

CITY OF AVONDALE

REGULAR CITY COUNCIL MEETING

May 16, 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

2 UNSCHEDULED PUBLIC APPEARANCES

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

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

Regular Meeting of May 2, 2011

b. LIQUOR LICENSE SERIES 12 (RESTAURANT) - COWGIRLS STEAKHOUSE AND SALOON

City Council *approved* a request from Ms Amy Nations for a Series 12 Restaurant License to sell all spirituous liquors at Cowgirls Steakhouse and Saloon located at 1733 N Dysart Road in Avondale.

c. LIQUOR LICENSE SERIES 6 (BAR) - ESTRELLA VISTA RECEPTION CENTER

City Council *approved* a request from Ms Maria Del Carmen Gonzales for a Person Transfer and a Location Transfer of a Series 6 Bar License to sell all spirituous liquors at Estrella Vista Reception Center located at 1471 N Eliseo Felix Jr. Way in Avondale.

d. APPOINTMENT OF JUDGES PRO TEMPORE

City Council *approved* Staff's request to re-appoint seven judges pro tempore to one year terms expiring on June 1, 2012.

e. SERVICE AND LICENSE AGREEMENT - ICON ENTERPRISES, INC. (DBA CIVICPLUS)

City Council *approved* a request to approve a Service and License Agreement and an Addendum to the same with Icon Enterprises, Inc. (DBA CivicPlus) for support, maintenance and hosting services for the City's website in the amount of \$8,103.00 per year with the option to renew for three additional years with increases of not more than 5% per annum, and authorized the Mayor or the City Manager and City Clerk to execute the applicable contract documents.

f. PURCHASE AGREEMENT – BASIC CHEMICAL SOLUTIONS, LLC

City Council *approved* a request to approve a Purchase Agreement with Basic Chemical Solutions, LLC for the bulk purchase of Sodium Bisulfite and Sodium Hydroxide for wastewater treatment in an amount not to exceed \$140,000 annually and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

g. PURCHASE AGREEMENT – F2 INDUSTRIES LLC

City Council *approved* a request to approve a Purchase Agreement with F2 Industries LLC for the purchase of Granular Calcium Hypochlorite 100 pound drums in an amount not to exceed \$10,000 annually and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

h. PURCHASE AGREEMENT – HILL BROTHERS CHEMICAL COMPANY

City Council *approved* a request to approve a Purchase Agreement with Hill Brothers Chemical Company for the purchase of bulk 12.5% liquid sodium hypochlorite for an amount not to exceed \$290,000 annually and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

i. PURCHASE AGREEMENT - POLYDYNE, INC

City Council *approved* a request to approve a Purchase Agreement with Polydyne, Inc. for the purchase of polymer coagulant for an amount not to exceed \$115,000 annually and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

j. PURCHASE AGREEMENT - WEST COAST TURF INC.

City Council *approved* a request to approve a piggyback agreement to the City of Scottsdale's Maintenance Services Contract with West Coast Turf for sports field maintenance in an amount not to exceed \$85,000 and authorized the Mayor or the City Manager and City Clerk to execute the applicable contract documents.

k. PURCHASE AGREEMENT - DESERT EDGE AUTO BODY LLC

City Council *approved* a request to approve a Purchase Agreement with Desert Edge Auto Body LLC, for auto body repairs for an annual aggregate amount not to exceed \$49,000.00, and authorized the Mayor or City Manager and City Clerk to execute the necessary documents..

l. PURCHASE AGREEMENT – INTERNATIONAL SURFACING SYSTEMS, INC.

City Council *approved* a request to approve a purchase agreement with International Surfacing Systems, Inc. for a polymer modified asphalt rubber chip seal application on various City streets within Avondale in the amount of \$425,000 and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

m. CONSTRUCTION CONTRACT AWARD - WEBER GROUP LLC - WELL 25 WELL SITE IMPROVEMENTS

City Council *approved* a request to award a construction contract to Weber Group LLC for construction of Well 25 well site improvements in the amount of \$944,247 and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

n. CONSTRUCTION CONTRACT AWARD - STANDARD CONSTRUCTION COMPANY, INC.FOR RILEY DRIVE IMPROVEMENT PROJECT

City Council *approved* a request to approve a Construction Contract with Standard Construction Company, Inc. to provide construction services for the Riley Drive Improvement Project in the amount of \$286,075.28 and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

o. RESOLUTION 2970-511 - INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR FEDERAL TRANSIT FUNDING

City Council *adopted Resolution 2970-511* approving an Intergovernmental Agreement with the City of Phoenix for Federal Transit Administration Funding to pass through grant funding in the amount of \$2,004,881 and authorized the Mayor or City Manager and City Clerk to execute this agreement.

p. RESOLUTION 2972-511 - INTERGOVERNMENTAL AGREEMENT WITH THE REGIONAL PUBLIC TRANSIT AUTHORITY FOR THE AVONDALE CIRCULATOR

City Council *adopted Resolution 2972-511* approving an Intergovernmental Agreement with the Regional Public Transit Authority in the amount of \$761,000 for the operation of the Avondale Circulator and authorized the Mayor and City Clerk to execute this agreement.

- q. **RESOLUTION 2975-511 - SUPPORTING A GRANT PROPOSAL TO THE GILA RIVER INDIAN COMMUNITY FOR AFTER SCHOOL YOUTH DEVELOPMENT PROGRAMMING**
City Council *adopted Resolution 2975-511* authorizing the submission of a grant proposal to the Gila River Indian Community for funding in the amount of \$373,620 to support after school youth development programming for a three year period and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.
- r. **RESOLUTION 2976-511 - SUBMISSION OF A GRANT PROPOSAL TO THE GILA RIVER INDIAN COMMUNITY FOR MONUMENT HILL TRAIL CENTENNIAL PROJECT**
City Council *adopted Resolution 2976-511* supporting the submittal and acceptance of a grant proposal to the Gila River Indian Community for funds to assist with the Monument Hill Trail Centennial Project in the amount of \$250,000 and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.
- 4 **RESOLUTION 2973-511 – MEMORIALIZING DEVELOPMENT FEE PLEDGES**
City Council *adopted Resolution 2973-511* memorializing prior pledges of development impact fees to repay debt service on public facilities.
- 5 **RESOLUTION 2974-511 - TENTATIVE BUDGET ADOPTION FOR FISCAL YEAR 2011-2012**
City Council *adopted Resolution 2974-511* setting forth the tentative budget and establishing the expenditure limitation for Fiscal year 2011-2012.
- 6 **MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF AVONDALE AND IAFF LOCAL 3924**
City Council *approved* a request to approve the inaugural Memorandum of Understanding with the International Association of Firefighters (IAFF) Local 3924 pursuant to Avondale Ordinance 1323-808 adopted by City Council on August 8, 2008.
- 7 **PUBLIC HEARING AND RESOLUTION 2971-511 – COLDWATER INDUSTRIAL MINOR GENERAL PLAN AMENDMENT (PL-11-0017)**
City Council *held a public hearing and adopted Resolution 2971-511* approving a request by Mr. Jack Gilmore, Gilmore Parsons Design Group, to amend the General Plan Land Use Map for approximately 4.26 acres of real property from Freeway Commercial to Employment located north of the northwest corner of Van Buren Street and Eliseo C. Felix Jr. Way.
- 8 **PUBLIC HEARING AND ORDINANCE 1457-511 – COLDWATER INDUSTRIAL REZONING (PL-10-0133)**
City Council *held a public hearing and adopted Ordinance 1457-511* approving a request by Mr. Jack Gilmore, Gilmore Parsons Design Group, to amend the Zoning Atlas for 4.26 acres of real property from C-2 (Community Commercial) to A-1 (General Industrial) for a property located north of the northwest corner of Van Buren Street and Eliseo C. Felix Jr. Way.
- 9 **PUBLIC HEARING – CONDITIONAL USE PERMIT FOR AT&T, FOR A PERSONAL WIRELESS SERVICE FACILITY AT VALLEY GOLF (PL-10-0149)**
City Council *held a public hearing and approved* a request by Ms. Michelle Evans, FM Group, Inc., for a Conditional Use Permit to construct and operate a personal wireless service facility on property zoned Community Commercial (C-2).
- 10 **PUBLIC HEARING, ORDINANCE 1458-511- CORRECTING A SCRIVENER'S ERROR, TIME EXTENSION FOR AVONDALE COMMERCE PARK, ALTERNATIVELY ORDINANCE 1459-511 - ZONING REVERSION**
City Council *held a public hearing and adopted Ordinance 1458-511* correcting a scrivener's error in Ordinances 1294-308 and 1296-308 which rezoned the properties described therein and *approved* a request by Mr. Michael J. Curley of Earl, Curley, and Lagarde, P.C., for a one year extension of PAD zoning for Avondale Commerce Park, located on approximately 80 acres of land at the northeast corner of 103rd Avenue and Van Buren Street.

11 ORDINANCE 1452-511 - AMENDMENT AVONDALE CITY CODE CHAPTER 24 - PRETREATMENT

City Council *adopted Ordinance 1452-511* amending the City of Avondale Municipal Code, Chapter 24, Water, Sewers and Sewage Disposal relating to Pretreatment of Industrial Wastewater.

12 EXECUTIVE SESSION – 8:30 p.m.

- a. The Council *held* an executive session pursuant to ARIZ. REV. STAT. § 38-431.03 (A)(4) for (i) 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 the SLT Expressway litigation and (ii) 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 potential Intergovernmental Agreement with the City of Litchfield Park regarding a potential annexation.

13 ADJOURNMENT