

Minutes of the Regular Meeting held September 10, 2012 at 7:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Council Members

Stephanie Karlin, Vice Mayor
Jim Buster
Jim McDonald
Frank Scott
Charles Vierhout
Ken Weise

ABSENCE EXCUSED

Mayor Lopez Rogers

ALSO PRESENT

David Fitzhugh, Assistant City Manager
Rogene Hill, Assistant City Manager
Wayne Janis, Public Works Director
Marilyn DeRosa, Public Works Assistant Director
Todd Carpenter, Operations Supervisor
Christopher Reams, Director of Parks, Recreation & Libraries
Ava Gutwein, Library Manager
Meghan Hulseley, BTOP Coordinator
Gina Montes, Neighborhood & Family Services 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) RECOGNITION ITEMS (MAYOR PRESENTATIONS)

- a. Debra Undhjem – IMS Marathon check presentation

Debra Undhjem, Race Organizer for the IMS Marathon, reported the marathon had 3,300 participants and has quickly become a premiere West Valley event. She presented a check in the amount of \$3,000 to the City of Avondale for services provided on February 19, 2012.

3) UNSCHEDULED PUBLIC APPEARANCES

John Harmon offered to put together a community pride action project to deal with the litter problem in the Monument Mountain trail area. He requested support from the City Council in the form of a letter of endorsement that he could present to local business while soliciting donations to the project. November 3rd or 4th is targeted for the first annual cleanup day. He intends to dedicate the project as a memorial to a friend who drowned in 1992.

Vice Mayor Karlin instructed staff to work with Mr. Harmon to coordinate his cleanup effort with other projects in the area.

4) 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.

Council Member Buster requested that Item 4m be pulled from the consent agenda to be considered separately.

a. APPROVAL OF MINUTES

1. Work Session of August 13, 2012
2. Regular Meeting of August 13, 2012

b. LIQUOR LICENSE – AGENT CHANGE AND ACQUISITION OF CONTROL – THAI ORCHID GARDEN

A request from Netchanok Aphaisuwan for approval of an Agent Change and Acquisition of Control for the Series 12 Restaurant License at Thai Orchid Garden located at 12725 W Indian School Road in Avondale.

c. PROFESSIONAL SERVICES AGREEMENT – SOUTHWEST UMPIRES LLC

A request to approve a professional services agreement with Southwest Umpires, LLC for professional umpiring services in an amount not to exceed \$71,000 during the initial term or \$355,000 for the entire term of the agreement and authorize the Mayor or the City Manager and City Clerk to execute the necessary documents.

d. COOPERATIVE PURCHASING AGREEMENT – SAN DIEGO POLICE EQUIPMENT COMPANY, INC. FOR AMMUNITION

A request to approve a Cooperative Purchasing Agreement with San Diego Police Equipment Company, Inc. for the purchase of ammunition in a total aggregate amount of \$100,000 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

e. PROFESSIONAL SERVICE AGREEMENT – KIMLEY-HORN AND ASSOCIATES, INC. – CADD SERVICES

A request to approve a Professional Service Agreement with Kimley- Horn and Associates, Inc. to provide CADD services in the amount of \$100,000 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

f. PROFESSIONAL SERVICES AGREEMENT – STANLEY CONSULTANTS INC. – CENTRAL AVENUE IMPROVEMENTS

A request to approve a professional services agreement with Stanley Consultants Inc. to provide traffic engineering design services for the Central Avenue Improvement project in the amount of \$61,949 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

g. PROFESSIONAL SERVICES AGREEMENT – TRUCKS WEST OF PHOENIX, INC.

A request to approve a Professional Services Agreement with Trucks West of Phoenix, Inc. to purchase Autocar refuse truck parts, service and accessories for a maximum aggregate amount not to exceed \$60,000, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

h. CONTRACT AWARD – LUDVIK ELECTRIC CO. FOR RANCHO SANTA FE VFD INSTALLATION

A request to award a contract to Ludvik Electric Co. in an amount not to exceed \$202,644.20 for the installation of new Variable Frequency Drives (VFDs) at the Rancho Santa Fe Booster Station and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

i. CONSTRUCTION CONTRACT AWARD – STANDARD CONSTRUCTION COMPANY – SOUTH AVONDALE/PIR WATER AND SEWER LINES

A request to award a construction contract to Standard Construction Company for construction of the South Avondale/PIR Sewer Line and South Avondale PIR Waterline in the amount of \$3,925,225.27 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

j. FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT – HELPING FAMILIES IN NEED

A request to approve the first amendment to the Professional Services Agreement with Helping Families in Need which provides \$44,000 for the continuation of public health insurance and benefit enrollment assistance activities and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

k. FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT – PROJECT ENGINEERING CONSULTANTS, LTD – THOMAS RD WATERLINE DESIGN

A request to approve a First Amendment to the Professional Services Agreement with Project Engineering Consultants, Ltd for Thomas Rd Waterline Design by increasing the agreement amount by \$4,645.08 for a total of \$53,150.08, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

l. SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT – URS CORPORATION – PIR LIFT STATION WALL DESIGN

A request to approve a Second Amendment to the Professional Services Agreement with URS Corporation for the PIR Lift Station Wall Design in an amount not to exceed \$72,267, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

n. RESOLUTION 3067-912 – INTERGOVERNMENTAL AGREEMENT – AGUA FRIA UNION HIGH SCHOOL FOR A SCHOOL RESOURCE OFFICER

A resolution authorizing an Intergovernmental Agreement with the Agua Fria Union High School District #216 to share the cost of providing a School Resource Officer during the 2012/2013 school year at an annual cost to the City of \$45,185 and to Agua Fria High

School of \$32,275 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

o. RESOLUTION 3068-912 – INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF GLENDALE TO PROVIDE SECURITY AT THE UOP STADIUM

A resolution approving an Intergovernmental Agreement with the City of Glendale to provide law enforcement and security services for the University of Phoenix Stadium and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take the appropriate action.

Council Member McDonald moved to accept the consent agenda as presented, with the exception of item 4m. Council Member Weise seconded.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried 6-0.

m. FOURTH AMENDMENT TO SUBSCRIPTION AGREEMENT – ZONAR SYSTEMS, INC.

A request to approve the fourth amendment to the Subscription Agreement with Zonar Systems, Inc. for a maximum aggregate amount not to exceed \$75,000, and authorize the Mayor or the City Manager and City Clerk to execute the necessary documents.

Council Member Buster asked why the city needs a vehicle inspection reporting system. Wayne Janis, Public Works Director, said the system provides confirmation that vehicles have been inspected every day, at what time, and by whom. If a vehicle needs maintenance, the system automatically creates a work order for mechanics. It also tracks the real time location of all vehicles, records the speeds that they are traveling at, and confirms the time when a vehicle performed work on any given street.

Council Member Buster inquired whether the system would result in lower maintenance costs. Mr. Janis responded that he had no way of documenting past results, but it should be possible in the future. Council Member Buster asked whether other cities are using the system. Mr. Janis explained that several Valley cities do, including the City of Phoenix for its fire trucks.

Council Member Weise said his company implemented a vehicle inspection reporting system, and it has cut down on labor and insurance costs and customer complaints. He requested a report on the system's budgetary impact. Council Member McDonald said such systems serve as a good management tools, and can be invaluable for police officer safety.

Council Member McDonald moved to approve the fourth amendment to the Subscription Agreement between the City of Avondale and Zonar Systems, Inc. for a maximum aggregate amount not to exceed \$75,000. Council Member Weise seconded the motion. .

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried 6-0.

5) CONTRACT AWARD – KELLER ELECTRICAL INDUSTRIES, INC.

A request to award a contract to Keller Electrical Industries, Inc. to provide pump, motor, electrical support, repairs, overhaul, and replacement services in a maximum aggregate amount not to exceed \$1,300,000.00 with multiple city department users, and to authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Marilyn DeRosa, Public Works Assistant Director, presented the first of two contracts to implement a reliability initiative to improve system performance, ensure longevity, and eliminate equipment downtime. Ultimately, the goal is to develop reliability-centered maintenance as part of an overall strategy to identify and minimize weaknesses in the water and sewer system. Avondale process 6 million to 17 million gallons of water or wastewater every day at 33 facilities.

Ms. DeRosa said that Avondale's reliability program is multi-faceted. One component is the utilization of on-call contracts for specialized work such as electrical inspections and analysis that might lead to repairs and replacement. The contracts would cover all the different water and wastewater divisions, and have provisions for emergency response. An invitation for bids (IFB) for electrical services was issued by the City. Staff decided to award one contract to Keller Electrical and one to Ludvik Electrical. Both vendors provided standard and emergency callout rates with a 12% to 15% materials markup. Both met all requirements of the IFB. Ludvik's contract covers water and wastewater facilities and will not exceed \$250,000 per year for five years. Keller's contract would include City of Avondale facilities and not exceed \$260,000.

Ms. DeRosa explained that the water and wastewater operating budget currently has a combined total of about \$200,000 a year for electrical services. In FY 2011, Avondale spent about \$200,000. By making the maximum allowable contract slightly higher than the historical spend, the City could meet standard and emergency needs with some flexibility. Having two different vendors with different strengths ensures that one will be available when services are needed. These contracts will reduce the time it takes to get a contractor on site during emergency situations, and will be much less disruptive.

Council Member Vierhout said redundancy in vendors is a good strategy for reliability. Council Member Weise asked whether the vendors would look at past records to determine what preventative maintenance is needed right away. Todd Carpenter, Operations Superintendent, explained that staff has the ability to do preventative maintenance in many cases, but certain areas require specific technical knowledge that only a qualified vendor could provide. Council Member Weise agreed that redundancy is important. He inquired about the strength of each vendor's local supply network. A. J. Oswood, Keller Electrical Industries, responded that his company has a state of the art facility that stores about \$2 million worth of inventory, and has a shop that can build almost anything. Keller's dynamometer is the only one of its kind west of the Mississippi.

Council Member McDonald asked whether Avondale has any long lead time items that the vendors carry in their inventories. Mr. Oswood said some equipment has a lead time of 12 to 16 weeks, but Keller is a master distributor for many different manufacturers and has a standing order for much of this equipment. Keller keeps about 90% of the equipment Avondale uses in inventory. Council Member McDonald asked whether the city could use rebuilt equipment, or get credit for core charges. Mr. Oswood explained that old motors are typically rewound or rebuilt to a higher standard than new, and the price is significantly lower in most cases.

Council Member Buster asked whether staff has handled these types of repairs in the past. Ms. DeRosa explained that staff has not done rebuilds, but has been contracting jobs out on an individual basis. Vice Mayor Karlin inquired whether equipment calibrations are included in the contract. Mr. Carpenter responded that the scope of the contracts is all-encompassing. Vice Mayor Karlin asked about the process of selecting a vendor for each task. Mr. Carpenter said the choice would depend on the task, as each vendor is contracted to provide distinct services.

Council Member Weise moved to award a contract to Keller Electrical Industries, Inc. to provide electrical services in a maximum aggregate amount not to exceed \$1,300,000.00. Council Member Buster seconded.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried 6-0.

6) CONTRACT AWARD – LUDVIK ELECTRICAL

A request to award a contract to Ludvik Electrical in a maximum aggregate amount of \$1,250,000.00 to perform repairs, service, inspection, testing and analysis of pumps, switchgear and equipment at various city facilities and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Council Member Weise moved to award a contract to Ludvik Electrical in a maximum aggregate amount of \$1,250,000.00 to perform repairs, service, inspection, testing and analysis of pumps, switchgear and equipment at various city facilities. Council Member Buster seconded.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried 6-0.

7) BROADBAND TECHNOLOGY AND OPPORTUNITIES PROGRAM GRANT UPDATE

An update on the Broadband Technology and Opportunities Program (BTOP). This report is for information only. No action is required for this item.

Christopher Reams, Parks, Recreation & Libraries Director, said this program will help residents find work and build small businesses. Ava Gutwein, Library Manager, said there were two realms of funding in Arizona for BTOP. BTOP One was awarded to the Arizona State Library Archives and Public Records Department with a focus on supporting broadband infrastructure, primarily in rural communities. BTOP Two came through the Arizona Governor's Office of Economic Recovery with a focus on expanding and enhancing public access to computers.

In 2009, Avondale Public Library saw a great increase in patrons using computers to find and apply for jobs. The State Library saw a similar trend across Arizona. The need for greater access was addressed through the Arizona Job Assistance Centers initiative. Two programs were implemented. Virtual Workforce Workstations (VWW) was launched in 198 libraries to help job seekers. Job Help Hubs (JHH) was established in 28 libraries, including Avondale's. This program includes an instructor who teaches computer and job skills for 18 hours per week. The grant was awarded in 2011 with a value of about \$50,000.

Megan Hulsey, BTOP Coordinator, said Job Help Hubs are tailored to each specific community. Avondale's program continues to evolve. The program provides basic computer classes in Spanish and English, job skill workshops, open computer labs, and individually tailored assistance. Computer classes typically last four to six weeks, and each has a waiting list. Job workshops are held twice a month at each library. One-on-one

appointments are designed to teach people the skills they need to look for jobs on their own. Computer labs are open for two hours, which gives people enough time to prepare their applications. VWWs are designed to be one-stop self-help centers that do not place extra burden on the library staff. The goal moving forward is to make JHH self-sufficient and sustainable.

Ms. Hulsey said another aspect of the BTOP grant is helping small business owners. The program gathers together pertinent small business resources, and works with community partners to avoid duplicating services. It involves reaching out to community colleges and high schools to learn what opportunities are available to people who are looking for assistance.

Council Member Weise suggested there should be a clear way to find the program on the library website. He queried about the available options for when the funding runs out. Mr. Reams said all the programs are trying to develop sustainable funding sources. The City owns the laptops, but would need to find money to hire an instructor. Council Member Weise inquired about the number of people the program sees in a given week. Ms. Hulsey estimated that she helps 18 to 20 people per week on average.

8) EDUCATION IN AVONDALE

The Council will discuss the state of education in Avondale and engage in a dialogue on how to support the schools. This item is for information and discussion only.

Gina Montes, Neighborhood and Family Services Director, said the quality of Avondale's education system has a direct impact on its success as a community. This is the first in a series of discussions designed to provide information to City Council on the strengths and challenges of the education system, and what is needed to improve it. Future discussions will focus on specific school districts and their unique situations. A spring forum will work on creating actionable items.

Donna Davis said Expect More Arizona is a statewide public/private partnership dedicated to promoting education as a statewide priority. Arizona education faces many challenges. About 74% of fourth graders are below proficiency in reading and nearly half of graduates need remedial classes to enroll in public universities. Arizona ranks 44th out of 50 states in educational performance, 49th in per pupil spending, and 43rd in the number of high school graduates who go directly on to college. This affects economic development efforts. Only 16% of ninth graders who go into college graduate in six years. Compared to other countries and states, Arizona is falling far behind. This does not bode well for the state's future global competitiveness. Eighty-five percent of future high-wage jobs will require at least two years of college, and only 2% will be available to adults with less than a high school diploma.

Ms. Davis said Expect More Arizona wants Arizona education to become the best in the nation. The mission is to build a statewide movement of Arizonans with the public will to ensure a world-class education system for all students in Arizona, birth to career. The state legislature has implemented common course standards, which will dramatically change the way students are taught. It will require more critical thinking, creativity, and problem solving on the part of students. It will use a different way to measure success through

internationally recognized benchmarks. Schools receive an A through F grade, and currently 40% of schools receive grades of C or below. Principal and teacher evaluations will measure student growth in different subject areas. Students who are not proficient in reading by the end of third grade will be held back by law. Expect More Arizona supports these changes, while recognizing that they come with challenges.

Ms. Davis explained that the building blocks for a world-class education system include rigorous standards that enable students to compete globally. All students deserve a high-quality education regardless of their zip code. Students need to develop critical thinking, creativity and problem solving skills. Investments must be made to further academic achievement levels and produce high-quality principals and teachers. The entire community has a role to play in solving education problems.

