

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA,
HELD TUESDAY, MARCH 14, 2006, AT 7:00 P.M.**

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

Also present were Ed Beasley, City Manager; Pam Kavanaugh, Assistant City Manager; Craig Tindall, 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 four resolutions and two 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 FEBRUARY 28, 2006 CITY COUNCIL MEETING

It was moved by Goulet, and seconded by Clark, to dispense with the reading of the minutes of the February 28, 2006, 2005 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.

PROCLAMATIONS AND AWARDS

GLENDALE COMMUNITY COLLEGE CHEER SQUAD 2005 AMERICAN GRAND NATIONAL CHAMPIONS

This is a request for the City Council to issue a Proclamation of Recognition to the Glendale Community College Cheer Squad, 2005 American Grand National Champions for their recent victory. We are recognizing the significant accomplishments achieved by the GCC Cheer Squad and their coach, and expressing our gratitude for the pride and recognition they have brought to themselves, Glendale Community College, and the community of Glendale.

The recommendation was to present a Proclamation of Recognition to Coach Adrienne Whitlock and the members of the Glendale Community College Cheer Squad.

Mayor Scruggs recognized the following people in attendance: Adrienne Whitlock, Head Coach and Team Members Kristi Zartman, Kaylie Moran and Jessica Gamboa.

Coach Whitlock thanked the Mayor and Council for the honor.

CONSENT AGENDA

Mr. Ed Beasley, City Manager, read agenda item numbers 1 through 16 and Ms. Pamela Hanna, City Clerk, read consent agenda resolutions numbers 17 through 20 by number and title.

Councilmember Goulet requested that Item 9 be taken off the Consent Agenda and heard separately.

1. SPECIAL EVENT LIQUOR LICENSE FOR OUR LADY OF PERPETUAL HELP SCHOOL

This is a request by Maureen DeGrose for the City Council to approve a special event liquor license for Our Lady of Perpetual Help School. This event is a fundraiser, which will be held at Our Lady of Perpetual Help School, located at 7521 North 57th Avenue. The event will be on Saturday, April 29, 2006 from 6:00 to 10:00 p.m.

If this license is approved, the total days expended by this applicant will be one of the allowed 10 days this year.

Under the provisions of Arizona Revised Statutes Sec. 4-203.02, the Arizona Department of Liquor Licenses and Control may issue a special event liquor license only if the City Council recommends approval of such license.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for this special event liquor license for Our Lady of Perpetual Help School.

2. LIQUOR LICENSE NO. 3-1037 – LUNA PIZZA

This is a request by Sklqim Klobucista for the City Council to approve a new Series 12 (Restaurant - All Liquor) license for Luna Pizza, located at 20020 North 59th Avenue, #103.

The approval of this license will not increase the total number of liquor licenses in this area.

The Planning Department, the Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

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

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1037.

3. LIQUOR LICENSE NO. 3-1038 – KANEYA SUSHI

This is a request by Jung Nam Ryu for the City Council to approve a new Series 12 (Restaurant - All Liquor) license for Kaneya Sushi Inc., located at 6334 West Bell Road.

The approval of this license will not increase the total number of liquor licenses in this area.

The Planning Department, the Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

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

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1038.

4. LIQUOR LICENSE NO. 3-1039 – EL SENDERO MEXICAN & SEAFOOD RESTAURANT

This is a request by Wing Lee Tang for the City Council to approve a new Series 12 (Restaurant - All Liquor) license for El Sendero Mexican & Seafood Restaurant, located at 6020 North 59th Avenue.

The approval of this license will not increase the total number of liquor licenses in this area.

The Planning Department, the Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

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

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1039.

5. LIQUOR LICENSE NO. 3-1040 – WINGSTOP

This is a request by Amy S. Nations for the City Council to approve a new Series 12 (Restaurant - All Liquor) license for Wingstop, located at 7910 North 43rd Avenue, Suite 6.

The approval of this license will increase the total number of liquor licenses in this area by one.

