



**MINUTES OF THE  
GLENDALE CITY COUNCIL MEETING  
Council Chambers  
5850 West Glendale Avenue  
May 28, 2013  
7:00 p.m.**

The meeting was called to order by Mayor Jerry P. Weiers. Vice Mayor Yvonne J. Knaack and the following Councilmembers were present: Norma S. Alvarez, Samuel U. Chavira, Ian Hugh, Manuel D. Martinez and Gary D. Sherwood.

Also present were Richard Bowers, Acting City Manager; Horatio Skeete, Assistant City Manager; Nick DiPiazza, Acting City Attorney; and Pamela Hanna, City Clerk.

Mayor Weiers called for the Pledge of Allegiance and a moment of silence was observed.

**Compliance with Article VII, Section 6(c) of the Glendale Charter**

A statement was filed by the City Clerk that the 6 resolutions and 2 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 May 14, 2013 City Council Meeting**

**It was moved by Councilmember Martinez, and seconded by Vice Mayor Knaack, to dispense with the reading of the minutes of the May 14, 2013 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, COMMISSIONS AND OTHER BODIES**

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**PRESENTED BY:** Councilmember Manuel D. Martinez

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



This is a request for City Council to approve a new, non-transferable series 12 (Restaurant) license for Whisky Rose Saloon located at 6751 North Sunset Boulevard, Suite E-110. The Arizona Department of Liquor Licenses and Control application (No. 12079477) was submitted by Lauren Kay Merrett.

Staff is requesting Council to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

2. LIQUOR LICENSE NO. 5-10167, BUFFALO WILD WINGS  
PRESENTED BY: Susan Matousek, Revenue Administrator

This is a request for City Council to approve a new, non-transferable series 12 (Restaurant) license for Buffalo Wild Wings located at 9404 West Westgate Boulevard, Suite 107. The Arizona Department of Liquor Licenses and Control application (No. 12079480) was submitted by James Dion Connor.

Staff is requesting Council to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

3. DESIGN AND CONSTRUCTION AGREEMENT WITH SALT RIVER VALLEY WATER USERS' ASSOCIATION FOR MODIFICATIONS AND UPGRADES TO A WELL SITE  
PRESENTED BY: Craig Johnson, P.E., Executive Director, Water Services

This is a request for City Council to authorize the City Manager to enter into a design and construction agreement with the Salt River Valley Water Users' Association (SRP) for repairs and improvements to an SRP owned well site in an amount not to exceed \$55,909.

**It was moved by Councilmember Martinez and seconded by Councilmember Hugh, to approve the recommended actions on Consent Agenda Item Nos. 1 through 3, and to forward Liquor License Application No. 5-10145 for Whiskey Rose Saloon and Liquor License Application No. 5-10167 for Buffalo Wild Wings to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.**

## **CONSENT RESOLUTIONS**

**Ms. Pamela Hanna, City Clerk, read consent agenda resolution item numbers 4 through 7, by number and title.**

4. INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF GOODYEAR FOR TEMPORARY STAFFING  
PRESENTED BY: Mark Burdick, Fire Chief  
RESOLUTION: 4679

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the entering into of an intergovernmental agreement with the City of Goodyear to

temporarily reassign a Deputy Chief from Glendale Fire Department to the Goodyear Fire Department for a period of six months.

**RESOLUTION NO. 4679 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 EXECUTION OF THE INTERGOVERNMENTAL AGREEMENT FOR TEMPORARY STAFFING WITH THE CITY OF GOODYEAR TO PROVIDE TEMPORARY MANAGEMENT AND OPERATIONS SERVICES TO THE GOODYEAR FIRE DEPARTMENT.**

5. RENEWAL OF THE PHOENIX REGIONAL AUTOMATIC AID SYSTEM AGREEMENT

PRESENTED BY: Mark Burdick, Fire Chief  
RESOLUTION: 4680

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the approval of the renewal of the Phoenix Regional Automatic Aid System Agreement.

**RESOLUTION NO. 4680 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 FOR AUTOMATIC AID AGREEMENT FOR FIRE PROTECTION AND OTHER EMERGENCY SERVICES.**

6. ARIZONA STATE PURCHASING COOPERATIVE AGREEMENT

PRESENTED BY: Sherry M. Schurhammer, Executive Director, Financial Services  
RESOLUTION: 4681

This is a request for City Council to adopt a resolution authorizing the entering into of an Arizona State Purchasing Cooperative Agreement. The current Purchasing Cooperative Agreement expires June 30, 2013. This agreement has a term of five fiscal years.

Staff is requesting Council waive reading beyond the title and adopt a resolution authorizing the entering into of an Arizona State Purchasing Cooperative Agreement.

**RESOLUTION NO. 4681 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 ARIZONA STATE PURCHASING COOPERATIVE AGREEMENT WITH THE ARIZONA DEPARTMENT OF ADMINISTRATION, STATE PROCUREMENT OFFICE.**

7. GLENDALE FROM THE HEART GRANT

PRESENTED BY: Thomas Adkins, Assistant to the Mayor  
RESOLUTION: 4682

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the Acting City Manager to accept a grant from the Gila River Indian Community for the Glendale *FROM THE HEART* program, should the city be successful in receiving an award. A resolution is required as part of the grant package. The city will be notified if it receives an award in October 2013. The grant will be used as matching funds for donations raised in the community.

**RESOLUTION NO. 4682 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 ACCEPTANCE OF GILA RIVER INDIAN COMMUNITY GRANT FOR THE GLENDALE *FROM THE HEART* PROGRAM.**

**It was moved by Councilmember Martinez and seconded by Councilmember Chavira, to approve the recommended actions on Consent Agenda Item Nos. 4 through 7, including the approval and adoption of Resolution No. 4679 New Series, Resolution No. 4680 New Series, Resolution No. 4681 New Series, Resolution No. 4682 New Series; The motion carried unanimously.**

## **BIDS AND CONTRACTS**

### **8. AWARD OF BID TO R.K. SANDERS, INC. FOR STREET RECONSTRUCTIVE PAVING PROJECT**

PRESENTED BY: Christina Betz, Acting Deputy Director, Public Works

This is a request for City Council to award a bid and authorize the City Manager to enter into a construction agreement with R.K. Sanders, Inc. in an amount not to exceed \$234,808.25 for street reconstructive paving using Community Development Block Grant (CDBG) funds and City of Glendale Pavement Management capital improvement plan (CIP) funds.

Ms. Betz said the reconstruction will include reconstructing 64<sup>th</sup> Avenue, Tuckey Lane, 62<sup>nd</sup> Drive, and McClellan Road. This project was included in the project request by the CDBG in 2012. R.K. Sanders provided the lowest responsive bid. The project will be funded utilizing a majority of funds from the CDBG block grant fund. The remaining amount was funded through the pavement management capital improvement budget. This project was timed to occur during the summer months to minimize traffic issues to nearby schools.

**It was moved by Councilmember Martinez, and seconded by Councilmember Chavira, to award a bid and authorize the City Manager to enter into a construction agreement with R.K. Sanders, Inc. in an amount not to exceed \$234,808.25 for street reconstructive paving project. The motion carried unanimously.**

## **PUBLIC HEARING – RESOLUTION AND ORDINANCE**

### **9. GENERAL PLAN AMENDMENT GPA13-01 (RESOLUTION) AND REZONING APPLICATION ZON13-02 (ORDINANCE): SUNSHINE RESIDENTIAL HOMES INC. –**

17201 NORTH 63RD AVENUE (PUBLIC HEARING REQUIRED)

PRESENTED BY: Jon M. Froke, AICP, Planning Director

RESOLUTION: 4683

ORDINANCE: 2844

These requests are by Sunshine Residential Homes, Inc. for City Council to approve a General Plan Amendment and a Rezoning Application to amend 2.47 acres of the general plan to OFC (Office) land use designation and to rezone 7.13 acres to C-O (Commercial Office) zoning district. The properties are located north of the northeast corner of 63<sup>rd</sup> Avenue and Bell Road.

Staff is requesting Council conduct a public hearing, waive reading beyond the titles, and adopt a resolution for GPA13-01 and approve an ordinance for ZON13-02, subject to the stipulations as recommended by the Planning Commission.

Mr. Froke explained the general plan amendment and the rezoning application for this item. He said adjustments have been made to appease neighborhood concerns. He said this would be a nice addition to the Bell Road corridor.

Mayor Weiers opened the public hearing on Agenda Item No. 9.

Ms. Hawkins, works in the Sahuaro District. She has worked for Sunshine for many years. She feels this development will bring value to the community. She said they have an excellent relationship with the neighbors in their current location.

Vice Mayor Knaack asked Ms. Hawkins to state their mission as she supported it wholeheartedly.

Ms. Hawkins said group home is for CPS protected children placed by the state. They also provide educational extracurricular opportunities. She said their facilities usually exceed the standards required by the state.

Councilmember Sherwood said initially there were concerns with surrounding property owners with the number of parking spaces, but those issues were mitigated. He said the facility is a welcome addition to the neighborhood.

Councilmember Martinez said this property was once in the Cholla District, at that time a couple of different projects were proposed for it which members of the community did not support. He said the supporting materials provided for this project showed support by the community.

Councilmember Chavira said he would welcome a similar facility in his district as well.

Ms. Monique Williams, an Assistant Program Manager at Sunshine, spoke about some of the “angels” they worked with every day at Sunshine.

Mayor Weiers thanked Ms. Williams for her comments.

Mayor Weiers closed the public hearing.

**RESOLUTION NO. 4683 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 GPA13-01 FOR PROPERTY LOCATED AT 17201 NORTH 63<sup>RD</sup> AVENUE.**

**It was moved by Councilmember Sherwood, and seconded by Vice Mayor Knaack, to pass, adopt and approve Resolution No. 4683 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Alvarez, Chavira, Hugh, Knaack, Martinez, Sherwood, and Weiers. Members voting “nay”: none. The motion carried unanimously.**

**ORDINANCE NO. 2844 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 LOCATED AT 17201 NORTH 63<sup>RD</sup> AVENUE FROM A-1 (AGRICULTURAL) AND SUD (SPECIAL USE DISTRICT) TO C-O (COMMERCIAL OFFICE); AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.**

**It was moved by Councilmember Sherwood, and seconded by Councilmember Martinez, to pass, adopt and approve and Ordinance No. 2844 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Alvarez, Chavira, Hugh, Knaack, Martinez, Sherwood, and Weiers. Members voting “nay”: none. The motion carried unanimously.**

## **ORDINANCES**

### **10. LEASE AGREEMENT: BANK OF AMERICA PLAZA, SUITE 275**

**PRESENTED BY:** Gregory Rodzenko, P.E., City Engineer

**ORDINANCE:** 2845

This is a request for City Council to adopt an ordinance authorizing the City Manager to approve a lease agreement. Staff is requesting Council waive reading beyond the title and adopt an ordinance authorizing the City Manager to approve a lease agreement between the City of Glendale and the Glendale Chamber of Commerce, a non-profit corporation, for approximately 4,171 square feet (SF) of office space in the Bank of America Plaza building located at 5800 West Glenn Drive in Glendale.

Mr. Rodzenko said the tenant has asked that the lease guaranty be removed from the lease and since the city is not providing any tenant improvements, the lease guaranty is not required. He said revenue is projected at over \$417,000 over a ten year period. This lease will enable the Chamber of Commerce to remain in the downtown area.

**ORDINANCE NO. 2845 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 AN OFFICE LEASE AGREEMENT WITH GLENDALE CHAMBER OF COMMERCE FOR OFFICE SPACE AT THE BANK OF AMERICA PLAZA.**

**It was moved by Councilmember Hugh, and seconded by Councilmember Martinez, to approve Ordinance No. 2845 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Alvarez, Chavira, Hugh, Knaack, Martinez, Sherwood, and Weiers. Members voting “nay”: none. The motion carried unanimously.**

**RESOLUTIONS**

**11. FISCAL YEAR 2013-14 TENTATIVE BUDGET**

**PRESENTED BY:** Sherry M. Schurhammer, Executive Director, Financial Services

**RESOLUTION:** 4684

This is a request for City Council to review the Fiscal Year (FY) 2013-14 tentative budget, which includes City Council’s financial policies, and adopt a resolution formally approving the tentative operating, capital, debt service, and contingency appropriation budget and the Council’s financial policies.

This is also a request for City Council to give notice of the date for public hearings on the following items:

- The FY 2013-14 final budget;
- The FY 2013-14 property tax levy and the Truth in Taxation notice and the date for the adoption of the FY 2013-14 property tax levy;

Once Council approves the tentative budget, including Council’s financial policies, the tentative budget will be published in a newspaper of general circulation for two weeks along with a notice of public hearings on June 11, 2013 on the final budget and the property tax levy. Council’s adoption of the property tax levy will occur at the June 25, 2013 meeting.

Ms. Schurhammer spoke about the public notice dates and important dates for the rest of the budget approval process. She said this budget provides for a gradual rebuilding of the general fund balance, continued evaluation of departments to increase effectiveness and efficiency. She said there will be no rate increases for citizens for water, sewer, sanitation or landfill services and operating hours for the two aquatics facilities and libraries shall continue the same.

Ken Jones, Ocotillo District, spoke about the arena management fee and payment of \$50 million of the past couple of years. He also spoke about funding for public safety and how the city has no duty to pay for the hockey team. He said bids will come into Beacon and he will finally see real numbers to run the arena. He also said the city must not close the fire stations to keep the hockey team here.

Kenneth Sturgis, Yucca District, thanked the Council for soliciting proposals to provide management for the Jobing.com Arena. He asked what the citizens are getting in return for the money being paid to manage the arena. He said that the arena has fallen in arena rankings from 58<sup>th</sup> to 166<sup>th</sup>. He said more meetings occurred with potential buyers and said his perception was an attempt by the NHL to pressure the city into an additional extension of the arena management bids beyond the May 31<sup>st</sup> deadline. He said he is grateful that the city is considering all options before making a decision. He said there was a lack of transparency in these types of meetings and it circumvented open meeting laws. He discussed Mr. Husk's legal problems and asked who was willing to buy the hockey team and keep them here and who was willing to pay the arena management fee.

**RESOLUTION NO. 4684 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ADOPTING A TENTATIVE BUDGET OF THE AMOUNTS REQUIRED FOR THE PUBLIC EXPENSE FOR THE CITY OF GLENDALE FOR THE FISCAL YEAR 2013-2014; SETTING FORTH THE REVENUE, THE AMOUNT TO BE RAISED BY DIRECT PROPERTY TAXATION FOR THE VARIOUS PURPOSES; ADOPTING CITY COUNCIL'S FINANCIAL POLICIES; AND GIVING NOTICE OF THE TIME FOR HEARING TAXPAYERS AND FOR FIXING TAX LEVIES.**

**It was moved by Vice Mayor Knaack, and seconded by Councilmember Martinez, to pass, adopt and approve Resolution No. 4684 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Chavira, Hugh, Knaack, Martinez and Weiers. Members voting "nay": Alvarez and Sherwood.**

**REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION**

It was moved by Vice Mayor Knaack, and seconded by Councilmember Chavira, to hold a City Council Workshop at 1:30 p.m. in the Council Chambers on Tuesday, June, 4th, 2013, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.

**CITIZEN COMMENTS**

B. J. Becker, Cactus District, spoke about the casino. He said greed and deceit was the motivation to put a casino in the sports and entertainment district near schools and neighborhoods. He asked if the tribe was going to pay for the services provided by the city to the casino such as water, sewer, etc.

**COUNCIL COMMENTS AND SUGGESTIONS**

Councilmember Sherwood said at the April 26<sup>th</sup> workshop, there were several supplements for police and fire, some of which they had not seen before. He said this is the reason he could not vote for the budget today.

Councilmember Martinez congratulated Mr. Chang for being recognized by the Historic Preservation Commission. He also thanked Southwest Ambulance for their contribution toward the swim lessons.

Councilmember Hugh said his comments were the same as Councilmember Martinez.

Vice Mayor Knaack commented on Councilmember Sherwood's comments. She said she was disappointed in the April 26<sup>th</sup> workshop, as the meeting was only to find ways to help the Fire Department and the retirees with the medical expenses, but it did not turn out that way. She said she was disappointed, but would still support the budget.

Mayor Weiers said he visited four cemeteries this weekend and attended the funerals of the police officer and firefighter that were killed recently. He spoke about his father who served in WWII. He said he wanted to recognize all those who have served in wars past and those serving today.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:04 p.m.

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Pamela Hanna

Pamela Hanna - City Clerk