

Minutes of the Regular Meeting held June 3, 2013 at 7:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Vice Mayor Scott and Council Members

Jim Buster
Jim McDonald
Charles Vierhout
Ken Weise

ABSENT/EXCUSED

Mayor Lopez Rogers and Council Member Stephanie Karlin

ALSO PRESENT

Charlie McClendon, City Manager
David Fitzhugh, Assistant City Manager
Charles Andrews, City Engineer
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

(Limit three minutes per person. Please state your name.)

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. LIQUOR LICENSE SERIES 14 - RACEWAY ELKS #2852

A request to approve a liquor license application for a Series 14 Private Club license to sell all spirituous liquors at the Raceway Elks Lodge #2852 located at 215 W Van Buren Street in Avondale.

b. MEMORANDUM OF UNDERSTANDING – WILDLIFE FOR TOMORROW FOUNDATION

A request to approve a memorandum of understanding with the Foundation for the Conservation of Arizona's Wildlife, dba Wildlife for Tomorrow Foundation for the management and operation of the Tres Rios Nature and Earth Festival and authorize the Mayor or City Manager and City Clerk to execute the applicable contract documents.

c. CONTRACT RENEWAL WITH WEBQA FOR CITIZEN RELATIONSHIP MANAGEMENT SOFTWARE AND SERVICES

A request to approve a contract extension between the City of Avondale and WebQA to continue access to citizen relationship management software and services and authorize the Mayor or the City Manager and City Clerk to execute the necessary documents.

d. MEMORANDUM OF UNDERSTANDING - A NEW LEAF, INC.

A request to approve a Memorandum of Understanding with "A New Leaf" to assign at least one Masters Level mental health therapist to the Southwest Family Advocacy Center. Under this agreement, "A New Leaf" will provide short-term counseling services to victims served at the SWFAC and authorize the Mayor or City Manager and the City Clerk to execute the necessary documents.

e. PROFESSIONAL SERVICES AGREEMENT - DIBBLE AND ASSOCIATES - CENTRAL AND WESTERN AVENUE WATER AND SEWER DESIGN

A request to approve a Professional Services Agreement with Dibble Engineering for the Central and Western Avenue Water and Sewer Design in the amount of \$232,030, and authorize the Mayor or City Manager, City Clerk and City Attorney to execute the necessary documents.

f. RESOLUTION 3117-613 RENEWAL OF INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY TO OPERATE THE COMMUNITY ACTION PROGRAM

A resolution authorizing an IGA with the Maricopa County Board of Supervisors for a grant in the amount of \$91,256 to provide Crisis Case Management and Financial Assistance services as part of the Community Action Program during the fiscal year 2013-2014, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

g. RESOLUTION 3115-613 – INTERGOVERNMENTAL AGREEMENT WITH ADOT FOR THE DESIGN AND SCOPING OF THE INTELLIGENT TRANSPORTATION SYSTEM

A resolution authorizing an Intergovernmental Agreement between the City of Avondale and the Arizona Department of Transportation for the administration of the design and scoping of the Intelligent Transportation System with ACS controllers and CCTV cameras project, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

Council Member McDonald moved to approve the consent agenda as presented including Resolutions 3117-613 and 3115-613. 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	Excused
Council Member Buster	Aye

Motion carried 5-0.

4 RESOLUTION 3114-613 – INTERGOVERNMENTAL AGREEMENT WITH ADOT FOR THE DESIGN AND SCOPING OF THE AGUA FRIA MULTI-USE PATH

A resolution authorizing an Intergovernmental Agreement between the City of Avondale and the Arizona Department of Transportation for the administration of the design and scoping of the Agua Fria Multi-Use Path project, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

Charles Andrews, City Engineer, reviewed the particulars of this item as more specifically described in the council report. He concluded by saying that staff is recommending approval of the IGA with ADOT for the design and scoping of the Agua Fria Multi-Use Path.

In response to a question from Council Member Buster, Mr. Andrews indicated that the city's contribution will be approximately \$10,000 for design review fees and MAG will be responsible for approximately \$500,000 per segment.

Council Member Vierhout McDonald commented that he was glad to see this project come to fruition.

Council Member McDonald moved to adopt Resolution 3114-613 authorizing an Intergovernmental Agreement between the City of Avondale and the Arizona Department of Transportation for the administration of the design and scoping of the Agua Fria Multi-Use Path project. Council Member Weise 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	Excused
Council Member Buster	Aye

Motion carried 5-0.

5 RESOLUTION 3116-613 – INTERGOVERNMENTAL AGREEMENT WITH ADOT FOR LANDSCAPE MAINTENANCE ALONG I-10, DYSART TO SR101L

A resolution authorizing an Intergovernmental Agreement between the City of Avondale and the Arizona Department of Transportation for the purpose of defining the maintenance responsibilities for the proposed landform graphics, landscaping and irrigation improving the traffic interchange at Avondale Boulevard and I-10, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

City Manager Charlie McClendon introduced Charles Andrews, City Engineer, to present this item this is a good news item that came about as a result of comments staff provided to ADOT regarding the lack of landscape along the I-10 at the intersection with Dysart.

Charles Andrews, City Engineer, reviewed the particulars of this item as more specifically described in the council report.

Council Member Weise moved to adopt Resolution 3116-613 authorizing an Intergovernmental Agreement with the Arizona Department of Transportation for landscape maintenance along I-10 from Dysart to 99th Avenue. 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	Excused
Council Member Buster	Aye

Motion carried 5-0.

6 PUBLIC HEARING - RESOLUTION 3109-613 AND ORDINANCE 1518-613 - AMENDMENT TO THE CITY CODE, CHAPTER 4, BUILDINGS AND BUILDING REGULATIONS

A public hearing and resolution declaring as a public record certain documents filed with the City Clerk entitled the "2012 International Building Code," the "2012 International Residential Code," the "2012 International Mechanical Code," the "2012 International Plumbing Code," the "2011 National Electrical Code," the "the 2012 International Fuel Gas Code," the "2012 International Energy Conservation Code" and "The Avondale Amendments to the 2012 International Residential Code, the 2012 International Mechanical Code, the 2012 International Plumbing Code, the 2011 National Electrical Code, the 2012 International Fuel Gas Code and the 2012 International Energy Conservation Code", and ordinance adopting the same by reference, amending the Avondale City Code, Chapter 4, Buildings and Building Regulations, relating to Building Codes, establishing an effective date and providing penalties for violations.

City Manager Charlie McClendon introduced Randal Westacott to present this item. He indicated that the proposal has been reviewed previously by Council.

Chief Building Official Randal Westacott indicated he would first clarify certain questions posed by council at the last council meeting. In response to a comment from Council Member Karlin, he indicated that there is no recommendation for Radon control in Arizona. In response to Council Member Vierhout, Mr. Westacott commented only improvements to an existing structure will be required to be in compliance with the 2012. To Vice Mayor Scott, he indicated that there are more requirements to the internal environment as seen as part of the health and life safety of the community. To Council Member Weise, he indicated that the resident testing protocol is one that is used nationally.

Mr. Westacott reviewed the particulars of this item as more particularly described in the council report. He added that adoption of the building codes will provide consistency throughout the region. Regarding the Home Energy Ratings (HERS) rating, he indicated is that his recommendation is to hold off on the inclusion of a HERS rating pending final decision from the state legislature regarding the establishment of a rating for the state.

Vice Mayor Scott opened the public hearing.

Mr. Jackson Mole spoke on behalf of the Homebuilders Association of Central Arizona. He indicated his organization understands that home energy conservation is here to stay and have proposed a number of amendments to Mr. Westacott to address their concerns, a couple of which have been incorporated by Mr. Westacott. He indicated his organization is supportive of the amendments proposed by staff. He commented that the Phoenix area leads the country in energy efficient building.

Council Member Buster commented that as the residential market improves, Avondale needs to stay competitive and should try to stay economical while meeting some of the energy efficiency goals.

City Manager indicated that if adopted as proposed, staff will work with other cities to get a consensus as to what is being done in the region regarding the HERS requirement so as not to be an outlier.

Sharon Bondstel, spoke on behalf of SRP and indicated that her organization is in support of adoption of the codes as they will help protect resources while at the same time keeping costs now. She indicated that SRP supports energy codes as it is less expensive to save energy than it is to build a new power plant.

There being no additional requests to speak, Vice Mayor Scott closed the public hearing.

Council Member Weise moved to adopt Resolution 3106-613; 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	Excused
Council Member Buster	Aye

Motion carried 5-0.

Council Member Weise moved to adopt Ordinance 1518-613; 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	Excused
Council Member Buster	Aye

Motion carried 5-0.

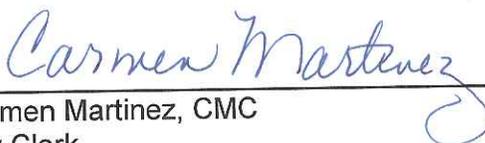
7 ADJOURNMENT

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

Meeting adjourned at 8:05 p.m.



Vice Mayor Frank Scott



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 June 2013. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk