

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL  
OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA,  
HELD TUESDAY, SEPTEMBER 26, 2006, AT 7:00 P.M.**

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

Absent: Councilmember Steven Frate

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 six resolutions and four ordinances to be considered at the meeting were available for public examination and the title posted at City Hall more than 72 hours in advance of the meeting.

**APPROVAL OF THE MINUTES OF THE AUGUST 29, 2006 CITY COUNCIL MEETING**

**It was moved by Goulet, and seconded by Clark, to dispense with the reading of the minutes of the August 29, 2006 regular City Council meeting, as each member of the Council had been provided copies in advance, and approve them as written. The motion carried unanimously.**

**BOARDS AND COMMISSIONS**

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 Date	Expiration Date
<b><u>Arts Commission</u></b>				
Manuel R. Burruel	Cactus (Barrel)	Appointment	09/26/2006	08/23/2008
<b><u>Aviation Advisory Commission</u></b>				
Michael T. Brophy	Cactus	Re-appointment	11/24/2006	11/24/2008
Pierce A. McLean	Cholla	Re-appointment	11/23/2006	11/23/2008

Pierce A. McLean	Cholla	Chair Appointment	11/24/2006	11/24/2007
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**Community Development Advisory Committee**

Patricia Callan	Mayoral (Barrel)	Appointment	09/26/2006	07/01/2008
Tom Howard	Sahuaro	Appointment	09/26/2006	07/23/2008
Susan Jernigan	Barrel	Vice Chair Re-appointment	09/27/2006	09/27/2007

**Parks & Recreation Advisory Commission**

Liz Farley	Mayoral (Sahuaro)	Appointment	09/26/2006	04/09/2008
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The recommendation was to make appointments to the Boards and Commissions and administer the Oaths of Office.

**It was moved by Martinez, and seconded by Lieberman, to appoint the applicants listed above, for the terms listed above, to the Arts Commission, the Aviation Advisory Commission, the Community Development Advisory Committee, and the Parks & Recreation Advisory Commission. The motion carried unanimously.**

Mayor Scruggs called the following appointees forward and issued the Oath of Office. Manuel R. Burruel, Michael T Brophy, Pierce A. McLean, Patricia Callan, Tom Howard, Susan Jernigan, and Liz Farley.

**PROCLAMATIONS AND AWARDS**

**NATIONAL FIRE PREVENTION MONTH**

This is a request for City Council to proclaim the month of October as National Fire Prevention Month. The Glendale Fire Department will celebrate Fire Prevention Month by hosting the 24<sup>th</sup> Annual Fire Prevention Day and Parade on Saturday, October 7, 2006.

Glendale citizens are being asked to participate in fire prevention activities at home, work and school.

The purpose of this nationally observed month is to remind citizens of the importance of fire prevention at home, work, and school. This year's theme is "It's Fire Prevention Month - Prevent Cooking Fires: Watch What You Heat". Activities for Glendale's Fire Prevention Month begin with the city's Fire Prevention Day Parade on Saturday, October 7, 2006. The parade begins at 52<sup>nd</sup> and Glendale Avenues and proceeds west to 58<sup>th</sup> Avenue and ends at Murphy Park.

The recommendation was to proclaim October as National Fire Prevention Month.

Mr. Lee Harlock, Detention Officer with Maricopa County Sheriff's Office was called forward and accepted the proclamation.

### PROCLAMATION OF APPRECIATION TO LILY'S RESTAURANT

This is a request for City Council to recognize, through a proclamation, Lily's Restaurant, for 57 years of dedication to the community by providing high-quality dining services to residents of Glendale and customers from around the Valley.

This proclamation is consistent with the Council goal of providing one community, with strong neighborhoods.

Lily's Restaurant, located in the heart of Glendale, Arizona, has been a local eatery for almost six decades. Lily's has been family-owned and operated since 1949, most recently by the third generation, Cipriano "Zip" Hernandez, and his wife, Joan Black-Hernandez.

Lily's Restaurant is a part of Glendale's history, having made their contribution by serving authentic, home-style Mexican food that brought people from all over the Valley and the world to enjoy. Many of Lily's regular customers have included famous local celebrities, and it was where the Phoenix Coyotes' owners chose to have lunch to celebrate the groundbreaking of the new Glendale Arena.

Because of the pride taken in the preparation of their food and the exceptional service to its customers, Lily's Restaurant remained a popular destination in Glendale for 57 years. During those years, Lily's was featured in various publications, including *Fodor's*, and on the *Sonoran Living* television program.

On July 30, 2006, an era came to a close, but not without leaving fond memories for those who had the opportunity to dine at this fine establishment. Lily's Restaurant will always be a part of Glendale's history.

The recommendation was to proclaim appreciation for Lily's Restaurant and the 57 years of service provided to residents, business-owners, and visitors of Glendale.

Mrs. Joan Black and Mr. Zip Hernandez accepted the proclamation. Mrs. Black thanked everyone in attendance. She recognized Mayor Scruggs, the City Council and the residents of Glendale. She noted that Mr. Hernandez works very hard to make Lily's Restaurant an outstanding eatery for his customers.

### HISPANIC HERITAGE MONTH PROCLAMATION

This is a request for City Council to recognize September 15<sup>th</sup> to October 15<sup>th</sup> as National Hispanic Heritage Month.

The recognition of Hispanic Heritage Month supports the contributions and history of Hispanics and demonstrates the commitment of the City of Glendale in celebrating cultural awareness through professional development and community involvement.

By Presidential proclamation, since 1989, September 15<sup>th</sup> to October 15<sup>th</sup> is recognized as National Hispanic Month. It is established that the Hispanic community was of great importance in Glendale's early development and cultural diversity, from the first Hispanics who came in the early 1880's to their labor in the construction of the Arizona Canal, and whose descendents continue to contribute to the community's quality of life. Members of the Hispanic community are united by the proud heritage that they share and the significant contributions they have made in the United States.

The recommendation was to proclaim September 15<sup>th</sup> through October 15<sup>th</sup>, 2006 as National Hispanic Heritage Month.

Mr. Roberto Gonzalo, retired Peoria High School Counselor and longtime Glendale resident and business owner, accepted the proclamation. He thanked Mayor Scruggs and City Council on behalf of the Hispanic community. He stated that one of the things that set the City of Glendale apart from other cities is their diversity. He believes diversity gives people the insight to get to know people better. He added that the world is continuing to change and we should learn from other cultures. He indicated that this proclamation is taking a step forward.

### **CONSENT AGENDA**

Mr. Ed Beasley, City Manager, read Agenda Item Numbers 1 through 15 and Ms. Pamela Hanna, City Clerk, read consent agenda resolutions numbers 16 through 19 by number and title.

Councilmember Eggeston requested that Agenda Item No. 13 be heard separately. Councilmember Goulet requested that Agenda Item No. 15 be heard separately.

1. LIQUOR LICENSE NO. 3-1073 GOLDEN DRAGON CHINESE RESTAURANT

This is a request for City Council to approve a new Series 12 (Restaurant – All Liquor) license for Golden Dragon Chinese Restaurant, located at 5920 West Greenway Road. The Arizona State application (number 12076772) was submitted by Qi Men Tang.

The 60-day deadline for processing this application is September 26, 2006. The location of the establishment will be 5920 West Greenway Road and is within the Sahuaro District, zoned C-2 (general commercial). At this location there was Lalos Greenway Restaurante from March 1992 to March 1996, Golden Dragon from December 1999 to April 2000, and Golden Dragon Chinese Restaurant from April 2000 to present. Golden Dragon Chinese Restaurant held a Series 12 license from April 2000 to March 2005 under a previous owner. This is a new license application for this Series 12 license. The population density is 4,678 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 36 as listed below:

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
6	Bar - All Liquor	5
7	Bar - Beer & Wine	5
10	Off-Sale Retail - Beer & Wine	7
12	Restaurant - All Liquor	19
	<b>Total</b>	<u>36</u>

No previous action has occurred.

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

The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department, have reviewed the application, 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.

2. LIQUOR LICENSE NO. 3-1074 TOKYO LOBBY SUSHI & GRILL

This is a request for City Council to approve a new Series 12 (Restaurant – All Liquor) license for Tokyo Lobby Sushi & Grill, located at 5795 West Bell Road No. 110. The Arizona State application (number 12076777) was submitted by Kelvin Kim.

The 60-day deadline for processing this application is September 29, 2006. The location of the establishment will be 5795 West Bell Road No. 110 and is within the Sahuaro District, zoned C-2 (general commercial). Tokyo Lobby Sushi & Grill held a Series 12 license at 5775 West Bell Road and is moving the restaurant to this location in the same commercial center. This is a new license application and a new location for

this Series 12 license. The population density is 2,377 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 40 as listed below:

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
6	Bar - All Liquor	7
7	Bar - Beer & Wine	4
9	Liquor Store - All Liquor	2
10	Off-Sale Retail - Beer & Wine	5
12	Restaurant - All Liquor	22
	<b>Total</b>	<hr/> 40

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.

3. LIQUOR LICENSE NO. 3-1075 GLENDALE QUIK MART

This is a request for City Council to approve a new Series 10 (Liquor Store – Beer & Wine) license for Glendale Quik Mart, located at 6530 West Glendale Avenue No. 100. The Arizona State application (number 10075273) was submitted by Muna Mahmoud Sheikh.

The 60-day deadline for processing this application is October 13, 2006. The location of the establishment will be 6530 West Glendale Avenue No. 100 and is within the Ocotillo District, zoned C-2 (general commercial). This establishment is over 300 feet from any school or church. At this location there was Glendale Tobacco from January 1998 to December 2003, Glendale Food Market from January 2004 to February 2004, and Glendale Quik Mart from February 2004 to present. There previously has never been a liquor license at this location. This is a new license application for this Series 10 license. The population density is 1,697 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 29 as listed below:

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
6	Bar - All Liquor	4
7	Bar - Beer & Wine	3
9	Liquor Store – All Liquor	2
10	Liquor Store - Beer & Wine	8
12	Restaurant - All Liquor	8
14	Private Club	4
	<b>Total</b>	<u>29</u>

No previous action has occurred.

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

The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department, have reviewed the application, 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. 3-1077 TACO DEL MAR

This is a request for City Council to approve a new Series 12 (Restaurant – All Liquor) license for Taco Del Mar, located at 5350 West Bell Road No. 124. The Arizona State application (number 12076787) was submitted by Lauren Kay Merrett.

The 60-day deadline for processing this application is October 13, 2006. The location of the establishment will be 5350 West Bell Road No. 124 and is within the Cholla District, zoned CSC (commercial shopping center). Taco Del Mar has operated at this location from July 2005 to present. This is an ownership change and a new license application for this Series 12 license. There previously has never been a liquor license at this location. The population density is 4,743 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 31 as listed below:

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
6	Bar - All Liquor	4
7	Bar - Beer & Wine	2
10	Off-Sale Retail - Beer & Wine	4
12	Restaurant - All Liquor	21
	<b>Total</b>	<u>31</u>

No previous action has occurred.

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

The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department, have reviewed the application, 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.

5. SPECIAL EVENT LIQUOR LICENSE FOR CITY OF GLENDALE HISPANIC HERITAGE CELEBRATION

This is a request for City Council to approve a special event liquor license for the City of Glendale's Hispanic Heritage Celebration in Murphy Park in Downtown Glendale, 58<sup>th</sup> and Glendale Avenues. The event, which will be on Saturday, September 30, 2006 from Noon to 5 p.m., is being held to continue Glendale's rich tradition of celebrating our community's Hispanic culture. The special event liquor license was submitted by Jerry McCoy.

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

No previous action has occurred.

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

6. LICENSE, MANAGEMENT AND OPERATIONS AGREEMENT WITH GLOBAL SPECTRUM

This is a request for City Council to authorize the City Manager to enter into a three-year License, Management, and Operations Agreement (Agreement) with Global Spectrum to manage and operate the Youth Sports Complex (Complex) located at the northwest corner of Bethany Home Road and 91<sup>st</sup> Avenue.

The opening of the Youth Sports Complex addresses Council goals adopted in the Development and Disposition Agreement (9/3/2002), which specified the city's obligation to construct Youth and Amateur Sports Fields that also would serve as turf parking for the Glendale Stadium (Stadium).

The Complex serves to further the goals detailed in the 2002 Parks and Recreation Master Plan that call for additional "Special Use Parks and Facilities" to serve targeted groups and to provide new amenities to minimize the current high level of users on neighborhood parks.

Management of the Complex by Global Spectrum meets the Council's goals of providing high-quality services for youth and citizens through fiscally sound management practices.

Council goals of encouraging public/private partnering are well addressed at the Complex through beneficial relationships with the Stadium, Arizona Sports and Tourism Authority (AZSTA), Fiesta Bowl, Global Spectrum and community sports groups.

The Agreement with Global Spectrum will provide quality management and efficient operation of the Complex during youth and amateur sports activities, games, special events, Arizona Cardinals game day parking and AZSTA events.

Global Spectrum is the premier private management company in the facility management industry. It manages sports complexes, arenas, universities, ice facilities, and convention centers throughout the country and currently manages and operates the Stadium. The Complex, which is adjacent to the Stadium, is the location where the city is contractually obligated to provide youth and amateur sports fields and turf parking for Stadium events.

The city followed its customary procurement process by identifying the experience and expertise required to manage and maintain a property of this nature. City staff members evaluated the estimated cost and/or benefit of internal versus external management and maintenance of the facility. The examination of other benefits included a review of the legal requirements, opportunities for partnerships, and revenue generation. In March OF 2004, Global Spectrum was selected through a competitive process by AZSTA to manage the adjacent Stadium. As a result, it is possible to contract with Global Spectrum through our cooperative procurement agreements. The economies of scale, benefits of on-site coordination and their extensive experience in operating facilities of this type, makes it economically advantageous to contract these services to Global Spectrum.

The agreement between Glendale and Global Spectrum will allow Global Spectrum to exclusively manage, maintain, operate, and promote the use of the Complex. When the fields are not being used for Cardinals, Fiesta Bowl, or Mega Event parking the primary purpose of the Complex will be to provide community youth sports activities such as football and soccer practices, games, tournaments, and regional semi-final and final championship games. Global Spectrum will be responsible for the scheduling and booking of all events that take place within the Complex, with the exception of six city events per year. The six city events will be a mix of youth activities and special events such as Cinco de Mayo, Fiestas Patrias, Fiesta Bowl parties, and other related activities.

The Complex offers an excellent opportunity to address community recreation needs and provides required parking for the Stadium. Outside funding for the Complex came from AZSTA (\$1,000,000), Fiesta Bowl (\$500,000), and the Insight Bowl, which provided the turf. Global Spectrum will manage and market the Complex within the

parameters of the Parks and Recreation Master Plan guidelines that call for an open field allocation process, comparable fees for field usage, and access to the Complex for the public when the fields are not otherwise scheduled. Global Spectrum will provide a city-required annual audit by an independent public accountant showing operating costs, gross revenues and net revenues.

The Youth Fields Complex will provide excellent new recreational amenities for Glendale citizens, community sports groups and provide relief at neighborhood parks for ongoing demand to book and host regular team play.

Global Spectrum can provide management and maintenance services while also providing the ability to share in net revenues generated. They can provide management and maintenance services for \$187,000 annually due to economies of scale related to its proximity. In addition, the city will receive 40% of all net revenues generated at the Complex.

The Global Spectrum agreement will provide quality management and maintenance of a public facility coordinated with the management of the adjacent Stadium, improved customer service for users and potential revenues for the city.

The agreement identifies an annual payment of \$187,000 to Global Spectrum for maintenance, management and operations activities on the site. Contract payments are budgeted in Fiscal Year 2006-07 in the operating budget for the Parks and Recreation Department. Ongoing costs for water and utility services are included in the Parks and Recreation Department and Field Operations Department budgets.

Revenues from the site will be deposited to the fund established for stadium-related activities, Stadium-Parks Central District, fund 1280.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
			X		\$187,000

**Account Name, Fund, Account and Line Item Number:**  
 Stadium-Parks Central District, Account No. 1280-13290-518200

The recommendation was to authorize the City Manager to enter into the License, Management, and Operations Agreement with Global Spectrum to maintain, operate, and manage the Youth Sports Complex in an amount not to exceed \$187,000 annually for three years.

7. FINAL PLAT APPLICATION FP06-03: THE ESTATES AT 73<sup>RD</sup> – 7320 WEST CLAREMONT STREET

This is a request by MSE Corp. for City Council to approve the final plat for The Estates at 73<sup>rd</sup>, a Planned Residential Development (PRD) located at 7320 West Claremont Street.

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.

The Estates at 73<sup>rd</sup> is a 15-lot single-family subdivision on 4.55 acres with a density of 3.3 dwelling units per acre. Lot sizes vary from 8,482 square feet to 12,836 square feet with an average lot size of 9,126 square feet. The proposed minimum lot width is 60 feet, and the proposed minimum lot depth is 110 feet.

On November 22, 2005, Council approved Rezoning Application ZON05-07.

