

Minutes of the regular meeting of November 16, 1987 held at 7:30 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Riefkohl and council members

Luis Guzman  
Brad Gilmore  
A. B. Sernas  
Raymond W. Bedoya  
Lon Montgomery

ALSO PRESENT

City Manager  
City Attorney

Carlos V. Palma  
Frank L. Ross

APPROVAL OF MINUTES

Included with the agenda for the council's review and approval were the minutes of the regular meeting of November 2, 1987 and the Public Hearing of November 2, 1987. There being no additions or corrections, Councilman Gilmore moved to approve the minutes as submitted. Councilman Montgomery seconded the motion. Motion carried unanimously.

THIRD AVENUE ABANDONMENT ELEMENTARY SCHOOL

The Mayor and Council heard a request from the Avondale Elementary School to abandon Third Avenue as it passes through the Elementary School.

Dr. Doug Del Bardo addressed the council. He stated that he is there to request that the council give serious consideration to the abandonment of Third Avenue. He stated that they have several reasons for this request. Mr. Del Bardo introduced the school's architect, Herman Orcutt. Mr. Orcutt showed the council drawings of the proposed design for the school. He stated that during this design stage they realized several problems. When these problems were discussed with the school board it was suggested that the city be approached regarding the possible abandonment. Mr. Orcutt pointed out that the kindergarten classes are located on the west side of Third Avenue and must cross this street to use the library, cafeteria, or administrative offices. Mr. Orcutt stated that there is approximately 3000 crossings per day. He explained the proposed plans to the council. He stated that if the street is abandoned they plan to use the north end for parking and student drop offs and the south end would be open area. Mr. Orcutt proposed that Third Avenue would link up with Western Avenue via 4th Avenue by a road south of the school property. He stated that the school board is willing to trade the city the southern right of way for the abandonment. Mr. Orcutt stressed that this is an important project. He stated that if Third Avenue is abandoned it will turn two campuses into one and will make it a lot safer for the students. The Mayor and Council continued to discuss this proposal with Mr. Orcutt. They discussed the cost of rebuilding the street to the south of the school. Mr. Ramirez estimated this cost at \$65,000 to \$75,000 not including the right of way.

The Council asked Dr. Del Bardo if the school board would be willing to pay for the new street. Dr. Del Bardo stated that he cannot speak for the board but he believes they would be willing to participate in that cost.

Councilman Guzman stated that he has considered this proposal for a few weeks now and feels that the disadvantages outweigh the benefits. He mentioned the residents in that area who would be affected by this. Councilman Guzman stated that at this time he does not feel it would be in the city's best interest to abandon Third Avenue.

Mayor Riefkohl stated that he has talked to residents in the area and they are opposed to this rerouting. He stated that he would not support this request. Mayor Riefkohl stated that safety is always important to him but he does not believe that this abandonment would help safety problems. The Mayor thanked Mr. Orcutt and Mr. Del Bardo for their presentation and reminded them that this item was for discussion only.

Dr. Del Bardo stated that he would appreciate a formal decision from the council as soon as possible.

#### EVAN WITHYCOMBE PLAT APPROVAL

Evan Withycombe, Inc., by Curtis E. Bohn, requested final plan review, Planned Area Development District of 15.964 acres within Garden Lakes Subdivision, Parcel 20.

Mr. Bohn stated that he has met with City Staff within the past week to discuss some of the home owners concerns. He stated that security was one of the greatest concerns and one of the things they will look at.

Mr. Bohn introduced Mr. David Sellers of the Architects Group. Mr. Sellers reviewed the proposed design of the project. He stated that it will be built in two phases. He stated that there has not been any changes since the preliminary submittal. Councilman Guzman asked about a buffer between the apartments and other development. Mr. Bohn stated that they are not required to build a site wall there. He stated that they do have a landscaped area, bicycle path and canal between the complex and other development.

Councilman Guzman asked about the Home Owners Association and its relationship to the apartment residents. Mr. Thomas Mulhern, AMCOR, stated that the apartment complex would be subject to the Home Owners Association rules. He stated that Evan Withycombe would hold membership and voting rights.

Mr. Palma asked if Evan Withycombe would look into the security concerns of area residents. Mr. Bohn talked about the problems they face with security. He stated that they will look at security. Mr. Palma asked about the entry way into the project.



CALL FOR BIDS - SANITATION TRUCKS

Mr. Alan Kahnt, Mechanical Equipment Department Director, requested authorization to advertise for proposals for the purchase of two sanitation trucks. He advised the council that because of the high volume of garbage customers, the trucks are experiencing a high incidence of mechanical trouble.

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

EMPLOYEE HEALTH INSURANCE PROGRAMS

Ruben Duran, Assistant City Manager, reported to the council on the proposals received for employee health insurance. He stated that the city received two bids for health insurance. They are as follows:

	Single Coverage	Family Coverage
CIGNA	\$ 92.79	\$ 241.23
PARTNERS	\$ 86.42	\$ 235.15

Mr. Duran recommended that both plans be offered to the employees.

Councilman Guzman moved to approve both plans. Councilman Bedoya seconded the motion. Motion carried unanimously.

AWARD OF GENERAL INSURANCE

Mr. Ruben Duran, Assistant City Manager, reported to the council on proposals received for the city's general liability property and automotive insurance. He reminded the council that the city carries a claims made form of insurance policy which covers general liability property and automotive damage. The current coverage is with PENCO, a division of the Hartford Insurance Company.

Two bids were submitted for this years coverage:

	Basic Coverage	Excess Liability Ins.
PENCO	\$167,638	\$42,300
STATE POOL	\$107,042	\$34,713

Mr. Duran stated that the State Pool has presented a bid that is approximately \$60,000 less than PENCO's bid. But he stated that in addition to price, consideration must be presented on both organizations viability to sustain claims made on that policy. Mr. Duran reviewed the advantages and disadvantages of both plans. He stated that there is a concern about the capitalization of the pool. He stated that there is also a concern about the annual assessment. He explained that the pool has the alternative to charge an assessment of up to the annual premium should there be a shortfall or excess expenditures through claims. He stated that PENCO would not have that assessment but we have seen the annual premium increase annually. Mr. Duran stated that the Pool's only objective is to insure

member cities. He stated that the pool is controlled by member cities. There are 31 member cities at this time. Mr. Duran stated that the Pool membership would be a longtime commitment.

Mr. Ron Ross addressed the council. He stated that the last time he had attended a council meeting the council had mentioned a deadline of November 16th. Mr. Ross stated that his final figures were scheduled to arrive on November 16, and he then presented the council with a copy of those figures. He explained that these figures are lower than the original figures because of discounts because of loss credits. Mr. Duran stated that Mr. Ross had seen the pool bid that morning and he feels Mr. Meyers from the Municipal Pool should be allowed the opportunity to resubmit his bid also. He stated that the real key to this is whether the city council wants to do business with insurance, do you want to join a shared risk pool or continue to buy insurance. Mr. Duran stressed that he was not recommending one or the other.

Mr. Palma asked Ms. Hayes for her comments regarding this item. Ms. Hayes stated that she has done a little research on the pool. And has learned that in case of an enormous claim the pools insurance would pay the bulk of the claim.

Mr. Frank Ross, City Attorney, addressed the council. He stated that the options are to accept either bid as submitted. He stated that if the council awarded the bid to the highest bidder then decided to reduce their price there would be no impropriety in that. He explained that if the council awarded the bid based on the information received tonight then the other company should be given the opportunity after having seen these figures to adjust their bid.

Mr. Meyers stated that his bid is a very firm approximation of the cost.

Mr. Palma recommended the council stay with a major insurance company for this year and then look at the pool again next year.

Vice Mayor Montgomery moved to accept the proposal submitted by PENCO. Councilman Gilmore seconded the motion. Motion carried unanimously.

#### COMMUNITY DEVELOPMENT BLOCK GRANT 1986-87

Ruben Duran, Assistant City Manager, requested authorization through Maricopa Community Development Agency to re-program the CDBG.

Mr. Duran stated that the City was awarded \$190,000 through the CDBG program for 1986-87. This is broken down as follows:

Fire Truck	\$100,000
Railroad Crossing Improve.	\$ 50,000
Loan Buydown Program	\$ 40,000

He stated that the staff has determined that a reprogram of this grant is recommended due to the short fall of funds on some of the elements of the grant.

He explained that the fire truck is expected to cost \$160,000 to \$180,000. He recommended that this project be increased to \$175,000. Mr. Duran also stated that the railroad crossing improvement can be funded through Highway User Fund thus eliminating this project. He stated that the loan buydown program has burdened with some severe restrictions, significantly reducing the effectiveness of this project. Staff recommended eliminating this project. Mr. Duran informed the council that a number of emergency housing projects have been identified and additional housing rehabilitation funds have been requested. He recommended that the balance of \$15,000 be re-programmed for housing rehabilitation.

Councilman Guzman moved to approve this request. Vice Mayor Montgomery seconded the motion. Motion carried unanimously.

#### CDBG - HOUSING REHAB TRUST FUND

Ms. Lorraine Hayes, Finance Director, requested the Council officially authorize a change in the management and expenditure of the Housing Rehabilitation Trust Fund monies and CDBG grant funds.

Ms. Hayes stated that Maricopa County Community Development Agency recently informed the City that HUD requires that any and all program income received by the City must be spent by the City before the city is eligible to receive disbursements of CDBG funds from the County.

Ms. Hayes stated that the County has suggested that since these monies must be spent the city switch between the sources of funding and the sources for the funding. They suggested the city spend the money out of the Trust Fund right away for housing rehab projects currently underway. Then once that money is spent CDBG will start to reimburse the City housing rehab money and with that money begin the Neighborhood Housing Project.

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

#### COMMUNITY DEVELOPMENT BLOCK GRANT - PLAZA PROJECT

Ruben Duran, Assistant City Manager, requested Council authorization to rescope the Plaza Project, use local funds for parking facility, add a lighting plan for parking facility, and authorize the call for bids for this project as described.

Mr. Duran explained that the bids received were all above \$175,000. The grant for the construction was \$100,000. He stated that CDBG guidelines require that adequate funding exist at the time of the bid award, therefore the Community Development Agency has indicated that all bids be rejected. Mr. Duran

recommended that the council authorize a request to Maricopa County Community Development Agency to rescope the project, the use of local funding for the construction of the parking facility, a change order to the architect to prepare specifications for the segments of the projects and add a lighting plan for the parking facility and authorize a call for bids for this project.

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

#### REPORT ON CITY HALL REMODELING

Ms. Lorraine Hayes, Finance Director, briefed the council on the remodeling of City Hall. She stated that the upstairs remodeling has been completed and there are three large offices and four work stages. This cost the city \$7700.

Ms. Hayes reviewed the plans for the remodeling of the downstairs with the council. She stated that the Public Works Department recommends that the entire first floor of City Hall be vacated during construction in order to insure safety and minimize disruptions of office personnel. Ms. Hayes proposed that city personnel be moved as follows: Mayor, City Manager, Assistant City Manager, City Clerk Administrative Assistant and Executive Secretary to the Public Works Bldg, Finance Department upstairs at City Hall and the cashier for waterbills go to the court. She assured the council that these moves would be advertised to residents and businesses through articles in local newspapers and with signs displayed around town.

#### RESOLUTION - GENERAL LIABILITY INSURANCE

The Mayor and Council considered a resolution authorizing the execution of an agreement for liability insurance.

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

Councilman Guzman	aye
Councilman Gilmore	aye
Councilman Sernas	aye
Councilman Bedoya	aye
Vice Mayor Montgomery	aye
Mayor Riefkohl	aye

#### RESOLUTION - WALSH BROTHERS MAINTENANCE AGREEMENT

The Mayor and Council reviewed a resolution authorizing the execution of a maintenance agreement with Walsh Brothers for two typewriters.

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

Councilman Guzman	aye
Councilman Gilmore	aye
Councilman Sernas	aye
Councilman Bedoya	aye
Vice Mayor Montgomery	aye
Mayor Riefkohl	aye

RESOLUTION - ABANDONMENT OF EASEMENTS GARDEN LAKES

The Mayor and Council reviewed a resolution authorizing the abandonment of certain utility easements in Garden Lakes.

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

Councilman Guzman	nay
Councilman Gilmore	nay
Councilman Sernas	nay
Councilman Bedoya	aye
Vice Mayor Montgomery	nay
Mayor Riefkohl	nay

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

Councilman Guzman	aye
Councilman Gilmore	aye
Councilman Sernas	aye
Councilman Bedoya	aye
Vice Mayor Montgomery	aye
Mayor Riefkohl	aye

RESOLUTION - EMPLOYEES HEALTH INSURANCE

The Mayor and Council reviewed a resolution authorizing the execution of an agreement for health insurance.

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

Councilman Guzman	aye
Councilman Gilmore	aye
Councilman Sernas	aye
Councilman Bedoya	aye
Vice Mayor Montgomery	aye
Mayor Riefkohl	aye

ORDINANCE ANNEXATION - THOMAS ROAD INVESTMENTS GROUP

The Mayor and Council reviewed an ordinance annexing property submitted by the Thomas Road Investments Group on Thomas Rd between 115th Avenue and El Mirage.

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

Councilman Guzman	aye
Councilman Gilmore	aye
Councilman Sernas	aye
Councilman Bedoya	aye
Vice Mayor Montgomery	aye
Mayor Riefkohl	aye

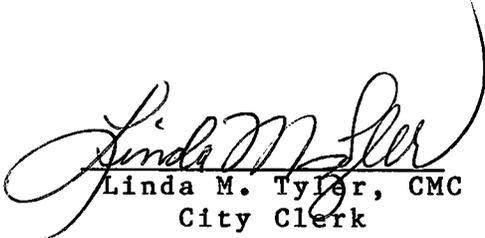
ADJOURNMENT

There being no further business to come before the council, Councilman Gilmore moved to adjourn. Councilman Guzman seconded the motion. Motion carried unanimously.

Meeting adjourned at 10:00 p.m.



MAYOR RIEFKOHL



Linda M. Tyler, CMC  
City Clerk