



CITY COUNCIL

CITY COUNCIL CHAMBERS ♦ 11465 WEST CIVIC CENTER DRIVE ♦ AVONDALE, AZ 85323

AGENDA

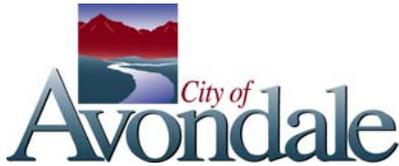
WORK SESSION OF
April 17, 2006
6:00 P.M.

CALL TO ORDER BY MAYOR ROGERS

- 1) **ROLL CALL BY THE CITY CLERK**
- 2) **ADOPT A STREET AND RIGHT-OF-WAY SECTION FOR MARICOPA HIGHWAY 85**
Staff requests that the City Council review the “Hybrid” MC-85 street and right of way section; direct staff regarding notification to Maricopa Department of Transportation and direct staff regarding the development of a MC-85 Corridor Specific Plan. For information, discussion and direction.
- 3) **UPDATE ON THE CITY’S TRANSPORTATION PLAN**
Staff will update the City Council regarding progress made on the City’s Transportation Plan to date and upcoming tasks. For information.
- 4) **ADJOURNMENT**

Respectfully submitted,
Linda M. Farris, CMC
City Clerk

Any individual with a qualified disability may request a reasonable accommodation by contacting the City Clerk at 623-478-3030 at least 48 hours prior to the council meeting.



CITY COUNCIL

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AGENDA

REGULAR MEETING OF
April 17, 2006
7:00 P.M.

**CALL TO ORDER BY MAYOR ROGERS
PLEDGE OF ALLEGIANCE
MOMENT OF REFLECTION**

1) ROLL CALL BY THE CITY CLERK

STATEMENT OF PARTICIPATION BY THE CITY CLERK

2) CITY MANAGER'S REPORT - LEGISLATIVE UPDATE

City Staff will update the Council on legislative issues. For information, discussion and direction.

3) RECOGNITION ITEMS (MAYOR PRESENTATIONS)

4) UNSCHEDULED PUBLIC APPEARANCE

(Limit three minutes per person. Please state your name.)

5) SCHEDULED PUBLIC APPEARANCE - ESTRELLA MOUNTAIN COMMUNITY COLLEGE

Estrella Mountain Community College President Homero Lopez will update the Council on the future plans for the College. This presentation is for information only.

6) SCHEDULED PUBLIC APPEARANCE - WATER AND WASTEWATER ADVISORY COMMITTEE PRESENTATION OF THE 2005 ANNUAL REPORT

To present the 2005 Annual Report of the Water and Wastewater Advisory Committee. For information and discussion.

7) 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. APPROVAL OF MINUTES

- Special Meeting of March 27, 2006
- Regular Meeting of April 3, 2006

b. PURCHASE OF SECURITY EQUIPMENT AND INSTALLATION SERVICES FOR MUNICIPAL OPERATIONS FACILITY

Staff is requesting that the City Council approve the purchase of security equipment and installation services for the Municipal Operations Facility from ASSI Security in the amount of \$88,053.81. The Council will take appropriate action.

c. MATERIALS PURCHASE CONTRACT - AVONDALE BOULEVARD AND ROOSEVELT STREET TRAFFIC SIGNAL

Staff is requesting that the City Council award a Materials Purchase Contract to Valmont Industries to pre-purchase traffic signal poles and appurtenances in advance of the installation of traffic signals at the intersection of Avondale Boulevard and Roosevelt Street in the amount of \$86,420 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. CONSTRUCTION CONTRACT - HERNANDEZ COMPANIES, INC. - BOHNE WATER IMPROVEMENT PROJECT, CUSTOMER SERVICE LINE

Staff is requesting that the City Council award a construction contract to Hernandez Companies, Inc. for the purpose of relocating private water service lines in connection with the Bohne Water Improvement Project for an amount not to exceed \$62,997.99 and authorize the Mayor or City Manager and the City Clerk to execute the necessary documents.

e. TEMPORARY EXTENSION OF PREMISES - MANNY'S MEXICAN AND AMERICAN RESTAURANT

Staff is requesting that the City Council consider a request by Mr. Manny Lafarga, for a Temporary Extension of Premises for the purpose of a Cinco de Mayo Celebration for Manny's Mexican and American Restaurant - Series 16 (State Series 12) - Restaurant license to sell all spirituous liquors located at 12345 West Indian School Road. The Council will take appropriate action.

f. RECREATION CENTER SITE ANNEXATION AUTHORIZATION

City Staff is requesting authorization to proceed with the annexation of city-owned parcels 501-74-014D, 501-74-014H and 501-74-014J located at the northwest corner of Avondale and Encanto Boulevards. The Council will take appropriate action.

g. FINAL PLAT – AVONDALE HACIENDAS – FP-05-12

The Council will consider a request for final plat approval for Avondale Haciendas, 7.10 acres located at the southwest corner of Dysart Road and Harrison Drive. The Council will take appropriate action.

h. AMENDMENT NO. 1 - ECONOMIC DEVELOPMENT AGREEMENT - KITCHELL DEVELOPMENT COMPANY, AVONDALE GATEWAY, L.L.C.,

Staff is requesting that the City Council approve Amendment No. 1 to the Economic Development Agreement with Kitchell Development Company, Avondale Gateway, L.L.C., for the cost of roadway improvements and under grounding electric power lines on the east side of Avondale Boulevard in the amount, not to exceed, \$122,216.00, and authorize the Mayor or City Manager and City Clerk execute the necessary documents. The Council will take appropriate action.

i. AWARD OF A CONSTRUCTION CONTRACT - 2005-06 MISCELLANEOUS ASPHALT OVERLAYS AND WATER SERVICE REPLACEMENTS PROJECT - J. BANICKI CONSTRUCTION, INC.

