



**GLENDALE CITY COUNCIL MEETING**  
**Council Chambers**  
**5850 West Glendale Avenue**  
**February 13, 2007**  
**7:00 p.m.**

**CALL TO ORDER – PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE [MINUTES OF JANUARY 9, 2007 INSTALLATION CEREMONY](#)**  
**APPROVAL OF THE [MINUTES OF JANUARY 23, 2007](#)**

**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. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.**

1. [SPECIAL EVENT LIQUOR LICENSE FOR CITY OF GLENDALE JAZZ AND BLUES FESTIVAL, APRIL 14 & 15, 2007 – 58<sup>th</sup> AND GLENDALE AVENUES](#)
2. [SPECIAL EVENT LIQUOR LICENSE FOR CITY OF GLENDALE GLITTERS SPECTACULAR WEEKEND, NOVEMBER 23 & 24, 2007 – 5800 WEST GLENN DRIVE](#)
3. [PROFESSIONAL SERVICES AGREEMENT - STORM SEWER FOR 59<sup>TH</sup> AVENUE, BROWN STREET TO OLIVE AVENUE](#)
4. [PROFESSIONAL SERVICES AGREEMENT – RED LIGHT ENFORCEMENT PILOT PROGRAM](#)

**CONSENT RESOLUTIONS**

5. [IRRIGATION EASEMENT AGREEMENT WITH THE BUREAU OF RECLAMATION FOR A PORTION OF 87<sup>TH</sup> AVENUE BETWEEN MISSOURI AVENUE AND CAMELBACK ROAD](#)

6. [SUBCONTRACT FOR CENTRAL ARIZONA PROJECT MUNICIPAL AND INDUSTRIAL PRIORITY WATER](#)

#### **PUBLIC HEARING – LAND DEVELOPMENT ACTIONS**

7. [GENERAL PLAN AMENDMENT GPA06-07: NORTHEAST CORNER OF 81ST AND GLENDALE AVENUES \(Resolution\)](#)
8. [REZONING APPLICATION ZON05-18: JAS HOLDINGS – 5330 WEST UNION HILLS DRIVE \(Ordinance\)](#)
9. [ZONING ORDINANCE TEXT AMENDMENT APPLICATION ZTA06-02: RECREATIONAL VEHICLE STORAGE FACILITIES AND RELATED USES IN THE SPECIAL USE DISTRICT \(CITY-WIDE\)](#)

#### **ORDINANCES**

10. [INTERFERENCE WITH ATHLETIC CONTESTS AND EXHIBITIONS ORDINANCE](#)
11. [DEEDS AND EASEMENTS ORDINANCE](#)
12. [ANNEXATION AREA NO. 159 ORDINANCE: PARK AND RIDE LOT – 9890 WEST GLENDALE AVENUE](#)
13. [SALE OF ADDITIONAL RIGHT OF WAY TO THE CITY OF PHOENIX FOR CAMELBACK ROAD AT 107TH AVENUE](#)
14. [SALT RIVER PROJECT EASEMENTS](#)
15. [SALT RIVER PROJECT MONITORING WELL EASEMENT](#)
16. [WATERLINE EASEMENT ABANDONMENT: EAST OF 69<sup>TH</sup> AVENUE AND NORTH OF BETHANY HOME ROAD](#)
17. [DEDICATION OF RIGHT-OF-WAY: 71<sup>ST</sup> AVENUE, BETWEEN ORANGEWOOD AVENUE AND FRIER DRIVE](#)

#### **REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION**

#### **CITIZEN COMMENTS**

**If you wish to speak on a matter concerning Glendale city government that is not on the printed agenda, please fill out a Citizen Comments Card located in the back of the Council Chambers and give it to the City Clerk before the meeting starts. The City Council can only act on matters that are on the printed agenda, but may refer the matter to the City Manager for follow up. Once your name is called by the Mayor,**

**proceed to the podium, state your name and address for the record and limit your comments to a period of five minutes or less.**

## **COUNCIL COMMENTS AND SUGGESTIONS**

### **ADJOURNMENT**

**Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:**

- (i) discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));**
- (ii) discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03 (A)(2));**
- (iii) discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));**
- (iv) discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (A)(4));**
- (v) discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or**
- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).**