On October 20, 2005, the Planning Commission approved Rezoning Application ZON05-07 and Preliminary Plat application PP05-04 for this subdivision.

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

A neighborhood meeting was held on January 26, 2005. Of the 429 people invited to the meeting, nine property owners and interested parties attended. Issues discussed included access to Griffin Avenue, single-story restrictions on lots, sewer connection on Claremont Street only, and the heights of subdivision walls.

At the October 20, 2005 Planning Commission hearing, one person spoke in support of the request.

The recommendation was to approve Final Plat application FP06-03.

8. AUTHORIZATION TO INCREASE BLANKET PURCHASE ORDER FOR TURNOUT GEAR

This is a request for City Council to approve an increase to the spending capacity of the Fire Department's existing blanket purchase order contract #05-39 for turnout gear by \$60,000. This increase will enable the purchase of grant-funded structural firefighter protective clothing for the Rapid Response Team (RRT) using the blanket purchase order.

One of Council’s goals is ensuring public safety and awareness. This purchase will assist in achieving that goal should a major incident occur in the city.

The State Homeland Security Grant Program (SHSGP) and Urban Area Security Initiative (UASI) Program are funded through the United States Department of Homeland Security. As a SHSGP and UASI Program participant, the Fire Department is tasked with providing an emergency response and mitigation plan for protection against possible weapons of mass destruction, chemical, biological, radiological, nuclear, and explosive attacks. The grant funds will provide structural firefighter protective clothing for the RRT located at Fire Station 159. Engine 159 is equipped with one set of turnouts for when the RRT firefighters respond in the engine. But, when these firefighters respond in the RRT heavy rescue vehicle, they must first transfer all of their turnout gear out of the engine, into the other vehicle, which delays their response, and could result in a piece of equipment being damaged or left behind.

The vendor contract #05-39 to provide Fire Department turnout gear, was awarded to Total Fire Group at the February 28, 2006 City Council meeting. The original spending limit of the Fiscal Year 2006-07 blanket purchase order for turnout gear is \$95,000. This request will increase the limit by \$60,000 for this fiscal year.

On February 28, 2006, Council approved bid award 05-39 for firefighter turnout gear to Total Fire Group.

Purchase of this equipment will reduce emergency response time for the Rapid Response Team within our city. Currently, when responding on the Rapid Response Team, crews must move all structural firefighting protective clothing from the fire engine to the Rapid Response Team vehicle. This procedure increases the amount of time required for the Rapid Response Team to leave the fire station and delays emergency response for our citizens.

The original spending limit of the Fiscal Year 2006-07 blanket purchase order for turnout gear is \$95,000. This request will increase the limit by \$60,000 for this fiscal year.

The one-time costs associated with this purchase for \$60,000 is contained within SHSGP and UASI funding. The ongoing costs associated with maintenance and replacement of the protective clothing will be covered by the Fire Department’s rescue gear maintenance and replacement budget approved in the Fiscal Year 2006-07 budget process.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X			X		\$60,000

<b><u>Account Name, Fund, Account and Line Item Number:</u></b> 2005 SHSGP Sustain Regnl RRT Equip, Account No. 1840-34032-521000, \$25,000 2005 UASI – Fire, Account No.1840-34027-521000, \$35,000
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The recommendation was to authorize the City Manager to increase the existing blanket purchase order contract #05-39 by no more than \$60,000 for the purchase of additional turnout gear.

9. AWARD OF BID 06-33, BARRICADE RENTAL SERVICES

This is a request for City Council to approve the bid award to Bob's Barricades, Inc. for the rental and purchase of barricades for one year with an option for four, one-year extensions in an amount not to exceed \$96,329.50 annually.

Various city departments, including but not limited to, Utilities, Field Operations and Marketing, will use this blanket purchase order when responsible for providing barricades for city-initiated and managed projects such as street repairs, water-main repairs, construction projects, special events management, etc.

One of Council's goals is to provide high quality services for citizens. Providing barricade services will enhance vehicular and pedestrian traffic safety and mobility by minimizing unauthorized and improper street and sidewalk uses.

By using this contract, the city reduces the need to keep a large inventory of new materials and spare parts as well as saving on labor for the setup, takedown and repair of various traffic control devices.

The current contract with Bob's Barricades, Inc. for barricade rental services expires in September 2006. In order to continue to provide this service, bids were advertised in the *Glendale Star*, Bid Source, Dodge Reports, many chambers of commerce, and on the city's website. Six bids were received and Bob's Barricades Inc. was the lowest responsive bidder.

The bid award shall begin upon approval by Council and will continue for one year. 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 September 10, 2001, an award was made for barricade rental services. This contract expired on September 9, 2006, with no further extensions or renewals available. The new contract will become effective upon Council approval.

The amount is budgeted in various city departments' operating budgets.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$96,329.50

The recommendation was to award the bid to Bob's Barricades, Inc. for the rental and purchase of barricades in an amount not to exceed \$96,329.50.

10. AWARD OF PROPOSAL 06-30, WATER QUALITY LABORATORY INSTRUMENT

This is a request for City Council to award proposal 06-30 and authorize the purchase of a water quality instrument for the laboratory.

The instrument will be used to ensure compliance with new, more stringent State and Federal requirements associated with the Safe Drinking Water Act (SDWA). Currently, the city does not have a water-quality testing instrument capable of measuring for several metal contaminants at the required levels specified in the State and Federal regulations. The purchase of the new instrument will allow the city to conduct metals compliance testing in-house using city chemists. Water quality testing of these metals is currently contracted out to commercial laboratories.

Three offers were received in response to the city's request for proposal (RFP) 06-30 for the purchase of the instrument. A committee, consisting of two staff personnel from the city's Water Quality Laboratory, an analyst from the City of Mesa Compliance Laboratory, and an analyst from the State of Arizona Department of Agriculture Laboratory, reviewed the offers received. The committee used specific evaluation factors, which included: compliance with specifications, customer support, references and overall cost. PerkinElmer LAS, Inc. submitted the offer scored highest by the committee.

The instrument will be used to regularly monitor and ensure the safety of the city's drinking water and compliance with the Safe Drinking Water Act. In addition, in-house analysis can be performed more quickly and with less expense than using a contract laboratory service. This results in the added assurance of the safety of the city's drinking water, and savings to the taxpayers.

Funding is available in Fiscal Year 2006-07, Water Quality Instruments.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$159,485

**Account Name, Fund, Account and Line Item Number:**

Water Quality Instruments, Account No. 2360-60001-551400

The recommendation as to award proposal 06-30 to PerkinElmer LAS, Inc. and authorize the purchase of the water-quality testing instrument in the amount not to exceed \$159,485.

11. AWARD OF CONTRACT – CATLIN COURT HISTORIC DISTRICT  
STREETSCAPE IMPROVEMENTS

This is a request for City Council to award a contract to Sunburst Landscaping, Inc., in an amount not to exceed \$234,846.22, for the construction of streetscape improvements, within the Catlin Court Historic District.

As part of its commitment to revitalizing and preserving older neighborhoods, Council established the Neighborhood Grants Program and the Citizens' Advisory Commission on Neighborhoods to make funding recommendations on neighborhood enhancement and revitalization projects. The streetscape improvements proposed for the Catlin Court Historic District are consistent with the policies of the Neighborhood Grants Program. Additionally, this streetscape project is consistent with the City Center Master Plan goal of encouraging safe pedestrian and vehicular circulation within the City Center Area.

The Catlin Court Historic District streetscape improvements will include the installation of handicap curb cuts, trees, and an irrigation system in various rights-of-way within the boundaries of 58<sup>th</sup>, 59<sup>th</sup>, Myrtle and Gardenia Avenues. Residents of the Catlin Court Historic District Neighborhood Association initiated this project through the Neighborhood Improvement Grants Program. Sources of funding for the project include a Community Development Block Grant (CDBG), a Neighborhood Improvement Grant and Downtown Pedestrian Circulation funds. On August 24, 2006, the Engineering Department received and opened five bids for the project and Sunburst Landscaping, Inc., a qualified licensed contractor, submitted the lowest responsive bid in the amount of \$234,846.22.

Catlin Court Historic District residents, as well as all Glendale residents and tourists who participate in the many community events held in the downtown area, will benefit from enhanced pedestrian safety and visual appeal as a result of the streetscape improvements.

Council approved a CDBG funding on April 13, 2004 and Neighborhood Improvement Grant funding on December 14, 2004 for the Catlin Court Historic District Neighborhood streetscape improvements, based on recommendations made by both the Community Development Advisory Committee and the Citizens' Advisory Commission on Neighborhoods.

Neighborhood Improvement Grant funds in the amount of \$45,334 and CDBG funds in the amount of \$129,147.10 are available to support the construction of this project. Downtown Pedestrian Circulation funding in the amount of \$71,000 is also available.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$234,846.22

**Account Name, Fund, Account and Line Item Number:**  
 Neighborhood Improvement Grant, Account No. 1000-15120-551200  
 CDBG Programs, Account No.1320-31001-518200  
 Downtown Pedestrian Circulation, Account No. 2210-65027-550800

The recommendation was to authorize the City Manager to award the construction contract to Sunburst Landscaping, Inc., in the amount of \$234,846.22, and authorize the use of Downtown Pedestrian Circulation funds for this project in an amount not to exceed \$71,000.

12. AWARD OF REQUEST FOR PROPOSAL 06-36 FOR A ROADWAY STRIPER TRUCK

This is a request for City Council to approve the purchase of one roadway striper truck used for applying roadway striping on city streets.

This replacement roadway striper truck promotes the quality of life for Glendale residents by providing the equipment needed to effectively maintain city streets.

Federal guidelines require the City of Glendale to stripe all streets and roads within the city's jurisdiction. Roadway striping helps drivers correctly position their vehicle within a driving lane, and guides drivers through many different situations. Striping also directs where passing is allowed, and warns drivers of upcoming traffic conditions.

The Transportation Department is currently using a 1992 striper truck to stripe over 550 miles of roadway throughout the City of Glendale. Over the past three years the occurrence of mechanical breakdowns, due to the age and natural wear of the vehicle, have consistently increased. The condition of the current equipment has seriously hampered the ability to meet roadway-striping requirements. The striper truck was down mechanically an average 50% of the time during Fiscal Year 2005-06. New technologies in paint and striping trucks will allow the department to paint year round with minimal downtime.

Three proposals were received, and an evaluation panel, consisting of staff from the Transportation and Field Operations Departments, reviewed the offers received. Specific evaluation factors included: cost, compliance with specifications, ability to provide parts and service, warranty and ability to honor warranties, and delivery schedule. Freightliner Sterling Western Star of Arizona submitted the offer that scored the highest and was the unanimous recommendation of the panel for award of the request for proposal (RFP).

The new equipment will replace the 1992 Ford truck currently in service. The existing equipment will be used as a trade-in credit in the amount of \$20,000.

Funding for this vehicle was included in the Fiscal Year 2006-07 equipment replacement budget for the Vehicle Replacement Fund. The Transportation Department budgeted funds in Fiscal Year 2006-07 for equipment upgrades not included in the Vehicle Replacement Fund.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$297,325

<p><b><u>Account Name, Fund, Account and Line Item Number:</u></b>            Equipment Replacement, Account No. 1120-13610-551400, \$208,000            Traffic Signals, Account No. 1340-16810-551400, \$89,325</p>
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The recommendation was to award the request for proposal for the purchase of a truck mounted highway striper to Freightliner Sterling Western Star of Arizona in an amount not to exceed \$297,325.

14. YOUTH FOOTBALL HUB GRANT

This is a request for City Council to accept a three-year grant in the amount of \$150,000 from the National Recreation and Park Association as one of five Youth Football Hubs in the country.

The grant supports the Council’s strategic goal to provide high-quality services for our citizens. It also addresses several strategic priorities, including coordinating exceptional service delivery through an integrated approach, strengthening community relationships, creating new partnerships, and enhancing the quality of life for Glendale residents.

Staff recently submitted a grant application to the National Recreation and Park Association (NRPA) to be selected as one of five Youth Football Hubs in the country. NRPA, in partnership with USA Football (charitable arm of NFL Youth Charities), has developed a grant-funded program that improves the quality of youth football programming, expands youth development through sports, and promotes healthy lifestyles. One of the grant’s major criteria included selecting park and recreation agencies that share a similar vision in being a catalyst for improving the quality of youth sports overall, and through this initiative, youth football specifically.

Staff has been notified that Glendale was selected as one of the five youth football hubs. The other locations include: Howard County, Maryland; Charlotte/Mecklenburg County, North Carolina; Fort Collins, Colorado; and Minneapolis/St. Paul, Minnesota.

The “Youth Football Hub” program will provide national recognition for Glendale as one of five communities in the country leading this effort, as well as providing each community access to national experts through the NRPA partnership with USA Football for strategic planning and technical assistance, staff training, promoting the growth of youth football programming and community partnerships.

The partnership with National Recreation and Park Association and USA Football enhances the opportunities for community participation in existing youth football programs and the growth of those programs. Youth football promotes youth development by learning teamwork, confidence, respect, sportsmanship, and an active lifestyle.

As a result of the community input process, the 2002 Parks and Recreation Master Plan strategies included cooperating with other public and private entities to develop, maintain and share use of recreational opportunities. In addition, the plan identified the creation of alliances, partnerships, and sponsorship functions to consolidate and coordinate efforts in the department to create more revenues.

There is no financial match required for this three-year grant. The grant funding will provide \$50,000 per year to hire one FTE. A Youth Football Coordinator position will be created for the three-year grant period. This position’s major areas of focus will include engaging youth football leaders in a cooperative effort to increase participation and improve quality coaching, programming and facility infrastructure.

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

**Account Name, Fund, Account and Line Item Number:**

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

The recommendation was to authorize the City Manager to accept the National Recreation and Park Association Youth Football Hub Grant in the amount of \$150,000.

**CONSENT RESOLUTIONS**

16. INDUSTRIAL DEVELOPMENT AUTHORITY PROJECT FINANCING FOR MIDWESTERN UNIVERSITY

This is a request for City Council to adopt a resolution approving the proceedings of the Industrial Development Authority (IDA) of the City of Glendale for the issuance of its revenue bonds in an aggregate principal amount not to exceed \$75,000,000 at any one time outstanding, for the benefit of Midwestern University (Midwestern).

Educational institutions such as Midwestern are essential in promoting economic development. The presence of an institution such as Midwestern enhances the quality of life for the citizens of Glendale, adds capital investment dollars, and strengthens the image of the city.

The IDA is empowered to issue bonds and loan the proceeds from the sale of bonds to finance "projects" as defined in A.R.S. § 35-701. Facilities for a nonprofit 501(c)(3) educational institution that is not otherwise funded with state monies constitute a "project" within the meaning of the statute. A "project" may be within or without the State of Arizona so long as the Board of Directors of the IDA finds that the financing of a "project" located outside Arizona will provide a benefit within the state.

Midwestern is an Illinois not-for-profit corporation recognized as an exempt organization under Section 501(c)(3) of the Internal Revenue Code. It is a private educational institution and is not funded with state monies. As a non-profit, it is exempt from the Arizona volume cap meaning that debt issuance by Midwestern will not restrict other entities from private activity bond financing.

Midwestern has owned and operated a medical school in Illinois for over a hundred years. In the mid 1990's Midwestern decided to open a new medical school and selected Glendale as the site for the new school.

In 1996, Midwestern opened a new medical school located on the east side of north 59<sup>th</sup> Avenue, south of the Loop 101, with 100 full-time students. For the fall of 2006, the Glendale campus will have an enrollment in excess of 1,380 full-time students.

The project to be financed, refinanced or reimbursed with the proceeds of the bonds (together with other monies provided by Midwestern) shall consist of the following:

The acquisition, construction, renovation and equipping of facilities for the development of Midwestern's new College of Dental Medicine, as well as the expansion of the Arizona College of Osteopathic Medicine, the development of new programs and the growth of existing programs, including new clinical educational facilities, an auxiliary central plant, the administration building, the research laboratory, one or more classrooms and/or auditorium buildings, the student center, the student recreation center, one or more dental clinics, parking facilities, renovations of existing facilities and land improvements.

The demolition, acquisition, construction, renovation and equipping of facilities throughout the campus at Downer's Grove, Illinois, including the student wellness and recreation center, the administration center and the central plant, as well as renovations of existing facilities and miscellaneous land improvements.

Midwestern is projecting that the cost of the overall project will be approximately \$178 million, spread over a six-to-eight year period. Approximately \$148 million of the costs will be associated with the Glendale campus and approximately \$30 million will be for the Downer's Grove campus. At the August 24<sup>th</sup> IDA meeting, Midwestern representatives committed that these bond proceeds would not be used for dental school clinics outside of Glendale, unless the IDA provided further approval.

The benefit of this bond program to Midwestern is that it can effectively borrow, at any point, only the immediate funds it needs for the project financing. It will be borrowing on a short-term basis and since the bonds will be tax-exempt, this will afford Midwestern the most attractive borrowing terms available. Also, by having a single financing through the IDA, rather than one in Arizona and a second in Illinois, Midwestern will benefit through both interest rate and cost of issuance savings.

