

Minutes of the Work Session held December 3, 2012 at 6:01 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Lopez Rogers and Council Members

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

ALSO PRESENT

Charlie McClendon, City Manager
David Fitzhugh, Assistant City Manager
Rogene Hill, Assistant City Manager
Gina Montes, Neighborhood & Family Services Director
Chris Schmaltz, City Attorney
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

1) ROLL CALL BY THE CITY CLERK

2) AGUA FRIA UNION HIGH SCHOOL DISTRICT PRESENTATION

A presentation by Dr. Dennis Runyan, Superintendent of the Agua Fria Union High School District regarding the district's strengths, successes and future plans and how the City of Avondale can support the schools.

Gina Montes introduced Dr. Dennis Runyan, Superintendent of the Agua Fria Union High School District. Dr. Runyan said all four high schools in the district are rated B (preferred status) by the State of Arizona. The district graduation rate is above state and national averages, and the dropout rate is lower than the state average. House Bill 2823 requires each district to establish teacher and administrative evaluation systems. AFUHSD is well along in its teacher evaluation system, and its administrative evaluation system will debut in January 2013. The district is also taking part in a pilot program that evaluates the database used by the State of Arizona.

Dr. Runyan said Professional Development 360 (PD360) is a new tool that provides teachers with over 2,000 staff development resources, and allows them to communicate with teachers from all 42 states that have adopted Common Core. Common Core planning tools are embedded in PD360.

Voter passage of next year's 10 percent override will be critical to the functioning of the district. The override has been in place for over 20 years. It speaks highly of the community that they approved the override for the elementary schools. Online programming has been expanded. Coldwater Academy now serves 84 students online. The district pays for ACT testing for all students. The number of AP courses has increased dramatically. Dr. Runyan screened a video produced by the district.

Council Member Weise said he requested variances so that his two daughters could attend Agua Fria High school because of their band and athletics programs. The dedication of the teachers there is apparent. As the oldest school in the district, it has a very tight knit

community. He inquired about efforts to improve student grades. Dr. Runyan responded that the performance targets vary every year depending on statewide school performance. AFUHSD has tutoring programs, specialized teacher training programs, and recognizes that enhancing the relationships with families is critically important to the success of students. The biggest student need is access to technology. Students will rise to the level of expectations set for them, so it is important to establish high goals. Behavioral issues tend to decrease in AP classes. The National Teach for America Teacher of the Year taught at Agua Fria High School last year. Council Member Weise requested a presentation on the Teach for America program.

Council Member McDonald said teacher dedication makes a big difference in schools. He inquired whether Honors and AP classes would be impacted if the override fails. Dr. Runyan responded that the override, as currently imagined, supports primarily fine arts programs, the International Baccalaureate Program at Millennium High School, the Khan Academy, the GRTC Program at Agua Fria, and freshman sports. The override has been in place for a long time and has helped maintain the base allocation. The district would like to give employees a cost of living increase this year, which is desperately needed. He would also like to maintain the current year's budget for next year. The district has already cut \$800,000 in administrative expenses, including 17 positions. Class sizes have increased the last three years. Council Member McDonald noted that the schools have long operated on shoestring budgets and felt that it would be better to increase the base budgets, instead of always relying on overrides.

Council Member Vierhout inquired about the Khan Academy. Dr. Runyan explained that Khan Academy flips the classroom by teaching the basic curriculum online, while teachers help with in-classroom tutoring and support. The model works very well. AFUHSD is using a hybrid model for certain lessons and returns to a traditional model the rest of the time. Textbooks are also going online, offering enhanced capabilities. The Television Production Program is being reinstated at Agua Fria High School starting July 1. Council Member Vierhout asked about the number of transient students. Dr. Runyan responded that mobility is a significant issue in Arizona, and a big influence on student learning. The Department of Education would like increased commonality and rigor between districts. School choice is a good thing, and public schools are also a choice. The district is a good steward of taxpayer dollars and aims to stay competitive.

Council Member Vierhout asked about the adoption of Common Core. Dr. Runyan explained that the district is making inroads, but it is a complex process. Common Core is in place for English and about halfway finished in math. Social studies are still lagging a little. He reminded Council that this is an unfunded mandate that lacks any staff development money. PD360 has helped, because it includes a number of training videos. He recommended that City Council remain open to the State's initiatives regarding Common Core. Council Member Vierhout said he sees the school districts as being part of Avondale's economic development team, since businesses consider the local workforce when they decide what community they will establish themselves in.

Vice Mayor Karlin said Agua Fria High School special needs students garden in the Garden Patch Community Garden. The experience teaches them about growing, and science, and

even how to prepare the food they harvest. She expressed her pride in Avondale's school system.

Mayor Lopez Rogers noted that the superintendents of Avondale school system will be meeting in the spring to discuss how to help parents prepare their children for Common Core.

3) PROPOSED AMENDMENT TO THE CIP CITIZEN'S COMMITTEE GUIDELINES

Information regarding proposed amendments to the Capital Improvement Plan Citizen's Committee Guidelines.

Charlie McClendon said Avondale has been revising its bylaws for citizen commissions and boards. Carmen Martinez, City Clerk, discussed proposed changes to the CIP Citizen's Committee bylaws. The Committee was established in 1997 as a temporary ad hoc committee to make recommendations on the five-year CIP, following guidelines prepared by staff that were never officially adopted by the City Council. Membership in the committee was set at 17, with four members from each of four quadrants, and one at large member. City Council established the quadrants to ensure that projects were developed on an equitable basis. The CIP has evolved to ensure that projects address the city as a whole. As a result, equity is no longer an issue.

Since 1997, the Committee has become an important part of the CIP and budgeting processes. Staff recommends formal adoption of the Committee bylaws to a standardized format, and referencing rules and procedures as applicable. The new bylaws would reduce Committee membership to a more manageable nine. All members would be appointed to serve at large. Council Member Vierhout inquired whether any committee members would be termed out early. Ms. Martinez said there are just enough members on the current Committee to make up the requirement.

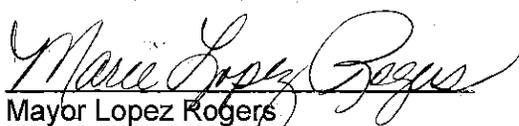
Mayor Lopez Rogers said the old structure became very unmanageable, so these changes should enable the committee to continue the work they have been doing. City Council agreed to consider adoption of the bylaws on December 17, 2012.

4) ADJOURNMENT

With no further business before the Council, Council Member Weise moved to adjourn the work session. Council Member Vierhout seconded the motion. The motion carried unanimously.

Meeting adjourned at 6:49 p.m.


Carmen Martinez, CMC
City Clerk


Mayor Lopez Rogers

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 3rd day of December 2012. I further certify that the meeting was duly called and held and that the quorum was present.

Carmen Martinez

City Clerk

Minutes of the Regular Meeting held December 3, 2012 at 7:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Lopez Rogers and Council Members

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

ALSO PRESENT

Charlie McClendon, City Manager
David Fitzhugh, Assistant City Manager
Rogene Hill, Assistant City Manager
Dan Davis, Economic Development Director
Wayne Janis, Public Works Director
Gina Montes, Neighborhood & Family Services Director
Tracy Stevens, Planning Manager
Mark Gorla, Emergency Management Officer
Charles Andrews, Assistant City Engineer
Paul Lopez, Engineering Plan Review Manager
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.

Mayor Lopez Rogers thanked City Council and City staff for their support during the recent National League of Cities conference, when she was named the organization's President for 2013.

2) CITY MANAGER'S REPORT

- a. New Employee Introduction – Cheryl Covert, Employment and Business Development Specialist

Dan Davis, Director of Economic Development, said Ms. Covert spent the last five years working for the Town of Buckeye as an Economic Development Specialist. Council Member Weise noted that her former colleagues spoke very highly of her.

- b. New Employee Introduction – Jeff Fairman, Employment and Business Development Specialist

Mr. Davis stated that Mr. Fairman has over 25 years of experience in Arizona. Mr. Fairman said his seven years away from Avondale taught him valuable lessons on how cities can interact with the private sector in a more meaningful manner.

Mr. Davis reported that over the next year, Economic Development will focus on the medical corridor, industrial development, new office construction, retail, and workforce development. The word continues to spread that Avondale is open for business. Council Member Weise commended staff for putting together a dynamic a team in such a short period. Mayor Lopez Rogers said the new team members will be an important part of Avondale's economic development plan moving forward.

3) UNSCHEDULED PUBLIC APPEARANCES

There were no requests to address the Council.

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.

a. APPROVAL OF MINUTES

1. Work Session of November 12, 2012
2. Work Session of November 19, 2012
3. Regular Meeting of November 19, 2012

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

Consideration of 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. PROFESSIONAL SERVICES AGREEMENT - CH2M HILL, INC.

