

GLENDALE CITY COUNCIL MEETING
Council Chambers
5850 West Glendale Avenue
February 28, 2006
7:00 p.m.

CALL TO ORDER – PLEDGE OF ALLEGIANCE

APPROVAL OF THE [MINUTES OF FEBRUARY 14, 2006](#)

BOARDS AND COMMISSIONS

[APPOINTMENTS - AD-HOC EVENT ADVISORY COMMITTEE](#)

[APPOINTMENTS - BOARDS AND COMMISSIONS](#)

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. [CHANGE ORDER ONE AND FINAL - AIRPORT EAST ACCESS ROAD](#)
2. [FINAL PLAT APPLICATION FP05-05: VILLAGE DIAMANTE CONDOMINIUMS – 8050 NORTH 61ST AVENUE](#)

CONSENT RESOLUTIONS

3. [INTERGOVERNMENTAL AGREEMENT FOR CONSTRUCTION OF INTELLIGENT TRANSPORTATION SYSTEM EQUIPMENT ON BELL ROAD](#)
4. [INTERGOVERNMENTAL AGREEMENT FOR REFUSE TONNAGE EXCHANGE WITH THE CITY OF PHOENIX](#)
5. [INTERGOVERNMENTAL AGREEMENT AND CONTRACT FOR LEGAL SERVICES](#)
6. [PROPERTY ACQUISITION: BETWEEN 99TH AND 107TH AVENUES](#)
7. [PROPERTY ACQUISITION: 83RD AVENUE AND BETHANY HOME ROAD](#)
8. [INTENT TO INCREASE DEVELOPMENT IMPACT FEES](#)
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PUBLIC HEARING - LAND DEVELOPMENT ACTIONS

10. [GENERAL PLAN AMENDMENT GPA05-05 AND REZONING APPLICATION ZON05-08: 51 PALMS - 8045 NORTH 51ST AVENUE](#)

BIDS AND CONTRACTS

11. [AWARD OF BID 05-39, FIREFIGHTER TURNOUT GEAR](#)

ORDINANCES

12. [DEEDS AND EASEMENTS ORDINANCE](#)

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 FEBRUARY 14, 2006](#)

BOARDS AND COMMISSIONS

[AD-HOC EVENT ADVISORY COMMITTEE](#)

Purpose: This is a request for the City Council to adopt an ordinance establishing an Ad-Hoc Event Advisory Committee, approve the recommended appointees to the committee and for the Mayor to administer the oath of office to those appointees in attendance.

Council Policies Or Goals Addressed: The establishment of this Ad-Hoc Event Advisory Committee reaffirms the Council's commitment to increasing citizen involvement in local government.

Background: As a part of the planning and preparation activities to ensure success for the opening of the new AZSTA/Cardinals Stadium, the Arizona Cardinals 2006/07 NFL football season, the January 2007 Fiesta Bowl and Bowl Championship Series games, and the February 2008 Super Bowl, it will be necessary to notify impacted neighborhoods and provide opportunities for community participation throughout Glendale.

To assist with this initiative, staff is requesting the City Council establish and appoint a limited duration, ad-hoc event advisory committee that would serve as a neighborhood issues focus group. The committee will meet as necessary to review and provide feedback on draft staff recommendations in relationship to the city's responsibilities for mega events that might have neighborhood impacts (i.e. codes, ordinances, traffic management, public safety). The committee will be advisory only with no decision-making authority. The intent is to ensure staff has heard and considered neighborhood ideas, concerns and issues prior to bringing policy matters before the Council related to the hosting of the mega events. The committee members will also be charged with enhancing neighborhood communication efforts as they are being selected to represent broad, high-impact areas of the city and can serve as a conduit of information back to the neighborhoods regarding the city's planning efforts.

Previous Council/Staff Actions: The concept for engaging the community in the city's national events planning efforts was presented at the October 18, 2005 Council workshop. A memo detailing the proposed committee's purpose and recommended structure was forwarded to Council on January 3, 2006.

