

Minutes of the Special Meeting held May 13, 2013 at 6:00 p.m. in the Council Chambers

MEMBERS PRESENT

Mayor Lopez Rogers and Council Members

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

ALSO PRESENT

Charlie McClendon, City Manager
David Fitzhugh, Assistant City Manager
Rogene Hill, Assistant City Manager
Charles Andrews, P.E., City Engineer
Pier Simeri, Community Relations and Public Affairs Director
Kevin Artz, Finance & Budget Director
Ken Galica, Planner
Kimberly McIntier, City Attorney
Carmen Martinez, City Clerk

1) ROLL CALL BY THE CITY CLERK

Linda Mendenhall, Records Administrator, read a statement of participation regarding public appearances.

2) YOUTH ADVISORY COMMISSION UPDATE

Information regarding the Fiscal Year 2012-13 activities and accomplishments of the Avondale Youth Advisory Commission.

Charlie McClendon, City Manager, introduced the members of the Avondale Youth Advisory Commission. Chris Lopez said AYAC was established in January 2002 to serve as an advisory body to City Council, the City Manager and City Departments. AYAC focuses on positive youth involvement, and on increasing quality of life options for youth. The Commission participated in civic engagement and learning activities. Currently, 16 youth serve on the Commission, representing six area high schools.

Mr. Lopez said in the past fiscal year, AYAC provided over 700 hours of volunteer service and developed their own service learning projects. The Commission was instrumental in helping plan the Tri-City West Youth and Family Summit in partnership with Kids at Hope. The Avondale Voice of Youth Teen Summit addressed critical issues pertinent to youth. Commissioners also helped to raise funds for cancer research and secured donations to help offset the cost of attending leadership development conferences. Members participated in the Arizona League of Cities and Towns Conference, the Governor's Youth Leadership Day, Students Against Destructive Decisions, and the National League of Cities Conference in Washington D.C.

Alex Maltagliati said AYAC has exposed him to many new experiences. Aaron Armenta said he values the opportunity to serve the community by participating in AYAC. Joe Mauricio stated that the Commission makes him a well-rounded person, and has helped him focus on his priorities. Eric Martinez said experience has convinced him to pursue a

career in politics and community relations. Delaney Vandervort described her trip to Washington, D.C. as an important learning experience that taught her to see various issues from different points of view.

Council Member Weise said the AYAC experience will benefit the students for the rest of their lives. He encouraged them to make the most of the opportunities they have been afforded. Council Member Karlin said AYAC allows students to break out of their comfort zone and learn how different people view issues. She commended members for their willingness to try new things, and is proud they chose to represent Avondale in this way.

Vice Mayor Scott said the experience of getting to know the members, assured him that the future is in good hands. Community involvement is extremely important. If people do not participate, they cannot complain. Council Member McDonald noted that the Commissioners have already experienced more in terms of civic involvement than many ever will. Mayor Lopez Rogers said AYAC has exceeded her expectations. They are constantly giving back to the community, which is vital if the city is to thrive. She was proud to introduce them in Washington as the future of Avondale.

3) UPDATE ON THE VAN BUREN DRAINAGE-RECREATION CORRIDOR PROJECT

An overview on the Van Buren Drainage-Recreation Corridor Project.

Mr. McClendon said this project will benefit the community in many ways; combining much needed drainage infrastructure with a beautiful and useful recreational amenity. Charles Andrews, City Engineer, described the project as a channel, an open corridor, a recreational amenity, and a link connecting residential areas to the City Center and the transit center. The project was first requested by Avondale in 2009, and subsequently accepted by the Flood Control District. It was approved by City Council as part of the FY2010/11 CIP. Comments from residents during a public hearing were positive overall. The District Board of Directors is scheduled to approve the IGA in 2013.

Mr. Andrews said the main component of the project is flood protection, providing service for ten-year level floods from the Agua Fria River to 99th Avenue. The project will be built in two phases. Phase 1 runs 8,300 linear feet from the river to 113th Avenue. Phase 2 runs from that point to 99th Avenue. The City Center Master Plan envisions urban-type density. This project allows developers to outlet drainage into the corridor, connecting to the river. It will provide crucial bicycle/pedestrian links to many parts of the city. The project will be an asset that will improve quality of life and entice use. Phase 1 will cost about \$10.5 million, while Phase 2 will cost about \$3.3 million. The cost includes everything associated with the project including land purchases, rights of way, and utility relocations. Landscaping would cost about \$4 million. Under the IGA, the Flood Control District would provide up to \$4.3 million of funding during Phase I.

