

***PLEASE NOTE: Since the Glendale City Council does not take formal action at the Workshops, Workshop minutes are not approved by the City Council.**

**MINUTES
CITY OF GLENDALE
CITY COUNCIL WORKSHOP
JUNE 20, 2006
1:30 P.M.**

PRESENT: Mayor Elaine M. Scruggs, Vice Mayor Thomas R. Eggleston, and Councilmembers Joyce V. Clark, Steven E. Frate, David M. Goulet, and H. Phillip Lieberman

ABSENT: Councilmember Martinez

ALSO PRESENT: Ed Beasley, City Manager; Pam Kavanaugh, Assistant City Manager; Craig Tindall, City Attorney; and Pamela Hanna, City Clerk

1. FISCAL YEAR 2005-2006 THIRD QUARTER REPORT ON THE GENERAL FUND

CITY STAFF PRESENTING THIS ITEM: Mr. Art Lynch, Deputy City Manager, Ms. Sherry Schurhammer, Management and Budget Director and Mr. Ray Shuey, Chief Financial Officer. Ms. Dana Tranberg, Intergovernmental Programs Director was called to the podium.

This is a request for the City Council to review the Fiscal Year (FY) 2005-06 third quarter report on General Fund (GF) revenues and expenditures.

The FY 2005-06 third quarter report on the GF is consistent with the Council's goal of ensuring the city's financial stability by conducting timely reviews of expenditures and revenues.

In response to requests from the Council, staff committed to providing quarterly reports on the GF beginning with FY 2003-04.

The GF's third quarter revenue budget and actuals are as follows (in 000s):

	<u>FY 2005-06 Budget</u>	<u>FY 2005-06 Actuals</u>
City Sales Tax	\$ 41,741	\$ 43,609
State Income Tax	\$ 14,798	\$ 17,182
State Sales Tax	\$ 13,806	\$ 17,110
State Motor Vehicle In-Lieu	\$ 6,649	\$ 7,620
Highway User Revenue Funds	\$ 11,380	\$ 12,335

Primary Property Tax	\$ 2,760	\$ 2,295
All Other	<u>\$ 19,101</u>	<u>\$ 23,870</u>
TOTAL	\$110,235	\$124,021

As the preceding list shows, FY 2005-06 third quarter GF revenue receipts are almost \$13.8 million, or 12.5% more than budgeted.

City sales tax receipts account for almost 38% of the city's total GF revenue budget.

City sales tax collections for the third quarter came in better than expected, with actuals exceeding budget by nearly \$1.9 million, or almost 4.5%.

FY 2004-05 city sales tax collections for the third quarter were \$39.5 million. Therefore, FY 2005-06 collections of over \$43.6 million are over \$4 million, or 10%, ahead of FY 2004-05 third quarter collections.

State-shared revenues account for 32% of the city's total GF revenue budget.

State-shared revenue collections for the third quarter were \$41.9 million, an amount that is \$6.6 million, or almost 19%, more than expected. Each of the three components of state-shared revenues performed very well, as the following detailed information shows:

- State income tax collections were almost \$2.4 million, or 16%, ahead of budget;
- State sales tax collections were over \$3.3 million, or almost 24%, ahead of budget; and
- Motor vehicle in lieu collections were more than \$970,000, or almost 15%, ahead of budget.

FY 2004-05 state-shared collections for the third quarter were over \$36.2 million. Therefore, FY 2005-06 collections of \$41.9 million are almost \$5.7 million, or almost 16%, ahead of FY 2004-05 third quarter collections.

Highway User Revenue Funds (HURF) are revenues commonly known as the gas tax, although there are several additional transportation-related fees that comprise this revenue source. This revenue source exceeded the FY 2005-06 third quarter budget by more than \$954,000, or over 8%.

There are two notable one-time sources of revenue reflected in the FY 2005-06 third quarter actuals. One is the sale of parcels at the Northern Crossing development that generated approximately \$1.3 million through the third quarter. The second is \$1.2 million in contributions by the Fiesta Bowl and the Arizona Sports & Tourism Authority

for the construction of the youth sports field located at the northwest corner of 91st Avenue and Bethany Home Road.

The FY 2005-06 third quarter budget and actuals for the GF operating and pay-as-you-go (PAYGO) capital expenditures are as follows (in 000s):

	<u>FY 2005-06 Budget</u>	<u>FY 2005-06 Actuals</u>
GF Salaries/Benefits	\$ 75,803	\$ 73,134
GF Non-Personnel	\$ 41,768	\$ 33,958
GF Debt Service (leases)	\$ 3,609	\$ 3,303
PAYGO Capital	<u>\$ 6,130</u>	<u>\$ 2,660</u>
TOTAL	\$127,310	\$113,055

Salary savings for the third quarter of FY 2005-06 totaled almost \$2.7 million.

Non-salary savings for the third quarter of FY 2005-06 totaled over \$7.8 million.

At the end of the third quarter of FY 2005-06, the budget-basis GF fund balance was \$60.2 million.

The second quarter report on the GF was presented to Council on March 14, 2006.

The first quarter report on the GF was presented to Council on December 20, 2005.

This is a status report on the General Fund through the end of the third quarter of FY 2005-06. No Council guidance is requested on this report.

Ms. Schurhammer began the presentation by noting that the third quarter report continues to highlight the positive outcomes the community is seeing from pursuing Council's goals of fiscal stability and quality economic development. She said today's report also highlights the benefits of the economic development strategies and programs that the city has implemented based on Council's direction. Ms. Schurhammer noted that the diversification of Glendale's economy has translated into direct benefits for the community. For example, the city has been able to further strengthen its public safety services, as evidenced by the 47 new positions added to Public Safety as of July 1, 2006. She said the city is also able to address the increased cost of doing business as seen in rising fuel prices. She explained that rising fuel prices have a big impact on the city's costs because they affect many city services such as operation of the city's extensive fleet, like police and fire vehicles, garbage trucks, and inspectors' vehicles, to completion of street repairs with oil-based products like asphalt. As a result of being able to address these issues, the city is able to continue providing high quality services to the residential and business community.

She said Glendale is almost \$14 million ahead of budget at the end of the third quarter for GF revenue. When compared to the same time last FY, GF revenue collections are just over \$16 million, or 15%, ahead. She said the primary property tax category is the only category running behind budget, and that is expected because primary property tax revenue comes in unevenly over the course of the year.

Mr. Shuey said the city's fund balance at the end of the quarter was \$60,234,000, noting the city had started the FY with a fund balance of \$58,461,000. He stated the fund balance also recognizes the current financial management the city has undertaken to provide sufficient flexibility to address future needs.

Councilmember Clark asked about the legislature's decisions regarding state-shared revenues. Mayor Scruggs said the legislation that went to the Governor's Office called for \$10 to \$10.5 million to be distributed to the cities to makeup for the years the distribution percentage was reduced from 15% to 14.8%. She also stated the legislation calls for the distribution of a flat \$717 million in FY 2009 as state-shared revenue for the 90 cities and towns in Arizona. She said \$717 million is the legislative staff's analysis of the amount of state-shared revenue that would be available at 15% if the proposed income-tax reductions were not made. She said the proposed legislation calls for a return to the 15% distribution approach after FY 2009. Councilmember Clark asked if staff could calculate Glendale's share of the \$717 million. Ms. Schurhammer said the estimate could be prepared, but it would be an estimate only given that FY 2009 is almost three years in the future. Mayor Scruggs pointed out the legislature could decide next year not to allocate the \$717 million. Councilmember Clark said it would be interesting to know how much the proposal harms the city.

Ms. Tranberg explained the legislature estimated the amount of state-shared revenue that would be available if no income tax reduction occurred in FY 2008-09. She stated 15% of that amount was then determined to total \$717 million. She noted staff's calculations found \$717 million to be about 15.8%. Councilmember Clark asked how the legislature could project tax collections for a time that is three years in the future. Ms. Tranberg said that was a point of discussion, noting there are varied economic theories on the impacts of income tax cuts. She said the League of Arizona Towns and Cities and the City of Phoenix did an analysis based on the City of Phoenix's process for projecting revenue and came up with a figure of about \$720 million. She offered to provide information concerning the methodologies used by the legislature. She explained the reason the legislature chose to go with a specific amount like \$717 million was based on a belief that tax cuts will stimulate the economy, resulting in a significant increase in overall revenues. Ms. Tranberg acknowledged that future state legislatures could change the amount identified for distribution in FY 2009. Councilmember Clark asked if the legislature has the power to bind future state legislatures. Ms. Tranberg said there is nothing statutorily that precludes the legislature from allocating the \$717 million; however, there is nothing that binds the FY 2008-09 legislature to adhere to the provision passed by the current legislature.

Councilmember Lieberman noted Glendale had its largest housing boom during the third quarter. He said, since that time, there has been a 10 to 15% drop in the market value of homes. He asked if there has been a decrease in home sales in the Glendale area during the fourth quarter. Mr. Lynch stated staff does not focus heavily on home sales when building the quarterly report. He said, due to the city's diverse economy, it has not seen a dramatic slow down in revenue as a result of the decrease in home sales. Councilmember Lieberman pointed out several events next year will bring additional revenue to Glendale. Mr. Lynch agreed.

Mayor Scruggs said the statewide newspaper recently reported that one in every five jobs in the state is tied to home sales and that many people are losing jobs because of the slow down in home sales. She stated Glendale is doing well because of its diversification, but there could be a loss in state shared revenues.

Councilmember Clark asked if staff compiles sales tax figures according to sector, and if staff tracks which sectors are fluctuating up or down. Mr. Lynch responded yes, explaining staff tracks revenue according to the standard industry code, like general retail, grocery, restaurants, etc. He said the data has not indicated any strong negative trends so far. Nevertheless, he said it is wise to take a cautiously optimistic approach. Councilmember Clark asked if staff could track sales tax revenue generated by the stadium and Cabela's once those facilities open in FY 2006-07. Mr. Lynch explained staff generates information by group so as to maintain the privacy of each individual business. He assured Councilmember Clark that staff will monitor the general areas of activity in terms of growth and development.

Councilmember Frate said the city has always been very conservative in terms of its budget. He stated an expanding city relies more heavily on the construction of new homes whereas Glendale does not. He noted cities that rely heavily on automobile sales could be hit hard when the economy begins to slow. He said, while Glendale sells automobiles, it is only a portion of its tax base.

Vice Mayor Eggleston asked to have sales tax revenue divided by geographic area, stating he would like to see that data particularly as it relates to the western portion of the city. He commented, in speaking with people in the construction industry, there appears to be more business than they can handle.

Councilmember Goulet asked staff to comment on HURF funds. Ms. Schurhammer said HURF collections have done well through the third quarter, running about 8% or \$950,000 ahead of budget. She noted HURF revenue typically comes in lower than expected during the first six months and higher than expected during the last six months; however, this year's collections have been consistently higher than expected throughout the year. She said these results indicate that consumers are continuing to drive despite the price of fuel. She said the higher than anticipated collections are expected to continue through the fourth quarter.

Mayor Scruggs commented on articles that have appeared in newspapers claiming cities are being greedy. She said the cities become concerned when the legislature disrupts the prescribed manner in which cities finance their critical needs because many costs are beyond those cities' control. She stated, for example, the amount of money the legislature mandates Glendale put into the State Retirement Fund increased \$1.8 million in FY 2005-06 and will increase again by another \$1.8 million for FY 2006-07. She noted for the last three months of the current fiscal year alone the city had to make appropriations of close to \$1 million to address increases in fuel, tires and automotive parts. She said expenses like those are the reason the city continues to be very focused on the revenues the city will receive from the state. She stated she was disappointed by the negative comments that have been made in the newspapers when they obviously have no idea what cities go through to pay their bills.

2. GROUNDWATER REPLENISHMENT DISTRICT

CITY STAFF PRESENTING THIS ITEM: Mr. Ken Reedy, Deputy City Manager, and Mr. Doug Kukino, Environmental Resources Director

This is a request for the City Council to review information on policy issues regarding the Central Arizona Groundwater Replenishment District (Replenishment District).

The Arizona Municipal Water Users Association, of which Glendale is a member, will be discussing the Replenishment District in future meetings. Mayor Scruggs sits on the Arizona Municipal Water Users Association Board of Directors and is slated to become President of the Board starting in starting June 23, 2006.

The positions ultimately developed through the Arizona Municipal Water Users Association will be used to influence future policy decisions with the Central Arizona Project Board and the Arizona Legislature.

Arizona water resources policy issues have a significant impact on growth and development patterns in Arizona, including the Phoenix area.

The development of sound water resource policies will enable the city to provide and maintain a high quality of water services for citizens.

Arizona adopted the nation's most stringent water resources requirement with the adoption of the 1980 Groundwater Water Code and the 1995 Assured Water Supply requirements. Current requirements prohibit the sale or lease of subdivided lands located in central Arizona without an assured water supply.

While cities, such as Glendale, were able to adapt and comply with the stringent requirements, other areas with little or no surface water rights had difficulty in meeting the requirements.

In 1993, the Arizona Legislature created the Replenishment District in order to assist areas that could not otherwise meet all of the Assured Water Supply requirements. The Legislature placed the Replenishment District under the management of the Central Arizona Project Board.

Cities and subdivisions that join the Replenishment District pay fees that allow the use of groundwater for development. The District is then obligated to recharge the groundwater used by those member entities that exceeds the limits imposed by the Assured Water Supply requirements. This process makes it very convenient for those cities and subdivisions to comply with the Groundwater Code and Assured Water Supply requirements. Therefore, a significant amount of development has occurred on lands with little or no surface water rights.

The rapid growth of the Replenishment District and its close association with the Central Arizona Project has raised questions and concerns regarding its future direction, growth and impact on the state. The Central Arizona Project Board is currently conducting a strategic planning process, and will address the Replenishment District concerns starting in the Fall of 2006.

The Arizona Municipal Water Users Association, a non-profit corporation, consisting of nine cities and towns in the Phoenix area, including Glendale, has identified six initial Replenishment District issues of concern. These issues will be discussed at future Arizona Municipal Water Users Association Board of Directors meetings.

The issues include the Replenishment District's: (1) growth and long-term sustainability; (2) governance; (3) competition for Central Arizona Project water; (4) role and function; (5) use of the Central Arizona Project canal system; and (6) use of recharge facilities in locations distant from where groundwater is being withdrawn.

Participation in the policy planning process will give Glendale a voice in the development of regional and state-wide water policy, which directly and indirectly impacts the quality of life of our citizens.

This is a status report on policy issues regarding the Central Arizona Groundwater Replenishment District. No Council guidance is requested at this time.

Mayor Scruggs explained she asked that this issue be brought to Council workshop and will continue to ask that it be brought forward to the Council because some very serious decisions will need to be made in the upcoming year. She noted as of Thursday she will be the Chairman of the Board of the Arizona Municipal Water Users Association.

Mr. Kukino said the association has nine members, including Glendale. He explained the association focuses on water resource issues and provides its members with a common voice at the legislature and other policy forums.

Mr. Kukino stated the Groundwater Code and Assured Water Supply rule have the most impact in the Phoenix and Tucson active management areas where the goal is to eliminate groundwater depletion by 2025. He noted groundwater use was allowed for a limited time to help cities transition to more renewable water resources.

Mr. Kukino stated Glendale is very fortunate to have access to water resources from the Salt River Project and Central Arizona Project as well as a limited amount of ground water. He said those resources were supplemented with reclaimed water, allowing Glendale to prove early on that it had a 100 year assured water supply for its water service area west of 115th Avenue. He pointed out the area west of 115th Avenue, including the recently annexed lands along the Loop 303 corridor, are served by private water companies who will rely on the replenishment district for water resources. He said staff believes the city's water resources strategy was the right approach, explaining they were able to prove an assured water supply while being environmentally sensitive. He said in the future 84 percent of the city's demand will be met using surface water. He stated during drought years the city may not receive all of the surface water resources it needs and will have to rely on recovering reclaimed water credits stored into the aquifer, noting this is why staff sees the need for more well capacity.

