



City of Avondale

City Council Meeting

Monday, January 12, 2026

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 | Dale Nannenga, Assistant City Manager

Katie Gregory, Assistant 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, January 12, 2026

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

a. EMPLOYEE ANNOUNCEMENTS

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

- Marco Ponce, CIP Project Manager

b. RECOGNITION OF POLICE EMPLOYEES - OFFICER BENAVIDEZ & OFFICER REDFEARN

The following Police Department employees will be introduced to the City Council for recognition. This item is for discussion only.

- Daniel Benavidez, Police Officer
- Jaret Redfearn, Police Officer

c. PROCLAMATION - 80TH ANNIVERSARY

City Council will proclaim the year of 2026 as the celebratory year of Avondale's 80th anniversary. This item is for discussion only.

d. PROCLAMATION - NOT IN OUR CITY

City Council will present a proclamation recognizing January 2026 as Not In Our City 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 December 1, 2025 and December 15, 2025 City Council meeting minutes. The Council will take appropriate action.

b. **SERIES 4 (WHOLESALE) LIQUOR LICENSE — GREEN LIGHT DISTRIBUTORS**

City Council will consider a request to recommend approval to the Arizona Department of Liquor License and Control of an application for a Series 4 (Wholesale) Liquor License submitted by Andrea Dahlman Lewkowitz, authorizing the distribution of all types of liquor (beer, wine, and distilled spirits) to Arizona-licensed retailers at Green Light Distributors, located at 1100 North 127th Avenue, Suite 102, in Avondale and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

c. **SERIES 4 (WHOLESALE) LIQUOR LICENSE — ESTACA 1992 LLC**

City Council will consider a request to recommend approval to the Arizona Department of Liquor License and Control of an application for a Series 4 (Wholesale) Liquor License submitted by Andrea Dahlman Lewkowitz, authorizing the distribution of all types of liquor (beer, wine, and distilled spirits) to Arizona-licensed retailers at Estaca 1992 LLC, located at 1100 North 127th Avenue, Suite 105, in Avondale and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. **RESOLUTION 1001-0126 – FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF GLENDALE FOR LANDFILL SERVICES**

City Council will consider a request to adopt Resolution 1001-0126, approving the First Amendment to the Intergovernmental Agreement with the City of Glendale relating to landfill disposal services and authorizing the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. **RESOLUTION 1002-0126 - GRANT-IN-AID AGREEMENT WITH TOHONO O'ODHAM NATION**

City Council will consider a request to adopt Resolution 1002-0126, accepting grant funding from the Tohono O'odham Nation in the amount of \$162,051 (\$125,056 for training equipment that will be used by the Avondale Police Department SWAT team and \$36,995 for equipment to be used by the Public Works Department to help maintain a healthy wetland ecosystem at Crystal Gardens), and authorizing staff, the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

f. **RESOLUTION 1003-0126 - SUPPORTING HABITAT FOR HUMANITY GRANT APPLICATION THROUGH MARICOPA COUNTY HOME INVESTMENT PARTNERSHIPS PROGRAM COMMUNITY HOUSING DEVELOPMENT ORGANIZATION FUNDING**

City Council will consider a request to adopt Resolution 1003-0126, associated with a grant application submitted by Habitat for Humanity of Central Arizona to Maricopa County for HOME Community Housing Development Organizations (CHDO) funds, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

g. **RESOLUTION 1004-0126 - SUPPORTING TRELIS GRANT APPLICATION THROUGH MARICOPA COUNTY HOME INVESTMENT PARTNERSHIPS PROGRAM COMMUNITY HOUSING DEVELOPMENT ORGANIZATION FUNDING**

City Council will consider a request to adopt Resolution 1004-0126, associated with a grant application submitted by Trellis to Maricopa County for HOME Community Housing Development Organizations (CHDO) funds, and 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 - INTENT TO ADOPT REVISED DEVELOPMENT IMPACT FEES

City Council will conduct a public hearing on the City's intent to adopt revised development fees. This item is for discussion only, no action will be taken.

b. RESOLUTION 1005-0126 - AMENDMENTS TO AVONDALE PERSONNEL POLICIES AND PROCEDURES, CHAPTER 4 RECRUITMENT & SELECTION

City Council will consider a request to adopt Resolution 1005-0126, amending the Personnel Policies and Procedures Chapter Policy 4, Recruitment & Selection to increase the maximum duration of a certified list from one year to two years, modify the promotional probation section of current policy to align with recent changes to A.R.S. 38-1104 regarding the demotion of promoted law enforcement officers for unsuccessful completion of promotional probation, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

c. RESOLUTION 1006-0126 - AMENDMENTS TO PERSONNEL POLICIES AND PROCEDURES, CHAPTER 18 DISCIPLINE

City Council will consider a request to adopt Resolution 1006-0126, amending the Personnel Policies and Procedures Chapter Policy 18, Discipline to: incorporate a progressive discipline framework; memorialize procedures related to administrative investigation interviews; enhance clarity regarding roles/responsibilities associated with employee representation rights; adopt a clear pre-determination hearing process; establish a disciplinary matrix to serve as a tool and guidelines for determining discipline; and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

6. REPORTS FROM THE CITY MANAGER

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

(5 minutes)

8. 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 623-333-1000 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 vídeo. 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 623-333-1000 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

ITEM NUMBER: 2.b.

SUBJECT: Recognition of Police Employees - Officer Benavidez & Officer Redfearn

MEETING DATE: 1/12/2026

TO: Mayor and Council

FROM: Memo Espinoza, Chief of Police

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 & Engaged Community**

Avondale informs, prepares, and engages our community to ensure residents are connected to resources, the region, and each other.

PURPOSE:

The following Police Department employees will be introduced to the City Council for recognition. This item is for discussion only.

- Daniel Benavidez, Police Officer
- Jaret Redfearn, Police Officer

BACKGROUND:

Officer Daniel Benavidez and Officer Jaret Redfearn are Neighborhood Resource Officers with the Police Department. On December 17, they were invited to attend the December Rancho Santa Fe Rise Up Award Ceremony, where they were surprised by being awarded the Bronco Rise Up Award. Below is the nomination submitted by the school:

“They are reflective, intentional, and consistently supportive, serving as outstanding examples for all of our Broncos. Through their daily actions, they model integrity, kindness, and leadership, making a positive impact on both students and staff. They are trusted role models who actively support our Ranch and continually pour into our school and greater community. Whether building relationships with students, partnering with staff, or being a steady, reassuring presence, they go above and beyond in ways that often happen quietly but matter deeply. Most importantly, Officer Redfearn and Officer Benavidez help keep our campus safe. Their commitment, care, and dedication create an environment where our Broncos feel protected, supported, and able to thrive. We are incredibly grateful for all they do for our community.”

DISCUSSION:

The City of Avondale hereby wishes to express its sincere gratitude and appreciation to Officer Benavidez and Officer Redfearn for their unwavering commitment and dedicated service to our community. Through their active involvement in local schools, city events, HOA meetings, AviWatch Workshops, the *Copy 10-10* podcast, and numerous other initiatives, they consistently go above and beyond their roles. Their efforts create meaningful connections, foster trust, and make a lasting, positive impact on the lives of Avondale residents.

BUDGET IMPACT:

None

RECOMMENDATION:

Staff respectfully recommends that City Council formally recognize these two officers for their exemplary dedication, unwavering commitment, and continued service to the community, exemplifying the City of Avondale's values of *Serving with Honor* and *Making Lives Better*.

Contact person for document distribution: Jenny Chavez

ITEM NUMBER: 2.c.

SUBJECT: Proclamation - 80th Anniversary

MEETING DATE: 1/12/2026

TO: Mayor and Council

FROM: Marcella Sarmiento, City Clerk
Pier Simeri, Marketing and Public Relations Director

THROUGH: Tracy Stevens, Assistant City Manager, (623) 333-1014
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: **Connected & Engaged Community**

Avondale informs, prepares, and engages our community to ensure residents are connected to resources, the region, and each other.

PURPOSE:

City Council will proclaim the year of 2026 as the celebratory year of Avondale's 80th anniversary. This item is for discussion only.

BACKGROUND:

The City of Avondale was incorporated on December 16, 1946.

DISCUSSION:

In 2026, the City of Avondale will proudly mark its 80th anniversary. Throughout the year, we invite all to join us in celebrating Avondale's proud past and discovering all that our community has to offer while looking ahead to the exciting future history.

BUDGET IMPACT:

n/a

RECOMMENDATION:

This item is for discussion only.

Contact person for document distribution: Marcella Sarmiento and Pier Simeri

Avondale

PROCLAMATION

80 YEARS AS A CITY

Whereas, Avondale's history can be traced back to its origins as a stagecoach stop on the Butterfield Trail, a settlement first known as Coldwater, named for the flowing water from the nearby Agua Fria River; and

Whereas, on December 16, 1946, Avondale incorporated as a city, with D.W. Chisum appointed as the first Mayor of the City of Avondale; and

Whereas, Avondale has come a long way from its humble beginnings as a farming community to one of the fastest growing cities in the Metro-Phoenix area; and

Whereas, Avondale is a community where people share a deep sense of pride in what has been accomplished and what it is today; and

Whereas, the yearlong 80th Anniversary Celebration will offer all residents of Avondale the opportunity to commemorate and celebrate Avondale's proud past and discover all that our community has to offer while looking ahead to the exciting future history

NOW, THEREFORE, on behalf of the Avondale City Council, the City of Avondale, Arizona, hereby proclaims 2026 as the celebratory year of Avondale's 80th anniversary.

Proclaimed this 12th day of January 2026.

Mayor

Attest: _____

City Clerk

ITEM NUMBER: 2.d.

SUBJECT: Proclamation - Not In Our City

MEETING DATE: 1/12/2026

TO: Mayor and Council

FROM: Ron Corbin, City Manager

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: **Community Well-Being**

Avondale is a city where all people feel safe, supported, and connected to resources that promote and enhance their well-being. The City prioritizes public safety, natural resources, healthcare, and wellness while promoting mental, physical, and emotional health for all to enjoy an enriching quality of life.

PURPOSE:

City Council will present a proclamation recognizing January 2026 as Not In Our City Month. This item is for discussion only.

BACKGROUND:

The proclamation emphasizes education, awareness, victim support, and proactive prevention strategies, encouraging local pledges and community engagement to help identify, report, and prevent trafficking activities.

DISCUSSION:

The City Council will present a proclamation recognizing January 2026 as Not In Our City Month.

BUDGET IMPACT:

This item does not have a budget impact.

RECOMMENDATION:

This item is for discussion only.

Contact person for document distribution: Dillard Collier

Avondale

PROCLAMATION

NOT IN OUR CITY

WHEREAS, human trafficking is a serious crime and violation of human rights that exploits individuals through force, fraud, or coercion for labor or commercial sex, and affects people of all ages, genders, and backgrounds; and

WHEREAS, Not In Our City is a community-centered coalition dedicated to combating human trafficking by uniting law enforcement, faith-based organizations, nonprofits, schools, businesses, and residents in a shared commitment to say "Not In Our City" to exploitation; and

WHEREAS, Not In Our City emphasizes education, awareness, victim support, and proactive prevention strategies, encouraging local pledges and community engagement to help identify, report, and prevent trafficking activities; and

WHEREAS, the City of Avondale is committed to protecting the safety, dignity, and well-being of all residents and recognizes the importance of collaboration, education, and vigilance in preventing human trafficking and supporting survivors;

NOW, THEREFORE, on behalf of the Avondale City Council, the City of Avondale, Arizona, hereby proclaims January 2026 as Not In Our City Month and encourage all residents, organizations, and businesses to join in raising awareness, supporting victims and survivors, and working together to ensure that human trafficking has no place in our community.

Proclaimed this 12th day of January 2026.

Mayor

Attest: _____
City Clerk

ITEM NUMBER: 4.a.

SUBJECT: Minutes

MEETING DATE: 1/12/2026

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 & Engaged Community**

Avondale informs, prepares, and engages our community to ensure residents are connected to resources, the region, and each other.

PURPOSE:

City Council will consider a request to approve the December 1, 2025 and December 15, 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 December 1, 2025 and December 15, 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
December 01, 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.

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; Julie Knoll, Deputy 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; Julie Knoll; Deputy City Clerk; 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 25 members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION ITEMS (DISCUSSION ONLY)

a. EMPLOYEE ANNOUNCEMENTS

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

- Eddie Black, Traffic Control Inspector

b. PROCLAMATION – HOMELESS PERSONS' REMEMBRANCE DAY

City Council presented a proclamation recognizing December 21, 2025 as Homeless Persons Remembrance Day. This item was for discussion only.

c. PROCLAMATION – WORLD AIDS DAY

City Council presented a Proclamation recognizing December 1 as World AIDS Day. This item was for discussion only.

d. RECOGNITION OF OUTGOING BOARD & COMMISSION MEMBERS

City Council recognized the 2025 outgoing Board & Commission Members who have completed at least one full term (a minimum of three years of service). This item was for discussion only.

- Fabian Prado, Neighborhood and Family Services Commission
- Jan Graham, Municipal Art Committee
- Janet Beason, Parks, Recreation, and Libraries Advisory Board
- Larry White, Planning Commission
- Linda Warren, Risk Management & Worker's Compensation Board
- Stephanie Robinson, Correction Officers Retirement Pension Board
- Stephanie Rodriguez, Parks, Recreation, and Libraries Advisory Board

3. UNSCHEDULED PUBLIC APPEARANCES

Linda Yaeger addressed the Council regarding the recent allegation involving Councilmember Garcia. She understands these are only allegations, but she noted the lawsuit still reflects poorly on the City. She added that the ongoing headlines about the Councilmember are damaging public trust, and that residents deserve leaders who hold themselves to high standards. She asked the City Council to take appropriate action.

Mayor Pineda responded by noting that the matter has come to the City Council's attention; however, he clarified the issue does not fall under the City's Code of Conduct. He explained the matter is a civil matter between the Councilmember and another individual. As such, it will be addressed and litigated through the court system. Because it is not related to the Code of Conduct, the Council cannot take disciplinary action.

The following public comments were received, and names were read into the public record:

- Laura Gonzales: "Hello City Council Members and Staff, my name is Laura Gonzales a resident of old town Avondale for over 45 years and third generation, I'm wanting to know what are the consequences for Council Member Jeannette Garcia for being yet again in the local and national news for her bad actions. Council Member Jeannette Garcia has been an embarrassment to our city it's time for her to resign. The citizens of Avondale have voiced their concerns about Council Member Jeannette Garcia, for her "PEDO" incident, that we don't stand with this kind of behavior, these incidents makes are city look bad it's embarrassing. I have never seen a council member in the news as much as I have seen Council Member Jeannette Garcia. I have had a couple incidents with her one during elections in July 2024 and second she approached me during the Billy Moore Parade 2025, I never had met her in my life and for someone who is trying to get elected to be a council member in July 2024 and you act like that right out the gate was a huge flag. I'm speaking up for my city and community."

- Kat M: “The allegations in the recent lawsuit against Councilmember Jeannette Garcia are deeply disturbing and highly concerning. This is now the second incident in less than a year where she has brought controversy and embarrassment to the city. Not to mention this is yet another distraction from city business. Her repeated display of poor judgement is unbecoming of an elected official and she should not be representing this city. Unlike last time, I hope you actually take appropriate action so we’re not back here in a few months for her next controversy. Our city deserves better.”

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 Weise, seconded by Councilmember White, 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 November 3, 2025 City Council meeting minutes.

b. SERIES 10 (BEER AND WINE STORE) LIQUOR LICENSE - QUIKTRIP #1518

City Council recommended approval to the Arizona Department of Liquor License and Control of an application for a Series 10 (Beer and Wine Store) Liquor License submitted by Ryan Witner Anderson to sell beer and wine at QuikTrip #1518 located at 1590 N Avondale Blvd and authorized the City Clerk to execute the necessary documents.

c. LICENSE AGREEMENT WITH THE UNITED STATES OF AMERICA DEPARTMENT OF ENERGY WESTERN AREA POWER ADMINISTRATION (WAPA)

City Council authorized a License Agreement with the Western Area Power Administration (WAPA) to allow the installation of a 16-inch underground waterline (facility) crossing beneath WAPA’s Liberty to Westwing and Liberty to Rudd 230-kV Transmission Lines and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

d. RESOLUTION 1075-1225 - INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF LITCHFIELD PARK FOR SENIOR SERVICES

City Council adopted Resolution 1075-1225, approving the Intergovernmental Agreement with the City of Litchfield Park for fiscal year 2025-2026 for Senior Services provided to Litchfield Park residents by the Avondale Senior Services Division in the amount of \$12,000 and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

e. RESOLUTION 1076-1225 - INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF TOLLESON FOR DETENTION SERVICES

City Council adopted Resolution 1076-1225, approving an Intergovernmental Agreement (IGA) with the City of Tolleson to continue using the Avondale Detention Center, located at 50 N. Eliseo C. Felix, Jr. Way, Avondale, for the processing and housing of City of Tolleson prisoners and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. ORDINANCE 2044-1225 - ACQUISITION OF REAL PROPERTY LOCATED NORTH OF LOWER BUCKEYE ROAD AND EAST OF DYSART ROAD

City Council adopted Ordinance 2044-1225, authorizing the acquisition of fee or lesser interest of real property by purchase, dedication, or condemnation, for public use located north of Lower Buckeye Road and east of Dysart Road and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

g. ORDINANCE 2045-1225 – ACCEPTANCE OF DONATION OF A PERPETUAL EASEMENT AGREEMENT PROVIDING FOR NOISE, ODOR AND AESTHETIC SETBACKS FROM TOLLESON UNION HIGH SCHOOL DISTRICT

City Council adopted Ordinance 2045-1225, authorizing the acceptance of the donation of a Perpetual Easement Agreement Providing for Noise, Odor and Aesthetic Setbacks from Tolleson Union High School District and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

h. ORDINANCE 2046-1225 - ADOPTING AMENDMENTS TO CHAPTER 4 OF THE CITY CODE, BUILDINGS AND BUILDING REGULATIONS, AND ADOPTING THE 2024 INTERNATIONAL CODE COUNCIL CODES WITH CITY OF AVONDALE 2024 BUILDING CODE AMENDMENTS, AND THE 2023 EDITION OF THE NATIONAL ELECTRICAL CODE

City Council adopted Ordinance 2046-1225, amending Chapter 4 of the City Code, Buildings and Building Regulations, and to adopt by reference the 2024 International Code Council (ICC) building codes, which include the following codes below, with City of Avondale 2024 Building Code Amendments, and adoption of the 2023 Edition of the National Electrical Code. These amendments reflect the incorporation of these codes, remove outdated language, and align administrative provisions with current best practices. Council action authorized the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

- 2024 International Building Code (IBC)
- 2024 International Residential Code (IRC)
- 2024 International Mechanical Code (IMC)
- 2024 International Plumbing Code (IPC)
- 2024 International Fuel Gas Code (IFGC)
- 2024 International Energy Conservation Code (IECC)
- 2024 International Existing Building Code (IEBC)
- 2024 International Property Maintenance Code (IPMC) (first-time adoption)
- 2024 International Pool and Spa Code (IPSC) (first-time adoption)
- 2023 Edition of the National Electrical Code (NEC)

5. REGULAR AGENDA

a. SPECIAL EVENTS UPDATE

City Council received an update from staff on special events held to date this fiscal year, including attendance figures, collected survey data, and other key metrics. Staff will also provide an overview of the remaining special events scheduled for the rest of the fiscal year. This item was for discussion only.

Mark Foote, Recreation Manager, reviewed the following special events.

- Light Up the Sky Event
- Summer Blank Canvas Showcase
- Halloween Barks and Treats Event
- Billy Moore Days Weekend
- Billy Moore Days Parade
- Creepin' Candy Crawl
- Mercados and Melodies
- Dunk 'n' Dash
- West Valley Vet Run
- Avondazzle Dash
- Hoot 'n' Hustle
- Avondale WinterFest
- Tres Rios Nature Festival
- Avondale KidFest
- Avondale Fiesta

Upcoming community events include two more Mercados & Melodies dates, Movie in the Park, Eggstravaganza, the Memorial Day event, and Juneteenth.

Councilmember White commented on Light Up the Sky receiving a four-star rating and asked what the City plans to do differently next year, especially since it will be the country's 250th anniversary. She also asked whether the City has partnered with the state's planning commission for the event. Mark responded that discussions are still

in the early stages and they are working on how to incorporate their celebration into the City's festivities. Regarding the four-star rating, he noted that the limited number of survey responses- despite high attendance- may have influenced the rating.

Councilmember Conde thanked the department for hosting a Movie in the Park event at DeConcini Park. She said it is great to bring events to smaller neighborhood parks, since some residents may not be able to travel to larger ones. She shared a resident comment, noting the resident would not have had the opportunity to take their child to the movies if it were not for the City's Movie in the Park event.

Councilmember White then asked whether any cycling events are being considered for the future. Mark explained that feedback from the master plan showed cycling ranked low in interest, and participation in past cycling events was low. Corey Larriva, Parks, Recreation & Libraries Director, added that the Cycle Avondale event had not met its registration goals; however, with the new trail system under development and the recent bond approval, the cost of offering cycling events for a smaller population of users may decrease. He said the department will continue to explore possibilities.

Mayor Pineda added that he appreciates the department for trying new things and understands events need to make financial sense. In closing, he thanked the department for being mindful of hosting activities across various parks throughout the City.

b. AQUATIC CENTER UPDATE

City Council received a comprehensive overview of the recent Aquatic Center operations, including programming highlights, attendance data, and key performance indicators. This item was for discussion only.

Brittany Shirvinski, Recreation Manager, provided an update on the 2025 Aquatic Center season. She shared that after two years of operation, the facility has earned a 4.2-star Google rating and a 4.7 rating for swim lessons. The City has expanded its swim lesson and program offerings, and room and facility rentals have remained popular being booked every weekend. This year, more than 2,300 participants took part in swimming lessons, classes, and teams, a significant increase from last year's 1,500. The Fire and Medical Department also visited to offer adult CPR classes.

During regular swim hours, the Aquatic Center welcomed over 58,000 swimmers, which is slightly below last year's attendance of 60,000, likely due to recent rainy weather. Last fiscal year, the center brought in just over \$300,000 in revenue. For the current fiscal year, which began in July, they are already at \$129,000 toward their revenue goal of \$205,000. The team is considering adding ramada rentals around the facility to offer more rental opportunities.

Brittany highlighted several events, including WaveFest, Dive-In Movies, the AZ Lifeguard Challenge, Dunk 'n' Dash, and the Hispanic Heritage Splash Bash.

WaveFest received the Outstanding Aquatic Program award at the Arizona Parks & Recreation Association's annual conference, a significant recognition for both the team and the City. This marks the second consecutive year the Aquatic Center has earned an award through the Association.

The following key community partnerships were highlighted:

- Tolleson Union High School District
- The Arizona Parks & Recreation Association
- The Michael Phelps Foundation
- Phoenix Water Polo
- Desert Paddle Board
- Seven Food Truck Partners

Looking ahead to the 2025 season, Brittany reported strong program growth. Swimming lesson enrollment continues to rise, and recreation swim team participation has nearly doubled. The department is starting an internal leadership development program for lifeguards to prepare them for lead lifeguard positions, supporting the goal of promoting from within. Additional expansions include increasing pool booking options (ramada and late-night swim rentals), water polo programming, and sound bath offerings.

Spring hours begin in April 2026 and Summer hours will begin Memorial Day weekend.

The following upcoming events were highlighted:

- WaveFest - April 4, 2026
- Pup's Plunge - April 12, 2026
- Dive-In Movie – June 26, 2026
- Dive-In Movie – July 17, 2026
- AZ Lifeguard Challenge - June 28, 2026
- Hispanic Heritage Splash Bash - September 20, 2026

Councilmember Conde shared that her family loves visiting the Aquatic Center and frequently reserves the facility spaces, noting that the lifeguards are always kind and attentive.

Mayor Pineda highlighted the 58,000 visits and reflected on how long residents had expressed a desire for an aquatic center.

Councilmember Weise added that she appreciates the programming for parents offered during children's swim lessons and thanked the department for its continued service to Avondale residents.

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

Councilmember Solorio shared that she and Councilmember White recently had the opportunity to attend the National League of Cities conference in Salt Lake City, Utah. She announced that she was selected as Vice Chair of the National League of Cities (NLC) 2025 Small Cities Council. She expressed gratitude to the current and former mayors who provided letters of recommendation in support of her application.

Councilmember Conde congratulated Councilmember Solorio and White for their recent elections, representing the City of Avondale.

Councilmember White added that she won reelection to the National Black Council of Local Elected Officials. She noted that she was the only person elected to a second term and was proud to have secured the competitive seat with 40% of the vote. She thanked Liz Barker for serving as their support person onsite and for coordinating with both her and Councilmember Solorio to help prepare their applications.

Mayor Pineda shared that he joined Cashion Has Heart, serving Thanksgiving lunch at Mercy House. He expressed appreciation for the organization, stating that their work truly comes from the heart. He also visited the Senior Center and remarked that they always make him feel welcome and that he had a great time during his visit.

7. ADJOURNMENT

There being no further business before the Council, Councilmember Solorio moved to adjourn the Regular Meeting; Councilmember White 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 6:31 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 1st day of December 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
December 15, 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.

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; Edith Baltierrez, Neighborhood and Family Services Assistant Director; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Kirk Beaty, Public Works Director; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Craig Jennings, Judge; Elisabeth Kahn, Assistant City Engineer; Corey Larriva, Parks and Recreation Director; Andy Mesquita, Human Resources 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. CODE DEPARTMENT OF THE YEAR AWARD

City Council recognized the Avondale Code Compliance Division for being awarded the National Code Enforcement Department of the Year from the American Association of Code Enforcement (AACE). This item was for discussion only.

b. HOLIDAY EDITION - PROPERTY ALL-STAR CURB APPEAL AWARD

City Council recognized the following property owners in Avondale who were selected to receive the Holiday Edition Property All-Star Award. This item was for discussion only.

- Johnny & Sarah Rendon, Del Rio Ranch
- Janet & Everett Mansfield, Historic Avondale
- Jesus & Andres Perez, Alamar
- Jimmy Arbizu, Glenarm Farms
- Barney Hernandez, Cantada Ranch

c. CITIZEN LEADERSHIP ACADEMY

The following 2025 Avondale Citizens Leadership Academy graduates were recognized for completion of the program. This item was for discussion only.

- Alyssa Sgro
- Amanda Flores
- Carl Peterson
- Deanna Sapata
- Evan Ho
- Frances DeWindt
- Gene Bracken
- Gloria McDowell
- Juanita Bracken
- Le Var Seymore
- Rachel Bracken
- Valentina Robles
- Walter Gonzales

d. AVONDALE AMBASSADOR PROGRAM RECOGNITION

City Council recognized the following participants of the Avondale Ambassador Program. This item was for discussion only.

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

3. UNSCHEDULED PUBLIC APPEARANCES

Rev. Diaz provided an overview of the church's community services in Avondale. These efforts include distributing student gift bags with treats and essential school supplies, as well as establishing a chess and STEM club to support academic enrichment. He also described the church's work in offering meals and compassionate support to individuals experiencing housing instability. Rev. Diaz invited the City Council to join the congregation on Sunday to assist in serving these families. He concluded his remarks with a prayer for the Council.

Ms. Alvarado thanked the City Council for recognizing academy graduates and award recipients, and she extended holiday wishes to all. She then addressed the Council regarding expectations for the behavior of all Avondale residents, including elected officials. Ms. Alvarado referenced accusations connected to a lawsuit filed in Maricopa County Superior Court involving Councilmember Garcia, as well as allegations of driving at speeds greater than reasonable and prudent. She highlighted the City's Code of Conduct, emphasizing that its purpose is to ensure elected officials act with honor. She stated that if the Council is unable to act, the community will work to ensure all Councilmembers uphold professional, ethical, and accountable conduct.

Mayor Pineda clarified that the Council cannot act at this time because the matters mentioned are accusations, and Councilmember Garcia remains innocent unless proven otherwise.

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 to be considered separately.

Mayor Pineda asked if any Councilmember wished to have an item removed from the Consent Agenda. Councilmember White requested agenda items 4f and 4g be pulled for separate consideration. Motion was made by Councilmember Conde, seconded by Councilmember Solorio, to approve the Consent Agenda except for agenda items 4f and 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. MINUTES

City Council approved the November 17, 2025, City Council meeting minutes.

b. APPOINTMENT OF CHAIR AND VICE CHAIR TO THE PLANNING COMMISSION

City Council appointed Alex McBurney as the Chair of the Planning Commission and Shaun Grimm as the Vice Chair of the Planning Commission for the 2026 calendar year.

c. APPOINTMENT OF CHAIR AND VICE CHAIR TO THE BOARD OF ADJUSTMENT

City Council reappointed LaChrisha Dourisseau as the Chair of the Board of Adjustment and Kenneth Shoaff as the Vice Chair of the Board of Adjustment for the 2026 calendar year.

d. SERIES 12 (RESTAURANT) LIQUOR LICENSE - ED'S FISH & CHIPS

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 Mark Christopher Rincon, allowing for the sale of beer and wine at Ed's Fish & Chips located at 306 N Central Avenue in Avondale, and authorized the Mayor and City Clerk to execute the necessary documents.

e. SERIES 10 (BEER AND WINE STORE) LIQUOR LICENSE - SUPER CARNICERIA MI RANCHITO

City Council recommended approval to the Arizona Department of Liquor License and Control of an application for a Series 10 (Beer and Wine Store) Liquor License submitted by Alma Leticia Gamez Monge for the sale of alcohol at Super Carniceria Mi Ranchito located at 19 E Western Avenue in Avondale and authorized the City Clerk to execute the necessary documents.

f. PROJECT BUDGET TRANSFER

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

g. LICENSE AGREEMENT FOR A PRIVATE ELECTRICAL TRANSMISSION LINE IN PUBLIC RIGHT-OF-WAY WITH SIERRA LUNA ENERGY STORAGE, LLC

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

h. RESOLUTION 1077-1225 - INTERGOVERNMENTAL AGREEMENT AMENDMENT WITH DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS (DEMA)

City Council adopted Resolution 1077-1225, approving an amendment to the existing Intergovernmental Agreement between the Arizona Department of Emergency and Military Affairs (DEMA) and the City of Avondale, on behalf of the four partnering agencies of the Southwest Family Advocacy Center (the Cities of Avondale, Buckeye, Goodyear, and the Maricopa County Sheriff's Office). The request also authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

i. RESOLUTION 1078-1225 - AUTHORIZING THE GRANT ACCEPTANCE OF ARIZONA LOTTERY FUNDS FROM VALLEY METRO

City Council adopted Resolution 1078-1225, authorizing the City of Avondale's acceptance of Arizona Lottery Funds in the amount of \$225,883 from Valley Metro for WeRIDE operational expenses, and to authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

j. RESOLUTION 1079-1225 - INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF LITCHFIELD PARK AND THE CITY OF AVONDALE FOR POLICE SERVICES

City Council adopted Resolution 1079-1225, approving an Intergovernmental Agreement (IGA) with the City of Litchfield Park to continue to provide law enforcement services to their City through June 30, 2031, and authorized the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

k. RESOLUTION 1080-1225 - INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR THE GRANT ACCEPTANCE FROM THE FEDERAL HIGHWAY ADMINISTRATION FOR AGUA FRIATRIL PHASE 2 PEDESTRIAN BRIDGE

City Council adopted Resolution 1080-1225, approving an Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) for the Agua Fria Trail Phase 2 Pedestrian Bridge North Connection Project to allow the City to access federal funds awarded for the project and establish the ADOT as the City's designated agent for design review, bidding, award, and construction administration and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

l. RESOLUTION 1081-1225 - FIRST AMENDMENT TO DISTRICT DEVELOPMENT, FINANCING PARTICIPATION, WAIVER, AND INTERGOVERNMENTAL AGREEMENT – ALAMAR COMMUNITY FACILITIES DISTRICT (CFD)

City Council adopted Resolution 1081-1225, approving and authorizing the first amendment to district development, financing participation and intergovernmental agreement for the Alamar CFD and authorizing the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The amendment replaces Brookfield Residential (Arizona) LLC with Brookfield Communities US LLC and North America Sekisui House, LLC. This amendment was requested by the developer because of corporate restructuring.

m. RESOLUTION 1082-1225 – THIRD AMENDMENT TO INTERGOVERNMENTAL AGREEMENT AMONGST THE CITIES OF AVONDALE, GLENDALE, MESA, SCOTTSDALE AND TEMPE AND THE TOWN OF GILBERT RELATING TO JOINT LEGAL REPRESENTATION IN THE GILA RIVER GENERAL STREAM ADJUDICATION

City Council adopted Resolution 1082-1225, approving the Third Amendment to the Intergovernmental Agreement amongst the cities of Avondale, Glendale, Mesa, Scottsdale and Tempe for joint legal representation in the Gila River General Stream Adjudication (IGA) to add the Town of Gilbert and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

n. RESOLUTION 1083-1225 - CANVASS OF ELECTION, PUBLIC SAFETY RETIREMENT SYSTEMS LOCAL BOARD ELECTIONS

City Council a) adopted Resolution 1083-1225, declaring and adopting the results of the Local Board Election held on November 6, 2025, electing Ryan Myers as Board Member to the Public Safety Personnel Retirement System Police Board and Evan Titterington as Board Member to the Public Safety Personnel Retirement System Fire Board; b) appointed Evan Goldberg as Board Member to the Corrections Officers Retirement Pension Board; and c) authorized the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

o. ORDINANCE 2047-1225 – GRANTING OF AN IRRIGATION EASEMENT TO SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT

City Council adopted Ordinance 2047-1225, granting an irrigation easement to the Salt River Project Agricultural Improvement and Power District along the east side of 107th Avenue north of Encanto Boulevard and authorize 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.

f. PROJECT BUDGET TRANSFER

City Council considered a request to: a) approve a budget transfer in the amount of \$100,000 from the Fire Station 171 Replacement project (S0104); b) approve a budget transfer in the amount of \$500,000 from general fund contingency to the Fire Apparatus Replacement FY2026 project (A0454); c) increase the project's award authority by \$50,000 for a new amount of \$1,550,000; and d) authorize Finance and Budget Department staff to take the steps necessary to execute the transfers.

Councilmember White expressed concern with transferring funds from the Fire Station 171 Replacement Project because it is not complete and the completion cost is unknown.

Mr. Corbin explained Fire Station 171 is expected to be completed late January or early February 2026. Presently, the project is running \$500,000 under budget. In case something unusual were to happen, \$400,000 in contingencies was left with the contractor. The timing of this transfer is due to this is the last City Council meeting to obtain authorization for the transfer of funds, the contract expires at the end of December, and to avoid another price increase on the fire apparatus.

A brief discussion ensued confirming the \$400,000 savings that would be realized as savings that goes into the general fund to be used on the next project.

Councilmember White stated if the money goes back into the general fund, her preference is to have all of funds transferred from the general rather than utilize a portion of the funds from a project that isn't closed.

Mr. Corbin further explained the proposed transfers are budgeted out in a way that works and everyone feels comfortable. They were careful with the amount of money taken out of contingencies and reserves. This process is common, especially in Public Works, when projects end or start funds get moved around from project to project. However, if Ms. Weatherless, the Finance Director, agrees we can move the funds the other way. Ms. Weatherless advised that all funds can come from the contingency because it will roll forward in the balance in the end.

Motion was made by Councilmember White, seconded by Councilmember Solorio, to: a) transfer the full needed amount from the general fund contingency to the Fire Apparatus Replacement FY2026 (A0454)*; b) increase the project's award authority by \$50,000 for a new amount of \$1,550,000; and c) authorize Finance and Budget Department staff to take the steps necessary to execute the transfers.

**Part the requested motion did not allow a budget transfer from the Fire Station 171 Replacement project (S0104); however, a budget transfer of the full amount from the General Fund was approved.*

Upon vote, the motion was carried unanimously 5 to 2.

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

g. LICENSE AGREEMENT FOR A PRIVATE ELECTRICAL TRANSMISSION LINE IN PUBLIC RIGHT-OF-WAY WITH SIERRA LUNA ENERGY STORAGE, LLC

City Council considered a request to approve a License Agreement for a Private Electrical Transmission Line in Public Right-of-Way with Sierra Luna Energy Storage, LLC, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Councilmember White explained that although this agreement pertains to an easement for occupying airspace, she wanted the clarification from the City Attorney's Office to be made part of the official record. The agreement's standard wording permits the licensee to enter into a mortgage arrangement; however, the City of Avondale already has an agreement stating that this licensee does not plan to sell the property.

Nicholle Harris, City Attorney, clarified that the agreement grants the licensee authority to install lines over the property pursuant to the development agreement previously approved by City Council for the Sierra Luna Battery Storage project. The agreement incorporates standard financing provisions negotiated between the City Attorney's Office and the licensee's legal counsel, including the right to assign a mortgage for up to 30 years. County approval for this arrangement was secured in August 2025.

Councilmember Weise moved to approve a License Agreement for a Private Electrical Transmission Line in Public Right-of-Way with Sierra Luna Energy Storage, LLC, and

authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Vice Mayor Nielson 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. RESOLUTION

City Council considered a request to: a) adopt Resolution 1084-1225, adopting the 2026 Public Policy Priorities for the upcoming state and federal legislative sessions, b) authorize the City Manager or his designee(s) to act on such items; and c) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Liz Baker Alvarez, Intergovernmental Affairs Administrator, began her presentation with an overview of role in advocating for or against state and federal legislation or policies on behalf of the City of Avondale. The process starts by identifying the City's position on proposed measures and public policy priorities, which offer a framework while keeping up with the fast-paced legislative sessions and active in constantly changing political environment.

The current environment was reviewed highlighting the FY26 budget balance is estimated at \$69 million compared to \$469 million last year. Spengind on school vouchers has peaked \$1 billion. Cost shifts for programs like Medicaid and SNAP will cost \$400 million for the next two to three years. The November 2026 statewide election is for members of the legislature and federal midterm.

The District 22 Legislators include Representative Contreras who has served for over a decade and Representative Luna-Najera and Senator Diaz both who have served two years. Law makers took advantage of an offer for a deep dive into issues impacting Avondale, such as economic development, water portfolio, and current issues. They appreciated the tour of the community and in-depth knowledge of each department regarding what is going on in Avondale.

Approximately 1,700 bills are filed each year, which are reviewed by Ms. Baker Alvarez. Upon determining a potential impact on the City, the bill is forwarded to the appropriate department for a thorough review and report on how it will impact the City of Avondale. Ms. Baker Alvarez uses the information to collaborate with other cities

and industry partners and compare the information to policy priorities. Upon discussing the impact with leadership, position and action are determined. The next phase is to develop policy priorities by looking at past legislative sessions. What are the priorities of regional organizations, ongoing conversations and collaborations with other City Intergovernmental staff to get a sense of what may occur at the upcoming session. The nine proposed 2026 Public Policy Priorities were reviewed, which are in more detail within the meeting materials, including examples.

Mayor Pineda and Councilmembers were given an opportunity to comment and ask questions.

Mayor Pineda emphasized the need for ongoing collaboration and open communication when deciding how to support or oppose a bill. City Council members are encouraged to work with local organizations to better understand how their choices impact the city, especially issues of local governance. The mayor also highlighted challenges the city faces, like the effects of losing the rental tax and the need for both preparation and flexibility. Often, residents are unaware of these impacts, so clear communication is essential to explain what changes mean, how everyone can stay involved, and the importance of making thoughtful decisions and participating in the process.

Vice Mayor Nielson thanked Ms. Baker Alvarez for her efforts and noted the positive feedback from those who interacted with her who appreciated her insight, vision, and collaboration. Councilmember Solorio thanked Ms. Baker Alvarez for her all she does and looks forward to spending more time with her. Councilmember White thanked Ms. Baker Alvarez for all she does including providing information that allows proactive responses and ensuing the city is well represented by providing places to represent the City of Avondale. Councilmember Weise thanked Ms. Baker Alvarez for her support and being available to answer questions.

Councilmember Solorio moved to adopt Resolution 1084-1225, adopting the 2026 Public Policy Priorities for the upcoming state and federal legislative sessions, b) authorize the City Manager or his designee(s) to act on such items; and c) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action; Councilmember White 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

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

Councilmember Garcia shared her experience of a giving community including the Fire Department, Police Department, and City employees. Along with attendance at Cashin has Heart and the Recreational Center in Litchfield.

Vice Mayor Nielson noted his attendance at Winterfest and the positive feedback received. In addition, to placing wreaths on veterans' graves at the Goodyears Farm Cemetery.

Councilmember Solorio echoed Vice Mayor's comments and spoke of Mr. Larriva's staff and leadership. Quoting Simon Sinek, "leadership is not about being in charge, it is taking care of those in your charge".

Councilmember Weise commented on the library's rolling truck in Cashin that was full of books for the children.

Councilmember White spoke about her attendance at the Black Chamber of AZ 27th Pinnacle Pathways Gala celebrating black businesses throughout the State of Arizona.

Mayor Pineda commented on the various events made possible by the City of Avondale staff, particularly recognizing Mr. Larriva and staff.

7. ADJOURNMENT

There being no further business before the Council, Councilmember Conde moved to adjourn the Regular Meeting; Councilmember White 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 7:05 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 15th day of December 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: Series 4 (Wholesaler) Liquor License — Green Light Distributors

MEETING DATE: 1/12/2026

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: **Economic Growth and Prosperity**

Avondale supports a thriving local economy by fostering and supporting business growth, job creation, and workforce development. The City advances economic development, attracts high-quality entertainment and full-service amenities, and promotes a variety of attainable housing opportunities that strengthen the City's vitality.

PURPOSE:

City Council will consider a request to recommend approval to the Arizona Department of Liquor License and Control of an application for a Series 4 (Wholesaler) Liquor License submitted by Andrea Dahlman Lewkowitz, authorizing the distribution of all types of liquor (beer, wine, and distilled spirits) to Arizona-licensed retailers at Green Light Distributors, located at 1100 North 127th Avenue, Suite 102, in Avondale and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

A Series 4 (Wholesaler) liquor license allows a wholesaler to warehouse, sell, and distribute all types of spirituous liquor (beer, wine, distilled spirits) to Arizona-licensed retailers. Green Light Distributors is a new business that will be located at 1100 North 127th Avenue, Suite 102, in Avondale. Wholesaling is permitted within the planned area development (PAD).

DISCUSSION:

As required by state law and city ordinance, the application was posted for the required period of time. The Arizona Department of Liquor License and Control has accepted the submitted application as complete. The Police, Fire, Development Services and Finance Departments have reviewed the application and are recommending approval. Their comments are attached.

The Finance and Budget Department denied the application for lacking an active business license; the applicant has acknowledged the requirements and stated they will apply.

BUDGET IMPACT:

The liquor license application fee of \$250 has been paid.

RECOMMENDATION:

Staff is recommending approval of a request to approve an application for a Series 4 (Wholesaler) Liquor License submitted by Andrea Dahlman Lewkowitz to distribute all types of liquor (beer, wine, and distilled spirits) to Arizona-licensed retailers at Green Light Distributors, located at 1100 North 127th Avenue, Suite 102.

Contact person for document distribution:

State of Arizona
Department of Liquor Licenses and Control

Created 12/03/2025 @ 03:32:30 PM

Local Governing Body Report

LICENSE

Number:		Type:	004 WHOLESALER
Name:	GREEN LIGHT DISTRIBUTORS		
State:	Pending		
Issue Date:		Expiration Date:	
Original Issue Date:			
Location:	1100 N 127TH AVENUE STE 102 AVONDALE, AZ 85323 USA		
Mailing Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA		
Phone:	(602)200-7222		
Alt. Phone:			
Email:	ANDREA@LEWKLAW.COM		

AGENT

Name:	ANDREA DAHLMAN LEWKOWITZ
Gender:	Female
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)200-7222
Alt. Phone:	
Email:	ANDREA@LEWKLAW.COM

OWNER

60th day
02-01-2026

Name: GREEN LIGHT ARIZONA LLC
Contact Name: ANDREA DAHLMAN LEWKOWITZ
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: 23537456 State of Incorporation: AZ
Incorporation Date: 06/02/2023
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (602)200-7222
Alt. Phone:
Email: ANDREA@LEWKLAW.COM

Officers / Stockholders

Name:	Title:	% Interest:
GREEN LIGHT BEVERAGE INC	MEMBER	100.00

GREEN LIGHT BEVERAGE INC - Shareholder

Name: GREEN LIGHT BEVERAGE SPE LLC
Contact Name: ANDREA DAHLMAN LEWKOWITZ
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (602)200-7222
Alt. Phone:
Email: ANDREA@LEWKLAW.COM

**GREEN LIGHT BEVERAGE INC -
Dir,CEO,Pres,SHAREHOLDER**

Name: LEWIS DUSTIN ODELL
Gender: Male
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (214)500-8542
Alt. Phone:
Email: DUSTY.ODELL@GREENLIGHTDISTRIBUTORS.COM

GREEN LIGHT ARIZONA LLC - MEMBER

Name: GREEN LIGHT BEVERAGE INC
Contact Name: ANDREA DAHLMAN LEWKOWITZ
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (602)200-7222
Alt. Phone:
Email: ANDREA@LEWKLAW.COM

GREEN LIGHT BEVERAGE INC - Exec VP/CFO

Name: BRYCE STANLEY DOLAN
Gender: Male
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (972)207-5353
Alt. Phone:
Email: BRYCE.DOLAN@GREENLIGHTDISTRIBUTION.COM

GREEN LIGHT BEVERAGE INC - Shareholder

Name: NORBERT INVESTORS LLC
Contact Name: ANDREA DAHLMAN LEWKOWITZ
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (602)200-7222
Alt. Phone:
Email: ANDREA@LEWKLAW.COM

GREEN LIGHT BEVERAGE INC - Shareholder

Name: MAYFAIR INVESTMENTS LLC
Contact Name: ANDREA DAHLMAN LEWKOWITZ
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (602)200-7222
Alt. Phone:
Email: ANDREA@LEWKLAW.COM

MANAGERS

Name: LEWIS DUSTIN ODELL
Gender: Male
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (214)500-8542
Alt. Phone:
Email: DUSTY.ODELL@GREENLIGHTDISTRIBUTORS.COM

Name: JENNIFER JANCE COX
Gender: Female
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (949)903-3974
Alt. Phone:
Email: JENNIFER.ARVELO@GREENLIGHTDISTRIBUTION.COM

APPLICATION INFORMATION

Application Number: 365797
Application Type: New Application
Created Date: 10/23/2025

QUESTIONS & ANSWERS

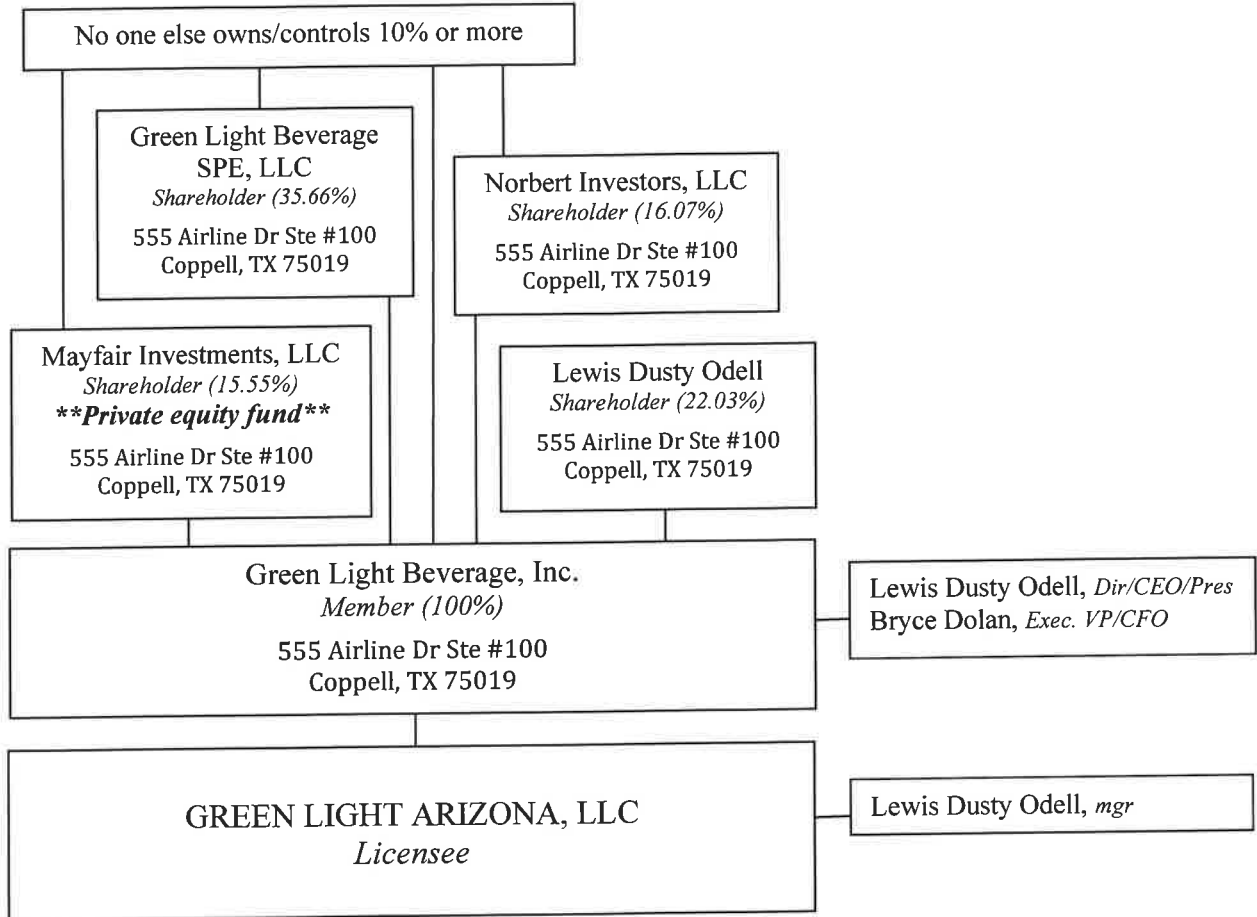
004 Wholesaler

- 1) Are you applying for an Interim Permit (INP)?
No
- 2) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
PROPERTY TENANT
- 3) Is there a penalty if lease is not fulfilled?
No
- 4) Is the Business located within the incorporated limits of the city or town of which it is located?
Yes
- 5) What is the total money borrowed for the business not including the lease?
Please list each amount owed to lenders/individuals.
0.00
- 6) Are there walk-up or drive-through windows on the premises?
No
- 8) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
Yes
If yes, what is your estimated completion date?
DECEMBER 2025

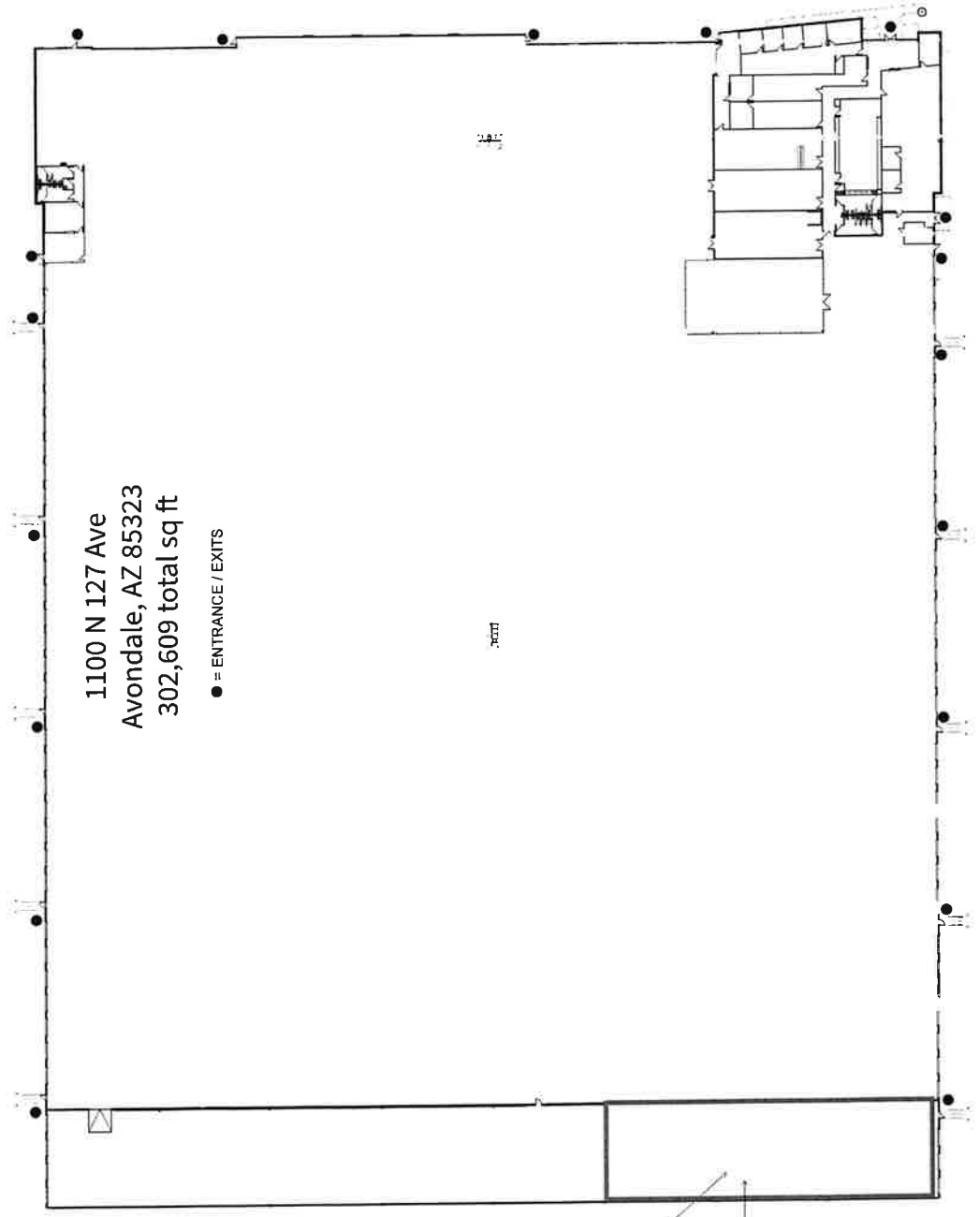
DOCUMENTS

DOCUMENT TYPE	FILE NAME	UPLOADED DATE
ALIEN STATUS	GL_AGT ADL (Ctn).pdf	10/23/2025
QUESTIONNAIRE	GL_AGT ADL (Q).pdf	10/23/2025
QUESTIONNAIRE	GL_CP D. Odell (Q+Supple+FP).pdf	10/23/2025
QUESTIONNAIRE	GL_CP Dolan (Q+FP).pdf	10/23/2025
DIAGRAM/FLOOR PLAN	GL_Diagram.pdf	10/23/2025
QUESTIONNAIRE	GL_Mgr Cox (Q+FP).pdf	10/23/2025
ORGANIZATIONAL DOCUMENTS	Green Light Arizona, LLC_Ownership Chart.pdf	10/23/2025
MISCELLANEOUS	GL_Ltr (Buckeye)_Officer+Own updates_FILED.pdf	10/23/2025

GREEN LIGHT ARIZONA, LLC
Ownership Chart | 9/26/2025 | final



AMENDMENT



1100 N 127 Ave
Avondale, AZ 85323
302,609 total sq ft

● = ENTRANCE / EXITS

GREEN LIGHT DISTRIBUTORS
1100 N. 127th AVENUE, SUITE 102
AVONDALE, AZ 85323
9,000 SF

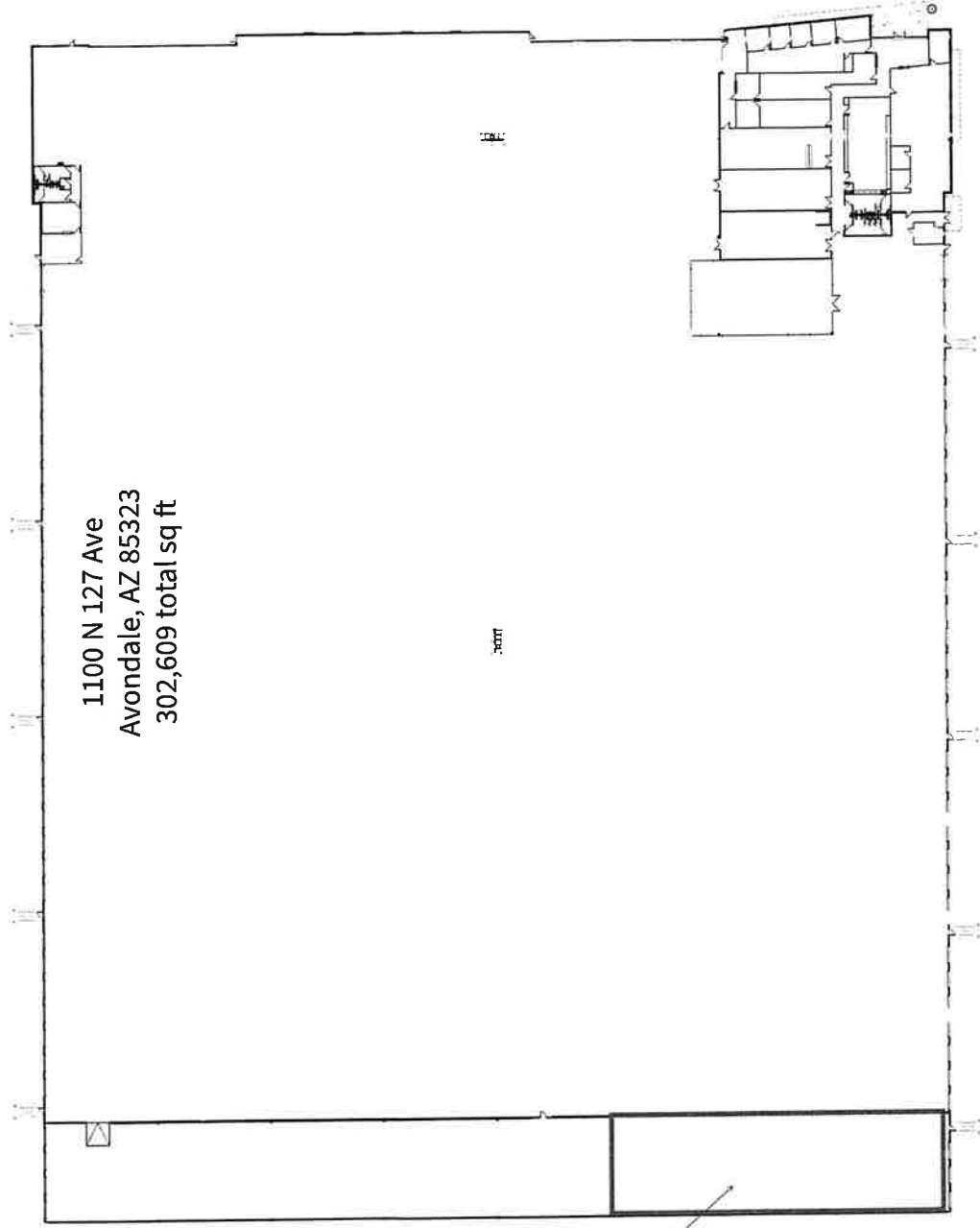
Licensed area
9,000 SF

Liquor Storage

GREEN LIGHT DISTRIBUTORS
1100 N. 127th AVENUE, SUITE 102
AVONDALE, AZ 85323
9,000 SF



1100 N 127 Ave
Avondale, AZ 85323
302,609 total sq ft



Licensed area
9,000 SF



LICENSE REVIEW FORM

Type of License	4 Wholesaler
Applicant's Name	Andrea Lewkowitz
Business Name	Green Light Distributors
Business Address	1100 N 127th Ave #102 Avondale, AZ 85323
Department Comments	
<input type="checkbox"/> Police Department <input checked="" type="checkbox"/> Development Services	<input type="checkbox"/> Fire Department <input type="checkbox"/> Finance Department
<input checked="" type="radio"/> Approved	<input type="radio"/> Denied
<u>Joshua Orton</u> <small>Joshua Orton (Dec 11, 2025 18:09:35 MST)</small> <hr/> E-Signature	<hr/> Title
<u>Joshua Orton</u> <hr/> Name	<u>Dec 11, 2025</u> <hr/> Date

This license is scheduled for the City Council Meeting on: 01/12/2026

Please complete form by: 12/29/2025


LICENSE REVIEW FORM

Type of License	4 Wholesaler		
Applicant's Name	Andrea Lewkowicz		
Business Name	Green Light Distributors		
Business Address	1100 N 127th Ave #102 Avondale, AZ 85323		
Department Comments			
<input type="checkbox"/> Police Department		<input type="checkbox"/> Fire Department	
<input type="checkbox"/> Development Services		<input checked="" type="checkbox"/> Finance Department	
<input checked="" type="radio"/> Approved		<input type="radio"/> Denied	
<u>Finance & Budget Business License</u> <small>Finance & Budget Business License (Dec 15, 2025 14:03:00 MST)</small>		Customer Service Representative	
E-Signature		Title	
Finance & Budget Business License		Dec 15, 2025	
Name		Date	

This license is scheduled for the City Council Meeting on: 01/12/2026

Please complete form by: 12/29/2025

LICENSE REVIEW FORM

Type of License	4 Wholesaler		
Applicant's Name	Andrea Lewkowitz		
Business Name	Green Light Distributors		
Business Address	1100 N 127th Ave #102 Avondale, AZ 85323		
Department Comments			
<input type="checkbox"/> Police Department		<input checked="" type="checkbox"/> Fire Department	
<input type="checkbox"/> Development Services		<input type="checkbox"/> Finance Department	
<input checked="" type="radio"/> Approved		<input type="radio"/> Denied	
 <small>L. Scott Miller (Dec 15, 2025 14:05:11 MST)</small>		Fire Marshal	
E-Signature		Title	
L. Scott Miller		Dec 15, 2025	
Name		Date	

This license is scheduled for the City Council Meeting on: 01/12/2026

Please complete form by: 12/29/2025

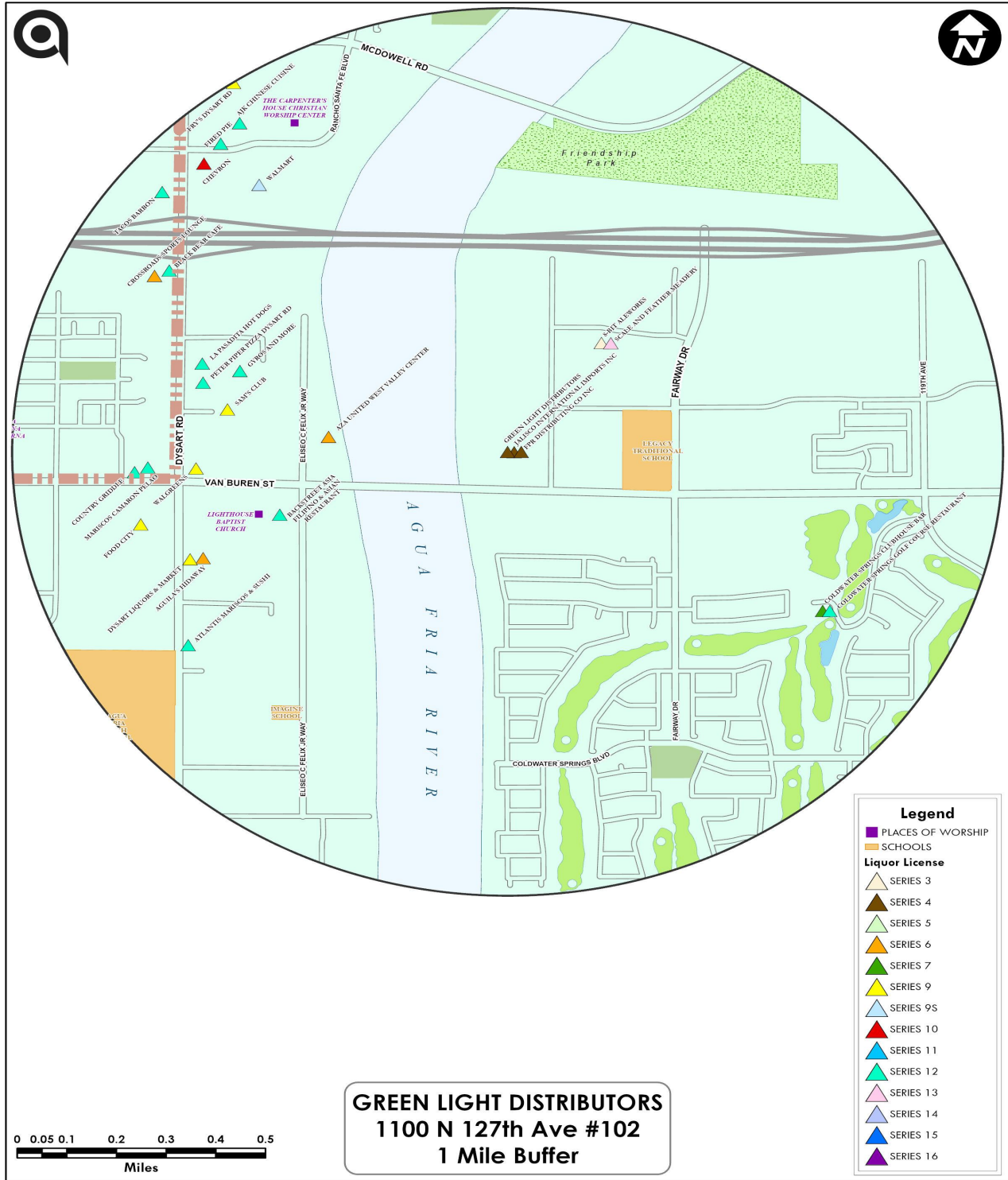
LICENSE REVIEW FORM

Type of License	4 Wholesaler
Applicant's Name	Andrea Lewkowitz
Business Name	Green Light Distributors
Business Address	1100 N 127th Ave #102 Avondale, AZ 85323
Department Comments	
<input checked="" type="checkbox"/> Police Department <input type="checkbox"/> Development Services	<input type="checkbox"/> Fire Department <input type="checkbox"/> Finance Department
<input checked="" type="radio"/> Approved	<input type="radio"/> Denied
<u>Varney Lopez</u> <small>Varney Lopez (Dec 15, 2025 15:46:12 MST)</small> E-Signature	<u>Lieutenant</u> Title
<u>Varney Lopez</u> Name	<u>Dec 15, 2025</u> Date

This license is scheduled for the City Council Meeting on: 01/12/2026

Please complete form by: 12/29/2025

GIS MAP



ITEM NUMBER: 4.c.

SUBJECT: Series 4 (Wholesaler) Liquor License — Estaca 1992 LLC

MEETING DATE: 1/12/2026

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: **Economic Growth and Prosperity**

Avondale supports a thriving local economy by fostering and supporting business growth, job creation, and workforce development. The City advances economic development, attracts high-quality entertainment and full-service amenities, and promotes a variety of attainable housing opportunities that strengthen the City's vitality.

PURPOSE:

City Council will consider a request to recommend approval to the Arizona Department of Liquor License and Control of an application for a Series 4 (Wholesaler) Liquor License submitted by Andrea Dahlman Lewkowitz, authorizing the distribution of all types of liquor (beer, wine, and distilled spirits) to Arizona-licensed retailers at Estaca 1992 LLC, located at 1100 North 127th Avenue, Suite 105, in Avondale and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

A Series 4 (Wholesaler) liquor license allows a wholesaler to warehouse, sell, and distribute all types of spirituous liquor (beer, wine, distilled spirits) to Arizona-licensed retailers. Estaca 1992 LLC is a new business that will be located at 1100 North 127th Avenue, Suite 105, in Avondale. Wholesaling is permitted within the planned area development (PAD).

DISCUSSION:

As required by state law and city ordinance, the application was posted for the required period of time. The Arizona Department of Liquor License and Control has accepted the submitted application as complete. The Police and Development Services Departments have reviewed the application and are recommending approval. Their comments are attached.

The Fire and Medical Department denied the applicant for lacking a fire inspection and the Finance and Budget Department denied the application for lacking an active business license; the applicant has acknowledged the requirements and stated they will apply.

BUDGET IMPACT:

The liquor license application fee of \$250 has been paid.

RECOMMENDATION:

Staff is recommending approval of a request to approve an application for a Series 4 (Wholesaler) Liquor License submitted by Andrea Dahlman Lewkowitz to distribute all types of liquor (beer, wine, and distilled spirits) to Arizona-licensed retailers at Estaca 1992 LLC, located at 1100 North 127th Avenue, Suite 105.

Contact person for document distribution:

State of Arizona
Department of Liquor Licenses and Control

Created 11/25/2025 @ 04:06:47 PM

Local Governing Body Report

LICENSE

Number:		Type:	004 WHOLESALER
Name:	ESTACA 1992 LLC		
State:	Pending		
Issue Date:		Expiration Date:	
Original Issue Date:			
Location:	1100 N 127TH AVENUE STE 105 AVONDALE, AZ 85323 USA		
Mailing Address:	[REDACTED] PHOENIX, AZ 85013 USA		
Phone:	[REDACTED]		
Alt. Phone:	[REDACTED]		
Email:	[REDACTED]		@AOL.COM

AGENT

Name:	ANDREA LOUISE ANDERSON
Gender:	Female
Correspondence Address:	333 W SAN JUAN AVENUE PHOENIX, AZ 85013 USA
Phone:	[REDACTED]
Alt. Phone:	[REDACTED]
Email:	[REDACTED]@AOL.COM

OWNER

Name:	ESTACA 1992 LLC		
Contact Name:	ANDREA LOUISE ANDERSON		
Type:	LIMITED LIABILITY COMPANY		
AZ CC File Number:	23533583	State of Incorporation:	AZ
Incorporation Date:	05/24/2023		
Correspondence Address:	[REDACTED] PHOENIX, AZ 85013 USA		
Phone:	[REDACTED]		
Alt. Phone:	[REDACTED]		
Email:	[REDACTED]		@AOL.COM

birthday
01-24-2026

Officers / Stockholders

Name:	Title:	% Interest:
KEITH ANDREW LAUCK	Mgr-Member	45.50
EMMANUEL STEVEN KEMII	Mgr-Member	45.50

ESTACA 1992 LLC - Mgr-Member

Name: KEITH ANDREW LAUCK
Gender: Male
Correspondence Address: [REDACTED]
PHOENIX, AZ 85013
USA
Phone: [REDACTED]
Alt. Phone:
Email: KL@ESTACABACANORA.COM

ESTACA 1992 LLC - Mgr-Member

Name: EMMANUEL STEVEN KEMII
Gender: Male
Correspondence Address: [REDACTED]
PHOENIX, AZ 85013
USA
Phone: [REDACTED]
Alt. Phone:
Email: KEMII@SBCGLOBAL.NET

APPLICATION INFORMATION

Application Number: 369692
Application Type: New Application
Created Date: 11/19/2025

QUESTIONS & ANSWERS

004 Wholesaler

- 1) Are you applying for an Interim Permit (INP)?
No
- 2) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
PROPERTY TENANT
- 3) Is there a penalty if lease is not fulfilled?
No
- 4) Is the Business located within the incorporated limits of the city or town of which it is located?
Yes
- 5) What is the total money borrowed for the business not including the lease?
Please list each amount owed to lenders/individuals.
ZERO
- 6) Are there walk-up or drive-through windows on the premises?
No
- 8) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
No

No consumption
on site



1100 N 127th Av
Ste 105
Avondale AZ
85323

LICENSE REVIEW FORM

Type of License	4 Wholesaler
Applicant's Name	Andrea Louise Anderson
Business Name	Estaca 1992 LLC
Business Address	1100 N 127th Ave #105 Avondale, AZ 85323
Department Comments	
<input type="checkbox"/> Police Department <input checked="" type="checkbox"/> Development Services	<input type="checkbox"/> Fire Department <input type="checkbox"/> Finance Department
<input checked="" type="radio"/> Approved	<input type="radio"/> Denied
<u>Joshua Orton</u> <small>Joshua Orton (Dec 1, 2025 07:54:49 MST)</small> E-Signature	<u>Lead Senior Planner</u> Title
<u>Joshua Orton</u> Name	<u>Dec 1, 2025</u> Date

This license is scheduled for the City Council Meeting on: 01/12/2026

Please complete form by: 12/29/2025


LICENSE REVIEW FORM

Type of License	4 Wholesaler
Applicant's Name	Andrea Louise Anderson
Business Name	Estaca 1992 LLC
Business Address	1100 N 127th Ave #105 Avondale, AZ 85323
Department Comments	
<input type="checkbox"/> Police Department <input type="checkbox"/> Development Services	<input type="checkbox"/> Fire Department <input checked="" type="checkbox"/> Finance Department
<input type="radio"/> Approved	<input checked="" type="radio"/> Denied
<u>Vasile Samartinean</u> <small>Vasile Samartinean (Dec 3, 2025 08:03:36 MST)</small> <hr/> E-Signature	<hr/> Vasile Samartinean <hr/> Title
<hr/> Vasile Samartinean <hr/> Name	<hr/> Dec 3, 2025 <hr/> Date

This license is scheduled for the City Council Meeting on: 01/12/2026

Please complete form by: 12/29/2025

LICENSE REVIEW FORM

Type of License	4 Wholesaler
Applicant's Name	Andrea Louise Anderson
Business Name	Estaca 1992 LLC
Business Address	1100 N 127th Ave #105 Avondale, AZ 85323
Department Comments	
<input type="checkbox"/> Police Department <input type="checkbox"/> Development Services	<input checked="" type="checkbox"/> Fire Department <input type="checkbox"/> Finance Department
<input type="radio"/> Approved	<input checked="" type="radio"/> Denied
 <small>L. Scott Miller (Dec 17, 2025 08:35:09 MST)</small> <hr/> E-Signature	<hr/> Title
<hr/> Name	<hr/> Date
L. Scott Miller	Dec 17, 2025

This license is scheduled for the City Council Meeting on: 01/12/2026

Please complete form by: 12/29/2025

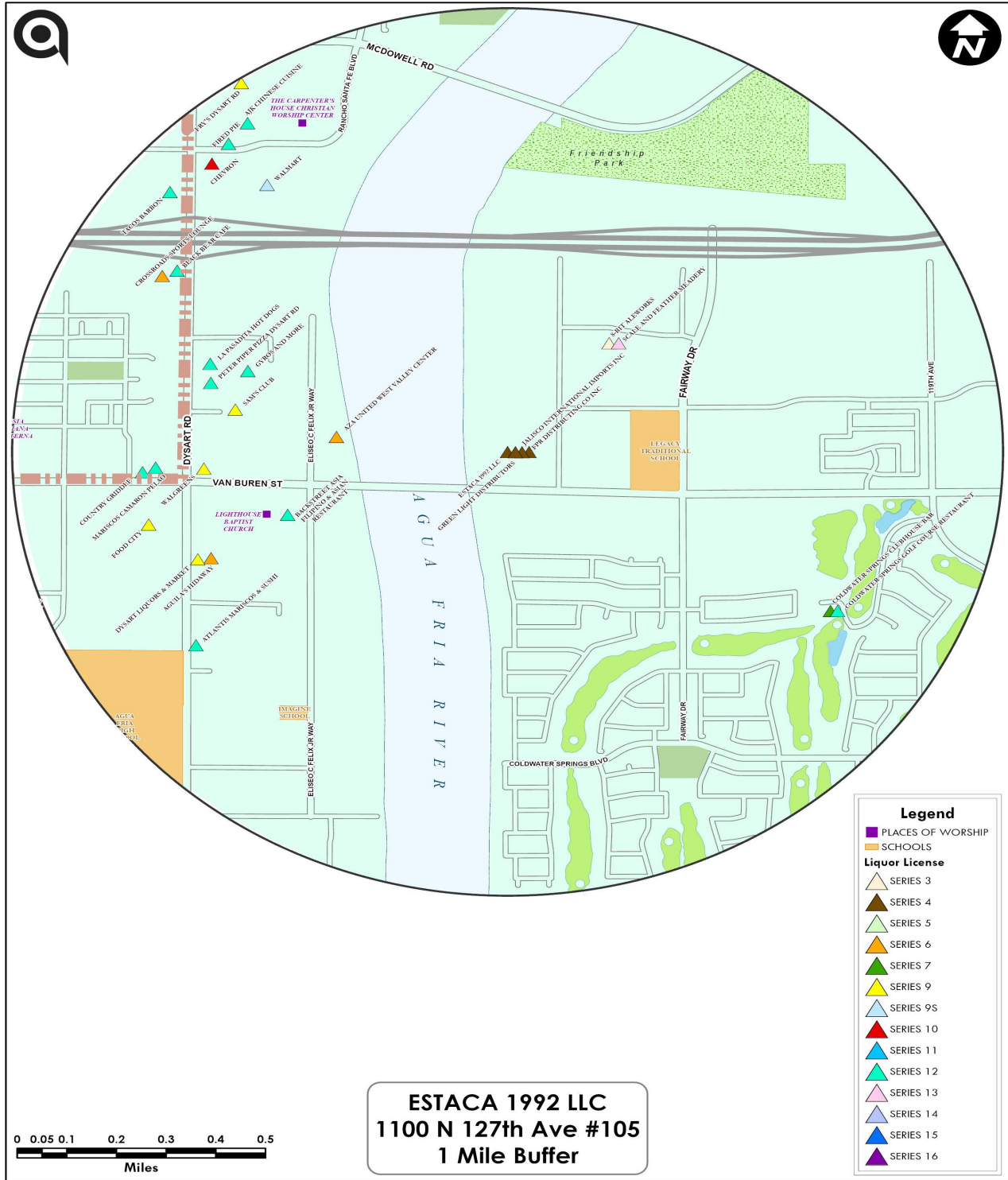
LICENSE REVIEW FORM

Type of License	4 Wholesaler
Applicant's Name	Andrea Louise Anderson
Business Name	Estaca 1992 LLC
Business Address	1100 N 127th Ave #105 Avondale, AZ 85323
Department Comments	
<input checked="" type="checkbox"/> Police Department <input type="checkbox"/> Development Services	<input type="checkbox"/> Fire Department <input type="checkbox"/> Finance Department
<input checked="" type="radio"/> Approved	<input type="radio"/> Denied
<u>Varney Lopez</u> <small>Varney Lopez (Dec 22, 2025 07:14:28 MST)</small> E-Signature	<u>Lieutenant</u> Title
<u>Varney Lopez</u> Name	<u>Dec 22, 2025</u> Date

This license is scheduled for the City Council Meeting on: 01/12/2026

Please complete form by: 12/29/2025

GIS MAP



Map Prepared on 1/5/2026 by the Geospatial Services Division of the Information Technology Department

© 2026 Mapbox License (gpl)

ITEM NUMBER: 4.d.

SUBJECT: Resolution 1001-0126 – First Amendment to the Intergovernmental Agreement with the City of Glendale for Landfill Services

MEETING DATE: 1/12/2026

TO: Mayor and Council

FROM: Kirk Beaty, Public Works Director

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:

Community Well-Being – The City of Avondale Solid Waste program provides weekly residential and monthly bulk trash pickup services that keep Avondale residents health and well-being top of mind. This reinforces the City's position on providing community well-being to Avondale residents.

PURPOSE:

City Council will consider a request to adopt Resolution 1001-0126, approving the First Amendment to the Intergovernmental Agreement with the City of Glendale relating to landfill disposal services and authorizing the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The City of Avondale currently utilizes the City of Glendale landfill to dispose of refuse. The Glendale landfill is located on Glendale Avenue, approximately three miles north of the City of Avondale boundary. This proximity is advantageous for the City, keeping fuel costs low and allowing for quick turnaround for trucks operating on the solid waste routes.

City Council adopted resolution 1057-0624 on June 17, 2024, entering into an Intergovernmental Agreement with the City of Glendale for landfill disposal service that expires on June 30, 2026. The agreement currently has extension options for one additional term of three years.

DISCUSSION:

The changes in the proposed amendment primarily relate to disposal rates for Avondale residents who self-haul to the landfill, including additional costs for disposal of appliances containing Freon, prohibition of waste tire disposal, and future taxes imposed by the Arizona Department of Environmental Quality on landfill operations.

With this amendment, the City of Glendale is removing language regarding discounted disposal ("tipping") fees

for Avondale residents who self-haul items for disposal to the landfill. The current Intergovernmental Agreement allows Avondale residents to pay the same discounted tipping fee per ton that the Avondale Public Works Solid Waste Division pays. The City of Glendale is moving away from this discounted fee model for residents of contracted municipalities, and is requiring Avondale residents to pay the tipping fees posted on the City of Glendale website and at the entrance of the landfill if the residents self-haul to the landfill.

The amendment adds a Freon disposal fee on any appliance brought to the landfill that still contains Freon. The fee is subject to change at any time, reflecting market costs to remove the Freon.

The amendment prohibits Avondale residents from disposing of waste tires at the Glendale landfill, as Glendale is moving away from offering tire collection. This will require residents to find other outlets to dispose of waste tires. The City of Avondale Solid Waste Code does not allow residents to dispose of waste tires through the Public Works Department solid waste operations for curbside trash or bulk trash collection.

Lastly, the City of Glendale revised the language defining the Arizona Department of Environmental Quality (ADEQ) tax that the Public Works Solid Waste Division pays through the negotiated tipping fee. ADEQ recently approved new rules that changed and increased fees and taxes for landfill operations starting December 3, 2025, which includes the Glendale landfill. The amended language states that “any tax imposed by the Arizona Department of Environmental Quality, regardless of whether the tax is calculated as a fixed or variable rate” will be paid by the City of Avondale Public Works Solid Waste Division. Any ADEQ tax or fee increase will be assessed to the City of Avondale as a portion of the City’s cost per ton (“tipping fee”) to dispose of trash at the landfill.

BUDGET IMPACT:

There is no impact to the Fiscal Year 2026 budget, and future tipping fees and associated additional taxes will be considered each subsequent fiscal year as updated solid waste utility rates are reviewed and established.

RECOMMENDATION:

Staff recommends City Council adopt Resolution 1001-0126, approving the First Amendment to the Intergovernmental Agreement with the City of Glendale relating to landfill disposal services and authorizing the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Contact person for document distribution: Harold Siguenza, Simon Lara, Suzie Hunter

RESOLUTION NO. 1001-0126

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF GLENDALE, ARIZONA RELATING TO LANDFILL DISPOSAL SERVICES.

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

SECTION 1. The Amendment No. 1 to the Intergovernmental Agreement between the City of Avondale and the City of Glendale, relating to landfill disposal services (the “Amendment”) is hereby approved in substantially the form and substance attached hereto as Exhibit A and incorporated herein by this reference.

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

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, January 12, 2026.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1001-0126

[Amendment No. 1]

See following pages.

AMENDMENT NO. 1
INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF AVONDALE
AND
THE CITY OF GLENDALE FOR
LANDFILL DISPOSAL SERVICES
(Contract No. C24-0780)

This Amendment No. 1 (“Amendment”) to the Intergovernmental Agreement between the City of Avondale and the City of Glendale for Landfill Disposal Services (“IGA”) is made this _____ day of _____, 2026, (“Effective Date”), by and between the City of Glendale, an Arizona municipal corporation (“Glendale”) and the City of Avondale (“Avondale”), an Arizona municipal corporation. The parties are collectively referred to herein as “the Cities.”

RECITALS

- A. The Cities previously entered into an Intergovernmental Agreement ("Agreement"), No. C24-0780, dated August 13, 2024, for Landfill Disposal Services.
- B. The Cities now wish to modify and amend the IGA strictly in accordance with the terms of this Amendment.

AGREEMENT

In consideration of the mutual promises set forth herein and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Cities hereby agree as follows:

1. The definition of "Unacceptable Waste" is amended by striking the following language in subsection A "(excluding tires delivered by Avondale residents as per section 2.1 b)".

The provision will now read as follows:

“Unacceptable Waste” means any solid, hazardous, medical, mixed or special waste, or any portion or fraction thereof, that Glendale may not accept for disposal at the Facility. Such “Unacceptable Wastes” include, but are not limited to: (A) Asbestos, explosives, radioactive materials, medical waste or infectious biohazardous waste, Waste Tires, residential cesspool waste, sewage, and sludge; (B) motor vehicles, including motor vehicle parts, and any agricultural and farm machinery or equipment or parts thereof; (C) used oil; (D) materials that Glendale determines may present a risk to human health or safety or the environment, or may adversely affect the operation of the Facility, including, but not limited to, Hot Loads; or (E) waste not authorized for disposal at the Facility pursuant to its approved solid waste management plan.

2. Section 2.1, Acceptable Waste Delivered, is amended as follows:
 - Subsection 2.1 B is amended to provide that Avondale residents may deliver self-hauled loads to the Facility, but will be charged the applicable rates posted on the City of Glendale's website, not the preferential, negotiated rates charged

the City of Avondale pursuant to Section 3.3 of the IGA. The language of Section 2.1 B shall now read as follows:

Avondale residents will be charged the rate established and published on the City of Glendale's website for Acceptable Waste delivered in self-hauled loads to the Facility for disposal. These charges may include the actual costs incurred by the City of Glendale to dispose of any Unacceptable Waste(s) contained in an Avondale resident's self-hauled load.

All appliances containing Freon will be assessed a separate fee to cover the cost the Facility incurs for Freon removal. The fee is subject to change at any time to reflect the market cost of Freon removal.

- Subsection 2.1 C is deleted in its entirety.

The effect of the changes made to subsections 2.1 B and C of the IGA is that Avondale residents may no longer deliver Waste Tires to the Glendale Landfill for disposal.

3. Section 3.3, Tipping Fees, is amended as follows:

- The language defining the Tipping Fee to include the current "\$0.25" per ton Arizona Department of Environmental Quality tax in Subsection A is deleted in its entirety and the following language will be inserted instead: "Avondale agrees to pay, and this rate shall be increased to include, any tax imposed by the Arizona Department of Environmental Quality regardless of whether such tax is calculated as a fixed or variable rate."
- The language in subsection F which applies and assessed a separate fee for Freon removal and disposal to "Avondale residents" is deleted, as this requirement is now covered under Section 2.1 B above.

CITY OF GLENDALE

BY: _____

ITS: _____

DATE: _____

ATTEST:

GLENDALE CITY CLERK

CERTIFICATION BY LEGAL COUNSEL

The foregoing Amendment of the Intergovernmental Agreement for Landfill Services between City of Glendale and City of Avondale is in proper form and is within the powers and authority of the City of Glendale granted under the laws of the state of Arizona.

APPROVED AS TO FORM AND AUTHORITY:

GLENDALE CITY ATTORNEY

CITY OF AVONDALE

BY: _____

ITS: _____

DATE: _____

ATTEST:

AVONDALE CITY CLERK

CERTIFICATION BY LEGAL COUNSEL

The foregoing Amendment to the Intergovernmental Agreement for Landfill Services between City of Glendale and the City of Avondale is in proper form and is within the powers and authority of the City of Avondale granted under the laws of the state of Arizona.

APPROVED AS TO FORM AND AUTHORITY:

AVONDALE CITY ATTORNEY

ITEM NUMBER: 4.e.

SUBJECT: Resolution 1002-0126 - Grant-In-Aid Agreement with Tohono O’odham Nation

MEETING DATE: 1/12/2026

TO: Mayor and Council

FROM: Renee Weatherless, Finance and Budget Director,

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

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

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area: **Innovative and Effective Government**

Avondale’s elected leaders, employees, and strategic partners collaborate to serve as a model of innovation, efficiency, and responsive government.

PURPOSE:

City Council will consider a request to adopt Resolution 1002-0126, accepting grant funding from the Tohono O’odham Nation in the amount of \$162,051 (\$125,056 for training equipment that will be used by the Avondale Police Department SWAT team and \$36,995 for equipment to be used by the Public Works Department to help maintain a healthy wetland ecosystem at Crystal Gardens), and authorizing staff, the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Under Proposition 202, the Tohono O’odham Nation makes available 12% of gaming revenue each year to local governments and non-profit organizations for services that benefit the public. These funds are made available to communities through a Request for Funding Proposals (RFP) process. Proposals are required to address education, health care, public safety, child advocacy, economic development, or cultural and environmental development and protection. Prior to the submission of proposals, department staff work collaboratively to identify priorities and determine which project(s) will be submitted for tribal consideration.

DISCUSSION:

On September 28, 2025, two Avondale departments, Police and Public Works, received official notice from the Tohono O’odham Nation that their funding request proposals had been selected to receive funding. The Avondale Police Department received \$125,056 for training equipment that will be used by the SWAT team and the Public Works Department received \$36,995 for equipment to help maintain a healthy ecosystem at the Crystal Gardens wetlands.

Avondale Police requested and received funding for a mobile training structure to provide the SWAT team with a safe place to train. Each training structure system can be easily set up and taken down with minimum effort

without special tools or additional equipment. Any floor layout, size, or configuration can be done, from small single room to large, multi-room or multi-building complexes. The system can be easily stored, is stackable, and is easy to relocate to other locations for set up.

Avondale Public Works requested and received funding for equipment to conduct targeted, routine sediment removal at the Crystal Gardens wetlands that minimizes disruption, improves water quality, and ensures the long-term performance of this vital water treatment and recharge system. This new equipment will allow City staff to maintain the wetlands and will reduce the need to contract these services to outside entities.

BUDGET IMPACT:

The funding provided by Tohono O'odham Nation will require an expenditure appropriation transfer from the grant contingency account for \$125,056 to the Police Department and \$36,995 to the Public Works Department grant budgets to provide expenditure authority for the grant.

RECOMMENDATION:

Staff recommends that City Council adopt Resolution 1002-0126, accepting grant funding from the Tohono O'odham Nation in the amount of \$162,051 (\$125,056 for training equipment that will be used by the Avondale Police Department SWAT team and \$36,995 for equipment to be used by the Public Works Department to help maintain a healthy wetland ecosystem at Crystal Gardens), authorizing the necessary budget transfers, and authorizing staff, the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Contact person for document distribution: Shawn Pierce; Katrece Bird; Kimberly Martinez

RESOLUTION NO. 1002-0126

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ACCEPTING A PROPOSITION 202 GRANT AWARD FROM THE TOHONO O'ODHAM NATION FOR EQUIPMENT FOR MAINTAINING THE CRYSTAL GARDEN WETLANDS AND SWAT TEAM TRAINING EQUIPMENT.

WHEREAS, the Tohono O'odham Nation (the "Nation") accepted proposals for Proposition 202 funding from state and local agencies for projects in the following priority areas: (a) education; (b) health care; (c) public safety; (d) child advocacy; (e) economic development; and (f) cultural and environmental development and protection; and

WHEREAS, the City of Avondale, Arizona (the "City"), submitted a grant proposal requesting funds for the City Public Works Department to purchase equipment for maintaining the Crystal Garden Wetlands and funds for the City Police Department to purchase SWAT team training equipment (the "the Projects"); and

WHEREAS, the Nation has awarded the City a grant in the amount of \$162,051.00 to fund the Projects (the "Grant"); and

WHEREAS, the Mayor and Council of the City of Avondale ("City Council") desire to accept the Grant and authorize the execution of the resulting grant agreement and any related documents.

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

SECTION 1. The recitals above are incorporated herein by reference.

SECTION 2. The City Council hereby (i) authorizes the acceptance of the Grant award in the amount of \$162,051.00 to fund the Projects and (ii) authorizes the execution of the grant agreement (the "Grant Agreement") in substantially the form and substance attached hereto as **Exhibit A** and incorporated herein by reference and any related documents.

SECTION 3. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute and submit the Grant Agreement and any other necessary or desirable instruments in connection with the Grant and to take all steps and execute all documents 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,
January 12, 2026.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1002-0126

[Grant Agreement]

See following pages.

**GRANT-IN-AID AGREEMENT
BETWEEN
THE TOHONO O’ODHAM NATION
AND
CITY OF AVONDALE**

THIS GRANT-IN-AID AGREEMENT (“Agreement”) is between the Tohono O’odham Nation, a federally recognized Indian tribe (the “Nation”), and the City of Avondale, a political subdivision of the State of Arizona (“City”).

RECITALS

The Nation desires to convey to City a portion of its annual 12% local revenue-sharing contribution (“Contribution”) to be used by City and City recipients for services that benefit the general public.

The Constitution of the Tohono O’odham Nation, Article VI, Section 1(f) provides that the Tohono O’odham Legislative Council is authorized to negotiate and conclude agreements on behalf of the Nation with Federal, State, and local governments.

The Constitution of the Tohono O’odham Nation Article VII, Section 2(f) provides that the Chairman of the Nation is the official representative of the Nation; and as such, upon passage of a Resolution by the Legislative Council approving of any agreement with Federal, State, and local governments, the Chairman is authorized to sign such agreements on behalf of the Nation.

Under A.R.S. § 5-601.02(H)(4), City may receive monies from the Nation for services identified by the Nation that benefit the general public, including public safety, mitigation of gaming impacts, and promotion of commerce and economic development.

City is authorized by A.R.S. § 11-951 through § 11-954 to enter into agreements for joint or cooperative actions with public agencies.

Now, therefore, in consideration of the mutual promises contained herein, the parties hereby agree as follows:

AGREEMENT

- 1. Purpose.** The purpose of this Agreement is to set forth the rights and responsibilities of the parties with respect to the payment and distribution of the Contribution, as hereinafter defined.
- 2. Contribution.** On execution of this Agreement, the Nation will issue payment to the City in the amount described in Schedule A (the “Contribution”) for the purpose(s) detailed in Schedule A. City will distribute funds directly to the recipients (“Recipients”) listed in Schedule A.

3. Disbursement of Contribution.

- a. Disbursing Contribution and Recordkeeping.** City is responsible for disbursing the Contribution consistent with this Agreement. Within a reasonable time following receipt of the Contribution from the Nation, City shall distribute the Contribution per City policies and procedures governing the disbursement of these funds. City shall keep and maintain records relating to the disbursements and this Agreement.
- b. Post-Disbursement Responsibilities.** When applicable, the parties agree that City will be acting as a conduit for distribution of the Contribution to the Recipient. Upon distribution of the Contribution to the Recipients as identified in Section 2 of this Agreement, the City shall have no further responsibility to the Nation with respect to such funds or the use thereof by the Recipients. Therefore, upon the City's disbursement of the Contribution to a Recipient as provided in Section 2, the Nation shall release the City from any and all claims, demands, debts, liabilities, or obligations that may arise in the event that a Recipient fails to expend the Contribution in accord with Section 2. The Nation further agrees that the City shall have no obligation to reimburse the Nation the amount of the Contribution after the City disburses the Contribution to a Recipient and that the Nation shall look solely to the Recipient for repayment of the Contribution if the Contribution is not used for the intended purposes.

4. Term and Termination.

- a. Effective Date.** This Agreement shall become effective when all parties have signed. The date this Agreement is signed by the last party, as indicated by the date associated with the party's signature, shall be deemed the Effective Date.
- b. Term.** This Agreement shall commence upon the Effective Date and will continue for twelve (12) months unless terminated earlier ("End Date"). The Nation, in its discretion, may approve in writing any request by the City for a no-cost extension, including amending the End Date and adjusting any affected reporting requirements.
- c. Termination by Nation.** The Nation may terminate this Agreement with or without cause at any time by providing City fifteen (15) days advance notice in writing. If the Nation terminates this Agreement after City receives the Contribution but before City disbursed the Contribution in accord with Section 2, the Nation shall include in the notice of termination specific instructions regarding disposition of the Contribution.
- d. Termination by City.** All parties acknowledge that this Agreement may be subject to cancellation by City per A.R.S. § 38-511.

5. Money Unclaimed. If City fails to accept the Contribution on or before November 14, 2025, this Agreement will be deemed to have been terminated by City and the Nation will award the Agreement Contribution to another local government entity.

6. Monitoring, Review, and Audit. The Nation may monitor and review the Recipients' use of their portions of the Contribution as well as the Recipients' performance of the projects

funded thereunder, and their compliance with this Agreement, which may include onsite visits to assess the Recipients' governance, management and operations, to discuss the Recipient's programming and finances, and review relevant financial and other records and materials related to the Recipient's use of their portion of the Contribution. In addition, the Nation may conduct audits, including onsite audits, at any time during the term of this Agreement, and within three years after the Contribution has been fully spent by the Recipients. Any onsite visit or audit shall be conducted at the Nation's expense, following prior written notice, during normal business hours, and no more than once during any twelve (12) month period.

7. **Dispute Resolution.** The parties mutually agree that any disputes arising pursuant to this Agreement shall be resolved through informal dispute resolution. For all disputes arising under this Agreement the Nation and City shall first attempt to negotiate a resolution. All disputes that cannot be resolved through informal dispute resolution shall be resolved in the Courts of the Nation, subject to the laws of the Nation.
8. **Notices.** Any notice, consent or other communication required or permitted under this Agreement shall be in writing and shall be deemed received at the time it is personally delivered, on the day it is sent by facsimile transmission, on the second day after its deposit with any commercial air courier or express service or if mailed, three (3) days after the notice is deposited in the United States mail addressed as follows:

If to the Nation:

Verlon M. Jose Chairman
Tohono O'odham Nation
P.O. Box 837
Sells, Arizona 85634
Phone: (520) 383-2028
Fax: (520) 383-3379

and

Executive Counsel
Tohono O'odham Nation
P.O. Box 837
Sells, Arizona 85634
Phone: (520) 383-2028
Fax: 520-383-3379

If to the City:

City of Avondale
ATTN: Grants Coordinator
Finance and Budget
11465 W. Civic Center Dr.

Avondale, AZ 85323
(623) 333-2068

Any time period stated in a notice shall be computed from the time the notice is deemed received. Either party may change its mailing address or the person to receive notice by notifying the other party as provided in this paragraph.

- 9. Entire Agreement, and Amendments.** This Agreement constitutes the entire understanding and agreement of the parties. This Agreement integrates all of the terms and conditions mentioned herein or incident hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof.
- 10. Relationship.** The relationship of the parties to this Agreement is determined solely by the provisions of this Agreement. The parties do not intend to create any agency, partnership, joint venture, trust, fiduciary or other relationship which would impose liability upon one party for the act or failure to act of the other party.
- 11. No Waiver.** Except as otherwise expressly provided in this Agreement, any failure or delay by any party in asserting any of its rights or remedies as to any default, shall not operate as a waiver of any default, or of any such rights or remedies, or deprive any such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.
- 12. Severability.** If any provision of this Agreement shall be found invalid or unenforceable, the remaining provisions of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.
- 13. Counterparts and Electronic Signatures.** This Agreement is executed in duplicate originals. Except as may be prohibited by applicable law or regulation, this Agreement and any amendment may be signed in counterparts, by facsimile, PDF, or other electronic means, each of which will be deemed an original and all of which when taken together will constitute one agreement. Facsimile and electronic signatures will be binding for all purposes.
- 14. Sovereign Immunity.** Nothing in this Agreement shall be deemed a waiver of either party's sovereign immunity in any forum or jurisdiction.

This Agreement is signed on behalf of the parties:

TOHONO O'ODHAM NATION



Verlon M. Jose, Chairman

10/28/2025

Date

CITY OF AVONDALE

Mayor

Date

ATTEST:

Clerk of the City Council

Date

Schedule A--Recipient

Program	Project	Contribution
1. Avondale Police Department	Mobile Training Structures	\$125,056.00
2. City of Avondale, Public Works Department	Crystal Gardens Wetlands	\$36,995.00
	Total	\$162,051.00

ITEM NUMBER: 4.f.

SUBJECT: Resolution 1003-0126 - Supporting Habitat for Humanity Grant Application Through Maricopa County HOME Investment Partnerships Program Community Housing Development Organization Funding

MEETING DATE: 1/12/2026

TO: Mayor and Council

FROM: Chris Lopez, Director of Neighborhood & Family Services

THROUGH: Dale Nannenga, Assistant City Manager, (623) 333-1017

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

STRATEGIC PLAN:

Creative and Sustainable Community Development — construction of affordable housing on infill lots will create jobs, boost the local economy through increased spending and increased tax base, and help revitalize the area.

PURPOSE:

City Council will consider a request to adopt Resolution 1003-0126, associated with a grant application submitted by Habitat for Humanity of Central Arizona to Maricopa County for HOME Community Housing Development Organizations (CHDO) funds, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Since May 2005, the City of Avondale has been a participant in the Maricopa County HOME Consortium, when the City Council adopted Resolution 2485-05 authorizing the City to enter into an Intergovernmental Agreement (IGA) with Maricopa County and seven other municipalities in the Valley. Membership in the Consortium entitles the City to a portion of the Consortium's annual allocation of HOME Investment Partnerships (HOME) funds from the U.S. Department of Housing and Urban Development (HUD). The goal of the HOME Program is to strengthen public-private partnerships and to expand the supply of decent, safe, sanitary, and affordable housing for very low-income and low-income families.

Each year, prior to distribution of these funds to Consortium members, HUD regulations require that the Consortium set aside at least 15% of total allocated HOME funds for use by Community Housing Development Organizations (CHDO). CHDOs are specially designated non-profit housing development organizations recognized within the HOME Program that provide affordable housing as part of their core mission and adhere to a certain board structure, among other requirements.

Maricopa County (as the Consortium's Lead Agency) issues a Notice of Funding Availability (NOFA) annually to solicit affordable housing proposals from CHDOs. For Program Year (PY) 2026, the Consortium will allocate approximately \$675,000 in HOME funds to eligible CHDOs. The Consortium members review these

applications and make funding recommendations for inclusion in the required HUD Annual Action Plan.

DISCUSSION:

Habitat for Humanity (Habitat) is a nonprofit housing organization working in local communities across all 50 states and in more than 70 countries around the world. Habitat's vision is of a world where everyone has a decent place to live. Habitat works toward this vision by building and improving homes in partnership with individuals and families in need of a decent and affordable place to live. Habitat submitted an application for \$325,000 in HOME CHDO funds for use in the City of Avondale. Acting in the capacity of a developer, Habitat proposes to acquire the city-owned, vacant lot at 11043 W. 4th St. to develop a single-family home. The new home will be sold to a low-income homebuyer which will be permanently affordable through a Land Use Restriction Agreement (LURA). The funding request represents a portion of the gap in funding required to develop the property.

As required by HUD regulations and the Maricopa HOME Consortium Intergovernmental Agreement (IGA), for Habitat to be eligible for the HOME funding, the City must do the following:

- Agree to act as CHDO Contract Administrator, which obligates the City to complete project Environmental Reviews, review and approve CHDO reimbursement requests, monitor the CHDO's progress, monitor the CHDO for overall compliance with the CHDO contract and HUD regulations, provide reports to the County, among others as stipulated in the HOME Consortium IGA.
- Certify through a Resolution that the activity proposed in Habitat's application is consistent with the goals of the City's HUD 5-Year Consolidated Plan. New construction of affordable housing is consistent with the Consolidated Plan's goal to *preserve existing housing and create new affordable housing opportunities*.
- Consent to act as Beneficiary of any Deed of Trust or other lien instrument associated with HOME loan assistance provided through the project.

Staff have reviewed these requirements and have determined that they are consistent with HOME regulations, the City's HOME Consortium obligations, and will bring additional funding to develop affordable housing units to Avondale.

BUDGET IMPACT:

There is no budgetary impact to the City associated with this request. All grant funds will be reimbursable directly to Habitat from Maricopa County based on the City's review and approval of documented expenses.

RECOMMENDATION:

Staff recommends approval of the Resolution supporting Habitat's HOME CHDO application, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Contact person for document distribution: Regina Marette

RESOLUTION 1003-0126

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, SUPPORTING THE SUBMISSION OF AN APPLICATION TO MARICOPA COUNTY, ARIZONA FOR FEDERAL HOME FUNDS BY HABITAT FOR HUMANITY, A NON-PROFIT COMMUNITY HOUSING DEVELOPMENT ORGANIZATION; CERTIFYING COMPLIANCE WITH THE HOUSING AND URBAN DEVELOPMENT CONSOLIDATED PLAN; AND AUTHORIZING THE CITY TO SERVE AS THE ADMINISTRATOR OF THE FUNDED ACTIVITY.

WHEREAS, Habitat for Humanity is an Arizona non-profit Community Housing Development Organization which has a history of community service in the City of Avondale (the “City”); and

WHEREAS, Habitat for Humanity provides affordable housing for low and moderate income households; and

WHEREAS, Maricopa County, Arizona established the Maricopa County HOME Consortium to accept and pass-through federal funds for affordable housing projects; and

WHEREAS, Habitat for Humanity has submitted an application to the Maricopa County HOME Consortium for federal HOME Investment Partnership Program (HOME) funding (the “Application”); and

WHEREAS, if funded, Habitat for Humanity will provide affordable housing for low- and moderate-income households located within the jurisdictional boundaries of the City, and the City will serve as the administrator of the contract between Habitat for Humanity and the Maricopa County HOME Consortium; and

WHEREAS, the activity identified in the Application meets the priorities identified in the City’s Housing and Urban Development Consolidated Plan (the “Consolidated Plan”).

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 Council of the City of Avondale (the “City Council”) hereby supports the submission of the Application to the Maricopa County HOME Consortium for federal funding.

SECTION 3. The City Council hereby finds and determines that the intended use of the federal funds is in conformance with the City’s Consolidated Plan.

SECTION 4. The City Council hereby authorizes the City to serve as the administrator of the contract between Habitat for Humanity and Maricopa County and to accept assignment of beneficial interests under the loan agreement, deed of trust, promissory note and restrictive covenants between Maricopa County and Habitat for Humanity, if the activity is funded.

SECTION 5. The Mayor, the City Manager or authorized designee, the City Clerk and the City Attorney are hereby authorized and directed to execute and submit all documents and any other necessary or desirable instruments and cause the execution and submission of all documents and any other necessary or desirable instruments in connection with the Application and the activity and to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, January 12, 2026.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

ITEM NUMBER: 4.g.

SUBJECT: Resolution 1004-0126 - Supporting Trellis Grant Application Through Maricopa County HOME Investment Partnerships Program Community Housing Development Organization Funding

MEETING DATE: 1/12/2026

TO: Mayor and Council

FROM: Chris Lopez, Director, Neighborhood and Family Services

THROUGH: Dale Nannenga, Assistant City Manager, (623) 333-1017

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

STRATEGIC PLAN:

Creative and Sustainable Community Development — construction of affordable housing on infill lots will create jobs, boost the local economy through increased spending and increased tax base, and help revitalize the area.

PURPOSE:

City Council will consider a request to adopt Resolution 1004-0126, associated with a grant application submitted by Trellis to Maricopa County for HOME Community Housing Development Organizations (CHDO) funds, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Since May 2005, the City of Avondale has been a participant in the Maricopa County HOME Consortium, when the City Council adopted Resolution 2485-05 authorizing the City to enter into an Intergovernmental Agreement (IGA) with Maricopa County and seven other municipalities in the Valley. Membership in the Consortium entitles the City to a portion of the Consortium's annual allocation of HOME Investment Partnerships (HOME) funds from the U.S. Department of Housing and Urban Development (HUD). The goal of the HOME Program is to strengthen public-private partnerships and to expand the supply of decent, safe, sanitary, and affordable housing for very low-income and low-income families.

Each year, prior to distribution of these funds to Consortium members, HUD regulations require that the Consortium set aside at least 15% of total allocated HOME funds for use by Community Housing Development Organizations (CHDO). CHDOs are specially designated non-profit housing development organizations recognized within the HOME Program that provide affordable housing as part of their core mission and adhere to a certain board structure, among other requirements.

Maricopa County (as the Consortium's Lead Agency) issues a Notice of Funding Availability (NOFA) annually to solicit affordable housing proposals from CHDOs. For Program Year (PY) 2026, the Consortium will allocate approximately \$675,000 in HOME funds to eligible CHDOs. The Consortium members review these

applications and make funding recommendations for inclusion in the required HUD Annual Action Plan.

DISCUSSION:

Trellis is a nonprofit housing organization that was formed in 1975 with help from the City of Phoenix and NeighborWorks America. NeighborWorks America is a national nonprofit organization, federally funded by appropriations from Congress that provide financial support, technical assistance and training for community-based revitalization efforts in all 50 states. Trellis provides homeownership counseling, financial access, and neighborhood development. Trellis applied for \$370,228 in HOME CHDO funds for use in the City of Avondale. Acting in the capacity of a developer, Trellis proposes to acquire the city-owned, vacant lot 12330 W. Elwood to develop a single-family modular home. The new home will be sold to a low-income homebuyer, with a veteran preference. The funding request represents a portion of the gap in funding required to develop the property.

As required by HUD regulations and the Maricopa HOME Consortium Intergovernmental Agreement (IGA), for Trellis to be eligible for the HOME funding, the City must do the following:

- Agree to act as CHDO Contract Administrator, which obligates the City to complete project Environmental Reviews, review and approve CHDO reimbursement requests, monitor the CHDO's progress, monitor the CHDO for overall compliance with the CHDO contract and HUD regulations, provide reports to the County, among others as stipulated in the HOME Consortium IGA.
- Certify through a Resolution that the activity proposed in Trellis' application is consistent with the goals of the City's HUD 5-Year Consolidated Plan. New construction of affordable housing is consistent with the Consolidated Plan's goal to *preserve existing housing and create new affordable housing opportunities*.
- Consent to act as Beneficiary of any Deed of Trust or other lien instrument associated with HOME loan assistance provided through the project.

Staff have reviewed these requirements and have determined that they are consistent with HOME regulations, the City's HOME Consortium obligations, and will bring additional funding to develop affordable housing units to Avondale.

BUDGET IMPACT:

There is no budgetary impact to the City associated with this request. All grant funds will be reimbursable directly to Trellis from Maricopa County based on the City's review and approval of documented expenses.

RECOMMENDATION:

Staff recommends approval of the Resolution supporting Trellis' HOME CHDO application, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

Contact person for document distribution: Regina Marette

RESOLUTION 1004-0126

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, SUPPORTING THE SUBMISSION OF AN APPLICATION TO MARICOPA COUNTY, ARIZONA FOR FEDERAL HOME FUNDS BY TRELIS, A NON-PROFIT COMMUNITY HOUSING DEVELOPMENT ORGANIZATION; CERTIFYING COMPLIANCE WITH THE HOUSING AND URBAN DEVELOPMENT CONSOLIDATED PLAN; AND AUTHORIZING THE CITY TO SERVE AS THE ADMINISTRATOR OF THE FUNDED ACTIVITY.

WHEREAS, Trellis is an Arizona non-profit Community Housing Development Organization which has a history of community service in the City of Avondale (the “City”); and

WHEREAS, Trellis provides affordable housing for low and moderate income households; and

WHEREAS, Maricopa County, Arizona established the Maricopa County HOME Consortium to accept and pass-through federal funds for affordable housing projects; and

WHEREAS, Trellis has submitted an application to the Maricopa County HOME Consortium for federal HOME Investment Partnership Program (HOME) funding (the “Application”); and

WHEREAS, if funded, Trellis will provide affordable housing for low- and moderate-income households located within the jurisdictional boundaries of the City, and the City will serve as the administrator of the contract between Trellis and the Maricopa County HOME Consortium; and

WHEREAS, the activity identified in the Application meets the priorities identified in the City’s Housing and Urban Development Consolidated Plan (the “Consolidated Plan”).

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 Council of the City of Avondale (the “City Council”) hereby supports the submission of the Application to the Maricopa County HOME Consortium for federal funding.

SECTION 3. The City Council hereby finds and determines that the intended use of the federal funds is in conformance with the City's Consolidated Plan.

SECTION 4. The City Council hereby authorizes the City to serve as the administrator of the contract between Trellis and Maricopa County and to accept assignment of beneficial interests under the loan agreement, deed of trust, promissory note and restrictive covenants between Maricopa County and Trellis, if the activity is funded.

SECTION 5. The Mayor, the City Manager or authorized designee, the City Clerk and the City Attorney are hereby authorized and directed to execute and submit all documents and any other necessary or desirable instruments and cause the execution and submission of all documents and any other necessary or desirable instruments in connection with the Application and the activity and to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, January 12, 2026.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

ITEM NUMBER: 5.a.

SUBJECT: Public Hearing - Intent to Adopt Revised Development Impact Fees

MEETING DATE: 1/12/2026

TO: Mayor and Council

FROM: Renee Weatherless, Finance and Budget Director

THROUGH: Ron Corbin, City Manager

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

STRATEGIC PLAN:

STRATEGIC OUTCOME: Resilient Infrastructure and Transportation

STRATEGY: Maintain and expand sewer and water infrastructure to ensure adequate capacity and water supplies for future growth.

PURPOSE:

City Council will conduct a public hearing on the City's intent to adopt revised development fees. This item is for discussion only, no action will be taken.

BACKGROUND:

On July 31, 2025, a notice of public hearing on the City's proposed Land Use Assumptions (LUA) and Infrastructure Improvement Plan (IIP) was posted on the City's website. Copies of the LUA and IIP documents were released and posted on the City's website for inspection by interested parties.

On August 2, 2025, a notice of public hearing on the City's proposed LUA and IIP was posted in the Arizona Republic - West Valley alerting interested parties of the public hearing and the City's proposed LUA and IIP was posted on the City's website.

On October 6, 2025, City Council conducted a public hearing on the proposed updated LUA and IIP.

On November 17, 2025, City Council adopted Resolution 1069-1125, adopting the LUA and IIP and provided notice of intent to adopt revised development impact fees.

On November 19, 2025, the City posted a Notice of Intent to Assess Development Fees on the City's website.

DISCUSSION:

This public hearing is required by ARS 9-463.05 and must be held at least 30 days before adoption of revised impact fees. The updated calculated waste water development impact fee is included in the attached report. Adoption of the final waste water development impact fee will be scheduled on February 23, 2026. The fees shall not take effect for at least 75 days.

BUDGET IMPACT:

Approving the updated calculated development fees enables the City to collect funds necessary to build the infrastructure associated with growth.

RECOMMENDATION:

Staff recommends City Council conduct a public hearing on the intent to adopt revised development impact fees.

Contact person for document distribution:

City of
AVONDALE

Land Use Assumptions and Infrastructure
Improvements Plan for Parks/Recreation,
Fire, Police, Streets, Water, and Wastewater
Facilities

Updated Report

September 29, 2025

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Introduction

Arizona Revised Statutes (ARS) §9-463.05 governs how Development Impact Fees (DIF) are calculated for municipalities in Arizona. The enabling legislation calls for three integrated products: 1) Land Use Assumptions (LUA) for at least 10 years, 2) Infrastructure Improvements Plan (IIP), and 3) Development Impact Fees (DIF). Because Arizona requires a two-phase adoption process, the LUA and IIP will be reviewed, refined, and approved before focusing on impact fees.

According to requirements of Arizona’s enabling legislation, DIF may be only used for construction, acquisition or expansion of public facilities that are necessary public services. “Necessary public service” means any of the following categories of facilities that have a life expectancy of three or more years and that are owned and operated by or on behalf of the municipality.

- Water Facilities
- Wastewater Facilities
- Storm Water, Drainage, and Flood Control Facilities
- Library Facilities
- Streets Facilities
- Fire and Police Facilities
- Parks and Recreational Facilities
- Any facility that was financed before June 1, 2011 and that meets the following requirements:
 1. impact fees were pledged to repay debt service obligations related to the construction of the facility.
 2. After August 1, 2014, any impact fees collected are used solely for the payment of principal and interest on the portion of the bonds, notes, or other debt service obligations issued before June 1, 2011 to finance construction of the facility.

Infrastructure Improvements Plan

Development fees must be calculated pursuant to an Infrastructure Improvements Plan (IIP). For each necessary public service that is the subject of a development fee, Subsection 9-463.05(E) requires the following.

1. *A description of the existing necessary public services in the service area and the costs to upgrade, update, improve, expand, correct or replace those necessary public services to meet existing needs and usage and stricter safety, efficiency, environmental or regulatory standards, which shall be prepared by qualified professionals licensed in this state, as applicable.*
2. *An analysis of the total capacity, the level of current usage and commitments for usage of capacity of the existing necessary public services, which shall be prepared by qualified professionals licensed in this state, as applicable.*
3. *A description of all or the parts of the necessary public services or facility expansions and their costs necessitated by and attributable to development in the service area based on the approved land use assumptions, including a forecast of the costs of infrastructure, improvements, real property, financing, engineering and architectural services, which shall be prepared by qualified professionals licensed in this state, as applicable.*
4. *A table establishing the specific level or quantity of use, consumption, generation or discharge of a service unit for each category of necessary public services or facility*

expansions and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial and industrial.

5. The total number of projected service units necessitated by and attributable to new development in the service area based on the approved land use assumptions and calculated pursuant to generally accepted engineering and planning criteria.

6. The projected demand for necessary public services or facility expansions required by new service units for a period not to exceed ten years.

7. A forecast of revenues generated by new service units other than development fees, which shall include estimated state-shared revenue, highway users revenue, federal revenue, ad valorem property taxes, construction contracting or similar excise taxes and the capital recovery portion of utility fees attributable to development based on the approved land use assumptions, and a plan to include these contributions in determining the extent of the burden imposed by the development as required in subsection B, paragraph 12 of this section.

Qualified Professionals

Qualified professionals must prepare the LUA, IIP and DIF, using generally accepted engineering, planning, and financial practices. A qualified professional is defined as “a professional engineer, surveyor, financial analyst or planner providing services within the scope of the person’s license, education, or experience.” Raftelis is a financial consulting firm specializing in impact fees, infrastructure funding, user fees, cost of service studies, capital improvement plans, and utility rate studies. Raftelis has over 100 professionals located in major urban areas across America. Avondale’s LUA and IIP were prepared by qualified professionals in Denver, CO.

Land Use Assumptions

The City of Avondale will use the same land use assumptions for all types of infrastructure. In addition to population and housing unit projections, the IIP and impact fees also require demographic data on nonresidential development, such as jobs and floor area. This document contains the land use assumptions for Avondale's 2022 DIF update. The LUA and IIP must be updated every five years, making short-range projections the critical time frame. The IIP is limited to ten years, thus a very long-range "build-out" analysis may not be used to derive impact fees in Arizona.

ARS §9-463.05(T)(7) defines land use assumptions as:

"Projections of changes in land uses, densities, intensities and population for a specified service area over a period of at least ten years and pursuant to the General Plan of the municipality."

Raftelis prepared current demographic **estimates** and future development **projections** for both residential and nonresidential development that are used in the IIP and calculation of impact fees. Current conditions in Fiscal Year (FY) 21-22 are used to document levels-of-service provided to existing development in Avondale. Although long-range projections are necessary for planning infrastructure systems, a ten-year timeframe is critical for the LUA and IIP.

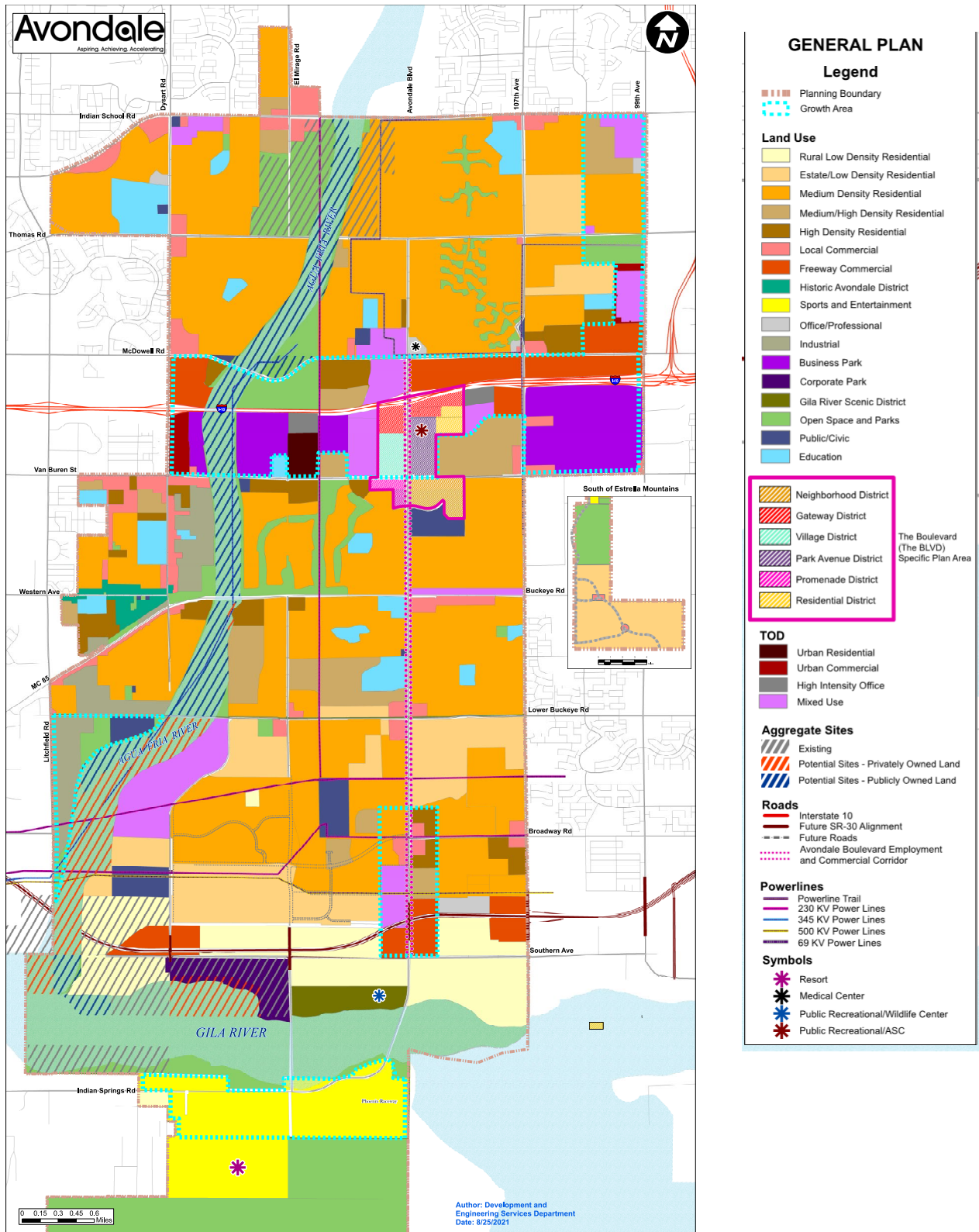
Service Area

ARS §9-463.05(T)(9) defines "service area" as:

"...Any specified area within the boundaries of a municipality in which development will be served by necessary public services or facility expansions and within which a substantial nexus exists between the necessary public services or facility expansions and the development being served as prescribed in the infrastructure improvements plan. "

A citywide service area is appropriate for Avondale's public facilities. Figure 1 indicates land uses, densities, and intensities of development as specified in the General Plan. The service area is defined as all land within the city limits of Avondale, as modified over time.

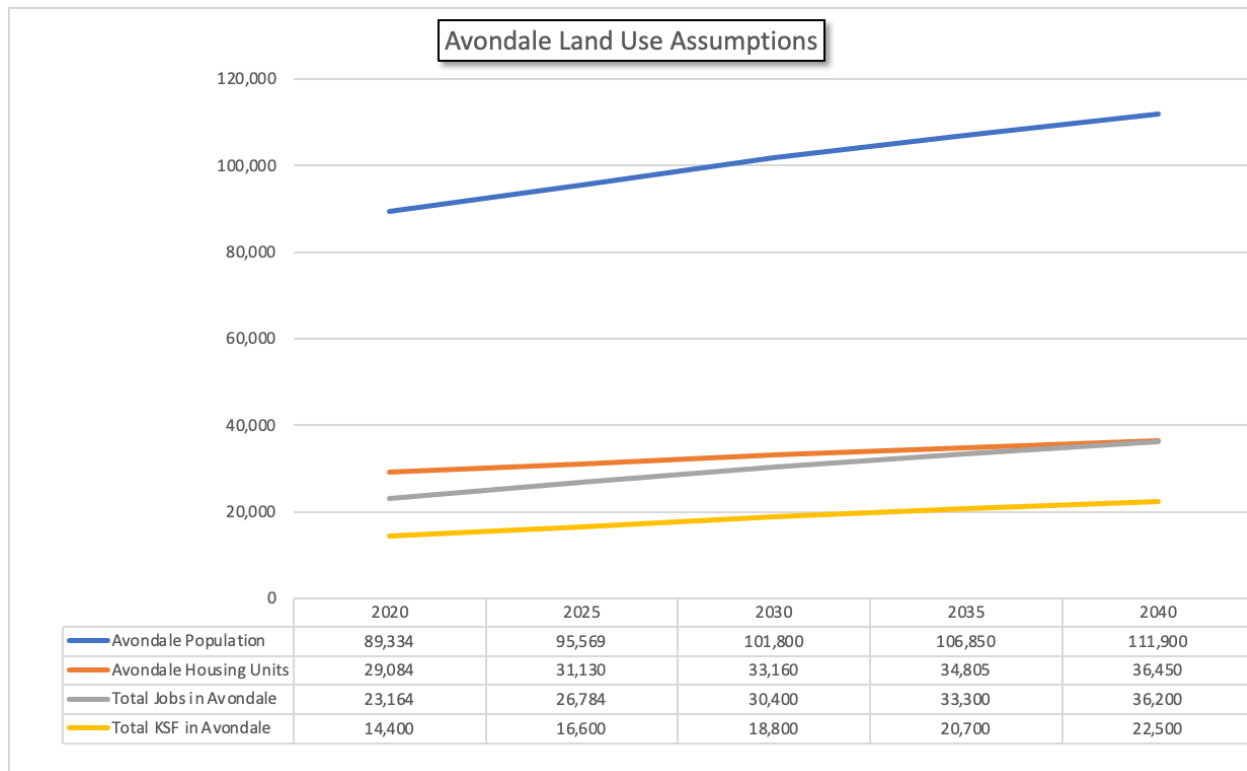
Figure 1 - Service Area Map



Summary of Growth Indicators

Service units (i.e., residents and jobs) and development units (i.e., dwellings and square feet of nonresidential floor area expressed in thousands) for 2020 through 2040 are summarized in Figure 2. These land use assumptions will be used to estimate DIF revenue and to indicate the anticipated need for growth-related infrastructure. However, DIF methodologies are designed to reduce sensitivity to accurate development projections in the determination of the proportionate-share fee amounts. If actual development is slower than projected, DIF revenues will also decline, but so will the need for growth-related infrastructure. In contrast, if development is faster than anticipated, Avondale will receive an increase in DIF revenue and will also accelerate capital improvements to keep pace with development.

Figure 2 – Chart of Projected Development



Service Units by Type of Residential Development

The U.S. Census Bureau no longer obtains detailed information using “long-form” questionnaires. Demographic data is currently collected using a continuous monthly mailing of surveys, known as the American Community Survey (ACS), which is limited by sample-size constraints. For example, data on Single Family detached housing units are now combined with attached single units (commonly known as townhouses). According to the U.S. Census Bureau, a household is a housing unit that is occupied by year-round residents. Development fees often use per capita standards and persons per housing unit, or persons per household, to derive proportionate-share fee amounts. Raftelis recommends that fees for residential development in the City of Avondale be imposed according to the number of year-round residents per housing unit. Figure 3 documents Avondale’s most recent multipliers by type of housing.

Figure 3: Persons per Housing Unit by Units in Structure

City of Avondale

Units in Structure	Persons	Housing Units	Persons per Housing Unit	Housing Mix
Single Unit (detached and attached)	70,590	21,442	3.29	77%
2+ Unit (all other residential)	15,332	6,543	2.34	23%
Subtotal	85,922	27,985	3.07	

Source: 2016-2020 ACS Tables B25024 and B25033, U.S. Census Bureau.

Service Units by Type of Nonresidential Development

In addition to data on residential development, the calculation of impact fees requires data on nonresidential development. Raftelis uses the term “jobs” to refer to employment by place of work. In Figure 4, gold shading indicates nonresidential development prototypes that will be used to allocate costs. Nonresidential development categories represent general groups of land uses that share similar average weekday vehicle trip generation rates and employment densities (i.e., jobs per thousand square feet of floor area). The prototype for future Industrial development is Warehousing (ITE land use 150). For Office/Services, General Office (ITE 710) is the prototype for future development in Avondale. The prototype for Commercial (e.g., retail and restaurants) is a Shopping Center (ITE code 820).

Figure 4 – Nonresidential Trip Rates and Jobs by Type of Development

ITE Code	Land Use / Size	Demand Unit	Weekday Trip Ends Per Demand Unit*	Weekday Trip Ends Per Employee *	Employees Per Demand Unit	Square Feet Per Employee
110	Light Industrial	1,000 Sq Ft	4.87	3.10	1.57	637
140	Manufacturing	1,000 Sq Ft	4.75	2.51	1.89	528
150	Warehousing	1,000 Sq Ft	1.71	5.05	0.34	2,953
310	Hotel	room	7.99	14.34	0.56	N/A
320	Motel	room	3.35	25.17	0.13	N/A
520	Elementary School**	1,000 Sq Ft	19.52	21.00	0.93	1,076
530	High School**	1,000 Sq Ft	14.07	22.25	0.63	1,581
610	Hospital	1,000 Sq Ft	10.77	3.77	2.86	350
620	Nursing Home	1,000 Sq Ft	6.75	3.31	2.04	490
710	General Office	1,000 Sq Ft	10.84	3.33	3.26	307
720	Medical/Dental Office	1,000 Sq Ft	36.00	8.71	4.13	242
820	Shopping Center	1,000 Sq Ft	37.01	17.42	2.12	471
850	Grocery/Supermarket	1,000 Sq Ft	93.84	43.86	2.14	467

* *Trip Generation, Institute of Transportation Engineers, 11th Edition (2022).*

** *Trip Generation, Institute of Transportation Engineers, 10th Edition (2017).*

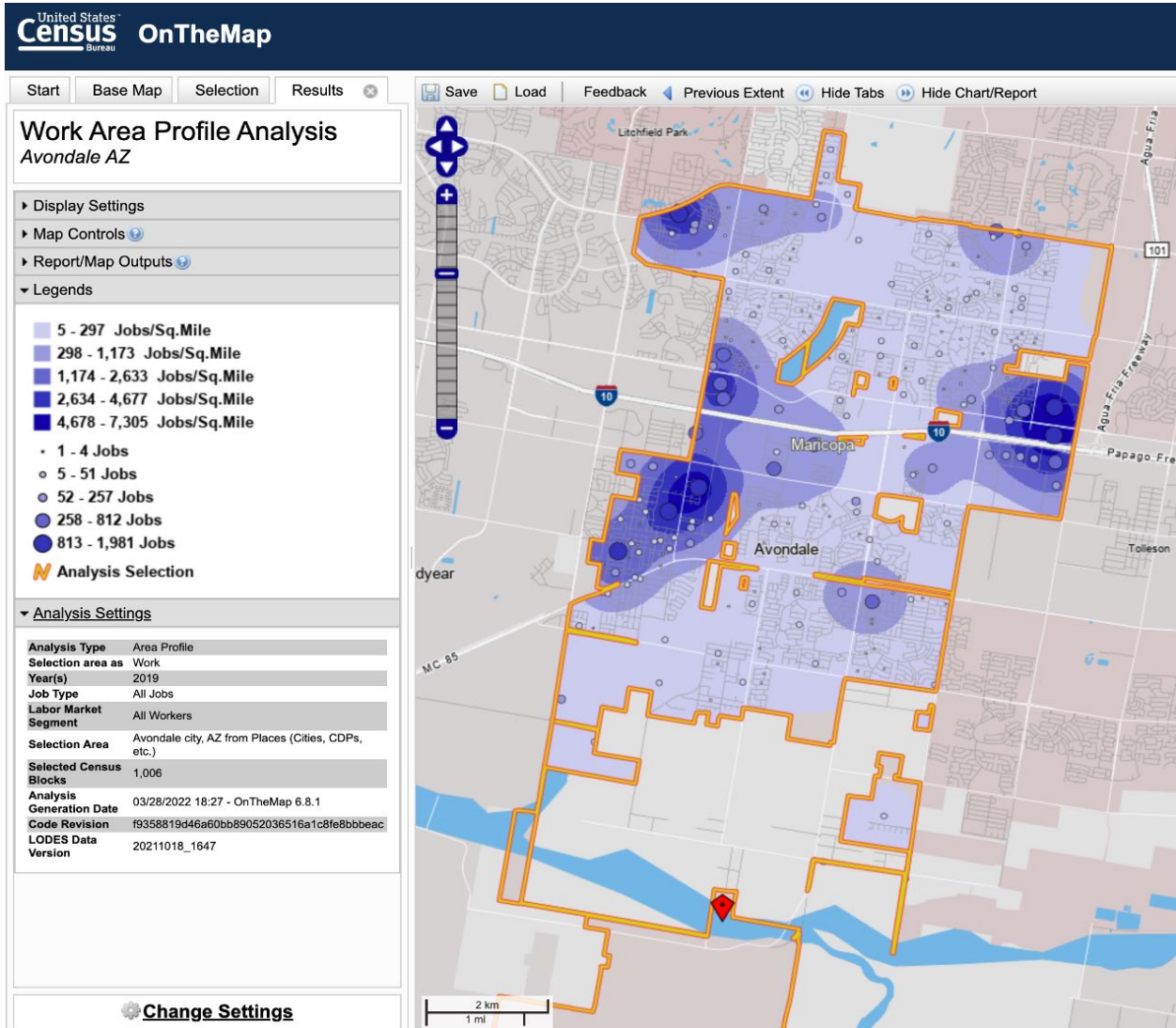
Latest data on jobs in Avondale (see Figure 5) are from the Census Bureau. Each row is an industry sector, as reported by the North American Industry Classification System. Subtotals and percentages for Avondale’s three types of nonresidential development are shown at the bottom of the table.

Figure 5 – Work Area Profile

Avondale AZ

<i>Industry Classification</i>	<i>2019 Jobs</i>	<i>General Type</i>
Agriculture, Forestry, Fishing and Hunting	16	Industrial
Mining, Quarrying, and Oil and Gas Extraction	0	Industrial
Utilities	127	Industrial
Construction	871	Industrial
Manufacturing	68	Industrial
Wholesale Trade	460	Industrial
Retail Trade	5,440	Commercial
Transportation and Warehousing	235	Industrial
Information	380	Office / Institutional
Finance and Insurance	203	Office / Institutional
Real Estate and Rental and Leasing	208	Office / Institutional
Professional, Scientific, and Technical Services	272	Office / Institutional
Management of Companies and Enterprises	16	Office / Institutional
Administration & Support, Waste Management and Remediation Services	536	Office / Institutional
Educational Services	3,399	Office / Institutional
Health Care and Social Assistance	1,285	Office / Institutional
Arts, Entertainment, and Recreation	349	Office / Institutional
Accommodation and Food Services	2,565	Commercial
Other Services (excluding Public Administration)	173	Office / Institutional
Public Administration	1	Office / Institutional
Total Jobs	16,604	
Subtotals by Type of Nonresidential Development		
Industrial	1,777	11%
Commercial	8,005	48%
Office / Institutional	6,822	41%
Total Jobs	16,604	100%

The map below indicates the general location and concentration of jobs within Avondale (dark blue indicates more jobs per square mile).



Detailed land use assumptions are shown in Figure 6. Population and housing units in 2020 are from the U.S. Census Bureau. Projected 2030, 2040, and 2050 population in the Avondale Municipal Planning Area (MPA) are from Maricopa Association of Governments (MAG). Jobs in the Avondale MPA for 2020, 2030, 2040, and 2050 are also from MAG. Raftelis converted jobs to nonresidential floor area using average square feet per job multipliers documented in pages 23-25 of the MAG 2019 Socioeconomic Projections. Industrial average of 1,060 square feet per job is based on manufacturing and warehousing. Commercial average of 660 square feet per job is based on retail, restaurants, and hotels. Office/Services average of 459 square feet per job is based on information, finance/insurance, and real estate. See Appendix B for supporting documentation from MAG.

Figure 6 – Detailed Land Use Assumptions

2022 LUA Avondale AZ	FY24-25	FY25-26	FY26-27	FY27-28	FY28-29	FY29-30	FY34-35	FY44-45	FY49-50	
	Base Yr	1	2	3	4	5	10	20	25	
	2020	2025	2026	2027	2028	2029	2030	2035	2045	2050
Population										
Avondale Population	89,334	95,569	96,816	98,063	99,310	100,557	101,800	106,850	115,450	119,000
Housing Units										
Persons per Housing Unit	3.07	3.07	3.07	3.07	3.07	3.07	3.07	3.07	3.07	3.07
Avondale Housing Units	29,084	31,130	31,536	31,942	32,349	32,755	33,160	34,805	37,606	38,762
Jobs (place of work)										
Industrial Jobs	2,548	2,946	3,026	3,106	3,185	3,265	3,344	3,663	4,345	4,708
Commercial Jobs	11,119	12,856	13,204	13,551	13,899	14,246	14,592	15,984	18,960	20,544
Office/Services Jobs	9,497	10,981	11,278	11,575	11,872	12,169	12,464	13,653	16,195	17,548
Total Jobs in Avondale	23,164	26,784	27,508	28,232	28,956	29,680	30,400	33,300	39,500	42,800
Jobs-Housing Ratio	0.80	0.86	0.87	0.88	0.90	0.91	0.92	0.96	1.05	1.10
Nonresidential Floor Area (square feet in thousands = KSF)										
Industrial KSF	2,700	3,100	3,200	3,300	3,400	3,500	3,500	3,900	4,600	5,000
Commercial KSF	7,300	8,500	8,700	8,900	9,200	9,400	9,600	10,500	12,500	13,600
Office/Services KSF	4,400	5,000	5,200	5,300	5,400	5,600	5,700	6,300	7,400	8,000
Total KSF in Avondale	14,400	16,600	17,100	17,500	18,000	18,500	18,800	20,700	24,500	26,600
Average Square Feet per Job	622	620	622	620	622	623	618	622	620	621

24to25	25to26	26to27	27to28	28to29	29to30	34to35	44to45	49to50
1,247	1,247	1,247	1,247	1,247	1,243	1,010	710	710
406	406	406	407	406	405	329	231	231
724	724	724	724	724	720	580	660	660
100	100	100	100	100	0	100	100	100
200	200	200	300	200	200	100	200	300
100	200	100	100	200	100	100	100	100
400	500	400	500	500	300	300	400	500

Parks/Recreation Facilities IIP

ARS § 9-463.05(T)(7)(g) defines parks and recreation facilities eligible for development fee funding.

“Neighborhood parks and recreational facilities on real property up to thirty acres in area, or parks and recreational facilities larger than thirty acres if the facilities provide a direct benefit to the development. Park and recreational facilities do not include vehicles, equipment or that portion of any facility that is used for amusement parks, aquariums, aquatic centers, auditoriums, arenas, arts and cultural facilities, bandstand and orchestra facilities, bathhouses, boathouses, clubhouses, community centers greater than three thousand square feet in floor area, environmental education centers, equestrian facilities, golf course facilities, greenhouses, lakes, museums, theme parks, water reclamation or riparian areas, wetlands, zoo facilities or similar recreational facilities, but may include swimming pools.”

In the 2022 update, the City of Avondale is using two methods to derive impact fees for park and recreation facilities. First, Avondale used a cost recovery method for a General Fund loan of \$2.5 million used to construct 5.8 acres at Alamar Park. Second, Avondale will use an incremental expansion cost method for additional park improvements. Parks/recreation development fees in Avondale exclude costs to upgrade, update, improve, expand, correct or replace necessary public services to meet existing needs/usage. Avondale fees also exclude stricter safety, efficiency, environmental or regulatory standards.

Service Area

The service area for parks/recreation development fees includes the area north of the Estrella Mountains.

Proportionate Share

ARS § 9-463.05(B)(3) states the development fee shall not exceed a proportionate share of the cost of necessary public services needed to serve new development. In Avondale, parks/recreation infrastructure standards, projected needs, and development fees are based on both residential and nonresidential development. As shown in Figure PR1, Raftelis used daytime population to allocate costs. Daytime population includes estimated residents and inflow commuters in 2019 (latest year available). Potential demand days per year assume residents might use parks every day of the year, but inflow commuters will only use parks four days per week over 48 weeks per year (i.e., two weeks of vacation and two weeks of holidays). Based on cumulative demand days, residential development accounts for 92% of the demand for parks/recreation facilities, with 8% assigned to nonresidential development.

Figure PR1 – Daytime Population

Cost Allocation Factors for Parks	Residential	Nonresidential	
2019 Daytime Population	85,595 Residents	14,888 Inflow Commuters	
Potential Demand Days per Year	365	192	<i>Total</i>
Cumulative Demand Days	31,242,175	2,858,496	34,100,671
Proportionate Share	92%	8%	

Source of inflow commuters is U.S. Census Bureau, Inflow/Outflow report from OnTheMap website.

Current Use and Standards for Parks/Recreation Facilities

Avondale has determined that additional parks are necessary to accommodate future development. As shown in Figure PR2, the City’s current standard is approximately 1.10 acres of improved parks per 1,000 residents and approximately 0.36 acres per 1,000 jobs. These standards exclude parks less than 1.5 acres that might not provide citywide benefit. To accommodate new development over the next ten years, Avondale will expand parks, with expenditures estimated to cost of approximately \$6.72 million. According to Avondale Staff, the cost factor of \$431,000 per acre for park improvements is based on recent construction of Alamar Park.

Figure PR2 – Existing Park Improvements Standards and Growth Needs

Location	Improved
Friendship Park	30.0
Festival Fields	30.0
Alamar Park**	24.2
Las Ligas Park	8.1
Donnie Hale Park	5.3
Dessie Lorenz Park	4.6
Mountain View Park	3.6
Dennis DeConcini Park	2.0
Fred Campbell Park	1.5
Total =>	109.3
Average Size (acres)	12.1
2022 Service Units	91,828
Persons	24,612
Jobs	0.36
Acres per 1,000 Service Units	1.10

**Source: Avondale staff (excludes parks less than 1.5 acres that might not provide citywide benefit).*

*** Impact fee eligible area (30 acres) reduced to account for area constructed*

Projected Need for Park Improvements				
	Year	Population	Jobs	Improved Acres
Base	2022	91,828	24,612	109.3
Year 1	2023	93,075	25,336	110.9
Year 2	2024	94,322	26,060	112.5
Year 3	2025	95,569	26,784	114.2
Year 4	2026	96,816	27,508	115.8
Year 5	2027	98,063	28,232	117.4
Year 10	2032	103,820	31,560	124.9
Ten-Yr Increase		11,992	6,948	15.6
Total Project Cost per Acre =>				\$431,000
Growth Cost of Parks =>				\$6,724,000

Parks/Recreation Improvements

Figure PR3 lists planned parks/recreation improvements over the next ten years. Based on projected needs to accommodate growth, Avondale expects to spend approximately \$6.72 million to expand parks

improvements over the next ten years. Improved acres may include expansion of existing parks or an additional park site. Also, the City used General Fund revenue to front-end recent, growth-related park improvements. Based on projects under construction in FY22, the Park impact fee fund has a negative balance of approximately \$2.5 million, to account for the General Fund loan.

Figure PR3 – Parks/Recreation Projects Over Ten Years

<i>Infrastructure Needs</i>	<i>Infrastructure Units</i>	<i>Growth Quantity Over Ten Years</i>	<i>Cost Factor per Unit</i>	<i>IIP Cost (rounded)</i>
Parks and Recreation Facilities	improved acres	15.6	\$431,000	\$6,724,000

Planned Infrastructure Improvements

<i>Name/Description</i>	<i>Acreage</i>	<i>Estimated Cost</i>	<i>Growth Share</i>	<i>Growth Cost</i>
Future Park Expansion	15.6	\$6,724,000	100%	\$6,724,000
General Fund Loan Repayment		\$2,500,000	100%	\$2,500,000
Total	15.6	\$9,224,000		\$9,224,000

Fire Facilities IIP

ARS § 9-463.05(T)(7)(f) defines the fire facilities eligible for development fee funding.

“Fire and Police facilities, including all appurtenances, equipment and vehicles. Fire and Police facilities do not include a facility or portion of a facility that is used to replace services that were once provided elsewhere in the municipality, vehicles and equipment used to provide administrative services, helicopters or airplanes or a facility that is used for training firefighters or officers from more than one station or substation.”

Fee Calculation Methodology

In the 2022 update, the City of Avondale is using the incremental expansion cost method to derive development impact fees for fire facilities. Fire impact fees in Avondale exclude costs to upgrade, update, improve, expand, correct or replace necessary public services to meet existing needs/usage and stricter safety, efficiency, environmental or regulatory standards. Fire vehicles and equipment used to provide administrative services are also excluded.

Service Area

To hasten response times, public safety responders are typically dispatched from the closest facility, with multiple locations responding as warranted. Avondale has five existing fire stations, with a dispatch system that assigns calls to secondary responders, if needed. Therefore, all developed areas within the City of Avondale are served by an integrated public safety system. Avondale’s service area for fire impact fees includes the area North of the Estrella Mountains, as discussed previously in the section on Land Use Assumptions.

Proportionate Share

ARS § 9-463.05(B)(3) states the development fee shall not exceed a proportionate share of the cost of necessary public services needed to serve new development. In Avondale, fire infrastructure standards, projected needs, and development fees are based on both residential and nonresidential development. As stated in ARS §9.463.05(E)(4), impact fees must be proportionate to various types of land uses.

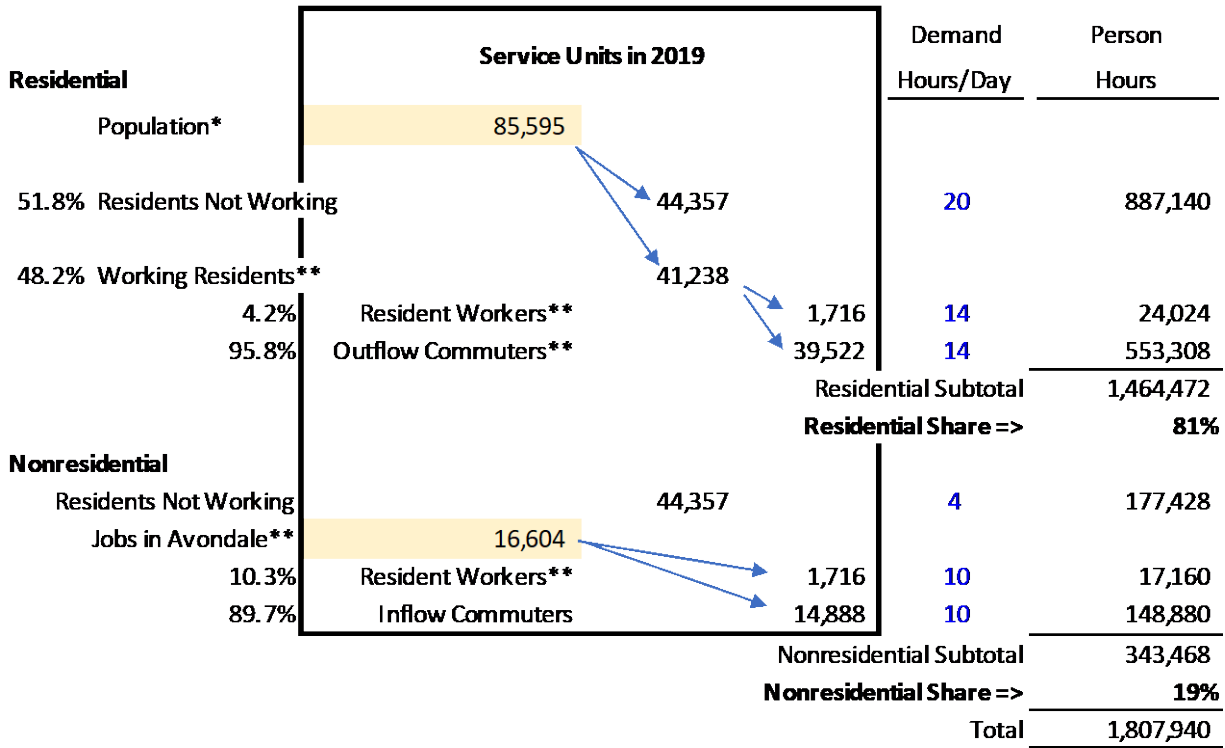
“A table establishing the specific level or quantity of use, consumption, generation or discharge of a service unit for each category of necessary public services or facility expansions and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial and industrial.”

Given these requirements, Raftelis recommends using functional population to allocate capital costs of public safety facilities to residential and nonresidential development. In 2019, the U.S. Census Bureau’s commuting data indicates 1,716 persons lived and worked in Avondale, 39,522 outflow commuters went to work outside Avondale and 14,888 inflow commuters travel to jobs within Avondale. Functional population is like the U.S. Census Bureau’s definition of daytime population (based on people living and working in a jurisdiction), with the addition of journey-to-work data and weighting factors (i.e., demand hours per day) to account for time spent at residential and nonresidential locations. Residents who do not work are assigned 20 hours per day to residential development and 4 hours per day to nonresidential development (annualized averages for assumed time spent shopping, dining, obtaining personal services, going to school/church, etc.). Residents who work in Avondale are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents who work outside Avondale are

assigned 14 hours to residential development. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2019 population and job data for Avondale, the cost allocation for residential development is 81%, while nonresidential development accounts for 19% of the demand for infrastructure.

Figure F1 – Functional Population

Avondale AZ



* 2019 Avondale population estimate from Maricopa Association of Governments.

** 2019 Avondale Inflow/Outflow, from OnTheMap web application, U.S. Census Bureau data for all jobs.

Current Use and Available Capacity

In Avondale, fire facilities are fully utilized and there is no surplus capacity for future development. Avondale has determined that fire building space will require expansion to accommodate future development. Figure F2 inventories current fire buildings in Avondale. For residential development, population is used as the best indicator of the demand for service. For nonresidential development, Avondale will use inbound, primary vehicle trips, on an average weekday, as the service units. Figure F2 also indicates the allocation of fire building space to residential and nonresidential development. The percentages for stations 172, 174 and the Emergency Operations Center are based on approximate floor area used by fire and police personnel respectively. Current standards are 0.62 square feet of fire buildings per Avondale resident and 0.11 square feet of fire buildings per inbound, primary vehicle trip on an average weekday, to nonresidential development in Avondale.

Figure F2 – Existing Fire Buildings and Standards

<i>Building Space for Fire Functions</i>	<i>Square Feet</i>
Station 175	17,084
Station 173	16,000
Station 172 (73%)	12,391
Station 174 (60%)	10,951
Station 171	8,600
Fire Headquarters	3,000
Emergency Operations Center (50%)	2,500
Total	70,526

Data Source: Avondale Fire Department and Facilities Director.

<i>Fire Buildings Standards</i>	<i>Residential</i>	<i>Nonresidential</i>
Proportionate Share	81%	19%
Growth Indicator	<i>Population</i>	<i>Average Weekday, Inbound, Primary Vehicle Trips to Nonres Development</i>
2022 Service Units	91,828	122,675
Square Feet per Service Unit	0.62	0.11

Development fees will be used to expand the fleet of fire vehicles and purchase additional equipment that has a useful life of at least three years. Figure F3 lists fire vehicles and equipment currently used by the Avondale Fire Department that has an initial purchase price of at least \$23,500. Avondale currently has 37 fire vehicles, with a total value of approximately \$14.31 million. The weighted average cost factor is \$386,800 per fire vehicle.

Following the same methodology used for fire buildings, the total count of fire vehicles and equipment was allocated to residential and nonresidential development in Avondale. As shown at the bottom of Figure F3, every 1,000 persons will require Avondale to purchase 0.33 additional fire vehicles. Every 1,000 inbound, primary vehicle trips to nonresidential development, on an average weekday, requires 0.06 additional fire vehicles.

Figure F3 – Existing Fire Vehicles and Standards

<i>Fire Vehicle</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total Value</i>
FIRE TRUCK	12	\$950,000	\$11,400,000
LADDER	1	\$1,846,600	\$1,846,600
SEDAN / SUV	6	\$41,300	\$247,800
SAFETY TRAILER	1	\$101,500	\$101,500
LIGHT TRUCK	9	\$42,000	\$378,000
LARGE VAN	2	\$39,200	\$78,400
MEDIUM PICKUP	3	\$62,500	\$187,500
ATV	3	\$23,500	\$70,500
TOTAL	37		\$14,310,300
		Weighted Average Cost per Vehicle =>	\$386,800

Data Source: Avondale staff.

Fire Vehicle Standards

	<i>Residential</i>	<i>Nonresidential</i>
Proportionate Share	81%	19%
Growth Indicator	<i>Population</i>	<i>Average-Weekday, Inbound, Primary Vehicle Trips to Nonres Development</i>
2022 Service Units	91,828	122,675
Vehicles per thousand Service Units	0.33	0.06

Projected Need for Fire Facilities

To accommodate new development over the next ten years, Avondale will need to add 11,240 square feet of fire buildings, at an estimated cost of approximately \$7.5 million. As shown in Figure F4, the cost factor of \$668 per square foot is based on the recent total project cost of Van Buren fire station.

Also, Avondale Fire Department will need six additional vehicles to accommodate new development over the next ten years. The expected cost of additional fire vehicles is approximately \$2.3 million.

Figure F4 – Fire Facilities Needed to Accommodate Growth

Fire Building Standards and Capital Costs

Buildings - Residential	0.62	Sq Ft per person
Buildings - Nonresidential	0.11	Sq Ft per trip
Building Cost Factor	\$668	per square foot

		Infrastructure Needed		
	<i>Year</i>	<i>Population</i>	<i>Vehicle Trips to Nonresidential Dev</i>	<i>Fire Buildings (sq ft)</i>
Base	2022	91,828	122,675	70,526
Year 1	2023	93,075	126,287	71,697
Year 2	2024	94,322	130,493	72,932
Year 3	2025	95,569	133,564	74,043
Year 4	2026	96,816	137,176	75,213
Year 5	2027	98,063	140,246	76,324
Year 10	2032	103,820	157,275	81,766
Ten-Yr Increase		11,992	34,599	11,240

Growth Cost of Fire Buildings => **\$7,508,000**

Fire Vehicle Standards and Capital Costs

Vehicles - Residential	0.33	per 1,000 persons
Vehicles - Nonresidential	0.06	per 1,000 vehicle trips
Average Cost	\$386,800	per vehicle

		Infrastructure Needed		
	<i>Year</i>	<i>Population</i>	<i>Vehicle Trips to Nonresidential Dev</i>	<i>Fire Vehicles</i>
Base	2022	91,828	122,675	37
Year 1	2023	93,075	126,287	38
Year 2	2024	94,322	130,493	38
Year 3	2025	95,569	133,564	39
Year 4	2026	96,816	137,176	39
Year 5	2027	98,063	140,246	40
Year 10	2032	103,820	157,275	43
Ten-Yr Increase		11,992	34,599	6

Growth Cost of Fire Vehidess => **\$2,321,000**

Fire Infrastructure Improvements

Fire impact fees in Avondale are based on the same level of service provided to existing development. Using impact fee funding over the next ten years, Figure F5 indicates that Avondale will construct Alamar station. This public safety building will be used for fire and police functions. The total floor area of the new building will be approximately 27,000 square feet, with approximately 19,000 square feet used by the Fire Department. The planned floor area of Alamar Station is larger than the need for additional square feet to maintain existing standards. Therefore, impact fee revenue will only fund 59% of the expected cost.

Because fire vehicles require large garages, the total project cost per square foot for fire functions is less than the cost factor for police functions. Avondale will also purchase additional fire vehicles, expected to cost approximately \$2.3 million.

Figure F5 – Ten-Year Plan for Fire Facilities

<i>Infrastructure Type</i>	<i>Infrastructure Units</i>	<i>Growth Quantity Over Ten Years</i>	<i>Cost Factor per Unit</i>	<i>IIP Cost (rounded)</i>
Fire Buildings	square feet	11,240	\$668	\$7,508,000
Fire Vehicles (3+ years of useful life)	count	6	\$386,800	\$2,321,000

Planned Infrastructure Improvements

<i>Name/Description</i>	<i>Units</i>	<i>Estimated Cost</i>	<i>Growth Share</i>	<i>Growth Cost</i>
Alamar Fire Station	19,000	\$12,692,000	59%	\$7,508,000
Alamar Station Vehicle	1	\$1,000,000	100%	\$1,000,000
Additional Fire Vehicles			100%	\$1,321,000
Total		\$13,692,000		\$9,829,000

Police Facilities IIP

ARS § 9-463.05(T)(7)(f) defines the police facilities eligible for development fee funding.

“Fire and Police facilities, including all appurtenances, equipment and vehicles. Fire and Police facilities do not include a facility or portion of a facility that is used to replace services that were once provided elsewhere in the municipality, vehicles and equipment used to provide administrative services, helicopters or airplanes or a facility that is used for training firefighters or officers from more than one station or substation.”

Police development fees in Avondale exclude costs to upgrade, update, improve, expand, correct or replace necessary public services to meet existing needs/usage, and stricter safety, efficiency, environmental or regulatory standards. Also excluded from the Avondale development fees are police vehicles and equipment used to provide administrative services.

Service Area

All developed areas within the City of Avondale are served by an integrated public safety system. Avondale’s service area for police development fees includes all land within city limits.

Proportionate Share

Based on the rationale discussed in the Fire section above, Raftelis recommends using functional population to allocate capital costs of police facilities to residential and nonresidential development. According to 2019 population and job data for Avondale, the cost allocation for residential development is 81%, while nonresidential development accounts for 19% of the demand for infrastructure.

Current Use and Available Capacity

The top of Figure P1 indicates police building space allocated to residential and nonresidential development, along with 2022 service units in Avondale. The percentages for stations 172, 174 and the Emergency Operations Center are based on approximate floor area used by fire and police personnel respectively. The standard in Avondale is 0.62 square feet of police building per resident. For nonresidential development, Avondale’s standard is 0.11 square feet of police building per inbound, primary vehicle trip on an average weekday, to nonresidential development.

Development fees will also be used to expand the fleet of police vehicles that have a useful life of at least three years. The bottom of Figure P1 lists the City’s current police vehicles and infrastructure standards. The current number of police vehicles were allocated to residential and nonresidential development in Avondale. Adding 1,000 residents will require Avondale to purchase 1.26 additional police vehicles. Every 1,000 inbound, primary, average weekday, vehicle trips to nonresidential development will require Avondale to purchase 0.22 additional police vehicles.

Figure P1 – Existing Police Infrastructure Standards

<i>Building Space for Police Functions</i>	<i>Square Feet</i>
Police Headquarters	41,100
Public Safety 174 (40%)	7,301
Public Safety 172 (27%)	4,583
Substation on Western	6,480
Jail	4,640
Brinker Substation	4,224
Emergency Operations Center (50%)	2,500
Total	70,828

Data Source: Avondale Police Department and Facilities Director.

Buildings Standards	<i>Residential</i>	<i>Nonresidential</i>
Proportionate Share	81%	19%
Growth Indicator	<i>Population</i>	<i>Average-Weekday, Inbound, Primary Vehicle Trips to Nonres Dev</i>
2022 Service Units	91,828	122,675
Square Feet per Service Unit	0.62	0.11

<i>Police Vehicles</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total Value</i>
PATROL UNITS	82	\$70,000	\$5,740,000
NON- PATROL	47	\$38,000	\$1,786,000
MOTORCYCLES	6	\$45,000	\$270,000
TRUCKS	2	\$55,000	\$110,000
VANS	4	\$38,000	\$152,000
ARMORED TRUCKS	2	\$350,000	\$700,000
TOTAL	143		\$8,758,000
		Weighted Average Cost per Vehicle =>	\$61,200

Data Source: Avondale Police Department.

Police Vehicle Standards	<i>Residential</i>	<i>Nonresidential</i>
Proportionate Share	81%	19%
Growth Indicator	<i>Population</i>	<i>Average-Weekday, Inbound, Primary Vehicle Trips to Nonres Development</i>
2022 Service Units	91,828	122,675
Vehicles per thousand Service Units	1.26	0.22

To maintain existing standards over the next ten years, Avondale could justify adding 11,287 square feet of police building space. However, the planned construction of the Alamar public safety building will likely complete the Police Department's need for building space to accommodate buildout of Avondale. Therefore, the 2022 update of police impact fees caps the need for building space at 8,000 square feet.

As shown in Figure P2, the cost factor of \$998 per square foot is based on the expected cost of Police Department's portion of the Alamar public safety building. The cost factor per square foot of building space is higher for police than fire functions due to lack of large garages and the extra cost for security measures.

To maintain the current infrastructure standard over the next ten years, Avondale will need to expand the police fleet by 23 vehicles, at an estimated cost of approximately \$1.41 million. The Avondale Police Department has estimated that a new fully equipped police vehicle costs approximately \$61,200, including information technology, communications, and safety equipment.

Figure P2 – Projected Need for Police Infrastructure

Police Building Standards and Capital Costs

		Buildings - Residential	0.62	Sq Ft per person
		Buildings - Nonresidential	0.11	Sq Ft per trip
		Building Cost Factor	\$998	per square foot
				Infrastructure Needed
	<i>Year</i>	<i>Population</i>	<i>Vehicle Trips to Nonresidential Dev</i>	<i>Police Buildings (sq ft)</i>
Base	2022	91,828	122,675	70,828
Year 1	2023	93,075	126,287	72,003
Year 2	2024	94,322	130,493	73,244
Year 3	2025	95,569	133,564	74,359
Year 4	2026	96,816	137,176	75,535
Year 5	2027	98,063	140,246	76,651
Year 10	2032	103,820	157,275	82,115
<i>Ten-Yr Increase</i>		11,992	34,599	11,287
Growth Cost of Police Buildings =>				\$11,264,000

Police Vehicle Standards and Capital Costs

		Vehicles - Residential	1.26	per 1,000 persons
		Vehicles - Nonresidential	0.22	per 1,000 vehicle trips
		Average Cost	\$61,200	per vehicle
				Infrastructure Needed
	<i>Year</i>	<i>Population</i>	<i>Vehicle Trips to Nonresidential Dev</i>	<i>Police Vehicles</i>
Base	2022	91,828	122,675	143
Year 1	2023	93,075	126,287	145
Year 2	2024	94,322	130,493	148
Year 3	2025	95,569	133,564	150
Year 4	2026	96,816	137,176	153
Year 5	2027	98,063	140,246	155
Year 10	2032	103,820	157,275	166
<i>Ten-Yr Increase</i>		11,992	34,599	23
Growth Cost of Police Vehidess =>				\$1,408,000

Police Infrastructure Improvements

Police impact fees in Avondale are based on the incremental expansion cost of police vehicles (i.e., maintenance of current standards) and the plan-based need for police buildings. Using impact fee funding over the next ten years, Figure P3 indicates that Avondale will expand police buildings by 8,000 square feet, which is based on the planned floor area of the combined Alamar public safety building (i.e., 27,000 total square feet) less the Fire Department’s space (i.e., 19,000 square feet). Avondale will also purchase an additional 23 police vehicles over the next ten years, expected to cost approximately \$1.4 million.

Figure P3 – Ten-Year Plan for Police Facilities

<i>Infrastructure Type</i>	<i>Infrastructure Units</i>	<i>Growth Quantity Over Ten Years</i>	<i>Cost Factor per Unit</i>	<i>IIP Cost (rounded)</i>
Police Buildings	square feet	8,000	\$998	\$7,984,000
Police Vehicles (3+ years of useful life)	count	23	\$61,200	\$1,408,000

Planned Infrastructure Improvements

<i>Name/Description</i>	<i>Units</i>	<i>Estimated Cost</i>	<i>Growth Share</i>	<i>Growth Cost</i>
Alamar Police Substation	8,000	\$7,984,000	100%	\$7,984,000
Police Vehicles & Equipment			100%	\$1,408,000
Total	8,000	\$7,984,000		\$9,392,000

Street Facilities IIP

ARS § 9-463.05(T)(7)(e) defines the facilities and assets that can be included in the Street Facilities IIP.

“Street facilities located in the service area, including arterial or collector streets or roads that have been designated on an officially adopted plan of the municipality, traffic signals and rights-of-way and improvements thereon.”

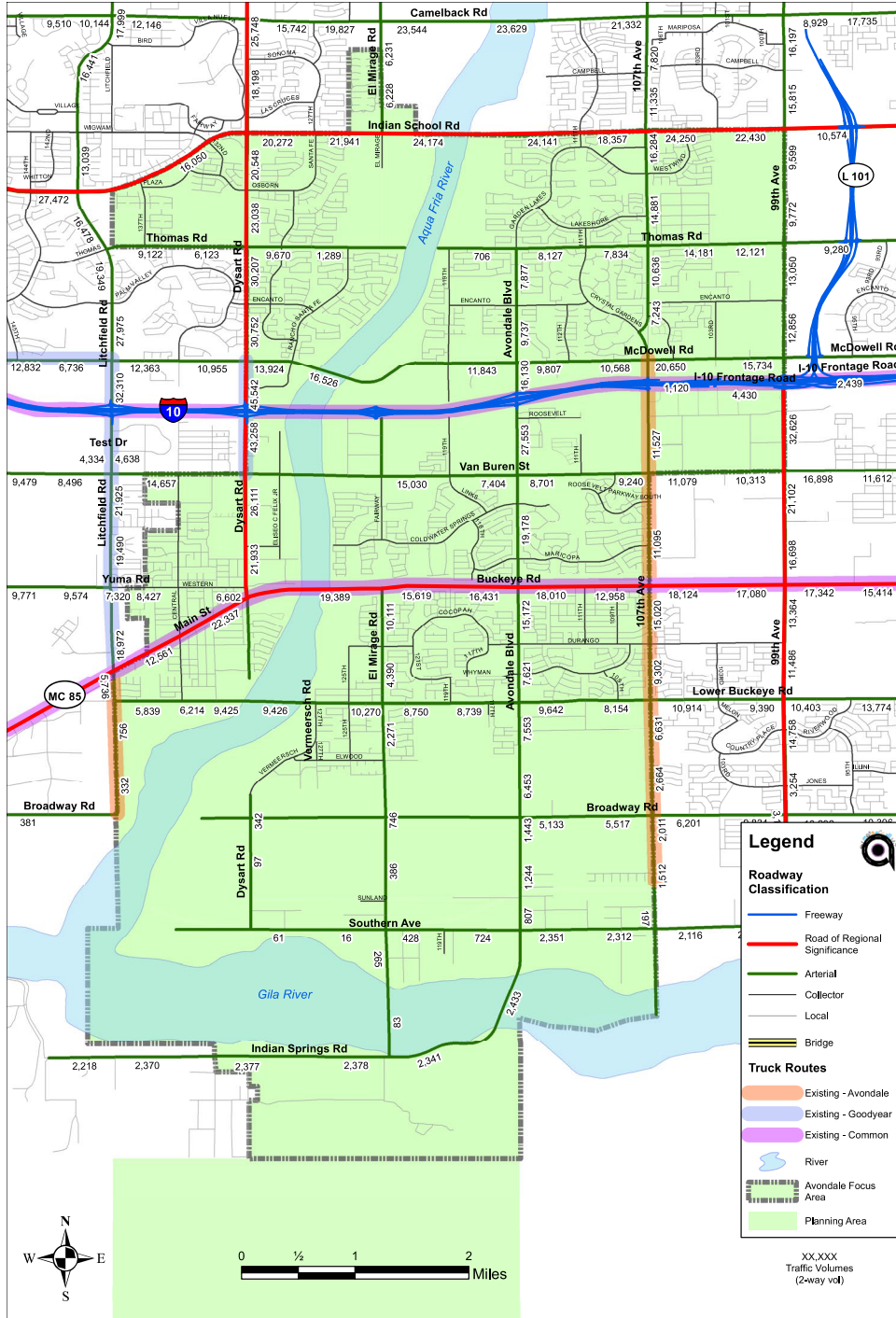
Avondale’s IIP is based on improvements to arterial streets needed to accommodate additional vehicular travel, plus the cost of preparing the LUA/IIP/DIF study required by the State of Arizona. The streets impact fee is derived from trip generation rates, trip rate adjustment factors, average trip length weighting factors, and lane capacity. Each component is described below.

Development fees in Avondale exclude costs to upgrade, update, improve, expand, correct or replace necessary public services to meet existing needs/usage and stricter safety, efficiency, environmental or regulatory standards. The service area for streets development fees includes the area north of the Estrella Mountains.

Existing Infrastructure

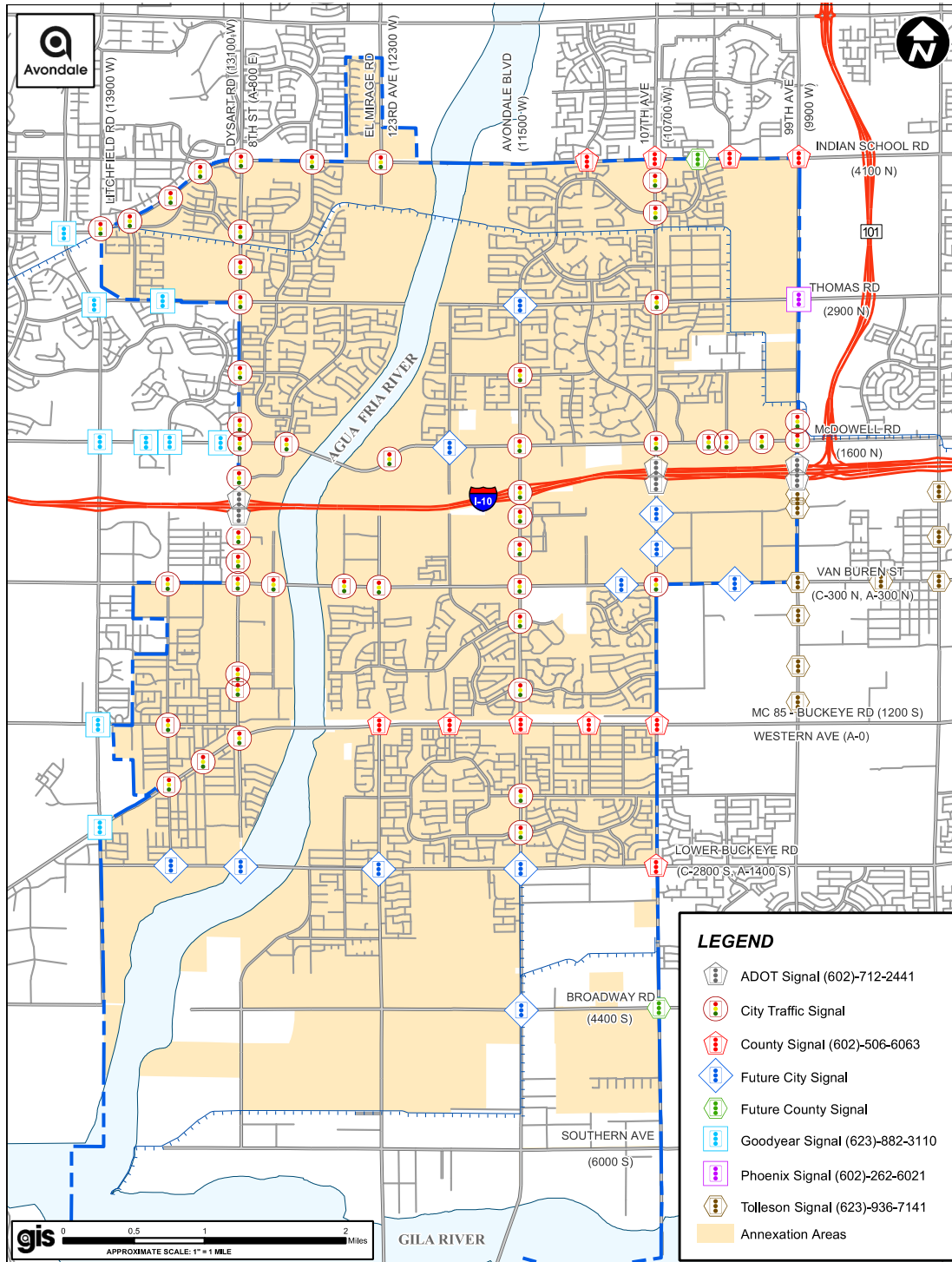
Lane miles of arterials in Avondale are mapped in Figure S1. A lane mile is a rectangular area that is one travel lane wide and a mile long. According to Staff, Avondale currently has 295 arterial lane miles on streets with four or more travel lanes. All local and collector streets are project-level improvements excluded from the impact fee calculations. The City will continue to require project level improvements, such as turn lanes and signals for ingress/egress, during the development review and approval process.

Figure S1: Arterials in Avondale



In addition to arterial lanes miles, transportation system improvements include City traffic signals and turn lanes at the intersection of an arterial with another arterial. As shown in Figure S2, there are currently 14 improved intersections (see City traffic signals in legend below) that meet the locational criteria for system improvements.

Figure S2: Traffic Signals in Avondale



of Information Technology

Forecast of Service Units

Avondale will use average weekday Vehicle Miles of Travel (VMT) as the service units for allocating the cost of future improvements. Raftelis created an aggregate travel model to convert development units within Avondale to vehicle trips and vehicle miles of travel. The top portion of Figure S3 summarizes the input variables for the travel model. Trip generation rates, expressed as average weekday Vehicle Trip Ends (VTE), are from the Institute of Transportation Engineers (ITE 2022). HU is an abbreviation for housing unit. KSF is an abbreviation for square feet of nonresidential floor area, expressed in thousands. Each input variable is described further below.

A typical vehicle trip, such as a person leaving their home and traveling to work, generally begins on a local street that connects to a collector street, which connects to an arterial and eventually to a state or interstate highway. This progression of travel up and down the functional classification chain limits the average trip length determination, for the purpose of development fees, to the following question, “What is the average vehicle trip length on system improvements (i.e., facilities funded by development fees)?”

As shown near the bottom of Figure S3, development in Avondale currently attracts 294,732 average weekday vehicle trips. According to the land use assumptions (shaded gold), new development over the next ten years is expected to account for 16% of total vehicle trips in 2032. In contrast, Avondale is only planning to expand arterial lane miles by three lane miles, which represents a conservative 1% expansion of arterial lane miles (i.e., [298/295]-1 rounded).

Figure S3 – Travel Demand Model

<i>Input Variables by Development Type</i>	<i>ITE Code</i>	<i>Weekday VTE</i>	<i>Development Unit</i>	<i>Trip Rate Adjustment</i>	<i>Trip Length Wtg Factor</i>				
Residential	210	9.43	HU	61%	1.14				
Industrial	150	1.71	KSF	50%	0.90				
Commercial	820	37.01	KSF	33%	0.75				
Office/Services	710	10.84	KSF	50%	0.90				
Average Trip Length (miles)		0.27	<= travel on system improvements to be constructed over the next ten years						
Vehicles per Lane per Day		4,600	<= existing traffic volume per lane on Avondale Blvd south of I-10						
Year->	Base	1	2	3	4	5	10	10-Year Increase	
Avondale LUA	2022	2023	2024	2025	2026	2027	2032		
Residential Housing Units	29,911	30,318	30,724	31,130	31,536	31,942	33,818	3,907	
Industrial KSF	2,900	3,000	3,000	3,100	3,200	3,300	3,700	800	
Commercial KSF	7,800	8,000	8,300	8,500	8,700	8,900	10,000	2,200	
Office/Services KSF	4,600	4,800	4,900	5,000	5,200	5,300	5,900	1,300	
<i>Residential Trips</i>	172,057	174,398	176,734	179,069	181,405	183,740	194,531		
<i>Industrial Trips</i>	2,480	2,565	2,565	2,651	2,736	2,822	3,164		
<i>Commercial Trips</i>	95,264	97,706	101,370	103,813	106,256	108,698	122,133		
<i>Office/Services Trips</i>	24,932	26,016	26,558	27,100	28,184	28,726	31,978		
Total Inbound Vehicle Trips	294,732	300,686	307,227	312,633	318,580	323,986	351,806	57,073	
<i>Vehicle Miles of Travel (VMT)</i>	78,911	80,411	82,003	83,369	84,867	86,233	93,148	14,237	
Arterial-Arterial City Traffic Signals	14	14	15	15	15	15	17	3	
Improved Intersections per 10,000 VMT	1.77	1.77	1.77	1.77	1.77	1.77	1.77		
Planned Arterial Lane Miles								3.0	
Growth Share of 2032 Vehicle Trips =>								16%	
Growth Cost per Lane Mile =>								\$2,500,000	
Growth Cost of System Improvements Over Ten Years =>								\$7,500,000	

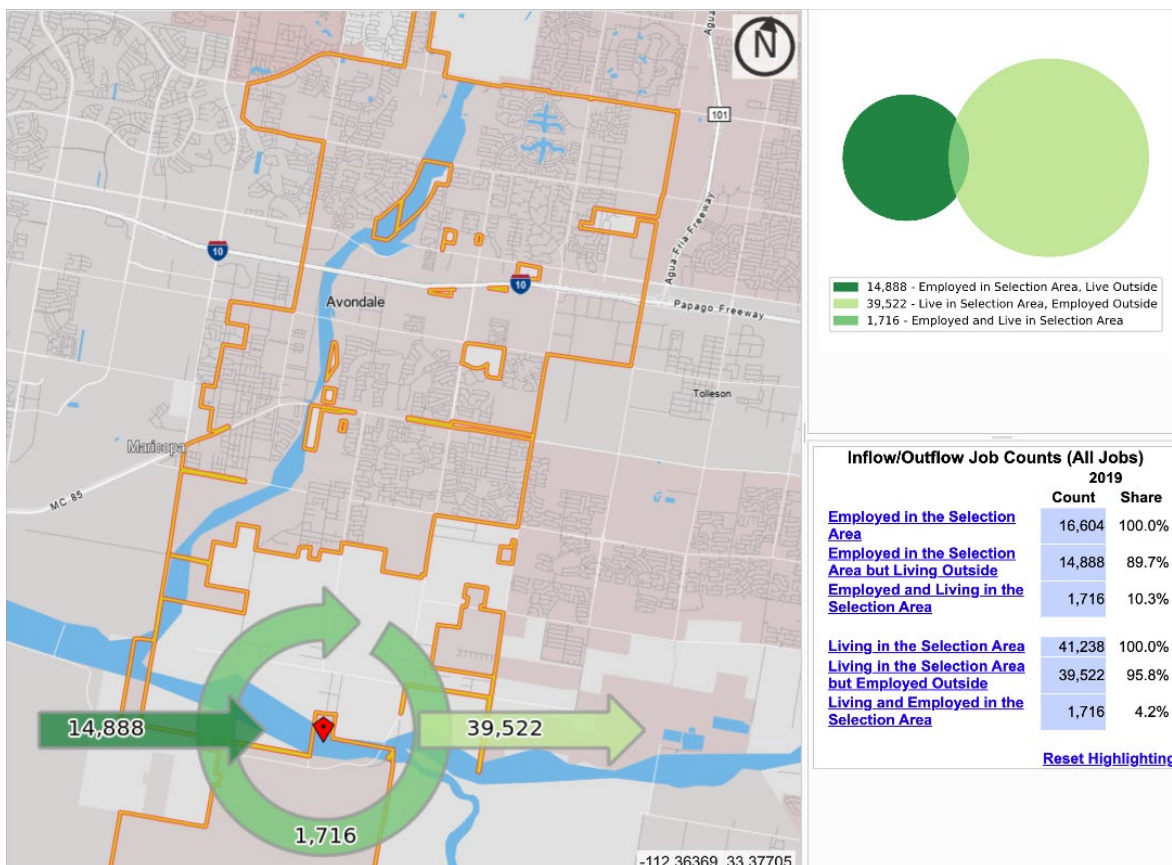
Trip Generation Rates

Avondale development fees for streets are derived using average weekday VTE. Trip generation rates are published by the Institute of Transportation Engineers (ITE 2022). A VTE represents a vehicle either entering or exiting a development (as if a traffic counter were placed across a driveway). To calculate street impact fees, trip generation rates require an adjustment factor to avoid double counting each trip at both the origin and destination points. Therefore, the basic trip adjustment factor is 50%. As discussed further below, the fee methodology includes additional adjustments to make the fees proportionate to the infrastructure demand for a particular type of development.

Adjustments for Commuting Patterns and Pass-By Trips

Residential development has a larger trip adjustment factor of 61% to account for commuters leaving Avondale for work. In other words, residential development is assigned all inbound trips plus 11% of outbound trips to account for job locations outside of Avondale. According to the National Household Travel Survey weekday work trips are typically 22.8% of production trips (i.e., all out-bound trips). As shown in Figure S4, the Census Bureau’s website (<https://onthemap.ces.census.gov/>) indicates that approximately 95.8% of resident workers traveled outside Avondale for work in 2019. In combination, these factors (0.50 x 0.228 x 0.958 = 0.11 rounded) support the additional 11% allocation of trips to residential development.

Figure S4 - Inflow/Outflow Analysis



For commercial development, the trip adjustment factor is less than 50% because retail development attracts vehicles as they pass by on arterial roads. For example, when someone stops at a convenience store on the way home from work, the convenience store is not the primary destination. For an average shopping center, ITE data indicate 34% of the vehicles that enter are passing by on their way to some other primary destination. The remaining 66% of attraction trips have the shopping center as their primary destination. Because attraction trips are half of all trips, the trip adjustment factor for an average size shopping center is 66% multiplied by 50%, or approximately 33% of the trip ends.

Trip Length Weighting Factor by Type of Land Use

The transportation impact fee methodology includes a percentage adjustment, or weighting factor, to account for trip length variation by type of land use. As shown in Figure S5, vehicle trips from residential development are approximately 114% of the average trip length. The residential trip length adjustment factor includes trips to work, social and recreational purposes, and home. Conversely, shopping trips associated with commercial development are roughly 75% of the average trip length, while other nonresidential development typically accounts for trips that are 90% of the average for all trips.

Figure S5: Average Trip Length Weighting Factors

Trip purpose summary	Travel Day Vehicle Trip Length		Percent of Trips	Average Trip Length	Weighting Factor
	Trips	Mean Miles			
Home	205,743	9.93	Residential		
Work	92,392	11.98	Residential		
Social/Recreational	52,877	12.60	Residential		
Subtotal	351,012		Subtotal	57%	10.87
Shopping/Errands	134,048	7.08	Commercial		
Meals	43,347	7.49	Commercial		
Subtotal	177,395		Subtotal	29%	7.18
School/Daycare/Religious activity	16,288	9.11	Other		
Medical/Dental services	11,568	10.14	Other		
Transport someone	44,991	7.25	Other		
Something else	10,045	11.95	Other		
Subtotal	82,892		Subtotal	14%	8.59
All	611,299	9.55			

Source: Federal Highway Administration, 2017 National Household Travel Survey
 Tabulation created on the NHTS website at <http://nhts.oel.gov>

Lane Capacity

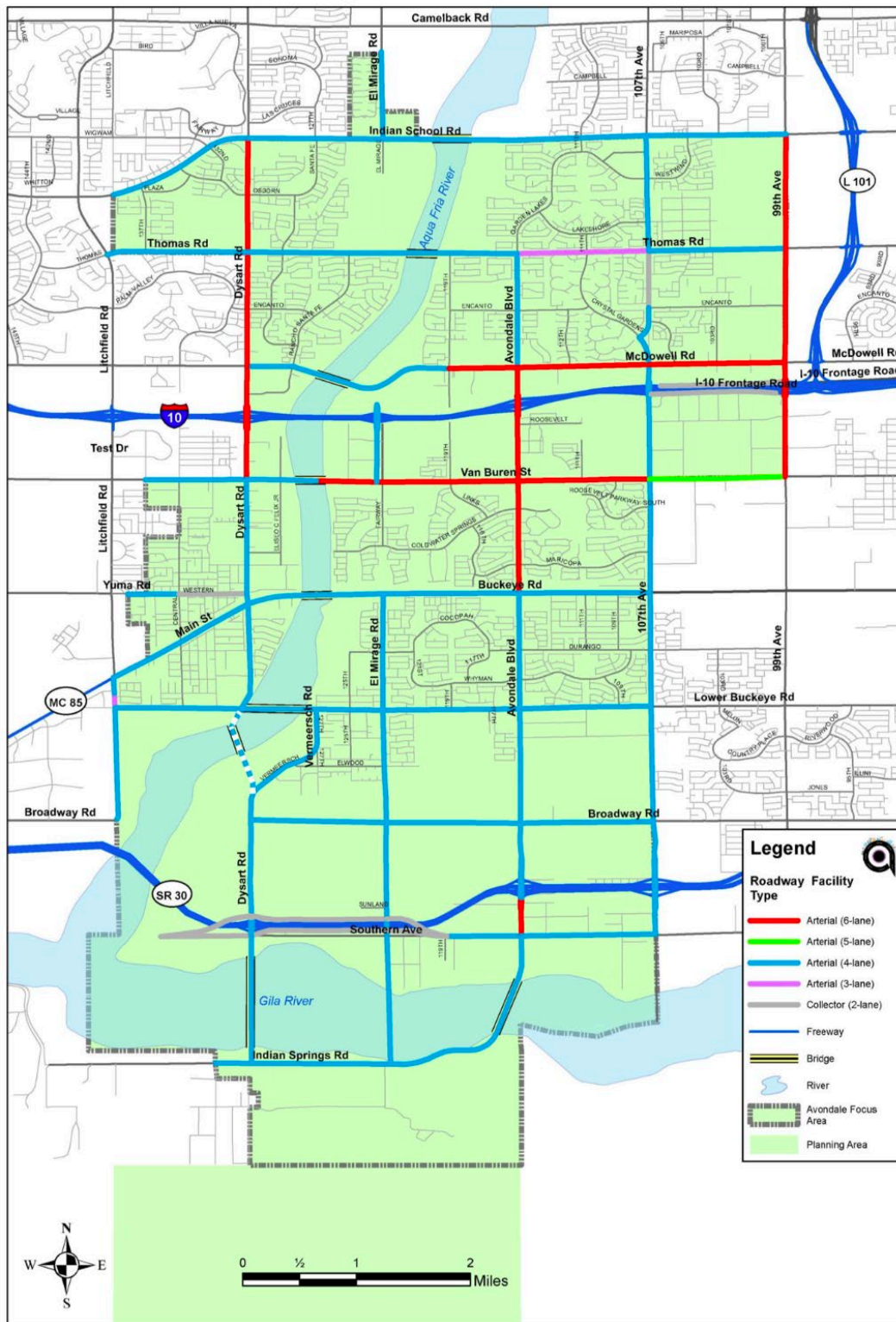
As shown in Figure S1 above, existing traffic volumes vary significantly on arterials in Avondale. For the 2022 impact fee update, the existing volume on Avondale Blvd south of I-10 (i.e., 27,553 ADT) was divided by six travel lanes to yield an average of 4,600 vehicles per lane per day (rounded).

Infrastructure Improvements Plan for Streets

The latest adopted transportation plan for Avondale is shown in Figure S6. Comparing the existing transportation network to the planned system reveals the arterial street grid is substantially complete.

Figure S6 - Avondale Transportation Plan

Figure ES-1 Recommended Street Plan



Note: Dashed Lines Indicate alternative roadway alignments subject to future studies.



Avondale Staff provided the list of improvements and planning-level cost estimates in Figure S7. The ten-year plan for street improvements will benefit citywide development because vehicles flow from larger travel sheds to congested areas where improvements are planned to eliminate bottlenecks. In the area north of I-10, Avondale will improve one arterial-arterial intersection. In the area south of I-10, Avondale will improve two intersections. To accommodate new development, Avondale will add three lane miles of arterial capacity over the next ten years. The total ten-year growth cost of system improvements is approximately \$14.39 million.

Figure S7 – Ten-Year Plan for Street Improvements

Transportation System Improvements			
	<i>Arterial Lane Miles</i>	<i>Cost per Lane Mile</i>	<i>IIP Costs</i>
	3.0	\$2,500,000	\$7,500,000
Planned Infrastructure Improvements			
	<i>Improved Intersections</i>	<i>Avg Cost per Intersection</i>	
	3	\$2,295,000	\$6,885,000
<i>Location/Description</i>	<i>Estimated Cost</i>	<i>Growth Share</i>	<i>Growth Cost</i>
Intersection Improvements @ Thomas & Avondale Blvd	\$800,000	100%	\$800,000
Intersection Improvements @ Lower Buckeye & Avondale Blvd	\$4,949,000	100%	\$4,949,000
Intersection Improvements @ Lower Buckeye & El Mirage	\$1,136,000	100%	\$1,136,000
Future Arterial Capacity Expansion	\$7,500,000	100%	\$7,500,000
Total	\$14,385,000		\$14,385,000

Water Utility Fees

ARS §9-463.05.T.7(a) defines the facilities and assets which can be included in the Water Facilities IIP:

“Water facilities, including the supply, transportation, treatment, purification and distribution of water, and any appurtenances for those facilities”

The City provides potable water with water supply consisting of a combination of ground water sources. The entire water system infrastructure includes water resources, wells, transmission, distribution, storage, administrative facilities, vehicles, and equipment including meters.

The calculation of the water facilities DIF was based on information provided by Staff in addition to the City’s 2018 Integrated Utility Master Plan Report (IUMP). The findings presented in this section are based on a 10-year forecast, 2023 to 2032.

Fee Calculation Methodology

For this 2022 update, Raftelis used the plan-based approach. This approach is based on a forward-looking infrastructure improvements plan which considers the future projects needed to meet the future demands of the utility. The water development impact fee was calculated using the growth-share component of costs and the incremental capacity added from those facilities. Assumptions on included in the development of this fee were provided by Staff and the IUMP.

Service Area

The City’s water system serves the land areas north of the Estella Mountains, excluding a small area in the northwest corner of the City limits. This area is served by a private water utility. The following provides an analysis of the resource and facility costs included in the IIP and DIF calculations.

Proportionate Share

ARS §9-463.05 (B)(3) states that the development fee shall not exceed a proportionate share of the cost of necessary public services needed to provide necessary public services to the development. Page 2-8, Table 2-4 from the 2018 Integrated Utility Master Plan (IUMP) shows in 2016, the City had a total of 24,561 water meters (accounts). Of these accounts, 88% of the City’s water meters were classified as residential and made up 57% of the City’s annual average water use. The City’s landscape meters made up 2% of the total number of water meters but accounted for 23% of the City’s average annual water use. The remaining water meters and annual usage is spread across several other account types.

For the purposes of this impact fee analysis, the fees are calculated on a dwelling unit basis which is defined as a residential has a demand of 450 gallons per day. The dwelling unit demand for a ¾” meter is the total residential and nonresidential demand divided by the total residential dwelling units. Page 2-10 in the 2018 IUMP indicates the City had 27,913 dwelling units in 2016.

Figure W1 shows the distribution of residential and nonresidential account types. Please note that these are aggregated in Figure W1 (e.g. residential rural and residential urban are classified under the category of residential below). The totals shown in the *Service Units and Demand by Land Use* are projected values and vary slightly from the values in Figure W1.

Figure W1: 2016 Distribution of the Number of Meters and Demand by Land Use Type

Account Type	Number of Meters	Percent of Total	2016 Consumption mg	Percent of Total
Residential	21,582	87.9%	6,444,937	56.9%
Multi-Family/Apartment/Hotel	140	0.6%	609,252	5.4%
Commercial	534	2.2%	1,180,512	10.4%
Schools	59	0.2%	182,868	1.6%
Churches	42	0.2%	12,296	0.1%
Industrial	3	0.0%	9,184	0.1%
Laundromat	3	0.0%	12,556	0.1%
Mobile Home Park	19	0.1%	155,074	1.4%
Hydrant Meter	1	0.0%	7,822	0.1%
Car Wash	9	0.0%	64,088	0.6%
Sewer Only	1	0.0%	663	0.0%
Landscape Meter	554	2.3%	2,550,748	22.5%
Unclassified	1,614	6.6%	88,819	0.8%
Total	24,561	100.0%	11,318,819	100.0%

[1] 2018 IUMP, Page 2-9, Table 2.4

Existing Facilities

ARS §9-463.05 (E)(1) requires:

“A description of the existing necessary public services in the service area and the costs to upgrade, update, improve, expand, correct or replace those necessary public services to meet existing needs and usage and stricter safety, efficiency, environmental or regulatory standards, which shall be prepared by qualified professionals licensed in this state, as applicable.”

ARS §9-463.05 (E)(2) requires:

“An analysis of the total capacity, the level of current usage and commitments for usage of capacity of the existing necessary public services, which shall be prepared by qualified professionals licensed in this state, as applicable.”

The City’s integrated water system consists of major facilities to collect, treat, and distribute water to customers. Major backbone water system facilities include:

- Water production wells
- Booster pump stations
- Storage tanks
- Transmission and distribution lines

Water Production Wells (Water Sources)

Water production wells should have sufficient capacity to meet maximum day demands. In 2018, maximum day demands were be supplied by operating wells more than 18 hours per day. Figure W2

shows that the firm water supply is 17.7 mgd which is 3.2 mgd less than the 2018 maximum daily demand of 20.9 mgd.¹

Figure W2: 2018 Existing Wells and Production Capacities

<i>Well Water Delivery System</i>	<i>Well Supply Name</i>	<i>Production Capacity mgd</i>	<i>Firm Capacity mgd</i>
Coldwater	Wells 15, 16, 25	5.3	5.3
Garden Lakes	Well 17	1.7	1.7
Gateway	Wells 8A, 24	4.0	4.0
Northside	Wells 6, 7, 20	6.3	6.3
Rancho Santa Fe	Wells 10, 11, 12, 18 and 19	12.2	12.2
Total, gpm		30.6	30.6
Resilient Supply, mgd (18 hours/day)			23.0
Firm Supply [2]			17.7
Maximum Day Demand (2018)			20.9
Surplus/(Deficiency), mgd			(3.2)

[1] A composite of tables from the 2018 IUMP, Page 4-25, Table 4.15; Page 4-7, Table 4.6

[2] If Well #16 is out, Well #15 and Well #25 will also be out of service due to blending requirements. The firm supply represents the supply with all of the Coldwater wells out of service.

Booster Pump Stations

The City has five booster pump stations and one well that pumps directly into the distribution system as shown in Figure W3. Firm pumping capacity is the design flowrate with the largest pump out of service.

Figure W3: Existing Booster Pump Stations and Capacities

<i>Facility</i>	<i>Number of Pumps</i>	<i>Total Pumping Capacity (gpm)</i>	<i>Firm Pumping Capacity (gpm)</i>
Well 23	1	800	800
Rancho Santa Fe	4	8,400	6,200
Coldwater Springs	4	16,000	12,000
Northside	4	7,200	5,400
Gateway	4	8,000	6,000
Del Rio	3	10,000	6,000
Garden Lakes	4	6,500	4,500
Total	24	56,900	40,900
Total, mgd		82.00	59.00

[1] 2018 IUMP, Page 4.9, Table 4.7

¹ This paragraph is summarized from 2018 IUMP text on Page 4-24. The IUMP text references a firm capacity 18.6 mgd and a deficiency of 2.3 mgd. However, Table 4.15 referenced in the text indicates a firm supply of 17.7 mgd and a deficiency of 3.2 mgd.

Storage

While water production facilities are typically designed to operate at a steady rate over an extended period of time, storage reservoirs are planned to accommodate fluctuating demands. The City’s water system has five active reservoir sites and one inactive reservoir site (Del Rio). The total capacity of the storage facilities including Del Rio is 15.5 mg.

The City’s water system operates within three pressure zones. According to the 2018 IUMP, capacity additions will be required during the study period. However, many of the facilities have available capacity to serve near term growth. The current well production capacities are the limiting factor in meeting near and long-term growth in water demands.

Figure W3: Existing Storage

<i>Facility</i>	<i>Number of Tanks</i>	<i>Total Volume</i>	<i>Available Volume</i>
		<i>mg</i>	<i>mg</i>
Northside	2	1.2	1.1
Gateway	1	1.0	0.8
Garden Lakes	1	2.0	1.3
Rancho Santa Fe	2	2.8	2.1
Coldwater	2	5.0	3.2
Del Rio (inactive)	1	3.5	0.0
Total	9	15.5	8.5

[1] 2018 IUMP Page 4-10, Table 4.8

Distribution System

The City maintains 320 miles of transmission and distribution lines as well as 8 pressure reducing valves (PRVs). Figure W5 shows the length of mains by pipe diameter.

Figure W5: Existing Transmission and Distribution Lines

<i>Diameter</i>	<i>Length</i>
<i>inches</i>	<i>miles</i>
6	48.2
8	170.5
10	3.3
12	57.7
16	31.5
18	0.1
20	5.1
24	2.7
30	0.1
36	1.3
48	0.1
Total	320.60

[1] 2018 IUMP Page 4-11, Table 4.10

The 2018 IUMP provides a detailed analysis of the available system capacities based on facilities and pressure zones. The 2018 IUMP also indicates the need for additional facilities over the 10-year study to accommodate new growth. New wells with a capacity of 6.92 mgd will be required over the study period to meet these demands. In addition, new transmission and distribution mains, and upsizing of existing mains will be required.

The existing water production wells, storage, pump stations, and transmission and distribution mains have an estimated value of \$734 million. Accounting for accumulated depreciation reduces this value to approximately \$410 million. In other words, the water system’s assets are about 55% depreciated in aggregate based on accounting life. This is based on the City’s most recent asset records and estimating a replacement cost of facilities using the Engineering News Record Construction Cost Index (ENR-CCI).

Expansion Facility Costs

ARS §9-463.05 (E)(3) requires:

“A description of all or the parts of the necessary public services or facility expansions and their costs necessitated by and attributable to development in the service area based on the approved land use assumptions, including a forecast of the costs of infrastructure, improvements, real property, financing, engineering and architectural services, which shall be prepared by qualified professionals licensed in this state, as applicable.”

New infrastructure-related facilities to serve growth over the study period include water production wells, transmission and distribution mains, booster pump stations, and reservoirs. The new wells will approximately 6.92 mgd of capacity. For the purposes of DIF calculations, the added well capacity represents the total increase in capacity to the system. In other words, the unit cost of expansion facilities (wells, reservoirs, pump stations, etc.) will be based on the added well capacity. The total cost of infrastructure facilities is approximately \$25.9 million. The City is also acquiring new water resources to meet the increase in demand due to growth. New water resources total 6,882 acre-feet at a cost of approximately \$10.0 million. Figure W6 details the proposed facilities needed for growth and their anticipated costs. The project listing and costs were provided by City Staff.

Figure W6: Expansion Facility Project Costs

Description	Total Cost	Capacity Added (mgd)	Percent Growth-Related	Growth-Related Costs
Growth-Related Infrastructure Projects				
Well #33 The BLVD Well & Transmission	\$2,880,000	1.73	100.0%	\$2,880,000
Well at 107th & Encanto - SRP Shared Well Cost in Design	455,000	1.73	100.0%	455,000
McDowell Rd 16-inch Waterline - Avondale to 99th Ave	2,650,000		25%	662,500
99th Ave Waterline - Thomas to Encanto	956,000		100%	956,000
Garden Lakes Site - 2nd Reservoir & Booster Improvements	8,358,000		100.0%	8,358,000
Future Well	2,700,000	1.73	100.0%	2,700,000
Nitrate Removal System for Coldwater Booster Station	5,545,000		100.0%	5,545,000
16-inch WL Dysart Road – Illini to Roeser	1,000,000		52.0%	520,000
16-inch WL El Mirage, Elwood to Lower Buckeye	900,000		25.0%	225,000
16-inch WL 107th – Jones to Superior	500,000		25.0%	125,000
16-inch WL 107th Ave, Superior to Lower Buckeye	700,000		25.0%	175,000
Dysart Rd. Waterline - Roeser Alignment to Southern	1,000,000		63.0%	630,000
Northside Booster Well Site - Land Purchase & DCR	75,000	1.73	100.0%	75,000
NAWS Project (Impact Fee Portion, P&I) [1]	3,682,500		100.0%	3,682,500
Total Growth-Related Projects/Expansion Capacity Share	\$31,401,500			\$26,989,000
Less: FY21 Ending Fund Balance	(\$1,134,326)			(\$1,134,326)
Net Growth-Related Projects/Expansion Capacity Share	\$30,267,174	6.92		\$25,854,674
Growth-Related Resource Projects				
		Acre-Feet		
New River-Agua Fria River Underground Storage Project (NAUSP)	\$7,200,000	6,000	100.0%	7,200,000
White Mountain Apache Tribe Water Settlement	2,800,000	882	100.0%	2,800,000
Total Growth-Related Water Resource Costs	\$10,000,000	6,882.00		\$10,000,000
Total Expansion Costs				\$35,854,674

[1] Total P&I of project reimbursed from impact fees portion of \$4,419,000 multiplied by remaining 5 mgd of the 6 mgd capacity

[2] From 2018 Utility Master Plan, page 2-10. Represents metered demand from all 3/4" meters regardless of customer class.

[3] From 2018 Utility Master Plan, page 2-13.

Service Units and Demand by Land Use

ARS §9-463.05 (E)(4) requires:

“A table establishing the specific level or quantity of use, consumption, generation or discharge of a service unit for each category of necessary public services or facility expansions and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial and industrial.”

The development of a dwelling unit service demand incorporates historical water production data and peak day demand data. A dwelling unit represents the smallest service capacity in the system. For the purposes of this DIF, a dwelling unit demand is equivalent to the average day and maximum day demand for the City’s 3/4” meters².

Water production from 2012 through 2016 averaged 12.0 mgd and maximum day demands averaged 17.2 mgd. The 5-year peaking factor averaged 1.4. The 2018 IUMP recommends a peaking factor of 1.65 for planning purposes³, as shown on Figure W7

Figure W7: Historical Average Day and Maximum Day Demands

Year	(a) Average Day Demand mgd	(b) Maximum Day Demand mgd	(c)=(b)/(a) Maximum Day Peak Factor
2012	12.60	17.20	1.37
2013	12.20	17.10	1.40
2014	11.60	16.80	1.45
2015	12.10	16.20	1.34
2016	12.60	18.30	1.45
Average	12.22	17.12	1.40

[1] 2018 IUMP, Page 2-14, Table 2.9

Billed water consumption is based on data from the billing and water production records. The 2018 IUMP uses 2016 data as the baseline for developing their future demand projections.

Residential water DIFs are based on average day gallons per connection and assessed on a per dwelling unit basis. As shown on Figure W8, water production in 2016 was 12.6 MGD with 27,913 connections. This gives an existing allocated water demand of 450 gallons per day for a residential connection served by a 3/4” meter. From the 2018 IUMP, Page 2-3:

“The City’s TAZ data was used to estimate the number of dwelling units for each of the 2018 IUMP planning years. ...The 450 gpd/DU value is based on the number of dwelling units, which is calculated using the residential land use categories, and the total annual average production. However, because it is a composite unit water demand it includes both the residential and non-residential component of water use (including non-revenue water).”

² Dwelling unit and 3/4” equivalent unit or 3/4” meter are used synonymously throughout the water and wastewater section.

³ 2018 IUMP, Page 2-13

Figure W8: Water Demand Unit

<i>Description</i>	<i>Values</i>
Total 2016 Water Demand , mgd [1]	12,600,000
Total 2016 Dwelling Units	27,913
Average Day Demand per Dwelling Unit, gpd	450
Maximum Day Peaking Factor	1.65
Maximum Day Demand per Dwelling Unit, gpd [2]	743

[1] 2018 IUMP, Page 2-10

[2] Rounded to nearest whole number

For residential and nonresidential connections, the water development fees are assessed by meter size. Development fees for meters greater than ¾” are multiplied by their corresponding meter capacity ratio. The meter capacity ratio represents the maximum safe allowable flow in gallons per minute for a given meter size as shown in Figure W9.

Figure W9: Average and Maximum Day Demand by Water Meter Size

<i>Meter Size</i>	<i>Meter Capacity Ratio [1]</i>	<i>Average Day Demand</i>	<i>Maximum Day Demand</i>
<i>inches</i>		<i>gpd</i>	<i>gpd</i>
0.75	1.00	450	743
1.00	1.67	750	1,238
1.50	3.33	1,500	2,475
2.00	5.33	2,400	3,960
3.00	10.67	4,800	7,920
4.00	16.67	7,500	12,375
6.00	33.33	15,000	24,750

[1] American Water Works Association M1 Manual, Principles of Water Rates, Fees, and Charges. 7th Ed.

Projected Service Units

ARS §9-463.05 (E)(5) requires:

“The total number of projected service units necessitated by and attributable to new development in the service area based on the approved land use assumptions and calculated pursuant to generally accepted engineering and planning criteria.”

ARS §9-463.05 (E)(6) requires:

“The projected demand for necessary public services or facility expansions required by new service units for a period not to exceed ten years.”

It is projected that there will be an additional 3,907 dwelling units added within the City by 2032. Using the maximum day water demand per DU of 743 gpd, the projected residential peak demand will increase 2.9 mgd (743 x 3,907 = 2,902,901 gpd). It is estimated that the 6.92 mgd added capacity will serve approximately 9,314 DU (6,900,000 gpd / 743 gpd per DU = 9,314 DU).

Figure W10 shows the development of the current demand projection, projected demands and the total DU added during the study period. It also shows the DU that will be served by existing available capacity

and the capacity added by the IIP. The current system operates above the firm capacity of 17.7 mgd so there is no existing available capacity to serve growth.

Figure W10: Projected Added Dwelling Units and Water Demand Forecast

Line No	Description	Units
Current Dwelling Units and Demand		
1	Current 2022 DU	29,911
2	Demand per EDU, gpd	450
3	Current Ave Day Demand, gpd	13,459,950
4	Maximum Day Peak Factor	1.41
5	Avg Day of Maximum Month, gpd (Line 3 x Line 4)	18,960,633
6	Current Firm Capacity, gpd	17,700,000
7	Existing Capacity Available for Growth, gpd (Line 6 - Line 5)	0
Added Capacity		
8	Added DU, 2022 - 2032	3,907
9	Average Day Demand	450
10	Planning Maximum Day Factor	1.65
11	Maximum Day Demand per DU, gpd	743
12	Added System Maximum Day Demand, gpd (Line 8 x Line 11)	2,902,901
13	Additional Capacity Needed for Growth (Line 12 - Line 7)	2,902,901
14	DU Served by Existing Available Capacity (Line 7 / Line 11)	0
15	DU Served by 10-Year IIP (Line 13 / Line 11)	3,907
16	Total Added DU	3,907

17	DU Served by Full 6.92 mgd Capacity Addition	9,314

Facility Improvements

The City has plans to expand the existing supply system by 6.92 mgd through the addition of wells and distribution projects meet the future demands on the service area. The City is also securing additional 6,882 acre-feet water resources to meet future demands. This includes additional storage/recharge capacity at the New River-Aqua Fria River Underground Storage Project (NAUSP) operated by Salt River Project (SRP) from the City of Chandler. The cost of water infrastructure projects totals approximately \$27.0 million. This value is reduced by the FY 21 outstanding fund balance of \$1.1 million resulting in a net cost of \$25.9 million. The cost of the water infrastructure and water resources growth-related projects is \$35.85 million.

As discussed previously, the maximum day demand per DU is 743 gpd. The \$3.74 unit cost of capacity is multiplied by 743 gpd which totals \$2,776 for the infrastructure portion of the fee. The water resource fee is equal to the annual DU demand of 164,300 gallons multiplied by \$4.46 per gallon for a total of \$732. The total water DIF is \$3,519 which also includes the cost of the study of \$11.

Wastewater Utility Fees

ARS §9-463.05.T.7(b) defines the facilities and assets which can be included in the Wastewater Facilities IIP:

“Wastewater facilities, including collection, interception, transportation, treatment and disposal of wastewater, and any appurtenances for those facilities”

The City provides central wastewater collection, treatment, and disposal service throughout the City limits. The following analyzes the resource and facility costs included in the IIP and DIF calculations.

The calculation of the wastewater facilities DIF was based on information provided by Staff in addition to the City’s 2018 Integrated Utility Master Plan Update Report (IUMP).

Fee Calculation Methodology

For this 2025 update, Raftelis used the plan-based approach. This approach is based on a forward-looking infrastructure improvements plan that considers the future projects needed to meet the future wastewater demands of the utility. The wastewater development impact fee (DIF) was calculated using the growth-share component of costs and the incremental capacity added from those facilities. Assumptions included in the development of this fee were provided by Staff and the IUMP.

Service Area

The wastewater service area includes the northern municipal planning area down to the Estrella Mountains. The service area includes sections that are served by septic systems.

Proportionate Share

ARS §9-463.05 (B)(3) states that the development fee shall not exceed a proportionate share of the cost of necessary public services needed to provide necessary public services to the development. Page 2-8, Table 2.4 from the 2018 Integrated Utility Master Plan (IUMP) shows in 2016, the City had a total of 24,561 water meters (accounts).

Raftelis assumes that the number of wastewater account types are for the most part the same as water except for landscape meters and customers with septic tanks. Raftelis estimates the 2016 account type counts was approximately 24,000 (excluding irrigation and customers on septic systems) with a total contributed wastewater flow of 5.4 mgd. Based on a water demand of 12.6 mgd, the 2016 return to sewer factor was 44%. The 2018 IUMP indicates that 46% is an appropriate return to sewer factor for planning purposes. Figure WW1 shows the return to sewer percentages for each land use type and their respective contributed wastewater volume.

Figure WW1: 2016 Account Type Return to Sewer Factors and Contributed Volume

<i>Description</i>	<i>Return to Sewer Factor</i>	<i>Average Daily WW Flow (gpd)</i>
Rural Low Density Residential	35.0%	0
Estate/Low Density Residential	35.0%	11,000
Sports & Entertainment	45.0%	0
Medium Density Residential	40.0%	1,774,000
City Center	60.0%	93,000
Historic Avondale	50.0%	163,000
Medium – High Density Residential	50.0%	165,000
High Density Residential	60.0%	1,138,000
Urban Commercial	60.0%	144,000
Mixed Use	60.0%	351,000
Urban Residential	0.0%	0
Local Commercial	60.0%	343,000
Open Space & Parks	0.0%	0
Open Space – Irrigation	0.0%	0
Freeway Commercial	75.0%	209,000
Business Park	60.0%	263,000
Education	60.0%	244,000
Industrial	60.0%	63,000
Public / Civic	60.0%	34,000
Corporate Park	60.0%	0
Gila River Scenic District	60.0%	0
High Intensity Office	60.0%	166
Office / Professional	60.0%	13,000
Total		5,008,166
Basin No. 2 Adjustment		432,000
Net Wastewater Flow (gpd)		5,440,000
2016 Actual Average Daily WastewaterFlow at WRF		5,600,000
<i>Variance (%)</i>		<i>-3.0%</i>

[1] 2018 IUMP, Page 2-18, Table 2.13; Page 2-20, Table 2.14

Existing Facilities

ARS §9-463.05 (E)(1) requires:

“A description of the existing necessary public services in the service area and the costs to upgrade, update, improve, expand, correct or replace those necessary public services to meet existing needs and usage and stricter safety, efficiency, environmental or regulatory standards, which shall be prepared by qualified professionals licensed in this state, as applicable.”

ARS §9-463.05 (E)(2) requires:

“An analysis of the total capacity, the level of current usage and commitments for usage of capacity of the existing necessary public services, which shall be prepared by qualified professionals licensed in this state, as applicable.”

Water Reclamation Facility

The City’s Water Reclamation Facility (WRF) is named the Charles M. Wolf Water Resource Center and is located on Dysart Road south of Broadway Road alignment. Wastewater is conveyed to the facility through two interceptors (36-inch and 48-inch) that enter the facility from the east. The current treatment capacity is a maximum month average daily flow (MMADF) of 9.0 million gallons per day (mgd). The MMADF occurred in September 2024 and was 7.24 mgd. The 2024 average annual daily flow to the Avondale WRF was 7.05 mgd.

Lift Stations and Force Mains

As of 2018, the City had 10 lift stations. There are nearly 6.5 miles of force mains associated with the City's lift stations, which range in size from 2 to 16 inches in diameter. Figure WW2 lists the lift stations and their firm capacity.

Figure WW2: Existing Lift Stations and Firm Capacity

<i>Lift Station</i>	<i>Firm Capacity (gpd)</i>
4th Street	3,200
10th Street	1,150
Central	200
Donatela	350
Friendship Park	350
Fulton	140
Littleton	210
PIR	30
Riley	2,200
Whyman	200

[1] 2018 IUMP Page 5-4, Table 5.1

Gravity Sewer Mains

As of 2018, the City’s collection system contained 235 miles of mains ranging in size from 4 to 48 inches. Both the gravity sewer lines and lift stations have sufficient capacity to meet demands over the study period.

Expansion Facility Costs

ARS §9-463.05 (E)(3) requires:

A description of all or the parts of the necessary public services or facility expansions and their costs necessitated by and attributable to development in the service area based on the approved land use assumptions, including a forecast of the costs of infrastructure, improvements, real property, financing, engineering and architectural services, which shall be prepared by qualified professionals licensed in this state, as applicable.

The City’s existing treatment capacity is a maximum month average daily flow (MMADF) of 9.0 mgd. As shown on Figure WW1, the 2016 average annual daily flow to the WRF is 5.6 mgd. From 2016 to 2024, the average annual daily flow increased from 5.6 mgd to 7.05 mgd, and is estimated to be 7.21 mgd in 2025. The MMADF of 7.24 mgd occurred in September 2024. The City has plans for a 3.0 mgd expansion to the Avondale Water Reclamation Facility (WRF) at a cost of \$132.4 million for the growth-related portion of the facilities.

Service Units and Demand by Land Use

ARS §9-463.05 (E)(4) requires:

“A table establishing the specific level or quantity of use, consumption, generation or discharge of a service unit for each category of necessary public services or facility expansions and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial and industrial.”

The development of a dwelling unit wastewater service demand incorporates historical water use, an adjustment for water that is returned to the wastewater system, and system planning factor. A dwelling unit represents the smallest service capacity in the system. For this DIF, a dwelling unit demand is equivalent to the average daily flow and peak flow based on a water customer with a 3/4” water meter.

The existing historical water demand is 450 gpd for a residential DU served by a 3/4” meter. The contributed wastewater flow is estimated to be 46% of water usage based on the planning criteria in the 2018 IUMP. The 450 gpd and 46% product equals the average day flow per DU of 207 gpd. The MMADF factor of 1.05 is applied to account for maximum month flows, which results in a MMADF of 218 gpd. Figure WW3 shows the calculation of the MMADF flows per DU (gpd).

Figure WW3: Wastewater Demand Unit

<i>Description</i>	<i>Amount</i>
Avg Day Water Demand per DU, gpc	450
Return Factor	46%
MMADF Planning Factor	105%
MMADF Flow per DU, gpd	218

The wastewater DIFs are assessed by water meter size for residential and nonresidential connections. The MMADF for meter sizes greater than 3/4” is the product of the 3/4” peak flow multiplied by the water meter capacity ratio for that corresponding meter. Meter capacity ratios are calculated based on the maximum safe flow (gpm) to that of a 3/4” meter. Figure WW4 shows the MMADF for each meter size.

Figure WW4: Meter Capacity Ratios

<i>Meter Size</i>	<i>Meter Capacity Ratio [1]</i>	<i>MMADF</i>
<i>inches</i>		<i>gpd</i>
0.75	1.00	218
1.00	1.67	363
1.50	3.33	727
2.00	5.33	1,163
3.00	10.67	2,325
4.00	16.67	3,633
6.00	33.33	7,267

[1] American Water Works Association M1 Manual, Principles of Water Rates, Fees, and Charges. 7th Ed.

Projected Service Units

ARS §9-463.05 (E)(5) requires:

“The total number of projected service units necessitated by and attributable to new development in the service area based on the approved land use assumptions and calculated pursuant to generally accepted engineering and planning criteria.”

ARS §9-463.05 (E)(6) requires:

“The projected demand for necessary public services or facility expansions required by new service units for a period not to exceed ten years.”

The City is projecting an additional 3,675 dwelling units will be built by 2035. Using the MMADF per dwelling unit of 218 gpd, it is estimated that the projected contributed peak wastewater flow will increase by 0.8 mgd (218 x 3,675 = 801,150 gpd).

Figure WW5 shows the development of the current annual average daily flow projections, projected average daily and MMADF flow, and the total DU added during the study period. It also shows the added DUs that will be served by capacity expansion. The 3.0 mgd capacity expansion is estimated to serve approximately 13,761 DU (3,000,000 gpd / 218 gpd).

Figure WW5: Projected Added Dwelling Units and Wastewater Flows Forecast

Line No	Description	Units
Current Dwelling Units and Demand		
1	Current 2025 DU	31,130
2	Demand per DU, gpd	218.00
3	Current Ave Day Demand, gpd	6,786,340
4	MMADF Peak Factor	1.07
5	Avg Day of Maximum Month, gpd (Rounded) (Line 4 x Line 3)	7,241,567
6	Current Capacity, gpd	9,000,000
7	Existing Capacity Available for Growth, gpd (Line 6 - Line 5)	1,758,433
Added Demand [1]		
8	Added DU, 2026 - 2035	3,675
9	Average Day Demand	207
10	Planning MMADF factor	1.05
11	MMADF per DU, gpd (Line 9 x Line 10)	218
12	Added MMADF, gpd	801,150
14	DU Served by Existing Available Capacity (Line 7 / Line 11)	8,066
<hr style="border-top: 1px dashed black;"/>		
17	DU Served by Full 3.0 mgd Capacity Addition	13,761

[1] The new WWTP adds a total of 3.0 mgd of capacity.

Facility Improvements

The City has plans to expand the existing WRF by 3.0 mgd. The total cost of the WRF phase 2 expansion is \$155,750,000, of which 85 percent, or \$132,387,500, is to meet growth. The existing wastewater development fund has \$22,445,638 as of the end of fiscal year 2024. Since the expansion will be debt-financed, 10 years of discounted interest payments are included in the total cost. Debt financing is presumed at a 4.0 percent interest rate over 30 years. The discount rate is assumed to be 4.0 percent based on the 10-year treasury yield⁴. The total cost of the WRF expansion plus the discounted interest cost over ten years, less the existing wastewater DIF fund balance, is \$149,341,791, which represents the total amount to be recovered through the wastewater DIFs. This value, divided by the additional capacity added of 3.0 mgd, results in a unit cost of \$49.78 per gpd.

As discussed previously, the maximum month average daily flow per demand unit is 218 gpd for wastewater. The \$49.78 per gpd is multiplied by the MMADF per demand unit of 218 gpd to get a wastewater DIF per 3/4-inch meter of \$10,854. This includes \$2 for the cost of this impact fee study. Figure WW-6 shows the calculation of the proposed wastewater DIF.

Figure WW6: Calculation of Proposed Development Impact Fee

Line No	Description	Values
1	WWTP Phase 2	\$132,387,500
2	Plus: NPV of Future Borrowing Cost	
3	Discounted Interest Payments (10 years) [1]	39,399,929
4	Less: FY24 Ending Fund Balance	(22,445,638)
5	Total Existing and Growth-Related WWTP Costs	\$149,341,791
6	WWTP Capacity, MMADF, mgd [2]	3.00
7	<i>Unit Cost of Capacity, \$ per gpd, (Line 5 / Line 6)</i>	<i>\$49.78</i>
8	Average Day Water Demand, gpd [3]	450.0
9	Return Factor [3]	46.0%
10	MMADF Planning Factor [3]	1.05
11	<i>MMADF Flow per DU, gpd [4], (Lines 8 x 9 x 10)</i>	<i>218</i>
12	Wastewater Development Fee, \$ per 3/4" Meter, (Line 7 x Line 11)	\$10,852
13	Plus: Cost of Professional Services, \$ per 3/4" Meter	\$2
14	Wastewater Development Fee, \$ per 3/4" Meter	\$10,854
15	Existing Fee	\$3,503
16	<i>Variance (\$)</i>	<i>\$7,351</i>

[1] Estimated bond issue: = \$155,750,000 * 85%; 4.0%, 30 years

[2] MMADF: Maximum Month average day flow

[3] From Table 2.10 of Carollo 2018 Integrated Utility Master Plan

[4] A dwelling unit is assumed to be the equivalent flow of 218 gpd through a 3/4" meter

⁴ Based on April 30, 2025 ten-year treasury rate of 4.17 percent.

Appendix A – Forecast of Revenues

Arizona’s enabling legislation mandates a “required offset” for “excess” construction contracting excise taxes, as stated in ARS § 9-463.05(B)(12)).

The municipality shall forecast the contribution to be made in the future in cash or by taxes, fees, assessments or other sources of revenue derived from the property owner towards the capital costs of the necessary public service covered by the development fee and shall include these contributions in determining the extent of the burden imposed by the development. Beginning August 1, 2014, for purposes of calculating the required offset to development fees pursuant to this subsection, if a municipality imposes a construction contracting or similar excise tax rate in excess of the percentage amount of the transaction privilege tax rate imposed on the majority of other transaction privilege tax classifications, the entire excess portion of the construction contracting or similar excise tax shall be treated as a contribution to the capital costs of necessary public services provided to development for which development fees are assessed, unless the excess portion was already taken into account for such purpose pursuant to this subsection.

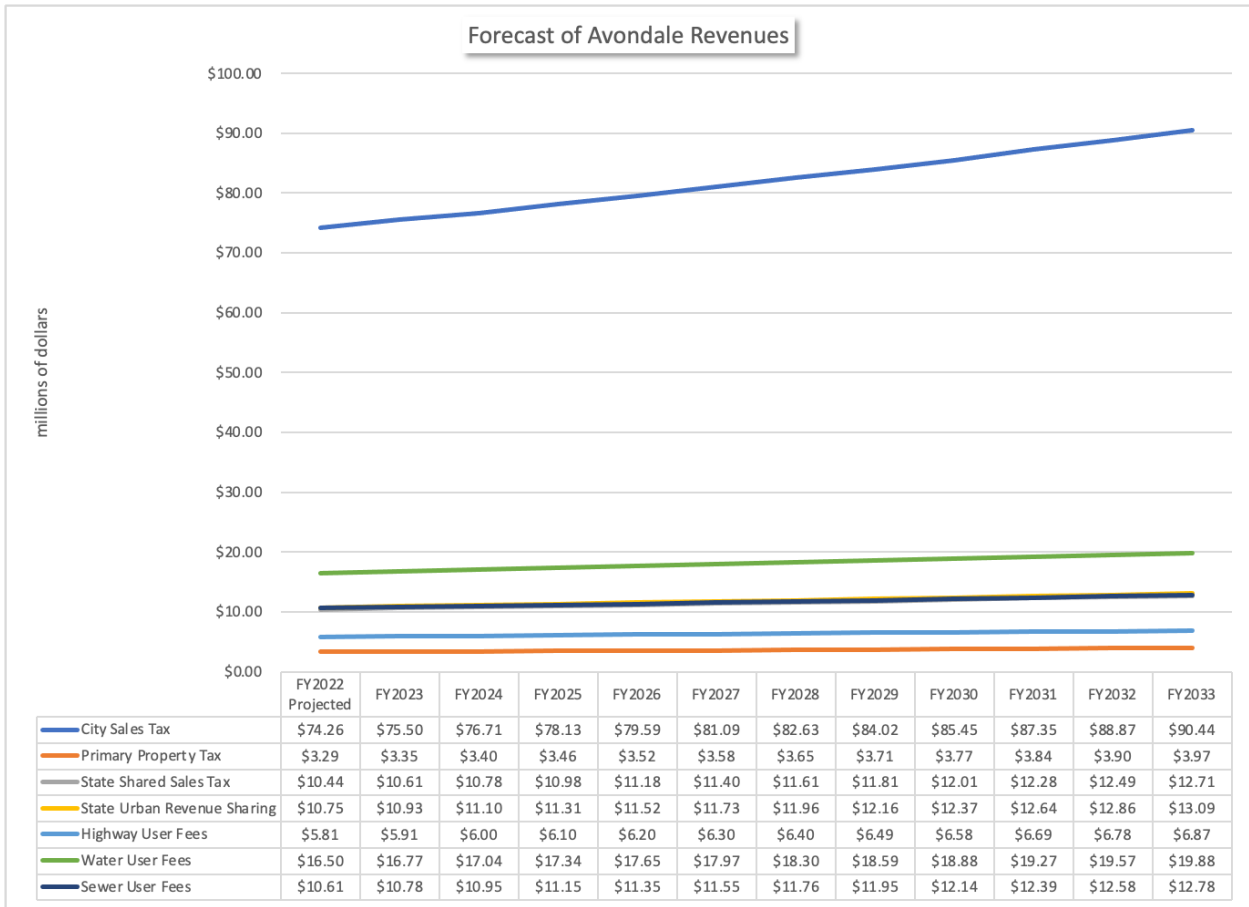
Avondale does not charge a construction excise tax at a rate higher than the rate applicable for other types of business activities. Therefore, no such offset is required.

ARS § 9-463.05(E)(7) requires:

“A forecast of revenues generated by new service units other than development fees, which shall include estimated state-shared revenue, highway users revenue, federal revenue, ad valorem property taxes, construction contracting or similar excise taxes and the capital recovery portion of utility fees attributable to development based on the approved land use assumptions, and a plan to include these contributions in determining the extent of the burden imposed by the development as required in subsection B, paragraph 12 of this section.”

The required forecast of non-development fee revenue that might be used for growth-related improvements is shown in Figure A1. The forecast of revenues was provided by Staff.

Figure A1 – Ten-Year Revenue Projections



Appendix B: MAG Socioeconomic Documentation

Pages 23-25 from MAG Socioeconomic Projections 2019 Documentation are shown below.

Industrial is based on Manufacturing and Warehousing.

INDUSTRIAL EMPLOYMENT AND DEVELOPMENT BY INDUSTRY

	FAR	Sq.Ft. per Employee
Manufacturing		
311 Food Manufacturing	0.26	460
312 Beverage and Tobacco Product Manufacturing	0.37	761
314-		
323 Textiles/Wood Products/Printing	0.31	717
324-		
326 Petroleum/Pharmaceuticals/Plastics	0.28	596
327 Concrete/Concrete Products/Stone	0.08	580
331-		
332 Steel/Fabricated Metals/Machine Shops	0.30	549
333 Machinery Manufacturing	0.37	308
334 Computer and Electronic Product Manufacturing Electrical Equipment, Appliance, and Component	0.33	428
335 Manufacturing	0.35	697
336 Transportation Equipment Manufacturing	0.13	363
337 Furniture and Related Product Manufacturing	0.37	789
339 Miscellaneous Manufacturing	0.26	520
Total	0.25	495
Warehouse		
423 Merchant Wholesalers, Durable Goods	0.29	514
424 Merchant Wholesalers, Nondurable Goods	0.32	735
484 General Freight Trucking	0.11	191
493 Warehousing and Storage	0.33	1,625

Commercial is based on Retail, Restaurants, and Hotels.

RETAIL EMPLOYMENT AND DEVELOPMENT BY INDUSTRY

	FAR	Sq.Ft. per Employee
Retail		
441 Motor Vehicle and Parts Dealers	0.18	379
441 Recreational Vehicle Dealers	0.10	754
441 Automotive Parts and Accessories Stores	0.26	724
442 Furniture and Home Furnishings Stores	0.31	674
443 Electronics and Appliance Stores	0.31	532
444 Building Material and Garden Equipment and Supplies Dealers	0.24	637
445 Supermarkets and Grocery Stores	0.24	454
445 Other Food and Beverage Stores	0.26	498
446 Health and Personal Care Stores	0.28	562
447 Gasoline Stations	0.10	340
448 Clothing and Clothing Accessories Stores	0.38	615
451 Sporting Goods, Hobby, Book, and Music Stores	0.27	583
452 General Merchandise Stores	0.30	741
452 Warehouse Clubs and Supercenters	0.23	566
452 All Other General Merchandise Stores	0.18	702
453 Miscellaneous Store Retailers	0.32	548
454 Nonstore Retailers	0.22	506
Retail Total	0.25	561
Restaurants		
722 Food Service Contractors and Caterers	0.23	326
722 Drinking Places (Alcoholic Beverages)	0.27	485
722 Full-Service Restaurants	0.27	471
722 Limited-Service Restaurants	0.24	464
722 Snack and Nonalcoholic Beverage Bars	0.26	485
Restaurant Total	0.26	463
Hotels	0.37	956

Office/Institutional is based on Information, Finance/Insurance, and Real Estate.

OFFICE EMPLOYMENT AND DEVELOPMENT BY INDUSTRY

	FAR	Sq.Ft. per Employee
Information		
511 Publishing Industries (except Internet)	0.57	390
512 Motion Picture and Sound Recording Industries	0.37	574
515 Broadcasting (except Internet)	0.36	376
517 Telecommunications	0.30	500
518 Data Processing, Hosting and Related Services	0.34	349
519 Other Information Services	0.08	478
51 Total	0.29	463
Finance & Insurance		
522 Banking	0.33	429
522 Consumer Lending	0.46	441
522 Other Lending	0.25	388
523 Investments	0.53	588
524 Insurance Carriers and Related Activities	0.55	423
52 Total	0.42	445
Real Estate and Rental and Leasing		
531 Real Estate Leasing	0.25	520
531 Real Estate Agents	0.37	390
532 Car & Truck Rental	0.08	590
532 Consular Rentals	0.33	623
532 Machinery and Equipment Rental and Leasing	0.13	485
53 Total	0.19	468

Appendix C: Impact Fee References

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ITEM NUMBER: 5.b.

SUBJECT: Resolution 1005-0126 - Amendments to Avondale Personnel Policies and Procedures, Chapter 4 Recruitment & Selection

MEETING DATE: 1/12/2026

TO: Mayor and Council

FROM: Andrew Mesquita, Human Resources Director

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

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

STRATEGIC PLAN:

Innovative & Effective Government

PURPOSE:

City Council will consider a request to adopt Resolution 1005-0126, amending the Personnel Policies and Procedures Chapter Policy 4, Recruitment & Selection to increase the maximum duration of a certified list from one year to two years, modify the promotional probation section of current policy to align with recent changes to A.R.S. 38-1104 regarding the demotion of promoted law enforcement officers for unsuccessful completion of promotional probation, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Currently, certified lists (qualified candidates for hire or promotion) are active for six (6) months, with the option to extend for up to a maximum of one (1) year (total) with approval from the Human Resources Director.

In reference to promotional probation, current policy allows for employees to be dismissed when it has been determined that the employee has unsuccessfully completed promotional probation and no lower level vacant position exists throughout the City that the employee qualifies for.

DISCUSSION:

In reference to the current duration of certified lists, given the extensive time, effort, and costs associated with promotional testing for sworn public safety positions, it is necessary to consider the ability to allow for longer extensions (up to a maximum of 2 years) to ensure an active list is available in the event that an unexpected vacancy occurs, and a need exists to promote a qualified candidate.

Recent changes associated with A.R.S. 38-1104 removed the ability for an employer to dismiss a law enforcement officer who is promoted above their current rank and required to serve a probationary period for unsuccessful completion of promotional probation. The expected action is that the employer would demote rather than dismiss the employee. This change does not limit an employer's ability to terminate a law enforcement officer at any time for just cause. In order to align with the requirements of A.R.S. 38-1104,

proposed revisions are being recommended to current policy language.

BUDGET IMPACT:

There are no direct costs associated with the amendments to the City of Avondale Policies and Procedures.

RECOMMENDATION:

Staff recommends Council adopt the proposed revisions to Avondale Chapter Policy 4, Recruitment and Selection.

Contact person for document distribution: Andrew Mesquita, Human Resources Director

CHAPTER 4

Recruitment and Selection

A. Affirmative Action Policy

The City of Avondale is committed to the principles of affirmative action and proactively seeks to hire and promote qualified minorities, women, disabled persons, and veterans throughout all levels of the organization.

B. Vacancies

All vacancies in any class of position in the exempt and nonexempt services will be filled by an eligible applicant from a recruitment and selection process, an appropriate certified list, or by means of voluntary demotion or a lateral transfer as approved by the Human Resources Director.

C. Minimum Age of Applicants

The City of Avondale follows all applicable state and federal laws regarding the minimum age required for employment. Department directors hiring youth under the age of 18 are required to comply with applicable Federal and State youth employment laws.

D. Employment Preference Points

Preference points shall be applied in accordance with Arizona Revised Statutes ([A.R.S. § 38-492](#)).

E. Recruitment and Selection Process

1. Authority

The Human Resources Director, with the concurrence of the City Manager, is the final decision-making authority with regard to the entire recruitment and selection process.

2. Vacancies

When a vacancy occurs, the department shall notify the Human Resources Department and provide information on the vacancy. The Human Resources Department will verify the information, check for a current certified list, and consider any special circumstances.

3. Recruitment Strategy

- a. Human Resources will meet with department representative(s) to determine the steps in the recruitment and selection process and devise a recruitment plan. The job description will be reviewed to ensure it is current and reflects the current requirements of the position.
- b. The Human Resources Department will advise departments on advertising and outreach approaches to ensure a diverse applicant pool. Labor market conditions and/or any special requirements of the position will determine recruiting sources to be used, and the recruitment time period.
- c. Vacancies will generally be filled through an “open-competitive” recruitment process, open to the public. The Human Resources Director has the authority to approve any exception to these guidelines.
- d. “Internal Only” recruitments are open only to City employees and must be approved by the Human Resources Director. A department director’s request for an internal recruitment must include a written explanation of how the recruitment will meet the requirement for a diverse and qualified pool of applicants.

4. Recruitment

- a. Notices of all City recruitments will be posted on the City website and any other sources identified by the hiring department.
- b. All applications for employment must be submitted online at www.avondaleaz.gov. Resumes and attachments will be accepted only as a supplement to the application, unless otherwise indicated in the job posting.
- c. Applications will be accepted only during the posted recruitment period. A separate application must be submitted for each position.
- d. Completed applications and supplements (if applicable) must be submitted by the date and time indicated on the posting.

5. Screening Applications

- a. Applications are screened for the minimum qualifications (MQs). Each application is reviewed for the education and experience to meet the stated MQs on the job announcement.
- b. The Human Resources Director and the hiring department will generally determine the method of evaluating the MQs prior to the job announcement.
- c. Applicants meeting the MQs will continue in the selection process. Job selection criteria must be job related and specific to the position that is being filled.

- d. Applicants making any false statements of any material fact or attempts to practice any deception or fraud on his/her application and/or attachments, or exams or resumes will be rejected from the selection process.

6. Testing

- a. The selection process may contain one or more tests, including but not limited to interviews, written tests, skill tests, physical ability/fitness tests. Departments must submit to the Human Resources Department the names of applicants to be tested, test information, and panel composition prior to any testing.
- b. Certain positions may be subject to competitive testing and applicants will be informed of the nature of such testing in advance.
- c. The Human Resources Department will be responsible for the administration and security of all tests and testing materials.
- d. The Human Resources Department shall send notification to all applicants once the selection process has concluded. If an applicant does not meet minimum requirements for the position, notifications will be sent at the conclusion of the screening process.

7. Certified Lists

- a. Completion of some selection processes may result in the establishment of an employment certified list.
- b. All certified lists will remain in effect for up to six (6) months, unless ~~exhausted or extended by sooner exhausted, prior to their expiration dates, by action of the Human Resources Director for additional periods, but in no event will employment certified lists remain in effect~~ for no longer than ~~twoone~~ (21) years.

8. Reference and Background Checks

- a. The Human Resources Department is authorized to receive, and such persons shall submit, pursuant to A.R.S. § 41-1750, fingerprints for state criminal history record information for the purpose of evaluating the fitness of prospective employees, contract employees, or volunteers. The fingerprints received shall be submitted to the Arizona Department of Public Safety, and the Arizona Department of Public Safety may exchange this fingerprint data with the Federal Bureau of Investigation.
- b. Applicants being considered for hire are subject to a background check, fingerprinting, and reference checks.
- c. Required education and professional certifications will generally be verified.

9. Employment Offers

- a. Prior to making a conditional employment offer, the hiring department shall consult with the Human Resources Department to discuss the selection, starting date, and compensation.
- b. All employment offers must be approved by the Human Resources Director or designee.
- c. Once the candidate has been selected and a salary offer is confirmed, the Human Resources Department will extend a conditional offer contingent upon successful completion of the pre-employment drug testing (specified positions only) and/or medical examination(s) (specified positions only).
- d. All background, reference, and testing information must be reviewed and confirmed by the Human Resources Department before employment may begin.

10. Medical, Psychological and Polygraph Examination

- a. Following a conditional offer of employment, a pre-employment drug screen, medical examination, psychological evaluation, and/or polygraph may be required for specified positions with an acceptable result.
- b. After consultation with the department director and appropriate subject matter experts, the Human Resources Director will make the final determination of fitness for employment based on the results of pre-employment examinations.

F. Required New Hire Documentation

1. New hire paperwork must be carefully reviewed and completed within three (3) days of the start of employment. The paperwork to be reviewed, completed, and filed in the Human Resources Department includes:
 - a. Loyalty Oath ([Arizona Revised Statutes §38-231](#))
 - b. I-9 Form (Employment Eligibility Verification)
 - c. Selective Service Acknowledgement
 - d. AZ Wage Withholding form
 - e. Youth employment documents, if applicable
2. New hires not presenting acceptable identification documents by the end of three business days after the first day of work may be terminated for failure to meet the requirements of the I-9 process.

G. Returning Recruitment Materials to Human Resources Department

All recruitment and selection materials must be returned to the Human Resources Department after testing has been completed.

H. New Hire Training

All newly hired full-time and part-time regular status employees are required to attend new employee training. Temporary and contractual staff as well as volunteers may attend if referred by their supervisors.

I. Temporary Appointments

1. When the need for a temporary employee occurs, the department shall notify the Human Resources Department and discuss the details of the appointment.
2. Length of Temporary Employment
 - a. In order to work within legal constraints and to preserve the “temporary” status of temporary employment, the maximum length of continuous service that a temporary employee can be employed will be based on the needs of the City.
 - b. Exceptions may be made for temporary employees who are hired to work less than nineteen (19) hours per week. Requests for exceptions under this provision shall be submitted in writing to the Human Resources Director for approval.
 - c. Temporary employees categorized as “seasonal” are not subject to a service limit.
 - 1) “Seasonal Appointments” are defined as: performing duties for only one season or project per year, working no more than six (6) consecutive months during a twelve (12) month period, and having at least a six (6) month break in service before being rehired for the next season or project.
 - 2) This provision applies to all departments throughout the City.
 - d. Some temporary employees work on an as needed basis for the City and are kept on the records as active employees year-round, even though they may only work sporadically during the year.
 - e. Department directors will notify Human Resources of temporary employees working more than twenty (20) hours a week for twenty (20) weeks in a fiscal year.
3. Temporary Agency Staffing
 - a. Temporary employees working through a temporary agency are to be paid the salary the department and agency agree upon.
 - b. Temporaries hired through City of Avondale must be hired within the pay range for an equivalent job.

4. Payroll Taxes and Retirement Contributions

- a. Temporary employees are subject to the normal payroll taxes including federal and state income tax and social security tax.
- b. Temporary employees may be subject to Arizona State Retirement System contributions if the employee works twenty (20) or more hours per week for twenty (20) or more weeks per fiscal year.
- c. The employee may also be subject to retirement contributions if the employee is already contributing to the retirement system through another employer.

J. Seasonal Appointments

1. Seasonal appointments will be made to positions that are seasonal in nature.
2. A person who receives a seasonal appointment is eligible for successive seasonal appointments to the same class without going through a recruitment process.
3. Appointments of seasonal employees will be limited to a maximum of six (6) months of consecutive employment in a twelve (12) month period.

K. Limited Appointments

1. Limited appointments will be made to positions that are expected to support special projects or interim assignments for a limited time period.
2. Appointments shall be made for no less than six (6) months and no more than three (3) years.
3. The length of the appointment is dependent upon project needs, available revenue from the funding source, and/or the City's ability to fund the appointment.

L. Emergency Appointments

In the event of an emergency, the City Manager may select and appoint persons without regard to the policies and procedures governing appointments, but in no case will such emergency appointments continue longer than ninety (90) days nor will it be renewed after ninety (90) days by successive appointment of the same person to the same class in the same department.

M. Probationary Period

All appointments to positions in the service of the City of Avondale are subject to a probationary period. This probationary period is not applicable to certain policies implementing executive level positions or above as determined by the City Manager.

1. Purpose

The purpose of a probationary period is to provide a reasonable amount of time for the employee to perform the full range of duties of the position and allow the City a reasonable amount of time to fully assess the employee in this position.

2. Types of Probation.

a. Original Probation.

1) Duration.

- a) Employees are required to serve an original probationary period of twelve (12) months except as otherwise noted in this policy.
- b) The City Manager may establish a longer original probationary period for specific positions.

2) Duration – Police and Fire.

- a) Police Cadets shall serve an original probationary period upon hire and through the duration of the training academy. Upon successful completion of the training academy, sworn Police Officers shall complete a new twelve (12) month original probationary period. Lateral sworn Police Officers who are not required to complete a training academy shall complete a twelve (12) month original probationary period upon hire.
- b) Non-certified detention staff shall serve an original probationary period upon hire and through the duration of the training academy. Upon successful completion of the training academy, certified detention staff shall complete a new twelve (12) month original probationary period. Lateral certified detention staff who are not required to complete a training academy shall complete a twelve (12) month original probationary period upon hire.
- c) Firefighters shall serve an original probationary period upon hire and through the duration of the training academy. Upon successful completion of the training academy, sworn Firefighters shall complete a new twelve (12) month original probationary period. Lateral sworn Firefighters who are not required to complete a training academy shall complete a twelve (12) month original probationary period upon hire.

3) Extensions of Original Probation.

- a) With the concurrence of the Human Resources Department, a department director may extend an employee's original probationary period when it has been determined that the employee is not meeting the required performance standards or expectations. A department director may also request an extension of the original probationary period due to periods of modified or light duty, suspensions, sick, and vacation leaves, leaves of absence, or any other absences

with advanced approval by the Human Resources Department.

- b) The department director, or designee, must issue a written notice of extension to the employee prior to the end of the last day of original probation or the employee will be deemed to have successfully completed original probation. A copy of the probation extension letter must be provided to the Human Resources Department.
 - c) No original probationary period may be extended beyond twelve (12) additional months.
- 4) Completing Original Probation early.
 - a) A department director may request to end an employee's original probationary period early.
 - b) A written request with justification shall be made to and approved by the Human Resources Director, with the concurrence of the City Manager, prior to the end of the last day of the employee's original probationary period.
 - 5) Accrual and Use of Leave – Original Probation.
 - a) Employees serving an original probationary period will accrue and use leave in accordance with the procedures outlined in Chapter 6, Employee Benefits.
 - 6) Performance Evaluation – Original Probation.
 - a) The employee's supervisor must submit an employee performance evaluation to the Human Resources Department as soon as practical, but no later than 30 calendar days following the successful completion of the employee's original probationary period.
 - 7) Demotion and Dismissal of Original Probation Employees.
 - a) A department director, or designee, with the concurrence of the Human Resources Department, may demote or dismiss an employee during original probation at any time with or without cause and without right of appeal.
 - b) The department director, or designee, must issue a written notice of demotion or dismissal to the employee prior to the end of the last day of original probation or the employee will be deemed to have successfully completed original probation. A copy of the letter must be provided to the Human Resources Department.
- b. Promotional Probation.
 - 1) Duration.
 - a) Employees who are promoted shall serve a six (6) month promotional

probationary period except as noted otherwise in this policy.

- 2) Duration – Office of Public Safety, Police, and Fire.
 - a) All Office of Public Safety, Police, and Fire Department employees (sworn and non-sworn) shall serve a twelve (12) month promotional probationary period.
- 3) Extensions of Promotional Probation.
 - a) With the concurrence of the Human Resources Department, a department director may extend an employee’s promotional probationary period when it has been determined that the employee is not meeting the required performance standards or expectations. A department director may also request an extension of the promotional probationary period due to periods of modified or light duty, suspensions, sick, and vacation leaves, leaves of absence, or any other absences with advanced approval by the Human Resources Department.
 - b) The department director, or designee, must issue a written notice of extension to the employee prior to the end of the last day of promotional probation or the employee will be deemed to have successfully completed promotional probation. A copy of the probation extension letter must be provided to the Human Resources Department.
 - c) No promotional probationary period may be extended beyond twelve (12) additional months, except for employees of the Office of Public Safety, Police and Fire Departments whose promotional probationary period may not be extended beyond six (6) additional months.
- 4) Performance Evaluation – Promotional Probation.
 - a) The employee’s supervisor must submit an employee performance evaluation to the Human Resources Department as soon as practical, but no later than 30 calendar days following the successful completion of the employee’s promotional probationary period.
- 5) Demotion and Dismissal of Promotional Probation Employees.
 - a) For a sworn law enforcement officer promoted above the law enforcement officer’s current rank and placed on promotional probation, with the concurrence of the Human Resources Director, the Chief of Police may demote the law enforcement officer to the rank previously held for failing to satisfactorily complete the promotional probationary period.
 - a)b) For all other employees, wWith the concurrence of the Human Resources ~~Department~~Director, a department director may demote an employee during their promotional probationary period to a vacant position within the department in the class previously held for which the employee qualifies when

it has been determined that the employee is not meeting the required performance standards or expectations. If a vacant position does not exist in the previous class, then the employee may be demoted into another vacant position assigned to a lower class in the department for which the employee qualifies. If no vacancies exist as outlined above, an employee may be placed into a vacant position in a lower class in another department for which the employee qualifies, with the concurrence of the gaining department director, the Human Resources Director and the City Manager, otherwise the employee will be dismissed.

- b)c) Except as otherwise provided in these policies, if a department director demotes an employee due to unsuccessful completion of promotional probation, the employee shall not be required to serve an original probationary period in the position to which demoted unless the employee was on original probation at the time of the promotion. Because the employee did not complete original probation, the employee will be required to successfully complete a new original probationary period of 12 (twelve) months.
- e)d) The department director, or designee, must issue a written notice of demotion or dismissal to the employee prior to the end of the last day of promotional probation or the employee will be deemed to have successfully completed promotional probation.
- d)e) Involuntary demotions of employees on promotional probation are not subject to appeal.
- e)f) Dismissals of employees on promotional probation are subject to appeal.

RESOLUTION NO. 1005-0126

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING CHAPTER 4 OF THE PERSONNEL POLICIES AND PROCEDURES RELATING TO RECRUITMENT AND SELECTION.

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

SECTION 1. Chapter 4 – Recruitment and Selection of the City of Avondale Personnel Policies and Procedures (“Chapter 4”) is hereby adopted in substantially the form and substance attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 2. If any section, subsection, sentence, clause, phrase or portion of this Resolution or any part of Chapter 4 adopted herein is for any reason held to be 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 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.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, January 12, 2026.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1005-0126
[Chapter 4]
See following pages.

CHAPTER 4

Recruitment and Selection

A. Affirmative Action Policy

The City of Avondale is committed to the principles of affirmative action and proactively seeks to hire and promote qualified minorities, women, disabled persons, and veterans throughout all levels of the organization.

B. Vacancies

All vacancies in any class of position in the exempt and nonexempt services will be filled by an eligible applicant from a recruitment and selection process, an appropriate certified list, or by means of voluntary demotion or a lateral transfer as approved by the Human Resources Director.

C. Minimum Age of Applicants

The City of Avondale follows all applicable state and federal laws regarding the minimum age required for employment. Department directors hiring youth under the age of 18 are required to comply with applicable Federal and State youth employment laws.

D. Employment Preference Points

Preference points shall be applied in accordance with [Arizona Revised Statutes § 38-492](#).

E. Recruitment and Selection Process

1. Authority

The Human Resources Director, with the concurrence of the City Manager, is the final decision-making authority with regard to the entire recruitment and selection process.

2. Vacancies

When a vacancy occurs, the department shall notify the Human Resources Department and provide information on the vacancy. The Human Resources Department will verify the information, check for a current certified list, and consider any special circumstances.

3. Recruitment Strategy

- a. Human Resources will meet with department representative(s) to determine the steps in the recruitment and selection process and devise a recruitment plan. The job description will be reviewed to ensure it is current and reflects the current requirements of the position.

- b. The Human Resources Department will advise departments on advertising and outreach approaches to ensure a diverse applicant pool. Labor market conditions and/or any special requirements of the position will determine recruiting sources to be used, and the recruitment time period.
- c. Vacancies will generally be filled through an “open-competitive” recruitment process, open to the public. The Human Resources Director has the authority to approve any exception to these guidelines.
- d. “Internal Only” recruitments are open only to City employees and must be approved by the Human Resources Director. A department director’s request for an internal recruitment must include a written explanation of how the recruitment will meet the requirement for a diverse and qualified pool of applicants.

4. Recruitment

- a. Notices of all City recruitments will be posted on the City website and any other sources identified by the hiring department.
- b. All applications for employment must be submitted online at www.avondaleaz.gov. Resumes and attachments will be accepted only as a supplement to the application, unless otherwise indicated in the job posting.
- c. Applications will be accepted only during the posted recruitment period. A separate application must be submitted for each position.
- d. Completed applications and supplements (if applicable) must be submitted by the date and time indicated on the posting.

5. Screening Applications

- a. Applications are screened for the minimum qualifications (MQs). Each application is reviewed for the education and experience to meet the stated MQs on the job announcement.
- b. The Human Resources Director and the hiring department will generally determine the method of evaluating the MQs prior to the job announcement.
- c. Applicants meeting the MQs will continue in the selection process. Job selection criteria must be job related and specific to the position that is being filled.
- d. Applicants making any false statements of any material fact or attempts to practice any deception or fraud on his/her application and/or attachments, or exams or resumes will be rejected from the selection process.

6. Testing

- a. The selection process may contain one or more tests, including but not limited to

interviews, written tests, skill tests, physical ability/fitness tests. Departments must submit to the Human Resources Department the names of applicants to be tested, test information, and panel composition prior to any testing.

- b. Certain positions may be subject to competitive testing and applicants will be informed of the nature of such testing in advance.
- c. The Human Resources Department will be responsible for the administration and security of all tests and testing materials.
- d. The Human Resources Department shall send notification to all applicants once the selection process has concluded. If an applicant does not meet minimum requirements for the position, notifications will be sent at the conclusion of the screening process.

7. Certified Lists

- a. Completion of some selection processes may result in the establishment of an employment certified list.
- b. All certified lists will remain in effect for up to six (6) months, unless exhausted or extended by the Human Resources Director for no longer than two (2) years.

8. Reference and Background Checks

- a. The Human Resources Department is authorized to receive, and such persons shall submit, pursuant to A.R.S. § 41-1750, fingerprints for state criminal history record information for the purpose of evaluating the fitness of prospective employees, contract employees, or volunteers. The fingerprints received shall be submitted to the Arizona Department of Public Safety, and the Arizona Department of Public Safety may exchange this fingerprint data with the Federal Bureau of Investigation.
- b. Applicants being considered for hire are subject to a background check, fingerprinting, and reference checks.
- c. Required education and professional certifications will generally be verified.

9. Employment Offers

- a. Prior to making a conditional employment offer, the hiring department shall consult with the Human Resources Department to discuss the selection, starting date, and compensation.
- b. All employment offers must be approved by the Human Resources Director or designee.
- c. Once the candidate has been selected and a salary offer is confirmed, the Human Resources Department will extend a conditional offer contingent upon successful completion of the pre-employment drug testing (specified positions only) and/or

medical examination(s) (specified positions only).

- d. All background, reference, and testing information must be reviewed and confirmed by the Human Resources Department before employment may begin.

10. Medical, Psychological and Polygraph Examination

- a. Following a conditional offer of employment, a pre-employment drug screen, medical examination, psychological evaluation, and/or polygraph may be required for specified positions with an acceptable result.
- b. After consultation with the department director and appropriate subject matter experts, the Human Resources Director will make the final determination of fitness for employment based on the results of pre-employment examinations.

F. Required New Hire Documentation

1. New hire paperwork must be carefully reviewed and completed within three (3) days of the start of employment. The paperwork to be reviewed, completed, and filed in the Human Resources Department includes:
 - a. Loyalty Oath ([Arizona Revised Statutes §38-231](#))
 - b. I-9 Form (Employment Eligibility Verification)
 - c. Selective Service Acknowledgement
 - d. AZ Wage Withholding form
 - e. Youth employment documents, if applicable
2. New hires not presenting acceptable identification documents by the end of three business days after the first day of work may be terminated for failure to meet the requirements of the I-9 process.

G. Returning Recruitment Materials to Human Resources Department

All recruitment and selection materials must be returned to the Human Resources Department after testing has been completed.

H. New Hire Training

All newly hired full-time and part-time regular status employees are required to attend new employee training. Temporary and contractual staff as well as volunteers may attend if referred by their supervisors.

I. Temporary Appointments

1. When the need for a temporary employee occurs, the department shall notify the Human

Resources Department and discuss the details of the appointment.

2. Length of Temporary Employment

- a. In order to work within legal constraints and to preserve the “temporary” status of temporary employment, the maximum length of continuous service that a temporary employee can be employed will be based on the needs of the City.
- b. Exceptions may be made for temporary employees who are hired to work less than nineteen (19) hours per week. Requests for exceptions under this provision shall be submitted in writing to the Human Resources Director for approval.
- c. Temporary employees categorized as “seasonal” are not subject to a service limit.
 - 1) “Seasonal Appointments” are defined as: performing duties for only one season or project per year, working no more than six (6) consecutive months during a twelve (12) month period, and having at least a six (6) month break in service before being rehired for the next season or project.
 - 2) This provision applies to all departments throughout the City.
- d. Some temporary employees work on an as needed basis for the City and are kept on the records as active employees year-round, even though they may only work sporadically during the year.
- e. Department directors will notify Human Resources of temporary employees working more than twenty (20) hours a week for twenty (20) weeks in a fiscal year.

3. Temporary Agency Staffing

- a. Temporary employees working through a temporary agency are to be paid the salary the department and agency agree upon.
- b. Temporaries hired through City of Avondale must be hired within the pay range for an equivalent job.

4. Payroll Taxes and Retirement Contributions

- a. Temporary employees are subject to the normal payroll taxes including federal and state income tax and social security tax.
- b. Temporary employees may be subject to Arizona State Retirement System contributions if the employee works twenty (20) or more hours per week for twenty (20) or more weeks per fiscal year.
- c. The employee may also be subject to retirement contributions if the employee is already contributing to the retirement system through another employer.

J. Seasonal Appointments

1. Seasonal appointments will be made to positions that are seasonal in nature.
2. A person who receives a seasonal appointment is eligible for successive seasonal appointments to the same class without going through a recruitment process.
3. Appointments of seasonal employees will be limited to a maximum of six (6) months of consecutive employment in a twelve (12) month period.

K. Limited Appointments

1. Limited appointments will be made to positions that are expected to support special projects or interim assignments for a limited time period.
2. Appointments shall be made for no less than six (6) months and no more than three (3) years.
3. The length of the appointment is dependent upon project needs, available revenue from the funding source, and/or the City’s ability to fund the appointment.

L. Emergency Appointments

In the event of an emergency, the City Manager may select and appoint persons without regard to the policies and procedures governing appointments, but in no case will such emergency appointments continue longer than ninety (90) days nor will it be renewed after ninety (90) days by successive appointment of the same person to the same class in the same department.

M. Probationary Period

All appointments to positions in the service of the City of Avondale are subject to a probationary period. This probationary period is not applicable to certain policies implementing executive level positions or above as determined by the City Manager.

1. Purpose

The purpose of a probationary period is to provide a reasonable amount of time for the employee to perform the full range of duties of the position and allow the City a reasonable amount of time to fully assess the employee in this position.

2. Types of Probation.

a. Original Probation.

1) Duration.

- a) Employees are required to serve an original probationary period of twelve (12) months except as otherwise noted in this policy.
- b) The City Manager may establish a longer original probationary period for specific positions.

2) Duration – Police and Fire.

- a) Police Cadets shall serve an original probationary period upon hire and through the duration of the training academy. Upon successful completion of the training academy, sworn Police Officers shall complete a new twelve (12) month original probationary period. Lateral sworn Police Officers who are not required to complete a training academy shall complete a twelve (12) month original probationary period upon hire.
- b) Non-certified detention staff shall serve an original probationary period upon hire and through the duration of the training academy. Upon successful completion of the training academy, certified detention staff shall complete a new twelve (12) month original probationary period. Lateral certified detention staff who are not required to complete a training academy shall complete a twelve (12) month original probationary period upon hire.
- c) Firefighters shall serve an original probationary period upon hire and through the duration of the training academy. Upon successful completion of the training academy, sworn Firefighters shall complete a new twelve (12) month original probationary period. Lateral sworn Firefighters who are not required to complete a training academy shall complete a twelve (12) month original probationary period upon hire.

3) Extensions of Original Probation.

- a) With the concurrence of the Human Resources Department, a department director may extend an employee's original probationary period when it has been determined that the employee is not meeting the required performance standards or expectations. A department director may also request an extension of the original probationary period due to periods of modified or light duty, suspensions, sick, and vacation leaves, leaves of absence, or any other absences with advanced approval by the Human Resources Department.
- b) The department director, or designee, must issue a written notice of extension to the employee prior to the end of the last day of original probation or the employee will be deemed to have successfully completed original probation. A copy of the probation extension letter must be provided to the Human Resources Department.
- c) No original probationary period may be extended beyond twelve (12) additional months.

4) Completing Original Probation early.

- a) A department director may request to end an employee's original probationary

period early.

- b) A written request with justification shall be made to and approved by the Human Resources Director, with the concurrence of the City Manager, prior to the end of the last day of the employee's original probationary period.

5) Accrual and Use of Leave – Original Probation.

- a) Employees serving an original probationary period will accrue and use leave in accordance with the procedures outlined in Chapter 6, Employee Benefits.

6) Performance Evaluation – Original Probation.

- a) The employee's supervisor must submit an employee performance evaluation to the Human Resources Department as soon as practical, but no later than 30 calendar days following the successful completion of the employee's original probationary period.

7) Demotion and Dismissal of Original Probation Employees.

- a) A department director, or designee, with the concurrence of the Human Resources Department, may demote or dismiss an employee during original probation at any time with or without cause and without right of appeal.
- b) The department director, or designee, must issue a written notice of demotion or dismissal to the employee prior to the end of the last day of original probation or the employee will be deemed to have successfully completed original probation. A copy of the letter must be provided to the Human Resources Department.

b. Promotional Probation.

1) Duration.

- a) Employees who are promoted shall serve a six (6) month promotional probationary period except as noted otherwise in this policy.

2) Duration – Office of Public Safety, Police, and Fire.

- a) All Office of Public Safety, Police, and Fire Department employees (sworn and non-sworn) shall serve a twelve (12) month promotional probationary period.

3) Extensions of Promotional Probation.

- a) With the concurrence of the Human Resources Department, a department director may extend an employee's promotional probationary period when it has been determined that the employee is not meeting the required performance standards or expectations. A department director may also request an extension of the promotional probationary period due to periods of modified or light duty,

suspensions, sick, and vacation leaves, leaves of absence, or any other absences with advanced approval by the Human Resources Department.

- b) The department director, or designee, must issue a written notice of extension to the employee prior to the end of the last day of promotional probation or the employee will be deemed to have successfully completed promotional probation. A copy of the probation extension letter must be provided to the Human Resources Department.
 - c) No promotional probationary period may be extended beyond twelve (12) additional months, except for employees of the Office of Public Safety, Police and Fire Departments whose promotional probationary period may not be extended beyond six (6) additional months.
- 4) Performance Evaluation – Promotional Probation.
- a) The employee’s supervisor must submit an employee performance evaluation to the Human Resources Department as soon as practical, but no later than 30 calendar days following the successful completion of the employee’s promotional probationary period.
- 5) Demotion and Dismissal of Promotional Probation Employees.
- a) For a sworn law enforcement officer promoted above the law enforcement officer’s current rank and placed on promotional probation, with the concurrence of the Human Resources Director, the Chief of Police may demote the law enforcement officer to the rank previously held for failing to satisfactorily complete the promotional probationary period.
 - b) For all other employees, with the concurrence of the Human Resources Director, a department director may demote an employee during their promotional probationary period to a vacant position within the department in the class previously held for which the employee qualifies when it has been determined that the employee is not meeting the required performance standards or expectations. If a vacant position does not exist in the previous class, then the employee may be demoted into another vacant position assigned to a lower class in the department for which the employee qualifies. If no vacancies exist as outlined above, an employee may be placed into a vacant position in a lower class in another department for which the employee qualifies, with the concurrence of the gaining department director, the Human Resources Director and the City Manager, otherwise the employee will be dismissed.
 - c) Except as otherwise provided in these policies, if a department director demotes an employee due to unsuccessful completion of promotional probation, the

employee shall not be required to serve an original probationary period in the position to which demoted unless the employee was on original probation at the time of the promotion. Because the employee did not complete original probation, the employee will be required to successfully complete a new original probationary period of 12 (twelve) months.

- d) The department director, or designee, must issue a written notice of demotion or dismissal to the employee prior to the end of the last day of promotional probation or the employee will be deemed to have successfully completed promotional probation.
- e) Involuntary demotions of employees on promotional probation are not subject to appeal.
- f) Dismissals of employees on promotional probation are subject to appeal.

ITEM NUMBER: 5.c.

SUBJECT: Resolution 1006-0126 - Amendments to Personnel Policies and Procedures, Chapter 18 Discipline

MEETING DATE: 1/12/2026

TO: Mayor and Council

FROM: Andrew Mesquita, Human Resources Director

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

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

STRATEGIC PLAN:

Innovative & Effective Government

PURPOSE:

City Council will consider a request to adopt Resolution 1006-0126, amending the Personnel Policies and Procedures Chapter Policy 18, Discipline to: incorporate a progressive discipline framework; memorialize procedures related to administrative investigation interviews; enhance clarity regarding roles/responsibilities associated with employee representation rights; adopt a clear pre-determination hearing process; establish a disciplinary matrix to serve as a tool and guidelines for determining discipline; and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Chapter 18, Discipline Policy, was first issued in May 2014 and has not received a comprehensive review since its inception to ensure that structure and language align with current business needs. Upon review, Human Resources determined that key elements needed to be added and/or modified in relation to progressive discipline, administrative investigation interviews, employee representation rights, pre-determination hearings, and guidelines for determining appropriate discipline.

DISCUSSION:

The proposed revisions to Avondale Chapter Policy 18, Discipline, strengthen the overall disciplinary process by incorporating a progressive discipline framework; memorializing procedures related to administrative investigation interviews; expanding rights and enhancing clarity as it relates to employee representatives; adopting a clear pre-determination hearing process; and establishing a disciplinary matrix to serve as a guideline when determining appropriate discipline. These revisions provide clear and consistent processes and expectations that support transparency and employee due process, while preserving management authority.

BUDGET IMPACT:

There are no direct costs associated with the amendments to the City of Avondale Policies and Procedures.

RECOMMENDATION:

Staff recommends Council adopt the proposed revisions to Avondale Chapter Policy 18, Discipline.

Contact person for document distribution: Andrew Mesquita, Human Resources Director

~~CHAPTER~~Chapter 18

Discipline

~~A. Statement~~

A. Purpose

~~This Chapter applies to all employees including represented~~ policy establishes a framework for promoting fairness, consistency, and ~~certified~~ accountability in managing employee units. ~~performance and conduct while allowing the City the discretion necessary to respond appropriately to the circumstances of individual instances through the application of discipline. Discipline is utilized to notify employees of performance or conduct deficiencies, provide an opportunity to improve, and establish a clear understanding of the potential consequences if improvement does not occur. Any action that violates City or departmental policies, applicable law, job expectations or otherwise reflects negatively upon~~ on the City of Avondale ~~will~~ may be considered ~~good~~ just cause for disciplinary action ~~against, up to and including dismissal from employment.~~

~~a. Management has the right to discipline any officer or employee. For all disciplinary actions that are implemented in hours, a 1.4 times conversion rate will be applied to sworn fire personnel on a 56-hour schedule.~~

~~As way of example only, the inappropriate behavior or misconduct on the part of employees using the progressive disciplinary alternatives outlined in this Chapter. Depending on the severity of the employee's conduct management has the discretion to skip or repeat discipline alternatives based on the facts and circumstances of the employee's conduct.~~

~~The level of discipline should be appropriate to the offense and consistent with disciplinary actions taken for similar offenses, while taking into account relevant distinctions, such as the nature and seriousness of the offense; whether the offense was intentional, technical or inadvertent, or was committed maliciously or for gain; frequency of the offense; the employee's job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position; the employee's overall work performance and the employee's past disciplinary record.~~

~~The following are examples of the types of behavior that constitute grounds for termination~~ discipline, up to and including dismissal. These examples are simply that, and do not constitute an all-inclusive list:

- ~~2. Incompetency, inefficiency, or in attendance~~ inattention to, or dereliction of duty.
- ~~3. Dishonesty, intemperate conduct, insubordination, discourteous treatment of the public or of fellow employees, any act or commission or omission tending to injure the public~~

~~service, any failure on the part of the employee to properly conduct himself or herself, or violations of the Arizona Revised Statutes, City ordinances, or other rules and regulations applicable to the employee.~~

~~3. Any Dishonesty.~~

~~4. Insubordination, including refusal to perform assigned duties or follow legal directives from the employee's supervisor, failure to cooperate with a City investigation, and failure to correct inappropriate behavior after receiving notification in accordance with the provisions of this Chapter.~~

~~5. Discourteous treatment or abuse of the public or fellow employees.~~

~~6. Conduct constituting a violation of state or federal law or regulation impacting suitability for continued employment.~~

~~7. Conduct that is not in compliance with position-specific licensure requirements.~~

~~4.8. Violation of the City's substance abuse policy.~~

~~5.9. Conviction of Charged with or under indictment for any felony or misdemeanor that involves dishonesty, scandal, or in any other way may bring disrepute to the employee or the City or that makes it impossible and/or impractical to properly complete their duties.~~

~~6. Arrest for any matter that makes it impossible and/or impractical to properly complete their duties.~~

~~7.10. Any violation of the City Chapter, policies contained in this manual, or rules, departmental policies or rules, supervisory instructions, any other City rules/policies (e.g. those contained in the Ethics Handbook), or any other conduct that may bring discredit to the City.~~

~~B. Unlawful Acts Prohibited~~

~~1. No person will willfully make any false statement, certificate, mark, rating, or report in regard to any application for employment, test, rating, certification, or appointment held or made under these policies and procedures or ordinances of the City of Avondale. Such conduct may be grounds for disciplinary action, up to and including termination.~~

- ~~11. No person seeking appointment to or promotion in any position in the City service will either directly or indirectly give, promise, render, or pay~~Falsification of application for employment.
- ~~2.12.~~ Directly or indirectly giving, promising, rendering, or paying any money, service, or anything else of value to any person for, on account of, or in connection with their test, appointment, proposed appointment, promotion, or proposed promotion.
13. Destruction of city property or having an at fault accident.
14. Discriminating against any employee or other person because of race, gender, religion, color, national origin, age, disability, sexual orientation, gender identity, pregnancy, veteran status, genetic information, or any other characteristic defined by law or City Council approved Chapter or City Manager approved administrative policy. ‡
15. Retaliating against an employee for addressing or making a complaint about discrimination or harassment; cooperating in an investigation; appearing as a witness in an investigation of a complaint; or exercising other legal rights such as requesting a reasonable accommodation based on religion or disability, requesting leave under the Family Medical Leave Act, or filing a workers' compensation claim.

C. Procedures

~~The City does not have a progressive discipline~~

B. Application

This Chapter applies to all classified employees including represented employees. Specifically, this Chapter may be used as guidance for disciplinary actions. Some Department Directors with authorization from the City Manager and Human Resources Director may adopt policies that provide for the administration of additional disciplinary alternatives below the level of written reprimand.

Employees employed in or appointed to policy implementing executive-level positions, as determined by the City Manager, on or after October 30, 2023, are considered at-will employees and are not entitled to an appeal of disciplinary action. This Chapter may be used as guidance when disciplinary action is considered for these employees but this policy does not alter the at-will employment status of these employees.

C. Disciplinary Alternatives

The City may take varying forms of discipline against its employees, as best ~~serve~~ serves the City's and the ~~citizens'~~ residents' interests in each circumstance. This section outlines typical progressive disciplinary measures. The City reserves the right to ~~take~~ apply any appropriate disciplinary ~~action~~ alternative that circumstances require.

~~Departments are encouraged to seek guidance from Human Resources when considering discipline, however, they are required to consult with Human Resources for guidance and support prior to imposing a written reprimand or Temporary and probationary employees have no appeal rights for actions outlined in these policies. Part-time employees hired before June 18, 2014, have appeal rights for actions outlined in these policies, but part-time employees hired after June 18, 2014, have no appeal rights for actions outlined in these policies. Policy implementing executive level positions or above as determined by the City Manager and appointed on or after October 30, 2023, have no appeal rights for actions outlined in these policies.~~

When a ~~department director~~ Department Director identifies the need for employee discipline, they shall meet with the Human Resources Director or designee prior to any ~~discussion~~ notification regarding potential discipline with ~~the~~ an employee. Before any employee is given a ~~letter of written~~ reprimand, or notice of intent to suspend without pay, ~~notice of intent to reduce pay, notice of intent to demote, or notice of intent to terminated~~ dismiss, the Department Director shall consult with the Human Resources Director or designee. Below

When conduct or behavior, while against policy, has a minimal negative impact on the overall operations or reputation of the City, supervisors are encouraged to utilize coaching as a non-formal disciplinary option to correct the conduct or behavior and support an employee's success.

If coaching has been utilized and the negative conduct and/or behavior continues, or if the conduct or behavior is such that coaching is not a viable option, below are examples of forms of discipline alternatives that the City may take impose. However, this is not an exclusive list.

1. ~~Formal~~ Verbal Warning

- a. Supervisors may initiate a verbal warning with an employee as soon as problem behavior or misconduct occurs. The supervisor shall advise the employee of the specific behavior or misconduct; how it is negatively affecting the workplace; communicate specific instances of the behavior or misconduct; and identify appropriate corrective action. The employee must be advised that failure to end the problem behavior or misconduct may result in further disciplinary action. The employee may also be required to complete corrective actions to improve behavior or conduct, such as training or policy/procedure review.
- b. The supervisor shall document the verbal warning to include a brief, dated summary of the discussion and placed in the supervisor's personnel file for the employee. A copy shall also be provided to the employee.

1-2. ~~Written~~ Reprimand

- a. ~~The immediate supervisor, department director, one of the Assistant City~~

~~Managers, or the City Manager may formally reprimand any employee under their supervision for cause.~~

- ~~b. Such a formal reprimand will be in writing and addressed to the employee.~~
- ~~a. A If an employee continues to engage in similar inappropriate behavior or conduct, or if an employee's behavior or conduct is such that bypassing a verbal warning is justified, then the employee may be issued a written reprimand. A written reprimand informs the employee in writing that a serious infraction has occurred and that immediate and sustained improvement is required to avoid further disciplinary action up to and including dismissal. The written reprimand may require the employee to complete corrective actions to improve behavior or conduct, such as training or policy/procedure review.~~
- ~~e.b. The supervisor shall draft the written reprimand in conjunction with Human Resources. Once completed, the supervisor shall review the written reprimand with the employee. Both the supervisor and employee should sign the written reprimand. By signing the document, the employee acknowledges that they received it. If the employee refuses to sign the document, the supervisor shall make that notation on the document and sign and date the document. The signed copy will document shall be forwarded to the employee and the Human Resources Director for inclusion in the employee's employee's personnel file. The City Manager will also be notified of the reprimand.~~
- ~~d. Formal reprimands cannot be appealed to the Independent Hearing Officer.~~
- ~~e.c. However, If the employee disputes the written reprimand, the employee may submit a written response within ten (10) working days of receipt, the employee may file a letter of response to the reprimand, which will be attached to the reprimand in their file. In its sole discretion, City management to the Human Resources Director or designee for City Manager review. The City Manager or designee may choose to modify or revoke the reprimand after reviewing the employee's letter and circumstances surrounding the discipline. employee's written response. The written reprimand and any employee response shall be placed in the employee's official Human Resources personnel file.~~

2.3. Suspension

- ~~a. The City Manager If an employee engages in serious or an Assistant City Manager, at their own discretion or upon repeated misconduct, the recommendation of a department director, may Department Director may choose to suspend anthe employee for cause.~~
- ~~a.b. Employees may be suspended from work without pay for a period or periods not exceeding in full workday increments and no more than thirty (30) calendar days in any twelve (12) month period except as provided in subsection (2)(d) below for any single cause.~~
- ~~b. Suspensions of 40 hours or less cannot be appealed to the Independent Hearing Officer, except as specified for law enforcement officers and detention officers in ARIZ. REV. STAT. § 38-1101; however, the employee may request review of the decision within ten (10) working days of the notice. Upon receipt of the employee's request for review, the Human Resources Department shall coordinate and appoint another department director or supervisor to review the matter. The designated department director or supervisor will issue a written memorandum either upholding the non-appealable suspension or suggesting that the City Manager reverse or modify the discipline. If the designated department director or supervisor suggests a reversal or modification, the City Manager will review the matter and make a final decision.~~
- ~~c. If an employee appeals their suspension of more than 40 hours, they must first receive a hearing before the Assistant City Manager or designee prior to suspension. After the hearing, the Assistant City Manager or designee will determine whether this action is appropriate. The City Manager will be notified of the decision. If the suspension is upheld, the employee may request an appeal to the City's Independent Hearing Officer within ten (10) working days of receipt of the hearing decision. The appeal must be in writing and submitted to the Human Resources Director as outlined in Chapter 19. After the Independent Hearing Officer conducts a hearing as outlined in Chapter 19, they will make a written recommendation within (10) working days to the City Manager or designee for final determination. The Independent Hearing Officer serves an advisory role to the City Manager or designee.~~
- ~~d. Any regular employee who is arrested for a serious public offense, other than minor traffic violations, whether imprisoned, pending probation, or released on bail, may be suspended without pay until such time that judgment is rendered by the court; provided, however, if the employee is found not guilty, they will receive compensation for the period of suspension. The employee may not appeal a suspension under this provision.~~

3. Reduction in Pay in Lieu of Suspension

- a. ~~A department director may choose to impose a reduction in pay of an employee instead of a suspension without pay. Any reduction in pay in lieu of suspension that is equal to forty (40) hours or less cannot be appealed to the Independent~~

Hearing Officer, except as specified for law enforcement officers and detention officers in ARIZ. REV. STAT. § 38-1101; however, the employee may request review of the decision within ten (10) working days of the effective date. Upon receipt of the employee's request for review, the Human Resources Department shall coordinate and appoint another department director or supervisor to review the matter. The designated department director or supervisor will issue a written memorandum either upholding the non-appealable reduction in pay or suggesting that the City Manager reverse or modify the discipline. If the designated department director or supervisor suggests a reversal or modification, the City Manager will review the matter and make a final decision.