Under the provisions of A.R.S. § 35-271.B., the proceedings of the IDA for its issuance of bonds require the approval of the Council, as the governing body of the IDA.

In 2004, 2001, 1998 and 1996, the Council approved IDA revenue bonds to assist Midwestern in financing the development of the improvements that comprise the Glendale campus.

Midwestern has brought medical and health care education programs to the citizens of Glendale. The school sponsors community service projects, including health fairs and health awareness seminars, medical care for homeless individuals and physicals for high school athletes. The students, faculty, and staff provide health-related services, screenings, and charity drives free of charge to the community. Midwestern has added to Glendale's quality of life by creating quality jobs and offering educational programs and services.

The IDA held public meetings on August 24, 2006 and September 20, 2006 to consider granting approval for the financing and to adopt the necessary bond resolution. Also the public hearing required by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) was held on September 19, 2006.

Under the provisions of A.R.S. § 36-832, the city is not liable or obligated for the payment of the debt obligations issued by the IDA.

The recommendation was to waive reading beyond the title and adopt a resolution approving the proceedings of the Industrial Development Authority for the issuance of its revenue bonds, in an aggregate principal amount not to exceed \$75,000,000 at any one time outstanding, for the benefit of Midwestern University.

Resolution No. 3984 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 THE ISSUANCE FROM TIME TO TIME BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF GLENDALE, ARIZONA OF ITS REVENUE BONDS TO BE DESIGNATED “COMMERCIAL PAPER REVENUE NOTES (MIDWESTERN UNIVERSITY FINANCING PROGRAM),” IN AN AGGREGATE PRINCIPAL AMOUNT AT ANY ONE TIME OUTSTANDING NOT TO EXCEED \$75,000,000.**

17. INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR FIXED ROUTE BUS SERVICES

This is a request for City Council to authorize the City Manager to enter into an intergovernmental agreement (IGA) with the City of Phoenix (Contract Change Order No. 8) for the continued operation of fixed route bus services in the City of Glendale.

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

For over 25 years, fixed route bus service has been provided in Glendale through an agreement with the City of Phoenix. The agreement will provide continuation of current levels of fixed route bus service to the citizens of Glendale. Bus service is provided with funds from the GO Glendale Transportation Plan.

This is an annual IGA approved by Council to provide fixed route services in Glendale. This agreement was last approved by Council on September 13, 2005.

This contract provides citizens of Glendale with all or part of the bus service on Bethany Home Road, Glendale Avenue, Northern Avenue, Olive Avenue, Peoria Avenue, Thunderbird Road, Bell Road, Union Hills Drive, 51<sup>st</sup> Avenue, 59<sup>th</sup> Avenue, and 67<sup>th</sup> Avenue every half-hour, Monday through Saturday from approximately 5 a.m. to 10 p.m. with hourly service on Sundays and holidays. Fixed route service was provided to more than two million riders in Glendale last year.

The cost for Fiscal Year 2006-07 Change Order No. 8 is \$2,982,197. The amount is budgeted in the Fixed Route division of the GO Transportation Program, account number 1660-16540-518200.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$2,982,197

<b><u>Account Name, Fund, Account and Line Item Number:</u></b> Fixed Route, Account No. 660-16540-518200 \$2,982,197
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The recommendation was to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement (Contract Change Order No. 8) with the City of Phoenix for the continued operation of fixed route bus services in Glendale in an amount not to exceed \$2,982,197.

Resolution No. 3985 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF CONTRACT CHANGE ORDER NO. 8 TO THE TRANSIT SERVICE AGREEMENT WITH THE CITY OF PHOENIX FOR THE PROVISION OF PUBLIC TRANSPORTATION SERVICES.**

18. INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY TO PROVIDE SPECIAL TRANSPORTATION SERVICES

This is a request for City Council to approve an intergovernmental agreement with Maricopa County Special Transportation Services (STS) to provide transit services to the citizens of Glendale.

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

This agreement with Maricopa County is to provide special transportation services to persons traveling outside of Glendale. The agreement provides up to 2,146 trips, at a cost of \$16.86 per trip, not to exceed \$36,182.

Maricopa County STS provides an affordable transit option to elderly, low-income and disabled citizens in Glendale needing transportation to destinations outside the city for social, medical or employment purposes. The service reduces the need for passengers to transfer from one city service to another at city boundaries.

Funds for this program are budgeted in the Fixed Route division of the GO Transportation Program account number 1660-16540-518200 in the amount of \$36,182.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
			X		\$36,182

**Account Name, Fund, Account and Line Item Number:**  
 Fixed Route, Account No. 1660-16540-518200 \$36,182

The recommendation was to waive reading beyond the title and adopt a resolution authorizing the City Manager to sign any and all documentation entering into an intergovernmental agreement with Maricopa County Special Transportation Services for the provision of transit services in an amount not to exceed \$36,182.

Resolution No. 3986 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY HUMAN SERVICES DEPARTMENT FOR A SPECIAL TRANSPORTATION SERVICES PROGRAM.**

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

This is a request for City Council to authorize the purchase of seven properties to complete Glendale Onboard (GO) intersection improvement projects at a total cost of \$161,605.

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

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

The seven properties needed for acquisition are described below:

Southwest Corner of Glendale and 80<sup>th</sup> Avenues

Strada at Glendale, LLC, owner of property located at the southwest corner of Glendale and 80<sup>th</sup> Avenues, will sell approximately 253 square feet of property towards improvements at this intersection. In addition, the property owner is willing to grant a temporary easement to the city on the property for construction of improvements. The property owner will be compensated a total of \$1,400 for the right-of-way. Closing costs for this property are \$680.

Southeast Side of 51<sup>st</sup> and Peoria Avenues (Parcel 148-05-001D)

William J. and Joyce L. Rasmussen, owners of property located along the southeast side of 51<sup>st</sup> and Peoria Avenues, will sell approximately 1,855 square feet of property towards improvements at this intersection. In addition, the property owner is willing to grant a temporary easement for the city on the property for construction of improvements. The property owner will be compensated a total of \$46,375 for the right-of-way. Closing costs for this property are \$1,325.

Southeast Side of 51<sup>st</sup> and Peoria Avenues (Parcel 148-05-001E)

William J. and Joyce L. Rasmussen, owners of property located along the southeast side of 51<sup>st</sup> and Peoria Avenues, will sell approximately 1,002 square feet of property towards improvements at this intersection. In addition, the property owner is willing to grant a temporary easement for the city on the property for construction of improvements. The property owner will be compensated a total of \$16,500 for the right-of-way. Closing costs for this property are \$1,325.

Southeast Side of 51<sup>st</sup> and Peoria Avenues (Parcel 148-05-001G)

William J. and Joyce L. Rasmussen, owners of property located along the southeast side of 51<sup>st</sup> and Peoria Avenues, will sell approximately 250 square feet of property towards improvements at this intersection. In addition, the property owner is willing to grant a temporary easement for the city on the property for construction of improvements. The property owner will be compensated a total of \$3,750 for the right-of-way. Closing costs for this property are \$1,325.

Southeast Side of 51<sup>st</sup> and Peoria Avenues (Parcel 148-05-001H)

William J. and Joyce L. Rasmussen, owners of property located along the southeast side of 51<sup>st</sup> and Peoria Avenues, will sell approximately 1,108 square feet of property towards improvements at this intersection. In addition, the property owner is willing to grant a temporary easement for the city on the property for construction of improvements. The property owner will be compensated a total of \$12,200 for the right-of-way. Closing costs for this property are \$1,325.

Southeast Side of 51<sup>st</sup> and Peoria Avenues (Parcel 148-05-001J)

William J. and Joyce L. Rasmussen, owners of property located along the southeast side of 51<sup>st</sup> and Peoria Avenues, will sell approximately 1,000 square feet of property towards improvements at this intersection. In addition, the property owner is willing to grant a temporary easement for the city on the property for construction of improvements. The property owner will be compensated a total of \$16,500 for the right-of-way. Closing costs for this property are \$1,325.

Southeast Side of 51<sup>st</sup> and Peoria Avenues (Parcel 148-05-001K)

William J. and Joyce L. Rasmussen, owners of property located along the southeast side of 51<sup>st</sup> and Peoria Avenues, will sell approximately 3,750 square feet of property towards improvements at this intersection. In addition, the property owner is willing to grant a temporary easement for the city on the

property for construction of improvements. The property owner will be compensated a total of \$56,250 for the right-of-way. Closing costs for this property are \$1,325.

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

GO Program improvements are being made to streets, transit, and pedestrian facilities. These projects will provide new pedestrian facilities along Peoria Avenue.

The GO Program provides multiple opportunities for public input. This year, an annual report was sent to all Glendale households, a transportation fair was held on April 9, 2006, and a community meeting for the annual report was held on April 19, 2006. A final design public meeting for the street improvements at the intersection of Glendale and 80th Avenues was held on April 28, 2004.

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

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$161,605

**Account Name, Fund, Account and Line Item Number:**

51<sup>st</sup>/ Camelback to Peoria, Account No. 2210-65010-550400 \$161,605

The recommendation was to waive reading beyond the title and adopt a resolution authorizing the City Manager to execute all documents necessary to purchase the rights-of-way for the Glendale Onboard (GO) Transportation Program.

Resolution No. 3987 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ACQUISITION OF PROPERTY AS RIGHT-OF-WAY FOR INTERSECTION IMPROVEMENTS FOR THE GLENDALE ONBOARD TRANSPORTATION PROGRAM; AND DIRECTING THE EXECUTION OF ANY DOCUMENTS NECESSARY TO EFFECTUATE SAID PURCHASE.**

It was moved by Eggleston and seconded by Martinez, to approve the recommended actions on Consent Agenda Item Nos. 1 through 12, 14 and 16 through 19, including the approval and adoption of Resolution No. 3984 New Series, Resolution No. 3985 New Series, Resolution No. 3986 New Series, and Resolution No. 3987 New Series; and to forward Liquor License Application No. 3-1073 for Golden Dragon Chinese Restaurant, Liquor License Application No. 3-1074 for Tokyo Lobby Sushi & Grill, Liquor License Application No. 3-1075 for Glendale Quik Mart, and Liquor License Application No. 3-1077 for Taco Del Mar;

**and Special Event Liquor License Application for the City of Glendale's Hispanic Heritage Celebration in Murphy Park in Downtown Glendale, 58<sup>th</sup> and Glendale Avenues, on September 30, 2006, to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.**

13. PROFESSIONAL SERVICES AGREEMENT – NEW RIVER AND GRAND CANAL MULTI-USE PATHWAYS

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

This is a request for City Council to approve a professional services agreement in an amount not to exceed \$756,430 with CH2M Hill, Inc. for design services for multi-use pathways along New River from Northern Avenue to the Bethany Home Road Outfall Channel and along the Grand Canal from Loop 101 to New River.

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

In November of 2001, Glendale voters approved the half-cent transportation sales tax package, including a ballot map of bicycle and pedestrian projects which identified a multi-use pathway along the Grand Canal from just east of Loop 101 to New River and along New River from Northern Avenue to just south of Bethany Home Road.

The New River pathway is included in the West Valley Multimodal Transportation Corridor Master Plan prepared by the Maricopa Association of Governments in July of 2001. The Grand Canal pathway is part of the Regional Off-Street System Plan prepared by the Maricopa Association of Governments in January of 2001 and is also identified as a bicycle facility in the Bicycle Plan for the City of Glendale.

This project will be another step in the completion of a multi-use pathway system in Glendale. It will connect the existing Grand Canal pathway to Glendale's planned New River multi-use pathway. Glendale's existing Thunderbird Paseo and Skunk Creek pathways will also connect to the Grand Canal pathway via planned trails along the New River in Glendale and Peoria, which will provide a direct connection to the Grand Canal pathway in Glendale. Once completed, Glendale will have one of the premier off-street pathway systems in the Valley and provide citizens with transportation options.

A notice for a Request for Qualifications was sent out to contracting firms and 52 proposals were received. Twelve firms were interviewed during the week following April 18, 2006. The interview committee, consisting of staff from the Engineering and Transportation Departments, selected CH2M Hill, Inc. as the best-qualified firm to perform the required services.

This design contract with CH2M Hill, Inc. will provide preliminary design, final design and post design services for two separate multi-use pathway projects that are being combined into one project.

On August 29, 2006, Council authorized an application for 2006 Transportation Enhancement funds and acceptance of the grant award to extend the Grand Canal pathway from Loop 101 to the New River.

The Final Design Memorandum entitled "Bicycle/Pedestrian Improvements for New River Between Northern Avenue and the Bethany Home Outfall Channel" and dated June 21, 2006 was prepared by URS, the general engineering consultant for the GO Transportation Program. URS also prepared the Final Design Memorandum entitled "Bicycle/Pedestrian Improvements for Grand Canal between the Loop 101 Freeway and New River" dated June 7, 2006.

Council approved funds for the project in the Fiscal Year 2007-08 Capital Improvement Program budget.

Allowing users of the multi-use pathways to avoid busy arterial streets in the area will enhance users' safety. Construction of the Grand Canal segment will provide an important link in the City of Glendale's bicycle system.

In 2001, voters approved a half-cent transportation sales tax ballot, which included this project. The project has also been reviewed and approved for inclusion in the GO Transportation Program by the Citizen Bicycle Advisory Committee and the Citizens Transportation Oversight Commission.

The total cost for design services is \$756,430. To facilitate payment a transfer is required from 95<sup>th</sup> Ave. Maryland-BH Road, Account No. 2210-65059-552000 (\$482,377) to Grand Canal Multi-use Pathway from Loop 101 to New River, Account No. 2210-65030-551200 (\$327,067) and New River – Multi-Use Pathway, Account No. 2210-65063-551200 (\$155,310).

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$756,430

<b><u>Account Name, Fund, Account and Line Item Number:</u></b>
Grand Canal Multi-use Pathway from Loop 101 to New River, Account No. 2210-65030-551200, \$378,215
New River – Multi-Use Pathway, Account No. 2210-65063-551200, \$378,215

The recommendation was to authorize the City Manager to enter into a professional services agreement with CH2M Hill, Inc. in an amount not to exceed \$756,430.

In response to a question by Councilmember Eggleston, Mr. Mehta provided additional clarification as to how the funds would be used. He added the department will be applying for federal grant funding as well as other grants that are available for the completion of the project. It will be slated to come in next year. He indicated that the total project cost would be close to 1 Million Dollars. He mentioned that the additional cost for extension of the trail system and other components would cost close to 3 Million Dollars.

Councilmember Eggleston stated he would like to reevaluate the project further before the construction phase comes forward. He voiced his opposition to the project until he is fully informed.

Mayor Scruggs indicated that they would be approving the design phase first and would deal with the construction aspect next year. She recognized the fact that they need to have the plans ready for when additional funding is generated.

Councilmember Lieberman asked if they had received the \$500,000 requested. Mr. Mehta said they had not. Councilmember Lieberman asked if they had funds specifically allocated for this project or would they have to transfer funds from other projects. Mr. Mehta stated that it was necessary to transfer funds for this resolution. He stated that funding recommended from CTOC was \$4.3 Million with \$1 Million in secured federal funds.

Councilmember Clark stated the project had been previously identified for funding by the city. She further added that this transportation project has been previously approved by the citizens. Mr. Mehta verified this concept has been in the Glendale Transportation Plan and MAG's Multimodal Transportation Corridor Master plan for years.

Mayor Scruggs stated that she wanted to fully understand the funding sources. She asked if they were taking from another project or do they have excess funds from other projects. Mr. Mehta stated that the funds can safely be transferred and not affect other projects.

Councilmember Lieberman said he was confused about the amount of money in the different accounts. He indicated he ended up with a larger amount than being asked to approve. Mr. Mehta noted that most of the money was already in the account, and staff was asking only for the difference. He further added that the difference would come from a transfer that would be split between two trail projects.

**It was moved by Clark and seconded by Lieberman, to authorize the City Manager to enter into a professional services agreement with CH2M Hill, Inc. in an amount not to exceed \$756,430. Ayes: Clark, Goulet, Lieberman, Scruggs, Martinez. Nay: Eggleston. The motion carried.**

15. AWARD OF CONSTRUCTION CONTRACT - WESTERN AREA REGIONAL PARK SKATE COURT

Ms. Becky Benná, Parks and Recreation Director, presented this item.

This is a request for City Council to approve a contract with CA Landscape & Design doing business as CA Skateparks for the construction of the western area regional park skate court, located on the northeast corner of 83<sup>rd</sup> Avenue and Bethany Home Road and is the final improvement for Phase I.

These improvements are consistent with the Council approved Parks and Recreation Master Plan goals of providing social benefits by connecting people within the community, promoting physical fitness, and self-improvement. The improvements also meet the Council's strategic goal of providing high-quality services for citizens.

Public meetings were conducted in late 2003 to solicit community input on the design of the skate court facility. At that time, attendees indicated interest in designing this facility to accommodate not just skateboarding and inline skating, but BMX biking as well.

In November of 2003, Council awarded a contract to construct Phase I of the western area regional park. At that time, the contract did not include the construction of the skate court and concession building because of the expertise involved in developing a highly specialized facility such as a skate court. Instead, city staff chose to prescreen potential bidders and advertise the skate court separately. In addition, staff chose not to pursue awarding a bid for the skate court project until after the skate court management plan was completed and implemented, and a similar concession building was approved at Foothills Skate Court.

In September of 2005, the department completed the skate court management plan that guides staff in accomplishing the goals and objectives of this type of facility and the services provided to the community. The management plan addresses maintenance, safety, communication, programming, and operations. This plan will also be utilized for the skate court facility at the western area regional park.

In addition, a similar concession facility will be constructed adjacent to the western area regional park skate court facility. The time line for constructing the concession building will be similar to the construction time line for the skate court.

Staff has worked closely with the consultant to design the skate court facility that includes the elements identified during the public input process. As a result, four bids were received for this project on August 24, 2006, with CA Landscape & Design doing business as (dba) CA Skateparks submitting the lowest responsive bid.

In March of 2001, Council approved a professional services agreement with Olsson Associates for development of a master plan for the western area regional park and in July 2003, amended that agreement to include the development of plans and specifications for this improvement. Council approved a grant submittal for an Arizona State Heritage Fund on April 8, 2003, (Resolution No.3658) and the grant was awarded on October 10, 2003.

The facility provides a destination for skaters and BMX bikers to participate in an activity that is designed specifically for skating and biking, lessening the likelihood of skaters and bikers using public parking lots, business property, or other community amenities. It also provides the opportunity for children and adults to participate in activities to promote physical fitness. Due to the growth and interest in action sports, the unique design to accommodate skating boarding and BMX bikes provides new recreational opportunities in western Glendale.

Extensive public input was part of the development of the citywide Parks and Recreation Master Plan that called for a regional facility at this location. The Parks and Recreation Department, worked with the consultant to solicit public input for this specific project during the development of the western area regional park skate court design process in September 2003. As part of this process, skateboard and BMX bike enthusiasts took part in a series of meetings that solicited specific details on the court design components. Over 100 people participated in these meetings. As a result of the input at the meetings, a facility designed to accommodate BMX bike and skateboard use was selected.

Funding for this project is included in the Fiscal Year 2006-07 Capital Improvement Program, Western Area Regional Park in the amount of \$1,074,500.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$1,074,500

**Account Name, Fund, Account and Line Item Number:**  
 Western Area Regional Park, Account No. 2060-70532-550800

The recommendation was to award the construction contract to CA Landscape & Design doing business as CA Skateparks for the construction of the western area regional park skate court in the amount of \$1,074,500.

Councilmember Goulet questioned why this item was before them now. He said he seemed to recall it being discussed in 2003. Ms. Benná stated that it had been discussed as part of the CIP program and became part of their funding process. Councilmember Goulet recommended that this item be tabled for further discussion. Ms. Benná responded that this was the final amenity in completion of Phase I of the park project. She stated that it was included in the master plan for the park. She went on to say that the management team is overseeing all of these issues. She stated that staff's research is ongoing and is sensitive to the needs of the community.

Councilmember Goulet stated that he was not clear on the process of the management overseeing the project. He indicated he has many concerns and is not confident in moving forward.

Councilmember Martinez noted that when the Foothills Skatepark was proposed it was not very popular. He added that it changed opinions when it opened. He said most of his concerns center on safety issues. Ms. Benná stated that this facility would provide a destination for skaters and BMX bikers to participate in a facility that is designed specifically for skating and biking in the same facility. She said the safety issues are always addressed.

Councilmember Martinez asked if the design was larger than the Foothills Skatepark. Ms. Benná stated that facility was of similar size but the design was different.

Mayor Scruggs suggested that the Foothills-Skatepark was too small. She stated that it was overcrowded with the number of users. She added she did not want the citizens to be disappointed in this new development. She said that might be the case if it is the same size as Foothills Skatepark.

Councilmember Clark discussed the fact that she was aware that this development might cause overcrowding, but noted that it was badly needed in the area. She indicated that the community is very much in favor of the skatepark. She added that she encourages the Council to move forward on this plan.

Mayor Scruggs stated that the Council does not want to hold up a needed project but simply was disappointed in the size of the plan. She commented we need to learn from past projects to make improvements.

Councilmember Lieberman asked if a concession stand was included in this plan. Ms. Benná responded that it was not included in the first phase, but it was included in the master plan.

Councilmember Goulet asked if there would be an age restriction to use the facility. He also inquired on the number of kids using the facility at a given time. Ms. Benná stated that they will follow similar rules as the other skateparks and she could provide additional details regarding the rules and regulations at a later time. She said the number of kids using the skateparks facility change frequently.

Councilmember Martinez echoed Mayor Scruggs comments on not delaying the project but to become more informed and make decisions based on past experiences. Ms. Benná commented on facilities of this caliber not reporting problems.

Councilmember Lieberman asked if the contractor had experience with a project of this size. He commented on the many issues that came up while the Foothills skatepark was constructed. Ms. Benná said staff was pleased with the contractor's passed references. She indicated the contractor worked on the Goodyear and Flagstaff facilities as well as contracts in California.

**It was moved by Eggleston and seconded by Goulet to table this item to a future meeting. Ayes: Eggleston, Goulet and Martinez. Nays: Clark, Lieberman, Scruggs. The motion failed.**

**It was moved by Clark and seconded by Lieberman, to award the construction contract to CA Landscape & Design doing business as CA Skateparks for the construction of the western area regional park skate court in the amount of \$1,074,500. Ayes: Clark, Lieberman, Scruggs, Martinez. Nay: Eggleston, Goulet. The motion carried.**

## **PUBLIC HEARING – LAND DEVELOPMENT ACTIONS**

### **20. GENERAL PLAN AMENDMENT GPA05-07 AND REZONING APPLICATION ZON05-09: BERKANA ON NORTHERN - 4475 WEST NORTHERN AVENUE**

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

This is a request by Beus Gilbert, PLLC for City Council to conduct a public hearing and to amend the General Plan Land Use Map from Office (OFC) to Medium High Density Residential (MHR) 8 to 12 dwelling units per acre, by adopting a resolution; and to adopt an ordinance rezoning the location, from Commercial Office (C-O) to Mixed Residence (R-2).

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

The proposed project titled "Berkana on Northern" consists of 39 condominium units on 3.5 acres of vacant property at the southwest corner of Northern Avenue and 44<sup>th</sup> Drive.

The Planning Commission recommended approval of these requests on June 15, 2006.

Approval of this project would facilitate the development of a vacant parcel of land with new housing for Glendale residents. The project will buffer an existing single-family residential neighborhood from more intensive commercial uses to the east.

A public notice was published in the Glendale Star on August 31, 2006 and the property was posted on September 1, 2006. Postcards were mailed to 89 property owners and interested parties on September 1, 2006.

No one spoke at the Planning Commission public hearing on June 15, 2006.

The recommendation was to conduct a public hearing, waive reading beyond the titles and adopt a resolution for General Plan Amendment GPA05-07 and adopt an ordinance for rezoning application ZON05-09, subject to stipulations as recommended by the Planning Commission.

Councilmember Lieberman commented on the contractor's willingness to do everything in his power to satisfy the community. He stated that staff has done an exemplary job on the development.

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

Resolution No. 3988 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GENERAL PLAN MAP OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING GENERAL PLAN AMENDMENT GPA05-07 FOR PROPERTY LOCATED AT 4475 WEST NORTHERN AVENUE.**

**It was moved by Lieberman, and seconded by Clark to pass, adopt and approve Resolution No. 3988. The motion carried unanimously.**

Ordinance No. 2526 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY FROM C-O (COMMERCIAL OFFICE) TO R-2 (MIXED RESIDENTIAL); AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.**

**It was moved by Lieberman, and seconded by Clark, to approve Ordinance No. 2526 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting "nay": none.**

## ORDINANCES

### 21. SALT RIVER PROJECT EASEMENTS

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

This is a request for City Council to adopt an ordinance granting the following easements in favor of Salt River Project (SRP): (1) a power distribution easement at 67<sup>th</sup> Avenue and Camelback Road; and, (2) a power distribution easement at 67<sup>th</sup> and Glendale Avenues.

The Glendale Onboard (GO) program began to make improvements to the major intersections along 67<sup>th</sup> Avenue between Camelback Road and Glendale Avenue in July 2006. The city requested SRP underground its facilities at the intersections of 67<sup>th</sup> Avenue and Camelback Road and Glendale Avenue to accommodate construction in these areas. SRP has requested easements for its use of city-owned property and for the installation and protection of its facilities.

The recommendation was to waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute the easements in favor of Salt River Project.

Ordinance No. 2527 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE FOLLOWING EASEMENTS IN FAVOR OF SALT RIVER PROJECT: (1) POWER DISTRIBUTION EASEMENT AT 67<sup>TH</sup> AVENUE AND CAMELBACK ROAD, AND (2) POWER DISTRIBUTION EASEMENT AT 67<sup>TH</sup> AND GLENDALE AVENUES; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.**

**It was moved by Goulet, and seconded by Clark, to approve Ordinance No. 2527 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting “nay”: none.**

### 22. WATERLINE EASEMENT ABANDONMENT: EAST OF 59<sup>TH</sup> AVENUE, NORTH OF MISSOURI AVENUE

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

This is a request for City Council to adopt an ordinance authorizing the abandonment of a portion of a waterline easement east of 59<sup>th</sup> Avenue, north of Missouri Avenue, in a light industrial zoned area.

The property owner of a vacant 4.7-acre parcel of land has requested the city abandon its waterline easement across his property. The waterline easement was originally given to the city on July 18, 1988, in anticipation of development of a Lincoln Technical Institute campus along the then-proposed "Paradise Parkway". Although some site improvements were begun, the campus was never finished, and the city has not needed to utilize the easement. There have been no objections to the abandonment of the waterline easement from other city departments.

The recommendation was to waive reading beyond the title and adopt an ordinance abandoning a portion of the waterline easement east of 59<sup>th</sup> Avenue, north of Missouri Avenue.

Ordinance No. 2528 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ABANDONMENT OF A PORTION OF A WATERLINE EASEMENT LOCATED EAST OF 59<sup>TH</sup> AVENUE, NORTH OF MISSOURI AVENUE IN THE CITY OF GLENDALE TO THE OWNERS OF RECORD OF THE ABUTTING PROPERTY; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.**

**It was moved by Clark, and seconded by Eggleston, to approve Ordinance No. 2528 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting "nay": none.**

23. ARIZONA PUBLIC SERVICE COMPANY UTILITY EASEMENT AT THUNDERBIRD PARK

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

This is a request for City Council to adopt an ordinance granting a utility easement in favor of Arizona Public Service Company (APS) to continue to provide service to the entry and ramada area at Thunderbird Park.

As part of the upcoming road improvements along 59<sup>th</sup> Avenue between Melinda Lane and Pinnacle Peak Road, the city is requesting APS underground the existing overhead power lines in the area. In order to accommodate this construction, APS needs to run a portion of its distribution line to its transformers across the Thunderbird Park property, outside of the right-of-way for 59<sup>th</sup> Avenue.

The easement is necessary to protect APS' facilities in this location.

The recommendation was to waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute a utility easement in favor of Arizona Public Service Company.

Ordinance No. 2529 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A UTILITY EASEMENT IN FAVOR OF ARIZONA PUBLIC SERVICE COMPANY TO CONTINUE TO PROVIDE SERVICE TO THE ENTRY AND RAMADA AREA AT THUNDERBIRD PARK IN GLENDALE, ARIZONA; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.**

It was moved by Martinez, and seconded by Lieberman, to approve Ordinance No. 2529 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting “nay”: none.

## **RESOLUTIONS**

### **24. CANVASS OF VOTES FOR THE SEPTEMBER 12, 2006 PRIMARY**

Mr. Craig Tindall, City Attorney, presented this item.

This is a request for City Council to adopt a resolution accepting the canvass of votes from the September 12, 2006 Primary Election.

It is required by A.R.S. 16-342 that “the governing body holding an election shall canvass the election not less than six days no more than 15 days following the election”. The September 12, 2006 Primary Election allows voters to decide three council district seats, Cholla, Barrel and Ocotillo, and 2 ballot questions: Proposition 402 and Proposition 403.

The September 12, 2006 Primary Election was called by the City Council on March 28, 2006 and the Notice of Election was approved on June 27, 2006.

The recommendation was to waive reading beyond the title and adopt the Canvass of Votes Resolution for the September 12, 2006 Primary Election.

Councilmember Clark had some questions regarding the canvass of vote. She commented on coming up with two different sets of numbers with regard to turnout. She said she wanted to make certain that every vote was accounted in the election. She added she has had two meetings with the city clerk’s office to find out if there had been a problem. She said that at this point she was not confident in the numbers.

Councilmember Lieberman also voiced his concerns on the tally. He stated he also had some questions on current procedures being used. He added that there was a lot of room for error.

Mr. Tindall stated that the two different sets of numbers stem from the number of people that voted in the districts versus the precincts. He went on to say that the important numbers to look at were the information from the county and the canvassing of votes.

Councilmember Eggleston noted that, as he understood it, the votes are accurate. The discrepancy is in people that voted in split precincts. Mr. Tindall answered that he was correct.

Resolution No. 3989 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, DECLARING AND ADOPTING THE RESULTS OF THE PRIMARY ELECTION HELD ON SEPTEMBER 12, 2006; AND ORDERING THAT A CERTIFIED COPY OF THIS RESOLUTION BE RECORDED.**

Mr. Roger Moore, 4827 W. Frier Drive, Glendale, a Cactus resident, stated that there was a problem with the polling place at the Glendale Women's Club. He said the polling place was for both Ocotillo and Cactus district residents. He indicated that residents were being handed the wrong ballots. He believes the count was incorrect. He is asking council to disallow this election.

Ms. Cari Crew, 5948 W. Gardenia, Glendale, an Ocotillo resident, stated she believes whole heartily in the privilege and right to vote. She added that every vote should be counted and recorded. She believes the Ocotillo District needs to have a run-off election. She further shared with the Council that no government entity of any type should have the power to void votes that are legally cast by its citizenry.

**It was moved by Martinez, and seconded by Goulet, to pass, adopt and approve Resolution No. 3989 New Series. Ayes: Goulet, Lieberman, Scruggs, Eggleston, Martinez. Nay: Clark. The motion carried.**

EXCUSE COUNCILMEMBER

**It was moved by Eggleston, and seconded by Martinez, to excuse Councilmember Frate from the meeting. The motion carried unanimously.**

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

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

## **CITIZEN COMMENTS**

Mr. Leonard Fulcher, 19975 North Matilda Lane, Glendale, a Cholla resident, stated he had the pleasure of being the spokesman for the Salary Revenue Commission. He stated that in his position it was clear to see the city's tremendous growth. He has seen the City of Glendale grow a great deal in the last ten years. He indicated that part of the reason for its successful growth is due to the leadership of this council. He thanked the council for their hard work.

Ms. Jessica Koory, 5753 W. Morten Ave., Glendale, an Ocotillo resident, stated she had a complaint concerning a campaign sign for Councilmember Goulet not being removed. She said that the election sign was placed against Councilmember Goulet's house facing her property and she'd requested removal several times. She stated that she is being ignored in retaliation for her opposition in the election. She continued to call for the removal of the sign. She referred to a claim that the Council members believe they are above the law.

Mayor Scruggs informed Ms. Koory of the guidelines that were required to speak in this forum. She explained that all who take the floor must be aware of proper decorum. She continued to say that this forum is not to be use to launch personal attacks. She called on Mr. Tindall to verify her understanding of the guidelines and he did so.

Mayor Scruggs added that she will follow up with Mr. Beasley and will have a response by tomorrow. She said she would direct Mr. Beasley to inquire on the alleged statement that Council members were above city laws. She also wanted to provide Ms. Koory with information on the benefit focus program that would help to explain the code. Mr. Beasley stated he would look into the entire situation.

## **COUNCIL COMMENTS AND SUGGESTIONS**

Councilmember Clark commented on a public open house meeting that would be held Thursday evening, September 28, 2006. The meeting is on public transportation and would address the different ways to save gas and money, including park-and-ride options. She urged everyone to attend.

Councilmember Goulet extended his wishes that Councilmember Frate's wife make a swift recovery.

Councilmember Lieberman announced a district meeting being held at Horizon School. He encouraged everyone to attend. He said he wanted to make everyone aware of two events taking place this weekend, one the grand opening of the Multi-Generational Center and the other the Hispanic Heritage Program.

Vice Mayor Eggleston wanted to acknowledge the wonderful performance of the Arizona Ballet Company. He added a special thanks to the Arts Commission for their funding of the performance.

Councilmember Martinez announced the grand opening of the Aquatic Center on Saturday, October 30, 2006. He encouraged everyone to attend. He added that this development was a long time coming.

Mayor Scruggs stated she appreciated everyone's votes on proposition 402. She thanked everyone for their support.

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:15 p.m.

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Pamela Hanna - City Clerk