

GLENDALE CITY COUNCIL MEETING
Council Chambers
5850 West Glendale Avenue
September 27, 2005
7:00 p.m.

CALL TO ORDER – PLEDGE OF ALLEGIANCE

APPROVAL OF THE [MINUTES OF SEPTEMBER 13, 2005](#)

PROCLAMATIONS AND AWARDS

[BOARDS AND COMMISSIONS](#)

[NATIONAL FIRE PREVENTION MONTH](#)

CONSENT RESOLUTIONS

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. [GOVERNOR’S OFFICE OF HIGHWAY SAFETY GRANT – DUI TASK FORCE](#)
2. [CRIMINAL JUSTICE ENHANCEMENT FUND GRANT](#)
3. [PROJECT SAFE NEIGHBORHOODS GUN INTELLIGENCE SUPPORT GRANT](#)
4. [LITCHFIELD ROAD UNDERPASS](#)
5. [DESIGNATION OF THE APPLICANT’S AGENT TO FINALIZE STATE DISASTER REIMBURSEMENT](#)

ORDINANCES

6. [DEEDS AND EASEMENTS ORDINANCE](#)
7. [OFFICIAL SUPPLEMENTARY ZONING MAP ZMA-11](#)
8. [ARIZONA PUBLIC SERVICE COMPANY ELECTRICAL EASEMENT: 51ST AND MARLETTE AVENUES](#)
9. [SALT RIVER PROJECT IRRIGATION EASEMENT: 71ST AND GLENDALE AVENUES](#)

PUBLIC HEARING – RESOLUTIONS

10. [GENERAL PLAN AMENDMENT GPA04-11 AND REZONING APPLICATION ZON04-20: WESTGLEN VILLAS – 7290 WEST GLENDALE AVENUE](#)

RESOLUTIONS

11. [PURCHASE OF LAZY J TRAILER LODGE & RV'S: 6420 WEST MYRTLE AVENUE](#)

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

CITIZEN COMMENTS

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COUNCIL COMMENTS AND SUGGESTIONS

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- (i) discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
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- (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 SEPTEMBER 13, 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.

			<u>Effective Date</u>	<u>Expiration Date</u>
<u>Arts Commission</u>				
Janet Culbertson	Barrel	Appointment	09/27/2005	09/27/2007
Jacqueline Markowitz	Chair	Appointment	09/27/2005	09/27/2006
	Sahuaro			
Frank Eager	Vice Chair	Appointment	09/27/2005	09/27/2006
	Cholla			
<u>Citizens Advisory Commission on Neighborhoods</u>				
Kimberly M. Allen	At-Large	Appointment	09/27/2005	06/30/2006
(Yucca)				
<u>Citizens Bicycle Advisory Committee</u>				
William Wilkinson	Barrel	Re-appointment	09/27/2005	07/12/2007
	(CTOC)			
<u>Citizens Transportation Oversight Commission</u>				
Erman C. Fisher	Cholla	Re-appointment	09/27/2005	11/25/2007
John A. Edmonson	Cactus	Appointment	09/27/2005	07/25/2007
<u>Commission On Persons With Disabilities</u>				
David O’Connell	Ocotillo	Appointment	09/27/2005	09/27/2007
	(*Barrel)			
<u>Community Development Advisory Committee</u>				

Magda Nunez	Vice Chair Sahuaro	Appointment	09/27/2005	09/27/2006
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Judicial Selection Advisory Board

Karen Ewing	Chair	Re-appointment	09/27/2005	11/29/2006
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Recommendation: Make appointments to the Boards and Commissions and administer the Oaths of Office.

NATIONAL FIRE PREVENTION MONTH

Purpose: This is a request for the City Council to proclaim the month of October as National Fire Prevention Month. The Glendale Fire Department will celebrate Fire Prevention Month by hosting the 23rd Annual Fire Prevention Day and Parade on October 1, 2005.

Glendale citizens are being asked to participate in fire prevention activities at home, work and school. Firefighter Linda Rider will be present to accept the proclamation from Mayor Scruggs.

Background: The purpose of this nationally-observed month is to remind citizens of the importance of fire prevention at home, work, and school. This year's theme is "Use Candles With Care." Activities for Glendale's Fire Prevention Month begin with the city's Fire Prevention Day Parade on Saturday, October 1, 2005. The parade begins at 52nd and Glendale Avenues and proceeds west to 58th Avenue and ends at Murphy Park.

Recommendation: Proclaim October as National Fire Prevention Month.

CONSENT RESOLUTIONS

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1. GOVERNOR'S OFFICE OF HIGHWAY SAFETY GRANT – DUI TASK FORCE

Purpose: This is a request for the City Council to accept a one-year \$8,000 grant from the Arizona Governor's Office of Highway Safety (GOHS.) This grant will fund overtime expenses related to Driving Under the Influence (DUI) task force participation.

Council Policies Or Goals Addressed: The Council has identified the importance of ensuring public safety through pro-active programs promoting driver safety and awareness.

Background: This grant will support overtime expenses incurred by the Police Department as an active member of the West Valley DUI Task Force. This enforcement overtime will target

alcohol and drug-impaired drivers during the 2005 “You Drink & Drive. You Lose.” enforcement campaign and during sustained enforcement campaigns.

Previous Council/Staff Actions: The Police Department has received this one-time grant funding from GOHS annually.

Community Benefit: This grant will assist the Police Department in enforcing DUI and roadway safety related laws to help reduce injuries and fatalities in the City of Glendale.

Budget Impacts & Costs: There are no matching funds required for this grant. This is a one-time grant from the State of Arizona Governor’s Office of Highway Safety. A specific account will be established in Fund 47, the city’s grant fund, once the grant agreement is formally executed.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X		X	X		\$8,000

Recommendation: Waive reading beyond the title and adopt a resolution accepting the grant offer in the amount of \$8,000 from the Arizona Governor’s Office of Highway Safety.

2. [CRIMINAL JUSTICE ENHANCEMENT FUND GRANT](#)

Purpose: This is a request for the City Council to accept a one-year \$50,000 grant from the Arizona Department of Public Safety. The grant will provide funds to the Police Department’s Special Investigations Unit.

Council Policies Or Goals Addressed: This grant assists the Police Department in meeting Council priorities of ensuring public safety.

Background: The Criminal Justice Enhancement Fund Grant (CJEF) is annually applied for by the Police Department to help enforce and apprehend criminals involved in property and violent crimes specifically in the area of identity theft, burglary, auto theft, and fugitive apprehension.

Previous Council/Staff Actions: The Police Department has received this one-time grant funding annually for eighteen years.

Community Benefit: Acceptance of this grant will assist the Police Department in its fight against criminals who commit property and violent crimes against the citizens of Glendale. Grant funding will be used to provide equipment and overtime funding.

Budget Impacts & Costs: There is no financial match required for this grant. This is a one-time grant from the Arizona Department of Public Safety Criminal Justice Enhancement Fund. On-going costs associated with equipment obtained through this grant total \$780 annually and will be absorbed in the current operating budget.

A specific account will be established in Fund 47, the city's grant fund, once the grant agreement is formally executed.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
\$50,000		X	X		\$50,000

Recommendation: Waive reading beyond the title and adopt a resolution accepting the grant offer in the amount of \$50,000 from the Arizona Department of Public Safety Criminal Justice Enhancement Fund.

3. [PROJECT SAFE NEIGHBORHOODS GUN INTELLIGENCE SUPPORT GRANT](#)

Purpose: This is a request for the City Council to accept grant funding for Project Safe Neighborhoods Gun Intelligence Support Program in the amount of \$50,000 from the Arizona Criminal Justice Commission and the Federal Bureau of Justice Assistance. Grant funds will provide monies for overtime and program operating expenses.

Background: The Gun Intelligence Support Program is part of a continuing effort to support the strategic planning and accountability components of the Arizona Project Safe Neighborhoods (APSN) initiative by assisting the APSN Executive Council in their effort to support the prevention of violent firearm-related crime.

The Orchard Glen Weed and Seed Steering Committee requested that the Police Department apply for this grant to work in conjunction with the Weed and Seed Program. The City of Glendale was invited to apply for grant funds due to having a Weed and Seed Site.

Previous Council/Staff Actions: In 2004, Council approved the award of Project Safe Neighborhood Grant 04-3004.

Community Benefit: This grant will assist the Police Department and the citizens of Glendale by providing resources to be proactive in gathering firearms intelligence such as gang member locations, juvenile crime, and violent acts committed with firearms in the Orchard Glen Neighborhood.

Budget Impacts & Costs: There is no financial match required for this grant. This is a one-time grant from the Arizona Criminal Justice Commission. A specific account will be established in Fund 47, the city's grant fund, once the grant agreements are formally executed.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
\$50,000		X	X		\$50,000

Recommendation: Waive reading beyond the title and adopt a resolution accepting a grant offer in the amount of \$50,000 from the Arizona Criminal Justice Commission and the Federal Bureau of Justice Assistance for Project Safe Neighborhoods Gun Intelligence Support Program.

4. [LITCHFIELD ROAD UNDERPASS](#)

Purpose: This is a request for the City Council to adopt a resolution authorizing the entering into of a Memorandum of Agreement (MOA) with the United States of America, Department of Air Force for the alteration and new construction of the Litchfield Road Underpass at the Luke Air Force Base (AFB) north gate entrance.

Council Policies Or Goals Addressed: This agreement supports the Council's goals of ensuring public safety and creating transportation options.

Background: In an effort to improve base security, the Department of Air Force is minimizing entry control points into Luke AFB. Currently, Litchfield Road bisects the base, preventing unimpeded passage from one side to another. Several options were considered including closure of Litchfield Road from Glendale to Northern avenues, constructing a bridge across the length of the base, and depressing Litchfield Road. After discussions with city staff, it has been determined that the best solution is to create an overhead crossing and grade separated intersection carrying the base's Thunderbird Street over the city's Litchfield Road. As part of this agreement, Luke AFB has agreed to grant the city a perpetual easement for public road purposes.

Community Benefit: Constructing this underpass ensures that the road will remain open to the public and to emergency response vehicles.

Public Input: Luke AFB has held meetings to present the proposed project to the public surrounding the base. There have also been stakeholder meetings with the various government agencies involved to discuss the proposed project.

Budget Impacts & Costs: There are no direct costs to the city as a result of this agreement.

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the entering into of a Memorandum of Agreement with the United States of America, Department of Air Force for the Litchfield Road Underpass.

5. [DESIGNATION OF THE APPLICANT'S AGENT TO FINALIZE STATE DISASTER REIMBURSEMENT](#)

Purpose: This is a request for the City Council to authorize Rob Gunter, the city's Homeland Security Administrator, as the City of Glendale's applicant's agent with the federal and state government to administer the recovery and reimbursement of funds used in supporting declared disasters and emergencies.

Council Policies Or Goals Addressed: The council's strategic priorities of providing financial stability and ensuring public safety and awareness are addressed.

Background: During times of catastrophic emergency or disaster the Mayor, Governor of Arizona or the President of the United States may declare emergencies or disasters that have

reimbursable costs for the City of Glendale. The City of Glendale may be eligible to apply for state disaster and federal relief funds through the Arizona Department of Emergency and Military Affairs, Division of Emergency Management and the Federal Emergency Management Agency (FEMA) during the inclusive dates of those catastrophic events. As part of the cost recovery process, the State Department of Emergency and Military Affairs requires the formal designation of an “Applicant’s Agent,” who is the city’s authorized representative for the purpose of obtaining financial assistance under the Disaster Relief Act.

Previous Council/Staff Actions: On October 30, 2001, Council named the then City Manager as the applicant’s agent for the reimbursement sought after the support provided to the tragic events of September 11, 2001.

Budget Impacts & Costs: This action will allow reimbursement of eligible costs expended by the City of Glendale while providing support, response or recovery operations to catastrophic emergencies and disasters.

Recommendation: Waive reading beyond the title and adopt a resolution designating Rob Gunter, Homeland Security Administrator, as the City of Glendale’s applicant’s agent with the federal and state government to administer the recovery and reimbursement of funds used in supporting declared disasters and emergencies.

ORDINANCES

6. [DEEDS AND EASEMENTS ORDINANCE](#)

Purpose: This is a request for the City Council to formally accept real estate properties on behalf of the City of Glendale.

Background: The Deeds and Easements Ordinance is compiled of properties that have been deeded to the City. The City Clerk has recorded these deeds with Maricopa County. As a matter of practice, the Council formally accepts these properties by ordinance.

Recommendation: Waive reading beyond the title and adopt an ordinance formally accepting the real estate properties on behalf of the City of Glendale.

7. [OFFICIAL SUPPLEMENTARY ZONING MAP ZMA-11](#)

Purpose: This is a request for the City Council to approve Official Supplementary Zoning Map ZMA-11.

Background: The “Official Zoning Map of the City of Glendale” is part of the Zoning Ordinance and identifies the official zoning district boundaries for all property within the City. The zoning district designations on the map can only be formally amended by the Council through the adoption of an ordinance. Staff updates the map to reflect the Council’s approval of individual zoning applications. These map updates are then periodically brought to Council for a formal map amendment when rezoning stipulations have been completed.

Previous Council/Staff Actions: Council approved 28 rezoning applications on ZMA-11 between July 1997 and March 2002. Official Supplemental Zoning Map ZMA-11 will formally amend the zoning map to reflect these changes.

Community Benefit: The community benefits from the formal map amendment by providing accurate zoning districts.

Recommendation: Waive reading beyond the title and adopt an ordinance for Official Supplementary Zoning Map ZMA-11.

8. [ARIZONA PUBLIC SERVICE COMPANY ELECTRICAL EASEMENT: 51ST AND MARLETTE AVENUES](#)

Purpose: This is a request for the City Council to adopt an ordinance granting an easement in favor of Arizona Public Service Company (APS) for a new electrical easement at the city's Rose Lane Park on the southeast corner of 51st and Marlette avenues.

Background: To accommodate the renovation of Rose Lane Park Pool, the city has asked APS for additional electrical service. APS has requested an easement to formally acknowledge its facilities in the new location.

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

9. [SALT RIVER PROJECT IRRIGATION EASEMENT: 71ST AND GLENDALE AVENUES](#)

Purpose: This is a request for the City Council to adopt an ordinance granting an irrigation easement in favor of Salt River Project (SRP) along the south side of Glendale Avenue, east of 71st Avenue. The easement will enable SRP to relocate and tile its existing irrigation system to allow for the development of a new apartment complex, Desert Eagle, on the southeast corner of 71st and Glendale avenues.

Background: For aesthetics and safety purposes, the City and the developer of Desert Eagle Apartments have requested SRP to relocate and underground its existing irrigation ditch. As part of the Desert Eagle development, the developer has dedicated additional right-of-way and will also be making improvements to Glendale Avenue in the immediate area. The easement is necessary to formally acknowledge SRP's relocated facilities and existing land rights.

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

PUBLIC HEARING – RESOLUTIONS

10. GENERAL PLAN AMENDMENT GPA04-11 AND REZONING APPLICATION ZON04-20: WESTGLEN VILLAS - 7290 WEST GLENDALE AVENUE

Purpose: This is a request by Hallcraft Homes for the City Council to approve General Plan Amendment Application GPA04-11 and Rezoning Application ZON04-20 located at 7290 West Glendale Avenue. The applicant is requesting to (1) amend the General Plan Land Use Map from HDR (High Density Residential) and OFC (Office) to MHDR (Medium-High Density Residential) 5-8 dwelling units per acre; (2) rezoning from R1-6 (Single Residence) and R-4 (Multiple Residence) to R1-4 PRD (Single Residence, Planned Residential Development).

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

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

Background: The applicant intends to build a gated 152-lot single-family subdivision, titled WestGlen Villas, on 30 acres at a density of 5.07 dwelling units per gross acre. Lot sizes vary from 4,022 square feet to 9,414 square feet with an average lot size of 4,345 square feet. The proposed minimum lot width is 42 feet and the proposed minimum lot depth is 85 feet. There are 118 lots between 4,022 and 4,200 square feet. There are nine lots between 4,201 and 4,400 square feet. The remaining 25 lots range in size from 4,401 to 9,414 square feet.

Previous Council/Staff Actions: The Planning Commission recommended approval of this General Plan Amendment and Rezoning application with six stipulations as referenced in attachment number eight, Planning Commission Action Summaries (Rezoning Application ZON04-20).

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

Public Input: The applicant held a neighborhood meeting on September 29, 2004. Of the 850 property owners and interested parties invited to the meeting, seven people attended.

Initial concerns included residential density, access to the subdivision, lot size and on-site drainage. As a result, the developers stated they would continue working within the Subdivision Ordinance, City's Engineering Standards and the Residential Design and Development Manual to ensure all requirements are met.

Recommendation: Conduct a public hearing, waive reading beyond the title, and approve General Plan Amendment GPA04-11 and Rezoning Application ZON04-20 subject to the stipulations as recommended by the Planning Commission.

RESOLUTIONS

11. PURCHASE OF LAZY J TRAILER LODGE & RV'S: 6420 WEST MYRTLE AVENUE

Purpose: This is a request for the City Council to authorize the purchase of the property known as the "Lazy J Trailer Lodge & RVs" (Lazy J) located at 6420 West Myrtle Avenue.

Council Policies Or Goals Addressed: The Field Operations Complex has been in the Government Facilities Capital Improvements Plan (CIP) for the past several years. Completion of the complex will enhance the ability of the Field Operations Department to provide service that fulfills the strategic priority of the City Council of building and maintaining quality infrastructure for the city.

Background: In July 1997, during design of the Field Operations Complex master plan, the city discussed the possible purchase of the Lazy J with its owners, and found the owners to be receptive to a sale at appraised value. Funding for the purchase of the Lazy J is available in the Water and Sewer Fund of the Utilities Department as its contribution toward the construction of the Utilities Buildings within the Field Operations Complex.

Previous Council/Staff Actions: Staff presented an offer to purchase the property for \$1,400,000, based on an appraisal of the property performed in May 2005. Based on anticipated market changes between the appraisal date and the date on which escrow would close, the owners made a counter-offer of \$1,500,000. Considering the current health of the real estate market, staff recommends acceptance of the counter-offer.

Budget Impacts & Costs: The cost to acquire the Lazy J will be the purchase price, typical closing costs, and costs associated with normal due diligence. Funds are available in Lazy J Trailer Lodge, Account No. 50-9222-8100.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$1,500,000

Account Name, Fund, Account and Line Item Number:

Lazy J Trailer Lodge, Account No. 50-9222-8100

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to execute all documents necessary to complete the purchase of the Lazy J Trailer Lodge & RV's.

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- (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)).**