

Avondale

Summary of Council Actions

REGULAR MEETING

November 5, 2018 at 7:00 PM

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

1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2 CITY MANAGER'S REPORT – **INTRODUCED**

a. INTRODUCTION OF NEW EMPLOYEES – POLICE DEPARTMENT

- Officer Dustin Greenwood
- Officer Coe Mangisi
- Officer Nicholas Piccirello
- Officer Zachary Schwartz

3 RECOGNITION ITEMS (MAYOR PRESENTATIONS) - **PRESENTED**

a. RESOLUTION 3500-1118 - HONORING OFFICER PATRICIA RUSTENBURG ON OCCASION OF HER RETIREMENT

4 UNSCHEDULED PUBLIC APPEARANCES

(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 - **APPROVED**

1. Work Session of October 1, 2018
2. Regular Meeting of October 1, 2018
3. Work Session of October 15, 2018
4. Regular Meeting of October 15, 2018

b. 2019 COUNCIL MEETING SCHEDULE

City Council **APPROVED** the Council Meeting Schedule for 2019 which includes the rescheduling of three council meetings in observance of holidays and to allow for a summer break.

c. LIQUOR LICENSE SERIES 12 (RESTAURANT) - WINGSTOP

City Council **APPROVED** an application for a Series 12 (Restaurant) License submitted by Mr. Thomas Robert Aguilera to sell all spirituous liquors at Wingstop Restaurant location at 1809 N. Dysart Road, Suite C110 in Avondale.

d. SPECIAL EVENT LIQUOR LICENSE - ESTRELLA VISTA RECEPTION CENTER

City Council **APPROVED** a special event liquor license application submitted by Maria Victoria Ramirez to be used in conjunction with the Kinex Foundation Annual Fundraiser Banquet to be

held on December 7, 2018 from 5:00 p.m. to 1:00 a.m. at the Estrella Vista Reception Center located at 1471 N. Eliseo C. Felix Jr. Way in Avondale.

e. GILA RIVER ADJUDICATION

City Council **APPROVED** a request to authorize the City's outside counsel, Engelman Berger, P..C. to file a joinder or response and fully participate in the proceedings relating to SRP's Petition for Interlocutory Review regarding the Gila River adjudication trial court's August 15, 2018, minute entry and SRP's request for the Arizona Supreme Court to determine whether the 1919 forfeiture statute applies to pre-1919 water rights.

f. COOPERATIVE PURCHASING AGREEMENT WITH PAVEMENT RESTORATION, INC.

City Council **APPROVED** a Cooperative Purchasing Agreement with Pavement Restoration, Inc. to apply Surface Rejuvenation Treatments on various City of Avondale streets, and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

g. COOPERATIVE PURCHASING AGREEMENT WITH NORTH AMERICAN LUBRICANTS FOR FLEET LUBRICANTS

City Council **APPROVED** a Cooperative Purchasing Agreement with North American Lubricants Company to provide vehicle lubricants in an annual amount not to exceed \$20,000 and a maximum aggregate amount not to exceed \$100,000 over the five year contract term and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

h. COOPERATIVE PURCHASING AGREEMENT WITH SHI INTERNATIONAL CORP. TO PROVIDE INFORMATION TECHNOLOGY SOLUTIONS AND SERVICES

City Council **APPROVED** a Cooperative Purchasing Agreement with SHI International Corp under the City of Mesa Agreement No. 2018011 dated August 7, 2018 to provide information technology solutions and services in an annual amount not to exceed \$975,000 and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

i. FIRST AMENDMENT TO COOPERATIVE PURCHASING AGREEMENT WITH ADVANCED CHEMICAL - HHW DISPOSAL

City Council **APPROVED** the First Amendment to the Cooperative Purchasing Agreement with Advanced Chemical Transport, Inc. to provide environmental services for a maximum aggregate amount not to exceed \$150,000 over the term of the agreement and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

j. PROFESSIONAL SERVICES AGREEMENT WITH DIBBLE AND ASSOCIATES CONSULTING ENGINEERS, INC.

City Council **APPROVED** a Professional Services Agreement with Dibble and Associates Consulting Engineers, Inc. (Dibble) to provide as-needed land surveying and technical services for the City, in an annual amount not to exceed \$50,000 and an aggregate amount not to exceed \$100,000.00 and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

k. PROFESSIONAL SERVICES AGREEMENT WITH MATRIX DESIGN GROUP, INC.

City Council **APPROVED** a Professional Services Agreement with Matrix Design Group, Inc. in an amount not to exceed \$98,312 to update the City Center Specific Plan and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

l. RESOLUTION 3498-1118 - MOU BETWEEN GLENDALE POLICE DEPARTMENT AND AVONDALE POLICE FOR SCHEDULING AND USE OF NIBIN

City Council **ADOPTED RESOLUTION 3498-1118** authorizing the Avondale Police Department's participation in a Memorandum of Understanding (MOU) with the Glendale Police Department to schedule and use their National Integrated Ballistic Information Network (NIBIN) and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

m. ORDINANCE 1674-1118 - ACQUISITION OF REAL PROPERTY FOR THE 99TH AVE AESTHETICS PROJECT

City Council **ADOPTED ORDINANCE 1674-1118** authorizing the dedication, purchase, or condemnation of real property for the 99th Avenue Aesthetics Project and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

n. ORDINANCE 1675-1118 DEDICATING AN IRRIGATION EASEMENT TO SRP ALONG AVONDALE BOULEVARD AND NORTH OF ENCANTO BOULEVARD

City Council **ADOPTED ORDINANCE 1675-1118** dedicating an Irrigation Easement to Salt River Project (SRP) along Avondale Boulevard, north of Encanto Boulevard and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

o. ORDINANCE 1677-1118 - AUTHORIZING THE PURCHASE OF PROPERTY

City Council **ADOPTED ORDINANCE 1677-1118** authorizing the purchase of real property located at Avondale Boulevard and City Center Dr. and authorizes the Mayor or City Manager and City Clerk to execute the necessary documents.

6 RESOLUTION 3504-1118 - DEVELOPMENT AGREEMENT WITH SECOND PLACE, L.L.C, MY PLACE HOTELS (APPLICATION PL-17-0204)

City Council **ADOPTED RESOLUTION 3504-1118** approving a request by Mr. David Gustafson, Second Place, LLC, to adopt Resolution 3504-1118 approving a Development Agreement with Second Place, L.L.C., and authorized the Mayor or City Manager and City Clerk to execute the agreement. The proposed Development Agreement will allow the developer to construct and operate a 63-room My Place extended stay hotel on 1.7 acres of property located on the northeast corner of Avondale Boulevard and Dale Earnhardt Drive.

7 MY PLACE HOTELS - DEVELOPMENT PLAN APPROVAL (PL-18-0087)

City Council **APPROVED** a request by Mr. David Gustafson, Heavy Constructors, LLC, for approval of the My Place Hotels Development Plan located on a 1.72-acre parcel of land at the northeast corner of Avondale Boulevard and Dale Earnhardt Drive in the City Center. The Council will take appropriate action.

8 PUBLIC HEARING AND RESOLUTION 3501-1118 - CITY CENTER SPECIFIC PLAN TEXT AMENDMENT (APPLICATION PL-18-0006)

City Council **HELD A PUBLIC HEARING AND ADOPTED RESOLUTION 3501-1118** approving a request by Ms. Carolyn Oberholtzer, Bergin Frakes, Smalley, and Oberholtzer, PLLC, to adopt a resolution amending the text of the City Center Specific Plan, modifying development and design standards for properties within the "Employment Mixed Use" sub-district.

9 PUBLIC HEARING AND ORDINANCE 1676-1118 – ZONING ORDINANCE TEXT AMENDMENT TO SECTION 501, CITY CENTER DISTRICT (APPLICATION PL-18-0007)

City Council **HELD A PUBLIC HEARING AND ADOPTED ORDINANCE 1676-1118** approving a request by Ms. Carolyn Oberholtzer, Bergin Frakes, Smalley, and Oberholtzer, PLLC, to adopt an Ordinance amending Zoning Ordinance Section 501, City Center District (CCD), modifying development standards,

design requirements, and permitted land uses within the City Center's Employment Mixed Use (EMU) sub-district.

Adjourned to Executive Session at 8:03 pm

10 EXECUTIVE SESSION

City Council may hold an executive session pursuant to (i) Ariz. Rev. Stat §38-431.03 (A)(3) for discussion or consultation for legal advice with the City Attorney and (ii) Ariz. Rev. Stat §34-431.01 (A)(4) for discussion or consultation with the City Attorney in order to consider its position and instruct City Attorney regarding the City's position regarding possible litigation and (iii) Ariz. Rev. Stat §38-431.03 (A)(7) for discussion or consultation with the City Attorney in order to consider its position and instruct the City Attorney regarding the City's position for the acquisition of real property.

11 ADJOURNMENT