Mr. Kukino discussed six Replenishment District issues identified by the Arizona Municipal Water Users Association, which are the district's growth and sustainability, its governance, competition for CAP water, the district's role and function, its use of the CAP canal, and recharge sites versus the location of demand. He said the district currently has 900 subdivision development members and, by law, the district cannot deny membership. He stated, conversely, there is a limited amount of surface water available to the district and competition for that water will be high. He said it is anticipated that the development of additional membership criteria will be a major topic of discussion. With regard to the district's governance, Mr. Kukino explained the CAP Board currently governs both Central Arizona Project and the Replenishment District. He said the core question is whether the relationship between the CAP Board and the District will result in unfair policy decisions regarding the use of CAP resources and facilities. He said as the district continues to acquire long term water resources to meet its obligations, it will begin competing with cities, towns and private water companies to secure those resources. He said the fourth issue is with regard to the CAP's role, for instance, whether the CAP should take a role in securing and importing non-CAP water and, if so, will non-district water providers benefit from the arrangement. He said the fifth issue relates to the use of the CAP canal to transport non-CAP water. He stated one option being explored by the district and the non-district cities is to acquire water rights in the city and transport the water through the CAP canal to central Arizona using excess CAP canal capacity. With regard to the location of the CAP recharge sites, Mr. Kukino said the sites are not located close to where the groundwater is being pumped. He explained, in the long term, groundwater levels in areas of high pumping will fall, and may result in problems such as land subsidence and affecting shallow wells.

Councilmember Goulet asked what year does their build-out projection refer to and does that include a substantial increase in population and land acquisition. He also asked where the build-out projections stand today. Mr. Kukino said build out includes up to 115th Avenue and does not include lands west of 115th Avenue. He stated, since they do not know when build out will occur, they calculate water demand based on land uses identified in the General Plan. He said the SRP surface water portion in 2005 was 33 percent and CAP was 40 percent for a total of renewable resources of 73 percent. He said reclaimed water was at six percent and ground water was at 21 percent. Councilmember Goulet asked how they quantify the increase Glendale will see when the Oasis Water Treatment Plant comes on line. Mr. Kukino explained they will calculate how much water can be processed at the facility and ease off on groundwater use.

Councilmember Lieberman said the 1927 compact is being challenged because both California and Nevada want more water out of the Colorado River. He asked staff if they foresee any changes to the percentage of water Arizona will be able to draw out of the Colorado River through the CAP. Mr. Kukino said not in the short term. He explained, due to the drought situation on the Colorado River, states that receive water from the Colorado River have decided to discuss shortage-sharing arrangements. He noted Arizona has been a leader in drafting a proposal that has been informally approved by the other states and has submitted the draft to the Bureau of Reclamation.

Councilmember Lieberman commented Indians in Arizona have a lot of water rights, much of which he does not believe they use. Mr. Kukino said Indian communities have CAP water and received additional CAP water through the Water Settlements Act. He stated some of the water is slated to be released back to the cities and some of it will be slated for use on the reservation. Councilmember Lieberman asked if the city is currently in excess of its 100 percent capacity at CAP. Mr. Reedy said the city has been borrowing unused water resources on the CAP while it is constructing the Oasis Plant. He noted CAP costs about \$108 per acre-foot. Councilmember Lieberman asked if the city pays a surcharge on the excess water. Mr. Kukino responded no. Councilmember Lieberman asked if the water not being used by the Indian Communities is considered excess. Mr. Kukino explained excess water comes from the Indian communities and other cities that have not used their full allocations.

In response to Vice Mayor Eggleston's question, Mr. Kukino explained reclaimed water is wastewater that has been treated to a high level. He said the water is recharged and in spreading basins and stored underground and is essentially saved for future use. Vice Mayor Eggleston asked from whom the CAP would purchase water credits. Mr. Kukino said entities that hold Colorado River water rights may be interested in leasing or selling those rights. Vice Mayor Eggleston asked how the CAP became the governing force over the replenishment district. Mr. Kukino said there was reluctance on the part of the legislature to create a separate board and they saw a fit with the CAP since the CAP Board was already in place and the major source of water for the replenishment district would come from the CAP.

Councilmember Lieberman asked if the upper basin states use 100 percent of their allocation. Mr. Kukino answered no. Councilmember Lieberman noted Roosevelt is at 69 percent and the water at Hoover Dam is 60 feet or more below the floodgates. Mr. Kukino said the estimates they have show the Colorado River system to be about half-full. Mr. Reedy pointed out lakes on the Colorado River are dramatically larger than Roosevelt Lake, stating even 50 percent of a lake the size of Lake Mead represents a tremendous amount of water. He pointed out Lake Powell has a longer shoreline than California, Oregon and Washington do along the Pacific Coast. He noted all of the dams are related to electricity generation and they have to maintain a balance between preserving the water and generating the electricity needed to meet demand.

3. COUNCIL ITEMS OF SPECIAL INTEREST

CITY STAFF PRESENTING THIS ITEM: Mr. Ed Beasley, City Manager

This is a request for the City Council to provide staff specific direction regarding further action on the items of special interest that were identified at the April 4, 2006 workshop.

In addition, this is the quarterly opportunity for the City Council to identify topics of interest they would like the City Manager to research and assess for placement on a future workshop agenda.

In the fall of 2002, the Council approved a procedural guideline allowing for topics of special interest to be identified by Council on a quarterly basis for follow-up by the City Manager.

Staff requests the Council to provide specific direction for further action on the items identified at the April 4, 2006 workshop. Staff further requests the Council to identify items of interest for follow-up by staff during the next quarter.

With regard to the issue of rental homes brought up by Councilmember Martinez, Mayor Scruggs stated the information brought forward indicates that, while the city can monitor the number of residential rental units, there is no public mechanism to control ownership/lease conditions with individual properties.

Councilmember Clark referred to the 2000 census tract, stating most of the areas in dark green indicate a renter occupied occupancy rate ranging from 59.7 to 98.3 percent. She asked if the city has looked in its land planning at imposing any kind of restriction on the building of more multi-family in those areas in an effort to even out the mix of available housing. Mayor Scruggs said that is a function of the General Plan. Mr. Froke explained the dark green areas to which Councilmember Clark referred predominantly had multi-family zoning when they were annexed from the county in the 1960's and 1970's. He stated they looked at doing a Corridor Planning Study, noting it made it through the Planning Commission last year on a split vote but was thereafter put on hold. He pointed out there are few multi-family development opportunities left in the corridor. Councilmember Clark asked if the city has a mechanism that will help diversify the type of housing products built on the remaining infill parcels. Mr. Froke said they have done that by implementing the City Center Master Plan over the past three years. Councilmember Clark pointed out the City Center Master Plan incorporates only a small portion of the green areas. She said there is also a lot of renter occupied and multi-family between 67th and 75th Avenues, north of Glendale Avenue. Mr. Froke stated they always look for opportunities outside the downtown area and are sensitive to areas that already have a high concentration of multi-family units.

Vice Mayor Eggleston noted a study was recently started along 67th Avenue. Mr. Froke explained staff identified seven vacant parcels in that area for a possible zone change, but some of the owners opposed the idea. He clarified the city does not modify zoning without property owner consent.

Mayor Scruggs asked staff to include white papers in the Council's notebooks.

Councilmember Frate said he asked staff to follow up on the city's littering and dumping laws. He stated littering is a big problem and the city spends a lot of money having the litter collected. He pointed out the city does not even have signs to inform people that it is illegal to litter. Mr. Tindall explained a state statute prohibits littering and the general public is aware of that statute. Councilmember Frate questioned whether young people know about the statute.

Mayor Scruggs noted a massive campaign will be started in the next couple months in Maricopa County that will hopefully start getting the message across. Ms. Tranberg explained Proposition 400 included an appropriation for a litter awareness campaign and litter prevention. She said a subcommittee of the Transportation Policy Committee was created to look at how to maximize the money that was appropriated and an RFP for a consultant to develop a program to address the litter and landscape issue will

come before the Transportation Policy Committee tonight. She stated ADOT is also looking to bring forward a statewide litter and landscape education campaign. Mayor Scruggs pointed out litter creates hazards to those traveling on the roads and freeways.

Councilmember Frate noted taxpayers are the ones who pay to have someone pick up the litter.

Councilmember Goulet referred to City Code Section 25-21 Land Maintenance, asking how long a property owner has to secure their property and what, exactly, does secure mean. Mr. Tindall said the ordinance does not prescribe a specific timeframe, but a reasonable timeframe can be set in the notice provided to the property owner. He explained securing the property would involve taking whatever measures necessary to end any illegal dumping that is occurring. Mr. Gunn said they generally define a reasonable time as 30 days.

Councilmember Clark noted page 2 of a memo she received concerning the 59th Avenue and Glendale bridge is unreadable. She referred to two gates referenced on the last page asking if they will be open or locked. Mr. Broyles explained the gates will limit access to the maintenance platform to maintenance personnel only. He confirmed the gates will be locked. Councilmember Clark asked where pedestrians will be expected to cross the tracks. Mr. Broyles stated people will be directed by planters to the edge of Glendale Avenue where they can cross the tracks and proceed on Glendale. He said those on the east side of 59th Avenue will cross 59th Avenue where they could choose to go into the pedestrian area or continue west along Glendale Avenue. Councilmember Clark expressed concern about what seems to be a lack of barriers to crossing the railroad tracks. She suggested they install a physical gate to prevent people from crossing the tracks when a train is approaching. Mr. Broyles stated a crossing gate and flashing signals will warn pedestrians of approaching trains.

With regard to group homes, Councilmember Clark asked if there is any mechanism in place to educate residents when a private residence in their neighborhood is being considered for purchase as a group home. Mr. Froke said the significant reduction in available properties where group homes can be located was reduced when the City Council adopted the ordinance amendment in July 2004. Councilmember Clark asked how they address unlicensed facilities. Mr. Froke said they deal significantly with the state and handle specific situations on a case-by-case basis. He stated he is not familiar with any group homes that have opened without city and state approval since 2004. Councilmember Clark offered to provide Mr. Froke with the address of a couple of such homes. Mr. Froke offered to investigate those situations, stating they can work with the City Attorney's Office and Code Compliance on enforcement issues. Councilmember Clark suggested owners of group homes are unfamiliar with the city's spacing requirements.

Upon Mayor Scruggs's request, Mr. Froke explained the city's zoning ordinance allows the city to limit group homes from a land use perspective. He stated a group home operator would visit with city staff and have the site identified then staff would determine if the house is within the required quarter mile spacing. He said the city's approval focuses on health and safety criteria and confirmed the city is prohibited from judging the suitability of such a use in a particular area beyond the spacing requirements established in the zoning ordinance.

Councilmember Frate pointed out it is impossible to open a group home in some areas of the city because they are already saturated with such uses. He commented on one situation where a person purchased a house without first checking with the city, stating that person later found out they could not open a group home and ended up reselling the house.

Councilmember Lieberman pointed out there is no safe way to cross 59th Avenue heading west on Glendale Avenue. He said he should have thought earlier in the process to request a pedestrian walkway over 59th Avenue. He expressed concern that the mini-park in the middle of the intersection will encourage children to remain in the middle of the street to watch traffic. Mr. Broyles said pedestrians will have to use the same care they would at any other arterial crossing. Councilmember Lieberman asked if benches would be put into the mini-park area. Mr. Broyles responded no.

Mayor Scruggs asked the Council members if they have any items of special interest they would like discussed at a future meeting.

Councilmember Clark said other communities throughout the country have used citizen police patrols and, while Glendale may have tried it on a limited basis, she would like to further investigate the matter, particularly in terms of the city's liability and costs involved. She said citizen patrols may be useful in terms of Code Compliance, noting some citizens already patrol their neighborhoods on an informal basis. She said she sees value in establishing a volunteer group that is provided with training and resources to do the job.

ADJOURNMENT

The meeting was adjourned at 3:30 p.m.