

Minutes of the Work Session held September 16, 2013 at 6:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Lopez Rogers and Council Members

Frank Scott, Vice Mayor
Stephanie Karlin
Jim McDonald
Charles Vierhout
Ken Weise

ABSENCE EXCUSED

Jim Buster

ALSO PRESENT

Charlie McClendon, City Manager
Wayne Janis, PE, Public Works Director
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

2) ADEQ ENVIRONMENTAL HEALTH FLAG PROGRAM

Julie Finke from the Arizona Department of Environmental Quality's (ADEQ) Office of Children's Environmental Health presented an overview of its Flag Program. The program uses a system of colored flags to help protect children from the harmful effects of air pollution. Children are disproportionately affected by exposure to pollution, so it is important that teachers and parents have access to information that can warn them on bad air quality days. Over 100 schools in Arizona are currently participating in the program that started in 2006. Participating schools request flags from ADEQ at no charge and must agree to assign a coordinator to access daily air quality forecasts. The forecasts are accompanied by recommendations on what to do for each designated pollution level.

Ms. Finke said ADEQ's forecasts monitor different pollutants, such as ozone, carbon monoxide, PM-2.5 and PM-10. Green flags tell people that it is okay to be active outside. Yellow flags warn those people who are unusually sensitive to pollution, but generally the air quality on these days will not affect most people. Orange flags indicate days when most people should avoid engaging in the most strenuous of outdoor activities. Red flag days are unhealthy for everyone, and outdoor physical activities should be kept at a minimum. ADEQ recommends that each school assign two people to the task for consistency. In some cases the program is incorporated into the science curriculum. She suggested that the flag program could fit within existing City initiatives, such as the Youth Advisory Commission, or through the school ambassadors.

Council Member Karlin said the flags would provide visual reminders to parents at the beginning of every school day, and would encourage children to take ownership of their own health. PE teachers could be warned when they need to make other arrangements on high pollution days. She inquired whether the Department of Education is involved at all. Ms. Finke responded that while the DOE is generally supportive of the program, the Department of Education has not promoted it. The Flag Program is part of the Arizona Environmentally Healthy Schools Recognition Program. The intent is not to give a reason to keep children out of school on high pollution days, but simply to provide information and guidance.

Council Member Weise inquired whether schools that fail to follow ADEQ's recommendations would face liability concerns. Ms. Finke responded that many schools have raised this question, but ADEQ's attorneys note that the program is not regulatory, it is voluntary. By participating, schools are going above and beyond the norm to make an additional tool available to those who wish to be informed. Schools are free to adjust ADEQ's recommendations. Council Member Weise inquired about the federal contribution to the program. Ms. Finke explained that the federal government provided a one-time \$700,000 grant for the education program and its related research component.

Council Member Vierhout felt teachers would benefit from knowing pollution conditions before they sent children out to recess. The science curriculum tie in is another benefit. Ms. Finke said the Environmental Protection Agency has developed an associated curriculum targeting several grades from middle school to high school.

3) WASTEWATER TREATMENT MASTER PLAN UPDATE

City Council received a presentation regarding the Wastewater Treatment Master Plan, its timeline and anticipated outcomes. Wayne Janis, PE, Public Works Director, noted a variety of unexpected problems last year that prompted City Council to approve a contract with CH2MHill in December of 2012. The plant had to deal with concentrations of solids and biological loadings one-third higher than it was designed for. The contractor reviewed operations, processes, and capacity, and identified the need for process and technology improvements. The suggested process improvements were immediately implemented, and the plant is operating very well now. The contractor also recommended some longer term capital improvements and confirmed the need for a master plan. The last master plan was created in 2005 at a time when wastewater strengths did not exceed plant capacity.

Mr. Janis said the goal of the master plan is to deal with the plant problems at the lowest cost to the taxpayer. The plan will evaluate current site, loadings, capacities and processes, and assess alternative processes. The administration and laboratory facilities at the plant have to be improved. Possible regional collaborations will be explored. An evaluation of the hydraulic capacity will be conducted. The first dissolved oxygen meters have been installed and the next step is to automate the blowers to maximize aeration efficiency. City Council will receive the report findings by August of 2014. Design and permitting will be done by September 2015, and construction should happen in 2016.

Council Member Karlin inquired about the reasons for the increased concentrations of solids and biological loadings. Mr. Janis posited that it could be the result of effective water conservation efforts, but the sampling done in 2005 could have been flawed as well. All Valley cities are seeing this phenomenon, particularly those in the West Valley. Improvements still have to be made, but the money Avondale has spent so far has not been wasted.

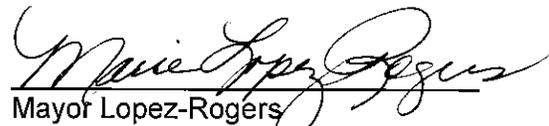
Council Member McDonald inquired whether the City has the ability to dilute wastewater before it gets to the plant. Mr. Janis explained that the problem is continuous, and there are simply more solids now than when the plant was designed. The basin is used to minimize the highs and lows as much as possible. Council Member McDonald inquired whether these upgrades were known about in 2005. Mr. Janis responded that many items

were included in the draft design study, but not forwarded because of the budgetary constraints. The new tertiary filters make it possible to discharge a higher grade of effluent, but solids are a separate matter. The consultant is taking a holistic view of plant improvements to ensure that the City gets the most for its money. Council Member McDonald said he thought the City had spent enough money to avoid these problems. Mr. Janis responded that good choices were made when the upgrades were deferred, but the time has come to move forward with them.

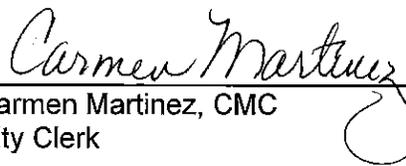
Vice Mayor Scott inquired about the partnership opportunities. Charlie McClendon, City Manager, explained that when the report comes out in August 2014, it will include an analysis of what Avondale needs to do. The CIP already has \$12 million. A \$45 million plant expansion has been identified as a future need, but the report will re-evaluate whether that is indeed the best option moving forward. Avondale could derive greater benefits from partnering with neighboring cities. The report will also identify trigger points for when decisions have to be made regarding expansion. Vice Mayor Scott inquired whether the plant would be able to handle PIR waste. Mr. Janis expressed optimism that the plant would be able to keep up with the increase. Council Member Vierhout inquired about the cost of the consultant. Mr. Janis estimated that the consulting fees would require between \$400,000 and \$500,000 from the existing contingency.

4) ADJOURNMENT

The Work Session adjourned at 6:55 p.m.



Mayor Lopez-Rogers



Carmen Martinez, CMC
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the Council of the City of Avondale held on the 16th day of September 2013. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk

Minutes of the Regular Meeting held September 16, 2013 at 7:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Lopez Rogers and Council Members

Frank Scott, Vice Mayor
Stephanie Karlin
Jim McDonald
Charles Vierhout
Ken Weise

ABSENCE EXCUSED

Jim Buster

ALSO PRESENT

Charlie McClendon, City Manager
Ken Galica, Planner II
Pier Simeri, Community Relations and Public Affairs Director
Dan Fenton, Strategic Advisory Group
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

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

Carmen Martinez, City Clerk, read a statement of participation regarding public appearances.

2) UNSCHEDULED PUBLIC APPEARANCES

Charlie McClendon, City Manager, announced that Avondale was recently recognized at the Valley Forward Environmental Excellence Award, winning the coveted Crescordia Award for the Solar Demonstration Project. Valley Forward also gave Avondale three awards of merit for the Zoom Circulator, General Plan 2030, and the Community Garden.

The 3CMA organization awarded Avondale Silver Circle Awards for the RAVE Review, the 2012 Avondale Annual Report, and the Award of Excellence for the Get out the Vote Campaign featuring Carmen Electa during the August 2012 election.

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. LIQUOR LICENSE PERMANENT EXTENSION OF PREMISES – RACEWAY ELKS #2852

A request from Mr. Gary Bruce for a permanent extension of premises of the Series 14 Private Club license to sell all spirituous liquors at the Raceway Elks Lodge #2852 located at 215 W Van Buren Street in Avondale.

b. SENIOR PROGRAM FUND BALANCE TRANSFER

A request to authorize the use of \$6,955.58 from the Senior Program Fund to fund a portion of the technology upgrade project at the Avondale Community Center, and authorize the Mayor or the City Manager and the City Clerk to execute the necessary documents.

c. RESOLUTION NO. 3132-913 – INTERGOVERNMENTAL AGREEMENT FOR FIRE DEPARTMENT AUTOMATIC AID

A resolution approving an Intergovernmental Agreement among Phoenix Metropolitan Area Municipalities relating to automatic assistance for fires and other types of emergency incidents and authorizing the Mayor or City Manager and City Clerk to execute the necessary documents.

d. RESOLUTION NO. 3134-913 – CONTRACT FOR JOINT LEGAL REPRESENTATION AND CONTRACT FOR LEGAL SERVICES WITH ENGELMAN BERGER, P.C.

A resolution approving a contract for joint legal representation among the cities of Avondale, Chandler, Glendale and Scottsdale and a Contract for Legal Services with Engelman Berger, P.C. with respect to the Water Rights Claims of the White Mountain Apache Tribe and the Gila River General Stream Adjudication and authorizing the Mayor or City Manager and City Clerk to execute the necessary documents.

e. ORDINANCE 1525-913 – ANNEXATION – ST. JOHN BOSCO OUTREACH CENTER

An ordinance authorizing the annexation of APN 500-64-002P owned by the St. John Vianney Roman Catholic Parish located at 12443 W. Illini Street also known as 3680 S. 125th Avenue.

Council Member Weise moved to accept the consent agenda as presented. Council Member McDonald seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Aye
Council Member McDonald	Aye
Council Member Weise	Aye
Mayor Rogers	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Council Member Buster	Excused

Motion carried 6-0

4) PUBLIC HEARING AND RESOLUTION 3137-913 – FREEWAY CORRIDOR SPECIFIC PLAN UPDATE

A public hearing to consider a Resolution approving a comprehensive amendment to the Freeway Corridor Specific Plan to establish site development thresholds, such as maximum building heights and minimum floor area ratios, architectural and site design standards, and standards for design within the public realm.

Ken Galica, Development Services, said the FCSP was originally adopted in 1991 and received minor amendments in 2002 and 2007. The original purpose was to maximize development intensity in the freeway corridor. The 1991 plan was very strong, but ultimately not as successful as it should have been, because it relied on recommendations rather than requirements. Every plan should retain some flexibility, but allowing too much discretion jeopardizes the overall vision. The FCSP supplements the Zoning Ordinance and the General Plan by establishing certain design requirements for development. It expands upon the goals and objectives of General Plan 2030, which was approved by voters last fall. Land uses will remain governed by the General Plan and Zoning Ordinance.

Mr. Galica said the purpose of the update is to:

1. Amend the plan boundaries to incorporate some additional land adjacent to 99th Avenue.
2. Enhance the City's appearance from the I-10 and Loop 101 freeways.
3. Establish expectations for transit-oriented development in proximity to the City's recommended high-capacity transit corridor.
4. Promote development in the planned area that is pedestrian/bicycle friendly, and contributes to a walkable community.
5. Promote forms of development such as Class A Office, medical facilities, and manufacturing campuses that create high paying professional jobs.
6. Emphasize the community's desire for Urban Residential in areas of the freeway corridor where residential uses are allowed.
7. Establish classifications for the future construction of the Van Buren Drainage and Recreation Corridor and the Agua Fria Trail.

Mr. Galica reviewed the five sections of the FCSP. Section I provides background and an existing conditions report, and expresses future expectations. Section II establishes the objectives of the FCSP. Section III contains the design and development requirements. Section IV discusses implementation. Section V summarizes the public participation effort.

Mr. Galica stated that a high priority of General Plan 2030, and a key part of the City's sustainability focus, is high capacity transit in Avondale. Avondale participated in the Maricopa Association of Government's (MAG) Sustainable Transportation and Land Use Integration Study. The study identified future demand for additional high-capacity transit, but only to areas sufficiently dense. Cities that want high capacity transit service must plan for it now to avoid being eliminated from future consideration.

Mr. Galica noted that development trends are noticeably shifting. Considerable research has found that Generation Y prefers urban densities and places where experiences are abundant. They prefer living where they do not need a car to function. As that generation continues to gain buying power, Avondale should be at the forefront of the effort to attract

them. The MAG study illustrates the minimum FARs appropriate for various types of development. Compact Walkable areas are served by minimal transit, but usually not fixed route transit. Transit Served areas are served by light rail or bus rapid transit on a limited basis. High Capacity Transit (HCT) areas enjoy the ultimate level of service. Recommended FARs for commercial development in HCT areas is 2.0 or greater. TS areas have recommended FARs of 1.0 to 1.9. C areas have FARs of 0.5 to 0.9. Avondale is aiming for TS development, but would welcome HCT if that becomes a possibility. TS areas can accommodate a wide variety of development. The FCSP requires developers to adhere to minimum FARs ranging from 1.5 to 0.5 along specific parts of the transit corridor. The new plan establishes a long-term vision for the city, but he acknowledged that the market is not yet ready to build at that level of intensity. However, if Avondale under develops this corridor in the present, the General Plan 2030 goals related to transit would likely fail to materialize.

Mr. Galica reported that three properties owners of 15 total acres in the corridor wrote letters opposing minimum FARs, and requested a 60-day continuance. On the other hand, Argus Group of Vancouver, Canada, which owns 85 acres in the area, said they understand what Avondale is doing and have indicated their willingness to build something that fits into it. The updated plan represents a compromise in that it provides the maximum practical amount of flexibility without weakening the vision to the point of irrelevance. It introduces an innovative option for phasing that would allow for development at half the required FAR on half of a site, so long as the second part develops at a FAR that balances it out. Minimum FARs were significantly reduced from the original draft. FARs are not required for most properties within the plan boundary, which leaves many opportunities for lower intensity development in the area. The FCSP commits the City to work with the Flood Control District and the Army Corps of Engineers on the Agua Fria Trail. Avondale has acquired property for the Van Buren Regional Drainage and Recreation Channel, and will be responsible for designing any future light rail stops, bus stops, and landscape entry features. Section IV details that minimum FARs are only required for properties rezoned after adoption. Where PADs already exist, minimum FARs will not be required. All other requirements of the plan will apply to all non-PAD properties.

Mr. Galica addressed the charge that staff did not provide ample notice of the update. He explained that the state statute only requires notification of specific plan adoption or amendment by legal advertisement in a newspaper of circulation in the area. The City complied with that requirement for all public meetings. Additionally, a draft of the plan was made available on the City's website for anybody to peruse at will. All interested parties were emailed with links to the draft document, and with notices of the meetings. On August 7, staff sent a letter to all 430 property owners within the FCSP boundaries. The letter provided notification of upcoming hearings. Even though the mailing addresses were obtained from the County Assessor's Office, thirty letters were returned as undeliverable. None of these 30 property owners were among those who claimed to have not been notified. Notification signs were posted on 99th Avenue and McDowell Road. Staff also employed social media and press releases to help spread the word.

Mr. Galica said that when the FCSP draft was first proposed to the Planning Commission on May 23, it proposed higher minimum FARs, no phasing option, and requirements instead of recommendations. Staff requested a continuance to reach out to developers. On July 18,

the Planning Commission reviewed a draft of the plan that had been revised with input from the development community. This draft lowered minimum FARs and reduced all requirements to recommendations. The Planning Commission unanimously opted to scrap this revision, and requested a new one that would allow for some flexibility without abandoning the City's vision. The compromise draft restores all recommendations to requirements, and introduces a new phasing option. The new minimum FARs are significantly below what MAG recommended. The Planning Commission unanimously approved this draft, but urged staff to monitor the market for conditions that warrant a return to original MAG FAR specifications.

Mr. Galica stated that Avondale has many sites capable of accommodating almost any type of probable development. The Freeway Corridor, on the other hand, is a special place that must be protected if the future goals of the community are to be met. He reminded City Council that they have ultimate authority to accommodate attractive projects through development agreements.

Mayor Lopez Rogers thanked staff for their work. She said the updated FCSP represents a big compromise. City Council, the Planning Commission and Zoning have set forth a vision that conforms to what the community has asked for, and that vision must be preserved.

Council Member Weise noted that when it was first built, Scottsdale Fashion Square was not successful, and pressure quickly grew to tear it down. Scottsdale held firm on their vision for that corner, and after 25 years, it has become one of the hottest in the entire Southwest. This is one example of what can happen when a city holds true to its vision. City Council has long heard developers say that the West Valley cannot support developments like the Phoenix Children's Hospital or the American Sports Center, but those indeed have been built, and they have been successful. Smart, well educated people have volunteered many long hours to refine this vision for the future of Avondale, and he said he is willing to trust what they have to say. It might take time to realize this dream, but City Council is obligated to leave the community better off than it was before. He would prefer higher FARs, but understands the compromise.

Council Member McDonald stated that people with low expectations of Avondale used to say the community would only receive the type of development it deserved. He does not hear those comments anymore. People understand that the City now has a vision and the staff to implement it. Great changes are underway, and more is coming. The City does not have to grab the first opportunity that comes along, and can wait for better possibilities. The Freeway Corridor is designed to be something special. Developers have room to build in other places now, and this is a fair compromise.

Council Member Karlin stated that the process has been a long one. Avondale has been working to build a community that everyone can be proud of, and does not want to settle for mediocrity. When she first joined the City Council, Avondale was willing to take any project that came along, but those days have passed. The community has laid out a vision for its future and it's time for developers to meet that demand with innovative projects. Compromise is good, but she feels the City may have already compromised too much.

Council Member Vierhout agreed with the previous comments. Avondale already has many low intensity retail developments, even in the area of 99th Avenue and McDowell, and it is time to encourage something different. Vice Mayor Scott took note of two properties adjacent to Gateway Crossing, and inquired whether those parcels had options. Mr. Galica responded that once the FCSP is adopted, a major amendment process would be required to change it. He explained that a FAR of 0.5 is not significantly higher than what Gateway Crossing has, especially considering that the phasing option is available. Mr. McClendon said a plan like this should be difficult to change if it is to be effective, but there are options available. A major text amendment would have to be introduced in January and finalized in August. Three public hearings would be required. Developers would also need a zoning case, which could occur during the same time. A development agreement is another possibility. Mr. Galica noted that the two properties near Gateway Crossing initially had a PAD in 1992 that called for four and five story office buildings served by parking structures. Every time an alternative is used to supersede the plan, it negatively impacts the goal of attracting transit. Vice Mayor Scott noted that in order for developers to successfully make a change, they would have to convince four Council Members to risk the vision.

Mayor Lopez Rogers opened the public hearing. She noted that James Mulhaney submitted a card expressing his opposition to the plan, but that he did not wish to speak.

Mike Demlong said he lives adjacent to property within the plan borders. He thanked City Council Members and staff for their service to the community. He voiced his support for the FCSP as written. The update process has been going on for a long time, and the extensive outreach effort ensures that the plan truly reflects what residents and even some land owners are looking for. He does not agree with everything in it, but recognizes that the compromise is a fair and reasonable one. The plan will ensure that Avondale becomes a city that future generations will want to live in, and will help attract high-capacity transit service into the urban core. It will grow sales tax revenue, attract high quality, well paying jobs, and help control unmanaged growth.

Angela Cotera encouraged City Council to pass the plan that the Planning Commission forwarded, which represents a compromise. The phasing option is a new idea that helps meet current needs without abandoning a long-term vision. Over 1,300 acres of residential property north of the corridor would benefit from higher property values once transit is built. Light rail in Phoenix is spurring development in areas that seemed unthinkable a few years ago. This plan will keep Avondale vibrant and will benefit residents. During her time on the Planning Commission and on the General Plan 2030 Committee, she has heard the same comments repeatedly. Citizens want walkable neighborhoods, good transportation, and an urban core that will attract young people and the types of jobs the community needs. The plan will encourage the right type of development from the beginning, rather than having to rely on redevelopment to fix the situation later on. Avondale only has five miles of freeway corridor to work with, and it has to be developed correctly the first time. The FCSP represents the best opportunity to do that.

Stephen Earl represented Rialto Capital that owns eight acres next to Gateway Crossing. He said he understands the support for the plan and the desire to make Avondale special, but as a 30-year specialist for zoning and land use planning, he has seen many initiatives that have come and gone. A free enterprise system requires cooperation between

governments who set forth their vision, and landowners who take risks. However, the marketplace ultimately decides what happens. If the marketplace cannot support a vision, nothing will be built. Had minimum FARs been included in the 1991 version of the FCSP, the development there now would never have happened. Even downtown Phoenix struggles to get above a FAR of 1.0. Phasing will be difficult on an 8-acre parcel. Rialto believes that the FCSP would have an immediate negative impact on their land values. A variance requires substantial time to navigate. No development along the entire freeway corridor exceeds 0.5 FAR. He encouraged City Council to allow Rialto the flexibility to build a high quality development that meets all the objectives of the plan without the 0.5 FAR requirement.

After noting that several letters were submitted on the issue, Mayor Lopez Rogers closed the public hearing.

Council Member Weise moved to accept the findings and adopt a Resolution approving Application PL-11-0080, a request to approve the amended Freeway Corridor Specific Plan. Council Member McDonald seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Aye
Council Member McDonald	Aye
Council Member Weise	Aye
Mayor Rogers	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Council Member Buster	Excused

Motion carried 6-0

5) AVONDALE BRANDING AND MARKETING INITIATIVE

Pier Simeri, Community Relations and Public Affairs Director, provided an update on the Avondale branding initiative. The initiative hopes to make Avondale the community of choice for business, developers, and residents. Staff issued a request for qualifications for a consultant who could help with that process. In May, the City hired the Strategic Advisory Group. Much work has been done in just a few short months, and the best is yet to come. The branding effort will help all departments move ahead with City Council's goals.

Dan Fenton, of the Strategic Advisory Group, reported on the results of focus group surveys that polled a broad section of citizens about Avondale. Participants were asked to share their thoughts and perceptions of Avondale, including what the City does well and what needs improvement. This information will be used to craft a brand message. Participants were highly engaged in the process and expressed their desire to participate in the future. The words associated with Avondale include: "achievement," "ambitious," "growth," "opportunity," "diversity," and "expansion." People view Avondale as a city poised for future growth. Over 16,000 surveys were sent out, and 1,758 people responded, which is an

excellent participation rate. Of these respondents, 700 took additional time to write comments.

Mr. Fenton said survey participants were shown a group of images and asked to identify the one that best represented their view of Avondale. Their top choice was an image that depicted a diverse group. People who work in Avondale are perceived as friendly, enthusiastic, dedicated, and committed. The vehicle type that most closely represents Avondale is the SUV. Avondale compares well with other communities in terms of employment and schools. The development community was most positive on employment, shopping, dining and entertainment, and 37% felt that schools were better in Avondale.

Mr. Fenton said the survey asked participants to share their thoughts on Avondale's future, and responses were dominated by words that conveyed optimism. Businesses types seen as the best fit for Avondale include knowledge based, small/medium sized businesses, office, professional services, healthcare, and creative companies. He displayed examples of written comments gathered during survey.

Mr. Fenton said the research will be used to create five different messages that respond to the community's feedback. City Council will be presented with an implementation plan. The goal is not to simply create a logo and a design. The concept will be considered a success when people begin using it as part of the community's story.

Mayor Lopez Rogers said she was impressed with the level of participation, and felt the final product will be better as a result. Council Member Weise said the overall message he saw is that people are generally pleased with Avondale. Mr. Fenton agreed, adding that there is a real sense that people are ready and are willing to be part of the next stage of Avondale's evolution. Council Member Weise noted that Avondale weathered the economic downturn better than most communities in the area. People are tired of the negative stories and want to be part of something positive.

Council Member McDonald said he was impressed with the response, especially the high percentage of written comments. He expressed dismay with the lower marks for government. Council Member Karlin said she was pleasantly surprised at the thoroughness of the survey, and the community's enthusiasm for participation. Too often initiatives are discontinued, which only discourages community involvement in the future. She questioned why diversity and safety ranked as low as they did. Mr. Fenton explained that there are opportunities to dig deeper into the information to reveal the reasons behind some of the scores.

Council Member Vierhout commended Strategic Advisory Group for crafting a strong survey, and felt this was a big reason why so many people decided to respond. Mayor Lopez Rogers thanked all the citizens who took the time to participate.

6) EXECUTIVE SESSION

- a. City 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's Attorney regarding potential litigation with respect to tax matters.

Council Member Weise moved to adjourn into executive session. Council Member Vierhout seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Aye
Council Member McDonald	Aye
Council Member Weise	Aye
Mayor Rogers	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Council Member Buster	Excused

Motion carried 6-0

10) ADJOURNMENT

There being no further business before the Council, Vice Mayor Scott moved; Council Member Vierhout seconded to adjourn the meeting.

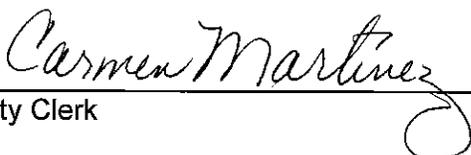
The City Council meeting was adjourned at 9:37 pm.


Marie Lopez-Rogers


Carmen Martinez, CMC
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Council of the City of Avondale held on the 16th day of September 2013. I further certify that the meeting was duly called and held and that the quorum was present.


Carmen Martinez
City Clerk