

**GLENDALE CITY COUNCIL MEETING**

**Council Chambers**

**5850 West Glendale Avenue**

**July 26, 2005**

**7:00 p.m.**

**CALL TO ORDER – PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE [MINUTES OF JULY 12, 2005](#)**

**PROCLAMATIONS AND AWARDS**

[BOARDS AND COMMISSIONS](#)

[RECOGNITION OF COMMUNITY SERVICE FOR JOHN EDMONSON](#)

[RECOGNITION OF COMMUNITY SERVICE FOR JOHN TURBRIDY](#)

[DROWNING IMPACT AWARENESS MONTH 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. [FINAL PLAT APPLICATION FP05-02: BEACON HEIGHTS – 5245 WEST PEORIA AVENUE](#)
2. [FINAL PLAT AMENDMENT FP05-03: AMENDED AND RESTATED PLAT FOR VILLAGE SERENO CONDOMINIUMS – 8622 NORTH 59<sup>TH</sup> AVENUE](#)
3. [FINAL PLAT APPLICATION FP04-11: BOARDWALK PLACE – 8711 WEST GLENDALE AVENUE](#)
4. [AUTHORIZATION FOR ON-CALL PROFESSIONAL SERVICES AGREEMENTS FOR INTELLIGENT TRANSPORTATION SYSTEMS PROJECTS](#)
5. [RADIO SERVICE AGREEMENT](#)
6. [PURCHASE OF THIRD AMBULANCE](#)

7. [PROFESSIONAL SERVICES AGREEMENT – BRIDGE AT 57<sup>TH</sup> AVENUE AND SKUNK CREEK](#)
8. [AWARD OF CONTRACT – BONSCALL PARK SOUTH IMPROVEMENTS](#)
9. [USE AGREEMENT WITH THE FIESTA BOWL](#)

#### **CONSENT RESOLUTIONS**

10. [INTERGOVERNMENTAL AGREEMENT FOR THE DEVELOPMENT OF AMATEUR SPORTS YOUTH FIELDS AND TURF PARKING](#)
11. [PURCHASE OF LAND FROM COYOTES CENTER DEVELOPMENT](#)
12. [GILA RIVER GENERAL STREAM ADJUDICATION LEGAL REPRESENTATION](#)
13. [NATIONAL INCIDENT MANAGEMENT SYSTEM \(NIMS\) ADOPTION](#)
14. [ACCEPTANCE OF RESIDENT OPPORTUNITIES FOR SELF-SUFFICIENCY \(ROSS\) GRANT](#)

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

15. [REZONING APPLICATION \(ZON04-21\): 6216 WEST GLENDALE AVENUE](#)
16. [PROPOSED ANNEXATION NO. 158: 16551 WEST PEORIA AVENUE](#)

#### **BIDS AND CONTRACTS**

17. [AWARD OF CONTRACT – PUBLIC SAFETY TRAINING FACILITY, PHASE ONE AND EMERGENCY OPERATIONS CENTER](#)
18. [AWARD OF CONTRACT – 91<sup>ST</sup> AVENUE STREET IMPROVEMENTS](#)
19. [AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT TO PROVIDE FOR DESIGN OF YOUTH SPORTS FIELDS](#)
20. [PROFESSIONAL SERVICES AGREEMENT – 59<sup>TH</sup> AVENUE, DEER VALLEY TO PINNACLE PEAK ROADS](#)
21. [PROFESSIONAL SERVICES AGREEMENT – PARK AND RIDE LOT AT MARYLAND AVENUE AND LOOP 101 \(TO BE TABLED\)](#)

## **ORDINANCES**

22. [ANNEXATION ORDINANCE FOR ANNEXATION AREA NO. 156 \(AN-156\):  
6485 NORTH 99<sup>TH</sup> AVENUE](#)
23. [VICIOUS ANIMAL ORDINANCE REVISIONS](#)
24. [JUDICIAL ORDINANCE REVISIONS](#)
25. [DEVELOPMENT AGREEMENT WITH JOHN Q. HAMMONS HOTELS, INC.](#)

## **RESOLUTIONS**

26. [DEVELOPMENT AGREEMENT WITH CABELA'S](#)
27. [DEVELOPMENT AGREEMENT WITH ZANJERO](#)
28. [PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH LOOP 303  
PEORIA LLC](#)

## **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)).

**Confidentiality Requirements Pursuant to A.R.S. §38-431.03 (C)(D):** Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.

**CALL TO ORDER – PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE [MINUTES OF JULY 12, 2005](#)**

**PROCLAMATIONS AND AWARDS**

**[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*

**Citizen’s Advisory Commission on Neighborhoods**

Mike Nave	Vice Chair At-Large (Cholla)	Appointment	07/26/2005	07/26/2006
-----------	------------------------------------	-------------	------------	------------

**Historic Preservation Commission**

David Jarnigan	Vice Chair At-Large (Barrel)	Appointment	07/26/2005	07/26/2006
----------------	------------------------------------	-------------	------------	------------

**Industrial Development Authority**

John Catledge	At-Large (Cholla)	Appointment	07/26/2005	08/23/2010
---------------	----------------------	-------------	------------	------------

**Judicial Selection Advisory Board**

Karen L. Karr		Appointment	07/26/2005	04/23/2006
---------------	--	-------------	------------	------------

**Library Advisory Board**

JoAnn Lee	Mayoral (Cholla)	Appointment	07/26/2005	04/13/2006
-----------	---------------------	-------------	------------	------------

**Parks & Recreation Advisory Commission**

Stanley E. Long	Mayoral (Cholla)	Appointment	07/26/2005	04/09/2006
-----------------	---------------------	-------------	------------	------------

### **Personnel Board**

C. Douglas Ward	At-Large (Cholla)	Appointment 07/26/2005	12/23/2005
Albert L. Cordova	Chair At-Large (Cholla)	Appointment 07/26/2005	12/22/2005
Ronald H. Myers	Vice Chair (Mayoral) (Cholla)	Appointment 07/26/2005	12/22/2005

### **Planning Commission**

Rod Beal	Chair (Cholla)	Re-appointment 07/26/2005	09/14/2006
Henry Maynard	Vice Chair (Mayoral) (Cholla)	Appointment 09/14/2005	09/14/2006

### **Risk Management/Worker's Compensation Trust Fund Board**

Ray Shuey Finance Director		Appointment 07/26/2005	07/26/2008
-------------------------------	--	------------------------	------------

**Recommendation:** Make appointments to the Boards and Commissions and administer the Oaths of Office.

### **RECOGNITION OF COMMUNITY SERVICE FOR JOHN EDMONSON**

**Purpose:** This is a request to recognize the service of Mr. John Edmonson on the Glendale Citizens' Advisory Commission on Neighborhoods.

**Background:** The commission was established by the Mayor and Council in January of 1995. The purpose of this commission is to oversee the revitalization of Glendale's older neighborhoods and to make policy recommendations regarding neighborhood issues, to the Mayor and Council.

Mr. John Edmonson (Cactus District) served on the Commission from June 27, 2001 to June 27, 2005. He served as Vice-Chair (2003-2004) and Chair (2004-2005).

Mr. Edmonson donated four years of volunteer service to the citizens of Glendale. As a result of his dedication and hard work, Mr. Edmonson participated in the review and

recommendation of over \$1.8 million in neighborhood grant recommendations and assisted with enhancing the neighborhood grants process.

**Recommendation:** Present a plaque of recognition to Mr. John Edmonson for his contribution and dedication to serving the citizens of Glendale.

#### RECOGNITION OF COMMUNITY SERVICE FOR JOHN TURBRIDY

**Purpose:** This is a request to recognize Mr. John Turbridy for his five years of community service on Glendale's Community Development Advisory Committee (CDAC).

**Background:** The CDAC is a critical part of the city's federal grant process that administers the U.S. Department of Housing and Urban Development (HUD) programs. The purpose of the committee is to review funding requests and provide recommendations to the City Council that will revitalize neighborhoods, address urgent community needs, and provide economic opportunity for Glendale citizens. Since 1977, Glendale has received over \$40 million in Community Development Block Grant (CDBG) funds to assist thousands of homeowners and individuals with services that provide safe, decent housing, and improve their living conditions. Since 1992, the city has received approximately \$6.9 million in HOME Investment Partnerships (HOME) Program funds that are used specifically for housing related programs, such as housing rehabilitation and infill housing.

Mr. Turbridy (Cactus District) served on the CDAC from June 27, 2000 to July 1, 2005, and during that time also served as the committee chair from February 12, 2002 to April 1, 2005. As a result of his five-year tenure, Mr. Turbridy helped make recommendations that assisted with Habitat for Humanity, the Westside Food Bank, the Glendale Boys and Girls Club, and countless other non-profit organizations in Glendale. He is to be commended for his efforts.

**Recommendation:** Present a plaque of recognition to Mr. John Turbridy for his outstanding contributions and dedication to serving the citizens of Glendale.

#### DROWNING IMPACT AWARENESS MONTH PROCLAMATION

**Purpose:** This is a request for the City Council to proclaim the month of August 2005, as Drowning Impact Awareness Month on behalf of the Water Watchers at Phoenix Children's Hospital. Drowning Impact Awareness month will raise awareness that the number and impact of child drownings in Arizona affects everyone and that these incidents in Arizona take lives equivalent to a classroom of children each year. Raising awareness will increase understanding and education of effective ways to prevent drowning.

**Recommendation:** Present this Proclamation to the Glendale Fire Department and Shani O'Malley, whose family has been touched by a child drowning.

## 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. [FINAL PLAT APPLICATION FP05-02: BEACON HEIGHTS - 5245 WEST PEORIA AVENUE](#)

**Purpose:** This is a request for City Council to approve the final plat for Beacon Heights located at 5245 West Peoria Avenue.

**Council Policies Or Goals Addressed:** The proposed final plat is consistent with the General Plan, existing R1-4 PRD (Single Residence, Planned Residential Development) zoning district and the Residential Design and Development Manual. The proposed subdivision creates additional residential housing opportunities for the city.

**Background:** The site is located 300 feet south of the southeast corner of 53<sup>rd</sup> and Peoria avenues. The single-family subdivision contains 15 lots on 3.6 acres at a density of 4.14 dwelling units per acre. 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 three lots greater than 6,000 square feet. The minimum lot width is 45 feet and the minimum lot depth is 94 feet. The final plat meets the requirements of the Subdivision and Minor Land Division Ordinance.

**Previous Council/Staff Actions:** On March 8, 2005 Council approved the general plan amendment to MHDR (Medium-High Density Residential 5-8 dwelling units per acre) and R1-4 PRD zoning for this site.

**Recommendation:** Approve final plat application FP05-02.

2. [FINAL PLAT AMENDMENT FP05-03: AMENDED AND RESTATED PLAT FOR VILLAGE SERENO CONDOMINIUMS – 8622 NORTH 59<sup>TH</sup> AVENUE](#)

**Purpose:** This is a request for the City Council to amend the previously approved final plat for Village Sereno, located at 8622 North 59<sup>th</sup> Avenue.

**Council Policies Or Goals Addressed:** The proposed amended final plat is consistent with the General Plan and the existing R-4 (Multiple Residence) zoning district.

**Background:** This site is located at the southwest corner of 59<sup>th</sup> and Alice avenues. The plat consists of 96 condominium units on 7.84 gross acres. Floor plans range in size from 1,061 square feet to 1,400 square feet. This request meets the requirements of the Subdivision and Minor Land Division Ordinance.

This request will amend the approved final plat to clarify the existing plat of record in compliance with the Condominium Act. There is no change to the building or unit size, type, unit location or count, floor plans, exterior design, or any other substantive change.

**Previous Council/Staff Actions:** On September 16, 1999, the Planning Commission approved the Village Sereno preliminary plat. On September 12, 2000, the City Council approved the Village Sereno final plat.

**Recommendation:** Approve the amended final plat FP05-03.

3. [FINAL PLAT APPLICATION FP04-11: BOARDWALK PLACE – 8711 WEST GLENDALE AVENUE](#)

**Purpose:** This is a request for City Council to approve the final plat for Boardwalk Place located at 8711 West Glendale Avenue.

**Council Policies Or Goals Addressed:** The proposed final plat is consistent with the General Plan and the existing R1-7 PRD (Single Residence, Planned Residential Development) zoning district. The proposed subdivision provides additional single-family residential housing stock by developing a well planned subdivision on an infill parcel.

**Background:** The 18.9-acre site is located at the southwest corner of 87<sup>th</sup> and Glendale avenues. The applicant intends to build a single-family subdivision called Boardwalk Place. The proposed subdivision includes 58 single-family lots at a density of 3.05 dwelling units per acre. The minimum lot size is 7,044 square feet, the maximum lot size is 11,948, and the average lot size is 8,069 square 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:** On September 16, 2004, the Planning Commission approved the preliminary plat for this subdivision. 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 FP04-11.

4. [AUTHORIZATION FOR ON-CALL PROFESSIONAL SERVICES AGREEMENTS FOR INTELLIGENT TRANSPORTATION SYSTEMS PROJECTS](#)

**Purpose:** This is a request for the City Council to authorize the extension of on-call professional services agreements with ITS Engineers and Constructors, Kimley-Horn and

Associates, and Lee Engineering to perform program management, design, and construction administration services for intelligent transportation systems (ITS) projects for up to two additional one-year periods.

**Council Policies Or Goals Addressed:** Projects completed using the on-call consultants will help the city in meeting the Council strategic priorities of leveraging technology for efficiency and convenience, managing growth and preserving neighborhoods, and enhancing the quality of life for Glendale residents.

**Background:** ITS Engineers and Constructors, Kimley-Horn and Associates, and Lee Engineering were selected in August 2003 to provide administrative on-call services for ITS projects for an initial two-year term, with the option to extend for two additional one-year periods. The initial two-year period will expire in August 2005. Over the past two years, the Transportation Department has successfully completed four study, two design, and two construction projects using the on-call consultants. Three additional projects are underway and scheduled to be completed by the summer of 2006. Based on this positive experience working with the ITS on-call consultants, the Transportation Department will exercise the first year extension option for all three consulting firms.

Projects considered for on-call services for the next two years include but are not limited to design of the Sports Facilities ITS Phase 1, Sports Facilities Message Signs, North Area Fiber, and Glendale Avenue Closed Circuit Television Cameras (CCTV). Construction administration services will also be secured for these projects using on-call consultants.

**Community Benefit:** Installing intelligent transportation system technology along congested corridors throughout the city and surrounding the sports facilities, and incorporating the traffic signals into the central intelligent transportation system will allow for effective management of traffic and improved efficiency for the traveling public. ITS projects will provide the foundation for facilitating event traffic, enabling the city to provide a positive experience for residents and visitors traveling to and from the arena and stadium as well as local traffic.

**Budget Impacts & Costs:** The total on-call contracts will not exceed \$600,000 each fiscal year and this authorization will expire August 2007. Funds for the on-call contracts are available in the capital improvement program FY 2005-06 and FY 2006-07 in the GO! Transportation Program Smart Traffic Signals, Signal Computerization, and Glendale Sports Facilities accounts. Additionally, general fund Traffic Signal Computerization and Signal Computerization funds are available for on-call contracts.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	\$600,000		X		\$600,000

<b><u>Account Name, Fund, Account and Line Item Number:</u></b> Smart Traffic Signals 33-9445-8330 Signal Computerization 33-9485-8330
--

Glendale Sports Facilities – Message Signs 33-9500-8330 Traffic Signal Computerization 61-9546-8330 Signal Computerization 31-8042-8330
---

**Recommendation:** Authorize the City Manager to execute all documents necessary to extend on-call professional services agreements with ITS Engineers and Constructors, Kimley-Horn and Associates, and Lee Engineering for intelligent transportation systems (ITS) projects in an amount not to exceed \$600,000 per fiscal year.

5. [RADIO SERVICE AGREEMENT](#)

**Purpose:** This is a request for the City Council to approve the renewal of a radio service agreement with Motorola Incorporated for monitoring, response and restoration of the city’s voice radio system. This service agreement, upon approval, will be retroactive to July 1, 2005.

**Council Policies Or Goals Addressed:** This meets the Council goal of ensuring public safety and awareness.

**Background:** The City of Glendale and Motorola Incorporated have maintained service agreements on the city’s voice radio system for several years. This is the first full one-year service agreement necessary since the new radio system was purchased. The previous agreement covered only a six-month period between expiration of factory warranty and the end of fiscal year 2004/05.

This service agreement helps to ensure the dependability of the Police Department’s existing voice radio network, thereby ensuring police officers and the communications center are in constant communication and emergency calls can be immediately dispatched.

**Budget Impacts & Costs:**

The agreement with Motorola Incorporated will provide uninterrupted service and support to the radio network. The length of this contract will be one-year and will expire on June 30, 2006. This system is utilized by the Police Department, Utilities, Sanitation, Landfill and Transportation, and funding is contributed from each department based upon each department’s number of users.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$156,690.72

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

General Fund, 01-3250-7420, \$127,703.72  
Utilities Fund, 50-6410-7420, \$11,908  
Sanitation Fund, 57-6272-7420, \$10,185  
Landfill Fund, 55-6235-7420, \$1,567  
Transportation Fund, 25-6353-7420, \$5,327

**Recommendation:** Authorize the City Manager to renew the radio service agreement with Motorola Incorporated in the amount of \$156,690.72.

6. [PURCHASE OF THIRD AMBULANCE](#)

**Purpose:** This is a request for the City Council to approve the purchase of a third ambulance from Canyon State Emergency Products, Inc. in the amount of \$121,590.

**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 Glendale Fire Department has adopted National Fire Protection Association Standard 1710 (four minute travel time) as the City's response time measurement. The addition of the first peak-time, part-time unit has improved the Fire Department's reliability in all areas of the city.

**Previous Council/Staff Actions:** On December 14, 2004, Council approved the bid award for the purchase of two ambulances to Canyon State Emergency Products, Inc. to be used for training new paramedics and for added coverage at sports venues and large city events.

**Community Benefit:** The community will benefit from the addition of a third ambulance. In addition to providing valuable field training experience to paramedic students, this ambulance will be utilized to supplement emergency response coverage during peak activity times or large-scale emergencies.

**Budget Impacts & Costs:** The one-time cost associated with this purchase and the purchase of equipment for this vehicle is contained within the Fire Medical Services and Health Division budget 01-3350-8400. The ongoing vehicle replacement charges and vehicle maintenance and fuel costs are included in the Fire Department's base budget (01-3350). The purchase agreement that was approved by Council on December 12, 2004 will be used to purchase the third ambulance.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X	X	X		\$121,590

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

Fire Medical Services and Health, 01-3350-8400

**Recommendation:** Approve the purchase of a third ambulance from Canyon State Emergency Products, Inc. in the amount of \$121,590.

7. [PROFESSIONAL SERVICES AGREEMENT - BRIDGE AT 57<sup>th</sup> AVENUE AND SKUNK CREEK](#)

**Purpose:** This is a request for the City Council to approve a professional services agreement with the firm of Michael Baker Jr., Inc. for the engineering design of a new bridge structure at 57th Avenue and Skunk Creek.

**Council Policies Or Goals Addressed:** his bridge project is part of the Glendale Onboard Transportation Program and is consistent with the Council goals of creating transportation options and enhancing the quality of life for Glendale residents.

**Background:** In November 2001, Glendale voters approved new sales tax funding to complete transportation projects throughout the city. This project will replace the existing low-flow culvert structure crossing with a new 330-foot long bridge. The bridge will feature one lane in each direction, a continuous left turn lane, sidewalk and bike lane. The project also includes improvement and construction of a multi-use path beneath the new bridge, new streetlights, landscaping and irrigation.

**Community Benefit:** Construction of the new bridge at 57<sup>th</sup> Avenue and Skunk Creek will provide residents of Glendale better access across Skunk Creek, with a multi-use recreational path as well as greater safety, improved traffic flow, and many aesthetic enhancements.

**Public Input:** This project was presented in six public meetings held as part of the Glendale Onboard Transportation Program. An informative public meeting is planned for the citizens in the project area.

**Budget Impacts & Costs:** Funds are available in Intersection Improvement, Account No. 33-9448-8300 (\$134,051) and 57th\Skunk Creek Bridge, Account No, 33-9477-8330 (\$228,000).

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$362,051

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

Intersection Improvement, Account No. 33-9448-8300 (\$134,051)  
57<sup>th</sup> / Skunk Creek Bridge, Account No. 33-9477-8330 (\$228,000)

**Recommendation:** Approve the professional services agreement with Michael Baker Jr., Inc. in the amount \$362,051.

8. [AWARD OF CONTRACT - BONSALL PARK SOUTH IMPROVEMENTS](#)

**Purpose:** This is a request for the City Council to award a contract to Recon, Inc., for the planned improvements at Bonsall Park South, at 5840 West Bethany Home Road.

**Council Policies Or Goals Addressed:** These contract improvements for Bonsall Park South are consistent with the Council adopted Parks and Recreation Master Plan.

**Background:** Recent improvements at Bonsall Park South have included the Kaboom Playground and re-lining of the lake. This contract is for the installation of ornamental iron fencing at those places where the sidewalk is adjacent to the water's edge, and a paved seating and fishing area to be built on the east side of the lake.

On May 12, 2005, three bids were received and opened. Upon review of the bids by the project design consultant, the low bid submitted by Sunburst Landscaping, Inc. was determined to be non-responsive due to an unapproved change on the bid schedule. Staff is recommending award of the contract to the second lowest bidder, Recon, Inc., in the amount of \$124,660.

**Public Input:** These improvements are consistent with the Parks and Recreation Master Plan, which was developed utilizing extensive public input.

**Budget Impacts & Costs:** In order to facilitate the construction of this project, funds in the amount of \$17,017 need to be transferred from Park Redevelopment, Account No. 36-8026-8300 to Bonsall Lake Expansion, Account No. 80-9008-8300.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$124,660

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

Bonsall Lake Improvements, Account No. 80-9008-8300

**Recommendation:** Authorize the transfer of funds in the amount of \$17,017 from Account No. 36-8026-8300 to Account No. 80-9008-8300 and award the construction contract to Recon, Inc. in the amount of \$124,660.

9. [USE AGREEMENT WITH THE FIESTA BOWL](#)

**Purpose:** This is a request for the City Council to approve an exclusive use agreement with the Fiesta Bowl for the use of two square acres of land at the southeastern-most

portion of property located at the northwest corner of the intersection of Bethany Home Road and 91<sup>st</sup> Avenue (Pendergast site), which has been leased by the City of Glendale.

**Council Policies Or Goals Addressed:** Entering into a use agreement with the Fiesta Bowl will enhance the quality of life for Glendale residents and provide new economic opportunities for the city. The media and marketing aspect of the agreement will promote a positive image of Glendale to residents and promote tourism.

**Background:** The use agreement between the City of Glendale and the Fiesta Bowl is for ten years and commits their organization to a payment in the amount of \$500,000 to the City of Glendale for the use and development of the Pendergast site. The Pendergast site will be developed into youth and amateur sports fields. The Fiesta Bowl will also use the location for future development interests as well as a location for hospitality events during game week and as a staging area for Fiesta Bowl and National Championship Game related events.

**Previous Council/Staff Actions:** On October 12, 2004 the City Council approved a 30-year land lease with the Pendergast family to develop a 13.64-acre site, located at the northwest corner of the intersection of Bethany Home Road and 91<sup>st</sup> Avenue, as turf parking and youth/amateur sports fields.

**Community Benefit:** The use agreement will help develop a unique sport and special event amenity in Glendale. The partnership with the Fiesta Bowl will enhance the entertainment and sports district and will help facilitate and attract a number of new events and activities to the area and expose Glendale to a national audience

**Budget Impacts & Costs:** The Fiesta Bowl will pay the City of Glendale \$500,000 for the exclusive use and development of the Pendergast site. These funds will be deposited into account no. 01-8217, Park and Feature Fields.

**Recommendation:** Authorize the City Manager to enter into a use agreement with the Fiesta Bowl for the use of two square acres of land at the southeastern-most portion of property located at the northwest corner of the intersection of Bethany Home Road and 91<sup>st</sup> Avenue (Pendergast site).

## CONSENT RESOLUTIONS

### 10. [INTERGOVERNMENTAL AGREEMENT FOR THE DEVELOPMENT OF AMATEUR SPORTS YOUTH FIELDS AND TURF PARKING](#)

**Purpose:** This is a request for the City Council to adopt a resolution authorizing the entering into of an AZSTA Intergovernmental Agreement (IGA) between the City of Glendale and the Arizona Sports and Tourism Authority for turf parking and the development of a city youth amateur sports and recreational facility to be located at the northwest corner of the Bethany Home Road alignment and 91<sup>st</sup> Avenue.

**Council Policies Or Goals Addressed:** Entering into the IGA with the AZSTA for recreational purposes and to provide for overflow turf parking spaces adjacent to the Arizona Cardinals and AZSTA facility will enhance the quality of life for Glendale youth, provide economic opportunities for the city and fulfill the city's obligation to meet the turf parking requirement needed for Cardinals football games.

**Background:** The city and the AZSTA have agreed to develop and construct a youth and amateur sports and recreational facility that is adjacent to the AZSTA Multi-Purpose Stadium to be used for community youth and amateur sports and recreation activities when not being used for overflow turf parking spaces during events at the facility.

**Previous Council/Staff Actions:**

On September 28, 2004, City Council adopted a resolution approving the Memorandum of Agreement with the Arizona Cardinals and the AZSTA outlining the need for overflow turf parking adjacent to their site.

On October 12, 2004, City Council approved a 30-year land lease with the Pendergast family to develop the 13.64 - acre site as turf parking; youth sport fields, and a feature field/stadium.

**Community Benefit:** The benefits to the city include increased sales tax revenues from special events provided on the property, overflow turf parking spaces located adjacent to the AZSTA Facility, increase in park inventory, and enhanced youth sport opportunities.

**Budget Impacts & Costs:** The AZSTA and its board have determined that they will provide partial funding of the project up to \$1 million in contributions toward the development of the sport fields. AZSTA will contribute \$750,000 within 30 days of execution of the IGA, with the additional \$250,000 after completion of the project. This revenue will be deposited to account no. 01-8217, Park and Feature Fields.

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the entering into of an IGA with the AZSTA to provide funding for the development of the youth sport fields.

## 11. [PURCHASE OF LAND FROM COYOTES CENTER DEVELOPMENT](#)

**Purpose:** This is a request for the City Council to purchase land from Coyotes Center Development (CCD) to be used in the development of the Renaissance Hotel, conference and media center, cable studio and parking structure at Westgate.

**Council Policies Or Goals Addressed:** This project will enhance the quality of life for Glendale residents while promoting economic development at Westgate. The development of a parking structure will serve the hotel and conference center as well as the arena and will promote a positive image of Glendale to residents and tourists.

**Background:** CCD will convey Westgate Plat Lot 16 to the City of Glendale and will waive CCD's right under the Mixed-Use Agreement to convert Lot 10 to part of the Entertainment Project. In exchange for Lot 16, the City of Glendale will allow Coyotes Center Development a three-year temporary parking waiver. The city will also be paying \$100,000 to CCD from the proceeds of the sale of a portion of Westgate Plat Lots 9 and 10 to John Q. Hammons Hotels, Inc. CCD will also be dedicating Coyotes Boulevard to the city for a public street.

The hotel, conference and media center, cable studio and parking structure will be located on Westgate Plat Lots 9, 10, and 16 and will be located immediately west of the arena. The development will be bounded on the west by 95<sup>th</sup> Avenue and to the north by Coyote Boulevard and will face Glendale Avenue.

**Community Benefit:** The Renaissance Hotel, convention and media center, cable studio and the parking structure will enhance the current business environment and provide needed parking for the project.

**Budget Impacts & Costs:** The Coyotes Center Development will convey Westgate Plat Lot 16 to the City of Glendale in exchange for a temporary parking waiver. The city will pay CCD \$100,000 from the proceeds of the sale of a portion of Westgate Plat Lots 9 and 10 to John Q. Hammons Hotels, Inc.

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the entering into of a purchase agreement with Coyotes Center Development for Westgate Plat Lot 16 to be used in the development of the Renaissance Hotel, conference and media center, cable studio and parking structure.

## 12. [GILA RIVER GENERAL STREAM ADJUDICATION LEGAL REPRESENTATION](#)

**Purpose:** This is a request for the City Council to authorize the entering into of the Sixteenth Intergovernmental Agreement (IGA) and Contract for Legal Services with the cities of Chandler, Mesa and Scottsdale to jointly engage outside counsel to represent their common interest in Gila River General Stream Adjudication.

**Background:** On January 6, 1992, the five cities of Glendale, Mesa, Chandler, Scottsdale and Tempe entered into an IGA for legal representation in the Gila River General Stream Adjudication; Tempe subsequently withdrew from the agreement. The cities of Glendale, Chandler, Mesa and Scottsdale entered into subsequent IGAs on an annual basis to retain such legal representation. Specific emphasis will be placed on the issues currently on appeal before the Arizona Supreme Court and generally involve the extent to which groundwater will be subject to adjudication, the standards to be applied in determining federal reserved water rights (Indian claims) and how conflicting rights will be resolved. At stake in this lengthy litigation is approximately one-third of the city's water rights.

**Previous Council/Staff Actions:** he cities most recently entered into a Fifteenth Intergovernmental Agreement effective September 12, 2003 to retain such legal representation. These same cities now wish to extend the term of the Contract for Legal Services for an additional time-period and enter into a new contract to supersede the contract for legal services effective September 12, 2003.

**Community Benefit:** The Gila River General Stream Adjudication is an extremely important legal case that will adjudicate the surface water rights of the city in the Gila River watershed.

**Budget Impacts & Costs:** The cities, through a competitive proposal process, hired William H. Anger of the law firm of Engelman Berger, P.C. to provide the legal representation. The cost of legal services for the sixteenth year will not exceed \$120,000 with expert services not to exceed \$20,000. These costs will be shared by the participating cities. Glendale’s share of legal services for the sixteenth year will not exceed \$30,000 with expert services not to exceed \$5,000. Glendale’s total share for the sixteenth year will not exceed \$35,000.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$35,000

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

Utilities Administration, 50-6410-7330

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the entering into of the Sixteenth Intergovernmental Agreement and Contract for Legal Services with the cities of Chandler, Mesa and Scottsdale relating to the joint legal representation in the Gila River General Stream Adjudication.

13. [NATIONAL INCIDENT MANAGEMENT SYSTEM \(NIMS\) ADOPTION](#)

**Purpose:** This is a request for the City Council to formally adopt a resolution supporting the National Incident Management System (NIMS), as the standard for the incident (emergency) management structure within the city.

**Background:** Homeland Security Presidential Directive (HSPD) 5 requires formal adoption of the NIMS system, in writing, in order to sustain the city’s continued eligibility for homeland security grant funding. The State of Arizona has already formally adopted NIMS as Arizona’s approach to incident management through executive order 2005-08. Without this resolution, Glendale will be ineligible to receive homeland security funds as early as Oct 1, 2006.

**Community Benefit:** This adoption will align Glendale’s homeland security and emergency management efforts with the National Response Plan and outline a strategic path for all city departments to understand their roles during emergencies and provide for

greater collaboration and cooperation between departments during emergency planning, response and recovery operations. The overall effect will be a more coordinated provision of service to Glendale's citizens during emergencies.

**Budget Impacts & Costs:** The Homeland Security Division is working on a comprehensive citywide approach for planning, training and implementing this new emergency management system to meet the federal guidelines. Currently, the costs for training and initial implementation are being absorbed by existing departmental budgets. A comprehensive business plan for the new Homeland Security division is being developed and will include a detailed analysis of resources that may be needed in the future. Staff will bring this plan forward during the budget process for Council consideration. Some of the additional costs have the potential to be offset by continued homeland security grant funding.

**Recommendation:** Waive reading beyond the title and adopt a resolution adopting the National Incident Management System (NIMS) as the city's approach to incident management.

#### 14. ACCEPTANCE OF RESIDENT OPPORTUNITIES FOR SELF-SUFFICIENCY (ROSS) GRANT

**Purpose:** This is a request for the City Council to accept \$250,000 from the U.S. Department of Housing and Urban Development (HUD) for the continuation of its Public Housing Resident Opportunities for Self-Sufficiency (ROSS) Grant. If approved, these funds will be used to continue the Public Housing ROSS Grant program for three more years.

**Council Policies Or Goals Addressed:** One of the Council goals is to enhance the quality of life for Glendale residents. Acceptance of this grant will continue to provide residents of Glendale's public housing rental communities with educational and job training opportunities that support self-sufficiency and independence from assistance programs.

**Background:** In January 2002, Glendale Community Housing was awarded \$250,000 for a 36-month ROSS Grant. After a competitive process, WYSR Academy, Inc., was chosen to develop and operate the program onsite. The ROSS grant was designed to encourage self-sufficiency among public housing residents by offering onsite courses and workshops. During the 36-month grant period, 51 percent of public housing residents have participated in the program. In addition to creating new employment opportunities for residents of public housing, the program has also successfully partnered with organizations such as Glendale Elementary School District, Gateway Community College, University of Arizona Cooperative Extension I, and Glendale Human Services Council.

Based on the success of this program over the past three years, Glendale Community Housing submitted a \$250,000 HUD grant request to continue the program for an

additional 36-months. The division was notified this April that its ROSS program would once again be funded.

**Previous Council/Staff Actions:** On January 8, 2002, City Council voted to approve a \$250,000 ROSS Grant. This grant provided a funding source for the development of a self-sufficiency program for residents of public housing. This grant expired in March 2005. As the program has been very successful during its first 36 months, the Community Housing Division applied for funds to continue the same program with the current vendor, who has developed a rapport and trust with the residents of Glendale Community Housing.

**Community Benefit:** The acceptance of this new ROSS grant will allow Community Housing to continue its self-sufficiency program for public housing residents. The program offers workshops and onsite courses such as job training, life skills management, communication skills, GED preparation, education and career planning, college-level courses, on the job training, open-entry/open exit computer classes, interview skills developed through mock job fairs, community leadership training, and family finance and budgeting.

**Public Input:** The grant proposal was reviewed by the Housing Advisory Commission in October 2004 and received its full support. A notice was posted and delivered to all rental community households requesting comments on the submission of the grant continuation. The Glendale Community Housing Division has received endorsements from residents who have been enrolled in the program and have successfully become employed. Community partners have continued to remain active in the program and support it through monetary and in-kind contributions.

**Budget Impacts & Costs:** The federally funded public housing ROSS Grant requires the Community Housing Division to secure community resources that can be combined with the federal funds to achieve program goals. The match can be cash or in-kind. The Community Housing Division has met these requirements through support of its partners and no additional matching funds are required.

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

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

**Community Housing 19-4424-7331**

**Recommendation:** Waive reading beyond the title and adopt a resolution accepting the \$250,000 Public Housing Resident Opportunities for Self-Sufficiency grant to be used to provide a self-sufficiency program for the public housing residents and to extend the contract with the current vendor, WYSR Academy, Inc.

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

### **15. REZONING APPLICATION (ZON04-21): 6216 WEST GLENDALE AVENUE**

**Purpose:** This is a request for the City Council to conduct a public hearing and approve the Planning Commission initiated request to rezone the Glendale High School site, from R-3 (Multiple Residence) to R1-6 (Single Residence), located at 6216 West Glendale Avenue.

**Council Policies Or Goals Addressed:** The rezoning request is consistent with the City Center Master Plan and the General Plan.

**Background:** The property is currently developed with Glendale High School. No change is proposed to the school property. The request is to rezone from R-3 (Multiple Residence) to R1-6 (Single Residence). The requested rezoning would reduce the intensity of use for the property should redevelopment occur in the future and would provide a zoning district that is similar in character to the existing residential neighborhood located to the east. The property is located within the redevelopment area of the City Center Master Plan (CCMP). The site is designated as public/semi-public in the CCMP.

**Previous Council/Staff Actions:** On May 19, 2005, the Planning Commission recommended approval of the rezoning application.

**Community Benefit:** The rezoning will reduce the intensity of use for the properties should redevelopment occur in the future and would provide a zoning district that is similar in character to the existing residential neighborhood located to the east.

**Public Input:** On February 25, 2005, notification letters were sent to 135 property owners within 300 feet of the site as well as to other interested parties. No written responses were received from the mailing. There were four telephone calls. The callers requested clarification of the rezoning request and wanted to verify that the school was not going to close. There was no opposition expressed by the callers during staff's discussion with them.

**Recommendation:** Conduct a public hearing and approve Rezoning Application ZON04-21.

### **16. PROPOSED ANNEXATION NO. 158: 16551 WEST PEORIA AVENUE**

**Purpose:** This is a request for the City Council to conduct a public hearing on the blank annexation petition for Annexation Area No. 158, located at the southwest corner of Loop 303 and Peoria Avenue, as required by state statute.

**Council Policies Or Goals Addressed:** The city's General Plan includes specific goals addressing the need for growth management. These goals include promotion of sound

growth management methods and managing growth to achieve reasonable, responsible urban development. Annexation is a tool that can be used by the city to direct and manage growth.

**Background:** The 105-acre site is located at the southeast corner of Loop 303 and Peoria Avenue and abuts the Glendale strip annexation boundary along Peoria Avenue. This is the first Loop 303 location to request annexation into Glendale.

The property owners of this parcel are requesting annexation. The property is currently zoned Maricopa County C-2 (Commercial) and IND-1 (Industrial). These zoning designations would convert to Glendale PAD allowing for commercial and mixed use development.

The private water and sewer companies within the area will provide utilities for this development. The city will be responsible for providing police, fire and emergency response services as well as sanitation services when development of this site occurs.

The blank annexation petition was recorded on July 5, 2005. This public hearing is being conducted during the last ten days of the 30-day waiting period required by state statute. Recording the blank petition is the first formal step taken in the annexation process. The next step is to hold a public hearing. All property owners within the area to be annexed have been notified by first class mail. The proposed annexation area has been posted in at least three conspicuous places and the public hearing has been advertised in the Glendale Star.

Once the public hearing has been conducted and the 30-day waiting period expires on August 4, 2005, signatures may be gathered. If a sufficient number of signatures in favor of annexation are obtained and these signatures represent the required amount of valuation, then the City Council will be asked to consider the adoption of an annexation ordinance.

**Community Benefit:** The annexation of this 105-acre area would require that any future development of this area meet the Glendale General Plan requirements as well as all other Glendale development standards.

**Recommendation:** Conduct a public hearing on the blank annexation petition for Annexation Area No. 158 as required by state statute.

## **BIDS AND CONTRACTS**

### 17. [AWARD OF CONTRACT - PUBLIC SAFETY TRAINING FACILITY, PHASE ONE AND EMERGENCY OPERATIONS CENTER](#)

**Purpose:** This is a request for City Council approval of the initial Guaranteed Maximum Price (GMP) construction contract with D.L. Withers Construction, LC, for the Public Safety Training Facility, Phase One and Emergency Operations Center (EOC). This GMP

is for the construction of a flood control levee to remove the site from the flood plain, site grading and building pad preparation for the facilities.

**Council Policies Or Goals Addressed:** The Public Safety Training Facility and EOC will provide a new resource for the training of fire and police personnel and centralized control of emergency operations in the city. The ability to meet the future demands for trained public safety personnel and improve command and control of emergency operations will help ensure the public's safety.

**Background:** In order to meet future training demands, a training facility is needed in the West Valley area. In July 2004, the city awarded a contract to Lawrence Enyart Architects to develop a Public Safety Training Facility master plan. The master plan was completed in January 2005.

The first construction phase of the facility will include a flood control earthen levee, a 30,000 square foot administration and classroom building, training buildings, fire training props, a police firing range, driver training track, an Emergency Operations Center and associate parking and landscape areas. Staff was requested to have the first construction phase completed by January 2007. In order to accommodate the schedule, a multi-phased construction process is required. This first phase of the construction process will be to construct the levee and prepare site grading for the administration, classroom building, and EOC. While the contractor is working on the first construction phase, the architect will continue working on the other design components. The design plans will be completed and permitted as the schedule allows. It is currently anticipated that the request for the award of the second GMP contract will be in late November 2005.

**Previous Council/Staff Actions:** On July 27, 2004, Council approved a contract with Lawrence Enyart Architects (LEA) to develop the Public Safety Training Facility Master Plan, which was completed in January 2005. The project was presented at Council budget workshops on April 5 and 19, 2005, and approved as part of the Fiscal Year 2005-06 budget. On June 28, 2005, Council awarded a professional services contract to Lawrence Enyart Architects for design and construction administration services, and a Construction Manager at Risk pre-construction services contract to D.L. Withers Construction, LC, for design support services.

**Community Benefit:** The facility will provide the Glendale Fire and Police Departments the ability to train public safety employees to meet future needs. The training of firefighters and police officers will enhance the safety of the community by providing additional training programs to already over scheduled regional training facilities. The EOC will provide the leadership of the city the ability to efficiently and effectively manage multiple agency response to emergencies and major events.

**Public Input:** The Public Safety Training Facility Master Plan was presented to several West Valley community public officials on February 7, 2005.

**Budget Impacts & Costs:** Engineering Department staff negotiated a fee to cover the first phase construction cost in the amount of \$7,596,339. The final cost will be established once the design is complete and the remaining components bid. Funds are available in EOC/Training Facility Phase I, Account No. 60-9421-8300.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
	X		X		\$7,596,339

<p><b><u>Account Name, Fund, Account and Line Item Number:</u></b> EOC/Training Facility Phase I, Account No. 60-9421-8300</p>
--

**Recommendation:** Award the construction contract to D.L. Withers Construction, LC, in the amount of \$7,596,339.

18. [AWARD OF CONTRACT – 91<sup>ST</sup> AVENUE STREET IMPROVEMENTS](#)

**Purpose:** This is a request for the City Council to approve a Guaranteed Maximum Price (GMP) construction contract with Hunter Contracting Co., for the construction of street improvements on 91<sup>st</sup> Avenue between Maryland and Missouri avenues. Construction also includes a 12-inch effluent line in 91<sup>st</sup> Avenue between Glendale Avenue and Bethany Home Road.

**Council Policies Or Goals Addressed:** This project is consistent with the Council goals of ensuring public safety, managing growth, and creating transportation options.

**Background:** Construction of the Arizona Sports and Tourism Authority (AZSTA) multi-purpose stadium and the Glendale Arena has created a need for increased transportation capacity on 91<sup>st</sup> Avenue and Bethany Home Road. Agreements with the Cardinals require the transportation improvements to be completed prior to opening of the stadium scheduled for August 2006. To meet the schedule, the contractor will construct the project in phases as the design is completed and rights-of-way acquired. This project will increase the number of travel lanes and turn lanes on 91<sup>st</sup> Avenue to handle the increased traffic needs. The construction of Bethany Home Road between 91<sup>st</sup> Avenue and the Loop 101 and widening of the 91<sup>st</sup> Avenue bridge over the Grand Canal will be done in a future phase that will be coordinated closely with the 91<sup>st</sup> Avenue improvements.

**Previous Council/Staff Actions:** On November 23, 2004, Council approved a professional services agreement with Wood Patel & Associates to design the street improvements on 91<sup>st</sup> Avenue. In the spring of 2005, staff requested proposals from contractors for the construction manager at risk for this project. After staff and an outside contractor reviewed the proposals and conducted interviews, Hunter Contracting Co. was selected for construction of the 91<sup>st</sup> Avenue and Bethany Home Road improvements.

**Community Benefit:** The improvements to 91<sup>st</sup> Avenue will enhance traffic flow during event traffic from the AZSTA multi-purpose stadium and the Glendale arena. The improvements will also provide additional capacity during normal traffic conditions.

**Public Input:** A public meeting was held on June 8, 2005 to introduce the public to the project and receive their input.

**Budget Impacts & Costs:** Funds are available in Stadium Waterline, Account No. 83-9292-8300 (\$527,257) and 91<sup>st</sup> Ave Widening – Camelback, Account No. 61-9257-8300 (\$1,926,053).

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$2,453,310.96

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

Stadium Waterline, Account No. 83-9292-8300 (\$527,257)  
 91<sup>st</sup> Ave., Widening - Camelback, Account No. 61-9257-8300 (\$1,926,053)

**Recommendation:** Award the GMP construction contract to Hunter Contracting Co. in the amount of \$2,453,310.96

19. [AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT TO PROVIDE FOR DESIGN OF YOUTH SPORTS FIELDS](#)

**Purpose:** This is a request for the City Council to approve contract amendment number one to the professional services agreement with Wood Patel & Associates Inc. The purpose of the amendment is to provide additional design and construction administration services for youth soccer and football fields, restrooms, and concession facilities to be constructed on a 14-acre parcel of land located on the northwest corner of 91<sup>st</sup> Avenue and the Grand Canal. These improvements are to be constructed in conjunction with the infrastructure improvements to 91<sup>st</sup> Avenue.

**Council Policies Or Goals Addressed:** This project meets the Council goals of promoting economic development and improving youth development opportunities.

**Background:** Based on current contractual commitments the city is obligated to provide overflow parking spaces for the Cardinals within one mile of the stadium. The Pendergast site has been identified as a turf overflow parking location and will also be used as youth sports fields.

The development of youth sports fields at this site will provide a premier location where youth sports can be showcased in Glendale. This site and the development of the sports fields will enable the city to enter into long-term partnerships with youth sports associations.

Wood Patel & Associates was hired by the city to prepare the construction drawings for the widening of 91<sup>st</sup> Avenue adjacent to this site. To meet the city's obligations as stated above, it was most efficient for the site preparation and offsite work to be prepared by the same consultant. Wood Patel & Associates was asked to provide the city with their qualifications for doing this type of work along with any sub-consultants they would be using. After review of these qualifications, staff felt it was in the city's best interest to amend Wood Patel's street contract to include the design of the overflow parking and the youth sports field.

**Previous Council/Staff Actions:** On November 23, 2004, Council approved a professional services agreement with Wood Patel & Associates to design the street improvements on 91<sup>st</sup> Avenue.

**Community Benefit:** these fields will enhance family recreation experiences, an essential component of Glendale's sports and entertainment district. This site provides excellent opportunities for youth organizations to interact with the professional athletes and sports organizations nearby.

**Public Input:** A public meeting was held on June 8, 2005, to introduce the public to the project and receive their input.

**Budget Impacts & Costs:** Funds for this amendment are available in the Park and Feature Fields, Account No. 01-8217-8330.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$596,140

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

Park and Feature Fields, Account No. 01-8217-8330

**Recommendation:** Approve amendment number one to the professional services agreement with Wood Patel & Associates Inc. in the amount of \$596,140.

20. [PROFESSIONAL SERVICES AGREEMENT – 59<sup>TH</sup> AVENUE, DEER VALLEY TO PINNACLE PEAK ROADS](#)

**Purpose:** This is a request for the City Council to approve a professional services agreement with Stantec Consulting, Inc. to provide design, contract documents and construction administration for the improvements to 59<sup>th</sup> Avenue between Deer Valley and Pinnacle Peak Roads. The services to be provided under this contract are based on the design of Alternative E, as proposed by the citizens group.

**Council Policies Or Goals Addressed:** This project meets the Council's strategic priorities to ensure public safety for the citizens of Glendale and creating transportation options.

**Background:** 59<sup>th</sup> Avenue is an arterial street that passes through the Thunderbird Conservation Park and connects large population centers in both Glendale and Phoenix. The original road was constructed as a gravel road through the park and has been improved over the years by adding pavement but the roads curves have not been upgraded to meet current design criteria. Increased traffic and traffic speeds have resulted in 26-recorded accidents over the past four years. Stantec was contracted to evaluate the safety of this segment of roadway and make recommendations for improvements.

**Previous Council/Staff Actions:** On February 10, 2004, Council awarded a contract to Stantec for preparation of a design concept report (DCR) for the proposed street improvements. The consultant prepared the DCR with five alternate configurations of the roadway.

On May 17, 2005, staff presented the draft DCR to Council at a Workshop session. Council directed staff to proceed with the design of Alternative E, as proposed by the citizens group.

**Community Benefit:** The improvements to 59<sup>th</sup> Avenue will be coordinated with the Thunderbird Park Master Plan to provide street improvements that address current design deficiencies as well as meet the needs of the park master plan.

**Public Input:** Five public meetings were held during the preparation of the DCR. The consultant and the city received comments sheets from each of the meetings. A web site was also created that showed the alternates as they were developed and provided answers to frequently asked questions from comments received both from the meetings and from the web site itself.

**Budget Impacts & Costs:** Funds for the design and construction administration are available in the FY 2005/06 Capital Improvement Budget in 59<sup>th</sup> Ave-Melinda to Pinnacle Pk., Account No. 94-9566-8330

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$694,292

<p><b><u>Account Name, Fund, Account and Line Item Number:</u></b> 59<sup>th</sup> Ave-Melinda to Pinnacle Pk., Account No. 94-9566-8330</p>
--

**Recommendation:** Approve the professional services agreement with Stantec Consulting, Inc. in the amount of \$694,292.

21. [PROFESSIONAL SERVICES AGREEMENT - PARK AND RIDE LOT AT MARYLAND AVENUE AND LOOP 101 \(TO BE TABLED\)](#)

**Purpose:** This is a request to table review of this item to a future City Council evening meeting in the fall of 2005.

**Council Policies Or Goals Addressed:** This project is consistent with the Council goals of creating transportation options and enhancing the quality of life for Glendale residents.

**Background:** In November 2001, Glendale voters approved new sales tax funding to complete transportation projects throughout the city. One of these projects was the park and ride lot at Maryland Avenue and the Loop 101.

The park and ride facility will include bus bays, platform(s), passenger shelters, lighted canopies, site lighting, landscaping and irrigation, and security building\comfort room.

**Community Benefit:** Construction of the Park and Ride facility at Maryland Avenue and Loop 101 will provide public transportation access to and from the entertainment district at Westgate, and serve as a car pool rendezvous point.

**Public Input:** This project was presented in six public meetings held as part of the Glendale Onboard Transportation Program. One project specific public meeting is planned for the citizens in the project area.

**Budget Impacts & Costs:** Funds for the design and construction administration are available in the 2005-06 Fiscal Year Glendale Onboard Transportation Program, L101/Maryland Park and Ride, Account No. 33-9455-8330.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$678,649.01

**Account Name, Fund, Account and Line Item Number:**  
L101/Maryland Park and Ride, Account No. 33-9455-8330

**Recommendation:** Table this item to a future city council meeting in the fall 2005.

**ORDINANCES**

22. [ANNEXATION ORDINANCE FOR ANNEXATION AREA NO. 156: 6485 NORTH 99<sup>TH</sup> AVENUE](#)

**Purpose:** This is a request for the City Council to adopt an annexation ordinance for 24.89 acres at the southeast corner of 99<sup>th</sup> and Maryland avenues. The property owners of this parcel are requesting annexation.

**Council Policies Or Goals Addressed:** The city’s General Plan includes specific goals addressing the need for growth management. These goals include promotion of sound growth management methods and managing growth to achieve reasonable, responsible urban development. Annexation is a tool that can be used by the city to direct and manage growth.

**Background:** The 24.89-acre site is located at the southeast corner of 99<sup>th</sup> and Maryland avenues, west of the Loop 101 freeway. The Maryland overpass is located along the northern boundary of this parcel.

The property owners of this parcel are requesting annexation. Currently, there are no specific development plans for this site. If annexed into the city, the parcel will be eligible for connection to city utilities and will receive city services.

**Community Benefit:** The annexation of this 24.89-acre area would require that any future development of this area meet the Glendale General Plan requirements as well as all other development standards for the city of Glendale. This parcel is surrounded by an area of Glendale that is rapidly developing in response to the Glendale Arena, Westgate development and the Cardinals Stadium activities.

This parcel also abuts the Loop 101 Maryland overpass that will be constructed to improve access to and from the sports venues on the east side of the Loop 101 freeway.

**Recommendation:** Waive reading beyond the title and adopt an ordinance increasing the Glendale city limits, as defined in the annexation ordinance for Annexation Area Number 156.

## 23. [VICIOUS ANIMAL ORDINANCE REVISIONS](#)

**Purpose:** This is a request for Council to amend certain provisions of the Glendale City Code contained in Chapter 6 concerning vicious animals.

**Background:** The Presiding Judge and the City Attorney have met to review and identify proposed amendments to the city’s vicious animal ordinance. The proposed ordinance simplifies declaring an animal vicious by eliminating two steps in the process, and by removing the use of a hearing officer. The proposed ordinance also outlines more options to address vicious animals, such as implanting microchips for tracking purposes. Consistent verbiage in reference to “vicious animal,” as opposed to “vicious dog,” will allow application to animals other than dogs.

**Direction/Policy Guidance:** Waive reading beyond the title and adopt an ordinance amending Chapter 6 of the Glendale City Code concerning vicious animals.

## 24. [JUDICIAL ORDINANCE REVISIONS](#)

**Purpose:** This is a request for the City Council to amend certain provisions of the Glendale City Code contained in Chapter 13 concerning compensation of judicial officers and terms of the Presiding Judge.

**Background:** The Presiding Judge and City Attorney propose amendments to the city's judicial ordinances. These changes clarify the salary structure of the court hearing officer, and distinguish the length of the Presiding Judge's term from those of other city judges.

**Recommendation:** Waive reading beyond the title and adopt an ordinance amending Chapter 13 of the Glendale City Code concerning judicial compensation and the term of Presiding Judge.

## 25. [DEVELOPMENT AGREEMENT WITH JOHN Q. HAMMONS HOTELS, INC.](#)

**Purpose:** This is a request for the City Council to approve a development agreement with John Q. Hammons Hotels, Inc. for the development of a Renaissance Hotel and Spa, conference and media center, cable studio, and parking structure at Westgate. John Q. Hammons will construct a 320-room, 4 diamond hotel and a 80,000 square foot conference center and media center along with a 600 space parking structure.

**Council Policies Or Goals Addressed:** This project will enhance the quality of life for Glendale residents while promoting economic development at Westgate. The development of a hotel and conference center promotes a positive image of Glendale to residents and tourists.

**Background:** Based in Springfield, Missouri, John Q. Hammons Hotels operates properties nationwide under the following brands: Embassy Suites Hotels, Renaissance, Marriott, Radisson, Residence Inn, Homewood Suites by Hilton, Holiday Inn and Courtyard by Marriott. The publicly traded company owns or manages 58 hotels strategically located in 22 states. With more than 1.8 million square feet of meeting and convention space under management, the company is considered to be the leading independent manager of hotel meeting space in the country.

The 320-room hotel will be privately owned, financed and operated and the Ellman Companies will provide the land needed for the development. The 80,000 square foot conference and media center and cable studio will be a partnership between Hammons and the City of Glendale. The City of Glendale will provide discounted land to John Q. Hammons, Inc., and Hammons will provide a minimum of 25% of the debt service on the conference center. The City of Glendale will be the owner of the convention and media center and the cable studio.

The hotel, conference and media center, cable studio and parking structure will be located at Westgate and will be located immediately west of the arena. The development will be

bounded on the west by 95<sup>th</sup> Avenue and to the north by Coyotes Boulevard and will face Glendale Avenue.

**Community Benefit:** The hotel, conference and media center, cable studio and parking structure will benefit the current business environment and create a unique amenity in Glendale. The development will enhance the entertainment and sports district, while facilitating and providing new business from the Arizona Sports and Tourism Authority, the Fiesta Bowl and future partners. This development will set the standard for all future development in the area.

**Budget Impacts & Costs:** This project will be both publicly and privately funded. The hotel will be privately funded and the conference center and parking structure will be public-private partnerships. The conference center will be both publicly and privately owned and financed, with Hammons providing a minimum of 25% of the debt service and the City of Glendale will provide the land at a discounted rate. The multi-level parking structure will be publicly owned and financed by the City of Glendale. Funding for the city's portion of this project will be provided through the sale of bonds.

**Recommendation:** Waive reading beyond the title and adopt an ordinance authorizing the entering into of a development agreement with John Q. Hammons Hotels, Inc. for the development of a Renaissance Hotel, conference and media center, cable studio and parking structure at Westgate.

## **RESOLUTIONS**

### 26. [DEVELOPMENT AGREEMENT WITH CABELA'S](#)

**Purpose:** This is a request for the City Council to approve a development agreement with Cabela's for the development of a destination retail store in Glendale.

**Council Policies Or Goals Addressed:** This project will enhance the quality of life for Glendale residents while promoting economic development at Zanjero. The development of an innovative destination retail attraction promotes a positive image of Glendale to residents and tourists.

**Background:** Cabela's will construct a 165,000 square foot facility within the Zanjero Planned Area Development (PAD) and will be located at the northeast corner of Glendale Avenue and 95<sup>th</sup> Avenue. The destination retail attraction will include a restaurant, aquarium and conservation mountain. This development will enhance the current business environment and will benefit Glendale citizens and visitors alike.

Recognized as the nation's largest direct marketer and leading specialty retailer of hunting, fishing, camping and related outdoor merchandise Cabela's operates 12 retail stores nationwide. Since its development in 1961, Cabela's has become one of the most well known outdoor recreation brands in the United States, and is recognized as the World's Foremost Outfitter®.

More than just retail stores, Cabela's showrooms are destinations and tourist attractions. Their trademark style evokes the great outdoors, mixing museum-quality displays with huge aquariums and Cabela's famous conservation mountain. Recognized as a destination retail location, Cabela's anticipates drawing more than four million visitors to the Glendale location in the first year, with 30-40% being tourists from out of state.

The development of the Cabela's retail destination will be privately constructed, owned and financed and the City of Glendale will contribute an amount not to exceed \$10 million towards the development of public amenities and infrastructure improvements.

**Community Benefit:** The development of a destination retail attraction will enhance the current business environment and creates a unique amenity in Glendale. This development will be the first retail development at Zanjero and will set the standard for all future development in the area.

**Budget Impacts & Costs:** This project will be both publicly and privately funded. The construction of the Cabela's retail store will be privately funded and the city will be providing up to \$10 million for the development of public amenities and infrastructure improvements. The city will provide funding for this project through the sale of bonds.

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the entering into of a development agreement with Cabela's for the development of a destination retail store in Glendale.

## 27. [DEVELOPMENT AGREEMENT WITH ZANJERO](#)

**Purpose:** This is a request for the City Council to approve a development agreement with Zanjero for a Planned Area Development (PAD). Zanjero is situated with Glendale Avenue to the south, 91<sup>st</sup> Avenue to the east, and 95<sup>th</sup> Avenue to the west.

**Council Policies Or Goals Addressed:** This project will enhance the quality of life for Glendale residents while promoting economic development activity at Zanjero. The PAD will provide a number of needed amenities and businesses for Glendale residents and will promote a positive image of Glendale to both residents and tourists.

**Background:** Zanjero is situated with Glendale Avenue to the south, 91<sup>st</sup> Avenue to the east, and 95<sup>th</sup> Avenue to the west. Zanjero is immediately north of Westgate and consists of approximately 160 acres. The PAD includes a mixture of employment, retail and residential uses. The Cabela's retail destination development will be located on this site, at the northeast corner of Glendale Avenue and 95<sup>th</sup> Avenue.

The City of Glendale will contribute an amount not to exceed \$6.7 million in infrastructure improvements at Zanjero. Along with the 165,000 square foot Cabela's retail development Zanjero will commit to develop an additional 400,000 square feet of

retail/employment and commercial space within the next three years and to generate \$1.5 million in sales tax revenue by the 4<sup>th</sup> year, and every year thereafter.

There are a number of benefits to having the city of Glendale provide infrastructure improvements as a component of the development agreement. The roadway improvements will provide the backbone infrastructure for Zanjero and will help promote future economic development activity. Having the infrastructure already established and in place enables Zanjero to be readily available for future development. These improvements will also provide connectivity between Zanjero & the Westgate development.

**Community Benefit:** The development of Zanjero will enhance the current business environment in Glendale and creates a location for unique business to locate. The PAD will include a mixture of employment, retail and residential uses.

**Budget Impacts & Costs:** The development of the Zanjero Planned Area Development will be both publicly and privately funded, the City of Glendale will provide \$6.7 million for infrastructure improvements. The city will provide funding for this project through the sale of bonds.

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the entering into of a development agreement with Zanjero.

## 28. [PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH LOOP 303 PEORIA LLC](#)

**Purpose:** This is a request for the City Council to adopt a resolution to authorize the entering into of a Pre-Annexation and Development Agreement with Loop 303 Peoria LLC.

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

**Background:** DeRito Partners and the Barclay Group have formed a partnership regarding the approximate 105-acre parcel at the southeast corner of Peoria Avenue and the Loop 303. Their proposed project will include the development of an auto mall and a retail power center that will generate new city sales tax revenue.

**Community Benefit:** This project will provide additional sales tax revenue to the city and additional retail opportunities for Glendale citizens.

**Budget Impacts & Costs:** performance-based incentives rebate requires the business to collect the city sales tax and remit it to the city. A portion of the new sales tax collected will be rebated to the developer.

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the entering into of a Pre-Annexation and Development Agreement with Loop 303 Peoria LLC.

## **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)).

**Confidentiality Requirements Pursuant to A.R.S. §38-431.03 (C)(D):** Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.