A request to approve a Professional Services Agreement with CH2M HILL, Inc., to provide services pertaining to Operational Support and Process Assessment at the Water Reclamation Facility in an amount not to exceed \$141,724, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

d. COOPERATIVE PURCHASING AGREEMENT - GENUINE PARTS COMPANY

A request to approve a Cooperative Purchasing Agreement with Genuine Parts Company to purchase aftermarket automotive parts and services for a maximum aggregate amount not to exceed \$100,000, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

e. COOPERATIVE PURCHASING AGREEMENT - W. W. GRAINGER, INC.

A request to approve a Cooperative Purchasing Agreement with W.W. Grainger, Inc. to purchase industrial, maintenance, repair and operating products for a maximum aggregate amount not to exceed \$225,000, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

f. RESOLUTION 3085-1212 - COMPLIANCE REVIEW POLICY

A resolution adopting the Compliance Review Policy prepared to comply with Senate Bill 1598 adopted by the Arizona Legislature in 2011 which sets timeframes for municipal development review processes.

g. ORDINANCE 1503-1212 - AMENDING CITY CODE CHAPTER 20 RELATING TO ALARM SUBSCRIBER INFORMATION

An ordinance amending Avondale City Code Chapter 20, Police Department, Article II, Alarm Systems relating to alarm subscriber information to bring it in compliance with Arizona Revised Statute § 32-113 as amended.

Council Member Weise moved to approve the consent agenda as presented including Resolution 3085-1212 and Ordinance 1503-1212. Council Member Vierhout seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried unanimously.

Mayor Lopez Rogers thanked members of the community who have volunteered their time to serve on City boards and commissions.

5) EMERGENCY MANAGEMENT UPDATE

An update on emergency management activities that have taken place during 2012 and scheduled activities for 2013.

Mark Gorla, Emergency Management Officer, discussed his plans to ensure that Avondale is prepared for a crisis. The draft Emergency Operations Plan (EOP) includes a basic strategy that outlines how the City would respond in the event of a disaster or emergency. Department heads are currently reviewing the draft. Staff will soon begin working on a Continuity of Operation Plan, to ensure that City operations continue during emergencies. Staff is also updating the Mitigation Plan. Avondale is in the process of responding to the federal government's new recovery planning initiative for government agencies.

Mr. Gorla said the City has made substantial gains in training employees under the National Incident Management System (NIMS). A tabletop exercise organized by the National Guard, has been scheduled for January 2013, and will involve all the national and local agencies that typically work race events at PIR. Avondale is moving forward with efforts to develop an internal tabletop emergency exercise, with the goal of eventually

conducting a full-scale exercise in the future. Avondale will participate in the 2013 State exercise, which will simulate a massive power outage scenario.

Mr. Gorla said he continues to work with Human Resources to present annual employee training. The effort to secure a grant for equipment for an Emergency Operations Center (EOC) has been unsuccessful and staff has begun looking at alternatives. The Police Department recently added a Terrorism Liaison Officer.

Mr. Gorla said the Avondale Citizens Corps Council members will meet for the first time in January or February 2013. They will develop a mission statement and begin engaging citizens on disaster preparedness. People often take it for granted that Arizona sees few disasters, so preparedness is low. The Citizen Corps Council will determine ways to bring together various civic volunteer groups in the event of an emergency. A resource list of community volunteers, NGO's, businesses, and faith-based groups will be assembled to facilitate the disaster response effort. Once the draft EOP review is complete, City Council will have an opportunity to review and approve it. A future seminar will focus on explaining the specific roles and responsibilities of Mayor and Council in the event of an emergency.

Mayor Lopez Rogers expressed her appreciation for Mr. Gorla's important work. Council Member Scott said he participated in a simulated incident four years ago and it was impressive. He stated his intention to attend the first Citizens Corps Meeting. It is better to have a plan and not use it, than to not have one when it is needed.

Vice Mayor Karlin said she participated in a FEMA-sponsored exercise two years ago, and found it to be very valuable. It is important that City Council understand not only their roles in an emergency, but the roles of other agencies. As a public health worker, she experienced areas affected by earthquakes, hurricanes and floods, and has liaised with non-profit organizations at the federal level. She offered her help in developing Avondale's initiative.

Council Member Buster inquired about the role of the Terrorist Liaison Officer. Mr. Gorla explained that TLOs receive information on possible terrorist activities and can investigate if necessary. Council Member Buster inquired whether the TLO was a newly created position. Mr. Gorla responded that the role will be added to an existing officer's normal responsibilities.

