

GLENDALE CITY COUNCIL MEETING
Council Chambers
5850 West Glendale Avenue
April 12, 2005

7 PM

CALL TO ORDER – PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS AND AWARDS

[PROJECT S.A.F.E. PROCLAMATION](#)

[PROCLAMATION IN RECOGNITION OF NATIONAL CRIME VICTIMS' RIGHTS WEEK, APRIL 10 THROUGH APRIL 16, 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. [SPECIAL EVENT LIQUOR LICENSE FOR SAHUARO RANCH FOUNDATION](#)
2. [LIQUOR LICENSE NO. 3-981 CRESCENT MART](#)
3. [LIQUOR LICENSE NO. 3-982 BLACK BEAR DINER](#)
4. [LIQUOR LICENSE NO. 3-983 WAL-MART NEIGHBORHOOD MARKET](#)
5. [LIQUOR LICENSE NO. 3-984 WINGSTOP](#)
6. [LIQUOR LICENSE NO. 3-986 SPROUTS](#)
7. [FINAL PLAT APPLICATION FP03-08: DESERT SILHOUETTE – 5755 NORTH 73RD AVENUE](#)
8. [FINAL PLAT APPLICATION FP04-06: CHOLLA COVE – 5940 NORTH SUNNYSIDE DRIVE](#)
9. [FINAL PLAT APPLICATION FP04-09: AUBURNE – 7611 NORTH 83RD AVENUE](#)
10. [ACCEPTANCE OF LOCAL TRANSPORTATION ASSISTANCE FUND II PROGRAM FUNDS](#)
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20. [AWARD OF CONTRACT – MURPHY PARK RENOVATIONS](#)
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22. [PROFESSIONAL SERVICES AGREEMENT – 87TH & MISSOURI AVENUES PARK IMPROVEMENTS](#)

RESOLUTION

23. [INTERGOVERNMENTAL AGREEMENT AMENDMENT FOR THE LOOP 101/MARYLAND AVENUE BRIDGE CONSTRUCTION](#)

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 MARCH 22, 2005](#)

PROCLAMATIONS AND AWARDS

[PROJECT S.A.F.E. PROCLAMATION](#)

Purpose: This is a request for the City Council to proclaim Project S.A.F.E. (Safety Awareness Family Education) in the City of Glendale. The Arizona Multihousing Association and 11 participating Glendale apartment communities that belong to the association have partnered with the American Red Cross and Allstate Insurance to provide adults and children who live in these association-member apartment properties with free family safety education training to prevent traumatic incidents of drownings and other water-related accidents, apartment fires and missing children and adults. The instruction is being conducted at the swimming pools of 190 association-member apartment communities across Arizona on selected weekend days between March 16 and April 30, 2005, under the name Project S.A.F.E.

Recommendation: Present the Arizona Multihousing Association Project S.A.F.E. Proclamation to Kathy Ferguson of Sagewood Apartments in Glendale, representing the Arizona Multihousing Association.

[PROCLAMATION IN RECOGNITION OF NATIONAL CRIME VICTIMS' RIGHTS WEEK, APRIL 10 THROUGH APRIL 16, 2005](#)

Purpose: This is a request for City Council to proclaim April 10 through April 16, 2005, as National Crime Victims' Rights Week. This proclamation would allow the City of Glendale to recognize crime victims' suffering, struggles and loss as well as the services that try to aid these citizens through a trying time.

Background: The Glendale Police Department's Victims Assistance Caseworkers play a crucial role in ensuring that victims of crime are treated with dignity and respect. The Victims Assistance Unit is part of a national movement to better serve victims of crime. Glendale caseworkers assist over 25,000 victims a year. These highly dedicated staff members serve the citizens of Glendale around the clock. Glendale is proud to have professional victims assistance caseworkers to aid in reducing the impact of trauma on crime victims.

Community Benefit: Victims of crime in Glendale receive numerous services through the Glendale Police Department and the Victim Assistance staff, including crisis counseling, advocacy, and information and referral. This proclamation would allow these services to be recognized as services available to any person victimized in the city of Glendale. This proclamation would also allow the citizens of Glendale to know that if they are ever victimized they will be treated with the dignity and respect they deserve.

Recommendation: Proclaim April 10 through April 16, 2005, as National Crime Victims' Rights Week. Nancy Ann O'Neal and Rosalee Maxwell will be present to accept the proclamation.

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 SAHUARO RANCH FOUNDATION](#)

Purpose: This is a request by Carole DeCosmo for the City Council to approve a request for a special event liquor license for the Sahuaro Ranch Foundation. The event is a fundraiser for the Foundation. The event will be located at Sahuaro Ranch Park, 9802 N. 59th Avenue.

Background: The event will be held from 6:00 p.m. to 10:00 p.m. on Friday, April 29, 2005. If this license is approved, the total days expended by this applicant will be one of the allowed 10 days this year.

Under the provisions of Arizona Revised Statutes, Section 4-203.02, the Arizona Department of Liquor Licenses and Control may issue a special event liquor license only if the City Council recommends approval of such license.

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

2. [LIQUOR LICENSE NO. 3-981 CRESCENT MART](#)

Purpose: This is a request by Tuan Le for the City Council to approve a new Series 10 (Beer and Wine, Off Sale) license for Crescent City located at 5508 N.43rd 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: The City has received a petition with 93 signatures in support of the issuance of the license. The City has also received one protest against the issuance of this license.

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

3. [LIQUOR LICENSE NO. 3-982 BLACK BEAR DINER](#)

Purpose: This is a request by H. J. Lewkowitz for the City Council to approve a new Series 12 (All Liquor, Restaurant) license for Black Bear Diner located at 6039 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.

4. [LIQUOR LICENSE NO. 3-983 WAL-MART NEIGHBORHOOD MARKET](#)

Purpose: This is a request by Clare Abel for the City Council to approve a new Series 10 (Beer and Wine, Off-sale) license for Wal-Mart Neighborhood Market located at 7450 W. Glendale Avenue.

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.

5. [LIQUOR LICENSE NO. 3-984 WINGSTOP](#)

Purpose: This is a request by Amy Nations for the City Council to approve a new Series 12 (All Liquor, Restaurant) license for Wingstop located at 5833 W. Thunderbird 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.

6. [LIQUOR LICENSE NO. 3-986 SPROUTS](#)

Purpose: This is a request by Randy Nations for the City Council to approve a new Series 10 (Beer and Wine, Off-sale) license for Sprouts Farmers Market located at 5120 W. Peoria Avenue.

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.

7. [FINAL PLAT APPLICATION FP03-08: DESERT SILHOUETTE – 5755 NORTH 73RD AVENUE](#)

Purpose: This is a request for the City Council to approve the final plat for Desert Silhouette located at 5755 North 73rd Avenue. JJ Miller Arizona, LLC is requesting final plat approval.

Council Policies Or Goals Addressed: The proposed final plat is consistent with the General Plan and surrounding R1-6 (Single Residence) zoning districts. The proposed subdivision provides additional single family residential housing stock by developing a well planned subdivision on an infill parcel.

Background: The site is located south of the southwest corner of 73rd Avenue and Bethany Home Road. The applicant proposes a 19 lot single family subdivision on five acres at a gross density of 3.7 residential dwelling units per acre. Lot sizes vary from 6,128 square feet to 13,568 square feet. Seven lots are between 6,000 and 7,000 square feet, seven lots are between 8,000 and 9,000 square feet and five lots are greater than 9,000 square feet. The proposed minimum lot width is 60 feet and the proposed minimum lot depth is 100 feet. The request meets the requirements of the Subdivision and Minor Land Division Ordinance and is consistent with the approved zoning and preliminary plat.

Previous Council/Staff Actions: The Planning Commission approved the preliminary plat for this subdivision on October 17, 2002. All stipulations of the preliminary plat have been satisfied.

Community Benefit: This project promotes infill development of vacant property and provides housing that is compatible with the surrounding area.

Recommendation: Approve final plat application FP03-08.

8. [FINAL PLAT APPLICATION FP04-06: CHOLLA COVE – 5940 NORTH SUNNYSIDE DRIVE](#)

Purpose: This is a request for the City Council to approve the final plat for Cholla Cove located at 5940 North Sunnyside Drive. Cholla Cove, LLC is requesting final plat approval.

Council Policies Or Goals Addressed: The proposed final plat is consistent with the General Plan and the existing R1-8 PRD (Single Residence, Planned Residential Development) zoning district. The proposed subdivision provides additional single family residential housing stock through development of a gated subdivision on an infill parcel.

Background: he site is located at the northwest corner of 59th Avenue and Sunnyside Drive. The applicant proposes a 32 lot single family subdivision on 11.4 acres at a density of 2.8 dwelling units per acre. Lot sizes vary from 8,015 square feet to 16,002 square feet. Twenty five lots are between 8,000 and 9,000 square feet, and seven lots are greater than 9,000 square feet. The proposed minimum lot width is 65 feet and the proposed minimum lot depth is 110 feet. This request meets the requirements of the Subdivision and Minor Land Division Ordinance and is consistent with the approved zoning and preliminary plat.

Previous Council/Staff Actions: The Planning Commission approved the preliminary plat for this subdivision on April 1, 2004. All stipulations of the preliminary plat have been satisfied.

Community Benefit: The project provides infill development of vacant property and provides housing that is compatible with the surrounding area.

Recommendation: Approve final plat application FP04-06.

9. [FINAL PLAT APPLICATION FP04-09: AUBURNE – 7611 NORTH 83RD AVENUE](#)

Purpose: This is a request for the City Council to approve the final plat for Auburne located at 7611 North 83rd Avenue. Land Solutions, Inc is requesting final plat approval.

Council Policies Or Goals Addressed: The proposed final plat is consistent with the General Plan and the existing SR-17 PRD (Suburban Residence, Planned Residential Development) zoning district. The proposed subdivision adds to the city's residential housing stock through development of a large lot subdivision for custom homes.

Background: The site is located south of the southeast corner of 83rd and Northern avenues. The applicant intends to build a gated subdivision with a private street on this site with 10 large irrigated lots on 13.2 acres at a density of .76 dwelling units per acre. Lot sizes vary from just over an acre to approximately 1.26 acres in size. The proposed minimum lot width is 181 feet and the proposed minimum lot depth is 213 feet. This request meets the requirements of the Subdivision and Minor Land Division Ordinance, and is consistent with the approved preliminary plat.

Previous Council/Staff Actions: The Planning Commission approved the preliminary plat for this subdivision on September 2, 2004. All stipulations of the preliminary plat have been satisfied.

Community Benefit: The project provides infill development of vacant property and provides housing that is compatible with the surrounding area.

Recommendation: Approve final plat application FP04-09.

10. [ACCEPTANCE OF LOCAL TRANSPORTATION ASSISTANCE FUND II PROGRAM FUNDS](#)

Purpose: This is a request for the City Council to accept \$299,295 from the Arizona Department of Transportation Local Transportation Assistance Fund II (LTAF) Program to be used for the purchase of two transit buses and transit destination signs for the Luke Link service.

Council Policies Or Goals Addressed: One of the Council goals is to provide transportation options in Glendale. This item will provide enhancements to transportation services currently operating in Glendale as part of the Glendale Onboard program.

Background: The LTAF II program funds are derived from Powerball lottery revenues and provide for additional public transportation funding in Arizona if revenues from Powerball sales meet a preset threshold. Funds are available only in years when revenues from Powerball sales attain the limit set in the legislation. The application for these funds was submitted in December 2003.

Previous Council/Staff Actions: Council has accepted LTAF II funds, when available in the past, to fund various transit-related activities including: transit marketing, fixed route bus service including the Professor Gus service, assistance in the development of the Glendale Transportation Plan, bus bay construction, and public involvement for updating the Transit Plan.

Community Benefit: Acceptance of these funds will allow the Transit Division to purchase two vehicles for use in the Luke Link service. The funds will also be used to provide destination signs on the Luke Link buses. The destination signs are lighted signs placed on the front and side of the buses to allow passengers to easily see where the bus is going and determine if it is the correct bus to board.

Budget Impacts & Costs: The LTAF II funds require a local match of 100% of the amount allocated to be expended in transit projects. The Transit Division currently programs local funds in excess of the required matching funds to operate Dial-A-Ride and fixed route service. This meets the requirement of the local fund expense for this LTAF II project; therefore no additional matching funds are required.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$299,295

Account Name, Fund, Account and Line Item Number:

LTAF II – 24-8092-8400

Recommendation: Accept Local Transportation Assistance Funds in the amount of \$299,295 for the purchase of two buses and transit destination signs for use in the Luke Link service.

11. [DIGITAL RADIO SYSTEM SOFTWARE UPGRADE](#)

Purpose: This is a request for City Council authorization to purchase a software upgrade to the digital radio system through Motorola Incorporated in the amount of \$1,404,902. The City of Glendale purchased a state of the art Motorola 800 MHz trunked digital radio system in 2002 with Council approval. This upgrade will ensure this system remains functional as well as serviceable and ensures the ability of the radio system to interact with other agencies.

Council Policies Or Goals Addressed: To ensure seamless service to the patrol officer or other radio user in the field, the city must maintain the radio system currently in place. By completing these upgrades as they become available, it ensures not only the latest fixes, patches and features available, but also ensures the system can be maintained to the manufacturer’s standards. The

provision of consistent digital radio communication for emergency and non-emergency uses, meets the Council’s goal of ensuring public safety and awareness.

Background: Council approved the purchase of the digital radio system on June 25, 2002 and the system was fully implemented and functioning at the end of 2003. The digital radio system the city currently utilizes is essentially a large computerized radio network. This purchase will provide the system with the most current software upgrade available, including voice encryption capability for the ability to communicate securely, as well as system security components. Failure to complete software upgrades in a timely manner would render the system non-serviceable, which would impact the proper functioning and use of the current system.

Previous Council/Staff Actions: The Citywide Project 25 Digital Radio System was approved at a regular City Council meeting on June 25, 2002.

Community Benefit: These upgrades will provide the most up-to-date radio system available. The community is positively impacted by police officers being notified immediately of an emergency situation and by effective communication with the Police Department.

Budget Impacts & Costs: Funds totaling \$984,157 are available in the FY04-05 CIP in Digital Communications Software Upgrade (60-9425). An additional \$420,745 would come from Police Communication System (60-9408) in FY05-06 as proposed in the preliminary CIP. Council has not approved the FY05-06 budget as proposed in the preliminary CIP, but will consider the preliminary CIP as part of the budget workshops scheduled for March and April 2005.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X	X	X		\$1,404,902

Account Name, Fund, Account and Line Item Number:

Digital Communications Software Upgrade, 60-9425-8300
 FY04-05 remaining funding includes \$984,157. The FY05-06 Preliminary CIP includes an additional \$500,000 of which \$420,745 will be used for this upgrade.

Recommendation: Authorize the City Manager to enter into an agreement with Motorola Incorporated in the amount of \$1,404,902.

12. [RAPID RESPONSE TEAM EQUIPMENT PURCHASE](#)

Purpose: This is a request for the City Council to approve the purchase of Rapid Response Team (RRT) equipment from the sole source vendor, United Fire Equipment Company, in the amount of \$54,587.63.

Council Policies Or Goals Addressed: One of the Council’s goals is ensuring public safety and awareness. This purchase will assist in achieving this goal.

Background: The Homeland Security Urban Area Strategic Initiative Grant (UASI) was approved by City Council on March 11, 2003. This grant is funded through the U.S. Department of Homeland Security’s Office of Domestic Preparedness and can be used for this equipment purchase.

Budget Impacts & Costs: The one-time costs associated with this purchase, estimated to be \$54,587.63, are contained within the UASI grant funding.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X		X			\$54,587.63

Account Name, Fund, Account and Line Item Number:

2003 Urban Area Strategic Initiative – Fire, 47-7718-8400

Recommendation: Approve purchase of equipment in the amount of \$54,587.63.

CONSENT RESOLUTIONS

13. [ASSISTANCE TO FIREFIGHTERS GRANT](#)

Purpose: This is a request for the City Council to adopt a resolution authorizing the application and acceptance of a 2005 Assistance to Firefighters Grant from the U.S. Department of Homeland Security (DHS) to replace all of the department’s front line self-contained breathing apparatus (SCBA).

Council Policies Or Goals Addressed: This request supports the Council priority of ensuring public safety for Glendale residents.

Background: The department’s current SCBA are nearly 10 years old and are becoming increasingly expensive to maintain. Personal protection equipment, which includes SCBA, is a funding priority in the DHS grant program for 2005. If successful in obtaining this grant, the department would be able to replace all front line SCBA, and provide one additional air cylinder for each new air pack.

Community Benefit: Approving this grant would enhance the level of emergency preparedness and firefighter safety. In addition, SCBA equipment problems that could interfere with service delivery at fire scenes would be eliminated, and the annual cost of maintenance would be reduced.

Budget Impacts & Costs: This grant requires a 20% match. Funding is budgeted in the Grants Coordinator’s matching funds, and identified in the fire department’s SCBA Maintenance account.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X	\$368,720	\$92,200	X		\$460,920

Account Name, Fund, Account and Line Item Number:

Grant account to be created upon award of funding.
 Fire Grant Match Fund, 47-7075-7000 (\$60,000)
 Grant Match Pool Fund, 47-7075-7990 (\$30,000)
 SCBA Maintenance Account, 01-3330-7413 (\$2,200)

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the application and acceptance of a grant to replace the fire department's breathing apparatus through the 2005 Assistance to Firefighters Grant Program with the Department of Homeland Security.

14. [CHILD SAFETY SEAT GRANT](#)

Purpose: This is a request for the City Council to adopt a resolution authorizing the application and acceptance of a 2005 Governor's Office of Highway Safety (GOHS) grant to continue the Child Safety Seat Inspection and Education Program in Glendale.

Council Policies Or Goals Addressed: This request supports the Council priorities of ensuring public safety and enhancing the quality of life for Glendale residents.

Background: The Fire Department's current child safety seat inspection and education program was initiated through a 2003 Fire Act Grant, which will end in May 2005. Through that grant, the department certified 23 firefighters as safety seat technicians, and has been offering free safety seat installations and inspections at a variety of community events, and at Glendale fire stations. Child safety seat inspection and education is a GOHS funding priority for 2005.

Community Benefit: The community would benefit from continued access to assistance and information on the proper installation and use of child safety seats. Public awareness of this important safety issue will help to reduce the potential of injury to children involved in motor vehicle accidents.

Budget Impacts & Costs: No matching funds are required for this grant request.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
					\$24,878

Account Name, Fund, Account and Line Item Number:

Account to be created when grant is awarded.

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the application and acceptance of a 2005 Governor's Office of Highway Safety (GOHS) grant to continue the Child Safety Seat Inspection and Education Program in Glendale.

15. [NOTICE OF SPECIAL ELECTION](#)

Purpose: This is a request for the City Council to adopt a resolution that will inform voters of the May 17, 2005 City of Glendale Special Election and establish polling place hours, locations and the compensation paid to election workers, pursuant to A.R.S. Sec. 16-228.

Council Policies Or Goals Addressed: Municipal elections promote increased citizen involvement in all aspects of municipal government.

Previous Council/Staff Actions: On January 25, 2005, the Council referred the charter amendment and franchise agreements with Arizona Public Service and Southwest Gas to the qualified electors of the City of Glendale.

Recommendation: Waive reading beyond the title and adopt a resolution providing notice of the special election, pursuant to A.R.S. Sec. 16-228.

16. [INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY FOR COMMUNITY ACTION PROGRAM FUNDING](#)

Purpose: This is a request for City Council to adopt a resolution authorizing an amendment to renew the intergovernmental agreement with the Maricopa County Human Services Department to provide partial funding in the amount of \$286,699 for the fiscal year 2005-06 operation of Glendale’s Community Action Program (CAP).

Council Policies Or Goals Addressed: Two of the council goals are providing financial stability and enhancing the quality of life for Glendale residents. Providing responsible and efficient services for low to moderate-income residents will help residents to obtain self-sufficiency or become self-sustaining and regain emotional stability when they are experiencing a financial hardship.

Background: CAP provides direct services to low and moderate-income Glendale residents. Services include energy assistance payments, minor home repairs, crisis assistance for families, which includes homeless assistance and temporary rent/mortgage subsidies.

Community Benefit: CAP staff work to ensure that low and moderate-income Glendale residents will continue to receive crisis services that promote financial stability and enhance the quality of life in Glendale.

Budget Impacts & Costs: The cost of \$286,699 for operation of CAP services is funded by the Maricopa County Human Services Department. The City of Glendale’s General Fund supplements the remainder of CAP’s budget with an appropriation of \$110,344. The city also provides in-kind contributions for office space, utilities, custodial services and miscellaneous operating expenses.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
\$286,699			\$110,344		\$397,043

Recommendation: Waive reading beyond the title and adopt a resolution authorizing an amendment renewing the annual intergovernmental agreement with the Maricopa County Human Services Department for partial funding of the Community Action Program.

17. [INTERGOVERNMENTAL AGREEMENT FOR DOS RIOS, LLC. v. BUCKEYE IRRIGATION DISTRICT, ET AL. LITIGATION](#)

Purpose: This is a request for the City Council to authorize the entering into of an “Agreement to Jointly Engage Legal Counsel for Common Litigation” (Agreement) with Phoenix, Mesa, Scottsdale and Tempe (the Cities) on Dos Rios, LLC v. Buckeye Irrigation District, et al.

Background: The Cities have implemented a multi-city wastewater plan providing for the joint use of certain wastewater transportation, treatment, disposal and reclamation facilities pursuant to an intergovernmental agreement (IGA). That IGA recognized that there may be claims for damages arising out of the operation of the 91st Avenue Wastewater Treatment Plant and that

there may be litigation or other costs and expenses incurred in connection with the construction, operation, replacement and maintenance of the facility.

The Cities will incur legal costs and expenses due to the litigation filed against the Cities in Dos Rios LLC v. Buckeye Irrigation District, et al. The Cities desire to enter into the Agreement to state their reasonable expectation for sharing litigation expenses, and the rights and obligations among the Cities for jointly engaging legal services.

The law firm to provide the legal representation for the Cities is The Pennartz Law Firm, P.L.C. with David A. Pennartz, Esq. as legal counsel.

Previous Council/Staff Actions: On September 25, 1979, the cities of Glendale, Phoenix, Mesa, Tempe, Scottsdale and the Town of Youngtown entered into Intergovernmental Agreement No. 22699 (SROG IGA) for the construction, operation and maintenance of jointly-used sewage treatment and transportation facilities, which has subsequently been amended by Addenda No. 1, No. 2, No. 3, No. 4, No. 5 and No. 6. The Town of Gilbert and the Town of Youngtown subsequently sold their purchased capacity in the jointly-used facilities and are no longer parties to the SROG IGA.

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 shared by the cities based on the usage of the 91st Avenue Wastewater Treatment Plant. Funds for this project are available in the Utilities Account No. 50-6410-7330.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
				X	

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 joint defense agreement concerning the Dos Rios, LLC v. Buckeye Irrigation District, et al. litigation.

BIDS AND CONTRACTS

18. [AWARD OF BID 05-08, TELEVISION CAMERAS AND PRODUCTION EQUIPMENT](#)

Purpose: This is a request for the City Council to approve the purchase of two digital field cameras and five digital tape decks for Glendale 11, the city’s cable television station. This equipment will replace current field cameras and decks that are due for replacement and have numerous operating and repair issues.

Council Policies Or Goals Addressed: This equipment replacement meets the Council goals of promoting a positive image of Glendale and increasing community awareness of city programs,

services and activities. Replacing Glendale 11's production equipment will allow the Cable Division to present a better product and enhance the city's ability to communicate with residents.

Background: Three bids were received to provide the city with the new production equipment, which will replace two field cameras which are seven to 10 years old, and five tape decks that range from six to 10 years old. Industry standard for camera replacement is five years. The equipment will be used by the city's cable television station to produce new television programming. The benefits of this new equipment will be better picture and sound quality and the upgrading of Glendale 11's production format to digital, the industry standard. The lowest responsive bid was submitted by Audio Video Resources. The funding is already budgeted and will come from the Equipment Replacement Fund.

Previous Council/Staff Actions: Glendale 11 has been using the Beta Camera production format for more than 10 years. The digital production format has been the industry standard for both broadcast and government cable television stations for five years. Glendale's format is incompatible with digital, making it difficult to share Glendale 11 programming with other stations, provide outside media with Glendale 11 footage, and air any outside programming delivered in digital. The purchase of two digital field cameras and five digital tape decks is part of a comprehensive strategy to convert all production equipment to digital.

Community Benefit: A survey conducted last year by ASU West reveals Glendale 11 is regularly watched by more than 80% of Glendale residents with cable. Glendale 11 reaches 140,000 residents, more than half of the city's population. This equipment will enable the Cable Division to provide improved television programming to residents.

Budget Impacts & Costs: Funds for this cable equipment are already budgeted in the Equipment Replacement Fund.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$91,421

<u>Account Name, Fund, Account and Line Item Number:</u> Equipment Replacement Program, 42-2335-8400, \$91,421
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Recommendation: Approve the purchase of television cameras and production equipment from Audio Video Resources in an amount of \$91,421 plus tax.

19. [AWARD OF CONTRACT - 63RD AND NORTHERN AVENUES COMMUNITY PARK](#)

Purpose: This is a request for the City Council to award a contract to Nickle Contracting, LLC. for the construction of the 63rd and Northern avenues Community Park.

Council Policies Or Goals Addressed: The facility is located at a major retention basin in the city's flood control system and the improvements are consistent with the adopted Parks and Recreation Master Plan's goal of providing a balance of leisure activity opportunities.

Background: In 2002, a preliminary plan was prepared for recreational uses at the 25-acre flood control basin at 63rd Avenue and Northern. Bids were solicited for the project with only one bid received on September 17, 2004. The bid was 90% over the Engineer's Estimate for the work

and was rejected. Staff re-evaluated the plans and made modifications in an attempt to create more competitive bidding. The improvements included will create a passive recreational area with walkways, ramadas, play equipment, security lighting, landscaping and irrigation.

The project was re-bid and six bids were opened on March 10, 2005 with Nickle Contracting, a qualified licensed contractor, submitting the lowest qualified bid. The bid included three add alternates; a Bark Park (dog park) immediately adjacent to the playground and ramada area; a parking lot between Lion's Park and the new community park; and the 63rd Avenue Improvements, which are the city required half street improvements for that section of 63rd Avenue adjacent to the park. Staff is recommending the award of the base bid \$854,098.98 the Bark Park \$253,687.47, and the 63rd Avenue Street Improvements \$239,200.65.

Previous Council/Staff Actions: he Parks and Recreation Master Plan, approved in February 2002, included a future park at 63rd and Northern Avenues. On December 16, 2003, Council approved a Professional Services Agreement with Carter+Burgess, Inc. for design services and the preparation of construction plans and specifications. On March 26, 2002, Council approved the submission of a State Heritage Fund Grant in the amount of \$317,876.

Public Input: he Parks and Recreation Department, working with the consultant, solicited public input for the project in April 2004 during the master planning process. The information garnered in this process was incorporated into the plans for the facility.

Budget Impacts & Costs: To cover the construction cost for this project, funds in the amount of \$248,742.98 need to be transferred from Park Enhancements, Account No. 36-8517-8300 to 63rd & Northern Park Development, Account No. 36-8503-8300. Funds totaling \$789,909.98 will be available in the FY04-05 CIP in 63rd & Northern Park Development, Account No. 36-8503-8300 after the identified transfer are completed. An additional \$317,876.47 would come from the Heritage Fund Grant, Account No. 47-8060-8300 and \$239,200.65 from 63rd Ave./Grand to Olive Bike Line, Account No. 25-9459-8300.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X	X		X		\$1,346,987.10

<p><u>Account Name, Fund, Account and Line Item Number:</u> 63rd & Northern Park Development, Account No. 36-8503-8300 - \$789,909.98 Heritage Fund Grant, Account No. 47-8060-8300 - \$317,876.47 63rd Ave. /Grand to Olive Bike Line – 25-9459-8300 - \$239,200.65</p>

Recommendation: Authorize the transfer and award the contract to Nickle Contracting, LLC in the amount of \$1,346,987.10.

20. [AWARD OF CONTRACT - MURPHY PARK RENOVATIONS](#)

Purpose: This is a request for the City Council to award a contract to Niche Contractors, LLC for the renovation of Murphy Park located at 7017 North 58th Avenue.

Council Policies Or Goals Addressed: The improvements planned within Murphy Park are consistent with the adopted Parks and Recreation Master Plan and the Downtown Master Plan.

Background: This project was originally bid in April 2004. The low bidder at that time withdrew their bid based upon errors in their proposal. The remaining bids ranged from 47% to 79% over the Engineer's Estimate, which forced the project to be put on hold and resulted in missing the window of opportunity for construction between scheduled events in the park. This project design package was re-evaluated and adjustments to the planned improvements were made to better compliment the various other project activities presently planned for downtown. Improvements included as part of this project include a decorative fountain, bicycle racks, park benches, seating wall, trash receptacles, widening of the existing brick sidewalks, and landscaping and irrigation.

The project was re-bid and five bids were opened on March 9, 2005 with Niche Contractors LLC, a qualified licensed contractor, submitting the lowest qualified bid. The bid included four add alternates; alternate one included a second decorative fountain; alternate two included replacement of tree grates on Glenn Drive; alternate three included decorative concrete walls; and alternate four included updating existing period light fixtures. Staff is recommending the award of the base bid \$637,662.56, add alternate two \$3,030.70; and, add alternate four \$12,255.58.

Previous Council/Staff Actions: On April 15, 2003, staff presented a master plan for the park to Council. On December 16, 2003, Council approved a professional services agreement with Sherman Group, Inc. for design services and the preparation of construction plans and specifications. Engineering, Marketing and Economic Development departments have worked in a joint effort in planning and coordinating this project.

Public Input: The improvements in this contract were developed from information gathered at public meetings held for both the city wide Parks and Recreation Master plan and the area specific Downtown Master Plan. In addition to the referenced public meetings, a booth was set up at one of the Marketing Departments' scheduled events at the park and event participants were able to directly contribute their opinions on the facility.

Budget Impacts & Costs: To cover the construction cost for this project, funds in the amount of \$127,771 need to be transferred from Park Enhancements, Account No. 36-8517-8300 to Murphy Park Improvements, Account No. 36-8505-8300.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$652,948.84

Account Name, Fund, Account and Line Item Number:
Murphy Park Improvements, Account No. 36-8505-8300

Recommendation: Authorize the transfer and award the contract to Niche Contractors, LLC. in the amount of \$652,948.84.

21. [PROFESSIONAL SERVICES AGREEMENT - DESERT VALLEY PARK RENOVATION](#)

Purpose: This is a request for the City Council to approve a professional services agreement with the E-group for design and construction administration services for the renovation of Desert Valley Park located at 61st and Sweetwater avenues.

Council Policies Or Goals Addressed: The renovation of Desert Valley Park is consistent with Council's commitment to restore and upgrade older park facilities throughout the city.

Background: Initial meetings were held in December 2002, with Peoria Unified School District, Parks and Recreation staff and neighbors to review the facilities physical condition and recurring problems relative to use. Three subsequent meetings with the school district preceded development of a study and conceptual plan in October 2003 that addressed resolution of the issues at the site. Contract documents must now be developed to bring the project to bid. The E-group was selected from the Parks and Recreation On-Call list based upon past project experience. Planned improvements for the park include landscaping, irrigation, ramadas, benching, lighting, and play equipment.

Public Input: Between December 2003 and January 2005, five public meetings have been conducted regarding this project; each meeting was well attended with the public input being incorporated into the conceptual plan.

Budget Impacts & Costs: Funds for this project are available in Park Improvement/Enhancements, Account No. 88-8919-8330.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$119,680

Account Name, Fund, Account and Line Item Number:

Park Improvement/Enhancements, Account No.88-8919-8330

Recommendation: Approve a professional services agreement with the E-group in the amount of \$119,680.

22. [PROFESSIONAL SERVICES AGREEMENT - 87TH & MISSOURI AVENUES PARK IMPROVEMENTS](#)

Purpose: This is a request for the City Council to approve a professional services agreement with Ritoch-Powell & Associates for design and construction administration services for the proposed neighborhood park at 87th and Missouri avenues.

Council Policies Or Goals Addressed: The establishment of this neighborhood park, in collaboration with the Pendergast Elementary School District, is consistent with the goals and policies of the Council adopted Parks and Recreation Master Plan.

Background: In 2003, the city purchased six acres adjacent to Sunset Ridge Elementary School in anticipation of developing a 12-acre neighborhood park. This joint venture approach with the school district has been successful in the past from a developmental cost and use perspective. Planned improvements include sport courts, play equipment, landscaping, irrigation, pedestrian walkways, ramadas, benching, trash receptacles, and security lighting.

Previous Council/Staff Actions: On November 25, 2003, Council approved the purchase of this property. On April 13, 2004, Council approved the acceptance of a Heritage Fund grant in the amount of \$715,512 for the construction of this project. Council also approved an

intergovernmental agreement with the Pendergast School District for the joint development and use of this park on April 13, 2004.

Public Input: Public meetings are required to be held as part of the scope of work for this project. Staff will also present the conceptual plans to both the district school board and the Parks and Recreation Commission.

Budget Impacts & Costs: Funds for this project are available in 87thAve. – Missouri, Account No, 87-8955-8330.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$155,609

Account Name, Fund, Account and Line Item Number:

87th Ave. – Missouri, Account No. 87-8955-8330

Recommendation: Approve a professional services agreement with Ritoch-Powell & Associates in the amount of \$155,609.

RESOLUTION

23. [INTERGOVERNMENTAL AGREEMENT AMENDMENT FOR THE LOOP 101/MARYLAND AVENUE BRIDGE CONSTRUCTION](#)

Purpose: This is a request for the City Council to adopt a resolution authorizing the entering into of a second amendment to an existing Intergovernmental Agreement (IGA) with the Arizona Department of Transportation (ADOT) to include construction of the Maryland Avenue Bridge over Loop 101.

Council Policies Or Goals Addressed: This request supports the Council strategic priority to create transportation options.

Background: In November 2001, Glendale voters approved pedestrian, bicycle, and park and ride improvements as part of the city’s transportation election. The Regional Public Transportation Authority (RPTA) and ADOT have programmed money for the construction of a park and ride lot and connecting roadways in the vicinity of Loop 101/Glendale Avenue.

In February 2003, the Citizen Transportation Oversight Commission (CTOC) took action to specifically identify the Maryland Avenue Bridge over Loop 101 in the Glendale Onboard Transportation program.

In August 2002, the City of Glendale entered into agreements with the Arizona State Tourism and Sports Authority (AZSTA) and the National Football League Arizona Cardinals to locate a multi-purpose facility near Loop 101 and Maryland Avenue. The facility will serve as the home of the Arizona Cardinals and the Fiesta Bowl beginning with the 2006 football season.

The city, RPTA, AZSTA, and Arizona Cardinals have studied various alternatives for the location of the park and ride lot, access to the lot, and access to the sports facilities. The

Maryland Avenue Bridge over Loop 101 is an important component for providing access to these facilities.

Previous Council/Staff Actions: Following the November 2001 transportation election, Council directed staff to begin implementation of the overall transportation plan. Staff has worked with the RPTA, AZSTA, and Cardinals representatives on the location, design concepts, and access for the park and ride lot. On October 14, 2003, Council approved an IGA with ADOT for Loop 101/Maryland Avenue Bridge Design Concept Report (DCR) and Environmental Studies, which is filed as Number C-4941. Following completion of the DCR, Council approved an amendment to the original IGA to complete final design of the Loop 101/Maryland Avenue Bridge on July 13, 2004.

Community Benefit: The Maryland Avenue Bridge over Loop 101 will serve as the primary access to the planned park and ride lot on Maryland near Loop 101. The bridge will provide additional access to the Glendale sports facilities and the surrounding area, thereby relieving traffic congestion on Glendale and 91st avenues. The bridge will also provide an alternate bicycle route across Loop 101. The current bicycle route is on Glendale Avenue.

Public Input: The CTOC has recommended the Maryland and Loop 101 park and ride as part of the GO Program. Staff and Arizona Cardinals representatives met with representatives of the neighborhood east of the sports facilities to discuss traffic impacts and proposed roadway improvements. On May 20, 2004, ADOT held a public meeting to present the potential improvements for the Maryland Avenue Bridge, answer questions, and obtain comments. All comments supported the proposed improvements.

Budget Impacts & Costs: The cost for construction of the Maryland Avenue Bridge over Loop 101 is \$6,308,921.31. Federal funds in the amount of \$2,187,989 are available and programmed in the approved Maricopa Association of Governments FY 2004-2008 Transportation Improvement Program (TIP) under project GLN04-208TR. The city's required contribution to ADOT is \$4,120,932.31 and is budgeted in the GO Program in account L101/Maryland Overpass to P&R Lot.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X	X	\$4,120,932.31		\$4,120,932.31

Account Name, Fund, Account and Line Item Number:

L101/Maryland Overpass to P&R Lot. Account No. 25-9481-8300

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the entering into of a second amendment to Intergovernmental Agreement C-4941 with the Arizona Department of Transportation for construction of a bridge over Loop 101 at Maryland 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).**