

CITY OF AVONDALE

CITY COUNCIL MEETING

May 3, 2010 – 7:00 p.m.

City Council Chambers – 11465 W Civic Center Drive, Avondale, AZ 85323

Agenda with Audio Prompts

CALL TO ORDER BY MAYOR ROGERS

1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2

RECOGNITION ITEMS (MAYOR PRESENTATIONS)

- a. AVONDALE CITIZEN LEADERSHIP ACADEMY CLASS IV GRADUATES - *Recognized*

3 UNSCHEDULED PUBLIC APPEARANCES

(Limit three minutes 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. APPROVAL OF MINUTES - *Approved*

1. Work Session of April 19, 2010
2. Regular Meeting of April 19, 2010

- b. SPECIAL EVENT LIQUOR LICENSE - RACEWAY ELKS FOR SPRING DANCE FUNDRAISER

City Council *approved* a request for a special event liquor license from Mr. Gary Bruce on behalf of the Raceway Elks #2852 for a spring dance fundraiser event to be held on June 12, 2010 at the Masonic Temple located at 1015 North 8th Street in Avondale.

- c. MEMORANDUM OF UNDERSTANDING - A NEW LEAF

City Council *approved* a memorandum of understanding with "A New Leaf" to assign a part-time counselor to the Southwest Family Advocacy Center to provide 20 hours of counseling services per week to victims served at the SWFAC and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

d. THIRD AMENDMENT TO THE AREA AGENCY ON AGING AGREEMENT

City Council *approved* the third Amendment to the Area Agency on Aging contract in the amount of \$6,550 for the purchase of two exercise bikes, repair of a range hood, and purchase of new dining room tables and authorized the Mayor or City Manager and City Clerk to execute the contract documents.

e. DESIGN SERVICES & CONSTRUCTION CONTRACTS - SALT RIVER PROJECT FOR THE AVONDALE BOULEVARD MCDOWELL ROAD INTERSECTION IMPROVEMENT PROJECT

City Council *approved* two Design Services and Construction contracts with Salt River Project for the design and construction of the required electrical improvements for the Avondale Boulevard and McDowell Road Intersection Improvement Project (Phoenix Children's Hospital) in the amount of \$211,899.00 and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

f. FACILITIES EXTENSION AGREEMENT WITH SOUTHWEST GAS FOR AVONDALE CITY CENTER EAST

City Council *approved* the Facilities Extension Agreement with Southwest Gas in the amount of \$76,985, to provide natural gas service to the City Center Phase 1 development, and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

g. PROFESSIONAL SERVICES AGREEMENT - ARTHUR J. GALLAGHER RISK MANAGEMENT SERVICES INC.

City Council *approved* a three-year Professional Services Agreement with Arthur J. Gallagher Risk Management Services Inc. to provide insurance broker services for property, general liability, auto liability and crime insurance coverage in the amount of \$35,000 for the first year, \$36,000 for the second and \$37,000 for the third year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

h. PROFESSIONAL SERVICES AGREEMENT AMENDMENT NO. 2 - DAMON S. WILLIAMS AND ASSOCIATES, LLC, FOR WATER RECLAMATION FACILITY EXPANSION

City Council *approved* Amendment No. 2 to the Professional Services Agreement with Damon S. Williams and Associates, LLC for additional Design and Construction Administration services for the Charles M. Wolf Water Resource Center in the amount of \$306,733, and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

i. RESOLUTION 2903-510 - AMENDMENT TO THE CITY COUNCIL RULES OF PROCEDURE

City Council ***adopted Resolution 2903-510*** amending the Council Rules of Procedure Section 15 Boards, Commissions and Committees to update the language and provisions related to membership, removal of members and participation by alternate members, among others.

j. RESOLUTION 2902-510 - AMENDING MUNICIPAL ART COMMITTEE BYLAWS

City Council ***postpone the amendment*** to the Bylaws of the Municipal Art Committee to standardize their format and update and clarify the language as needed.

k. RESOLUTION 2905-510 - PARKS AND RECREATION ADVISORY BOARD BYLAWS

City Council ***adopted Resolution 2905-510*** amending the Bylaws of the Parks and Recreation Advisory Board to standardize the format, update and clarify the language as needed and to designate the Board as the Tree Board.

