

Minutes of the Work Session held November 1, 2010 at 6:02 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Lopez Rogers and Council Members

Jim McDonald, Vice Mayor
Jim Buster
Stephanie Karlin
Frank Scott
Charles Vierhout
Ken Weise

ALSO PRESENT

Charlie McClendon, City Manager
David Fitzhugh, Assistant City Manager
Rogene Hill, Assistant City Manager
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

1) ROLL CALL BY THE CITY CLERK

2) COUNCIL GOAL DISCUSSION – CHARTER SCHOOL RECRUITMENT

Staff asks Council to discuss in greater detail, the goal of recruiting a high quality private and/or charter school to Avondale.

City Manager Charlie McClendon indicated that this item is based on a goal set by Council last year to recruit a Charter School to locate within the City. He commented that staff has gathered information regarding this submit and introduced Ms Rogene Hill to present this item.

Ms. Hill noted the City Council's support for the public school system, while acknowledging that a high performing charter school would help make the community more well rounded. Other cities have several charter schools within their jurisdictions. Charter schools provide an alternative or a specific focus that parents and students might be looking for. The State Legislature enabled charter schools in Arizona in 1994. Since all charter schools are public, they cannot charge tuition. Private schools are different from charter schools in that they can charge tuition.

Each charter school must have a stated vision, mission, or educational philosophy, and these differ from school to school. The Arizona Charter School Association (ACSA) offers a wealth of information and charter starter training for any group that is interested in starting one. They also provide information to parents who might be interested in finding out more about charter schools. They are working to create a database that provides information on charter schools and their test scores.

The Arizona Department of Charter School Education accepts new charter applications each July. It often takes two years to put an application together. Requirements include establishing a board, a curriculum, and a funding plan. Currently there are 509 charter schools in Arizona serving 100,000 students. About 25% of the schools in Arizona are charter schools, and 10% of students attend them. The State funds charter schools at the

rate of \$5,500 per student; the same level that the State funds regular public schools. Charter schools can also seek philanthropic support.

Ms. Hill stated that staff is seeking direction from Council regarding a few issues: desired age group to focus on, the academic focus area, as well as the vision, mission, and goals of schools. A community can approach the recruitment process in different ways. The easiest way is to recruit a school that already exists in another location, encouraging them to expand their charter to Avondale. The City could also recruit a school that is going through the review process with the Department. To avoid potential conflicts with commercial and retail establishments, staff could identify specific locations that would be good for a charter school and actively market them, or assist the charter school as they encounter barriers when seeking a location. Many communities list spaces they have available in an effort to attract new ones.

Often there are barriers related to parking requirement regulations, infrastructure connections, and neighborhood issues. PAD amendments and other land-related issues might be necessary in order to accommodate a charter school. Avondale knows of five charter schools that are considering expanding their charter. Great Hearts Middle School wants to move to the West Valley in 2011 or 2012, but have not yet made a site selection.

Council Member Weise acknowledged that Avondale has a good balance of public, charter, and private schools at the present time, especially in the north. Sometimes, however, charter schools fill a void that government and private schools cannot. Charter school recruitment in Avondale should range from kindergarten through twelfth grade. He noted the highly performing Self Development Charter School in Gilbert, and Great Hearts in Peoria as schools whose curricula is geared to the community's. Avondale should consider corporate charter schools with the resources available to either retrofit buildings like the vacant RDB buildings on Van Buren, or to build something new. He advised that the City actively pursue charter schools, as it would take some of the pressure off the government schools. It would also provide neighborhoods with a new alternative, and offer students who might excel at a particular subject with opportunities they otherwise might not have. There is an untapped market in Avondale of students who are looking for something different. With stronger educational opportunities, Avondale would be better positioned to recruit corporations. The southern portion of the city is lacking the charter school opportunities that many want.

Council Member Karlin said charter schools fill a niche for kids who have specialized skills, or special needs. She supports them, but expressed concern over picking and choosing schools based on performance. Ms. Hill responded that the City does not have the authority to deny any charter school that wants to locate in the city, but the question is whether the City wants to recruit actively or establish dialogue with a school that fits its criteria.

Council Member Karlin clarified that some of the charter schools in Avondale do not excel because of the type of service they provide. The amount of time spent recruiting charter schools could better be used to recruit businesses that would contribute revenue to the City. In response to a question from Council Member Karlin, Ms. Hill explained that she would conduct the recruitment process with the assistance of many City departments. Business recruiting gets easier if the city has a high performing charter school. Council

Member Karlin noted that many charter schools are operating on small budgets. She suggested pre-identifying sites that might suit charter school users from a marketing perspective.

Council Member Karlin noted the problems caused recently by a charter school that opened in a medical complex, at the invitation of the property owner. Ms. Hill explained that the administrator of that school tried to locate at the Estrella Mountain Community College; had the City been aware of this, staff could have assisted in the process. Council Member Karlin said Arizona is a premiere state for charter schools. She requested information on the percentage of charter schools in Arizona that are failing. Ms. Hill explained that ACSA is currently updating its database to make it easier to find that information and allow interested people to select a community and find out how schools in the area are performing. Mr. McClendon pointed out that if the recruiting effort is successful, Economic Development could potentially use that information to recruit companies.

Council Member Weise said Avondale should actively recruit high-performing charter schools because the City cannot deny a school from moving into the city. One of Council's goals has been to provide more opportunities in all sectors, and that should include education. Avondale has much to offer charter schools. Citizens want the best for their children. They might not have the ability to send them to a private school, or be able to get a variance to allow them to attend a better performing school. Staff should explore this idea to see if it makes sense. The City could also potentially help the under performing schools improve.

Council Member Buster shared that as a member of the Legislature in the mid 1990s, he helped push charter schools. Charter schools do not get capital money, only the \$5,500 allotment per student. This is a less expensive way to deliver education, and the majority of the schools look for existing buildings, accordingly. He agreed that there is a untapped market in Avondale for elementary and high school students as some children would benefit from a particular emphasis. As for economic development, Avondale could consider what group the city wants to attract and find a charter school that could best draw them. This could be done without excluding the general population.

Vice Mayor McDonald agreed that moving forward with charter school recruitment would help fill a void. People want smaller classrooms, and access to specific subjects. Recruiting is an important part of attracting the types of schools that Avondale wants to see. If the target group is business owners, the recruiting effort should determine what it is they want from a charter school. If a particular school meets the need of the community, a group of parents might want to develop a parent/teacher organization that could assist with funding its equipment or programs.

Council Member Vierhout expressed concern that businesses can locate in Avondale without the City's input. They might choose to locate in areas that drive existing businesses away, or prevent another business from moving in. Charter schools are essentially government agencies, but it is unclear how much control the City has with them. Mr. McGuire responded that when it comes to zoning issues, it would be impossible to know what would happen without knowing the specifics of the situation. In some cases it

would be inappropriate for a charter school to move into a strip mall. In other cases, it would absolutely be a good way to reuse a vacant property. Ms. Hill responded that one of the goals of the effort is to allow the City to get ahead on these types of concerns. The existing retail strip malls should ideally remain that way, but there is some vacant land in Avondale that is zoned to become strip malls. The City could reconsider whether the market could support all of those corner lots as retail centers.

Council Member Weise identified that a reactive approach is the wrong way to proceed. By being proactive, the City can steer charter school businesses to where the community would like them to go, avoiding problems as much as possible. There is a great deal of vacant industrial space that would fit the need. Avondale would absolutely pursue an institute of higher learning that fits the goals of the community, even though only a small percentage of residents can go to college. Highly performing charter schools should be handled the same way, as they would help strengthen the existing base of schools. He envisions a charter school on civic center property near the sports center, once the residential population grows large enough to support it. Attracting a school to industrial property now, could provide it with a chance to grow strong enough to fill that space in the future.

Council Member Scott agreed with the other Council Members. Charter schools are businesses with unique pros and cons. Each presents a different situation. They fill a niche without detracting from public schools. He encouraged caution, but felt it would be a valuable use of staff time to try and recruit a good school.

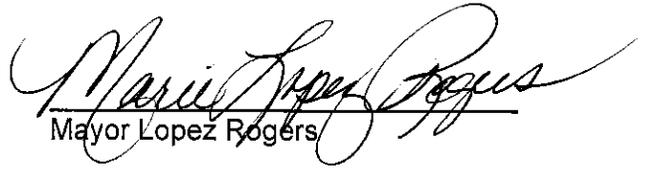
Mayor Lopez Rogers acknowledged that education is the key to economic development. She expressed some regret that communities feel the need to reach beyond public schools. Public schools should reconsider how they operate, since it often does not work. When the economy was going well, it seemed plausible that Avondale could create its own charter school to fit its needs, but that is no longer viable. This is the reason the alternatives are so appealing. St. Thomas Aquinas School is looking to expand their reach, and Avondale might be able to help. There are niches to fill. Workforce training is a huge problem, and any education that the City can attract is crucial to its betterment.

Council Member Karlin agreed with the Mayor's comments, but requested that the schools targeted for recruitment be accredited, especially at the high school level. Students must be able to get credit for the college level, and not all charter schools are accredited.

3) ADJOURNMENT

With no further business before the Council, Council Member Weise moved to adjourn the work session. Council Member Vierhout seconded the motion. The motion carried unanimously.

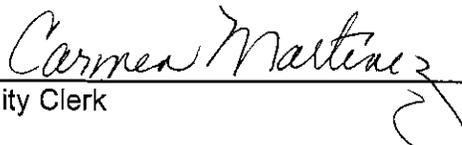
Meeting adjourned at 6:47 p.m.


Mayor Lopez Rogers


Carmen Martinez, CMC
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the Council of the City of Avondale held on the 1st day of November 2010. I further certify that the meeting was duly called and held and that the quorum was present.


City Clerk

Minutes of the Regular Meeting held November 1, 2010 at 7:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Rogers and Council Members

Jim McDonald, Vice Mayor
Jim Buster
Stephanie Karlin
Frank Scott
Charles Vierhout
Ken Weise

ALSO PRESENT

Charlie McClendon, City Manager
David Fitzhugh, Assistant City Manager
Rogene Hill, Assistant City Manager
Lynn Park, Assistant Police Chief
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2 UNSCHEDULED PUBLIC APPEARANCES

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

3 CONSENT AGENDA

a. APPROVAL OF MINUTES

1. Work Session of October 11, 2010
2. Work Session of October 18, 2010
3. Regular Meeting of October 18, 2010

b. PURCHASE AGREEMENT - LIFE, INC. FOR THE AVONDALE TAXI SUBSIDY PROGRAM

A request to approve a service agreement with Life, Inc in the amount of \$45,000 to provide subsidized taxi service for residents to travel to medical and dialysis treatments and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

c. CHANGE ORDER NO. 1 - J.J. SPRAGUE OF ARIZONA, INC. - ELM LANE AND CENTRAL AVENUE DRAINAGE IMPROVEMENTS

A request to approve Change Order No. 1 to the Elm Lane and Central Avenue Drainage Improvements Construction Contract with J.J. Sprague of Arizona, Inc. in the amount of \$130,284.85 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

d. SECOND AMENDMENT TO CONTRACT WITH U.S. PEROXIDE, LLC

A request to approve the second amendment to the contract with U.S. Peroxide, LLC to provide odor control services on Avondale Boulevard at a cost not to exceed \$150,000 through November 2011 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

e. RESOLUTION 2935-1110 - INTERGOVERNMENTAL AGREEMENT - SRO AT LA JOYA HIGH SCHOOL

A resolution authorizing an Intergovernmental Agreement between the Tolleson Union High School District and the City of Avondale to share the cost of providing a School Resource Officer (SRO) during the 2010-2011 school year at La Joya High School and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Vice Mayor McDonald moved to approve the consent agenda as presented including Resolution 2935-1110. Council Member Weise seconded the motion

ROLL CALL VOTE AS FOLLOWS:

Vice Mayor McDonald	Aye
Council Member Scott	Aye
Council Member Vierhout	Aye
Mayor Lopez-Rogers	Aye
Council Member Weise	Aye
Council Member Karlin	Aye
Council Member Buster	Aye

Motion carried unanimously.

