

CITY OF AVONDALE

CITY COUNCIL WORK SESSION

April 5, 2010 – 6:00 p.m.

Held in the City Council Chambers – 11465 W Civic Center Drive, Avondale, AZ 85323

Agenda with Audio Prompts

CALL TO ORDER BY MAYOR ROGERS

1 

ROLL CALL BY THE CITY CLERK – *Council Member Buster will be late due to being at the Senate*

2 

TREE CITY USA

City Council received information regarding an application for the City to be designated as a Tree City USA.

3 

ZONING ORDINANCE SECTION 12 TEXT AMENDMENT, LANDSCAPE, WALLS AND FENCES (TA-09-2) FOR TREE CITY USA APPLICATION

As part of the City's initiative to become a Tree City USA, Section 12 of the Avondale Zoning Ordinance, *Landscape, Walls and Fences* needs to be modified in order to meet certain Tree City USA criteria. Other amendments include parking lot requirements, applicability clarification, and modifications to general design criteria and fences and walls.

4 

ADJOURNMENT

CITY OF AVONDALE

CITY COUNCIL REGULAR MEETING

April 5, 2010 – 7:00 p.m.

Held in the City Council Chambers – 11465 W Civic Center Drive, Avondale, AZ 85323

Summary of Council Actions with Audio

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. 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 *approved* the Council Subcommittee's recommendations for appointment to the City's Boards, Commissions and Committees.

c. RESCHEDULING OF COUNCIL MEETING - LABOR DAY

City Council *rescheduled* a City Council meeting to accommodate the observance of Labor Day which falls on the day of a regularly scheduled meeting.

d. LIQUOR LICENSE - INDIA GARDEN

City Council *approved* a request from Mr. Joga Dusanjh for approval of a Series 16 (State Series12) Restaurant license to sell all spirituous liquors at India Garden located at

1809 North Dysart Road, Suite 106.

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

City Council **approved** 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.

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

City Council **approved** 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 authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

g. PROFESSIONAL SERVICES AGREEMENT - R & R ADD DESIGNS

City Council **approved** 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 authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

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

City Council **approved** 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 authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

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

City Council **approved** 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.

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

City Council **adopted Resolution 2891-410** authorizing an Intergovernmental Agreement to formalize Avondale's participation in Westcaps, a regional water resources planning group, allow for annual member contributions and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

k. RESOLUTION 2890-410 - PLASTIC BAG RECYCLING

City Council *adopted Resolution 2890-410* encouraging retail establishments to participate in a voluntary plastic bag recycling program.

l. RESOLUTION 2892-410 - WATER CONSERVATION REBATE PROGRAMS

City Council *adopted Resolution 2892-410* 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.

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

City Council *adopted Resolution 2896-410* 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 authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

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

City Council *adopted Resolution 2895-410* 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 authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

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

City Council *adopted Resolution 2894-410* to amend the City's fee schedule for certain planning and engineering fees.

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 *adopted Ordinance 1402-410* 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 authorized the Mayor or City Manager, and City Clerk to execute the necessary documents.

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

City Council *adopted Ordinance 1399-410* 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 authorized the Mayor, City Clerk and City Attorney to execute the appropriate documentation.

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

City Council *adopted Ordinance 1401-410* granting Arizona Public Service a Utility Easement over a portion of the City's Well 20 site and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

4 

CONTRIBUTIONS ASSISTANCE PROGRAM FY 2011

City Council *approved* 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.

5 

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

City Council *held a public hearing and approved 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.

6 

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

City Council *held a public hearing and adopted Ordinance 1405-410* 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.

7 

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

City Council *held a public hearing and adopted Ordinance 1403-410* 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.

8 

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

City Council *held a public hearing and adopted Ordinance 1404-410* 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.

9 

EXECUTIVE SESSION

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