Ken Galica, Planner, stated that the corridor will be an exemplary project that other cities around the Valley will want to emulate. It will solve multiple issues at once under a fairly simple concept. It will solve drainage issues in City Center, allowing the area to develop as a dense urban transit-oriented space. It would connect the mostly densely populated urban center with the largest regional park in the city. Aesthetically, the 150-foot wide landscaped corridor would dramatically change the experience of driving down Van Buren. The

landscape design is divided into three character areas: transitional, residential, and City Center. Residential provides open space for the adjacent communities. The City Center section takes a more formal promenade appearance, providing lively community spaces for people in the area. The transitional zones provide trail connections between the other two character areas.

Jay Hicks, Logan Simpson Design, reviewed the design concepts of the project. In an effort to break down the usual concrete channel, the design employs significant grading to create a meandering stream. Surface materials will reduce erosion. The core of the project is a multi-use corridor with a 12-foot wide path. Along that corridor, there will be connectors into adjacent neighborhoods, with seating nodes along the trail. The corridor will be well lit, allowing people to use it safely after work. The aesthetic treatment will adhere to a theme throughout the corridor itself, while the theme of each character area will relate in some way to adjacent land uses.

Mr. Hicks said the transitional area will focus user attention on the main corridor. The residential area landscaping theme will emulate neighborhood front yards, creating a useable space for nearby families. The City Center area will look quite different, creating a promenade with seating nodes, community gathering points, and offering extensive connectivity.

Gary Wesch said the Flood Control District of Maricopa County is partnering with Avondale on this project. The District was formed under state statutes and is funded by secondary tax revenue. The FCD provides for flood hazard identification, regulation in unincorporated areas, reviews and issues permits, and provides education and remediation. The FCD partners with cities to address their drainage needs and fix flood hazards in a variety of ways. The Advisory Board endorsed the IGA for the Van Buren Corridor project. Upon City Council approval, the project will go before the FCD Board of Directors for final approval. The FCD will provide \$4.3 million of the total project cost, with all of the money coming up front. Avondale will take the lead on design, right-of-way acquisition, utility relocations, construction and operation and maintenance of the facility.

Council Member Weise asked whether the developer of Roosevelt Park II bought into the project. Mr. Galica responded that the property owner is occasionally in contact with staff, but has not brought anything forward. The development's open space would be up against the corridor, making it seem wider. The right-of-way there is relatively minimal.

Council Member Vierhout asked whether developers would pay for most of the cost. Mr. McClendon responded that the City expects to receive some support from developers through the normal development process. Council Member Vierhout asked what would happen in the event an owner does not want to sell their land. Mr. McClendon responded that typically the City is able to negotiate agreements when there is a clear public need such as this. Condemnation would be a method of last resort.

Council Member Vierhout asked where the City's portion of the money would come from. Mr. McClendon explained that it would come from several sources. Some is already programmed into the streets CIP. Some would come through the parks CIP. Some would arrive in the form of in-kind contributions from developments. The costs can be spread

over a 15-year period. Council Member Vierhout felt that the City should rethink the decision to spend tax dollars to entice development. Mr. Galica responded that this project is the solution to drainage issues that would make the development of City Center possible.

Council Member McDonald asked whether developers would have to buy landscaped areas back from the City to cover their retention area requirement, or would Avondale continue to own it. Mr. McClendon explained that it would be like a City park, open for anyone in the community to use, and maintained like a park. If a development situates their open space requirement next to the corridor, they would still be responsible for maintaining that area. Council Member McDonald suggested putting the corridor into the design guidelines for the City Center. He requested an estimate of ongoing maintenance costs.

Council Member Weise said the corridor project reminds him of the Indian Bend Wash area in Scottsdale, which is used all the time as a park, even though it serves as a retention area. As the area develops, the retention area will grow in importance. He requested regular project updates, and suggested exploring the use of solar and LED lighting.

Council Member Vierhout inquired whether this project could be considered a violation of the gift clause, since it reduces costs to developers. Ms. McIntier, City Attorney, said she would look into the matter and provide a response. Mr. Galica noted that the project would solve multiple regional drainage problems, and not just benefit adjacent developments. Mayor Lopez Rogers said the last major flood in the area was in 1982. Without the County's help, Avondale would likely not be able to take the corridor on.

4) DISCUSSION REGARDING A PROPOSED BRIDGE FOR THOMAS ROAD

Mr. McClendon said City Council directed staff to gather public input on the proposed Thomas Road bridge. The City has spoken to two key resident stakeholder groups. Pier Simeri, Community Relations Director, said a bridge over Thomas Road would provide vehicular and pedestrian connections between neighborhoods to the east and west of the Agua Fria River. Thomas does not extend past Litchfield Road. The bridge would cost \$20 million. The Citizens CIP Committee held a meeting in February. The members of this committee understand the budget process, and their input is critical to prioritizing the annual CIP. The Citizen Leadership Academy was also asked to provide input.

Kevin Artz, Finance & Budget Director, said he explained to each group the financial realities of the bridge and how the City could pay for it. The first option is to issue general obligation bonds, which would require a bond election. Once the City has voter authorization, the debt could be repaid over 20 years, costing about \$1.5 million per year in annual debt service. This would increase the tax rate approximately 50 cents. The second option is to delay or postpone some current projects in the streets CIP funded by the General Fund. The third option is to include the project in the Regional Transportation Plan and have the County pay for a significant portion of it. This would likely take many years to accomplish.

Ms. Simeri reported on the results of the public outreach effort so far. The Citizens CIP Committee was virtually unanimous in their disapproval of a Thomas Road bridge. They expressed concern about increased traffic, the price tag, and felt the character of the road would change. The Citizens Academy was not unanimous. One person favored the bridge for improved commute times. The rest of the group did not like it, as they felt the bridge would change the character of the neighborhoods. They said the City should first focus on improving existing streets. The City also received a letter from the President of the Rancho Santa Fe HOA, who was not in favor of the bridge.

Ms. Simeri said further public outreach or studies would cost money. She requested guidance from City Council moving forward. Council Member McDonald inquired about the possibility of building a simple two-lane road across the riverbed. Mr. Andrews responded that a low-flow crossing would be tricky because of levee penetration concerns, but would be much cheaper, costing between \$3 million and \$7 million. Council Member McDonald felt a low-flow crossing was a preferred alternative to a full bridge, and felt it should be added to the County's project list.

Council Member Vierhout inquired about the number of bridges in Avondale. Mr. McClendon said the city has five bridges and two low-flow crossings. Council Member Vierhout asked whether the two focus groups were aware of traffic studies showing the number of dangerous intersections on McDowell Road. Mr. Andrews responded that the presentation stuck to Thomas Road and did not touch upon intersection efficiency or crash rates. Accident rates depend on many factors and it would be difficult to determine in advance what they would be.

Council Member Vierhout said he is primarily concerned about safety, and feels that the bridge would reduce traffic at dangerous intersections on McDowell, providing drivers with a safer travel alternative. He noted that one adjacent neighborhood is currently surrounded on all sides by dangerous intersections. If the City is willing to spend \$13 million on a drainage corridor, it should be willing to spend far less on a low-flow crossing that would create a safer route.

Council Member Weise said he has been an opponent of the bridge since he moved into Rancho Santa Fe. McDowell has so many accidents because it is a busy destination point. Nearby residents have overwhelmingly stated their opposition, and there has been no broad outcry to build the bridge. He would support a pedestrian/bicycle bridge at Thomas Road, which would increase safety. A low flow crossing would create additional traffic where people do not want it.

Vice Mayor Scott said he would not support spending \$20 million on the bridge, and doubted that the Army Corps of Engineers would allow the levees to be breached for a low-flow crossing. If safety is the only concern, City Council could reduce citywide speed limits to ten miles an hour, but that would be impractical. Not everything can be made perfectly safe.

Council Member Buster said he has not seen a critical mass of support for a bridge. A low-flow crossing would be significantly cheaper and would rarely be impassible. At this point, he would like to wait to see if County takes the lead on the project.

Council Member Vierhout noted that the number of accidents on Indian School is nearly identical to those on McDowell. The crash rate on McDowell for 2013 is on pace to beat the record set in 2012. During his canvassing effort in the Garden Lakes/Crystal Gardens area, he spoke to 100 people about the bridge. Of those surveyed, 97 people supported the bridge. Of the three who were against it, one serves on the CIP Committee.

Mayor Rogers Lopez questioned whether the residents would have been as supportive if they were told the price. Most people would want the bridge if they did not have to pay for it. City Council has taken many steps to look after the safety of the community. Bridges have typically been County projects, and the idea should be presented to the County to see how it meshes with their plans.

5) 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's Attorney in order to consider its position and instruct the City Attorney regarding potential litigation.

Council Member McDonald moved to adjourn into executive session. Vice Mayor Scott seconded the motion. The motion carried unanimously.

6) ADJOURNMENT

There being no further business before the Council, Council Member Buster moved to adjourn the meeting; Council Member Vierhout seconded the motion. Meeting adjourned into executive session at 8:19 p.m.



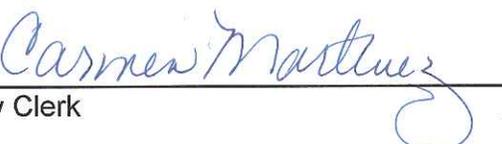
Mariel Lopez Rogers



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 13th day of May 2013. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk