



**GLENDALE CITY COUNCIL MEETING**  
**Council Chambers**  
**5850 West Glendale Avenue**  
**August 29, 2006**  
**7:00 p.m.**

**CALL TO ORDER – PLEDGE OF ALLEGIANCE**

**[APPROVAL OF THE MINUTES OF JUNE 27, 2006](#)**

**BOARDS AND COMMISSIONS**

**[BOARDS AND COMMISSIONS](#)**

**PROCLAMATIONS AND AWARDS**

**[DROWNING IMPACT AWARENESS MONTH PROCLAMATION](#)**

**[RECOGNIZING THE DEER VALLEY FLYAWAYS GYMNASTICS TEAM](#)**

**CONSENT AGENDA**

**Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.**

1. **[LIQUOR LICENSE NO. 3-1064 ALBERTSON'S #974](#)**
2. **[LIQUOR LICENSE NO. 3-1065 ALBERTSON'S #1009](#)**
3. **[LIQUOR LICENSE NO. 3-1066 SWEET ORIGINES WINE & CHOCOLATE LOUNGE](#)**
4. **[LIQUOR LICENSE NO. 3-1067 HAMMERHEADS OCEAN GRILL](#)**
5. **[LIQUOR LICENSE NO. 3-1068 CACHANILLAS RESTAURANT](#)**
6. **[LIQUOR LICENSE NO. 3-1069 CVS PHARMACY #9301](#)**

7. [LIQUOR LICENSE NO. 3-1071 VINNIE & JOEY'S PLACE](#)
8. [SPECIAL EVENT LIQUOR LICENSE FOR SOROPTIMIST INTERNATIONAL OF THE KACHINAS, INC.](#)
9. [SPECIAL EVENT LIQUOR LICENSE FOR ST. HELEN'S CATHOLIC CHURCH – SEPTEMBER 16, 2006](#)
10. [SPECIAL EVENT LIQUOR LICENSE FOR ST. HELEN'S CATHOLIC CHURCH – OCTOBER 14, 2006](#)
11. [SPECIAL EVENT LIQUOR LICENSE FOR ST. LOUIS THE KING CHURCH](#)
12. [SPECIAL EVENT LIQUOR LICENSE FOR OUR LADY OF PERPETUAL HELP SCHOOL](#)
13. [AGREEMENT FOR PURCHASE OF POLICE PROTECTIVE GEAR](#)
14. [AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT AND AWARD OF CONSTRUCTION CONTRACT, 61ST AVENUE RELIEF SEWER](#)
15. [AWARD OF PHASE ONE FINAL CONSTRUCTION CONTRACT – PUBLIC SAFETY TRAINING CENTER](#)
16. [AWARD OF CONSTRUCTION CONTRACT: BETHANY HOME ROAD STREET AND DRAINAGE IMPROVEMENTS, 75<sup>TH</sup> TO 83<sup>RD</sup> AVENUES](#)
17. [AGREEMENT AWARD FOR PLANNING AND MANAGEMENT OF EVENT TRANSPORTATION SERVICES](#)

#### **CONSENT RESOLUTIONS**

18. [INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR FIXED ROUTE BUS SERVICES](#)
19. [INTERGOVERNMENTAL AGREEMENT WITH THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY FOR TRANSIT SERVICES](#)
20. [APPLICATION FOR 2006 TRANSPORTATION ENHANCEMENT FUNDS FOR EXTENSION OF GRAND CANAL PATHWAY](#)

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

21. [PROPOSED ANNEXATION REQUEST AN-161: 17504 WEST NORTHERN AVENUE](#)

22. [PROPOSED ANNEXATION REQUEST AN-163: 8707-8709 WEST NORTHERN AVENUE](#)

## **ORDINANCES**

23. [ARIZONA PUBLIC SERVICE COMPANY UTILITY EASEMENTS](#)
24. [SALT RIVER PROJECT EASEMENTS](#)
25. [DEDICATION OF ADDITIONAL RIGHT-OF-WAY, PUBLIC UTILITY EASEMENT, WATER AND SEWER LINE EASEMENTS: GLENDALE AVENUE AND CABELA DRIVE, EAST OF 95<sup>TH</sup> AVENUE](#)
26. [FOOTHILLS PARK AND SKATE COURT CONCESSIONS](#)

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

## **CITIZEN COMMENTS**

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

## **COUNCIL COMMENTS AND SUGGESTIONS**

## **ADJOURNMENT**

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

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

## CALL TO ORDER – PLEDGE OF ALLEGIANCE

### APPROVAL OF THE MINUTES OF JUNE 27, 2006

#### BOARDS AND COMMISSIONS

##### BOARDS AND COMMISSIONS

***Purpose:*** This is a request for 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
<b><u>Arts Commission</u></b>				
Kathleen Roe	Yucca	Re-appointment	08/23/2006	08/23/2008
Jacqueline Markowitz	Sahuaro	Chair Re-appointment	09/27/2006	09/27/2007
Frank Eager	Cholla	Vice Chair Re-appointment	09/27/2006	09/27/2007
<b><u>Citizens Bicycle Advisory Committee</u></b>				
Jim Walker	Cactus	Appointment	08/29/2006	02/05/2008
Bradley J. Meek	Ocotillo (Cholla)	Appointment	08/29/2006	07/18/2007
<b><u>Commission On Persons With Disabilities</u></b>				
Audrey A. Young	Mayoral (Cactus)	Appointment	08/29/2006	07/27/2008
Patricia Wyrick	Ocotillo (Barrel)	Appointment	08/29/2006	02/27/2008
<b><u>Community Development Advisory Committee</u></b>				
Rebecca Ontiveros	CAP Board (Ocotillo)	Re-appointment	09/23/2006	09/23/2008
Lynn Simon	Ocotillo (Barrel)	Appointment	08/29/2006	07/01/2008

## **Industrial Development Authority**

Cecil R. Daniels                      At-Large      Appointment      08/29/2006      08/23/2008  
(Sahuaro)

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

## **PROCLAMATIONS AND AWARDS**

### **DROWNING IMPACT AWARENESS MONTH PROCLAMATION**

**Purpose:** This is a request for City Council to proclaim the month of August 2006 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 the Proclamation to the Glendale Fire Department and Braxton Bilbrey who is the youngest person to swim from Alcatraz Island to San Francisco Aquatic Park.

### **RECOGNIZING THE DEER VALLEY FLYAWAYS GYMNASTICS TEAM**

**Purpose:** This is a request for City Council to recognize The Deer Valley Flyaways Gymnastics Team on their stellar performance throughout the season that resulted in their participation in the 2006 YMCA National Competition that was held in Hanover, Pennsylvania. The team consists of 18 gymnasts, which included young boys and girls. During the competition the team won 65 medals. The team is supported by the Glendale/Peoria YMCA.

**Recommendation:** Present the Proclamation to the Deer Valley Flyaways for their hard work and National Honors. Danielle Hall will be accepting the Proclamation on behalf of the team. Danielle has been a member of the YMCA Flyaways for 10 years and has three national titles.

## **CONSENT AGENDA**

**Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.**

1. [LIQUOR LICENSE NO. 3-1064 ALBERTSON'S #974](#)

**Purpose:** This is a request for City Council to approve a person-to-person transfer of ownership for this Series 9 (Liquor Store – All Liquor) license for Albertson’s #974, located at 20255 North 59<sup>th</sup> Avenue. The Arizona State application (number 09070585) was submitted by Glenn Allen Edmondson.

**Background:** The 60-day deadline for processing this application was August 5, 2006. A request for an extension was submitted to the Arizona Department of Liquor Licenses and Control on June 8, 2006. The location of the establishment is 20255 North 59<sup>th</sup> Avenue and is within the Cholla District, zoned SC (shopping center). This establishment is over 300 feet from any school or church. This business has been an Albertson’s grocery store from June 1996 to present. Albertson’s Store #974 held a Series 9 license from May 1996 to July 2005. There was a person-to-person transfer of ownership to Albertson’s Inc. that held a Series 9 license from July 2005 to present. This application requests a person-to-person transfer of ownership from Albertson’s Inc. to Albertson’s LLC. The population density is 3,360 people per square mile. The approval of this license will not increase the total number of liquor licenses in this area. The number of liquor licenses within a one-mile radius is 17 as listed below:

Series	Type	Quantity
6	Bar – All Liquor	2
7	Bar - Beer & Wine	1
9	Liquor Store – All Liquor	3
10	Liquor Store – Beer & Wine	2
12	Restaurant – All Liquor	9
	<b>Total</b>	<u>17</u>

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

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

**Recommendation:** The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department have reviewed the application, determined that it meets all technical requirements and have approved this license. Therefore, it is staff’s recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

2. [LIQUOR LICENSE NO. 3-1065 ALBERTSON'S #1009](#)

**Purpose:** This is a request for City Council to approve a person-to-person transfer of ownership for this Series 9 (Liquor Store – All Liquor) license for Albertson’s #1009, located at the 5802 West Olive Avenue. This Albertson’s store recently closed and this license will be a placeholder for future sales or transfer. The Arizona State application (number 09070516) was submitted by Glenn Allen Edmondson.

**Background:** The 60-day deadline for processing this application was August 5, 2006. A request for an extension was submitted to the Arizona Department of Liquor Licenses and Control on June 8, 2006. The location of the establishment is 5802 West Olive Avenue and is within the Barrel District, zoned SC (shopping center). This establishment is over 300 feet from any school or church. This business has been an Albertson’s grocery store from February 2004 to July 2006. Albertson’s Store #1009 held a Series 9 license from October 2003 to December 2005. There was a person-to-person transfer of ownership to Albertson’s Inc. that held a Series 9 license from December 2005 to present. This application requests a person-to-person transfer of ownership from Albertson’s Inc. to Albertson’s LLC. The population density is 6,369 people per square mile. The approval of this license will not increase the total number of liquor licenses in this area. The number of liquor licenses within a one-mile radius is 19 as listed below:

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
6	Bar – All Liquor	2
7	Bar - Beer & Wine	2
9	Liquor Store – All Liquor	5
10	Off-Sales Retail – Beer & Wine	4
12	Restaurant – All Liquor	5
14	Private Club	1
	<b>Total</b>	<u>19</u>

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

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

**Recommendation:** The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department have reviewed the application, determined that it meets all technical requirements and have approved this license. Therefore, it is staff’s recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

3. [LIQUOR LICENSE NO. 3-1066 SWEET ORIGINES WINE & CHOCOLATE LOUNGE](#)

**Purpose:** This is a request for City Council to approve a new Series 7 (Bar – Beer and Wine) license for Sweet Origines Wine & Chocolate Lounge, located at the 9380 West Westgate Boulevard, Suite D101. The Arizona State application (number 07073006) was submitted by Jeanette Michelle Dubreil.

**Background:** The 60-day deadline for processing this application was August 10, 2006. A request for an extension was submitted to the Arizona Department of Liquor Licenses and Control on June 12, 2006. This establishment is over 300 feet from any school or church. The location of the establishment will be 9380 West Westgate Boulevard, Suite D101 and is within the Yucca District, zoned PAD (planned area development). This is a new license application and a new location for this Series 7 license. This Series 7 license is a newly issued license through the State Department of Liquor Licenses and Control random selection drawing. The population density is 1,350 people per square mile. The approval of this license will increase the

total number of liquor licenses in this area by one. The number of liquor licenses within a one-mile radius is 4 as listed below:

Series	Type	Quantity
6	Bar – All Liquor	2
7	Bar - Beer & Wine	1
12	Restaurant – All Liquor	1
	<b>Total</b>	<u>4</u>

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

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

**Recommendation:** The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department have reviewed the application, determined that it meets all technical requirements and have approved this license. Therefore, it is staff’s recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

4. [LIQUOR LICENSE NO. 3-1067 HAMMERHEADS OCEAN GRILL](#)

**Purpose:** This is a request for City Council to approve a new Series 12 (Restaurant – All Liquor) license for Hammerheads Ocean Grill, located at the 6718 West Deer Valley Road, Suite 101-104. The Arizona State application (number 12076730) was submitted by Mark Vernon Boyce.

**Background:** The 60-day deadline for processing this application was August 27, 2006. A request for an extension was submitted to the Arizona Department of Liquor Licenses and Control on June 29, 2006. The location of the establishment will be 6718 West Deer Valley Road, Suite 101-104 and is within the Cholla District, zoned PAD (planned area development). Currently at this location there is a physical therapy clinic. Hammerheads Ocean Grill will be the first restaurant at this location. This is a new license application and a new location for this Series 12 (Restaurant – All Liquor) license. The population density is 5,086 people per square mile. The approval of this license will increase the total number of liquor licenses in this area by one. The number of liquor licenses within a one-mile radius is 6 as listed below:

Series	Type	Quantity
7	Bar - Beer & Wine	3
9	Liquor Store - All Liquor	2
10	Off-Sale Retail - Beer & Wine	1
	<b>Total</b>	<u>6</u>

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

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

**Recommendation:** The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department have reviewed the application, determined that it meets all technical requirements and have approved this license. Therefore, it is staff’s recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

5. [LIQUOR LICENSE NO. 3-1068 CACHANILLAS RESTAURANT](#)

**Purpose:** This is a request for City Council to approve a new Series 12 (Restaurant – All Liquor) license for Cachanillas Restaurant, to be located at 4935 West Glendale Avenue, Suite 17-18. The Arizona State application (number 12076728) was submitted by Lizeth A. Enriquez.

**Background:** The 60-day deadline for processing this application was August 27, 2006. A request for an extension was submitted to the Arizona Department of Liquor Licenses and Control on June 29, 2006. The location of the establishment would be at 4935 West Glendale Avenue, Suite 17-18 within the Cactus District, zoned general commercial. At this location there was Schlotzky’s Deli from December 1998 to October 2002 and Homi’s Deli from March 2003 to December 2005. This is a new license application and a new location for this Series 12 license. The population density is 7,253 people per square mile. The approval of this license will increase the total number of liquor licenses in this area by one. The number of liquor licenses within a one-mile radius is 19 as listed below:

Series	Type	Quantity
6	Bar - All Liquor	2
7	Bar - Beer & Wine	2
9	Liquor Store - All Liquor	2
10	Liquor Store - Beer & Wine	7
12	Restaurant - All Liquor	5
14	Private Club - All Liquor	1
	<b>Total</b>	<u>19</u>

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

**Recommendation:** The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department have reviewed the application, determined that it meets all technical requirements and have approved this license. Therefore, it is staff’s recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

6. [LIQUOR LICENSE NO. 3-1069 CVS PHARMACY #9301](#)

**Purpose:** This is a request for City Council to approve a person-to-person transfer of ownership for this Series 9 (Liquor Store – All Liquor) license, located at 6712 West Bell Road. The Arizona State application (number 09070570) was submitted by Jason Barclay Morris.

**Background:** The 60-day deadline for processing this application was August 28, 2006. A request for an extension was submitted to the Arizona Department of Liquor Licenses and Control on June 30, 2006. The location of the establishment is at 6712 West Bell Road, within the Sahuaro District, zoned planned area development. The establishment would be over 300 feet from any school or church. This business has been an Osco Drug store from November 2000 to present. Osco Drug #9301 held a Series 9 license from September 2000 to present. This is a person-to-person transfer of ownership from Osco Drug of Texas, Inc. to CVS EGL Union Hills AZ, LLC. The population density is 2,552 people per square mile. The approval of this license will not increase the total number of liquor licenses in this area. The number of liquor licenses within a one-mile radius is 32 as listed below:

Series	Type	Quantity
6	Bar - All Liquor	6
9	Liquor Store - All Liquor	3
10	Liquor Store - Beer & Wine	8
12	Restaurant - All Liquor	15
	<b>Total</b>	<u>32</u>

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

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

**Recommendation:** The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department have reviewed the application, determined that it meets all technical requirements and have approved this license. Therefore, it is staff's recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

7. [LIQUOR LICENSE NO. 3-1071 VINNIE & JOEY'S PLACE](#)

**Purpose:** This is a request for City Council to approve a person-to-person transfer of ownership for this Series 6 (Bar – All Liquor) license for Vinnie & Joey's Place, located at 9250 North 43<sup>rd</sup> Avenue, Units 17 - 18. The Arizona State application (number 06070234) was submitted by Kenneth Thomas DiMichel.

**Background:** The 60-day deadline for processing this application is September 17, 2006. The location of the establishment is at 9250 North 43rd Avenue, Units 17 – 18, within the Cactus District, zoned C-2 (general commercial). The establishment is over 300 feet from any school or church. This business operated as Time Out Bar from March 2001 to July 2003 under two different owners: Dumf Enterprises, Inc. (March 2001 to April 2002) and Rondi, Inc. (April 2002 to July 2003). It was operated as Sassi Jim's Play Pen Lounge (July 2003 to September 2005) and then as Jeff's Bar (September 2005 to present). From 2001 to present, the business has operated with a Series 6 liquor license. This is a request for a person-to-person transfer of ownership for this license. The population density is 6,957 people per square mile. The approval of this license will not increase the total number of liquor licenses in this area. The number of liquor licenses within a one-mile radius is 32 as listed below:

Series	Type	Quantity
6	Bar - All Liquor	11
7	Bar - Beer & Wine	4
9	Liquor Store - All Liquor	2
10	Liquor Store - Beer & Wine	5
12	Restaurant - All Liquor	10
	<b>Total</b>	<u>32</u>

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

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

**Recommendation:** The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department have reviewed the application, determined that it meets all technical requirements and have approved this license. Therefore, it is staff's recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

8. [SPECIAL EVENT LIQUOR LICENSE FOR SOROPTIMIST INTERNATIONAL OF THE KACHINAS, INC.](#)

**Purpose:** This is a request for City Council to approve a special event liquor license for Soroptimist International of the Kachinas, Inc. to be held at Glendale Women's Club, located at 7032 North 56<sup>th</sup> Avenue. The fundraising event will be on Saturday, September 16, 2006 from 10:00 a.m. to 3:00 p.m. The proceeds from this event will be used for local charities that benefit women and girls. The special event liquor license was submitted by Janet R. Jennings.

**Background:** 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 Sec. 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.

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

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

9. [SPECIAL EVENT LIQUOR LICENSE FOR ST. HELEN'S CATHOLIC CHURCH – SEPTEMBER 16, 2006](#)

**Purpose:** This is a request for City Council to approve a special event liquor license for a wine-tasting fundraiser for St. Helen's Catholic Church, located at 5510 West Cholla Street. The

event will be on Saturday, September 16, 2006 from 6:30 to 10:30 p.m. The special event liquor license application was submitted by Eric B. Biallas.

**Background:** If this license is approved, the total days expended by the applicant will be one of the allowed 10 days this year. Under the provisions of Arizona Revised Statutes Sec. 4-230.02, 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.

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

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

#### 10. [SPECIAL EVENT LIQUOR LICENSE FOR ST. HELEN'S CATHOLIC CHURCH – OCTOBER 14, 2006](#)

**Purpose:** This is a request for City Council to approve a special event liquor license for an Oktoberfest fundraiser for St. Helen's Catholic Church, located at 5510 West Cholla Street. The event will be on Saturday, October 14, 2006 from 6:30 to 10:30 p.m. The special event liquor license application was submitted by Eric B. Baillas.

**Background:** If this license is approved, the total days expended by the applicant will be two of the allowed 10 days this year. Under the provisions of Arizona Revised Statutes Sec. 4-230.02, 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.

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

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

#### 11. [SPECIAL EVENT LIQUOR LICENSE FOR ST. LOUIS THE KING CHURCH](#)

**Purpose:** This is a request for City Council to approve a special event liquor license for St. Louis the King Church located at 4331 West Maryland Avenue. The fundraising event will be on Friday, October 6, 2006 from 6:00 to 11:00 p.m., Saturday, October 7, 2006 from 11:00 a.m. to midnight and Sunday, October 8, 2006 from 11:00 a.m. to 11:00 p.m. The special event liquor license was submitted by Marc Gerard Riccitelli.

**Background:** If this license is approved, the total days expended by this applicant will be three of the allowed 10 days this year. Under the provisions of Arizona Revised Statutes Sec. 4-

203.02, the Arizona Department of Liquor Licenses and Control may issue a special event liquor license only if the City Council recommends approval of such license.

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

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

## 12. [SPECIAL EVENT LIQUOR LICENSE FOR OUR LADY OF PERPETUAL HELP SCHOOL](#)

**Purpose:** This is a request for City Council to approve a special event liquor license for Our Lady of Perpetual Help School located at 7521 North 57<sup>th</sup> Avenue. The fundraising event will be on Saturday, October 21, 2006 from 3:00 to 10:00 p.m. and Sunday, October 22, 2006 from 10:00 a.m. to 10:00 p.m. The special event liquor license was submitted by Maureen E. DeGrose.

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

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

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

## 13. [AGREEMENT FOR PURCHASE OF POLICE PROTECTIVE GEAR](#)

**Purpose:** This is a request for City Council to authorize the City Manager to enter into a cooperative purchase agreement with Aramsco Incorporated for the purchase of police protective gear.

**Council Strategic Goals Or Key Objectives Addressed:** This approval of a cooperative purchase agreement with Aramsco Incorporated will ensure that police personnel will have the proper level of personnel protection equipment to keep them safe when responding or working at a weapons of mass destruction related incident.

**Background:** The City of Phoenix, using a competitive process, awarded a bid for protective gear to Aramsco Incorporated, whose list of specifications included a variety of personal protective equipment (PPD) products. Glendale's Police Department utilizes such products.

Glendale's Purchasing Ordinance, Section 2.149, allows cooperative purchases. The City of Phoenix contract with Aramsco Incorporated is valid through December 31, 2006. The bid specifications contain an option that will permit a one (1) year extension and Glendale would follow the terms of the agreement.

**Budget Impacts & Costs:** Police protective gear purchases from Aramsco Incorporated will be paid for out of the FY 2003-04 Homeland Security Grant Program awarded to the City of Glendale.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X		X	X		137,405.91

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

State Homeland Security Grant Program (SHSGP), PD, PPE Level One, Account No. 1840-33009-551400

**Recommendation:** Authorize the City Manager to enter into the cooperative purchase agreement with Aramsco Incorporated for the purchase of police protective gear in an amount not to exceed \$137,405.91.

14. [AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT AND AWARD OF CONSTRUCTION CONTRACT, 61ST AVENUE RELIEF SEWER](#)

**Purpose:** This is a request for City Council to authorize the City Manager to enter into Amendment No. 1 to the Professional Services Agreement (PSA) with Entellus, Inc. for construction management, and a construction contract with Holl-Wenn Construction, Inc. for installation of the 61<sup>st</sup> Avenue Relief Sewer. A transfer of funds is also requested to complete the construction.

**Council Strategic Goals Or Key Objectives Addressed:** One of Council's strategic goals is high quality service for citizens. This project will improve the 61<sup>st</sup> Avenue sewer line by increasing the carrying capacity from Northern to Alice avenues.

**Background:** The existing sewer in 61<sup>st</sup> Avenue from Northern to Alice avenues is eight inches in diameter, relatively shallow, and was installed in the middle to late 1960's. Since the time of its installation, a significant amount of multi-family housing has been constructed in its service area, with the result being that the sewer is currently at its design capacity.

Entellus, Inc. has completed the engineering design phase of the project as covered in the existing PSA with the city. Amendment No. 1 to the PSA with Entellus, Inc. provides construction management services.

On August 10, 2006, six bids were received and opened for the construction contract. Staff and consultant reviewed the bids and Holl-Wenn Construction, Inc., a licensed and qualified contractor, submitted the lowest responsive bid.

**Previous Council/Staff Actions:** Council approved the PSA for the design contract with Entellus, Inc. on May 25, 2004 to design the relief sewer line.

**Community Benefit:** The project will improve the sewer system in 61<sup>st</sup> Avenue between Northern to Alice avenues, improving the quality of life for those residents in the surrounding neighborhood through increased carrying capacity.

**Budget Impacts & Costs:** Funds of \$67,269.86 for Amendment No. 1 are available in FY 2006-07 Capital Improvement Program, 61<sup>st</sup> Ave Sewer Line.

Funds of \$128,173.55 are available in the 61<sup>st</sup> Ave Sewer Line account 2420-63012-550800 for the FY 2006-07 Capital Improvement Plan. A transfer of funds in the amount of \$759,000 from the Sewer Line Replacement account 2420-63016-550800 to the 61<sup>st</sup> Ave Sewer Line account 2420-63012-550800 is requested to complete construction.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$954,443.41

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

61<sup>st</sup> Ave Sewer Line – Account No., 2420-63012-550800

**Recommendation:** Authorize the City Manager to enter into Amendment No. 1 to the Professional Services Agreement with Entellus, Inc. in an amount not to exceed \$67,269.86 and to enter into a construction contract with Holl-Wenn Construction, Inc. for installation of the 61<sup>st</sup> Avenue Relief Sewer in the amount of \$887,173.55 and approve the transfer of funds.

15. [AWARD OF PHASE ONE FINAL CONSTRUCTION CONTRACT – PUBLIC SAFETY TRAINING CENTER](#)

**Purpose:** This is a request for City Council to authorize the City Manager to enter into the third and final component of the construction contract with D.L. Withers Construction, LC, for Phase I of the Public Safety Training Center.

This contract is for the construction of the training building, training props, police firing range, associated parking and landscaping of the driving training track.

**Council Strategic Goals Or Key Objectives Addressed:** The Public Safety Training Center and Emergency Operations Center (EOC) will provide a new resource for the training of fire and police personnel and a 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:** The growth of the metropolitan area along with the projected attrition of personnel for the next decade has created the need for a regional training facility located in the West Valley.

The current training accommodations are at critical limits. The only training facility for firefighters from the West Valley is at the Phoenix Regional Training Academy. Nineteen communities in the Valley, including Glendale, utilize this facility.

Partnerships with various West Valley cities and with Maricopa Community College District (MCCD) will enhance the function and value of the training and continuing education of fire and police personnel, and ensure the number of trained public safety staff is available for the protection of the community.

**Previous Council/Staff Actions:** On May 23, 2006, Council authorized the transfer of \$500,000 in appropriation and funds from FY 2005-06 General Fund Contingency, Account No. 01-2450-7000 to the EOC Equipment PAYGO Account No. 01-8218-8400 for the purchase of equipment for the EOC.

On March 28, 2006, Council approved the second construction contract with D.L. Withers Construction, LC, for the construction of the administration and classroom building, associated underground utilities, a section of the parking lot and a section of the landscaping.

On March 14, 2006, Council approved an Intergovernmental Agreement with the cities of Avondale, Peoria and Surprise, and the MCCD for the financial and operational partnership of the training center.

On July 26, 2005, Council approved the first construction contract with D.L. Withers Construction, LC, for the construction of the earthen levee and rough site grading in the amount of \$7,596,339. The construction of the levee has been completed.

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 contract to D.L. Withers Construction, LC, for design support services.

In July 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 FY 2005-06 budget.

**Community Benefit:** The facility will provide the Glendale Fire and Police Departments the ability to train public safety employees to meet future needs. Partnerships with various west valley cities and the MCCD will enhance the protection of the community and help reduce costs for the facility.

**Budget Impacts & Costs:** The total cost for the third and final component of Phase One is \$13,951,574. Funds are available in Training Facility Phase I and the EOC Equipment accounts.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$13,151,574
	X		X		\$800,000

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

Training Facility Phase I, Account No. 1270-85004-550800, \$13,151,574  
EOC Equipment, Account No. 1000-81023-551400, \$800,000

**Recommendation:** Authorize the City Manager to enter into the construction contract with D.L. Withers Construction, LC, in the amount \$13,951,574.

16. **AWARD OF CONSTRUCTION CONTRACT: BETHANY HOME ROAD STREET AND DRAINAGE IMPROVEMENTS, 75<sup>TH</sup> TO 83<sup>RD</sup> AVENUES**

**Purpose:** This is a request for City Council to authorize the City Manager to enter into a construction contract with Achen-Gardner Engineering, LLC, for the Bethany Home Road Street and Drainage Improvement, between 75th and 83<sup>rd</sup> avenues. The project includes the construction of approximately 1,500 lineal feet of 108-inch diameter storm drain, and a bridge over the Grand Canal.

**Council Strategic Goals Or Key Objectives Addressed:** This project will help fulfill Council's goal of providing high quality services for citizens by improving the transportation and drainage facilities within the area.

**Background:** Planning for this project began several years ago when it became necessary to realign Bethany Home Road to provide a safer intersection with Bethany Home Road and 83<sup>rd</sup> Avenue. The project will allow for the extension of Bethany Home Road between 83<sup>rd</sup> and 91<sup>st</sup> avenues and the traffic interchange with the Loop 101. The street improvements include the construction of curb, gutter, sidewalk, landscaping, streetlights, traffic signals, underground conversion of the existing overhead utilities, and asphalt pavement. The project also includes the relocation of a pressure-reducing valve at 75<sup>th</sup> Avenue and Bethany Home Road to provide a safer working environment for the Utility Department. A storm drain is also being constructed as part of this project to provide an outlet for the future storm drains serving the downtown area and connect the Bethany Home Outfall Channel.

On August 3, 2006, five bids were received and opened with Achen-Gardner Engineering, LLC, a licensed and qualified contractor, submitting the lowest bid in the amount of \$6,134,398.70.

**Previous Council/Staff Actions:** On February 24, 2004, Council awarded a professional services agreement with Earth Tech to design the street and storm drain improvements.

In March 2001, Council entered into an intergovernmental agreement with the Flood Control District of Maricopa County (FCD) for the purpose of cost sharing on the design, construction, and property acquisition for the Bethany Home Outfall Channel. This agreement also included cost sharing for the storm drain in Bethany Home Road between 83<sup>rd</sup> and 58<sup>th</sup> Avenues. The

agreement stated that the FCD would reimburse the city for 50% of the cost of design and construction of the storm drain in Bethany Home Road.

**Community Benefit:** The Bethany Home Road street realignment and storm drain will benefit the city by providing a safer intersection with 83<sup>rd</sup> Avenue and Bethany Home Road. It will also provide the first step in construction of a storm drain that will eventually relieve flooding problems in the southerly portion of the city.

**Public Input:** A public meeting was held on the Bethany Home Road project on February 16, 2005. Among those that attended, twenty-three citizens signed the attendance roster.

**Budget Impacts & Costs:** Funds for the construction of the street and storm drain improvements are available in various project budgets in the current Capital Improvement Program. A transfer of \$510,000 of contingency appropriation authority only is required from Roadway Improvements Development Impact Fee Contingency, Account No. 1600-12029-510200, to Bethany Home Road, 75<sup>th</sup>- 83<sup>rd</sup> Avenues, Account No. 1600-67810-550800.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$6,134,398.70

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

Bethany Home Road, 75<sup>th</sup> to 83<sup>rd</sup> Avenues (Storm Drain Improvements), Account No. 2180-79009-550800 \$3,000,610

Oasis Water Campus, Account No. 2400-61003-550800 \$50,264.18

Bethany Home Road, 75<sup>th</sup> to 83<sup>rd</sup> Avenues (Street Improvements), Account No. 2000-68901-550800, \$2,258,784.17

75<sup>th</sup> Ave/Bethany Home Road – Intersection, Account No. 2210-65047-550800 \$208,569.55

Bethany Home Road, 75<sup>th</sup> - 83<sup>rd</sup> Avenues, Account No. 1600-67810-550800 \$510,000

Development Agreements – Signals, Account No. 1600-67803-500800, \$106,170.80

**Recommendation:** Approve the transfer and award the construction contract to Achen-Gardner Engineering, LLC, in the amount of \$6,134,398.70, for the construction of the Bethany Home Road Street and Drainage Improvements, between 75<sup>th</sup> and 83<sup>rd</sup> avenues.

**17. AGREEMENT AWARD FOR PLANNING AND MANAGEMENT OF EVENT TRANSPORTATION SERVICES**

**Purpose:** This is a request for City Council to ratify an agreement with Gameday Management Group for planning and management of event transportation services. The agreement term is for one year from the date of execution by the Council. Transportation services include providing buses and personnel for shuttle bus services to and from the city parking lot located at 91<sup>st</sup> and Orangewood avenues and the stadium.

**Council Strategic Goals Or Key Objectives Addressed:** One of Council’s goals is to provide high quality services to citizens. Provision of this agreement will assist in the coordination of exceptional service delivery for residents and visitors to Glendale during events at the stadium.

**Background:** This approval request is a retroactive authorization due to the timing of final negotiations with the Cardinals on the overall stadium-parking plan. Furthermore, an agreement for shuttle services was not completed until August 1, 2006 due to ongoing parking plan discussions during Council break. Per the agreement with the Arizona Cardinals and Arizona Sports and Tourism Authority (AZSTA), shuttle bus service is to be provided to people parking in the city lot located at 91<sup>st</sup> and Orangewood avenues.

Pursuant to Glendale City Code, section 2-145(1)(g), the City Manager may waive formal purchasing procedures to avoid unnecessary delay and or expense. Waiving the formal purchasing procedures allowed the city to meet contractual obligations made with the Arizona Cardinals and AZSTA. Upon final determination of service required, four companies were contacted to submit an offer to provide event transportation service including shuttle bus service. Gameday Management Group was selected to provide the service. Gameday Management Group provided event transportation services for the first stadium event scheduled August 12, 2006 in which the city needed to provide services.

Gameday Management Group is a Florida based event management company with experience at the 1996 World Olympics in Atlanta, Georgia, the 1999 Men’s College Basketball Final Four, the Daytona International Raceway, and eight Superbowls including the upcoming Superbowl XLI in Jacksonville, Florida.

**Previous Council/Staff Actions:** Council approved one time budget supplementals in the FY 2006-07 budget for Stadium Transportation Plan Implementation in the amount of \$484,000. The monies requested were to cover the costs of opening day and ongoing costs of implementing parking and shuttle plans for Arizona Cardinal football games.

**Budget Impacts & Costs:**

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$473,000

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

Stadium – Transportation Ops, Account No. 1340-16840-518200

**Recommendation:** Ratify the agreement with Gameday Management Group in the amount of \$473,000.

**CONSENT RESOLUTIONS**

18. [INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR FIXED ROUTE BUS SERVICES](#)

**Purpose:** This is a request for City Council to authorize the City Manager to enter into an Intergovernmental Agreement (IGA) with the City of Phoenix (Contract Change Order No. 8) for the continued operation of fixed route bus services in the City of Glendale.

**Council Strategic Goals Or Key Objectives Addressed:** One of Council’s goals is to provide high quality services for citizens. Improving and providing transportation options within the city will assist in achieving this goal.

**Background:** For over 25 years fixed route bus service has been provided in Glendale through an agreement with the City of Phoenix. The agreement will provide continuation of current levels of fixed route bus service to the citizens of Glendale. Bus service is provided with funds from the GO Glendale Transportation Plan.

**Previous Council/Staff Actions:** This is an annual IGA approved by Council to provide fixed route services in Glendale. This agreement was last approved by Council on September 13, 2005.

**Community Benefit:** This contract provides citizens of Glendale with all or part of the bus service on Bethany Home, Glendale, Northern, Olive, Peoria, Thunderbird, Bell, Union Hills, 51<sup>st</sup>, 59<sup>th</sup>, and 67<sup>th</sup> avenues every half-hour, Monday through Saturday from approximately 5 a.m. to 10 p.m. with hourly service on Sundays and holidays. Fixed route service was provided to more than two million riders in Glendale last year.

**Budget Impacts & Costs:** The cost for FY 2006-07 Change Order No. 8 is \$2,982,197. The amount is budgeted in the Fixed Route division of the GO Transportation Program, account number 1660-16540-518200.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$2,982,197

<b><u>Account Name, Fund, Account and Line Item Number:</u></b> Fixed Route, Account No., 1660-16540-518200
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**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement (Contract Change Order No. 8) with the City of Phoenix for the continued operation of fixed route bus services in Glendale in an amount not to exceed \$2,982,197.

19. [INTERGOVERNMENTAL AGREEMENT WITH THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY FOR TRANSIT SERVICES](#)

**Purpose:** This is a request for City Council to authorize the City Manager to enter into an Intergovernmental Agreement (IGA) with the Regional Public Transportation Authority (RPTA) for the continued provision of transit services in the City of Glendale.

**Council Strategic Goals Or Key Objectives Addressed:** Improving and providing transportation options within the city will assist Council in achieving the goal to provide high quality services for citizens.

**Background:** Approval of this IGA will provide for the continuation of the current level of bus service provided by the RPTA in Glendale for FY 2006-07 at an estimated cost to the RPTA of \$880,567. The agreement also provides for reimbursement of Americans With Disabilities Act (ADA) paratransit costs up to \$190,900 for FY 2005-06 and up to \$495,400 for FY 2006-07.

**Previous Council/Staff Actions:** This is an annual agreement to provide bus service in addition to the service provided by the GO Glendale Transportation Plan. This agreement was last approved by Council on September 13, 2005.

**Community Benefit:** This contract provides citizens of Glendale with all or part of the bus service on Glendale, Peoria, Grand, 59<sup>th</sup>, and 67<sup>th</sup> avenues and two express routes available every half-hour, Monday through Saturday from approximately 5 a.m. to 10 p.m., with hourly service on Sundays and holidays. Fixed route service was provided to more than two million riders in Glendale last year.

**Budget Impacts & Costs:** The costs of providing the transit services are included in the Transportation Department's operating budget for the Dial-A-Ride division. This agreement with RPTA provides for reimbursement of ADA paratransit expenses up to \$190,900 for FY 2005-06 and up to \$495,400 for FY 2006-07. Funds will be deposited to account 1660-16530-419250, Regional Public Transit Authority revenue.

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement with the Regional Public Transportation Authority to continue the provision of public transportation services in Glendale.

## 20. [APPLICATION FOR 2006 TRANSPORTATION ENHANCEMENT FUNDS FOR EXTENSION OF GRAND CANAL PATHWAY](#)

**Purpose:** This is a request for City Council to authorize an application for 2006 Transportation Enhancement funds and acceptance of the grant award. The Arizona Department of Transportation (ADOT) requires a formal resolution from the Glendale City Council authorizing submission of the application and the required matching funds.

The application is to extend the Grand Canal pathway from Loop 101 to New River located at approximately 107<sup>th</sup> Avenue.

**Council Strategic Goals Or Key Objectives Addressed:** One of Council's goals is to provide high quality services to citizens. Improving and providing transportation options within the city will assist in achieving this goal.

**Background:** In November 2001, Glendale voters approved the half-cent transportation sales tax package including a ballot map of bicycle and pedestrian projects that included the Grand Canal Multi-use Path from Loop 101 to New River.

This project will be another step in the completion of a multi-use pathway system in Glendale. It will connect the existing Grand Canal pathway to Glendale's planned New River Multi-use path.

Glendale’s existing Thunderbird Paseo and Skunk Creek pathways will also connect to the Grand Canal pathway via planned trails along the New River in Glendale and Peoria, which will provide a direct connection to the Grand Canal pathway in south Glendale. Once completed, Glendale will have one of the premier off-street pathway systems in the Valley. The Grand Canal Multi-Use path has also been identified as a key segment in the Maricopa Association of Government’s Regional Off-Street System Plan as well as the Maricopa County Trails System Plan. When completed these pathways will provide the citizens of Glendale with off-street transportation options.

The Maricopa Association of Governments (MAG) ranked this enhancement project as one of the top five proposals in the county. MAG will recommend this project to ADOT for funding if the City Council approves its submission.

**Previous Council/Staff Actions:** Council approved funds for the project in the FY 2007-2008 Capital Improvement Program budget.

**Community Benefit:** Allowing users of the multi-use pathway to avoid busy arterials streets in the area will enhance public safety. By making bicycling and walking more convenient and safe the overall quality of life will be enhanced for Glendale residents.

**Public Input:** In 2001, voters approved a half-cent transportation sales tax ballot question, which included this project. The project has also been reviewed and approved for inclusion in the GO Program by the Citizen Bicycle Advisory Committee and the Citizen Transportation Oversight Commission.

**Budget Impacts & Costs:** The estimated cost for construction of the project is \$678,268. The grant application requests \$500,000. The city’s required contribution for matching funds is \$178,268.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$178,268

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

Grand Canal Multi-use Path from Loop 101 to New River, Account No. 2210-65030-551200, FY 2007-2008 - \$178,268.

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the submission of the 2006 Transportation Enhancement grant application described herein and authorizing acceptance of the grant award.

**PUBLIC HEARING – LAND DEVELOPMENT ACTIONS**

21. [PROPOSED ANNEXATION REQUEST AN-161: 17504 WEST NORTHERN AVENUE](#)

**Purpose:** This is a request for City Council to conduct a public hearing on the blank annexation petition for Annexation Area No. 161, as required by state statute.

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

**Background:** The 445-acre site is located at the northwest corner of Cotton Lane and Northern Avenue west of the Loop 303.

The applicant, Kohner Properties, is proposing a single-family residential development for the entire 445 acres. Discussions thus far have included the siting of a fire station as well as open space, a future elementary school site and amenity features for the residents. If annexed by the city, this area will receive city services that include police, fire, and sanitation services. Private companies provide other needed utilities in this area of the city. All development that may occur on this parcel must comply with current Glendale development standards and policies.

The blank annexation petition was recorded on August 8, 2006. This public hearing is being conducted during the last 10 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 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 September 7, 2006, signatures may be gathered. Once the required signatures in favor of annexation are obtained, Council will be asked to consider the adoption of an annexation ordinance for this area.

**Previous Council/Staff Actions:** At the January 10, 2006 Workshop, Council directed staff to proceed with the annexation process for Annexation Area No. 161.

**Community Benefit:** The annexation of this 445-acre area would require that any future development of this location meet the Glendale General Plan requirements as well as all other development standards for the city.

**Recommendation:** Conduct a public hearing on the blank annexation petition for Annexation Area No. 161 as required by state statute.

22. [PROPOSED ANNEXATION REQUEST AN-163: 8707-8709 WEST NORTHERN AVENUE](#)

**Purpose:** This is a request for City Council to conduct a public hearing on the blank annexation petition for Annexation Area No. 163, as required by state statute.

**Council Strategic Goals Or Key Objectives Addressed:** Glendale 2025, the city’s General Plan, includes specific goals addressing the need for growth management. The Land Use Element, Goal 2 – “Promote sound growth management methods” and the Growth Areas Element, Goal 3

– “Manage growth to achieve reasonable, responsible urban development.” Annexation is a tool that can be used by the city to direct and manage growth.

**Background:** The 11.2-acre site is located at the southeast corner of the 87<sup>th</sup> Avenue alignment and Northern Avenue.

The applicant, Malouf Homes, is proposing a single-family residential development for the entire 11.2 acres. The applicant has also been informed of the future development requirements of the Northern Parkway, which is located along the northern boundary of this site and the applicant wishes to proceed with the annexation and development of this property.

If annexed by the city, this area will receive city services that include police, fire, and sanitation services. The 11.2 acres is located within the City of Glendale water and sewer service areas and would be eligible for connection to these utilities once annexation has been completed. All development that may occur on this parcel must comply with current City of Glendale development standards and policies.

The blank annexation petition was recorded on August 8, 2006. This public hearing is being conducted during the last 10 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.

**Previous Council/Staff Actions:** At the January 10, 2006 Workshop, the City Council directed staff to proceed with the annexation process for Annexation Area No. 163.

**Community Benefit:** The annexation of this 11.2-acre area would require that any future development of this location meet the Glendale General Plan requirements as well as all other development standards for the City of Glendale.

**Recommendation:** Conduct a public hearing on the blank annexation petition for Annexation Area No. 163 as required by state statute.

## **ORDINANCES**

### **23. ARIZONA PUBLIC SERVICE COMPANY UTILITY EASEMENTS**

**Purpose:** This is a request for City Council to adopt an ordinance granting the following utility easements in favor of Arizona Public Service Company (APS); (1) at the city’s Public Safety Training Facility located at 11550 West Glendale Avenue; and (2) at the city’s Field Operations Center located at 6210 West Myrtle Avenue.

**Background:** The city is building a new Public Safety Training Facility on the north side of Glendale Avenue, west of the city’s landfill. The city requested APS provide electrical service to the new facility.

The city is building a new Transit Building near the Field Operations Center on the north side of Myrtle Avenue, west of Grand Avenue. The city requested APS provide electrical service to the new facility.

These easements are necessary to protect APS' facilities in these locations.

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

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

**Purpose:** This is a request for City Council to adopt an ordinance granting the following easements in favor of Salt River Project (SRP); (1) an underground power distribution easement on the northwest corner of 91<sup>st</sup> Avenue and Bethany Home Road; (2) an underground power distribution easement on the southeast corner of 61<sup>st</sup> and Sweetwater avenues; (3) an irrigation easement along 43<sup>rd</sup> Avenue at Bethany Home Road; and, (4) an irrigation easement along 43<sup>rd</sup> Avenue at Northern Avenue.

**Background:** The city has made improvements to the Youth Sports Complex on property the city is leasing at the northwest corner of 91<sup>st</sup> Avenue and Bethany Home Road. To operate the irrigation system and other facilities, the city requested SRP provide electrical power.

The city has made improvements to Desert Valley Park located at the southeast corner of 61<sup>st</sup> and Sweetwater avenues and has requested SRP provide electrical power to operate the irrigation system and pathway lights. SRP has requested an easement for the installation and protection of their facilities.

Glendale Onboard (GO) will be making improvements to the major intersections along 43<sup>rd</sup> Avenue, between Bethany Home Road and Peoria Avenue, beginning in October 2006. The city requested SRP relocate its existing irrigation pipe and turnout structures at the intersections of 43<sup>rd</sup> Avenue with Bethany Home Road and Northern Avenue to accommodate construction in these areas.

These easements are necessary to protect SRP's existing land rights and facilities in the new locations.

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

#### 25. [DEDICATION OF ADDITIONAL RIGHT-OF-WAY, PUBLIC UTILITY EASEMENT, WATER AND SEWER LINE EASEMENTS: GLENDALE AVENUE AND CABELA DRIVE, EAST OF 95<sup>TH</sup> AVENUE](#)

**Purpose:** This is a request for City Council to adopt an ordinance to dedicate city-owned property as additional right-of-way along the north side of Glendale Avenue and along the south

side of Cabela Drive, east of 95<sup>th</sup> Avenue; to dedicate a public utility easement along the south side of Cabela Drive, east of 95<sup>th</sup> Avenue; and to dedicate perpetual easements for the city's water and sewer lines providing service to the Cabela's site.

**Background:** The installation of infrastructure to serve the Cabela's store and other developments in the Zanjero subdivision resulted in the need for dedication of additional rights-of-way and relocation of the adjacent public utility easement. The city currently holds title to portions of the needed areas along the north side of Glendale Avenue and along the south side of Cabela Drive, east of 95<sup>th</sup> Avenue. In developing the Cabela's site, the city installed certain necessary water and sewer lines. Dedication of perpetual easements for these facilities will protect the city's facilities on this site.

**Recommendation:** Waive reading beyond the title and adopt an ordinance authorizing the City Manager to sign all documents necessary for the dedication of additional rights-of-way along the north side of Glendale Avenue and along the south side of Cabela Drive, east of 95<sup>th</sup> Avenue; for the dedication of a new public utility easement adjacent to Cabela Drive, east of 95<sup>th</sup> Avenue; and for perpetual easements for the city's water and sewer lines and related facilities.

## 26. [FOOTHILLS PARK AND SKATE COURT CONCESSIONS](#)

**Purpose:** This is a request for City Council to authorize the City Manager to enter into a lease agreement with Action Park Alliance (APA) to provide retail, concessions, equipment rental and repair, and programs for the Foothills Park and Skate Court, located at 57<sup>th</sup> Avenue and Union Hills Drive.

**Council Strategic Goals Or Key Objectives Addressed:** The agreement addresses the Council's strategic goal to provide high quality services for our citizens. The agreement also addresses several strategic priorities including ensuring public safety and awareness, coordinating exceptional service delivery through an integrated approach, strengthening community relationships, creating new partnerships, and enhancing the quality of life for Glendale residents.

**Background:** In January 2005, the Parks and Recreation Department advertised a Request for Proposal (RFP) to provide management, concession and pro shop services at Foothills Regional Skate Court. One proposal was received from Action Park Alliance, Inc. (APA), located in California. Notices were sent to Glendale skate and bike shops to solicit proposals from local vendors as well as national vendors. However, no local vendors responded or attended the pre-proposal conference to clarify questions related to the request for proposals.

In addition, during summer 2005, staff began development of a management plan for the Foothills Park and Skate Court. The process to develop the plan included surveying other cities regarding their management and maintenance practices, talking with businesses and schools located near the park, and analysis of the Foothills Park and Skate Court uses and issues. As a result, the plan's focus is to provide consistent standards and practices for the facility and addresses four main areas: safety and maintenance, communication, programming and operations.

One of the elements of the management plan is to provide a professional pro shop and concessionaire on-site to serve the park and skate court users. Once the plan was finalized, staff began design of a concessions facility located in the park and adjacent to the skate court. It also began negotiations with APA to provide professional, adult-supervised pro shop, concessions and programming services. As a result, the proposed agreement includes the following:

Sale of food and non-alcoholic refreshments; sale, rental and repair of skateboarding and in-line skating equipment; and partnering with the Parks and Recreation Department to offer and promote programs and events in the skate court.

The initial term of the proposed agreement is for five years and could be renewed for another five-year term unless either party chooses to terminate within 90 days of renewal. There would be no operating costs to the city for utilizing APA's services.

APA would not be charged rent the first six months of the lease to allow for start-up preparation of the concessions and pro shop.

Second six months - APA would pay \$800 per month to the city.

Years two through five

- \$800 per month and
  - 5% of the gross annual revenues above the \$300,000 level or
  - 6% of the gross annual revenues above the \$500,000

In addition, pending satisfactory performance at the Foothills facility, APA would also have first right of refusal for providing concession and pro shop services to the future western area park facility.

Staff also verified the high quality and consistency of APA's services provided to the cities of Orlando, Florida and San Diego, California who have utilized APA's services over several years and continue to use their services. Both cities provided excellent referrals.

**Previous Council/Staff Actions:** Staff presented the proposal submitted by APA to the Parks and Recreation Commission at its March 2005 meeting for discussion and input. At the Commission's meeting in July 2005, staff also presented a management plan for the Foothills Park and Skate Court facility. One of the elements of the plan included developing a contract with APA to provide pro shop and concessions services, as well as programs and events to the park and skate court, but not supervise and manage the skate court.

In October 2005, a citizen skate court advisory committee was formed that includes representatives from local businesses, schools, skate court users, parents, police, and neighborhood partnership, library and parks and recreation staff. The committee meets on a regular basis to discuss and address programming and volunteer opportunities, and behavior at the park and at area businesses.

The management plan has assisted staff in monitoring and managing park and skate court use and created open communication and partnerships with the area businesses and schools.

**Community Benefit:** Through Action Park Alliance's sports expertise, professional sports affiliation and highly trained staff, the community will benefit from the offering of various youth programs, local demonstrations, and special events. In addition, the concessionaire would provide the park and skate court users professional, adult-supervised pro shop and concession services on-site during the park and skate court hours of operations.

**Recommendation:** Waive reading beyond title and adopt an ordinance authorizing the City Manager to enter into an agreement with Action Park Alliance for the operation of the Foothills Park and Skate Court Concessions and Pro Shop.

## **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)).