



CITY COUNCIL

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

AGENDA

SPECIAL MEETING OF
DECEMBER 12, 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)

4) UNSCHEDULED PUBLIC APPEARANCE
(Limit three minutes per person. Please state your name.)

5) CONSENT AGENDA

a. APPROVAL OF MINUTES *Approved*

Special meeting of November 14, 2005
Work Session of November 14, 2005
Work Session of November 21 2005
Regular meeting of November 21 2005

b. BID AWARD – FIRE EQUIPMENT

City Council *approved* contracts with eight vendors as follows; First In, Inc. \$47,742.91, Municipal Emergency Services \$242.28, Ferrara Fire Apparatus \$1,038.00, Mallory Company \$2,123.10, Fisher Scientific \$1,090.01, L.N. Curtis & Sons \$17,378.16, United Fire Equipment \$778.34, Equipment Management \$806.20, for the purchase of fire equipment at a total cost of \$71,199.00.

c. PAYMENT - SALT RIVER PROJECT (SRP) - IRRIGATION STRUCTURES ON MCDOWELL ROAD FROM AVONDALE BOULEVARD TO 99TH AVENUE

City Council *approved* payment to Salt River Project (SRP) in the amount of \$165,199 for engineering and construction services related to the installation of irrigation structures on McDowell Road from Avondale Boulevard to 99th Avenue.

d. SETTLEMENT AGREEMENT AND RELEASE - INTERSTATE COMMERCE CENTER, L.L.C.

City Council *approved* a Settlement Agreement and Release between the City of Avondale and Interstate Commerce Center, LLC (aka Fiesta Travel Plaza) in the amount of \$202,695.83 and authorize the Mayor or City Manager and the City Clerk to execute the appropriate documents.

e. SETTLEMENT AGREEMENT - GARNEY CONSTRUCTION - NORTHEAST RESERVOIR AND BOOSTER STATION

City Council *approved* a Settlement Agreement and Release between the City of Avondale and Garney Construction. The original contract amount of \$1,780,754 has been adjusted by deducting \$84,490 resulting in a new contract amount of \$1,696,264 as a settlement for failing to complete the work on time.

f. AMENDMENT 1 - PROFESSIONAL SERVICES AGREEMENT - CMX, INC. - DESIGN SERVICES

City Council *approved* Amendment 1 to the Professional Services Agreement with CMX, Inc. to design public improvements relating to the development of the southeast corner of I-10 and Avondale Blvd in the amount of \$5,000, resulting in a revised contract total of \$58,950.

g. REIMBURSEMENT AGREEMENT - THOMAS TAIT - IMPROVEMENTS RELATED TO MCDOWELL ROAD/AVONDALE BOULEVARD IMPROVEMENT PROJECT

City Council *approved* a reimbursement agreement with Thomas Tait for the proposed McDowell Road/Avondale Boulevard Improvements Project. The agreement stipulates that the City will invoice Mr. Tait monthly for his share of the improvements based on the estimated cost to construct his improvements (\$346,230.21).

h. CHANGE ORDER 1 - HIGHLAND ENGINEERING - CONSTRUCT THE FULTON ESTATES SEWAGE LIFT STATION

City Council *approved* Change Order 1 to Highland Engineering's contract to construct the Fulton Estates sewage lift station in an amount not to exceed \$75,006.18 for a revised total contract amount of \$499,486.18, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

i. MAP OF DEDICATION – 113th AVENUE BUSINESS PARK – MD-04-1

City Council *approved* a Map of Dedication for a portion of the McDowell Road, Avondale Boulevard and 113th Avenue right-of-way.

j. FINAL PLAT – GATEWAY CROSSING

City Council *approved* a request from Mr. Douglas Baker, Raintree PAD, for final plat approval for Gateway Crossing Shopping Center, 29.23 acres, southwest corner of 99th Avenue and McDowell Road.

k. SPECIAL EVENT LIQUOR LICENSE – AMERICAN LEGION #61 – NEW YEAR'S EVE

City Council *approved* a request for a special event liquor license from the American Legion Post #61, 35 North 8th Street Avondale, Arizona for December 31, 2005.

l. RESCHEDULE FEBRUARY 20, 2006 COUNCIL MEETING – PRESIDENTS' DAY

City Council *approved* to reschedule the February 20, 2006 Council meeting to Tuesday, February 21, 2006 in observance of Presidents' Day.

m. PURCHASE OF TRUCKS FOR THE UTILITIES DEPARTMENT

City Council *approved* to attach to the State of Arizona bid #AD040004-005 and enter into a purchase agreement with Five Star Ford for the purchase of two F250 Pickups, one Super Cab F150 pickup, and three F150 Regular Cab pickups for a total of \$128,140.32.

n. RESOLUTION DECLARING OFFICIAL INTENT OF THE CITY TO BE

REIMBURSED FOR CAPITAL EXPENDITURES THAT OCCURRED PRIOR TO THE ISSUANCE OF DEBT, RELATING TO THE CONSTRUCTION OF THE REGIONAL LIBRARY AT AVONDALE BOULEVARD AND CIVIC CENTER DRIVE, AND THE LEASE PURCHASE OF TWO FIRE TRUCKS.

City Council *adopted Resolution 2536-05*, declaring for purposes of Section 1.150-2 of the Federal Treasury Regulations, official intent of the City to be reimbursed in connection with certain capital expenditures relating to the construction of the regional library at Avondale Boulevard and Civic Center Drive and the lease purchase of two fire trucks.

o. RESOLUTION - ADOPTION OF COUNCIL GOALS FOR FY 2006-07

City Council *adopted Resolution 2535-05*, establishing Council goals for fiscal year 2006-2007.

p. ORDINANCE - ACQUISITION OF PROPERTY BY PURCHASE OR CONDEMNATION

City Council *adopted Ordinance 1157-05*, authorizing the acquisition of property at 103 W. Elm Lane by purchase or condemnation.

q. FRONT ELEVATION – MAJOR B – GATEWAY CROSSING SHOPPING CENTER

City Council *approved* a request for design approval for the north elevation of Major B at gateway Crossing Shopping Center, 26.1 acres located at the southwest corner of 99th Avenue and McDowell Road.

6) AWARD OF A LANDSCAPE MAINTENANCE SERVICE CONTRACT

City Council *postponed until December 19, 2005* a Professional Services Agreement with Grounds Control Inc. to provide landscape services for the Avondale Civic Center, Crystal Gardens Water Treatment Cells, Western Avenue streetscape, and city street medians, in the amount of \$169,980 and authorize the Mayor or City Manager and City Clerk to execute the contract documents. The agreement shall be in effect for two (2) years with one (1) year renewal options for three (3) additional years.

7) LEGISLATIVE AGENDA

City Council *adopted* a 2006 Legislative Agenda, outlining policy goals for the next federal and state legislative sessions.

8) DISCUSSION ITEMS

Council *discussed* items listed below gave direction to city staff to research and prepare item for future meeting.

Rental Property Discussion – Mayor Drake

9) EXECUTIVE SESSION

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 the council's position regarding contract negotiations with Wilhoite Water.

10) 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.