



City of Avondale

City Council Meeting

Monday, March 24, 2025

Mayor and Council

Mike Pineda, Mayor

Curtis Nielson, Vice Mayor

Tina Conde, Councilmember | Jeannette Garcia, Councilmember

Gloria Solorio, Councilmember | Shari Weise, 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, March 24, 2025

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. PROCLAMATION - TWO LIGHTS FOR TOMORROW

City Council will present a proclamation recognizing the nationwide celebration of the Two Lights for Tomorrow initiative and urge all citizens to participate by lighting two lights to honor the past and illuminate the path forward for future generations. This item is for discussion only.

b. PROCLAMATION - FAIR HOUSING MONTH (APRIL)

City Council will present a proclamation recognizing April 2025 as National Fair Housing Month. This item is for discussion only.

c. PROCLAMATION - WOMEN'S HISTORY MONTH

City Council will present a Proclamation recognizing March 2025 as Women's History Month. 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 February 10, 2025, February 24, 2025, and March 3, 2025 City Council meeting minutes. The Council will take appropriate action.

b. APPOINTMENTS AND REAPPOINTMENTS TO BOARDS AND COMMISSIONS

City Council will consider a request to: a) approve various appointments to the City's Boards and Commissions as recommended by the City Council Subcommittee on Boards and Commissions and as listed in the staff report; b) approve the reappointment of various members to the City's Boards and Commissions; and c) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action

c. SETTLEMENT AGREEMENT AND PAYMENT FOR THE CLAIM OF ROGELIO JACQUEZ

City Council will consider a request to approve the settlement agreement with Rogelio Jacquez in the amount of \$250,000 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. RESOLUTION 1009-0325 - DESIGNATING THE CITY'S HOUSING AND COMMUNITY DEVELOPMENT MANAGER AS THE CERTIFYING OFFICER FOR ENVIRONMENTAL REVIEWS CONDUCTED PURSUANT TO 24 CFR PART 58

City Council will consider a request to adopt Resolution 1009-0325, designating the City's Housing and Community Development Manager as the Certifying Officer for Environmental Reviews conducted pursuant to 24 CFR Part 58 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. RESOLUTION 1010-0325 - AUTHORIZING THE GRANT APPLICATION AND ACCEPTANCE FROM THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR OCCUPANT SAFETY PROGRAM

City Council will consider a request to: a) adopt Resolution 1010-0325, to apply for grant funding from the Governor's Office of Highway Safety for the Occupant Safety program in the amount of \$26,560; b) authorize and direct staff to take all steps necessary to cause the execution of the application and if awarded the acceptance 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.

f. RESOLUTION 1011-0325 - AUTHORIZING THE GRANT APPLICATION AND ACCEPTANCE OF FUNDS FROM THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY IMPAIRED DRIVING PROGRAM

City Council will consider a request to: a) adopt Resolution 1011-0325, authorizing the application and acceptance of grant funds by the Governor's Office of Highway Safety in the amount of \$39,420, which supports the Police Department's funding of Personnel Services (Overtime) and Employee Related Expenses to enhance DUI/Impaired Driving Enforcement Overtime through 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.

g. RESOLUTION 1012-0325 - AMENDMENT NO. 3 TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY HOME CONSORTIUM

City Council will consider a request to adopt Resolution 1012-0325, authorizing Amendment No. 3 to the Intergovernmental Agreement (IGA) with Maricopa County to allow the City to receive an allocation of federal funding under the HOME Investment Partnerships (HOME) Program in the amount of \$199,777 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

h. RESOLUTION 1013-0325 - AMENDMENT NUMBER 3 TO THE INTERGOVERNMENTAL AGREEMENT (IGA) WITH MARICOPA COUNTY FOR AMERICAN RESCUE PLAN (ARP) FUNDING

City Council will consider a request to adopt Resolution 1013-0325, approving Amendment No. 3 to an Intergovernmental Agreement (IGA) between Maricopa County and the City of Avondale relating to the American Rescue Plan Act of 2021 funding (ARPA) for the construction of affordable housing and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

i. RESOLUTION 1014-0325 - 2025-2026 HUD ANNUAL ACTION PLAN AND FIVE-YEAR HUD CONSOLIDATED PLAN (2025-2029)

City Council will consider a request to adopt Resolution 1014-0325, approving the City's 2025-2026 Annual Action Plan and the Consolidated Plan and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Annual Action Plan identifies housing and community development needs and strategies and defines how Community Development Block Grant (CDBG) and HOME funds will be allocated next fiscal year. The Consolidated Plan outlines the City's goals for housing and community development for the next five years. The Council will take appropriate action.

j. ORDINANCE 2007-0325 - AMENDMENT OF CITY CODE CHAPTER 4.5 CABLE TELEVISION SYSTEMS TO ADD A NEW ARTICLE II TELECOMMUNICATIONS LICENSE

City Council will consider a request to adopt Ordinance 2007-0325, amending Avondale City Code Chapter 4.5 Cable Television Systems to add a new Article II Telecommunications License and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents. The Council will take the appropriate action.

k. ORDINANCE 2008-0325 - AMENDMENT OF CITY CODE CHAPTER 8 DRAINAGE AND FLOOD CONTROL

City Council will consider a request to adopt Ordinance 2008-0325, amending Avondale City Code Chapter 8 Drainage and Flood Control and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents. The Council will take the appropriate action.

l. ORDINANCE 2009-0325 – GRANTING OF A RIGHT-OF-WAY EASEMENT ACROSS CITY-OWNED PROPERTY TO ARIZONA PUBLIC SERVICE

City Council will consider a request to adopt Ordinance 2009-0325, authorizing the granting of a right-of-way easement across City-owned property to Arizona Public Service and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

m. FINAL PLAT FOR PARK 10 PHASE 4 - LOT 1, PHASE 3 REPLAT – APPLICATION PL-25-0006

City Council will consider a request by Jeff Behrana, PE, with Optimus Civil Design Group, on behalf of GUNBO, LLC, c/o Parkland Development, for: a) approval of Application PL-25-0006, a Final Plat for Park 10 Phase 4 - Lot 1, Phase 3 Replat located at the southeast corner of McDowell Road and 107th Avenue; and b) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

n. MAP OF DEDICATION FOR ENTRADA - ILLINI STREET – APPLICATION PL-24-0303

City Council will consider a request by Daniel Auxier, PE, with EPS Group, Inc., on behalf of Meritage Homes of Arizona, Inc., for: a) approval of Application PL-24-0303, a Map of Dedication for Entrada – Illini Street generally located north of Broadway Road and west of 107th Avenue; and b) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

5. REGULAR AGENDA

a. PUBLIC HEARING AND ORDINANCE 2010-0325 - HOPEWELL AVONDALE ANNEXATION APPLICATION PL-24-0242

City Council will hold a public hearing and consider a request to adopt Ordinance 2010-0325, approving a request by Kimberly Schroeder of Kaeko Inc., on behalf of the property owner Hopewell Avondale, to annex an approximate 5-foot wide strip of land located east of the northeast corner of El Mirage and Indian School roads, which is the southeastern portion of the Hopewell parcel and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

b. COUNCIL BUDGET DISCUSSION

City staff will present an update on the City's finances and seek Council's feedback on the Fiscal Year 2026 budget. This item is for discussion only; no Council action will be taken.

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

(5 minutes)

7. ADJOURNMENT

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.a.

SUBJECT: Proclamation - Two Lights for Tomorrow

MEETING DATE: 3/24/2025

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.
-

PURPOSE:

City Council will present a proclamation recognizing the nationwide celebration of the Two Lights for Tomorrow initiative and urge all citizens to participate by lighting two lights to honor the past and illuminate the path forward for future generations. This item is for discussion only.

BACKGROUND:

The events of April 18, 1775, signaled the beginning of the War for Independence, immortalized in Henry Wadsworth Longfellow's poem, "Paul Revere's Ride," with the famous phrase, "One if by land, Two if by sea," these events were a call to action, a beacon of light that rang out across the nation. 250 years later, the Two Lights for Tomorrow initiative, a nationwide campaign to commemorate the 250th birthday of the United States of America, to be observed on April 18, 2025.

Avondale is excited to support the Two Lights for Tomorrow initiative as well as the America 250 campaign. We call on everyone in the City of Avondale to join together in support of one another, to serve each other, our neighbors, and our communities.

DISCUSSION:

City Council will present a proclamation recognizing the nationwide celebration of the Two Lights for Tomorrow initiative and urge all citizens to participate by lighting two lights to honor the past and illuminate the path forward for future generations.

BUDGET IMPACT:

This item does not have a budget impact.

RECOMMENDATION:

This item is for presentation only.

Contact person for document distribution: Marcella Sarmiento



PROCLAMATION

TWO LIGHTS FOR TOMORROW

WHEREAS, the City of Avondale recognizes the importance of commemorating the signing of the Declaration of Independence, a milestone that embodies our nation's founding ideals of equality, liberty, and justice; and;

WHEREAS, the events of April 18, 1775, signaled the beginning of the War for Independence, immortalized in Henry Wadsworth Longfellow's poem, "Paul Revere's Ride," with the famous phrase, "One if by land, Two if by sea," these events were a call to action, a beacon of light that rang out across the nation, and;

WHEREAS, 250 years later, the Two Lights for Tomorrow initiative, a nationwide campaign to commemorate the 250th birthday of the United States of America, to be observed on April 18, 2025, and;

WHEREAS, as part of the national initiative "Two Lights for Tomorrow," we will display two lights on April 18, 2025, to honor and draw inspiration from Paul Revere's historic ride, to unite Americans in reflection, celebration, and service, and encourage a day of service on April 19, 2025; and;

WHEREAS, by lighting these two lights, we call on everyone in the City of Avondale to join together in support of one another, to serve each other, our neighbors, and our communities; and;

NOW THEREFORE, I, Mike Pineda, by virtue of the authority vested in me as Mayor of the City of Avondale, Arizona do hereby proclaim that we join in the nationwide celebration of the Two Lights for Tomorrow initiative and urge all citizens to participate by lighting two lights to honor the past and illuminate the path forward for future generations. Let these lights serve as a reminder of the strength of our collective history and the enduring commitment to the values that make our nation strong.

Proclaimed this 24th day of March 2025.

Attest:

Mayor

City Clerk

ITEM NUMBER: 2.b.

SUBJECT: Proclamation - Fair Housing Month (April)

MEETING DATE: 3/24/2025

TO: Mayor and Council

FROM: Christopher Lopez, Director, Neighborhood and Family Services

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:

- 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. Fair Housing plays a critical role in community development by fostering an inclusive, equitable, and sustainable community for people of all races.
-

PURPOSE:

City Council will present a proclamation recognizing April 2025 as National Fair Housing Month. This item is for discussion only.

BACKGROUND:

The City Council will present a Proclamation recognizing April 2025 as National Fair Housing Month.

DISCUSSION:

April is recognized as National Fair Housing Month, and marks the 57th anniversary of the Fair Housing Act of 1968, which sought to eliminate discrimination in housing opportunities and to affirmatively further housing choices for all Americans. The national policy of Fair Housing enunciates a policy without regard to race, color, creed, national origin, sex, familial status, and handicap and encourages fair housing opportunities for all citizens. The City of Avondale recognizes that ongoing education, outreach and monitoring are key to raising awareness of fair housing principles, practices, rights and responsibilities and further, that equal access to housing choices impacts our children's access to education, our ability to seek and retain employment options, the cultural benefits we enjoy, the extent of our exposure to crime and drugs, and the quality of health care we receive in emergencies. Illegal barriers related to housing, no matter how subtle, diminish the rights of all; only through continued cooperation, commitment and support of all Arizonans can barriers to fair housing be removed.

BUDGET IMPACT:

This item does not have a budget impact.

RECOMMENDATION:

This item is for presentation only.

Contact person for document distribution: Regina Marette



**PROCLAMATION
FAIR HOUSING MONTH**

WHEREAS, April marks the 57th anniversary of the Fair Housing Act of 1968, which sought to eliminate discrimination in housing opportunities and to affirmatively further housing choices for all Americans; and

WHEREAS, the national policy of Fair Housing enunciates a policy without regard to race, color, creed, national origin, sex, familial status, and handicap and encourages fair housing opportunities for all citizens; and

WHEREAS, ongoing education, outreach and monitoring are key to raising awareness of fair housing principles, practices, rights and responsibilities; and

WHEREAS, equal access to housing choices impacts our children's access to education, our ability to seek and retain employment options, the cultural benefits we enjoy, the extent of our exposure to crime and drugs, and the quality of health care we receive in emergencies; and

WHEREAS, illegal barriers related to housing, no matter how subtle, diminish the rights of all; and

WHEREAS, only through continued cooperation, commitment and support of all Arizonans can barriers to fair housing be removed.

NOW THEREFORE, I, Mike Pineda, by virtue of the authority vested in me as Mayor of the City of Avondale, Arizona, do hereby proclaim the month of April 2025 as Fair Housing Month in Avondale and in the pursuit of the shared goal and responsibility of providing equal housing opportunities in our community.

Proclaimed this 24th day of March 2025.

Attest:

Mayor

City Clerk

ITEM NUMBER: 2.c.

SUBJECT: Proclamation - Women's History Month

MEETING DATE: 3/24/2025

TO: Mayor and Council

FROM: Whitney Castro, Management Analyst

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:

- 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.
-

PURPOSE:

City Council will present a Proclamation recognizing March 2025 as Women's History Month. This item is for discussion only.

BACKGROUND:

Since 1995, presidents have issued a series of annual proclamations designating the month of March as "Women's History Month." These proclamations celebrate the contributions women have made to the United States and recognize the specific achievements women have made over the course of American history in a variety of fields.

DISCUSSION:

The City of Avondale urges all residents to celebrate the contributions women have made to the United States and recognize the specific achievements women have made throughout history.

BUDGET IMPACT:

This item does not have a budget impact.

RECOMMENDATION:

This item is for discussion only.

Contact person for document distribution: Whitney Castro



PROCLAMATION

WOMENS HISTORY MONTH – MARCH 2025

WHEREAS, women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways and have served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, women have played and continue to play a critical role in the economic, cultural, and social spheres of life by constituting a significant portion of the labor force, working both inside and outside the home; and

WHEREAS, women have historically provided the majority of the volunteer labor force across the nation, contributing to its strength and resilience; and

WHEREAS, women were instrumental in the establishment of early charitable, philanthropic, and cultural institutions that continue to shape our nation today; and

WHEREAS, women have courageously served our country in the military, demonstrating valor, dedication, and service; and

WHEREAS, women have been leaders not only in securing their own rights to suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other pivotal movements which have all contributed to creating a more just and equitable society for all; and

WHEREAS, the theme for Women's History Month 2025 is, "Moving Forward Together! Women Educating & Inspiring Generations," which celebrates the collective strength and influence of women who have dedicated their lives to education, mentorship, and leadership. Through their efforts, they have served as an inspiration for all generations — both past and present; and

WHEREAS, it is vital to continue to learn about and celebrate these outstanding contributions, even as the role of women in history has often been overlooked in the literature, teaching, and study of American history.

NOW THEREFORE, I, Mike Pineda, by virtue of the authority vested in me as Mayor of the City of Avondale, Arizona, do hereby proclaim March 2025 as Women's History Month, and urge all residents to celebrate the contributions women have made to the United States and recognize the specific achievements women have made throughout history.

Proclaimed this 24th day of March 2025.

Attest:

Mayor

City Clerk

ITEM NUMBER: 4.a.

SUBJECT: Minutes

MEETING DATE: 3/24/2025

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 February 10, 2025, February 24, 2025, and March 3, 2025 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 February 10, 2025, February 24, 2025, and March 3, 2025 City Council meeting minutes.

Contact person for document distribution: Chris Pierson

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
February 10, 2025

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 Mike Pineda led the Pledge of Allegiance, followed by a moment of silent reflection.

Members Present: Mayor Mike Pineda; Vice Mayor Curtis Nielson; Councilmembers Tina Conde, Jeannette Garcia*, Gloria Solorio, Shari Weise*, and Max White.

**Councilmembers Garcia and Weise attended the meeting virtually.*

Members Absent: None.

Other Municipal Officials Present: Tracy Stevens, Assistant City Manager; Katie Gregory, Assistant City Manager; Dale Nannenga, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Sarmiento, City Clerk; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Albert Bates; Assistant Police Chief Kirk Beaty, Public Works Director; Barbara Coppage, City Auditor; Joel Evans, Facilities Director; Julie Knoll; Deputy City Clerk; Craig Jennings, Judge; Corey Larriva, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Andy Mesquita, Human Resources Director; Kimberly Moon, Engineering Director; Jodie Novak, Development Services Director; Abril Ruiz-Ortega, Court Administrator; Larry Rooney, Fire Chief; Jeffrey Scheetz, Chief Information Officer; Pier Simeri, Marketing and Public Relations Director; Jennifer Stein, Economic Development Director; and Renee Weatherless, Finance and Budget Director.

Audience: Approximately 150 members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION ITEMS (DISCUSSION ONLY)

a. EMPLOYEE ANNOUNCEMENTS

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

Court

- Ban Ibrahim, Court Clerk II (Promotion)

Human Resources Department

- Keely Farrow, Sr. Management Analyst

Office of Public Safety

- Henry Castro, Municipal Security Officer
- Michael Marotta, Code Compliance Officer

Public Works Department

- William Deneke, Water Reclamation Opr.
- Noah Green, Water Production & Treatment Opr.
- Jimmy Hill, Solid Waste Equipment Opr.
- Andres Leyva, Water Reclamation Opr.

Police Department

- Jaycie Dunshie, Officer
- Jacob Carnes, Officer
- Trent Phillips, Park Ranger
- Erin Metzger, Dispatcher
- Mathew Parks, Detention Officer
- Antonio Mendoza, Detention Officer
- Karina Cota, Communications Dispatcher
- Makenzie Whitlow, Communications Dispatcher
- Benjamin Beebe, Police Sergeant (Promotion)
- Leslie Greene, Police Sergeant (Promotion)
- Harry Sexton, Police Sergeant (Promotion)

b. PROCLAMATION – ENGINEERS WEEK

City Council presented a proclamation recognizing February 16 through February 22, 2025, as Engineers Week. This item was for discussion only.

c. PROCLAMATION – BLACK HISTORY MONTH

City Council presented a Proclamation recognizing February 2025 as Black History Month. This item was for discussion only.

d. NATIONAL CHILDREN’S ALLIANCE REACCREDITATION OF THE SOUTHWEST FAMILY ADVOCACY CENTER RECOGNITION

Reem George, Family Advocacy Center Manager, presented information regarding the Southwest Family Advocacy Center’s recent reaccreditation through the National Children’s Alliance (NCA). This item was for discussion only.

e. HOLIDAY SCHOOL SPIRIT FOOD DRIVE AWARDS PRESENTATION

City Council recognized the following schools that participated in the 2024 Holiday School Spirit Food Drive This item was for discussion only.

- | | |
|----------------------------------|---------------------------|
| • Agua Fria High School | • Lattie Coor School |
| • Avondale Middle School | • Michael Anderson School |
| • Corte Sierra Elementary School | • STAR Academy |
| • Estrella Vista STEM Academy | • West Point High School |
| • Imagine Schools Avondale | |

City Council provided special recognition to the following schools that generated the greatest amount of food to support the community: Agua Fria High School collected 440 pounds of food, Corte Sierra Elementary School collected 938 pounds of food, and West Point High School collected 3,046 pounds of food.

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

City Council recognized the following Avondale students from schools located in Avondale for their character and achievement. This item was for discussion only.

- Nyajuok Chuol
- Lynette Salazar
- Samuel Taylor
- Melanie Loya Estrada
- Ramiro Escobar
- Grant Guidry

g. AVONDALE AMBASSADOR PROGRAM INTRODUCTION

Dillard Collier, Management Analyst, presented the Avondale Ambassador Program and the inaugural participants (listed below) were recognized for their participation in the program. This item was for discussion only.

- Al Nunez
- Amanda Duncan
- Ben Ruoti
- Brian Swanson
- Cheri Gerlach
- Cindy De La Riva
- Crystal Lopez-Davey
- Cynthia Ceasar
- Dan Schuh
- David Garrison
- Deanna Sapata
- Janet Beason
- Jessica Valdez
- Lindsay Kothe
- Mike Martin
- Natosha
- Edmonds
- Paul Lemmon
- Ramon Sanchez
- Rhonda Bell
- Walter Gonzales
- Bill Reeves

3. UNSCHEDULED PUBLIC APPEARANCES

Resident Maribel Cachu appeared before the City Council asking that they be mindful of representing all members of the community including the migrant community within Avondale. To not exclude anyone and make everyone feel safe within the community.

4. CONSENT AGENDA

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

Mayor Pineda asked if any Councilmember wished to have an item removed from the Consent Agenda. Councilmember Weise requested item 4g be pulled from the consent agenda to be considered separately. Motion was made by Councilmember Conde, seconded by Vice Mayor Nielson, to approve the Consent Agenda with the exception of item 4g.

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

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

a. MEMORANDUM OF UNDERSTANDING FOR FISCAL YEAR 2023 ASSISTANCE TO FIREFIGHTERS GRANT REGIONAL GRANT AWARD

City Council approved the Memorandum of Understanding (MOU) between the City of Glendale as the Host, the Arizona Fire & Medical Authority, and the Cities of Avondale, Buckeye, Goodyear, Peoria, Surprise, Tolleson, Sun City Fire District, and Daisy Mountain Fire District and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. This MOU will allow for training for each partner city and fire district by the Host. The City of Avondale will be allocated the amount of \$138,964.89 in grant funds from the Federal Emergency Management Authority (FEMA) with a required 15% match, in the amount of \$20,844.73.

b. WIRED TELECOMMUNICATIONS LICENSE AND RIGHT-OF-WAY USE AGREEMENT WITH CABLEVISION LIGHTPATH LLC

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

c. RESOLUTION 1004-0225 - PARKS, RECREATION & LIBRARIES MASTER PLAN

City Council adopted Resolution 1004-0225, approving the Parks, Recreation & Libraries Master Plan and authorized the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

d. ORDINANCE 2005-0225 - AVONDALE CITY CODE CHAPTER 6, ARTICLE I; RELATING TO EMERGENCY MANAGEMENT AND EMERGENCY SERVICES

City Council adopted Ordinance 2005-0225 amending Avondale City Code Chapter 6, Article I; Relating to Emergency Management and Emergency Services and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

e. ORDINANCE 2006-0225 – GRANTING OF AN ACCESS EASEMENT TO MINKE INVESTMENTS LLC

City Council adopted Ordinance 2006-0225 authorizing the granting of an access easement to Minke Investments LLC, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. REPLAT OF PARKSIDE - PHASE 1 FINAL PLAT – APPLICATION PL-24-0169

City Council (a) approved Application PL-24-0169, a request from Michael Park of Atwell, LLC, on behalf of Mekin Sangoi of Taylor Morrison, for approval of a replat of Parkside – Phase 1 Final Plat located generally south of Indian School Road and west of 99th Avenue, and (b) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

g. FINAL PLAT FOR AVONDALE APARTMENTS, A REPLAT OF DESERT SHOALS CONDOMINIUMS AT TRES RIOS LANDING – APPLICATION PL-23-0026

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

h. MINOR LAND DIVISION FOR KEN GARFF KIA - APPLICATION PL-24-0277

City Council approved a request by Bryce Quigley with Kimley-Horn and Associates, Inc., on behalf of the owner for approval of a Minor Land Division for Ken Garff Kia located generally on the south side of McDowell Road, east of Avondale Boulevard and west of 107th Avenue, and 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. FINAL PLAT FOR AVONDALE APARTMENTS, A REPLAT OF DESERT SHOALS CONDOMINIUMS AT TRES RIOS LANDING – APPLICATION PL-23-0026

City Council will consider a request by Gary Fox with Superior Surveying Services, Inc., on behalf of Buckeye and Dysart, LLC, for approval of Final Plat for Avondale Apartments, a replat of Desert Shoals Condominiums at Tres Rios Landing, located approximately 708 feet east of the southeast corner of Dysart Road and Buckeye Road, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Jody Novak, Director of Development Services clarified this is an engineering plat that was zoned for multi-family as part of the Master Plan in 2000. This comes before Council for the dedication of public and private sewer easements to help move the project forward.

Councilmember Weise explained she was seeking more information to understand the process and gain the ability to answer resident's questions.

Mayor Pineda noted there are other projects that were previously approved by City Council that are either waiting in the queue or simply did not come to fruition.

Councilmember Nielson moved to approve a request by Gary Fox with Superior Surveying Services, Inc., on behalf of Buckeye and Dysart, LLC, for approval of Final Plat for Avondale Apartments, a replat of Desert Shoals Condominiums at Tres Rios

Landing, located approximately 708 feet east of the southeast corner of Dysart Road and Buckeye Road, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Councilmember Conde seconded the motion.

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

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

5. REGULAR AGENDA

a. TRAINING ON OPEN MEETING LAW

The City Attorney provided training on the Open Meeting Law for its elected officials. This item was for discussion only.

Nicholle Harris, City Attorney, provided an overview and refresher on the Arizona Open Meeting Law, which is generally done every two years to remind the City Council of the requirements and apprised of any changes in the law.

The Ariz. Rev. Stat. §§ 38-431 through 38-431.09 was adopted in 1962 with amendments in 1982, 2017, 2020, and 2023. There is a bill in legislature to amend where the call to the public / unscheduled appearances is placed on the agenda. There are many Attorney General opinions on the application of the Open Meeting Law (OML); however, they are not binding but do provide guidance on the interpretation of the law.

The OML statute includes the declaration of public policy and one of the few statutes that clearly states why the statute was created, being to maximize public access to the government process. Openness and transparency are the goals. Anyone interpreting the OML statute should do so in favor of open and public meetings.

Meetings of public bodies must be public to allow anyone to attend and listen and all legal action must occur in a public meeting. A public body that must comply with OML includes all councils, boards and commissions, and special advisory committees appointed or elected by the City Council

A meeting is a gathering of a quorum of members of the public body either in person or through technological devices at which they discuss, propose, or take legal action. Email, text, telephone, conference calls, or video calls where there is quorum of the public body discussing, proposing, or deliberating council business is considered a meeting and would need to comply with OML.

When a member of the public body talks to one member to get their thoughts, then goes to another member to get their thoughts and shares the previous members' ideas, this is called a Walking Quorum and creation of a meeting. Ms. Harris reviewed examples with the Council.

Members of the public body should be mindful of their exchanges through email communication. One-Way communication sent by one member to a quorum of the public body that proposes a means to put forward, discuss, or adopt legal is a meeting. Should another member of the public body respond to the email you have a meeting that must comply with OML. Text messages are considered public records, which is why all discussions should occur during the public meeting so the public can hear them.

Although tricky there is a section of the statute that allows members of the public body to discuss an issue outside of a public meeting on their own time, personally, through the media or technological means. The discussion cannot be principally directed at or given to another councilmember and not be a concerted plan to engage in a collective deliberation to take legal action. Members of the public body should not comment on social media posts or City's website where they could be interpreted as proposing or discussing legal action or council business.

Ms. Harris reviewed the notice and agenda requirements that are geared towards providing the public with the right to attend and listen. The agenda is like a road map and must contain information reasonably necessary to inform the public and members of what will be considered. The public body may only discuss and consider matters listed on the agenda except for "Summary of Current Events". Under Summary of Current Events, members of the public body can discuss past events they attended, but no action shall be taken on anything reported. The statute provides for a Call to the Public but does not require it and the public is only allowed to speak when there is a public hearing. The public body is limited in responding to public comments and cannot discuss or take legal action on any matters raised during the call to the public. Meeting minutes or recording are required. The minutes summarize what transpired, include accurate description of legal actions, and are made available to the public. Minutes are a permanent record and maintained forever.

Executive sessions allow for discussion of business outside of the public view for personnel; confidential records; legal advice; contract negotiations, litigation, settlements; negotiations with employee organizations, negotiations with Tribal Councils; real property transactions; school safety plans or program; and security plans. The meetings must be agendized and include details of items to be discussed but not so much that it compromises Attorney client privilege or confidentiality. No legal action or final vote shall take place, and all business discussed is confidential.

It is not a violation of OML for a quorum of a public body to be at a social gathering, but they must refrain from discussing City business. A courtesy agenda may be put out to announce a quorum will be present but not City business will be discussed.

Ms. Harris reviewed the examples of what would cause a violation of OML. All legal action taken during an unnoticed meeting would become null and void and would have to go through a ratification process. The Arizona Attorney General is the enforcement authority for those who violate the OML. The statute does allow for an affected member of the public to commence a suit for a violation of OML. Penalties can be assessed including fines up to \$2,500, removal from the public body, and having to pay all costs awarded to the Plaintiff.

A list of OML resources were shared.

Mayor Pineda thanked Ms. Harris for in-depth refresher and education on some issues we can get into if we are not careful.

Councilmember White inquired if soliciting Council support to add an item onto the agenda was a violation of Open Meeting Law. Ms. Harris explained at least three Councilmembers may place an item on the agenda; therefore, a violation is not occurring. She recommended Councilmembers use the City Manager to assist to ensure violations are not made.

Councilmember Garcia asked if a New Business category could be added to the agenda to ensure Open Meeting Law is not violated.

Councilmember White echoed Councilmember Garcia's suggestion and recommending the practice of Valley Metro's agendas.

Mayor Pineda noted he would discuss this further with City Manager Corbin.

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

Councilmember White recognized Liz Barker Alvarez, Intergovernmental Affairs Administrator, for organizing and hosting the LD22 event which brought Legislators to Avondale. Additionally, she attended the Black Philanthropy Gala hosted by the Arizona Community Foundation. Many grants were given out including one to Future Stars. Shereka Jackson spoke about the STEM education she provides to children as part of the Arizona Community Foundation.

Councilmember Weise noted she and Councilmember Conde attended an event hosted by HSP for Friends of the Southwest Advocacy Center and made attendees aware of the Gala in March.

7. ADJOURNMENT

There being no further business before the Council, Councilmember Solorio moved to adjourn the Regular Meeting into Executive Session pursuant to Ariz. Rev. Stat. § 38--431.03(A)(1) for discussion of the mid-year performance evaluation and salary of the City Auditor; Councilmember Conde seconded the motion.

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

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

The meeting was adjourned at 7:29 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 10th day of February 2025. 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
February 24, 2025

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 Mike Pineda led the Pledge of Allegiance, followed by a moment of silent reflection.

Members Present: Mayor Mike Pineda; Vice Mayor Curties Nielson; Councilmembers Tina Conde, Jeannette Garcia, Gloria Solorio, Shari Weise, 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; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Kirk Beaty, Public Works Director; Barbara Coppage, City Auditor; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Craig Jennings, Judge; Corey Larriva, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Andy Mesquita, Human Resources Director; Kimberly Moon, Engineering Director; Jodie Novak, Development Services Director; Larry Rooney, Fire Chief; Jeffrey Scheetz, Chief Information Officer; Pier Simeri, Marketing and Public Relations Director; Jennifer Stein, Economic Development Director; and Renee Weatherless, Finance and Budget Director.

Audience: Approximately 50 members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION ITEMS (DISCUSSION ONLY)

a. EMPLOYEE ANNOUNCEMENTS

The following new employee of the Development Services Department was introduced to City Council. This item was for discussion only.

- Alex Rodriguez, Building Inspector

b. PROCLAMATION – GOVERNMENT COMMUNICATORS DAY 2025

City Council presented a proclamation recognizing February 21, 2025, as Government Communicators Day, to recognize and celebrate the invaluable contributions of public communicators across the nation. This item was for discussion only.

c. PRESENTATION BY THE ARIZONA DEPARTMENT OF TRANSPORTATION

City Council received an update from the Arizona Department of Transportation on the status of State Route 30, Interstate 10 and Loop 101 projects. This item was for discussion only.

Kim Moon, Director of Engineering introduced representatives from Arizona Department of Transportation (ADOT).

Kimberly Larson, ADOT Community Relations Project Manager, presented and discussed the Loop 101 and Interstate 10 system and interchange improvements project. The purpose of the project is to mitigate some of the congestion and future congestion in the area. The presentation included key elements of the improvements and timeline.

The project is in the final design phase that should conclude within this first quarter of the year. The project will go out for a construction bid in the second quarter. Construction is expected to begin this fall. Ms. Larson reviewed the impacts of construction, being periodic weekend and overnight freeway and ramp closures and restrictions. Advance notice of restrictions will be provided to stakeholders through various communication methods.

This project is programmed for \$291 million in the Maricopa Association of Government Freeway Lifecycle Program funded through Proposition 400. Three public meetings were held between 2022 and 2024 to inform the public and gather input on the project.

In response to the Councilmembers questions, Ms. Larson explained it is too early to predict the phasing of the project, especially without a contractor. Mr. Haque explained the total project is estimated to take thirty months to be completed. Mr. Sieglitz Jacobs explained in the design process the construction sequencing plan allows the ramps to be open for almost the entire duration of the project. There will be a need for short duration closures but both ramps will not be closed at the same time. Special provisions have been included to keep the freeway open for major events. Mr. Haque noted as a partner that the City of Avondale will be aware of any impact.

Mayor Pineda noted the construction will allow safer transitioning for residents and visiting from other parts of the west valley.

Gael Luna, ADOT Community Relations Project Manager, presented and discussed the improvements to State Route 30 (SR 30) - 97th Avenue to Loop 202. The project began in 2017 with a public meeting where four alternatives were presented. A recommendation was made in 2019 for the SR 30 alignment and soon after right-of-way acquisition and preliminary design work began. Presently this project between 97th Avenue and Loop 202 in Phoenix is in the final design phase. Future work on SR 30 between the southward extension of Loop 303 an 97th Avenue will include work in Avondale and Goodyear.

This project is in the design phase and includes approximately 4.5 miles of new freeway with three general purpose lanes in each direction with room for future expansion. New cross street traffic interchanges and bridges as well as widening of existing bridges will be required for ramp connections. Drainage improvements, energy efficient lighting, and noise walls where warranted are part of the project. The

project requires a new right-of-way between Sarival Avenue and Loop 202, minimal utility easements, and temporary construction easements. The acquisition of business and residential properties is underway and near completion.

Public meetings will be held in late 2025 or early 2026. Construction is tentatively expected to begin in Spring 2027 and be completed in 2029. Funding for the project is under Proposition 479 with funding for the Avondale segments still under discussion in MAG.

In response to Councilmember White's question, Mr. Luna explained phasing is still under discussion with MAG, but additional information will be provided to Ms. Moon.

Mayor Pineda noted this project will bring opportunity and mobility to residents to go east and west.

d. PROPERTY ALL-STAR CURB APPEAL AWARD PROGRAM

City Council received an update from the Office of Public Safety and the Code Compliance Division relating to the Property All-Star Curb Appeal Award Program. This item was for discussion only.

Josh Perez, Code Compliance Manager with the Office of Public Safety, presented and discussed the newest recognition program, the Property All-Star Curb Appeal Award Program. Code Compliance and the Office of Public Safety have a goal of beautification of neighborhoods and commercial development throughout the City of Avondale. This program will recognize and award those property owners who take the extra step to maintain their property at a higher standard and hopefully inspire others to do the same.

The categories will be residential and commercial. Criteria to be met include landscape design, use of lighting, hardscape elements, and use of water conserving plants. Nominations are submitted using AviWise. All nominations will go through a screening and selection process with City Management making the final selection. The winner will be presented with a certificate and sign to place on the property at a City Council Meeting.

In response to a question by Councilmember Conde, Mr. Perez noted at this time they only have the two categories but as the program grows, they may create more.

