

Minutes of the Regular Meeting held July 18, 2011 at 7:00 p.m. in the Council Chambers.

**MEMBERS PRESENT**

Vice Mayor McDonald and Council Members

Jim Buster  
Frank Scott  
Charles Vierhout  
Ken Weise

**ABSENT/EXCUSED**

Mayor Lopez Rogers  
Council Member Karlin

**ALSO PRESENT**

Charlie McClendon, City Manager  
David Fitzhugh, Assistant City Manager  
Rogene Hill, Assistant City Manager  
Jennifer Fostino, Development Services Department  
Andrew McGuire, City Attorney  
Carmen Martinez, City Clerk

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

Carmen Martinez, City Clerk, read a statement of participation regarding public appearances.

**2 UNSCHEDULED PUBLIC APPEARANCES**

There were no requests to address 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**

1. Special Meeting of June 20, 2011
2. Regular Meeting of July 11, 2011

**b. CONTRIBUTIONS ASSISTANCE PROGRAM - COUNCIL SUBCOMMITTEE FUNDING RECOMMENDATIONS**

Funding recommendations made by the Council Subcommittee for distribution of the fiscal year 2011-12 Contributions Assistance Fund.

**c. CONTRACT AWARD - AREA AGENCY ON AGING FOR FY 2011 - 2012 (2012-06-AVO)**

A request to approve the Area Agency on Aging FY 2011 -2012 contract in the amount of \$300,564 to provide services for Congregate Meals, Home Delivered Meals, Multipurpose Center Operations and Transportation for seniors in Avondale, Goodyear and Litchfield Park and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**d. PROFESSIONAL SERVICES AGREEMENT - ENGINEERING MAPPING SOLUTIONS, INC.**

A request to approve a Professional Services Agreement with Engineering Mapping Solutions for the purpose of providing GIS database maintenance, design of web map applications, and development of customized GIS tools, in an amount not to exceed

\$69,500 over the term of the contract, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**e. COOPERATIVE PURCHASING AGREEMENT - CENTIMARK CORPORATION**

A request to approve a construction services agreement with Centimark Corporation to repair the roof at Fire Station 173, authorize the use and transfer of contingency funds in the amount of \$61,988.90 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Council Member Weise moved to approve the consent agenda as presented. Council Member Vierhout seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried 5-0.

**4 PUBLIC HEARING AND RESOLUTION 2992-711 - MINOR GENERAL PLAN AMENDMENT FOR NEWPORT APARTMENTS (PL-11-0046)**

A public hearing and consideration of a resolution approving a request by Mr. John DiTullio to amend the 2002 General Plan Land Use designation of a parcel of land located south of the southeast corner of Van Buren Street and Dysart Road from Medium High Density Residential to Multi-Family Residential.

City Manager Charlie McClendon indicated that Jennifer Fostino of the Development Services Department will give one presentation for items 4 and 5. Jennifer Fostino presented the details of items 4 and 5 as more specifically described in the Council reports.

Vice Mayor McDonald opened the public hearing for items 4 and 5. There being no requests to speak, Vice Mayor McDonald closed the public hearings.

Council Member Weise moved to adopt Resolution 2992-711; Council Member Vierhout seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried 5-0.

**5 PUBLIC HEARING AND ORDINANCE 1465-711 – REZONING FOR NEWPORT APARTMENTS (PL-11-0045)**

A public hearing and consideration of an ordinance approving a request from Mr. John DiTullio on behalf of the property owner for the rezoning of the Newport Apartments located on a 6.79 acre parcel of land south of the southeast corner of Van Buren Street and Dysart Road from Manufactured Home Park (MH) to Multi-Family Residential (R-4).

Ms Fostino indicated that staff is recommending approval of the application subject to the following stipulations:

1. The development shall be in substantial conformance with the application narrative date stamped May 31, 2011.
2. All new onsite development and modifications, not directly pertaining to reconstructing existing development, will conform to all current applicable development and design standards contained in the Zoning Ordinance, Design Manual for Commercial, Industrial, and Multi-Family Residential Development, General Engineering Requirements Manual, and other City documents.
3. The property owner shall assume responsibility for onsite water infrastructure maintenance and the installation of a 6" backflow prevention device at their cost. Any future development enhancements and/or modifications can potentially result in further infrastructure improvements to the site. All of the above as determined by the City Engineer.

Council Member Weise moved to adopt Ordinance 1465-711 approving the request subject to the recommended stipulations; Council Member Vierhout seconded the motion.

**ROLL CALL VOTE AS FOLLOWS:**

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

Motion carried 5-0.

**6 EXECUTIVE SESSION**

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 (i) negotiations for a potential Economic Development Agreement, (ii) threatened litigation with respect to alarm regulations and (iii) the SLT Expressway litigation.

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 Rogers	Excused
Council Member Weise	Aye
Council Member Karlin	Excused
Council Member Buster	Aye

Motion carried 5-0.

**7 ADJOURNMENT**

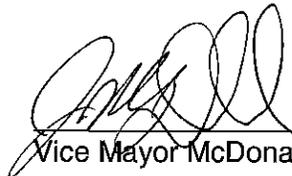
There being no further business before the Council, Council Member Buster moved to adjourn the meeting; Council Member Vierhout seconded the motion.

Meeting was adjourned at 8:11 p.m.

ROLL CALL VOTE AS FOLLOWS:

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

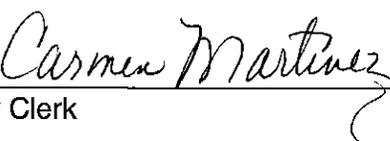
Motion carried 5-0.

  
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Vice Mayor McDonald

  
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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 Meeting of the Council of the City of Avondale held on the 18<sup>th</sup> day of July 2011. I further certify that the meeting was duly called and held and that the quorum was present.

  
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City Clerk