Community Benefit: Gaining the perspective of Glendale residents representing the national event high impact areas will ensure public questions, concerns and ideas are addressed in the city's public safety, transportation, beautification, public works, neighborhood and volunteer plans related to mega events. Additionally, committee members will serve as a conduit of information back to the areas they represent.

Recommendation: Waive reading beyond the title and adopt an ordinance establishing the Ad-Hoc Event Advisory Committee, approve the recommended appointees, and for the Mayor to administer the oath of office to those appointees in attendance.

Ad-Hoc Event Advisory Committee

Brian Bates	Sahuaro	Council District Appointee	02/28/2006	02/28/2008
Walter L. Chaney	Barrel	Council District Appointee	02/28/2006	02/28/2008
Robert H. McMaster, M.D.	At-Large (Mayoral)	Council District Appointee	02/28/2006	02/28/2008
Rosilyn Miller	Ocotillo	Council District Appointee	02/28/2006	02/28/2008
Dr. James Sanders	Cactus	Council District Appointee	02/28/2006	02/28/2008
John H. Stern	Cholla	Council District Appointee	02/28/2006	02/28/2008
Patricia Thomas-Whitfield	Yucca	Council District Appointee	02/28/2006	02/28/2008
Victor M. Mendez	At- Large - Citizens Transportation Oversight Commission	Appointee	02/28/2006	02/28/2008
Vacant	At-Large - Parks & Recreation Advisory Commission	Appointee	02/28/2006	02/28/2008
Mike Nave	At-Large - Citizens Advisory Commission On Neighborhoods	Appointee	02/28/2006	02/28/2008
John Kolodziej	At-Large - Zone A – High Impact Area	Appointee	02/28/2006	02/28/2008
Patricia J. Ryan / Bitzee Mama’s	At-Large - Zone E – High Impact Area	Appointee	02/28/2006	02/28/2008

Joe Brown / Arrowhead Towne Center	At-Large – Bell Road – High Impact Appointee	02/28/2006	02/28/2008
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BOARDS AND COMMISSIONS

Purpose: This is a request for the City Council to approve the recommended appointments to the following boards and commissions that have a vacancy or expired term and for the Mayor to administer the oath of office to those appointees in attendance.

			Effective Date	Expiration Date
<u>Aviation Advisory Committee</u>				
William A. Kelly	Barrel	Appointment	02/28/2006	11/24/2007
<u>Citizens Bicycle Advisory Committee</u>				
Gail Hildebrant	Mayoral (Cholla)	Appointment	03/05/2006	03/05/2008
<u>Citizens Transportation Oversight Commission</u>				
Ronald L. Davis, Jr.	At-Large (Cholla)	Appointment	03/25/2006	03/25/2008
Robert Grimes	At-Large (Yucca)	Appointment	03/25/2006	03/25/2008
<u>Commissions On Persons With Disabilities</u>				
Ray Heffley	Sahuaro	Appointment	02/28/2006	02/27/2007
<u>Historic Preservation Commission</u>				
Brad Berner	At-Large (Cholla)	Re-appointment	04/13/2006	04/13/2008
David Jarnagin	At-Large (Barrel)	Re-appointment	04/13/2006	04/13/2008
David Jarnagin	At-Large (Barrel)	Chair Appointment	04/13/2006	04/13/2007
Linda Sue Trumble	At-Large (Barrel)	Re-appointment	04/13/2006	04/13/2008

Linda Sue Trumble	At-Large (Barrel)	Vice Chair Appointment	04/13/2006	04/13/2007
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Judicial Selection Advisory Board

Karen L. Karr		Re-appointment	04/23/2006	04/23/2008
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Peter Van Camp		Re-appointment	04/23/2006	04/23/2008
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Library Board

JoAnn Lee	Mayoral (Cholla)	Re-appointment	04/13/2006	04/13/2008
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Edward Luiszer	Barrel	Re-appointment	04/13/2006	04/13/2008
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William Walsh, Jr.	Cholla	Re-appointment	04/13/2006	04/13/2008
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Parks & Recreation Advisory Commission

Stanley E. Long	Mayoral (Cholla)	Re-appointment	4/09/2006	04/09/2008
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Personnel Board

Al Cordova	At-Large (Cholla)	Re-appointment	04/23/2006	04/23/2008
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Planning Commission

Bonnie Barclay	Barrel	Appointment	03/25/2006	03/25/2008
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Joy Gomez	Sahuaro	Appointment	03/25/2006	03/25/2008
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Recommendation: Make appointments to the Boards and Commissions and administer the Oaths of Office.

CONSENT AGENDA

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1. [CHANGE ORDER ONE AND FINAL - AIRPORT EAST ACCESS ROAD](#)

Purpose: This is a request for City Council to approve change order number one and final to the construction contract with Pierson Construction Inc. for the repair of an existing 12-inch water main.

Background: During the installation of fire hydrants included in the construction of the Airport east access road, a leak was discovered in the existing 12-inch water main. Staff directed the contractor to excavate and repair the waterline before it could cause damage to the new roadway.

Previous Council/Staff Actions: On March 22, 2005, the Council awarded the construction contract to Pierson Construction Inc., in the amount of \$616,659 to construct the sewer and off-site improvements.

Budget Impacts & Costs: The total amount of this change order is \$117,472.98. Funds for this project are available in Airport-Eastside Access Road.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$117,472.98

Account Name, Fund, Account and Line Item Number:
Airport-Eastside Access Road, Account No. 33-9497-8300

Recommendation: Approve change order one and final to the construction contract with Pierson Construction Inc., in an amount not to exceed \$117,472.98.

2. [FINAL PLAT APPLICATION FP05-05: VILLAGE DIAMANTE CONDOMINIUMS – 8050 NORTH 61ST AVENUE](#)

Purpose: This is a request by Seigel Corporate Ventures, LTD for City Council to approve the final plat for Village Diamante Condominiums located at 8050 North 61st Avenue.

Council Policies Or Goals Addressed: The proposed final plat is consistent with the General Plan and the existing R-5 (Multiple Residence) zoning district. The proposed housing development will introduce new ownership housing opportunities in the central part of the city.

This development also incorporates sound growth management practices by utilizing existing infrastructure. The final plat meets the requirements of the Subdivision and Minor Land Division Ordinance.

Background: The site is located on the west side of 61st Avenue approximately 288 feet north of Northern Avenue. The site consists of 4.8 acres and will contain 69 residential condominiums. The units will range in size from 1,250 square feet to 1,560 square feet.

Community Benefit: This project provides housing variety, opportunity, and a range in housing unit density in the city.

Recommendation: Approve final plat application FP05-05.

CONSENT RESOLUTIONS

3. [INTERGOVERNMENTAL AGREEMENT FOR CONSTRUCTION OF INTELLIGENT TRANSPORTATION SYSTEM EQUIPMENT ON BELL ROAD](#)

Purpose: This is a request for City Council to approve an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation (ADOT) for construction of intelligent transportation system (ITS) equipment on Bell Road between 51st Avenue and Loop 101 using federal Congestion Mitigation and Air Quality (CMAQ) funds.

Council Policies Or Goals Addressed: This project will aid the Transportation Department in meeting the Council strategic priorities of leveraging technology for efficiency and convenience.

Background: In June 2000, the City of Glendale completed a Traffic Management System Design Concept Report. Bell Road, along with 59th and Glendale avenues, was identified as the backbone for the ITS communication system. The Transportation Department has completed the construction of the 59th and Glendale avenues ITS deployment projects. This project on Bell Road is the next phase to complete the backbone system.

In order to minimize construction impacts to the traveling public and to adjacent business owners, the contractor who is selected to perform the work is precluded from performing construction related tasks beginning November 1 through February 1. Additionally, work is restricted west of 67th Avenue until after the beginning of April to eliminate conflicts with Major League Baseball spring training. The contractor will be required to use less intrusive construction methods when installing infrastructure that crosses roadways and driveways in the project limits. Finally, alternate work schedules, such as late evening or nighttime work will be considered.

Previous Council/Staff Actions: In May 2004, Council approved a design contract with Lee Engineering to complete the design for this project as well as an IGA with ADOT to be reimbursed for a portion of the design costs.

Community Benefit: Bell Road is the most heavily used corridor in the City of Glendale. Installing intelligent transportation system technology along this corridor and incorporating the traffic signals on Bell Road into the central intelligent transportation system will allow for effective management of traffic and improved efficiency for the traveling public.

Budget Impacts & Costs: The cost for construction of the project is \$710,000. Funds in the amount of \$665,000 are available through a Federal Congestion Mitigation and Air Quality (CMAQ) funding. The city's required contribution for matching funds is \$45,000 from the Traffic Signal Computerization account.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
\$665,000		X	X		\$45,000

Account Name, Fund, Account and Line Item Number:

Traffic Signal Computerization Account No: 31-8042-8330

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to sign any and all documentation relating to the intergovernmental agreement with ADOT for ITS equipment on Bell Road.

4. [INTERGOVERNMENTAL AGREEMENT FOR REFUSE TONNAGE EXCHANGE WITH THE CITY OF PHOENIX](#)

Purpose: This is a request for City Council to approve an Intergovernmental Agreement (IGA) with the City of Phoenix to permit a ton-for-ton exchange of refuse for disposal at respective facilities.

Council Policies Or Goals Addressed: This IGA will continue a partnership that enables exceptional service.

Background: Since 1995, the City of Glendale and the City of Phoenix have agreed to a ton-for-ton exchange of refuse at their disposal facilities. This agreement allowed refuse trucks from each city to use the landfill or transfer facility at the other city when that facility was closer. Each city saved time and fuel allowing residents to be served more quickly and cost effectively. Each city has tracked the refuse tonnage deposited at each facility. Annually, the tonnages were reconciled to ensure equal use by the respective communities.

When the City of Phoenix closed the Skunk Creek Landfill located at Happy Valley Road and I-17 on December 31, 2005, the agreement in place was automatically terminated.

On January 1, 2006, the City of Phoenix opened a refuse transfer station three miles north of the Skunk Creek Landfill where refuse may be deposited for later transport to the new Phoenix landfill in Buckeye. By using this new Phoenix transfer station, the City of Glendale will continue to receive benefits available through use of the Skunk Creek Landfill. Instead of taking Glendale residents' refuse to the Glendale Landfill, use of the Phoenix transfer station will continue to save approximately 30 minutes in travel time on each load of refuse. Staff estimates that approximately 5.5 hours of productivity is achieved per day on the two collection days in northern Glendale. As a result of this arrangement, there is approximately \$40,000 in annual cost avoidance related to the reduced transportation costs. The City of Phoenix sees similar savings for its solid waste operations by routing to the Glendale Landfill its refuse collection trucks operating in western Phoenix.

During the first six months of fiscal year 2005-06, Glendale trucks disposed of 9,992 tons of refuse at the Phoenix facility. Phoenix trucks deposited 10,228 tons at the Glendale facility.

Staff of both organizations monitors the exchange of garbage on an annual basis to ensure parity. Any imbalance in the tonnages at the end of the fiscal year will be invoiced by the appropriate city based on the gate rate of the receiving facility.

Previous Council/Staff Actions: City Council first approved a ton-for-ton exchange of solid waste with the City of Phoenix on July 25, 1995. This agreement was renewed by Council on December 12, 2000 and again by staff with an effective date of January 2, 2004.

Recommendation: Waive reading beyond the title and adopt a resolution authorizing and directing the City Manager to enter into a Reciprocal Services Intergovernmental Agreement with the City of Phoenix to permit a ton-for-ton exchange of refuse at the two cities' landfills and any extensions thereto.

5. [INTERGOVERNMENTAL AGREEMENT AND CONTRACT FOR LEGAL SERVICES](#)

Purpose: This is a request for City Council to approve the Tenth Intergovernmental Agreement and the Contract for Legal Services with the cities of Chandler, Goodyear, Mesa, Peoria and Scottsdale relating to the joint representation in settlement efforts relating to Central Arizona Water Conservation District v. United States of America, et al.