## CALL TO ORDER – PLEDGE OF ALLEGIANCE

APPROVAL OF THE [MINUTES OF JANUARY 9, 2007 INSTALLATION CEREMONY](#)  
APPROVAL OF THE [MINUTES OF JANUARY 23, 2007](#)

## 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. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.**

1. [SPECIAL EVENT LIQUOR LICENSE FOR CITY OF GLENDALE JAZZ AND BLUES FESTIVAL, APRIL 14 & 15, 2007 – 58<sup>TH</sup> AND GLENDALE AVENUES](#)

**Purpose:** This is a request for City Council to approve a special event liquor license for the City of Glendale Office of Special Events. The event will be at 58<sup>th</sup> and Glendale Avenues on Saturday, April 14, 2007 from 10:00 a.m. to 10:00 p.m. and Sunday, April 15, 2007 from noon to 5:00 p.m. The purpose of this event is for the Glendale Jazz and Blues Festival. The special event liquor license was submitted by Jerry P. McCoy.

**Background:** If this license is approved, the total days expended by this applicant will be seven of the allowed 10 days per year. Under the provisions of Arizona Revised Statutes Sec. 4-203.02, the Arizona Department of Liquor Licenses and Control may issue a special event liquor license only if the Council recommends approval of such license.

**Previous Council/Staff Actions:** No previous action has occurred.

**Recommendation:** The Glendale Planning, Fire and Police Departments have reviewed the application and determined that it meets all technical requirements. Therefore, it is staff's recommendation to forward the application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

2. [SPECIAL EVENT LIQUOR LICENSE FOR CITY OF GLENDALE GLITTERS SPECTACULAR WEEKEND, NOVEMBER 23 & 24, 2007 – 5800 WEST GLENN DRIVE](#)

**Purpose:** This is a request for City Council to approve a special event liquor license for the City of Glendale Office of Special Events. The event will be at 58<sup>th</sup> and Glendale Avenues on Friday, November 23, 2007 from 5:00 to 10:00 p.m. and Saturday, November 24, 2007 from 5:00 to 10:00 p.m. The purpose of this event is for Glendale Glitters Spectacular Weekend. The special event liquor license was submitted by Jerry P. McCoy.

**Background:** If this license is approved, the total days expended by this applicant will be nine of the allowed 10 days per year. Under the provisions of Arizona Revised Statutes Sec. 4-203.02, the Arizona Department of Liquor Licenses and Control may issue a special event liquor license only if the Council recommends approval of such license.

**Previous Council/Staff Actions:** No previous action has occurred.

**Recommendation:** The Glendale Planning, Fire and Police Departments have reviewed the application and determined that it meets all technical requirements. Therefore, it is staff's recommendation to forward the application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

3. **PROFESSIONAL SERVICES AGREEMENT - STORM SEWER FOR 59<sup>TH</sup> AVENUE, BROWN STREET TO OLIVE AVENUE**

**Purpose:** This is a request for City Council to approve a professional services agreement with Kimley-Horn and Associates to provide design and construction administration services for the construction of a storm sewer in 59<sup>th</sup> Avenue from Brown Street to Olive Avenue.

**Council Strategic Goals Or Key Objectives Addressed:** This project meets the Council goal of providing a high quality of services for citizens.

**Background:** The project will install storm sewer pipes, curb inlets, and access manholes. The construction of this storm sewer will reduce the storm water flow into the retention basin at Sahuaro Ranch Park and eliminate the ponding of water along 59<sup>th</sup> Avenue. The construction schedule will be coordinated with Glendale Community College staff to minimize the impact on the campus.

A request for proposal was sent to 103 consultants in the Engineering Department's database and 15 proposals were received. Staff from the Engineering Department evaluated the proposals. Kimley-Horn and Associates was selected as the best-qualified firm to perform the required services.

**Community Benefit:** Construction of the storm sewer along 59<sup>th</sup> Avenue will alleviate drainage issues along Brown Street and along 59<sup>th</sup> Avenue during and after storms.

**Budget Impacts & Costs:** Funds for this project are available in the FY 2006-07 Capital Improvement Program, 59th Avenue, Brown to Olive project.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total        |
|--------|-----------------|---------------|----------|------------|--------------|
|        | X               |               | X        |            | \$449,622.20 |

**Account Name, Fund, Account and Line Item Number:**  
59<sup>th</sup> Ave. Brown to Olive, Account No. 2180-79003-551200

**Recommendation:** Authorize the City Manager to enter into an agreement with Kimley-Horn and Associates in an amount not to exceed \$449,622.20 for construction of the storm sewer in 59<sup>th</sup> Avenue, Brown Street to Olive Avenue.

#### 4. PROFESSIONAL SERVICES AGREEMENT – RED LIGHT ENFORCEMENT PILOT PROGRAM

**Purpose:** This is a request for City Council to authorize the establishment of a two-year red light enforcement pilot program and to approve a professional services agreement with American Traffic Solutions, Inc. to install and operate equipment for the pilot program.

**Council Strategic Goals Or Key Objectives Addressed:** The proposed pilot program addresses the Council goal of creating a city with high quality services for citizens. Many cities in Arizona have used this tool to enhance public safety. This pilot program will allow the city to evaluate this tool as a way of improving public safety for the traveling public.

**Background:** At Council's direction, the Transportation Department requested Statements of Qualifications (SOQ) from red light running vendors. Three SOQs were received and evaluated by staff from the Transportation, City Court, and Police Departments. American Traffic Solutions, Inc. of Scottsdale, Arizona was recommended as the most qualified firm. A two-year contract was negotiated with the possibility of two one-year extensions, in an amount not to exceed \$140,200.

The pilot project will cover one approach at one intersection for a two-year period. The location will be identified jointly by the Police and Transportation Departments, and will be based, traffic and accident records, and available right-of-way at an intersection where the city controls all four approaches. An independent consultant, not affiliated with the red light equipment vendor, will conduct an independent evaluation of the safety impacts following the pilot study. Staff is anticipating having the pilot program operational in summer 2007.

**Previous Council/Staff Actions:** In June of 2006 at an evening meeting, Council directed staff to move forward with the program and to solicit SOQs for the project from qualified red light enforcement companies.

In May 2006, a document describing the estimated impacts and costs to the city for a pilot program for automated red-light enforcement was provided to Council. The report also presented the advantages and disadvantages of such a program.

In January 2006 at Council Workshop, staff presented Council information on red light and speed enforcement programs in Glendale and other Valley cities.

**Community Benefit:** Traffic safety is important to Glendale residents. Implementation of a pilot automated red light running enforcement program will allow the city to evaluate the impact of this tool on intersection safety.

**Budget Impacts & Costs:** Funding for this pilot program exists in the GO Transportation Program. The total cost of the two-year pilot program is \$402,200 as follows:

- \$140,200 for the two-year professional services agreement with American Traffic Solutions, Inc. for the implementation of the red light camera pilot program;

- \$96,000 (over the two-year study period) for a contractual Management Aide position in the Police Department to work with a sworn officer who will review and approve red light violations in order to complete the daily administrative work related to this pilot program;
- \$156,000 (over the two-year study period) for a contractual Systems Analyst position to facilitate the electronic transfer of violations from the red light running firm into the city court system; and
- \$10,000 for an independent consultant to conduct an evaluation at the end of the pilot study.

Funding for this pilot program exists in the GO Transportation Program and a transfer of \$370,000 from Intersection Improvements, Account No. 2210-65008, and \$32,200 from Demand Management Account No. 1660-16550-518200 to a new GO Transportation operating division is required.

During the initial pilot study, the city’s portion of fines collected will be deposited back to the GO Program. Estimated revenue to offset the cost of the pilot program is in the range of \$70,000 to \$150,000 per year for a single-approach intersection. This estimate is based on the experience of other municipalities in the Phoenix metro area.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total     |
|--------|-----------------|---------------|----------|------------|-----------|
|        |                 |               | X        |            | \$402,200 |

**Account Name, Fund, Account and Line Item Number:**

GO Transportation operating division to be assigned upon approval, \$402,200

**Recommendation:** Authorize the City Manager to enter into an agreement with American Traffic Solutions, Inc. in an amount not to exceed \$140,200. Approve the establishment of a two-year pilot program costing a total of \$402,200, authorize a transfer of \$370,000 from Intersection Improvements, Account No. 2210-65008, and \$32,200 from Demand Management Account No. 1660-16550-518200 to a new GO Transportation operating division to be assigned upon approval, and authorize two (2) contractual positions for the duration of the two-year pilot program.

**CONSENT RESOLUTIONS**

5. [IRRIGATION EASEMENT AGREEMENT WITH THE BUREAU OF RECLAMATION FOR A PORTION OF 87<sup>TH</sup> AVENUE BETWEEN MISSOURI AVENUE AND CAMELBACK ROAD](#)

**Purpose:** This is a request for City Council to approve a Contract and Grant of Easement with the U. S. Bureau of Reclamation (BOR), for a portion of 87<sup>th</sup> Avenue, between Missouri Avenue and Camelback Road.

**Background:** As part of Camelback Park subdivision and the development of a proposed city park on the northeast corner of the new alignment of 87<sup>th</sup> and Missouri avenues, the city requested Salt River Project (SRP) relocate federally- owned irrigation facilities. SRP, as

representatives of the BOR, has requested a perpetual easement to recognize the BOR's rights. To accomplish this, it will be necessary for the city to execute the BOR's Contract and Grant of Easement for this portion of 87<sup>th</sup> Avenue. In exchange, the BOR will relinquish its rights to the former location of the irrigation facilities.

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the City Manager to execute a Contract and Grant of Easement with the U. S. Bureau of Reclamation for a portion of 87<sup>th</sup> Avenue, between Missouri Avenue and Camelback Road.

6. SUBCONTRACT FOR CENTRAL ARIZONA PROJECT MUNICIPAL AND INDUSTRIAL PRIORITY WATER

**Purpose:** This is a request for City Council to approve and authorize executing a new subcontract with the Central Arizona Water Conservation District and the United States for the delivery of Central Arizona Project (CAP) water.

**Background:** On August 25, 2006, the Secretary of the Interior published a final reallocation decision for CAP water. That decision reallocated previously uncontracted CAP Project Municipal and Industrial priority water to various Municipal and Industrial water providers in accordance with section 104(b) of the Arizona Water Settlements Act, Public Law 108-451, and the recommendation of the Arizona Department of Water Resources.

Additionally, Section 104(d) of the Arizona Water Settlements Act directed the Secretary of the Interior to offer new subcontracts for CAP Municipal and Industrial priority water.

For Glendale, the new subcontract will replace the existing subcontract from which the city receives its current annual allocation of 14,183 acre-feet of CAP water. Glendale will also receive an additional 3,053 acre-feet annual allocation of CAP water.

The anticipated effective date of the new subcontract is January 1, 2008.

**Previous Council/Staff Actions:** On December 13, 2005, Council passed Resolution 3915 authorizing the city to enter into the Gila River Indian Community Amended and Restated Water Rights Settlement Agreement and applicable exhibits to the Agreement. This Settlement Agreement was also part of the Arizona Water Settlements Act, Public Law 108-451.

**Community Benefit:** This new subcontract enhances both the volume and security of the city's CAP water resources. The subcontract increases the amount of CAP water allocated to the city by 3,053 acre-feet per year. Additionally, the new subcontract identifies the city's allocation of CAP water as a permanent service right.

**Budget Impacts & Costs:** The city will have one-time capital charges and ongoing operations and maintenance costs associated with the additional allocation volume. The capital cost will not exceed \$3,420,132 and is provided for in the approved Fiscal Year 2006-07 Capital Improvement Plan. The operations and maintenance costs are provided for in the water rates.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total       |
|--------|-----------------|---------------|----------|------------|-------------|
|        | X               |               | X        |            | \$3,420,132 |

**Account Name, Fund, Account and Line Item Number:**  
 CAP Water Purchase, Account No. 2400-61004-551200

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the City Manager to execute and effectuate the Subcontract for Central Arizona Project Municipal and Industrial Priority Water.

**PUBLIC HEARING – LAND DEVELOPMENT ACTIONS**

7. [GENERAL PLAN AMENDMENT GPA06-07: NORTHEAST CORNER OF 81<sup>ST</sup> AND GLENDALE AVENUES](#)

**Purpose:** This is a request by the Planning Commission for City Council to amend the General Plan Land Use Map from Medium High Density Residential (MHDR) 8-12 dwelling units per acre to Medium Density Residential (MDR) 3.5-5 dwelling units per acre for approximately 20 acres of land located at the northeast corner of 81<sup>st</sup> and Glendale avenues.

**Council Strategic Goals Or Key Objectives Addressed:** Glendale 2025, the city’s General Plan, includes specific goals addressing the need for growth management. General Plan Amendments are tools that can be used by the city to direct and manage growth. This General Plan Amendment also addresses the goal of encouraging infill development and implements the General Plan.

**Background:** The existing subdivision at the northeast corner of 81<sup>st</sup> and Glendale avenues has a density of 4.2 dwelling units per acre. Updating the land use category for this subdivision would give a more accurate representation of the existing density of that development.

Other existing subdivisions to the north and west have developed within the MDR land use category. Reducing the density of the General Plan land use category for the remainder of this area would place a compatible density range on this property.

This action is not a rezoning, and the existing zoning classifications and permitted uses on the properties will remain the same. This action will only change the city’s policy towards future development or redevelopment in the area, as the General Plan is a guide for future public decision making. The application is considered a Minor General Plan Amendment.

**Previous Council/Staff Actions:** The Planning Commission authorized staff to initiate this request at the Planning Commission workshop on May 4, 2006. The Planning Commission voted to recommend approval of GPA06-07 by a five to zero vote at its public hearing on August 17, 2006.

**Community Benefit:** Reducing the density of the area to MDR would provide a land use category, which encourages single-family residential development that is compatible with existing development in the area.

**Public Input:** A total of 620 notification letters were sent to adjacent property owners and interested parties on June 30, 2006. The citizen participation letters invited the recipients to submit comments to staff on the proposed General Plan Amendment. One e-mail was received from an investor who owns a four-plex in the area concerned about the change. At the Planning Commission hearing of August 17, 2006 one resident of the existing subdivision expressed a desire that conditions in the quiet single-family neighborhood remain the same.

**Recommendation:** Conduct a public hearing, waive reading beyond the title, and adopt a resolution for General Plan Amendment GPA06-07, as recommended by the Planning Commission.

8. [REZONING APPLICATION ZON05-18: JAS HOLDINGS – 5330 WEST UNION HILLS DRIVE](#)

**Purpose:** This is a request by JAS Holdings for City Council to approve rezoning approximately 5.2 acres from Agricultural (A-1) to Suburban Residence (SR-30) for the property located at 5330 West Union Hills Drive.

**Council Strategic Goals Or Key Objectives Addressed:** The proposed SR-30 zoning designation is compatible with the Low Density Residential designation of surrounding properties. The proposed project incorporates sound growth management techniques by utilizing surrounding infrastructure and is consistent with the General Plan.

**Background:** The current A-1 zoning designation was the initial city zoning placed on the property when annexed. The assisted living center is now closed, and the existing building is vacant. The applicant intends to renovate the existing building for a religious facility and charter school.

**Previous Council/Staff Actions:** The Planning Commission recommended approval of this rezoning application on September 21, 2006.

**Community Benefit:** This will facilitate redevelopment of deteriorating property that will be beneficial to the area and community as a whole.

**Public Input:** The applicant held a neighborhood meeting on September 26, 2005 at Deer Valley High School. Six neighbors attended this meeting. Neighborhood concerns expressed were the phasing of the planned improvements to the site and the hours of operation. As the proposed uses were subsequently modified, a second neighborhood meeting was held on April 19, 2006 at Deer Valley High School to discuss a reduction in the hours of operation. No neighbors attended this meeting. Staff has received no phone calls or letters concerning this project.

At the Planning Commission hearing of September 21, 2006, there were three people who spoke on the request. The first person spoke of their concern for fencing and lighting for the proposed project. The second person spoke of concern for the use of a private school on the site and the proposed hours of operation. The third person noted concern for traffic on the streets in the neighborhood and preferred to see homes built at that location instead of a public building.

It was noted by staff and a planning commissioner that these items were related to the development of the site and not the rezoning request before the Planning Commission. The issues raised by those who spoke would be dealt with in the next proposal.

**Recommendation:** Conduct a public hearing, waive reading beyond the title, and adopt the ordinance for Rezoning Application ZON05-18, subject to the stipulations as recommended by the Planning Commission.

9. [ZONING ORDINANCE TEXT AMENDMENT APPLICATION ZTA06-02: RECREATIONAL VEHICLE STORAGE FACILITIES AND RELATED USES IN THE SPECIAL USE DISTRICT \(CITY-WIDE\)](#)

**Purpose:** This is a request by Earl, Curley, & Lagarde, P.C. for the City Council to approve a text amendment to the zoning ordinance that will allow recreational vehicle (RV) storage and related land uses in the Special Use District (SUD).

