

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA,
HELD TUESDAY, MARCH 27, 2007, AT 7:00 P.M.**

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

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 eleven resolutions and one ordinance 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 13, 2007 CITY COUNCIL MEETING

It was moved by Goulet, and seconded by Clark, to dispense with the reading of the minutes of the February 13, 2007 regular City Council meeting, as each member of the Council had been provided copies in advance, and approve them as written. The motion carried unanimously.

BOARDS AND COMMISSIONS

BOARDS AND COMMISSIONS

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

| | | | Effective | Expiration |
|---|---------|-------------|------------------|-------------------|
| <u>Citizen's Transportation Oversight Commission</u> | | | | |
| James Podzius | Cholla | Appointment | 3/27/2007 | 3/25/2009 |
| <u>Community Development Advisory Committee</u> | | | | |
| Chris Flippen | Sahuaro | Appointment | 3/27/2007 | 7/23/2008 |
| <u>Commission on Persons With Disabilities</u> | | | | |
| Charles Foster | Barrel | Appointment | 3/27/2007 | 4/26/2009 |
| Robert Koehler | Sahuaro | Appointment | 3/27/2007 | 2/27/2009 |

The recommendation was to make appointments to the Boards and Commissions and administer the Oaths of Office.

It was moved by Martinez, and seconded by Frate, to appoint James Podzius to the Citizen's Transportation Oversight Commission, Chris Flippen to the Community Development Advisory Committee, and Charles Foster and Robert Koehler to the Commission on Persons with Disabilities, for the terms mentioned above.

Mayor Scruggs called the appointed Board and Commission members forward to receive the oath. The following were present and received the oath: Chris Flippen, Charles Foster and Robert Koehler.

PROCLAMATIONS AND AWARDS

THE LIONS WALK FOR SIGHT DAY

This is a request for City Council to proclaim March 31, 2007 as Lion's Walk for Sight Day. The walk will take place at Sunrise Mountain High School beginning at 7:00 p.m. Glendale is fortunate to have the Glendale Sunrise Lions Club, the Glendale Evening Lions Club and the Bellair Lions Club in our community. These groups provide valuable services to citizens such as assistance with food and clothing needs, collecting donations for the food bank, and assisting the handicapped and elderly with shopping requests. The Glendale Sunrise Lions also raises funds to purchase eyeglasses for children throughout Glendale.

Mike Shine and David Cederholm, Board Members of the Arizona Lions Sight and Hearing Foundation, will be present to accept the proclamation.

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

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

Mayor Scruggs presented the White Cane proclamation to the Sunrise Lions Club. Mike Shine and David Cederholm, Board members of the Arizona Lions Sight and Hearing Foundation, accepted the proclamation.

Mr. Mike Shine and David Cederholm, Board Members of the Arizona Lions Sight and Hearing Foundation accepted the proclamation for the Lion's Walk For Sight Day. They thanked Mayor Scruggs and City Council for their support.

PROCLAIM APRIL 9 – 15, 2007 AS NATIONAL COMMUNITY DEVELOPMENT WEEK

This is a request for City Council to proclaim the week of April 9 through 15, 2007 as National Community Development Week. Ms. Susan Jernigan, Community Development Advisory Committee Vice Chair, will be present to accept the proclamation.

This year will mark the 33rd anniversary of the Community Development Block Grant (CDBG) program. The theme for this year is "CDBG: Building Strong Communities."

The CDBG program has been in operation since 1975, providing local governments with the resources to help address critical needs as identified by the community. Over its 30 years of existence, the program has emphasized the importance of local priorities and the need to develop strong relationships between local government, citizens, and non-profit agencies. During National Community Development Week, programs and projects that demonstrate the effectiveness of this valuable program will be recognized. Additionally, the City of Glendale Community Revitalization Division is proudly hosting the "National Community Development Week 2007" statewide celebration at the Glendale Civic Center on April 12.

Glendale began receiving CDBG funds in 1977 from the U.S. Department of Housing and Urban Development (HUD). Over the last 30 years, the city has received over \$45 million for the purpose of improving the physical and social conditions of Glendale residents. In FY 2005-06, \$2.4 million in CDBG funding leveraged over \$3.12 million of other state, local and private funds. In addition, we also leveraged \$4.09 million from agencies providing direct services to our residents. This resulted in a total of \$9.61 million in benefit to our community relative to CDBG, four times the actual CDBG grant award. Examples of CDBG funded activities include:

Housing Rehabilitation Programs – Glendale homeowners are directly assisted through a variety of programs, which include the Residential Rehabilitation, Replacement Housing, Roof Repair/Replacement, and Exterior Improvement programs. Additional programs provide home accessibility modifications and emergency home repairs. Last fiscal year, over 937 Glendale families benefited from these essential programs.

Homeownership Opportunities – The city partners with non-profit agencies to enable Glendale residents to become homeowners through infill housing and first-time homebuyer programs.

Elimination of Slum and Blight – Through our Voluntary Demolition Program, dilapidated, vacant structures are demolished and cleared to eliminate blighted/dangerous conditions and encourage redevelopment. Last fiscal year, this voluntary program eliminated eight substandard, dilapidated structures from the city's neighborhoods.

Public Facilities and Improvements – CDBG funds have been used for the construction or renovation of public facilities, such as youth centers and community centers. The funding also supports neighborhood improvements, such as sidewalks, curb cuts, and streetlights. The Boys & Girls Clubs of Metropolitan Phoenix, YWCA of Maricopa County, and St. Mary's/Westside Food Bank Alliance all recently benefited from this program.

Human Services – The CDBG program allocates funds to non-profit agencies offering social service programs, such as congregate meals for elderly residents, legal counseling services, and other general assistance for seniors, youth, disabled persons, domestic violence victims, and homeless prevention. In FY 2005-06, over 4,692 persons and 12,811 households benefited from these programs.

In recognition of the tremendous contributions of the CDBG program on a national and local level, staff is requesting that Council recognize the accomplishments of the CDBG program through a proclamation supporting the observation of National Community Development Week.

The recommendation was to issue a proclamation recognizing National Community Development Week in Glendale, April 9 through 15, 2007.

Mayor Scruggs issued a proclamation recognizing April 9-15, 2007 as National Community Development Week in Glendale.

Ms. Susan Jernigan, Community Development Advisory Committee Vice Chair, accepted the proclamation for National Community Development Week. She thanked Mayor Scruggs and City Council for this recognition. She stated that the CDBG program has helped thousands of Glendale citizens through a variety of programs and partnerships. She said that they had gone through a very extensive public process to ensure that the programs address community needs, meet Council priorities, and provide the best possible services to all of the citizens of Glendale.

CONSENT AGENDA

Mr. Ed Beasley, City Manager, read agenda item numbers 1 through 13 and Ms. Pamela Hanna, City Clerk, read consent agenda resolution item numbers 14 through 17 by number and title.

The Mayor advised that she had one speaker card for Item #4.

Mr. Dave Appleton spoke on behalf of Diamond D Liquors. He stated that there were already two existing liquor licensees in that exact area. He noted that he believed that three liquor licenses at one corner were excessive. He also stated that CVS misrepresented itself in stating that they were not actively pursuing acquiring a liquor

license in their first communications to him. He asked the Council not to approve this item.

Vice Chair Martinez asked if the other two existing establishments were Bars. Mr. Appleton stated that one was a Bar and the other was a walk-in, drive thru liquor store. Both have been in business for 20 or more years.

Councilmember Lieberman stated that he had been informed that one of the licensees was leaving. Mr. Appleton stated that the Bar lease was up in a year and the store lease had five years left. Councilmember Lieberman noted that he really had no objection to the CVS store liquor license. He thanked Mr. Appleton for his concerns.

Vice Chair Martinez stated that he believes this was a convenience for the patrons of CVS and had no objection to this item.

Councilmember Clark informed Mr. Appleton that there were 34 liquor licenses in that area.

Councilmember Lieberman noted that the City would be improving the street along those establishments. He added that CVS was assisting with those improvements.

Lieberman requested that Item #17 be heard separately.

1. LIQUOR LICENSE NO. 3-1108 SPORTSMAN'S #603

This is a request for City Council to approve a person-to-person transfer of this Series 6 (Bar – All Liquor) license for Sportsman's #603, located at 6685 West Beardsley Road #180. The Arizona State application (number 06070359) was submitted by Michael Joseph Basha.

The 60-day deadline for processing this application is April 06, 2007. The location of the establishment will be 6685 West Beardsley Road #180 and is within the Cholla District, zoned C-2 (general commercial). This establishment is over 300 feet from any school or church. Sportsman's #603 have operated at this location from July 2004 to present and held a Series 6 liquor license for the duration. This is a person-to-person transfer of this Series 6 liquor license, operating with an interim permit. The population density is 5,827 people per square mile. The approval of this license will not increase the total number of liquor licenses in this area. The number of liquor licenses within a one-mile radius is 20 as listed below:

| Series | Type | Quantity |
|---------------|----------------------------|-----------------|
| 6 | Bar - All Liquor | 2 |
| 7 | Bar - Beer & Wine | 2 |
| 9 | Liquor Store - All Liquor | 4 |
| 10 | Liquor Store - Beer & Wine | 2 |
| 12 | Restaurant - All Liquor | 9 |

| | | |
|----|--------------|--|
| 14 | Private Club | 1 |
| | Total | <hr style="width: 50%; margin: auto;"/> 20 |

No previous action has occurred.

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

The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements. Therefore, it is staff's recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

2. LIQUOR LICENSE NO. 3-1109 ANT HILL SPORTS BAR & GRILL

This is a request for City Council to approve a new Series 12 (Restaurant – All Liquor) license for Ant Hill Sports Bar & Grill, located at 6522 North 59th Avenue. The Arizona State application (number 12077001) was submitted by Tracy Lee Custar.

The 60-day deadline for processing this application is April 06, 2007. The location of the establishment is 6522 North 59th Avenue and is within the Ocotillo District, zoned C-2 (general commercial). Fay Demarzio had ownership and operated under the business name of Ant Hill Grill and Restaurant from July 2004 to February 2007. There has been a Series 12 liquor license at this location from January 1981 to the present. This is a new license application by Tracy Lee Custar operating with an interim permit. The population density is 11,272 people per square mile. The approval of this license will not increase the total number of liquor licenses in this area. The number of liquor licenses within a one-mile radius is 41 as listed below:

| Series | Type | Quantity |
|--------|----------------------------|--|
| 6 | Bar – All Liquor | 5 |
| 7 | Bar – Beer & Wine | 5 |
| 9 | Liquor Store – All Liquor | 4 |
| 10 | Liquor Store – Beer & Wine | 13 |
| 12 | Restaurant – All Liquor | 12 |
| 14 | Private Club | 2 |
| | Total | <hr style="width: 50%; margin: auto;"/> 41 |

No previous action has occurred.

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

The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements. Therefore, it is staff's recommendation to forward this

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

3. LIQUOR LICENSE NO. 3-1110 LONG WONG'S

This is a request for City Council to approve a person-to-person transfer of this Series 7 (Beer and Wine Bar) liquor license for Long Wong's, located at 15236 North 59th Avenue. The Arizona State application (number 07070455) was submitted by Richard James Gallagher.

The 60-day deadline for processing this application is April 13, 2007. This establishment is over 300 feet from any school or church. The location of the establishment will be 15236 North 59th Avenue and is within the Sahuaro District, zoned C-2 (general commercial). This is a person-to-person transfer for this Series 7 liquor license. Ralph's La Hacienda, located at 15236 North 59th Avenue, previously held this Series 7 license. This is a person-to-person transfer of this Series 7 liquor license operating with an interim permit. The population density is 4,678 people per square mile. The approval of this license will not increase the total number of liquor licenses in this area. The number of liquor licenses within a one-mile radius is 18 as listed below:

| Series | Type | Quantity |
|---------------|----------------------------|-----------------|
| 6 | Bar – All Liquor | 3 |
| 7 | Beer & Wine Bar | 4 |
| 9 | Liquor Store – All Liquor | 2 |
| 10 | Liquor Store – Beer & Wine | 5 |
| 12 | Restaurant – All Liquor | 4 |
| | Total | <hr/> 18 |

No previous action has occurred.

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

The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department have reviewed the application, determined that it meets all technical requirements and have approved this license. Therefore, it is staff's recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

4. LIQUOR LICENSE NO. 3-1111 CVS/PHARMACY #05937

This is a request for City Council to approve a new Series 10 (Liquor Store – Beer and Wine) license for CVS/pharmacy #05937, located at 6030 North 43rd Avenue. The Arizona State application (number 10075372) was submitted by Jason Barclay Morris.

The 60-day deadline for processing this application is April 13, 2007. The location of the establishment is 6030 North 43rd Avenue and is within the Cactus District, zoned C-2 (general commercial). No previous liquor license was at this location; the building is new construction. This establishment is over 300 feet from any school or church. The population density is 9,614 people per square mile. The approval of this license will increase the total number of liquor licenses in this area by one. The number of liquor licenses within a one-mile radius is 34 as listed below:

| Series | Type | Quantity |
|---------------|----------------------------|-----------------|
| 6 | Bar – All Liquor | 6 |
| 7 | Bar – Beer & Wine | 1 |
| 9 | Liquor Store – All Liquor | 5 |
| 10 | Liquor Store – Beer & Wine | 15 |
| 12 | Restaurant – All Liquor | 7 |
| | Total | <hr/> 34 |

No previous action has occurred.

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

The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements. Therefore, it is staff's recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

5. AUTHORIZATION TO ADJUST CONTRACT AMOUNT FOR PARK AND FACILITY LANDSCAPE MAINTENANCE

This is a request for City Council to approve an increase of \$275,000 to the annual contract amount with Mariposa Horticultural Enterprises, Inc. for park and facility landscape maintenance.

The agreement addresses the City Council strategic goals of providing high quality services for our citizens and strong neighborhoods.

A contract was approved by Council in March 2005 to provide landscape maintenance to sixty parks and nineteen city facilities including fire stations, community centers, the Adult Center, public libraries, and City Hall. Landscape maintenance includes, but is not limited to, services such as mowing and turf care, shrub and tree pruning, weed control and trash collection. Landscape maintenance service began on April 1, 2005. The contract includes an option clause that allows the city, at the discretion of the city manager, to extend this agreement for four additional years in one-year increments.

Since the inception of the landscape maintenance contract in 2005, 14 new parks and facilities as well as frequencies of maintenance have been added. Because the department will continue to accept new parks and facilities during this calendar year and over the life of the contract, and allowing for reasonable adjustments based on the Consumer Price Index, Western Division, the spending authority needs to be increased to accommodate these additional responsibilities. Funding is available in the departments' park maintenance operating budget to cover this additional cost.

On March 22, 2005, Council approved a parks and facility landscape maintenance contract with Mariposa Horticultural Enterprises, Inc. in an amount not to exceed \$725,434.

The park and facility landscape service assists the department in meeting or exceeding the established park maintenance standards and provides citizens the opportunity to utilize safe and aesthetically pleasing parks.

Per the 2002 Parks and Recreation Master Plan adopted by Council, nearly 75% of those surveyed indicated they use city parks. Of those who visited parks, 88% rated the overall condition of the parks to be either excellent or good. Approval of the spending authority increase will continue the department's ability to meet the public's interest in keeping the parks in excellent or good condition

Sufficient funds are available in the FY 2006-07 Parks Maintenance Operating Budget – Professional and Contractual account to cover the additional \$275,000 cost.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-----------|
| | | | X | | \$275,000 |

Account Name, Fund, Account and Line Item Number:
 Central District Parks, Account No. 1000-13040-518200
 North District Parks, Account No. 1000-13050-518200

The recommendation was to authorize an appropriation increase of \$275,000 to the annual contract with Mariposa Horticultural Enterprises, Inc. for parks and facility maintenance from \$725,434 to a total spending limit amount not to exceed \$1,000,434 annually.

6. FINAL PLAT APPLICATION FP06-04: CABRILLO POINT – 7315 WEST GRANDVIEW ROAD

This is a request by Pulte Homes, Inc. for City Council to approve the final plat for Cabrillo Point, a Planned Residential Development (PRD) located at 7315 West Grandview Road.

The proposed final plat is consistent with the General Plan and the existing R1-6 PRD (Single Residence, Planned Residential Development) zoning district. The request

meets the requirements of the Subdivision and Minor Land Division Ordinance. The development of this subdivision will create additional single-family housing opportunities in the city.

Cabrillo Point is a 69-lot single-family subdivision on 16.8 acres with a density of 4.1 dwelling units per acre. Lot sizes vary from 5,000 square feet to 6,628 square feet with an average lot size of 5,518 square feet. The proposed minimum lot width is 50 feet, and the proposed minimum lot depth is 100 feet.

On February 16, 2006 the Planning Commission approved Rezoning Application ZON05-15 and Preliminary Plat application PP05-07 for this subdivision.

On March 28, 2006 the Council approved Rezoning Application ZON05-15.

This project provides for infill development on a vacant property and housing that is compatible with the surrounding area.

The applicant held a neighborhood meeting on May 2, 2005. Of the 158 people invited to the meeting, 13 property owners and interested parties attended. Issues discussed included extension of Grandview Road to the west, the size of the homes, pedestrian connection to Thunderbird Paseo, and investor restrictions on home sales. The applicant has addressed each of these concerns.

The recommendation was to approve Final Plat application FP06-04.

7. AWARD PROPOSAL 06-19, CUSTODIAL SERVICES FOR THE FOOTHILLS RECREATION AND AQUATICS CENTER

This is a request for City Council to approve an agreement for custodial services at the Foothills Recreation and Aquatics Center.

This agreement for professional custodial services will assist the Foothills Recreation and Aquatics Center staff in providing continued high quality customer service by maintaining a clean, healthy, and safe environment for the Center's users.

Five proposals were received to provide custodial services at the Foothills Recreation and Aquatics Center. A committee consisting of staff from Parks and Recreation, the Main Library, and Facilities Maintenance reviewed the offers received. Specific evaluation factors included: overall cost, action plan, references and responsiveness, and understanding of the solicitation. The offer submitted by United Maintenance Co., Inc. was scored highest by the committee. The agreement shall begin April 15, 2007, and continue for one year. The bid specifications contain an option clause that will permit the city, at the discretion of the city manager, to extend this agreement for five additional years in one-year increments.

The Foothills Recreation and Aquatics Center opened to the public on Saturday, September 30, 2006. A temporary custodial service was utilized during the first six months of operation in order to analyze and determine the appropriate level of service necessary to maintain the highest level of care.

The Foothills Recreation and Aquatics Center Business Plan recommends that “The maintenance standards inside the building will always remain at the highest level of care to demonstrate quality to users and build pride in the community, and customer service standards will be of the highest quality”.

Foothills Recreation and Aquatics Center users are encouraged to give any input to staff or through use of the facility comment boxes. Comments are regularly considered for continuous improvement and to ensure excellence in providing an attractive and sanitary environment.

Funding is available in the following operational base budget.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|----------|
| | | | X | | \$73,548 |

Account Name, Fund, Account and Line Item Number:
 Foothills Recreation and Aquatics Center, Account No. 1000-14720-518200

The recommendation was to award the agreement for custodial services for the Foothills Recreation and Aquatics Center to United Maintenance Co., Inc. in the amount not to exceed \$73,548.00, taxes included.

8. 59TH AVENUE STREET IMPROVEMENTS BETWEEN DEER VALLEY AND PINNACLE PEAK ROADS

This is a request for the City Council to award a contract to Meadow Valley Contractors, Inc. for the construction of street improvements to 59th Avenue through Thunderbird Park between Deer Valley and Pinnacle Peak Roads, and approve an amendment to the professional services agreement with Stantec Consulting, Inc. for additional construction administration services.

This project meets the city goal of providing a high quality of services for the citizens.

59th Avenue is an arterial street that passes through the Thunderbird Conservation Park and connects large population centers in both Glendale and Phoenix. The original road was constructed over 50 years ago as a county road. The road was designed and constructed at grade with little or no regard for modern transportation needs and standards. The project will provide one travel lane in each direction, together with a bicycle lane, a narrow raised median, and a wide shoulder for

emergency pullouts. Disturbed portions of the park both from the street construction, as well as prior construction activities, will be restored and re-vegetated.

On February 22, 2007, two bids were received and opened with Meadow Valley Contractors, Inc., a licensed and qualified contractor, submitting the lowest responsive bid in the amount of \$6,194,544. It is anticipated that construction will begin in May 2007 and run through January 2008.

On, February 10, 2004, the Council awarded a professional services agreement with Stantec Consulting, Inc. to prepare a design concept report (DCR) for the 59th Avenue project. The Council directed staff to proceed with the design of the preferred alternate for 59th Avenue and on July 26, 2005 awarded a professional services agreement with Stantec Consulting, Inc. for preparing the final design and construction documents.

Construction of the 59th Avenue improvements will provide an improved roadway through the Thunderbird Park area as well as provide for bicycle paths and an equestrian/pedestrian overpass for those citizens using the park.

Prior to beginning the design of this project, the design consultant prepared a DCR, which analyzed five alternatives. Five public meetings were held during the DCR stage. Input from these meetings resulted in a preferred alternate being presented to the Council for direction to proceed with the design. A final meeting was held on February 1, 2006 during the design of the project to assure the citizens that what was being designed was indeed the alternate presented and approved by the Council.

The construction contract provides for newsletters to be sent to the neighborhood surrounding the project.

Funds for this project are available in 59th Ave-Melinda to Pinnacle Peak, Account No. 1600-67804-550800. Additional funds need to be transferred into 59th Ave-Melinda to Pinnacle Peak, Account No. 1600-67804-550800, in the amounts of: \$2,595,000 from Account No. 1600-12029-510200 and \$900,000 from Account No. 1600-67808-550400.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|---------------|------------------------|----------------------|-----------------|-------------------|--------------|
| | X | | X | X | \$6,289,556 |

Account Name, Fund, Account and Line Item Number:
 1600-67804-550800, 59th Ave-Melinda to Pinnacle Peak - \$6,289,556

The recommendation was to award the construction contract to Meadow Valley Contractors, Inc. in the amount of \$6,194,544, and approve the amendment to the professional services agreement with Stantec Consulting, Inc. in the amount of \$95,012

for the construction of the 59th Avenue Street Improvements between Deer Valley and Pinnacle Peak Roads.

9. AWARD OF BID 07-14, FIRE HYDRANTS AND RELATED PARTS

This is a request for the City Council to approve the award of bid 07-14 to Dana Kepner and Home Depot Supply Waterworks Ltd. for the purchase of fire hydrants and related parts necessary for the repair and replacement of the city’s fire hydrants.

One of Council’s strategic goals is high-quality service for citizens. The maintenance, repair and replacement of fire hydrants will continue to provide reliable and adequate water service for fire protection to Glendale residents and businesses.

An Invitation for Bid was issued by the city and three bids were received to supply the city with fire hydrants and related parts. These items are used by the Utilities Department in the repair and replacement of fire hydrants. The Utilities Department performs preventative maintenance on fire hydrants annually. During the annual maintenance prevention program, worn out parts are often found and need to be replaced or repaired. In addition, some hydrants are replaced because parts are no longer available and others are repaired due to car accidents.

The bid was divided into two groups. Group one was strictly for hydrants and group two was for related parts. Dana Kepner was the lowest responsive bidder for group one and Home Depot Supply Waterworks Ltd. was the lowest responsive bidder for group two. In order for the city to maintain sufficient inventory levels, a multiple award will be made to both companies for both groups. The award will be effective upon approval by the Council and continue for one year. The bid specifications contain an option clause that will permit the city, at the discretion of the City Manager, to extend this agreement for four additional years in one-year increments.

On November 13, 2001, the Council approved the contract with National Waterworks, Inc. for fire hydrants and related parts. This contract will expire on March 31, 2007.

The purchase of these fire hydrants and parts will enable the Utilities Department to continue to provide reliable and adequate water service for fire protection to Glendale residents and businesses. In addition, this request will allow the city to maintain or increase its present Insurance Services Office (ISO) rating.

Funds are available in Water Distribution Account No. 2400-17290-518200 - FY 2006/07 – \$70,000 and FY 2007/08 - \$210,000

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|---------------|------------------------|----------------------|-----------------|-------------------|--------------|
| | | | X | | \$280,000 |

Account Name, Fund, Account and Line Item Number:

Water Distribution Account No. 2400-17290-518200; FY 06/07 - \$ 70,000

Water Distribution Account No. 2400-17290-518200; FY 07/08 - \$210,000

The recommendation was to award the bid for fire hydrants and related parts to Dana Kepner and Home Depot Supply Waterworks Ltd. in the amount not to exceed \$280,000 annually.

10. **AWARD OF CONSTRUCTION CONTRACT: ZONE 4 RESERVOIR FILL LINE**

This is a request for the City Council to award a construction contract to T&T Construction, Inc. for construction of the Zone 4 Reservoir Fill Line in the amount of \$4,882,089.50.

This project is consistent with the Council goal of providing high-quality service for Glendale residents. The reservoir fill line is a key component to improving water quality in water Zone 4.

This water transmission line will be constructed to convey water from the Oasis Water Treatment Plant along 71st Avenue to the Zone 4 reservoir as identified in the "Comprehensive Water Facilities Planning and Design" report of September 2003 conducted by consultants Black & Veatch.

On March 8, 2007, six bids were received and opened with T & T Construction Inc., a licensed and qualified contractor, submitting the lowest responsive bid in the amount of \$4,882,089.50.

On January 25, 2005, the Council approved the design of the Zone 4 Reservoir Fill Line Project. Engineering Consultants was the firm selected to design the pipeline.

The Zone 4 Reservoir Fill Line will ensure optimum water pressure and delivery of high quality drinking water.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|---------------|------------------------|----------------------|-----------------|-------------------|----------------|
| | X | | X | | \$4,882,089.50 |

Account Name, Fund, Account and Line Item Number:

Zone 4 Reservoir Fill line, Account No. 2400-61007-550800

The recommendation was to award the construction contract to T&T Construction, Inc. in the amount of \$4,882,089.50 for the Zone 4 Reservoir Fill Line.

11. **PROFESSIONAL SERVICES AGREEMENT FOR 67TH AVENUE/BEARDSLEY SEWER LIFT STATION IMPROVEMENTS**

This is a request for the City Council to approve a professional services agreement (PSA) with Entellus, Inc. to provide engineering services to complete the design and perform construction management for the 67th Avenue/Beardsley Sewer Lift Station Improvements project.

One of the Council's strategic goals is high-quality service for citizens. This project will improve the operation and reliability of the lift station.

The 67th Avenue and Beardsley sewer lift station is more than 20 years old and needs to be rehabilitated. The proposed improvements include replacing the original pumps with new replacement pumps, ventilation and lighting, replacement of chemical tanks, replacement of existing valves and installing a spare pump.

On October 24, 2006, the Council authorized a professional services agreement with Entellus to provide engineering services in connection with the 67th Avenue/Beardsley Sewer Lift Station Odor Control project.

The improvements to the sewer lift station will enhance the operation of the facility, which will ensure the department remains in compliance with existing regulations and provide increased odor control, which will help to minimize odor complaints from the public.

Funds are available in the Fiscal Year 2006-07 Capital Improvement Program 67th & 83rd Ave SLS Mode account.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-----------|
| | X | | X | | \$350,748 |

Account Name, Fund, Account and Line Item Number:
 67th & 83rd Ave SLS Mode, Account No.2420-63014-550800

The recommendation was to authorize the City Manager to enter into a professional services agreement with Entellus to provide construction administration services in connection with the 67th Avenue/Beardsley Sewer Lift Station Improvements project, in an amount not to exceed \$350,748.

12. AGREEMENT FOR PURCHASE OF HAZARDOUS MATERIAL REMOVAL AND DISPOSAL SERVICES

This is a request for the City Council to authorize the City Manager to enter into a cooperative purchasing agreement with Environmental Response, Incorporated for the purchase of hazardous material removal and disposal services.

One of the Council's goals is to provide high quality services for citizens. Providing hazardous material removal and disposal services enhances the city's

environmental safety programs by ensuring the timely and proper removal and disposal of hazardous materials.

The City of Phoenix, using a competitive request for proposal (RFP Number 03-024), entered into an agreement for hazardous waste removal service with Environmental Response, Incorporated. The City of Glendale utilizes such services.

The agreement covers the full range of services for a hazardous materials program. It addresses the identification, handling, storage, and disposal of hazardous materials in compliance with federal and state safety regulations.

The City of Phoenix contract with Environmental Response, Incorporated expires on May 31, 2007 with an option to extend one additional year, at the discretion of the City Manager. This contract is based on the higher service volume needs of Phoenix. Cooperative purchases are allowed by the City of Glendale's Purchasing Ordinance, Section 2.149.

The City Council approved the use of the City of Phoenix cooperative contract on June 23, 1998.

The agreement covers services necessary for hazardous waste and emergency responses to Fire Department requests for the pick-up and clean-up of hazardous material spills. This service will also include the activities of household hazardous waste collection days for citizens and requests from the landfill.

Several city departments will be utilizing the agreement. The amount is budgeted in various city departments' operating budgets.

The recommendation was to approve a cooperative agreement with Environmental Response, Incorporated for hazardous material removal and disposal services in an amount not to exceed \$176,000.00.

13. RATIFY PURCHASE OF HIGH MAST BUCKET TRUCK

This is a request for the City Council to ratify the emergency purchase of a high mast bucket truck with Utility Crane and Equipment, per Purchasing Ordinance, Section 2-147, Emergency Purchases.

This purchase meets the Council strategic goal of "A City with High Quality Services for Citizens". Maintaining equipment used to improve and provide a more efficient transportation system within the city will assist in achieving this goal.

The installation of intelligent transportation systems equipment and hosting Mega Events has created a high demand for traffic monitoring capabilities and information dissemination to the traveling public. Maintenance and repair of this equipment, including message signs and closed circuit television cameras, demands the use of

equipment that reaches between 45 and 60 feet in height. The city does not have a vehicle in its fleet to allow staff to complete this work. In the past, rental equipment has been used; however, the availability of rental equipment is unreliable. This new vehicle will allow the Transportation Department to rapidly respond to maintenance and repair needs on cameras and signs in a safe and efficient manner. The normal process to purchase a bucket truck can take from 9 to 12 months. The vehicle purchased was available immediately due to a cancelled order, and at a cost savings of approximately \$15,000.

Providing the Transportation Department with a high mast bucket truck will integrate the abilities to effectively maintain and repair the existing intelligent transportation technology used to manage local and special event traffic.

Funding is available in the Construction Vehicle w Bkt Arm Account and Smart Traffic Signals Account.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-----------|
| | | X | X | | \$126,199 |

| |
|--|
| <u>Account Name, Fund, Account and Line Item Number:</u> Construction Vehicle w Bkt Arm, Account No. 1600-67806-551400 (\$70,000) Smart Traffic Signals, Account No. 2210-65005-550800 (\$56,199) |
|--|

The recommendation was to ratify the emergency purchase from Utility Crane and Equipment of a high mast bucket truck in the amount of \$126,199.

CONSENT RESOLUTIONS

14. PROPERTY ACQUISITION – AVIATION PURPOSES

This is a request for the City Council to authorize and direct title to and possession of property located at 10651 West Glendale Avenue, and be acquired by purchase or through legal action. The acquisition of this property is necessary to meet Federal Aviation Administration (FAA) design standards for the Object Free Area and Runway Safety Area. These standards call for the airport to have control over as much of these areas as possible.

The Object Free Area and Runway Safety Area are defined by the Federal Aviation Administration and identified in the Glendale Municipal Airport Master Plan. These aviation safety areas overlap property owned by the Rivera Family Trust located on the north side of the airport runway, and total 6.2 acres. Acquisition of this property is an expectation of the FAA for maintaining safe and efficient airport operations.

The city has been negotiating with the Rivera Family Trust for fee simple and aviation easements for this property since 1997. The property has been appraised

several times since 1997, and assumes the property is both free from environmental contamination and that all portions of the property are geo-technically stable.

The Rivera Family Trust has declined the current offer to purchase the property for \$2,000,000 made by Property Specialists, Inc. for the city on November 30, 2006. The offer was contingent on the property being environmentally clean and geo-technically stable. The Rivera Family Trust has refused to allow the city to enter the property in order to assess the environmental and geo-technical status. The environmental and geo-technical assessments are required to determine the actual value of the property after incurring any environmental clean-up expense.

Federal and state grant funding is available in the amount of \$1,693,400. To facilitate the property acquisition, a transfer of \$1,006,600 from the Glendale Sports Facility Sign, Account No. 2210-65062-551200 to the Airport Northwest Land Purchase, Account No. 2210-65065-550400 is necessary. This transfer will enable the city to meet the required contribution for matching funds (\$43,400) and the remaining balance of the purchase and contingencies for a phase two geo-technical and environmental analysis (\$963,200).

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|-------------|-----------------|---------------|----------|------------|-------------|
| \$1,693,400 | \$1,006,600 | | X | | \$2,700,000 |

Account Name, Fund, Account and Line Item Number:

FAA #17 Land Acquisition, Account No. 2120-79510-518200 (\$1,693,400)
 Airport Northwest Land Purchase, Account No. 2210-65065-550400 (\$1,006,600)

The recommendation was to waive reading beyond the title and adopt a resolution authorizing and directing that title to and possession of property located at 10651 West Glendale Avenue be acquired by purchase or through legal action, and approve the transfer.

Resolution No. 4032 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 AVIATION FIELDS PURSUANT TO A.R.S. SEC. 12-1111(11).**

15. COMMUNITY DEVELOPMENT FEE SCHEDULE

This is a request for the City Council to adopt a resolution setting the community development fees by amending the Community Development Fee Schedule. These adjustments to the fee schedule are made pursuant to Glendale City Code, Sections 2-2 and 2-3, with an effective date of July 1, 2007.

In keeping with the Council's goal of a city that is fiscally sound and its key objective to "continue honesty in the budget process with true costs and realistic analyses", the Community Development Group, Fire and Utilities departments, have developed a fee schedule designed to achieve this goal and key objective.

The Community Development Fees are a schedule of development-related permit and service fees collected for the Building Safety, Engineering, Planning, Transportation, Fire, and Utilities Departments. The current fees have been in effect since July of 2002.

Representatives from the Budget, Building Safety, Engineering, Fire, Planning, Transportation, and Utilities Departments recently performed a comprehensive review and analysis of the development-related permit and service fees. The fee schedule includes both current fees and the implementation of new fees for services in order to capture costs not currently being recovered.

At the February 20, 2007 Workshop, the updated fee schedule, as well as new fees, were presented to the Council. Staff was advised by the Council to bring forward the updated and proposed new fees to an evening Council meeting for adoption.

At the June 11, 2002 City Council meeting, Ordinance No. 2260 was adopted, approving the current community development fees with an annual fee adjustment in accordance with the Consumer Price Index Urban Users (CPIUU) inflationary index. At this meeting, Councilmembers stated that the city needs to begin to recover the costs of development business and keep up with consumer price index.

By having growth pay for growth, the city is able to maintain the existing level of service for current residents. In addition, the fees will help to minimize harm or disruption to other citizens by ensuring that projects are completed after having complied with all applicable health, safety, and building laws that the city requires of development in Glendale.

Staff provided the proposed fee changes, through the postal service and electronic mail service to the Home Builders Association of Central Arizona, the Arizona Multihousing Association, Valley Forward Association, and Valley Partnership twice in 2006 and twice in 2007.

Representatives from the Home Builders Association of Central Arizona, the Arizona Multihousing Association, Valley Forward Association, and Valley Partnership were invited to attend a meeting on May 25, 2006 regarding the fee changes. Representatives from the Arizona Multihousing Association, Valley Partnership, and Nutrition For Children were in attendance. Staff responded to questions regarding the increases and how the fee changes compared to other valley cities. Additional information was requested and has since been sent to the Arizona Multihousing Association regarding how the direct and indirect costs were calculated.

Staff received two pieces of correspondence regarding the proposed increases to the fees. A letter was received from Valley Partnership stating that they “understood the need for the City to recover its costs when providing development services” and that they “appreciated the opportunity to be engaged early on in this discussion regarding rising costs that will be associated with our members’ projects”. An electronic mail was received from the Arizona Multihousing Association expressing concern.

Staff is recommending a July 1, 2007 implementation date for the entire fee schedule and will ensure that the required public notification will occur prior to July 2007.

The recommendation was to waive reading beyond the title and adopt a resolution setting the fees by amending the Community Development Fee Schedule pursuant to Glendale City Code Sections 2-2 and 2-3 with an effective date of July 1, 2007.

Resolution No. 4033 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 COMMUNITY DEVELOPMENT FEE SCHEDULE PURSUANT TO GLENDALE CITY CODE SECTIONS 2-2 AND 2-3; AND SETTING FORTH AN EFFECTIVE DATE.**

16. NOTICE OF INTENT TO INCREASE UTILITIES MISCELLANEOUS CUSTOMER SERVICE FEES

This is a request for the City Council to adopt a resolution declaring the city’s intent to increase the Utilities miscellaneous customer service fees effective July 1, 2007, and setting the public hearing on the proposed increases for May 8, 2007.

In keeping with the Council’s goal of a city that is fiscally sound with the key objective to continue honesty in the budget process with true costs and realistic analyses, the Utilities Department has developed a fee schedule designed to achieve this goal and key objective.

Utilities staff have reviewed the existing Utilities customer service miscellaneous fee schedule and current relevant City Codes to determine if current fees were sufficient to cover the cost of services provided. The results of the study revealed the city was recovering, on average, 50% of the costs of these services. The revised fee structure includes two new fees to cover costs associated with after-hour water reconnects and unauthorized use, delinquent collections and new accounts; and a change in wording in City Code Section 33-76.

These fees are not related to the Utilities rates. The majority of the water customers are not impacted by the proposed increases as they primarily address

delinquencies and unauthorized users. The reviewed fees are user-based and apply only to a limited number of customers who utilize the services.

Utilities is an Enterprise fund and, according to State Statute, any adjustment in water rates must go through a public notice of intent and public hearings process before any adjustments can be adopted. The Miscellaneous Customer Service Fees established under Section 33-83 need to be consistent with the Community Development Fees established under Section 2-3. Under Section 33-83, as amended, the Miscellaneous Customer Service Fees will be automatically adjusted annually in accordance with the Consumer Price Index Urban Users inflationary index.

At the February 20, 2007 Workshop, the updated fee schedule, as well as new fees, were presented to the Council. Staff was advised by the Council to bring forward the updated and proposed new fees to an evening Council meeting for adoption. Although presented as part of the Community Development Fee Schedule, the Utilities Miscellaneous Customer Service Fee Schedule must be presented separately because it is part of the Enterprise fund and therefore under separate State Statute.

At the June 11, 2002 Meeting, Ordinance No. 2260 was adopted. approving the current community development fees with an annual fee adjustment in accordance with the Consumer Price Index Urban Users (CPIUU) inflationary index. At this meeting, Councilmembers stated that the city needs to begin to recover the costs of development business and keep up with consumer price index.

The recommended fee schedule revisions will assist in defraying the expenses involved with specific operational activities from the customers who require those services, including delinquencies, rather than having those activities subsidized by all customers. Customers will benefit by paying only for those services they receive. It will also provide customers whose water service has been disconnected an option for after-hour service at an additional cost.

The recommendation was to waive reading beyond the title and adopt a resolution declaring the city's intent to increase the water customer service fees effective July 1, 2007 and setting the public hearing for May 8, 2007.

Resolution No. 4034 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 THIS NOTICE OF INTENTION TO INCREASE MISCELLANOUS WATER CUSTOMER SERVICE FEES; SETTING A PUBLIC HEARING ON THE PROPOSED INCREASES; AND FILING A WRITTEN REPORT SUPPORTING THE PROPOSED INCREASES WITH THE CITY CLERK.**

It was moved by Lieberman, and seconded by Frate, to approve the recommended actions on Consent Agenda Item Nos. 1 through 16, including the approval and adoption of Resolution No. 4032 New Series, Resolution No. 4033 New Series, Resolution No. 4034 New Series; and to forward Liquor License

Application No. 3-1108 for Sportsman’s #603, Liquor License Application No. 3-1109 for Ant Hill Sports Bar & Grill, Liquor License Application No. 3-1110 for Long Wong’s, and Liquor License No. 1111 for CVS/Pharmacy #05937, to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.

Vice Chair Martinez commented on item number eight. He stated that the 59th street improvements between Deer Valley and Pinnacle Peak had been delayed; however, they were now back on track. He wanted to acknowledge all the people that got involved and created “Alternative B,” especially Mr. DeFranco and Mr. Woods.

17. **SUPER BOWL XLV BID SUPPORT**

Ms. Karen Churchard, Mega Event Consultant, presented this item.

This is a request for the City Council to approve six resolutions required as part of the bid proposal to be presented by the Arizona Super Bowl Host Committee to the National Football League (NFL) in support of the effort to host Super Bowl XLV in 2011 at the University of Phoenix Stadium in Glendale, Arizona.

These resolutions identify the importance of this event to Glendale, the Valley and the State of Arizona. The resolutions assure governmental, quasi-governmental and private partnership in organizing, financing, promoting, accommodating, staging and conducting Super Bowl XLV and its related official events and activities.

The first resolution is to support the bid to host the 2011 Super Bowl at the University of Phoenix Stadium in Glendale, Arizona. The second and third resolutions assure appropriate fire, medical and law enforcement services for this major event and related activities. The resolutions dealing with the airport, temporary flight restrictions and taxing authority serve to enhance the bid package that the Arizona Super Bowl Host Committee intends to present to the NFL.

On February 25, 2003, the Council approved six resolutions in support of the Arizona Super Bowl Host Committee’s bid to host the Super Bowl in 2008.

Hosting an event the magnitude of the Super Bowl brings great prestige and promotion to Arizona, the Valley and Glendale.

The recommendation was to waive reading beyond the titles and adopt six resolutions in support of the bid to host Super Bowl XLV in 2011 at the University of Phoenix Stadium in Glendale, Arizona.

Resolution No. 4035 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, PROVIDING TAXING AUTHORITY AGENCY ASSURANCE IN**

SUPPORT OF THE BID TO HOST SUPER BOWL XLV IN 2011 AT THE UNIVERSITY OF PHOENIX STADIUM IN GLENDALE, ARIZONA.

Resolution No. 4036 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, PROVIDING ASSURANCE WITH RESPECT TO CERTAIN ACTIVITY AT THE GLENDALE AIRPORT IN SUPPORT OF THE BID TO HOST SUPER BOWL XLV IN 2011 AT THE UNIVERSITY OF PHOENIX STADIUM IN GLENDALE, ARIZONA.**

Resolution No. 4037 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, PROVIDING FIRE AND MEDICAL EMERGENCY AGENCY ASSURANCE IN SUPPORT OF THE BID TO HOST SUPER BOWL XLV IN 2011 AT THE UNIVERSITY OF PHOENIX STADIUM IN GLENDALE, ARIZONA.**

Resolution No. 4038 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, PROVIDING TEMPORARY FLIGHT RESTRICTIONS ASSURANCE IN SUPPORT OF THE BID TO HOST SUPER BOWL XLV IN 2011 AT THE UNIVERSITY OF PHOENIX STADIUM IN GLENDALE, ARIZONA.**

Resolution No. 4039 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, IN SUPPORT OF THE BID TO HOST SUPER BOWL XLV IN 2011 AT THE UNIVERSITY OF PHOENIX STADIUM IN GLENDALE, ARIZONA.**

Resolution No. 4040 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, PROVIDING LAW ENFORCEMENT AGENCY ASSURANCE IN SUPPORT OF THE BID TO HOST SUPER BOWL XLV IN 2011 AT THE UNIVERSITY OF PHOENIX STADIUM IN GLENDALE, ARIZONA.**

Councilmember Lieberman stated for the record that he was not against having additional Super Bowls here in Glendale. He simply would like to know what something of this magnitude would end up costing the city. He asked if the NFL would require a lock down 30 days before the game. Ms. Karen Churchard, Mega Event Consultant, noted that they actually start preparations 30 days prior; however, the actual lock down occurs 14 days prior to the event. Councilmember Lieberman asked if it was only Glendale's Fire and Police Departments that would be involved. Ms. Churchard stated that it would be a combination of different entities. Councilmember Lieberman asked if the NFL would pay them separately. Mr. Churchard stated that she believes that the NFL would be willing to work with the City of Glendale.

Councilmember Lieberman read the purposes of each resolution aloud and asked Ms. Churchard to acknowledge them to be correct. Ms. Churchard confirmed as

requested. He wanted to make a point that the NFL was exempted from any fund responsibility and, therefore, made it impossible for them to offset any of Glendale's cost. He added that he was looking for ways to help Glendale offset Super Bowl expenses. He noted that he would like to see the balance sheet on a community that had hosted an NFL game to have some idea on a profit and loss range.

Ms. Churchard said that she was willing to help Councilmember Lieberman obtain the information from Mr. Kennedy and the Host Committee. Councilmember Lieberman thanked Ms. Churchard for all the work she is doing.

Vice Mayor Martinez noted that the NFL requires all cities that have submitted bids issue these resolutions. He stated that all cities in the bidding process know that there is a cost involved. He said that there had been many festivals that the city has invested in for the benefit of the citizens and the city that are very difficult to quantify. He stated that this mega event would bring many opportunities to the City of Glendale.

Councilmember Frate stated that Glendale was not the only city hosting Super Bowl events. He noted that each city would be responsible for funding their events. He believes that everyone will benefit greatly in the long run.

Mayor Scruggs clarified the hotel revenue issue. She stated that each city would pay their share according to the number of hotel rooms available. She noted that Glendale's contribution was \$10,000 to the Super Bowl Committee. Ms. Churchard stated that there was a formula in place for each city to pay a percentage based on the number of rooms they have.

Councilmember Clark asked what the \$15 million that will be raised by the Host Committee would fund. Ms. Churchard stated that it funds many different aspects that the Host Committee is required to provide as part of the NFL specifications.

Councilmember Clark stated that she was voting against this item. She stated that she would not vote for a Super Bowl bid three years away mainly because the financial impact was still unknown and no tangible numbers were available. She noted that they still had not been through the first Super Bowl coming up in 2008. She speculated that the NFL makes a lot of money, and she wishes they would reimburse the hosting cities. She also stated that another reason for voting against it was the need for funding public safety, which is highly necessary, and she believes the city should focus on that.

Councilmember Frate stated that the Council did vote for the resolutions for Super Bowl 2008. He further added that if they were not chosen for Super Bowl 2011, he would like to bid for Super Bowl 2012.

It was moved by Martinez, and seconded by Goulet, to approve the recommended actions on Item No. 17, including the approval and adoption of Resolution No. 4035 New Series, Resolution No. 4036 New Series, Resolution No.

4037 New Series, Resolution No. 4038 New Series, Resolution No. 4039 New Series, and Resolution No. 4040 New Series. The motion carried with Clark and Lieberman voting Nay.

ORDINANCES

18. AMENDMENT TO GLENDALE CITY CODE, CHAPTER 24, MOTOR VEHICLES AND TRAFFIC

Mr. Jamsheed Mehta, AICP, Transportation Director presented this item.

This is a request for the City Council to amend the Glendale City Code, Chapter 24 Motor Vehicles and Traffic. The amendment will allow for the implementation of a Barricade Use Permit Program that will assist in minimizing the construction impacts in the city's right-of-way for the traveling public.