In response to a question by Councilmember Garcia, Mr. Perez noted at this time, they have not planned any special holiday award programs but can speak to the upper management.

Councilmember Solorio commented on creating a positive atmosphere where people want to get involved.

Mayor Pineda commented on a great way to celebrate pride and achievement of homeowners who take the extra step.

e. OPIOD YOUTH PREVENTION SERVICES GRANT AWARDS PRESENTATION

City Council recognized five nonprofit organizations selected as award recipients for the Fiscal Year 2025-2026 Opioid Youth Prevention Services Grant Program. This item was for discussion only.

Jerie Guajardo, Family Services Manager with the Neighborhood and Family Services Department, provided an overview of the Opioid Youth Prevent Services Grant. Ms. Guajardo discussed the background of the grant initiation through the Arizona Agreement Distribution of Youth Opioid Settlement Funds. The process for dispersing the funds within the community which is led by Deputy City Manager Nannenga was also discussed. All committee members were recognized for their work in the process.

A total of \$200,000 has been provided through the grant for FY25 and FY26. Grant funds are to be used by nonprofit agencies for prevention efforts within the community and to diversify program offerings. There are three specific areas of focus being prevention, education, and mentoring services.

The following recipients were awarded \$50,000 to their agency.

- notMYkid
- La Frontera Empact
- Jobs for Arizona Graduates (JAG)
- Youth4Youth Inc.
- Sounds of Autism

Council Member Weise commended Deputy City Manager Nannenga and the team for their work.

Mayor Pineda expressed appreciation for the grants and that the funds will be used to do good things in the community.

Mr. Corbin recognized Deputy City Manager Nannenga for his creativity, ideas, and work that is being and has been done for the community.

3. UNSCHEDULED PUBLIC APPEARANCES

Teresa DeSanti addressed the Council in haste particularly towards Councilmember Garcia for comments made on social media.

Walter Gonzales addressed the Council regarding Councilmember Garcia's comments noting frustration with the quietness of the Council. A detailed synopsis of the Councilmember Garcia's comments was rendered.

Roger Pickerill addressed the Council with encouragement for love for one another and fight more serious fights.

Mari Alvarado addressed the Council regarding Councilmember Garcia's comments and asked the Council to take immediate action.

Don DeSimone addressed the Council in support of Councilmember Garcia and the comments

Jeff Pray addressed the Council speaking in support of Councilmember Garcia.

Robert Maxwell addressed the Council speaking in support of Councilmember Garcia while cautioning others about their comments. Also noting concern with the time spent on this matter as opposed to important City business

Natosha Edmonds, Chair of West Valley NAACP Economic Development Committee, addressed the Council regarding Councilmember Garcia's comments and asked for review of the Avondale Code of Conduct and agendaize this for the next City Council meeting to have discussion and hold a vote. Suggested topics included strengthening the standards for City Councilmembers, implementing a policy that ensures City Councilmembers refrain from posting statements on social media that contradict the non-partisan nature of their seats for the sake of maintaining Avondale's nonpartisan, and ensuring that all Councilmembers continue to represent the entire City rather than political affiliations.

Marissa Patino addressed the Council regarding Councilmember Garcia's comments and asked for enforcement of Avondale's Code of Conduct, Resolution 1006-0121, Article 3.

Ryan Hartwig addressed the Council regarding Councilmember Garcia noting the incident falls under free speech.

Tex Polesky addressed the Council in support of Councilmember Garcia and the comments. Further asking the Council to support Councilmember Garcia as one of their own.

The City Clerk read the following comments into the record:

Jessica Pena: "Mayor and Council, my name is Jessica Pena and I want to express my dismay regarding the recent conduct of Council Member Garcia. Her actions do not reflect the values of integrity and accountability that we expect from elected leaders. I was made aware of her disturbing behavior after an article I read. I decided to look on her social media pages and she is filled with hostility, where she belittles, threatens, and uses offensive language towards those who disagree with her—many of whom may be her own constituents. This type of behavior is unacceptable and does not align with the leadership Avondale deserves. As a community, we need leaders who set a positive example and are nonpartisan which is in the best interests of the residents. I urge the council to address this behavior. Thank you."

Andrea Ojeda: "Mayor and Council, I am writing to express my concern regarding a recent article I read about one of our elected officials, Council Member Garcia, who has used social media platforms to spread divisive rhetoric and hateful messages. As a resident of Avondale, I believe our elected officials represent all residents of our city, without fueling

division or intolerance. The office of Council Member is non-partisan, and it is essential that those in these positions work to unify our community, rather than sow discord. When public officials use their platform to promote hate or create division, it undermines the trust and cooperation needed to serve the best interests of all residents. This kind of behavior not only detracts from the progress our city should be making, but it also creates a toxic environment for residents who expect their leaders to foster a spirit of respect, inclusivity, and collaboration. Avondale is a diverse community, and our leaders must reflect the values of unity and understanding. I urge the Mayor and Council to take appropriate action to address this matter and ensure that each of our elected officials are held to the highest standards of professionalism and respect. The actions of one individual should not reflect on the integrity of our city government. I trust that the City Council will consider the concerns of residents like myself and take steps to address this issue in a way that restores confidence of our elected leaders. Thank you for your attention to this important matter. I look forward to hearing about the actions you plan to take.”

Alejandra Lopez: “As a constituent of Avondale for the last 19 years, I take great pride in our community. Tonight, I am disappointed and ashamed in Council member Garcia. As an elected official there is a great responsibility to uphold truth and integrity - calling anyone a “Pedo” with no facts is reckless and harmful. As an elected official her words carry weight; she hid behind the use of colloquial Spanish to justify. As educated Latinas, we both know these words are used informally and nowhere in her statement was she writing in a “Spanglish” format. Leadership means taking accountability and not making excuses. Our community deserves a representative who engages in fact-based discourse rather than unfounded attacks.

Councilmember Garcia responded to criticism from public comments noting she is a Christian first and shared her religious beliefs, stating the lord tells us not to fear, not to be intimidated but to give it to him because he is the greatest of all. She noted she was elected by people in Avondale and though the people in this audience might not agree but their neighbors might. She explained her statement was misunderstood and the biggest part of her statement was about racism that she experiences all the time. Specifically, by other Latinos because she is a Latina conservative.

She continued stating the community should not be afraid to be conservative or outspoken about their beliefs or religion. Being yelled at for having different beliefs is unfair to anyone in the community.

She stated she apologizes to city staff who have been harassed this entire week for things that are not City business. That it took over an hour to speak about stuff that is not city business, and she explained this is her personal life. She apologized to the people on the council who have received emails about this. She expressed that she does not owe an apology to anybody else because she stands on her words and she has freedom of speech in the United States of America as an American citizen. She thanked those who have supported her.

She expressed that she has not attacked those who spoke against her, explaining they are not related or personal friends with the person in her post. Noting they would not have been aware of that post if it were not for Elon Musk's retweet and the 38 million people saw the tweet.

In closing, she thanked her supporters and stated she will continue to represent the people of Avondale who elected her.

Councilmember White asked for this matter to be put on a future executive session agenda for Council discussion to determine if it is a code of conduct situation. Mr. Corbin advised he will work with the City Attorney and Mayor on how to move forward.

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

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

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

a. MINUTES

City Council approved the January 27, 2025, City Council meeting minutes.

b. RESOLUTION 1005-0225 – AMENDMENT TO PLANNING COMMISSION BYLAWS AND RESOLUTION 1006-0225 - AMENDMENT TO THE CITY COUNCIL RULES OF PROCEDURE

City Council a) adopted Resolution 1005-0225, amending the bylaws of the City of Avondale Planning Commission; b) adopted Resolution 1006-0225, amending the City Council Rules of Procedure to clarify the role of the alternate member and align language with the City Code; and c) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

c. RESOLUTION 1007-0225 - AUTHORIZING GRANT ACCEPTANCE FROM THE U.S. DEPARTMENT OF JUSTICE (DOJ) FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

City Council a) adopted Resolution 1007-0225, accepting grant funding from the U.S. Department of Justice (DOJ) for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$26,613; b) authorized and directed staff to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Resolution; and c) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

d. AMENDMENT TO THE EMPLOYMENT AGREEMENT WITH THE CITY AUDITOR, BARBARA COPPAGE

City Council approved an amendment to the Employment Agreement with City Auditor, Barbara Coppage and authorized the Mayor, City Attorney, and City Clerk to execute the necessary documents.

5. REGULAR AGENDA

a. PUBLIC HEARING FOR ANNEXATION - HOPEWELL AVONDALE APPLICATION PL-24-0242

City Council held a public hearing regarding a request by Kimberly Schroeder of Kaeko Inc., on behalf of the property owner Hopewell Avondale, to annex an approximate 5-foot-wide strip of land located east of the northeast corner of El Mirage and Indian School roads, which is the southeastern most part of the Hopewell parcel. This item was for discussion and public hearing only; no action was taken at this meeting.

Sylvia Willem Marcor, Planner with the Development Services Department, presented an overview of the annexation of Hopewell Avondale. The five foot wide by one hundred feet long parcel is located within Maricopa County Jurisdiction east of the northeast corner of El Mirage Road and Indian School Road on the southeastern part of the Hopewell Parcel. This parcel was previously a Maricopa County right-of-way, and this annexation is proposed by the owner Hopewell Avondale.

Currently the property is vacant with no buildings or residents in the area. A site plan and design review was approved by the City on June 29, 2023, for a warehouse building with industrial uses. The site is zoned A-1. Annexing this small parcel would put it within the City's jurisdiction and make the site developable in its totality.

The proposal meets State requirements, all required notifications have been completed, and staff conducted research on this annexation along with filing a blank petition and affidavit. Where this is the first of two public hearings, no action will be taken this evening. The second public hearing will be held on March 24, 2025, the City Council meeting where the adoption of an annexation ordinance will be considered.

Mayor Pineda opened the public hearing and did not receive any requests to speak. Mayor Pineda closed the public hearing, opened the floor for comments from the Council, and did not receive any comments from Council.

b. ANNUAL COMPREHENSIVE FINANCIAL REPORT FISCAL YEAR 2024

City Council presented the City's Annual Comprehensive Financial Report and the results of the annual audit for the fiscal year ended June 30, 2024. This item was for information and discussion only.

Renee Weatherless, Finance and Budget Director, provided a brief overview for the presentation of the Fiscal Year 2024 Annual Comprehensive Financial Report and the results of the audit.

Brittney Williams with the City's external auditor HeinfelMeech, began the presentation with an overview of HeinfelMeech, noting they specialize only in Government not for profit audits. A review of the audit reports issued was provided. Noting the Independent Auditor's Report was issued with an unmodified opinion or clean opinion. Work is still being done on the Impact Fees, which is a biannual report. The Single Audit Report provides a synopsis of everything found or not found during the audit. The report was good, an unmodified opinion was issued for financial statements and federal awards as there were no findings. HeinfelMeech's contact information and resources were provided for elected officials if they wished to learn more about the firm or reading financial statements.

Councilmember White commended staff for their work in keeping records clean and clear.

Vice Mayor Nielson commended staff for paying attention and the opportunity to work with Ms. Williams. Ms. Williams extended gratitude to the Audit Committee and Finance Departments for being welcoming and responsive.

Mayor Pineda commented on how reports like these show residents the City is being responsible with their money.

c. UTILITY RATE DISCUSSION

City Council received a presentation from staff on the financial forecast for the water, sewer, and solid waste utilities. Feedback and direction from City Council is necessary in order to finalize a final recommendation on utility rates that will be presented to Council at a future date. This item was for discussion only.

Rob Baer, Budget Manager with the Finance and Budget Department, introduced the item stating the presentation will include a review of the water, sewer, and solid waste utilities as well as expenditure pressures that the City is currently facing.

Kirk Beaty, Director of the Public Works Department, reviewed and discussed the increases in utilities. The operating budget increased by 17% or \$17.8 million, there is a 120% increase in capital projects over the past five years due to inflation.

Water usage for fiscal year 2024 was 4.6 billion gallons, a 2% increase from the previous year. There is a 16% increase in the cost to bring water to the city, which includes infrastructure and operations.

Specific water projects that address the need for water production to keep up with demand were reviewed

- BLVD Well Transmission Main
- Well #26 Replacement
- Encanto Shared Well Improvements with Salt River Project

An overview of large projects was provided.

- Bartlett Dam Project/Verde River Sediment Mitigation Project (VRSMP)
- PFAS Contamination Removal

Sewer has 26,000 customers (4% increase over the last two years), 264 miles of sewer mains, and a \$9 million operating budget (7% increase), a \$190 million 5-year capital budget (49% increase), and 2.75 billion gallons of wastewater were treated. Landfill costs increased by 50%, capital costs increased by 94%, and sewer supplies increased by 63%, mostly due to inflation.

Specific sewer capital projects were reviewed

- Dysart Road Sewer Replacement Phase II
- Water Reclamation Facility Phase II Expansion,
- Odor Control System Improvements

Solid Waste serves 25,800 customers (8% increase), trash tonnage and bulk waste decreased, and recycling increased. The recycling market is volatile, which is monitored regularly, because recycling might be less than landfilling but it hasn't always been the case. The cost to replace a trash truck has almost doubled, personnel increases, and a 20% increase in landfill costs which increase annually.

Operational changes were implemented to optimize operations while maintaining service levels. Buck trash zones were changed, and curbside recycling and trash service have a new schedule. Technology with routing software and cameras have been implemented into all trucks

In response to a question by Councilmember White, Mr. Beaty explained a utility rate study was conducted and an increase regarding solid waste will be presented to City Council for an implementation of July 1st. Many cities have stopped recycling and when the cost gets too high a serious discussion will need to be had.

Mr. Corbin explained the policy where the costs of recycling is evaluated every quarter, and the City Manager's office will initiate the difficult discussion with City Council when it no longer fits in the budget.

Mayor Pineda commended staff for focusing on how to maximize efficiencies, savings, and improvements without rate increases.

Mr. Baer reviewed and discussed the financial forecast for utilities. Utilities paid are for services received. The funds cover all operational, maintenance, and future infrastructure improvements. The funds do not subsidize other city services. The utility rates are fiscally sustainable.

In comparison with the thirteen largest municipalities in the Phoenix metropolitan area, the City of Avondale is the fifth lowest. The water rate structure for residential and commercial sites were reviewed. Approximately 70% of water usage occurs outside of the home. The typical water usage for an Avondale resident is 9,000 gallons per month at a cost of \$33.40. When looking at water rates there are several factors to consider to include: Keeping pace with inflation, upcoming expenditures, inflationary pressures, fiscal sustainability, secured water supply, and complying with federal regulations.

A review of the financial forecast was presented. Without a rate increase, the City would drop below required reserves in fiscal year 2029 and even sooner with the projects added.

The current proposal has a 6.7% increase in base and tier water rates on January 1, 2026, and a 6.1% increase on January 1, 2027. A 7.5% fee on the total water bill will be dedicated to treatment facilities. A 6.2% fee on the total water bill for investing in the City's water supply would go into effect January 1, 2026. These proposed changes will keep the City above the reserve requirement for ten years.

The calculation of the sewer bill was reviewed, noting customers typically use 8,000 gallons at a \$9.16 rate. Without a rate increase, the financial forecast shows a drop below the reserve in fiscal year 2033. While not as dire as water, a 2% rate increase is recommended effective January 1, 2026, and another 2% rate increase on January 1, 2027.

The solid waste rate structure is the simplest based on the number of trash and recycling cans and bulk service. The Financial Forecast shows a drop below the reserve of four months of operating expenses in fiscal year 2027. A \$1.60 rate increase is recommended to be implemented July 1, 2025, and \$1.75 on July 1, 2026.

If the recommended rate increases are approved the average utility bill would increase by 8.8% to \$115.13 in 2026 and 4% to \$120.22 in 2027. This would also move Avondale to the middle of the comparison chart with other metropolitan cities.

No action is required currently; however, a notice of intent will be presented to City Council for approval on March 3, 2025 and a public hearing will be held on May 5, 2025.

Vice Mayor Nielson expressed appreciation for the long-term forecast.

Mayor Pineda commented on the rate increase, noting it is not revenue generating but is keeping up to date with utilities required by residents

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

Councilmember White spoke about visiting the Treasure House with the Leadership West Class 31. Treasure House is a privately funded residential facility for young adults with intellectual and developmental disabilities.

Vice Mayor Nielson spoke about visiting DeConcini Park and noted the inclusive & accessible playground features. Additionally, he stated he met with the Greater Phoenix Economic Council and met 50 different Japanese delegates who have \$1-trillion to invest in the country. He commended Jennifer Stein, Economic Development Director, for her work for the community.

Councilmember Garcia spoke about attending the opening of a new medical center, noting these facilities are needed within the west valley. Additionally, she stated recommended having Apple invest in Avondale since they made the decision to invest back into the country.

Mayor Pineda spoke about attending Luke Airforce Base Rodeo Awards for both service and civilian personnel. He noted the importance of the Airforce base to the region and the best fighter pilots are being trained in Avondale's backyard.

7. ADJOURNMENT

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

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

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

The meeting was adjourned at 8:03 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 24th day of February 2025. 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
March 03, 2025

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 Mike Pineda led the Pledge of Allegiance, followed by a moment of silent reflection.

Members Present: Mayor Mike Pineda; Vice Mayor Curties Nielson; Councilmembers Tina Conde, Jeannette Garcia, Gloria Solorio, Shari Weise, 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; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Kirk Beaty, Public Works Director; Barbara Coppage, City Auditor; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Corey Larriva, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Kimberly Moon, Engineering Director; Jodie Novak, Development Services Director; Larry Rooney, Fire Chief; Jeffrey Scheetz, Chief Information Officer; Pier Simeri, Marketing and Public Relations Director; Jen Stein, Economic Development 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. EMPLOYEE ANNOUNCEMENTS

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

Finance and Budget Department

- Kimberly Grant, Controller
- Graciela Torrecillas, Senior Buyer

Fire and Medical Department

- Marlin Nightengale, Fire Captain (Promotion)

Parks, Recreation, & Libraries

- Falon Thompson, Recreation Programmer – Aquatics
- Brittany Westlund, Recreation Manager – Sports and Aquatics (Promotion)
- Georgia Cox, Aquatics Coordinator

b. PROCLAMATION – PROCUREMENT MONTH

City Council presented a Proclamation recognizing March 2025 as Procurement Month. This item was for discussion only.

c. PROCLAMATION – NATIONAL FIX A LEAK WEEK

City Council adopted a proclamation recognizing March 17 through March 23, 2025 as National Fix a Leak Week. This item was for discussion only.

d. CITY MANAGER’S EXCELLENCE AWARDS PROGRAM

City Council recognized the following employees who were awarded the 2024 City Manager's Excellence Awards. This item was for discussion only.

- City Manager Star Performer - Brittany Westlund, Parks, Recreation
- City Manager's Special Recognition - Catherine Lorbeer, Development Services
- Victory Lane - Lisa Maxie-Mullins, City Attorney's Office
- Guiding Leader - Liana Bell, Human Resources
- Frontrunner - Joshua Wheatley, Police Department
- Frontrunner - Matthew Dudley, Public Works
- Rookie of the Year - Jazmin Alarcon, Public Works
- Pit Crew - Housing and Community Development
- Safety Excellence Award - Aquatics Staff

3. UNSCHEDULED PUBLIC APPEARANCES

- Teresa DeSanti addressed the City Council to follow up on the Executive Board Meeting that was to be scheduled because of the comments received at the February 24, 2025, City Council Meeting. The comment continued to disparage Councilmembers in particular, Councilmember Garcia.
- Diana Jones addressed the City Council in support of Councilmember Garcia, a fellow veteran who made a comment on a personal page using the first amendment right. The drama needs to stop so the City Council can get back to City business that directly affects the streets and homes. In addition, it was noted that this is National Women's Month and should be a proclamation.
- Roger Pickerill addressed the City Council in support of Councilmember Garcia who took an oath to protect the constitutions of our state and nation. The comment continued with prayer.
- Jeffrey Pray addressed the City Council in support of Councilmember Garcia. Highlighting many qualities of Councilmember Garcia that benefit the City Council and Avondale residents. Within the comments to the City Council a growing movement to suppress freedom of expression was discussed, which cannot be tolerated.

The City Clerk read the following public comments into the record:

- Julie Fisher: "I attended the meeting last Monday, where I listened to disgusting diatribe directed at Councilwoman Garcia. The first citizen to speak did not have the courtesy to address her properly, using only her last name: "Garcia, did your parents come here legally?" This blatant disgusting racism is the very essence of the X post which is being referenced. Shame on everyone who is attacking the Councilwoman for addressing the racist skit on Saturday Night Life."
- Richard Guthridge: "I would like to stand up for councilwoman Garcia. I would like to stay I am young and that we are great because we have freedom of speech in this country. If you are so concerned over a Twitter statement, I recommend for your own mental health benefit you go outside and touch some grass."
- Robert Maxwell: "I've been monitoring the social media accounts of councilwoman Jeannette Garcia since her viral tweet and I've noticed she uses her platform to spotlight local issues, inform her audience, and participate in national discussions. I am proud she is our councilwoman!"
- Layla Russell: "Mayor and Council, I want to express my concerns regarding the lack of accountability and the failure to address the issues raised by the citizens of Avondale. Specifically, I would like to know when this elected body will address the concerns of the community and hold Council Member Garcia accountable for her actions and the misleading statements she made during the February 24th council meeting. Council Member Garcia continues to spread misinformation and harmful rhetoric without facing any consequences. She has stated that she will not apologize for her actions and instead portrays herself as a victim, which only serves to escalate the situation. Her behavior has received significant attention. One of her main points of contention was a post on her social media page, where she wrongly claims that Avondale residents are opposing her due to her political views and her identity as a conservative Latina. This is not the case. The community is simply holding her accountable for her actions, and she refuses to take responsibility for her conduct surrounding a post from February 16th "Hey Pedo. @TomHanks, Not ALL MAGA hat wearing patriots are white. In Fact, most racism comes from the elite Democrats, you asshole". The residents did not come to speak about her political views being a conservative Latina, she made that statement when she refused to apologize. Also, I am concerned that as a sitting council member, Council Member Garcia is currently involved in recall efforts on elected official Council Member Julie Spilsbury, of Mesa. It is troubling that she appears to have so much time and energy focused on Mesa, while issues in Avondale remain unaddressed. I urge this council to take immediate action to ensure that the citizens of Avondale are heard and that our elected officials are held to the highest standards of accountability based on Avondale's code of conduct. Sincerely, Layla"
- Preston Koyanagi: "Hello to all members of the council and thank you for taking the time to read my comments being made here today. I am writing in full support of

Council member Jeannette Garcia. I believe that we as citizens are allowed to have a personal life with our own views, beliefs and values. This includes our social media where the comment made was on a personal social media account and not an account of the city. I believe that this matter should not be something that is brought into city council meetings as there are many other things that would benefit the city that are needed to be attended to. Council member Garcia made her stances known to voters during the election season, a right which we all have in this great country. The voters elected her because of her integrity and character as a person of Avondale. Many people are afraid to have a voice as they fear backlash in their businesses and other areas of their lives, but she is able to represent so many who have the same values and beliefs. The City of Avondale has many big projects coming in the future and lots of growth coming as well that needs to be attended to during these meetings. I believe it is in the best interest of the city that this subject be moved past and not be brought into discussion at future meetings. It is a waste of taxpayer dollars to be bringing this topic into a broader aspect as the voters who elected her support her which is why she was elected to her position. Thank you and God Bless each of you!"

- McKenna Mendoza: "Good evening, Mayor and Council, I am writing to express my full support and respect for Councilmember Garcia. As a veteran, Ms. Garcia has consistently prioritized her country, state, and city. She earned her position through the trust and votes of the citizens of Avondale. Recently, Council member Garcia has faced harassment and threats stemming from a post that was misinterpreted. I firmly believe that she has every right to express her personal views on her own social media accounts, just as any individual would. Ms. Garcia has rightfully earned her position on the Council and deserves to remain in her role. She should not be compelled to resign. Thank you."
- Santiago Villegas: "Freedom of speech is the right to express ideas and opinions without government interference or punishment. I am against this False accusations against Jeanette Garcia picked a word that means fart in Spanish. There are more things to work on in this City than to waste tax payers money on one word against a City Council of Avondale."

The following individuals submitted requests to speak; however, they were not present to speak when acknowledged by Mayor Pineda:

- Erin Mendez
- Mark Chazen
- Patty Porter
- Tex Polesky

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

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

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

a. FINAL PLAT FOR PARCEL 2 FOR THE CITY OF AVONDALE– APPLICATION PL-24-0172

City Council: a) approved Application PL-24-0172, Final Plat for Parcel 2 for the City of Avondale, located generally south of Dale Earnhardt Drive and east of Avondale Boulevard; and b) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

b. SERIES 12 (RESTAURANT) LIQUOR LICENSE - LAS CASUELAS MEXICAN AND SEAFOOD RESTAURANT

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 Juanita Alicia Esparza for the sale of alcohol at Las Casuelas Mexican and Seafood Restaurant located at 210 N Avondale Blvd #104 & #105 in Avondale, AZ 85392 and authorized the City Clerk to execute the necessary documents.

c. MINOR LAND DIVISION FOR WEST-MEC AGUA FRIA – APPLICATION PL-24-0277

City Council: a) approved Application PL-24-0277, a request by Dan Auxier with EPS Group, Inc., on behalf of Agua Fria High School District, for approval of a Minor Land Division for West-MEC Agua Fria, located generally north of Western Avenue and west of Dysart Road; and b) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

5. REGULAR AGENDA

a. PUBLIC HEARING – 20225-2026 HUD ANNUAL ACTION PLAN AND FIVE-YEAR HUD CONSOLIDATED PLAN (2025-2029)

City Council held a public hearing and received an update on the draft 2025-2026 Annual Action Plan and the 2025-2029 Five Year Consolidated Plan, as required by the U.S. Department of Housing and Urban Development (HUD) as a condition of

the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funding. This item was for discussion only and no action was required at this time.

Chris Lopez, Director of Neighborhood and Family Services, presented and discussed an overview of the Five-Year Consolidated Plan and the Annual Action Plan. Housing and Urban Development (HUD) require municipalities who receive federal dollars to complete Consolidated Plans every five years. The federal dollars include the Community Development Block Grant (CDBG) and the HOME partnership. The consolidated plan also aids the City in addressing and assessing housing and community development needs.

The Consolidated Plan utilizes a two-prong approach, being data-driven and an intense look at community engagement. A variety of data sources are utilized to understand the community and their needs, which entails demographics and community engagement. Information received from such engagement is used to generate recommended goals.

- Housing rehab services are important in preserving affordable housing within the community.
- Funding public infrastructure projects and facility improvements have impacts on the quality of life for individuals, the development of children, and wellbeing of families.
- Services for low to moderate income and special need residents. For example, the AviTemp program, the summer youth employment program that provides an opportunity for youth to gain valuable work experience within various City departments.
- Effective program administration to ensure the City is following the regulations of the federal program and continues to receive funding.

The Annual Action Plan is required each year and is an extension of the five-year plan but digs deeper and defines how the dollars will be utilized and assigned to specific program activities. The goals in the Annual Action Plan further the Consolidated Plan. It is anticipated that \$700,000 will be received for CDBG. An overview of the recommendations on utilizing these monies was provided. The recommendations included Administration, Home Rehab, Public Infrastructure and Facilities, and Public Service. It is anticipated that \$200,000 for HOME funds along with the City's 25 percent match that is worked into the budget each year, for a total of \$249,000 will be provided. The recommendations included Administration and down payment assistance.

This process began in June 2024 with public hearings, presentations at the Neighborhood and Family Services Commission, meeting with nonprofit partners within the City, and administering surveys that received 137 responses. The feedback and responses supported the activities undertaken over the years and were supportive of the recommendations presented tonight. The public comment period will end on

March 6th and on March 24th the plans will come before the City Council again for approval. Upon approval the plans will be submitted to the County and other jurisdictions in May 2025. Funding is anticipated to be received in August 2025.

Mayor Pineda opened the public hearing and did not receive any requests to speak.

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

Councilmember Solorio commented on the programs that are available to help those in need, which have put Avondale ahead of others.

Councilmember Weise noted her appreciation and asked for an example of home repair that has been used with the funds discussed. Mr. Lopez discussed a project where ADA improvements were made to a home that allowed the resident to remain in his home. Noting the impact is tremendous without quantifying what it means to individuals.

Councilmember White thanked the team for their hard work and noted from an audit point of view they have used the money appropriately. Mr. Lopez acknowledged the Budget and Finance team for working behind the scenes to ensure compliance with the regulations.

Councilmember Conde commented on community engagement, noting the question they hear often is "how do I get involved". The rehab services address health and safety issues that allow residents to stay in the home, which is so important. In response to a question by Councilmember Conde, Mr. Lopez advised they work closely the AZ Community Project and the Avondale Service Project. Both nonprofit partners are very supportive of meeting residents' needs, especially when a resident does not qualify for grant services.

Vice Mayor Neilson commented on the AviTemp Program recommending the information is provided to the youth possibly through school. Further suggesting the home buying education be opened to the teaching and training of all community members. Mr. Lopez noted a lot of effort goes into wide broadcasting these programs.

Mayor Pineda sought additional information on the proposed increase in outreach and engagement. Mr. Lopez noted the biggest one is the AviTemp program and ensure it is widely broadcast to youth across the community. A primary responsibility to a couple positions within the department include identifying opportunities for community awareness, tabling events, being well versed in the programs and services offered, and exhibiting a warm inviting demeanor so people want to participate. Mayor Pineda praised the education component, particularly the homebuyer assistance programs that a portion of the budget is dedicated to. Mayor Pineda inquired what would increase economic development on Western and bring attraction and retention to businesses. Mr. Lopez explained the challenges being smaller businesses and

suggested working closely with Jen Stein and the Economic Development Team to understand what the needs are and strategize to find ways to support them in being successful.

b. RESOLUTION 1008-0325 - NOTICE OF INTENT TO MODIFY WATER AND SEWER RATES

City Council considered a request to adopt Resolution 1008-0325, providing a notice of intent to increase water and wastewater user charges and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Rob Baer, Budget Manager discussed the intent to modify water and sewer rates. This is the first step in the formal adoption process for adjusting the rates. State statute requires a report to be posted on the City's website thirty days prior to Council action and a public notice to be published in the newspaper twenty days prior to council action. The date of the public hearing and City Council action would be May 5, 2025.

The city is going above and beyond the minimal requirements. Public hearings are scheduled for April at the Sam Garcia Library, the Resource Center, and Civic Center Campus. Outreach will include HOAs, Boards and Commissions, Avondale Ambassador program, and Avondale Water Citizens Committee.

An overview of the recommended rate increases was reviewed noting the water and sewer increases would take effect on January 1, 2026, and January 1, 2027, while the solid waste increases would take effect on July 1, 2025, and July 1, 2026.

The Notice of Intent starts the calendar for the recommended rate changes. The next step is public noticing in March and April, with April 20th being the deadline for publishing the intent in the newspaper. The public hearing will be held on May 5th and the first rate increase for solid waste would take effect on July 1, 2025.

Councilmember White moved to adopt Resolution 1008-0325, providing a notice of intent to increase water and wastewater user charges and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Councilmember Solorio seconded the motion.

Upon vote, the motion was carried unanimously 6 to 1.

Councilmember Garcia	Nay
Councilmember Conde	Aye
Councilmember Solorio	Aye
Councilmember Weise	Aye
Councilmember White	Aye
Vice Mayor Nielson	Aye
Mayor Pineda	Aye

c. SHORT-TERM RENTAL UPDATE

City staff provided an update on the short-term rental licensing program. This item was for discussion and feedback only; no Council action was taken at this time.

Keith Fallstrom, Assistant Director of Finance and Budget, presented and discussed updates related to Short-Term Rentals (STRs). STRs are residential properties, apartments, or condos that are rented out for less than thirty days and typically referred to as vacation rentals. STR property owners pay sales tax like hotels do. Currently there are 191 STRs spread out across the City.

Limited regulations of STRs were passed by the legislature two years ago and the City Council passed an ordinance for regulation of STRS including a licensing program effective February 1, 2024. The City contracted with an organization that identified STRs, which allowed for a targeted outreach campaign that included education and public notifications. The implementation of penalties was delayed to May 1, 2024, and to date no penalties have been issued.

An overview of the licensing requirements was provided and included displaying emergency contact information to be used by law enforcement and public safety. Of the 191 STRs, only 104 are licensed and 13 of them are not actively advertising. There are 68 unlicensed STRs and 19 pending licensing once neighbor notification is completed. In comparison to other municipalities regarding licensing rates, Avondale is in line with others.

As of November 2024, the City opted to continue the contract with the vendor to identify new STRs and send out notifications. Upon the failure to comply within thirty days of the third notice Code Compliance takes over.

Joshua Perez, Code Compliance Manager, presented and discussed the enforcement process of the STR ordinance, noting voluntary compliance is always the goal. An overview was provided of the process followed when a violation is presented, which included education and guidance. If the STR property owner has not obtained a license and has continued to operate as an STR, they are issued a civil citation that is handled through the Avondale City Court. The Compliance Officer monitors the process through the court system until compliance has been met. The property will continue to be monitored for any violations and code compliance will work with other departments to address any concerns.

Councilmember Conde inquired what part of the city had twenty-nine STRs. Mr. Perez advised it was the Rancho Santa Fe Community.

Councilmember White inquired how an STR is prevented from being used once Code Compliance is involved. Mr. Perez explained the Code Compliance division can monitor the properties for ongoing and future use and that process. In addition, officers are being assigned cases to monitor properties, and these processes will be in place.

Mayor Pineda commented it is about compliance and taking stock of the amount STRs in the City and most importantly enforcement.

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

Councilmember Garcia shared her experience attending the leadership course at Leadership West. An Avondale resident was one of the speakers and the presentation focused on raising each other up as leaders.

Councilmember White shared her experience attending the leadership course at Leadership West where Dr. Pearlette Ramos, a former Littleton Elementary School Board Member, shared her documentary.

Mayor Pineda shared his attendance at the Resource Center for the Fentanyl Community Event held in Spanish and encouraged others to attend if given the opportunity.

Councilmember Weise shared her attendance at the Tres Rios Nature Festival and met the Avondale Ambassadors at the event.

7. ADJOURNMENT

There being no further business before the Council, Councilmember Garcia moved to adjourn the Regular Meeting into 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 pending litigation and to instruct the City Attorney and attorneys for the City on such litigation for the matter of Keitha Tucker vs. City of Avondale, et al.; Councilmember Solorio seconded the motion.

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

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

The meeting was adjourned at 7:01 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 3rd day of March 2025. 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: Appointments and Reappointments to Boards and Commissions

MEETING DATE: 3/24/2025

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 will allow residents to serve Avondale as an appointed board member, increasing community engagement.

PURPOSE:

City Council will consider a request to: a) approve various appointments to the City's Boards and Commissions as recommended by the City Council Subcommittee on Boards and Commissions and as listed in the staff report; b) approve the reappointment of various members to the City's Boards and Commissions; 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 City Council Subcommittee on Boards and Commissions (Subcommittee) makes recommendations for membership based on term expiration, vacancies from resignations, or changes to member eligibility status. The Subcommittee met on March 3, 2025 and made appointment recommendations. As required in the City Council Rules of Procedures, all candidates have been notified of the recommendations and the City Clerk has emailed all members eligible for reappointment and all are interested.

DISCUSSION:

The Subcommittee recommended the following:

MUNICIPAL ART COMMITTEE

- Andy Avila as a Regular Member with a partial term to expire on 12/31/2025
- Gaven Mejia as an Alternate Member with a partial term to expire on 12/31/2026

RISK MANAGEMENT AND WORKERS' COMPENSATION BOARDS

- Nicole List as a Regular Member for a partial term to expire on 12/31/2026

The following members are interested in renewing their terms:

EMPLOYEE BENEFIT TRUST BOARD

- Natosha Edmonds as a Regular Member with a full term to expire on 05/01/2027
- Ronald Martin as a Regular Member with a full term to expire on 05/01/2027
- Lisa Haid as a Regular Member with a full term to expire on 05/01/2027

BUDGET IMPACT:

This item has no budget impact.

RECOMMENDATION:

Staff is recommending that the Council approve the reappointments and the subcommittee's recommendations for the appointment of members of the city's boards and commissions.

Contact person for document distribution: n/a

ITEM NUMBER: 4.c.

SUBJECT: Settlement Agreement and Payment for the Claim of Rogelio Jacquez

MEETING DATE: 3/24/2025

TO: Mayor and Council

FROM: Nicholle Harris, City Attorney

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

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

STRATEGIC PLAN:

N/A

PURPOSE:

City Council will consider a request to approve the settlement agreement with Rogelio Jacquez in the amount of \$250,000 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Rogelio Jacquez filed a notice of claim with the City on June 23, 2023.

DISCUSSION:

The City Attorney's Office has negotiated a settlement with Mr. Jacquez and is recommending approval of the settlement agreement in the amount of \$250,000.

BUDGET IMPACT:

The Risk Fund maintains a fund balance to pay claims against the City. With approval of this settlement, the City's balance will remain above our required reserve balance.

RECOMMENDATION:

The staff is recommending City Council approve the settlement agreement with Mr. Jacquez in the amount of \$250,000 and authorize the Mayor, the City Manager, the City Attorney and the City Clerk to execute the necessary documents.

Contact person for document distribution:

SETTLEMENT AGREEMENT AND RELEASE OF ALL CLAIMS

This Settlement Agreement and Release of All Claims (hereinafter referred to as the “Agreement”), is made and entered into by and between Plaintiff Rogelio Jacquez (“Plaintiff”) and Defendant City of Avondale (“Defendant”), collectively referred to as the “Parties,” for the purpose of settling any and all claims between them. **THIS AGREEMENT INCLUDES A RELEASE OF ALL CLAIMS KNOWN AND UNKNOWN – PLEASE READ CAREFULLY.**

WHEREAS, on February 22, 2024, Plaintiff initiated a lawsuit against Defendant by filing a Complaint in Maricopa County Superior Court Case No. CV2024-091107 (the “Litigation”).

WHEREAS, in the Litigation, Plaintiff is asserting causes of action for (1) negligence; and (2) negligence *per se*/strict liability, arising out of personal injuries Plaintiff allegedly sustained as the result of being bitten by an Avondale Police Department canine on March 5, 2023.

WHEREAS, the Parties desire to avoid the expense and uncertainties associated with litigating Plaintiff’s claims and any claims that Plaintiff may have raised in the Litigation; and,

WHEREAS, without admitting any wrongdoing, fault or liability of any kind, the Parties have agreed to settle all disputes, release all claims, and to enter into this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises and conditions set forth below, and as full and complete compromise and settlement of any and all legally applicable claims including but not limited to Plaintiff’s claims alleged, or that could have been alleged, in the Litigation, the Parties, and each of them, agree as follows:

1. Payment; Indemnification. In consideration for the promises made in this Agreement, including but not limited to the releases set forth in Section 3, below, Defendant agrees to cause payment to be issued to Plaintiff in the total sum of the sum total of Two Hundred Fifty Thousand Dollars (\$250,000.00) (the “Settlement Payment”). The Settlement Payment will be delivered to The Brill Law Firm, at 8170 North 86th Place, Suite #100, Scottsdale, Arizona 85258, and will be paid as follows:

- (i) One check in the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) payable to “Rogelio Jacquez and The Brill Law Firm” to compensate Plaintiff for Plaintiff’s claims. This check shall be delivered to Plaintiff’s counsel’s address, above, within thirty (30) days of (a) Defendant’s receipt of a version of this Settlement Agreement and Release executed by Plaintiff and Plaintiff’s legal counsel; (b) approval of this Agreement by the Avondale City Council, and (c) Plaintiff’s legal counsel notifying Defendant’s legal counsel that any liens related to Plaintiff’s claims asserted in the Litigation have been resolved in a manner acceptable to Plaintiff.
- (ii) Plaintiff’s legal counsel also agrees to timely provide Plaintiff’s current mailing and/or email address so Plaintiff may receive a payment issued letter.

The Settlement Payment represents the settlement of disputed claims and is being provided by Defendant as consideration for Plaintiff entering into this Agreement, including the release of claims and waiver of rights provided for below. Plaintiff shall be solely responsible for any Plaintiff -related reporting and payment of any state, local and/or federal income tax, if any, on any of the amounts paid to Plaintiff hereunder. Should it be determined by an authorized authority that the Settlement Payment, or any portion thereof, should be treated as taxable income, Plaintiff agrees to assume all liability for taxes and any costs, fees, interest, assessments, penalties, damages or other losses due to such a determination.

Plaintiff further agrees to indemnify and hold harmless Defendant from any claims, demands, liens, deficiencies, levies, assessments, executions, judgments or recoveries by any governmental entity or any other third party against Defendant for any Plaintiff -related reporting and payment amounts claimed due by such third parties on account of this Agreement or payment of the Settlement Sum to Plaintiff. **Defendant makes no representations as to the taxability of the Settlement Sum or any portion thereof.**

2. Liens; indemnification. Plaintiff warrants and represents that he has paid, or will pay, all doctors, hospitals, and other health care professionals and health care providers, and all other lienholders claiming liens relating to or arising from the claims asserted in the Litigation, and has obtained releases of any and all applicable liens. Plaintiff agrees to indemnify and hold harmless Defendant from any and all damages, costs (including court costs), and fees (including attorneys' and legal fees), that Defendant incurs or suffers in connection with or as a result of Plaintiff's failure to obtain any release of any lien relating to or arising from the claims asserted in the Litigation, including but not limited to: (i) liens or rights of reimbursement asserted against the Settlement Payment by any insurer, government agency, health care professional, health care provider, attorney, or other entity or person asserting a lien relating to or arising from the Litigation; and (ii) claims seeking compensation for medical or other payments due or claimed to be due under any contract or state or federal law or regulation.

3. Release of All Claims. In exchange for the Settlement Payment, Plaintiff does hereby unconditionally, irrevocably and absolutely release and discharge Defendant, together with all predecessors, successor and/or affiliates, and each of their respective directors, officers, former and/or current employees, trustees, guarantors, agents, advisors, consultants, attorneys, owners, insurers, including Kinsale Insurance Company, affiliates, successors or assigns, or any person acting by, through, under or in concert with them ("Defendant's Affiliates") (Defendant and Defendant's Affiliates are hereinafter collectively referred to as the "Released Parties"), from any and all liability, claims, demands, causes of action, suits of any type, liabilities, damages and expenses (including, but not limited to, attorneys' fees) of any nature whatsoever, whether in law and/or in equity, known or unknown, suspected or unsuspected, arising from, related directly or indirectly or in any way connected with any transaction, affair, occurrence or circumstance between the Plaintiff and any Released Party to date, however, that nothing in this Agreement shall waive any rights or claims of Plaintiff that arise after Plaintiff signs this Agreement, or impair or preclude the Parties' right to take action to enforce the terms of this Agreement.

This total and complete release shall include but not be limited to a release of all claims under any legal or equitable theory arising under any federal, state or local statute, code, regulation

or ordinance, common law, contract law, or tort, along with all claims for damages, penalties, interest, costs and/or attorneys' fees and the like.

4. **Dismissal; Promise Not to Prosecute.** Within five (5) business days of delivery of the Settlement Payment, the Parties, through counsel, shall execute a Stipulation to Dismiss, seeking dismissal, with prejudice, of the Litigation, with each side to bear their own attorneys' fees and costs. Plaintiff further agrees that Plaintiff shall not, at any time hereafter, commence, maintain or prosecute any action, suit, proceeding, investigation, complaint, claim, grievance or charge with any court, administrative agency, arbitrator or any other body or person, whether Federal, State, contractual or otherwise, or aid or assist others in prosecuting such action, suit, proceeding, investigation, complaint, claim, grievance or charge on her behalf, except in response to governmental agency or court inquiries or as compelled by legal process, against Defendant or any Released Party, based in whole or in part upon, or arising out of or in any way connected with, any of the claims released in this Agreement.

5. **Unknown or Different Facts or Law.** Plaintiff acknowledges that he may discover facts or law different from, or in addition to, the facts or laws he knows or believes to exist with respect to any of Plaintiff's claims. Plaintiff agrees, nonetheless, that this Agreement and the releases contained in it shall be and remain effective in all respects notwithstanding such different or additional facts or law.

6. **Release of Known and Unknown Claims.** Plaintiff expressly acknowledges and agrees that the releases contained in this Agreement release claims that Plaintiff may not know about and this is Plaintiff's knowing and voluntary intent. Nevertheless, Plaintiff is assuming that risk and agrees that this Agreement shall remain effective in all respects in any such case. Plaintiff expressly waives all rights he might have under any law that is intended to protect him from waiving unknown claims and affirms that he understands the significance of doing so.

Plaintiff acknowledges that he has read all of this Agreement, including the above, and that he fully understands both the Agreement and that he has waived any rights he might have under any law intended to protect him from waiving unknown claims.

7. **Representations.** Each signatory hereto warrants that s/he/it is legally competent and/or authorized to execute this Agreement and the Parties hereby acknowledge that they have been afforded the opportunity to be advised by legal counsel regarding the terms of this Agreement, including the release of all claims and waiver of rights.

8. **Non-Disparagement.** Plaintiff expressly agrees that he shall refrain from engaging in any conduct, verbal or otherwise, that would disparage or harm the reputation of Defendant and/or any Released Parties. Plaintiff further agrees that he will not induce others to engage in actions or comments that would otherwise violate this provision if done by Plaintiff.

9. **No Admissions.** This Agreement shall not be admissible in any proceeding as evidence of improper action by Defendant and shall not be deemed an admission by Defendant regarding the validity of Plaintiff's claims (actual or threatened).

10. Attorneys' Fees And Costs. Except as otherwise provided herein, the Parties will bear their own attorneys' fees, costs, and all other expenses in connection with the Litigation and this Agreement. However, in the event that any action is taken to enforce the terms of this Agreement, then the prevailing party in such action shall be entitled to an award of its reasonable attorneys' fees, costs, and expenses.

11. Waiver. No provision of this Agreement may be waived unless in writing and signed by all the Parties to this Agreement. Waiver of any one provision shall not constitute waiver of any other provision.

12. Applicable Law. This Agreement shall be construed and interpreted in accordance with the laws of the State of Arizona, without regard to any conflicts-of-law principles that would require the application of any other law. Plaintiff and Defendant agrees that appropriate venue for any necessary litigation concerning this Agreement shall be the courts in and for the State of Arizona, County of Maricopa.

13. Modification or Amendment. This Agreement or any of its provisions may be modified or amended only by written agreement of all the Parties to this Agreement.

14. Knowledge, Capacity, and Authority. Plaintiff represents and warrants that he has had the opportunity to have counsel explain the contents of this Agreement to him. Plaintiff represents that he understands the contents of this Agreement and that he executed it knowingly and voluntarily and understands that after executing it he cannot proceed against any Released Party on account of the matters referred to herein. Plaintiff represents and warrants that he has the authority and capacity to execute this Agreement.

16. Execution and Delivery. Full execution of the Agreement, means the signing of this Agreement by all signatories hereto, including signatures of the Parties' respective legal counsel, if needed. This Agreement may be executed and delivered in two or more counterparts, each of which when so executed and delivered shall be the original, but such counterparts together shall constitute but one and the same instrument. For purposes of this section, an executed facsimile, PDF or electronically signed copy of the Agreement may be "delivered" by one Party to the other.

17. Electronic Signing. The Parties agree that DocuSign, or other electronic signature technology, may be used to expedite the execution of this Agreement and shall be deemed to have the same effect as an original.

18. Cooperation. The Parties agree to do all things necessary and to execute all further documents necessary and appropriate to carry out and effectuate the terms and purposes of this Agreement.

19. Interpretation; Construction. The headings set forth in this Agreement are for convenience only and shall not be used in interpreting this Agreement. This Agreement has been drafted by legal counsel representing Defendant, but Plaintiff and his counsel have participated in the negotiation of its terms. Plaintiff acknowledges that he had an opportunity to review and

discuss each term of this Agreement with legal counsel and, therefore, the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement. Instead, this Agreement shall be construed as if drafted jointly by the Parties, and no presumption or burden of proof or persuasion shall arise favoring or disfavoring any Party by virtue of the authorship of any of the provisions of this Agreement.

20. Entire Agreement. This Agreement incorporates the entire understanding between the Parties and recites the whole consideration for the promises exchanged herein. It fully supersedes any and all prior agreements or understandings, written or oral, between the Parties hereto pertaining to the subject matter hereof. The terms of this Agreement are contractual and not mere recitals. This Agreement may not be amended or modified in any respect whatsoever except by a writing duly executed by the Parties, and the Parties agree that they shall make no claim(s) at any time that this Agreement has been orally amended or modified.

IN WITNESS WHEREOF, the undersigned have set their hands the day and year set forth below their respective signatures.

Dated: _____

Rogelio Jacquez

CITY OF AVONDALE

Dated: _____

Nicholle Harris, City Attorney

ITEM NUMBER: 4.d.

SUBJECT: Resolution 1009-0325 - Designating the City's Housing and Community Development Manager as the Certifying Officer for Environmental Reviews Conducted Pursuant to 24 CFR Part 58

MEETING DATE: 3/24/2025

TO: Mayor and Council

FROM: Christopher Lopez, Director, Neighborhood and Family Services Department

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:

- 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.

The Housing and Community Development (HCD) Division of the Neighborhood and Family Services Department promotes and preserves the integrity, sustainability and livability of Avondale's neighborhoods while improving the quality of life of low-income residents.

PURPOSE:

City Council will consider a request to adopt Resolution 1009-0325, designating the City's Housing and Community Development Manager as the Certifying Officer for Environmental Reviews conducted pursuant to 24 CFR Part 58 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 City receives federal funding from the United States Department of Housing and Urban Development (HUD) to provide for the construction and repair of housing and other public improvements and services. As a condition of receiving the funds, the City must certify to HUD that any required National Environmental Policy Act environmental reviews are completed prior to commencing programs or projects.

DISCUSSION:

A resolution is required to officially appoint the City's Housing and Community Development Manager as the Certifying Officer, as defined in 24 CFR Part 58.

BUDGET IMPACT:

None

RECOMMENDATION:

Staff recommends City Council adopt a Resolution authorizing the Housing and Community Development Manager to act as the Certifying Officer of HUD environmental reviews.

Contact person for document distribution: Regina Marette

RESOLUTION NO. 1009-0325

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, DESIGNATING THE CITY'S HOUSING AND COMMUNITY DEVELOPMENT MANAGER AS THE CERTIFYING OFFICER FOR ENVIRONMENTAL REVIEWS CONDUCTED PURSUANT TO 24 C.F.R. PART 58.

WHEREAS, the City of Avondale (the "City") receives funding from the United States Department of Housing and Urban Development ("HUD") to provide for the construction of housing and other public improvements; and

WHEREAS, 24 C.F.R. Part 58 requires that the City appoint a person (the "Certifying Officer") to ensure and certify to HUD that any required environmental reviews are completed prior to initiating certain construction projects using HUD funds; and

WHEREAS, the City Council desires to appoint the City's Housing and Community Development Manager as the Certifying Officer for the purposes of certifying environmental reviews on behalf of the City.

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's Housing and Community Development Manager is hereby authorized to act as the Certifying Officer, as defined in 24 C.F.R. Part 58, for the purposes of certifying required environmental reviews prior to the City's use of HUD funds.

SECTION 3. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed 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,
March 24, 2025.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

ITEM NUMBER: 4.e.

SUBJECT: Resolution 1010-0325 - Authorizing the Grant Application and Acceptance from the Governor's Office of Highway Safety for Occupant Safety program

MEETING DATE: 3/24/2025

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 Fire and Medical Department Public Education and Neighborhood and Family Services staff will be providing the program through a collaborative effort to ensure families with children are provided occupant safety seats.

PURPOSE:

City Council will consider a request to: a) adopt Resolution 1010-0325, to apply for grant funding from the Governor's Office of Highway Safety for the Occupant Safety program in the amount of \$26,560; b) authorize and direct staff to take all steps necessary to cause the execution of the application and if awarded the acceptance 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 local communities to support community education and interventions with occupant safety, including the distribution of infant and child safety seats. The City of Avondale Fire and Medical Department has been awarded funding through GOHS since 2010. This funding will be used to purchase approximately 250 infant and child safety seats, proper installation by certified installers, and education about occupant safety. Fire and Medical is coordinating efforts with the staff from Neighborhood and Family Services to provide families with beneficial and appropriate services.

DISCUSSION:

Funding will be utilized for purchase of infant and child safety seats and educational materials. If awarded, the Agreement shall be effective October 1, 2025 and shall terminate on September 30, 2026.

BUDGET IMPACT:

Funding provided by the Governor's Office of Highway Safety is accounted for in the Fire and Medical Department's FY26 grant program budget. No city match is required.

RECOMMENDATION:

Staff recommends City Council adopt the resolution authorizing the application and acceptance of a grant from the Governor's Office of Highway Safety in the amount of \$26,560 and authorize staff to take the necessary actions to execute the terms of the Agreement.

Contact person for document distribution: Shawn Pierce, Susan Anglin, Scott Miller, Marsha Chavez

RESOLUTION NO. 1010-0325

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AUTHORIZING THE APPLICATION FOR, AND ACCEPTANCE OF, GRANTS FROM THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR OCCUPANT SAFETY SEATS FOR CHILDREN IN VEHICLES.

WHEREAS, the Governor's Office of Highway Safety ("GOHS") is seeking proposals from state and local agencies for projects relating to all aspects of highway safety to offer funding (the "Grant") for projects;

WHEREAS, the City of Avondale (the "City"), through its Fire Department, is interested in submitting applications for funding relating to occupant safety seats for children in vehicles (the "Project"), to be considered for funding in the form of a reimbursable grant from the National Highway Traffic Administration; and

WHEREAS, the Mayor and Council of the City of Avondale ("City Council") wish to approve the application for Grant funds for the Projects and the acceptance of the Grant funds if such funds are awarded to the City.

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 submission of an application relating to Grant funding for the Project; and (ii) if Grant funds are awarded, the execution of an agreement relating to the acceptance and administration of the Grant funds (the "Agreement").

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,
March 24, 2025.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

ITEM NUMBER: 4.f.

SUBJECT: Resolution 1011-0325 - Authorizing the Grant Application and Acceptance of funds from the Governor's Office of Highway Safety Impaired Driving program

MEETING DATE: 3/24/2025

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 will provide Avondale Police with the resources for personnel overtime to conduct DUI/Impaired driving enforcement operations.

PURPOSE:

City Council will consider a request to: a) adopt Resolution 1011-0325, authorizing the application and acceptance of grant funds by the Governor's Office of Highway Safety in the amount of \$39,420, which supports the Police Department's funding of Personnel Services (Overtime) and Employee Related Expenses to enhance DUI/Impaired Driving Enforcement Overtime through 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 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 its proud participation. Impaired driving occurs statewide and Avondale is no exception to the problem. Avondale's population has doubled over the past decade and is projected to continue beyond 2030. The city has experienced an increase in restaurants, bars, and entertainment districts along with larger community events at the Phoenix Raceway. These are all contributing factors to the continuing need for DUI/Impaired driving enforcement operations.

DISCUSSION:

Funding will be utilized for DUI/Impaired driving enforcement operations, overtime and employee-related expenses, thereby allowing the Avondale Police Department to use its resources to the fullest. If funded, the

Agreement shall be effective from October 1, 2025, and shall terminate on September 30, 2026.

BUDGET IMPACT:

The matching funds in the amount of \$493 are accounted for in the Police Department's FY2026 operating budget.

RECOMMENDATION:

Staff recommends City Council adopt the Resolution authorizing approval of the application and acceptance of a grant from the Governor's Office of Highway Safety in the amount of \$39,420 and authorize staff to take all the necessary actions to execute the terms of the Agreement.

Contact person for document distribution: Shawn Pierce, Kimberly Martinez, Joshua Selby, Justin Iwen, Daniel Vasquez

RESOLUTION NO. 1011-0325

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

WHEREAS, the Governor's Office of Highway Safety ("GOHS") is seeking proposals from state and local agencies for projects relating to all aspects of highway safety to offer funding (the "Grant") for projects;

WHEREAS, the City of Avondale (the "City"), through its Police Department, is interested in submitting applications for funding relating to DUI enforcement (the "Project"), to be considered for funding in the form of a reimbursable grant from the National Highway Traffic Administration; and

WHEREAS, the Mayor and Council of the City of Avondale ("City Council") wish to approve the application for Grant funds for the Project and the acceptance of the Grant funds if such funds are awarded to the City.

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 submission of an application relating to Grant funding for the Project; (ii) a City match not exceeding \$1,000.00; and (iii) if Grant funds are awarded, the execution of an agreement relating to the acceptance and administration of the Grant funds (the "Agreement").

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,
March 24, 2025.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

ITEM NUMBER: 4.g.

SUBJECT: Resolution 1012-0325 - Amendment No. 3 to the Intergovernmental Agreement with Maricopa County HOME Consortium

MEETING DATE: 3/24/2025

TO: Mayor and Council

FROM: Chris Lopez, Neighborhood & Family Services Director

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

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

STRATEGIC PLAN:

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 consider a request to adopt Resolution 1012-0325, authorizing Amendment No. 3 to the Intergovernmental Agreement (IGA) with Maricopa County to allow the City to receive an allocation of federal funding under the HOME Investment Partnerships (HOME) Program in the amount of \$199,777 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

In May 2005, the City Council adopted Resolution 2485-05 which allowed the City to enter into the Maricopa County HOME Consortium (Consortium) with Maricopa County and eight other municipalities in the Valley. As a consortium member, the City is entitled to a portion of the Consortium's annual allocation of HOME funds from the U.S. Department of Housing and Urban Development (HUD).

On March 10, 2021, the County and the City entered into an IGA (Contract No. C-22-21-093-X-00) to provide the City with Program Year 2020 HOME funds in the amount of \$206,370 for the Avondale Homebuyer Assistance Program. Amendment No. 1 (Contract No. C-22-21-093-X-01) was subsequently executed on February 9, 2022, to extend the agreement through September 30, 2025, and provide Program Year 2021 funds in the amount of \$211,296 for the City's single-family, owner-occupied housing rehabilitation program and the Avondale Homebuyer Assistance Program.

The County and the City entered into Amendment No. 2 on December 20, 2023 (Contract No. C-22-21-093-X-02) to provide HOME Program Year 2022 funds in the amount of \$231,257 to administer a Tenant Based Rental Assistance (TBRA) program. The TBRA Program offers move-in assistance in the form of security and utility deposits for income eligible Avondale residents. Amendment No. 2 also allocated Program Year 2023 HOME funds in the amount of \$214,593 to the Avondale Homebuyer Assistance Program. The total contract funding from the Maricopa HOME Consortium for Program Years 2020-2023 is \$863,516.

DISCUSSION:

Amendment No. 3 is required for the City to receive its share of the HOME funding allocation for the Program Year 2024. Amendment No. 3 provides \$199,777 for the Avondale Home Repair Program for single-family, owner-occupied housing rehabilitation and extends the contract period to September 30, 2027.

BUDGET IMPACT:

The required 25% match funding (\$46,822.75) was appropriated in the FY2025 budget.

RECOMMENDATION:

Staff recommends City Council adopt a Resolution authorizing Amendment No. 3 to the original IGA executed on April 21, 2021 (Contract No. C-22-21-093-X) with Maricopa County that allows the City to receive an allocation of federal funding under the HOME Investment Partnerships Act in the amount of \$199,777 for Program Year 2024.

Contact person for document distribution: Regina Marette

RESOLUTION NO. 1012-0325

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING AMENDMENT NO. 3 TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY RELATING TO THE HOME INVESTMENT PARTNERSHIPS PROGRAM.

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

SECTION 1. The Amendment No. 3 to the Intergovernmental Agreement with Maricopa County, administered by its Human Services Department, relating to financial assistance provided to eligible first-time homebuyers in Avondale through the HOME Investment Partnerships Program, as a member of the HOME Consortium (the “Amendment”) is hereby approved in substantially the form and substance attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Amendment and to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, March 24, 2025.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1012-0325

[Agreement]

See following pages.

AMENDMENT NO. 3 TO THE
INTERGOVERNMENTAL AGREEMENT
BETWEEN
MARICOPA COUNTY
ADMINISTERED BY ITS
HUMAN SERVICES DEPARTMENT
AND
CITY OF AVONDALE

- I. Maricopa County ("County") administered by its Human Services Department and the City of Avondale ("City") entered into a financial Intergovernmental Agreement ("Agreement") on or about April 21, 2021. The purpose of the Agreement is for the City to provide down payment, closing costs, principal reduction, and other appropriate assistance to eligible first-time homebuyers. The County provided the City with \$206,370 in Program Year (PY) 2020 HOME Investment Partnerships Program (HOME) funds from the U.S. Department of Housing and Urban Development (HUD). The Agreement term is March 10, 2021, through September 30, 2024. All work performed or cost incurred or expended shall be reimbursable through September 30, 2024. The County and the City may be referred to individually as the "Party" and collectively referred to as the "Parties."

The Parties fully executed Amendment No. 1 on or about February 9, 2022. The Amendment extended the Agreement termination date through September 30, 2025. The Amendment also added agreement required language specific to: Whistleblower Rights; Force Majeure; Administrative Change Orders; and Compensation. The County provided the City an increase in funding in the amount of \$211,296 PY21 HUD HOME funds. The Agreement funding amount increased to \$417,666. The Amendment added two (2) Work Statements 2021 Work Statement A, and 2021 Work Statement B which addressed the following:

- 2021 Work Statement A - the City to provide single family, owner-occupied housing rehabilitation assistance to qualified low-income households. The County provided the City with \$179,706 PY21 HOME funds. All work performed, or costs incurred or expended shall be reimbursable through September 30, 2024.
- 2021 Work Statement B - the City to provide down payment, closing costs, principal reduction, and other appropriate assistance to eligible first-time homebuyers. The County provided the City with \$31,590 PY21 HOME funds. All work performed or costs incurred or expended shall be reimbursable through September 30, 2025.

The parties fully executed Amendment No.2 on or about December 20, 2023. The Amendment updated the County point of contact and added agreement required language. The County provided the City an increase in funding in the amount of \$445,850 in PY22 and PY23 HUD HOME funds. The Amendment added two (2) Work Statements: 2022 TBRA Work Statement and 2023 Work Statements which addressed the following:

- 2022 TBRA Work Statement - For the City to administer the Tenant Based Rental Assistance (TBRA) Program for qualified families in need. The County provided the City with \$231,257 in PY22 HOME Investment Partnerships Program (HOME) funds under ALN 14.239. All work performed or cost incurred expenses shall be reimbursed through September 30, 2025.

- 2023 Work Statement - For the City to provide assistance to eligible first-time homebuyers. The County provided the City with \$214,593 in PY23 HOME Investment Partnerships Program (HOME) funds under ALN 14.239. All work performed or cost incurred or expensed shall be reimbursable through September 30, 2025.

II. The Parties agree to enter into this Amendment No. 3 to amend the Agreement as follows:

- A. Extend the Agreement termination date from September 30, 2025, through September 30, 2027.
- B. Change Lead Agency: Maricopa County Human Services Department
Representative: Jamie Macfarlane, Assistant Director, Housing and Community Development
Phone: 602-506-5813
E-Mail: jamie.macfarlane@maricopa.gov
Address: 234 North Central, 3rd Floor Phoenix AZ 85004
- C. Revise Section II (Special Provisions), Paragraph 15 (Subcontracts and Vendors), Subparagraph 15.2 (DUNS Number) and replace with the following:
- 15.2 UEI Number- All Subcontractors shall have a valid UEI number and an active profile in the federal System for Award Management, or SAM.
- D. Revise Section II (Special Provisions), Paragraph 20 (General Conditions) and replace with the following:

20.0 ADMINISTRATIVE CHANGE ORDERS

The Chairman of the Board of Supervisors is authorized, upon the recommendation of the Human Services Department Director and Legal Counsel, to review and execute administrative changes to the Agreement on behalf of the County through Administrative Change Orders. Administrative Change Orders will be effective upon execution by both the Parties. Administrative Change Orders shall address any of the following changes:

- 20.1 Modifications to the project timeline if the last day of the project timeline is within the Agreement term;
- 20.2 Modifications to Budget line items if the Agreement amount remains unchanged;
- 20.3 Modifications required by federal, state, or County regulations, ordinances, or policies; and/or
- 20.4 Modifications to Administrative requirements such as changes in reporting periods, frequency of reports, or report formats required by federal, state, and local regulations, policies, or requirements.
- E. Revise Section III (Work Statement) to address the following:
1. 2021 Work Statement A -Extend expenditure and reimbursement deadline to February 9, 2026.

2. Revise and replace 2022 TBRA Work Statement attached and incorporated into the Agreement. All work performed or cost incurred or expensed shall be reimbursable through September 30, 2027.
 3. Add an additional Work Statement hereinafter referred to as "2024 Work Statement" attached and incorporated into the Agreement. The 2024 Work Statement is for the City to provide single family, owner-occupied housing rehabilitation assistance to qualified low-income households. The County shall provide the City with \$199,777 for the Work Statement activities provided by PY24 HUD HOME Investment Partnerships Program (HOME) funds under ALN 14.239. All work performed or cost incurred or expensed shall be reimbursable through September 30, 2027.
- F. The Agreement funding amount shall be increased from \$869,516 to \$1,069,293 in HOME funds.
- III. Section II above contains all the changes made by this Amendment No. 3. All other terms and conditions of the Agreement and all previously fully executed Amendments shall remain the same and unchanged and in full force and effect as executed by the Parties.
- IV. The Parties have authorized the undersigned to execute this Amendment No. 3 on their behalf, and it shall be effective upon approval and signature by both Parties.

IN WITNESS, the Parties have approved and signed this Amendment: No. 3:

FOR CITY OF AVONDALE:**FOR MARICOPA COUNTY:**

Mike Pineda, Mayor Date

Thomas Galvin Date
Chairman, Board of Supervisors

Attestation:

Attestation:

City Clerk Date

Juanita Garza Date
Clerk of the Board

IN ACCORDANCE WITH A.R.S. §§ 9-240 and 11-952, THIS AMENDMENT NO. 3 HAS BEEN REVIEWED BY THE UNDERSIGNED ATTORNEY WHO HAS DETERMINED IT IS PROPER IN FORM AND WITHIN THE POWERS AND AUTHORITY GRANTED TO THE CITY OF AVONDALE UNDER THE LAWS OF THE STATE OF ARIZONA.

IN ACCORDANCE WITH A.R.S. §§ 11-201, 11-251, AND 11-952, THIS AMENDMENT NO. 3 HAS BEEN REVIEWED BY THE UNDERSIGNED ATTORNEY WHO HAS DETERMINED IT IS PROPER IN FORM AND WITHIN THE POWERS AND AUTHORITY GRANTED TO MARICOPA COUNTY UNDER THE LAWS OF THE STATE OF ARIZONA.

APPROVED AS TO FORM:

APPROVED AS TO FORM:

City Attorney Date

Deputy County Attorney Date

MARICOPA COUNTY
Work Statement - TBRA
HOME Investment Partnerships Program
Program Year 2022

Consortium Member: City of Avondale, Arizona
UEI: GDTNM5BLN9Y4
FAIN: M22-DC040227
Federal Award Date: 10-28-2022
Project: Tenant Based Rental Assistance and HOME Administration
Funding: PY 2022 \$231,257 (\$216,803 from EN and \$14,454 AD)
Type of Property: Rental

1.0 FUNDING:

PROGRAM YEAR	ENTITLEMENT (EN)	ADMINISTRATION (AD)	PROGRAM INCOME (PI) (non-reimbursable, IDIS draw only)	TOTAL BUDGET
PY 2022	\$216,803	\$14,454	\$70,000	\$301,257

2.0 DETAILED SCOPE OF WORK:

Include the following-

- 2.1 Consolidated Plan goals as it relates to this activity: High
- 2.2 Type of assistance/activity to be provided with HOME funds:
 - 2.2.1 Tenant Based Rental Assistance: rental assistance, security deposits, and utility deposit assistance
 - 2.2.2 Administration
 - 2.2.3 The maximum amount of a security deposit may not exceed an amount that is equal to one plus one-half month's rent. Utility deposits may only be provided for electricity, gas, sewer, and trash. Payments will be made on behalf of the tenant to the owner or utility provider.

3.0 OBJECTIVES AND OUTCOMES (Check appropriate box below.):

OBJECTIVE	OUTCOMES		
	AVAILABILITY/ ACCESSIBILITY	AFFORDABILITY	SUSTAINABILITY
DECENT HOUSING	☐ Single Family Housing Rehab and Emergency Rehab	☒ Homebuyer Activities, Acquisition/Rehab of rental housing, Acquisition/New Construction of rental housing, TBRA, Expansion of assisted rental units	☐ Housing Activities in a targeted revitalization area

4.0 PERFORMANCE INDICATORS:

The City of Avondale Housing and Community Division will administer a rental assistance, security deposit and utility deposit program under the HOME Tenant-Based Rental Assistance Program (TBRA). This activity will result in increased housing stabilization for low-income families and allow individual households to obtain permanent housing.

5.0 LOGIC MODEL: PERFORMANCE INDICATORS:

INPUTS/RESOURCES In order to accomplish proposed activities, the subrecipient will need the following:	ACTIVITIES In order to address the issue, the subrecipient will conduct the following activities:	OUTPUTS Once completed, these activities will produce the following:	OUTCOMES When completed, these activities will lead to the following changes:	IMPACT Long term changes:
HOME funding	Provide rental assistance & deposits for eligible low-income households.	Low-income households will be provided with tenant based rental assistance to access affordable rental housing opportunities.	Low-income families will be provided with a more stable living situation leading to self-sufficiency.	Stable neighborhoods; Access to affordable housing. Self-sufficiency.

6.0 PROPOSED BENEFICIARIES:

Targeted Population by Income Level	Number of Households PY 2022	Total Number of Units	Number of <u>HOME Assisted</u> Units in program (if rental)
Households at or below 50%			
Households at or below 60%	100	100	100
Households at or below 80%			
TOTAL	100	100	100

7.0 PRIORITY POPULATIONS:

Complete the table below only if the Activity will specifically set-aside units for a priority population. Set-asides will be enforced through contract provisions.

Priority Populations	No. of Units PY 2022	Total
Elderly		
Physically Disabled		
Other Priority Populations: Veterans		
Homeless		

*City of Avondale will not be prioritizing populations.

8.0 PERFORMANCE REPORTING GOALS-TIMELINE OF ACTIVITIES:

<u>TBRA MILESTONES</u>	START DATE	COMPLETION DATE
HOME Contract Amendment signed by City Council	12/04/2023	12/04/2023
Signed MOA between City of Avondale Neighborhood and Family Services and non-profit housing provider	n/a	n/a
Environmental Program Clearance	7/15/2020	7/15/2020
Application Intake-Certification of Income Eligibility	Ongoing program	Ongoing program
Application Review	Ongoing program	Ongoing program
Initial HQS Property Inspection	Prior to assistance	Prior to assistance
Home Set up Report to County	02/15/2025	02/15/2025
Unit Occupied by Low/Moderate Income Person/Family	Throughout Contract Term	Throughout Contract Term
Completion Report submitted to City	09/30/2027	09/30/2027

Any change to the Timeline will need to be submitted to and approved by Maricopa County.
The expenditure deadline for this scope of work is 9/30/2027.

9.0 ACTIVITY BUDGET SUMMARY:

<u>TBRA ACTIVITIES</u>	2022 HOME FUNDS	Additional Sources (defined in Table 9 below)	TOTAL COST
Security Deposits; Utility Deposits; TBRA Program Delivery	\$216,803	\$124,201	\$341,004
HOME ADMINISTRATION	\$14,454	\$0.00	\$14,454
TOTAL	\$231,257	\$124,201	\$355,458

Administration (AD) funds to be expended by the City of Avondale for overall HOME program administration.

10.0 SOURCE AND AMOUNT OF OTHER RESOURCES:

FUNDING AGENCY	CASH AMOUNT	VOLUNTEER/ IN-KIND AMOUNT
City of Avondale General Funds	\$54,201	
HOME Program Income	\$70,000	

11.0 MATCH:

Match commitment must equal 25% of the HOME funds requested. Documentation is due at the time of request for payment(s). Match Logs must be submitted annually by June 30th of each year.

TYPE	SOURCE/FUNDING AGENCY General Fund	TOTAL
Cash or cash equivalents from a non-federal source	General Funds	\$54,201

MARICOPA COUNTY
Work Statement - OOHR
HOME Investment Partnerships Program
Program Year 2024

Consortium Member: City of Avondale, Arizona
UEI: GDTNM5BLN9Y4
FAIN: M-24-DC-04-0227
Federal Award Date: 9/26/2024
Project: Owner Occupied Housing Rehabilitation and HOME Administration
Funding: PY 2024 \$199,777 (\$187,291.00 from EN and \$12,486.00 AD)
Type of Property: Single Family Residential

1.0 FUNDING:

PROGRAM YEAR	ENTITLEMENT (EN)	ADMINISTRATION (AD)	PROGRAM INCOME (PI) (non-reimbursable, IDIS draw only)	TOTAL BUDGET
PY 2024	\$187,291.00	\$12,486.00	\$3,321.02	\$203,098.02

2.0 DETAILED SCOPE OF WORK:

Include the following-

- 2.1 Consolidated Plan goals as it relates to this activity: High
- 2.2 Type of assistance/activity to be provided with HOME funds:
 - 2.2.1 Single family housing rehabilitation (owner-occupied) – activities may include, but are not limited to program delivery, environmental reviews, hazard testing and mitigation, title searches, and construction to benefit HOME-qualified low-income households.
- 2.3 The City will provide forgivable, non-amortizing loans to eligible owners of single-family housing for housing rehabilitation activities.
- 2.4 The City will secure HOME funds with a Deed of Trust and Promissory Note. These documents will include a recapture provision with loan funds payable to the City should the borrower sell, refinance with cash out or no longer occupy the property as their primary residence. The amount of funds recaptured will be prorated on a yearly basis over the term of the loan. At the end of the term, the loan will be fully forgivable.

3.0 OBJECTIVES AND OUTCOMES (Check appropriate box below):

OBJECTIVE	OUTCOMES		
	AVAILABILITY/ ACCESSIBILITY	AFFORDABILITY	SUSTAINABILITY
DECENT HOUSING	☒ Single Family Housing Rehab and Emergency Rehab, Homebuyer Assistance	☐ Homebuyer Activities, Acquisition/Rehab of rental housing, Acquisition/New Construction of rental housing,	☐ Housing Activities in a targeted revitalization area

4.0 LOGIC MODEL AND PERFORMANCE INDICATORS:

INPUTS/ RESOURCES In order to accomplish proposed activities, the Subrecipient will need the following:	ACTIVITIES In order to address the issue, the subrecipient will conduct the following activities:	OUTPUTS Once completed, these activities will produce the following:	OUTCOMES When completed, these activities will lead to the following changes:	IMPACT Long term changes:
HOME funding	The City will provide eligibility qualification, environmental review, title searches, property inspections, hazard testing, project scoping/bidding/ construction management, lien document preparation/recording, coordination, financial management, reporting and file retention.	Owner occupied rehabilitated housing	Low to moderate income families will have decent, safe, and sanitary housing free of code violations and adverse health and safety conditions.	Stable neighborhoods; improved safety and quality of life of occupants

5.0 PROPOSED BENEFICIARIES:

Targeted Population by Income Level	Number of Households	Total Number of Units
Households at or below 50%		
Households at or below 60%		
Households at or below 80%	5	5
TOTAL	5	5

6.0 PRIORITY POPULATIONS:

Complete the table below only if the Activity will specifically set aside units for a priority population. Set-asides will be enforced through contract provisions.

Priority Populations	No. of Units PY 2024	Total
Elderly		
Physically Disabled		
Other Priority Populations: Veterans		

7.0 PERFORMANCE REPORTING GOALS – TIMELINE OF ACTIVITIES:

<u>MILESTONES</u>	<u>START DATE</u>	<u>COMPLETION DATE</u>
Applicant eligibility	09/2025	ongoing
Scope of Work	09/2025	ongoing
Environmental reviews	09/2025	ongoing
RFQ issued	09/2025	ongoing
Contractors selected	09/2025	ongoing
Rehabilitation	09/2025	ongoing
Request for Reimbursement to County	quarterly	quarterly
Completion report submitted to County	9/30/2027	9/30/2027

Any change to the Timeline will need to be submitted to and approved by Maricopa County. The expenditure deadline for this scope of work is 9/30/2027.

8.0 ACTIVITY BUDGET SUMMARY:

Activity	2024 HOME FUNDS	Additional Sources (defined in Table 9 below)	TOTAL COST
Housing Rehabilitation	\$187,291.00	\$49,811.67	\$237,102.67
HOME Administration	\$12,486.00	\$332.10	\$12,818.10
TOTAL	\$199,777.00	\$50,143.77	\$249,920.77

Administration (AD) funds to be expended by the City of Avondale for overall HOME program administration.

9.0 SOURCES AND AMOUNT OF OTHER RESOURCES:

FUNDING AGENCY	CASH AMOUNT	VOLUNTEER/ IN-KIND AMOUNT
City of Avondale	\$46,822.75	0
HOME Program Income	\$3,321.02	0
Total	\$50,143.77	

10.0 MATCH:

Match commitment must equal 25% of the HOME funds requested. Documentation is due at the time of request for payment(s). Match Logs must be submitted annually by June 30th of each year.

TYPE	SOURCE/FUNDING AGENCY	TOTAL
Cash or cash equivalents from a non-federal source	General Funds	\$46,822.75
TOTAL		\$46,822.75

ITEM NUMBER: 4.h.

SUBJECT: Resolution 1013-0325 - Amendment Number 3 to the Intergovernmental Agreement (IGA) with Maricopa County for American Rescue Plan (ARP) Funding

MEETING DATE: 3/24/2025

TO: Mayor and Council

FROM: Chris Lopez, Neighborhood and Family Services

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

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

STRATEGIC PLAN:

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. ARPA funding helps create sustainable communities by providing affordable, stable housing that fosters economic stability, social equity, and environmental sustainability. By addressing the housing needs of all residents, we can lay the foundation for a healthy, inclusive, and vibrant community that can adapt and grow over time.

PURPOSE:

City Council will consider a request to adopt Resolution 1013-0325, approving Amendment No. 3 to an Intergovernmental Agreement (IGA) between Maricopa County and the City of Avondale relating to the American Rescue Plan Act of 2021 funding (ARPA) for the construction of affordable housing and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

On October 3, 2023, the City of Avondale and Maricopa County through its Human Services Department, executed an Intergovernmental Agreement (IGA) which awarded the City \$2,750,000 in American Rescue Plan Act (ARPA) of 2021 funds for Avondale's Infill Housing Program. The Infill Housing Program consists of the development of four (4) vacant city-owned lots purchased with U.S. Department of Housing and Urban Development Neighborhood Stabilization Program funds in 2014. The project will develop a total of nine (9) affordable homes to be sold to low-income homebuyers. The initial agreement term was September 13, 2023, through December 31, 2025.

The Parties entered into Amendment No.1 on October 1, 2024, to revise compensation to a cost reimbursement basis, define how developer fees are paid, and allow the City to retain program income earned from the sale of homes at 305 and 309 E. Hill Drive, developed by Newtown Community Development Corporation.

The Parties entered into Amendment No.2 on December 18, 2024, to extend the term of the IGA through December 31, 2026, and to allow the Maricopa County Human Services Department Director and Legal

Counsel to review and execute administrative changes to the agreement through Administrative Change Orders to address modifications to project timelines, budget line items, regulations, ordinances and/or policies. The allocation of American Rescue Plan Act (ARPA) funds of 2021 from Maricopa County remains unchanged at \$2,750,000.

DISCUSSION:

Amendment No. 3 is requested to incorporate the Federal Award Identification Number (FAIN) and award date: SLFRP0146 awarded 5/18/2021 and to revise the Avondale Infill Housing Program Statement of Work regarding program income (funds earned from the sale of housing) for the units located at 516 E. Dee Street and 320 E. Hill Drive.

For the unit at 516 E Dee Street, being developed by the non-profit housing organization known as Trellis, all Program Income will be retained by the City of Avondale and reinvested into a future Community Land Trust. For 320 E Hill Drive, the Developer, Habitat for Humanity of Central Arizona, will retain Program Income, which will be reinvested into future affordable housing units in Maricopa County.

The allocation of American Rescue Plan Act (ARPA) funds of 2021 from Maricopa County remains unchanged at \$2,750,000.

BUDGET IMPACT:

There is no budgetary impact to the City associated with this request. All grant funds will be reimbursable directly to the City from Maricopa County.

RECOMMENDATION:

Staff recommends that City Council adopt a Resolution for Amendment No. 3 to the IGA between the City and Maricopa County for ARPA funding.

Contact person for document distribution: Chris Lopez and Regina Marette

RESOLUTION NO. 1013-0325

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING AMENDMENT NO. 3 TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY PROVIDING THE CITY WITH AMERICAN RESCUE PLAN FUNDING FOR HOUSING DEVELOPMENT.

WHEREAS, the City of Avondale (the “City”) and Maricopa County, through its Human Services Department (the “County”), entered into an intergovernmental agreement, dated on or about October 3, 2023, for the County to provide the City \$2,750,000 in American Rescue Plan Act funding for the construction of the City’s Legacy Phase III and Avondale Infill affordable housing projects (the “Agreement”);

WHEREAS, the City and County entered into Amendment No. 1 to the Agreement on or about October 1, 2024 to revise the budget for the projects;

WHEREAS, the City and County entered into Amendment No. 2 to the Agreement to extend the term of the Agreement until December 31, 2026;

WHEREAS, the City and County wish to enter into Amendment No. 3 to the Agreement to redirect project income from the projects into future City housing initiatives.

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. Amendment No. 3 to the Agreement between the City and County to provide the City with American Rescue Plan Act funds for the Legacy Phase III and Avondale Infill projects (the “Amendment”), is hereby approved 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 take all steps and execute all documents necessary to carry out the purpose and intent of this Resolution.

PASSED, AND ADOPTED by the City Council of the City of Avondale, Arizona,
March 24, 2025.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1013-0325

[Amendment No. 3]

See following pages.

**AMENDMENT NO. 3
TO THE INTERGOVERNMENTAL AGREEMENT
BETWEEN
MARICOPA COUNTY
ADMINISTERED BY ITS HUMAN SERVICES
DEPARTMENT
AND
THE CITY OF AVONDALE**

- I. The City of Avondale (“City” or “Subrecipient”) and Maricopa County (“County”) administered by its Human Services Department entered into an Agreement on or about October 3, 2023, to increase affordable housing availability in the Avondale area. The County provided the City with \$2,750,000 in ARPA funds under Assistance Listing Number 21.027 for these projects. The City shall directly or through an eligible subrecipient or developer, construct and develop affordable homes to be sold to low-income homebuyers. The Agreement term is September 13, 2023, through December 31, 2025. The County and the City may be referred to individually as “Party” or collectively as “Parties.”

The Parties entered into Amendment No.1 on or about October 1, 2024. The Amendment revised Paragraph 9.0 (Compensation), Subparagraph 9.1 in its entirety. The Amendment also revised Paragraphs 1.3 (Funding Sources), 3.4 (Program Income), and 5.0 (Budget) in Exhibit A (Legacy Avondale Infill Housing Phase III Statement of Work), and Exhibit B (Avondale Infill Housing Program Statement of Work) respectively. The County provided funds remained unchanged at \$2,750,000.

The Parties entered into Amendment No.2 on or about December 18, 2024. The Amendment extended the term of the Agreement from December 31, 2025, to December 31, 2026, and revised and replaced Paragraph 5.0 (Administrative Change Orders) in its entirety. The County provided funds remains unchanged at \$2,750,000.

- II. The Parties now agree to modify the Agreement through this Amendment No. 3 to address the following.

- A. Incorporate Federal Award Identification Number (FAIN) and Award Date by adding the following to Paragraph 6.0 (Funding):

FAIN / AWARD DATE: 21.027: SLFRP0146 awarded 5/18/2021

- B. Add the following Paragraph to the Agreement:

56.0 PROVISIONS REQUIRED BY LAW

Each and every provision of law and any clause required by law to be in this Agreement will be read and enforced as though it were included herein and, if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either party, this Agreement will promptly be physically amended to make such insertion or correction.

- C. Revise Exhibit B (Avondale Infill Housing Program Statement of Work), Paragraph 3.4 (Program Income) by removing it in its entirety and replacing with the following:
- 3.4 Program Income – Program Income will be defined as earnings from the sale of the homes. For the unit at 516 E Dee Street, all Program Income will be retained by the City of Avondale and reinvested into future CLT homes. The Developer will be required to submit a certification to the City to document Program Income activity. For 320 E Hill Drive, the Developer will retain Program Income, which will be reinvested into future affordable housing units in Maricopa County. The developer will be required to submit a certification to the City to document Program Income activity.
- III. Section II above contains all the changes to the Agreement made by this Amendment No. 3. The Agreement is amended to incorporate the changes contained in this Amendment No. 3. All other terms and conditions of the Agreement remain in full force and effect as executed by the Parties. This Amendment No. 3 is subject to and incorporates the provisions of A.R.S. § 38-511.
- IV. The Parties have authorized the undersigned to execute this Amendment No. 3 on their behalf.

[Signatures contained in the following page]

IN WITNESS, the Parties have approved and signed this Amendment No. 3:

APPROVED BY:
CITY OF AVONDALE

APPROVED BY:
MARICOPA COUNTY

Mike Pineda, Mayor Date

Thomas Galvin, Chairman Date
Board of Supervisors

Attested To:

Attested To:

City Clerk Date

Juanita Garza Date
Clerk of the Board

IN ACCORDANCE WITH A.R.S. §§ 9-240, 9-500.11, 11-952, AND 46-241, ET SEQ., THIS AMENDMENT NO. 3 HAS BEEN REVIEWED BY THE UNDERSIGNED ATTORNEY WHO HAS DETERMINED IT IS PROPER IN FORM AND WITHIN THE POWERS AND AUTHORITY GRANTED TO THE CITY OF AVONDALE UNDER THE LAWS OF THE STATE OF ARIZONA.

IN ACCORDANCE WITH A.R.S. §§ 11-201, 11-251, AND 11-952, THIS AMENDMENT NO. 3 HAS BEEN REVIEWED BY THE UNDERSIGNED ATTORNEY WHO HAS DETERMINED IT IS PROPER IN FORM AND WITHIN THE POWERS AND AUTHORITY GRANTED TO MARICOPA COUNTY UNDER THE LAWS OF THE STATE OF ARIZONA.

APPROVED AS TO FORM:

APPROVED AS TO FORM:

BY: _____
Attorney for the City Date

BY: _____
Deputy County Attorney Date

ITEM NUMBER: 4.i.

SUBJECT: Resolution 1014-0325 - 2025-2026 HUD Annual Action Plan and Five-Year HUD Consolidated Plan (2025-2029)

MEETING DATE: 3/24/2025

TO: Mayor and Council

FROM: Christopher Lopez, Neighborhood & Family Services Director

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:

- 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 consider a request to adopt Resolution 1014-0325, approving the City's 2025-2026 Annual Action Plan and the Consolidated Plan and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Annual Action Plan identifies housing and community development needs and strategies and defines how Community Development Block Grant (CDBG) and HOME funds will be allocated next fiscal year. The Consolidated Plan outlines the City's goals for housing and community development for the next five years. The Council will take appropriate action.

BACKGROUND:

The federal objective of the Community Development Block Grant (CDBG) program is to "develop viable urban communities by providing decent housing, a suitable living environment and economic opportunities for low- and moderate-income persons." The objective of the HOME program is to "create affordable housing opportunities for low-income persons." Staff is recommending the following goals with respect to CDBG and HOME over the next five years:

Goal 1 - Preserve and Expand Affordable Housing Inventory

Goal 2 - Fund Necessary Public Infrastructure and Facilities

Goal 3 - Support Vital Community Services

Goal 4 - Effective Program Administration

For planning purposes, staff estimate the United States Department of Housing and Urban Development (HUD) will allocate \$716,985 in CDBG funds and \$199,777 in HOME funds (through Maricopa County) to Avondale for Fiscal Year 2025-2026. These estimates assume level funding amounts from the current year

and are subject to change pending final allocations from HUD. To be eligible to receive these funds, the City of Avondale must complete and approve the following plans:

- Consolidated Plan - a plan to help the City assess affordable housing and community development needs and market conditions of low- and moderate-income and special needs persons, and to make data-driven, place-based investment decisions to address those needs. This plan is effective from July 1, 2025, to June 30, 2029.
- Annual Action Plan - an annual document that summarizes how the City will use federal funds to meet the goals outlined in the Consolidated Plan. The plan assigns funding from fiscal year 2025-2026 to specific goals. This plan is effective from July 1, 2025, to June 30, 2026.

HUD requires that local governments involve the public in completing these plans. Data gathered from the public participation process provides the basis for the goals and strategies outlined herein. A consultant, Civatas LLC, was hired to undertake the research and development of the Consolidated Plan and Annual Action Plan.

DISCUSSION:

The Neighborhood & Family Services (NFS) Department held an extensive public participation process to receive input for both the Annual Action and Consolidated Plans. Based on the input received, staff recommends funding the following allocations for the 2025-2026 funding year.

CDBG Activity Allocations (\$716,985 estimated total allocation)

1. Owner Occupied Home Repairs (\$358,493)
2. Public Facilities and Infrastructure (\$143,397)
3. Public Services-Youth Job Training and Workforce Development (\$71,699)
4. Administration (\$143,397)

HOME Activity Allocations (\$206,370 total allocation)

1. Homebuyer Assistance (\$187,291) and a 25% non-federal match required matching contribution from the City (\$46,823) for a total allocation of \$234,114
2. Administration (\$12,486)

**Note that these allocations are based on funding estimates and subject to changes and reductions pending final allocations from HUD.*

BUDGET IMPACT:

The use of \$187,291 for Homebuyer Assistance in HOME funds will require a 25% non-federal match required matching contribution from the City of Avondale of approximately \$46,823. The match funds are included in the proposed FY2026 budget. CDBG funds do not require a matching contribution.

RECOMMENDATION:

Staff recommends that the City Council adopt a Resolution and approve the funding allocations of the 2025-2026 Annual Action Plan and the 2025-2029 Five-Year Consolidated Plan.

Contact person for document distribution: Regina Marette

RESOLUTION NO. 1014-0325

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING THE 2025-2029 CONSOLIDATED PLAN AND THE 2025/2026 ANNUAL ACTION PLAN AND AUTHORIZING SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR RECEIPT OF FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS; ACCEPTING THE 2025 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE; AND AUTHORIZING ACCEPTANCE OF HOME FUNDS FROM MARICOPA COUNTY AND THE RELATED HOME EXPENDITURES.

WHEREAS, Title 1 of the Housing and Community Development Act of 1974, as amended, establishes a Community Development Block Grant (“CDBG”) program to develop viable urban communities by (i) providing decent housing and suitable living environments, (ii) expanding economic opportunities and (iii) preventing and eliminating conditions of slum and blight, principally for persons of low and moderate-income; and

WHEREAS, the City of Avondale (the “City”) receives CDBG funds to continue to carrying out CDBG-funded programs; and

WHEREAS, the U.S. Department of Housing and Urban Development (“HUD”) is expected to provide approximately \$716,985.00 in CDBG funds to the City for Fiscal Year 2025/2026; and

WHEREAS, the Code of Federal Regulations, 24 CFR Part 91 requires the submission to HUD and subsequent approval by HUD of a multi-year Consolidated Plan and an Annual Action Plan as a condition of receiving CDBG funds; and

WHEREAS, the Council of the City of Avondale (the “City Council”) must approve the 2025-2029 Consolidated Plan (the “Consolidated Plan”) prior to its submission to HUD; and

WHEREAS, the City prepared an updated 2025/2026 Annual Action Plan element of the Consolidated Plan listing activities to be funded in the 2025/2026 program year (the “2025/2026 Annual Action Plan”); and

WHEREAS, Maricopa County is expected to provide the City with \$199,777.00 in HOME funds, which will require the City to contribute a matching amount equal to 25% from non-federal funds; and

WHEREAS, the City has completed public participation requirements in accordance with 24 CFR Part 91, including (i) a publicly held meeting on June 26, 2024; (ii) a publicly held meeting

on August 27, 2024; (iii) a public hearing at the City of Avondale Neighborhood and Family Services Committee meeting on November 13, 2024; (iv) a public comment period from February 3, 2025 through March 6, 2025; (v) a publicly held meeting on December 11, 2024; (vi) a publicly held meeting on February 19, 2025; (vii) a public hearing of the City Council on March 3, 2025; and (viii) a community input survey available online from June 11, 2024 through January 31, 2025.

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 approves and authorizes the submission to HUD of the following: (i) the 2024-2029 Consolidated Plan, (ii) the 2025/2026 Annual Action Plan and (iii) the allocation of CDBG and CDBG-CV funding to the activities to be undertaken described below.

CDBG Activities and Funding		
Activity	Amount Proposed*	Expected Outcomes
Administration	\$143,397.00	General administration (20% of total allocation)
Public Improvements	\$120,561.00	Area-wide community Benefit
Home Repair Program	\$358,493.00	12 home repairs
Youth Job Training	\$40,000.00	± 20 Internships
Workforce Development	\$54,534.00	+ 300 individuals job skills/search
Total CDBG:	\$716,985,	

HOME Activities and Funding		
Activity	Amount Proposed*	Expected Outcomes
Administration	\$12,486.00	General administration (5%)
Downpayment Assistance Program	\$187,291.00	7 Homebuyers
County HOME Allocation	\$199,777.00	Estimated allocation
25% Required Match	\$46,823.00	General Fund
Total Available (Allocation & Match)	\$246,600	Match to be used for Downpayment Assistance Program

SECTION 3. The City Council hereby finds that expenditures as set forth in the 2025/2026 Annual Action Plan are necessary and appropriate and further, that said expenditures for the CDBG program will serve to assist low- and moderate-income individuals/families and serve to prevent or eliminate conditions of slum or blight in the community.

SECTION 4. If the amount of funding approved by HUD is less than the total of estimates set forth in Section 2 above, the City Manager or their designee is hereby authorized and directed to adjust as necessary.

SECTION 5. The City Council hereby approves and authorizes (i) acceptance of the HOME funds in an approximate amount of \$199,777 from Maricopa County, (ii) the corresponding expenditure of the required 25% match; and (iii) expenditure of the HOME funds in the manner set forth in the 2025/2026 Annual Action Plan.

SECTION 6. The Mayor, the City Manager or authorized designee, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and execute all documents necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
March 24, 2025.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

ITEM NUMBER: 4.j.

SUBJECT: Ordinance 2007-0325 - Amendment of City Code Chapter 4.5 Cable Television Systems to add a new Article II Telecommunications License

MEETING DATE: 3/24/2025

TO: Mayor and Council

FROM: Kimberly Moon, PE, Director / City Engineer

THROUGH: Katie Gregory, Assistant City Manager, (623) 333-1015

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

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Areas:

- 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.
- 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.

The approval of this agenda item will maintain and expand quality infrastructure and improve connectivity to City amenities.

PURPOSE:

City Council will consider a request to adopt Ordinance 2007-0325, amending Avondale City Code Chapter 4.5 Cable Television Systems to add a new Article II Telecommunications License 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:

The Avondale City Code Chapter 4.5 Cable Television Systems was first adopted in 2002, with revisions through 2019.

The purpose of this revision is to add a new Article II Telecommunications License relating to applicability and requirements for Telecommunications licenses. This new article establishes a competitively neutral and non-discriminatory policy governing the management of public roadways for telecommunications services and systems, while ensuring fair compensation to the city for access and use. No provider shall have facilities in public roadways unless a license has been granted by the City Council. Providers are responsible for restoration of damages to public property.

DISCUSSION:

Staff recommends approval of the request for the following reasons:

- * The proposed revisions ensure consistency with state and federal law.
- * The proposed revisions improve usability of the code and enhance customer service.
- * The proposed revisions are deemed necessary to best serve the public health, safety, and general welfare of the city.

BUDGET IMPACT:

No budget impacts.

RECOMMENDATION:

Staff recommends City Council adopt an Ordinance amending the Avondale City Code Chapter 4.5 Television Systems and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

Contact person for document distribution: Kimberly Moon, PE, Director / City Engineer

ORDINANCE NO. 2007-0325

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE AVONDALE CITY CODE, CHAPTER 4.5 (CABLE TELEVISION SYSTEMS) TO ADD A NEW ARTICLE II (TELECOMMUNICATIONS LICENSE) RELATING TO APPLICABILITY AND REQUIREMENTS FOR TELECOMMUNICATIONS LICENSES.

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

SECTION 1. The Avondale City Code, Chapter 4.5 (Cable Television Systems) is hereby renamed Chapter 4.5 (Cable Television Systems and Telecommunications).

SECTION 2. The Avondale City Code, Chapter 4.5 (Cable Television Systems and Telecommunications) is hereby amended to add a new Article II (Telecommunications Code) to read as follows:

Article II. Telecommunications Code

4.5-20 Purpose and findings.

(a) The purpose of this chapter is to establish a competitively neutral and non-discriminatory policy governing the management of Public Highways for the provision of telecommunications services. To that end, the City Council seeks to enable the city to:

- (1) Authorize non-discriminatory and competitively neutral access to and use of the Public Highways by providers of telecommunications services, while ensuring that those who have placed facilities in the Public Highway or otherwise use such facilities to provide telecommunications services fairly compensate the city for that access and use;
- (2) Manage the Public Highways in order to minimize the impact and cost to Avondale citizens of the placement of telecommunications facilities within city Public Highways;
- (3) Manage the Public Highways so as to maximize their efficient use, thereby minimizing the foreclosure of future additional uses of such Public Highways;
- (4) Promote competition among telecommunications service providers and encourage the universal availability of advanced telecommunications services to all residents and businesses of the city;

- (5) Minimize congestion, inconvenience, visual impact, and other adverse effects on the city's Public Highways.
- (b) The City Council finds that the city's Public Highways constitute a valuable public asset:
 - (1) Having been acquired and maintained by the city over many years at great taxpayer expense;
 - (2) Providing uniquely valuable property that private telecommunications providers may wish to use for profit-making purposes that may not necessarily benefit all the residents of the city;
 - (3) Representing public investments for which the taxpayers are entitled to a fair monetary return on the city's past and future investment in the city's infrastructure; and
 - (4) Comprising significant assets which the city must manage as a public fiduciary trust to enhance the public health, safety, and welfare.
- (c) Therefore, in this chapter the City Council intends:
 - (1) To ensure that locally elected officials manage local Public Highways consistent with their fiduciary trust obligations;
 - (2) To ensure compliance with public health, safety, and welfare measures for city Public Highways;
 - (3) To encourage public-private partnerships to provide telecommunications facilities needed for the most cost-effective delivery of public services, including schools, libraries, police and fire protection, as well as private services;
 - (4) To conserve the limited physical capacity of the Public Highways held in public trust by the city;
 - (5) To assure that the city's current and ongoing costs of granting and regulating private access to and use of the Public Highways are fully paid by the persons seeking such access and causing such costs; and
 - (6) To secure fair and reasonable compensation to the city and the residents of the city for use of the Public Highways for private installation of telecommunications facilities, in the exercise of its police and other powers insofar as permitted by state and federal law.

4.5-21 Definitions.

For the purpose of this chapter, unless the context otherwise requires, the following terms, phrases, words, and their derivatives shall have the meanings given herein.

“Cable services and cable system” shall have the same meaning as defined in Article I of this Chapter.

“Commercial mobile radio services” means two-way voice commercial mobile radio services as defined by the Federal Communications Commission in 47 C.F.R. 20.3.

“Facilities” means the plant, equipment, and property used in the provision of telecommunications services and not owned by the City, including but not limited to poles, wires, pipe, conduits, pedestals, antenna, and other appurtenances placed in, on, or under Public Highways.

“Interstate telecommunications services” means a telecommunications corporation that places underground or above ground facilities in the Public Highway, exclusive of facilities used by the local networks and the portion of the interstate network that carries intrastate calls, for interstate telecommunications services.

“Provider” means a person, corporation, or any other entity who constructs, installs, operates or maintains telecommunications facilities or interstate telecommunications services in the City Public Highways. Provider does not mean the City of Avondale.

“Public Highway” or “highway” means all roads, streets and alleys and all other dedicated public rights-of-way and public utility easements of the City.

“Tax Code” means the Tax Code of the City of Avondale, as may be amended from time to time.

“Telecommunications” means the transmissions between or among points specified by the user, of information of the user’s choosing without change in the form or content of the information as sent and received. The term does not include commercial mobile radio services, pay phone services, interstate services or cable services provided by a cable system.

“Telecommunications corporation” means any public service corporation to the extent that it provides telecommunications services in the State of Arizona.

“Telecommunications services” means the offering of telecommunications for a fee directly to the public or the City, or to such users as to be effectively available directly to the public, regardless of the facilities used.

4.5-22 License required.

(a) No provider shall install, maintain, construct or operate telecommunications facilities in any Public Highway within the City, or provide telecommunications services or interstate telecommunications services by means of such facilities, unless a license to use the highways to provide telecommunications services and interstate telecommunications services as appropriate has first been granted by the City Council under this chapter.

(b) Notwithstanding subsection (a), any telecommunications corporation that was providing telecommunications service within this State on November 1, 1997 pursuant to a grant made to it or its lawful predecessors prior to the effective date of the Arizona Constitution, may continue to provide telecommunications services pursuant to that state grant, until and unless the state grant is lawfully repealed, revoked or amended, and need not obtain any further grant from the City to provide telecommunication services; provided, however, that such entity must in all other respects comply with the requirements applicable to telecommunications corporations as provided in Title 9, Chapter 5, Article 7 of the Arizona Revised Statutes, this Code, and any other applicable local, state, or federal law or regulation.

(c) Nothing in this ordinance shall be deemed to affect the terms or conditions of any franchise, license or permit issued by the City prior to the effective date of the adoption of this ordinance or if this ordinance is amended, the effective date of the adoption of such amendments to this ordinance, or to release any party from its obligations thereunder. Existing franchises, licenses, or permits shall remain fully enforceable in accordance with their terms. However, any renewal, extension, amendment or other modification of such franchise, license, or permit shall be subject to the provisions of this Chapter as they exist at the time of such renewal, extension, or amendment, or other modification. The City Manager, with the consent of the City Council, may enter into agreements with franchise holders, licensees, or permittees to modify or terminate an existing franchise, license, or agreement.

(d) A license to any telecommunications corporation to use the Public Highways to install, maintain, construct, or operate telecommunications facilities or to provide telecommunications services or interstate telecommunications services under this chapter shall not authorize the use of the highways to provide any other service; nor shall the issuance of the same invalidate any franchise, license, or permit that authorizes the use of the highways for such other services; nor shall the fact that a telecommunications corporation holds a franchise, license, or permit to make any other use of the highway or to provide any other service, authorize installation, maintenance, construction or operation of telecommunications facilities in any highway in the City, or permit such telecommunications corporation to provide telecommunications services or interstate telecommunications services by means of such facilities without obtaining a license or franchise hereunder.

(e) Any license granted shall not be exclusive.

(f) A telecommunications licensee may enter into contracts for use of interstate telecommunications services facilities within the Public Highways to provide telecommunications services. Persons using such licensee's facilities must themselves obtain a telecommunications license if such person constructs, installs, operates or maintains telecommunication facilities within the Public Highways of the City. If the persons using such licensee's facilities do not construct, install, operate or maintain telecommunications facilities within the Public Highways of the City, such persons need not obtain a separate license but the telecommunications licensee must disclose the identity of such persons to the City.

4.5-23 License application.

(a) Any telecommunications corporation desiring a license under this chapter to occupy the streets and other highways of the City to provide telecommunications services or

interstate telecommunications services shall file an application with the City's Engineering Department requesting a license, in the form prescribed by the City Engineer, and shall pay an application fee determined by the City Council. The amount of the application fee shall be reasonably related to the costs directly incurred by the City relating to the granting or administration of the license.

(b) Each license application shall:

- (1) show where the facilities the applicant will use will be located, or contain such other information as the City may deem necessary in order to ensure that the applicant will comply with requirements for use of and location of facilities in the Public Highways;
- (2) identify the applicant, its name, address and telephone number,
- (3) describe the services to be provided;
- (4) describe any agreement with any other entity that permits such entity to use the facilities; and
- (5) a statement or description of any exemptions from this Article claimed pursuant to state or federal law and the basis of such exemption.

(c) Upon receiving an application for a license that satisfies the conditions of section (b), the City's Engineering Department shall proffer a telecommunications license to the applicant for its review and may inquire into matters relevant to the issuance of the license. If the applicant agrees to the terms and conditions of the license, the request shall be submitted to City Council with a recommendation for approval. Notwithstanding the foregoing, the City need not issue or renew a license, if the applicant has previously had its telecommunications services license, interstate telecommunications services license or franchise revoked, or for any other reason permitted under Arizona or federal law.

(d) As a condition of issuing or renewing a license to use the Public Highways to provide telecommunications services or interstate telecommunications services, the City may require:

- (1) Proof that the applicant has received a certificate of convenience and necessity from the Arizona Corporation Commission, except that this requirement shall not apply to a telecommunication corporation that provides solely interstate -telecommunications services within this State;
- (2) The applicant to agree to comply with all highway use requirements that the City may establish from time to time;
- (3) The applicant to agree to provide and maintain accurate maps showing the location of all its facilities and the facilities it will use in Public Highways within the City and to comply with such other mapping requirements as the City may establish from time to time. Applicant shall provide the City with

electronic mapping information in a format compatible with the current City electronic mapping format;

- (4) The applicant to obtain the insurance, and provide proof of insurance, as required by the City; to post the performance bonds or other security required by the City; and to agree to fully indemnify the City, its officers, agents, boards and commissions, in a form satisfactory to the City; and to agree that it shall have no recourse whatsoever against the City or its officials, boards, commissions, agents or employees for any loss, costs, expense or damages arising out of any provision or requirement of the City because of the enforcement of the license;
- (5) That the applicant to agree to comply with and be bound by the administrative and enforcement provisions as may be prescribed by the City.

(e) Every license shall be subject to the following administrative and enforcement provisions:

- (1) Licenses shall be personal to the licensee. Except as provided in the license, no transfer of a licensor or licensee, or change of control over the same (including, but not limited to, transfer by forced or voluntary sale, merger, consolidation, receivership, or any other means) shall occur unless prior application is made to the City and the City's prior written consent is obtained, which consent will not be unreasonably withheld or delayed.
 - (i) In making a determination as to whether to approve a transfer the City may consider the same information and qualifications required of an original application for a license; whether the licensee is in compliance with its license and this chapter and, if not, the proposed transferee's commitment to cure such noncompliance; whether the transfer would result in an evasion of other applicable provisions of law, or impair lawful contracts; and the effect of the transfer on the City's interests.
 - (ii) No application for a transfer of a license or franchise shall be granted unless the proposed transferee agrees in writing that it will abide by and accept all terms of this chapter and the license, and that it will assume all obligations, liabilities, and responsibility for all acts and omissions, known and unknown, of the previous licensee under this chapter and the license for all purposes, including renewal.
 - (iii) Approval by the City of a transfer of a license does not constitute a waiver or release of any of the rights of the City under this chapter or the license, whether arising before or after the date of the transfer.
- (2) Every licensee shall be subject to the City's exercise of such police, regulatory and other powers as it now has or may later obtain, and a license may not waive the application of the same.

- (3) Every license shall be subject to revocation if the licensee fails to comply with the material terms and conditions of the license or applicable law. Provided, however, that a license shall not be revoked unless the licensee is given written notice of the defect in performance, and fails to cure the performance within sixty days of the notice, except where the City finds that the defect in performance is due to intentional misconduct, is a violation of criminal law, or is part of a pattern of violations where the licensee has already had notice and opportunity to cure.
- (4) A requirement that if the licensee fails to pay amounts owed to the City by the time prescribed for payment, the licensee shall pay interest on the amounts owed, at the rate of one percent per month.
- (5) A requirement that the licensee shall produce books and records for the City's inspection and copying, prepare reports, respond to questions, and permit the City to have access to its facilities as the City may request in order to determine whether licensee has complied with its obligations under the license, or other applicable law.
- (6) A licensee that receives a telecommunications services license as appropriate, pursuant to this chapter may apply for a renewal of its license, which renewal shall be reviewed in accordance with the requirements of state and federal law.
- (7) The issuance of a license, permit or other authorization by the City is not a representation or warranty that such license, permit, or authorization is a legally sufficient substitute for a franchise, and it not a representation or warranty that a franchise is not required.

(f) **Damages caused to Public Highways.** Any remedies available to the City are cumulative and are not limited by the recovery of any amounts pursuant to the insurance provisions of the license, or pursuant to any indemnity clause.

4.5-24 License or franchise terms.

(a) **Length of license.** Any license granted by the City pursuant to this article shall commence upon adoption of the license or franchise and acceptance of the license by the provider within thirty days of the grant. The license shall be effective for a period of five years, and subject to the conditions and restrictions provided in the license and this chapter.

(b) **License agreement.** The City reserves the right, at its discretion, to require providers seeking a license under this chapter to execute a license setting forth all terms and provisions of the relationship between the City and the provider regarding the presence of telecommunications facilities within the City s highways.

4.5-25 Compensation.

(a) The City shall not levy a tax, rent, fee or charge to a telecommunications corporation for the use of a Public Highway to provide telecommunications services or interstate telecommunications services, or levy a tax, fee or charge upon the privilege of engaging in the business of providing telecommunications services or interstate telecommunications services, except that, in connection with its provisions of telecommunications services and interstate telecommunications services, and its use of Public Highways to provide the same, each telecommunications corporation shall:

- (1) Pay a transaction privilege tax on the business of providing telecommunications services or applicable use tax, as may be specified from time to time in the Tax Code, except that this subsection does not authorize the imposition of a transaction privilege tax on the business of providing interstate intrastate telecommunications services;
- (2) Pay an annual fee based on the number of lineal feet of trench in the public highways in which facilities placed carry interstate traffic between and among the telecommunications corporation's interstate points of presence exclusive of facilities used by the local network and the portion of the interstate network that carries intrastate calls. The rate per lineal foot shall be promulgated by the City Council-
- (3) Pay public right-of-way construction permit fees established by the City; and
- (4) Pay all reasonable costs associated with the construction, maintenance and operation of its facilities in the Public Highways used to provide telecommunications services, including reasonable costs associated with damage caused to the Public Highways.

b) The license may include in-kind payments if agreed to by the City and licensee. The calculation of the in-kind benefits shall be set forth in such license and shall be limited to the costs of the in-kind facility. Any in-kind facilities provided to the City by such license shall remain in possession and ownership of the City after the term of the license expires. The value of in-kind benefits shall be offset against either payments of interstate lineal foot charges or transaction privilege taxes as provided in the Tax Code, however, such offset shall not be allowed against any combination of intrastate transaction privilege tax and interstate lineal foot charge.

c) Nothing in this section is intended to limit the obligation of any person to pay amounts owed under any license issued prior to the effective date of this ordinance or if this ordinance is amended, the effective date of the adoption of such amendment to this ordinance.

4.5-26 Right of Way permits.

The City shall not issue a permit for construction in the Public Highway or other authorization for a provider to construct or install telecommunications facilities in the City's Public Highways unless the provider has first obtained the license required to occupy the City's Public Highways under this Chapter, unless the provider is exempted from the license requirement by this Chapter.

4.5-27 Location and relocation of facilities in Public Highways.

(a) Each provider is responsible for ensuring that its facilities are installed, constructed and maintained in strict accordance with the City Code and all other applicable City regulations; that all required licenses and permits are applied for and obtained before any work commences; and that the terms and conditions thereof are strictly followed. If a facility has more than one provider, each provider is fully responsible for ensuring that all requirements are satisfied. Facilities shall be installed, constructed and maintained so that no additional costs are imposed upon the City, and so that the facility does not interfere with other uses or users of the Public Highways. Without limiting the requirement of any other provision of the City Code, or the provisions of any license, permit, or franchise issued by the City, this shall require, at a minimum, compliance with the provisions of this chapter.

(b) The facilities to be constructed, installed, operated, and maintained by the provider shall be so located or relocated as to interfere as little as possible with traffic or other authorized uses over, under, or through the Public Highways. Those phases of construction relating to traffic control, backfilling, compaction, and paving, as well as the location or relocation of said facilities shall be subject to regulation by the City.

(c) The provider shall keep accurate installation records of the location of all facilities in the Public Highways and furnish them to the City upon request or at such periodic intervals as the City may require. Upon completion of new or relocation construction of underground facilities in the Public Highways, the provider shall provide the City, if requested or as required, with installation records in a format compatible with the then-current City mapping format showing the location of the underground and above ground facilities.

(d) Whenever the provider shall cause any opening or alteration whatever to be made for any purpose in any Public Highways, the work shall be completed within the time specified in the license or right of way permit, or if no time is specified then within a reasonable time. In addition, the provider shall, without expense to the City and upon the completion of such work, restore the property disturbed in a manner consistent with the City's duly adopted standards, or as required by its permits or licenses.

(e) The installation, use, and maintenance of the provider's facilities within the Public Highways authorized in this chapter shall be in such a manner as not to interfere with the City's placement, construction, use, and maintenance of its Public Highways, street lighting, water pipes, drains, sewers, traffic signal systems, or other City systems that have been, or may be, installed, maintained, used or authorized by the City. Upon the City's request, provider's facilities will be relocated at provider's expense, unless State law expressly requires otherwise. Upon the City's request, by a time specified by the City, if the provider fails to move its facilities, the City may do so and may bill the provider the costs therefor and the provider shall pay those costs within thirty days after its receipt of the invoice therefor. Further, the provider shall reimburse the City any additional cost the City incurs due to the location or relocation of the provider's facilities, including all design and construction costs.

(f) The provider shall not install, maintain, or use any of its facilities in such a manner as to damage or interfere with facilities of another located within the Public Highways of the City.

(g) All facilities shall be installed according to plans approved by the City. Provider may install facilities on existing utility poles or in existing conduit where permission is granted by owner of the utility pole or conduit, except where those same poles are scheduled to be replaced with buried facilities. The City may require the provider to prove that it has such permission from the owner to use the owner's facilities. No new poles, or longer poles, will be permitted in Public Highways for any new facilities, without the express written permission of the City. If provider installs facilities on existing poles as provided herein, the provider shall bury its facilities when such poles are removed and not replaced in kind for any reason. If the provider makes use of existing conduit of another provider, the provider shall be subject to the provisions of this chapter in the use of such conduit in the Public Highway.

(h) Each provider must obtain and maintain such insurance, bonding, and security fund requirements as specified by the City. No work shall commence unless these requirements have been satisfied, and the City may require the provider to remove or stop work on facilities, or require a provider to cease using the facility, when any insurance, bonding, or security fund requirements are not satisfied.

(i) A permit shall be obtained from the City prior to a provider removing, abandoning, relocating, or reconstructing, if necessary, any portion of a provider's facilities. Notwithstanding the foregoing, the City understands and acknowledges there may be instances when a provider is required to make repairs that are of an emergency nature. The provider will notify the City prior to such repairs, if practicable, and will obtain the necessary permits in a reasonable time after notification.

4.5-28 Conflict with City projects.

(a) If, during the design process for public improvements, the City discovers a potential conflict with proposed construction, the provider shall either:

- (1) Locate and, if necessary, expose its facilities in conflict; or
- (2) Use a location service under contract with the City to locate or expose its facilities. The provider shall reimburse the City for the cost resulting from the use of such location service.

(b) The City shall make reasonable efforts to design and construct projects pursuant to this subsection (a) to avoid relocation expense to the provider. Provider shall furnish location information to the City in a timely manner, but in no case longer than ten calendar days from the date of the City's request.

(c) The City reserves the prior and superior right to lay, construct, erect, install, use, operate, repair, replace, remove, relocate, regrade, widen, realign, or maintain any Public Highway, aerial, surface, or subsurface improvements, including, but not limited to, water mains, traffic control conduits, cable and devices, sanitary or storm sewers, subways, tunnels, bridges, viaducts, or any other public construction within the Public Highways of the City.

(d) When the City invokes its prior superior right to the Public Highways, the provider shall move its facilities located in the Public Highways, at its own cost, to such a location as the City directs.

(e) If, during the course of a project, the City determines provider's facilities are in conflict, the following shall apply:

- (1) **Prior to City notice to proceed to contractor:** The provider shall, within a reasonable time, but in no event exceeding one month, remove or relocate the conflicting facility. This time period shall begin running upon receipt by the provider of written notice from the City. However, if both the City and the provider agree, the timeframe may be extended based on the requirements of the project.
- (2) **Subsequent to City notice to proceed to contractor:** The City and the provider will immediately begin the coordination necessary to remove or relocate the facility. Actual construction of such removal or relocation is to begin no later than seventy-two hours, if practicable, after written notification from the City of the conflict.

4.5-29 Damage to City Public Highways and facilities.

(a) If, in the installation, use, or maintenance of its facilities, the provider damages or disturbs the surface or subsurface of any Public Highway or adjoining public property, or the public improvement located thereon, therein, or thereunder, the provider shall promptly, at its own expense, and in a manner acceptable to the City, restore the surface or subsurface of the Public Highway or public property, or repair or replace the public improvement thereon, therein, or thereunder, in as good a condition as before such damage or disturbance. If such restoration, repair, or replacement of the surface, subsurface, or any structure located thereon, therein, or thereunder is not completed within a reasonable time, or such repair or replacement does not meet duly adopted standards, the City shall have the right to perform the necessary restoration, repair, or replacement, either through its own forces, or through a hired contractor. The provider shall pay the City for its expenses in so doing within thirty days after its receipt of the City's invoice therefor.

(b) The provider shall reimburse the City for all costs arising from the reduction in the service life of any public road or pavement damage, to the extent required by any City Code provision or other duly adopted regulation, resulting from pavement cuts of the provider. The provider shall pay such costs within thirty days from the date of issuance of an invoice from the City.

4.5-30 Rights reserved to City.

Without limiting the rights that the City might otherwise have, the City does hereby expressly reserve the following rights, powers, and authorities:

(a) To exercise its governmental powers now or hereafter to the full extent that such powers may be vested in or granted to the City;

(b) To determine any question of fact relating to the meaning, terms, obligations, or other aspects of this chapter and the instruments issued under this chapter; and

(c) To grant multiple, nonexclusive licenses, franchises, ~~licenses~~, or permits within the City to other persons.

4.5-31 City police power; continuing jurisdiction.

(a) The provider shall at all times be subject to all lawful exercise of the police power by the City, including any and all chapters, rules, or regulations which the City has adopted or may adopt, and all laws, rules, regulations, orders, and policies of the State and the United States government. In the event of a conflict between this chapter and other provisions of the City Code, the stricter requirement shall apply.

(b) The City shall have continuing jurisdiction and supervision over any facilities located within or on Public Highways. However, it is recognized that the daily administrative, supervisory, and enforcement responsibilities of the provisions of this chapter shall be delegated and entrusted to the City Manager or designee to interpret, administer, and enforce the provisions of this chapter, and to promulgate standards regarding the construction, reconstruction, relocation, maintenance, dismantling, abandonment, or use of the facilities within City Public Highways.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason to be held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

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

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, March 24, 2025.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

ITEM NUMBER: 4.k.

SUBJECT: Ordinance 2008-0325 - Amendment of City Code Chapter 8 Drainage and Flood Control

MEETING DATE: 3/24/2025

TO: Mayor and Council

FROM: Kimberly Moon, PE, Director / City Engineer

THROUGH: Katie Gregory, Assistant City Manager, (623) 333-1015

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

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Areas:

- Public Health and Safety - Avondale is a City where all people feel safe and secure, relying on trusted public and community-based resources.
- 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.

The approval of this item will maintain and expand quality infrastructure and improve connectivity to City amenities.

PURPOSE:

City Council will consider a request to adopt Ordinance 2008-0325, amending Avondale City Code Chapter 8 Drainage and Flood Control 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:

The Avondale City Code Chapter 8 Drainage and Flood Control was first adopted October 15, 2018. It generally follows the state model, with some additional provisions to also include notice of violations, hearings, and hearing procedures.

The purpose of this revision is for updates recommended by the Arizona Department of Water Resources (ADWR) to ensure compliance with minimum standards of the National Flood Insurance Program (NFIP). Revisions include updates to definitions and references throughout for Special Flood Hazard Areas, Accessory Structures, Base Flood Elevations, Elevation Certificates, Floodway Encroachments, Floodplain Administrator and Floodplain Board designations, Federal Emergency Management Agency (FEMA), and applicable references to state statutes. This revision also adds provisions where applicable for garage slabs

below Regulatory Flood Elevation, engineered openings, and Accessory Structures (Detached Garages & Storage Structures).

DISCUSSION:

Staff recommends approval of the request for the following reasons:

- * The proposed revisions ensure consistency with state and federal law.
- * The proposed revisions improve usability of the code and enhance customer service.
- * The proposed revisions are deemed necessary to best serve the public health, safety, and general welfare of the city.

BUDGET IMPACT:

No budget impacts.

RECOMMENDATION:

Staff recommends City Council adopt an Ordinance amending the Avondale City Code Chapter 8 Drainage and Flood Control and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

Contact person for document distribution: Kimberly Moon, PE, Director / City Engineer

ORDINANCE NO. 2008-0325

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE AVONDALE CITY CODE, CHAPTER 8 (DRAINAGE AND FLOOD CONTROL), ARTICLE I (FLOODPLAIN MANAGEMENT) TO ENSURE COMPLIANCE WITH FEDERAL FLOOD INSURANCE RULES AND REGULATIONS

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

SECTION 1. The Avondale City Code, Chapter 8 (Drainage and Flood Control), Article I (Floodplain Management), Division 1 (In General), Sections 8-1 through 8-12 are hereby amended to read as follows:

8-1 – Statutory authorization.

Pursuant to ARIZ. REV. STAT. § 48-3610, the City of Avondale (the “City”) is authorized to adopt floodplain management regulations in conformance with ARIZ. REV. STAT. §§ ~~48-3603~~ and 48-3609 designed to promote the public health, safety and general welfare of its citizenry.

8-2 – Findings of fact.

(a) The SPECIAL flood hazard areas of the city are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

(b) These flood losses may be caused by the cumulative effect of obstructions in ~~areas~~ of special flood hazards AREAS which increase flood heights and velocities and, when inadequately anchored, cause damage in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage, also contribute to the flood loss.

...

8-5 – Definitions.

...

“Accessory structure.” ~~A structure that is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. Examples include: detached garages, storage sheds, gazebos, open shade structures, picnic pavilions, boat houses,~~

~~small pole barns, and similar buildings.~~ FOR FLOODPLAIN MANAGEMENT PURPOSES, ACCESSORY STRUCTURES ARE STRUCTURES THAT ARE ON THE SAME PARCEL OF PROPERTY AS A PRINCIPAL STRUCTURE, THE USE OF WHICH IS INCIDENTAL TO THE USE OF THE PRINCIPAL STRUCTURE. ACCESSORY STRUCTURES MUST BE USED FOR PARKING OR STORAGE, BE SMALL AND REPRESENT A MINIMAL INVESTMENT BY OWNERS, AND HAVE LOW DAMAGE POTENTIAL. FEMA CONSIDERS "SMALL" TO MEAN NOT LARGER THAN A ONE-STORY TWO-CAR GARAGE. EXAMPLES OF SMALL ACCESSORY STRUCTURES INCLUDE, BUT ARE NOT LIMITED TO, DETACHED GARAGES, STORAGE AND TOOL SHEDS, AND SMALL BOATHOUSES.

...

"Appeal." A request for a review of the floodplain administrator's interpretation of any provision of this ~~chapter~~ ARTICLE or a request for a variance.

...

~~"Area of special flood hazard." The land in the floodplain within the city subject to a one (1) percent or greater chance of flooding in any given year. These areas are designated as zone A, AE, AO, AH, and A1-30 on the FIRM and other areas determined by the criteria adopted by the Director of the Arizona Department of Water Resources (the "ADWR"). See also "special flood hazard area"~~

...

~~"Base flood elevation ("BFE") The elevation shown on the FIRM for zones AE, AH, and A1-30, that indicates the water surface elevation resulting from a flood that has a one (1) percent or greater chance of being equaled or exceeded in any given year. THE COMPUTED ELEVATION TO WHICH FLOODWATER IS ANTICIPATED TO RISE DURING THE BASE FLOOD.~~

...

~~"Encroachment." The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.~~ ENCROACHMENTS ARE ACTIVITIES OR CONSTRUCTION WITHIN THE FLOODWAY INCLUDING FILL, NEW CONSTRUCTION, SUBSTANTIAL IMPROVEMENTS, AND OTHER DEVELOPMENT. THESE ACTIVITIES ARE PROHIBITED WITHIN THE ADOPTED REGULATORY FLOODWAY UNLESS IT HAS BEEN DEMONSTRATED THROUGH HYDROLOGIC AND HYDRAULIC ANALYSES THAT THE PROPOSED ENCROACHMENT WOULD NOT RESULT IN ANY INCREASE IN FLOOD LEVELS.

...

“Flood Insurance Rate Map (“FIRM”).” The official map on which FEMA ~~or the FIA~~ has delineated both the special flood hazard areas and the risk premium zones applicable to the city.

...

~~“Structure.” A walled and roofed building that is principally above ground; this includes a gas or liquid storage tank or a manufactured home.~~ FOR FLOODPLAIN MANAGEMENT PURPOSES, A STRUCTURE IS A WALLED AND ROOFED BUILDING THAT IS PRINCIPALLY ABOVE GROUND, WHERE WALLED IS CONSIDERED “TWO OR MORE OUTSIDE RIGID WALLS” AND ROOFED IS “A FULLY SECURED ROOF.” THE TERM INCLUDES GAS AND LIQUID STORAGE TANKS AND MANUFACTURED HOMES. THE TERMS “STRUCTURE” AND “BUILDING” ARE USED INTERCHANGEABLY IN THE NFIP REGULATIONS AND THIS BULLETIN. FLOODPLAIN MANAGERS MUST USE PROFESSIONAL JUDGMENT TO DETERMINE WHICH PROPOSED DEVELOPMENT PROJECTS ARE “WALLED AND ROOFED,” AND THUS REGULATED AS STRUCTURES, AND WHICH PROPOSED PROJECTS ARE REGULATED AS DEVELOPMENT.

...

8-12 – Statutory exceptions.

...

~~(b) Before any authorized construction begins for the exceptions listed below, the responsible person must submit plans for the construction to the floodplain board for review and comment. In accordance with Ariz. Rev. Stat. § 48-3613, written authorization shall not be required, nor shall the floodplain board prohibit:~~ BEFORE THE FOLLOWING TYPES OF CONSTRUCTION AUTHORIZED BY ARIZ. REV. STAT. § 48-3613(B) BEGIN, THE RESPONSIBLE PERSON MUST SUBMIT PLANS FOR THE CONSTRUCTION TO THE FLOODPLAIN BOARD FOR REVIEW AND COMMENT PURSUANT TO ARIZ. REV. STAT. § 48-3613(C):

...

(c) IN ACCORDANCE WITH ARIZ. REV. STAT. § 48-3613(D), ~~in~~ in addition to other penalties or remedies otherwise provided by law, this state, a political subdivision or a person who may be damaged or has been damaged as a result of the unauthorized diversion, retardation or obstruction of a watercourse has the right to commence, maintain and prosecute any appropriate action or pursue any remedy to enjoin, abate or otherwise prevent any person from violating or continuing to violate this article or regulations adopted pursuant to this article. If a person is found to be in violation of this article, the court shall require the violator to either comply with this article if authorized by the floodplain board or remove the obstruction and restore the watercourse to its original state. The court may also award such monetary damages as are appropriate to the injured parties resulting from the violation including reasonable costs and attorney fees.

SECTION 2. The Avondale City Code, Chapter 8 (Drainage and Flood Control), Article I (Floodplain Management), Division 2 (Enforcement), Section 8-24 (Enforcement)(a)(1)(A) is hereby amended to read as follows:

8-24 – Enforcement.

(a) Pursuant to regulations, ordinances, rules and technical standards as adopted from time to time by the floodplain board, the floodplain administrator shall:

- (1) Conduct inspections to determine if violations of its regulations, ordinances, rules or permit conditions exist.
 - (A) The floodplain administrator and authorized designees may have reasonable access for inspection pursuant to written authorization under ARIZ. REV. STAT. § 48-3609~~(K)~~(L) or the terms of a permit issued pursuant to this article. If no written authorization has been issued, the floodplain administrator may inspect during regular business hours, or in the case of emergency, at any time.

SECTION 3. The Avondale City Code, Chapter 8 (Drainage and Flood Control), Article I (Floodplain Management), Division 2 (Enforcement), Section 8-29 (Abatement), Subsection (a) is hereby amended to read as follows:

8-29 – Abatement.

(a) If the violation has not been resolved to the satisfaction of the city manager after all steps have been exhausted in this division 2, the following may be done to abate the unresolved violation:

- (1) Within thirty (30) calendar days of confirmation of an unresolved violation of this article, the city manager may either authorize the abatement of the violation at city's cost or apply to the Superior Court or any court with appropriate jurisdiction for a temporary restraining order or preliminary or permanent injunction. Any complaint filed shall include all information available to the city manager that is pertinent to said violation and request the following relief:
- ~~(2) If applicable, at the next regularly scheduled public meeting of the floodplain board the floodplain board may issue a variance.~~
- ~~(3) The floodplain administrator may submit to the Federal Emergency Management Agency a declaration for denial of insurance, stating that the property is in violation of a cited state or local law, regulation or ordinance, pursuant to Section 1316 of the National Flood Insurance Act of 1968 as amended.~~

SECTION 4. The Avondale City Code, Chapter 8 (Drainage and Flood Control), Article I (Floodplain Management), Division 4 (Provisions for Flood Hazard Reduction), Section 8-40

(Standards of construction), Subsection (b) (Construction materials and methods), subsection (3) is hereby amended to read as follows:

8-40 - Standards of construction.

(b) Construction materials and methods.

...

- (3) All new construction, substantial improvement and other proposed new development shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located ~~so as to~~ OR ABOVE THE REGULATORY FLOOD ELEVATION TO prevent water from entering or accumulating within the components during conditions of flooding; and

SECTION 5. The Avondale City Code, Chapter 8 (Drainage and Flood Control), Article I (Floodplain Management), Division 4 (Provisions for Flood Hazard Reduction), Sections 8-40 (Standards of construction), Subsection (c) (Elevation and floodproofing), subsection (1) is hereby amended to (i) include a new subsection (E), (ii) amend Subsection (c)(3) to include a new subsection (B), and (iii) add a new Subsection (c)(5) to read as follows:

8-40 - Standards of construction.

(c) Elevation and floodproofing.

- (1) Residential construction. Residential construction, new or substantial improvement, shall have the lowest floor, including basement;

...

- (E) A GARAGE ATTACHED TO A RESIDENTIAL STRUCTURE, CONSTRUCTED WITH THE GARAGE FLOOR SLAB BELOW THE REGULATORY FLOOD ELEVATION, MUST BE DESIGNED TO ALLOW FOR THE AUTOMATIC ENTRY AND EXIT OF FLOOD WATERS AND MUST BE USED SOLELY FOR PARKING, ACCESS AND/OR STORAGE. SEE SECTION 8-40(C)(3).

...

- (3) Flood openings. All new construction and substantial improvement of accessory structures or other non-residential structures, whether

attached to or detached from a residential structure, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must meet or exceed the following criteria:

...

(B) FOR ENGINEERED OPENINGS:

- (i) ENGINEERED OPENINGS (OR COVERS AND DEVICES) THAT ARE SPECIFICALLY DESIGNED AND CERTIFIED BY A REGISTERED ENGINEER OR ARCHITECT AS MEETING THE REQUIRED PERFORMANCE AND DESIGN REQUIREMENTS.
- (ii) ENGINEERED OPENINGS (OR COVERS AND DEVICES) FOR WHICH AN EVALUATION REPORT HAS BEEN ISSUED BY THE INTERNATIONAL CODE COUNCIL (ICC) EVALUATION SERVICE, INC. (ICC-ES), A SUBSIDIARY OF THE INTERNATIONAL CODE COUNCIL, INC.

(BC) A registered engineer or architect may design and certify engineered openings.

(CD) Engineered openings and non-engineered openings are verified to be compliant by the city's building inspector.

...

(5) ACCESSORY STRUCTURES (DETACHED GARAGES & STORAGE STRUCTURES)

ACCESSORY STRUCTURES USED SOLELY FOR PARKING OF VEHICLES OR STORAGE MAY BE CONSTRUCTED SUCH THAT THE FLOOR IS BELOW THE REGULATORY FLOOD ELEVATION, PROVIDED THE STRUCTURE IS DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

- (A) USE OF THE ACCESSORY STRUCTURE MUST BE LIMITED TO PARKING OF VEHICLES OR STORAGE;
- (B) THE PORTIONS OF THE ACCESSORY STRUCTURE LOCATED BELOW THE REGULATORY FLOOD ELEVATION MUST BE BUILT USING FLOOD RESISTANT MATERIALS;
- (C) THE ACCESSORY STRUCTURE MUST BE ADEQUATELY ANCHORED TO PREVENT FLOTATION, COLLAPSE, AND LATERAL MOVEMENT;
- (D) ANY MACHINERY OR EQUIPMENT SERVICING THE ACCESSORY STRUCTURE MUST BE ELEVATED OR FLOODPROOFED TO OR ABOVE THE REGULATORY FLOOD ELEVATION;
- (E) THE ACCESSORY STRUCTURE MUST COMPLY WITH FLOODWAY ENCROACHMENT PROVISIONS IN SECTION 5.7 OR THE NUMBERING SYSTEM USED BY THE COMMUNITY; AND
- (F) THE ACCESSORY STRUCTURE MUST BE DESIGNED TO ALLOW FOR THE AUTOMATIC ENTRY AND EXIT OF FLOOD WATERS IN ACCORDANCE WITH SECTION 5.1.3.5 OR THE NUMBERING SYSTEM USED BY THE COMMUNITY.
- (G) DETACHED GARAGES, STORAGE STRUCTURES, AND OTHER ACCESSORY STRUCTURES NOT MEETING THE ABOVE STANDARDS MUST BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE STANDARDS IN SECTION 5.1.3.1(A), (B), OR (C) AS APPROPRIATE OR THE NUMBERING SYSTEM USED BY THE COMMUNITY.
- (H) UPON COMPLETION OF THE STRUCTURE, CERTIFICATION BY A REGISTERED PROFESSIONAL ENGINEER OR SURVEYOR THAT THE REQUIREMENTS OF THIS SECTION HAVE BEEN SATISFIED SHALL BE PROVIDED TO THE FLOODPLAIN ADMINISTRATOR FOR VERIFICATION.

SECTION 6. The Avondale City Code, Chapter 8 (Drainage and Flood Control), Article I (Floodplain Management), Division 4 (Provisions for Flood Hazard Reduction), Section 8-44 (Standards for manufactured homes), Subsection (a), Section 8-45 (Standards for new and replacement manufactured homes), and Section 8-47 (Floodways) (a)(2) are amended to read as follows:

8-44 – Standards for manufactured homes.

(a) No manufactured home shall be placed in a floodway, except ~~in~~ TO REPLACE an existing manufactured home park or existing manufactured home subdivision.

8-45 – Standards for new and replacement manufactured homes.

The following additional standards are required for all new and replacement manufactured homes:

- (1A) Adequate surface drainage and access for a hauler shall be provided.
- (2B) All manufactured homes shall be placed on pads or lots elevated on compacted fill or on pilings so that the lowest structural member or appliance of the manufactured home is at or above the Regulatory Flood Elevation. If elevated on pilings:
 - (A1) The large lots shall be large enough to permit steps;
 - (B2) The pilings shall be placed in stable soil no more than ten (10) feet apart; and
 - (C3) Reinforcement shall be provided for pilings more than six (6) feet above the ground level.

8-47 – Floodways.

(a) Areas designated as floodways are located within areas of special flood hazard established in section 8-7. To address the extremely hazardous nature of floodways due to the velocity of floodwaters that carry debris, potential projectiles and erosion potential, the following provisions apply:

...

- (2) Notwithstanding any other provision of this section, encroachments within the regulatory floodway that would result in an increase in base flood elevations may be permitted; provided that the city first applies for a conditional letter of map revision (CLOMR) and fulfills the requirement for such revisions as established under the provision of Article 44, Code of Federal Regulations, Chapter 1, Section 65.12, and receives the approval of the ~~Federal Insurance Administrator~~FEMA.

SECTION 7. The Avondale City Code, Chapter 8 (Drainage and Flood Control), Article I (Floodplain Management), Division 5 (Variance Procedure), Section 8-51 (Appeal board), Subsection (e) is hereby amended to read as follows:

8-51 - Appeal board.

(e) Any applicant to whom a variance is granted shall be given written notice over the signature of a city official that:

- (1) The issuance of a variance to construct a structure below the ~~base~~ REGULATORY flood ~~level~~ ELEVATION will result in increased premium rates for flood insurance that are commensurate with the increased risk resulting from the reduced lowest floor elevation up to amounts as high as twenty-five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage.
- (2) Such construction below the ~~base~~ REGULATORY flood ~~level~~ ELEVATION increases risks to life and property.
- ~~(3) The land upon which the variance is granted shall be ineligible for exchange of state land pursuant to the flood relocation and land exchange program provided by Ariz. Rev. Stat. § 37-610. A copy of the notice shall be recorded in the office of the Maricopa County Recorder and shall be recorded by the Floodplain Board in a manner so that it appears in the chain of title of the affected parcel of land.~~

SECTION 8. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason to be held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 9. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, March 24, 2025.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

ITEM NUMBER: 4.1.

SUBJECT: Ordinance 2009-0325 – Granting of a Right-of-Way Easement Across City-Owned Property to Arizona Public Service

MEETING DATE: 3/24/2025

TO: Mayor and Council

FROM: Kimberly Moon, Director, Engineering Department

THROUGH: Katie Gregory, Assistant City Manager, (623) 333-1015

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.

The approval of this agenda item will maintain and expand quality infrastructure and improve connectivity to City amenities.

PURPOSE:

City Council will consider a request to adopt Ordinance 2009-0325, authorizing the granting of a right-of-way easement across City-owned property to Arizona Public Service and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Arizona Public Service (APS) is working on a project that will require the installation of a new 69kV transmission line to service the new Stack Data Center that will be located at the southeast corner of Lower Buckeye Road and Litchfield Road. To facilitate construction of the project, APS is purchasing easement rights across several affected properties. One of the properties is a City-owned parcel within the Agua Fria riverbed located generally south of Lower Buckeye Road and east of Litchfield Road and is identified by Assessor's Parcel Number (APN) 500-58-002C.

DISCUSSION:

APS is requesting that the City grant a right-of-way easement containing +/-62,773 square feet (+/-1.441 acres).

BUDGET IMPACT:

APS presented an offer of compensation in the amount of \$24,953, which is based on adjacent land values as determined by an independent, certified real estate appraiser. APS will incur all costs associated with closing the real estate transaction. The City will realize a net increase of \$24,953 on the sale of this land.

RECOMMENDATION:

Staff recommends City Council adopt an Ordinance authorizing the granting of a right-of-way easement across city-owned property and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Contact person for document distribution: Yulonda Moore, Terry Dorschied

ORDINANCE NO. 2009-0325

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, GRANTING A RIGHT-OF-WAY EASEMENT GENERALLY LOCATED IN THE AGUA FRIA RIVERBED TO ARIZONA PUBLIC SERVICE RELATING TO THE INSTALLATION OF A 69KV LINE FOR THE STACK DATA CENTER.

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

SECTION 1. An easement is hereby granted to Arizona Public Service Company in substantially the form and substance attached hereto as Exhibit 1 and incorporated herein by reference, through, over, under and across $\pm$ 1.441 acres of real property, generally located in the Agua Fria Riverbed, as depicted and described as part of Exhibit A to the easement form attached hereto as Exhibit 1.

SECTION 2. 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 Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, March 24, 2025.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT 1
TO
ORDINANCE NO. 2009-0325

[Right-of-Way Easement]

See following pages.

NW SEC 22 T1N R1W
33.413974, -112.351099
APN 500-58-002C
WE015711
JRG

RIGHT-OF-WAY EASEMENT

CITY OF AVONDALE, a municipal corporation (hereinafter called "Grantor"), is the owner of the following described real property located in Maricopa County, Arizona (hereinafter called "Grantor's Property"):

LEGAL DESCRIPTION OF GRANTOR'S PROPERTY AS RECORDED IN DOCKET 6793, PAGE 330, MARICOPA COUNTY RECORDER.