Council Member Vierhout asked what would happen if a large cache of explosives was found in Avondale. Mr. Gorla explained that the affected area would be evacuated, and resources called in. If the scope of the problem becomes too great for Avondale law enforcement, support would escalate to higher levels if necessary. Council Member Vierhout asked about reverse 911 capabilities, and whether schools could be locked down. Mr. Gorla explained that Avondale does have reverse 911 capabilities. A school evacuation would depend on many factors, and would be on the decision of the incident commander at the scene.

Vice Mayor Karlin asked about Avondale's access to the City of Glendale's mobile emergency command center. Mr. Gorla said Avondale has an agreement to use the vehicle during PIR events. The EOC, on the other hand, would be a facility where the

senior staff of different agencies would get together to support a disaster. During emergency situations, an existing conference space would be transformed into the EOC.

Council Member Vierhout inquired about the ability to move the EOC outside of disaster areas. Mr. Gorla responded that when an incident occurs, the decision of where to locate the EOC would be made by incident commanders. Council Member Vierhout suggested contracting with Palo Verde Nuclear Power Plant to use their command center if necessary. Mr. Gorla said he would look into that possibility.

Council Member Weise inquired about the possibility of conducting a preparedness exercise at PIR. Mr. Gorla said opportunities exist anywhere, but the main limitation is funding. No possibility can be ruled out. Council Member Weise said it would be helpful if City Council established a hierarchy in the event that the Mayor and Vice Mayor are unavailable. Mr. Gorla said those details are covered in the draft of the EOP.

6) RESOLUTION 3084-1212 – SECOND AMENDMENT TO PRE-ANNEXATION DEVELOPMENT AGREEMENT WITH EVERGREEN-HILLCREST, LLC

A resolution authorizing the Second Amendment to the Pre-Annexation Development Agreement with Evergreen-Hillcrest, LLC and authorize the Mayor or City Manager, City Clerk and City Attorney to execute the necessary documents.

Mr. McClendon said City Council approved a Pre-annexation Development Agreement with the Evergreen-Hillcrest development in 2007. Much has changed in the meantime, and staff proposes an amendment. Paul Lopez, Engineering, briefed Council on the proposed changes. The agreement was first amended in 2009 in response to the poor economic climate at the time. Subsequently, ADOT disclosed their desire to route the I-10 reliever route (State Route 30) through Avondale. Staff selected a preferred alignment for SR30 through the southern portion of Avondale, an alignment that will significantly impact the planned Evergreen-Hillcrest PAD.

Mr. Lopez said the purpose of this Second Amendment is to solidify the reimbursement agreement for the Rigby Water Company, which Avondale purchased last year. The amendment primarily modifies Section 1.2(B), recognizing that the Evergreen-Hillcrest development will reimburse the City 17% of the \$2.54 million cost for the Rigby Water Company purchase. The first payment will be for \$217,600, due prior to the first final plat or by December 31, 2015. The second payment is \$100,000, due by the recording of the second final plat or by December 31, 2017. The final payment is \$117,600 to be paid prior to the recording of the third final plat, which is December 31, 2019.

Mr. Lopez said Section 1.2(C) further clarifies the \$435,200 amount for which developers will have to reimburse the City. Section 1.5 extends the term of the agreement for 15 years from the effective date, until 2022. Section 6 extends the preliminary plat approval until December 31, 2015. The budgetary impact of this amendment is that the reimbursement for the Rigby Water Company acquisition would be delayed, but it would also provide the developer with a more reasonable pro-rated method of repayment.

Council Member Buster inquired whether the amendment was contingent on SR30 being finalized. Mr. Lopez explained that the amendment should move forward, since Avondale does not know which alignment will be chosen. If ADOT chooses something other than Avondale's preferred alignment, a third amendment might be necessary. The SR30 project is at a standstill until funding can be found for it at the state level.

Council Member Weise inquired about the chances that the first plat will happen by 2015. Mr. Lopez responded that the residential market is starting to recover, but nobody knows for certain when the first plat will happen. The amendment was developed in partnership with the Evergreen-Hillcrest LLC over the past year. If the developers do not come through with the first final plat by 2015, then staff can revisit the agreement to decide whether to extend it another 24 months at the maximum.

Andrew McGuire, City Attorney, explained that Evergreen-Hillcrest has a mild incentive to move forward with the agreement, in light of the proposed SR30 alignment. The developer waived the prior deadline in exchange for the City's consideration of extending the payments to a more reasonable schedule.

