



# CITY COUNCIL AGENDA

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

REGULAR MEETING  
August 10, 2009  
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 RECOGNITION ITEMS (MAYOR PRESENTATIONS)

- a. City Council will recognize Pastor Emilio De La Cruz for his contributions to the community.

3 UNSCHEDULED PUBLIC APPEARANCES

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

4 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**

Regular Meeting of August 3, 2009

b. **LIQUOR LICENSE - TONY'S MEXICAN FOOD**

City Council will consider a request from Mr. Antonio Vazquez, for a Series 16 (State Series12) Restaurant license to sell all spirituous liquors at Tony's Mexican Food located at 301 West Main Street in Avondale. The Council will take appropriate action.

c. **CONSTRUCTION CONTRACT AWARD - CITYWIDE CONTRACTING-VAN BUREN WATERLINE, 105TH TO 103RD AVENUE**

City Council will consider a request to award a construction contract to Citywide Contracting for construction of a waterline in Van Buren Street, from 105th to 103rd Avenue in the amount of \$135,380 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. **RESOLUTION 2849-809 - FORT MCDOWELL YAVAPAI NATION GRANT AWARD OF \$10,000 FOR PROJECT REAL.**

City Council will consider a resolution authorizing an agreement with the Fort McDowell Yavapai Nation for the purpose of accepting grant funding for Project REAL in the amount of \$10,000 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**e. RESOLUTION 2848-809 - INTERGOVERNMENTAL AGREEMENT - ARIZONA DEPARTMENT OF TRANSPORTATION DATA ACCESS/EXCHANGE**

City Council will consider a resolution authorizing an Intergovernmental Agreement between the City of Avondale and the Arizona Department of Transportation to execute the Data Access Agreement for transmission and retrieval of crash data, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**f. RESOLUTION - 2852-809 - GRANT ACCEPTANCE FROM GOHS FOR POLICE DEPARTMENT CLICK IT OR TICKET PROGRAM**

City Council will consider a resolution accepting a grant in the amount of \$12,000 for the Avondale Police Department's Click it or ticket Program through the Governor's Office of Highway Safety and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**g. RESOLUTION 2850-809 – IGA REGARDING E-VERIFY AUDITS**

City Council will consider a resolution authorizing the City to enter into an Intergovernmental Agreement for Sharing the Results of the E-verify Audits with the other governmental agencies and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**h. RESOLUTION 2847-809 AND ORDINANCE 1383-809 - CHAPTER 6 -PERSONNEL POLICIES AND PROCEDURES, BENEFITS**

City Council will consider a resolution declaring a public record the document entitled "City of Avondale Employee Benefits Policy" and an ordinance adopting said document. The Council will take appropriate action.

**5 PUBLIC HEARING - PAD ZONING EXTENSION - FLEMING FARMS (Z-09-1)**

City Council will hold a public hearing and consider a request from Matt Butcher of Evergreen Development for the extension of the PAD zoning for Fleming Farms, located on a 67 acre parcel of land at the southwest corner of Avondale Boulevard and Lower Buckeye Road. The Council will take appropriate action.

**6 PUBLIC HEARING - PAD ZONING EXTENSION - AVONDALE MARKETPLACE PAD ZONING (Z-09-3)**

City Council will hold a public hearing and consider a request from Mr. Blake Carroll of Troast Properties on behalf of the property owners for an extension until March 20, 2010 of the PAD zoning for Avondale Marketplace, located on a 54.53 acre parcel of land at the northwest corner of Avondale Blvd. and McDowell Road. The Council will take appropriate action.

**7 MASTER SITE PLAN AND PARCEL 2 FINAL SITE PLAN APPROVAL EXTENSION - AVONDALE MARKETPLACE (DR-09-2)**

City Council will consider a request from Mr. Bake Carroll of Troast Properties on behalf of the property owners for an extension of the Master Site Plan and Parcel 2 Final Site Plan for Avondale Marketplace located on 38.6 acres of land at the northwest corner of Avondale Boulevard and McDowell Road. The Council will take appropriate action.

**8 ACCEPTANCE OF GRANT FUNDING FROM THE OFFICE OF COMMUNITY ORIENTED POLICING**

City Council will receive an update regarding notification of the City's selection as a Federal Grant recipient from the Community Oriented Policing Services (COPS) Hiring Recovery Program. This grant provides \$1,147,190.00 to fund five additional police officer positions for the City of Avondale. For information, discussion and direction.

**9 ORDINANCE 1384-809 - CHAPTER 15 - MISCELLANEOUS PROVISIONS AND OFFENSES, RELATING TO NOISE**

City Council will consider an ordinance amending Chapter 15, Article I, Section 15-11 of the Avondale City Code relating to noise. The Council will take appropriate action.

**10 RESOLUTION 2851-809 - CITY CENTER DESIGN GUIDELINES**

City Council will consider a resolution adopting the City Center Design Guidelines for the City Center Specific Plan. The Council will take appropriate action.

**11 AVONDALE SPORTS CENTER ARCHITECTURAL CONCEPTS**

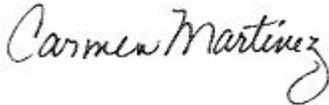
City Council will consider two Architectural design concepts for the American Sports Center retail phase and provide comments and direction to staff. For information, discussion and direction.

**12 EXECUTIVE SESSION**

- a. The Council may hold an executive session pursuant to ARIZ. REV. STAT. § 38-431.03 (A)(4) for discussion or consultation with the City's Attorney in order to consider its position and instruct the City Attorney regarding the Council's position regarding (i) the Hummingbird condemnation litigation, (ii) modifications to economic development agreements for (a) the auto mall and (b) Hyatt Hotels and (iii) threatened litigation relating to former employee.
- b. The Council may hold an executive session pursuant to ARIZ. REV. STAT. § 38-431.03 (A)(7) Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property for (i) a drainage project and (ii) traffic signal and roadway improvements.

**13 ADJOURNMENT**

Respectfully submitted,



Carmen Martinez  
City Clerk

Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.