Grantor, for and in consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey to **ARIZONA PUBLIC SERVICE COMPANY**, an Arizona corporation, (hereinafter called "Grantee"), and to its successors and assigns, a non-exclusive right, privilege, and easement, at locations and elevations, in, upon, over, under, through and across, a portion of Grantor's Property described as follows (herein called the "Easement Premises"):

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Grantee is hereby granted the right to: construct, install, reconstruct, replace, remove, repair, operate and maintain a line or lines of poles or towers, or other supporting structures and conductors or cables suspended thereon and supported thereby, and guys, anchorage, crossarms, braces, transformers, and underground conduits, conductors, pipes, cables, vaults, and manholes, and all other equipment, fixtures, and facilities, for the transmission and distribution of electricity and for all other purposes connected therewith, and for the transmission and distribution of telephone, audio and/or visual signal and other communication or data transmission purposes to, through, across, and beyond Grantor's Property (said electrical and telecommunication lines, facilities and fixtures collectively herein called "Grantee Facilities"); including the right to install down guys/anchorage where necessary as determined by Grantee within Grantor's Property which may not exceed the Easement Premises; together with the right of ingress and egress across the Grantor's Property to, from and along the Easement Premises and with the right to use lands adjacent to said Easement Premises within twenty (20) feet during temporary periods of construction not to exceed one hundred twenty (120) days. Grantee is hereby authorized to permit others to use the Easement Premises, subject to the same conditions, for additional facilities jointly with or separately from the Grantee for their purposes.

Grantee is hereby granted the right, but not the obligation, to trim, prune, cut, and clear away trees, brush, shrubs, or other vegetation on, or adjacent to, the Easement Premises whenever in Grantee's judgment the same shall be necessary for the convenient and safe exercise of the rights herein granted.

Grantor shall not locate, erect or construct, or permit to be located, erected or constructed, any building or other structure or drill any well within the limits of the Easement Premises; nor shall Grantor plant or permit to be planted any trees or alter ground level by cut or fill within the limits of the Easement Premises without the prior written consent of Grantee.

Subject to all other provisions of this Easement, Grantor reserves the right to cultivate, graze, use and occupy the Easement Premises for any purpose consistent with the rights and privileges herein granted, and which do not interfere with any of the Grantee Facilities.

Grantee shall have the right to construct, modify and maintain access openings at such locations and of such dimensions as solely determined by Grantee in walls or fences which exist within the Easement Premises on the date this Easement is conveyed. Grantor shall, at its expense, provide Grantee openings at such locations and of such dimensions as solely determined by Grantee in future walls or fences within the Easement Premises. Grantor shall have the right to install gates across said openings and Grantor and Grantee shall have the right to use said gates, provided that any locked gates be subject to joint access by Grantor and Grantee by provision of a multiple locking device.

By accepting and utilizing this easement, Grantee agrees that following any installation, excavation, maintenance, repair, or other work by Grantee within the Easement Premises, the affected area will be restored by Grantee to as close to original condition as is reasonably practicable, at the sole expense of Grantee; and that Grantee shall indemnify Grantor, to the extent required by law, for any loss, cost or damage incurred by Grantor as a result of any negligent installation, excavation, maintenance, repair or other work performed by Grantee within the Easement Premises.

The easement granted herein shall not be deemed abandoned except upon Grantee's execution and recording of a formal instrument abandoning the easement.

The covenants and provisions herein set forth shall extend and inure in favor and to the benefit of, and shall be binding on the heirs, administrators, executors, successors in ownership and estate, assigns and lessees of Grantor and Grantee.

[THE REST OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, **THE CITY OF AVONDALE**, an Arizona municipal corporation, has caused this Right-of-Way Easement to be executed by its duly authorized representative, this ____ day of _____, 202__.

THE CITY OF AVONDALE,
an Arizona municipal corporation

By: Ron Corbin

Its: City Manager

Signature

STATE OF _____ }
 } ss.
County of _____ }

This instrument was acknowledged before me this ____ day of _____, 202__
by _____ of THE CITY OF AVONDALE.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Seal:

Notary Public Signature

EXHIBIT "A"
LEGAL DESCRIPTION FOR ELECTRIC EASEMENT
CITY OF AVONDALE

That part of the Northwest Quarter of Section 22, Township 1 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the West Quarter Corner of said Section 22, from which the Center of said Section 22 bears South 88 degrees 36 minutes 43 seconds East, a distance of 2,609.71 feet;

THENCE along the South line of said Northwest Quarter, South 88 degrees 36 minutes 43 seconds East, a distance of 1,304.75 feet;

THENCE departing said South line, North 00 degrees 47 minutes 38 seconds West, a distance of 103.02 feet to the POINT OF BEGINNING;

THENCE continuing North 00 degrees 47 minutes 38 seconds West, a distance of 60.00 feet;

THENCE North 88 degrees 52 minutes 46 seconds East, a distance of 1,077.66 feet;

THENCE South 45 degrees 22 minutes 12 seconds West, a distance of 87.15 feet;

THENCE South 88 degrees 52 minutes 46 seconds West, a distance of 1,014.80 feet to the POINT OF BEGINNING.

Total Area contains 62,773 Square Feet or 1.441 Acres, more or less.

NORTHWEST CORNER
SECTION 22, T1N, R1W

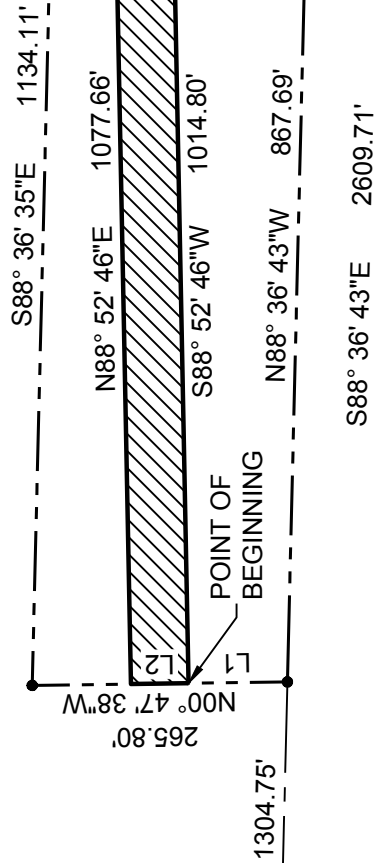
NORTH QUARTER CORNER
SECTION 22, T1N, R1W

N89° 48' 28"W 2629.09' LOWER BUCKEYE ROAD
(BASIS OF BEARING) (R1)

CITY OF AVONDALE
DOCKET NO. 6793, PAGE 330, MCR
APN 500-58-002C

LITCHFIELD ROAD

S01° 01' 30"E 2605.01'



POINT OF COMMENCEMENT
WEST QUARTER CORNER
SECTION 22, T1N, R1W

CENTER OF
SECTION 22

LINE TABLE

LINE	BEARING	DISTANCE
L1	N00°47'38"W	103.02'
L2	N00°47'38"W	60.00'
L3	S45°22'12"W	87.15'

LEGEND

- EASEMENT AREA
- MONUMENT LINE
- PROPERTY LINE
- TIE LINE
- PROPERTY CORNER
- MONUMENT
- MARICOPA COUNTY RECORDS
- ASSESSORS PARCEL NUMBER
- RIGHT OF WAY

REFERENCE DOCUMENTS

(R1) - ALTANSPS LAND TITLE SURVEY
FOR MARICOPA COUNTY ASSESSOR
PARCEL 500-58-003H
PER BOOK 1399, PAGE 42 MCR

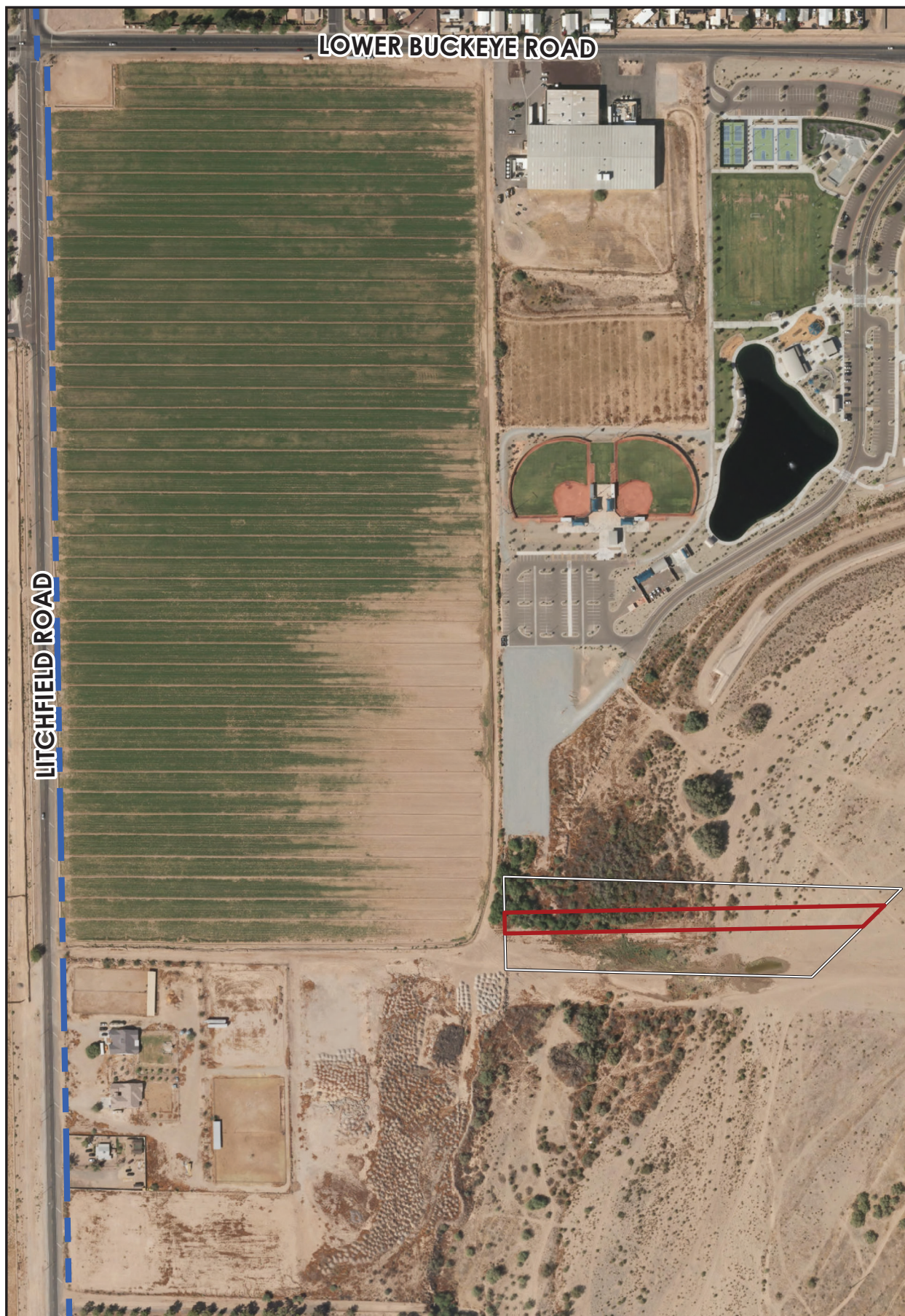


EXHIBIT "A"

JOB # WE015711	DATE: 2/27/2025
NW 1/4 SEC 22 T1N R1W	
SCALE: 1" = 200'	INDEX: NONE
R/W: J. GENEROSO	
SURVEY: NONE	
DRAWN BY: M. CHEE	SHEET 2 OF 2

TOTAL EASEMENT AREA:

62,773 SQ. FT. OR 1.441 ACRES
MORE OR LESS



Vicinity Map



Avondale
City Limits



Parcel
Boundary



Easement
Boundary

Not to Scale



ITEM NUMBER: 4.m.

SUBJECT: Final Plat for Park 10 Phase 4 - Lot 1, Phase 3 Replat – Application PL-25-0006

MEETING DATE: 3/24/2025

TO: Mayor and Council

FROM: Kimberly Moon, Director, Engineering Department

THROUGH: Katie Gregory, Assistant City Manager, (623) 333-1015

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.

The approval of this agenda item will maintain and expand quality infrastructure and improve connectivity to City amenities.

PURPOSE:

City Council will consider a request by Jeff Behrana, PE, with Optimus Civil Design Group, on behalf of GUNBO, LLC, c/o Parkland Development, for: a) approval of Application PL-25-0006, a Final Plat for Park 10 Phase 4 - Lot 1, Phase 3 Replat located at the southeast corner of McDowell Road and 107th Avenue; and b) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The subject property is a 17.78 gross acre site located at the southeast corner of McDowell Road and 107th Avenue. The property was annexed into the City's corporate limits via Ordinance 378 on April 3, 1986. The property is zoned Park 10 Planned Area Development (PAD), initially approved on February 21, 2006, and amended by City Council action on March 19, 2018. The PAD, as amended, allows for a range of retail, restaurant, hospitality, entertainment, service, and office uses on the site. The property is designated as Freeway Commercial by the 2030 General Land Use Plan.

The subject property was established and designated as Lot 1 per the "Final Plat Park 10, Phase 3" as recorded in Book of Maps 1550, Page 39 of the Maricopa County Recorder's Office.

DISCUSSION:

The applicant is requesting approval of a replat of Lot 1. The plat subdivides Lot 1 into two (2) lots for mixed-use retail development and consists of the following areas:

Lot #	Area (SF)	Area (AC)
1	341,655	7.843
2	433,660	9.940

The plat will dedicate a sidewalk easement and sewer easement to the City.

The proposed Final Plat has been reviewed by the City's contracted Registered Land Surveyor (R.L.S.) and the document has been confirmed as geometrically accurate and in conformance with Arizona Statutes governing the subdivision of real property.

Approval of the Final Plat conforms to the boundaries of the Final Plat certified by the R.L.S. dated February 17, 2025.

BUDGET IMPACT:

There is no impact to the budget for this action.

RECOMMENDATION:

Staff recommends City Council approve Application PL-25-0006, Final Plat for Park 10 Phase 4 - Lot 1, Phase 3 Replat and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Contact person for document distribution: Yulonda Moore, Veanette Hanson, Terry Dorschied



Vicinity Map



 Proposed Lot Boundary

 Current Parcel Boundary

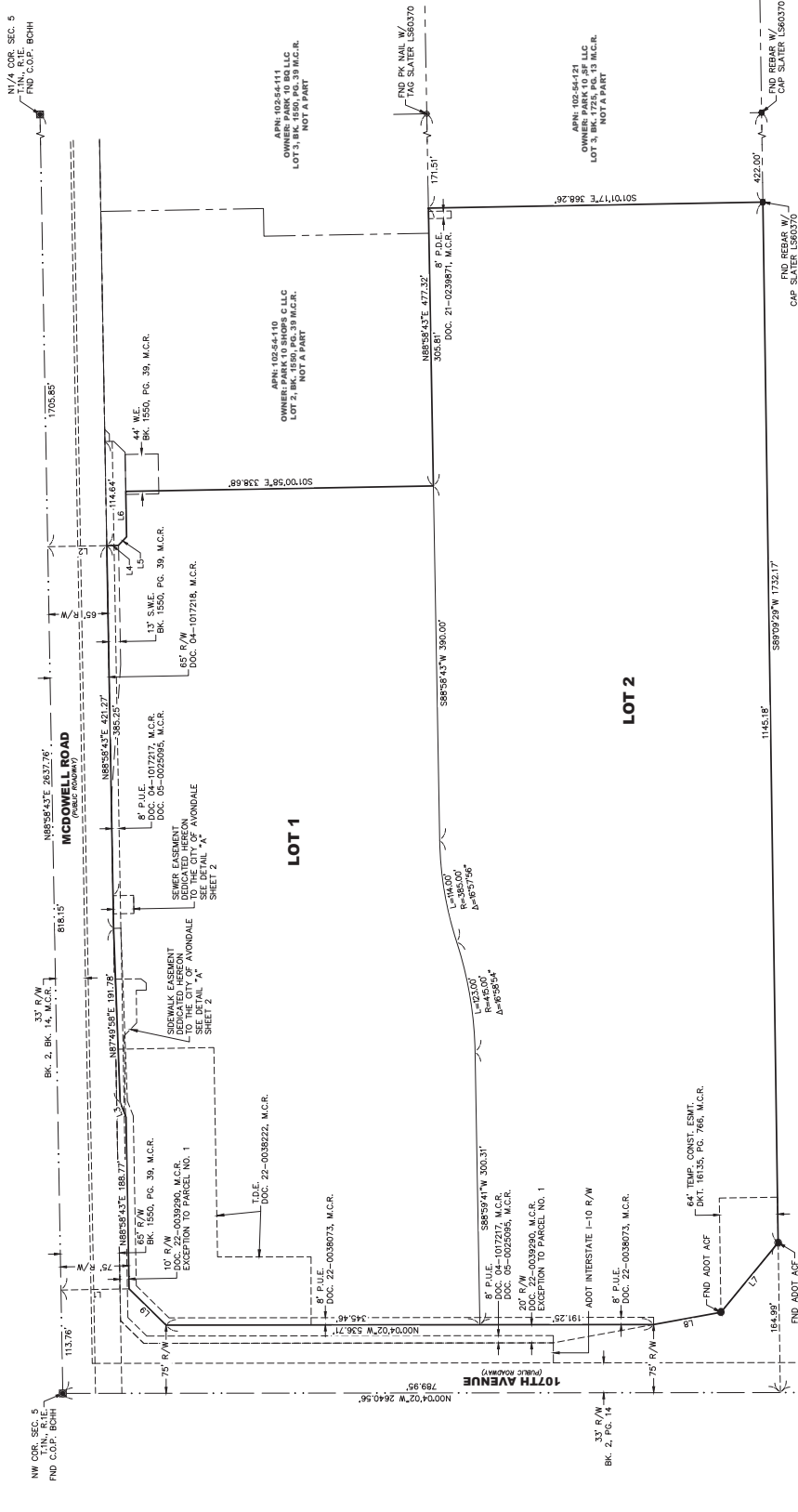
Not to Scale



NO.	BY	DATE	REVISION



AVONDALE, ARIZONA
PARK 10, PHASE 4 -
LOT 1, PHASE 3 REPLAT
FINAL PLAT



LEGEND

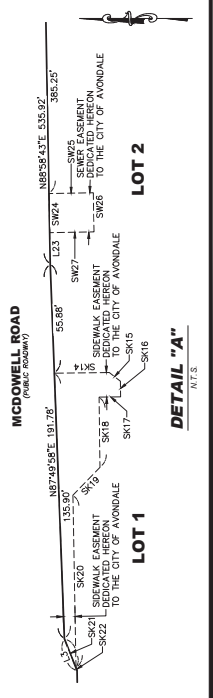
- FOUND BRASS CAP FLUSH
- FOUND BRASS CAP IN HANDHOLE
- FOUND ALUMINUM CAP FLUSH
- FOUND "PK" NAIL
- FOUND 1/2" REBAR
- SET 1/2" REBAR
- MARICOPA COUNTY RECORDS
- BOOK & PAGE
- DOCUMENT NUMBER
- ASSESSOR PARCEL NUMBER
- RIGHT OF WAY
- CITY OF PHOENIX
- ARIZONA DEPARTMENT OF TRANSPORTATION
- ALUMINUM CAP FLUSH
- ACFL
- BOHH
- BRASS CAP IN HANDHOLE
- EASEMENT
- TEMP. CONS.
- PUBLIC UTILITY EASEMENT
- POWER DISTRIBUTION EASEMENT
- SIDEWALK EASEMENT
- WATER EASEMENT

LINE	DIRECTION	LENGTH
L1	N01°01'17"W	75.00'
L2	N01°01'17"W	65.00'
L3	N68°20'14"E	17.48'
L4	S01°01'17"E	12.68'
L5	S46°01'17"E	13.18'
L6	N88°58'43"E	50.00'
L7	N50°54'45"W	99.20'
L8	N107°09'34"W	75.37'
L9	N44°27'20"E	57.04'

LINE	DIRECTION	LENGTH
SK14	S00°42'37"E	28.07'
SK15	S37°56'59"W	7.23'
SK16	S89°17'23"W	7.98'
SK17	N00°42'37"W	11.00'
SK18	S89°17'23"W	35.91'
SK19	N45°51'57"W	19.85'
SK20	S88°58'43"W	88.38'
SK21	N68°20'14"E	16.07'
SK22	N68°20'14"E	1.42'

LINE	DIRECTION	LENGTH
L23	N88°58'43"E	16.03'
SW24	N88°58'43"E	20.00'
SW25	S01°01'17"E	22.68'
SW26	S88°58'43"W	20.00'
SW27	N01°01'17"W	22.68'

INTERSTATE I-10
(PUBLIC ROADWAY)



ITEM NUMBER: 4.n.

SUBJECT: Map of Dedication for Entrada - Illini Street – Application PL-24-0303

MEETING DATE: 3/24/2025

TO: Mayor and Council

FROM: Kimberly Moon, Director, Engineering Department

THROUGH: Katie Gregory, Assistant City Manager, (623) 333-1015

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.

The approval of this agenda item will maintain and expand quality infrastructure and improve connectivity to City amenities.

PURPOSE:

City Council will consider a request by Daniel Auxier, PE, with EPS Group, Inc., on behalf of Meritage Homes of Arizona, Inc., for: a) approval of Application PL-24-0303, a Map of Dedication for Entrada – Illini Street generally located north of Broadway Road and west of 107th Avenue; and b) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Meritage Homes has submitted a proposal for a 623-lot single-family residential subdivision known as Entrada.

The project is on a ±182 gross acre site generally located at the northwest corner of Broadway Road and 107th Avenue.

On August 24, 2020, City Council adopted Ordinance 2025-0820, which annexed the project property into the City's corporate limits, and Ordinance 2026-0820, which amended the City's zoning atlas for the subject site from Rural Residential-43 (RR-43) and Urban Residential (R1-6) to Planned Area Development Zoning District (PAD) as part of the Entrada Master Plan.

City Council approved final plats for Entrada Phases 1, 2, and 3 as noted below:

Phase	City Council Approval	Recording Number
1	March 25, 2024	Book of Maps 1791, Page 22

DISCUSSION:

The applicant is requesting approval of a Map of Dedication to dedicate 80-feet of right-of-way for Illini Street from the 111th Avenue alignment to 107th Avenue. The right-of-way dedication contains an area of 209,123 square feet (± 4.80 acres).

The proposed Map of Dedication has been reviewed by the City's contracted Registered Land Surveyor (R.L.S.) and the document has been confirmed as geometrically accurate and in conformance with Arizona Statutes governing the subdivision of real property.

Approval of the Map of Dedication is necessary to serve the future development of the property.

Approval of the Map of Dedication conforms to the boundaries of the Map of Dedication certified by the R.L.S. dated February 20, 2025.

BUDGET IMPACT:

There is no impact to the budget for this action.

RECOMMENDATION:

Staff recommends City Council approve Application PL-24-0303, Map of Dedication for Entrada - Illini Street, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Contact person for document distribution: Yulonda Moore, Mark Ivanich, Terry Dorschied



Vicinity Map



 Subject Parcel

Not to Scale



MAP OF DEDICATION

"Entrada - Illini Street"

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 19,
TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA & SALT RIVER MERIDIAN,
CITY OF AVONDALE, MARICOPA COUNTY, ARIZONA.

DEDICATION

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

KNOW ALL MEN BY THESE PRESENTS: THAT MERITAGE HOMES OF ARIZONA, INC., AN ARIZONA CORPORATION, AS OWNERS HEREBY PUBLISH THIS MAP OF DEDICATION FOR "ENTRADA - ILLINI STREET" LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA & SALT RIVER BASE AND MERIDIAN, CITY OF AVONDALE, MARICOPA COUNTY, ARIZONA, AS SHOWN HEREON AND HEREBY DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH OF THE STREETS AND EASEMENTS CONSTITUTING THE SAME, AND THAT THE STREETS AND EASEMENTS SHALL BE KNOWN BY THE NAME, NUMBER OR LETTER GIVEN TO EACH RESPECTIVELY ON SAID PLAT. THE OWNERS, AS LISTED ABOVE, HEREBY DEDICATE IN FEE ALL RIGHT TITLE AND INTEREST TO THE CITY OF AVONDALE FOR USE AS SUCH. THE RIGHTS OF WAY AS SHOWN ON SAID MAP AND INCLUDED IN THE ABOVE-DESCRIBED PREMISES.

IN WITNESS WHEREOF: MERITAGE HOMES OF ARIZONA, INC., AN ARIZONA CORPORATION, AS OWNER, HAS HEREUNTO CAUSED ITS NAME TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURES OF THE UNDERSIGNED OFFICER THEREUNTO DULY AUTHORIZED THIS _____ DAY OF _____, 2025.

BY: MERITAGE HOMES OF ARIZONA, INC., AN ARIZONA CORPORATION

OWNER/AUTHORIZED SIGNER

TITLE

ACKNOWLEDGMENT

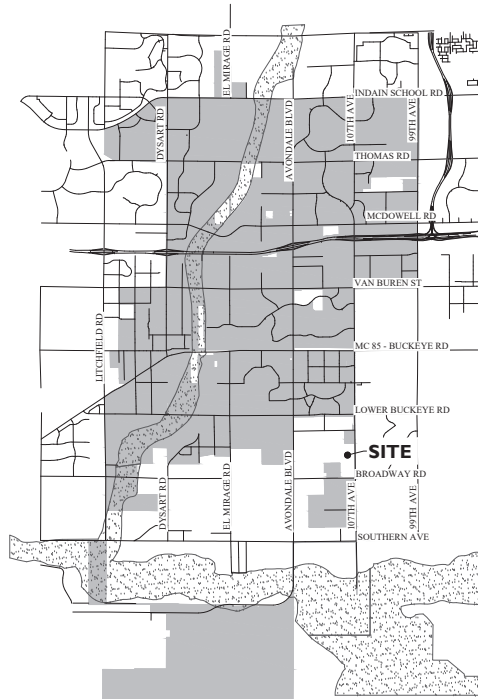
STATE OF ARIZONA }
COUNTY OF MARICOPA } S.S.

BEFORE ME THIS _____ DAY OF _____, 2025, _____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HIMSELF TO BE _____ OF MERITAGE HOMES OF ARIZONA, INC., AN ARIZONA CORPORATION, THE LEGAL OWNER OF THE PROPERTY PLATTED HEREON AND ACKNOWLEDGE THAT _____ AS _____ EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

BY: NOTARY PUBLIC DATE

MY COMMISSION EXPIRES:



KEY MAP

LEGEND

- SECTION CORNER (AS NOTED)
- SUBDIVISION BOUNDARY CORNER
- SET 1/2" REBAR WITH CAP (LS 37495)
- UNLESS OTHERWISE NOTED
- CENTERLINE MONUMENT (TO BE SET BY OTHERS)
- RIGHT OF WAY
- SALT RIVER PROJECT
- ASSESSORS PARCEL NUMBER
- MARICOPA COUNTY
- MARICOPA COUNTY RECORD
- MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION
- BOUNDARY LINE
- RIGHT OF WAY LINE
- CENTER LINE
- SECTION LINE
- RIGHT OF WAY LINE
- PARCEL LINE
- EASEMENT LINE

OWNER

MERITAGE HOMES OF ARIZONA, INC.
18655 NORTH CLARET DRIVE, SUITE 400
SCOTTSDALE, AZ 85255
TEL: (480) 515-8139
CONTACT: TROY HILL

SURVEYOR

EPS GROUP, INC.
1130 N. ALMA SCHOOL ROAD, SUITE 120
MESA, AZ 85201
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: ROBERT A. JOHNSTON, R.L.S.
EMAIL: robert.johnston@epsgrupec.com

SHEET INDEX

- COVER SHEET
- MAP OF DEDICATION
- MAP OF DEDICATION, LINE TABLE, CURVE TABLE AND LEGAL DESCRIPTION

RIGHT OF WAY DEDICATION

STREET CLASSIFICATION	AREA (SF)	AREA (ACRES)
LOCAL	---	---
COLLECTOR	209,123	4.8008
ARTERIAL	---	---

BENCHMARK

CITY OF AVONDALE SURVEY CONTROL MONUMENTS
NAME: BWAY 107
NAD83 ELEV: 973.93'
NAD83 NORTHING: 875901.57
NAD83 EASTING: 586358.48
N/S HORIZONTAL CONTROL DISK, STAMPED BWAY 107 2008
IN A CONCRETE POST LEVEL WITH GROUND APPROXIMATELY 8.7'
EAST OF AND 306.68' NORTH OF THE SE CORNER OF SECTION 19,
T1N, R1E, BEING THE CENTERLINE INTERSECTION OF BROADWAY
ROAD AND 107TH AVENUE.

BASIS OF BEARING

THE BASIS OF BEARINGS IS THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 1 NORTH, RANGE 1 EAST, BEARING: SOUTH 89 DEGREES 26 MINUTES 07 SECONDS WEST PER RECORD OF SURVEY RECORDED IN BOOK 1478 OF MAPS, PAGE 33, MCR

APPROVALS AND ACCEPTANCE OF DEDICATION

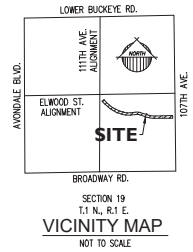
PLAT APPROVED AND DEDICATED RIGHT-OF-WAY ACCEPTED BY THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, THIS _____ DAY OF _____, 2025.

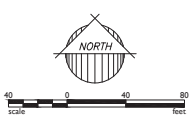
MAYOR _____ DATE _____
ATTEST, CITY CLERK _____ DATE _____
CITY ENGINEER _____ DATE _____

SURVEYOR'S CERTIFICATION

THIS IS TO CERTIFY THAT THIS SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF AUGUST 2024. THAT THE PLAT IS CORRECT AND ACCURATE. THAT THE MONUMENTS SHOWN HEREON HAVE BEEN LOCATED OR ESTABLISHED AS DESCRIBED.

REGISTERED LAND SURVEYOR DATE: 2/20/25





LEGAL DESCRIPTION

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 4" M.C. ENGINEERING BRASS CAP FLUSH AT THE SOUTHEAST CORNER OF SAID SECTION 19, FROM WHICH A 4" M.C. ENGINEERING BRASS CAP FLUSH AT THE SOUTH QUARTER CORNER OF SAID SECTION 19, BEARS SOUTH 89 DEGREES 26 MINUTES 07 SECONDS WEST (BASIS BEARING) 2,599.52 FEET;

THENCE ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, NORTH 0 DEGREES 37 MINUTES 32 SECONDS WEST, 1,805.89 FEET;

THENCE SOUTH 89 DEGREES 22 MINUTES 28 SECONDS WEST, 86.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 88 DEGREES 56 MINUTES 20 SECONDS WEST, 68.23 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 915.50 FEET;

THENCE WESTERLY 13.09 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 0 DEGREES 49 MINUTES 08 SECONDS;

THENCE SOUTH 89 DEGREES 45 MINUTES 28 SECONDS WEST, 267.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 884.50 FEET;

THENCE WESTERLY 12.64 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 0 DEGREES 49 MINUTES 08 SECONDS;

THENCE SOUTH 88 DEGREES 56 MINUTES 20 SECONDS WEST, 273.40 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEAST, HAVING A RADIUS OF 620.00 FEET;

THENCE NORTHWESTERLY 200.22 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 18 DEGREES 30 MINUTES 09 SECONDS;

THENCE NORTH 72 DEGREES 33 MINUTES 31 SECONDS WEST, 49.76 FEET;

THENCE SOUTH 42 DEGREES 26 MINUTES 29 SECONDS WEST, 21.21 FEET;

THENCE NORTH 72 DEGREES 33 MINUTES 31 SECONDS WEST, 58.00 FEET;

THENCE NORTH 27 DEGREES 33 MINUTES 31 SECONDS WEST, 21.21 FEET;

THENCE NORTH 72 DEGREES 33 MINUTES 31 SECONDS WEST, 172.21 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 250.00 FEET;

THENCE NORTHWESTERLY 122.97 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 24 DEGREES 17 MINUTES 45 SECONDS;

THENCE SOUTH 83 DEGREES 08 MINUTES 43 SECONDS WEST, 187.01 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEAST, HAVING A RADIUS OF 720.00 FEET;

THENCE NORTHWESTERLY 402.56 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 32 DEGREES 02 MINUTES 04 SECONDS;

THENCE NORTH 64 DEGREES 49 MINUTES 13 SECONDS WEST, 42.08 FEET;

THENCE SOUTH 70 DEGREES 10 MINUTES 47 SECONDS WEST, 21.21 FEET;

THENCE NORTH 64 DEGREES 49 MINUTES 13 SECONDS WEST, 58.00 FEET;

THENCE NORTH 19 DEGREES 49 MINUTES 13 SECONDS WEST, 21.21 FEET;

THENCE NORTH 64 DEGREES 49 MINUTES 13 SECONDS WEST, 108.56 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEAST, HAVING A RADIUS OF 440.00 FEET;

THENCE NORTHWESTERLY 120.58 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 15 DEGREES 42 MINUTES 07 SECONDS;

THENCE NORTH 49 DEGREES 07 MINUTES 06 SECONDS WEST, 221.27 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEAST, HAVING A RADIUS OF 590.00 FEET;

THENCE NORTHWESTERLY 138.21 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 13 DEGREES 25 MINUTES 18 SECONDS;

THENCE ON A NON-TANGENT LINE NORTH 54 DEGREES 18 MINUTES 12 SECONDS EAST, 80.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEAST, FROM WHICH THE RADIUS POINT BEARS NORTH 54 DEGREES 18 MINUTES 12 SECONDS EAST A DISTANCE OF 510.00 FEET;

THENCE SOUTHEASTERLY 119.47 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 13 DEGREES 25 MINUTES 18 SECONDS;

THENCE SOUTH 49 DEGREES 07 MINUTES 06 SECONDS EAST, 221.27 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEAST, HAVING A RADIUS OF 360.00 FEET;

THENCE SOUTHEASTERLY 98.66 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 15 DEGREES 42 MINUTES 07 SECONDS;

THENCE SOUTH 64 DEGREES 49 MINUTES 13 SECONDS EAST, 238.64 FEET TO THE

BEGINNING OF A CURVE, CONCAVE NORTHEAST, HAVING A RADIUS OF 640.00 FEET;

THENCE SOUTHEASTERLY 58.41 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 5 DEGREES 13 MINUTES 45 SECONDS;

THENCE ON A NON-TANGENT LINE NORTH 62 DEGREES 38 MINUTES 39 SECONDS EAST, 20.60 FEET;

THENCE SOUTH 73 DEGREES 59 MINUTES 22 SECONDS EAST, 58.00 FEET;

THENCE SOUTH 30 DEGREES 37 MINUTES 23 SECONDS EAST, 20.60 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHERLY, FROM WHICH THE RADIUS POINT BEARS NORTH 12 DEGREES 04 MINUTES 14 SECONDS EAST A DISTANCE OF 640.00 FEET;

THENCE EASTERLY 211.40 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 18 DEGREES 55 MINUTES 31 SECONDS;

THENCE NORTH 83 DEGREES 08 MINUTES 43 SECONDS EAST, 187.01 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 370.00 FEET;

THENCE SOUTHEASTERLY 156.90 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 24 DEGREES 17 MINUTES 45 SECONDS;

THENCE SOUTH 72 DEGREES 33 MINUTES 31 SECONDS EAST, 172.21 FEET;

THENCE NORTH 62 DEGREES 13 MINUTES 16 SECONDS EAST, 21.13 FEET;

THENCE SOUTH 73 DEGREES 16 MINUTES 03 SECONDS EAST, 29.09 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWEST, FROM WHICH THE RADIUS POINT BEARS NORTH 73 DEGREES 16 MINUTES 03 SECONDS WEST A DISTANCE OF 400.00 FEET;

THENCE SOUTHWESTERLY 0.67 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 0 DEGREES 05 MINUTES 45 SECONDS;

THENCE ON A NON-TANGENT LINE SOUTH 73 DEGREES 10 MINUTES 18 SECONDS EAST, 29.00 FEET;

THENCE SOUTH 27 DEGREES 36 MINUTES 21 SECONDS EAST, 21.23 FEET;

THENCE SOUTH 72 DEGREES 33 MINUTES 31 SECONDS EAST, 49.76 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEAST, HAVING A RADIUS OF 540.00 FEET;

THENCE SOUTHEASTERLY 174.38 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 18 DEGREES 30 MINUTES 09 SECONDS;

THENCE NORTH 88 DEGREES 56 MINUTES 20 SECONDS EAST, 273.40 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 884.50 FEET;

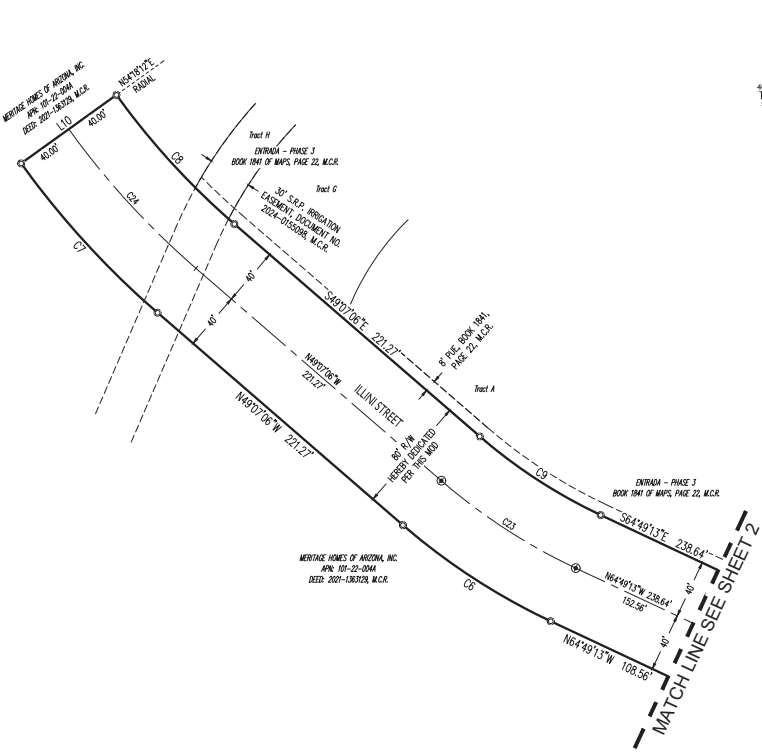
THENCE EASTERLY 12.64 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 0 DEGREES 49 MINUTES 08 SECONDS;

THENCE NORTH 88 DEGREES 07 MINUTES 12 SECONDS EAST, 267.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 915.50 FEET;

THENCE EASTERLY 13.09 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 0 DEGREES 49 MINUTES 08 SECONDS;

THENCE NORTH 88 DEGREES 56 MINUTES 20 SECONDS EAST, 68.90 FEET;

THENCE SOUTH 0 DEGREES 37 MINUTES 32 SECONDS EAST, 86.00 FEET TO THE POINT OF BEGINNING.



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
C1	13.09'	915.50'	0°49'08"	13.09'	S89°20'54"W
C2	12.64'	884.50'	0°49'08"	12.64'	S89°20'54"W
C3	200.22'	620.00'	18°30'09"	199.35'	N81°48'36"W
C4	122.97'	290.00'	24°17'45"	122.05'	N84°42'24"W
C5	402.56'	720.00'	32°02'04"	397.33'	N80°50'15"W
C6	120.58'	440.00'	15°42'07"	120.20'	N56°58'09"W
C7	138.21'	590.00'	13°25'18"	137.89'	N42°24'27"W
C8	118.47'	510.00'	13°25'18"	119.20'	S42°24'27"E
C9	98.66'	360.00'	15°42'07"	98.35'	S56°58'09"E
C10	58.41'	640.00'	5°13'45"	58.39'	S67°26'05"E
C11	211.40'	640.00'	18°56'31"	210.44'	S87°23'31"E
C12	156.90'	370.00'	24°17'45"	155.72'	S84°42'24"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
C13	0.67'	400.00'	0°05'45"	0.67'	S16°46'50"W
C14	174.38'	540.00'	18°30'09"	173.62'	S81°48'36"E
C15	12.64'	884.50'	0°49'08"	12.64'	N88°31'46"E
C16	13.09'	915.50'	0°49'08"	13.09'	N88°31'46"E
C17	187.30'	580.00'	18°30'09"	186.49'	S81°48'36"E
C18	4.28'	400.00'	0°36'46"	4.28'	N17°08'06"E
C19	139.93'	330.00'	24°17'45"	138.89'	N84°42'24"W
C20	271.37'	680.00'	22°51'55"	269.57'	S85°25'19"E
C21	380.19'	680.00'	32°02'04"	375.26'	S80°50'15"E
C22	108.82'	680.00'	9°10'09"	108.71'	S69°24'17"E
C23	109.62'	400.00'	15°42'07"	109.28'	S56°58'09"E
C24	128.84'	550.00'	13°25'18"	128.54'	S42°24'27"E

LINE TABLE		
LINE	BEARING	LENGTH
L1	S88°56'20"W	68.23'
L2	N72°33'31"W	49.76'
L3	S62°26'29"W	21.21'
L4	N72°33'31"W	58.00'
L5	N27°33'31"W	21.21'
L6	N64°49'13"W	42.08'
L7	S70°10'47"W	21.21'
L8	N64°49'13"W	58.00'
L9	N19°49'13"W	21.21'
L10	N54°18'12"E	80.00'

LINE TABLE		
LINE	BEARING	LENGTH
L11	N62°38'39"E	20.60'
L12	S73°59'22"E	58.00'
L13	S30°37'23"E	20.60'
L14	N62°13'16"E	21.13'
L15	S73°16'03"E	29.09'
L16	S73°10'18"E	29.00'
L17	S72°36'21"E	21.23'
L18	S72°33'31"E	49.76'
L19	N88°56'20"E	68.90'

1130 N Alma School Rd., Suite 120
Phoenix, AZ 85018
T: 480.503.2250 | F: 480.503.2258
www.epsgroupinc.com

EPS GROUP

"Entrada - Illini Street"
AVONDALE, ARIZONA
MAP OF DEDICATION

Project:
Revisions:

Designer: RJ
Drawn by: AG

Job No.
21-0147

Sheet No.
3
of 3

ITEM NUMBER: 5.a.

SUBJECT: Public Hearing and Ordinance 2010-0325 - Hopewell Avondale Annexation
Application PL-24-0242

MEETING DATE: 3/24/2025

TO: Mayor and Council

FROM: Jodie Novak, Director of Development Services

THROUGH: Katie Gregory, Assistant City Manager, (623) 333-1015

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

STRATEGIC PLAN:

Strategic Outcome and Strategy: Creative and Sustainable Community Development

Strategic Goal: Maintain and expand quality infrastructure and improve connectivity to City amenities

PURPOSE:

City Council will hold a public hearing and consider a request to adopt Ordinance 2010-0325, approving a request by Kimberly Schroeder of Kaeko Inc., on behalf of the property owner Hopewell Avondale, to annex an approximate 5-foot wide strip of land located east of the northeast corner of El Mirage and Indian School roads, which is the southeastern portion of the Hopewell parcel and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

City Council authorized proceeding with the Hopewell Avondale annexation at the public hearing held on February 24, 2025; no members of the public offered comments on this item. The proposed annexation request includes a 5-foot strip of land approximately 5 feet wide by 500 feet long (totaling 2,501 square feet) and is part of the Hopewell Avondale property, parcel number APN 501-63-999J (Exhibit A). The area to be annexed is the same land that was formerly part of the Maricopa County right-of-way. The small area was abandoned by the County and is now part of the Hopewell Avondale parcel, but technically within County jurisdiction. The Hopewell Avondale property is located east of the northeast corner of El Mirage and Indian School roads and the 5-foot wide strip being considered for annexation is located on the southeastern most part of the parcel.

The vacant Hopewell Avondale site has no existing buildings or residents on the property. It is zoned General Industrial (A-1) and underwent a Site Plan and Design Review application with the City of Avondale that was administratively approved on June 29, 2023. The approved development plan includes one warehouse building for industrial uses. Annexing the 5-foot wide strip would bring the land into the City jurisdiction. Additionally, the strip of land currently does not have a County zoning designation since it was formerly County right-of-way. Upon annexation, the strip will be zoned A-1, which is consistent with the rest of the Hopewell parcel.

While the overall Hopewell parcel is industrially zoned, the General Plan land use designation is Local

Commercial (Exhibit C), which is the land use used primarily for providing daily needs of goods and services to residents residing within the surrounding area. Exhibit D depicts the City and County jurisdictions and Exhibit E includes the narrative.

The site is contiguous with the City of Avondale corporate boundaries and meets State law requirements for annexation.

The existing uses and zoning of surrounding properties include:

NORTH: The Arizona RV Storage business and an Arizona Public Service (APS) Coulter Substation zoned A-1.

EAST: City of Phoenix jurisdiction and property owned by El Mirage 200 LLC Mining Operations in Maricopa County jurisdiction.

SOUTH: Indian School Road in Maricopa County jurisdiction and Valley Golf Center zoned Special Use District (SUD) and vacant land zoned Agricultural (AG).

WEST: Arizona Self Storage zoned A-1 and vacant land zoned Community Commercial (C-2).

SUMMARY OF REQUEST:

The applicant is proposing to annex an approximate 5-foot wide strip of land described in the legal description and map exhibit attached to the blank petition and affidavit (Exhibit F). The proposed annexation will integrate the 5-foot wide strip of former County right-of-way into the City of Avondale as part of the Hopewell Avondale property. The proposed annexation will facilitate the future development of an industrial warehouse building with uses consistent with the City's A-1 zoning. Staff and the project applicant, Kimberly Schroder of Kaeko Inc., have subsequently completed all required steps leading up to tonight's scheduled public hearing including:

- January 27, 2025: Filing of the blank petition and affidavit with the Maricopa County Recorder.
- February 5, 2025: Publication of a display ad in the Southwest Valley Arizona Republic giving notice of the public hearing.
- On or before February 9, 2025: Posting of three (3) signs of the land to be annexed giving notice of the public hearing.
- On or before February 17, 2025: Send notice of the public hearing to property owner and Maricopa County Board of Supervisors Chairman.

DISCUSSION:

The Arizona League of Cities and Towns defines annexation as the process by which a city or town may assume jurisdiction over unincorporated territory adjacent to its boundaries. Arizona Revised Statute (ARS) defines annexation as a petition-driven process (no ballot). The annexation statute (ARS §9-471) requires that the City secure property owner signatures representing the majority of property ownership within the annexation boundary, both by numbers and by property value. The process begins with the filing of a blank petition with the County Recorder's office (including map and legal description). That action commences a 30-day waiting period before signed petitions may be secured. During that period, the City must satisfy a series of public notification requirements in advance of a required public hearing, held by the City Council. Following the end of the 30-day waiting period, the City may obtain the signatures and take action on an Ordinance adopting the annexation.

- As required by State statute, the blank petition was filed with the Maricopa County Recorder on January 27, 2025.
- The proposed annexation conforms to the requirements listed in Arizona Revised Statutes 9-471.
- Future uses developed on the property will be consistent with the previously approved Site Plan and Design Review application approved on June 29, 2023.
- The City will benefit from taxes and fees as described in the budget section below.

As required by State statute, notice of the annexation has been provided to the sole property owner within the annexation boundary. The applicant is expected to bring the executed petition, signed by the property owner

that would be subject to taxation by the City in the event of annexation, in both assessed valuation and ownership, to the meeting on March 24, 2025. The petition only requires a signature from Hopewell Avondale.

The annexation, if approved by City Council, will bring the subject property into Avondale's jurisdiction effective 30 days from the adoption of the Ordinance, on April 23, 2025. The property will be zoned Industrial (A-1), comparable to the rest of the Hopewell Avondale parcel.

PUBLIC PARTICIPATION:

Staff and the project applicant, Kimberly Schroder of Kaeko Inc., have subsequently completed all required steps for notification leading up to tonight's scheduled public hearing. To date, staff have received no comments regarding the proposed annexation. The Council held the first public hearing on February 24, 2025, and no public comments were offered on this item.

BUDGET IMPACT:

The annexation application included the required \$6,000 fee.

RECOMMENDATION:

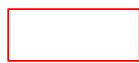
City Council will conduct a public hearing and adopt an Ordinance, annexing a 5-foot wide strip of land approximately 2,501 square feet, located east of the northeast corner of El Mirage and Indian School roads on the southeastern portion of the Hopewell Avondale parcel.

Contact person for document distribution: Sylvia Willem Marcor

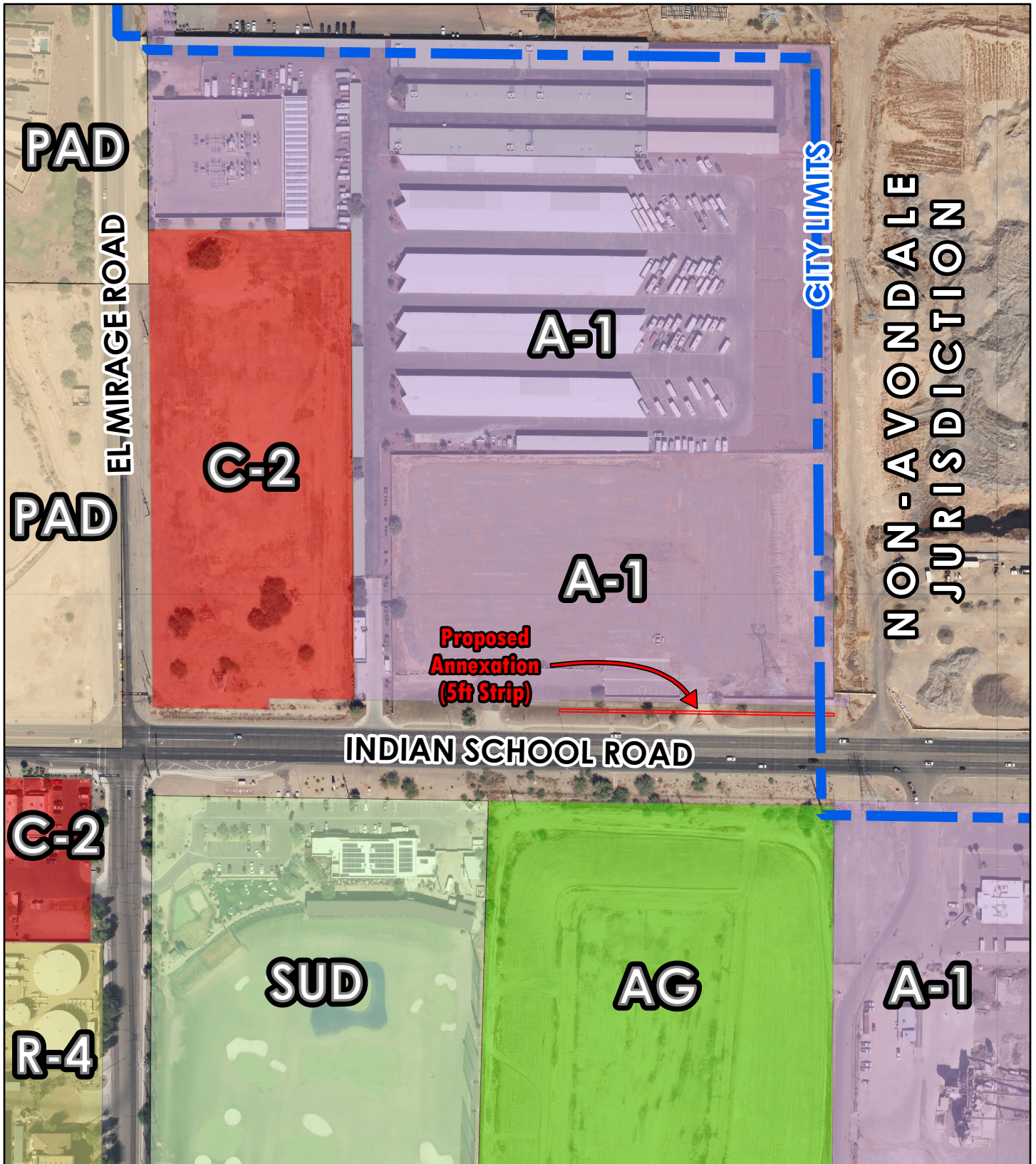


Aerial Map



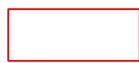
 Subject Property



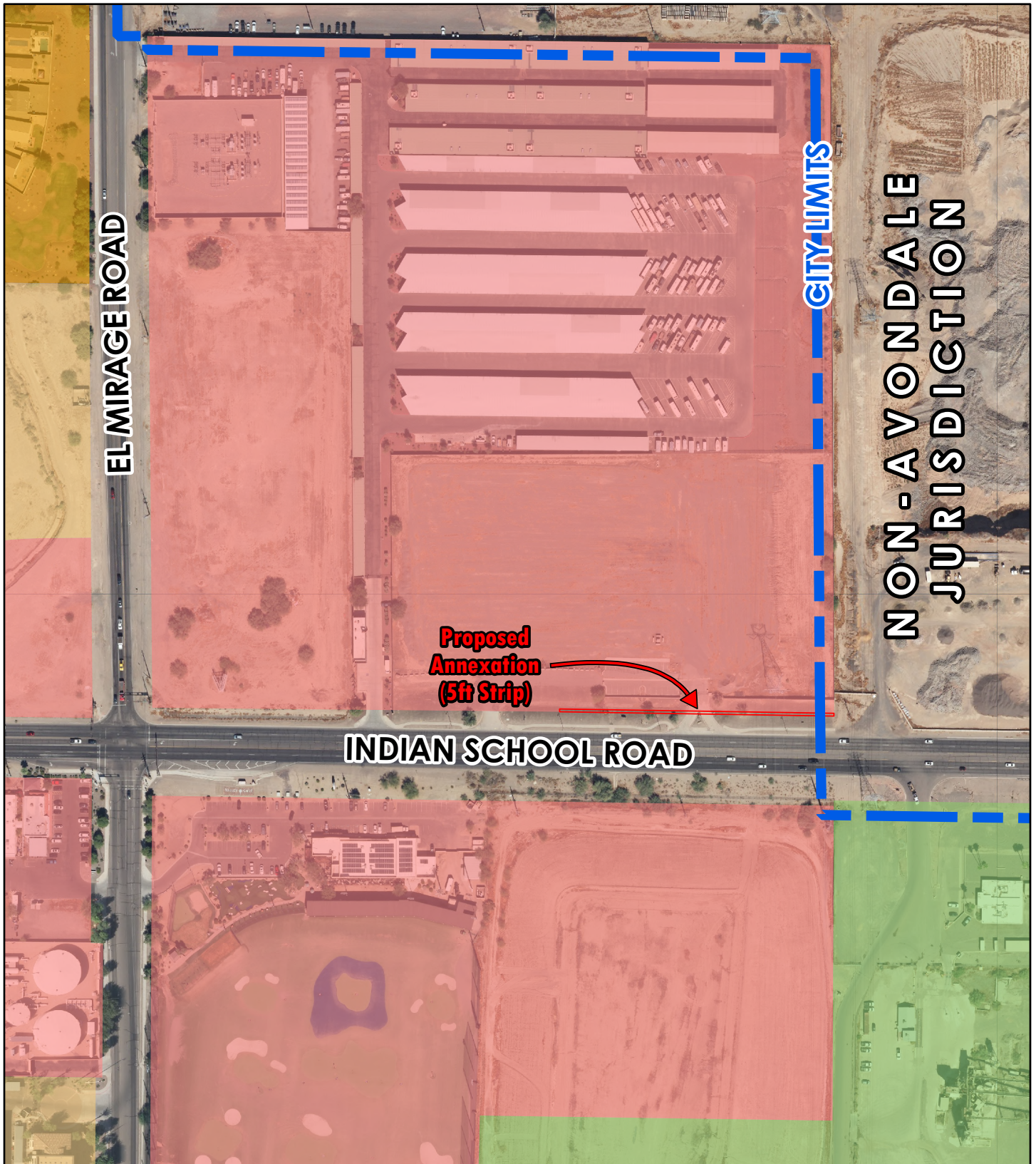


Zoning Vicinity



 Subject Property





General Plan Land Use



- Local Commercial
- Medium Density Residential
- Medium/High Density Residential
- Open Space and Parks



Subject Property





Jurisdiction Exhibit



 Subject Property

-  City of Avondale
-  City of Phoenix
-  Maricopa County



Hopewell Avondale
East of the NEC El Mirage Road & Indian school Road.
Avondale, Arizona

Annexation Project Narrative
KAEKO JOB# 7022038
January 2, 2025

Annexation Narrative

Project Narrative:

Explanation of Annexation Request:

This Annexation Project Narrative requests to annex a 5-ft wide, 500.60-ft length strip of existing roadway easement. adjacent to the Site into the City of Avondale. This strip of land considered for annexation is currently within Maricopa County jurisdiction and Maricopa County had declared this portion of roadway easement unnecessary for public purposes. The existing usage of this strip of land is existing roadway easement (Indian School Road) and includes unimproved roadway Right-of-Way. This 5-ft wide, 500.60-ft length strip of land adjacent to the development project, within Maricopa County jurisdiction, is bounded to the north by the City of Avondale, and to the south by what will remain Maricopa County jurisdiction. Annexation of this strip of land would eliminate an area of existing roadway R.O.W. deemed to be unnecessary for public purposes by the County. Further explanation of this annexation request as required per the City of Avondale Annexation Application follows:

Conforms to State Law Requirements:

There are no Maricopa County Zoning violations or non-conformities on this Site or within the area considered for annexation. The proposed usage is consistent with the existing zoning and no change of zoning is required or proposed. The Site and annexation request conforms to Arizona State Law Requirements for annexation.

Description of Expected Future Development of Proposed Annexation Area:

There are no expected future developments or improvements proposed within the area considered for annexation.

Disclosure of Easements:

A 13-ft utility easement for both utility and incidental purposes exists to the north of the area considered for annexation. There are no known easements within the strip of land considered for annexation.

Description of Existing Infrastructure:

Existing utilities within the area considered for annexation include overhead electric transmission lines. Utilities constructed as part of the development project that bisect the area considered for annexation include water (domestic and fire), and a sanitary sewer service lateral.

Infrastructure within the area considered for annexation are typical undeveloped roadway R.O.W.

Identification of Existing Residential and non-Residential Structures in Annexation Area:

There are no existing structures (residential or non-residential) within the area considered for annexation. No structures (residential or non-residential) are proposed or expected within the area of considered or annexation.

Description of Existing Conditions:

The area considered for annexation is a typical undeveloped R.O.W. use consistent with existing R.O.W. areas within the vicinity of the Site. The existing conditions and proposed conditions adjacent to the area considered for annexation include civil utilities and civil infrastructure such as underground utilities, overhead utilities, concrete curb and gutter, concrete sidewalks, asphalt pavement, and landscaping. Further description of existing conditions is listed below:

- There are no people residing in the proposed annexation area.
- The area considered for annexation is not within a subdivision, there are no residential subdivisions adjacent to the property.

- No existing structures (residential or non-residential) are located within the area considered for annexation. No structures (residential or non-residential) are proposed within the area considered for annexation.
- There are no vacant lots within the Site.
- The proposed development project includes the construction of a new warehouse building of approximately 110,950-sf. No commercial buildings or commercial usage exist or are proposed as part of the development project and as part of this annexation application.

Identify any Maricopa County Zoning Violations and Legal non-Conforming Structures/Uses:

There are no violations with Maricopa County Zoning, also there are no non-conforming structures or uses on the Site or within the area considered for annexation.

Explanation of Desired City Services:

No new City services are proposed, requested, or required as part of this annexation application.

Identify School District:

The area considered for annexation is located within the Agua Fria Union #216 High School District and within the Litchfield Elementary School District. There are no impacts to either school districts as part of this annexation application.

Proximity to Police and Fire Stations:

The Maricopa County Sheriff's Office located at 920 E. Van Buren Street, Avondale, AZ is approximately 4-miles to the south and west of the Site.

The Avondale Police Department – Main Station located at 11485 Civic Drive, Avondale, AZ is located approximately 6–miles to the south and east of the Site.

The Avondale Fire – Rescue Station 174 located at 3200 N. Dysart Road, Avondale AZ is approximately 1.7-miles to the south and west of the Site.

Exhibit F

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
JUSTIN HEAP
20250142143 03/17/2025 09:28
ELECTRONIC RECORDING

ANNEXHOPEWELL-6-1-1--
crocfers

When recorded mail to:

Attn: Development Services Department
City of Avondale
11465 W. Civic Center Drive
Avondale, Arizona 85323

ANNEXATION PETITION AND AFFIDAVIT
HOPEWELL AVONDALE - ANNEXATION

ANNEXATION PETITION

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF AVONDALE,
ARIZONA:

We, the undersigned, the owners of one-half or more in value of the real and personal property and more than one-half of the persons owning real and personal property that would be subject to taxation by the City of Avondale in the event of annexation within the territory proposed to be annexed, which is hereafter described, said territory being contiguous to the corporate limits of the City of Avondale, with the exterior boundaries of the territory proposed to be annexed shown on the map attached hereto, and made a part hereof, request the City of Avondale to annex the following described territory, provided that the requirements of ARIZ. REV. STAT. § 9-471, and amendments thereto are fully observed.

The description of the territory proposed to be annexed, not already within the present limits of the City of Avondale and located in Maricopa County, Arizona is as follows:

(Legal Description)

DATE	NAME OF PROPERTY OWNER	MAILING ADDRESS	PHONE	LEGAL DESCRIPTION
03/13/2025	AZ AVONDALE INDUSTRIAL LP	(403) 690-7275		SEE EXHIBIT A
	#2020 - 4 TH STREET			
	SW, CALGARY, AB, T2S 1W3			
	CANADA			

EXHIBIT A

LEGAL DESCRIPTION

THE NORTH 5.00 FEET OF THE SOUTH 90.00 FEET OF THE EAST 500.60 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS DESCRIBED IN ROAD ABANDONMENT DOCUMENT 2024-0406586, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 24, MARKED BY A FOUND BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 24 BEARS SOUTH 89 DEGREES 08 MINUTES 32 SECONDS EAST, (BASIS OF BEARINGS) A DISTANCE OF 2601.94 FEET, SAID SOUTH QUARTER CORNER BEING RE-ESTABLISHED BY THE INTERSECTION OF FOUR (4) FOUND MAG NAILS;

THENCE SOUTH 89 DEGREES 08 MINUTES 32 SECONDS EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 24 FOR A DISTANCE OF 1300.97 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 24 MARKED BY A FOUND BRASS CAP FLUSH;

THENCE, DEPARTING SAID SOUTH LINE, NORTH 00 DEGREES 16 MINUTES 44 SECONDS WEST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 24; A DISTANCE OF 85.00 FEET TO A POINT ON THE SOUTH LINE OF THE SAID NORTH 5.00 FEET OF THE SOUTH 90.00 FEET, ALSO BEING THE NORTH 85.00 FOOT RIGHT OF WAY LINE OF WEST INDIAN SCHOOL ROAD, AND THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 08 MINUTES 32 SECONDS WEST, ALONG SAID 85.00 FOOT RIGHT-OF-WAY LINE, A DISTANCE OF 500.60 FEET;

THENCE DEPARTING SAID RIGHT-OF-WAY LINE, NORTH 00 DEGREES 16 MINUTES 44 SECONDS WEST, A DISTANCE OF 5.00 FEET TO THE NORTH LINE OF SAID NORTH 5.00 FEET OF THE SOUTH 90.00 FEET;

THENCE SOUTH 89 DEGREES 08 MINUTES 32 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 500.60 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER;

THENCE SOUTH 00 DEGREES 16 MINUTES 44 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 5.00 FEET TO A POINT ON THE SAID NORTH 85 FOOT RIGHT-OF-WAY LINE OF INDIAN SCHOOL ROAD AND THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 2,501 SQ. FT. (0.0574 ACRES)
OF LAND MORE OR LESS.

12409 W. INDIAN SCHOOL ROAD, AVONDALE, AZ 85392
PHONE: 623.536.1993 EMAIL: GENE.HARRISON@KAEOKOINC.COM



PARCEL ANNEXATION
LEGAL DESCRIPTION

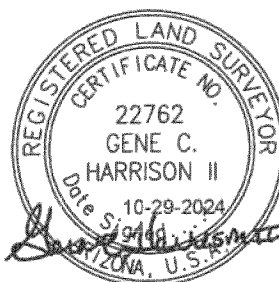
2,501 SQ. FT.

0.057 ACRES

DATE: 10-29-2024
SCALE:
SHEET 1 OF 2

CHECKED BY: GCH
DRAWN BY: RVR
PROJECT #: 7022038

EXH. A





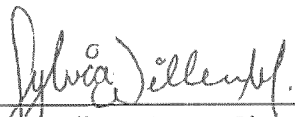


Development Services Department
11465 W. Civic Center Drive
Avondale, Arizona 85323-6804
Phone: (623) 333-4000 Fax: (623) 333-0420

Annexation Affidavit

Personally appears before me, Sylvia Willem Marcor, who, first being duly sworn, deposes and says as follows:

1. I make this affidavit of my own personal knowledge.
2. I am a Planner of the City of Avondale, Arizona, and I am qualified to make this affidavit on behalf of and for the City.
3. I have made a diligent search of the records of the Office of the Clerk of the City of Avondale and of the Office of the Maricopa County Recorder for any annexation filing which might involve territory sought to be annexed in the City Annexation Petition, which is filed herewith with exhibits, in the Office of the Maricopa County Recorder.
4. I hereby affirm, pursuant to A.R.S. §9-471 (A) (6), that no part of the territory for which the attached Annexation Petition is filed is already subject to an earlier filing for annexation.



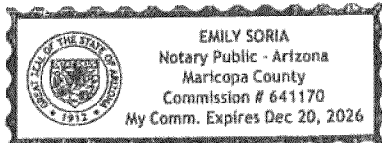
Sylvia Willem Marcor, Planner

SWORN TO AND SUBSCRIBED before me
This 27th day of January, 2025.



Notary Public for the State of Arizona

My commission expires: 12-20-2026





OWNER AUTHORIZATION FORM

- Fill out #1 below if property owner is same as applicant.
- Fill out #1 and #2 below if applicant is other than property owner.
- A separate form is required for multiple owners.

1. I, DEREK FOX, hereby certify that I am the owner of property, designated as an officer of the
 Plat EXH A, Lot(s) EXH A, as shown on the Maricopa County Tax Assessor's Maps.
2. I hereby authorize the application for _____ by (name of applicant or agent) to be submitted to the Development Services Department of the City of Avondale for review and decision by the Development Review Committee, Planning Commission, or City Council.

BY: _____

Signature of Owner, Individual, Corporation, Trustee, Partnership, non-profit, etc.

PROVINCE
 STATE OF ALBERTA)
 CITY) ss.
 County of CALGARY)

The foregoing instrument was acknowledged before me this 10TH day of MARCH
 20 25.

 Notary Public

My Commission Expires:

Does not expire

ANDREW O.T. DONOHUE
 Barrister & Solicitor

Development Services Department

11465 W. Civic Center Drive, Avondale, AZ 85323 • Phone (623) 333-4000 • www.AvonDaleAZ.gov/DevelopmentServices

ORDINANCE NO. 2010-0325

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF AVONDALE BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS.

WHEREAS, the City of Avondale (the “City”) has received a petition in writing (the “Annexation Petition”), accompanied by a map of certain territory hereinafter more particularly described and depicted (the “Annexation Area”), asking that the Annexation Area be annexed into the City by extending and increasing the corporate limits of the City so as to embrace the Annexation Area; and

WHEREAS, the Annexation Petition has been filed and presented to the Council of the City of Avondale (the “City Council”), signed by the owners of more than one-half in value of the real and personal property and more than one-half of the persons owning real and personal property as would be subject to taxation by the City in the event of annexation within the Annexation Area, as shown by the last assessment of said Annexation Area; and

WHEREAS, the City Council has determined the Annexation Area is contiguous to the City’s corporate limits in accordance with ARIZ. REV. STAT. § 9-471; and

WHEREAS, the City Council desires to grant the request set forth in the Annexation Petition and extend and increase the City’s corporate limits to include the Annexation Area; and

WHEREAS, said Annexation Petition sets forth a true and correct legal description of all the exterior boundaries of the entire Annexation Area and had attached thereto at all times an accurate map of the Annexation Area; and

WHEREAS, no alterations increasing or reducing the Annexation Area have been made after the Annexation Petition was signed by any owner of real and personal property in such Annexation Area; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 9-471(L), the City is required to adopt a zoning classification for the Annexation Area that permits densities and uses no greater than that permitted by Maricopa County immediately before the annexation; and

WHEREAS, the Annexation Area is not currently zoned by Maricopa County as since it was formerly County Right-of-Way; and

WHEREAS, the provisions of ARIZ. REV. STAT. § 9-471, and amendments thereto, have been fully observed; and

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file in the office of the City Clerk together with a true and correct copy of the original Annexation Petition, which original Annexation Petition is on file in the office of the Maricopa County Recorder.

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 Annexation Area, consisting of a parcel of land totaling approximately 0.0574 acres located approximately east of the northeast corner of El Mirage Road and West Indian School Road, as more fully described and depicted in Exhibit A, attached hereto and incorporated herein by reference, is hereby annexed to the City and the present corporate limits are hereby extended and increased to include the Annexation Area.

SECTION 3. The land-use classification for the Annexation Area is hereby designated as General Industrial (A-1) under the City of Avondale Zoning Ordinance.

SECTION 4. The City Clerk is hereby authorized and directed to file with the Maricopa County Recorder's Office a fully executed copy of this Ordinance, together with an accurate map of the Annexation Area.

SECTION 5. 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 6. For purposes of elections, there are no residences located in the Annexation Area.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
March 24, 2024.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED:

Nicholle Harris, City Attorney

EXHIBIT A
TO
ORDINANCE 2010-0325

[Legal description and map of Annexation Area]

See following pages.

EXHIBIT A

LEGAL DESCRIPTION

THE NORTH 5.00 FEET OF THE SOUTH 90.00 FEET OF THE EAST 500.60 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS DESCRIBED IN ROAD ABANDONMENT DOCUMENT 2024-0406586, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE DEPARTING SAID RIGHT-OF-WAY LINE, NORTH 00 DEGREES 16 MINUTES 44 SECONDS WEST, A DISTANCE OF 5.00 FEET TO THE NORTH LINE OF SAID NORTH 5.00 FEET OF THE SOUTH 90.00 FEET;

THENCE SOUTH 89 DEGREES 08 MINUTES 32 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 500.60 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER;

THENCE SOUTH 00 DEGREES 16 MINUTES 44 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 5.00 FEET TO A POINT ON THE SAID NORTH 85 FOOT RIGHT-OF-WAY LINE OF INDIAN SCHOOL ROAD AND THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 2,501 SQ. FT. (0.0574 ACRES)
OF LAND MORE OR LESS.

12409 W. INDIAN SCHOOL ROAD, AVONDALE, AZ 85392
PHONE: 623.536.1993 EMAIL: GENE.HARRISON@KAEOKOINC.COM



PARCEL ANNEXATION
LEGAL DESCRIPTION

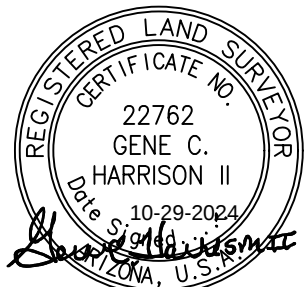
2,501 SQ. FT.