Staff is requesting that the City Council award a construction contract for the 2005-06 Miscellaneous Asphalt Overlays and Water Service Replacements Project at various locations in the City to J. Banicki Construction, Inc. in the amount of \$1,596,054.84 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

j. CITY MANAGER AGREEMENT – CHARLIE MCCLENDON

City Staff is requesting Council approval of the Amended and Restated Employment Agreement for the City Manager in accordance with the performance evaluation conducted by the Council. The Council will take appropriate action.

k. RESOLUTION 2560-406 - FIRST AMENDMENT - INTERGOVERNMENTAL AGREEMENT - MARICOPA COUNTY LIBRARY DISTRICT - RECIPROCAL BORROWING PROGRAM

The City Council will consider a resolution authorizing the First Amendment to the Intergovernmental Agreement with the Maricopa County Library District regarding the Reciprocal Borrowing Program and authorizing the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

l. ORDINANCE 1182-406 - ELECTRICAL EASEMENT - ARIZONA PUBLIC SERVICE MUNICIPAL OPERATIONS SERVICE CENTER FACILITY

The City Council will consider an ordinance granting an electrical easement to Arizona Public Service (APS) to provide electrical service to the Municipal Operations Service Center, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

m. ORDINANCE 1183-406 - AUTHORIZING THE SALE OF EXCESS PROPERTY ON THE NORTH SIDE OF WASHINGTON STREET – 115 FT. EAST OF DYSART ROAD

The Council will consider an ordinance authorizing the sale of excess property and the reservation of a public utility easement (PUE) on the north side of Washington Street 115 feet east of Dysart Road, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

n. ORDINANCE 1180-406 – FLEMING ANNEXATION

The City Council will consider an ordinance annexing four parcels located at the southwest corner of Lower Buckeye Road and Avondale Boulevard. The Council will take appropriate action.

o. ORDINANCE 1181-406 – RECHARGE FACILITY ANNEXATION

The City Council will consider an ordinance annexing the City's Recharge Facility, two parcels owned by the City of Avondale located at El Mirage and McDowell. The Council will take appropriate action.

8) LIQUOR LICENSE WENDY JACK'S HIDEAWAY

Staff is requesting that the City Council consider a request by Ms. Linda Jack, for a Series 6 On-Sale retailer's license to sell all spirituous liquors at Wendy Jack's Hideaway, 1235 North 8th Street #A, Avondale, AZ 85323. The Council will take appropriate action.

9) PUBLIC HEARING FOR PROPOSED CONSOLIDATED PLAN

The City Council will hold a public hearing on Avondale's Consolidated Plan. The U.S. Department of Housing and Urban Development (HUD) requires entitlement cities to develop a five year strategic plan known as a Consolidated Plan. Avondale became an entitlement city when the population reached the 50,000 threshold. As an entitlement city, Avondale will receive an annual allocation of Community Development Block Grant (CDBG) Funds directly from HUD. This is the second of two required public hearings on Avondale's first Consolidated Plan. No action will be taken. For information.

10) SITE PLAN – G & K MEDICAL OFFICE BUILDING – DR-05-37

The Council will consider a request for site plan approval for a medical office building, 1.4 net acres, located on the northeast corner of McDowell Road and Harbor Shores Boulevard. The Council will take appropriate action.

11) PUBLIC HEARING – CONDITIONAL USE PERMIT – CHILD CARE CENTER – AVONDALE CHRISTIAN ASSEMBLY

The Council will hold a public hearing and will consider a request for a Conditional Use Permit for a child care center in the C-2 (Community Commercial) and R-3 (Multi Family) zoning districts. This is 24,000 square feet located at the southwest corner of Main Street and 6th Street. The Council will take appropriate action.

12) ORDINANCE 1179-406 - REGULATION OF RENTAL PROPERTY

The Council will consider an ordinance amending Avondale City Code Chapter 13 Article III and adding new Article IV to Avondale City Code Chapter 15, relating to the Regulation of Rental Property. The Council will take appropriate action.

13) DISCUSSION ITEMS

Council will discuss items listed below and possibly give direction to city staff to research and prepare item for future meeting.

- a. Discussion of an Amendment to the Council Rules of Procedure regarding the time for holding regular Council meetings
- b. City Councilmember Letterhead – Council Member Lynch

14) EXECUTIVE SESSION

The Council may hold an executive session pursuant to ARIZ. REV. STAT. § 38-431.03 (A)(4) for discussion or consultation with the City's attorney in order to consider its position and instruct the City's attorney regarding the council's position regarding (i) a possible intergovernmental agreement with the Cities of Goodyear and Litchfield Park and the Town of Buckeye for the acceleration of the I-10 widening project, (ii) settlement negotiations regarding *O'Hearn v. City of Avondale*, Cause No. 1 CV 04 1960 PHX SMM and (iii) potential litigation with respect to proposed public buildings.

15) ADJOURNMENT

Respectfully submitted,

LINDA M. FARRIS, CMC
City Clerk

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