



CITY COUNCIL

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

SUMMARY OF COUNCIL ACTIONS

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

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 presented 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.

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

Council *approved* of 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.

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

Council *approved* 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.

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

Council *approved* 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.

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

Council *approved* 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 .

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

Council *approved* 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.

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

Council *approved* 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.

i. CONGRESS OF CITIES VOTING DELEGATE

Council designated Vice Mayor Lynch as a primary voting member and Councilman Carroll and Council Member Leitner as 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.

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

Council *adopted Ordinance 1135-05* accepting the dedication of certain right-of-ways related to the South Avondale Sidewalk Project Phase II.

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

Council *adopted Ordinance 1136-05* 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.

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

Council *adopted Ordinance 1137-05* 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.

m. RESOLUTION 2525-05 PATRIOT ACT

Council *adopted Resolution 2525-05* urging Congress to amend the Patriot Act, requesting that legal standards be reinstated before an individual's personal information can be accessed.

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

Council *adopted Resolution 2521-05* 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.

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

Council *adopted Resolution 2522-05* 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.

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

Council *adopted Resolution 2523-05* 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.

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

Council *adopted Resolution 2524-05* 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.

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

Council awarded 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.

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

The Council held a public hearing and *adopted Ordinance 1140-05* rezoning from AG (Agricultural) to PAD (Planned Area Development) 33.15 acres at the southwest corner of Avondale Boulevard and Interstate 10.

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

The Council *approved* 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.

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

Council *adopted Ordinance 1138-05* approving revisions to the Sanitation Code Section 11-4 relating to bulk trash collection.

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

Council *adopted Resolution 2526-05* 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”.

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

Council *adopted Ordinance 1139-05* 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.

12) DISCUSSION ITEMS

Council discussed items listed below and gave 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 held 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