avondale's safety personnel.
-

PURPOSE:

City Council will consider a request to: a) adopt Resolution 1102-1024, authorizing a grant provided by the 100 Club of Arizona in the amount of \$9,000; b) authorize and direct staff to take all steps necessary to cause the execution of the Agreement; and c) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The 100 Club of Arizona's Safety Enhancement Stipend (SES) program was created in 2004 to provide assistance to police safety agencies for equipment to enhance the safety of officers and firefighters. The SES Program allows agencies to obtain equipment and training that is otherwise unavailable through other funding.

DISCUSSION:

Funding will be utilized to purchase 100 high-visibility safety vests. The City of Avondale Fire and Medical Department responds to calls for service throughout the City of Avondale, and it is essential for public safety personnel to be identified quickly. Additionally, the high visibility vests provide additional safety measures for the personnel in low lighting situations. This Agreement shall terminate on January 28, 2025.

BUDGET IMPACT:

The acceptance of this grant will require a transfer of appropriation from the unanticipated revenue line item.

RECOMMENDATION:

Staff recommends City Council adopt a resolution authorizing the acceptance of a grant from the 100 Club of Arizona's Safety Enhancement Stipend in the amount of \$9,000 and authorize staff to take the necessary actions to execute the terms of the agreement.

Contact person for document distribution: Shawn Pierce, Marsha Chavez



**CELEBRATING 50
YEARS OF SERVING
THE PUBLIC SAFETY
COMMUNITY**

**CHIEF EXECUTIVE
OFFICER**

Angela Harrolle

**2024 BOARD
OF DIRECTORS**

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Danielle Russell

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Rebecca Armendariz

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Bill Schubert

Jason Beck

Rebekah Browder

Suhas Chauhan

Gerald Deetz

Jill Estep

Curt Garrett

Rodney Glassman

Amy Hysell

Jared Lowe

Christopher Petrie

Reda Riddle-Bigler

Joe Scheid

Dr. Anup Shah

Scott Wede

Chris Wodarczyk

MAIN OFFICE

333 N. 44th Street
Suite 100
Phoenix, AZ 85008
602.485.0100
602.242.1715 (FAX)

INFO@100CLUB.ORG
WWW.100CLUB.ORG

September 30, 2024

Chief Rooney
Avondale Fire and Medical
125 North Avondale Blvd. Ste. 100
Avondale, ARIZONA 85323

Re: 100 Club of Arizona Safety Enhancement Stipend

Dear Chief Rooney,

The 100 Club is pleased to announce that Avondale Fire and Medical is the recipient of the 100 Club of Arizona's Safety Enhancement Stipend Awards for the 3rd Quarter 2024.

The award is not to exceed \$9,000.00 to fund 50 Visibility Blaur Safety Vests.

Please follow the procedures and specifications below to secure your safety equipment.

1. The equipment must be ordered within 60 days of notification of the stipend approval, **(November 30, 2024).**
2. The 100 Club will reimburse your agency within 14 days of receiving a paid invoice and current form W-9.
3. All invoices are to be dated and signed by the head of the requesting agency or their designee and must be submitted for reimbursement within 120 days of this notice. Delays directly responsible by the agency may result in forfeiture of the stipend.
4. Upon the agency receiving the items ordered, please provide the invoice, letter of confirmation and a copy of the check used for the purchase. This should be signed by the authorized person for that agency. These documents should be sent to the 100 Club along with the correct mailing address for the reimbursement check.

(You must note in the letter that the items were received in satisfactory condition).
5. The 100 Club will verify the original request. Reimbursements or payments will only be made for the original amount requested and approved and will not exceed the amount of the invoice.
6. 100 Club will coordinate with your agency a check acceptance meeting and photograph.
7. A Safety Enhancement (SES) Program Report will be due by March 31, 2025, or prior to applying for a new stipend within the same funding year. The report can be found on our website at www.100club.org and submitted through the portal. Failure to submit the report will disqualify the agency for future SES funding.

If you have any questions, please call or email Erin Purce, Agency Program Manager at 480588-8818 or Erin@100club.org.

Sincerely,

Angela Harrolle
CEO/President

The 100 Club of Arizona is a non-profit organization that provides immediate financial assistance to families of public safety officers and firefighters who are seriously injured or killed in the line of duty and to provide resources to enhance their safety and well-being.

