

Minutes of the Work Session held March 3, 2014 at 6:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Lopez Rogers and Council Members

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

ALSO PRESENT

David Fitzhugh, Acting City Manager
Gina Montes, Assistant City Manager
Charles Andrews, City Engineer
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

1 ROLL CALL BY THE CITY CLERK

2 MEDICAL MARIJUANA DISPENSARY HOURS OF OPERATION

Presentation of findings from research on the permitted hours of operation for medical marijuana dispensaries throughout the valley.

Ken Galica said the use, sale and cultivation of medical marijuana was legalized in the state when voters approved the Arizona Medical Marijuana Act in 2010. In February 2011, City Council adopted Medical Marijuana Regulations, Section 13 of the Zoning Ordinance. Under these regulations, hours of operation for dispensaries were limited from 9:00 a.m. to 6:00 p.m. Monday through Friday, and weekend operations were prohibited. In 2014, City Council requested that staff revisit the issue and return with their findings.

Mr. Galica said staff compared Avondale to 14 other jurisdictions in the Valley. Twelve of the jurisdictions studied limit weekend hours of operation. Eleven have established an 8:00 a.m. or 9:00 a.m. opening time, and nine established a 5:00 p.m. or 6:00 p.m. closing time. No distinction was made between weekend and weekday hours of operation. On average, the ordinances allow dispensaries to be open 10.7 hours per day, and hours can range from a low of eight hours per day to a high of 13 hours. Avondale, Buckeye and Tolleson are the only three jurisdictions that prohibit weekend hours.

Mayor Rogers felt this item should not have been put on the agenda because the ordinance has not been around long enough to evaluate its effectiveness. Council Member Vierhout said people who rely on medical marijuana for treatment should be able to access it when they need to. Council Member Weise said he opposes medical marijuana in general, but agreed with Mayor Rogers that the current ordinance has not been in place long enough to evaluate whether the clientele really needs extended hours of operation.

Vice Mayor Scott said the change tampers with the newly passed ordinance, but the idea of allowing weekend hours is well within the scope of the ordinance. Council Member McDonald said he was not a fan of the Medical Marijuana Act, but understands its advantages. If the state allows dispensaries to exist, they should be able to operate on weekends.

Council Member Karlin stated that if the ordinance allows medical marijuana to be bought five days a week, it should also be permitted on Saturday. Council Member Kilgore said he has no problem with weekend hours for dispensaries. David Fitzhugh said staff will direct the City Attorney to prepare a revised ordinance reflecting weekend operating hours for presentation to Council at a future meeting. Andrew McGuire, City Attorney, explained that the change would require a text amendment that typically takes at least two months.

3 UPDATE ON THE FEASIBILITY OF UNDERGROUNDING THE EXISTING POWER ALONG DYSART ROAD FROM VAN BUREN STREET TO MAIN STREET

An update on the feasibility of undergrounding the existing power along the eastside of Dysart Road from Van Buren Street to Main Street (MC85)

Charles Andrews, City Engineer, said the undergrounding of power lines has been proposed for an approximately mile-long stretch along Dysart Road from Van Buren to Western. There are about 43 power poles along both sides of the road, occupying space on the east side where sidewalks are needed. The Americans with Disabilities Act requires a minimum of five feet for sidewalks. Arizona Public Service does not have prior rights, and they have agreed to provide up to \$300,000 in a credit to the City for undergrounding facilities. Avondale would dig the trench and install conduit, while APS would charge a fee of \$1.6 million to cover the pulling of cable and the provision of services to all businesses along Dysart.

Mr. Andrews presented two alternatives. The first is to restripe Dysart Road with slightly narrower driving lanes, allowing space for two bike lanes, one on each side, a three-foot landscape buffer, and a five-foot sidewalk. Street lighting would be installed in the landscaped buffer. The total cost of Alternative 1 would be \$3.4 million, but APS credit and Maricopa Association of Governments (MAG) grant funding would reduce this total to \$2.36 million. Alternative 2 upgrades the first option by spending an additional \$500,000 for decorative crosswalks at select intersections, pedestrian lighting, and an entry feature at Western Avenue. Both options would only require existing public right of way. No trees are proposed for either alternative, since business owners are concerned about their signs being blocked.

Mr. Andrews summarized the benefits of undergrounding: to reduce visual clutter, improve appearance, illuminate hazards, increase safety, reduce liability, improve reliability, increase property values, support healthy lifestyles, and encourage business development. MAG likes the project, because many people along the corridor are transit dependent. City Council will have an opportunity to review unfunded CIP projects on March 17. If they approve this project, APS will finalize the design and start the project in June. Once undergrounding is done in January 2015, the City could start building pedestrian and bicycle facilities. Additional closeout funding might be available. Cox Cable is willing to share the cost of the joint trench.

Vice Mayor Scott asked whether Dysart would allow for a curb to be placed between the roadway and the bike path. Mr. Andrews said that in order to have that happen, space would have to come from somewhere else, and it would be more costly. Vice Mayor Scott said he prefers Alternative 2. Council Member Weise agreed that Alternative 2 sends a message that the City wants to help businesses along Dysart Road. The entryway project

would be a good start, but Avondale should budget an entryway every year. He inquired whether CenturyLink would participate in the trenching. Mr. Andrews responded that the City is still negotiating with them. If they choose not to join the project now, they will have to find another corridor into the area.

Council Member Vierhout said he prefers Alternative 2, and agrees with budgeting an entryway project every year. Council Member McDonald said paying for all the entryways at once might save some money over the long term. He requested several concept drawings for the signs so the City Council has options to consider. CenturyLink should demonstrate that they are interested in being partners with the city. He said he prefers Alternative 2, though the pavers across Dysart would not add as much as pedestrian lighting and enhanced landscaping.

Council Member Kilgore said he favors Alternative 2. Besides the aesthetic improvements, it will enhance the efforts to support activity on Western Avenue. Council Member Weise requested a project cost estimate without the pavers on Dysart. Mayor Rogers agreed that Alternative 2 is a good one, but she reminded City Council that they set many worthwhile goals that need to be paid for.

3 ADJOURNMENT

There being no further business before the Council, Council Member Weise moved to adjourn the regular meeting into executive session. Council Member Vierhout seconded the motion, which carried unanimously.

City Council meeting adjourned at 6:35 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 Work Session of the Council of the City of Avondale held on the 3rd day of March. 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 March 3, 2014 at 7:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Lopez Rogers and Council Members

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

ALSO PRESENT

David Fitzhugh, Acting City Manager
Gina Montes, Assistant City Manager
Jim Buster, Intergovernmental Affairs
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. Newly appointed Council Member Bryan Kilgore took his Oath of Office
- b. Resolution 3172-314 – Recognizing Council Member Jim Buster

Mayor Rogers read a proclamation recognizing Jim Buster for his eight years of leadership. Each Council Member took a moment to share their thoughts and impressions. Mr. Buster reflected on his City Council experience.

Council Member Weise moved to adopt Resolution 3172-314. Council Member McDonald seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried unanimously

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. Special Meeting of February 3, 2014
2. Work Session of February 10, 2014
3. Work Session of February 18, 2014
4. Regular Meeting of February 18, 2014

b. PURCHASE AGREEMENT – REAL PROPERTY LOCATED AT 309 E. HILL DRIVE

A request to approve final purchase agreement of real property located at 309 E. Hill Drive (APN 500-17-083) for the amount of \$42,500 from Jorge Castillo in order to make a Short Sale Offer to Nation Star Mortgage Bank and authorizing the Mayor or City Manager and City Clerk to execute the necessary documents.

c. FIRST AMENDMENT TO COOPERATIVE PURCHASING AGREEMENT – MATLICK ENTERPRISES, INC.

A request to approve the first amendment to a cooperative purchasing agreement with United Fire Equipment Company to increase the amount of the agreement by \$250,000 for the purchase of fire department protective clothing and authorizing the Mayor, or City Manager and City Clerk to execute the necessary documents.

d. THIRD AMENDMENT TO CONSTRUCTION AGREEMENT – PRO-LOW JOINT VENTURE FOR LEGACY AVONDALE

A request to approve Amendment No. 3 to the agreement with ProLow Joint Venture for the construction of the Legacy Avondale homes to extend the contract to June 30, 2014 and to increase the contract amount by \$173,142 for multiple utilities and underground engineering design changes as a result of unforeseen underground conditions and authorizing the Mayor, or City Manager and City Clerk to execute the necessary documents.

e. RESOLUTION 3167-314 – HONORING CHARLES MCCLENDON

A resolution honoring Charles P. McClendon for nearly twelve years of dedicated service to the City of Avondale.

f. RESOLUTION 3168-314 – INTERGOVERNMENTAL AGREEMENT WITH THE TOLLESON UNION HIGH SCHOOL DISTRICT

A resolution authorizing an Intergovernmental Agreement with the Tolleson Union High School District of Maricopa County relating to the installation of compound water meters and backflow prevention devices and operation and maintenance of on-site water utility infrastructure, and authorizing the Mayor, or City Manager and City Clerk to execute the necessary documents.

g. RESOLUTION 3170-314 – INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR SHARING OF TELECOMMUNICATIONS FACILITIES

A resolution authorizing an Intergovernmental Agreement with the City of Phoenix for the shared use of telecommunications facilities and authorizing the Mayor, or City Manager and City Clerk to execute the necessary documents.

h. ORDINANCE 1535-314 – ACCEPTING RIGHT-OF-WAY DEDICATION FOR ROOSEVELT STREET

An ordinance accepting the dedication of right-of-way for Roosevelt Street west of 107th Avenue to and including portions of 111th Avenue.

i. ORDINANCE 1536-314 – TEMPORARY DRAINAGE EASEMENT AT NORTHEAST CORNER OF 119TH AVENUE AND MCDOWELL ROAD

An ordinance authorizing the dedication, purchase or condemnation of a temporary drainage easement located at the northeast corner of 119th Avenue and McDowell Road.

Council Member Weise moved to approve the consent agenda as presented including Resolution 3167-314, 3168-314 and 3170-314 and Ordinances 1535-314 and 1536-314. 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	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Council Member Kilgore	Aye

Motion carried unanimously

5 PUBLIC HEARING AND RESOLUTION 3171-314 – AMENDMENT TO THE 2010/11 ANNUAL ACTION PLAN

A resolution amending the 2010/11 Annual Action Plan by removing the demolition activity and reallocating funds to the redevelopment activity and the acquisition/rehab and sale activity for low-middle income buyers.

Gina Montes, Assistant City Manager, described some of the changes that the proposed third amendment would make to the Neighborhood Stabilization 3 Annual Action Plan. The amendment removes demolition as an activity. Accordingly, it adjusts the allocations in three ways: by increasing the amount put into homebuyer assistance, increasing the amount in redevelopment, and decreasing the funding that goes towards administration. Over the past two years, it has been difficult for properties to meet the thresholds necessary to qualify for abandonment, and therefore eligibility for demolition. There was a need for the funds in Redevelopment to cover unexpected infrastructure costs. When NSP3 second amendment

was in process, the City decided to honor the program for buyers who were already in the process of purchasing. As a result, more funding went towards the homebuyer option than was anticipated.

Mayor Rogers opened the public hearing. Upon hearing no requests to speak, she closed the public hearing.

Council Member Weise moved to adopt Resolution 3171-314 as presented. 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	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Council Member Kilgore	Aye

Motion carried unanimously

6 PUBLIC HEARING AND RESOLUTION 3169-314 – MADISON HEIGHTS MINOR GENERAL PLAN AMENDMENT (APPLICATION PL-13-0241)

A request by Ms. Yumiko Ishida, Acanthus Architecture, to adopt a resolution amending the General Plan Land Use Map for approximately 9.9 acres of real property located at the northwest corner of Dysart Road and Madison Street, changing the property's Land Use designation from Medium/High Density Residential to High Density Residential. The property is known as Madison Heights, a 77-unit apartment complex developed in 1973 and operated by the Housing Authority of Maricopa County.

Ken Galica explained that the Madison Heights property is surrounded by Agua Fria High School to the south, vacant land designated Commercial C-2 to the north, single family residential lots to the west, and a mix of commercial property to the east. The site was annexed in 1960 and zoned R-5, Multi-Family Residential. In 1973, the site was developed with 48 buildings containing 77 apartment units, a leasing office and community room. Currently, the property is owned and operated by the Housing Authority of Maricopa County and used as subsidized housing for qualified residents.

Mr. Galica said the current General Plan designation is for Medium/High Density Residential. The HAMC seeks to consolidate 143 units that are dispersed amongst three West Valley developments: Madison Heights, Norton Circle, and HM Watson Homes. HAMC would continue to operate Norton Circle as a market rate housing complex until it can be redeveloped in the future. The Norton Circle subsidies will be transferred to Madison Heights. The request is to amend the General Plan Land Use Map from Medium/High Residential, which allows for 4 to 12 dwelling units per acre, to High Density Residential, which allows for up to 30 dwelling units per acre, but the property would be required to

adhere to the R-3 development standards, which effectively caps the density at about 15 dwelling units per acre.

Mr. Galica said four required findings are necessary to amend the General Plan. The amendment meets and furthers the goals of the General Plan by replacing substandard development with housing that meets current standards while still paying tribute to Historic Avondale in terms of design. It would maximize the effectiveness of affordable housing by increasing efficiency. It encourages safe and well maintained housing that improves the image of the area. Undeveloped High Density parcels large enough to accommodate a development of this type in Avondale are rare. Redevelopment would further the City's design goals. The location adjacent to the high school is appropriate for Multi-Family use. The existing water and sewer infrastructure is anticipated to be adequate. In the event it is not, HAMC will pay for the necessary upgrades. Increased density will provide more customers for surrounding retail.

Mr. Galica said on February 20, the Planning Commission unanimously recommended approval of both the General Plan amendment and the rezoning application, subject to six stipulations. The GP amendment must be approved for the rezoning to be approved.

Council Member McDonald requested a conceptual drawing of the plan. Mr. Galica explained that the purpose behind updating all codes and ordinances over the past five years was to ensure that all development would be of high quality. Elevations and site plans are typically not shown at the rezoning stage because the focus is on land use. Most of the newer apartment complexes in the city have between 22 and 24 dwelling units per acre. Some two story developments have up to 18 units per acre.

Brian Swanton, of Gorman and Company, answered an inquiry from Council Member McDonald, by stating that Catholic Charities will deliver free, on site, before and after school and community services programming, as well as a resident services coordinator. Resident services are legally required on the property. Mr. Swanton explained that Madison Heights is one of two projects in Arizona approved under a HUD rental housing demonstration program. The goal is to find ways to privatize, recapitalize, and professionally manage public housing units. The subsidy allows housing authorities to combine projects into larger, more manageable developments. This will be a \$30 million privately driven development with full time professional third party management. It is a budget neutral program. Norton Circle could potentially be transformed into a senior housing development.

Vice Mayor Scott noted his participation on the Maricopa County Human Services Commission, but said he wants to make sure that the Madison Heights will be a good neighbor. The current housing project is not. There is no on-site management, and calls to HAMC go nowhere. He proposed that the new management meet with neighbors to ease their concerns.

Vice Mayor Scott inquired about the current residents of Norton Circle. Mr. Swanton explained that HUD requires that existing residents be provided with the option to move to Madison Heights after redevelopment. If they do not, they can stay in their current units, but would lose their rental subsidies. Vice Mayor Scott said he is not opposed to the project, but the City should make certain that it is well managed. Mr. Swanton said his company has

been building affordable housing since 1984. Recent projects in Phoenix, Mesa, Tempe, and Glendale are among the highest quality multi-family housing projects built. The company will be the financial guarantors for 15 years and must provide quality product and long-term sustainability to investors.

Council Member Weise inquired about the project time frame. Mr. Swanton responded that construction is scheduled for 12 months. The schools asked that residents stay within their districts during the relocation year. The program allows subsidies to be maintained even when residents move temporarily.

Council Member Vierhout said he prefers subsidizing low income residents in market rate housing over building housing projects. Once the 15-year period is over, it will be more difficult to keep the facility painted and up to code. Mr. Swanton responded that historically, public housing was not designed with people in mind. The new approach is to provide market-rate quality product. Long-term capitalized reserves are now required so that the Housing Authority can step back in after 15 years. Many deals are re-syndicated after the initial 15 years is over. Projects are much better underwritten today than they used to be. Council Member Vierhout said the new project will be an improvement over the current one, though he expressed concern about having two-story homes next to single story homes.

Mayor Rogers expressed concern about the increased density. She inquired about the arrangement with Catholic Charities. Mr. Swanton explained that the resident services agreement will be in the form of a legal contract for 15 years. The goal of the service is to develop long-term self-sufficiency of households. No mandate requires that residents participate in the offered services.

Mayor Rogers opened the public hearing.

Jack Marslender said he is pastor of a nearby church and is in favor of the proposal. Madison Heights is extremely substandard. It is hard for people to feel a sense of pride when they live in such outdated housing. This will be an improvement to the whole area. On-site management will make a big difference. The families there are in great need of social services. The added density should not be a problem.

Mayor Rogers closed the public hearing.

Council Member Weise moved to adopt Resolution 3169-314 as presented. 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	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Council Member Kilgore	Aye

Motion carried unanimously

7 PUBLIC HEARING AND ORDINANCE 1537-314 – MADISON HEIGHTS REZONING (PL-13-0238)

A request by Ms. Yumiko Ishida, Acanthus Architecture, to adopt an Ordinance amending the Zoning Atlas for approximately 9.9 gross acres from MH (Manufactured Home Park) to R-3 (Multiple Family Residential) for a property located at the northwest corner of Dysart Road and Madison Street known as Madison Heights, a 77-unit apartment complex developed in 1973.

Mr. Galica said rezoning would not change the use of the property, simply the density. Staff feels that the lower density allowance of the R-3 District is more compatible with the surrounding area, since the R-4 District would have allowed for three stories. The preliminary site plan proposes separation of over 100 feet from adjacent Single-Family Residential, which is more than adequate to meet the design guidelines. The design will use modern materials to replicate the look of housing common in the 1930s and 1940s, when Avondale was incorporated. The design will feature details that ensure the project looks like a market rate apartment development. Amenities provided will include modern living units, a community garden, a community center with after school programming, a gym, computer lab, screening room, and open space. The project is aiming for LEED Gold certification.

Mr. Galica said the developer will dedicate ten feet of right-of-way along Dysart Road. The Agua Fria Union High School District and Avondale Elementary School District are aware of the project and have not expressed any concern over the proposed density increase.

Mayor Rogers opened the public hearing. Upon hearing no requests to speak, she closed the public hearing.

Council Member Weise moved to adopt Ordinance 1537-314 as presented. 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	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Council Member Kilgore	Aye

Motion carried unanimously

8 LEGISLATIVE UPDATE ON THE ARIZONA 51ST LEGISLATURE

An update regarding key initiatives being considered at the State Legislature.

Jim Buster, Intergovernmental Affairs, said local control is a perennial issue for most cities. Legislators come from a wide variety of backgrounds, but few understand cities. Only seven of the 90 members have held office at the city or county level. Senate Bill 1151 is a good example of a local control issue decided upon at the state level. The bill makes it legal to have backyard chickens. House Bill 2528 prohibits cities from restricting sign walkers from sidewalks. S.B. 1227 says that cities cannot establish energy efficiency standards. Mr. Buster felt cities should have the flexibility to determine what they want to do about energy efficiency in the future, but this bill would prevent that. It was passed in response to homebuilders who were concerned about higher home costs, but building codes are the province of cities.

Mr. Buster said Avondale is currently tracking 56 bills that affect municipalities. The legislature has yet to get into the substantive part of the budget negotiations. H.B. 2389 is a cleanup from last year's Transaction Privilege Tax (TPT) bill that is supported by the League of Arizona Cities & Towns. Cities contend that if the state is going to take over sales tax collections, they should do it for everything. H.B. 2547 would reimburse Glendale \$2 million for the cost of public safety during the Super Bowl. The bill could also potentially cover the costs of public safety for PIR events. Avondale is currently neutral on the bill.

Mr. Buster said S.B. 1307 is a further restriction on impact fees that requires a consultant to justify differences in fees between cities in 12-month period. The bill is being amended, but cities should continue monitoring it. S.B. 1413 is the manufacturers' electricity sales exemption that could have an impact on sales tax revenue. It applies to existing and new manufacturers. The League has not taken a position on it, nor has Avondale.

Mr. Buster said H.B. 2113 would create a special automobile license plate commemorating PIR's 50th Anniversary. Some in the legislature feel that Arizona already has too many plates, but the Governor would likely support it. H.B. 2692 ensures that HURF money for financing streets cannot be used to finance DPS operating expenses. It would give back about \$340,000 a year to Avondale for two years. H.B. 2050 eliminates a problem associated with Arizona State Retirement System eligibility requirements.

Mr. Buster questioned the purpose of Bill 1479 which defines criminal trespass. S.B. 1405, which would have affected municipal employees, was held up. The legislative JLBC projects a budget shortfall of \$593 million by fiscal year 2017, while the Governor's OSPB envisions a surplus of \$421 million by that time. He felt that the Governor could potentially use HURF funds as a bargaining chip. Mr. Buster noted that K-12 is suing the state for money that was withheld during the budget crunch. If they win that lawsuit, it will cause a \$1 billion hit on the General Fund, and could cause budget negotiations to start all over again.

Council Member Vierhout said the legislature should let cities market their own communities as they see fit. He supports the public safety money for PIR bill. Council Member Karlin said backyard chickens are increasingly popular, but the laws regarding them are typically

handled on the city level. She inquired about H.B. 2528. Andrew McGuire explained that the sign walker bill only addresses the obstruction of sidewalks, but says nothing about standing in the middle of the street. It is a dangerous way to address an issue. Council Member Karlin said cities have direct contact with their residents and are in the best position to make informed decisions on local matters.

Council Member McDonald inquired about the impact of H.B. 2692. Mr. Buster said he believes that there is fairly broad support for a HURF catchup, but after two years, the state might go back to funding DPS out of HURF.

9 MEMORANDUM OF UNDERSTANDING – AVONDALE POLICE ASSOCIATION

A request to approve a memorandum of understanding between the City of Avondale and the Avondale Police Association for Fiscal Years 2014-2015 and 2015-2016 and authorizing the Mayor or City Manager and City Clerk to execute the necessary documents.

Acting City Manager David Fitzhugh noted that City Council established a goal to limit salary increases to between 3% and 5%. A second goal was to address the retention of officers, especially those in their first five years with Avondale. Through negotiations, staff exceeded the 5% increase but managed to put together a structure that would help retain officers. He indicated that at its meeting of February 18th City Council voted to table the issue. Mayor Rogers has requested that the item be brought back for council's consideration.

Council Member Weise moved to remove from the table the MOU with the Avondale Police Association. Vice Mayor Scott seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried unanimously

Vice Mayor Scott clarified that he was never against the MOU, which makes Avondale more competitive, but wishes that communication with the leadership of the AvPA was better. Council Member McDonald said he would vote for the MOU with reservation. The Association took care of the low end, but started out with a 5% increase for everyone and worked from there. The rest of Avondale's staff received a 3% increase. He stated that if this same thing occurs next time, he will vote against it. Council Member Weise concurred, saying the PD deserves a raise, especially the newer officers, but a clear range was set and the MOU exceeded it. He also said he would vote no if this happens again.

Council Member Vierhout said he understands having to catch up to market rates for entry level officers. He expressed disappointment that the Police MOU does not take care of

pregnant officers, like the Fire Department MOU did. Mayor Rogers agreed and suggested that is perhaps a policy issue.

Vice Mayor Scott moved to accept the MOU as written. 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	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Council Member Kilgore	Aye

Motion carried unanimously

10 ADJOURNMENT

There being no further business before the Council, Council Member McDonald moved to adjourn the regular meeting into executive session. Council Member Vierhout seconded the motion. Motion was carried unanimously.

City Council meeting adjourned at 8:48 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 3rd day of March, 2014. I further certify that the meeting was duly called and held and that the quorum was present.


Carmen Martinez
City Clerk