

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA,
HELD TUESDAY, JANUARY 23, 2007, AT 7:00 P.M.**

The meeting was called to order by Mayor Elaine M. Scruggs, with the following Councilmembers present: Joyce V. Clark, Steven E. Frate, David M. Goulet, Yvonne J. Knaack, H. Philip Lieberman, and Manuel D. Martinez.

Also present were Ed Beasley, City Manager; Pam Kavanaugh, Assistant City Manager; Jon Paladini, Deputy City Attorney; and Pamela Hanna, City Clerk.

COMPLIANCE WITH ARTICLE VII, SECTION 6(c) OF THE GLENDALE CHARTER

A statement was filed by the City Clerk that the seven resolutions and four ordinances to be considered at the meeting were available for public examination and the title posted at City Hall more than 72 hours in advance of the meeting.

APPROVAL OF THE MINUTES OF THE DECEMBER 12, 2006 CITY COUNCIL MEETING

It was moved by Goulet, and seconded by Frate, to dispense with the reading of the minutes of the December 12, 2006 regular City Council meeting, as each member of the Council had been provided copies in advance, and approve them as written. The motion carried unanimously.

BOARDS AND COMMISSIONS

BOARDS AND COMMISSIONS

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.

Arts Commission

			Effective	Expiration
Darrel Criswell	Cholla	Appointment	1/23/2007	8/24/2007

Aviation Advisory Committee

Bobby Erdmann	Cactus	Appointment	1/23/2007	11/24/2008
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Board of Adjustment

Al DeLossa	Barrel	Appointment	1/23/2007	6/30/2008
Sandy Burrell – Vice Chair	Cactus	Appointment	1/23/2007	6/30/2007

Citizens Bicycle Advisory Committee

Betsy Turner	Barrel	Re-Appointment	2/4/2007	2/4/2009
Betsy Turner – Vice Chair	Barrel	Re-Appointment	3/4/2007	2/4/2008

Citizens Transportation Oversight Commission

Rose Jacobson	Cholla	Appointment	1/23/2007	3/25/2008
Rod Beal	Cholla	Appointment	1/23/2007	11/25/2009
Michael Testa – Chair	Yucca	Appointment	3/26/2007	3/26/2008
Betsy Turner – Vice Chair	Barrel	Appointment	3/26/2007	3/26/2008

Commission on Persons With Disabilities

Ray Heffley	Sahuaro	Re-Appointment	2/27/2007	2/27/2009
Ricki Ray	Cactus	Re-Appointment	2/27/2007	2/27/2009
Dwante Jackson	Yucca	Appointment	1/23/2007	2/27/2007
Ricki Ray – Chair	Cactus	Appointment	2/26/2007	2/26/2008

Historic Preservation Commission

Alex Ortega	Ocotillo	Re-Appointment	4/14/2007	4/14/2009
Judy Atkins	Cactus	Re-Appointment	4/13/2007	4/13/2009
David Jarnagin – Chair	Barrel	Re-Appointment	4/13/2007	4/13/2008
Linda Sue Trumble – Vice Chair	Barrel	Re-Appointment	4/13/2007	4/13/2008

Industrial Development Authority

Ventura “Ben” Lopez	Sahuaro	Appointment	1/23/2007	8/23/2008
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Library Advisory Board

William Walsh Jr. – Chair	Cholla	Re-Appointment	4/13/2007	4/13/2008
Kaitlin Thompson – Teen	Cholla	Appointment	1/23/2007	5/27/2008

Parks & Recreation Advisory Commission

Eric Simon – Vice Chair	Barrel	Re-Appointment	1/13/2007	1/13/2008
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Planning Commission

Michele Tennyson – Vice Chair	Cholla	Appointment	3/28/2007	3/28/2008
Natalie Stahl – Chair	Ocotillo	Appointment	3/28/2007	3/28/2008

Personnel Board

Ferne Ridley	Cholla	Appointment	1/23/2007	12/22/2008
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The recommendation was to make appointments to the Boards and Commissions and administer the Oaths of Office.

It was moved by Martinez, and seconded by Frate, to appoint Darrel Criswell to the Arts Commission; Bobby Erdmann to the Aviation Advisory Committee; Al DeLossa and Sandy Burrell to the Board of Adjustment; Betsy Turner to the Citizens Bicycle Advisory Committee; Rose Jacobson, Rod Beal, Michael Testa and Betsy Turner to the Citizens Transportation Oversight Commission; Ray Heffley, Ricki Ray and Dwante Jackson to the Commission on Persons with Disabilities; Alex Ortega, Judy Atkins, David Jarnagin and Linda Sue Trumble to the Historic Preservation Commission; Ventura “Ben” Lopez to the Industrial Development Authority; William Walsh Jr. and Kaitlin Thompson to the Library Advisory Board; Eric Simon to the Parks & Recreation Advisory Commission; Michele Tennyson and Natalie Stahl to the Planning Commission; and Ferne Ridley to the Personnel Board, for the terms listed above. The motion carried unanimously.

Mayor Scruggs called the new Boards and Commission members forward to receive the oath. Darrel Criswell, Bobby Erdmann, Sandy Burrell, Betsy Turner, Rose Jacobson, Rod Beal, Michael Testa, Ricki Ray, Dwante Jackson, Alex Ortega, Judy Atkins, David Jarnagin, Kaitlin Thompson, Michele Tennyson, Natalie Stahl, Ben Lopez, William Walsh and Ferne Ridley came forward to receive the oath.

Mayor Scruggs expressed her appreciation on behalf of the Council members, herself and city staff. She thanked them all for offering their time and experience. She said that it was greatly appreciated.

PROCLAMATIONS AND AWARDS

WHITE CANE MONTH PROCLAMATION

This is a request for the City Council to proclaim the month of February 2007 as White Cane Month. The City of Glendale is fortunate to have the Glendale Sunrise Lions Club, the Glendale Evening Lions Club and also the Bellair Lions Club provide our citizens services such as assistance with food and clothing needs; collecting donations for the food bank and assisting the handicapped and elderly with shopping requests. The Glendale Sunrise Lions also raise funds to purchase eyeglasses for children throughout Glendale.

Stuart Craig, President of the Glendale Sunrise Lions Club, will be present to accept the proclamation.

Lions are an international network of 1.3 million men and women in 200 countries and geographic areas who work together to answer the needs that challenge communities around the world. Known for working to end preventable blindness, Lions participate in a vast variety of projects important to their communities. These projects range from cleaning up local parks to providing supplies to victims of natural disasters.

The recommendation was to present the White Cane Proclamation to the Sunrise Lions Club.

Mayor Scruggs presented the White Cane Proclamation to Stuart Craig, President of the Glendale Sunrise Lions Club. Mr. Craig stated that there were three Lion Club organizations here tonight. He called them forward to introduce themselves and identify their particular Lion Club. Mr. Craig stated that they work hard all year to raise money for children's eyeglasses. He thanked the Mayor and Council for their support and proclamation.

CONSENT AGENDA

Mr. Ed Beasley, City Manager, read Agenda Item Numbers 1 through 11 and Ms. Pamela Hanna, City Clerk, read consent agenda resolutions numbers 12 through 15 by number and title.

1. LIQUOR LICENSE NO. 3-1097 THE SUSHI

This is a request for the City Council to approve a new Series 12 (Restaurant – All Liquor) license for The Sushi, located at 6645 West Bell Road No. 103. The Arizona State application (number 12076881) was submitted by Jung H. Kim.

The 60-day deadline for processing this application was December 31, 2006. A request for an extension was submitted to the Arizona Department of Liquor Licenses and Control on November 6, 2006. The location of the establishment is 6645 West Bell Road No. 103 and is within the Sahuaro District, zoned C-2 (general commercial). This business operated as Sushi from September 2000 to present, and held a Series 12 license throughout the duration. This is a new license application by Jung H. Kim operating with an interim permit. The population density is 4,678 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 36 as listed below:

Series	Type	Quantity
6	Bar – All Liquor	7
7	Bar – Beer & Wine	1
9	Liquor Store – All Liquor	4
10	Liquor Store – Beer & Wine	8
12	Restaurant – All Liquor	16
	Total	<u>36</u>

No previous action has occurred.

No protests were received during the 20-day posting period.

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.

2. LIQUOR LICENSE NO. 3-1098 JIMBO'S SPORTS BAR & GRILL

This is a request for the City Council to approve a person-to-person transfer of this Series 6 (Bar – All Liquor) license for Jimbos' Sports Bar & Grill, located at 12224 North 51st Avenue. The Arizona State application (number 06070627) was submitted by Randall Jay Herbison.

The 60-day deadline for processing this application was December 31, 2006. A request for an extension was submitted to the Arizona Department of Liquor Licenses and Control on November 6, 2006. The location of the establishment will be 12224 North 51st Avenue and is within the Sahuaro District, zoned C-2 (general commercial). This establishment is over 300 feet from any school or church. Jimbo's has operated at this location from April 2001 to present and held a Series 6 liquor license for the duration. This is a person-to-person transfer of this Series 6 liquor license operating with an interim permit. The population density is 6,457 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 9 as listed below:

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

No previous action has occurred.

No protests were received during the 20-day posting period.

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.

3. LIQUOR LICENSE NO. 3-1099 LA SALSITAS

This is a request for the City Council to approve a new Series 12 (Restaurant – All Liquor) license for La Salsitas, located at 9240 North 43rd Avenue. The Arizona State application (number 12076885) was submitted by Juan Valencia Manzo.

The 60-day deadline for processing this application was December 31, 2006. A request for an extension was submitted to the Arizona Department of Liquor Licenses and Control on November 6, 2006. The location of the establishment is 9240 North 43rd Avenue and is within the Cactus District, zoned C-2 (general commercial). At this location Mixteca Mexican Food operated from July 1998 to June 2006. Mixteca Mexican Food held a Series 12 liquor license from May 2004 to June 2006. The population density is 6,957 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 32 as listed below:

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

No previous action has occurred.

No protests were received during the 20-day posting period.

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.

4. LIQUOR LICENSE NO. 3-1100 EL REVENTON RESTAURANT AND BAR

This is a request for the City Council to approve a person-to-person transfer of this Series 6 (Bar – All Liquor) license for El Reventon Restaurant and Bar, located at 5400 North 59th Avenue. The Arizona State application (number 06070028) was submitted by Teresa Del Real.

The 60-day deadline for processing this application was January 15, 2007. A request for an extension was submitted to the Arizona Department of Liquor Licenses and Control on November 21, 2006. The location of the establishment will be 5400 North 59th Avenue and is within the Yucca District, zoned C-2 (general commercial). This establishment is over 300 feet from any school or church. Top Rack operated at this location from December 1998 to September 2003 and Craiger's Restaurant and Lounge from September 2003 to November 2006. Both establishments operated with a Series 6 liquor license. This is a person-to-person transfer of this Series 6 liquor license operating with an interim permit. The population density is 9,821 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 23 as listed below:

Series	Type	Quantity
4	Wholesaler	1
6	Bar - All Liquor	5
7	Bar - Beer & Wine	3
9	Liquor Store - All Liquor	4
10	Liquor Store - Beer & Wine	8
12	Restaurant - All Liquor	1
14	Private Club	1
	Total	<u>23</u>

No previous action has occurred.

No protests were received during the 20-day posting period.

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. 3-1102 QUIK TRIP #454

This is a request for the City Council to approve a new Series 10 (Liquor Store – Beer and Wine) license for Quik Trip #454, located at 7802 North 43rd Avenue. The Arizona State application (number 10075321) was submitted by Kelly Paul Vaughan.

The 60-day deadline for processing this application is February 3, 2007. The location of the establishment is 7802 North 43rd Avenue and is within the Cactus District, zoned C-1 (neighborhood commercial). This establishment is over 300 feet from any school or church. This establishment would be a new retail convenience store with gasoline and alcohol. The population density is 7,253 people per square mile. The approval of this license will increase the total number of liquor licenses in this area by one. The number of liquor licenses within a one-mile radius is 20 as listed below:

Series	Type	Quantity
6	Bar – All Liquor	7
7	Bar – Beer & Wine	2
9	Liquor Store – All Liquor	5
10	Liquor Store – Beer & Wine	1
12	Restaurant – All Liquor	4
14	Private Club	1
	Total	<hr/> 20

No previous action has occurred.

No protests were received during the 20-day posting period.

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. 3-1103 FOX SPORTS GRILL

This is a request for the City Council to approve a new Series 12 (Restaurant – All Liquor) license for Fox Sports Grill, located at 9425 West Coyotes Boulevard, Building H. The Arizona State application (number 12076937) was submitted by H. J. Lewkowitz.

The 60-day deadline for processing this application is February 9, 2007. The location of the establishment will be 9425 West Coyotes Boulevard, Building H and is within the Yucca District, zoned PAD (Planned Area Development). This is a new 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 8 as listed below:

Series	Type	Quantity
3	Microbrewery	1
6	Bar - All Liquor	2
7	Bar - Beer & Wine	2
10	Liquor Store - Beer & Wine	1
12	Restaurant - All Liquor	2
	Total	<hr/> 8

No previous action has occurred.

No protests were received during the 20-day posting period.

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. 3-1104 ROSE LANE MARKET

This is a request for the City Council to approve this Series 10 Liquor Store (Beer and Wine) license for Rose Lane Market, located at 6205 North 59th Avenue; Suites A & B. The Arizona State application (number 10075342) was submitted by Wael Jiries Rabadi.

The 60-day deadline for processing this application is February 15, 2007. The location of the establishment will be 6205 North 59th Avenue, Suites A & B and is within the Ocotillo District, zoned C-2 (general commercial). This establishment is over 300 feet from any school or church. This building has been vacant for several years and there has been no previous liquor license at this location. The population density is 4,332 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 42 as listed below:

Series	Type	Quantity
4	Wholesaler	1
6	Bar - All Liquor	7
7	Bar - Beer & Wine	4
9	Liquor Store - All Liquor	6
10	Liquor Store - Beer & Wine	12
12	Restaurant - All Liquor	10
14	Private Club	2
	Total	<hr/> 42

No previous action has occurred.

One protest letter was received during the 20-day posting period.

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. SPECIAL EVENT LIQUOR LICENSE FOR CITY OF GLENDALE CHOCOLATE AFFAIRE, FEBRUARY 2, 3 & 4, 2007 – 5800 WEST GLENN DRIVE

This is a request for the City Council to approve a special event liquor license for the City of Glendale Office of Special Events. The event will be at 58th and Glendale Avenues on: Friday, February 2, 2007 from 5:00 to 10:00 p.m.; Saturday, February 3, 2007 from 10:00 a.m. to 10:00 p.m.; and Sunday, February 4, 2007 from noon to 5:00 p.m. The purpose of this event is for Glendale Chocolate Affaire. The special event liquor license was submitted by Jerry P. McCoy.

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

No previous action has occurred.

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 the application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

9. AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR INTERSECTION IMPROVEMENTS

This is a request for the City Council to approve an amendment to a professional services agreement with Carter & Burgess, Inc. for the engineering design and construction administration services for intersection improvements on 67th Avenue, between Olive Avenue and Bell Road. The purpose of this amendment is to increase the scope of services of the existing agreement to include storm drain and other street improvements.

This amendment meets the Council goal of providing a high quality of services for the citizens.

During the preliminary design for the intersection improvements, it was determined that these improvements should be delayed until this fiscal year when funding became available for the design and construction of the remaining street and storm drain improvements from Peoria Avenue to the Arizona Canal Diversion Channel (ACDC).

In April 2004, the Council approved the professional services agreement with Carter & Burgess for the design of intersection improvements for 67th Avenue.

The addition of the storm drain will provide increased protection along 67th Avenue for the residents and businesses that are currently subject to flooding. The improvements will also provide increased capacity for the traffic that currently exists on 67th Avenue. The storm drain being constructed as part of the intersection improvements will allow all construction to be done at one time, minimizing the negative impact on both neighboring residents and travelers along 67th Avenue.

A public meeting was held during the design of the intersection improvements. An additional meeting will be held to describe the increased scope of work and additional impacts of the storm drain construction to the public.

Funds for the proposed design and construction are available in the Fiscal Year 2006-07 and 2007-08 Capital Improvement Plan budget.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$900,080

Account Name, Fund, Account and Line Item Number:

FY 06-07: 67th Ave. Cactus to ACDC, Account No. 2000-68900-518200 - \$183,485
 FY 06-07: 67th Ave. Peoria to ACDC, Account No. 2180-79002-518200 - \$208,700
 FY 07-08 : 67th Ave. Cactus to ACDC, Account No. 2000-68900-518200 - \$266,515
 FY 07-08: 67th Ave. Peoria to ACDC, Account No. 2180-79002-518200 - \$241,380

The recommendation was to approve the amendment to the professional services agreement to Carter & Burgess in the amount of \$900,080.

10. FINAL PLAT APPLICATION FP06-02: THE RESERVE AT EAGLE HEIGHTS – 7574 WEST ROSE GARDEN LANE

This is a request by David Evans and Associates for the City Council to approve the final plat for The Reserve at Eagle Heights located at 7574 West Rose Garden Lane.

The proposed final plat is consistent with the General Plan and the Planned Area Development (PAD) zoning district. This request meets the requirements of the Subdivision and Minor Land Division Ordinance and the Residential Design and Development Manual.

The applicant proposes an 84-lot single-family subdivision approximately 44 acres, at a density of 1.88 dwelling units per acre. Lot sizes vary from 10,625 square feet to 18,210 square feet with an average lot size of 11,945 square feet. The proposed minimum lot width is 85 feet and the proposed minimum lot depth is 125 feet.

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

The recommendation was to approve final plat application FP06-02.

11. AWARD OF BID 06-68, GRANULAR ACTIVATED CARBON

This is a request for the City Council to approve the award of bid 06-68 to Calgon Carbon Corporation to supply granular activated carbon (GAC) to the city's water treatment plants.

One of the Council's strategic goals is high-quality service for citizens. The use of GAC in the water treatment process will enhance water quality to citizens.

The GAC will be used in the water treatment process to meet Federal drinking water regulations and help reduce taste and odor components.

An Invitation for Bid was issued by the city to provide the water treatment plants with granular activated carbon. Three bids were received and the lowest responsive bid was submitted by the Calgon Carbon Corporation. The bid award includes installation, removal and disposal of the GAC.

The agreement will begin upon approval by the Council and continue until the 1,956 cubic yards of GAC is consumed. The bid specifications contain an option clause that will permit the city, at the discretion of the City Manager, to extend this agreement for five additional segments in one-year increments.

The addition of GAC to the water treatment process will enhance and improve water quality, including taste and odor, thus benefiting the community significantly.

Funds are available in Cholla Water Treatment Plant Account No. 2400-17260-518200.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$1,425,161

Account Name, Fund, Account and Line Item Number:

Cholla Water Treatment Plant, Account No. 2400-17260-518200

The recommendation was to approve award of bid 06-68 to Calgon Carbon Corporation to supply granular activated carbon to the city's water treatment plants in the amount not to exceed \$1,425,161.

CONSENT RESOLUTIONS

12. CALL OF 2007 SPECIAL BOND ELECTION

This is a request for the City Council to adopt a resolution to call the 2007 Special Bond Election for May 15, 2007. The resolution identifies the key dates and propositions for the election.

Municipal elections promote increased citizen involvement in all aspects of municipal government.

The Ad-Hoc Citizen Bond Election Committee was established on May 23, 2006 to serve as a voter bond authorization issues focus group. The group met as necessary to review and provide recommendations on administering the Council-approved CIP budget.

On December 19, 2006 and November 21, 2006, the Citizen Bond Election Committee presented their recommendations to the City Council.

On May 23, 2006, Ordinance No. 2504 was passed by the Council to create the Ad-Hoc Citizen Bond Election Committee and establish its purpose.

The recommendation was to waive reading beyond the title and adopt a resolution calling for a Special Bond Election for May 15, 2007.

Resolution No. 4013 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ORDERING AND CALLING A SPECIAL BOND ELECTION TO BE HELD IN AND FOR THE CITY OF GLENDALE ON MAY 15, 2007 TO SUBMIT TO THE QUALIFIED ELECTORS THEREOF QUESTIONS ON AUTHORIZING THE ISSUANCE AND SALE OF BONDS OF THE CITY TO PROVIDE FUNDS IN SPECIFIED AMOUNTS FOR ENUMERATED PUBLIC PURPOSES; DIRECTING THE CITY CLERK TO PLACE THE QUESTION ON THE SPECIAL BOND ELECTION ON**

MAY 15, 2007; AND PROVIDING FOR AND GIVING NOTICE OF THE SPECIAL BOND ELECTION; AND DECLARING AN EMERGENCY.

13. PURCHASE OF VACANT LAND AT 43RD AND PEORIA AVENUES

This is a request for the City Council to authorize the purchase of a property needed for a bus pullout and transit shelter. The property is located at the northwest corner of 43rd and Peoria Avenues, adjacent southwest of the Arizona Canal. The purchase price is \$310,000, plus typical closing costs.

One of Council’s goals is “A City with High Quality Services for Citizens”. Improving transportation options within the city will assist in achieving this goal.

In 2001, Glendale voters approved intersection improvements along 43rd Avenue. In 2004, the Glendale Citizens Transportation Oversight Commission recommended using transportation sales tax funds to purchase this property. The Council previously approved a successful TEA-21 application for a \$336,826 grant to visually improve the site and install gateway features.

The intersection improvements at this location, including the bus pullout and transit shelter, will improve traffic flow through this area, and the visual improvements of a gateway feature promote a positive image for our city.

The Glendale Onboard Program provides multiple opportunities for public input. An annual report was sent to all Glendale households in 2006, a transportation fair was held on April 9, 2006, and a community meeting for the annual report was held on April 19, 2006.

Funds for right-of-way acquisition and improvements are budgeted as part of the GO Transportation Program.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$310,000

Account Name, Fund, Account and Line Item Number:
 43rd Avenue, Bethany Home to Peoria, Account No. 2210-65050-550400

The recommendation was to waive reading beyond the title and adopt a resolution authorizing the City Manager to execute all documents necessary to purchase the property at the northwest corner of 43rd and Peoria avenues for \$310,000, plus closing costs.

Resolution No. 4014 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ACQUISITION OF CERTAIN REAL PROPERTY LOCATED AT THE NORTHWEST CORNER OF 43RD AND PEORIA AVENUES IN GLENDALE, MARICOPA COUNTY, ARIZONA FOR A BUS PULLOUT, TRANSIT SHELTER AND A FUTURE GATEWAY FEATURE; AND DIRECTING THE EXECUTION OF A PURCHASE AGREEMENT AND ESCROW INSTRUCTIONS.**

14. INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA FOR CONSTRUCTION OF 59TH AVENUE STREET WIDENING BETWEEN OLIVE AVENUE AND MOUNTAIN VIEW ROAD

This is a request for the City Council to approve an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation (ADOT) for construction of the 59th Avenue street widening project between Olive Avenue and Mountain View Road.

One of the Council's strategic priorities is to provide high-quality services for the citizens of Glendale. Construction of the street widening will provide additional street capacity and reduce the traffic congestion at the intersection of 59th and Olive Avenues, as well as provide improved access into Glendale Community College.

Traffic congestion on 59th Avenue has increased over the past several years creating delays for the traveling public, as well as creating access problems into the college. City staff applied to the Maricopa Associations of Governments (MAG) for federal funding of the street improvements. MAG approved \$917,500 in federal funding for the street improvements.

On September 14, 2004, the Council approved a professional services agreement with Kimley-Horn Associates to design the street improvement project to meet all local, state and federal requirements.

Completion of the street improvements will provide improved traffic flow at the intersection of 59th and Olive Avenues. Access into Glendale Community College will be improved by creating additional turn lanes into the college.

City staff and the consultant have worked closely with the college to mitigate impacts of the proposed improvements. The environmental clearance process required by the federal funding also required notices to be sent to all adjacent properties.

The total cost for construction and construction administration on this project is estimated at \$1,514,512, with \$917,500 coming from federal funding. The city's share of the construction and administration is \$597,012. Funds for the city share of the cost are available in the current Capital Improvement Budget. A transfer in the amount of \$500,000 is required from the Fiscal Year 2006-07 GO Program Reserve Account No. 2210-91017 to 59th Avenue. Olive to Brown, Account No. 2210-0000-550800.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$597,012

Account Name, Fund, Account and Line Item Number:
59th Ave Olive to Brown, Account No. 2000-68906-550800 \$97,012
59th Ave Olive to Brown, Account No. 2210-00000; 550800 \$500,000

The recommendation was to authorize the transfer and waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement with the Arizona Department of Transportation for construction of the 59th Avenue street widening between Olive Avenue and Mountain View Road in the amount of \$597,012.

Resolution No. 4015 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR THE 59TH AVENUE STREET WIDENING PROJECT BETWEEN OLIVE AVENUE AND MOUNTAIN VIEW ROAD.**

15. ACQUISITION OF RIGHT-OF-WAY FOR THE GLENDALE ONBOARD TRANSPORTATION PROGRAM

This is a request for the City Council to authorize the purchase of four properties. Two properties are needed for completion of the Northern Parkway and two properties on 51st Avenue are needed for intersection improvements. The total cost is \$466,093.

One of the Council’s goals is “A City with High Quality Services for Citizens”. Improving and providing transportation options within the city will assist in achieving this goal.

In 2001, Glendale voters approved matching funds for the Northern Parkway between Grand Avenue and Loop 303 and for intersection improvements along 51st Avenue. In 2004, voters of Maricopa County approved funding for the design and construction of the Northern Parkway. The purchases are negotiated settlements based on appraised values.

The two properties to acquire for the Northern Parkway are described below:

South side of Northern Avenue west of Glen Harbor Boulevard

BCI Coca-Cola Bottling Company of Los Angeles, owners of property located south of Northern Avenue, west of Glen Harbor Boulevard, will sell approximately 21,054 square feet of property for \$186,328.

Southwest corner of Northern and 71st Avenues

Via West NGCP I, LLC, owners of property located at the southwest corner of Northern and 71st Avenues, will sell approximately 37,289 square feet of property for \$207,975.

The two properties to acquire for 51st Avenue intersection improvements are described below:

Northwest corner of 51st and Peoria Avenues

51st & Peoria, L.L.C., owners of property located at the northwest corner of 51st and Peoria Avenues, will sell approximately 213 square feet of property for \$4,800.

Southeast corner of 51st and Glendale Avenues

Continental Distributors, Inc., owners of property located at the southeast corner of 51st and Glendale Avenues, will sell approximately 1,358 square feet of property for \$66,990. This acquisition includes taking of a canopy structure.

The Fiscal Year 2006-07 Capital Improvement Program approved by the Council includes funding for these projects from the half-cent transportation sales tax program.

On June 13, 2006, the Council approved the General Engineering Consultant contract for the Glendale Onboard (GO) Transportation Program, which included completion of the Northern Parkway Design Concept Report.

On May 24, 2004, the Council approved a professional services agreement with AMEC Infrastructure for intersection improvements on 51st Avenue between Camelback Road and Peoria Avenue.

The Northern Parkway will provide a continuous high-capacity roadway across the West Valley. It will tie together the emerging western portion of Glendale and support economic development along the corridor. Intersection improvements will improve capacity and safety.

The Glendale Onboard Program provides multiple opportunities for public input. In 2006, an annual report was sent to all Glendale households, a transportation fair was held on April 9, 2006, and a community meeting for the annual report was held on April 19, 2006. Over the last three years, three corridor-wide public meetings and nine neighborhood public meetings have been held on the Northern Parkway.

Funds for right-of-way acquisition and improvements are budgeted as part of the GO Transportation Program.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$466,093

<u>Account Name, Fund, Account and Line Item Number:</u> Northern Avenue Super Street, Account No. 2210-65016-550400 (\$394,303) 51 st Avenue, Camelback to Peoria, Account No. 2210-65010-550400 (\$71,790)
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The recommendation was to waive reading beyond the title and adopt a resolution authorizing the City Manager to execute all documents necessary to purchase the rights-of-way for the Glendale Onboard (GO) Transportation Program in an amount not to exceed \$466,093.

Resolution No. 4016 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ACQUISITION OF TWO PROPERTIES FOR COMPLETION OF THE NORTHERN PARKWAY AND TWO PROPERTIES FOR INTERSECTION IMPROVEMENTS ON 51ST AVENUE FOR THE GLENDALE ONBOARD TRANSPORTATION PROGRAM; AND DIRECTING THE EXECUTION OF ANY DOCUMENTS NECESSARY TO EFFECTUATE SAID PURCHASES.**

The Mayor noted that there were several speakers on the consent agenda items.

Mr. Leonard Clark, a Barrel resident, spoke. He commended the city on the Special Bond Election and is glad that the city sticks to their budget. He said that there were a lot of hard working citizens on the committees that made it possible. He stated that he wanted to thank the city for the purchase of the vacant land at 43rd and Peoria Avenue. He said that he takes the bus often and sees a shortage of buses especially on 59th Avenue. He said that the citizens have complained but nothing had been done. Regarding the intergovernmental agreement with the state of Arizona for the widening on 59th Avenue, he said it is very much welcomed and commends the city for thinking ahead. He said that he was very much in favor of the acquisition of right of way for the Glendale On Board transportation program. He stated he commends the City Council for their superior work.

Mr. Jerry Foo, a Phoenix resident, stated his disapproval for item 5, a liquor license for Quik Trip, located at 7802 North 43rd Avenue. He said that he believes there are enough liquor stores available in that area. He said he does not see a need to add another one.

It was moved by Lieberman, and seconded by Martinez, to approve the recommended actions on Consent Agenda Item Nos. 1 through 15, including the approval and adoption of Resolution No. 4013 New Series, Resolution No. 4014 New Series, Resolution No. 4015 New Series, and Resolution No. 4016 New Series; and to forward Liquor License Application No. 3-1097 for The Sushi, Liquor License Application No. 3-1098 for Jimbo's Sports Bar & Grill, Liquor License Application No. 3-1099 for La Salsitas, Liquor License Application No. 1100 for El Reventon Restaurant and Bar, Liquor License Application No. 1102 for Quik Trip #454, Liquor License Application No. 1103 for Fox Sports Grill, and Liquor License Application No. 3-1104 for Rose Lane Market, and Special Event Liquor License for the City of Glendale Chocolate Affaire to be held on February 2, 3 and 4, 2007, to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.

PUBLIC HEARING – LAND DEVELOPMENT ACTIONS

16. PROPOSED ANNEXATION NO. 162: SARIVAL CROSSING - SOUTHEAST CORNER OF SARIVAL AND PEORIA AVENUES

Mr. Jon Froke, AICP, Planning Director, presented this item.

This is a request for the City Council to conduct a public hearing on the blank annexation petition for Annexation Area No. 162, as required by State Statute. The vacant property consists of approximately 14 acres and is located at the southeast corner of Sarival and Peoria Avenues. The property is proposed for commercial use and the property owner is requesting annexation.

Glendale 2025, Glendale's General Plan, includes specific goals addressing the need for growth management: The Land Use Element, Goal 2 – "Promote sound growth management methods", and the Growth Areas Element, Goal 3 – "Manage growth to achieve reasonable, responsible urban development". Annexation is a tool that can be used by the city to direct and manage growth.

The property is proposed to be developed for commercial uses and is currently zoned C-1 (Neighborhood Commercial) by Maricopa county. The property is not within the 65-lbn noise contour for Luke Air Force Base. The proposed annexation does not include any part of the surrounding residential subdivision currently under construction. The annexation will ensure that the development and all improvements are developed within the city and to city standards. If annexed to the city, this site will receive city services, including police, fire, and sanitation services and subject to review by Luke Air Force Base at the time of construction. Private water and wastewater providers will serve the site.

The blank annexation petition was recorded on December 27, 2006. This public hearing is being conducted during the last 10 days of the 30-day waiting period as required by state statute. Recording the blank petition is the first formal step taken in the annexation process. The next step is to hold a public hearing on the blank annexation petition. All property owners within the area to be annexed have been notified of this public hearing by first class mail. The proposed annexation area has been posted in at least three conspicuous places. The public hearing was advertised in the *Glendale Star* on December 28, 2006.

Once the public hearing has been conducted and the 30-day waiting period expires, the appropriate signatures may be gathered. Once the required number of property owner signatures requesting annexation is obtained, the Council will be asked to consider the adoption of an annexation ordinance.

At the August 15, 2006 workshop, the Council directed staff to proceed with the annexation process.

The annexation of this 14-acre area would require that any future development comply with the city's current development standards and policies.

The recommendation was to conduct a public hearing on the blank annexation petition for Annexation Area No. 162 as required by State Statute.

Mayor Scruggs opened the public hearing on Agenda Item No. 16.

Mr. Leonard Clark, a Barrel resident, voiced his concerns on this issue. He stated that he wants to make sure the Council is working closely with the developers so as not to be caught off guard should problems arise. He said he was concerned because of the proximity to Luke Air Force Base.

Mayor Scruggs closed the public hearing.

No action was taken on this item.

17. GENERAL PLAN AMENDMENT GPA06-08: MYRTLE AVENUE CORRIDOR

Mr. Jon Froke, AICP, Planning Director, presented this item.

This is a request by the Planning Commission for the City Council to amend the General Plan Land Use Map from MHDR (Medium High Density Residential 8-12 dwelling units per acre) and MHDR (Medium High Density Residential 5-8 dwelling units per acre) to MDR (Medium Density Residential 3.5-5 dwelling units per acre) for approximately 37 acres of land located in the vicinity of 79th and Glendale Avenues.

Glendale 2025, the city's General Plan, includes specific goals addressing the need for growth management. General Plan Amendments are tools that can be used by the city to direct and manage growth. This General Plan amendment also addresses the goal of encouraging infill development.

An existing subdivision at the southeast corner of 79th and Myrtle Avenues has built out at a density of 4.86 dwelling units per acre. Updating the land use category for this subdivision would give a more accurate representation of the existing density of that development.

Other existing developments surrounding this area have developed in the Medium Density Residential land use category. Reducing the density of the General Plan land use category for the area would be compatible with the density of existing development, and place a compatible density range on this property.

This action is not a rezoning, and the existing zoning classifications and permitted uses on the properties will remain the same. This action will change the City's policy toward future development or redevelopment in the area, as the General Plan is only a guide for future public decision making. The proposed General Plan Amendment is considered a Minor General Plan Amendment.

The Planning Commission authorized staff to initiate this request at the Planning Commission hearing on May 4, 2006. The Planning Commission voted to recommend approval of GPA06-08 by a 5-0 vote at its public hearing on August 17, 2006.

Reducing the density of this area to Medium Density Residential would provide a land use category which encourages single-family residential development that is compatible with existing development in the area.

A total of 620 notification letters were sent to adjacent property owners and interested parties on June 30, 2006. The citizen participation letters invited the recipients to submit comments to staff on the proposed General Plan Amendment. Two telephone calls were received seeking clarification of the proposal. No comments were received concerning this request at the Planning Commission hearing of August 17, 2006.

The recommendation was to conduct a public hearing, waive reading beyond the title, and adopt a resolution for General Plan amendment application GPA06-08, as recommended by the Planning Commission.

Mayor Scruggs opened the public hearing on Agenda Item No. 17.

Mr. Leonard Clark, a Barrel resident, expressed concern for home values when densities are reduced or hiked. He stated that they should consider that when making the change. He added that he believes that homes in Glendale retain their value and would like to keep it that way. He said he wanted to keep affordable housing available for everyone in Glendale.

Mr. Antonio Daniele, a Yucca resident, stated that he was concerned with the number of units proposed. He said he was not clear on how many units were being built per acre. He said he would like to see the minimum done because he stated that the area is already very crowded.

Mr. Froke explained the difference between a general plan amendment and zoning for the audience. He added that in regards to Mr. Daniele's question, the proposed general plan amendment would not affect his immediate area.

Mayor Scruggs clarified this matter further noting that the amendment would result in a change from multi-family housing to single family residences.

Mayor Scruggs closed the public hearing.

Resolution No. 4017 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GENERAL PLAN MAP OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING GENERAL PLAN AMENDMENT GPA06-08 FOR PROPERTY LOCATED IN THE VICINITY OF 79TH AVENUE AND GLENDALE AVENUE.**

It was moved by Lieberman, and seconded by Clark, to pass, adopt and approve Resolution No. 4017 New Series. The motion carried unanimously.

18. GENERAL PLAN AMENDMENT GPA06-09: LAMAR ROAD CORRIDOR

Mr. Jon Froke, AICP, Planning Director, presented this item.

This is a request by the Planning Commission for City Council to amend the General Plan Land Use Map from Medium High Density Residential (MHDR 8-12 dwelling units per acre) to MHDR (Medium High Density Residential 5-8 dwelling units per acre) and MDR (Medium Density Residential 3.5-5 dwelling units per acre) for approximately 18 acres of land located in the vicinity of 81st Avenue and Lamar Road.

Glendale 2025, the city's General Plan, includes specific goals addressing the need for growth management. General Plan Amendments are tools that can be used by the city to direct and manage growth. This General Plan amendment also addresses the goal of encouraging infill development.

Existing developments surrounding these locations have developed as Medium Density Residential. Reducing the density of the General Plan Land Use category for the area would be compatible with the density of surrounding development and place a compatible density range on this property.

This action is not a rezoning and the existing zoning classifications and permitted uses on the properties will remain the same. This action will change the city's policy towards future development or redevelopment in the area, as the General Plan is only a guide for future public decision making. The proposed General Plan Amendment is considered a Minor General Plan Amendment.

The Planning Commission authorized staff to initiate this request at the Planning Commission workshop on May 4, 2006. The Planning Commission voted to recommend approval of GPA06-09 by a 5-0 vote at its public hearing on August 17, 2006.

Reducing the density of this area to Medium Density Residential would provide a land use category, which encourages single-family residential development that is comparable with existing development in the area.

A total of 620 notification letters were sent to adjacent property owners and interested parties on June 30, 2006. The Citizen Participation letters invited the recipients to submit comments to staff on the proposed General Plan Amendment. One property owner requested clarification of the proposal.

At the Planning Commission hearing of August 17, 2006, one property owner spoke on this proposal. His question was concerning the impact on his existing apartment property. The Planning Commission and staff explained that this was not a zoning action on the property.

The recommendation was to conduct a public hearing, waive reading beyond the title and adopt a resolution for General Plan Amendment application GPA06-09, as recommended by the Planning Commission.

Mayor Scruggs opened the public hearing on Agenda Item No. 18.

Mr. Antonio Daniele, a Yucca resident, stated that he still had a question regarding the zoning issues. He said he needed further clarification. Mayor Scruggs asked Mr. Froke and staff to make themselves available after the meeting to further inform Mr. Daniele.

Mayor Scruggs closed the public hearing.

Resolution No. 4018 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GENERAL PLAN MAP OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING GENERAL PLAN AMENDMENT GPA06-08 FOR PROPERTY LOCATED IN THE VICINITY OF 79TH AVENUE AND GLENDALE AVENUE.**

It was moved by Martinez, and seconded by Goulet, to pass, adopt and approve Resolution No. 4018 New Series. The motion carried unanimously.

19. GENERAL PLAN AMENDMENT APPLICATION GPA06-04 (RESOLUTION) AND REZONING APPLICATION ZON06-04 (ORDINANCE): BERKANA AT ARROWHEAD - 6650 WEST GREENWAY ROAD

Mr. Jim May, AICP, Deputy Director for Current Planning, presented this item.

This is a request by Beus Gilbert for City Council to amend the General Plan Land Use Map from General Commercial (GC) to High Density Residential (HR) 12-20 dwelling units per acre and to rezone from General Commercial (C-2) to Multiple Residence (R-3) zoning district. The site is 7.7 acres in size and is located at the northeast corner of 67th Avenue and Greenway Road.

The Council is requested to conduct a voice vote on the resolution and to conduct a roll call for the ordinance.

The proposed general plan amendment and rezoning are consistent with the General Plan objective of providing a variety of housing types.

The property is currently vacant. The applicant is proposing a community consisting of 15 individual buildings, with a total of 99 condominium units on 7.7 acres for a density of 12.8 dwelling units per acre. All units are two stories, approximately 28 feet high.

The Planning Commission recommended approval of GPA06-04 and ZON06-04 on October 19, 2006.

The project provides infill development of vacant property and will provide housing that is compatible with the surrounding area.

A public notice for the City Council public hearing was published in the *Glendale Star* on November 16, 2006 and the property was posted on November 17, 2006. Postcards were mailed to 108 property owners and interested parties on November 17, 2006. No responses were received.

Two individuals spoke at the Planning Commission public hearing on October 19, 2006. Their concern was regarding traffic volume in the area.

The recommendation was to conduct a public hearing, waive reading beyond the titles and adopt a resolution for General Plan Amendment GPA06-04, and adopt an ordinance for rezoning ZON06-04, subject to the five stipulations as recommended by the Planning Commission.

Councilmember Clark had some concerns with the space between the development and the neighborhood.

Councilmember Frate stated that he had attended the community participation meeting on this issue. He recalled the developer willing to work with the neighborhood. He said that at the end of the meeting a lot of the issues were addressed.

Mayor Scruggs opened the public hearing on Agenda Item No. 19.

Mr. Leonard Clark, a Barrel resident, stated that he was impressed with the developments in Glendale. He said most of the developments in Glendale have beautiful landscaping. He noted that it was due to the hard work and diligence of the City Council.

Mayor Scruggs closed the public hearing.

Resolution No. 4019 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GENERAL PLAN MAP OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING GENERAL PLAN AMENDMENT GPA06-04 FOR PROPERTY LOCATED AT 6650 WEST GREENWAY ROAD.**

It was moved by Clark, and seconded by Lieberman, to pass, adopt and approve Resolution No. 4019 New Series. The motion carried unanimously.

Ordinance No. 2540 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY FROM C-2 (GENERAL COMMERCIAL) TO R-3 (MULTIPLE RESIDENCE); AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.**

It was moved by Frate, and seconded by Knaack, to approve Ordinance No. 2540 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Martinez, Frate, Knaack, and Scruggs. Members voting “nay”: none.

ORDINANCES

20. PARKING ORDINANCE AMENDMENTS

Police Chief Steven Conrad presented this item.

This is a request for the City Council to amend certain provisions of the Glendale City Code contained in Chapters 24, 25, 26, and 27 concerning parking enforcement to more clearly distinguish civil parking offenses from criminal parking offenses. The proposed ordinance updates procedures in alignment with Revised State Statutes.

A work group comprised of representatives from the City Court, the City Attorney's Office, and the City Code Compliance Office met to research, review, and identify proposed amendments to the city's parking ordinance.

On December 14, 2004, the Council adopted revisions to the parking ordinance.

The recommendation was to waive reading beyond the title and adopt an ordinance amending Chapters 24, 25, 26, and 27 of the Glendale City Code concerning parking enforcement.

Councilmember Clark clarified for the record that this was simply cleaning up the code so that both the code compliance department and police officers will have a better means of addressing parking violations. Chief Conrad agreed that this will give the officers the tools to do their job, allowing them to cite under the parking ordinance civically or criminally depending on the situation. He added that this does not change any existing ordinances or code in regards to RV parking.

Mr. Leonard Clark, a Barrel resident, stated that he was looking forward to seeing more clarification on the parking ordinances. He said he had seen instances where they were badly needed.

Ordinance No. 2541 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE CHAPTER 24 (MOTOR VEHICLES AND TRAFFIC), CHAPTER 25 (NUISANCES), CHAPTER 26 (OFFENSES-MISCELLANEOUS), AND CHAPTER 27 (PARKS AND RECREATION); PROVIDING PENALTIES FOR VIOLATION; AND DECLARING AN EMERGENCY.**

It was moved by Lieberman, and seconded by Martinez, to approve Ordinance No. 2541 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Clark, Goulet, Lieberman, Martinez, Frate, Knaack, and Scruggs. Members voting "nay": none.

21. SALT RIVER PROJECT EASEMENT: 95TH AND MARYLAND AVENUES

Mr. Greg Rodzenko, Assistant City Engineer, presented this item.

This is a request for the City Council to adopt an ordinance granting an underground power distribution easement in favor of Salt River Project (SRP) located at the northeast corner of 95th and Maryland Avenues.

The electrical contractor for the Media Center at Westgate on the northeast corner of 95th and Maryland Avenues requested electrical service from SRP. SRP agreed to accommodate this request and is requesting an underground power distribution easement across city-owned land, for the installation and protection of its facilities.

The recommendation was to waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute the underground power distribution easement in favor of Salt River Project at the northeast corner of 95th and Maryland Avenues.

Ordinance No. 2542 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN UNDERGROUND POWER DISTRIBUTION EASEMENT IN FAVOR OF SALT RIVER PROJECT AT THE NORTHEAST CORNER OF 95TH AND MARYLAND AVENUES; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.**

It was moved by Clark, and seconded by Goulet, to approve Ordinance No. 2542 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Martinez, Frate, Knaack, and Scruggs. Members voting “nay”: none.

22. AIRPORT HANGAR LEASE AGREEMENT WITH CHIN YI TU FAMILY LIVING TRUST

Mr. Jon Paladini, Deputy City Attorney, presented this item.

This is a request for the City Council to approve the lease agreement with the Chin Yi Tu Family Living Trust to manage and operate hangars at the Glendale Municipal Airport.

The original tenant of eight airport hangers under a lease dated December 1, 1997 was a corporation called Corporate Holdings. Corporate holdings had two shareholders: Tim Brown and the Chin Tu Family Trust. Corporate Holdings entered into a land lease with the City of Glendale to build corporate hangars at the Glendale Municipal Airport. On March 15, 2005, Tim Brown sent a letter advising the City that he has resigned from his position as President of Corporate Holdings and all contact with Corporate Holdings should be directed to the Vice-President of Corporate Holdings, Inc., Mr. Chin Tu, as Mr. Tu was assuming managerial control over the property.

In April of 2006, the city discovered that Corporate Holdings had been placed in receivership for the distribution of corporate assets (which included its leasehold interest in the eight airport hangers). As part of that corporate dissolution and distribution of corporate assets, Corporate Holdings transferred its interest in four airplane hangars to Mr. Chin Tu, the last remaining shareholder of Corporate Holdings. Staff stated that they would recognize the transfer provided that a new lease with updated terms was entered into.

On October 14, 1997, the City Council passed Ordinance No. 1965 authorizing the entering into of an Airport Lease Agreement with Corporate Holdings, Inc. to construct hangars at the Glendale Airport. Said lease agreement was amended on January 8, 2002 with Ordinance No. 2237.

The recommendation was to waive reading beyond the title and adopt an ordinance authorizing the entering into of the lease agreement with the Chin Yi Tu Family Living Trust to manage and operate hangars at the Glendale Municipal Airport.

Councilmember Lieberman had a question regarding the other 4 hangars at the Airport. He said he heard they were in bankruptcy. Mr. Paladini stated that he was not sure of that fact, but that the company just dissolved. He said that they are leasing 4 hangars and the other 4 are the ones in the family trust.

Ordinance No. 2543 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE MAYOR AND/OR CITY MANAGER AND CITY CLERK TO EXECUTE A LEASE AGREEMENT WITH THE CHIN YI TU FAMILY LIVING TRUST TO MANAGE AND OPERATE HANGARS AT THE GLENDALE MUNICIPAL AIRPORT.**

It was moved by Goulet, and seconded by Lieberman, to approve Ordinance No. 2543 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Martinez, Frate, Knaack, and Scruggs. Members voting “nay”: none.

NEW BUSINESS

23. COUNCIL SELECTION OF VICE MAYOR

Mr. Jon Paladini, Deputy City Attorney, presented this item.

This is a request for the City Council to designate among its members a vice mayor, who shall serve in accordance with the Charter.

With the retirement of former Vice Mayor Tom Eggleston, the Council must designate among its members a vice mayor, who shall serve in accordance with Glendale City Charter.

The Glendale City Charter provides for the composition of the Council. The Charter states:

Art. II, Sec. 7. Vice mayor.

The council shall designate one (1) of its members as vice mayor, who shall serve in such capacity at the pleasure of the council. The vice mayor shall perform the duties of the mayor during the mayor's absence or disability.

The recommendation was that the Mayor should accept a motion, call for a second, and conduct a vote of the Council that shall, by virtue of assent of a majority, designate one of its members as vice mayor.

It was moved by Frate, and seconded by Knaack, to designate Manuel D. Martinez as vice mayor. The motion carried with Clark and Lieberman voting nay.

Councilmember Clark said that she as stated in the workshop meeting, she will be voting nay to this motion. She said that the subject of seniority was very important to her in making this decision. She stated that she would have preferred to have seen the tradition honored. She added that this was not personal in regards to Councilmember Martinez and believes he is a fine man for the appointment.

Councilmember Lieberman stated that this had been his 315th Council meeting. He said that it is probably more than any other Councilmember here today. He stated that he believes that the city should have a written code of ethics and a clearly defined process for the selection of Vice Mayor. He said he was not comfortable with the current process and therefore votes nay. He added that he respects Councilmember Martinez but dislikes the process.

Councilmember Frate stated that he believes in the democratic process and the right to vote. He said he was in agreement with the process.

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

It was moved by Martinez, and seconded by Frate, to hold a City Council Workshop at 1:30 p.m. on Tuesday, January 30, 2007 in Room B-3 of the City Council Chambers, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.

CITIZEN COMMENTS

Mr. Leonard Clark, a Barrel resident, stated that he believed that Glendale has the finest police force in the area, they put their lives on the line day after day. He stated it was a comfort with the rising violent crimes. He talked about law enforcement being used for unconventional acts such as opening of mail in the federal post office

within the jurisdiction of the city of Glendale. He also talked about the political sign issue and how the Council has taken the matter very seriously.

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Clark congratulated Councilmember Martinez for his appointment as Vice Mayor. She welcomed Councilmember Knaack to the Council. She also thanked the city employees of Glendale. She said that there have been a lot of major events in Glendale and everything went smoothly. She stated that the city has a commitment to excellence that is unsurpassed.

Councilmember Goulet stated that the following day city management would be acknowledging all the hard work of city staff in the different departments over the last year with a special celebration. He said he also wanted to thank them personally for all the hard work they do. He said that the staff really demonstrated tremendous focus and ability. He also congratulated Councilmember Martinez and welcomed Councilmember Knaack.

Councilmember Lieberman congratulated Councilmember Martinez and welcomed Councilmember Knaack. He reminded everyone that next weekend is the Chocolate Affaire. He stated it is a big event and everyone enjoyed themselves tremendously. He also congratulated management staff on their work on both of the football games.

Vice Mayor Martinez welcomed Councilmember Knaack to the Council and is sure she will do a great job. He thanked everyone for appointing him Vice Mayor. He stated that following after Councilmember Eggleston was a tough act but he will do his very best.

Councilmember Frate congratulated Councilmember Martinez and welcomed Councilmember Knaack. He stated how proud he was of the staff. He added that to host two major college bowls in the city within ten days is truly amazing. He commends staff on their hard work. He invited everyone to the Spring Fling on Saturday, February 10, 2007 @ 11:00 to 2:00 p.m. at the Paseo ballfields at 63rd Avenue North of Thunderbird Road. He said it was a family event with different areas for the kids to enjoy. He reminded everyone to watch children around water.

Councilmember Knaack thanked the Council for a warm welcome. She thanked staff for being available to answer her questions. She said she has learned a lot in this short time. She also thanked staff for their hard work.

Mayor Scruggs discussed the political sign issue. She stated that she wanted feedback from the public on what they thought about the issue, encouraging them to email their concerns and suggestions. She said that there are laws on the books now, but they have not been enforced. She talked about the mega events that the city had completed with flying colors. She stated that she was surprised that more was not

written on how well Glendale handled all the issues when there so much doubt expressed about the Glendale's ability to manage the impact of the games. She stated that she was very proud of the city and the staff for their months of work. She also stated that the Council had written a letter of appreciation to every employee on what a wonderful job they are doing. She stated that it was wonderful to see downtown Glendale be included in the events. She said she looks forward to working with Vice Mayor Martinez and welcomes Councilmember Knaack.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:45 p.m.

Pamela Hanna - City Clerk