

Minutes of the Work Session held June 2, 2014 at 6:01 p.m. in the Council Chambers.

MEMBERS PRESENT

Council Members

Stephanie Karlin
Bryan Kilgore
Jim McDonald
Charles Vierhout
Ken Weise

ABSENT

Frank Scott, Vice Mayor

ALSO PRESENT

David Fitzhugh, Acting City Manager
Gina Ramos Montes Assistant City Manager
Christopher Reams, Parks, Recreation, and Libraries Director
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

1 ROLL CALL BY THE CITY CLERK

Carmen Martinez announced Mayor Rogers' resignation, and called upon City Council to appoint a chair for the work session.

Council Member Karlin nominated Kenneth Weise to serve as chair. Council Member Vierhout seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried unanimously

2 AMERICANS WITH DISABILITIES ACT (ADA) – AUDIT REPORT

Christopher Reams, Parks, Recreation, and Libraries Director, stated that the U.S. Department of Justice released new ADA accessibility standards that took effect in March of 2010. The standards establish minimum requirements for public and commercial facilities, with the goal of ensuring accessibility for people with disabilities. Cities with parks and recreation facilities are required to conduct an audit. This is a retroactive standard that looks at existing facilities to see whether they can be brought up to code.

Mr. Reams said the City of Avondale's audit was not restricted to just parks and recreation facilities; it included libraries, community centers, the American Sports Center, the Goodyear Farms Cemetery, and part of City Hall. All of Avondale's facilities were built to the ADA standards of their time.

Mr. Reams reported that Avondale received a grade of B- compared to cities of comparable size and population. Upgrades and corrections will be designed to address similar changes all at once. The audit assessed the state of facility maintenance, level changes, gaps in accessible routes, door opening pressure changes, safety alarms, website accessibility, signage and bathroom accessibility, among others factors. Eight playgrounds were audited, and none were found to be accessible according to the new standards, though most ramadas did comply. The City's website will be updated to inform people about ADA accessible offerings, and Christina Underhill will be responsible for coordinating the upgrades.

Mr. Reams said staff came up with a ten-year plan that includes ADA transition items as part of normal operations. The plan will use a three phase approach. Phase One will cover easy to make corrections. Phase Two covers major amenities such as playgrounds and fields. Phase Three will address issues that require complex corrections. The total cost of the corrective work is \$513,000 for the entire plan or \$332,000 for the required changes only. Staff elected to incorporate changes into existing projects spread over ten years. The plan is very flexible. The new standards will become part of all parks, recreation and library construction and renovation plans moving forward.

Council Member McDonald inquired why the libraries were pushed towards the back of the timeline. Mr. Reams said the changes are required for parks, but not libraries. The plan sets a basic course of action, but as the budget allows, other changes can be made. Council Member McDonald said disabled adults are less likely to visit a playground than a library, and he felt they should be pushed forward.

Council Member Vierhout asked whether the plan addresses back office space. Mr. Reams responded that it does not. Council Member Vierhout inquired whether the plan considers accessibility from outside park boundaries. Mr. Reams responded that this plan only addresses accessibility within parks, but it could be expanded.

Council Member Kilgore commended staff for proposing a plan that exceeds the federal requirements. He inquired about the frequency of required audits. Mr. Reams explained audits were recommended once the new standards were released, but there is no requirement for further audits. The Department of Justice has the authority to conduct inspections, however. Council Member Kilgore asked about drinking fountain accessibility. Mr. Reams explained that some fountains lack adequate turning space and simply have to be moved. Others might need updated styles.

Council Member Weise suggested that the American Sports Center upgrades occur earlier in the timeline since the facility offers programming for people with disabilities. In response to Council Member Weise's inquiry, Mr. Reams said standards change periodically, but unlike past changes, the current revision is retroactive.

3 LAKIN RANCH MAJOR GENERAL PLAN AMENDMENT (PL-14-0021) AND REZONING (PL-14-0043)

Ken Galica, Senior Planner, presented the Lakin Ranch Major General Plan Amendment and Rezoning applications. Lakin Ranch covers 1,179 acres between Avondale Boulevard and Dysart Road along Broadway Road. General Plan 2030 designates the majority of the property as Estate/Low Density Residential (ELDH), which is designated for single-family residential development of from 0 to 2.5 dwelling units per acre, with a target of 1. The second largest portion of the property is Medium Density Residential (MDR), which ranges from 2.5 to 4 dwelling units with a target of 2.5. About 100 acres is designated Local Commercial, and is designed to provide support to residents in a neighborhood. There is also about 45 acres of High Density Residential (HDR), and one small piece of open space.

Mr. Galica explained that the application introduces Medium High Density Residential (MHDR) to the property, which is a designation that allows between 4 and 12 dwelling units per acre, with a target of 8. The new project would have 491 fewer acres dedicated to Estate/Low Density Residential, with increases in both MDR and MHDR of 136 acres and 110 acres respectively. HDR and the open space would be eliminated completely. Local Commercial would drop by 83, leaving 19 acres.

Mr. Galica said staff asked the applicant to revise their request to match the lot sizes with the actual categories, which would drop the ELDR from 302.4 acres to 149.1. MDR would increase to 636.6 acres, while MHDR would drop to 374.9 acres. The applicant proposes to add a curve to Broadway Road, but staff is still evaluating its feasibility. They also initially asked for 3,287 lots on the property, but have agreed to reduce that to 2,600 lots. There are seven proposed lot sizes. Staff requested more large lots exceeding 12,000 square feet, and fewer of the 5,000 square feet lots that Avondale already has much of.

Mr. Galica noted that the property has significant encumbrances that will make development costly and difficult. Large SRP/APS power easements and the Durango Channel run through the property. Nearby are the City's wastewater treatment plant and a large substation. The open space concept for the proposed development consists of two five-acre parcels designed to provide space for recreational centers. The urban farm concept uses the space under the powerlines to create a series of operating farms that could grow produce to be sold locally. This space also provides opportunities for a trail system through the farm, which would be unique in the Valley. A series of one or two acre neighborhood parks would provide space for people in the immediate area to use for active play. The sidewalk network would be shaded with trees, and a public sidewalk would run through the Durango Channel.

Mr. Galica said much work remains to be done on the architecture. The reduction of garage dominance will be a key emphasis. The theme is appropriate for the area, since it will be natural and agrarian rooted, using native grasses and materials traditionally used in Avondale. The Durango Channel is a joint venture with the Maricopa County Flood Control District designed to alleviate regional flooding concerns, and will function as a trail with some parkland. The major arterials will all be improved as part of the project. Collector streets would be arranged in a modified grid system. The project will be phased.

Council Member Karlin noted that the applicant is proposing 5-foot minimum side setbacks, which she felt were far too small. She supported the idea of the urban farms. Jordan Rose, on behalf of Sunbelt Holdings, said the urban farm concept is groundbreaking, and has not been done on such a large scale. The farm will be run by urban farmers currently selling to the community who are looking for space. It will touch upon Avondale's agrarian history. Council Member Karlin said urban farms are a good use for the powerline space. She expressed concern about having higher density housing in such close proximity to one of Arizona's seven natural riparian areas. Larger lots should be placed closer to the river area.

Council Member McDonald said the overall property poses many challenges to creating a functional space. The wide range of densities available in the Medium High Density category will encourage too much high density housing, as developers will build whatever is most profitable, not what fits the vision. He would prefer more narrowly defined categories. The low density category was decreased by 60%. Small setbacks are appropriate for housing with rear-access garages, but not houses with front access garages. Council Member McDonald asked whether the community centers would be run by the HOAs. Mr. Galica said they would.

Council Member McDonald cautioned that the urban farms could turn into eyesores if they are not tended properly. Wayne Dames, Sunbelt Holdings, responded that the urban farm concept has evolved and become an exciting part of the project. Full guidelines are being created right now. Essentially, the farms will be controlled by the HOAs and they will be able to demand that the farmers who lease them adhere to high standards.

Council Member McDonald stated that Avondale is known for being first in many things, and this could be an outstanding example of that. He inquired about plans to control dust. Mr. Dames said the farmers have proposed solutions to that issue. Council Member Karlin said she was under the impression that the urban farms would be marketed to actual urban farmers. Mr. Dames explained that the HOAs will own the farms, but they will be operated by high level operators who are already producing food for local markets and restaurants. Council Member Karlin thanked Lakin Ranch and staff for considering this forward thinking idea.

Council Member Vierhout agreed that the allowable range of units in the MHDR category should be tighter. The small setbacks are great if the parking is kept in back. He inquired about farm equipment interacting with pedestrians in the area. Mr. Dames said SRP requires that part of the corridor be left open for maintenance; these roads could double as farm access. He likes the plan so far, but would like to see how it progresses.