Background: This lawsuit involves the dispute between the U.S. Secretary of Interior and Arizona over the repayment obligations of the Central Arizona Project (CAP). A decision in favor of the United States could cost Glendale as much as \$600,000 to \$700,000 each year in increased CAP water costs. The judge has approved a settlement among the parties. The settlement includes several steps that must be taken before a final judgment will be entered.

The law firm of Engelman Berger, P.C. has been hired to represent the cities in this lawsuit. The attorney handling this matter is William H. Anger. Mr. Anger has successfully represented many of these same cities before the Arizona Supreme Court in matters related to the Gila River Adjudication.

Previous Council/Staff Actions: The cities entered into an Intergovernmental Agreement (IGA) effective December 1, 1995 for joint legal representation in the CAP litigation. Due to developments in the CAP litigation that were not foreseen when the IGA was adopted, the cities entered into an amendment to the IGA effective June 16, 1997. This amendment raised the limit on litigation costs from \$100,000 to \$150,000 and set aside \$50,000 to be used for settlement negotiations if they occurred. When intensive settlement activities did occur and necessitated an increase in the settlement costs, the cities entered into amendments to the IGA, including Third, Fourth, Fifth, Sixth, Seventh, Eighth and Ninth IGAs relating to the joint representation in settlement efforts relating to the CAP litigation. Settlement activities have continued and the cities agree that they necessitate an additional \$100,000 in the settlement costs.

Community Benefit: As in any litigation with many parties, a large group of similarly situated parties with common representation can have a much greater effect and reduced costs than those same parties would have individually.

Budget Impacts & Costs: The cost of representation will be equally shared by the cities. Glendale will be responsible for 16.666% or \$16,666 for services rendered under this contract. Funds for this project are in the Utilities Account.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$16,666

Account Name, Fund, Account and Line Item Number:

Utilities Account No. 50-6410-7330

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the entering into of the Tenth Intergovernmental Agreement and Contract for Legal Services relating to the joint representation in the case of Central Arizona Water Conservation District v. United States of America, et al.

6. [PROPERTY ACQUISITION: BETWEEN 99TH AND 107TH AVENUES](#)

Purpose: This is a request for City Council to adopt a resolution authorizing the acquisition from the Arizona Department of Transportation (ADOT) of 7.26 acres of land and appurtenant easements located beside the Bethany Home Road Outfall Channel (BHOC), between 99th and 107th avenues.

Council Policies Or Goals Addressed: The acquisition of this property will address the Council's goal of enhancing the quality of life for Glendale Residents, as the land will also provide pedestrian and equestrian access to the trails along New River.

Background: In March 1999, Council approved the sale of 1.0137 acres of land to ADOT for the construction of a bridge at 107th Avenue. The bridge was built in conjunction with the BHOC project to provide access to the properties on the north side of the BHOC south of the Grand Canal.

In March 2004, Council directed staff to proceed with acquiring the necessary land from ADOT to relocate a sewer force main as part of the improvements to the Western Area Water Reclamation Facility.

The city also installed two 24-inch effluent waterlines, which are attached to the bridge, to transport effluent from the Western Area Water Reclamation facility to the New River Agua Fria Underground Storage project.

The city entered into a lease agreement with ADOT to allow these facilities to be attached to the bridge and on ADOT land, until the property could be designated as excess land, appraisals and an environmental assessment completed, and sold to the city. ADOT will abandon the bridge for city ownership, and sell the associated land to the city.

Community Benefit: Purchasing the land and taking ownership of the bridge provides access for the location and maintenance of facilities necessary to the operation of the Western Area Water Reclamation Facility. It also provides pedestrian and equestrian access to the trails along New River.

Budget Impacts & Costs: The purchase price of the property is \$433,000. An initial payment of \$43,300 will be due immediately, with the remaining balance of \$389,700 due at close of escrow, approximately 30 to 60 days following the initial payment.

Funding for the purchase of this property is available in FY 2005-06 Capital Improvement Program, West Area WWRP.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
		X	X		\$433,000

Account Name, Fund, Account and Line Item Number:

West Area WWRP, Account No. 50-9246-8100

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the acquisition from the Arizona Department of Transportation of 7.26 acres of land and appurtenant easements located along the Bethany Home Road Outfall Channel, between 99th and 107th avenues.

7. [PROPERTY ACQUISITION: 83RD AVENUE AND BETHANY HOME ROAD](#)

Purpose: This is a request for City Council to adopt a resolution authorizing the acquisition of a 2.35-acre parcel of land at the southeast corner of 83rd Avenue and Bethany Home Road. The property will be used for the realignment of Bethany Home Road, 75th to 83rd avenues.

Council Policies Or Goals Addressed: Acquisition and future development of this property supports Council's policy of creating transportation options, and projecting a positive image of Glendale through the aesthetic improvements of Bethany Home Road.

Background: Bethany Home Road, between 75th and 83rd avenues is primarily a two-lane rural arterial in the path of an expanding urbanized area. On May 15, 1999 Council authorized the widening of Bethany Home Road and the installation of a storm drain system from 58th Avenue west to the Bethany Home Road Outfall Channel (BHOC) at 83rd Avenue and Bethany Home Road.

The most favorable design for Bethany Home Road, 75th to 83rd avenues requires a realignment of the road southward from about 81st Avenue to its intersection with 83rd Avenue. This new alignment moves Bethany Home Road from the north side of the BHOC and the Grand Canal to the south side, which will support the future development of Bethany Home Road from 83rd to 91st avenues, and the current development of Bethany Home Road, 91st Avenue west to Loop

101. The new roadway will include four-travel lanes (two-travel lanes in each direction), and a center left-turn lane.

The storm drain system (58th to 83rd Avenues) was designed to connect to the BHOC at 83rd Avenue. The Flood Control District of Maricopa County (FCDMC) has cooperated and is sharing in the design costs with the city. The new conformation of the BHOC has left FCDMC with a 2.35-acre remnant parcel. That parcel is necessary for the city’s realignment of Bethany Home Road. FCDMC is willing to sell the parcel to the city at its appraised value, and FCDMC has already declared the parcel excess. The total purchase price is \$477,800.

Community Benefit: The city can improve traffic flow through this area, make visual improvements and create an attractive gateway feature to the adjacent Grand Canal Linear Park and the adjoining West Area Regional Park located on the east side of 83rd Avenue, north of Bethany Home Road.

Budget Impacts & Costs: The purchase price is based on a September 2005 appraisal of the property at \$475,000, plus \$2,800 for the cost of the appraisal, which equates to a total purchase price of \$477,800.

Funds for the land acquisition are available in the Bethany Home Road, 75th to 83rd Avenues (ST) Account No. 61-8817-8100.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
		X	X		\$477,800

Account Name, Fund, Account and Line Item Number:
Bethany Home Road, 75th to 83rd Avenues (ST) Account No. 61-8817-8100

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to execute all documents necessary to acquire the 2.35-acres parcel of land on the southeast corner of 83rd Avenue and Bethany Home Road.

8. [INTENT TO INCREASE DEVELOPMENT IMPACT FEES](#)

Purpose: This is a request for City Council to adopt a resolution stating the city’s intent to increase development impact fees (DIF) and to set a public hearing date of May 9, 2006.

Background: Development impact fees are one-time charges to developers that are used to offset capital costs resulting from new development. They are necessary to expand and develop new facilities to serve new growth so cities can continue to provide the same level of service to new growth as that provided to existing residents.

On October 12, 2004, Council approved the selection of Tischler & Associates (subsequently named TischlerBise) to provide this update for the city’s development impact fees, with the exception of water and sewer. TischlerBise completed the city’s prior DIF updates in 2000 and

2001. TischlerBise also has done impact studies for Avondale, Buckeye, Carefree, Casa Grande, Coolidge, Eloy, El Mirage, Flagstaff, Gilbert, Goodyear, Northwest Fire District, Peoria, Phoenix, Queen Creek, Scottsdale, Surprise and Tolleson.

Consultant Black & Veatch prepared an updated report on the city's water and sewer DIF. Their update utilized the methodology established by Tischler & Associates in the comprehensive fee study completed in 2001.

The two DIF studies are based on planning and zoning information, existing levels of service provided to current residents, the FY 2005-14 Capital Improvement Plan and the December 14, 2005 Black & Veatch evaluation. Revenue from the proposed changes is expected to cover the costs associated with growth.

Previous Council/Staff Actions: DIF for parks, water and sewer have existed for several years. Fees for streets, library and public safety were implemented in 1997. Fees were implemented for solid waste (sanitation and landfill), roadways and general government in 2000. The public safety fee was separated into police facilities and fire/emergency medical services in 2001.

In 1997, Council requested that the fees be revisited and updated every three years.

The last update for library; parks, recreation and open space; police; fire/emergency medical services; general government; solid waste; and roadway improvements was completed in 2001 and adopted by Council on October 9, 2001, with an effective date of January 10, 2002.

The last update for water and sewer DIF was completed in 2003 and adopted by Council on May 25, 2004, with an effective date of August 2, 2004.

On February 7, 2006, Council was presented the current proposed DIF report at a workshop. The report presented at that workshop is the supporting documentation for this notice of intent.

Community Benefit: By implementing the new DIF, the city will be able to maintain its current level of service to existing residents and support future growth.

Public Input: The public will be provided an opportunity to comment during the May 9, 2006 public hearing. The revised ordinance will be presented to Council on May 23, 2006. The new fees become effective 90 days after the ordinance is adopted.

On January 4, 2006, staff met with representatives from the Home Builders Association of Central Arizona (HBACA) and Arizona Multihousing Association (AMA) to discuss the material provided to both organizations on December 21, 2005 regarding technical aspects of the development fee methodology and supporting data for the proposed development impact fees for all categories including water and sewer.

On December 21, 2005, HBACA and AMA representatives were provided, by e-mail and written report or letter, a response to the October 3, 2005 questions, as well as the revised DIF reports from TischlerBise and Black & Veatch.

On October 3, 2005, HBACA submitted a series of questions to the city regarding the discussion on the technical aspects of the development fee methodology and supporting data for the proposed development impact fees for all categories except water and sewer.

On July 18, 2005, staff and Black & Veatch met with representatives from the HBACA and the AMA to discuss the technical aspects of the development fee methodology and supporting data for water and sewer DIF.

On June 14, 2005, staff and TischlerBise met with representatives from the HBACA and the AMA to discuss the technical aspects of the development fee methodology and supporting data for the proposed development impact fees for all categories except water and sewer.

Recommendation: Waive reading beyond title and adopt a resolution stating the city's intent to increase development impact fees and to set the public hearing date of May 9, 2006.

9. [NOTICE OF INTENT TO ENTER INTO A RETAIL DEVELOPMENT AGREEMENT](#)

Purpose: This is a request for the City Council to adopt a notice of intent to enter into a retail development tax incentive agreement with AFC Acquisition Corp. on or about March 14, 2006.

Background: Pursuant to A.R.S. §9-500.11 a city or town must adopt a notice of intent to enter into a retail development tax incentive agreement at least fourteen days before approving such an agreement.

Recommendation: Adopt a Notice of Intent to enter into a retail development tax incentive agreement with AFC Acquisition Corp. on or about March 14, 2006.

PUBLIC HEARING - LAND DEVELOPMENT ACTIONS

10. [GENERAL PLAN AMENDMENT GPA05-05 AND REZONING APPLICATION ZON05-08: 51 PALMS - 8045 NORTH 51ST AVENUE](#)

Purpose: This is a request by The Mashburn Companies, Inc. for City Council to amend the General Plan designation for properties surrounding the northeast corner of 51st and Northern Avenues from PC (Planned Commercial) and Medium High Density Residential (8-12 dwelling units per acre) to High Density Residential (12-20 dwelling units per acre) and OFC (Office). The request is to also rezone the property from C-2 (General Commercial) and R-4 (Multiple Residence) to PAD (Planned Area Development).

The proposed PAD Development Plan for 51 Palms consists of a mix of condominium units and office land uses on this in-fill site.

Council Policies Or Goals Addressed: The recommended changes in designation are consistent with the General Plan objectives to develop safe, well-built, and attractive housing. The General Plan also encourages infill development that utilizes existing municipal infrastructure.

Background: The General Plan recognizes the value in establishing varied housing options for the local workforce and their families. Central locations are critical as they allow for shorter commutes, reduced travel costs and less traffic congestion. The proposed 12-20 residential dwelling units per acre will allow up to 102 families to easily access city amenities while simultaneously removing the existing planned commercial designation which is potentially less compatible than the proposed designation.

Previous Council/Staff Actions: On December 15, 2005, the Planning Commission recommended approval of the General Plan Amendment and rezoning application.

Community Benefit: The project permits new residential and commercial development on currently unsightly parcels.

Public Input: Notification letters were sent to 538 property owners and interested parties on May 27, 2005 inviting them to attend a neighborhood meeting. The majority of those in attendance supported the request providing the applicant walled and heavily landscaped the northern most property line buffering the existing single-family residences from the planned condominium units.

The 22 neighbors that attended the meeting were pleased the commercial property and the vacant residential would be cleaned up as part of the proposal. Those in attendance felt the existing condition of the proposed site was unacceptable. Concerns expressed from those in attendance also included building height and privacy for the existing single-family homes to the northeast. Additional landscaping, larger trees and an 8-foot wall were agreed to by the developer.

On November 23, 2005, 538 notices were sent to neighbors to a second neighborhood meeting, which was held on December 12, 2005. The additional meeting was held to ensure all parties have the latest information on the proposed project and included four who expressed once again similar concerns. The developer will install 36" box trees on the north and east property lines and has prepared a line-of-sight study to demonstrate that the one-story garages on the north side of the project protect the privacy of existing neighbors.

Recommendation:

General Plan Amendment: Conduct a public hearing, waive reading beyond the title, adopt a resolution, and approve General Plan Amendment GPA05-05.

Rezoning: Conduct a public hearing, waive reading beyond the title, adopt an ordinance, and approve rezoning application ZON05-08, subject to the stipulations as recommended by the Planning Commission.

BIDS AND CONTRACTS

11. [AWARD OF BID 05-39, FIREFIGHTER TURNOUT GEAR](#)

Purpose: This is a request for City Council to approve the bid award for purchase of replacement firefighter turnout gear in the amount not to exceed \$83,692.25 to Total Fire Group. The turnout gear includes boots, pants, suspenders, coat, gloves, nomex hood, and helmet.

Council Policies Or Goals Addressed: This item supports the Council strategic priority of ensuring public safety.

Background: Three bids and three alternate bids were submitted to provide firefighter turnout gear. Municipal Emergency Services Inc. submitted two alternate bids that did not meet the specification requirements and Total Fire Group submitted one alternate offer that did not meet the specification requirements. LN Curtis & Sons submitted an offer but they did not submit pricing for all of the items requested in the solicitation.

The lowest responsive offer was submitted by Total Fire Group. The bid award shall begin upon approval by Council and continue for one year.

Previous Council/Staff Actions: City Council previously awarded bid 00-40 for firefighter turnout gear on December 11, 2001.

Budget Impacts & Costs: The bid specifications contain an option clause that will permit the city, at the discretion of the City Manager to extend this agreement for four additional years in one-year increments. Funds for this bid award are budgeted in the Turnout Expense Accounts.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$83,692.25

Account Name, Fund, Account and Line Item Number:

Turnout Expense Account No. 01-3320-7117

Turnout Expense Account No. 01-3330-7117

Turnout Expense Account No. 04-3321-7117

Recommendation: Award the bid for firefighter turnout gear to Total Fire Group in the amount not to exceed \$83,692.25.

ORDINANCES

12. [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.

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)).