Ms. Davis said Expect More Arizona has developed a new campaign that uses TV ads to reach parents about the importance of academic success. It is critical that parents engage with their child's education throughout the entire system. Workshops teach parents about instilling a high-expectations culture at home, and make resources available online for their use. College and career planning guides are distributed to every eighth grader in the state. The Vote for Education campaign helps citizens understand their critical role in voting, and explains different funding mechanisms and initiatives for education. October 10 has been selected as a day when people can show their support for education. January marks the start of the excellence tours, which aim to grow Arizona's education system by highlighting programs with very rigorous standards. Education is an economic development issue, and when companies decide to move to a new state, one of their main considerations is the quality of the local education system. One of the primary concerns is the lack of a long-term view on education that does not shift radically with each new administration.

Ms. Davis suggested that City Council consider asking the following questions:

- What can City Council do to help a school get an A ranking in school assessments?
- Can the City Council assist in reaching out to parents?
- How can residents find out more about the good things that are happening in local schools?
- How can the city grow leaders that are committed to education?

Vice Mayor Karlin invited public input.

Betty Lynch said school site councils help school districts understand what programs they should be doing and what the community wants out of schools. Charter schools do serve a specific need, but they are not the answer to all problems. The Caring for Your Children and Youth summit has grown each year, and expects 600 people this year. The Arizona Business and Education Council can serve as a valuable resource. Rancho Santa Fe, in the Litchfield Elementary School District, has a large Korean population that is not being served by the current focus on English and Spanish education.

Council Member Vierhout suggested inviting school district representatives to create content for broadcast on Channel 11, and inviting educational groups to participate in city events whenever possible. Schools that have used the internet to flip the classroom have seen great results. He noted that September 29th is the Walk for Education event.

Council Member McDonald said education has to start at home. One of the problems with the education system is that new initiatives are constantly added without fixing the existing problems. Parent Connect allows parents to see what homework has been assigned to their children. Kids who are involved in music are better at math and science, and extracurricular activities in general will help them solidify their education.

Council Member Weise said politicians should not dictate education policy. Education should be controlled locally. Good school performance depends on parental involvement. Charter schools and private schools have a large role to play since they offer smaller class sizes. Arizona's high school graduation rate went up 143% between 1999 and 2010, double the next closest state. City Council can best help not by telling schools what to do, but by taking steps to help parents become more involved in schools.

Council Member Buster said educational fads come and go, and governors change, but there is no substitute for parental involvement. City Council should support any initiative that increases it. Charter schools are not substitutes for public schools, but they give parents some choice.

Council Member Vierhout inquired about the Move On When Ready program. Ms. Davis explained that the program gives students an opportunity to advance to college early if they are ready to do so. Currently several schools have volunteered to be part of the program, and educators are anxiously awaiting the preliminary results.

Vice Mayor Karlin felt that schools should emphasize the teaching of critical thinking skills instead of teaching towards the test. Education in Arizona has a bad reputation, and that has had an impact on economic development and on community perceptions. Avondale has excellent schools and teachers, but City Council has to find ways to ensure that schools stay healthy, and that they promote the city positively.

9) EXECUTIVE SESSION

- a. An executive session pursuant to (i) Ariz. Rev. Stat. § 38-431.03 (A)(7) for discussion or consultation with City representatives in order to consider its position and instruct its representatives regarding negotiations for the acquisition of real property for City use; and (ii) 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's Attorney regarding (a) potential litigation in the Martinez matter, (b) potential litigation re tax matters and (c) contract discussions regarding water treatment operations.

Council Member Weise moved to adjourn into executive session. Council Member Vierhout seconded.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Aye
Council Member Scott	Aye
Council Member Weise	Aye

Mayor Rogers	Excused
Vice Mayor Karlin	Aye
Council Member McDonald	Aye
Council Member Buster	Aye

Motion carried 6-0.

10) ADJOURNMENT

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

Meeting adjourned at 9:56 p.m.



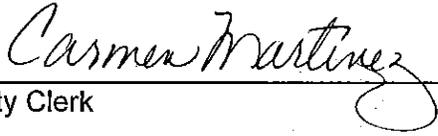
Mayor Lopez-Rogers



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 10th day of September 2012. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk