

Minutes of the Work Session held March 18, 2013 at 6:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Council Members

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

EXCUSED ABSENCE

Mayor Lopez Rogers

ALSO PRESENT

Charlie McClendon, City Manager
David Fitzhugh, Assistant City Manager
Rogene Hills, Assistant City Manager
Daniel Davis, Economic Development Director
Sammi Curless, Economic Development Specialist
Randall Westacott, Building Official
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

1) ROLL CALL BY THE CITY CLERK

2) GANGPLANK AVONDALE UPDATE

An update from staff and Gangplank Collective regarding the past year's activities of Gangplank Avondale and discuss initiatives and programs for the coming year.

Sammi Curless, Economic Development Specialist, provided an update on Gangplank Avondale's first year. Gangplank is a collaborative and open work space for entrepreneurs and small businesses that fosters creative exploration and risk taking in an effort to improve the community. The City of Avondale spent a great deal of time searching for an incubator before choosing Gangplank. Most of the first year has been spent learning about the city and becoming embedded in the Historic Avondale neighborhood. The professional services agreement that City Council approved includes the following commitments:

- Provide an open workspace for software, gaming, web design companies and others
- Host open public weekly evening event
- Provide a minimum of ten services and programs free of charge to P-20 students
- Work with local school districts to foster educational opportunities, including hosting an annual education summit
- Host a minimum of one conference annually focused on timely and technology issues

Gangplank currently hosts seven anchor companies primarily focused on web development, coaching and training, early childhood education, and design and product development. Fifteen people regularly commute from other parts of the Valley to work at the facility. The Gangplank Junior program started in January. Each week, a one-hour brown bag lunch event is held. Community groups use the space for regular meetings. A WordPress conference was held this past weekend. In October 2012, Gangplank sponsored Startup Weekend Phoenix.

Ms. Curless stated that the 2013 scope of work adds following commitments:

- Provide assistance to the Neighborhood and Family Services Department to define and investigate activities, events and/or opportunities to energize the Historic Avondale area
- Assist the Economic Development Department to begin to define community interest in a fabrication laboratory or community workshop.

Ms. Curless introduced Derek Neighbors, co-founder of Gangplank Collective.

Derek Neighbors said Gangplank enhances the visibility of the technology and creative community in Avondale and spoke with enthusiasm about the transformation he is seeing in the community. It generates startup activity, redevelopment and education in a neighborhood that really needs it, and offers a place for people of diverse backgrounds to congregate and discuss their ideas. People are beginning to connect to the space, the city and each other, and are talking with pride about the good things that are happening in Avondale. A new intern from Estrella Mountain Community College will put together initiatives to help attract more college students. A new series will soon begin offering resources to select West Valley startup companies. Gangplank will soon take possession of a new 3-D replicator.

Mr. Neighbors said Gangplank has opened its doors to Historic Avondale and wants residents there to understand that they have access to a resource that believes in them and can show them how to turn creative ideas into lifelong skills. Gangplank is meeting with neighborhood schools to discuss new learning initiatives. New programming will help area businesses better utilize technology to help spread the word about their unique offerings. Another initiative demonstrates to Historic Avondale businesses the benefits of working together on issues of common interest. A leadership program will start soon to develop the leaders of tomorrow; a podcast studio amplifies the voice of Avondale's residents. A new program works with area non-profits to develop cohesion and maximize their effectiveness.

Dr. Carlin Dawson said KidsWatchAZ is a First Things First funded program in the Southwest Valley that helps child care providers who work out of their home better prepare the children in their care for kindergarten. Without Gangplank, KidsWatch AZ would probably have to operate out of Phoenix instead. KidsWatch is currently applying for a grant that would allow it to double its efforts. Avondale resident Sean Buvala said Gangplank has made a huge difference opening up technology and creative opportunities to the residents and businesses of the West Valley. He commended City Council for supporting it.

Council Member Weise noted that Gangplank's scope of work has expanded beyond the technology sphere since it opened. Ms. Curless responded that the technology focus was grown from scratch, because it did not exist in Avondale before. A diverse scope of work enhances the level of creativity and conversation at Gangplank and changes the way people approach their business plans. Businesses that become successful enough to leave Gangplank are more likely to stay in Avondale, regardless of what sector they are in. Council Member Weise inquired about the effort to promote science and technology in local schools. Mr. Neighbors responded that Gangplank can help schools realize what they can accomplish in terms of science learning with the resources they already have.

