

**GLENDALE CITY COUNCIL MEETING**  
**Council Chambers**  
**5850 West Glendale Avenue**  
**March 08, 2005**

**7 PM**

**CALL TO ORDER – PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE MINUTES OF [FEBRUARY 22, 2005](#)**

**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. [LIQUOR LICENSE NO. 3-978 CHEVY'S FRESH MEX](#)
2. [LIQUOR LICENSE NO. 3-979 ICHI BAN](#)
3. [LIQUOR LICENSE NO. 3-980 CONNOLLY'S BAR & GRILL](#)
4. [PURCHASE OF BUS STOP SHELTERS AND EQUIPMENT](#)
5. [SPECIAL ELECTION FUNDING](#)
6. [METROPOLITAN MEDICAL RESPONSE SYSTEM GRANT EXPENDITURE](#)

**CONSENT RESOLUTIONS**

7. [ARIZONA SCHOOL FURNISHINGS DEVELOPMENT AGREEMENT](#)
8. [ACCEPTANCE OF GOVERNOR'S OFFICE OF HIGHWAY SAFETY GRANT FOR THE GLENDALE FIRE DEPARTMENT](#)
9. [RENEWAL OF INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY TO PROVIDE SPECIAL TRANSPORTATION SERVICES](#)
10. [INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR ACCEPTANCE OF FEDERAL TRANSIT ADMINISTRATION GRANT FUNDS](#)

**PUBLIC HEARING – LAND DEVELOPMENT ACTIONS**

11. [GENERAL PLAN AMENDMENT GPA04-02 AND REZONING APPLICATION ZONA04-06: 5245 WEST PEORIA AVENUE](#)
12. [GENERAL PLAN AMENDMENT \(GPA04-10\) AND REZONING \(ZON04-19\): DESERT GARDEN PARK AND DESERT GARDEN ELEMENTARY SCHOOL](#)

## LAND DEVELOPMENT ACTION

13. [FINAL PLAT APPLICATION FP04-07: WESTGATE – 9400 WEST MARYLAND AVENUE](#)

## RESOLUTION

14. [ROADWAY EASEMENT AGREEMENT WITH THE BUREAU OF RECLAMATION FOR A PORTION OF MARYLAND AVENUE BETWEEN 91<sup>ST</sup> AND 95<sup>TH</sup> AVENUES](#)

## ORDINANCES

15. [PROPERTY EXCHANGE WITH THE BUREAU OF RECLAMATION ALONG MARYLAND AVENUE BETWEEN 95<sup>TH</sup> AVENUE AND LOOP 101](#)
16. [ARIZONA PUBLIC SERVICE POWER EASEMENT AT 6819 NORTH 58<sup>TH</sup> AVENUE](#)

## 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 those matters which 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 22, 2005](#)

### 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. [LIQUOR LICENSE NO. 3-978 CHEVY'S FRESH MEX](#)

**Purpose:** This is a request by Ruben Guzman for the City Council to approve a new Series 12 (All liquor, Restaurant) license for Chevy's Fresh Mex located at 7700 W. Arrowhead Towne Center.

**Background:** The approval of this license will not increase the total number of liquor licenses in this area as this establishment already had a series 12 previously.

The establishment is over 300 feet from any school or church. The Planning Department, Police Department, and the Maricopa County Health Department have reviewed the application and have determined that it meets all technical requirements.

**Public Input:** No protests were received during the 20-day posting period.

**Recommendation:** Forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control.

#### 2. [LIQUOR LICENSE NO. 3-979 ICHI BAN](#)

**Purpose:** This is a request by Ki Pak for the City Council to approve a new Series 12 (All liquor, Restaurant) license for Ichi Ban located at 5795 W. Bell Road.

**Background:** The approval of this license will increase the total number of liquor licenses in this area by one.

The establishment is over 300 feet from any school or church. The Planning Department, Police Department, and the Maricopa County Health Department have reviewed the application and have determined that it meets all technical requirements.

**Public Input:** No protests were received during the 20-day posting period.

**Recommendation:** Forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control.

#### 3. [LIQUOR LICENSE NO. 3-980 CONNOLLY'S BAR & GRILL](#)

**Purpose:** This is a request by Michelle Cavender for the City Council to approve a person transfer of a Series 6 (on and off-sale, all liquor) license for Connolly's Bar & Grill located at 5160 W. Northern Avenue.

**Background:** The approval of this license will not increase the total number of liquor licenses in this area.

The establishment is over 300 feet from any school or church. The Planning Department, Police Department, and the Maricopa County Health Department have reviewed the application and have determined that it meets all technical requirements.

**Public Input:** No protests were received during the 20-day posting period.

**Recommendation:** Forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control.

#### 4. [PURCHASE OF BUS STOP SHELTERS AND EQUIPMENT](#)

**Purpose:** This is a request for City Council approval to purchase bus stop shelters, and furniture and equipment from Lacor Streetscape using the City of Phoenix Request for Proposal (RFP) 01-004.

**Background:** Previous bus shelter and equipment purchases have been made using a cooperative agreement with the City of Phoenix, thus providing a reduction of cost based on economies of scale. Phoenix has agreed to this cooperative purchase using Phoenix RFP 01-004 designating Lacor Streetscape as the vendor of bus shelters, furniture and equipment.

**Community Benefit:** This purchase will provide 13 new shelters equipped with furniture and solar lighting units. An additional nine solar units will be purchased to retrofit existing shelters that currently do not have lighting with solar lighting. These improvements will increase passenger comfort and security.

**Budget Impacts & Costs:** The Federal Transit Administration (FTA) grant provides 80% federal funds in the amount of \$120,000 and requires 20% local match funds in the amount of \$30,000. Matching funds are available in Transit capital account 68-8611-8400. The purchase will be made using 80% federal funds provided through the FTA Grant AZ-90-X063.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
\$120,000	X	X	\$30,000		\$150,000

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

Transit – 68-8611-8300	\$30,000
Bus Stops and Shelters – 24-8074-8300	\$120,000

**Recommendation:** Approve the purchase of bus stop shelters and equipment from Lacor Streetscape in the amount of \$150,000 using a cooperative agreement with Phoenix Request for Proposal 01-004.

5. [SPECIAL ELECTION FUNDING](#)

**Purpose:** This is a request for the approval to transfer general fund contingency appropriation authority and funds to the City Clerk Election Fund. The funds are necessary to cover the cost of the Special Election scheduled for May 17, 2005.

**Council Policies Or Goals Addressed:** The election process is direct citizen participation in city government, which is a strategic priority of the City Council.

**Background:** During its January 25, 2005 meeting Council approved a special election for May 17, 2005, and taking to the qualified voters Proposition 101, charter amendment, and Propositions 102 and 103 franchise agreements with Southwest Gas and Arizona Public Service. The franchisees' share of the cost will be reimbursed to the General Fund. Due to the off-year election status, no funds were budgeted, thus necessitating the need for a contingency appropriation request.

**Previous Council/Staff Actions:** Council discussed referring the charter amendment and the franchise agreements to the voters at its January 4 and 18, 2005 workshops.

The Council approved Resolution No. 3824, referring the charter amendment, and Resolution No. 3823, referring the franchise agreements to the voters during the January 25, 2005 meeting.

**Community Benefit:** The election will allow the voters of Glendale to express their opinion on a charter amendment and two franchise agreements.

**Budget Impacts & Costs:** It is estimated that the total cost of the special election will be \$120,000. This transaction will require the transfer of appropriation authority and funds of \$120,000 from FY2004-05 General Fund Contingency, Account No. 01-2450-7000. This will result in a reduction of general fund contingency appropriation authority of \$120,000 for FY2004-05 and a net reduction in the General Fund fund balance of \$40,000 once the reimbursement is received. The \$120,000 should be transferred to FY2004-05 City Clerk, City Elections, Account No. 01-1220-7330. Each franchisee will reimburse the General Fund for one-third the costs of the Special Election.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
		X		X	120,000

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

FY2004-05 General Fund Contingency, Account No. 01-2450-7000

FY2004-05 City Clerk, City Elections Account No. 01-1220-7330

**Recommendation:** Authorize the transfer of \$120,000 in appropriation authority and funds from FY2004-05 General Fund Contingency, Account No. 01-2450-7000 to FY2004-05 City Clerk, City Elections, Account No. 01-1220-7330.

6. [METROPOLITAN MEDICAL RESPONSE SYSTEM GRANT EXPENDITURE](#)

**Purpose:** This is a request for the City Council to approve the expenditure of grant funding in the amount of \$66,222 for a radiological and nuclear detection equipment purchase from the sole source vendor, Thermo Electron Corporation.

**Council Policies Or Goals Addressed:** One of Council’s highest goals is ensuring public safety and awareness. This purchase will assist in achieving that goal should a major incident occur in the city.

**Background:** The City of Glendale Metropolitan Medical Response System (MMRS) program is funded through the Department of Homeland Security and managed by the Office of Domestic Preparedness. The Glendale MMRS is tasked with providing an emergency response and mitigation plan for protection against possible weapons of mass destruction radiological or nuclear attack. The requested expenditure will provide specialized radiological and nuclear detection equipment for the required emergency response.

**Budget Impacts & Costs:** The one-time costs associated with this purchase, estimated to be \$66,222, are contained within the MMRS grant funding.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X		X			\$66,222

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

Metropolitan Medical Response System, 47-7899-7400

**Recommendation:** Approve purchase of equipment in the amount of \$66,222.

**CONSENT RESOLUTIONS**

7. [ARIZONA SCHOOL FURNISHINGS DEVELOPMENT AGREEMENT](#)

**Purpose:** This is a request for the City Council to adopt a resolution authorizing the entering into of a development agreement with Arizona School Furnishings.

**Council Policies Or Goals Addressed:** This project addresses City Council goals of creating quality jobs, bringing in new capital investment and promoting economic development.

**Background:** Arizona School Furnishings is buying land at the Glendale Airpark to build a 70,000 square foot distribution/showroom/office facility. Arizona School Furnishings is the leading supplier of furnishings to public and private schools in Arizona.

The company will create 35 to 50 full-time jobs with an overall average salary of \$52,000 and has committed to maintain their operations at the project site for at least 10 years.

The City of Glendale will provide a performance-based incentive package not to exceed \$250,000. The city will reimburse up to \$200,000 for construction sales taxes and development fees and provide an Employment Development Incentive (EDI) not to exceed \$50,000 for the creation of full-time jobs within the first four years of operation.

This project represents a capital investment of \$4,000,000 and a projected annual economic impact of \$5,000,000.

**Community Benefit:** This project will create job opportunities for Glendale citizens and generate new sales tax revenue.

**Budget Impacts & Costs:** Reimbursement of construction sales taxes will not exceed \$50,000. The Employment Development Incentive and reimbursement of development fees will not exceed \$200,000.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
		X	\$250,000		Up to \$250,000

<b><u>Account Name, Fund, Account and Line Item Number:</u></b> Rebates and Incentives, 01-5450-7657 (up to \$200,000) and 01-5455-7655 (up to \$50,000)
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**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the entering into of a development agreement with Arizona School Furnishings.

8. [ACCEPTANCE OF GOVERNOR’S OFFICE OF HIGHWAY SAFETY GRANT FOR THE GLENDALE FIRE DEPARTMENT](#)

**Purpose:** This is a request for the City Council to authorize acceptance of a \$7,000 grant from the Governor’s Office of Highway Safety (GOHS) to offset the cost of paramedic school tuition.

**Council Policies Or Goals Addressed:** The funding received from this grant supports the council’s strategic priority of ensuring public safety and enhancing the quality of life for Glendale residents.

**Community Benefit:** This grant will assist the Glendale Fire Department with providing emergency medical services to the community.

**Budget Impacts & Costs:** There is no financial match required for this funding. This is one-time funding by the State of Arizona, GOHS. A specific account for this grant will be established in Fund 47, the city’s grants fund, once the grant agreements are formally executed.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
\$7,000		X			\$7,000

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the City Manager to submit and accept a grant from the Governor’s Office of Highway Safety to be used to offset the cost of paramedic school tuition.

9. [RENEWAL OF INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY TO PROVIDE SPECIAL TRANSPORTATION SERVICES](#)

**Purpose:** This is a request for City Council to adopt a resolution authorizing the renewal of an Intergovernmental Agreement (IGA) to extend Contract C-22-04-029-2 with Maricopa County

Special Transportation Services (STS) for one year to provide transit services to the citizens of Glendale.

**Council Policies Or Goals Addressed:** One of the Council goals is to provide transportation options in Glendale. This item supports that goal by providing an optional method of transportation to residents traveling to destinations outside of Glendale.

**Background:** This request is to extend the existing agreement with Maricopa County to provide transportation services. The agreement provides transportation at a cost of \$5.69 per trip not to exceed \$15,000 annually.

**Community Benefit:** Maricopa County STS provides an affordable transit option to elderly, low-income and disabled citizens in Glendale needing transportation to destinations outside the city for medical, social or employment purposes. These destinations include locations such as the Veteran’s Hospital, County Medical Center, and Adult Day Care centers. The service reduces the need for passengers to transfer from one city service to another at city boundaries.

**Budget Impacts & Costs:** Funds for this program are budgeted in Transit account 25-6354-7330 in the amount of \$15,000.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$15,000

<b><u>Account Name, Fund, Account and Line Item Number:</u></b>	
Professional and Contractual – 25-6354-7330	\$15,000

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the entering into of an Intergovernmental Agreement to extend Contract C-22-04-029-2 with Maricopa County Special Transportation Services (STS) for the provision of transit services.

10. [INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR FEDERAL TRANSIT ADMINISTRATION GRANT FUNDS](#)

**Purpose:** This is a request for City Council to adopt a resolution authorizing the execution of an Intergovernmental Agreement (IGA) with the City of Phoenix for acceptance of federal funds for transit purposes. The funds will be used to reimburse the City of Glendale for the federal portion of FY2004-05 Dial-A-Ride maintenance expenses, capital purchases including vehicles and fareboxes, and design funds for a regional park-and-ride. The purchases will be made under the Federal Transit Administration (FTA) Grant AZ-90-X070.

**Council Policies Or Goals Addressed:** One of the Council goals is to provide transportation options in Glendale. The items included in this grant enhance transportation services currently operating in Glendale as part of the Glendale Onboard program.

**Background:** Phoenix has been designated by the Maricopa Association of Governments as the regional recipient of FTA grants, and distributes the funds to other cities in the metropolitan area. This IGA authorizes grant funding for reimbursement of vehicle maintenance expenses, the purchase of three replacement Dial-A-Ride buses, the purchase of new fareboxes for Glendale

fixed route buses, and provides funds for the design phase of a park-and-ride facility located at Loop 101 and Maryland.

**Community Benefit:** This grant will provide replacement buses for aging Dial-a-Ride vehicles, which will reduce vehicle breakdowns and enhance reliability and customer service. The park-and-ride lot will provide citizens a convenient location to access Loop 101 to promote ridesharing, thereby helping to reduce traffic congestion.

**Budget Impacts & Costs:** The grant provides 80% federal funds and requires 20% local match funds. The grant projects include \$133,800 for transit vehicle maintenance expenses, \$195,000 to purchase three replacement Dial-A-Ride vehicles, \$41,000 for fareboxes, and \$257,799 for design funds for the park-and-ride lot.

Grants	Capital Expense	One-Time Cost	Budgeted Match	Unbudgeted	Total
\$107,040			\$26,760		\$133,800
\$156,000	X	X	\$39,000		\$195,000
\$32,800	X	X	\$8,200		\$41,000
\$206,239	X	X	\$51,560		\$257,799

<b><u>Account Name, Fund, Account and Line Item Number:</u></b>	
FTA–Associated Capital Maintenance–24-8096-7972	\$107,040
Equipment/Repair – 25-6353-7972	\$26,760
Buses/Vans – 24-8075-8400	\$156,000
Fareboxes (New Acquisition) – 24-8094-8400	\$32,800
L101/Maryland Park & Ride – 24-8077-8330	\$206,239
Transit – 68-8611-8400	\$98,760

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the entering into of an Intergovernmental Agreement with the City of Phoenix for the reimbursement of the federal portion of the FY 2004-05 Dial-A-Ride maintenance expenses and capital purchases made under the Federal Transit Administration Grant AZ-90-X070.

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

### 11. [GENERAL PLAN AMENDMENT GPA04-02 AND REZONING APPLICATION ZON04-06: 5245 WEST PEORIA AVENUE](#)

**Purpose:** This is a request for the City Council to approve General Plan Amendment Application GPA04-02 and Rezoning Application ZON04-06, located at 5245 West Peoria Avenue. The applicant is requesting (1) amend the General Plan Land Use Map from HDR (High Density Residential 12-20 dwelling units per acre) to MHDR (Medium-High Density Residential 5-8 dwelling units per acre); (2) rezoning from A-1 (Agricultural) to R1-4 PRD (Single Residence, Planned Residential Development).

**Council Policies Or Goals Addressed:** The proposed General Plan amendment is compatible with the adjacent development to the south and west and will not be detrimental to the General Commercial nor Planned Commercial designation to the north and east.

The proposed infill subdivision is compatible with the Medium-High Density General Plan designation. The R1-4 PRD adds to the city's housing stock and provides housing opportunities and housing unit diversity. This development incorporates sound growth management techniques by utilizing the surrounding infrastructure.

**Background:** The site is located on the south side of Peoria Avenue and on the east side of 53<sup>rd</sup> Avenue. The applicant intends to build a single-family subdivision, titled Beacon Heights, on 3.6 acres of the property at a density of 4.14 dwelling units per gross acre. The remaining 1.5 acres of the property will continue to be occupied by the Beacon Bible Church. Lots vary in size from 4,599 square feet to 10,497 square feet. There are 12 lots between 4,599 square feet and 6,000 square feet and 3 lots greater than 6,000 square feet. The proposed minimum lot width is 45 feet and the proposed minimum lot depth is 94 feet. This request meets the requirements of the Residential Design and Development Manual.

**Previous Council/Staff Actions:** The Planning Commission recommended approval of General Plan Amendment and Rezoning application, with stipulations, on January 20, 2005.

**Community Benefit:** The project promotes infill development of vacant property and provides housing that is compatible with the surrounding area. In addition, the development will reduce the number of dwelling units allowed on this parcel.

**Public Input:** The applicant held a neighborhood meeting on October 7, 2003. Of the 218 property owners and interested parties invited to the meeting, six people attended. There were no issues or concerns discussed during the meeting. Discussion was held regarding time frame of development.

**Recommendation:** Conduct a public hearing and approve General Plan Amendment GPA04-02 and Rezoning Application ZON04-06 subject to the stipulations as recommended by the Planning Commission.

12. [GENERAL PLAN AMENDMENT \(GPA04-10\) AND REZONING \(ZON04-19\): DESERT GARDEN PARK AND DESERT GARDEN ELEMENTARY SCHOOL](#)

**Purpose:** This is a request for City Council to approve Planning Commission initiated requests to: 1) amend the General Plan designations from Residential 8-12 dwelling units per acre (du/ac) and Residential 12-20 du/ac to Parks & Open Space and Education and 2; rezone from R-3 and R-4 (Multiple Residence) to R1-7 (Single Residence) to ensure future redevelopment of the 6900 and 7020 West Ocotillo Road properties as R1-7 (Single Residence).

**Council Policies Or Goals Addressed:** The proposed General Plan amendment would bring the land use designations into conformance with the current land uses. The proposed rezoning would be compatible with adjacent zoning districts.

**Background:** The two properties located on the northwest corner of 65<sup>th</sup> Avenue and Ocotillo Road are currently developed as Desert Garden Park and Desert Garden Elementary School. The requests are to amend the General Plan designations from 8-12 dwelling units per acre (du/ac) and 12-20 du/ac to Parks & Open Space and Education and to rezone from R-3 and R-4 (Multiple Residence) to R1-7 (Single Residence). The requested General Plan amendment and rezoning would reduce the intensity of uses for the properties should redevelopment occur.

**Previous Council/Staff Actions:** On January 20, 2005, the Planning Commission recommended approval of the General Plan amendment and rezoning application.

**Community Benefit:** The General Plan amendment and rezoning will bring the land use designations into conformance with the current land uses and reduce the intensity of uses for the properties should redevelopment occur.

**Public Input:** Notification letters were sent to 94 property owners as well as to other interested parties on October 19, 2004. No written responses were received from the mailing. There was one telephone call on November 2, 2004 requesting clarification of the request.

**Recommendation:** Conduct a public hearing and approve General Plan Amendment GPA04-10 and Rezoning Application ZON04-19.

## LAND DEVELOPMENT ACTION

### 13. [FINAL PLAT APPLICATION FP04-07: WESTGATE – 9400 WEST MARYLAND AVENUE](#)

**Purpose:** This is a request for the City Council to approve the final plat for Westgate located at 9400 West Maryland Avenue. Coyotes Center Development LLC, and the city of Glendale are co-applicants. The requested final plat identifies lots, streets and easements within the Westgate Planned Area Development (PAD).

**Council Policies Or Goals Addressed:** The proposed final plat is consistent with the General Plan and the existing PAD zoning district.

**Background:** The Glendale Arena, public streets, site infrastructure, lighting, and landscape have been completed. Building permits for 627,953 square feet of retail, restaurant and office space have been issued and construction has started on Phase I of the Entertainment District. This request facilitates development of the property by providing subdivided lots that are ready for development.

The final plat is consistent with the PAD documents approved by the City Council on July 24, 2002. The final plat subdivides individual lots on the overall site. The final plat does not alter the location of street rights-of-way, public utility easements, sewer easements, water easements, or public drainage easements that were previously dedicated to facilitate the construction of public improvements on and around the project.

A substantial amount of plan review and construction activity has occurred in the Westgate PAD since City Council approved the PAD in July 2002. Staff from various city departments continue to work reviewing construction plans, permitting development, reviewing conceptual plans, answering inquiries regarding development at Westgate.

Permitted development in Phase I of the Entertainment District including shell buildings “A” through “I” and the Loews Cinemas is 627,935 square feet. Glendale Arena is a total of 604,000 square feet bringing the total amount of area developed or permitted to just over 1.2 million square feet.

There are a total of 413 residential units on 17.2 acres proposed for several parcels in the Residential District, just east of the Glendale Arena. This includes 237 apartment units and 176

condominium units. The conceptual design for the residential units consists of three story buildings that front onto the streets to create a lively street scene. Planning Department staff is currently completing the initial design review process with the consultant for this project.

This month the Planning Department has a preapplication meeting scheduled with a consultant for the development of a two-story, 40,000 square-foot office building in the Garden Office District. This proposed office building is located in the southeast corner of the project.

Discussions continue with major users in the Destination Retail District and Village Retail Districts of Westgate.

**Previous Council/Staff Actions:** On July 24, 2002, the City Council approved the Westgate PAD in case number Z-01-23 which rezoned 230 acres at the SWC of 91<sup>st</sup> and Glendale avenues from A-1 (Agriculture) to PAD (Planned Area Development).

**Community Benefit:** This request creates more appropriate lot sizes in order to attract additional users to Westgate.

**Recommendation:** Approve final plat application FP04-07.

## RESOLUTION

### 14. [ROADWAY EASEMENT AGREEMENT WITH THE BUREAU OF RECLAMATION FOR A PORTION OF MARYLAND AVENUE BETWEEN 91<sup>ST</sup> AND 95<sup>TH</sup> AVENUES](#)

**Purpose:** This is a request for the City Council to approve a Contract and Grant of Roadway Easement with the U. S. Bureau of Reclamation (BOR). Approving this easement completes a process begun approximately a year ago that facilitated the construction of the infrastructure necessary for the development of the sports facilities and vicinity.

**Background:** As part of the ongoing development of the arena and stadium, Salt River Project relocated federally owned irrigation facilities along portions of Maryland Avenue and placed them underground to accommodate the development. As needs to relocate have been identified, requests for easements for the new facilities are brought forward. Council approved one such request, representing relocation of irrigation facilities along Maryland Avenue between 91st and 95th avenues, on January 27, 2004. To avoid delay in the construction and opening of the sports facilities, rights of way were conveyed to the city and dedicated as public streets by recorded document in lieu of a Map of Dedication. City Council approved public dedication of these roads, including Maryland Avenue, on October 28, 2003. To complete the previous exchange approved by Council and to formally recognize the BOR's prior rights, it will be necessary to execute the BOR's Contract and Grant of Road Easement for its portion of Maryland Avenue.

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the City Manager to execute a Contract and Grant of Roadway Easement with the U. S. Bureau of Reclamation for a portion of Maryland Avenue between 91<sup>st</sup> and 95<sup>th</sup> avenues.

## ORDINANCES

### 15. [PROPERTY EXCHANGE WITH THE BUREAU OF RECLAMATION ALONG MARYLAND AVENUE BETWEEN 95<sup>TH</sup> AVENUE AND LOOP 101](#)

**Purpose:** This is a request for the City Council to approve a property exchange with the U.S. Bureau of Reclamation (BOR). The exchange of property, along Maryland Avenue between 95<sup>th</sup> Avenue and Loop 101, gives the BOR rights to the new location of its irrigation facilities that are being relocated to facilitate the construction of the Maryland crossing of Loop 101. The BOR will relinquish to the city any existing rights in the former location of its facilities.

**Council Policies Or Goals Addressed:** The City Council supports the development of the Glendale sports facilities area and the Maryland Avenue crossing over Loop 101. Approving the property exchange accommodates the construction of the Maryland Avenue crossing by enabling the relocation of irrigation facilities that would otherwise interfere with such construction.

**Background:** As part of the ongoing development of the arena and stadium, Salt River Project relocated federally owned irrigation facilities along portions of Maryland Avenue and placed them underground to accommodate the development. As needs to relocate have been identified, requests for easements for the new facilities are brought forward. This is one such request, representing relocation of irrigation facilities along Maryland Avenue between 95<sup>th</sup> Avenue and Loop 101. The facilities need to be relocated to allow construction of the Maryland Avenue crossing over Loop 101.

**Recommendation:** Waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute all documents necessary to accomplish a property exchange with the United States of America through its Bureau of Reclamation.

### 16. [ARIZONA PUBLIC SERVICE POWER EASEMENT AT 6819 NORTH 58<sup>TH</sup> AVENUE](#)

**Purpose:** This is a request for City Council to adopt an ordinance granting an electrical power easement in favor of Arizona Public Service (APS) in response to a request by the Arizona Department of Transportation (ADOT) for the Grand Avenue Project.

**Background:** ADOT's Grand Avenue project requires utility companies to relocate their various services outside of the project area. APS is requesting an easement from the city for an underground electrical line and an above-ground switching cabinet.

**Recommendation:** Waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute an underground electrical power easement in favor of Arizona Public Service.

## 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 those matters which 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).**