The Planning Department, the Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

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

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1040.

6. LIQUOR LICENSE NO. 3-1041 – EL ALAMO

This is a request by Donna Jean Denney for the City Council to approve a person-to-person transfer of ownership for this Series 6 (Bar - All Liquor) license for El Alamo, located at 6676 West Bell Road.

The approval of this license will not increase the total number of liquor licenses in this area.

The establishment is over 300 feet from any school or church. The Planning Department, the Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

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

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1041.

7. LIQUOR LICENSE NO. 3-1043 – EASY STOP CONVENIENCE STORE

This is a request by Sami T. Saeed Kaji for the City Council to approve a person-to-person transfer of ownership for this Series 9 (Liquor Store - All Liquor) license for Easy Stop Convenience Store, located at 5430 North 59th Avenue.

The approval of this license will not increase the total number of liquor licenses in this area.

The establishment is over 300 feet from any school or church. The Planning Department, the Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

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

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1043.

8. LIQUOR LICENSE NO. 3-1044 – DON MARCO MEXICAN FOOD RESTAURANT

This is a request by Jose Carmen Ramirez for the City Council to approve a new Series 12 (Restaurant - All Liquor) license for Don Marco Mexican Food Restaurant, located at 4416 West Peoria Avenue.

The approval of this license will not increase the total number of liquor licenses in this area.

The Planning Department, the Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

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

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1044.

10. LIQUOR LICENSE NO. 3-1046 – BULLDOGZ

This is a request by Thomas Francis Gibbons, Jr. for the City Council to approve a person-to-person transfer of ownership for this Series 6 (Bar - All Liquor) license for Bulldogz, located at 5510 West Camelback Road, Suite #9-#12.

The approval of this license will not increase the total number of liquor licenses in this area.

The establishment is over 300 feet from any school or church. The Planning Department, the Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

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

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1046.

11. LIQUOR LICENSE NO. 3-1047 – 43RD AVENUE MARKET

This is a request by Nasser Yusef Jaber for the City Council to approve a new Series 10 (Liquor Store - Beer and Wine) license for 43rd Avenue Market, located at 6520 North 43rd Avenue.

The approval of this license will increase the total number of liquor licenses in this area by one.

The establishment is over 300 feet from any school or church. The Planning Department, the Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

A petition was received of customers and residents, with 114 signatures, in support of approving the issuance of a Series 10 (Liquor Store – Beer & Wine) license for 43rd Avenue Market. Of the 114 signatures received, 38 signers resided outside the one-mile radius of 43rd Avenue Market, located at 6520 North 43rd Avenue. No protests were received during the 20-day posting period.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1047.

12. LIQUOR LICENSE NO. 3-1048 – 7-ELEVEN

This is a request by Nicholas Carl Guttilla for the City Council to approve a new Series 10 (Liquor Store - Beer and Wine) license for 7-Eleven, located at 15232 North 59th Avenue.

The approval of this license will not increase the total number of liquor licenses in this area.

The establishment is over 300 feet from any school or church. The Planning Department, the Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

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

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1048.

13. LIQUOR LICENSE NO. 3-1049 – THE OTHER ROOM

This is a request by David Edward Delos for the City Council to approve a person-to-person transfer of ownership for this Series 6 (Bar - All Liquor) license for The Other Room, located at 4404 West Peoria Avenue.

The approval of this license will not increase the total number of liquor licenses in this area.

The establishment is over 300 feet from any school or church. The Planning Department, the Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

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

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1049.

14. AGREEMENT FOR PURCHASE OF LABORATORY SUPPLIES

This is a request for the City Council to approve a cooperative purchase agreement with VWR Scientific Products and Fisher Scientific for the purchase of laboratory supplies.

Approval of this agreement will assist in achieving the council goals of providing high quality services in a fiscally sound manner.

The City of Phoenix, using a competitive process, recently published a bid for laboratory supplies. Their specifications cover a wide variety of miscellaneous items including, but not limited to, glassware, plastic ware, test tubes, and pH equipment. The City of Glendale's water and wastewater treatment plants utilize such products in their labs and, therefore, the city would like to enter into a cooperative purchase agreement with the two-awarded companies based on the City of Phoenix award.

The City of Glendale's Purchasing Ordinance, Section 2.149, allows cooperative purchases. The City of Phoenix awarded its contract on February 1, 2006 and will continue for two (2) years. Their bid specifications contain an option clause that will permit three (3) one-year extensions. The city would follow the terms of the City of Phoenix contract.

On March 22, 2000, the Council approved a cooperative purchase agreement with VWR Scientific Products and Fisher Scientific for laboratory supplies based on a City of Phoenix award. The agreement was for two years, with the option of three one-year renewals. That agreement has expired with no available renewals.

Entering into a cooperative purchase agreement such as this allows the city to take advantage of cost saving prices that could not be realized if a proposal was issued for Glendale's needs only.

Funding is available in the following operating base budget accounts during the next five years: Arrowhead WRP; West Area WRF; Pyramid Peak WTP; Cholla WTP; Oasis Water Campus; Pretreatment Program and Water Quality.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$150,000

Account Name, Fund, Account and Line Item Number:

Water Quality: 50-6429-7520
Arrowhead WRP: 50-6430-7520
West Area WRF: 50-6432-7520
Pyramid Peak WTP: 83-6421-7520
Cholla WTP: 83-6422-7520
Oasis Water Campus: 83-6453-7520
Pretreatment Program: 84-6425-7520

The recommendation was to approve the cooperative purchase agreement with VWR Scientific Products and Fisher Scientific for the purchase of laboratory supplies in an amount not to exceed \$150,000 annually.

15. **PROFESSIONAL SERVICES AGREEMENT – TRANSMISSION MAINS FROM THE OASIS WATER CAMPUS TO ZONES 1 AND 4**

This is a request for the City Council to approve a professional services agreement with Dibble & Associates Consulting Engineers (Dibble) to provide preliminary design and final design on the installation of three transmission mains from the new Glendale Oasis Water Campus (OWC) for water distribution to Zones 1 and 4. The transmission mains will provide drinking water from the new Glendale Oasis Water Campus (Water Treatment Plant) to Zones 1 and 4 distribution systems.

This project addresses the Council goals of providing quality services for Glendale citizens.

The October 2003 Comprehensive Water Facilities Planning and Design Project – Phase I report, prepared by the engineering firm of Black and Veatch, included the proposed 30”, 24” and 20” water transmission mains. Based on the report, the Utilities Department would like to move forward with this project. Dibble shall provide construction engineering, project management, and construction management services required for the scope of the work.

On November 22, 2005, the Council approved the design of the Zone 4 Reservoir Fill Line and the construction of the new OWC.

The transmission water mains will start at the new OWC, which will help ensure that optimum water pressure and service is provided to the Zones 1 and 4 distribution systems, further enabling the city to meet future demand.

A public meeting will be held to inform citizens of the project and address any questions and/or concerns. Appropriate city staff and representatives of Dibble will be in attendance and available to answer questions. In addition, a public information program will be made available to citizens affected by the project. The program will provide information that explains the need for the project, construction activities, and schedules.

The cost for preliminary design, final design, and construction administration to be performed by Dibble & Associates Consulting Engineers will not exceed \$327,580. Funds to pay for this cost are available in Capital Improvement Plan Fiscal Year 2005-06, Zone 4 WTP to 83rd & Orangewood.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$327,580

Account Name, Fund, Account and Line Item Number:

FY 05-06: Zone 4 WTP to 83rd & Orangewood Account No. 83-9224-8330

The recommendation was to approve the professional services agreement with Dibble & Associates Consulting Engineers to provide preliminary design and final design on the installation of three transmission mains from the new Glendale Oasis Water Campus for water distribution to Zones 1 and 4 in an amount not to exceed \$327,580.

16. AWARD OF PROPOSAL 05-45, FORMS MANAGEMENT

This is a request for the City Council to approve the award of the proposal for forms management services. The program provides the city with forms that are economical and professionally designed for clarity and standardization.

This item supports the Council strategic goal of a city that is fiscally sound.

Services identified within the agreement include assistance with form design, printing based on economical volumes, a computerized inventory and ordering system, departmental usage reports, direct delivery, and an on-site customer service representative. Three proposals were received to provide forms management. An evaluation panel, consisting of staff from the Glendale City Court, the Finance Department, the Fire Department and the Police Department, reviewed the proposals. Specific evaluation factors included compliance with specifications, cost, references, and capabilities of firm and staff.

The Relizon Company submitted the proposal that scored the highest and was recommended by the evaluation committee. The contract shall begin upon approval by Council and continue for two years. The proposal specifications contain an option clause that will permit the city, at the discretion of the city manager, to extend this agreement an additional four years, in two, two-year increments.

The Council previously awarded Proposal 00-33, for the citywide printing and management of city forms on December 12, 2000.

Funds for this award are budgeted in various departments' operating budgets.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$175,000

The recommendation was to award the proposal for forms management to The Relizon Company in an amount not to exceed \$175,000.

CONSENT RESOLUTIONS

17. PROPERTY ACQUISITION: 83RD AVENUE AND BETHANY HOME ROAD

This is a request for the City Council to adopt a resolution authorizing the acquisition of a 2.35-acre parcel of land at the southeast corner of 83rd Avenue and Bethany Home Road. The property will be used for the realignment of Bethany Home Road, 75th to 83rd Avenues.

Acquisition and future development of this property supports the Council's policy of creating transportation options, and projecting a positive image of Glendale through the aesthetic improvements of Bethany Home Road.

Bethany Home Road, between 75th and 83rd Avenues is primarily a two-lane rural arterial in the path of an expanding urbanized area. On May 15, 1999, the Council authorized the widening of Bethany Home Road and the installation of a storm drain system from 58th Avenue west to the Bethany Home Road Outfall Channel (BHOC) at 83rd Avenue and Bethany Home Road.

The most favorable design for Bethany Home Road, 75th to 83rd Avenues requires a realignment of the road southward from about 81st Avenue to its intersection with 83rd Avenue. This new alignment moves Bethany Home Road from the north side of the BHOC and the Grand Canal to the south side, which will support the future development of Bethany Home Road from 83rd to 91st Avenues, and the current development of Bethany Home Road, 91st Avenue west to Loop 101. The new roadway will include four-travel lanes (two-travel lanes in each direction), and a center left-turn lane.

The storm drain system (58th to 83rd Avenues) was designed to connect to the BHOC at 83rd Avenue. The Flood Control District of Maricopa County (FCDMC) has cooperated and is sharing in the design costs with the city. The new conformation of the BHOC has left FCDMC with a 2.35-acre remnant parcel. That parcel is necessary for the city's realignment of Bethany Home Road. FCDMC is willing to sell the parcel to the city at its appraised value, and FCDMC has already declared the parcel excess. The total purchase price is \$477,800.

The city can improve traffic flow through this area, make visual improvements and create an attractive gateway feature to the adjacent Grand Canal Linear Park and the adjoining West Area Regional Park located on the east side of 83rd Avenue, north of Bethany Home Road.

The purchase price is based on a September 2005 appraisal of the property at \$475,000, plus \$2,800 for the cost of the appraisal, which equates to a total purchase price of \$477,800.

Funds for the land acquisition are available in the Bethany Home Road, 75th to 83rd Avenues (ST) Account No. 61-8817-8100.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
		X	X		\$477,800

Account Name, Fund, Account and Line Item Number:

Bethany Home Road, 75th to 83rd Avenues (ST) Account No. 61-8817-8100

The recommendation was to waive reading beyond the title and adopt a resolution authorizing the City Manager to execute all documents necessary to acquire the 2.35-acres parcel of land on the southeast corner of 83rd Avenue and Bethany Home Road.

Resolution No. 3936 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 THAT TITLE TO AND POSSESSION OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, BE ACQUIRED BY PURCHASE, OR UNDER THE POWER OF EMINENT DOMAIN FOR THE REALIGNMENT OF BETHANY HOME ROAD.**

18. OFFICE OF JUSTICE PROGRAMS G.R.E.A.T. GRANT AWARD

This is a request for the City Council to apply for, and accept, a one-year \$85,000 grant award from the Department of Justice, Office of Justice Programs. This grant will provide funding to support our Gang Resistance Education Training (G.R.E.A.T.) program.

The G.R.E.A.T. education program is provided to the fourth and seventh grade levels at 41 schools in the city. This funding provides supplies; school-based incentives, The G.R.E.A.T. Summer Program, national training, and other related field trips for the students throughout the year. The G.R.E.A.T. program is an approved educational program and is school-based. The schools are receptive to the program, which is taught by certified School Resource Officers.

This grant has been approved annually for the last 13 years.

Officers work in a proactive approach with schools and parents, providing an educational experience for students and giving the students tools to avoid violence and gang activities. This program is well received by the schools and their districts.

There is no financial match required for this funding. This is one-time funding by the Department of Justice, Office of Justice Programs.

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

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
\$85,000		X	X		\$85,000

The recommendation was to waive reading beyond title and adopt a resolution authorizing the City Manager to apply for, and accept, the grant funds in the amount of \$85,000 from the Department of Justice, Office of Justice Programs.

Resolution No. 3937 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 THE SUBMISSION AND ACCEPTING THE GRANT OFFER FROM THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS TO SUPPORT THE GLENDALE POLICE DEPARTMENT’S GANG RESISTANCE EDUCATION PROGRAM (G.R.E.A.T.).**

19. INTERGOVERNMENTAL AGREEMENT – GLENDALE REGIONAL PUBLIC SAFETY TRAINING CENTER

This is a request for City Council authorization to enter into an intergovernmental agreement with the cities of Avondale, Peoria, and Surprise, and the Maricopa County Community College District (MCCCD). The intergovernmental agreement delineates the financial and operational partnership with the city in the Glendale Regional Public Safety Training Center.

The intergovernmental agreement addresses the Council's goal of constructing the Glendale Regional Public Safety Training Center with established municipal and educational partnerships.

In the 1999 general obligations bond package, the City of Glendale Fire and Police Chiefs identified a need for a Regional Public Safety Training Center in the West Valley. The Valley’s current training accommodations are at critical limits. The growth of the metropolitan area, along with the projected attrition of personnel for the next decade, has created the need for a regional training Center that allowed partnerships with other West Valley cities.

The Council approved \$33,843,433 in the Fiscal Year 2005-06 and Fiscal Year 2006-07 budgets for the first phase of the construction of the Regional Public Safety Training Facility and the Emergency Operations Center.

Partnerships with various West Valley cities and with the MCCCDC will enhance the function and value of the training of police and fire personnel, and ensure the number of available trained public safety staff is secured for the protection of the community.

As indicated, the Council budgeted \$33,843,433 for the first phase of the Regional Public Safety Training Center and the Emergency Operations Center. Potential partnerships with the cities of Avondale, Surprise, and Peoria for fire personnel training, and with the MCCCDC for fire and police training allowed the scope of the training center to expand to accommodate partner capacity. The partners' pro rata share of the project is based on the anticipated number of recruits and on-going training hours needed.

The Glendale Regional Public Safety Training Center budget for Phase I will be \$47,050,000, which includes \$1,915,053 for a market increase in materials. If approved, intergovernmental agreements with the three cities and the MCCCDC will provide an additional \$11,795,514 toward the capital construction costs, which includes \$504,000 toward the \$1,915,053 in the market increase for materials. In addition, the federal government granted \$148,000 toward the project, for a total of \$11,943,514 in financial partnerships. The remaining market increase cost to the city of Glendale is \$1,263,053.

Partner	Pro Rata Share of Project	Phase I Contribution
Avondale	3.9%	\$1,750,759
Surprise	6.6%	\$2,962,823
Peoria	6.5%	\$2,917,932
MCCCDC	8.2%	\$4,164,000
Federal Government		\$ 148,000
		\$11,943,514

The intergovernmental agreements also provide for the partners to participate in the annual operations and maintenance budget commensurate with their pro rata share of participation in the project. (Listed above)

The recommendation was to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement with the cities of Avondale, Peoria, and Surprise, and the Maricopa County Community College District for the financial and operational partnership with the city in the Glendale Regional Public Safety Training Center.

Resolution No. 3938 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 A REGIONAL PUBLIC SAFETY TRAINING CENTER INTERGOVERNMENTAL AGREEMENT WITH THE CITIES OF PEORIA, SURPRISE, AVONDALE AND THE MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT.**

20. ACQUISITION OF RIGHT-OF-WAY FOR INTERSECTION IMPROVEMENTS

This is a request for the City Council to authorize the purchase of a property to complete a Glendale Onboard (GO) intersection improvement project at a total cost of \$28,755.

One of Council's goals is to provide high-quality services for citizens. Improving and providing transportation options within the city will assist in achieving this goal.

Scalloped streets and intersection improvement projects have been previously identified in the GO Program. The city needs to obtain additional right-of-way to construct related street improvements that include right turn lanes, bus bays and merge lanes, as well as new curbs, gutters, sidewalks, and landscaping.

The property needed for acquisition is described below:

Northern Chemical Company - Northern Chemical Company, owner of property located at the northwest corner of Grand and 61st Avenues, will sell approximately 2,362 square feet of property towards improvements at this intersection. The property owner is willing to grant a temporary easement to the city on the property for construction of improvements. The property owner will be compensated a total of \$28,300 for the right-of-way. Closing costs for this property are \$455.

These projects were included in the Capital Improvement Program budget process and funding is available from the half-cent transportation sales tax program.

GO Program improvements are being made to streets, transit, and pedestrian facilities. These projects will provide bus bays and improve pedestrian and traffic flow.

The GO Program provides multiple opportunities for public input. Last year, an annual report was mailed to all Glendale households, a transportation fair was held on April 17, 2005, and a community meeting for the annual report was held on April 21, 2005. Project specific public meetings will be conducted by the Engineering Department.

City of Glendale funds for right-of-way acquisition are budgeted as part of the GO Transportation Program.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$28,755

Account Name, Fund, Account and Line Item Number:

Grand Ave. Access Enhancements, Account No. 33-9447-8100 (\$28,755)

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 right-of-way for the Glendale Onboard (GO) Transportation Program.

Resolution No. 3939 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 PROPERTY AS RIGHT-OF-WAY FOR INTERSECTION IMPROVEMENTS FOR THE GLENDALE ONBOARD TRANSPORTATION PROGRAM; AND DIRECTING THE EXECUTION OF ANY DOCUMENTS NECESSARY TO EFFECTUATE SAID PURCHASE.**

It was moved by Eggleston and seconded by Martinez, to approve the recommended actions on Consent Agenda Item Nos. 1 through 8 and 10 through 20, including the approval and adoption of Resolution No. 3936 New Series, Resolution No. 3637 New Series, Resolution No. 3938 New Series, and Resolution No. 3939 New Series; and Special Event Liquor License Application for Our Lady of Perpetual Help School for a fundraiser to be held on April 29, 2006; and to forward Liquor License Application No. 3-1037 for Luna Pizza, Liquor License Application No. 3-1038 for Kaneya Sushi, Liquor License Application No. 3-1039 for El Sendero Mexican & Seafood Restaurant, Liquor License Application No. 3-1040 for Wingstop, Liquor License Application No. 3-1041 for El Alamo, Liquor License Application No. 1043 for Easy Stop Convenience Store; Liquor License No. 3-1044 for Don Marco Mexican Food Restaurant, Liquor License No. 3-1046 for Bulldogz, Liquor License No. 3-1047 for 43rd Avenue Market, Liquor License No. 3-1048 for 7-Eleven, and Liquor License No. 3-1049 for the Other Room, to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.