4 PROFESSIONAL SERVICES AGREEMENT - PUBLIC SAFETY CORPORATION

A request to award a Professional Services Agreement to Public Safety Corporation to provide False Alarm Reduction and Billing Services in exchange for a portion of the fees and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

City Manager Charlie McClendon introduced Assistant Police Chief Lynn Parkin to present this item. He indicated her presentation would cover items 4 and 5.

Assistant Chief Parkin reviewed the details of this program as more specifically presented in the Council report.

Vice Mayor McDonald commented that this is good opportunity for alarm companies to assist their clients control false alarm and become better users. It is also an opportunity to offer additional services to users such as video monitoring to verify incidents.

Council Member Weise indicated this is a long overdue item and is in favor of it. He commented that a Colorado city recently adopted a true verified alarm response program and suggested that Avondale could learn from their experience. He added that the alarm industry is changing and will likely enhance their service. He suggested future tweaks to the ordinance could include waiving the renewal fee when a household does not have a false alarm in a year's time.

Council Member Buster commented this is a good compromise. He asked what was the difference between the two companies who submitted bids. Chief Parkin indicated that Simmons is a new family-owned company who did not have all of the resources to provide the services and would therefore have to contract out some of the aspects of the contracts.

Public Safety Corporation has been established for several years and has a proven record of providing quality customer service.

Council Member Vierhout thanked Chief Parkin for her efforts to accommodate Council's direction.

Council Member Scott asked if all homeowners would start with a clean slate with the number of false alarms. He indicated he liked Council Member Weise's suggestion to waive the re-registration fee for household with no false alarms. City Manager indicated all homeowners will start with a clean slate.

Mayor Lopez Rogers indicated this is a good compromise. Since the term of the contract is for one year, the City will have the opportunity to reevaluate the program.

City Manager clarified that as of now, the ordinance will remain as is and depending on experience staff may recommend amendments the ordinance to accommodate Council Member Weise's suggestion when data is available.

Vice Mayor McDonald moved to award a one year Professional Services Agreement to Public Safety Corporation to provide False Alarm Reduction and Billing Services. Council Member Weise seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Vice Mayor McDonald	Aye
Council Member Scott	Aye
Council Member Vierhout	Aye
Mayor Lopez-Rogers	Aye
Council Member Weise	Aye
Council Member Karlin	Aye
Council Member Buster	Aye

Motion carried unanimously.

5 PROPOSED ORDINANCE - AVONDALE MUNICIPAL CODE CHAPTER 20-30 – ALARM SYSTEMS

An update regarding the Enhanced Call Verification Program previously introduced to Council and review highlights of the Proposed Ordinance which will amend Chapter 20 of the Avondale Municipal Code.

Discussion for this item was part of the discussion for item #4.

6 EXECUTIVE SESSION

- a. An executive session pursuant to: (i) ARIZ. REV. STAT. § 38-431.03 (A)(3) for discussion or consultation for legal advice with the City Attorney regarding (a) Build America Bond audit procedures and (b) options for addressing Proposition 203 if approved by voters; and (ii) 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 negotiations for (a) a potential Development Agreement with PIR, (b)

resolution of Parker and Cano/Robbins matters and (c) enforcement of tax lien matters on Hummingbird property.

Council Member Weise moved to adjourn into executive session; Council Member Vierhout seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Vice Mayor McDonald	Aye
Council Member Scott	Aye
Council Member Vierhout	Aye
Mayor Lopez-Rogers	Aye
Council Member Weise	Aye
Council Member Karlin	Aye
Council Member Buster	Aye

Motion carried unanimously.

7 ADJOURNMENT

There being no further business before the Council, Council Member Buster moved to adjourn the regular meeting; Council Member Vierhout seconded the motion. Motion carried unanimously.

Meeting adjourned at 8:27 p.m.

ROLL CALL VOTE AS FOLLOWS:

Vice Mayor McDonald	Aye
Council Member Scott	Aye
Council Member Vierhout	Aye
Mayor Lopez-Rogers	Aye
Council Member Weise	Aye
Council Member Karlin	Aye
Council Member Buster	Aye

Motion carried unanimously.


Marie Lopez Rogers
Mayor Rogers


Carmen Martinez, CMC
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Session of the Council of the City of Avondale held on the 1st day of November, 2010. I further certify that the meeting was duly called and held and that the quorum was present.

Carmen Martinez
City Clerk