Council Member Weise asked whether the cost of Rigby Water was affected by the proposed alignment. Mr. McGuire said the Rigby deal was structured in a lump sum payment, with any remaining payments coming as the result of development milestones being reached. The agreement with Hillcrest is tailored to meet that requirement as well.

Council Member Weise moved to adopt a resolution 3084-1212 authorizing the Second Amendment to the Pre-Annexation Development Agreement with the Evergreen-Hillcrest Development LLC. Council Member McDonald seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried unanimously.

7) 2012 AVONDALE TRANSPORTATION PLAN

A request to approve the 2012 edition of the City of Avondale's Transportation Plan.

Charles Andrews, Assistant City Engineer, presented the City of Avondale's Transportation Plan 2012. At their August 13, 2012 meeting, City Council discussed existing and future levels of service, proposed truck and transit routes, pedestrian and bicycle facilities, and recommendations on transportation needs stemming from the 2030 General Plan. City Council directed staff to obtain feedback from residents, which occurred at Resident

Appreciation Night. Staff received 23 completed surveys. Overwhelmingly, residents approved of the recommendations, and some submitted specific comments. Overall, the feedback provided important information.

Vice Mayor Karlin said she was once adamantly against building a bridge at Thomas Road and the Agua Fria River because of traffic fears, but it is very challenging to get over to Dysart without a bridge. She inquired whether the project has been taken off the table. Mr. McClendon explained that at the moment, the bridge project is not included in the plan, but that City Council could amend the plan at any time. Mr. Andrews added that surveyed residents were largely opposed to the bridge because of traffic concerns. One resident strongly felt the bridge was needed, but understood it could be added in future years. He also found a low flow crossing acceptable for bicyclists.

Council Member Vierhout expressed concern at the small sample size of the survey and inquired about ways to expand it. Mr. Andrews said most people chose not to take the survey because of its length. The 23 who did were informed citizens and willing to take time to think about their responses. In response to an inquiry from Council Member Vierhout, Mr. McClendon said the City has a five-year maintenance plan that outlines when streets in Historic Avondale will be resurfaced.

Council Member Weise said he has always opposed the Thomas Road Bridge, but a low-flow crossing for bikes is important. City Council has never governed based on polls. He suggested holding open houses in adjacent neighborhoods to see what their true feelings are towards the bridge.

Council Member Vierhout said he supports the bridge, because the city has too many roads that end at the river and too many incomplete projects. Council Member Weise said the City is in the process of completing some of its unfinished projects, but a bridge would cost \$24 million. He expressed his support for the Transportation Plan with the caveat that the bridge project be discussed in the near future. Council Member Vierhout noted that in 2006, City Council decided that a Thomas Road Bridge should be built in the event that Camelback Bridge was not widened. Council Member Scott clarified that City Council made conscious decisions to hold off on the final stages of several projects in order to save money; it was not the result of the lack of foresight. Council was prudent in using this approach.

Mayor Lopez Rogers said business development on Dysart and Thomas could benefit from a bridge, but it represents a significant budget conversation. The bridge issue will always come down to funding. The Transportation Plan can be updated at any time. It is solid, and has been well reviewed. If Council Members want to begin the process of exploring a Thomas Road Bridge, it should start at the budget meeting on December 10.

Council Member Weise moved to approve the 2012 Transportation Plan as outlined. Council Member McDonald seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout

Aye

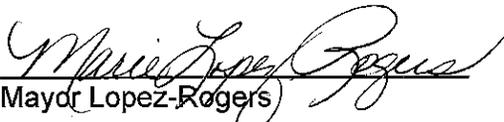
Council Member Scott	Aye
Council Member Weise	Aye
Mayor Rogers	Aye
Vice Mayor Karlin	Aye
Council Member McDonald	Aye
Council Member Buster	Aye

Motion carried unanimously.

8) ADJOURNMENT

Council Member Weise moved to adjourn the meeting; Vice Mayor Karlin seconded the motion. All ayes.

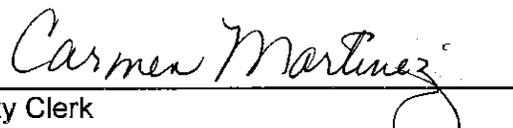
Meeting adjourned at 8:09 p.m.


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 3rd day of December 2012. I further certify that the meeting was duly called and held and that the quorum was present.


City Clerk