RESOLUTION NO. 1102-1024

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AUTHORIZING THE ACCEPTANCE OF THE SAFETY ENHANCEMENT PROGRAM GRANT FROM THE 100 CLUB OF ARIZONA FOR 50 VISIBILITY BLAUR SAFETY VESTS.

WHEREAS, the 100 Club of Arizona has (“100 Club”) has awarded the City of Avondale (the “City”) the Safety Enhancement Program grant in the amount of \$9,000.00 for 100 Visibility Blaur Safety Vests (the “Grant”); and

WHEREAS, the Mayor and Council of the City of Avondale (“City Council”) desire to accept the Grant funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The City Council hereby authorizes the acceptance of the Grant in an amount not to exceed \$9,000.00

SECTION 3. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute and submit any other necessary or desirable instruments in connection with the Grant and to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, October 21, 2024.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

ITEM NUMBER: 4.f.

SUBJECT: Resolution 1103-1024- Authorizing Banking & Investing Authority

MEETING DATE: 10/21/2024

TO: Mayor and Council

FROM: Renee Weatherless, Finance and Budget Director

THROUGH: Ron Corbin, City Manager, (623) 333-1011

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Innovative Program and Service Delivery - Avondale will continue to serve as a model of innovative, efficient, and responsive government.

This change will allow Avondale to continue paying its obligations on-time and protect the City's resources.

PURPOSE:

City Council will consider a request to adopt Resolution 1103-1024, authorizing certain city officials and staff to execute and endorse checks and other items for and on behalf of the City, authorizing certain city staff to authorize certain electronic payments and transfers of funds, authorizing certain city staff to open investment and safekeeping accounts, invest city funds, and execute contracts, agreements or transactions in connection with such investment accounts, and declaring an emergency; and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take the appropriate action.

BACKGROUND:

With the recent change of mayor, updates to City-assigned authorizations are needed.

DISCUSSION:

When there are changes in certain city officials and city staff, City Council should authorize replacements to, execute and endorse checks and other items for and on behalf of the City, authorize certain electronic payments and transfers of funds as necessary, and open investment and safekeeping custodial accounts, invest city funds, and execute contracts, agreements or transactions in connection with such investment accounts. These actions help to ensure compliance with the City Charter, Article IV, Section 3, and the effective and efficient administration of the City's finances and related operations.

BUDGET IMPACT:

This action does not have a budget impact.

RECOMMENDATION:

Staff recommends City Council adopt a resolution authorizing certain city officials and staff to execute and endorse checks and other items for and on behalf of the City, authorizing certain city staff to authorize certain electronic payments and transfers of funds, authorizing certain city staff to open investment and safekeeping accounts, invest city funds, and execute contracts, agreements or transactions in connection with such investment accounts, and declaring an emergency; and authorize the Mayor and City Manager and City Clerk to execute the necessary documents.

Contact person for document distribution: Keith Fallstrom; Renee Weatherless

RESOLUTION NO. 1103-1024

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AUTHORIZING THE MAYOR, THE CITY MANAGER, AND THE FINANCE AND BUDGET DIRECTOR TO EXECUTE CHECKS AND OTHER ITEMS FOR AND ON BEHALF OF THE CITY OF AVONDALE; AUTHORIZING THE CITY MANAGER AND THE FINANCE AND BUDGET DIRECTOR TO AUTHORIZE CERTAIN ELECTRONIC PAYMENTS AND TRANSFERS OF FUNDS; AUTHORIZING THE CITY MANAGER AND THE FINANCE AND BUDGET DIRECTOR TO OPEN INVESTMENT AND SAFEKEEPING ACCOUNTS, INVEST CITY FUNDS, AND EXECUTE CONTRACTS, AGREEMENTS OR TRANSACTIONS IN CONNECTION WITH SUCH INVESTMENT ACCOUNTS; AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary that officers of the City of Avondale (the “City”) be duly authorized to execute checks, electronic payments, transfers and other items relating to certain bank accounts of the City; and

WHEREAS, by Resolution 1077-1222, adopted November 21, 2022, the Council of the City of Avondale (the “City Council”) authorized the Mayor, the City Manager, and the Finance and Budget Director to execute and endorse checks on behalf of the City; and

WHEREAS, it is necessary that officers of the City be duly authorized to open investment and safekeeping accounts, invest City funds, and execute contracts, agreements or transactions in connection with such investment accounts; and

WHEREAS, by Resolution 1077-1222, adopted November 21, 2022, the City Council authorized the City Manager and the Finance and Budget Director to open a safekeeping account, invest City funds in securities and execute contracts, agreements or transactions in connection with such investment accounts; and

WHEREAS, on October 14, 2024, Michael Pineda began serving as the City Mayor for the City; and

WHEREAS, the City Council desires to repeal its prior authorization and to adopt this Resolution to reflect the current City officers.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE, as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. Effective October 21, 2024, the Mayor of the City, Michael Pineda, is hereby authorized to execute checks and other items for and on behalf of the City and is further authorized to endorse checks and other items payable to the City for deposit.

SECTION 3. Effective October 21, 2024, the City Manager of the City, Ron Corbin, is hereby authorized to: (i) execute checks and other items for and on behalf of the City and is further authorized to endorse checks and other items payable to the City for deposit; (ii) execute ACH (or other electronic means) and wire transfers for and on behalf of the City; (iii) execute transfers from the City operating account to (a) the City's payroll, the City's investments and other City accounts or (b) any other account as directed by the City Council; (iv) to direct, orally, in writing, electronically, or through any other medium agreed to by said officer(s) and the financial institutions selected by the City to provide investment and safekeeping accounts (the "Institutions"), the opening of investment accounts and the investment of municipal funds in securities and/or time deposits with and/or through the Institutions through such accounts; (v) to execute, on behalf of the City, contracts or agreements in connection with such investment accounts in the usual form provided by the Institutions for such accounts generally; (vi) to receive in respect of said investment accounts, confirmations, receipts, notices, demands, reports, and communications of any kind; (vii) to receive in respect of said investment accounts, money, securities, time deposits, and property of every kind, and to dispose of same; (viii) to endorse and deliver for deposit, negotiation, transfer, pledge, or sale, and to identify or guarantee signatures or endorsements on, notes, certificates of deposit, checks, and securities of all kinds, either belonging to or coming into the possession of the City; and (ix) to authorize, orally or in writing or through any other medium agreed to by said officer(s) and the Institutions, the debiting and/or crediting by the Institutions of the City's deposit account(s) at any other financial institution for the purpose of effecting such transaction.

SECTION 4. Effective October 21, 2024, the Finance and Budget Director of the City, Renee Weatherless, is hereby authorized to: (i) execute checks and other items for and on behalf of the City and is further authorized to endorse checks and other items payable to the City for deposit; (ii) execute ACH (or other electronic means) and wire transfers for and on behalf of the City; (iii) execute transfers from the City operating account to (a) the City's payroll, the City's investments and other City accounts or (b) any other account as directed by the City Council; (iv) to direct, orally, in writing, electronically, or through any other medium agreed to by said officer(s) and the Institutions, the opening of investment accounts and the investment of municipal funds in securities and/or time deposits with and/or through the Institutions through such accounts; (v) to execute, on behalf of the City, contracts or agreements in connection with such investment accounts in the usual form provided by the Institutions for such accounts generally; (vi) to receive in respect of said investment accounts, confirmations, receipts, notices, demands, reports, and communications of any kind; (vii) to receive in respect of said investment accounts, money, securities, time deposits, and property of every kind, and to dispose of same; (viii) to endorse and deliver for deposit, negotiation, transfer, pledge, or sale, and to identify or guarantee signatures or endorsements on, notes, certificates of deposit, checks, and securities of all kinds, either belonging to or coming into the possession of the City; and (ix) to authorize, orally or in writing or through any other medium agreed to by said officer(s) and the Institutions, the debiting and/or crediting by the Institutions of the City's deposit account(s) at any other financial institution for the purpose of effecting such transaction.

SECTION 5. This Resolution applies to all City bank and investment accounts held in any bank or other financial institution.

SECTION 6. Checks drawn upon the City accounts for amounts less than \$1,000.00 shall bear one signature of the Mayor, the City Manager, or the Finance and Budget Director. Checks drawn upon said accounts for the amounts of \$1,000.00 or more shall bear: (i) one signature from the Mayor; and (ii) one signature from any of the following: the City Manager or the Finance and Budget Director.

SECTION 7. The immediate operation of this Resolution is necessary for the preservation of the public peace and welfare by ensuring City operations continue uninterrupted. An emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after passage by the City Council; upon operation of this Resolution, Resolution 1077-1222 shall be repealed.

SECTION 8. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, October 21, 2024.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

ITEM NUMBER: 5.a.

SUBJECT: Ordinance 2030-1024 - Authorizing the Acquisition of Real Property for Public Use as a Trailhead and Related Parking Area

MEETING DATE: 10/21/2024

TO: Mayor and Council

FROM: James Milanese, City Projects Administrator

THROUGH: Tracy Stevens, Assistant City Manager, (623) 333-1014

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Diverse Recreation and Entertainment Opportunities - Avondale provides residents with the ability to connect with amenities, businesses, and their community, enhancing the opportunity to live, work, and enjoy a healthy, active, and affordable lifestyle.
-

PURPOSE:

City Council will consider a request to adopt Ordinance 2030-1024, authorizing the acquisition of real property for public use as a trailhead and related parking area and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The Active Transportation Plan adopted in 2022 identified enhancements to the multiuse path along both the east and west side of the Agua Fria River, and noted that trailheads are to be installed to allow for access to the trail network. The City currently does not have any trailhead locations along the river with parking.

Maricopa County has publicly listed +/- 3.36 acres of real property for sale, generally located south of Buckeye Road and east of Dysart Road.

DISCUSSION:

Staff believe the parcel could be converted to a trailhead and parking lot to allow for access to the Agua Fria Trail system. This ordinance would allow staff to engage in due diligence activities including acquiring a title report, appraisal, Phase 1 Environmental Review, and an ALTA survey. Should the due diligence prove to be satisfactory, staff will return to City Council requesting a transfer of funds in the amount identified in the appraisal and request a new Capital Improvement Plan (CIP) project during the normal budget process. This new project would fund the design and construction of the site amenities.

BUDGET IMPACT:

Funding is currently available in Capital Improvement Plan Project P0084, Multi-modal Trail System, for due diligence activities. Expenditures for the title report and appraisal are not expected to exceed \$12,000.

RECOMMENDATION:

Staff recommends City Council adopt Ordinance 2030-1024, authorizing the acquisition of real property for public use as a trailhead and related parking area, and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

Contact person for document distribution: James Milanese





 MCDOT PARCEL MI-1N1W-14
146,186sf or 3.36ac +/-

PARCEL NO.: 500-41-005B
PROJECT: MC 85
SR-85 AT AGUA FRIA RIVER
Item No. MI-1N1W-14
Maricopa County to City of Avondale

Legal Description

The West half of the East half of the Northwest quarter (W2 E2 NW4) of Section 14 - T1N, R1W, G&SRB&M, Maricopa County, Arizona.

EXCEPT any portion North of the South right-of-way line of MC85 (Old US 80); and

EXCEPT any portion West of the following described line: **COMMENCING** at the Northwest corner of said Section 14; thence along the North line of said Section 14, North 89°27'50" East a distance of 1697.46 feet; thence South 00°40'20" East a distance of 216.12 feet to the South right-of-way line of MC85 (Old Us 80) as shown in the "Results of Survey" per Book 311, Map 47, Maricopa County records and the **POINT OF BEGINNING**; thence, continuing South 00°40'20" East a distance of 835.92 feet to a point; said point hereinafter referred to as **Point "A"**; and

EXCEPT any portion lying South of the following described line; **COMMENCING** at the aforesaid reference **Point "A"**; Thence, along the Northwest right-of-way line of the Agua Fria River Channel and in a Northeasterly direction to a point on the East line of the West half of the East half of the Northwest quarter that lies 183.46 feet Southerly from the intersection of said East line and said South right-of-way line of MC85.

The above described parcel contains 146,186 square feet or 3.36 acres more or less.

MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION		
Prelim: 10-31-2007	Chk: jls	Appr:
Rev:		
Maricopa County Public Works Land & R/W Division		



GRANTOR _____ **DATE** _____

EXHIBIT "A"

ORDINANCE NO. 2030-1024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR PUBLIC USE AS A TRAILHEAD AND RELATED PARKING AREA.

WHEREAS, Article I, Section 3 of the Avondale City Charter authorizes the City of Avondale (the “City”) to acquire real property in fee simple or any lesser interest or estate, inside or outside its corporate limits, for any City purpose as the City’s interests may require; and

WHEREAS, the City Council desires to authorize the acquisition of certain real property generally located south of Buckeye Road and east of Dysart Road for public use as a trailhead and related parking area.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The acquisition, by purchase, condemnation or dedication, of real property totaling ± 3.36 acres, generally located south of Buckeye Road and east of Dysart Road, a portion of Assessor’s Parcel No. 500-41-005B, as more particularly described and depicted on Exhibit A attached hereto and incorporated herein by reference, is hereby authorized.

SECTION 3. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Ordinance.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 21, 2024.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 2030-1024

[Legal Description and Map]

See following pages.

Parcel No. 500-41-005B
Project: MC85 at Agua Fria River
Item No. MI-1N1W-14

EXHIBIT "A"

A parcel of land in the Northwest Quarter of Section 14, Township 1 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more particularly described as follows:

Commencing at the Northwest corner of said Section 14, from which the North Quarter corner of said Section 14, bears North 89°43'44"East, for a distance of 2643.03 feet;

THENCE along the North Section line of said Section, North 89°43'44" East, for a distance of 1983.48 feet;

THENCE departing said Section line, South 00°16'16" East, for a distance of 214.71 feet to a point on the Southerly Right of Way line of MC 85, said point being the **Point of Beginning**;

THENCE departing said Right of Way line, South 00°37'01" East, for a distance of 183.46 feet;

THENCE South 23°19'13" West, for a distance of 713.50 feet;

THENCE North 00°24'26" West, for a distance of 835.92 feet to a point on said Southerly Right of Way line, said point being the beginning of a non-tangent curve;

THENCE along said Southerly Right of Way line, from a radial line bearing North 01°45'07" West, Easterly along the arc of a curve concave to the South having a radius of 4220.57 feet and a central angle of 01°28'51", for an arc distance of 109.09 feet to the beginning of a tangent line;

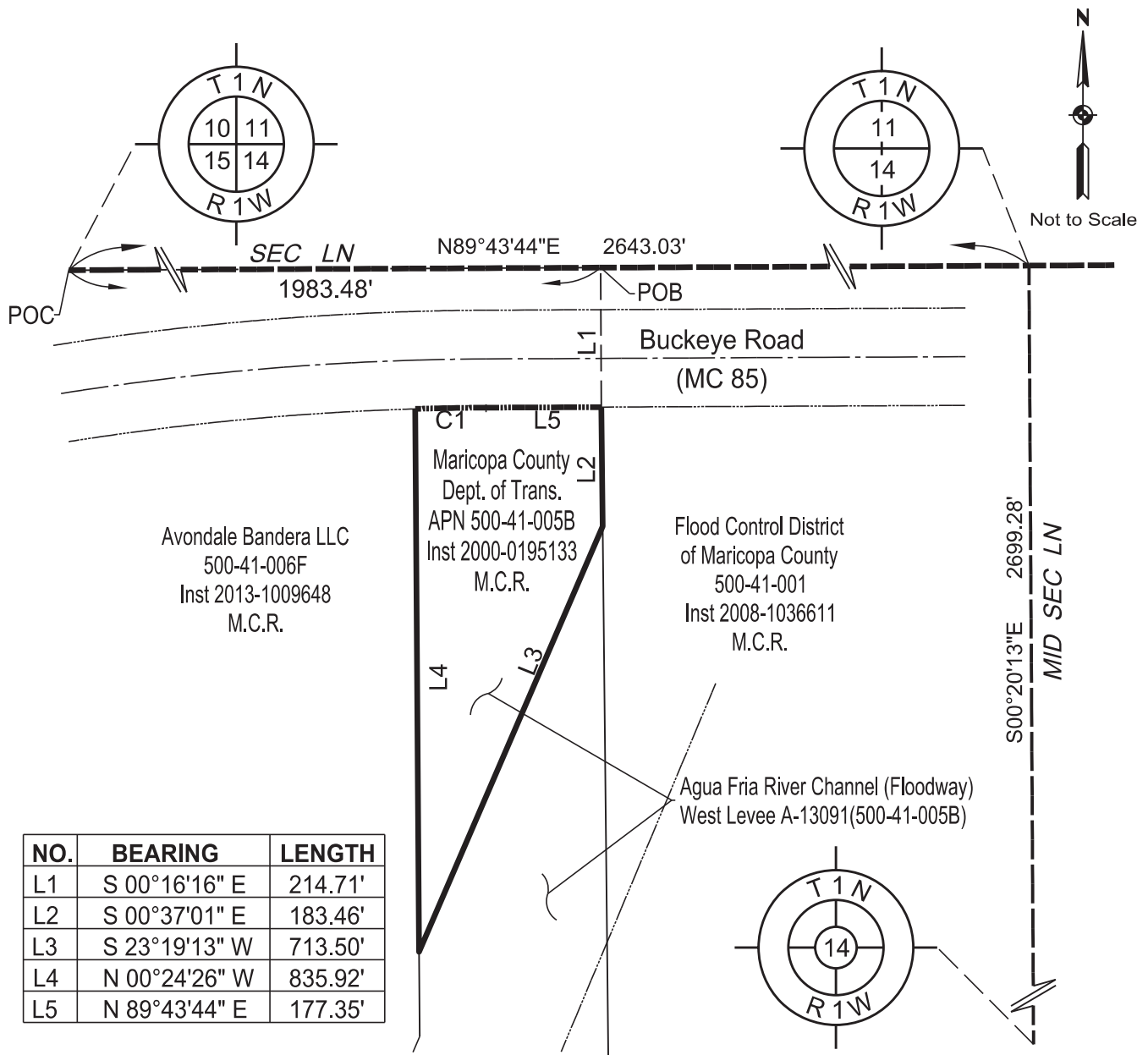
THENCE continuing along said Right of Way line, North 89°43'44" East, for a distance of 177.35 feet to the **Point of Beginning**.