0.057 ACRES

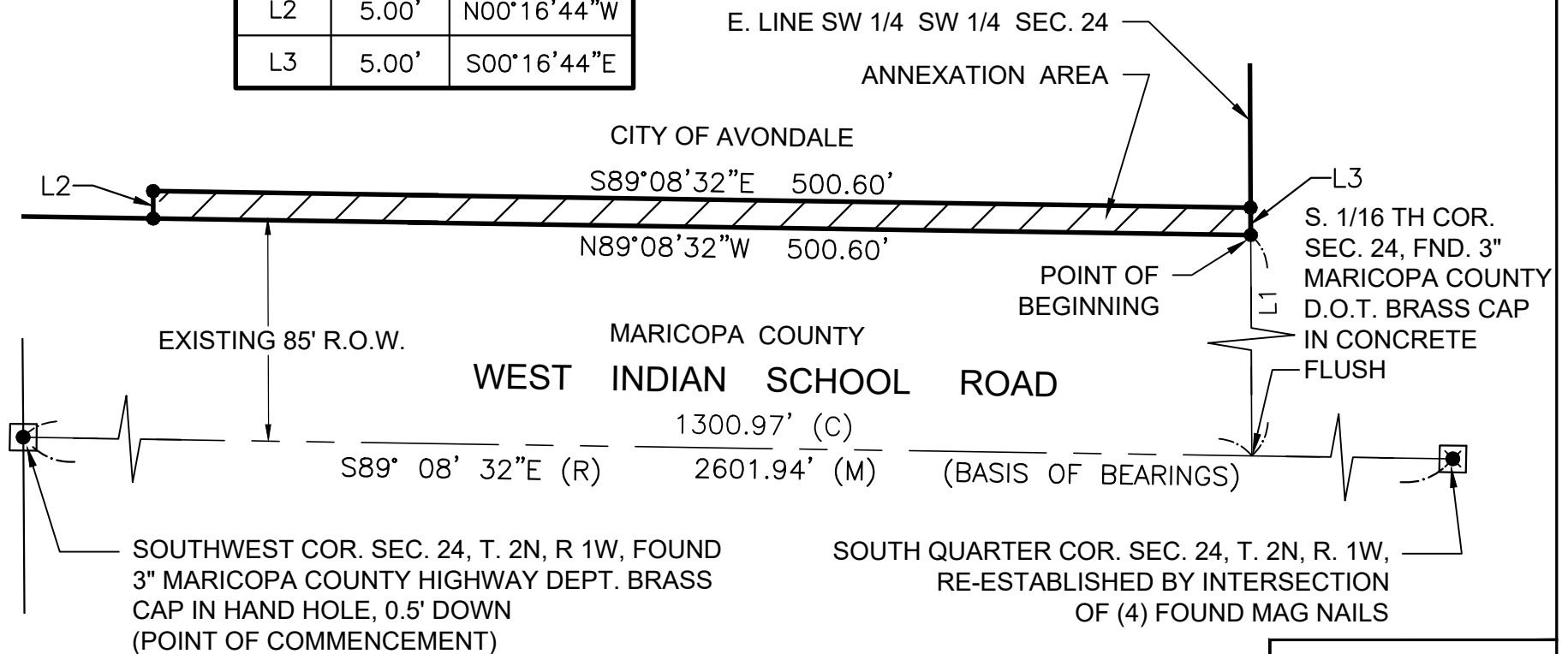
DATE: 10-29-2024
SCALE:
SHEET 1 OF 2

CHECKED BY: GCH
DRAWN BY: RVR
PROJECT #: 7022038

EXH. A



LINE TABLE		
LINE#	LENGTH	DIRECTION
L1	85.00'	N00°16'44"W
L2	5.00'	N00°16'44"W
L3	5.00'	S00°16'44"E



(R) R.O.S. RECORDED IN BOOK 688 OF MAPS, PAGE 40 M.C.R. (BASIS OF BEARING)



PHONE: 623.536.1993
FAX: 623.748.9008

PARCEL ANNEXATION
EXHIBIT

2,501 SQ. FT.

0.057 ACRES

10-29-2024
Signed: *David H. Smith II*
ARIZONA, U.S.A.

ITEM NUMBER: 5.b.

SUBJECT: Council Budget Discussion

MEETING DATE: 3/24/2025

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 all Avondale Strategic Outcome Areas. The Strategic Plan guides the allocation of funding to the highest priorities.

PURPOSE:

City staff will present an update on the City's finances and seek Council's feedback on the Fiscal Year 2026 budget. This item is for discussion only; no Council action will be taken.

BACKGROUND:

The presentation will cover the current status of the city's finances and the needs for the Fiscal Year 2026 budget.

DISCUSSION:

The presentation will cover the current status of the city's finances and needs for the Fiscal Year 2026 budget.

BUDGET IMPACT:

The discussions today will provide guidance for the development of the Fiscal Year 2026 budget.

RECOMMENDATION:

This item is for discussion only.

Contact person for document distribution:

Avondale



FY2026 Supplemental Requests Review

As of April 7, 2025





Avondale

Office of Public Safety

Office of Public Safety



Request Name	FTE	Ongoing	One-Time	Total
New Equipment and Maintenance Increases for the Glendale Regional Public Safety Training Center		246,000	269,000	515,000
Increase to Overtime Funding for OPS Fire Threats Liaison Officer (TLO) and Municipal Security		21,000		21,000
New Municipal Security Vehicle		2,000	40,000	42,000
Total		269,000	309,000	578,000



Avondale

Police Department

Police Department



Request Name	FTE	Ongoing	One-Time	Total
Family Advocacy Center Annual Rent Increase		25,000		25,000
Family Advocacy Center Clinical Supervisor 1 FTE	1.0	32,600	12,000	44,600
Global Positioning System (GPS) for Police Vehicles		58,000		58,000
Patrol Officers 2 FTEs	2.0	16,400	40,800	57,200
Community Services Officer (CSO) for Photo Radar 1 FTE	1.0	125,800	87,700	213,500
Additional Police Dispatcher 1 FTE	1.0	1,900	1,000	2,900
Tasers for Detention		40,000		40,000
Mobile Dispatch Computers (MDCs)		10,000		10,000
Integration of Traffic Accident Software with Records Management System (RMS)		7,000	45,000	52,000
Family Advocacy Center Dedicated Forensic Interviewer 1 FTE	1.0	132,600	37,000	169,600
Scissor Lift with Construction of Storage Station and Supplies			67,000	67,000
Upgraded Cell Phone Investigative Software		16,100		16,100
Police Officer 1 FTE	1.0	159,500	122,800	282,300
Total	7.0	624,900	413,300	1,038,200



Avondale

Fire and Medical

Fire and Medical



Request Name	FTE	Ongoing	One-Time	Total
Fleet Technician 1 FTE	1.0	(5,600)	290,600	285,000
Overtime Increases for Existing Programming			400,000	400,000
Inflationary Increases		352,000	70,000	422,000
Technical Rescue Team Vehicle			108,000	108,000
Total	1.0	346,400	868,600	1,215,000





Avondale

Public Works

Public Works



Request Name	FTE	Ongoing	One-Time	Total
Reclass - Fleet Supervisor and Fleet Manager		25,700		25,700
1-FTE - Fleet Services Fleet Coordinator G11	1.0	118,400	3,100	121,500
Replacement of Fleet Management Software			600,000	600,000
General Fund Street Maintenance Personnel and Operating Increase			100,000	100,000
IT Ongoing Software Costs		108,500		108,500
1 FTE - Water/Sewer Admin Civil Engineer G15	1.0	156,300	3,100	159,400
Reclass - Engineering Manager		9,200		9,200
Sewer, Solid Waste, and Water Admin Call Center Software		23,000	18,000	41,000
Water/Sewer Admin Training Expenses for SCADA		10,000		10,000
Wastewater Reclamation Facility Chemicals, Electricity, and Sludge Hauling		251,400		251,400
Life Station Repair and Maintenance and Water		150,000		150,000
New Lead Wastewater Collections Operator Truck		3,500	65,000	68,500
Wastewater Collections Level 2 Manhole Inspection Pilot Design			75,000	75,000

Public Works - continued



Request Name	FTE	Ongoing	One-Time	Total
Solid Waste Landfill and Overtime Expenses		233,000		233,000
1 FTE - Solid Waste Equipment Operator G7 - Start 1/1/26	1.0	93,400	(46,900)	46,500
1 FTE - Solid Waste Public Works SW Laborer G6	1.0	92,800		92,800
New Pavement Management Hybrid Truck		3,500	40,000	43,500
Street Maintenance Landscaping, Training, Travel, and Small Tools		47,000		47,000
Street Maintenance City Parking Lot Condition Assessment			60,000	60,000
Street Maintenance New Dump Trailer		2,000	25,000	27,000
Sustainability Composting and Grants Rebate Programs		40,000		40,000
Sustainability - Arborist Contractual Services			250,000	250,000
Transit Annual Contract Obligation Increase		315,500		315,500
Transit Daily Hours Increase 120 to 135		372,700		372,700
Transit Cleaning and Maintenance of Transit Shelters			50,000	50,000

Public Works - continued



Request Name	FTE	Ongoing	One-Time	Total
Solid Waste Landfill and Overtime Expenses		233,000		233,000
Water Resources - AZ Municipal Water Users Association, NAUSP Water Storage Fee, Water Purchases		943,500	(300,000)	643,500
Water Production & Treatment Landscaping, Electricity, and Professional Services		116,000		116,000
Water Administration RRA & ERP Regulatory Updates			125,000	125,000
Water and Sewer Supplies Inflationary Costs		14,000		14,000
Water Metering & Locating Meter Purchases and Testing and Overtime Funding		24,400		24,400
Water Distribution Repair and Maintenance and Water and Sewer Supplies		21,600		21,600
Water Production & Treatment Arc Flash Study			200,000	200,000
Total	4.0	3,175,400	1,267,300	4,442,700



Avondale

Development Services

Development Services



Request Name	FTE	Ongoing	One-Time	Total
Reclassification of Administrative Assistant to Management Analyst		14,800		14,800
Gila River Implementation Plan			500,000	500,000
Professional Development			44,000	44,000
Citizen Access Portal Site-Wide Overlay		36,000	157,000	193,000
Contract Building Inspections			40,000	40,000
Building Inspections - Web-Based Software		26,000	44,000	70,000
Scanning and Organization of Building Records			44,000	44,000
Zoning Ordinance Assessment			30,000	30,000
Total		76,800	859,000	935,800



Avondale

Engineering Services

Engineering Services



Request Name	FTE	Ongoing	One-Time	Total
Contracted Construction Inspections Budget			300,000	300,000
Traffic Control Inspector (1 FTE)	1.0	136,300	78,100	214,400
Associate Engineer Plan Review (1 FTE)	1.0	156,300	13,100	169,400
Engineering Module for Permitting Software			165,000	165,000
City-Owned Parking Lots Signage, Marking, and Monument Repair and Maintenance			100,000	100,000
Total	2.0	292,600	656,200	948,800



Avondale

Economic Development

Economic Development



Request Name	FTE	Ongoing	One-Time	Total
Add 1.0 FTE Business Development Manager	1.0	186,600	2,800	189,400
Economic Development Opportunities Fund			1,245,000	1,245,000
Business Attraction focus - Additional Technology		35,000		35,000
Business Attraction focus - Additional Travel			29,900	29,900
Business Attraction focus - Additional Marketing			48,000	48,000
Business Attraction focus - Additional Sponsorships			40,000	40,000
Total	1.0	221,600	1,365,700	1,587,300



Avondale

Neighborhood and Family Services

Neighborhood and Family Services



Request Name	FTE	Ongoing	One-Time	Total
Senior Services Coordinators - Part-Time Positions (1.5 FTE)	1.5		147,400	147,400
Budget Increase to Address Management Analyst Short-fall		20,000		20,000
Resource Center Security Doors			50,000	50,000
Senior Center Meals		15,000		15,000
New Senior Services Bus			145,000	145,000
Contributions Assistance Program		36,700	50,000	86,700
Education Support Funding			75,000	75,000
Public Safety Homebuyer Program			100,000	100,000
Total	1.5	71,700	567,400	639,100



Avondale

Parks and Recreation

Parks and Recreation



Request Name	FTE	Ongoing	One-Time	Total
Youth Summer Camp Program	0.5	77,400	3,100	80,500
Concert Mercado and Event Series	0.5	150,400		150,400
Parks Supervisor (1 FTE)	1.0	107,300	60,000	167,300
Administrative Assistant (1 FTE)	1.0	66,600	2,800	69,400
Water and Pool Chemical Increase		360,000		360,000
Landscaping Services Inflation		250,000		250,000
City Event Costs		195,000		195,000
Facility Landscape Restoration			350,000	350,000
Community Fishing Program		12,600		12,600
Library Materials			45,700	45,700
Holiday Light and Décor Installation on Western Avenue			35,000	35,000
Total	3.0	1,219,300	496,600	1,715,900



Avondale

Facilities

Facilities



Request Name	FTE	Ongoing	One-Time	Total
Increase Overtime for HVAC Repair and Maintenance			75,000	75,000
Security Enhancements for City Buildings			42,300	42,300
Janitorial Increase		74,000		74,000
Total		74,000	117,300	191,300





Finance and Budget

Finance and Budget



Request Name	FTE	Ongoing	One-Time	Total
Banking Fees Increase		50,000		50,000
Mailing and Postage Fees		50,000		50,000
Procurement and Vendor Management Software		48,000		48,000
Payroll System Enhancement			30,000	30,000
City-wide Fee Analysis			20,000	20,000
Bond Consultant Services			25,000	25,000
Total		148,000	75,000	223,000



Avondale

Human Resources

Human Resources



Request Name	FTE	Ongoing	One-Time	Total
Human Resource Information System Enhancements			130,000	130,000
Inflationary Increase - Employee Assistant Program (EAP)		20,000		20,000
Promotional Testing Services			60,000	60,000
Inflationary Increase - Insurance Consultant Services		3,500		3,500
Certificate of Insurance Tracking Software		30,100		30,100
Total		53,600	190,000	243,600



Avondale

Information Technology

Information Technology



Request Name	FTE	Ongoing	One-Time	Total
Managed Services for Permitting System Platform			250,000	250,000
Special Events Permit and Upgraded User Interface		40,000	80,000	120,000
Operational Annual Increase software, payroll, radio communication, finance, permitting, telecom		431,200		431,200
Microsoft Support			70,000	70,000
Asset Management Solutions Departmental Expansion		10,000	60,000	70,000
Consulting Services for Financial System			75,000	75,000
Digital Social Listening Platform Enhancements		30,000		30,000
Artificial Intelligence (AI) powered digital assistant			30,000	30,000
Total		511,200	565,000	1,076,200



Avondale

Marketing and Public Relations

Marketing and Public Relations



Request Name	FTE	Ongoing	Total
Position Reclassification of Communications Programs Manager to Deputy Director		14,400	14,400
Total		14,400	14,400





Avondale

City Auditor

City Auditor



Request Name	FTE	One-Time	Total
Consultant Assisted Audits		100,000	100,000
Total		100,000	100,000





Avondale

City Clerk

City Clerk



Request Name	FTE	One-Time	Total
2025 Election		139,000	139,000
Retirement Payout		33,000	33,000
Total		172,000	172,000





Avondale

City Court

City Court



Request Name	FTE	Ongoing	One-Time	Total
Court Clerk II – (Photo Radar Specialist) 1 FTE	1.0	91,000	4,500	95,500
Judge Pro Tem Contract Increases			27,000	27,000
Total	1.0	91,000	31,500	122,500



Avondale

City Administration

City Administration



Request Name	FTE	Ongoing	One-Time	Total
Making Lives Better Committee Inflationary Costs			5,000	5,000
Marvin Andrews Fellowship Inflation Increase		2,000		2,000
Avondale Ambassador Program			6,500	6,500
Increase Training and Travel Opportunities for Staff			15,000	15,000
Total		2,000	26,500	28,500



Recommended 5 Year Capital Improvement Plan

FY2026 Project Funding

Funded / Planned

Project Number	Project Title	Total Project Budget	FY2026	FY2027	FY2028	FY2029	FY2030
Asset Replacement			14,663,000	14,561,000	12,451,000	11,999,000	12,871,000
A0268	Facilities Asset Replacement FY2027 and Beyond	1,111,000	0	80,000	668,000	179,000	184,000
A0270	Fire Equipment and Asset Replacement FY2027 and Beyond	1,035,000	0	104,000	536,000	136,000	259,000
A0272	Lift Station Rehabilitation Program FY2027 and Beyond	900,000	0	200,000	200,000	250,000	250,000
A0274	Parks and Recreation Asset Replacement Plan 2027 and Beyond	54,000	0	0	0	0	54,000
A0276	Police Asset Replacement Program FY2027 and Beyond	739,000	0	230,000	161,000	161,000	187,000
A0278	SCADA Security Asset Replacement FY2027 and Beyond	440,000	0	176,000	152,000	152,000	400,000
A0280	Streets Asset Replacement FY2027 and Beyond	5,172,000	0	1,293,000	1,293,000	1,293,000	1,293,000
A0282	Vehicle Replacement 2027 and Beyond	20,955,000	0	7,667,000	6,594,000	4,737,000	7,957,000
A0284	Water Meter Replacement FY2027 and Beyond	2,525,000	0	625,000	625,000	625,000	650,000
A0286	Computer and Equipment Asset Replacement FY2027 and Beyond	1,810,000	0	377,000	257,000	437,000	739,000
A0290	Library Asset Replacement FY2027 and Beyond	180,000	0	54,000	10,000	68,000	48,000
A0292	Randel McDaniel Sports Complex Asset Replacement FY2027 and Beyond	300,000	0	0	0	150,000	150,000
A0324	Water Asset Replacement FY2027 and Beyond	2,000,000	0	500,000	500,000	500,000	500,000
A0328	Avondale Campus Painting Project	500,000	160,000	90,000	0	0	0
A0397	Fire Apparatus Replacement FY2025	2,700,000	40,000	0	0	0	0
A0441	WRF Asset Replacement FY2026	150,000	150,000	0	0	0	0
A0442	Lift Station Rehabilitation Program FY2026	200,000	200,000	0	0	0	0
A0443	Vehicle Replacement FY2026	5,758,000	5,758,000	0	0	0	0
A0444	Water Meter Replacement FY2026	550,000	600,000	0	0	0	0
A0445	Water Asset Replacement FY2026	500,000	500,000	0	0	0	0
A0446	SCADA Security Asset Replacement FY2026	176,000	176,000	0	0	0	0
A0447	Fleet Reincorporation of Replaced Vehicles	512,000	512,000	0	0	0	0
A0448	Police Asset Replacement Program FY2026	209,000	209,000	0	0	0	0
A0449	Parks and Recreation Asset Replacement Plan FY2026	375,000	375,000	0	0	0	0
A0450	Library Asset Replacement FY2026	16,000	16,000	0	0	0	0
A0451	Computer and Equipment Asset Replacement FY2026	1,804,000	1,804,000	0	0	0	0
A0452	Communication Systems and Data Center Asset Replacement FY2026	1,339,000	1,339,000	0	0	0	0
A0453	Fire Equipment and Asset Replacement FY2026	311,000	311,000	0	0	0	0
A0454	Fire Apparatus Replacement FY2026	900,000	900,000	0	0	0	0
A0455	Facilities Asset Replacement FY2026	34,000	34,000	0	0	0	0
A0456	Randel McDaniel Sports Complex Asset Replacement FY2026	100,000	286,000	0	0	0	0
A0457	Streets Asset Replacement FY2026	1,293,000	1,293,000	0	0	0	0
M0298	Communication Systems and Data Center Asset Replacements FY2027 and Beyond	3,850,000	0	1,315,000	1,280,000	1,386,000	0
S0302	Fire Apparatus Replacement FY2027 and Beyond	3,450,000	0	1,700,000	0	1,750,000	0
U0496	WRF Asset Replacement FY2027 and Beyond	700,000	0	150,000	175,000	175,000	200,000
General Government			2,496,000	0	150,000	0	150,000
M0440	ADA Transition Plan FY2027 and Beyond	300,000	0	0	150,000	0	150,000
M0458	Fleet Shop Electrical Upgrades and Office Remodel	275,000	275,000	0	0	0	0
M0459	Multiple Site Cellular Connectivity Booster Project	331,000	331,000	0	0	0	0
M0460	ADA Transition Plan FY2026	150,000	150,000	0	0	0	0
M0461	Las Ligas Veteran Housing	50,000	50,000	0	0	0	0
M0462	New Operations Warehouse	1,450,000	1,450,000	0	0	0	0
M0463	Municipal Operations Center Study	100,000	100,000	0	0	0	0
M0498	Conference Room Redesigns and Upgrades	140,000	140,000	0	0	0	0
Parks and Recreation			12,728,000	4,698,000	1,050,000	89,000	2,440,000
P0327	Sport Field Lighting Festival Fields Park	1,119,000	1,119,000	0	0	0	0
P0330	Donatela Park	5,474,000	2,854,000	2,420,000	0	0	0
P0334	Softball Field Enhancements at Friendship Park	442,000	410,000	0	0	0	0
P0335	Festival Fields Disc Golf and Trailhead	2,062,000	0	0	0	0	0
P0384	Agua Fria Multi-Use Path - Buckeye Rd/MC 85 Crossing	2,960,000	1,948,000	968,000	0	0	0
P0385	Agua Fria Multi-Use Path - Lower Buckeye Rd Crossing	3,093,000	3,047,000	0	0	0	0
P0386	Dysart & Western Ave Pocket Park	1,000,000	230,000	0	0	0	0
P0387	Base and Meridian Wildlife Area Restoration	900,000	400,000	0	0	0	0
P0389	Dessie Lorenz Park Improvements	1,387,000	1,270,000	0	0	0	0

Recommended 5 Year Capital Improvement Plan

FY2026 Project Funding

Funded / Planned

Project Number	Project Title	Total Project Budget	FY2026	FY2027	FY2028	FY2029	FY2030
P0435	Multi-Modal Trail System FY2027 and Beyond	4,089,000	0	0	0	89,000	2,440,000
P0466	GO Bond: Trailhead - Agua Fria & MC85	4,030,000	530,000	0	300,000	0	0
P0467	Indoor Pickleball Facility	1,000,000	0	1,000,000	0	0	0
P0468	Friendship Park Entry/Exit and Parking Improvements	150,000	150,000	0	0	0	0
P0469	Fred Campbell Park Renovation	310,000	0	310,000	0	0	0
P0470	Civic Center Shade Sails & Lighting Improvements	170,000	170,000	0	0	0	0
P0471	Tres Rios Base & Meridian Wildlife Area Restoration - Phase II	400,000	400,000	0	0	0	0
P0472	Multi-Modal Trail System FY2026	200,000	200,000	0	0	0	0
P0473	Las Ligas Park Improvements	750,000	0	0	750,000	0	0
Public Safety			2,104,000	2,750,000	25,550,000	0	0
S0013	Southern Avondale Fire/Police Station	28,800,000	20,000	0	25,550,000	0	0
S0392	Regional Wireless Cooperative (RWC) Tower	2,500,000	250,000	2,250,000	0	0	0
S0398	Training Tower	4,466,000	164,000	0	0	0	0
S0399	New Fire Apparatus	1,350,000	20,000	0	0	0	0
S0428	Courtroom Audio/Video System Refresh	400,000	0	400,000	0	0	0
S0430	City Court Expansion Phase 2 - City Court Training/Conference Room	1,150,000	1,050,000	0	0	0	0
S0464	Raceway Building Additional Restrooms	249,500	200,000	0	0	0	0
S0465	City Court Office Expansion Study	100,000	0	100,000	0	0	0
S0497	Agua Fria River Bottom Controls Phase 2	400,000	400,000	0	0	0	0
Transportation			23,831,000	16,283,000	18,385,000	10,150,000	4,000,000
T0201	Old Town Avondale Phase IV Improvement	11,379,000	8,747,000	0	0	0	0
T0203	Old Town Avondale Phase V Improvement	6,718,000	5,145,000	0	0	0	0
T0206	Traffic Signal - 99th Avenue and Encanto Boulevard	710,000	110,000	0	0	0	0
T0213	Traffic Signal - 107th Avenue and Roosevelt Street	750,000	150,000	0	0	0	0
T0240	Old Town Avondale Phase VI Improvement	5,078,000	1,649,000	3,038,000	0	0	0
T0249	Traffic Signal - Avondale Boulevard and Miami Avenue	350,000	200,000	150,000	0	0	0
T0253	Traffic Signal - 111th Avenue and Van Buren Street	700,000	0	660,000	0	0	0
T0260	Sidewalk Accessibility Improvement Program FY2027 and Beyond	800,000	0	200,000	200,000	200,000	200,000
T0303	Bike Retrofit Program FY2027 and Beyond	50,000	0	0	0	50,000	0
T0305	Bridge Repairs FY2027 and Beyond	200,000	0	100,000	0	100,000	0
T0307	Communication Conduit and Fiber Backbone Program FY2027 and Beyond	1,200,000	0	300,000	300,000	300,000	300,000
T0309	Gateway Program FY2027 and Beyond	400,000	0	100,000	100,000	100,000	100,000
T0311	Pavement Management Program FY2027 and Beyond	30,000,000	0	9,000,000	9,000,000	9,000,000	3,000,000
T0313	Street Drainage Issues FY2027 and Beyond	800,000	0	200,000	200,000	200,000	200,000
T0317	Wayfinding Signage FY2027 and Beyond	70,000	0	35,000	35,000	0	0
T0321	Citywide Sidewalk Expansion and Gap Improvement Program FY2027 and Beyond	800,000	0	200,000	200,000	200,000	200,000
T0353	Traffic Signal - Dysart Road at Ascend	1,050,000	50,000	1,000,000	0	0	0
T0404	Improvements to El Mirage Road - Calle Hermosa to Illini	5,000,000	350,000	500,000	4,150,000	0	0
T0405	Dysart Road/McDowell Road Intersection	3,540,000	300,000	300,000	2,700,000	0	0
T0410	Van Buren Bridge Lighting Project	300,000	250,000	0	0	0	0
T0418	Improvements at Western Avenue and Central Avenue	985,000	650,000	0	0	0	0
T0419	Traffic Signal - Thomas Road and 111th Avenue	710,000	110,000	0	0	0	0
T0421	Intersection Improvement Avondale Boulevard and MC85	1,800,000	300,000	0	1,500,000	0	0
T0423	Park Avenue Roadway Near The BLVD	925,000	875,000	0	0	0	0
T0486	Pavement Management Program FY2026	3,000,000	3,000,000	0	0	0	0
T0487	Street Maintenance New Concrete Mixer Truck	300,000	300,000	0	0	0	0
T0488	Transit Removal of Shade Canopy at BLVD	82,000	82,000	0	0	0	0
T0489	Sidewalk Accessibility Improvement Program (ADA) FY2026	200,000	200,000	0	0	0	0
T0490	Communication Conduit and Fiber Backbone Program FY2026	450,000	450,000	0	0	0	0
T0491	Citywide Sidewalk Expansion and Gap Improvement Program FY2026	600,000	600,000	0	0	0	0
T0492	Gateway Program FY2026	228,000	228,000	0	0	0	0
T0493	Wayfinding Signage FY2026	35,000	35,000	0	0	0	0
T0494	Avondale Boulevard Median Landscape Improvements	300,000	50,000	250,000	0	0	0
T0495	Las Ligas Local Street Study	250,000	0	250,000	0	0	0
Utilities			25,636,000	20,005,000	14,930,000	14,850,000	14,490,000

Recommended 5 Year Capital Improvement Plan

FY2026 Project Funding

Funded / Planned

Project Number	Project Title	Total Project Budget	FY2026	FY2027	FY2028	FY2029	FY2030
U0062	Garden Lakes Nitrate Equipment Replacement	4,280,000	480,000	3,800,000	0	0	0
U0076	Lift Station Security Upgrades	200,000	100,000	100,000	0	0	0
U0078	McDowell Recharge Basin Improvements	1,360,000	0	245,000	0	0	0
U0156	Well 22 and Transmission Line	5,100,000	0	430,000	1,790,000	2,780,000	0
U0159	Well at 107th Avenue & Encanto Boulevard - Shared Well	2,176,000	250,000	0	0	0	0
U0218	Well #26 Replacement	3,725,000	125,000	0	0	0	0
U0238	Site Security at Well and Booster Stations	108,000	26,000	0	0	0	0
U0257	New Well #25B	3,925,000	100,000	0	0	0	0
U0262	City Wide Sewer Improvements FY2027 and Beyond	840,000	0	180,000	200,000	220,000	240,000
U0264	Water System Line Replacements and Expansions FY2027 and Beyond	4,000,000	0	1,000,000	1,000,000	1,000,000	1,000,000
U0322	Large Diameter Sewer Line Repair FY2027 and Beyond	6,100,000	0	1,300,000	1,400,000	1,600,000	1,800,000
U0360	Nitrate Removal System for Coldwater Booster Station	6,000,000	0	0	0	500,000	5,500,000
U0361	Dysart Road Waterline - Whyman to Lower Buckeye	730,000	0	0	730,000	0	0
U0362	Land Purchase - Water Treatment & Storage Sites	600,000	600,000	0	0	0	0
U0363	Garden Lakes Site - Construct 2nd Reservoir & Improve Booster Capacity	10,750,000	0	0	750,000	5,000,000	5,000,000
U0364	Rancho Santa Fe Reservoir & Booster Electrical and Control Upgrades	1,500,000	200,000	1,300,000	0	0	0
U0366	Harrison Drive Sewer Reversal	1,000,000	0	1,000,000	0	0	0
U0367	7th Street Sewer Replacement	1,500,000	0	1,500,000	0	0	0
U0368	Northside Booster Station BW Tank Rehabilitation	750,000	750,000	0	0	0	0
U0369	10th Street Lift Station Electrical Upgrades	4,500,000	300,000	4,100,000	0	0	0
U0370	Gateway Booster Station Electrical and Control Updates	1,860,000	0	300,000	1,560,000	0	0
U0474	Rio Vista Waterline Replacement	3,500,000	0	0	0	0	250,000
U0475	Future Well	3,727,000	0	0	0	0	700,000
U0476	City Wide Sewer Improvements FY2026	270,000	270,000	0	0	0	0
U0477	Large Diameter Sewer Line Repair FY2026	1,500,000	1,500,000	0	0	0	0
U0478	Water System Line Replacements and Expansions FY2026	1,000,000	1,000,000	0	0	0	0
U0479	Well Electrical Equipment Upgrades	1,250,000	250,000	1,000,000	0	0	0
U0480	New Modular Building at Coldwater Booster Station	375,000	375,000	0	0	0	0
U0481	Bartlett Dam Project	15,000,000	0	3,750,000	7,500,000	3,750,000	0
U0482	Lift Station Flow Meter Purchase and Installation	500,000	500,000	0	0	0	0
U0483	New Water Distribution Valve Exerciser	210,000	210,000	0	0	0	0
U0484	PFAS Treatment Facility - Land & Design	18,000,000	18,000,000	0	0	0	0
U0485	Contributions for Dysart Road Water Line and Pressure Reducing Valve Station	3,000,000	600,000	0	0	0	0
Grand Total			81,458,000	58,297,000	72,516,000	37,088,000	33,951,000

Unfunded 5 Year Capital Improvement Plan

FY2026 Project Funding

Unfunded

Project Number	Project Title	Total Project Budget	FY2026	FY2027	FY2028	FY2029	FY2030
Asset Replacement			461,000	1,046,000	1,332,000	1,651,000	0
	Unfunded Asset Replacement Project	4,490,000	461,000	1,046,000	1,332,000	1,651,000	0
BLVD			0	125,000	1,100,000	0	0
	New BLVD Parking Lot	1,300,000	0	125,000	1,100,000	0	0
General Government			0	400,000	0	230,000	870,000
M0440-U	ADA Transition Plan FY2027 and Beyond (Unfunded)	300,000	0	150,000	0	150,000	0
M0461-U	Las Ligas Veteran Housing (Design/Construction)	1,000,000	0	0	0	80,000	870,000
	Shade Structures at Avondale Resource Center	100,000	0	100,000	0	0	0
	Solar Photovoltaic Canopy Design for Municipal Operations Service Center	150,000	0	150,000	0	0	0
Parks and Recreation			550,000	13,247,000	15,190,000	26,550,000	800,000
P0012-U	GO Bond: Agua Fria Pedestrian Bridge to Friendship Park (Construction)	6,500,000	0	6,500,000	0	0	0
P0331-U	Cashion Pocket Park (Construction)	597,000	0	77,000	440,000	0	0
P0335-U	Festival Fields Disc Golf and Trailhead (Construction)	2,062,000	0	1,900,000	0	0	0
P0467-U	Indoor Pickleball Facility (Construction)	15,000,000	0	0	7,000,000	7,000,000	0
P0468-U	Friendship Park Entry/Exit and Parking Improvements (Construction)	2,170,000	0	2,020,000	0	0	0
P0469-U	Fred Campbell Park Renovation (Construction Placeholder)	3,460,000	0	0	3,150,000	0	0
P0473-U	Las Ligas Park Improvements (Construction)	8,500,000	0	0	0	7,750,000	0
P0499	GO Bond: Development of Trail - Agua Fria West Thomas to Indian School	17,300,000	300,000	2,000,000	4,000,000	11,000,000	0
P0500	GO Bond: Shade Expansion at City Parks FY2026	250,000	250,000	0	0	0	0
P0501	GO Bond: Shade Expansion at City Parks FY2027 and Beyond	2,700,000	0	500,000	600,000	800,000	800,000
	Library Office Furniture & Shelving Upgrades	250,000	0	250,000	0	0	0
Public Safety			0	671,000	830,000	9,690,000	5,000,000
S0194	BLVD Police Substation	1,315,000	0	45,000	130,000	1,140,000	0
S0502	GO Bond: Main Police Station Expansion	7,700,000	0	0	700,000	7,000,000	0
S0503	GO Bond: New Public Safety Headquarters	20,000,000	0	100,000	0	900,000	5,000,000
	4 Additional Communications Consoles	650,000	0	0	0	650,000	0
	Public Safety 5-10 Year Facilities Condition Assessment Study	526,000	0	526,000	0	0	0
Transportation			0	950,000	700,000	1,960,000	5,460,000
T0207	Traffic Signal - 107th Avenue and Pierce Street	710,000	0	0	50,000	660,000	0
T0245	Traffic Signal - 109th Avenue and McDowell Road	1,200,000	0	0	0	1,200,000	0
T0249-U	Traffic Signal - Avondale Boulevard and Miami Avenue (Construction)	4,000,000	0	0	0	0	3,650,000
T0251	Traffic Signal - Roosevelt Parkway and Van Buren Street	710,000	0	0	0	50,000	660,000
T0355	Traffic Signal - 117th Ave and McDowell	1,200,000	0	0	0	50,000	1,150,000
	Contributions for Traffic Signal - 99th Ave and Pierce St.	250,000	0	250,000	0	0	0
	New Transit Shelters Phase II	500,000	0	500,000	0	0	0
	Offsite Improvements at The BLVD	6,000,000	0	150,000	0	0	0
	Traffic Signal - 107th Ave and Lakeshore Drive	700,000	0	50,000	650,000	0	0
Utilities			0	0	75,000,000	15,000,000	0
	PFAS Treatment Facility Construction	90,000,000	0	0	75,000,000	15,000,000	0
Grand Total			1,011,000	16,439,000	94,152,000	55,081,000	12,130,000