

Minutes of the Work Session held August 1, 2011 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

MEMBERS ABSENT

Ken Weise

ALSO PRESENT

Charlie McClendon, City Manager
Rogene Hill, Assistant City Manager
Kevin Kotsur, Chief of Police
Eric McGlothlin, City Attorney
Carmen Martinez, City Clerk

1) ROLL CALL BY THE CITY CLERK

2) UPDATE ON SERVICES PROVIDED TO ADDRESS SUBSTANCE ABUSE AND DOMESTIC VIOLENCE

A presentation by Dr. Frank Scarpati, President/CEO of Community Bridges, Inc., regarding the services being provided by the Avondale Police Department and Community Bridges to address substance abuse, behavioral health, and domestic violence calls for assistance.

Chief Kotsur explained the steps the Police Department is taking to address domestic violence issues. The Community Services Division of the Police Department consists of three employees; one supervisor and two assistants. These employees are assigned to domestic violence victims to help them understand their rights in Arizona. The Division also reaches out to junior high schools and high schools to provide education services on domestic violence prevention and awareness. One Community Services representative spends two days a week attending to victims at the Southwest Family Advocacy Center (SFAC), a facility that Avondale shares with Goodyear, Buckeye, and Surprise. They provide referrals, compensation information, and transition assistance. The Center creates a safe place for domestic violence and substance abuse victims.

Chief Kotsur said the Police Department has a partnership with A New Leaf, which provides free counseling services for victims, and A New Life, which provides free secure housing in an undisclosed location. Five members of the Police Department are assigned to the SFAC. They are well trained, and have successfully increased their prosecution rate by 60% over the past two years. The West Valley Chiefs Association has been working with Community Bridges for the last several years on a new partnership. Community Bridges provides a place where substance abusers can begin the detoxification process and hopefully start on a new crime free life.

Dr. Frank Scarpati said he has been working for the past three years to bring the behavioral health system, which is mostly centered in Phoenix, to the West Valley. Services are useless unless people can access them. This has become the second highest priority for Magellan, Maricopa County's behavioral health system.

The services offered by Community Bridges are aimed at stabilizing individuals. Arrested substance abusers have typically been released to the street shortly after their arrests. In an average year, the center receives 1,500 calls from West Valley Police Departments. Community Bridges will have two facilities in one location: an access point and a transition point. The access point is a place where police can bring individuals who are impacted by substances or suffer from psychiatric conditions. Staff assesses these intakes and determines their level of need. They are then assigned a case manager, and are able to access the entire spectrum of behavioral healthcare in the system. In cases where the evaluation takes longer than 24 hours, the transition facility gives them a place to stay for several days. These services have not been available in the West Valley until now. Community Bridges is hoping that by getting help for repeat offenders, this service will ease the burdens placed on public safety officials and hospitals in the West Valley, and reduce crime in the process.

Council Member Karlin said she was approached several years ago by businesses who expressed concern about crimes in the area caused by drug and alcohol abuse. Families expressed concerns about relatives who went through the system without getting their needs met. At that time, the police were sending people to the East Valley facility. It is unfortunate that there is a demand for these types of services, but it will be good for the West Valley to finally have them. She inquired about funding for the center. Dr. Scarpati explained that funding comes from a variety of sources, primarily from Magellan. Since it is considered part of the crisis system, it is the highest priority and the least susceptible to budget cuts. Community Bridges also takes fees for service.

Council Member Karlin inquired about treatment. Dr. Scarpati explained that Community Bridges serves as a triage facility, and will not be a primary provider. Magellan funds the access point and the stabilization referral transition point. Community Bridges plans to lease more space in the community and relocate resources from other parts of the Valley to Avondale, including a 24/7 call center and dispatch center. A community information service will be created to provide information 24/7 to families who are in need of assistance. Information will be available on psychiatric issues, substance abuse, domestic violence, and service locations. Family members will also be counseled on the next best steps to take. The system has often focused resources on individuals who have a problem, and often forgets that it is their entire family who have the problem. Community Bridges aims to help families.

Council Member Vierhout inquired about the success rate of Community Bridges. Dr. Scarpati responded that Community Bridges recognizes that in substance abuse cases, recidivism is a problem, and works with the person to identify the relapse issues and to learn from them. Over the long term, about 80% of the people who enter the programs complete them. Psychiatric problems are lifelong ones, and Community Bridges works to put these people on a path to stability.

Council Member Vierhout inquired about other types of treatment such as epilepsy. Dr. Scarpati said Community Bridges has a full staff of medical doctors and nurse practitioners who can provide the proper diagnosis either on site or through TeleMed. Staff

is scheduled to come to the Avondale facility on a rotating basis. People are connected to specialty providers as necessary.

Mayor Lopez Rogers thanked Dr. Scarpati for looking at the needs of the West Valley. Intervention with families is critical. She encouraged continued interaction with all concerned agencies to increase the awareness of the services that Community Bridges provides. Dr. Scarpati said Community Bridges always looks to partner with experts that can help meet the needs of the community.

3) ADJOURNMENT

With no further business before the Council, Vice Mayor McDonald moved to adjourn the work session. Council Member Karlin seconded the motion. The motion carried unanimously.

Meeting adjourned at 6:33 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 August 2011. 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 August 1, 2011 at 7:00 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
Sammi Curless, Economic Development Specialist
Stacy Bridge-Denzak, 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

Mr. Michael Hinton addressed the council regarding code enforcement violations. He indicated that in his experience enforcement of codes is complaint driven. He indicated that codes should be enforced uniformly across the city and it is unfair to just pick on some residents because there is a complaint.

Mayor Lopez Rogers thanked Mr. Hinton for addressing the Council and directed staff to follow up with him.

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 July 18, 2011

b. APPOINTMENT OF MEMBERS TO THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES

Consideration of the Council Subcommittee's recommendations for appointment to the City's Boards, Commissions and Committees.

c. VEHICLE LEASE AGREEMENT - AREA AGENCY ON AGING

A request to approve the Area Agency on Aging FY 2011-2012 vehicle lease agreement for the period of July 1, 2011 - June 30, 2012 for the sum of \$3 and authorize the Mayor or City Manager and City Clerk to execute the contract documents.

d. AMENDMENT NO.4 TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT - SUNDT CONSTRUCTION

A request to approve Amendment No.4 to the Construction Manager at Risk Agreement with Sundt Construction, Inc. approving construction change orders and revising the final

completion dates for the infrastructure, American Sports Center, and retail portion of the City Center/American Sports Center project in the amount of \$392,371 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

e. RESOLUTION 2996-811 - FY 2011-2012 ARIZONA DEPARTMENT OF PUBLIC SAFETY VICTIMS OF CRIME ACT GRANT

A resolution authorizing the acceptance of a Victims of Crime Act grant from the Arizona Department of Public Safety to support victim services in the amount of \$40,847 with a local match of \$10,212 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

f. RESOLUTION 2994-811 - FEE SCHEDULE FOR FISCAL YEAR 2011-2012

A resolution setting City rates and fees that are set by city council resolution.

Vice Mayor McDonald moved to approve the consent agenda as presented. Council Member Weise seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried unanimously.

4 RESOLUTION 2993-811 - SETTING THE PROPERTY TAX LEVY FOR FISCAL YEAR 2011-2012

A resolution setting the property tax levy for fiscal year 2011-2012 in the amount of \$5,346,685.

City Manager Charlie McClendon indicated that Council held the public hearing and all notices have been given as required by statute and added that staff is ready to answer any questions Council may have.

Council Member Buster indicated due to the decrease in assessed valuation most people will see a slight break in their tax bill. Avondale has been very conscientious with its budget and the proposed tax rate assessment reflects that. He will vote in favor of this item.

Vice Mayor McDonald moved to adopt Resolution 2993-811 setting the property tax levy for FY 11-12. 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	Aye
Council Member Weise	Nay
Council Member Karlin	Aye
Council Member Buster	Aye

Motion carried 6-1.

5 PROFESSIONAL SERVICES AND COMMERCIAL LEASE AGREEMENTS WITH GANGPLANK COLLECTIVE

A Professional Services and a Commercial Lease Agreement with Gangplank Collective to operate a collaborative workspace at 525 North Central Avenue commonly known as the "Old City Hall" and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Charlie McClendon introduced Sammi Curless, Economic Development Specialist to present this item.

Sammi Curless reviewed the specifics of this item as more particularly described in the Council report.

Council Member Vierhout commented he is very excited to see this project come to Avondale. He indicated that he expects this will bring a lot of activity to Old Town Avondale.

Council Member Buster asked how Gangplank gets the rest of their revenue. Jade Meskill of Gangplank explained the \$60,000 from the city will be used to fund operational expenses and added that the goal is not to get revenue but to build community by giving people the opportunity to exchange services for the opportunity to be part of and contribute to this community. He added that Gangplank is non-profit.

Mayor Rogers commented that small business development is crucial for the council and this is a great way to incorporate incubators and giving young people the opportunity to participate in these models.

Vice Mayor McDonald moved to approve the Professional Services Agreement with Gangplank Collective. 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	Aye
Council Member Weise	Aye
Council Member Karlin	Aye
Council Member Buster	Aye

Motion carried unanimously.

Vice Mayor McDonald moved to approve the Commercial Lease Agreement with Gangplank Collection. 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	Aye
Council Member Weise	Aye
Council Member Karlin	Aye
Council Member Buster	Aye

Motion carried unanimously.

6 CONDITIONAL USE PERMIT - COWGIRLS STEAKHOUSE & SALOON

A public hearing for Case PL-11-0069, a request for a Conditional Use Permit for a proposed night club component with a restaurant.

Charlie introduced Stacy Bridge-Denzak to present this item.

Ms Bridge-Denzak reviewed the particulars of this items as more specifically described in the council report and reviewed the findings that must be met in order to recommend Council approval of the CUP. She indicated that the owner is aware that noise may be an issue and will promptly address concerns. Ms Bridge-Denzak concluded by saying that Council is recommending approval subject to three stipulations:

1. The Conditional Use Permit approval shall expire two years from its approval date if the night club use does not commence from the CUP's approval date.
2. The Conditional Use Permit shall conform to the narrative, site plan, landscape plan, and floor plans date stamped May 18, 2011.
3. Activity on the patio shall not create noise levels that negatively affect adjacent residential neighborhoods.

Council Member Weise commented that he does not expect any negative impacts on the community. Similar establishments in the vicinity operate without incidents.

Mayor Rogers opened the public hearing. There being no requests to speak Mayor Rogers closed the public hearing.

Vice Mayor McDonald moved to approve the Conditional Use Permit for Cowgirls Steakhouse subject to the three stipulations presented by staff. Council Member Karlin seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Council Member Buster

Aye

Motion carried unanimously.

7 RESOLUTION 2995-811 - RENEWAL OF IGA WITH MARICOPA COUNTY TO OPERATE THE COMMUNITY ACTION PROGRAM

A resolution authorizing an Intergovernmental Agreement with the Maricopa County Board of Supervisors for a grant in the amount of \$141,503 to operate the Community Action Program during fiscal year 2011-12 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Charlie McClendon indicated that this program has been operated in Avondale for many years and the considerations of the renewal by Council would typically be a consent item. However, the County has added some provisions to the agreement that Council should be made aware of.

City Attorney Andrew McGuire commented that changes to agreement have to do with insurance and indemnity requirements. He indicated that up until recently, everyone bears their own risks and liability. The insurance requirements in this agreement were changed to levels that are still within the levels carried by the City. He indicated the agreement went from a mutual indemnity to a one-sided indemnity clause and also required the city to indemnify the State. He concluded by saying he does not think this materially changes the position of either party, but it changes the legal character of the document and felt it was necessary to make Council aware of this.

Vice Mayor McDonald moved to adopt Resolution 2995-811 authorizing an Intergovernmental Agreement with the Maricopa County Board of Supervisors for a grant in the amount of \$141,503 to operate the Community Action Program during fiscal year 2011-12. 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	Aye
Council Member Weise	Aye
Council Member Karlin	Aye
Council Member Buster	Aye

Motion carried unanimously.

8 ADJOURNMENT

There being no further business before the Council, Vice Mayor McDonald moved to adjourn the meeting; Council Member Weise seconded the motion.

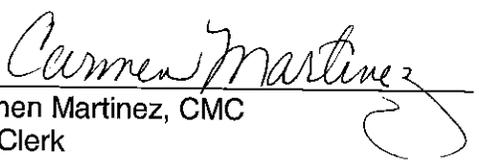
ROLL CALL VOTE AS FOLLOWS:

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

Motion carried unanimously.

Meeting was adjourned at 7:42 p.m.


Marie 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 Regular Meeting of the Council of the City of Avondale held on the 1st day of August 2011. I further certify that the meeting was duly called and held and that the quorum was present.


City Clerk