

CITY COUNCIL

City Council Chambers ♦ 11465 West Civic Center Drive ♦ Avondale, AZ 85323

AGENDA

**WORK SESSION OF
September 6, 2005
6:00 P.M.**

CALL TO ORDER BY MAYOR DRAKE

1) ROLL CALL BY THE CITY CLERK

**2) GENERAL PLAN AND SPECIFIC PLAN AMENDMENT – AVONDALE
BOULEVARD AND MCDOWELL ROAD - GP-05-1**

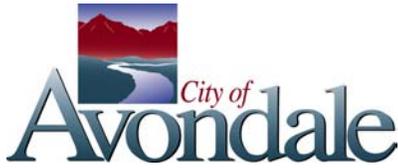
The Staff will brief Council on resolutions approving a Major General Plan Amendment and a Specific Plan Amendment to change the land use designation from Commercial to Mixed Use for 55 acres located on the northwest corner of Avondale Boulevard and McDowell Road. For information, discussion and direction.

3) ADJOURNMENT

Respectfully submitted,

LINDA M. FARRIS, CMC
City Clerk

Any individual with a qualified disability may request a reasonable accommodation by contacting the City Clerk at 623-478-3030 at least 48 hours prior to the council meeting.



CITY COUNCIL

CITY COUNCIL CHAMBERS ♦ 11465 WEST CIVIC CENTER DRIVE ♦ AVONDALE, AZ 85323

AGENDA

REGULAR MEETING OF
September 6, 2005
7:00 P.M.

**CALL TO ORDER BY MAYOR DRAKE
PLEDGE OF ALLEGIANCE
INVOCATION**

1) ROLL CALL BY THE CITY CLERK

STATEMENT OF PARTICIPATION BY THE CITY CLERK

2) CITY MANAGER'S REPORT

3) RECOGNITION ITEMS (MAYOR PRESENTATIONS)

[Proclamation designating the month of September as 5 A Day Month](#)

4) UNSCHEDULED PUBLIC APPEARANCE

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

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

- Work Session of August 15, 2005
- Regular meeting of August 15, 2005

b. REVIEW OF CONDITIONAL USE PERMIT – BRIGHT IDEAS TATTOOING – CU-03-699

City Staff will present an administrative review of a conditional use permit for Bright Ideas Tattooing, 700 square foot tenant space located south of Van Buren Street on the east side of Central Avenue in the Tri-City Bowl complex. The Council will take appropriate action.

c. PROFESSIONAL SERVICE AGREEMENT - DANLOWITZ AND ASSOCIATES, INC.

Staff is requesting that the City Council approve a Professional Services Agreement with Danelowitz and Associates, Inc. for the engineering, design and development of construction bid specifications for the Agua Fria River Trail Connector project which extends from Friendship Park to Coldwater Park along the Agua Fria River in the amount of \$149,562.00 and authorize the Mayor or City Manager and City Clerk to execute the agreement documents. The Council will take appropriate action.

d. PROFESSIONAL SERVICES AGREEMENT - KIRKHAM-MICHAEL CONSULTING ENGINEERS -DESIGN OF TRAFFIC SIGNALS AT 107TH AVENUE/VAN BUREN STREET AND AVONDALE BOULEVARD/COLDWATER SPRINGS BOULEVARD

Staff is requesting that the City Council approve a professional services contract with Kirkham-Michael Consulting Engineers for the design of traffic signals at 107th Avenue and Van Buren Street and Avondale Boulevard and Coldwater Springs Boulevard in the amount of \$43,510.00 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. SPECIAL EVENT LIQUOR LICENSE - ST THOMAS AQUINAS CHURCH – VIENNA BOYS CHOIR

Staff is requesting that Council consider a request for a special event liquor license for St Thomas Aquinas, 13720 West Thomas Road, for Sunday, October 30, 2005, to be used in conjunction with a fundraiser concert by Vienna Boys Choir. The Council will take appropriate action.

f. AGREEMENT - LEGEND TECHNICAL SERVICES, INC., - LABORATORY ANALYSIS SERVICES

Staff is requesting that the City Council approve an agreement with Legend Technical Services, Inc., for Laboratory Analysis Services by adjoining to the City of Tempe's contract for an amount not to exceed \$75,000.00 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

g. AMENDMENT 1 - PROFESSIONAL SERVICES AGREEMENT - DAMON S. WILLIAMS ASSOCIATES, LLC, - WASTEWATER TREATMENT AND RECLAIMED WATER FACILITIES MASTER PLAN; AQUIFER PROTECTION PERMIT

Staff is requesting that the City Council approve Amendment No. 1 to the professional services agreement with Damon S. Williams Associates, LLC (DSWA), for Wastewater Treatment and Reclaimed Water Facilities Master Plan; Aquifer Protection Permit, in an amount not to exceed \$129,491, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

h. PROFESSIONAL SERVICES AGREEMENT - ORIDIAN CONSTRUCTION SERVICES, LLC - CONSTRUCTION MANAGEMENT SERVICES - NORTHEAST BOOSTER PUMP STATION, PHASE II

Staff is requesting that the City Council approve a professional services agreement with Oridian Construction Services, LLC for Construction Management Services associated with construction of the Northeast Booster Pump Station, Phase II, in an amount not to exceed \$146,826, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

i. CONGRESS OF CITIES VOTING DELEGATE

The Council will consider designating a primary voting member and two alternate voting delegates to represent Avondale at the upcoming National League of Cities' Annual Business Meeting to be held at the Congress of Cities in Charlotte, North Carolina on December 10, 2005. The Council will take appropriate action.

j. ORDINANCE 1135-05 - ACCEPTING THE DEDICATION OF RIGHT-OF-WAY FOR THE SOUTH AVONDALE SIDEWALK PROJECT PHASE II

The City Council will consider an ordinance accepting the dedication of certain right-of-ways related to the South Avondale Sidewalk Project Phase II and authorizing the Mayor and City Clerk to execute the appropriate documents. The Council will take appropriate action.

k. ORDINANCE 1136-05 - ACCEPTING RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENT - NORTHWEST CORNER OF VAN BUREN STREET AND EL MIRAGE ROAD

The City Council will consider an ordinance accepting the dedication of certain right-of-way necessary to facilitate the installation of a traffic signal at the northwest corner of Van Buren Street and El Mirage Road and authorizing the Mayor or City Manager and the City Clerk to take all steps necessary to execute the appropriate documents. The Council will take appropriate action.

l. ORDINANCE 1137-05 - AUTHORIZATION TO INITIATE PURCHASE OR CONDEMNATION PROCEEDINGS FOR SOUTH AVONDALE SIDEWALKS, PHASE II

The Council will consider an ordinance authorizing the acquisition by purchase or condemnation of twenty (20) parcels of property for right-of-way required for the South Avondale Sidewalk Project, Phase II. The Council will take appropriate action.

m. RESOLUTION 2525-05 PATRIOT ACT

The City Council will consider a resolution that urges Congress to amend the Patriot Act, requesting that legal standards be reinstated before an individual's personal information can be accessed. The Council will take appropriate action.

n. RESOLUTION 2521-05 - SHARED USE AGREEMENT - TOLLESON UNION HIGH SCHOOL DISTRICT

The City Council will consider a resolution approving a Letter Agreement with the Tolleson Union High School District to share the use of facilities with the City of Avondale through the Community/Recreation Services Department. The Council will take appropriate action.

o. RESOLUTION 2522-05 - FY 2005 GILA RIVER INDIAN COMMUNITY GRANT - ARIZONA FOUNDATION FOR THE EYE

The City Council will consider a resolution authorizing an agreement with the Arizona Foundation for the Eye for the purpose of submitting a grant application to the Gila River Indian Community for the provision of a Mobile Unit that will serve Avondale residents in conjunction with the Healthy Avondale 2010 Initiative for a total request of \$672,700 over the next three years. The Council will take appropriate action.

p. RESOLUTION 2523-05 - MODIFIED INTERGOVERNMENTAL AGREEMENT - MARICOPA COUNTY FLOOD CONTROL DISTRICT AND SUNCOR DEVELOPMENT COMPANY - R.I.D. OVERCHUTE PROJECT OPERATION AND MAINTENANCE AND RIGHT-OF-WAY DEDICATION

The City Council will consider a resolution authorizing the City to enter into a modified intergovernmental agreement with Maricopa County Flood Control District and SunCor Development Company regarding the RID Overchute Project operation and maintenance and right-of-way dedication and authorizing the Mayor and City Clerk to execute the appropriate documents. The Council will take appropriate action.

g. RESOLUTION 2524-05 - FY 2005-2006 ARIZONA CRIMINAL JUSTICE COMMISSION- LIVESCAN GERALD HARDT MEMORIAL CRIMINAL JUSTICE RECORDS IMPROVEMENT PROGRAM GRANT AGREEMENT

The City Council will consider a resolution authorizing the acceptance of the Arizona Criminal Justice Commission Gerald Hardt Memorial Criminal Justice Records Improvement Program Grant Agreement for \$26,334 with a corresponding City cash match of \$8,778. The Council will take appropriate action.

6) AMENDMENT 1 - DESIGN-BUILD CONTRACT - JOHNSON-CARLIER - EXPANSION OF THE FIELD OPERATIONS COMPLEX

Staff is requesting that the City Council award Amendment No. 1 to the Design-Build Guaranteed Maximum Price Contract with Johnson-Carlier for construction phase services to expand the Field Operations Complex at a cost of \$5,341,481 and authorize the Mayor or City Manager and City Clerk to execute the contract documents. The Council will take appropriate action.

7) PUBLIC HEARING – ORDINANCE 1140-05 - PAD - SHOPS AT AVONDALE BLVD

The Council will hold a public hearing and will consider an ordinance rezoning from AG (Agricultural) to PAD (Planned Area Development) 33.15 acres at the southwest corner of Avondale Boulevard and Interstate 10. The Council will take appropriate action.

8) MASTER SITE PLAN-DYSART COMMONS SHOPPING CENTER AND FINAL SITE PLAN – PHASE I – DR-05-15

The Council will consider a request from Mr. Don Andrews and Mrs. Rosa Pritchett for master site plan approval for a neighborhood shopping center and for final site plan approval for Shops A, B, C, Major A, B and C. This is 14.1 acres located at the northeast corner of Dysart Road and Thomas Road. The Council will take appropriate action.

9) ORDINANCE 1138-05 - CODE REVISIONS TO THE SANITATION CODE

The City Council will consider an ordinance approving revisions to the Sanitation Code Section 11-4 relating to bulk trash collection. The Council will take appropriate action.

10) RESOLUTION 2526-05 – DECLARING AMENDED AND RESTATED AVONDALE AMENDMENTS TO THE 2003 INTERNATIONAL PROPERTY MAINTENANCE CODE A PUBLIC RECORD

The Council will consider a resolution declaring as a public record that certain document filed with the City Clerk and entitled the “Amended and Restated Avondale Amendments to the 2003 International Property Maintenance Code”. The Council will take appropriate action

11) ORDINANCE – 1139-05 – INTERNATIONAL PROPERTY MAINTENANCE CODE

The City Council will consider an ordinance adopting the “Amended and restated Avondale Amendments to the 2003 International Property Maintenance Code” (IPMC) providing more clarity and greater enforceability because of the improved language. The Council will take appropriate action.

12) DISCUSSION ITEMS

Council will discuss items listed below and possibly give direction to city staff to research and prepare item for future meeting.

a. Request For Proposals for Federal Lobbying Contract – Mayor Drake

b. City’s Participation in Hurricane Relief Efforts – Mayor Drake

13) EXECUTIVE SESSION

The Council may hold an executive session pursuant to (i) ARIZ. REV. STAT. § 38-431.03 (A)(7) for discussion or consultation with City representatives in order to consider its position and instruct its representatives regarding negotiations for the purchase of real property and (ii) ARIZ. REV. STAT. § 38-431.03 (A)(3) for discussion or consultation with the City's attorney for legal advice regarding the inmate labor program.

14) ADJOURNMENT

Respectfully submitted,
Linda M. Farris, CMC
City Clerk

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