

**CITY OF AVONDALE
REGULAR CITY COUNCIL MEETING**

September 14, 2015 – 7:00 p.m.

Held in the City Council Chambers – 11465 W Civic Center Drive, Avondale, AZ 85323

Summary of Council Actions

1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK – *ALL PRESENT*

2 RECOGNITION ITEMS (MAYOR PRESENTATIONS)

a. RECOGNITION OF LEGISLATIVE DISTRICT 19 LEGISLATORS

City Council **RECOGNIZED** the efforts of the Legislative District 19 legislators who supported the City of Avondale through the 52nd Legislature, First Regular Session.

b. RECOGNITION OF OSCAR ESPINOZA

City Council **RECOGNIZED** Oscar Espinoza, owner of Oscar's Barber Shop who has given back to the community by donating more than 400 backpacks which were given away to children who came in for their back-to-school haircuts.

3 UNSCHEDULED PUBLIC APPEARANCES

Mr. Paul Barton addressed the Council and informed them about an upcoming event he is organizing for children with special needs and their families.

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 - *APPROVED*

1. Work Session of August 3, 2015
2. Regular Meeting of August 3, 2015
3. Leadership Summit of August 15, 2015
4. Regular Meeting of August 17, 2015

b. SPECIAL EVENT LIQUOR LICENSE - WILDCAT POKER TOURNAMENT AT ST. THOMAS AQUINAS

City Council **APPROVED** a request from Louis Sisbarro on behalf of St. Thomas Aquinas' Wildcat Dads Club for approval of a special event liquor license to be used in conjunction with their Wildcat Poker Tournament scheduled for Saturday, September 19, 2015 at St. Thomas Aquinas Church located at 13720 W Thomas Road in Avondale.

c. AGREEMENT OF SALE - CAROLINA'S WEST, LLC

City Council **APPROVED** an Agreement of Sale for 1.16 acres of property located at the northeast corner of Dysart and Western Avenue in the amount of \$250,000 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

d. BUDGET TRANSFERS TO ALLOW FOR EXPENDITURE OF DONATION FUNDS

City Council **APPROVED** the transfer of appropriations from contingency to various donations line items in order to allow city departments to spend the donations they receive.

- e. FIRST AMENDMENT TO CONTRACTOR AGREEMENT - URBAN YOUTH ATHLETIC ASSOCIATION DBA ARIZONA RBI**
City Council **APPROVED** the first amendment of the Contractor Agreement with the Urban Youth Athletic Association, Inc d/b/a RBI to provide jointly sponsored youth athletic programs with the Avondale Parks, Recreation, and Libraries Department and RBI and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.
- f. SECOND AMENDMENT TO CONSTRUCTION CONTRACT - TSG CONSTRUCTORS LLC**
City Council **APPROVED** the second amendment to the Contract with TSG Constructors LCC in the amount of \$14,395 for additional ceramic floor tile replacement in the Courts front lobby that was not included in the original agreement and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.
- g. COOPERATIVE PURCHASING AGREEMENT - SOUTHWEST SLURRY SEAL FOR THE TYPE II SLURRY-SEAL PAVEMENT PRESERVATION PROGRAM**
City Council **APPROVED** a Cooperative Purchasing Agreement with Southwest Slurry Seal for the Type II Slurry-Seal Pavement Preservation Program in an amount of \$400,000 for the first year and a maximum amount of \$4,000,000 over the life of the agreement and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.
- h. PROFESSIONAL SERVICES AGREEMENT - DIBBLE & ASSOCIATES CONSULTING ENGINEERS, INC. - LARGE DIAMETER SEWER REHABILITATION**
City Council **APPROVED** a Professional Services Agreement with Dibble & Associates Consulting Engineers, Inc. to provide the design for the Large Diameter Sewer Rehabilitation, Project 1A for \$74,513.50 and authorized the Mayor or City Manager and City Clerk to execute the contract documents.
- i. RESOLUTION 3269-915 - INTERGOVERNMENTAL AGREEMENT WITH THE REGIONAL PUBLIC TRANSIT AUTHORITY**
City Council **ADOPTED RESOLUTION 3269-915** approving an amendment to the Intergovernmental Agreement with the Regional Public Transportation Authority for FY 2016 Zoom operations, funding for American with Disabilities Act Paratransit Services, and Express Bus Service and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.
- j. RESOLUTION NO. 3271-915 - CONTRACT FOR LEGAL SERVICES WITH ENGELMAN BERGER, P.C. RELATED TO THE WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS SETTLEMENT**
City Council **ADOPTED RESOLUTION 3271-915** authorizing a contract for legal services among the Cities of Avondale, Chandler, Glendale, and Scottsdale and the law firm of Engelman Berger, P.C. for legal representation in proceedings related to the White Mountain Apache Tribe water rights settlement and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.
- k. RESOLUTION 3272-915- INTERGOVERNMENTAL AGREEMENT FOR A MULTICITY HOUSEHOLD HAZARDOUS WASTE COLLECTION DAY EVENT**
City Council **ADOPTED RESOLUTION 3272-915** authorizing an Intergovernmental Agreement with the cities of Goodyear, Litchfield Park and Tolleson to hold household hazardous waste day

collection events and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

5 PUBLIC HEARING AND ORDINANCE 1585-715 AMENDMENT TO PALM VALLEYAVONDALE PLANNED AREA DEVELOPMENT (PAD) - APPLICATION PL-15-0076

City Council **HELD A PUBLIC HEARING AND ADOPTED ORDINANCE 1585-715** a request by Mr. Ali Fakh, Sustainability Engineering Group, to adopt an Ordinance amending the Palm Valley-Avondale Planned Area Development, specific to Lot 3 of the Dysart Commons subdivision, located at the northeast corner of Dysart Road and Thomas Road. This item was continued from the July 20, 2015 City Council Meeting.

6 PUBLIC HEARING: CONDITIONAL USE PERMIT FOR FRY'S FUEL CENTER (APPLICATION PL-15-0077)

City Council will **HELD A PUBLIC HEARING AND APPROVED** a request by Mr. Ali Fakh, Sustainability Engineering Group, for approval of a Conditional Use Permit (CUP) for a Fry's Fuel Center gas station and convenience kiosk at the northeast corner of Dysart Road and Thomas Road. This item was continued from the July 20, 2015 City Council Meeting.

7 PUBLIC HEARING AND RESOLUTION LAKIN RANCH MAJOR GENERAL PLAN AMENDMENT CONTINUANCE

City Council **APPROVED A REQUEST FOR CONTINUANCE TO SEPTEMBER 21, 2015** of the public hearing and consideration of a resolution amending the General Plan, the scope of which includes adjusting the Land Use Map by generally reducing the amount of various density categories and modifying the Circulation and Street Classification Map.

8 FUND TRANSFER AUTHORIZATION - TO FUND DEPARTMENT OF REVENUE TAX SIMPLIFICATION

City Council will **AUTHORIZED** a transfer of contingency funds to the Finance Department in the amount of \$223,527.10 and to authorize the payment to the Arizona Department of Revenue for collecting the City of Avondale's privilege (sales) taxes under the tax simplification project.

9 PUBLIC HEARING AND RESOLUTION 3270-915 FREEWAY CORRIDOR SPECIFIC PLAN MAJOR AMENDMENT APPLICATION PL-15-0055

City Council **HELD A PUBLIC HEARING AND ADOPTED RESOLUTION 3270-915** amending the text of the Freeway Corridor Specific Plan which includes, but is not limited to, eliminating minimum floor area ratio requirements for new development, easing design requirements for high intensity office and urban residential development, and amending the rules for seeking variances from and/or amending the FCSP.

10 EXECUTIVE SESSION – 8:45 PM

The Council **HELD** 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's Attorney regarding a potential lease agreement of city-owned property.

11 ADJOURNMENT