



# CITY COUNCIL AGENDA

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

**REGULAR MEETING**  
September 14, 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. PRESENTATION OF CERTIFICATES OF ELECTION**

**3 SCHEDULED PUBLIC APPEARANCES**

**a. SOUTHWEST VALLEY CHAMBER OF COMMERCE**

**4 UNSCHEDULED PUBLIC APPEARANCES**

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

**5 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**

1. Work Session of August 10, 2009
2. Regular Meeting of August 10, 2009

**b. APPOINTMENT OF MEMBERS TO THE CITY'S BOARDS, COMMISSION AND COMMITTEES AND DESIGNATION THE OF MAYOR'S REPRESENTATIVE IN THE PUBLIC SAFETY RETIREMENT PENSION BOARDS**

City Council will consider the Council Subcommittee's recommendations for appointments to the City's Boards, Commissions and Committees and Mayor Rogers's request to approve the designation of Kevin Artz as her representative and Chair of the Police and Fire Public Safety Retirement Pension Boards. The Council will take appropriate action.

**c. REMOVAL OF MEMBER FROM THE POLICE PUBLIC SAFETY RETIREMENT PENSION BOARD**

City Council will consider staff's recommendation to remove Ed Meringer from the Police Public Safety Retirement Pension Board. The Council will take appropriate action.

**d. LIQUOR LICENSE – RIOS BAR**

City Council will consider a request from Mr. Jose Barahona for a Series 7 On-sale retailers license to sell beer and wine at Rios Bar located at 11011 West Buckeye Road. The Council will take appropriate action.

**e. LIQUOR LICENSE EXTENSION OF PREMISES – CLUB SANTA FE**

City Council will consider a request from Ms. Nora Rodriguez for an Extension of Premises at Club Santa Fe for her Series 7 - On-Sale Retailer's license to sell beer and wine located at 10907 West Buckeye Road. The Council will take appropriate action.

**f. LIQUOR LICENSE EXTENSION OF PREMISES – ESTRELLA VISTA RECEPTION CENTER**

City Council will consider a request from Ms. Carmen Gonzales for an Extension of Premises for Estrella Vista Reception Center - Series 7 - On-Site Retailer's license to sell beer and wine located at 1471 N. Eliseo Felix Jr. Way. The Council will take appropriate action.

**g. CONSTRUCTION CONTRACT AWARD - J.J. SPRAGUE OF ARIZONA, INC. FOR THE ELM LANE AND CENTRAL AVENUE DRAINAGE IMPROVEMENTS**

City Council will consider a request to award a construction contract to J.J. Sprague of Arizona, Inc. for storm drain improvements along Elm Lane and Central Avenue, in the amount of \$1,255,993.20 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**h. CONTRACT AMENDMENT - FOUNDATION FOR SENIOR LIVING HOME IMPROVEMENTS, INC.**

City Council will consider an amendment to the agreement with Foundation for Senior Living (FSL) Home Improvements Inc to increase the contract ceiling to \$119,393 in Community Development Grant (CDBG-R) funds authorized by the American Recovery and Reinvestment Act of 2009 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**i. CONTRACT AMENDMENT - PAYMENTUS CORPORATION**

City Council will consider a request to approve an amendment to the Master Services Agreement with Paymentus Corporation and authorize the Mayor or City Manager and City Clerk to execute the documents. The Council will take appropriate action.

**j. CONTRACT RENEWAL - AREA AGENCY ON AGING (AAA)**

City Council will consider a request to approve the second amendment to the FY 2008 - 2009 Area Agency on Aging (AAA) contract extending the contract for one year in the amount of \$378,989 to provide services for Congregate Meals, Home Delivered Meals, Multipurpose Center Operations and Transportation for seniors in Avondale, Goodyear and Litchfield Park and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**k. LOT COMBINATION - NORTHWEST CORNER OF AVONDALE BLVD AND ENCANTO BLVD (ML-09-1)**

City Council will consider a city-initiated request to combine six city-owned parcels and dedicate right-of-way at the northwest corner of Avondale Boulevard and Encanto Boulevard. The Council will take appropriate action.

**l. RESOLUTION 2862-909 - CANVASS OF VOTES FOR THE SEPTEMBER 1, 2009 PRIMARY ELECTION**

City Council will consider a resolution canvassing the election results of the September 1, 2009 Primary Election. The Council will take appropriate action.

**m. RESOLUTION 2855-909 - AMENDMENT TO THE NEIGHBORHOOD STABILIZATION PLAN**

City Council will consider a resolution amending the 2008-2009 Annual Action Plan, Neighborhood Stabilization Program Plan which outlines a strategy for alleviating the problem of home foreclosures and related vacancies. The Council will take appropriate action.

**n. RESOLUTION 2854-909 - DESIGNATION OF AVONDALE AS A KIDS AT HOPE CITY**

Council will consider a resolution designating Avondale as a Kids at Hope City and adopting the Kids at Hope belief, principles and practices. The Council will take appropriate action.

**o. RESOLUTION 2860-909 - RENEWAL OF IGA WITH DEPARTMENT OF PUBLIC SAFETY FOR A GIITEM POSITION**

City Council will consider a resolution authorizing an Intergovernmental Agreement with the Arizona Department of Public Safety to assign a full-time officer to the Gang and Immigration Intelligence Team Enforcement Mission (GIITEM) with a cost to the city of \$21,333 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**p. RESOLUTION 2857-909 - AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH ADOT FOR ROADWAY MAINTENANCE**

City Council will consider a resolution authorizing an Intergovernmental Agreement with the Arizona Department of Transportation for the purpose of roadway maintenance and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**q. RESOLUTION - ACCEPTANCE OF AMERICAN RECOVERY REINVESTMENT ACT COPS GRANT**

City Council will consider a resolution accepting an American Recovery Reinvestment Act COPS grant in the amount of \$1,147,190 and authorize the Mayor or City Manager and City Clerk to execute all the necessary documents. The Council will take appropriate action.

**r. RESOLUTIONS 2858-909 AND 2859-909 – AUTHORIZING INTERGOVERNMENTAL AGREEMENTS WITH ADOT FOR TWO ARRA FUNDED PAVEMENT PRESERVATION AND VIDEO DETECTION INSTALLATION PROJECTS**

City Council will consider two resolutions authorizing Intergovernmental Agreements with the Arizona Department of Transportation for the purpose of Pavement Preservation and Video Detection Installation on Dysart Road between I-10 and Indian School Road and Dysart Road between Van Buren Street and I-10, authorize the transfer of \$222,094 from 304-1089, Van Buren - Bridge to Fairway, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**s. RESOLUTION 2853-909 - DECLARING THE 2009 AMENDMENTS TO THE TAX CODE OF THE CITY OF AVONDALE A PUBLIC RECORD**

City Council will consider a resolution declaring as a public record certain documents filed with the City Clerk and entitled "The 2009 Amendments to the Tax Code of the City of Avondale". The Council will take appropriate action.

**t. ORDINANCE 1385-909 - ADOPTING THE 2009 AMENDMENTS TO THE TAX CODE OF THE CITY OF AVONDALE**

City Council will consider an ordinance adopting the 2009 Amendments to the Tax Code of the City of Avondale. The Council will take appropriate action.

**u. ORDINANCE 1386-909 - ACCEPTING A PUBLIC UTILITY EASEMENT AND A DRAINAGE EASEMENT – MORTENSEN PROPERTY**

City Council will consider an ordinance accepting the dedication of a public utility easement and a drainage easement that are necessary to facilitate the construction of infrastructure in the City Center East project, and authorize the Mayor or City Manager and City Clerk to execute the appropriate documentation. The Council will take appropriate action.

**6 RESOLUTION 2856-909 - ADOPTION OF THE PARKS AND RECREATION MASTER PLAN**

City Council will consider a resolution adopting the Parks, Recreation Facilities and Trails Master Plan. The Council will take appropriate action.

**7 PUBLIC HEARING AND ORDINANCE 1387-909 - PAD AMENDMENT AVONDALE LIVE (FORMERLY LA ENTRADA) Z-09-4**

City Council will hold a public hearing and consider an ordinance amending the Avondale Live (formerly La Entrada) Planned Area Development located at the northwest and southwest corner of 99th Avenue and Encanto Blvd as requested by Mr. Chad Day of Bodner Avondale I, LLC. The Council will take appropriate action.

**8 PROPOSED AMENDMENT TO SECTION 1 OF THE ZONING ORDINANCE**

City Council will receive information regarding a proposed amendment to Section 1 of the Zoning Ordinance, which encompasses definitions of terms; defines the structure, powers and duties of the City's administrative bodies; outlines the City's development processes; and details the procedures for enforcement of the Zoning Ordinance. For information, discussion and direction.

**9 ELECTED OFFICIALS' RETIREMENT PLAN LITIGATION**

City Council will consider a request to authorize the City Attorney to take direction from the City Manager with respect to Maricopa County Case No. CV2008-008969, Campbell v. The Elected Officials' Retirement Plan, et al. The Council will take appropriate action.

**10 ADJOURNMENT**

Respectfully submitted,

A handwritten signature in cursive script that reads "Carmen Martinez".

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.