

Glendale City Council Meeting Agenda

November 27, 2007 – 7:00 p.m.

City Council meetings are telecast live at 7:00 p.m. on the second and fourth Tuesday of the month. Repeat broadcasts are telecast the second and fourth week of the month – Wednesday at 2:30p.m., Thursday at 8am, Friday at 9:00am, Saturday at 2pm, Sunday at 9a.m. and Monday at 1:30p.m. on Glendale Channel 11.

Welcome!

We are glad you have chosen to attend this City Council meeting. We welcome your interest and encourage you to attend again.

At City Council meetings, the Mayor and Council take official action. They adopt Resolutions, which express the policy of the city or direct an administrative action, and they adopt Ordinances, which become laws or fulfill legal requirements. Administrative matters, such as the awarding of contracts and bids, are approved. Public Hearings, which are held specifically to obtain citizen input, are also conducted at these Council sessions.

How to Participate

The Glendale City Council values citizen comments and input. 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 at the back of the Council Chambers and give it to the City Clerk before the meeting starts. The Mayor will call your name when the Citizen Comments portion of the agenda is reached. Because these matters are not listed on the posted agenda, the City Council may not act on the information during the meeting but may refer the matter to the City Manager for follow-up.

Public Hearings are also held on certain agenda items such as zoning cases, liquor license applications and use permits. If you wish to speak or provide written comments about a public hearing item on tonight's agenda, please fill out a Public Hearing Speakers Card located at the back of the Council Chambers and give it to the City Clerk before the meeting starts. The Mayor will call your name when the public hearing on your item has been opened.

When speaking at the Podium, please state your name, if you live in the City of Glendale, and if so the Council District you live in and present your comments in five minutes or less.

Council Meeting Schedule

The Mayor and City Council hold Council meetings to take official action two times each month. These meetings are held on the second and fourth Tuesday of the month at 7 p.m. Regular meetings are held in the Council Chambers, Glendale Municipal Office Complex, 5850 W. Glendale Ave.

Agendas may be obtained after 4 p.m. on the Friday before a Council meeting, at the City Clerk's Office in the Municipal Complex. The agenda and supporting documents are generally posted to the city's Internet web site, www.glendaleaz.com.

Questions or Comments

If you have any questions about agenda items, please call the City Manager's Office at (623) 930-2870. If you have a concern you would like to discuss with your District Councilmember, please call (623) 930-2249, Monday - Friday, 8 a.m. - 5 p.m.

Form of Government

The City of Glendale has a Council-Manager form of government. Legislative policy is set by the elected Council and administered by the Council-appointed City Manager.

The City Council consists of a Mayor and six Councilmembers. The Mayor is elected every four years by voters city-wide. Councilmembers hold four-year terms with three seats decided every two years. Each of the six Councilmembers represent one of six electoral districts and are elected by the voters of their respective districts (see map on back).



For special accommodations, please contact the City Manager's Office at (623) 930-2870 at least one business day prior to this meeting. TDD (623) 930-2197.

Si necesita traducción en español, por favor llame a la oficina del Administrador del Ayuntamiento de Glendale, (623) 930-2870, un día hábiles antes de la fecha de la junta.

Councilmembers

David M. Goulet - Ocotillo District
H. Philip Lieberman - Cactus District
Steven E. Frate - Sahuaro District
Joyce V. Clark - Yucca District
Yvonne J. Knaack – Barrel District



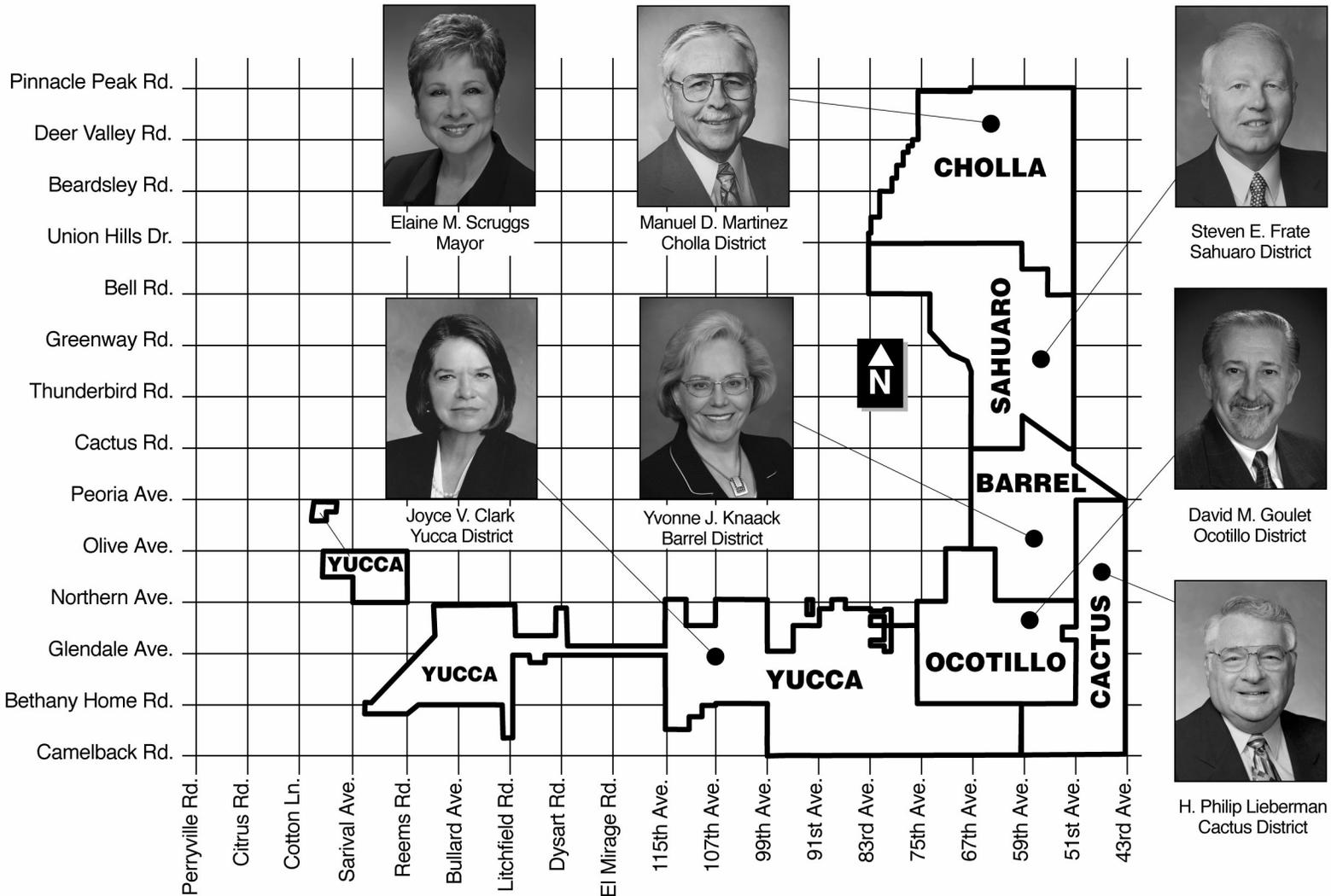
MAYOR ELAINE M. SCRUGGS
Vice Mayor Manuel D. Martinez - Cholla District

Appointed City Staff

Ed Beasley – City Manager
Craig Tindall – City Attorney
Pamela Hanna – City Clerk
Elizabeth Finn – City Judge

GLENDALE

Council District Boundaries





GLENDALE CITY COUNCIL MEETING
Council Chambers
5850 West Glendale Avenue
November 27, 2007
7:00 p.m.

CALL TO ORDER – PLEDGE OF ALLEGIANCE

APPROVAL OF THE [MINUTES OF OCTOBER 23, 2007](#)

BOARDS, COMMISSIONS AND OTHER BODIES

[BOARDS, COMMISSIONS AND OTHER BODIES](#)

PROCLAMATIONS AND AWARDS

[TOSTITOS FIESTA BOWL PLAQUES OF APPRECIATION](#)

CONSENT AGENDA

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

1. [SPECIAL EVENT LIQUOR LICENSE FOR SERENO SOCCER CLUB –DECEMBER 2, 14, 23 & 30, 2007](#)
2. [SPECIAL EVENT LIQUOR LICENSE FOR FIESTA BOWL – COLLEGE FOOTBALL’S BIGGEST PARTY, JANUARY 2, 2008](#)
3. [SPECIAL EVENT LIQUOR LICENSE FOR FIESTA BOWL – FOOTBALL PRE-GAME PARTY, JANUARY 2, 2008](#)
4. [LIQUOR LICENSE NO. 3-1151 SKIPPERS LOUNGE](#)
5. [LIQUOR LICENSE NO. 3-1153 BE SUSHI & MARTINI](#)
6. [LIQUOR LICENSE NO. 3-1154 PICAZZO’S GOURMET PIZZA AND SALADS](#)

7. [LIQUOR LICENSE NO. 3-1155 NY STYLE SUBS & PASTA](#)
8. [LIQUOR LICENSE NO. 3-1156 HELLS HALF ACRE](#)
9. [LIQUOR LICENSE NO. 3-1157 BAR LOUIE](#)
10. [PROFESSIONAL SERVICES AGREEMENT –DRAINAGE SYSTEM MAPPING](#)
11. [PROFESSIONAL SERVICES AGREEMENT—UTILITIES SECURITY ENHANCEMENTS PHASE III](#)
12. [FINAL PLAT APPLICATION FP07-02: NORTHERN OAKS COMMERCE PARK – 7250 WEST FRIER DRIVE](#)
13. [FINAL PLAT APPLICATION FP07-16: MISSOURI COVE – 5508 NORTH 79TH AVENUE](#)
14. [PURCHASE DIGITAL RADIO EQUIPMENT](#)

CONSENT RESOLUTIONS

15. [INTERGOVERNMENTAL AGREEMENT BETWEEN THE GILA RIVER INDIAN COMMUNITY AND ARIZONA LAW ENFORCEMENT AGENCIES FOR SUPER BOWL XLII](#)
16. [ACCEPTANCE OF STATE HOMELAND SECURITY GRANTS](#)
17. [DOMESTIC VIOLENCE VICTIM SERVICES AND PROGRAM ENHANCEMENTS GRANT](#)
18. [INTERGOVERNMENTAL AGREEMENT WITH ARIZONA STATE UNIVERSITY](#)
19. [MOHAVE COOPERATIVE PURCHASE AGREEMENT](#)
20. [AUTHORIZATION FOR CITY ATTORNEY TO FILE ACTIONS FOR CONDEMNATION](#)
21. [AMENDMENT NO. 2 TO THE AMENDED AND RESTATED GILA RIVER INDIAN COMMUNITY WATER RIGHTS SETTLEMENT AGREEMENT](#)

PUBLIC HEARING

22. [BINGO LICENSE NO. 4-3659 – MANISTEE MANOR APARTMENTS \(PUBLIC HEARING REQUIRED\)](#)

PUBLIC HEARING – LAND DEVELOPMENT ACTIONS

23. [MAJOR GENERAL PLAN AMENDMENT M-GPA07-06 \(RESOLUTION\):
COMMUNITY CHURCH OF JOY – 21000 NORTH 75TH AVENUE \(PUBLIC HEARING
REQUIRED\)](#)
24. [REZONING APPLICATION ZON07-08 \(ORDINANCE\): SUNBURST FARMS - 16200
NORTH 51ST AVENUE \(PUBLIC HEARING REQUIRED\)](#)

ORDINANCES

25. [DEEDS AND EASEMENTS ORDINANCE](#)
26. [BUREAU OF RECLAMATION LAND EXCHANGE: SOUTHWEST CORNER OF 95TH
AVENUE AND CAMELBACK ROAD](#)
27. [SALT RIVER PROJECT EASEMENTS](#)
28. [CARRIAGE FOR HIRE ORDINANCE](#)
29. [PRIVATE TOWING CARRIER ORDINANCE](#)

RESOLUTIONS

30. [PRIVATE TOWING CARRIER RESOLUTION](#)

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 OCTOBER 23, 2007](#)

BOARDS, COMMISSIONS AND OTHER BODIES

[BOARDS, COMMISSIONS AND OTHER BODIES](#)

Purpose: This is a request for City Council to approve the recommended appointments to the following boards, commissions and other bodies that have a vacancy or expired term and for the Mayor to administer the Oath of Office to those appointees in attendance.

			Effective	Expiration
<u>Aviation Advisory Commission</u>				
William, Kelly	Barrel	Reappointment	11/27/2007	11/27/2009
<u>Glendale Municipal Property Corporation</u>				
Schwierjohn, Roger	Barrel	Appointment	12/01/2007	TBD
Peterson, Leland	Cactus	Appointment	12/01/2007	TBD
Joraanstad, Mark	Ocotillo	Appointment	12/01/2007	TBD
Stern, John	Cholla	Appointment	12/01/2007	TBD
Dobbelaere, Art	Cholla	Appointment	12/01/2007	TBD
Peterson, Leland – Chair	Cactus	Appointment	12/01/2007	12/01/2008
<u>Library Advisory Board</u>				
Shuttleworthy, Brianna	Barrel	Appointment	11/27/2007	5/27/2008
<u>Western Loop 101 Public Facilities Corporation</u>				
Harnden, Steve	Cholla	Appointment	11/27/2007	TBD

Recommendation: Make appointments to the boards, commissions and other bodies and administer the Oaths of Office.

PROCLAMATIONS AND AWARDS

[TOSTITOS FIESTA BOWL PLAQUES OF APPRECIATION](#)

Purpose: This is a request for City Council to accept plaques from Dick Stemple, Fiesta Bowl Chairman, and John Junker, Fiesta Bowl President and CEO for the sincere appreciation for the hard work and dedication of all involved in contributing to the success of the 2007 Tostitos Fiesta Bowl and Tostitos Bowl Championship Series National Championship Game held in Glendale, Arizona.

With the excitement of these amazing games and flawless execution, the Fiesta Bowl cemented its position as the top bowl game and festival of events in the nation. This success was due to the

efforts and hard work of the more than 2,600 volunteers and the leadership of the Glendale City Council, management and its dedicated employees.

Glendale City Council will be present to accept the awards.

Background: In 2007, the Fiesta Bowl hosted two national bowl games at University of Phoenix Stadium in Glendale, Arizona. This “Festival of College Football” included the Tostitos Fiesta Bowl, which was the most exciting ending in college football history, and the crowning of a national champion at the Tostitos Bowl Championship Series National Championship Game.

It is with sincere appreciation for the hard work and dedication of all involved, that Dick Stemple, Fiesta Bowl Chairman, and John Junker, Fiesta Bowl President and CEO, will present plaques of appreciation to the Glendale City Council.

Recommendation: Present the award to Glendale City Council.

CONSENT AGENDA

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

1. [SPECIAL EVENT LIQUOR LICENSE FOR SERENO SOCCER CLUB –DECEMBER 2, 14, 23 & 30, 2007](#)

Purpose: This is a request for City Council to approve a special event liquor license for Sereno Soccer Club. The events will be at 6770 North Hockey Way on Sunday, December 2, 2007 from 10:00 a.m. to 3:00 p.m., Friday, December 14, 2007 from 5:00 p.m. to 12:00 a.m. (midnight), Sunday, December 23, 2007 from 10:00 a.m. to 3:00 p.m. and Sunday, December 30, 2007 from 10:00 a.m. to 3:00 p.m. The purpose of these events is to be part of the Nissan Concert Series promotion with 25 percent of the proceeds going to Sereno Soccer Club. The special events liquor licenses were submitted by Chuck C. Schmidt.

Background: If these licenses are approved, the total days expended by this applicant will be nine of the allowed 10 days per year. By hosting a variety of concerts and events at Westgate City Center, featuring local and nationally acclaimed acts, the applicant looks to draw a wide range of visitors from across the Valley and neighboring states, increasing exposure of Glendale’s sports and entertainment district, and encouraging new and returning visitors to come to Glendale. 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 Council recommends approval of such license.

Recommendation: The City of Glendale Planning, Fire and Police Departments have reviewed the applications and determined that they meet all technical requirements. Therefore, it is staff’s

recommendation to forward these applications to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

2. [SPECIAL EVENT LIQUOR LICENSE FOR FIESTA BOWL – COLLEGE FOOTBALL’S BIGGEST PARTY, JANUARY 2, 2008](#)

Purpose: This is a request for City Council to approve a special event liquor license for Fiesta Bowl. The event will be at 6222 North 91st Avenue on Wednesday, January 2, 2008 from 10:00 a.m. to 12:00 a.m. (midnight). The purpose of this event is for College Football’s Biggest Party with 100 percent of the proceeds going to Fiesta Bowl. The special event liquor license was submitted by Patrick L. Cannon.

Background: If this license is approved, the total days expended by this applicant will be one of the allowed 10 days per year. By hosting College Football’s Biggest Party, the applicant looks to draw a wide range of visitors from across the Valley and neighboring states, increasing exposure of Glendale’s sports and entertainment district, and encouraging those new and returning visitors to come to Glendale. 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 Council recommends approval of such license.

Recommendation: The city of Glendale Planning, Fire and Police Departments have reviewed the application and determined that it meets all technical requirements. 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. [SPECIAL EVENT LIQUOR LICENSE FOR FIESTA BOWL – FOOTBALL PRE-GAME PARTY, JANUARY 2, 2008](#)

Purpose: This is a request for City Council to approve a special event liquor license for Fiesta Bowl. The event will be at 9400 Maryland Avenue (Lot G) on Wednesday, January 2, 2008 from 10:00 a.m. to 12:00 a.m. (midnight). The purpose of this event is for a Football Pre-game Party with 100 percent of the proceeds going to Fiesta Bowl. The special event liquor license was submitted by Patrick L. Cannon.

Background: If this license is approved, the total days expended by this applicant will be two of the allowed 10 days per year. By hosting this Football Pre-game Party, the applicant looks to draw a wide range of visitors from across the Valley and neighboring states, increasing exposure of Glendale’s sports and entertainment district, and encouraging those new and returning visitors to come back to Glendale. 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 Council recommends approval of such license.

Recommendation: The city of Glendale Planning, Fire and Police Departments have reviewed the application and determined that it meets all technical requirements. 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. 3-1151 SKIPPERS LOUNGE](#)

Purpose: This is a request for City Council to approve a transferable Series 6 (Bar – All Liquor) license, operating with an interim permit for Skippers Lounge, located at 6124 North 43rd Avenue. The Arizona State application (number 06070309) was submitted by Patricia Marie Lyttle.

Background: The 60-day deadline for processing this application was October 29, 2007. A request for extension was submitted to the Department of Liquor Licenses. The location of the establishment will be 6124 North 43rd Avenue and is within the Cactus District, zoned C-2 (general commercial). This establishment is over 300 feet from any school or church. Skippers Lounge has operated at this location from April 2000 until May 2004 under Joseph Hamel and has operated at this location from May 2004 until present under Robert Liggett. The population density is 9,614 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 30 as listed below:

Series	Type	Quantity
6	Bar - All Liquor	6
7	Bar - Beer & Wine	1
9	Liquor Store - All Liquor	6
10	Liquor Store - Beer & Wine	11
12	Restaurant - All Liquor	6
	Total	<hr/> 30

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 and determined that it meets all technical requirements. 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. 3-1153 BE SUSHI & MARTINI](#)

Purpose: This is a request for City Council to approve a new non-transferable Series 12 (Restaurant – All Liquor) license for Be Sushi & Martini, located at 6922 North 95th Avenue, Suite 100. The Arizona State application (number 12077318) was submitted by Jesus Manuel Altamirano.

Background: The 60-day deadline for processing this application was November 12, 2007. A request for extension was submitted to the Department of Liquor License. The location of the establishment is 6922 North 95th Avenue, Suite 100 and is within the Yucca District, zoned PAD (planned area development). This is a new application submitted by Jesus Manuel Altamirano. The population density is 1,831 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 9 as listed below:

Series	Type	Quantity
3	Microbrewery	1
6	Bar – All Liquor	1
7	Beer & Wine Bar	1
10	Liquor Store – Beer & Wine	1
12	Restaurant – All Liquor	5
	Total	<u>9</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 and determined that it meets all technical requirements. 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. 3-1154 PICAZZO’S GOURMET PIZZA AND SALADS](#)

Purpose: This is a request for City Council to approve a new non-transferable Series 12 (Restaurant – All Liquor) license for Picazzo’s Gourmet Pizza and Salads, located at 6922 North 95th Avenue, Suite 300. The Arizona State application (number 12077319) was submitted by Jesus Manuel Altamirano.

Background: The 60-day deadline for processing this application was November 12, 2007. A request for extension was submitted to the Department of Liquor Licenses. The location of the establishment is 6922 North 95th Avenue, Suite 300 and is within the Yucca District, zoned PAD (planned area development). This is a new application, submitted by Jesus Manuel Altamirano. The population density is 1,831 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 9 as listed below:

Series	Type	Quantity
3	Microbrewery	1
6	Bar – All Liquor	1
7	Beer & Wine Bar	1
10	Liquor Store – Beer & Wine	1
12	Restaurant – All Liquor	5
	Total	<u>9</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 and determined that it meets

all technical requirements. 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. 3-1155 NY STYLE SUBS & PASTA](#)

Purpose: This is a request for City Council to approve a new non-transferable Series 12 (Restaurant – All Liquor) license for NY Style Subs & Pasta, located at 7448 West Glendale Avenue, Suite 103. The Arizona State application (number 12077327) was submitted by Arben Iljazi.

Background: The 60-day deadline for processing this application was November 17, 2007. A request for extension was submitted to the Department of Liquor License. The location of the establishment is 7448 West Glendale Avenue, Suite 103 and is within the Ocotillo District, zoned C-2(general commercial). This is a new application, submitted by Arben Iljazi. The population density is 2,489 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
6	Bar – All Liquor	1
10	Liquor Store – Beer & Wine	5
	Total	<u>6</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 and determined that it meets all technical requirements. 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. [LIQUOR LICENSE NO. 3-1156 HELLS HALF ACRE](#)

Purpose: This is a request for City Council to approve a person-to-person and location transfer of this transferable Series 6 (Bar – All Liquor) license for Hells Half Acre, located at 6751 North Sunset Boulevard, #E-113. The Arizona State application (number 06070025) was submitted by Jesus Manuel Altamirano.

Background: The 60-day deadline for processing this application is December 11, 2007. The location of the establishment will be 6751 North Sunset Boulevard, #E-113 and is within the Yucca District, zoned PAD (planned area development). This establishment is over 300 feet from any school or church. This is a person-to-person transfer and location transfer of this transferable Series 6 liquor license. The population density is 1,831 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 10 as listed below:

Series	Type	Quantity
3	Microbrewery	1
6	Bar - All Liquor	1
7	Bar - Beer & Wine	2
10	Liquor Store - Beer & Wine	1
12	Restaurant - All Liquor	5
	Total	<u>10</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 and determined that it meets all technical requirements. Therefore, it is staff's recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

9. [LIQUOR LICENSE NO. 3-1157 BAR LOUIE](#)

Purpose: This is a request for City Council to approve a new non-transferable Series 12 (Restaurant – All Liquor) license for Bar Louie, located at 6770 North Hockey Way, Suite G-109 (6770 North Sunrise Boulevard, Suite G-109). The Arizona State application (number 12077353) was submitted by Beverly S. Friedman.

Background: The 60-day deadline for processing this application is December 11, 2007. The location of the establishment is 6770 North Hockey Way, Suite G-109 (6770 North Sunrise Boulevard, Suite G-109) and is within the Yucca District, zoned PAD (planned area development). This is a new application, submitted by Beverly S. Friedman. The population density is 1,831 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 9 as listed below:

Series	Type	Quantity
3	Microbrewery	1
6	Bar – All Liquor	1
7	Beer & Wine Bar	1
10	Liquor Store – Beer & Wine	1
12	Restaurant – All Liquor	5
	Total	<u>9</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 and determined that it meets all technical requirements. 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. [PROFESSIONAL SERVICES AGREEMENT –DRAINAGE SYSTEM MAPPING](#)

Purpose: This is a request for City Council to approve a professional services agreement with Engineering Mapping Solutions, Inc. to map the city’s drainage infrastructure and to incorporate the collected data into the city’s Geographic Information System database.

Council Strategic Goals or Key Objectives Addressed: This project is consistent with the Council goal of providing high level of services to the citizens of Glendale by providing up to date and accurate information about the location of drainage facilities.

Background: In 1996 the Environmental Protection Agency (EPA) instituted Phase II of the National Pollutant Discharge Elimination System (NPDES). NPDES Phase II regulations require that the city map its drainage system. In accordance with this directive the city has been filing an annual report with EPA and the Arizona Department of Water Resources.

Community Benefit: Mapping the drainage system will facilitate future drainage modeling and design of storm drains.

Budget Impacts & Costs: Funds for this project are available in the current Capital Improvement Budget.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$217,800

<u>Account Name, Fund, Account and Line Item Number:</u> AZDES Permit, Account No. 2180-79006-551200
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Recommendation: Authorize the City Manager to enter into a professional services agreement with Engineering Mapping Solutions, Inc. in an amount not to exceed \$217,800 for Drainage System Mapping.

11. [PROFESSIONAL SERVICES AGREEMENT—UTILITIES SECURITY ENHANCEMENTS PHASE III](#)

Purpose: This is a request for City Council to approve a Professional Services Agreement with CH2M Hill to provide the design and construction administration services for Phase III of the Utilities Security Enhancements project, in an amount not to exceed \$1,303,493. The project is required for continued compliance with the federal Homeland Security Presidential Directive No. 7.

Council Strategic Goals or Key Objectives Addressed: One of Council’s strategic goals is high quality service for citizens. This contract will allow the city to continue to provide high quality water to its citizens by enhancing the security of the water production facilities and the wastewater treatment facilities.

Background: Water is a key resource for the community and the city’s Utilities Department is responsible for providing and protecting water services to the citizens in a manner consistent with federal and state regulations.

The Utilities Department completed two vulnerability assessments of the city’s water and wastewater systems. The reports analyzed the city’s water and wastewater facilities and provided recommendations for security enhancements. Through the city’s qualification-based selection process, the professional engineering firm CH2M Hill Inc. was hired to provide the security system design services for Phase I and part of Phase II.

In March 2007, Barton Malow was hired as the Construction Manager at Risk to build the Phase I improvements with a guaranteed maximum price. The Phase I construction is almost finished. Now the project is moving on to complete the Phase II design and begin the Phase III design. The design consultant, CH2M Hill Inc., will provide the engineering design services as indicated in the previous quality based selection process for Phase I.

Previous Council/Staff Actions: On March 13, 2007, Council approved the pre-construction services contract with Barton Malow as the CMAR for the water system security project. Council then approved the guaranteed maximum price for the Phase I construction on April 24, 2007.

On April 25, 2006, Council approved the professional services agreement with CH2M Hill, Inc. for the design and construction administration services for Phase I and the partial design of Phase II of the security system improvements to the city’s water facilities.

Community Benefit: The construction and implementation of the Utilities Security System will further enhance the security of Glendale’s water system and wastewater treatment system.

Budget Impacts & Costs: The fee for the engineering services for the water facilities is \$673,710 and the fee for the wastewater facilities is \$629,783. Funds for the water facilities fees are available in the Capital Improvement Program (CIP) Water System Security account and funds for the wastewater facilities fees are available in the CIP Security Enhancements Wastewater Operations account for this project.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X				\$1,303,493

Account Name, Fund, Account and Line Item Number:
 Water System Security - Account No. 2400-61023-551000
 Security Enhancements Wastewater Ops - Account No. 2420-63020-551200

Recommendation: Authorize the City Manager to enter into a Professional Services Agreement with CH2M Hill to provide the design and construction administration services for the Phase III Security Enhancements, in an amount not to exceed \$1,303,493.

12. [FINAL PLAT APPLICATION FP07-02: NORTHERN OAKS COMMERCE PARK – 7250 WEST FRIER DRIVE](#)

Purpose: This is a request by Michael Fa for City Council to approve the final plat for Northern Oaks Commerce Park located at 7250 West Frier Drive.

Council Strategic Goals or Key Objectives Addressed: The proposed final plat is consistent with the General Plan and the existing Light Industrial (M-1) zoning district. The request meets the requirements of the Subdivision and Minor Land Division Ordinance. The development of this subdivision will create additional commercial development opportunities in the city.

Background: Northern Oaks Commerce Park is an 11-lot commercial park subdivision on 18.4 acres. Lot sizes vary from 31,012 square feet to 324,278 square feet with an average lot size of 63,536 square feet. The proposed minimum lot width is 149 feet and the proposed minimum lot depth is 147 feet.

Previous Council/Staff Actions: No previous actions.

Community Benefit: This request facilitates development of the property by providing subdivided lots that are ready for development.

Recommendation: Approve final plat application FP07-02.

13. [FINAL PLAT APPLICATION FP07-16: MISSOURI COVE – 5508 NORTH 79TH AVENUE](#)

Purpose: This is a request by Roland Davis for City Council to approve the final plat for Missouri Cove, located at 5508 North 79th Avenue.

Council Strategic Goals or Key Objectives Addressed: The proposed final plat is consistent with the General Plan and the existing Suburban Residence (SR-17) zoning district. The request meets the requirements of the Subdivision and Minor Land Division Ordinance. The development of this subdivision will create additional single-family housing opportunities in the city.

Background: Missouri Cove is a 14-lot single-family subdivision on 8.8 acres with a density of 1.59 dwelling units per acre. Lot sizes vary from 17,005 square feet to 26,549 square feet with an average lot size of 18,043 square feet. The proposed minimum lot width is 110 feet and the proposed minimum lot depth is 135 feet.

Previous Council/Staff Actions: On December 7, 2006, the Planning Commission approved Preliminary Plat application PP06-03 for this subdivision.

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

Public Input: The applicant held a neighborhood meeting on July 10, 2006. Of the 82 people invited to the meeting, approximately 19 adjacent property owners and interested parties attended. There were concerns regarding privacy from abutting two-story homes, and dust and noise control. The applicant has addressed each of these concerns.

Recommendation: Approve Final Plat application FP07-16.

14. [PURCHASE DIGITAL RADIO EQUIPMENT](#)

Purpose: This is a request for City Council to authorize the purchase of digital radio equipment from the City of Phoenix Motorola contract number P728805 in the amount of \$182,000 and to authorize an increase from \$250,000 to \$1,000,000 to the annual radio purchase limit.

Council Strategic Goals or Key Objectives Addressed: The radio equipment allows officers to communicate with other officers and the communications center when responding to emergency and non-emergency calls for service. This meets with the Council goal of ensuring public safety for citizens and visitors, and high quality of service for citizens.

Background: With the increase in authorized police officers, support personnel and associated vehicles, the current annual radio purchase limit of \$250,000 has almost been met. The recently approved increases in police personnel and associated vehicles require an additional \$182,000 in new radio equipment.

With continued increases in vehicles and personnel, as well as on-going replacement and repair needs, it is not uncommon to reach the fiscal year purchasing limit within the first six months of the year. Increasing the limit would allow the city to continue to acquire radio equipment as needed, cover replacement needs and allow for emergency purchases if necessary.

Previous Council/Staff Actions: On March 23, 2004, Council approved the purchase of 17 radios from Motorola using the City of Phoenix Motorola Contract #P728805, for \$75,161.15, and setting the amount not to exceed \$250,000

Budget Impacts & Costs: Funding is available for the purchase of radios in the FY2007-08 Police Department operating budget and Capital Improvement Plan budget.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X	X	X		\$182,000

Account Name, Fund, Account and Line Item Number:

Patrol – Public Safety Sales Tax Fund, Account No. 1700-12310-551400 (\$67,600)
 Patrol – Public Safety Sales Tax Fund, Account No. 1700-12310-521000 (\$114,400)

Recommendation: Authorize the purchase of digital radio equipment from the City of Phoenix Motorola contract number P728805 in the amount of \$182,000 and authorize an increase from \$250,000 to \$1,000,000 to the annual radio purchase limit.

CONSENT RESOLUTIONS

15. INTERGOVERNMENTAL AGREEMENT BETWEEN THE GILA RIVER INDIAN COMMUNITY AND ARIZONA LAW ENFORCEMENT AGENCIES FOR SUPER BOWL XLII

Purpose: This is a request for City Council to authorize the City Manager to approve the intergovernmental agreement (IGA) between the Gila River Indian Community, Tempe Police Department, Phoenix Police Department, Mesa Police Department, Maricopa County Sheriff's Office, Glendale Police Department, and all law enforcement subdivisions of the State of Arizona.

The purpose of this agreement is to provide mutual aid between these agencies for protection and assistance in law enforcement presence, resources, and tactical and specialized response during the Super Bowl and its related events.

Council Strategic Goals or Key Objectives Addressed: Entering into this IGA creates a positive partnership with other law enforcement agencies and provides cooperation for services that may be needed during Super Bowl related events. It addresses the Council goal of one community focused on public safety for citizens and visitors by ensuring a high level of public safety coverage.

Background: The purpose of the IGA is to provide for mutual aid between the parties, especially for Gila River, which is an Indian Nation and legally treated much like a separate country. The Gila River Community is hosting one of the NFL teams participating in the Super Bowl at Wild Horse Pass and related events will take place in their community. A special agreement is necessary for the named law enforcement agencies to go onto the reservation and provide law enforcement services. The agreement does not mandate assistance, but allows for it at Glendale's discretion.

This agreement shall become effective on Friday January 25, 2008 at 12:00 a.m. for a period of eleven days, ending on Tuesday February 5, 2008, at 12:00 a.m.

Community Benefit: Through these partnerships, the Glendale Police Department and all participating law enforcement agencies will be working together to ensure that citizens and visitors to Super Bowl events will enjoy a safe environment and experience while attending related events.

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into the intergovernmental agreement between Gila River Indian Community, Tempe Police Department, Phoenix Police Department, Mesa Police Department, Maricopa County Sheriff's Office, Glendale Police Department, and all law enforcement subdivisions of the State of Arizona.

16. ACCEPTANCE OF STATE HOMELAND SECURITY GRANTS

Purpose: This is a request for City Council to adopt a resolution authorizing the City Manager to accept and administer fiscal year (FY) 2007 State Homeland Security Grant awards for a total amount of \$1,303,145.

Background: These grant awards will support the Glendale Fire and Police Department's Special Operations Divisions, and the Fire Department's Metropolitan Medical Response System (MMRS) program.

The Fire Department's portion of the grant related to special operations will be used to enhance radiation detection and mitigation capabilities. Additionally, the Fire Department's grant related to the MMRS program will enhance and sustain the regionally integrated, systematic mass casualty incident preparedness program. The program prepares the City of Glendale for response to all-hazards mass casualty incidents, including chemical, biological, radiological, nuclear, and explosive (CBRNE) incidents, epidemic disease outbreaks, natural disasters, and large-scale hazardous materials incidents.

The Police Department's portion of the grant related to special operations will enhance deployments and provide specialized technical equipment for tactical interventions in conventional and CBRNE operations.

The grant for the Glendale Department of Emergency Management will be used to create a comprehensive city Continuity of Operations Plan (COOP). This plan will outline the recovery requirements of a disaster affecting Glendale and provide for both continuity of operations, as well as continuity of government. The plan will identify a systematic approach to re-activating critical departmental functions in a specific order of criticality. This will allow the city to focus its resources on areas where they are needed most.

Previous Council/Staff Actions: On April 24, 2007 Council approved the 2006 Urban Areas Security Initiative funds to enhance the physical security of our Public Safety facilities.

On December 12, 2006 Council approved the 2005 Urban Areas Security Initiative funds to purchase the physical security infrastructure for public safety facilities.

On December 12, 2006 Council approved the 2005 State Homeland Security Grant to harden critical infrastructure.

On November 14, 2006 Council approved the 2006 State Homeland Security Grant to enhance the Police Department's Bomb Squad and Terrorism Liaison Officer Program, as well as the Fire Department's Metropolitan Medical Response System program.

On November 14, 2006 Council approved the Intergovernmental Agreement for the 2006 State Homeland Security Grants.

Community Benefit: Since 1999, Glendale has been able to leverage city funds with grant funds to enhance first responder preparedness within the city and the West Valley. Grant funds have been used to purchase safety equipment to protect first responders, specialized equipment for technical operations, and equipment to enhance communication efforts, as well as to develop preparedness training and to enhance prevention and intervention programs.

Budget Impacts & Costs: There is no financial match requested for this funding. This is one-time funding by the State Department of Homeland Security specifically for the programs identified previously. While no matching funds are requested for the initial purchase of this equipment, there is an expectation that the city would need to allocate funds to operate and replace any equipment purchased with Homeland Security grant monies. Departments will submit supplemental requests for future fiscal year budgets.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X					\$1,303,145

Account Name, Fund, Account and Line Item Number:

A specific account will be established in Fund 1840, the city's grant fund, once the grant agreements are formally executed.

Recommendation: Waive reading beyond title and adopt a resolution authorizing the City Manager to accept and administer the FY 2007 State Homeland Security Grant awards in an amount not to exceed \$1,303,145.

17. DOMESTIC VIOLENCE VICTIM SERVICES AND PROGRAM ENHANCEMENTS GRANT

Purpose: This is a request for City Council to adopt a resolution authorizing the acceptance of a two-year approximately \$400,000 continuation grant from the U.S. Department of Justice. This grant will continue funding several domestic violence victim services and program enhancements. The official name of the grant is Grant to Encourage Arrest Policies and Enforcement of Protection Orders from the U.S. Department of Justice Office on Violence Against Women.

Council Strategic Goals or Key Objectives Addressed: This request supports the Council strategic goals of one community focused on public safety for citizens and visitors, and a city with high quality services for citizens.

Background: The Glendale Domestic Violence Task Force was formed in December 2004 to provide systemic responses to a wide variety of local domestic violence issues. Partners include City Court, the City Prosecutors' Office, Police Department, West Valley Advocacy Center and Prehab of Arizona/A New Leaf. The Task Force has endorsed a collaborative partnership to seek funding for six victim services and program enhancements. The services and enhancements to be provided as a result of this grant award include the following; a full-time Compliance Specialist for Treatment Court, a full-time Domestic Violence Victim Notification Clerk for the

Prosecutor’s Office, a full-time Victim Advocate, a part-time Pro Tem Judge, overtime pay for Police Officers to serve domestic violence arrest warrants, and staff training.

Previous Council/Staff Actions: On September 13, 2005, City Council adopted a resolution authorizing the acceptance of the original two-year grant from the U.S. Department of Justice Office on Violence Against Women for domestic violence victim services and program enhancements.

Community Benefit: This item positively impacts Glendale residents by strengthening legal advocacy service programs for victims of domestic violence who typically are unaware of their basic rights and are confused by the complexities of the necessary legal processes. A compliance specialist will continue managing, coordinating, and expanding the activities of Treatment Court which specializes in monitoring defendants’ compliance to domestic violence counseling and treatment orders. Greater tools and resources will be available for police to apprehend domestic violence perpetrators.

Budget Impacts & Costs: There is no financial match required for this two-year grant, which runs through June 30, 2009.

Three FTE’s are included in this funding. During the FY08 budget cycle, Council approved one-time general funding for the Compliance Specialist and Victim Advocate under scenario one. The successful procurement of this grant funding eliminates the need for city funding at this time to cover those positions.

A newly created Victim Notification Clerk in the Prosecutor’s Office is also included in this funding. The new FTE will be responsible for monitoring restitution letters and other victim requests arising from the city of Glendale domestic violence website. This position will also be responsible for gathering victim input for status hearings and screening conferences related to their abusers in Treatment Court. If this program enhancement proves successful, a supplemental for FY09 general fund operating dollars will be submitted to continue the services.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X		X	X		\$399,978

Account Name, Fund, Account and Line Item Number:
 DV Pilot Project Grant, 1840-32136

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the acceptance of a two-year approximately \$400,000 continuation grant from the U.S. Department of Justice on Violence Against Women for domestic violence victim services and program enhancements.

18. [INTERGOVERNMENTAL AGREEMENT WITH ARIZONA STATE UNIVERSITY](#)

Purpose: This is a request for City Council to adopt a resolution to enter into an Intergovernmental Agreement (IGA) with Arizona State University (ASU) to conduct a

community-wide inventory of recreation and park programs, services, and physical resources provided to Glendale residents.

Council Strategic Goals or Key Objectives Addressed: This agreement furthers the Council strategic goals of enhancing the quality of life for Glendale residents, and creating one community with strong neighborhoods.

Background: The Parks and Recreation Department is beginning its initial steps to update the department master plan that was approved by Council in 2002. The master plan has been the guiding tool in addressing community and Council priorities during the past five years. Due to growth and changes in the community, the plan needs to be assessed and updated to provide the direction and priorities for future park and recreation services. The community inventory is the first step in the master plan update process. In addition, the department will be pursuing national accreditation. This process includes self-assessment and peer review using national standards of best practices for providing high quality services and delivery systems in the field of parks and recreation. The community inventory is one of the standards required for national agency accreditation. The inventory will identify and analyze the programs, services, and resources provided by both the city and other service providers to determine overlapping or underserved areas.

The Parks and Recreation Department will utilize the expertise of the ASU Department of Recreation and Tourism Management that specializes in survey-based research in parks and recreation, user behavior, areas and facilities management, recreation programming, and special event management.

As part of this agreement, ASU will inventory programs, services, and physical resource offerings at public agencies, non-profit associations, private associations, and private enterprises within the city, and neighboring the city’s borders; inventory all programs, services, and physical resource offerings at all city park and recreation areas, and facilities; identify overlapping programs, services, and resources; complete a gap analysis to identify insufficient programs, services, and resources; and provide recommendations based on the results of the community inventory.

Community Benefit: This analysis will identify both duplicated and unmet services within the community. This will enable the Parks and Recreation Department to best target its resources into the programs, facilities, and services most needed by the community.

Budget Impacts & Costs: The cost of the project will not exceed \$25,000.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
		X	X		\$25,000

Account Name, Fund, Account and Line Item Number:

Recreation Support Services – 1000-14630-518200

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an Intergovernmental Agreement with Arizona State University.

19. [MOHAVE COOPERATIVE PURCHASE AGREEMENT](#)

Purpose: This is a request for City Council to continue a purchasing cooperative agreement with the Mohave Educational Services Cooperative. The current cooperative purchase agreement has been modified by the Mohave Educational Services Cooperative changing the method of processing member orders and payments. They are requiring that all members of the cooperative execute the revised cooperative purchase agreement.

Council Strategic Goals or Key Objectives Addressed: Continuing with the agreement with Mohave Educational Services Cooperative will provide a fiscally sound position through cost savings and an expedited process of meeting operational needs.

Background: The Mohave Educational Services Cooperative obtains materials and services such as playground equipment, phone systems, fencing, fire suppression inspection & testing and modular buildings. The Cooperative currently has 398 participating members and is only for public agencies in the state of Arizona. The membership consists of cities, counties, state agencies, school districts, universities and colleges. This resolution is to permit the execution of the revised membership agreement, which will continue unless terminated by either party with ninety days written notice.

Previous Council/Staff Actions: Council previously approved a Cooperative Purchase Agreement with the Mohave Educational Services Cooperative in April 1998.

Community Benefit: Participating in the Mohave Educational Services Cooperative allows Glendale to make purchases based on the combined volume of all the members of the cooperative, rather than only the city's need. This method of consolidating the combined purchasing power of the membership produces low volume prices and makes for effective use of available funding.

Glendale businesses are also encouraged to participate in the bidding process with Mohave Educational Services Cooperative. Businesses may sign up to participate in the bidding process directly through Mohave Educational Services Cooperative. Being a registered potential bidder does not qualify a business as a Mohave contractor, but gives the business the means to be notified of upcoming procurement solicitations.

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the entering into the Mohave Educational Services Cooperative Agreement.

20. [AUTHORIZATION FOR CITY ATTORNEY TO FILE ACTIONS FOR CONDEMNATION](#)

Purpose: This is a request for City Council to authorize the City Attorney to file condemnation actions for the following: (1) for clear title for Fire Station 151 that will be located at the

northeast corner of 52nd Avenue and Lamar Road; and (2) to obtain possession and ownership of an inoperable well site located within the right-of-way for 63rd Avenue, north of Union Hills Drive.

Background: On December 14, 2004, Council adopted Resolution No. 3809 which authorized the City Manager to acquire certain real property located at the northeast corner of 52nd Avenue and Lamar for a fire station. The property is currently encumbered by a cross easement recorded under Maricopa County Docket No. 13942, Pages 1535 through 1538. This easement prevents improvement of the property in the best interests of the public. Fire Station 151 is currently located at 55th and Orangewood avenues. Fire Station 151 was built in 1969 and is no longer functional for the city's needs in this location. Because it is situated in the center of a residential square mile the activity level creates noise and response issues. There is a need for a fire station to be in closer proximity to Glendale Avenue to provide more immediate response to emergencies in this area. The relocation of Fire Station 151 will have a direct impact on emergency response times in this part of the city, providing more immediate medical assistance to those in critical need, as well as faster fire response capabilities.

The well site located within the right-of-way for 63rd Avenue, north of Union Hills Drive is no longer operable because all agricultural properties that it previously served have been developed and are currently on the city's water system.

Previous Council/Staff Actions: On February 27, 2007, Council approved a Construction Manager at Risk contract with FCI Constructors, Inc. for design support services for the new fire station.

On December 12, 2006 Council authorized the professional services agreement with DWL Architects, Inc. for design and construction administration services.

On December 14, 2004, Council approved acquisition of the property located at the northeast corner of 52nd Avenue and Lamar Road for the relocation of Fire Station 151.

Staff has worked closely with the owner of the 63rd Avenue well site for several years to remove the well property at the appropriate time. The city and the owner believe that removal of the well site is now timely and agree that the price for the parcel will be established through condemnation.

Community Benefit: Relocating the fire station to a commercial and industrial-use area, near two major arterial roadways, will provide responders with faster and safer access to citizens and businesses in the fire station service area.

Completing 63rd Avenue will provide for a safer and more efficient roadway thereby serving the traveling public. It will also add to the aesthetics of the surrounding neighborhood.

Budget Impacts & Costs: Funds are available to pay all sums necessary to extinguish the cross easements.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
		X	X		

<u>Account Name, Fund, Account and Line Item Number:</u> Fire Station Relocation, Account No. 2040-75000-500800 Transportation, Street Scallop, Account No. 2210-65060-221200
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Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Attorney to file condemnation actions for Fire Station 151 to be located at the northeast corner of 52nd Avenue and Lamar Road and for an inoperable well site located within the right-of-way for 63rd Avenue, north of Union Hills Drive.

21. [AMENDMENT NO. 2 TO THE AMENDED AND RESTATED GILA RIVER INDIAN COMMUNITY WATER RIGHTS SETTLEMENT AGREEMENT](#)

Purpose: This is a request for City Council to adopt a resolution approving and authorizing the entering into of Amendment No. 2 to the Amended and Restated Gila River Indian Community Water Rights Settlement Agreement, applicable exhibits, and any further required amendments to the Settlement Agreement.

Background: The Arizona Water Settlements Act, Public Law 108-451 (the “Act”) effective December 10, 2004, resolves a number of long-standing issues related to the substantial water rights claims of the Gila River Indian Community (“Community”) to the waters of the Gila River.

The Gila River Indian Community (“Community”), its Members, the United States, the city of Glendale (“City”) and other named parties have agreed to permanently settle their respective adverse claims to water as set forth in a written agreement consistent with the Act. The City of Glendale, by Resolution No. 3915, New Series, approved and has executed such written agreement, the Amended and Restated Gila River Indian Community Water Rights Settlement Agreement (the “Settlement Agreement”). The Settlement Agreement includes various exhibits, several of which are agreements among named parties other than the City whereby such parties agree to settle water rights disputes among themselves and the Community.

The named parties to Exhibit 26.1 (Amended and Restated Agreement Among the Gila River Indian Community, the San Carlos Irrigation and Drainage District, the United States, and the City of Safford) and to Exhibit 26.2, (Amended and Restated Forbearance Agreement Among the Gila River Indian Community, the United States of America, the San Carlos Irrigation and Drainage District, and Other Parties Located in the Upper Valley of the Gila River) wish to address certain errors and omissions in their respective agreements by amending such agreements. All signatory parties to the Settlement Agreement must approve the proposed amendments to Exhibits 26.1 and 26.2 in order to assure all terms and conditions of the Settlement Agreement and the Exhibits are binding on all parties. On June 27, 2006, Council approved Amendment No. 1 to the Amended and Restated Gila River Indian Community Water Rights Settlement Agreement (“Amendment No.1”) sets forth corrections that addressed the

errors and omissions to Exhibits 26.1 and 26.2. Further corrections addressing errors and omissions in the Settlement Agreement to Exhibits 26.1 and 26.2 are necessary and required.

Previous Council/Staff Actions: The City of Glendale on June 27, 2006 passed Resolution No. 3975 approving and authorizing the entering into of Amendment No. 1 to the Amended and Restated Gila River Indian Community Water Rights Settlement Agreement and applicable exhibits.

The City of Glendale on December 13, 2005 passed Resolution No. 3915 approving and authorizing the entering into of the Gila River Indian Community Amended and Restated Water Rights Settlement Agreement and applicable exhibits thereto.

Community Benefit: The best interests of the city will be served by consenting to and executing Amendment No. 2 and thereby confirming all terms and conditions of the overall Settlement Agreement will be binding on all settling parties.

Recommendation: Waive reading beyond the title and adopt a resolution approving and authorizing the entering into of Amendment No. 2 to the Amended and Restated Gila River Indian Community Water Rights Settlement Agreement, applicable exhibits, and any further required amendments to said Settlement Agreement.

PUBLIC HEARING

22. [BINGO LICENSE NO. 4-3659 – MANISTEE MANOR APARTMENTS \(PUBLIC HEARING REQUIRED\)](#)

Purpose: This is a request to conduct a public hearing for a new Class A Bingo License for Manistee Manor Apartments, located at 7987 North 53rd Avenue. The organization intends to hold bingo games, on their premise, Mondays at 1:00 p.m. The responsible person is Debra Windahl.

Background: The city has determined that this application meets all technical requirements. This Class A Bingo license is restricted to Manistee Manor Apartments residents and their guests.

Previous Council/Staff Actions: Manistee Manor held a Class A Bingo License from June 2000 until June 2006. At that time, this organization chose not to renew their bingo license held at the Arizona Department of Revenue - Bingo Section.

Recommendation: Conduct a public hearing and forward a recommendation for approval to the Arizona Department of Revenue – Bingo Section for Bingo License Number 4-3659.

PUBLIC HEARING – LAND DEVELOPMENT ACTIONS

23. MAJOR GENERAL PLAN AMENDMENT M-GPA07-06 (RESOLUTION): COMMUNITY CHURCH OF JOY – 21000 NORTH 75TH AVENUE (PUBLIC HEARING REQUIRED)

Purpose: This is a request by LVA Urban Design Studio for City Council to amend the General Plan Land Use Map for 40 acres of the Community Church of Joy campus from Low Density Residential (LDR, 1-2.5 du/ac) and Parks and Open Space (P/OS) to Office (OFC) and Public Facilities (PF).

Council Strategic Goals or Key Objectives Addressed: Glendale 2025, the city's General Plan, includes specific goals addressing the need for growth management. Major General Plan Amendments are tools that can be used by the city to direct and manage growth.

Background: The Major General Plan Amendment will allow the Community Church of Joy to develop underutilized land adjacent to the Loop 101 freeway. The property is vacant, except for the existing memorial gardens, Arizona Public Service (APS) substation, a ball field, and access roads to each existing use. A mixed use development is proposed as part of this request. The proposed Office designation will accommodate all uses currently anticipated on the property. The proposed Public Facilities designation will accommodate the existing APS substation.

Previous Council/Staff Actions: Planning staff briefed Council on this item at the Council Workshop of November 6, 2007.

The Planning Commission held a second public hearing on this item on October 18, 2007 and voted unanimously to recommend approval of amending the General Plan for approximately 40 acres from Low Density Residential and Parks and Open Space to Office and Public Facilities.

The Planning Commission held the first public hearing on this item on October 4, 2007. This hearing was held at a remote location (Community Church of Joy, 21000 North 75th Avenue) as required by state statutes. At the first public hearing, the Planning Commission took no action. Staff briefed Council on this item at the Council workshop of November 6, 2007. Staff briefed the Planning Commission on this item at the Planning Commission workshop of September 20, 2007.

Community Benefit: As proposed, the request supports the goals and objectives of the Glendale 2025 General Plan. The General Plan land use designations of Office and Public Facilities are appropriate General Plan land use designations for the existing and future development proposed at this location. This General Plan Amendment will aid in the recruiting and retention of jobs in the City of Glendale. The application will promote the designation of new office, hospitality, and employment uses within an area, adjacent to the intersection of 75th Avenue and the Loop 101 freeway, which is appropriate for these uses.

The General Plan Amendment will encourage in-fill development. The site is located adjacent to the regional transportation network, and can take advantage of the existing internal circulation network that minimizes impacts to existing neighborhoods. The General Plan land use designation of Public Facilities will accurately reflect the existing APS electrical substation.

Public Input: On August 1, 2007, the applicant mailed notification letters to 457 adjacent property owners and interested parties. The applicant received no comments. A neighborhood meeting was held on August 15, 2007. Three neighbors attended the neighborhood meeting. The principle issues discussed were:

- Traffic along 75th Avenue
- Concern with expansion of the Memorial Gardens
- Potential hotel visitors
- Outdoor lighting and its impact on the residential neighborhood west of New River
- Appearance of the back of the fitness center building from the neighborhood west of New River
- Concern about high rise office buildings
- Desire for expansion of park areas
- General disappointment that the church was no longer interested in expanding into the area proposed for the Major General Plan Amendment.

The applicant also went door to door within the neighborhood east of 75th Avenue adjacent to the site and the neighborhood west of the New River to show them the site plan and solicit comments. The comments received as a result of the door to door canvas included the amount of existing traffic on 75th Avenue.

Planning Department staff received one phone call in opposition to the proposed motel and other institutional uses. The caller desired this area remain a church. This specific land use request is best addressed during the zoning process. As currently proposed, the requested Office land use designation will accommodate office and a variety of related land uses. Staff received one e-mail regarding the request opposing buildings that tower over the neighborhood and cause an increase in traffic.

Because this is a Major General Plan Amendment, staff also notified 31 other public agencies, including school districts, on July 6, 2007 to provide them with a 60-day comment period in conformance with state statutes regarding Major General Plan Amendments. All agencies that responded indicated that the proposed amendment would not affect them.

For the first public hearing, a public notice was published in *The Glendale Star* on September 13, 2007. The property was posted on September 14, 2007. Postcards were mailed to 457 adjacent property owners and interested parties on September 14, 2007. At the first Planning Commission public hearing held on October 4, 2007, public comments were received in support of the request from three residents. They commented that the amendment would promote the growth of the church and its affiliated school, and provide employment opportunities.

For the second public hearing, a public notice was published in *The Glendale Star* on September 27, 2007. The property was posted on September 28, 2007. Postcards were mailed to 457

adjacent property owners and interested parties on September 21, 2007. No residents spoke at the second Planning Commission Public Hearing.

Recommendation: Conduct a public hearing, waive reading beyond the title, and adopt a resolution for Major General Plan Amendment application M-GPA07-06, as recommended by the Planning Commission.

24. [REZONING APPLICATION ZON07-08 \(ORDINANCE\): SUNBURST FARMS - 16200 NORTH 51ST AVENUE \(PUBLIC HEARING REQUIRED\)](#)

Purpose: This is a request by the Planning Commission for City Council to approve a rezoning request from Agricultural (A-1) to Suburban Residence Planned Residential Development (SR-30 PRD) for property located at 16200 North 51st Avenue.

Council Strategic Goals or Key Objectives Addressed: The requested rezoning would ensure that any future development would be consistent with the General Plan and the intensity of the neighborhood. Approval of this would reduce the number of variances requested from these subdivisions.

Background: The neighborhoods were annexed into the City of Glendale in 1973 with the zoning designation of Agricultural (A-1). The zoning designation of A-1 was the most compatible zoning district at that time. The annexation resulted in all of the homes designated as legal non-conforming under Glendale Zoning Ordinance standards.

Previous Council/Staff Actions: The Planning Commission initiated this request on August 2, 2007, and recommended approval of this request at their public hearing on October 18, 2007.

Community Benefit: Rezoning to a compatible zoning district will allow individual property owners in this neighborhood to have zoning standards consistent with their actual lot size. As a result, residents generally will not need to file variances to improve their property.

Public Input: Notification letters were sent to 306 property owners within 300 feet of the site as well as to other interested parties. There were two phone calls from the property owners in support of the rezoning. One phone call was received in opposition, but once they were further informed of why the rezoning was being pursued, they recanted their opposing argument.

During the October 18, 2007 Planning Commission public hearing, three residents from Sunburst Farms spoke in favor of the Planning Commission initiated rezone. One person against the initiated rezone was concerned with property taxes going up. In which a resident from the Sunburst Farms and the vice president of the HOA stated that that individual did not live in any of the proposed subdivisions that were to be rezoned.

Recommendation: Conduct a public hearing, waive reading beyond the title and adopt an ordinance for rezoning application ZON07-08 as recommended by the Planning Commission.

ORDINANCES

25. [DEEDS AND EASEMENTS ORDINANCE](#)

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

Background: The Deeds and Easements Ordinance is comprised of properties that have been deeded to the city. The deeds have all been recorded with Maricopa County. As a matter of practice, 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.

26. [BUREAU OF RECLAMATION LAND EXCHANGE: SOUTHWEST CORNER OF 95TH AVENUE AND CAMELBACK ROAD](#)

Purpose: This is a request for City Council to adopt an ordinance granting a land exchange in favor of the United States Bureau of Reclamation (BOR) at the southwest corner of 95th Avenue and Camelback Road. The BOR will quit claim its existing land right in exchange for the city granting a strip of land for the relocated irrigation facility.

Background: In conjunction with a development in the city of Phoenix at the southwest corner of 95th Avenue and Camelback Road, Salt River Project (SRP) was required to relocate federally-owned irrigation facilities located in the city of Glendale right-of-way for Camelback Road. To accommodate the relocation, the BOR has asked the City to execute the BOR's General Warranty Deed for that part of the new location that is within the jurisdiction of the City of Glendale. In exchange, the BOR will relinquish its rights in the former location.

Recommendation: Waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute a General Warranty Deed in favor of the United States Bureau of Reclamation.

27. [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): an irrigation easement on the northeast corner of 99th Avenue and Camelback Road; and an electrical transmission line easement on the southwest corner of 51st and Olive avenues.

Background: The developer on the northeast corner of 99th Avenue and Camelback Road requested SRP relocate its irrigation facilities. SRP agreed to accommodate this request and is requesting an irrigation easement from the city for the protection of its facilities in the new location.

The developer on the southwest corner of 51st and Olive avenues requested SRP relocate its electrical transmission line. SRP agreed to accommodate this request and is requesting an overhead electrical transmission line easement from the city for the installation and protection of its facilities.

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

28. [CARRIAGE FOR HIRE ORDINANCE](#)

Purpose: This is a request for City Council to amend the ordinance that regulates carriages for hire. The amended ordinance expands and adds to the current animal drawn carriage ordinance to include other conveyances and regulations.

Council Strategic Goals or Key Objectives Addressed: Adoption of this ordinance is related to two Council goals, providing high quality services for citizens, and one community focused on public safety for citizens and visitors.

Background: As the popularity of the city's new amenities have grown, we have experienced an influx of inquires from "pedicab" companies expressing interest in offering their services to the public. The current city ordinance governing animal drawn carriages does not adequately address issues potentially connected to this relatively new form of public conveyance. The revised ordinance creates a definition for carriages for hire as: Any non-motorized device in, upon or by which any person is or may be transported or drawn upon a public roadway for a fee. It will also set regulations on licensing, conditions for operators and safety equipment.

A carriage for hire includes, but is not limited to, pedicabs, rickshaws, pedal cars, and animal or bicycle powered buggies or carriages.

The revised ordinance requires carriages for hire to secure a city license to operate, the presence of specific safety devices and a certificate of insurance. It specifies hours of operation, limits the streets of use to those that are posted with speed limits of 35 miles per hour or less, and specifies adherence to applicable rules and laws under the Arizona Revised Statutes (ARS).

Staff from the City Attorney's Office, Marketing, Transportation, Tax & License, City Manager's Office and Police Department worked together to create this ordinance as a tool to ensure safety for citizens utilizing these forms of transportation.

Community Benefit: Setting regulations and licensing procedures ensures a safe environment for citizens who utilize these conveyances when attending city functions and special events.

Budget Impacts & Costs: Revenue from licensing will be processed by the Tax and License Department. Fees are set and regulated by resolution.

Recommendation: Waive the reading beyond the title and amend the ordinance regulating carriages for hire.

29. [PRIVATE TOWING CARRIER ORDINANCE](#)

Purpose: This is a request for City Council to adopt the towing carrier ordinance amending Chapters 21 and 24 relating to the regulation of towing carriers and storage charges.

Council Strategic Goals or Key Objectives Addressed: This ordinance addresses the Council goal by providing high quality services for citizens. It also provides a means to fairly deal with citizens' complaints when their vehicles are towed in Glendale.

Background: State law requires signage and provides the authority to set maximum fees for third party towing. The city ordinance refers to certain situations, but does not provide the structure needed to ensure fairness and consistency in non-consensual towing situations.

Over the last several years, the Police Department has observed an increase in calls for service regarding alleged unfair towing practices during private property non-consensual towing. The ordinance will reduce calls for service to the Police Department by establishing needed towing regulations, and on those occasions that an officer is requested, the ordinance provides law enforcement the tools necessary to address the complaints. The majority of calls to the police department involve failure to release vehicles and added charges and fees assessed to obtain personal property. This ordinance will reduce these types of calls for service by providing standards that prohibit these practices.

Other Valley cities have private towing carrier ordinances regulating private property towing. These cities include Phoenix, Tempe, Mesa, Scottsdale, and Peoria.

Previous Council/Staff Actions: At the November 6th, 2007 workshop, Council reviewed the propose ordinance and resolution, recommending the item be brought back to a regular meeting.

Community Benefit: This ordinance will create guidelines so that local businesses, property owners, the tow companies, and our citizens, can work together and find practical solutions to private property towing scenarios. Without the ordinance, the city is limited in its ability to address both egregious towing behavior and regulate the fees charged.

Public Input: Police Department representatives met with owners of two Glendale towing companies regarding the ordinance provisions to discuss the impact of the proposed ordinance on the towing industry. In addition, the police department provided the proposed ordinance to the Arizona Professional Towing and Recovery Association and received positive feedback.

Recommendation: Waive reading beyond the title and adopt an ordinance amending Chapters 21 and 24 relating to the regulation of towing carriers and storage charges.

RESOLUTIONS

30. [PRIVATE TOWING CARRIER RESOLUTION](#)

Purpose: This is a request for City Council to adopt the private towing carrier resolution setting forth the maximum fees.

Council Strategic Goals or Key Objectives Addressed: This ordinance addresses the Council goal by providing high quality services for citizens. It also provides a means to fairly deal with citizens' complaints when their vehicles are towed in Glendale.

Background: State law requires signage and provides the authority to set maximum fees for third party towing. The city ordinance refers to certain situations, but does not provide the structure needed to ensure fairness and consistency in non-consensual towing situations.

Over the last several years, the Police Department has observed an increase in calls for service regarding alleged unfair towing practices during private property non-consensual towing. The ordinance will reduce calls for service to the Police Department by establishing needed towing regulations, and on those occasions that an officer is requested, the ordinance provides law enforcement the tools necessary to address the complaints. The majority of calls to the police department involve failure to release vehicles and added charges and fees assessed to obtain personal property. This ordinance will reduce these types of calls for service by providing standards that prohibit these practices.

Other Valley cities have private towing carrier ordinances regulating private property towing. These cities include Phoenix, Tempe, Mesa, Scottsdale, and Peoria.

Previous Council/Staff Actions: At the November 6th, 2007 workshop, Council reviewed the propose ordinance and resolution, recommending the item be brought back to a regular meeting.

Community Benefit: This ordinance will create guidelines so that local businesses, property owners, the tow companies, and our citizens, can work together and find practical solutions to private property towing scenarios. Without the ordinance, the city is limited in its ability to address both egregious towing behavior and regulate the fees charged.

Public Input: Police Department representatives met with owners of two Glendale towing companies regarding the ordinance provisions to discuss the impact of the proposed ordinance on the towing industry. In addition, the police department provided the proposed ordinance to the Arizona Professional Towing and Recovery Association and received positive feedback.

Recommendation: Waive the reading beyond the title and adopt the private towing carrier resolution setting forth the maximum fees.

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)).**