The above described parcel contains 146,423 square feet or 3.3614 acres, more or less, and is depicted on attached Exhibit "B".

MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION		
Prelim: 5-28-2024KH	Chk:	Appr:
Rev:		
Maricopa County Real Estate Department		



Exhibit "B"



NO.	BEARING	LENGTH
L1	S 00°16'16" E	214.71'
L2	S 00°37'01" E	183.46'
L3	S 23°19'13" W	713.50'
L4	N 00°24'26" W	835.92'
L5	N 89°43'44" E	177.35'

NO.	RADIUS	DELTA	LENGTH	TANGENT	NON-TANGENT (RB)
C1	4220.57'	01°28'51"	109.09'	51.55'	N 01°45'07" W

(RB) - RADIAL BEARING

Legend:

POC - Point of Commencement

POB - Point of Beginning

APN - Assessor's Parcel Number

Inst - Instrument

M.C.R. - Maricopa County Records

Dept. of Trans - Department of Transportation

Total Req'd. Area: 146,423 square feet or 3.3614 acres



MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION

APN 500.41.005B (A-13091)

PROJECT: MC85 at Agua Fria River

ITEM: MI-1N1W-14

DATE 05/28/2024

Real Estate Department

R/W Agent J.G.

ITEM NUMBER: 5.b.

SUBJECT: Selection of New Vice Mayor

MEETING DATE: 10/21/2024

TO: Mayor and Council

FROM: Marcella Sarmiento, City Clerk

THROUGH: Tracy Stevens, Assistant City Manager, (623) 333-1014

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

n/a

PURPOSE:

City Council will accept nominations and designate one of its members as Vice Mayor for a partial term (until the next full-term selection in January 2025). The Council will take appropriate action.

BACKGROUND:

At the October 14, 2024 City Council meeting, Vice Mayor Mike Pineda was appointed as Mayor and vacated the Vice Mayor seat.

DISCUSSION:

Pursuant to Article II, Section 9 of the Avondale City Charter, the City Council shall designate one of its members as Vice Mayor. The Vice Mayor shall perform the duties of the Mayor during his/her absence or disability.

BUDGET IMPACT:

This item does not have a direct impact to the City budget. The salary for the selected Vice Mayor will be adjusted accordingly.

RECOMMENDATION:

Staff recommends City Council accept nominations and designate one of its members as Vice Mayor for a partial term until the next full-term selection in January 2025.

Contact person for document distribution: n/a