



Councilman Montgomery moved to approve these results. Councilman Gilmore seconded the motion. Motion carried unanimously.

#### RECOUNT OF VOTES

The City Attorney advised the Council on the necessity of having a recount of votes from the primary election.

Mr. Ross stated that the state statutes are somewhat confused as to whether or not the law which governs recounts applies to cities. He explained that the law states that in any election in the county or subdivision of the county when the votes between the two highest vote getters are less than 10 votes there should be an automatic recount. Mr. Ross stated that it is his opinion that legally the city is not a subdivision of the county therefore this particular statute does not apply. So there is no statute requiring an automatic recount in municipal elections. He stated that if the council wanted a recount the City Clerk would have to certify to the Superior Court the fact that there were fewer than 10 votes separating the two candidates and then seek an order of the court directing that a recount be conducted. We would then asked the Secretary of State to conduct the recount. Mr. Ross stated that the Council can decide to ask for a recount if they feel it is in the best interest of the City.

Mr. Tom Morales was present to address the Council. He stated that if Mr. Mathias wants a recount he agrees it should be done. Vice Mayor Riefkohl stated that Mr. Mathias had called him and is unable to be at the meeting tonight because of an illness in his family. He stated that Mr. Mathias does want a recount.

Councilman Gilmore moved to petition the court to order a recount of ballots cast at the November 12, 1985 primary election. Councilman Guzman seconded the motion. Motion carried unanimously.

#### REQUEST FOR PROPOSALS - CABLE TELEVISION

The City Council considered authorizing the advertisement of a request for proposals for cable television services to serve the City of Avondale.

Ms. Susan McAdams was present to address the council on this item. She explained to the council the process involved in granting a license for cable television. She stated that this is the first major step in that process. This is a request for cable companies to submit proposals to provide cable service to the residents of Avondale. Ms. Adams stated that this is not an exclusive license but the expense of installing cable dictates that there will probably be only one cable provider. Mr. Palma asked how long the request for proposals process would take. Ms. Adams stated that the request would be issued within one week to ten days of this meeting and will receive proposals until mid February. She also stated that the license should be awarded by the end of March.

Councilman Guzman asked how many channels will be required. Ms. Adams stated that there will be a minimum requirement of 35 channels. Mr. Guzman asked how many of the 35 will be reserved for public access. Ms. Adams stated that the RFP requires 2 channels be set aside for public access. She explained that these two channels will have conditions attached to them. If the two channels are used more than 80% of the time the cable operator will provide another channel for public access. If they are used 30% or less then they will be turned back to the cable company.

Councilman Gilmore moved to authorize the city staff to request proposals for cable service in the City of Avondale. Councilman Montgomery seconded the motion. Motion carried unanimously.

ORDINANCE - CABLE TELEVISION AMENDMENT

Consultant Susan McAdams reviewed with the City Council proposed revisions to the Avondale Cable Television Ordinance.

Mr. Ross read the ordinance by title. Councilman Gilmore moved to adopt the resolution. Councilman Sernas seconded the motion. ROLL CALL VOTE AS FOLLOWS:

Councilman Guzman	aye
Councilman Gilmore	aye
Councilman Riefkohl	aye
Councilman Sernas	aye
Councilman Crane	aye
Councilman Montgomery	aye
Mayor Lorenz	aye

CITY COUNCIL REPORT - CENTRAL AVENUE RAILROAD CROSSING

City Staff briefed the City Council on the status of the Central Avenue railroad crossing improvement project. The project scope of work includes the installation of new gates, flashers and planking, roadway widening, new pavement, curb and pavement marking. Mr. Ramirez explained that the funding would come from ADOT, ACC, FHWA and the city. He noted that any project for improvements in railroad right of way requires approval by the railroad of the proposed work. The work on the tracks is done solely by the railroad and funding is provided by the sponsoring agency.

Mr. Ramirez stated that the estimated cost of the project is \$181,000. He explained to the council the procedure for funding the railroad crossing project. He stated that there must be a survey done of the area to be improved. The request must be submitted to ACC for placement on the "Array" of projects. The project is then submitted for approval by appropriate agencies. The City will procure an engineer to prepare design plans and specifications. The Engineer will submit a report and plans for city approval. City Staff shall submit approved plans to ADOT. Final plans and specifications will be prepared based on field

review. An agreement will be drafted between ADOT and Southern Pacific. ADOT will then schedule the project for construction with Southern Pacific.

Mr. Ramirez reviewed the efforts by the City to obtain funding for the railroad crossing project. These efforts started in 1977 and have continued through 1985 when the City went to the voters for approval of HURF Bond Program. Central Avenue railroad crossing is one of the projects included as part of the bond program.

ARIZONA PUBLIC SERVICE - EL SOL TRANSMISSION LINE

The City Manager requested authorization to hire special legal counsel to present the city's concerns to the ACC Transmission Line Siting Committee regarding APS' El Sol Transmission line application.

Councilman Montgomery moved to approve this request. Councilman Crane seconded the motion. Motion carried unanimously.

CAPITAL OUTLAY - EQUIPMENT

The City Manager requested authorization to expend city funds to purchase the following equipment.

a. Public Works Department - Pickup trucks

Two 1/2 ton and one 3/4 ton to be assigned to the Street Department. Approximate cost of this equipment is \$24,000.

Councilman Gilmore moved to approve this request. Councilman Montgomery seconded the motion. Motion carried unanimously.

b. Public Works Department Office Copier

One office copier to be used by Public Works and MED. Approximate cost is \$1500.

Councilman Gilmore moved to approve this request. Councilman Guzman seconded the motion. Motion carried unanimously.

c. Parks & Recreation - Pickup truck

One 1/2 ton pickup truck for use by the Parks Department. Approximate cost is \$10,000. (All trucks would be obtained through the State Purchasing System.)

Councilman Gilmore moved to approve this request. Councilman Montgomery seconded the motion. Motion carried unanimously.

d. M.E.D.-SANITATION Trash Containers

The City Manager requested authorization to call for bids for purchase of trash containers. Approximate cost \$17,500.

Councilman Gilmore moved to approve this request. Councilman Sernas seconded the motion. Motion carried unanimously.

WESTERN GATEWAY TEAM FUNDING REQUEST

The City Council considered a request by the Western Gateway Team for financial assistance to carry on the work of promoting the Western Gateway Area. The amount requested is \$1,000.

Councilman Montgomery moved to approve this request. Councilman Sernas seconded the motion. Motion carried unanimously.

GENERAL FUND CONTINGENCY

Library The City Manager requested approval from the Mayor and Council to charge General Fund Contingency for expenses incurred in purchasing the dedication plaque for the new city library.

Councilman Gilmore moved to approve this request. Councilman Guzman seconded the motion. Motion carried unanimously.

Administration As part of the Billy Moore Days festivities, the City in cooperation with the Chamber of Commerce purchased indoor/outdoor carpeting to cover the intersection at Central and Western Avenue. The covering of the intersection was done to prevent horses from being startled when crossing the intersection. Cost of the carpet was \$825.00.

Councilman Gilmore moved to approve this request. Councilman Montgomery seconded the motion. Motion carried unanimously.

PRELIMINARY PLAT - GARDEN LAKES AMCOR INVESTMENTS

The City Council reviewed AMCOR Investments request for approval of the preliminary plat for lots 19 and 10 of Garden Lakes.

Mr. Ramirez stated that the Planning and Zoning Board reviewed the plats and gave their final approval. He stated that the plans were submitted to surrounding agencies for their review and comment. Mr. Ramirez stated that he has not received any comments.

Mr. Tom Mulhern of AMCOR was present to address the council. He gave the council a brief report on the plans and lots. He stated that the builder will be Richmond American.

Councilman Gilmore moved to approve this request. Councilman Crane seconded the motion. Motion carried unanimously.

BID AWARD GENERAL LIABILITY INSURANCE

The Mayor and Council reviewed bids received for the city's General Liability Insurance.

Mr. Raymond Shuey informed the council that the city staff believes this policy is the best available at this time. He explained that the bid in total was \$201,331. Which is a 30% increase over the previous year.

Councilman Montgomery asked if the coverage was the same as previous years. Mr. Ross stated that this policy does not

include false arrest or umbrella coverage. He stated that this might be added at a later date.

Councilman Gilmore moved to accept this proposal for general liability coverage from Senseman McKisson and Ross. Councilman Montgomery seconded the motion. Motion carried unanimously.

RESOLUTION - AVONDALE MARICOPA COUNTY LANDFILL

The Mayor and Council reviewed a resolution authorizing the execution of a contract with Maricopa County for the relocation of the Avondale Landfill.

Mr. Palma asked the council to table this item in order to give the city staff additional time to work out the details of this contract.

Councilman Gilmore moved to postpone this request. Councilman Montgomery seconded the motion. Motion carried unanimously.

RESOLUTION - MARICOPA COUNTY SOUTHWEST REGIONAL LANDFILL

The Mayor and Council reviewed a resolution calling for and supporting a regional planning effort to site a regional landfill in southwest Maricopa County.

Mr. Ross read the resolution by title. Councilman Gilmore moved to adopt the resolution. Councilman Sernas seconded the motion. ROLL CALL VOTE AS FOLLOWS:

Councilman Guzman	aye
Councilman Gilmore	aye
Councilman Riefkohl	aye
Councilman Sernas	aye
Councilman Crane	aye
Councilman Montgomery	aye

RESOLUTION - MARICOPA COUNTY REVENUE SHARING FUND

The Mayor and Council reviewed a resolution authorizing the City of Avondale to apply for County Revenue Sharing Funds and to execute all documents necessary to receive these funds.

Mrs. Hansen gave the council a brief history of this grant. She stated that this is the seventh year the city has received Federal Revenue Sharing Funds. This year the city will receive \$10,000 from Maricopa County Revenue Sharing.

Mr. Ross read the resolution by title. Councilman Gilmore moved to adopt the resolution. Councilman Montgomery seconded the motion. ROLL CALL VOTE AS FOLLOWS:

Councilman Guzman	aye
Councilman Gilmore	aye
Councilman Riefkohl	aye

Councilman Sernas aye  
Councilman Crane aye  
Councilman Montgomery aye

RESOLUTION - AGREEMENT WITH CIGNA HEALTH PLAN

The Mayor and Council reviewed a resolution authorizing the City to enter into an agreement with Cigna Health Plan of Arizona Inc to provide group health care to city employees and their dependents and directs the Mayor and City Clerk to execute said agreement.

Mr. Ross read the resolution by title. Councilman Gilmore moved to adopt the resolution. Councilman Guzman seconded the motion. ROLL CALL VOTE AS FOLLOWS:

Councilman Guzman aye  
Councilman Gilmore aye  
Councilman Riefkohl aye  
Councilman Sernas aye  
Councilman Crane aye  
Councilman Montgomery aye

RESOLUTION - HURF BOND STREET IMPROVEMENT PROJECT - BRINKER DRIVE CHANGE ORDER

The City Manager requested approval from the City Council for change order #2, which will add to the engineering contract Hurf Street Improvement, engineering services required for construction staking and on site inspection for Brinker Drive Improvement Project. The approximate cost of these services is \$13,350.

Mr. Ramirez stated that he is basically asking for an extension of the existing contract. He explained that Johannessen & Girand designed the project and now he is requesting that they be hired to give the field services necessary to install the water and sewer lines. Mr. Ramirez stated that because this portion of the Hurf Project involves some water and sewer work he is requesting that \$5,050 be charged to Water and Sewer and \$8,300 be charged to the HURF Project.

Mr. Ross read the resolution by title. Councilman Gilmore moved to adopt the resolution. Councilman Sernas seconded the motion. ROLL CALL VOTE AS FOLLOWS:

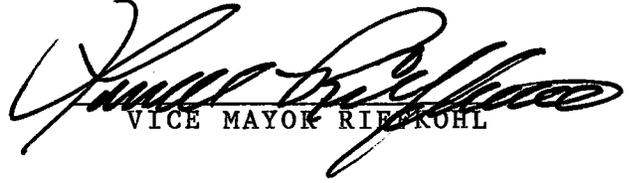
Councilman Guzman aye  
Councilman Gilmore aye  
Councilman Riefkohl aye  
Councilman Sernas aye  
Councilman Crane aye  
Councilman Montgomery aye

ADJOURNMENT

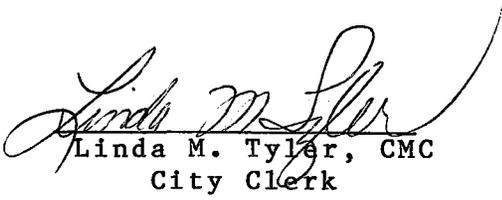
There being no further business to come before the council,

Councilman Montgomery moved to adjourn. Councilman Gilmore seconded the motion. Motion carried unanimously.

Meeting adjourned at 9:00 p.m.



VICE MAYOR RIEKOHL



Linda M. Tyler, CMC  
City Clerk