

CITY OF AVONDALE

REGULAR CITY COUNCIL MEETING

January 3, 2011 – 7:00 p.m.

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

Summary of Council Actions

CALL TO ORDER BY MAYOR ROGERS

1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK – *All present*

2 UNSCHEDULED PUBLIC APPEARANCES

There were no requests to speak before the Council.

3 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 December 13, 2010
2. Regular Meeting of December 13, 2010

b. RESCHEDULING OF CITY COUNCIL MEETING

City Council *approved* a request to reschedule the City Council meeting of January 17, 2011 in observance of Martin Luther King Jr. Day and to accommodate scheduling conflicts.

c. MEMORANDUM OF AGREEMENT - CHILDHELP INC.

City Council *approved* a request to approve a Memorandum of Agreement with Childhelp Inc. to assign two full-time Masters Level therapists to the Southwest Family Advocacy Center and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

d. PROFESSIONAL SERVICES AGREEMENT - BROWN AND CALDWELL FOR ARC FLASH ANALYSIS

City Council *approved* a request to approve a Professional Services Agreement with Brown & Caldwell to perform ARC Flash Analysis for an amount not to exceed \$141,086.00 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

e. SECOND AMENDMENT TO SOFTWARE SUPPORT AGREEMENT - INFOR GLOBAL SOLUTIONS (MICHIGAN), INC.

City Council *approved* a request to approve the second amendment to software support agreement with Infor Global Solutions (Michigan), Inc., for Enterprise Asset Management annual technical support services not to exceed \$40,317.92, and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

f. RESOLUTION 2949-111 - SUPPORTING A GRANT APPLICATION TO THE ADOH FOR THE OWNER-OCCUPIED HOME REHABILITATION PROGRAM

City Council *adopted Resolution 2949-111* authorizing the submission of a grant application to the Arizona Department of Housing for additional funding to the existing City of Avondale Owner Occupied Home Rehabilitation Program and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

g. RESOLUTION 2948-111 - INTERGOVERNMENTAL AGREEMENT WITH THE FLOOD CONTROL DISTRICT OF MARICOPA COUNTY FOR COST SHARING DRAINAGE IMPROVEMENTS ON 6TH STREET AND WESTERN AVENUE

City Council *adopted Resolution 2948-111* authorizing an Intergovernmental Agreement with the Flood Control District of Maricopa County allowing payment of \$187,500 from FCDMC to the City of Avondale for their share of the cost to construct drainage improvements along Western Avenue from 6th Street to Dysart Road, and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

h. RESOLUTION 2950-111 - AUTHORIZING SUBMITTAL OF AN APPLICATION FOR LTAF II GRANT FUNDING

City Council *adopted Resolution 2950-111* authorizing the City to submit an application to receive remaining FY2010 Local Transportation Assistance Funds (LTAF II) in the amount of \$61,744.34 and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

i. RESOLUTION 2947-111 AND ORDINANCE 1436-111 - AMENDMENT TO THE MUNICIPAL CODE CHAPTER 20, ARTICLE III - ALARM SYSTEMS

City Council *adopted Resolution 2947-111* declaring as a public record the "City of Avondale Alarm System Ordinance, Amended and Restated January 3, 2011" and *Ordinance 1436-111* adopting the same relating to the addition of alarm registration and alarm renewal fees.

j. ORDINANCE 1440-111 - AUTHORIZING THE DEDICATION OF A USA EASEMENT FOR THE AVONDALE BOULEVARD AND INTERSTATE 10 TRAFFIC INTERCHANGE IMPROVEMENT PROJECT

City Council *adopted Ordinance 1440-111* authorizing the dedication of an easement to the United States for the Avondale Boulevard and I-10 Traffic Interchange Improvement Project and authorizing the Mayor or City Manager, and City Clerk to execute the necessary documents.

k. ORDINANCES 1437-111 AND 1438-111 - DEDICATION OF EASEMENTS TO SRP FOR THE AVONDALE BOULEVARD AND I-10 TRAFFIC INTERCHANGE IMPROVEMENT PROJECT

City Council *adopted Ordinance 1437-111 and 1438-111* dedicating power distribution easements to Salt River Project for the Avondale Boulevard and I-10 Traffic Interchange Improvement Project and authorizing the Mayor or City Manager, and City Clerk to execute the necessary documents.

4 LEASE AGREEMENT - GROUND CONTROL COFFEE AND WINE BAR, LLC

City Council *approved* a request to approve a Lease Agreement with Ground Control Coffee and Wine Bar, LLC and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

5 ORDINANCE 1441-111 - AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR PUBLIC USE

City Council *adopted Ordinance 1441-111* authorizing the purchase of approximately 15.36 acres of real property generally located south of City Center Drive, north of Van Buren Street and east of Avondale Boulevard from Carlos O'Brien's Scottsdale, LLC in the amount of \$3,100,000, authorizing the use of general fund cash balance, an interfund transfer of appropriation and authorizing the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

6 LEASE AGREEMENT - CARLOS O'BRIEN'S SCOTTSDALE, LLC

City Council *approved* a request to approve a Lease Agreement with Carlos O'Brien's Scottsdale, LLC, authorized the Mayor or City Manager and City Clerk to execute the necessary documents and authorized the use and transfer of contingency funds.

7 PUBLIC HEARING AND ORDINANCE 1439-111 – HOLY CROSS SPECIAL USE OVERLAY REZONING (PL-10-0063)

City Council *held* a public hearing and *adopted Ordinance 1439-111* establishing the Special Use Overlay Zoning District to allow for the expansion of the Holy Cross Cemetery located at the southwest corner of 99th Avenue and Thomas Road.

8 EXECUTIVE SESSION – 7:43 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's Attorney in order to consider its position and instruct the City Attorney regarding the Council's position regarding (a) the *Hurst v. City of Avondale* matter and (b) a potential Economic Development Agreement.

9 ADJOURNMENT