

SUMMARY OF COUNCIL ACTIONS

CITY COUNCIL CHAMBERS 0 11465 WEST CIVIC CENTER DRIVE 0 AVONDALE, AZ 85323

SUMMARY OF COUNCIL ACTION November 16, 2009 – 7:00 P.M.

CALL TO ORDER BY MAYOR ROGERS PLEDGE OF ALLEGIANCE MOMENT OF REFLECTION

- 1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK All present
- 2 UNSCHEDULED PUBLIC APPEARANCES

(Limit three minutes per person. Please state your name.)

3 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. Visioning Session of October 22, 2009
 - 2. Regular Meeting of November 2, 2009
- b. LIQUOR LICENSE SMASHBURGER

City Council *approved* a request from Andrea Lewkowitz for a Series16 (State Series12) Restaurant license to sell all spirituous liquors at Smashburger, 9915 West McDowell Road, Suite 101.

- c. AGREEMENT ATC ASSOCIATES INC. FOR THE DEMOLITION OF FORECLOSED PROPERTIES City Council approved an agreement with ATC Associates Inc. in the amount of \$167,431 to demolish blighted foreclosed properties and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.
- d. CONSTRUCTION CONTRACT AWARD CITYWIDE CONTRACTING L.L.C. WELL 24 WELL SITE IMPROVEMENTS

City Council *awarded* a construction contract to Citywide Contracting L.L.C. for construction of Well 24 well site improvements in the amount of \$517,708 and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

e. CONTRACT AMENDMENT NO. 1 - U.S. PEROXIDE, LLC, TO PROVIDE ODOR CONTROL SERVICES ON AVONDALE BLVD.

City Council *approved* the first amendment to Contract No. C12624 with U.S. Peroxide, LLC, to provide odor control services on Avondale Boulevard, for a price not to exceed \$150,000 through November, 2010, and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

f. MINOR LAND DIVISION AND RIGHT-OF-WAY DEDICATION FOR A PORTION OF DEL RIO RANCH PAD PHASE 3 AND THE MESSNER PROPERTY (ML-09-2)

City Council *approved* a request from Jason Meyers of Taylor Morrison/Arizona, Inc. for a minor land division and right-of-way dedication for a portion of Del Rio Ranch PAD Phase 3 and the Messner Property located west of the southwest corner of Durango and El Mirage roads.

g. RESOLUTION 2874-1109 - CHANGE ORDER TO IGA WITH THE CITY OF PHOENIX FOR TRANSIT SERVICES

City Council *adopted Resolution 2874-1109* approving change order #9 to the Intergovernmental Agreement with the City of Phoenix for transit services and authorized the Mayor and City Clerk to execute the appropriate documents.

- h. RESOLUTION 2875-1109 CANVASS OF VOTES FOR THE NOVEMBER 3, 2009 ELECTION
 City Council *adopted Resolution 2875-1109* canvassing the election results of the November 3, 2009 Election.
- i. ORDINANCE 1393-1109 AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR RIGHT-OF-WAY FOR THE AVONDALE BOULEVARD AND INTERSTATE 10 TRAFFIC INTERCHANGE IMPROVEMENT PROJECT

City Council *adopted Ordinance 1393-1109* authorizing the acquisition by purchase, condemnation, or dedication of three parcels of land for public use related to the construction of Avondale Boulevard and Interstate 10 Traffic Interchange and authorized the Mayor or City Manager, and City Clerk to execute the necessary documents.

j. ORDINANCE 1391-1109 - ACCEPTING WATERLINE EASEMENTS AND APPROVING A PERPETUAL ACCESS EASEMENT AGREEMENT

City Council *adopted Ordinance 1391-1109* accepting the dedication of waterline easements and approve a perpetual access easement agreement for the construction and maintenance of a 16" waterline outside of the Gateway Booster Station and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

4 AMENDMENT NO. 1 TO THE CONSTRUCTION MANAGER AT RISK CONTRACT WITH SUNDT CONSTRUCTION

City Council *approved* Amendment No. 1 to the Construction Manager At Risk contract with Sundt Construction, Inc. in the amount of \$5,087,312.

- 5 PUBLIC HEARING CONDITIONAL USE PERMIT FOR 3SONS U-HAUL
 - City Council *held a public hearing and approved* a request from Mr. Brad Shimek of Ventana Enterprises for approval of a Conditional Use Permit for a truck, trailer and equipment rental facility in the a 4.4 acres parcel of land located at the southeast corner of Van Buren Street and 4th Street in the C-2 (Community Commercial) Zoning District.
- 6 PUBLIC HEARING, RESOLUTION 2873-1109 AND ORDINANCE 1390-1109 SIGN REGULATIONS
 City Council held a public hearing and adopted Resolution 2873-1109 declaring as a public record the document entitled "The City of Avondale Sign Regulations" an amendment to Section 9 of the zoning ordinance and Ordinance 1390-1109 adopting said document.
- 7 EXECUTIVE SESSION 8:49 p.m.
 - **a.** The Council *held* an executive session pursuant to ARIZ. REV. STAT. § 38-431.03 (A)(4) for discussion or consultation with the City Attorney in order to consider its position and instruct the City Attorney regarding the Council's position regarding a potential contract.
- 8 ADJOURNMENT