



# CITY COUNCIL AGENDA

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

**REGULAR MEETING**  
**October 20, 2008**  
**7:00 PM**

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

**1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK**

**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**

a. Regular Meeting of October 6, 2008

**b. DESIGNATION OF VOTING DELEGATES FOR NLC ANNUAL BUSINESS MEETING**

City Council will consider the Mayor's recommendation to designate Council Member Karlin as a voting delegate and Council Member Scott as the alternate for the National League of Cities (NLC) Annual Board Meeting. The Council will take appropriate action.

**c. SITE PLAN EXTENSION - HARBOR SHORES EXECUTIVE PARK (DR-07-5)**

City Council will consider a request from Jeff Welker of Welker Development Resources, Inc. on behalf of the property owners for a one-year extension of the site plan approval for Harbor Shores Executive Park; 18 acres of land located at the northeast corner of 107th Avenue and McDowell Road. The Council will take appropriate action.

**d. DEMOLITION SERVICES FOR ABATEMENT OF CONDEMNED PROPERTIES**

City Council will consider a request to authorize a purchase order to 3D/International, Inc., through the Mohave Educational Services Cooperative in the amount of \$58,441.25 for the demolition of condemned structures and a transfer in the amount of \$80,882 from the contingency fund for the demolition and for environmental services on the same properties.

**e. RESOLUTION 2780-1008 - INTERGOVERNMENTAL AGREEMENT WITH THE SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY FOR JURY SERVICES**

City Council will consider a request to approve a resolution authorizing an intergovernmental agreement between the City of Avondale and the Superior Court of Arizona in Maricopa County to provide jury services for the Avondale City Court, and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

**f. RESOLUTION 2775-1008 - ASSURED WATER SUPPLY RE-DESIGNATION**

City Council will consider a resolution authorizing the submittal of an application to the Arizona Department of Water Resources for re-designation of Assured Water Supply and authorize the Mayor or City Manager and City Clerk to execute all the necessary documents. The Council will take appropriate action.

**g. RESOLUTION 2776-1008 - INTERGOVERNMENTAL AGREEMENT WITH ADOT FOR BUCKEYE ROAD (MC85) SIDEWALKS AND LANDSCAPING PROJECT**

City Council will consider a resolution authorizing an Intergovernmental Agreement between the City of Avondale and the Arizona Department of Transportation for sidewalk and landscaping improvements along the south side of Buckeye Road (MC85) between Avondale Boulevard and 117th Avenue, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**h. RESOLUTION 2777-1008 - NOTICE OF INTENT TO INCREASE WATER USER CHARGES OR RATE COMPONENTS**

City Council will consider a resolution adopting a notice of intention to increase water and sewer user charges or rate components. The Council will take appropriate action.

**i. RESOLUTION 2778-1008 - SOCIAL SERVICES ADVISORY BOARD BYLAWS REVISION**

City Council will consider a resolution adopting revisions to the Social Services Advisory Board Bylaws. The Council will take appropriate action.

**4 PUBLIC HEARING - CONDITIONAL USE PERMIT FOR STERLING PLAZA WEST (CU-08-4)**

City Council will hold a public hearing and consider a request from Emanuel Scarpinato (owner), for a Conditional Use Permit for a child care facility in a property located directly north of the Sam Garcia Western Avenue Library in the OTAB Zoning District. The Council will take appropriate action.

**5 PUBLIC HEARING AND ORDINANCE 1330-1008 - NEC AVONDALE & VAN BUREN REZONING (Z-08-7)**

City Council will hold a public hearing and consider an ordinance to rezone 4.98 acres of land owned by the City and located at the northeast corner of Avondale Blvd. and Van Buren from A-1 (General Industrial) to AG (Agricultural). The Council will take appropriate action.

**6 PUBLIC HEARING AND ORDINANCE 1332-1008 - ANCONA AVONDALE CENTER REZONING (Z-08-2)**

The City Council will hold a public hearing and consider a request from Vanessa Hickman of Withey Morris, PLC on behalf of the property owners for the rezoning of 78.68 acres from Agricultural (AG) to General Industrial (A-1) located at the southeast corner of Lower Buckeye Road and Litchfield Road. The Council will take appropriate action.

**7 PUBLIC HEARING AND ORDINANCE 1331-1008 - AVONDALE BUSINESS CENTER REZONING (Z-07-8)**

City Council will hold a public hearing and consider an ordinance to rezone 8.6 acres from A-1 (General Industrial) to PAD (Planned Area Development) located at the southeast corner of McDowell Road and 113th Avenue. The Council will take appropriate action.

**8 PUBLIC HEARING AND ORDINANCE 1333-1008 - PHOENIX CHILDREN'S HOSPITAL REZONING (Z-08-5)**

City Council will hold a public hearing and consider a request from Mr. Stephen Earl of Earl, Curley and LaGarde on behalf of Phoenix Children's Hospital for the rezoning of 12.6 acres located at the northeast corner of McDowell Road and Avondale Blvd. from C-1 (Neighborhood Commercial) to PAD (Planned Area Development). The Council will take appropriate action.

**9 PHOENIX CHILDREN'S HOSPITAL MASTER SITE PLAN (DR-08-5)**

City Council will consider a request from Mr. Ron Meyer of HKS, Inc. on behalf of Phoenix

Children's Hospital for master and final site plan approval for a medical campus on a 12.6 acre parcel located at the northeast corner of Avondale Boulevard and McDowell Road. The Council will take appropriate action.

**10 RESOLUTION 2779-1008 - INTERGOVERNMENTAL AGREEMENT FOR JOINT REPRESENTATION IN THE WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS SETTLEMENT**

City Council will consider resolution approving a new Intergovernmental Agreement between the cities of Avondale, Chandler, Glendale and Scottsdale for joint legal representation for proceedings related to the White Mountain Apache Tribe water rights claims and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**11 CONTRACT FOR LEGAL SERVICES RELATED TO THE WATER RIGHTS CLAIMS OF THE WHITE MOUNTAIN APACHE TRIBE**

City Council will consider a request to approve a new contract for legal services with Engelman Berger, P.C. for joint legal representation in the proceedings related to the White Mountain Apache Tribe claim and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**12 LETTER OF SUPPORT FOR THE WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS QUANTIFICATION ACT**

City Council will consider authorizing the Mayor to prepare a letter to Senator Jon Kyl on behalf of the City of Avondale in support of the Water Rights Quantification Act, S. 3473 introduced before Congress on September 11, 2008 to resolve water rights claims of the White Mountain Apache Tribe in the State of Arizona. The Council will take appropriate action.

**13 DISCUSSION ITEMS**

Council will discuss items listed below and possibly give direction to city staff to research and prepare item for future meeting.

**a. Foreclosure prevention - Mayor Lopez Rogers**

**14 ADJOURNMENT**

Respectfully submitted,



Carmen Martinez  
City Clerk

Any individual with a qualified disability may request a reasonable accommodation by contacting the City Clerk at 623-333-1200 at least 48 hours prior to the council meeting.