**Background:** The proposed text amendment creates the opportunity for applicants, through an SUD application, to rezone a property to allow for RV storage facilities and related land uses.

Currently, RV storage is permitted only in the Heavy Commercial (C-3) zoning district and in the General Commercial (C-2) zoning district with a conditional use permit. The SUD is intended to accommodate unique land uses. Adding RV storage facilities to the SUD is appropriate. Future requests for RV storage will be evaluated through the Planning Commission and the City Council.

**Previous Council/Staff Actions:** The Planning Commission recommended approval of this text amendment on December 7, 2006.

**Community Benefit:** The proposed amendment would create more options for RV storage facilities thus increasing the amount of storage locations for residents in Glendale. This type of business will provide alternatives to residents whose subdivisions prohibit RV parking on residential property.

**Public Input:** On June 16, 2006, Earl, Curley, & Lagarde, P.C. mailed out notification letters to approximately 110 property owners and interested parties notifying them of the text amendment request. On July 12, 2006, one individual contacted the applicant and expressed support for the proposed amendment. The applicant's Citizen Participation Final Report is attached.

A notice of this hearing was published in the *Glendale Star* on January 25, 2007. Postcards were mailed to 110 property owners and interested parties on January 26, 2007.

**Recommendation:** Conduct a public hearing, waive reading beyond the title, and adopt the ordinance for ZTA06-02, as recommended by the Planning Commission.

## ORDINANCES

### 10. [INTERFERENCE WITH ATHLETIC CONTESTS AND EXHIBITIONS ORDINANCE](#)

**Purpose:** This is a request for City Council to adopt the proposed ordinance that amends Chapter 26 of the City Code, by adding Section 26-68 Athletic contests and exhibitions – invading playing area, and Section 26-69 Athletic contests and exhibitions – throwing of bottles, cans, other objects prohibited. Section 26-68 is directed at behavior two hours prior to, through two hours after an athletic event, addressing any interference with the athletic contest or exhibition. Section 26-69 is specific to throwing objects in the stands or onto the playing field. Both apply solely to venues with fixed seating capacity of 10,000 persons or more.

**Council Strategic Goals Or Key Objectives Addressed:** This ordinance would improve the quality of services for citizens and participants involved in athletic contests and exhibitions by prohibiting disruptive behavior at those events.

**Background:** The City Attorney’s Office, in cooperation with the Police Department, developed this ordinance to provide a means of preventing and controlling disturbances on the playing field of major events. This ordinance provides for a straightforward prohibition against such conduct.

**Recommendation:** Waive the reading beyond the title and adopt an ordinance that amends Chapter 26 of City Code concerning interference with athletic contests and exhibitions.

### 11. [DEEDS AND EASEMENTS ORDINANCE](#)

**Purpose:** This is a request for City Council to formally accept real estate properties on behalf of the City of Glendale.

**Background:** The Deeds and Easements Ordinance is comprised of properties that have been deeded to the City. The City Clerk has recorded these deeds with Maricopa County. As a matter of practice, the Council formally accepts these properties by ordinance.

**Recommendation:** Waive reading beyond the title and adopt an ordinance formally accepting the real estate properties on behalf of the City of Glendale.

### 12. [ANNEXATION AREA NO. 159 ORDINANCE: PARK AND RIDE LOT – 9890 WEST GLENDALE AVENUE](#)

**Purpose:** This is a request for City Council to adopt an annexation ordinance for Annexation Area No. 159, which consists of approximately 29 acres located at the northeast corner of 99<sup>th</sup> and Glendale avenues.

**Council Strategic Goals Or Key Objectives Addressed:** Glendale 2025, the city’s General Plan, includes specific goals addressing the need for growth management. The Land Use Element, Goal 2 – “Promote sound growth management methods” and the Growth Areas Element, Goal 3 – “Manage growth to achieve reasonable, responsible urban development.” Annexation is a tool that can be used by the city to direct and manage growth.

**Background:** The approximately 29-acre site is located at the northeast corner of 99<sup>th</sup> and Glendale avenues within the Glendale strip annexation boundary. Glendale owns the property and appropriate signatures have been gathered in support of annexation.

If annexed by the city, this area will receive city services that include police, fire, and sanitation services. The property is located within the city’s water and sewer service areas and would be eligible for connection to these utilities once annexation has been completed. The initial Glendale zoning for the property will be A-1 (Agricultural). All development that may occur on this parcel must comply with current Glendale development standards and policies.

**Previous Council/Staff Actions:** On November 28, 2006, Council conducted a public hearing on the blank annexation petition for Annexation Area No. 159 as required by State Statute. Council reviewed the proposed design of the Park and Ride lot at the workshop on October 3, 2006.

The design contract was approved at the Council meeting on December 13, 2005.

Council approved the city’s purchase of the property on May 24, 2005.

**Community Benefit:** The annexation of this 29-acre site would require that any future development of this location meet the Glendale General Plan requirements as well as all other development standards for the city. The proposed Park and Ride lot will increase the range of transportation options provided to city residents.

**Recommendation:** Wave reading beyond the title and adopt an ordinance for Annexation Area No. 159.

### [13. SALE OF ADDITIONAL RIGHT OF WAY TO THE CITY OF PHOENIX FOR CAMELBACK ROAD AT 107<sup>TH</sup> AVENUE](#)

**Purpose:** This is a request for City Council to approve the conveyance of additional right-of-way for Camelback Road to the City of Phoenix in conjunction with its road improvement project.

**Background:** In December 2005, the City of Phoenix informed Glendale of its need to acquire additional right-of-way for Camelback Road from Glendale’s “Camelback Ranch” property at the northwest corner of Camelback Road and 107<sup>th</sup> Avenue. Phoenix is proposing to widen the roadway to accommodate anticipated higher traffic volumes.

To accomplish this, Phoenix requires an additional 10 feet of right-of-way along the north side of Camelback Road, and 15 feet of right-of-way along the west side of a portion of 107<sup>th</sup> Avenue. The total land area needed for right of way consists of 9,647 square feet. An additional 200 square feet is needed for temporary construction easement purposes.

The City of Phoenix has offered \$34,450 for both properties based on the appraised value, and an additional \$75 for a temporary construction easement. The proceeds from the sale will be deposited into the General Fund.

**Recommendation:** Waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute all documents necessary to complete the conveyance of additional Camelback Road right-of-way and to grant a temporary construction easement to the City of Phoenix according to the terms of the Purchase Agreement.

#### 14. [SALT RIVER PROJECT EASEMENTS](#)

**Purpose:** This is a request for City Council to adopt an ordinance granting the following easements in favor of Salt River Project (SRP); 1) an underground irrigation easement across 91<sup>st</sup> Avenue, north of Glendale Avenue; 2) an underground power distribution easement at 64<sup>th</sup> and Peoria avenues; 3) an underground power distribution easement along the west side of 43<sup>rd</sup> Avenue, south of Bethany Home Road; and, 4) along the south side of Coyote Boulevard, east of 95<sup>th</sup> Avenue.

**Background:** 1) The contractor for the proposed Wells Fargo facility on the northeast corner of 91<sup>st</sup> and Glendale avenues requested SRP relocate its existing irrigation pipe from the east side of 91<sup>st</sup> Avenue in favor of an existing irrigation easement on the west side of 91<sup>st</sup> Avenue. SRP agreed to accommodate this request and is requesting an irrigation easement from the city across 91<sup>st</sup> Avenue to protect its facilities in the new location.

2) SRP needs to make improvements to its underground power distribution system by looping its existing electric service within 64<sup>th</sup> Avenue in the Montara Subdivision, and through an existing eight foot and 12 foot Public Utility Easement along and across Montara Park at 64<sup>th</sup> and Peoria avenues. SRP has requested an underground power distribution easement on city-owned property for the new installation and protection of their facilities.

3) Glendale Onboard (GO) Program is planning intersection improvements currently scheduled to begin construction in February 2007 at 43<sup>rd</sup> Avenue and Bethany Home Road. SRP was requested to provide underground electrical service for the intersection traffic signals. SRP agreed to accommodate this request and is requesting an underground power distribution easement across city-owned land for the installation and protection of its facilities.

4) The electrical contractor for the Renaissance Hotel on the southeast corner of 95<sup>th</sup> Avenue and Coyote Boulevard in the Westgate City Center requested electrical service from SRP. SRP agreed to accommodate this request and is requesting an underground power distribution easement across city-owned land for the installation and protection of its facilities.

**Recommendation:** Waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute the easements in favor of Salt River Project.

#### 15. [SALT RIVER PROJECT MONITORING WELL EASEMENT](#)

**Purpose:** This is a request for City Council to adopt an ordinance granting a monitoring well easement in favor of Salt River Project (SRP) on city-owned land south of the city's West Area Water Reclamation Facility (WAWRF).

**Background:** As part of the Arizona Department of Water Resources recharge permit and the New River Agua Fria Underground Storage Project, SRP has requested an easement to drill and operate a groundwater monitoring well on city-owned land in the vicinity of the city's WAWRF. For security reasons staff has recommended a site south of the WAWRF for the monitoring well, and to reserve the right to review and approve any alteration of the wells, or well sites, by SRP or its representatives and to receive copies of all physical, geological, and hydrological data collected. This easement is necessary for SRP's ingress/egress, and to protect SRP's facilities in this location.

**Recommendation:** Waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute a monitoring well easement in favor of Salt River Project, on city-owned land south of the city's West Area Water Reclamation Facility.

#### 16. [WATERLINE EASEMENT ABANDONMENT: EAST OF 69<sup>TH</sup> AVENUE AND NORTH OF BETHANY HOME ROAD](#)

**Purpose:** This is a request for City Council to adopt an ordinance authorizing the abandonment of a waterline easement east of 69<sup>th</sup> Avenue, north of Bethany Home Road, in a residentially-zoned area.

**Background:** Bethany Home Development Company conveyed a waterline easement to the city on April 2, 1986. The development did not occur and the city has not needed to utilize the easement since its dedication. Cameron-Ramona, LLC purchased 5.2 acres of vacant land that contains the northern portion of the waterline easement and requested that the city abandon the easement to accommodate its proposed development project. Rather than leaving a remnant, staff has recommended the entire easement be abandoned. There have been no objections to the abandonment of the entire waterline easement from any other city departments.

**Recommendation:** Waive reading beyond the title and adopt an ordinance abandoning a waterline easement east of 69<sup>th</sup> Avenue, north of Bethany Home Road.

#### 17. [DEDICATION OF RIGHT-OF-WAY: 71<sup>ST</sup> AVENUE, BETWEEN ORANGEWOOD AVENUE AND FRIER DRIVE](#)

**Purpose:** This is a request for City Council to adopt an ordinance to dedicate city-owned property as public right-of-way along 71<sup>st</sup> Avenue, between Orangewood Avenue and Frier Drive.

**Background:** In January 2005, Council authorized the design of the Oasis Water Campus Fill Line project, from 71st and Northern avenues to 79<sup>th</sup> Avenue and Bethany Home Road. As part of this project the city will be installing 24-inch and 30-inch high-pressure water lines along the east side of 71<sup>st</sup> Avenue, between Orangewood Avenue and Frier Drive, adjacent to the city-owned detention/retention basin. Land Development staff requires 40-feet of right-of-way on either side of the centerline to meet the city's Collector Arterial Design Standards. The east side of 71<sup>st</sup> Avenue along this basin is 33-feet wide, and Council action to formally dedicate the adjacent 7-feet of city-owned land as public right-of-way is required.

**Recommendation:** Waive reading beyond the title and adopt an ordinance authorizing the City Manager to sign all documents necessary for the dedication of city-owned real property to the public for roadway purposes.

## **REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION**

### **CITIZEN COMMENTS**

**If you wish to speak on a matter concerning Glendale city government that is not on the printed agenda, please fill out a Citizen Comments Card located in the back of the Council Chambers and give it to the City Clerk before the meeting starts. The City Council can only act on matters that are on the printed agenda, but may refer the matter to the City Manager for follow up. Once your name is called by the Mayor, proceed to the podium, state your name and address for the record and limit your comments to a period of five minutes or less.**

### **COUNCIL COMMENTS AND SUGGESTIONS**

### **ADJOURNMENT**

Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (i) discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- (ii) discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03 (A)(2));
- (iii) discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- (iv) discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (A)(4));
- (v) discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or
- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).