- b. ~~The total dollar amount of the reduction in pay shall not exceed the dollar amount of the suspension for which the reduction is substituted.~~
- c. ~~The reduction in pay shall not reduce the employee's salary below the Federal minimum wage.~~
- d. ~~If an employee appeals their reduction in pay in lieu of suspension (for amounts equivalent to or more than forty (40) hours suspension), they must first receive a hearing before an Assistant City Manager, or designee, prior to implementing a reduction in pay in lieu of suspension. After the hearing, the Assistant City Manager, or designee, will determine whether this action is appropriate. The City Manager will be notified of the decision. If the reduction in pay in lieu of suspension is upheld, the employee may appeal the decision within ten (10) working days of receipt of the hearing decision. The appeal must be in writing and submitted to the Human Resources Director as outlined in Chapter 19. After the Independent Hearing Officer conducts a hearing as outlined in Chapter 19, they will make a written recommendation within (10) working days to the City Manager or designee for final determination. The Independent Hearing Officer serves an advisory role to the City Manager or designee.~~

4. Demotion

- a. If an employee engages in serious or repeated misconduct, the Department Director may choose to demote the employee.
- b. All regular employees involuntarily demoted for disciplinary reasons will not be eligible for promotion or a merit-based increase in compensation for a period of one (1) year from the time of the demotion. The period of time may be reduced at the discretion of the City Manager or an Assistant, in consultation with the Department Director and Human Resources Director.

5. Dismissal

- a. If lesser discipline has failed to result in improved behavior or conduct or is deemed not

appropriate or sufficient given the severity of the infraction, the Department Director may dismiss the employee.

D. Administrative Investigations

1. Purpose

The purpose of an administrative investigation is to establish the facts necessary to determine whether or not there has been a violation of policy, procedure, or law. Human Resources will conduct administrative investigations, or work in conjunction with other internal staff or third-party investigators authorized by the City Manager or City Attorney.

a. Administrative investigations of sworn Police Department employees (peace officers and detention officers) conducted by the Police Department or Office of Public Safety, as authorized by the Chief of Police, are not governed by the provisions of this policy, but rather must adhere to the statutory requirements of investigations of law enforcement officers as is set forth in Ariz. Rev. Stat. 38-1101 et seq.

2. Notification of Investigation (NOI)

a. All employees shall receive written notification prior to any administrative investigation interview.

b. If the employee is the focus of the investigation (principal), then the Notification of Investigation (NOI) shall be provided and signed by the employee at least 24 hours prior to the employee's scheduled interview. An advance NOI will not be provided when the allegations are related to discrimination, harassment, or retaliation.

c. The NOI shall include: the date, time, and location of the interview; a general description of the nature of the allegations; and the employee's right to representation.

d. Failure to comply with NOI requirements and admonishments may result in disciplinary action, up to and including dismissal.

3. Administrative Investigation Interview Conditions

a. Employees may have a representative present during an administrative interview.

b. Employees may take personal notes during the interview. These notes are not part of the official record and may not be disclosed until the investigation and any appeals are concluded.

c. Employees may request reasonable breaks to consult privately with their representative.

d. At the conclusion of the interview, the employee, who is the focus of the investigation (principal), may make a statement relevant to the facts or policies under discussion. Statements should be limited to five (5) minutes.

4. Access to Final Investigation Materials

When an investigation results in sustained findings of policy violations against the employee, the employee shall be provided a copy of the final investigation report, along with any supporting attachments or exhibits used to reach the conclusion and to determine applicable disciplinary action (e.g., written reprimand, intent to suspend, or intent to dismiss). Certain identifying details may be redacted to preserve the integrity of the investigation.

E. Employee Representative Rights and Responsibilities

1. Eligibility and Designation

- a. Employees may have a representative present during an administrative investigation interview and/or Pre-determination Hearing.
- b. The representative must be a current City employee and not an attorney.
- a.c. The representative must be available on reasonable notice so as not to cause undue delay to the investigation.
- d. Members of a recognized employee organization may select the organization's president or designee as their representative.

2. Roles and Expectations

- a. The Employee Representative Acknowledgement Form shall be provided and signed by the representative prior to the commencement of the administrative investigation interview and/or pre-disciplinary hearing.
- b. Failure to comply with procedures outlined in the Employee Representative Acknowledgement Form may result in disciplinary action, up to and including dismissal.
- c. The representative's function is limited to observation. Representatives may take notes but may not participate in or interfere with the interview.
- d. Notes taken by representatives are not part of the official record and shall not be disclosed until the investigation and any subsequent appeals have concluded.
- e. Representatives are prohibited from:
 - Interrupting or hindering the interview process;
 - Making or maintaining separate recordings of the interview;
 - Conducting independent investigations, including interviewing witnesses or collecting evidence;
 - Serving as a representative if they are, or may become, a material witness in the matter; and

- Discussing or disclosing any information related to the investigation with unauthorized individuals, except for the employee they represent, until the investigation and appeals process is complete.

3. Attendance and Work Status

- a. Representatives may attend interviews during on-duty hours when operationally feasible.
- b. Participation shall not result in unauthorized overtime or conflict with operational needs of the department.

4. Protection from Retaliation

Employees shall not be disciplined, retaliated against, or otherwise adversely affected for requesting or serving as a representative during an administrative interview or pre-disciplinary process.

5. Exclusions

- a. The right to representation does not apply to:
 - 1) Routine supervisory interactions, including counseling, instruction, informal coaching, or verbal warning; or
 - 2) Preliminary inquiries conducted solely to determine the scope or validity of allegations prior to a formal investigation.

F. Pre-disciplinary Process

1. Notice of Intent

- a. Prior to a suspension, demotion, or dismissal of regular employees who have successfully completed original probation, the employee must be given a written Notice of Intent stating the proposed disciplinary action and information concerning the employee's Pre-determination Hearing.
- b. The Notice of Intent must include:
 - 1) The proposed disciplinary action;
 - 2) The specific reason for such disciplinary action, including the acts or omissions on which the proposed action is based;
 - 3) The City and department policies and/or procedures that the employee is alleged to have violated;
 - 4) The right of the employee to appear in person at the Pre-determination Hearing and provide a response to the proposed disciplinary action. The employee may choose to respond verbally, in writing, or both, or the employee may waive the right to respond. Any waiver associated with the Pre-determination Hearing must be made in writing.
 - 5) The right to have a representative present during the Pre-determination Hearing;

- 6) The time (no less than three working days following the date of personal delivery or certified mailing notice) and place for the Pre-determination Hearing.
- c. The Notice of Intent should be hand-delivered if the employee is in the workplace. If the employee is not in the workplace, the Department Director may coordinate with Human Resources to mail the notice to the employee's last known address on file with Human Resources. If mailed, the notice shall be sent via certified mail, return receipt requested, and via regular mail. Human Resources shall retain copies of the notice.
- d. If it is determined that an employee should be removed from the workplace pending the Pre-determination Hearing or final disciplinary determination, then the employee may be placed on Administrative Leave with Pay. This action is considered non-punitive and not appealable.
- e. Upon receipt of the Notice of Intent, the employee may request in writing any known materials, reports or documents upon which the disciplinary action is based. Human Resources will provide access to the requested material(s).
2. Pre-determination Hearing
- a. The Pre-determination Hearing affords the employee the opportunity to respond to the allegations prior to any implementation of final disciplinary action.
- b. The Pre-determination Hearing is with the Department Director or designee who is responsible for determining the final disciplinary action.
- c. The hearing will be conducted in coordination with Human Resources and will be audio recorded.
- d. The Department Director or designee shall not make any announcement of a final disciplinary action at the time of the hearing.
- e. After considering the input provided by the employee, and any evidence presented regarding the employee's conduct or performance, the Department Director will issue the appropriate notice implementing, decreasing, or revoking the proposed disciplinary action in coordination with Human Resources.
- f. If the decision is made to increase the proposed disciplinary action (i.e. suspension to dismissal), a new Pre-determination Hearing shall be held, and a new Notice of Intent of the proposed action shall be issued.
- g. If the Department Director proceeds with implementing the proposed disciplinary action, a copy of the Pre-determination Hearing Notice and the Final Action Notice shall be provided to the employee and forwarded to Human Resources.

D.G. Appeal to Independent Hearing Officer:

- ~~a. If an employee appeals their demotion, they must first receive a hearing before the Assistant City Manager or designee prior to implementing the demotion. After the hearing, the Assistant City Manager, or designee, will determine whether the demotion is appropriate. The City Manager will be notified of the decision. If the demotion is upheld, If suspended for more than 40 hours,~~

demoted or dismissed, the employee may request an appeal to ~~the~~

~~an Independent Hearing Officer within ten (10) working days of receipt of the hearingPre-determination Hearing decision. The appeal must be in writing and submitted to the Human Resources Director as outlined in Chapter 19. After the Independent Hearing Officer conducts a hearing as outlined in Chapter 19, they will make a written recommendation within (10) working days to the City Manager or designee for final determination. The Independent Hearing Officer serves an advisory role to the City Manager or designee.~~

- ~~b. All regular employees demoted for disciplinary reasons will not be eligible for promotion or an increase in compensation for a period of one (1) year from the time of the demotion.~~

~~2. Representatives~~

- ~~a. Employees may have a representative present during an administrative interview and/or a pre-disciplinary hearing. The representative must be an employee of the City, not an attorney, who is available on reasonable notice so that the interview is not unreasonably delayed.~~
- ~~b. Unit members of an employee organization recognized by the City of Avondale may choose to have their organization president or designee as their representative.~~
- ~~c. The representative is allowed to be present only to observe and will not participate in the interview. The representative may take notes during the interview. These notes are not the official record of the interview and shall not be disclosed until the investigation and subsequent appeals have been completed and allegations have been resolved.~~
- ~~d. Representatives are prohibited from the following:~~
- ~~1) Interrupting or hindering the interview in any manner.~~
 - ~~2) Separately recording the interview.~~
 - ~~3) Conducting their own investigation into the matter at hand by interviewing witnesses, gathering evidence, etc.~~
 - ~~4) Participating as a representative if they are or may be a material witness to the matter(s) under investigation.~~
 - ~~5) Discussing the investigation, including the nature and content of the interview, with any unauthorized person, except the person for whom they are functioning as a representative, until the investigation and any subsequent appeals have been completed.~~
- ~~e. Representatives may attend interviews on duty, so long as it does not conflict with operational needs of the department. However, under no circumstances will there be unauthorized overtime.~~
- ~~f. The right to an observer does not apply to an interview that is:~~
- ~~1) In the normal course of duty, counseling, instruction, an information verbal-~~

~~admonishment, or other routine or unplanned contact with a supervisor or any other employee; or~~

~~2) During the preliminary inquiry to determine the scope of the allegations.~~

~~g. No employee may be subject to discipline or retaliated against for requesting or serving as a representative of another employee during an administrative interview and/or pre-disciplinary hearing.~~

~~h. This section, concerning employee representatives, does not affect any rights granted to law enforcement officers and detention officers pursuant to the Peace Officers Bill of Rights, Arizona Revised Statute § 38-1101 et. seq.~~

~~3. Termination~~

~~a. The City Manager or an Assistant City Manager may terminate for cause any employee of the City by delivery of a Notice of Intent to Terminate, which outlines a statement of reasons for potential termination. In most cases, the Assistant City Manager or designee will make the initial termination decision. If appealed, the City Manager or designee will make the final determination after receiving a recommendation from the Independent Hearing Officer.~~

~~b. Part-time employees or employees serving in the probationary period need not receive a Notice of Intent to Terminate prior to termination.~~

~~c. Pre-Termination Hearing~~

~~If an employee appeals their termination, they must receive a pre-termination hearing before the Assistant City Manager or designee prior to termination.~~

~~d. Final Decision~~

~~4.1. After the pre-termination hearing, the Assistant City Manager or designee will determine whether termination is appropriate. The City Manager will be notified of the termination decision. If terminated, the employee may request an appeal Independent Hearing Officer within ten (10) working days of receipt of the hearing decision. The appeal must be in writing and submitted to the Human Resources Director as outlined in Chapter 19. After the Independent Hearing Officer conducts a hearing as outlined in Chapter 19, they will make a written recommendation within (10) working days to the City Manager or designee for final determination. The Independent Hearing Officer serves in an advisory role to the City Manager or designee.~~

~~2. Suspensions of 40 hours or less cannot be appealed to the Independent Hearing Officer, except as specified for law enforcement officers and detention officers in Arizona Revised Statutes § 38-1101.~~

~~a. Temporary and probationary employees have no appeal rights for actions outlined in these policies. Process~~

~~Managers requesting termination of an employee as a disciplinary measure will first consult with the Human Resources Director or designee.~~

5. Exit Interviews

Any employee leaving the City's services is given the option to provide Human Resources with an exit interview.

3. Executive-level positions as determined by the City Manager employed or appointed on or after October 30, 2023, have no appeal rights for disciplinary actions outlined in this policy.

H. Consistency with State Law

This policy does not modify or limit any rights or protections granted under state law, including those provided to peace officers and detention officers under the Peace Officers Bill of Rights (A.R.S. § 38-1101 et seq.).

I. Other

1. Any classified employee who is arrested for a serious public offense, other than minor traffic violations, whether imprisoned, pending probation, or released on bail, may be placed on administrative leave with pay until such time that judgment is rendered by the court. The employee may not appeal administrative leave.

6-2. For the purposes of this Chapter:

- a. "Classified Employee" means a full-time (non-temporary) employee who has successfully completed original probation, or a part-time (non-temporary) employee hired before June 18, 2014. Council appointees and at-will employees are excluded from this definition.
- a-b. "Working Days" means Monday through Thursday, exclusive of City--designated Holidays.
- b-c. "Law Enforcement Officer" means an individual, other than a probationary employee, who is certified by the Arizona Peace Officer Standards and Training Board and employed by the City of Avondale.
- d. "Detention Officer" means a detention officer, other than a probationary employee, who is employed by the City of Avondale.
- e.e. For all disciplinary actions that are implemented in hours, a 1.4 times conversion rate will be applied to sworn fire personnel on a 56-hour schedule.

This matrix serves as a guideline for determining discipline and provides general guidance to supervisors and Human Resources staff in determining appropriate levels of discipline for various types of employee misconduct or performance deficiencies. Management reserves the right to deviate from these guidelines based on the circumstances of each case, including the seriousness of the offense, prior work record, mitigating or aggravating factors, and/or any applicable legal requirements.

<u>Category of Misconduct/Performance Deficiency</u>	<u>Examples</u>	<u>Typical First Offense</u>	<u>Second Occurrence</u>	<u>Chronic or Severe Case(s)</u>
<u>Attendance/Punctuality</u>	<u>Tardiness, unexcused absence, leaving early without prior approval</u>	<u>Coaching</u>	<u>Verbal Warning</u>	<u>Written Reprimand up to dismissal</u>
<u>Neglect of Duty</u>	<u>Carelessness, failure to complete assignments</u>	<u>Coaching</u>	<u>Verbal Warning</u>	<u>Written Reprimand up to dismissal</u>
<u>Unsatisfactory Performance</u>	<u>Incomplete or inaccurate work product; missed deadlines; failure to supervise</u>	<u>Coaching</u>	<u>Verbal Warning</u>	<u>Written Reprimand up to dismissal</u>
<u>Policy Violations (Minor)</u>	<u>Dress code, minor safety lapse, misuse of resources, minor at-fault accident</u>	<u>Verbal Warning</u>	<u>Written Reprimand</u>	<u>Suspension up to dismissal</u>
<u>Policy Violations (Serious)</u>	<u>Breach of confidentiality, misuse or destruction of City property or resources</u>	<u>Written Reprimand</u>	<u>Suspension</u>	<u>Dismissal</u>
<u>Insubordination</u>	<u>Direct refusal to follow supervisory directive</u>	<u>Written Reprimand</u>	<u>Suspension</u>	<u>Dismissal</u>
<u>Harassment, Discrimination or Retaliation</u>	<u>Behavior or conduct that violates Ch. 15</u>	<u>Suspension</u>	<u>Dismissal</u>	
<u>Substance Abuse (Non-Commercial Driver's License)</u>	<u>Possession or use of alcohol or illegal drugs while on-duty</u>	<u>Suspension</u>	<u>Dismissal</u>	
<u>Theft, Fraud, Falsification, Dishonesty</u>	<u>Timecard fraud; misuse of public funds; theft of property; intentional deception to supervisors, investigators, or auditors</u>	<u>Dismissal</u>		
<u>Violence, Threats, Unsafe Acts</u>	<u>Fighting; threats; endangering others</u>	<u>Dismissal</u>		
<u>Criminal Conduct, Arrests</u>	<u>Conduct impacting job fitness or public trust</u>	<u>Dismissal</u>		

RESOLUTION NO. 1006-0126

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING CHAPTER 18 OF THE PERSONNEL POLICIES AND PROCEDURES RELATING TO DISCIPLINE.

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

SECTION 1. Chapter 18 – Discipline of the City of Avondale Personnel Policies and Procedures (“Chapter 18”) is hereby adopted in substantially the form and substance attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 2. If any section, subsection, sentence, clause, phrase or portion of this Resolution or any part of Chapter 18 adopted herein is for any reason held to be 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 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.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, January 12, 2026.

Mike Pineda, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1006-0126
[Chapter 18]
See following pages.

Chapter 18

Discipline

A. Purpose

This policy establishes a framework for promoting fairness, consistency, and accountability in managing employee performance and conduct while allowing the City the discretion necessary to respond appropriately to the circumstances of individual instances through the application of discipline. Discipline is utilized to notify employees of performance or conduct deficiencies, provide an opportunity to improve, and establish a clear understanding of the potential consequences if improvement does not occur. Any action that violates City or departmental policies, applicable law, job expectations or otherwise reflects negatively on the City of Avondale may be considered just cause for disciplinary action, up to and including dismissal from employment.

Management has the right to discipline any inappropriate behavior or misconduct on the part of employees using the progressive disciplinary alternatives outlined in this Chapter. Depending on the severity of the employee's conduct, management has the discretion to skip or repeat discipline alternatives based on the facts and circumstances of the employee's conduct.

The level of discipline should be appropriate to the offense and consistent with disciplinary actions taken for similar offenses, while taking into account relevant distinctions, such as the nature and seriousness of the offense; whether the offense was intentional, technical or inadvertent, or was committed maliciously or for gain; frequency of the offense; the employee's job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position; the employee's overall work performance and the employee's past disciplinary record.

The following are examples of the types of behavior that constitute grounds for discipline, up to and including dismissal. These examples are simply that, and do not constitute an all-inclusive list:

1. Incompetency, inefficiency, or inattention to or dereliction of duty.
2. Dishonesty.
3. Insubordination, including refusal to perform assigned duties or follow legal directives from the employee's supervisor, failure to cooperate with a City investigation, and failure to correct inappropriate behavior after receiving notification in accordance with the provisions of this Chapter.

4. Discourteous treatment or abuse of the public or fellow employees.
5. Conduct constituting a violation of state or federal law or regulation impacting suitability for continued employment.
6. Conduct that is not in compliance with position-specific licensure requirements.
7. Violation of the City's substance abuse policy.
8. Charged with or under indictment for any felony or misdemeanor that involves dishonesty, scandal, or in any other way may bring disrepute to the employee or the City or that makes it impossible and/or impractical to properly complete their duties.
9. Any violation of the City Chapter and Administrative policies, departmental policies, supervisory instructions, or any other conduct that may bring discredit to the City.
10. Falsification of application for employment.
11. Directly or indirectly giving, promising, rendering, or paying any money, service, or anything else of value to any person for, on account of, or in connection with their test, appointment, proposed appointment, promotion, or proposed promotion.
12. Destruction of city property or having an at fault accident.
13. Discriminating against any employee or other person because of race, gender, religion, color, national origin, age, disability, sexual orientation, gender identity, pregnancy, veteran status, genetic information, or any other characteristic defined by law or City Council approved Chapter or City Manager approved administrative policy.
14. Retaliating against an employee for addressing or making a complaint about discrimination or harassment, cooperating in an investigation, appearing as a witness in an investigation of a complaint, or exercising other legal rights such as requesting a reasonable accommodation based on religion or disability, requesting leave under the Family Medical Leave Act, or filing a workers' compensation claim.

B. Application

This Chapter applies to all classified employees including represented employees. Specifically, this Chapter may be used as guidance for disciplinary actions. Some Department Directors with authorization from the City Manager and Human Resources Director may adopt policies that provide for the administration of additional disciplinary alternatives below the level of written reprimand.

Employees employed in or appointed to policy implementing executive-level positions, as determined by the City Manager, on or after October 30, 2023, are considered at-will employees and are not entitled to an appeal of disciplinary action. This Chapter may be used as guidance when disciplinary action is considered for these employees, but this policy does not alter the at-will employment status of these employees.

C. Disciplinary Alternatives

The City may take varying forms of discipline against its employees, as best serves the City's and the residents' interests in each circumstance. This section outlines typical progressive disciplinary measures. The City reserves the right to apply any disciplinary alternative that circumstances require.

Departments are encouraged to seek guidance from Human Resources when considering discipline, however, they are required to consult with Human Resources for guidance and support prior to imposing a written reprimand or above.

When a Department Director identifies the need for employee discipline, they shall meet with the Human Resources Director or designee prior to any notification regarding potential discipline with an employee. Before any employee is given a written reprimand or notice of intent to suspend without pay, demote, or dismiss, the Department Director shall consult with the Human Resources Director or designee.

When conduct or behavior, while against policy, has a minimal negative impact on the overall operations or reputation of the City, supervisors are encouraged to utilize coaching as a non-formal disciplinary option to correct the conduct or behavior and support an employee's success.

If coaching has been utilized and the negative conduct and/or behavior continues, or if the conduct or behavior is such that coaching is not a viable option, below are examples of discipline alternatives that the City may impose. However, this is not an exclusive list.

1. Verbal Warning

- a. Supervisors may initiate a verbal warning with an employee as soon as problem behavior or misconduct occurs. The supervisor shall advise the employee of the specific behavior or misconduct; how it is negatively affecting the workplace; communicate specific instances of the behavior or misconduct; and identify appropriate corrective action. The employee must be advised that failure to end the problem behavior or misconduct may result in further disciplinary action. The employee may also be required to complete corrective actions to improve behavior or conduct, such as training or policy/procedure review.
- b. The supervisor shall document the verbal warning to include a brief, dated summary of the discussion and placed in the supervisor's personnel file for the employee. A copy shall also be provided to the employee.

2. Written Reprimand

- a. If an employee continues to engage in similar inappropriate behavior or conduct, or if an employee's behavior or conduct is such that bypassing a verbal warning is justified, then the employee may be issued a written reprimand. A written reprimand informs the

employee in writing that a serious infraction has occurred and that immediate and sustained improvement is required to avoid further disciplinary action up to and including dismissal. The written reprimand may require the employee to complete corrective actions to improve behavior or conduct, such as training or policy/procedure review.

- b. The supervisor shall draft the written reprimand in conjunction with Human Resources. Once completed, the supervisor shall review the written reprimand with the employee. Both the supervisor and employee should sign the written reprimand. By signing the document, the employee acknowledges that they received it. If the employee refuses to sign the document, the supervisor shall make that notation on the document and sign and date the document. The signed document shall be forwarded to Human Resources for inclusion in the employee's personnel file. The City Manager will also be notified of the reprimand.
- c. If the employee disputes the written reprimand, the employee may submit a written response within ten (10) working days to the Human Resources Director or designee for City Manager review. The City Manager or designee may choose to modify or revoke the reprimand after reviewing the employee's written response. The written reprimand and any employee response shall be placed in the employee's official Human Resources personnel file.

3. Suspension

- a. If an employee engages in serious or repeated misconduct, the Department Director may choose to suspend the employee.
- b. Employees may be suspended from work without pay in full workday increments and no more than thirty (30) calendar days for any single cause.

4. Demotion

- a. If an employee engages in serious or repeated misconduct, the Department Director may choose to demote the employee.
- b. All regular employees involuntarily demoted for disciplinary reasons will not be eligible for promotion or a merit-based increase in compensation for a period of one (1) year from the time of the demotion. The period of time may be reduced at the discretion of the City Manager, in consultation with the Department Director and Human Resources Director.

5. Dismissal

- a. If lesser discipline has failed to result in improved behavior or conduct or is deemed not appropriate or sufficient given the severity of the infraction, the Department Director may dismiss the employee.

D. Administrative Investigations

1. Purpose

The purpose of an administrative investigation is to establish the facts necessary to determine whether or not there has been a violation of policy, procedure, or law. Human Resources will conduct administrative investigations, or work in conjunction with other internal staff or third-party investigators authorized by the City Manager or City Attorney.

- a. Administrative investigations of sworn Police Department employees (peace officers and detention officers) conducted by the Police Department or Office of Public Safety, as authorized by the Chief of Police, are not governed by the provisions of this policy, but rather must adhere to the statutory requirements of investigations of law enforcement officers as is set forth in Ariz. Rev. Stat. 38-1101 et seq.

2. Notification of Investigation (NOI)

- a. All employees shall receive written notification prior to any administrative investigation interview.
- b. If the employee is the focus of the investigation (principal), then the Notification of Investigation (NOI) shall be provided and signed by the employee at least 24 hours prior to the employee's scheduled interview. An advance NOI will not be provided when the allegations are related to discrimination, harassment, or retaliation.
- c. The NOI shall include: the date, time, and location of the interview; a general description of the nature of the allegations; and the employee's right to representation.
- d. Failure to comply with NOI requirements and admonishments may result in disciplinary action, up to and including dismissal.

3. Administrative Investigation Interview Conditions

- a. Employees may have a representative present during an administrative interview.
- b. Employees may take personal notes during the interview. These notes are not part of the official record and may not be disclosed until the investigation and any appeals are concluded.
- c. Employees may request reasonable breaks to consult privately with their representative.
- d. At the conclusion of the interview, the employee, who is the focus of the investigation (principal), may make a statement relevant to the facts or policies under discussion. Statements should be limited to five (5) minutes.

4. Access to Final Investigation Materials

When an investigation results in sustained findings of policy violations against the employee, the employee shall be provided a copy of the final investigation report, along with any supporting attachments or exhibits used to reach the conclusion and to determine

applicable disciplinary action (e.g., written reprimand, intent to suspend, or intent to dismiss). Certain identifying details may be redacted to preserve the integrity of the investigation.

E. Employee Representative Rights and Responsibilities

1. Eligibility and Designation

- a. Employees may have a representative present during an administrative investigation interview and/or Pre-determination Hearing.
- b. The representative must be a current City employee and not an attorney.
- c. The representative must be available on reasonable notice so as not to cause undue delay to the investigation.
- d. Members of a recognized employee organization may select the organization's president or designee as their representative.

2. Roles and Expectations

- a. The Employee Representative Acknowledgement Form shall be provided and signed by the representative prior to the commencement of the administrative investigation interview and/or pre-disciplinary hearing.
- b. Failure to comply with procedures outlined in the Employee Representative Acknowledgement Form may result in disciplinary action, up to and including dismissal.
- c. The representative's function is limited to observation. Representatives may take notes but may not participate in or interfere with the interview.
- d. Notes taken by representatives are not part of the official record and shall not be disclosed until the investigation and any subsequent appeals have concluded.
- e. Representatives are prohibited from:
 - Interrupting or hindering the interview process;
 - Making or maintaining separate recordings of the interview;
 - Conducting independent investigations, including interviewing witnesses or collecting evidence;
 - Serving as a representative if they are, or may become, a material witness in the matter; and
 - Discussing or disclosing any information related to the investigation with unauthorized individuals, except for the employee they represent, until the investigation and appeals process is complete.

3. Attendance and Work Status

- a. Representatives may attend interviews during on-duty hours when operationally feasible.
- b. Participation shall not result in unauthorized overtime or conflict with operational needs of the department.

4. Protection from Retaliation

Employees shall not be disciplined, retaliated against, or otherwise adversely affected for requesting or serving as a representative during an administrative interview or pre-disciplinary process.

5. Exclusions

- a. The right to representation does not apply to:
 - 1) Routine supervisory interactions, including counseling, instruction, informal coaching, or verbal warning; or
 - 2) Preliminary inquiries conducted solely to determine the scope or validity of allegations prior to a formal investigation.

F. Pre-disciplinary Process

1. Notice of Intent

- a. Prior to a suspension, demotion, or dismissal of regular employees who have successfully completed original probation, the employee must be given a written Notice of Intent stating the proposed disciplinary action and information concerning the employee's Pre-determination Hearing.
- b. The Notice of Intent must include:
 - 1) The proposed disciplinary action;
 - 2) The specific reason for such disciplinary action, including the acts or omissions on which the proposed action is based;
 - 3) The City and department policies and/or procedures that the employee is alleged to have violated;
 - 4) The right of the employee to appear in person at the Pre-determination Hearing and provide a response to the proposed disciplinary action. The employee may choose to respond verbally, in writing, or both, or the employee may waive the right to respond. Any waiver associated with the Pre-determination Hearing must be made in writing.
 - 5) The right to have a representative present during the Pre-determination Hearing;
 - 6) The time (no less than three working days following the date of personal delivery or certified mailing notice) and place for the Pre-determination Hearing.

- c. The Notice of Intent should be hand-delivered if the employee is in the workplace. If the employee is not in the workplace, the Department Director may coordinate with Human Resources to mail the notice to the employee's last known address on file with Human Resources. If mailed, the notice shall be sent via certified mail, return receipt requested, and via regular mail. Human Resources shall retain copies of the notice.
 - d. If it is determined that an employee should be removed from the workplace pending the Pre-determination Hearing or final disciplinary determination, then the employee may be placed on Administrative Leave with Pay. This action is considered non-punitive and not appealable.
 - e. Upon receipt of the Notice of Intent, the employee may request in writing any known materials, reports or documents upon which the disciplinary action is based. Human Resources will provide access to the requested material(s).
2. Pre-determination Hearing
- a. The Pre-determination Hearing affords the employee the opportunity to respond to the allegations prior to any implementation of final disciplinary action.
 - b. The Pre-determination Hearing is with the Department Director or designee who is responsible for determining the final disciplinary action.
 - c. The hearing will be conducted in coordination with Human Resources and will be audio recorded.
 - d. The Department Director or designee shall not make any announcement of a final disciplinary action at the time of the hearing.
 - e. After considering the input provided by the employee, and any evidence presented regarding the employee's conduct or performance, the Department Director will issue the appropriate notice implementing, decreasing, or revoking the proposed disciplinary action in coordination with Human Resources.
 - f. If the decision is made to increase the proposed disciplinary action (i.e., suspension to dismissal), a new Pre-determination Hearing shall be held, and a new Notice of Intent of the proposed action shall be issued.
 - g. If the Department Director proceeds with implementing the proposed disciplinary action, a copy of the Pre-determination Hearing Notice and the Final Action Notice shall be provided to the employee and forwarded to Human Resources.

G. Appeal to Independent Hearing Officer

- 1. If suspended for more than 40 hours, demoted or dismissed, the employee may request an appeal to an Independent Hearing Officer within ten (10) working days of receipt of the Pre-determination Hearing decision. The appeal must be in writing and submitted to the Human Resources Director as outlined in Chapter 19. After the Independent Hearing Officer conducts a hearing as outlined in Chapter 19, they will make a written recommendation within (10) working days to the City Manager or designee for final determination. The Independent Hearing Officer serves in an advisory role to the City Manager or designee.
- 2. Suspensions of 40 hours or less cannot be appealed to the Independent Hearing Officer, except as specified for law enforcement officers and detention officers in Arizona Revised

Statutes § 38-1101.

3. Temporary and probationary employees have no appeal rights for actions outlined in these policies. Executive-level positions as determined by the City Manager, employed or appointed on or after October 30, 2023, have no appeal rights for disciplinary actions outlined in this policy.

H. Consistency with State Law

This policy does not modify or limit any rights or protections granted under state law, including those provided to peace officers and detention officers under the Peace Officers Bill of Rights (A.R.S. § 38-1101 et seq.).

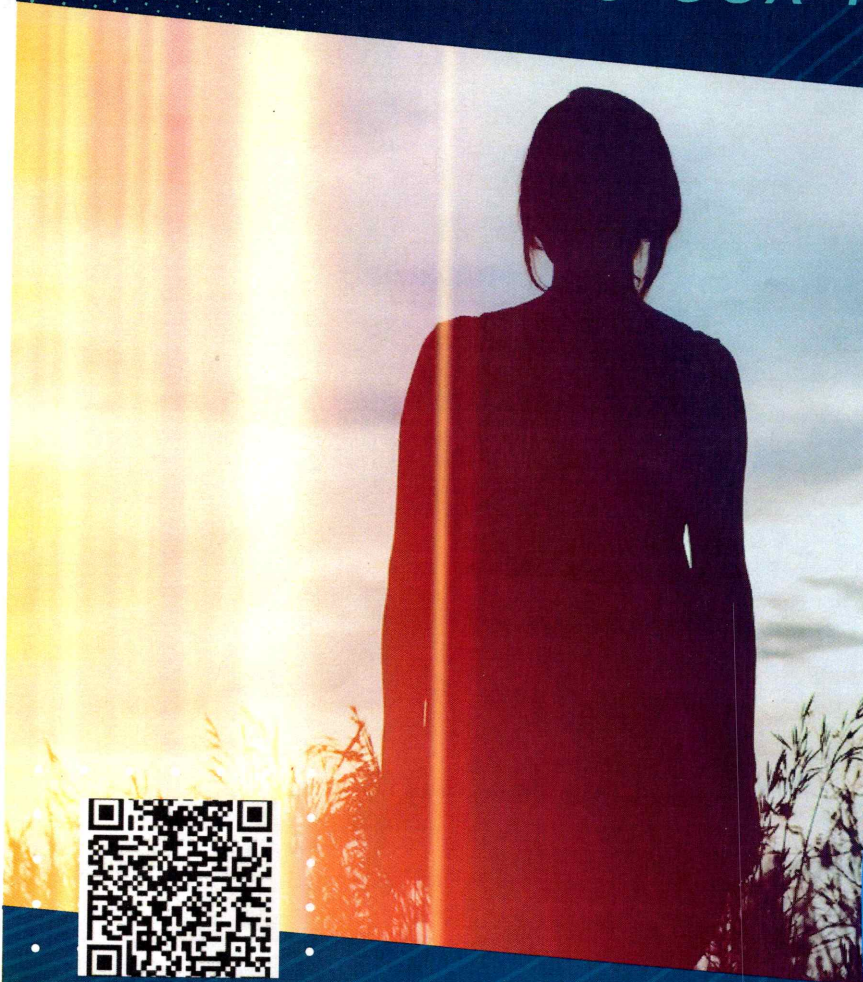
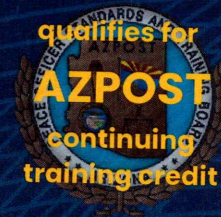
I. Other

1. Any classified employee who is arrested for a serious public offense, other than minor traffic violations, whether imprisoned, pending probation, or released on bail, may be placed on administrative leave with pay until such time that judgment is rendered by the court. The employee may not appeal administrative leave.
2. For the purposes of this Chapter:
 - a. “Classified Employee” means a full-time (non-temporary) employee who has successfully completed original probation, or a part-time (non-temporary) employee hired before June 18, 2014. Council appointees and at-will employees are excluded from this definition.
 - b. “Working Days” means Monday through Thursday, exclusive of City-designated Holidays.
 - c. “Law Enforcement Officer” means an individual, other than a probationary employee, who is certified by the Arizona Peace Officer Standards and Training Board and employed by the City of Avondale.
 - d. “Detention Officer” means a detention officer, other than a probationary employee, who is employed by the City of Avondale.
 - e. For all disciplinary actions that are implemented in hours, a 1.4 times conversion rate will be applied to sworn fire personnel on a 56-hour schedule.

This matrix serves as a guideline for determining discipline and provides general guidance to supervisors and Human Resources staff in determining appropriate levels of discipline for various types of employee misconduct or performance deficiencies. Management reserves the right to deviate from these guidelines based on the circumstances of each case, including the seriousness of the offense, prior work record, mitigating or aggravating factors, and/or any applicable legal requirements.

Category of Misconduct/Performance Deficiency	Examples	Typical First Offense	Second Occurrence	Chronic or Severe Case(s)
Attendance/Punctuality	Tardiness, unexcused absence, leaving early without prior approval	Coaching	Verbal Warning	Written Reprimand up to dismissal
Neglect of Duty	Carelessness, failure to complete assignments	Coaching	Verbal Warning	Written Reprimand up to dismissal
Unsatisfactory Performance	Incomplete or inaccurate work product; missed deadlines; failure to supervise	Coaching	Verbal Warning	Written Reprimand up to dismissal
Policy Violations (Minor)	Dress code, minor safety lapse, misuse of resources, minor at-fault accident	Verbal Warning	Written Reprimand	Suspension up to dismissal
Policy Violations (Serious)	Breach of confidentiality, misuse or destruction of City property or resources	Written Reprimand	Suspension	Dismissal
Insubordination	Direct refusal to follow supervisory directive	Written Reprimand	Suspension	Dismissal
Harassment, Discrimination or Retaliation	Behavior or conduct that violates Ch. 15	Suspension	Dismissal	
Substance Abuse (Non-Commercial Driver's License)	Possession or use of alcohol or illegal drugs while on-duty	Suspension	Dismissal	
Theft, Fraud, Falsification, Dishonesty	Timecard fraud; misuse of public funds; theft of property; intentional deception to supervisors, investigators, or auditors	Dismissal		
Violence, Threats, Unsafe Acts	Fighting; threats; endangering others	Dismissal		
Criminal Conduct, Arrests	Conduct impacting job fitness or public trust	Dismissal		

UNDERSTANDING RUNAWAY YOUTH: *Links to Sex Trafficking*



PRESENTED BY

*Dominique Roe-Sepowitz, MSW, Ph.D.
Professor, ASU State University
Director, Office of Sex Trafficking
Intervention Research (STIR)*

with

*Detective Linares of the Human
Exploitation and Trafficking
Unit (HEaT) & Community
Services Officer Mendoza
of Tucson Police Department*



JANUARY 22, 2026
10:00 - 11:30AM
Avondale Visitor &
Conference Center
11490 W. Civic Center Dr.
Avondale, AZ 85323

Join us for Human Trafficking Awareness Month as we highlight the different types of runaway youth that community organizations and law enforcement may interact with in the community. Discussions will include screenings at the dispatch and patrol level and special investigation questions to better identify the runaway situation at hand.

For more information, please contact
Erica Williams,
SWFAC Prevention Coordinator
(623) 333-7942
ewilliams@avondaleaz.gov

**Southwest Family
Advocacy Center**



THIS TRAINING IS FUNDED THROUGH THE
DEPARTMENT OF MILITARY AFFAIRS
(DEMA) ANTI-HUMAN TRAFFICKING
GRANT FUND, M22-0052.

AN EVENT DEDICATED TO RAISING AWARENESS AND FOSTERING
ACTION AGAINST HUMAN TRAFFICKING IN ARIZONA



NIGHT *OF* HOPE

SHINING A LIGHT

IN THE DARKNESS



DATE: SUNDAY, FEBRUARY 22ND

TIME: 5PM-7:30PM

**LOCATION: PURE HEART CHURCH,
GLENDALE**

TICKETS AVAILABLE HERE

