

Minutes of the regular meeting of October 16, 1989 held at 7:30 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Riefkohl and council members

Luis Guzman
 Dale Moxon
 Thomas F. Morales, Jr.
 Henry Beltran
 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 October 2, 1989. There being no additions or corrections, Councilman Montgomery moved to approve the minutes as submitted. Councilman Beltran seconded the motion. Motion carried unanimously.

CANVASS OF VOTES 1989 PRIMARY ELECTION

In accordance with Arizona Revised Statutes, the City Council canvassed the results of the Primary Election held October 10, 1989.

1989 Primary Election returns were as follows:

The number of ballots:			<u>CAST</u>	<u>REJECTED</u>
Precinct 1			398	0
Precinct 2			318	1
Precinct 3			205	1
TOTAL			921	2

Mayor				
Prec. 1	Prec. 2	Prec. 3		Total
278	159	140	Bedoya, Raymond W. "Bill"	577
99	136	36	Lopez, John C.	271

Council Member				
Prec. 1	Prec. 2	Prec. 3		Total
253	189	102	Albert Carroll, Jr.	551
149	154	65	Rosie Zapien Duran	375
273	207	109	Thomas "Tom" Morales, Jr.	600
263	160	104	Dale Moxon	533

Proposition 100
 Salaries of Mayor and Council

Prec. 1	Prec. 2	Prec. 3		Total
171	148	81	Yes	409
214	138	101	No	461

Proposition 101
When action is taken by ordinance

Prec. 1	Prec. 2	Prec. 3		Total
203	155	81	Yes	447
176	126	96	No	406

Proposition 102
Transaction Privilege Tax

Prec. 1	Prec. 2	Prec. 3		Total
107	92	31	Yes	231
273	189	146	No	624

Proposition 300
Local Expenditure Limitation

Prec. 1	Prec. 2	Prec. 3		Total
213	161	86	Yes	467
163	122	93	No	388

Proposition 301
Tax Rate

Prec. 1	Prec. 2	Prec. 3		Total
162	118	72	Yes	358
211	163	109	No	494

Proposition 302
Bed Tax

Prec. 1	Prec. 2	Prec. 3		Total
233	150	108	Yes	501
145	133	177	No	357

Bond Question

Prec. 1	Prec. 2	Prec. 3		Total
187	154	202	For the Bonds	375
189	126	157	Against the Bonds	486

Councilman Montgomery moved to approve the election results as submitted and to make them a part of the official record.

Councilman Moxon seconded the motion. Motion carried unanimously.

CANVASS OF VOTES FOR 1989 SPECIAL BOND ELECTION

The Council canvassed the results of the Special Bond Election held October 10, 1989.

The results were as follows:

Bond Question

Prec. 1	Prec. 2	Prec. 3		Total
187	154	202	For the Bonds	375
189	126	157	Against the Bonds	486

Councilman Montgomery moved to approve and accept the results of the bond election as submitted. Councilman Bedoya seconded the motion. Motion carried unanimously.

CALL FOR BIDS - GENERAL LIABILITY INSURANCE

The Finance Director, Lorraine Hayes, requested council authorization to call for bids for General Liability Insurance. Councilman Moxon asked about changing the insurance period to the same time frame as the fiscal year. The council and staff discussed this idea. Mr. Ross stated that some insurance companies will not be interested in a shorter insurance period.

Councilman Guzman asked how the city did with insurance claims this year. Ms. Hayes responded that she would provide the council with copies of the loss report. She stated that this year's record is similar to previous years. Councilman Guzman asked how much the insurance was last year. Ms. Hayes stated \$120,000.

Ms. Hayes explained the liability insurance specifications.

Ms. Hayes asked that this year's insurance period be bid for 12 months and in the future years the period could be changed to fit the fiscal year.

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

REQUEST FOR FINANCIAL ASSISTANCE - RODRIQUEZ

The City received a request from Mr. Jesus Rodriquez for financial assistance to allow him to attend and participate in the International Cross Country Track and Field, Munich West Germany, December 26, 1989 to January 4, 1990.

Mr. Ross stated that he has recently received information regarding this type of financial request and at this time does not know if the city can legally contribute financial assistance. He asked for additional time to review information.

Council and Staff continued to discuss this request.

Juanita Rodriquez and Bobby Rodriquez addressed the council. They explained that Mr. Rodriquez is a junior at Agua Fria High School and is a state champion runner.

Councilman Guzman asked the council to consider approving this expenditure from contingencies.

Councilman Guzman moved to approve this request contingent upon the City Attorney's opinion. Councilman Montgomery seconded the motion.

Mayor Riefkohl expressed his concern that the council not take any action until the City Attorney has an opportunity to review this request. He suggested the council call a special meeting if needed. Councilman Guzman stated that he would agree to hold a special meeting once the city attorney is ready to give the council an opinion.

Motion failed 4 to 3.

Councilman Moxon moved to consider this request at a special meeting as soon as the City Attorney has had an opportunity to review this. Councilman Guzman seconded the motion. Motion carried unanimously.

RESOLUTION - CITIES FIGHT BACK AGAINST DRUGS

The Mayor and Council considered a resolution proclaiming December 3 - 9, 1989 as National Cities Fight Back Against Drugs Week.

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

Councilman Guzman	aye
Councilman Moxon	aye
Councilman Morales	aye
Councilman Beltran	aye
Councilman Montgomery	aye
Vice Mayor Bedoya	aye
Mayor Riefkohl	aye

RESOLUTION - L.B.G. CHANGE ORDER

The Council considered a resolution approving a change order submitted by L.B.G. for additional improvements for 10th Street and Western Avenue paving.

Mr. Don Bradtke, Public Works Director, explained this change order. He stated that in 1988 the city entered into a contract for \$326,215.18 with L.B.G. Contracting to construct the 10th Street, Riley Drive and Western Avenue paving improvements. He explained that during this project, several emergency and extra

work changes needed to be made. This additional work was not covered by the original contract due to the fact that the work was not anticipated. Mr. Bradtke stated that the majority of the additional work was due to as-built drawings being incorrect and is common from time to time. He informed the council that the change order is less than 3% of the total contract price and the LBG contract still remains lower than the second low bid for this project.

Mr. Bradtke stated that he believes that the additional work was necessary and requested the council adopt a resolution approving the change order in the amount of \$9,572.41.

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

Councilman Guzman	aye
Councilman Moxon	aye
Councilman Morales	aye
Councilman Beltran	aye
Councilman Montgomery	aye
Vice Mayor Bedoya	aye
Mayor Riefkohl	aye

RESOLUTION - SOUTHWEST NETWORK GRANT FOR COUNSELING

The Mayor and Council considered a resolution approving a contract with the Southwest Community Network to provide behavioral health services for this area.

Mr. Harold Branch explained that the Southwest Community Network has been awarded a grant from CODOMA to provide behavioral health services (counseling) to the communities of Avondale, Goodyear and Litchfield Park through the establishment of a counseling center. He stated that the grant is for \$60,000 and will pay for the cost of two counselors, one secretary/receptionist and necessary operating expenses. Mr. Branch stated that the Southwest Community Network is not administratively prepared to run this program, so they are requesting the City of Avondale administer this grant. He stated that the employees of the counseling center will be city employees and their salaries will be reimbursed monthly by the Southwest community Network.

Mr. Branch recommended the council authorize the execution of a contract with the Southwest Community Network to provide behavioral health services for Avondale, Goodyear and Litchfield.

Council and Staff discussed benefits for these employees and concluded that there would not be any benefits because employees would be temporary. Mr. Branch assured the council that if for any reason the funding is not available then the program will end. He stated that these employees would come under the Community Services Department.

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 Moxon	aye
Councilman Morales	aye
Councilman Beltran	aye
Councilman Montgomery	aye
Vice Mayor Bedoya	aye
Mayor Riefkohl	aye

RESOLUTIONS - HEALTH INSURANCE PROVIDERS

The Mayor and Council reviewed bids received from firms interested in providing employee health care coverage for the City's employees.

Mr. Mark Ammann, Management Assistant, addressed the council. He reminded the council that the staff had requested proposals for employee health insurance for an eight month period beginning November 1, 1989. Mr. Ammann informed the council that 26 proposals were received from six different companies. There were received from the following companies:

FHP
Samaritan
Humana
CIGNA
Partners
Intergroup
Principal
Blue Cross

Mr. Ammann reviewed the criteria used to evaluate the proposals. He stated that each proposal was evaluated on its own merit and the criteria was used as a guide to differentiate between the various plans.

Mr. Ammann recommended the Mayor and Council to authorize the City to enter into an agreement with Senseman McKisson Ross Ins., Inc. for CIGNA, FHP, and Humana Health Plans for a period of 8 months.

Mr. Palma stated that he supports Mr. Ammann's recommendation.

The Mayor and Council considered a resolution authorizing contracts with the successful bidders for said coverage.

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

Councilman Guzman	aye
Councilman Moxon	aye

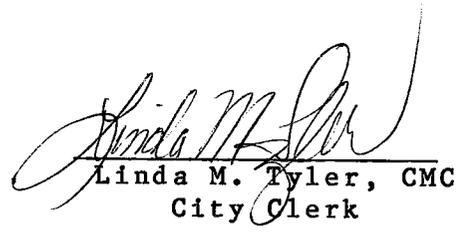
Councilman Morales aye
Councilman Beltran aye
Councilman Montgomery aye
Vice Mayor Bedoya aye
Mayor Riefkohl aye

ADJOURNMENT

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

Meeting adjourned at 8:44 p.m.


MAYOR RIEFKOHL

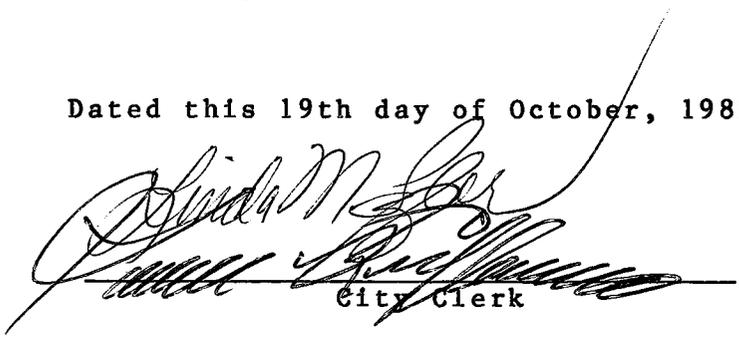

Linda M. Tyler, CMC
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular/special meeting of the City Council of the City of Avondale held on the 16th day of October, 1989. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 19th day of October, 1989.

seal


City Clerk

EXCERPTS FROM MINUTES OF A REGULAR MEETING OF THE
MAYOR AND COUNCIL OF THE CITY OF AVONDALE, ARIZONA
HELD ON OCTOBER 16, 1989

The Mayor and Council of the City of Avondale, Arizona met in regular session on October 16, 1989, at the hour of 7:30 p.m.

The Mayor called the meeting to order and upon roll call, the following answered present:

Lowell Riefkohl, Mayor
Raymond W. Bedoya, Vice Mayor
Henry Beltran, Councilmember
Joe Guzman, Councilmember
Lon R. Montgomery, Councilmember
Tom Morales, Councilmember
Dale Moxon, Councilmember

Also present: Linda Tyler, Lorraine Hayes and Carlos V. Palma, Clerk, Finance Director and City Manager, respectively.

Absent: _____

The Mayor declared the presence of a quorum and advised the Council that this was the day set for canvass of the returns of the special bond election held in and for the City of Avondale, Arizona on October 10, 1989, the election boards having filed with the Mayor and Council their returns of election and the ballots cast at the polling places. The Council canvassed the returns of the special bond election and determined that in answer to the question submitted, 375 ballots were marked "For The Bonds" and 486 ballots were marked "Against The Bonds;" and that the special bond election had been conducted and the returns thereof made as required by law and that only qualified electors of the City of Avondale, Arizona were permitted to vote at the special bond election.

Thereupon, the following order was proposed:

BE IT HEREBY ORDERED AND DETERMINED by the Mayor and Council of the City of Avondale, Arizona:

That a majority of the votes cast by the qualified electors of the City of Avondale, Arizona, voting at the special bond election held on October 10, 1989, were cast "Against The Bonds" in response to the following question:

Shall the City of Avondale, Arizona (the "City") be authorized to incur indebtedness by the issuance of general obligation bonds of the City in the principal amount of \$4,060,000 for the purpose of providing funds:

(i) to acquire land for and to design, construct, equip or furnish a new municipal recreational facility;

(ii) to design, construct, equip or furnish a new City Hall facility, or to remodel, renovate, equip or furnish existing City facilities for a City Hall facility or to acquire land or buildings, and to remodel, renovate, equip and furnish the buildings so acquired, for a City Hall facility;

(iii) to acquire land for and to design, construct, equip or furnish a new Community Center facility and/or to acquire land for and to remodel, renovate, expand, equip or furnish the City's existing Community Center facility;

(iv) to acquire land and buildings adjacent to the City's existing library for future use as public cultural and/or recreational facilities;

(v) to improve the grounds of the municipal facilities so acquired, constructed, remodeled or renovated; and

(vi) to pay all expenses incidental thereto and to the issuance and sale of such bonds; such bonds to be in the denomination of \$5,000 each or whole multiples thereof, to mature not more than 20 years from their date and to bear interest at a rate or rates not to exceed 12% per annum, payable semiannually;

provided that each bond may be evidenced by one instrument or a succession of instruments and the interest may be payable more frequently, and at a variable rate or rates, none of which shall exceed 12% per annum?

After a reading of the foregoing order, it was moved and seconded that the said order be made and that the Mayor and Council

of the City of Avondale, Arizona certify the results of the special bond election by executing the "Certificate of Results of Special Bond Election Held in the City of Avondale, Arizona, on October 10, 1989," in the form of the Certificate attached to these minutes. The motion was unanimously adopted.

There being no further business relative to the above matter to come before the Mayor and Council of the City of Avondale, Arizona, the meeting was adjourned.



Clerk, City of Avondale, Arizona

CERTIFICATE OF RESULTS OF SPECIAL BOND ELECTION HELD
IN THE CITY OF AVONDALE, ARIZONA ON OCTOBER 10, 1989.

It is hereby certified by the Mayor and Council of the City of Avondale, Arizona, as follows:

1. That a special bond election was duly called and held in and for the City of Avondale, Arizona (hereinafter referred to as the "City") on October 10, 1989, under the provisions of Title 35, Chapter 3, Article 3, Arizona Revised Statutes, as amended, when there was submitted to the qualified electors of the City the question as shown on the attached form of ballot;

2. That the poll and tally lists and the official returns of the election boards that conducted the special bond election were filed with the Mayor and Council of the City and on October 23, 1989 this Mayor and Council met and canvassed the returns of the special bond election as prescribed by law;

3. That the undersigned Mayor and Council further certify that the object of the special bond election was to obtain authority from the qualified electors of the City to issue and sell the general obligation bonds described in the attached form of ballot;

4. That we do further find and certify, after careful and complete canvass of the official election returns, that in answer to the question submitted to the qualified electors of the City at the special bond election, the majority of the votes cast were cast against the creation of the indebtedness described in the question submitted at the election for the issuance and sale of not to exceed \$4,060,000 principal amount of general obligation bonds of the City of Avondale, Arizona, as determined by the election boards at the polling places in the City, and that the election had been conducted and the returns thereof made as required by law and that the result of the special bond election is set forth in the following tabulation of the official election returns, to-wit:

<u>For</u> <u>The Bonds</u>	<u>Against</u> <u>The Bonds</u>	<u>Total</u>
375	486	861

5. That it is therefore ordered by this Mayor and Council that the indebtedness not be incurred by the issuance and sale of negotiable general obligation bonds of the City as described in the attached form of ballot.

IN WITNESS WHEREOF, we have hereunto set our hands on this, the 16th day of October, 1989.

MAYOR AND COUNCIL OF THE CITY OF
AVONDALE, ARIZONA



Lowell Riefkohl, Mayor



Raymond W. Bedoya, Vice Mayor



Henry Beltran, Councilmember



Joe Guzman, Councilmember



Lon R. Montgomery, Councilmember



Tom Morales, Councilmember



Dale Moxon, Councilmember

OFFICIAL BALLOT

FOR SPECIAL BOND ELECTION TO BE HELD IN THE
CITY OF AVONDALE, ARIZONA ON OCTOBER 10, 1989.

Shall the City of Avondale, Arizona (the "City") be authorized to incur indebtedness by the issuance of general obligation bonds of the City in the principal amount of \$4,060,000 for the purpose of providing funds:

(i) to acquire land for and to design, construct, equip or furnish a new municipal recreational facility;

(ii) to design, construct, equip or furnish a new City Hall facility, or to remodel, renovate, equip or furnish existing City facilities for a City Hall facility or to acquire land or buildings, and to remodel, renovate, equip and furnish the buildings so acquired, for a City Hall facility;

(iii) to acquire land for and to design, construct, equip or furnish a new Community Center facility and/or to acquire land for and to remodel, renovate, expand, equip or furnish the City's existing Community Center facility;

(iv) to acquire land and buildings adjacent to the City's existing library for future use as public cultural and/or recreational facilities;

(v) to improve the grounds of the municipal facilities so acquired, constructed, remodeled or renovated; and

(vi) to pay all expenses incidental thereto and to the issuance and sale of such bonds; such bonds to be in the denomination of \$5,000 each or whole multiples thereof, to mature not more than 20 years from their date and to bear interest at a rate or rates not to exceed 12% per annum, payable semiannually;

provided that each bond may be evidenced by one instrument or a succession of instruments and the interest may be payable more frequently, and at a variable rate or rates, none of which shall exceed 12% per annum?

FOR THE BONDS / /

AGAINST THE BONDS / /

NOTICE TO VOTERS:

The voter shall indicate his vote by inserting the mark "X" in the square opposite the phrase which expresses his choice. Only qualified electors of the City of Avondale, Arizona are eligible to vote at this special bond election.