Council Member Vierhout queried whether Gangplank was on track to meet its goals after the first year. Mr. Neighbors said it has taken time to discover what the community has to offer, and many interactions are necessary before ideas can come to fruition. After a year, Gangplank Avondale is gaining traction quicker than expected. Council Member Vierhout said 3D printing could potentially help Avondale become a regional hub for advanced manufacturing. Council Member Buster inquired about the economic development potential of Gangplank's activities. Ms. Curless responded that Gangplank enhances Avondale's position in the West Valley, and conveys the message that the city is open to creativity and inviting to technology companies.

Council Member Karlin said Gangplank demonstrates that the community can work very well together, and that residents can make the initiative a success. Mr. Neighbors stated that Avondale is the most open and collaborative city that Gangplank works with. Vice Mayor Scott admired Gangplank's loose structure and openness, and said he supports the effort to enhance cohesion between area non-profits.

3) PROPOSED AMENDMENTS TO CITY CODE, CHAPTER 4 – BUILDINGS AND BUILDING REGULATIONS

Review of proposed amendments to Chapter 4 of the City Code, Buildings and Building Regulations, the 2012 Editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Plumbing Code, the International Fuel Gas Code, the International Energy Conservation Code, the 2011 Edition of the National Electric Code, and the Avondale Amendments to these codes.

Mr. McClendon stated that Avondale is in the early stages of implementing the 2012 additions to the International Building Code. Randall Westacott, Building Official, reviewed the proposed changes to Chapter 4 of the City Code. The regulations are designed to ensure that new buildings are safe. Changes are regularly made to promote consistency within the region. Glendale, Peoria, and Scottsdale have already adopted the 2012 codes, and many other cities will adopt them in the near future.

The International Code Council was formed in the mid 1990s out of three influential groups. They released the first international codes in 2000, and 86 different countries now use them. Arizona Building Officials Inc. formed a committee to bring forward recommended code amendments each year. Maricopa Association of Governments (MAG) reviews and recommends adoption of the code proposals.

Mr. Westacott highlighted aspects of the amended code. Fences are now allowed up to 7 feet without a permit. Live/work units can be up to a maximum of 3,000 square feet and have 50% dedicated to the business, but will require sprinklers. Additional tests are required for fire stop penetration systems. Fire evacuation plans must comply with the requirements of the International Fire Code. All stairways need to comply with life safety requirements. Children's facilities must be accessible to children. Exterior wall requirements in residences have been eased, which will help promote the use of sprinklers. Minimum separation between garages and dwelling units is now a fire safety requirement. Carbon monoxide detectors are required if fuel burning appliances are used in homes. Lateral wall bracing has been simplified. Duct blaster tests and blower door tests detect

energy inefficiencies. Mechanical ventilation parameters have been added. Bathtub waste outlets are required. If approved, the amendments would take effect on July 1, 2013.

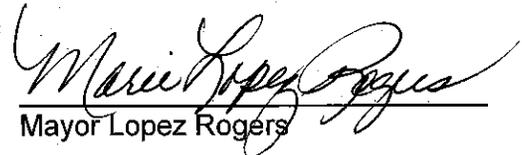
Council Member Weise requested more information on the duct tests. Sharon Bonesteel of Salt River Project explained the first three homes in any subdivision have to pass the test. After that, any builder who builds 30 homes a month has the option of using a one-in-seven random testing process. The test is very complicated, but the system has been used in Arizona for a number of years. MAG has approved a standard protocol. Council Member Karlin inquired whether the International Code was universal, or was tailored for specific regions. Mr. Westacott explained that the code is kept as universal as possible, but does address specific climate and regional conditions.

In response to a question from Council Member Vierhout, Mr. Westacott indicated that a door's fire safety is compromised when people cut holes in them for pet access, but up to this point the code does not require self-closing doors. The City tries to educate people whenever possible. When homes are sold, the problems have to be fixed, however. Council Member Buster asked about the valuation chart. Mr. Westacott said the chart provides a construction value that is used to determine permit and plan review fees. A structure's signed contract cost can also be used for valuation. Council Member Scott commented the changes are a step forward and some of them are long overdue.

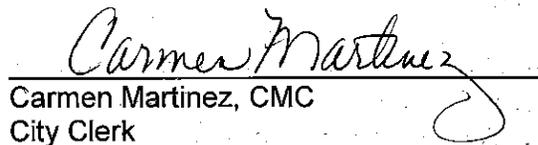
4) ADJOURNMENT

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 7:20 p.m.



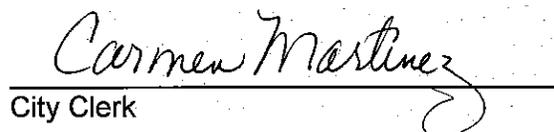
Mayor Lopez Rogers



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 18th day of March 2013. 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 March 18, 2013 at 7:30 p.m. in the Council Chambers.

MEMBERS PRESENT

Vice Mayor Scott and Council Members

Jim Buster
Stephanie Karlin
Jim McDonald
Frank Scott
Charles Vierhout
Ken Weise

ABSENT/EXCUSED

Mayor Rogers

ALSO PRESENT

Charlie McClendon, City Manager
David Fitzhugh, Assistant City Manager
Rogene Hill, Assistant City Manager
Eric Morgan, Planner II
Ken Galica, Planner II
Gina Montes, Neighborhood and 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 UNSCHEDULED PUBLIC APPEARANCES

Ms. Holly Ruiz addressed the Council to request that the Council considers amending the City Ordinance prohibiting residents to keep chickens in residential areas. She complimented the Council for being so environmentally proactive.

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 March 4, 2013

b. RESCHEDULING OF CITY COUNCIL MEETING

A request to reschedule the regularly scheduled Council meeting of April 15, 2013 from 7:00 pm to 6:00 pm to allow ample time for the presentation and discussion of the proposed FY13/14 operating budget.

c. SPECIAL EVENT LIQUOR LICENSES - RACEWAY ELKS - FUNDRAISING EVENTS

Three applications for special event liquor licenses submitted by Mr. William Veith on behalf of the Raceway Elks #2852 to be used with fundraising events on April 13, 14 and 20, 2013 at the Masonic Temple located at 1015 N. 8th St. in Avondale.

- d. LIQUOR LICENSE SERIES 7 (BEER AND WINE BAR) – CLUB SANTA FE**
A request from Mr. Samuel Rodriguez Contreras for approval of an application for a Series 7 Beer and Wine Bar license at Club Santa Fe located at 10907 W Buckeye Road in Cashion.
- e. LIQUOR LICENSE SERIES 9 (LIQUOR STORE) - CVS PHARMACY # 10229**
A request from Mr. Jason Barclay Morris for approval of an application for a Series 9 Liquor Store license to sell all spirituous liquors at CVS Pharmacy #10229 located at the southwest corner of Avondale Blvd. and Van Buren St.
- f. LIQUOR LICENSE SERIES 10 (BEER AND WINE STORE) - ZOOMTOWN MARKET**
A request from Mr. Michael Korzeniowski for approval of a application for a Series 10 Beer and Wine Store liquor license at ZOOMTOWN Market located within PIR at 7602 S. Avondale Blvd.
- g. PROFESSIONAL SERVICES AGREEMENT - ENTELLUS, INC. FOR GPS VERIFICATION PROJECT FOR GIS**
A request to approve a Professional Services Agreement with Entellus, Inc. for the purpose of improving the accuracy and updating of water and sewer assets in the GIS database for an amount not to exceed \$149,910 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.
- h. PROFESSIONAL SERVICES AGREEMENT – TY LIN INTERNATIONAL – 107TH AVENUE, VAN BUREN STREET TO MCDOWELL ROAD**
A request to approve a Professional Services Agreement with TY LIN International (TYLIN) to provide transportation engineering design services along 107th Avenue from Van Buren Street to McDowell Road in the amount of \$91,243.49 and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.
- i. FIRST AMENDMENT TO AGREEMENT - ACCELA, INC. FOR SOFTWARE MAINTENANCE AND SUPPORT**
A request to approve the first amendment to the agreement with Accela, Inc., to extend maintenance and support services for the software system used to administer the City's development review processes for a total maximum aggregate amount of \$326,451.57 over five years and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.
- j. LEASE AGREEMENT WITH ANDERSON INSTITUTE OF MUSIC AND PERFORMING ARTS**
A request to approve a Lease Agreement with Anderson Institute of Music and Performing Arts, LLC and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.
- k. RESOLUTION 3096-313 - INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY EMERGENCY MANAGEMENT**
A Resolution approving an Intergovernmental Agreement with Maricopa County for Regional Emergency Operations Management and Disaster Services and authorize the

Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take the appropriate action.

Council Member Weise moved to approve the consent agenda as presented including Resolution 3096-313. Council Member Vierhout seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried 6-0.

4 PUBLIC HEARING - CONDITIONAL USE PERMIT - MONEY MART (#PL-12-0213)

A public hearing and a request by Ms. Kim Love-McLendon for approval of a Conditional Use Permit for Money Mart located at 13045 W Rancho Santa Fe Blvd. to allow the existing non-chartered financial institution to purchase and pawn jewelry, gold, and other precious metals.

Eric Morgan, Planner II, reviewed the details of this item as more particularly described in the Council report. He indicated that the Planning Commission is recommending approval subject to the following conditions:

1. The development shall comply with the approved Project Narrative and Floor Plans date stamped February 12, 2013; and
2. The Conditional Use Permit approval shall expire two years from the approval date if the use does not commence from the CUP's approval date.