Implementing the Barricade Permit Use Fee Program will assist the city in achieving Council's goal of "High Quality Services for Citizens". Providing additional oversight within construction zones will minimize the duration of roadway construction and travel restrictions.

The City of Glendale has long used guidelines in temporary traffic control as established by the Traffic Barricade Manual used by other valley cities. The goal is to gain a high level of compliance with temporary traffic control rules to ensure the impact to the traveling public is minimized without delaying projects. Violations cause undue delay and inconvenience, increase the cost, and are a danger to the health, safety, and welfare to the citizens of Glendale in public right-of-way.

Currently there is no incentive for contractors to finish their work and remove traffic control devices in a timely manner. This can cause lane restrictions, traffic congestion, or sidewalk closures for undue periods of time. With the increase of development requiring work in the city's right-of-way, these amendments will allow for fees and civil sanctions to be administered to contractors who are working in the city's right-of-way, and for not following safety guidelines, or not completing work on time. The fees are listed separately in the Community Development Fee Schedule as previously presented to the Council.

At a Council Workshop held on February 20, 2007, the Council reviewed the proposed fee changes to the Community Development Fee Schedule, which included the barricade use permit and traffic control plan review fees. Amendments to the Glendale City Code require an ordinance. Staff is requesting the amendment to Chapter 24 of the Glendale City Code be heard separately from the Community Development Fee schedule that is proposed for adoption by resolution.

The city will be able to improve existing service levels. The added measure of additional oversight of street barricading on construction projects will enhance safety and minimize roadway construction impacts for the traveling public.

Staff provided the proposed fee schedule to the Home Builders Association of Central Arizona, the Arizona Multi-Housing Association, Valley Forward Association, and Valley Partnership twice in 2006 and once in 2007.

The recommendation was to waive reading beyond the title and adopt an ordinance to amend the Glendale City Code, Chapter 24, Motor Vehicles and Traffic.

Councilmember Frate stated that this ordinance makes construction companies accountable. He stated that he fully supported this ordinance.

Councilmember Clark stated that she was also happy to see this ordinance come forward. She supports this ordinance

Ordinance No. 2558 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE CHAPTER 24, ARTICLE III RELATING TO TRAFFIC CONTROL DEVICES AND TEMPORARY WORK ZONE TRAFFIC MANAGEMENT; SPECIFYING PENALTIES FOR VIOLATIONS THEREOF; AND ESTABLISHING AN EFFECTIVE DATE.**

It was moved by Frate, and seconded by Lieberman, to approve Ordinance No. 2558 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Martinez, Frate, Knaack, and Scruggs. Members voting “nay”: none.

PUBLIC HEARING – RESOLUTIONS

19. AMENDMENT TO THE FISCAL YEAR 2006-07 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN

Mr. Gilbert Lopez, Community Revitalization Administrator presented this item.

This is a request for the City Council to conduct a public hearing and approve an amendment to the Fiscal Year 2006-07 Community Development Block Grant (CDBG) Annual Action Plan. Doing so will allow the city to apply \$130,000 of Fiscal Year 2004-05 unused funds to its successful infill housing program through its partnership with Habitat for Humanity, Valley of the Sun. These funds would help Habitat acquire additional vacant properties for new infill housing.

The revitalization of older neighborhoods is an ongoing Council goal. This effort addresses a key objective to "continue funding for neighborhood revitalization" under the strategic goal of "one community with strong neighborhoods".

The City of Glendale receives funding from the U.S. Department of Housing and Urban Development (HUD) and allocates these funds through an extensive public process. The Community Revitalization Division continuously monitors the timely and efficient use of the funds, and looks for opportunities that help us reach our community goals. Through this process, staff identified the opportunity to reallocate these funds and meet a funding shortfall. Before the federal funds can be moved into a different category, the Annual Action Plan must be amended to inform the public of the proposed changes.

The Community Development Advisory Committee (CDAC) discussed and unanimously approved the amendment concept at their meeting on January 25, 2007. On February 21, 2007, the CDAC conducted a public hearing, and unanimously voted to approve the amendment and forward it to the Mayor and Council for consideration.

The “Glendale 2025-The Next Step” addresses redevelopment and housing as critical elements towards achieving Glendale’s planning vision. Infill housing complements the redevelopment activities addressed in the City Center Master Plan, and is consistent with the new Five-Year Neighborhood Revitalization Plan.

On January 25, 2007 and February 21, 2007, the CDAC conducted two public hearings to solicit input and discuss the amendment. On February 22, 2007 and March 1, 2007, the proposed amendment was published in *The Glendale Star*, advising the public of the 30-day comment period, beginning February 23, 2007, and ending March 26, 2007.

The CDBG program is a federally funded entitlement provided by HUD. Council-approved activities are described in our Fiscal Year 2006-07 CDBG Annual Action Plan. If approved, the amendment will allow the city to apply \$130,000 of unspent FY 2004-05 CDBG funds from the following categories for additional infill housing:

- \$40,155 CDBG FY 2004-2005 Downtown Civic Center Plaza Design
- \$33,605 CDBG FY 2004-2005 Slum/Blight Demolition
- \$56,240 CDBG FY 2004-2005 Exterior Improvement Program

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-----------|
| X | | | | | \$130,000 |

Account Name, Fund, Account and Line Item Number:
 Community Development Block Grant, Fund 1320

The recommendation was to conduct a public hearing, waive reading beyond the title and adopt a resolution authorizing the approval of the Amendment to the Annual Action Plan for FY 2006-07.

Mayor Scruggs opened the public hearing on Agenda Item No. 19. As there were no comments, Mayor Scruggs closed the public hearing.

Resolution No. 4041 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE SUBMISSION OF AN AMENDMENT TO THE ANNUAL ACTION PLAN FOR FISCAL YEAR 2006-07 TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE REALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE AMOUNT OF \$130,000 TO FUND GLENDALE'S INFILL HOUSING PROGRAM.**

It was moved by Goulet, and seconded by Clark, to pass, adopt and approve Resolution No. 4041 New Series. The motion carried unanimously.

20. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN FOR FISCAL YEAR 2007-08

Mr. Gilbert Lopez, Community Revitalization Administrator presented this item.

This is a request for the City Council to conduct a public hearing and authorize submission of the Annual Action Plan for Fiscal Year 2007-08 to the U.S. Department of Housing and Urban Development (HUD). The Annual Action Plan outlines all proposed Fiscal Year 2007-08 funding for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), American Dream Downpayment Initiative (ADDI), and Emergency Shelter Grants (ESG) program funds.

The Community Development Advisory Committee (CDAC), formulated its recommendations based upon the following funding priorities, approved by the Council for Fiscal Year 2007-08. These funding priorities were updated during the development of the City of Glendale's Five-Year Consolidated Plan, and address several key objectives, with the main one being "continue funding for neighborhood revitalization", under the strategic goal of "one community with strong neighborhoods".

Fiscal Year 2007-08 Priorities:

- Housing rehabilitation programs
- Programs that benefit seniors and youth
- Programs that prevent homelessness
- Programs addressing social needs
- Programs related to quality of life issues
- Clearance and demolition of blighting conditions
- Programs or projects that help revitalization efforts throughout Glendale, with an emphasis in the redevelopment area.

The Annual Action Plan is the implementation document that details how Glendale proposes to invest federal HUD funding to meet identified community needs.

The CDAC conducted an extensive review process for the use of Fiscal Year 2007-08 CDBG, HOME, ADDI, and ESG program funds. This process included the review of 42 applications, and formal presentations by each of the applicants. The CDAC recommended funding 34 agencies. The following is a synopsis of each funding category reviewed by the CDAC:

CDBG - The city will receive \$2,271,749 of CDBG funds for activities that benefit low-and moderate-income persons; aid in the elimination of slum and blight; and/or address an urgent community need. An additional \$200,000 of program income and unspent CDBG funds from activities completed or cancelled in prior years has been allocated to fund physical improvements. The public service category provides funding to agencies such as St. Mary's/Westside Food Bank Alliance for home food delivery, and physical improvement projects such as renovation of kitchens and bathrooms at Glendale Homes to maintain safe and sanitary living conditions for residents in one the City of Glendale's three public housing communities. Other activities include voluntary demolition, residential housing rehabilitation programs, and improvement of public facilities.

HOME - The city will receive \$677,308 of HOME funds from the Maricopa County HOME Consortium. These funds are used for activities that will improve the supply of decent, safe, sanitary and affordable housing, such the development of a new owner-occupied infill town home complex for 16 families constructed by Habitat for Humanity of the West Valley, and the rehabilitation program for low-and moderate-income owner-occupied households in Glendale.

ADDI - The city will receive \$17,941 in ADDI funds from the Maricopa County HOME Consortium. These funds are used for programs that increase homeownership among low-to moderate-income first-time homebuyers.

ESG - The city will receive approximately \$98,044 in ESG funds to provide assistance to families in danger of eviction or foreclosure by funding existing, successful programs that prevent homelessness. The funds can also be used to help operate existing shelters, such as the West Valley Child Crisis Center, which provides shelter to abused/abandoned children.

The City Council received a memorandum from the CDAC dated July 7, 2006, outlining the process utilized by the CDAC for determining the city's community needs. The needs identified in the memorandum remained consistent with those needs identified in Glendale's Five-Year Consolidated Plan for Fiscal Years 2005 through 2009. In November of 2006, the City Council received a staff memorandum providing an update on the HUD grant application process and a summary of the CDAC recommendations regarding the Fiscal Year 2007-08 CDBG, HOME, and ESG funding. The required 30-day public comment period began on February 23, 2007, as stated in a public notice published on February 22 and again on March 1, 2007.

Since Fiscal Year 1977-78, Glendale has received \$45,169,144 in CDBG fund allocations to assist thousands of homeowners and individuals with services that provide safe, decent housing, and improve their living conditions. Public service programs, such as homeless prevention and senior, youth, and disabled services, provide a compassionate hand to those in need. Physical improvement projects are the bricks and mortar part of the program. The housing rehabilitation programs provide funding for much needed repairs for heating and cooling systems, electrical, plumbing, and other critical components.

Since Fiscal Year 2004-05, the city has received \$293,933 of ESG fund allocations to specifically assist with homelessness.

Since Fiscal Year 1992-93, Glendale has received \$8,405,437 in HOME/ADDI program fund allocations that are used specifically for housing-related programs. The HOME Program has funded the construction of many new single-family homes and has helped preserve existing homes.

The citizen participation process conducted for the use of Fiscal Year 2007-08 HUD federal funding included the following actions:

On July 12, 2006, a notice announcing the Fiscal Year 2007-08 CDBG/ESG/HOME grant application cycle and orientation meeting was mailed to prospective applicants.

On July 20 and 27, 2006, public notices announcing the Fiscal Year 2007-08 CDBG/ESG/HOME grant application cycle and orientation meeting were published in *The Glendale Star*.

On August 1, 2006, the Community Revitalization Division staff met with grant applicants to discuss Council priorities, the application process, and evaluation criteria.

On September 27, 2006, the CDAC received the grant applications for its review.

On October 19 and 26, 2006, public notices announcing public hearings for CDBG, ESG, and HOME Funding Requests for the Fiscal Year 2007-08 grant application cycle were published in *The Glendale Star*.

On October 30, November 1 and 6, 2006, the CDAC conducted public hearings where applicants were given an opportunity to present their applications before the committee.

On November 2 and 9, 2006, the CDAC conducted public meetings to formulate its funding recommendations for Council review.

On February 15, 2007, a notice was published in *The Glendale Star* announcing a public hearing on February 21, 2007, during the CDAC public meeting, to allow for

additional public comment/discussion regarding the Fiscal Year 2007-08 Annual Action Plan.

On February 21, 2007, the CDAC conducted a public hearing to provide an additional opportunity for public input regarding the Fiscal Year 2007-08 Annual Action Plan.

On February 22 and March 1, 2007, a notice announcing the dates of the 30-day Fiscal Year 2007-08 Annual Action Plan review and comment period to run from February 23 through March 26, 2007, and notice of the final public hearing scheduled for the March 27, 2007 Council meeting, was published in *The Glendale Star*.

All meetings were public. As written in the notices, applicants and the public were all invited to attend and participate.

The CDBG, HOME, ADDI, and ESG programs are federally funded. The CDBG program does not have a match requirement. The HOME program does require a 25% match from non-federal funds, and the ESG program requires a 100% match.

An annual match allocation of \$25,000 is provided in the General Fund budget as a supplement towards the required 25% match requirement for HOME projects administered by the city. The total match needed for the city's projects could exceed \$86,825, depending on the projects. Even so, no additional general funds are necessary, as the additional match needed will be provided by match carryover and other eligible in-kind resources such as donated materials or volunteer hours. Outside agencies that apply for HOME funds must provide the 25% required matching funds (or a pre-agreed portion) for their projects.

The ESG funding will be allocated to outside agencies. The agencies that apply for these funds will be required to provide the 100% required matching funds.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--|------------------------|----------------------|-----------------|-------------------|--------------|
| CDBG X | | | | | \$2,271,749 |
| HOME X | | | | | \$677,308 |
| ADDI X | | | | | \$17,941 |
| ESG X | | | | | \$98,044 |
| General Fund | | | X | | \$25,000 |
| Account Name, Fund, Account and Line Item Number: Community Development Block Grant (CDBG), Fund 1320 HOME Investment Partnerships (HOME), Fund 1300 American Dream Downpayment Initiative (ADDI), Fund 1300 Emergency Shelter Grants (ESG), Fund 1830 General Fund, Fund 1000 | | | | | |

The recommendation was to conduct a public hearing, waive reading beyond the title and adopt a resolution authorizing the approval of the Annual Action Plan for Fiscal Year 2007-08 at the funding levels allocated by the U.S. Department of Housing and Urban Development (HUD), and its submission to HUD.

Mayor Scruggs opened the public hearing on Agenda Item No. 20. As there were no comments, Mayor Scruggs closed the public hearing.

Resolution No. 4042 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING SUBMISSION OF THE FISCAL YEAR 2007-08 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND FOR ACCEPTING A COMMUNITY DEVELOPMENT BLOCK GRANT IN THE AMOUNT OF \$2,271,749; A HOME INVESTMENT PARTNERSHIPS PROGRAM ALLOCATION IN THE AMOUNT OF \$677,308; AMERICAN DREAM DOWNPAYMENT INITIATIVE FUNDING IN THE AMOUNT OF \$17,941; AND EMERGENCY SHELTER GRANTS FUNDING IN THE AMOUNT OF \$98,044.**

It was moved by Goulet, and seconded by Clark, to pass, adopt and approve Resolution No. 4042 New Series. The motion carried unanimously.

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

It was moved by Martinez, and seconded by Frate, to hold City Council Budget Workshops from 8:30 a.m. to noon and 1:30 p.m. to 5:00 p.m. on Tuesday, April 3, 2007 and from 1:30 to 5:00 pm on Tuesday, April 10, 2007 in Room B-3 of the City Council Chambers, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.

CITIZEN COMMENTS

None

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Clark wished to congratulate the Desert Mirage Neighborhood for a successful Day in the Park event. She thanked Luke Air Force Base and staff for hosting a spectacular 16th year anniversary event. She also informed everyone that the Concerned Police Survivors were selling Blue Cop Bears in dedication to Officer Anthony Holly who was killed in the line of duty. She said that the bears were available \$12 for anyone wanting to support the police officers.

Councilmember Lieberman stated that he would be holding a district meeting the following evening at Carol G. Peck School at 6:30 p.m. He said that there would be many interesting speakers. He encouraged everyone to attend.

Councilmember Frate stated that he wanted to wish Colleen Dalmon, Director of the Adult Center, best wishes on her retirement from the City of Glendale. He reminded everyone to watch children around water.

Councilmember Knaack thanked the three new board and commission members for serving their community. She encouraged all citizens to make time to serve their communities.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:30 p.m.

Pamela Hanna - City Clerk