9. LIQUOR LICENSE NO. 3-1045 – EL CHARRITO MEXICAN CUISINE

Mr. Ray Shuey, Chief Financial Officer, presented this item.

This is a request by Raquel Rubio for the City Council to approve a new Series 12 (Restaurant - All Liquor) license for El Charrito Mexican Cuisine, located at 5410 West Glendale Avenue.

The approval of this license will increase the total number of liquor licenses in this area by one.

The Planning Department, the Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

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

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1045.

Councilmember Goulet asked if the property has come before Council in the past. Mr. Shuey explained a previous applicant started the liquor license process but ended up withdrawing the application.

Vice Mayor Eggleston asked if the site would have a restaurant. Mr. Shuey responded yes.

Ms. Raquel Rubio, Applicant, came forward to answer questions.

Councilmember Goulet asked Ms. Rubio if she has previous experience operating a restaurant with a liquor license. He pointed out he has been contacted by residents in the area, concerned about the number of incidents at the subject location. Ms. Santiago-Espino translated on behalf of Ms. Rubio. Ms. Santiago-Espino said, although she has no experience, Ms. Rubio believes she is capable of running the restaurant. She said Ms. Rubio is not certain how to address the neighborhood's concerns.

Councilmember Martinez asked if the location has ever had a liquor license. Mr. Shuey said there was a liquor license in the past, but the site does not currently have a license.

Mayor Scruggs asked the applicant if she has been operating the restaurant since 2005. Ms. Rubio, again through her interpreter Ms. Santiago-Espino, said she started operating the business on November 25. Mayor Scruggs asked if any of the violations occurred after Ms. Rubio began operating the business. Chief Conrad said they show no calls for service since October 18, 2003.

Councilmember Goulet said, given the opposition of residents in the neighborhood, he will vote to deny the application.

It was moved by Goulet to deny the request for liquor license. Motion died due to lack of a second.

It was moved by Martinez and seconded by Lieberman, to approve the recommended actions and forward the Liquor License No. 3-1045 for El Charrito Mexican Cuisine to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval.

Councilmember Lieberman provided a brief history of the restaurant. He said he has eaten in the restaurant three times since November and when asking for a beer he was told they were applying for a liquor license.

The motion carried, with Goulet voting nay.

BIDS AND CONTRACTS

21. AWARD OF CONSTRUCTION CONTRACT: BETHANY HOME ROAD WATERLINE BETWEEN 79TH AND 83RD AVENUES

Mr. Larry Broyles, City Engineer, presented this item.

This is a request for the City Council to approve a Guaranteed Maximum Price (GMP) construction contract with Hunter Contracting Co., for the construction of a 24-inch diameter waterline in the Bethany Home Road realignment between the Zone 4 reservoir at 79th and 83rd Avenues.

This project is consistent with the Council goals of promoting quality economic development within the city.

Construction of the Arizona Sports and Tourism Authority (AZSTA) multi-purpose stadium and the Glendale Arena has created an increased water demand to serve the facilities and the proposed growth in the area. This is the last segment of waterline needed to serve these facilities. To meet the schedule for the opening of the stadium, the waterline is being installed ahead of the street improvements for this section of roadway.

On October 28, 2003, the Council approved a professional services agreement with Tri-Core Engineering to design the waterline between the Zone 4 reservoir and 91st Avenue. On November 8, 2005, the Council authorized a GMP to allow Hunter Contracting Co., to construct a portion of the waterline between 83rd and 91st avenues.

Construction of the waterline will provide increased water capacity to serve the new stadium, as well as support the increased growth in the area.

Funds are available for the proposed construction in the Fiscal Year 2005-06 Capital Improvement Program, Water Line Replacement.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$893,123.45

<p><u>Account Name, Fund, Account and Line Item Number:</u> Water Line Replacement, Account Number 83-9249-8300</p>

The recommendation was to award the Guaranteed Maximum Price construction contract to Hunter Contracting Co., in the amount of \$893,123.45.

It was moved by Clark, and seconded by Goulet, to award the Guaranteed Maximum Price construction contract to Hunter Contracting Co., in the amount of \$893,123.45. The motion carried unanimously.

ORDINANCES

22. DEDICATION OF RIGHT-OF-WAY: REDFIELD ROAD, BETWEEN 65TH AND 67TH AVENUES

Mr. Larry Broyles, City Engineer, presented this item.

This is a request for the City Council to adopt an ordinance to dedicate city-owned property as right-of-way for Redfield Road, between 65th and 67th Avenues.

This parcel was deeded to the city for right-of-way purposes by the property owner; however council action is required to formally dedicate it as public right-of-way.

The recommendation was to waive reading beyond the title and adopt an ordinance authorizing the City Manager to sign all documents necessary for the dedication of the south half of Redfield Road, between 65th and 67th Avenues to the public for roadway purposes.

Ordinance No. 2487 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 A DEDICATION OF ADDITIONAL RIGHT-OF-WAY FOR REDFIELD ROAD, BETWEEN 65TH AND 67TH AVENUES IN THE CITY OF GLENDALE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.**

It was moved by Frate, and seconded by Clark, to approve Ordinance No. 2487 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting “nay”: none.

23. OFFICIAL SUPPLEMENTARY ZONING MAP ZMA-12

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

This is a request for the City Council to approve Official Supplementary Zoning Map ZMA-12.

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

The Council approved the 22 rezoning applications shown on ZMA-12 between September of 1993 and July of 2005. Official Supplemental Zoning Map ZMA-12 will formally amend the zoning map to reflect these changes.

The community benefits from the formal map amendment by providing accurate zoning district boundaries on the map.

The recommendation was to waive reading beyond the title and adopt the ordinance for Official Supplementary Zoning Map ZMA-12.

Ordinance No. 2488 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 THE ZONING ORDINANCE OF THE CITY OF GLENDALE, ARIZONA BY ADOPTING OFFICIAL SUPPLEMENTARY ZONING MAP ZMA-12, WHICH AMENDS THE ZONING ON SPECIFIC PROPERTIES; AND ESTABLISHING AN EFFECTIVE DATE.**

It was moved by Martinez, and seconded by Lieberman, to approve Ordinance No. 2488 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting "nay": none.

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

It was moved by Eggleston, and seconded by Martinez, to hold a City Council Budget Workshop at 8:30 a.m. and a City Council Workshop at 1:30 p.m. in Room B-3 of the City Council Chambers on Tuesday, March 21, 2006, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.

CITIZEN COMMENTS

Mr. Milt Deever, a resident of the City of Glendale Cholla District, commented on the importance of long-range planning, specifically with regard to the city's water capacity. He said, when looking at the city's 2005 and 2006 budgets, he found water revenue appears to come before water capacity. He pointed out the 2006 budget rescinded some of the higher revenue found in 2003 through 2005, with revenue not exceeding \$27 million. He said growth in the community will drive capacity, asking

about the city's current and projected capacity. He asked for approval to meet with the Water Department to offer his services.

Mayor Scruggs asked Mr. Roger Bailey, Utility Director, to contact Mr. Deever.

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Lieberman noted Mr. Broyles and the Council discussed the 83rd Avenue land purchase, on tonight's agenda, two weeks ago and, at that time, the Council voted to table the item. He said he was quite satisfied with the information presented by staff the following morning and only wished the same information had been presented the night before.

Councilmember Frate mentioned a serious accident that occurred at 67th Avenue and Mountain View, noting only one out of the 11 children involved was wearing a seatbelt. He stated there is no excuse for not having seatbelts and he urges everyone to use them. He also asked everyone to watch children around water.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:35 p.m.

Pamela Hanna - City Clerk