In response to a question from Council Member Vierhout, Mr. Morgan indicated that since the applicant is not proposing any changes to the exterior of the building there are no conditions.

Council Member Weise indicated he agrees with the two Planning Commission members who voted against approval as he believes there to be a distinction between a pawn shop and a non-chartered financial institution. He commented he would not be able to support approval of the application.

Vice Mayor Scott opened the public hearing, there being no requests to speak, Vice Mayor Scott closed the public hearing.

Council Member McDonald moved to approve the Conditional Use Permit subject to the recommended stipulations. Council Member Buster seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion failed.

5 PUBLIC HEARING - CONDITIONAL USE PERMIT FOR MONOPALM PWSF ON UTI CAMPUS (PL-12-0203)

A public hearing and a request by Mr. Reg Destree, Reliant Land Services on behalf of Verizon Wireless, to approve a Conditional Use Permit allowing for construction of a 65' freestanding PWSF (Personal Wireless Service Facility) monopalm in the Griffith Planned Area Development Zoning District, on the campus of Universal Technical Institute. The property is located at the southeast corner of 107th Avenue and Pierce Street.

Ken Galica, Planner II, reviewed the details of this item as more specifically described in the Council report. He indicated the Planning Commission recommended approval of the application subject to the following stipulations:

1. Development and operation of the PWSF shall conform to the narrative, site plan, elevations, and landscape plan date stamped December 11, 2012, except as modified by these stipulations.
2. In accordance with Section 109 of the Zoning Ordinance, the Conditional Use Permit shall expire in two years from the date of approval if the use has not commenced.
3. The future co-location of additional equipment on the monopalm PWSF shall be prohibited.
4. Site plan approval is required before the City can issue a building permit. The site plan submittal shall address the following outstanding Engineering requirements:
 - a. Revise the drainage report to provide a calculation for the remaining retention volume using the Conic Method.
 - b. Within the drainage report, discuss the required retention volume and assure the proposal is meeting it with 1' of freeboard per the remaining volume calculation. If not, please clarify.
 - c. Provide a Geotechnical Report with Site Plan submittal.
 - d. Provide a detail for the spillway replacement next to retaining wall.
 - e. Discuss erosion control at all areas where concrete meets soil.

In response to a comment from Council Member Karlin, Mr. Galica commented that the a lease between UTI and the cellular company will allow UTI to realize some income.

Council Member Buster said he does not see a problem with this as it is in an industrial area.

Vice Mayor Scott opened the public hearing, there being no requests to speak, Vice Mayor Scott closed the public hearing.

Council Member Weise moved to approve the Conditional Use Permit for the monopalm at the UTI campus subject to the four stipulations as recommended by the Planning Commission. Council Member Vierhout seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried 6-0.

6 RESOLUTION 3095-313 - ADOPTING THE SMALL BUSINESS PILOT LENDING PROGRAM POLICIES AND PROCEDURES

A resolution adopting the policies and procedures for the Small Business Pilot Lending Program designed to give small businesses in Historic Avondale access to an alternative source of small financing.

Gina Montes, Neighborhood and Family Services Director reviewed the details of this item as more specifically described in the Council Report.

Council Member Karlin indicated she is pleased to see this program come forward as retention of small businesses is one of the items that was discussed during the visioning session and asked if there has been interest on the program yet. Ms. Montes replied that the program has been delayed due to needing to find a loan servicer, so very few businesses are aware of the program. She further explained that funds are limited at this time and hopes that there will be opportunities and interest in expanding the program in the future.

Council Member McDonald indicated that businesses may just need a small amount of money to get going and this program should assist to give them what they need.

In response to a question from Council Member Vierhout Ms. Montes indicated that Gangplank is within the revitalization area so a person running his/her business out of that location may be eligible for the loan.

Vice Mayor Scott indicated he was pleased to see the area the program encompasses and sees it as a great opportunity for businesses. He asked what is the term of the loans. Ms.

Montes said that the term is usually 12, 24 and 36 months, but there would be flexibility to extend the term if necessary.

Council Member Buster asked if this would be a revolving loan. Ms. Montes indicated that it would and as businesses pay back the loan, the money would be available for new loans. In response to a further question from Council Member Buster, Ms. Montes indicated that the interest rate would be about 8%.

Council Member McDonald moved to adopt Resolution 3095-313 adopting the small business pilot lending program policies and procedures. Council Member Karlin seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried 6-0.

7 ADJOURNMENT

Council Member Council Member Weise moved to adjourn the meeting; Council Member Council Member Vierhout seconded the motion. All ayes.

Meeting adjourned at 8:13 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 18th day of March 2013. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk