

**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.

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|-----------------------|-----|
| 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 6<sup>th</sup> and on March 24<sup>th</sup> 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 20<sup>th</sup> being the deadline for publishing the intent in the newspaper. The public hearing will be held on May 5<sup>th</sup> 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.

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|-----------------------|-----|
| 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.

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|-----------------------|-----|
| 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*

Mike Pineda (Mar 25, 2025 12:02 PDT)

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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 3<sup>rd</sup> day of March 2025. I further certify that the meeting was duly called and held, and that the quorum was present.

*Marcella Sarmiento*

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Marcella Sarmiento, City Clerk

March 24, 2025

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Date Approved by City Council