



# CITY COUNCIL AGENDA

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

**REGULAR MEETING**  
April 5, 2010  
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**

1. Work Session of March 1, 2010
2. Regular Meeting of March 1, 2010
3. Work Session of March 8, 2010
4. Regular Meeting of March 8, 2010

**b. BOARD, COMMISSION AND COMMITTEE APPOINTMENTS**

City Council will consider the Council Subcommittee's recommendations for appointment to the City's Boards, Commissions and Committees. The Council will take appropriate action.

**c. RESCHEDULING OF COUNCIL MEETING - LABOR DAY**

City Council will consider a request to reschedule a City Council meeting to accommodate the observance of Labor Day which falls on the day of a regularly scheduled meeting. The Council will take appropriate action.

**d. LIQUOR LICENSE - INDIA GARDEN**

City Council will consider a request from Mr. Joga Dusanjh for approval of a Series 16 (State Series 12) Restaurant license to sell all spirituous liquors at India Garden located at 1809 North Dysart Road, Suite 106. The Council will take appropriate action.

**e. SPECIAL EVENT LIQUOR LICENSE - RACEWAY ELKS FOR CHARITABLE FUNDRAISER**

City Council will consider a request for a special event liquor license from Mr. Gary Bruce on behalf of the Raceway Elks #2852 for a fundraiser event to be held on April 10, 2010 at the Masonic Temple located at 1015 North 8th Street in Avondale. The Council will take appropriate action.

**f. CONTRACT AWARD - SOUTHWEST SLURRY SEAL – MICROSEAL, FOG AND SLURRY PROGRAM**

City Council will consider a request to approve a construction contract with Southwest Slurry Seal, Inc. for preventative maintenance on streets and roadways within the Avondale City limits in the amount of \$596,501.43 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**g. PROFESSIONAL SERVICES AGREEMENT - R & R ADD DESIGNS**

City Council will consider a request to award a professional services agreement to R&R Add Designs for Graphic Design Services, in an amount not to exceed \$55,000 annually and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**h. PROFESSIONAL SERVICES AGREEMENT- CLEAR CREEK ASSOCIATES- WELL 25 PUMPING**

City Council will consider a request to approve a Professional Services Agreement with Clear Creek Associates for the pumping and testing of Well 25 in the amount of \$106,473, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**i. MINOR LAND DIVISION FOR AGUA FRIA DEL OESTE (ML-09-4)**

City Council will consider a request from Mr. Ed Reichenberg of Reichenberg & Associated Planners on behalf of the property owner, Carl Investments LLC for approval of a Minor Land Division for Agua Fria Del Oeste located at the south of the southwest corner of Dysart Road and Washington Street. The Council will take appropriate action.

**j. RESOLUTION 2891-410 - WESTCAPS MULTI-PARTY AGREEMENT**

City Council will consider a resolution authorizing an Intergovernmental Agreement to formalize Avondale's participation in Westcaps, a regional water resources planning group, allow for annual member contributions and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**k. RESOLUTION 2890-410 - PLASTIC BAG RECYCLING**

City Council will consider a resolution encouraging retail establishments to participate in a voluntary plastic bag recycling program. The Council will take appropriate action.

**l. RESOLUTION 2892-410 - WATER CONSERVATION REBATE PROGRAMS**

City Council will consider a resolution approving three new water conservation rebate programs: Landscape Conversions for Non-Residential Water Users, "Smart" Irrigation Controllers for Non-Residential Water Users, and High Efficiency Clothes Washer Rebate for City of Avondale Water Customers. The Council will take appropriate action.

**m. RESOLUTION 2896-410 JARC GRANT SUBMITTAL - JOB ACCESS AND REVERSE COMMUTE TRANSPORTATION PROGRAM GRANT APPLICATION FOR START ROUTE 131 FY2011**

City Council will consider a resolution supporting the submittal of a grant proposal to the Arizona Department of Transportation Public Transportation Division for the Rural and Small Urban Application Section 5316, Job Access and Reverse Commute Transportation Program for START Route 131, in the amount of \$258,000 with a 50% match requirement and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**n. RESOLUTION 2895-410 - INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY FOR THE EXCHANGE OF SERVICES (ENTENTE)**

City Council will consider a resolution authorizing an Intergovernmental Agreement (IGA) between the City of Avondale and Maricopa County for the purpose of exchange of services for roadway maintenance (Entente Program), and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**o. RESOLUTION 2894-410 - AMENDING CERTAIN PLANNING AND ENGINEERING FEES**

City Council will consider a resolution to amend the City's fee schedule for certain planning and engineering fees. The Council will take appropriate action.

**p. ORDINANCE 1402-410 - AUTHORIZE AN EASEMENT FOR RIGHT-OF-WAY FOR THE VAN BUREN STREET AND ELISEO C. FELIX JR. WAY TRAFFIC SIGNAL PROJECT**

City Council will consider an ordinance authorizing the purchase of a triangle parcel for the roadway maintenance of the traffic signal installed on the northwest corner of Van Buren Street and Eliseo C. Felix Jr. Way in the amount of \$8,650, and authorize the Mayor or City Manager, and City Clerk to execute the necessary documents. The Council will take appropriate action.

**q. ORDINANCE 1399-410 - ACCEPTING CERTAIN REAL PROPERTY FOR USE AS PUBLIC RIGHT-OF-WAY FROM SUN COR**

City Council will consider an ordinance accepting the conveyance of certain real property necessary to complete right-of-way on Dysart Road at the north edge of the Roosevelt Irrigation District Canal bridge south of Osborn Road and authorize the Mayor, City Clerk and City Attorney to execute the appropriate documentation. The Council will take appropriate action.

**r. ORDINANCE 1401-410 - GRANTING APS UTILITY EASEMENT AT WELL 20, EL MIRAGE ROAD NORTH OF INDIAN SCHOOL ROAD**

City Council will consider an ordinance granting Arizona Public Service a Utility Easement over a portion of the City's Well 20 site and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**4 CONTRIBUTIONS ASSISTANCE PROGRAM FY 2011**

City Council will consider a request to approve funding for the Contributions Assistance Program. The general fund allocation is \$50,000. This fund will be used for distribution to eligible non-profit agencies to provide human services to the residents of Avondale. Staff is also requesting that Council appoint a sub-committee to review applications and make funding recommendations. The Council will take appropriate action.

**5 PUBLIC HEARING – CONDITIONAL USE PERMIT FOR AT&T PERSONAL WIRELESS SERVICE FACILITY (CU-09-2)**

City Council will hold a public hearing and consider a request from Mr. Matthew Speth of FM Group Inc. for approval of a Conditional Use Permit for a 70' freestanding Personal Wireless Service Facility (monopalm) on the campus of Saint Thomas Aquinas Catholic Community and School. The Council will take appropriate action.

**6 PUBLIC HEARING AND ORDINANCE 1405-410 - COLDWATER SPRINGS PAD AMENDMENT FOR FAIRWAY LIVING SENIOR HOUSING (Z-09-10)**

City Council will hold a public hearing and consider an ordinance to approve a request from Wade Felkins of Landmark Design Architects on behalf of Mirage Development, LLC for an amendment to the Coldwater Springs PAD to amend the uses and development standards for approximately 8 acres located on the southwest corner of Van Buren Street and Fairway Drive. The Council will take appropriate action.

**7 PUBLIC HEARING AND ORDINANCE 1403-410 - LEVERTON EAST REZONING (Z-09-12)**

City Council will hold a public hearing and consider an ordinance approving a request from Mr. Jon Paladini of Tiffany & Bosco, P.A. on behalf of the property owner, Leverton Properties, LLC/Leverton Investments, LP to rezone from Rural Residential (RR-43) to Commerce Park (CP) 21.1 acres of land located south of Roosevelt Street, north of Corporate Drive, west of 111th Avenue, and east of 113th Avenue. The Council will take appropriate action.

**8 PUBLIC HEARING AND ORDINANCE 1404-410 - REZONING FOR PALERMO'S PIZZA (Z-09-11)**

City Council will hold a public hearing and consider an ordinance approving a request from Mr. Fred Stern of Stern & Associates on behalf of the property owner, Nuredin Tabaku to rezone the property located at 11007 West Buckeye Road from R1-6 Single Family Residential to Cashion Business District with the intent of opening a restaurant in the existing building. The Council will take appropriate action.

**9 EXECUTIVE SESSION**

a. The Council may hold an executive session pursuant to ARIZ. REV. STAT. § 38-431.03 (A)(1) for discussion regarding the City Manager's annual evaluation.

**10 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.

Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oído, o con necesidad de impresión grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta del Concejo.