I. RESOLUTION 2899-510 - AUTHORIZING SUBMISSION OF A GRANT PROPOSAL TO THE ARIZONA DEPARTMENT OF TRANSPORTATION ENHANCEMENT FUNDS ROUND 18 – HILL DRIVE

City Council ***adopted Resolution 2899-510*** supporting the submission of a grant proposal to the Arizona Department of Transportation Enhancement Funds Round 18 for the purpose of developing sidewalks and landscaping elements along Hill Drive in the amount of \$200,000 and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

m. RESOLUTION 2900-510 - GILA RIVER INDIAN COMMUNITY GRANT PROPOSAL FOR A POLICE PRISONER TRANSPORT VAN

City Council ***adopted Resolution 2900-510*** supporting the submission of a grant proposal to the Gila River Indian Community for a Police Prisoner Transport Van in the amount of \$89,925 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

n. RESOLUTION 2901-510 - GILA RIVER INDIAN COMMUNITY GRANT PROPOSAL FOR THE FAMILY ADVOCACY CENTER

City Council ***adopted Resolution 2901-510*** supporting the submission of a grant proposal to the Gila River Indian Community for funds to assist with services rendered to victims by the Family Advocacy Center in the amount of \$200,000 and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary

documents.

o. ORDINANCE 1411-510 - REPEALING CHAPTER 14 OF THE AVONDALE MUNICIPAL CODE, MASSAGE ESTABLISHMENTS

City Council ***adopted Ordinance 1411-510*** repealing Chapter 14 of the Avondale Municipal Code, Massage Establishments.

p. ORDINANCE 1412-510 - DEDICATION OF EASEMENT TO SRP FOR THE AVONDALE BOULEVARD AND ENCANTO BOULEVARD IMPROVEMENT PROJECT

City Council ***adopted Ordinance 1412-510*** dedicating an Overhead and Underground Power Distribution Easement to Salt River Project for the Avondale Boulevard and Encanto Boulevard Improvement Project and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

q. TREE CITY USA APPLICATION

City Council ***authorized*** Mayor Rogers to sign the Tree City USA application for submission to the Arbor Day Foundation for the City of Avondale to be recognized as a Tree City.

5 

PROFESSIONAL SERVICE AGREEMENT - BUXTON COMPANY FOR A RETAIL DEVELOPMENT STRATEGY PLAN

City Council ***approved*** a Professional Services Agreement with Buxton Company for a Retail Development Strategy Plan in the amount of \$75,000 and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

6 

ORDINANCE 1410-510 - AUTHORIZATION TO ACCEPT THE GOODYEAR FARMS CEMETERY

City Council ***adopted Ordinance 1410-510*** authorizing acceptance of the Goodyear Farms Cemetery and the Cemetery Trust Fund from SunCor Development Company and authorized the Mayor, City Manager, City Attorney and City Clerk to execute the necessary documents for the conveyance of the property and trust fund to the City of Avondale.

7 

WESTERN AVENUE BUSINESS RENOVATION PROGRAM UPDATE

Staff ***updated*** to the City Council regarding the status of the Western Avenue Business Renovation Program.

8 

CLASSIC SIGN FOR SCHNEIDER THEATER BUILDING (SG-10-18)

City Council *approved* a Classic Sign on the façade of the Schneider Theater Building located at 16 E Western Avenue which will be installed as part of the Western Avenue Exterior Renovation grant program.

9 

MASTER SITE PLAN AMENDMENT - ULTIMATE ELECTRONICS IN THE GATEWAY PAVILIONS SHOPPING CENTER

City Council *approved* a request from Mr. Jesse Macias of Stantec to amend the architecture, colors and building materials of the approved Master Site Plan for Ultimate Electronics to be located at Gateway Pavillions Shopping Center.

10 

PUBLIC HEARING, RESOLUTION 2904-510 AND ORDINANCE 1413-510 - ZONING ORDINANCE TEXT AMENDMENT TO SECTION 12, LANDSCAPE, WALLS AND FENCES (TA-09-2)

City Council *held a public hearing and adopted Resolution 2904-510* declaring as a public record that certain document filed with the City Clerk and entitled the "City of Avondale Landscape, Walls and Fences Regulations" *and Ordinance 1413-510* adopting the same.

11 

PUBLIC HEARING AND RESOLUTION 2898-510 AND ORDINANCE 1409-510 - AMENDING THE CITY CODE, CHAPTER 8, ARTICLE II, FLOOD HAZARD AREAS AND ADOPTING THE CITY OF AVONDALE FLOOD HAZARD AREAS ORDINANCE

City Council *held a public hearing and adopted Resolution 2898-510* declaring as a public record a document entitled City of Avondale Flood Hazard Areas Ordinance *and Ordinance 1409-510* adopting the same.

12 TIME EXTENSION FOR AVONDALE MARKETPLACE PAD ZONING (ZE-10-1)

City Council *approved* a request from Mr. John Fox of WSCD LLC and Mr. Blake Carroll of Troast Properties of Arizona for a time extension until March 20, 2011 for commencement of development of the Avondale Marketplace Planned Area Development.

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. Mayor Lopez Rogers - Appointment of a Council Member as a Clean Air Make More Ambassador - *Discussed*

14 EXECUTIVE SESSION - *9:17 p.m.*

- a. The Council *held* an executive session pursuant to ARIZ. REV. STAT. § 38-431.03 (A)(4) for discussion or consultation with the City Attorney in order to consider its position and instruct the City Attorney regarding the Council's position regarding potential lease agreements.

15 ADJOURNMENT