Council Member Kilgore commended the design concept. The farm idea is good, but its success will depend on how well it is cared for. He agreed that the small setbacks pose challenges for front-loading garages.

Council Member Weise expressed approval of the overall concept and the urban farms. Housing with garages in back and porches in front helps facilitate neighborhood connections. If active adult living is to be a part of this project, residents of these areas will not want to drive far to reach commercial. He felt that 19 acres of Commercial was too little to service a property this large.

At Council Member Weise's request, Mr. Galica pointed out the proposed locations of schools, public safety and Parks and Recreation use. Council Member Weise reiterated City Council's concern about small setbacks, and the reduction in the number of estate lots. He asked whether Sunbelt intends to follow through with developing the entire property. Mr. Dames said it is.

4 ADJOURNMENT

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

City Council meeting adjourned at 7:07 p.m.



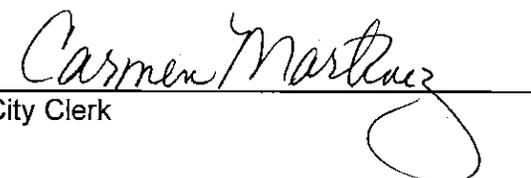
Mayor Weise



Carmen Martinez,
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 2nd day of June. 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 June 2, 2014 at 7:14 pm in the Council Chambers.

MEMBERS PRESENT

Vice Mayor Frank Scott (via telephone)

Stephanie Karlin
Bryan Kilgore
Jim McDonald
Charles Vierhout
Ken Weise

ALSO PRESENT

David Fitzhugh, Acting City Manager
Gina Ramos Montes Assistant City Manager
Christopher Reams, Parks, Recreation, and Libraries Director
Kevin Artz, Finance and Budget Director
Dan Davis, Economic Development 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

There were no requests to address the Council.

3 EXECUTIVE SESSION

An executive session pursuant to ARIZ. REV. STAT. § 38-431.03 (A)(1) for discussion regarding the appointment of Mayor.

Council Member McDonald moved to adjourn to executive session; Council Member Karlin seconded the motion. All ayes.

The meeting was reconvened at 7:29 p.m.

4 DISCUSSION AND POSSIBLE APPOINTMENT OF MAYOR

Discussion and consideration of a possible appointment to fill the vacancy of Mayor.

Vice Mayor Scott moved to appoint Council Member Weise as the new Mayor of Avondale; Council Member McDonald seconded the motion.

Council Member McDonald commented that Mayor Roger's shoes will be hard to fill but he knows that Council Member Weise is very involved and devoted to the city. Council Member Vierhout expressed his support for the appointment. Likewise, Council Member Kilgore and Council Member Karlin expressed their support for the appointment.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Aye
Council Member McDonald	Aye

Council Member Weise	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Council Member Kilgore	Aye

Motion carried unanimously

Newly appointed Mayor Weise expressed his gratitude for the vote of confidence and the kind words. He added that he believes the council is a great team and the city of Avondale is a great city.

Mayor Weise called for a five minute recess.

Vice Mayor Scott left the conference line.

5 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 May 19, 2014
2. Regular Meeting of May 19, 2014

c. PURCHASE AND SERVICES AGREEMENT - MIDWEST TAPE, LLC

A purchase and services agreement with Midwest Tape, LLC to provide library books, non-print material, and services for the Avondale Public Libraries in an amount not to exceed \$100,000 annually or \$500,000 over the entire contract term and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

d. CONSTRUCTION CONTRACT AWARD - TSG CONSTRUCTORS LLC

A construction contract with TSG Constructors LLC to provide construction services at the reception area at the Avondale City Court in the amount of \$113,000 and authorize the Mayor or City Manager and City Clerk.

e. RESOLUTION 3190-614 – INTERGOVERNMENTAL AGREEMENT WITH ADOT FOR THE UPGRADE OF THE CITY'S CRASH DATA ANALYSIS SOFTWARE

A resolution authorizing an Intergovernmental Agreement with the Arizona Department of Transportation for the procurement of crash analysis software and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

f. RESOLUTION 3191-614 – INTERGOVERNMENTAL AGREEMENT WITH ADOT FOR THE DEVELOPMENT OF A TRAFFIC SIGN MANAGEMENT SYSTEM

A resolution authorizing an Intergovernmental Agreement with the Arizona Department of Transportation for the scoping, design, and procurement of the sign management system project and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

g. RESOLUTION 3192-614 – INTERGOVERNMENTAL AGREEMENT WITH ADOT RELATING TO UPGRADING PEDESTRIAN SIGNALS AND SIGNS

A resolution authorizing an Intergovernmental Agreement with the Arizona Department of Transportation for the design phase to upgrade pedestrian countdown signals citywide and Accessible Pedestrian Signal at four intersections, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

h. RESOLUTION 3193-614 - INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY FOR JURY MANAGEMENT SERVICES

A resolution approving an Intergovernmental Agreement with the Superior Court of Arizona in Maricopa County to provide jury services for the Avondale City Court and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

i. RESOLUTION 3194-614 - SUBMISSION OF GRANT APPLICATION TO THE ARIZONA DEPARTMENT OF HOUSING AND ADOPTING PROGRAM POLICIES AND PROCEDURES

A resolution authorizing the submission of a \$275,000 State Housing Fund, HOME Investment Partnership program grant application to the Arizona Department of Housing to provide additional funding for the existing City of Avondale Owner Occupied Home Rehabilitation Program, adopting the Amended and Restated Avondale Owner-Occupied Home Rehabilitation Program Policies and Procedures, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

k. ORDINANCE 1546-614 - AMENDMENT TO CITY CODE CHAPTER 10, ARTICLE IV - FIREWORKS

An ordinance amending Chapter 10, Fire Prevention and Protection, Article IV, Fireworks of the Avondale City Code and declaring an emergency.

Council Member Vierhout pulled items 5b and 5j to be considered separately.

Council Member McDonald moved to approve the consent agenda as presented with the exception of items 5b and 5j and including Resolutions 3190-614, 3191-614, 3192-614, 3193-614, 3194-614 and 3195-614 and ordinance 1546-614. Council Member Kilgore seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Aye
Council Member McDonald	Aye
Mayor Weise	Aye
Vice Mayor Scott	Absent/Excused
Council Member Karlin	Aye
Council Member Kilgore	Aye

Motion carried 5-0

b. SPECIAL EVENT LIQUOR LICENSE - HSA SOFTBALL TOURNAMENT

A request from Mr. Adam Joseph Maldonado on behalf of Taking the Good Out of People for a special event liquor license to be used in conjunction with an adult softball tournament scheduled from 4:00 pm on Saturday, June 21 through 2:00 am on Sunday, June 22, 2014 at Festival Fields located at 101 E Lower Buckeye in Avondale.

Council Member Vierhout indicated he was seeking more information regarding beer sales, tax revenue generated from the same, as well as any problems with people not staying within the fenced area.

Acting City Manager David Fitzhugh indicated that there was no sales tax revenue generated as the organizing group is a non-profit. Noting this is the third time a special event liquor license has been granted to this group, Mr. Fitzhugh indicated there have been no problems as a result of the event and added that while two police officers were required for the first event, that number has been reduced to one officer.

Council Member Vierhout asked if this group came into the city as a result of the city amending the alcohol at the park ordinance or if they had held events before. Chris Reams, Parks, Recreation and Libraries Director commented that this group has held events in city parks with or without alcohol.

Council Member Vierhout reviewed that he was the only dissenting vote when the ordinance was adopted and would like to keep monitoring and following up as similar events come through.

Council Member Karlin suggested that we collect information such as raised revenue, problems, etc. to allow the Council to make a better informed decision.

Council Member McDonald moved to approve the special event liquor license for the HAS Softball Tournament; Mayor Weise seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Nay
Council Member McDonald	Aye
Mayor Weise	Aye
Vice Mayor Scott	Absent/Excused
Council Member Karlin	Aye
Council Member Kilgore	Aye

Motion carried 4-1

j. RESOLUTION 3195-614 - INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF GOODYEAR FOR HUMAN AND SENIOR SERVICES

A resolution approving an intergovernmental agreement with the City of Goodyear for the continuation of the provision of human and senior services for Goodyear residents, authorizing the acceptance of the City of Goodyear's financial contribution toward such

services and authorize the Mayor or City Manager and City Clerk to execute all the necessary documents.

Council Member Vierhout commented that he is glad this agreement has come forward to show the City of Goodyear's support of the continuation of services for Goodyear residents. He added that in the past the Goodyear had had to vote every year to approve the contribution and this agreement will allow for better long term planning.

Council Member McDonald moved to adopt Resolution 3195-614 approving the Intergovernmental Agreement with the City of Goodyear for human and senior services. Council Member Vierhout seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Aye
Council Member McDonald	Aye
Mayor Weise	Aye
Vice Mayor Scott	Absent/Excused
Council Member Karlin	Aye
Council Member Kilgore	Aye

Motion carried 5-0

6 RESOLUTION 3196-614 - AUTHORIZING SIGNATORIES ON CITY BANK ACCOUNTS

A resolution authorizing the signatories on city bank accounts to execute checks and other items for and on behalf of the City of Avondale, authorizing the Finance and Budget Director to authorize certain electronic payments and transfers of funds and declaring an emergency.

Finance and Budget Director Kevin Artz indicated that with the resignation of former Mayor Rogers, staff needs to update the signature cards designating approved signatories on city bank accounts. He explained that whereas in the past that bank had allowed the city to designate positions rather than names of staff members, they are not requiring actual names and signatures of authorized employees. He suggested that in order to allow for flexibility, the resolution only requires one signature for electronic payments, however at council direction two signatures may be required.

Council Member Vierhout indicated that he is well aware of the scenarios presented due to his professional responsibilities and understood the need for flexibility.

Council Member McDonald, Kilgore, Karlin and Mayor Weise indicated that they were in favor of keeping two signatures as it is tradition.

Council Member McDonald moved to adopt Resolution 3196-614 to retain the current systems with Mayor Kenneth N. Weise and Vice Mayor Frank Scott as signatories on the city's checks and amend the resolution to required two signatures. Council Member Vierhout seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Aye
Council Member McDonald	Aye
Mayor Weise	Aye
Vice Mayor Scott	Absent/Excused
Council Member Karlin	Aye
Council Member Kilgore	Aye

Motion carried 5-0

7 UPDATE ON THE WIGWAM CREEK SOUTH ANNEXATION

An update regarding the proposed Wigwam Creek South annexation.

Dan Davis, Economic Development Director, summarized the process that has been followed by the cities of Litchfield Park and Avondale that would have eventually resulted in the annexation of the Wigwam Creek South subdivision into Avondale.

Mr. Davis commented that on April 2nd of this year staff was notified by the folks that were collecting the signatures that they were going to cease all signature collecting efforts due to having been notified by the owners of the Remington Ranch Apartments that they would not support the annexation. Based on this, the actions that were taken by the cities of Avondale and Litchfield Park need to be reverted. In order to accommodate the City of Litchfield Park's summer meeting schedule and their requirement to have two readings of an ordinance before adoption, staff is proposing that Avondale City Council considers the ordinance to deannex the right of way on July 7th. In turn, the City of Litchfield Park will hold the first hearing of the ordinance on June 9th and will formally adopt the annexing ordinance during their August meeting. Once both ordinances are adopted, the City Clerk will proceed to submit to the Maricopa Board of Supervisors for approval.

Council Member McDonald recognized staff for all their efforts to see this process through.

Council Member Karlin commented that she was never in favor of the annexation and asked how many signatures from single family property owners had been collected. City Clerk Carmen Martinez commented that she has in her possession approximately twenty signatures from property owners. In response to a question from Council Member Karlin, City Attorney clarified that most of the actions outlined in the IGA were contingent on the annexation of the subdivision, so the only action that needs to be reverted is the annexation of the right of way that was adopted to create contiguity. He added that the position of the property owners of the apartment complex was critical because they represented a significant percentage of the total assessed valuation.

In response to a question from Council Member Vierhout, Mr. McGuire commented that the property owned by the school district did not play a role as only properties with positive assessed valuation are considered.

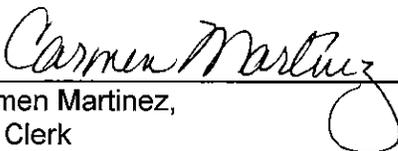
8 ADJOURNMENT

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

City Council meeting adjourned at 8:11p.m.



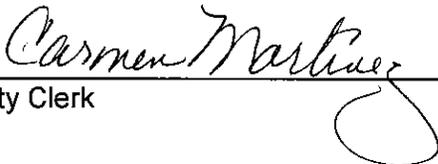
Mayor Kenneth N. Weise



Carmen Martinez,
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 2nd day of June. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk