

Minutes of the Special Meeting held December 12, 2011 at 6:00 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
Rogene Hill, Assistant City Manager
James Redline, Police Sergeant
Matt Lydic, Police Officer
Kevin Kotsur, Police Chief
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

1) ROLL CALL BY THE CITY CLERK

2) EXECUTIVE SESSION

Vice Mayor McDonald moved to adjourn to executive session; 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.

City Council adjourned into Executive Session at 6:01 p.m.

3) UPDATE ON THE ACCOMPLISHMENTS OF THE COMMUNITY ACTION TEAM

City Council reconvened into the Special Meeting at 6:18 p.m.

Charlie McClendon, City Manager, introduced members of the Police Department's Community Action Team (CAT). The original funding for CAT came from an American Recovery and Reinvestment Act (ARRA) grant in July of 2009, and the team has been fully in place for about a year. Sergeant James Redline reported that CAT has been proactive in catching criminals and reducing crime in Avondale. The team consists of six officers and himself, selected through a comprehensive testing process. Each officer has a specialty

such as school resources, gang liaison, patrol, computers, or SWAT, and the team aims to have broad expertise.

Sgt. Redline said CAT tracks the city's daily crime trends and deploys in such a way as to counter them. They assist other bureaus with the apprehension of wanted persons, and employ numerous methods in the course of their duties, including bike patrols, foot patrols, uniform patrols, undercover operations, and surveillance. Officers consult route reports to identify recent trends such as copper thefts, residential and vehicle burglaries, backflow valve thefts, graffiti, metal thefts from AC units and catalytic converters, and vehicle theft. CAT can change operations at a moment's notice to tackle problems as they occur in real time.

Sgt. Redline said CAT successfully solved several recent cases, including a Beat 5 serial graffiti case. When an HOA informed the PD of a large graffiti problem in their subdivision, CAT used surveillance measures to identify five young people who were tagging the area on a daily basis. A search warrant uncovered evidence that made a strong case against them. Four were arrested for felonies, while the main suspect took a plea and is paying restitution for the damage he caused. In another case, a suspect was arrested for his role in more than 100 crimes over several years. CAT used a social networking site to conduct an elaborate ruse to apprehend him in Glendale. This person is now serving a 25-year jail sentence.

Officer Lydic discussed a case that occurred on Beat 2, where four youths were apprehended following surveillance of their crimes. These arrests led to the identification of a ring of suspects who were systematically burglarizing vehicles. During the investigation, the suspects admitted to walking down streets looking for unlocked cars, testing as many as 90 cars a night. One suspect provided very good detailed information on her crimes. A search warrant was completed, and three crimes were linked back to Phoenix, two to Surprise, one to Glendale, and two to Goodyear. She is now facing 14 counts, including theft, burglary, and trafficking. Phoenix's NET team collaborated with CAT on a crime suppression effort that involved surveillance and traffic stops. Thirteen people were arrested and a few fled the state. They will be apprehended should they return.

Officer Lydic reported that since the inception of the CAT, 85 felony suspects have been apprehended, and over 185 misdemeanor arrests have been made. All were apprehended within 48 hours. The ability to go undercover allows CAT to blend into the population, making surveillance and apprehension easier. The Special Victims Unit passed along information on the whereabouts of a suspected child molester recently. He was tracked to his business in Glendale, where he was taken into custody without incident. Ultimately he was charged with ten felony counts related to the investigation. Another operation led to the arrest of a suspect who admitted to six other burglaries. He was selling stolen property on craigslist. Additionally he gave officers the names of two associates before he was put in jail for two years.

Officer Lydic said CAT continues to expand efforts to identify criminal rings, preferring to build a case against an entire group at once. This is to stop the criminal activity completely and keep perpetrators in jail for a longer period. CAT wants to send the message that Avondale is not a good place for criminals to establish themselves. CAT also provides

information to citizens on crime trends and on ways to deter and prevent them. Copper and metal thefts are currently trending upward. CAT recently observed three suspects who were taken into custody. Their impounded van contained over 700 pounds of copper, which sells for \$3 per pound. They stole metals from several parks in Phoenix and Avondale.

Council Member Karlin noted that a couple of years ago, Avondale led in thefts of catalytic converters. She queried where thieves go to sell the copper. Officer Lydic suspects that some employees of recycling centers do not ask enough questions and are assisting thieves in unloading the metals. There are laws in place that dictate what these centers are required to do to document materials that are bought. Council Member Karlin inquired about the status of a proposed bill to share information on recycling activities across the state. Sgt. Redline responded that because the recycling business is so lucrative, the centers have fought against certain stipulations in that bill. CAT is working to better monitor the people using scrap yards.

In response to an inquiry from Council Member Buster, Sgt. Redline attributed CAT's success to the hard working personnel on the team who love their job and love making an impact. He said that when he took the job, he promised Chief Kotsur and the City Council that CAT would exceed their expectations. The officers' knowledge and experience grows every day.

Council Member Vierhout said CAT has a wide variety of tools at their disposal to tackle problems. Council Member Scott said the team's ability to take repeat criminals off the street makes other police officers more productive. Sgt. Redline responded that Chief Kotsur has been very supportive of CAT, and the patrol officers provide much valuable information.

Vice Mayor McDonald commended CAT for taking the time to converse with business owners and residents in an effort to build rapport with them. Their efforts make the PD and the entire city look better. Mayor Lopez Rogers stated that the program is working the way City Council intended. Residents expect a safe community, and CAT contributes to that. Avondale will not be a refuge for criminals.

4) ADJOURNMENT

With no further business before the Council, Vice Mayor McDonald moved to adjourn the special meeting. Council Member Weise seconded the motion. The motion carried unanimously.

Meeting adjourned at 6:51 p.m.

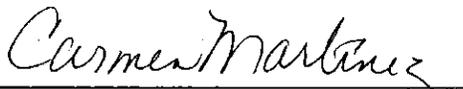

Mayor Lopez Rogers



Carmen Martinez, CMC
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the Council of the City of Avondale held on the 12th day of December 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 December 12, 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
Rogene Hill, Assistant City Manager
Kevin Artz, Finance and Budget Director
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 speak.

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. Work Session of November 21, 2011
2. Regular Meeting of November 21, 2011

b. APPOINTMENT OF MEMBERS TO THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES AND TO THE POSITIONS OF CHAIR AND VICE CHAIR OF THE BOARD OF ADJUSTMENT AND THE PLANNING COMMISSION

City Council will consider the Council Subcommittee's recommendations for appointment to the City's Boards, Commissions and Committees and the appointment of members to serve as Chair and Vice Chair of the Planning Commission and the Board of Adjustment.

c. LIQUOR LICENSE SERIES 10 (BEER AND WINE STORE) - SUPER CARNICERIA LOS ALAMOS #2

City Council will consider a request from Mr. Margarito Rodriguez for a Series 10 Beer and Wine Store License at Super Carniceria Los Alamos #2 located at 10730 W Lower Buckeye Road in Avondale.

d. PROFESSIONAL SERVICES AGREEMENT - STANLEY CONVERGENT SECURITY SOLUTIONS, INC.

City Council will consider a request to approve a Professional Services Agreement with Stanley Convergent Security Solutions, Inc. for access control systems and surveillance camera maintenance, installation, and support for an amount not to exceed \$60,000 per

year and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

e. COOPERATIVE PURCHASING AGREEMENT - FERGUSON ENTERPRISES

City Council will consider a request to approve a Cooperative Purchasing Agreement with Ferguson Enterprises, Inc. to purchase plumbing equipment, accessories, and supplies for a maximum aggregate amount not to exceed \$135,000, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

f. COOPERATIVE PURCHASING AGREEMENT - KELLER ELECTRICAL INDUSTRIES, INC.

City Council will consider a request to a Cooperative Purchasing Agreement with Keller Electric Industries, Inc. for water well and HVAC pump/motor repair, overhaul, and replacement services in a maximum aggregate amount not to exceed \$250,000.00 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

g. COOPERATIVE PURCHASING AGREEMENT - SOUTHWEST ENERGY SYTEMS LLC

City Council will consider a request to approve a Cooperative Purchasing Agreement with Southwest Energy Systems, LLC for electric acceptance testing, repairs and replacement services in a maximum aggregate amount not to exceed \$180,000.00 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

h. FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT - URS CORPORATION

City Council will consider a request to approve the First Amendment to the Professional Services Agreement with URS Corporation to provide post design and construction inspection services for the repair of the Van Buren Bridge over the Agua Fria River, authorize the transfer of \$10,300 from 304-1260-00-8420 to 304-1012-00-8420, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

i. RESOLUTION 3023-1211 - FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH ADOT FOR SAFE ROUTES TO SCHOOL CYCLE 2 GRANT

City Council will consider a resolution authorizing the First Amendment to the Intergovernmental Agreement with Arizona Department of Transportation for the purpose of implementing the Safe Routes to School Cycle 2 Grant in the amount of \$260,230 and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

j. ORDINANCE 1482-1211 - AMENDMENT TO CITY CODE CHAPTER 26 - DEVELOPMENT FEES

City Council will consider an ordinance amending previously adopted development fee schedules and amending the City Code, Chapter 26 relating to necessary changes to development fees and declaring an emergency.

k. ORDINANCE 1483-1211 - AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR PUBLIC USE ON AVONDALE BOULEVARD SOUTH OF GILA RIVER BRIDGE

City Council will consider an ordinance authorizing the acquisition of real property for public use along Avondale Boulevard from south of the Gila River Bridge to Baseline Road 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 Resolutions 3023-1211 and Ordinances 1482-1211 and 1483-1211. Council Member Weise seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried unanimously.

4 PUBLIC HEARING AND RESOLUTION 3024-1211 – ARIZONA DEPARTMENT OF WATER RESOURCES AND ENVIRONMENTAL PROGRAM FEES

City Council will hold a public hearing and consider a resolution approving the Arizona Department of Water Resources and Environmental Program Fees and setting an effective date.

City Manager Charlie McClendon indicated that a previous council meeting, staff presented the findings of the cost studies relating to the enterprise funds and reported that there would be no increases necessary. However, due to some recently adopted environmental mandates that are transferring costs to the cities.

Council Member Buster asked what the environmental fee consist of. Mr. McClendon indicated he could provide details but they are mainly related to NPDES and PM10 which is air quality program to eliminate dust. All municipalities in Maricopa County are required to participate. He explained 43 cents is the city's share which represents the total divided by the number of water customers. Council Member Buster said DWR had some funding issues but does not like the precedent that is being set.

Vice Mayor McDonald asked how this will be presented to customers. Mr. McClendon indicated that two lines will appear in the water bill identifying the corresponding requirements.

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

Vice Mayor McDonald moved to adopt Resolution 3024-1211; Council Member Weise seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried unanimously.

5 ASSIGNMENT AGREEMENT - WINNERS DEVELOPMENT, LLC

City Council will consider a request to approve an assignment agreement with Winners Development, LLC to accept the assignment of purchase contracts for the acquisition of approximately 150 acres of property located near Avondale Boulevard and Roosevelt Street. And authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

City Attorney Andrew McGuire indicated that staff was unable to reach an agreement regarding this item. No Council action is necessary on this item at this time.

Mayor Lopez Rogers recognized newly appointed Board, Commission and Committee members in attendance.

6 EXECUTIVE SESSION

- a. City Council may hold 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 and (ii) settlement of threatened litigation.

Vice Mayor McDonald moved to adjourn into executive session. Council Member Weise seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried unanimously.

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 8:50 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 Regular Meeting of the Council of the City of Avondale held on the 12th day of December 2011. I further certify that the meeting was duly called and held and that the quorum was present.


City Clerk