



**MINUTES OF THE
GLENDALE CITY COUNCIL MEETING
Council Chambers
5850 West Glendale Avenue
February 09, 2010
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 6 resolutions and 2 ordinances to be considered at the meeting were available for public examination and the title posted at City Hall more than 72 hours in advance of the meeting.

**APPROVAL OF THE MINUTES OF THE JANUARY 12, 2010 AND JANUARY 26, 2010
CITY COUNCIL MEETING**

It was moved by Goulet, and seconded by Clark, to dispense with the reading of the minutes of the January 12, 2010 Special and January 26, 2010 Regular City Council meetings, as each member of the Council had been provided copies in advance, and approve them as written. The motion carried unanimously.

CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion.

Mr. Ed Beasley, City Manager, read agenda item numbers 1 through 5 and Ms. Pamela Hanna, City Clerk, read consent agenda resolution item numbers 6 through 11 by number and title.

Lieberman requested item number 11 be heard separately.

1. LIQUOR LICENSE NO. 3-1281, WAL-MART NEIGHBORHOOD MARKET

This is a request for City Council to approve a person-to-person, location-to-location transfer series 9 (Liquor Store - All Liquor) license. Wal-Mart Neighborhood Market is located at 6645 West Peoria Avenue. The Arizona Department of Liquor Licenses and Control application (No. 09070516) was submitted by Clare Hollie Abel.

The location of the establishment is 6645 West Peoria Avenue and is located within the Barrel District. The property is zoned C-2 (General Commercial). The population density within a one-mile radius is 21,357. Wal-Mart is currently operating with a series 10 liquor license, therefore, the approval of this license will not increase the number of liquor licenses in the area. The series 10 will be surrendered upon approval of this series 9 license. The number of liquor licenses within a one-mile radius is as listed below.

Series	Type	Quantity
06	Bar - All Liquor	3
10	Liquor Store - Beer and Wine	3
12	Restaurant	3
	Total	<u>9</u>

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

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

Based on information provided under the background, it is staff’s recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

2. AWARD OF PROPOSAL 10-22, RED J ENVIRONMENTAL CORPORATION

This is a request for City Council to award proposal 10-22 to Red J Environmental Corporation for sludge excavation and hauling services at the Oasis Water Campus and Pyramid Peak Water Treatment Plant.

This addresses Council’s goal of one community with high quality service for citizens by continuing essential operations that contribute to water treatment and delivery of high quality water service to citizens.

This proposal is for the cleaning of the sludge lagoons at the Pyramid Peak Water Treatment Plant (PPWTP) and Oasis Water Campus (OWC). The sludge will be taken to the City of Glendale Landfill for appropriate disposal.

Materials Management issued a Request for Proposal and seven offers were received. An evaluation panel consisting of three city staff reviewed the proposals based on specific criteria including experience and ability to provide services, work plan, cost, and references. Red J Environmental Corporation submitted the most responsive and responsible offer.

This contract begins upon Council approval and continues for one year. An optional clause permits the City Manager, at his discretion, to extend the contract for four additional years in one-year increments.

This project will benefit the community by enhancing the overall system reliability and optimizing operations to ensure continued delivery of high quality water.

Funding is available in the FY 2009-10 operating budget of the Utilities Department.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$55,000

Account Name, Fund, Account and Line Item Number:

Pyramid Peak Plant, Account No. 2400-17250-518200, \$40,000
 Oasis Water Campus, Account No. 2400-17310-518200, \$15,000

The recommendation is to award proposal 10-22 to Red J Environmental Corporation for sludge excavation and hauling services in an amount not to exceed \$55,000; and authorize the City Manager to renew said agreement, at his discretion, for up to four one-year terms.

3. PROFESSIONAL SERVICES AGREEMENT FOR DESIGN OF FACILITIES RENOVATION

This is a request for City Council approval of a Professional Services Agreement with Langdon Wilson, Inc. for design and construction administration services for facilities renovations to city buildings.

This project is consistent with the Council goal of one community with high quality services for citizens. This design and construction project provides needed renovations to key city facilities used by citizens of Glendale.

The professional services agreement with Langdon Wilson, Inc. includes the design and construction administration services for roofing repairs, and replacement of heating, ventilation and air conditioning systems. From the Engineering Department's list of qualified architectural firms, four firms were reviewed by a selection committee consisting of staff from Engineering, the Library Department and Field Operations.

Based on the committee's scores, Langdon Wilson, Inc. was selected as the best qualified firm to provide the required services.

These projects were specifically identified in the capital improvement plan (CIP) as part of the FY 2008-2009 ten-year CIP.

Funds are available in the FY 2009-10 capital improvement plan. There are no operating costs associated with this project once it is completed.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$136,655

Account Name, Fund, Account and Line Item Number:

Exterior Closure (Roofing), Account No. 2080-77503-551200, \$136,655

The recommendation is to approve the professional services agreement with Langdon Wilson, Inc. in an amount not to exceed \$136,655 for design and construction administration services.

4. FINAL PLAT APPLICATION FP08-02: LOWE'S GLENDALE PLAZA – 9470 WEST CAMELBACK ROAD

This is a request by EKN Engineering for City Council to approve the final plat application FP08-02 for Lowe's - Glendale Plaza, located at 9470 West Camelback Road.

The proposed final plat supports the Council goal of one community with quality economic development by creating subdivided lots in preparation of future commercial development.

Lowe's - Glendale Plaza is an 18 acre commercial property. A bank exists on Lot 1 at the immediate northeast corner of 95th Avenue and Camelback Road, while the remaining two lots are vacant. The proposed development is consistent with the General Plan Land Use Map designations of Planned Commercial and Office and the existing Planned Area Development zoning district.

On February 26, 2008, City Council approved Rezoning application (ZON07-06) for this site. This approval rezoned 18 acres from Agricultural and Commercial Office to Planned Area Development for future commercial development.

This request facilitates development of the property, which will provide commercial services to the existing and planned residential uses in the area.

The recommendation is to approve final plat application FP08-02.

5. PROFESSIONAL SERVICES AGREEMENT – VAN SCOYOC ASSOCIATES

This is a request for City Council to approve a Professional Services Agreement with the firm of Van Scoyoc Associates for Federal Agencies and Federal legislative issues consultant services.

The services provided by the consultant will assist in fulfilling the Council goals relating to the financial stability of the city, promoting economic development, projecting a positive image of Glendale and strengthening community relationships, and creating new partnerships.

The work of Van Scoyoc Associates complements the city's continued efforts to seek additional Federal funds that help reduce the financial burden on the city as we provide critical services, and build necessary infrastructure. Through the coordination of Van Scoyoc, the city submits annual Federal appropriation requests to our Federal delegation seeking funding for specific Glendale projects. Van Scoyoc is responsible for working directly with the Congressional offices to gain support for our projects so that they will be included and funded in the annual Appropriations Committee's bill.

Since their original contract began in January 2007, Van Scoyoc has been successful in securing over \$2.5 million directly for the City of Glendale. In addition to the appropriations process, Van Scoyoc also provides assistance with outreach to Federal Agencies. This allows Glendale to foster positive relationships and opens up a dialogue to resolve any issues that may arise as we administer the city's programs that are tied to the Federal Government. Van Scoyoc also provides daily updates on Federal legislation and notifies the city of any additional grant or funding opportunities that have become available. The practice of retaining outside federal representation is common for municipalities in Arizona.

The specifications of the agreement contain an option that will allow the city, at the discretion of the City Manager, to extend this agreement for three additional years, in one-year increments.

The City of Glendale first entered into a Professional Services Agreement with Van Scoyoc Associates on January 1, 2007.

Utilizing the services of Van Scoyoc Associates enhances the City's efforts to improve the quality of life for its citizens. The firm functions as a consultant and advisor with regard to various Federal agencies, Federal legislative issues and serves as a resource to assist in seeking Federal funds for the City.

Funds for this contract are available in the Intergovernmental Programs operating budget.

Account Name, Fund, Account and Line Item Number:

Professional and Contractual, Account No. 1000-10910-518200, \$96,000

The recommendation is to approve the Professional Services Agreement with Van Scoyoc Associates in the amount of \$96,000. The City Manager is further authorized, at his discretion, to extend the agreement for a maximum of three additional one-year terms.

CONSENT RESOLUTIONS

6. ACCEPTANCE OF STOP VIOLENCE AGAINST WOMEN GRANT

This is a request for City Council to adopt a resolution authorizing the City Manager to accept a STOP Violence Against Women grant in the approximate amount of \$41,300 from the Arizona Governor’s Office for Children, Youth, and Families.

This grant meets the Council goal of providing high quality services for citizens by improving response to victims of violence through collaborative, multi-disciplinary training which will be provided with support from this grant funding.

Funding from this grant will be used to offer a two-day statewide conference focused on effective responses to sexual assaults. This training effort will be developed to attract participants from a variety of disciplines including law enforcement officers, judges, court personnel, prosecutors, victim advocates, and related community agencies. The event will be held in late fall at the Glendale Civic Center. The grant will also fund one part-time contract position to support the coordination of this event.

On May 26, 2009, Council accepted a STOP Violence Against Women grant from the Arizona Governor’s Office for Children, Youth, and Families. This grant is a renewal of the original 2009 grant for the 2010 calendar year and has the potential to renew for one additional year.

The 25% match of in-kind contributions has been met by the commitment of existing personnel in time and efforts toward planning and curriculum development by members of the Glendale Police Department.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X					\$41,300

Account Name, Fund, Account and Line Item Number:

STOP Violence Against Women, Account No. 1840-33127-524400, \$41,300

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to accept a STOP Violence Against Women grant in the approximate amount of \$41,300 from the Arizona Governor's Office for Children, Youth, and Families.

Resolution No. 4345 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE SUBMISSION AND ACCEPTING THE "STOP VIOLENCE AGAINST WOMEN" GRANT OFFER IN THE AMOUNT OF \$41,300 FROM THE ARIZONA GOVERNOR'S OFFICE FOR CHILDREN, YOUTH AND FAMILIES BY THE GLENDALE POLICE DEPARTMENT.**

7. ARIZONA MUTUAL AID COMPACT

This is a request for City Council to adopt a resolution authorizing the City Manager to enter into a mutual aid compact (AZMAC) with the Arizona Department of Emergency and Military Affairs and all signatories.

Entering into this AZMAC addresses the Council goal of one community committed to public safety by taking an active approach to prepare for emergencies.

While the city is a part of several mutual aid agreements, the majority of them only support the fire, police and public works departments. The AZMAC allows all 26 city departments to be covered during the event there is an emergency or disaster. This is also the only mutual aid agreement that allows the local government to be named as a benefactor and/or supplier.

Adopting AZMAC does not compel Glendale to provide resources unless we choose to. AZMAC has already been adopted by the State of Arizona, Maricopa County and three of the five largest cities in Arizona: Phoenix, Mesa and Tucson, among others.

Adopting AZMAC provides additional resource assistance to respond to and recover from emergencies and disasters, as well as, strengthens the existing partnerships between the City of Glendale and emergency partners.

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into a mutual aid compact with Arizona Department of Emergency and Military affairs and all signatories.

Resolution No. 4346 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 ENTITLED "ARIZONA MUTUAL AID COMPACT" WITH THE ARIZONA DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS ALONG WITH OTHER POLITICAL JURISDICTIONS FOR DISPATCHING MUTUAL AID ASSISTANCE.**

8. ACCEPTANCE OF GOVERNOR’S OFFICE OF HIGHWAY SAFETY GRANT

This is a request for City Council to adopt a resolution authorizing the City Manager to accept a Governor’s Office of Highway Safety (GOHS) grant for an Electronic Citation System in the approximate amount of \$100,130.

This request supports the Council goal of one community focused on public safety for citizens by providing the Police Department a means to purchase additional equipment.

This grant award will support the Police Department by providing funding for electronic citation equipment. The officers will be able to quickly generate tickets, saving time and money. The devices also assist the City Court because the tickets can be electronically transferred into their system.

This grant will benefit the Glendale community and the citizens by allowing the Police Department to more efficiently enforce traffic laws. It will increase the number of hours officers will dedicate to driver safety with increased enforcement and education.

On June 23, 2009, Council approved acceptance of a GOHS grant for the City Court to purchase several electronic citation devices for the Police Department.

On May 8, 2007, Council approved acceptance of a GOHS grant for the City Court to purchase several electronic citation devices for the Police Department.

There is no financial match required for this grant. The agreement will come with a maintenance package to cover warranty for hardware and software.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X					\$100,130

Account Name, Fund, Account and Line Item Number:

A specific account will be established in Fund 1840, the city’s grant fund, once the grant agreements are formally executed.

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to accept a Governor’s Office of Highway Safety grant for an Electronic Citation System in the approximate amount of \$100,130.

Resolution No. 4347 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A GOVERNOR’S OFFICE OF HIGHWAY SAFETY GRANT FOR AN ELECTRONIC CITATION SYSTEM**

FOR THE GLENDALE POLICE DEPARTMENT IN THE APPROXIMATE AMOUNT OF \$100,130.

9. SMART POLICING SUBGRANT AGREEMENT

This is a request for City Council to adopt a resolution authorizing the City Manager to enter into a Smart Policing Subgrant agreement between Arizona State University (ASU) and the Police Department.

This agreement meets the Council goal of one community committed to public safety by allowing the Police Department to enhance their ability to reduce crime in neighborhoods.

The Police Department received grant funding from the Department of Justice Office of Justice Programs to create the *Glendale Police Department Smart Policing Initiative* (Initiative). This Initiative will be a two-year project, in which, the Police Department will team up with ASU's Center for Violence Prevention and Community Safety. Together the Police Department and ASU will identify problems involving crime and disorder, develop and implement responses to the identified problems and assess the impact of the implemented responses. ASU professors will guide and monitor the Initiative process and conduct an assessment of the outcome.

The Initiative will allow ASU and the Police Department to create a collaborative approach to strengthen efforts to reduce crime in neighborhoods.

On October 13, 2009, Council approved acceptance of the FY 2009-10 Smart Policing Grant from the Department of Justice Office of Justice Programs in the approximate amount of \$299,985.

All costs associated with this agreement are covered using funds from the Smart Policing Grant from the Department of Justice Office of Justice Programs.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X					\$299,985

Account Name, Fund, Account and Line Item Number:

Smart Policing Initiative, Account No. 1840-33144-524400, \$299,985

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into a Smart Policing Subgrant agreement between Arizona State University (ASU) and the Police Department.

Resolution No. 4348 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA**

COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A SUBGRANT WITH THE ARIZONA BOARD OF REGENTS FOR AND ON BEHALF OF ARIZONA STATE UNIVERSITY FOR THE GLENDALE POLICE DEPARTMENT'S SMART POLICING GRANT PROGRAM.

10. GROUNDWATER SAVINGS FACILITY AGREEMENT

This is a request for City Council to adopt a resolution authorizing the City Manager to enter into a Groundwater Savings Facility Agreement with Maricopa County Municipal Water Conservation District No. 1 (District).

This item addresses Council's goal of one community with high quality services for citizens through prudent planning and the ability to store essential water resources necessary to sustain life and support economic growth in Glendale.

The District includes approximately 38,000 acres of land in the West Salt River Valley. These lands include a significant portion of the city's far western planning area. The District operates a Groundwater Savings Facility for the purpose of storing renewable surface water supplies.

The Agreement will allow the city to cost-effectively develop stored water credits with unused portions of its Central Arizona Project (CAP) and Colorado River water. The development of stored water credits through this Agreement is at the city's discretion. These stored water credits can then be used in the future when the city needs additional water. The stored water credits will eventually be recovered through wells.

The Agreement will remain in effect unless it is terminated by either the city or the District.

This Agreement will provide the city additional flexibility in managing available water resources to ensure the city has sufficient water for current needs, and the accumulation of stored water credits to support future growth and economic development.

Through this Agreement, the District would pay the city a fee for city water supplies delivered to the District's Groundwater Savings Facility. The fee or rate is set annually by the District's Board of Directors. The current rate paid by the District to the city is \$16.00 per acre-foot of water delivered. Payment by the District would offset a portion of the city's total cost for raw water resources stored through this Agreement. Fees paid by the District to the city under this Agreement would be deposited to the water fund.

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into a Groundwater Savings Facility Agreement with Maricopa County Municipal Water Conservation District No. 1.

Resolution No. 4349 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A GROUNDWATER SAVINGS FACILITY AGREEMENT WITH THE MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NO. 1.**

It was moved by Frate and seconded by Knaack, to approve the recommended actions on Consent Agenda Item Nos. 1 through 10, including the approval and adoption of Resolution No. 4345 New Series, Resolution No. 4346 New Series, Resolution No. 4347 New Series, Resolution No. 4348 New Series, and Resolution No. 4349 New Series; and to forward Liquor License Application No. 3-1281 for Wal-mart Neighborhood Market to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.

11. ACQUISITION OF PROPERTY FOR GRAND AVENUE AND NORTHERN PARKWAY IMPROVEMENTS

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

This is a request for City Council to adopt a resolution authorizing the City Manager to execute all documents necessary to acquire the W.S. Trucking, Inc. property in the amount of \$613,200 plus customary closing costs. The property is located at the southeast corner of Grand and Northern avenues and is needed for access control and beautification along Grand Avenue and for right-of-way protection for Northern Parkway.

This request addresses Council's goals of one community with high quality services for citizens and one community with quality economic development by improving and providing transportation options within the City of Glendale.

The acquisition of this property is part of two important transportation projects in Glendale, Grand Avenue improvements and Northern Parkway.

The Grand Avenue project provides access control to better manage the growing traffic volumes and also upgrade the appearance of this important roadway through central Glendale. This is a joint project between Glendale and the Arizona Department of Transportation (ADOT). Construction on the Grand Avenue improvements is expected to begin in summer 2010.

Northern Parkway is a multi-jurisdiction high capacity roadway that will link Loop 303, Loop 101, and US-60 (Grand Avenue).

The design of these two public roadways coming together and the impact to traffic flow at the Grand and Northern Avenues intersection requires redirection of some traffic movements. The additional right-of-way will provide a connector road between Grand

and Northern Avenues, and will also provide access to remnant properties acquired previously as part of the Grand Avenue improvements.

The W.S. Trucking, Inc. business is located on this property, and in addition to the cost for land and buildings, the city will pay relocation and closing costs and the cost for demolition of the structures.

The property to be acquired is described below:

6501 W Northern Avenue

W.S. Trucking, Inc., owners of property located at the southeast corner of Grand and Northern avenues, will sell approximately 1.676 acres of property for \$613,200.

On September 23, 2008, Council approved an Intergovernmental Agreement (IGA) with Maricopa County, City of El Mirage, and City of Peoria for improvements to Northern Parkway from the Loop 303 to Grand Avenue.

On June 24, 2008, Council approved the General Engineering Consultant contract for the Glendale Onboard (GO) Transportation Program, which included the completion of the Northern Parkway Design Concept Report and addresses the Grand Avenue improvements.

On October 9, 2007, Council approved the preparation of a Design Concept Report by DMJM Harris for Grand Avenue between 43rd and 71st avenues.

The proposed improvements on Grand Avenue will help improve traffic flow and enhance safety. It will also improve the appearance of Grand Avenue with landscaping, sign upgrades, sidewalks, and under-grounding of utilities. Future construction of the access ramps to Northern Parkway and improved transition from Northern Avenue to Grand Avenue will ensure a free flow of traffic between these facilities.

Funds for right-of-way acquisition are available in the FY 2009-10 capital improvement plan. Additional closing costs, relocation, and demolition expenses are also programmed in the FY 2009-10 GO Transportation capital improvement plan. The operating costs associated with maintaining this property until construction is completed will be absorbed by the Transportation Department operating budget.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$613,200

Account Name, Fund, Account and Line Item Number:

Northern Avenue Super Street, Account No. 2210-65016-550400, \$613,200

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to execute all documents necessary to authorize the purchase of 1.676 acres of property from W.S. Trucking, Inc. along Grand Avenue for access control and beautification, and for right-of-way protection for Northern Parkway, in the amount of \$613,200 plus customary closing costs.

Councilmember Lieberman asked what determined the buying price for this property. Mr. Jamsheed Mehta, AICP, Transportation Director, stated they were using the standard city process accepted by both ADOT and the Federal Highway Administration. Normally, two separate appraisals will be done as well as a review of those appraisals if any disparities exist. Councilmember Lieberman inquired why the city was considering the purchase when very little of the property touches Northern Avenue and none of it touches Grand Avenue, and is out of the curb and gutter area of the proposed improvements, as shown on the map. He voiced his concerns on this purchase when they were in a tight money market. Mr. Mehta explained the city's previous acquisitions in that area. He indicated the area being acquired will be part of a connector between Northern and Grand Avenue as well as provide access for the other properties already purchased.

Resolution No. 4350 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 LOCATED AT 6501 WEST NORTHERN AVENUE FOR THE NORTHERN PARKWAY FOR THE GLENDALE ONBOARD TRANSPORTATION PROGRAM; AND DIRECTING THE EXECUTION OF ANY DOCUMENTS NECESSARY TO EFFECTUATE SAID PURCHASE.**

It was moved by Frate, and seconded by Knaack, to pass, adopt and approve Resolution No. 4350 New Series. The motion carried unanimously.

ORDINANCES

12. EXTENDED OCCUPANCY AGREEMENT FOR WILLIAMS FAMILY TRAILERS

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

This is a request for City Council to adopt an ordinance authorizing the City Manager to execute an extended occupancy agreement with Williams Family Trailers for property located at 6548 NW Grand Avenue. This property was acquired by the City of Glendale for access control and beautification along Grand Avenue and for right-of-way protection for Northern Parkway.

This request addresses Council's goals of one community with high quality services for citizens and one community with quality economic development by improving and providing transportation options within Glendale.

The Williams Family Trailers property located near the southeast corner of Grand and Northern avenues was approved by Council for acquisition on September 8, 2009. Glendale obtained title to this property upon close of escrow on October 31, 2009.

An extended occupancy agreement is necessary because the business needs more time to relocate. In accord with appraised rental value, the rate will be \$2,700 per month and the lease payments will be deposited into the GO Transportation Program. The parties have agreed occupancy will not be extended beyond March 31, 2010. This extension will not impact the scheduled construction of Grand Avenue improvements anticipated to begin summer 2010.

The Grand Avenue project provides access control to better manage the growing traffic volumes and to upgrade the appearance of this roadway through central Glendale. This is also a joint project with the Arizona Department of Transportation (ADOT). The property was acquired by the city to protect future right-of-way needed to complete the connection between Grand Avenue and the Northern Parkway.

On September 8, 2009, Council approved the acquisition of the Williams Family Trailers property.

On October 9, 2007, Council approved the preparation of a Design Concept Report by DMJM Harris for Grand Avenue between 43rd and 71st avenues. At this meeting, Council also authorized an Intergovernmental Agreement with ADOT to compensate the city for the preparation of this report and to coordinate the Grand Avenue design and right-of-way responsibilities.

The proposed improvements on Grand Avenue will help improve traffic flow and enhance safety. It will also improve the appearance of Grand Avenue with landscaping, sign upgrades, sidewalks, and under-grounding of utilities.

The recommendation is to waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute an extended occupancy agreement with Williams Family Trailers.

Ordinance No. 2718 New Series was read by number and title only, it being AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE MAYOR AND/OR CITY MANAGER AND CITY CLERK TO EXECUTE AN EXTENDED OCCUPANCY AGREEMENT WITH DAVID WILLIAMS dba WILLIAMS FAMILY TRAILERS FOR PROPERTY LOCATED AT 6548 NW GRAND AVENUE; AND ORDERING THAT THE EXTENDED OCCUPANCY AGREEMENT BE RECORDED.

It was moved by Martinez, and seconded by Clark, to approve Ordinance No. 2718 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Knaack, Martinez, Frate, and Scruggs. Members voting “nay”: none.

13. EASEMENT ABANDONMENT: NORTH BALL PARK BOULEVARD

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

This is a request for City Council to adopt an ordinance abandoning any and all interest in portions of the current reclaimed water pipeline easement within City of Phoenix right-of-way for North Ball Park Boulevard. This ordinance shall become effective only upon Phoenix granting Glendale equivalent rights as contained in the current city reclaimed water pipeline easement.

This abandonment, as part of the overall development agreement, supports the Council's goal of one community with quality economic development by identifying and pursuing business sectors that may be most valuable to the economic development strategy for Glendale.

North Ball Park Boulevard traverses both Phoenix and Glendale and is the arterial roadway that serves as the primary entry and exit road for Camelback Ranch – Glendale. The design and construction of this arterial was part of a development agreement between the two cities.

The current Glendale easement has been in place within the Camelback Ranch property since July 2000. The Camelback Ranch – Glendale development includes a major collector road (North Ball Park Boulevard) that will run north from Camelback Road with a future ending point at 99th and Maryland avenues.

North Ball Park Boulevard between Camelback Road and the Bethany Home Road alignment lies within the City of Phoenix. The abandonment of the existing easement will only be for the portion that resides within the Phoenix right-of-way. Phoenix city charter does not allow for dedication of easements within its rights-of-way.

The recommendation is to waive reading beyond the title and adopt an ordinance that is contingent upon Phoenix granting Glendale the equivalent rights as contained in the current easement; upon which Glendale will abandon any and all interest the city may have in the reclaimed water pipeline easement within Phoenix right-of-way for North Ball Park Boulevard.

Ordinance No. 2719 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 THE PORTION OF THE CURRENT RECLAIMED WATER PIPELINE EASEMENT WITHIN CITY OF PHOENIX RIGHT-OF-WAY FOR NORTH BALL PARK BOULEVARD TO THE OWNERS OF RECORD OF THE ABUTTING PROPERTY.**

It was moved by Lieberman, and seconded by Clark, to approve Ordinance No. 2719 New Series. Motion carried on a roll call vote, with the following

Councilmembers voting “aye”: Clark, Goulet, Lieberman, Knaack, Martinez, Frate, and Scruggs. Members voting “nay”: none.

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

It was moved by Martinez, and seconded by Frate, to hold a City Council Workshop at 1:30 p.m. in Room B-3 of the City Council Chambers on Tuesday, February 16, 2010, 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 Goulet commented on two homes being built by Habitat for Humanity as part of an infill project at 54th Avenue and Palm Aire. He stated that the homes will utilize green technology. He thanked city staff who helped this project move forward as well as the staff of Habitat for building in Glendale. There are over 50 Habitat for Humanity homes built in Glendale to date.

Councilmember Lieberman thanked all who attended the Chocolate Affair this weekend in downtown Glendale. The event was a success and has been written up as one of the top 100 events in the nation.

Vice Mayor Martinez also thanked everyone who attended the Chocolate Affair as well as city staff who have done a great job in promoting and putting together the event.

Councilmember Frate invited everyone to the Annual Sahuaro Spring Fling being held from 11:00 a.m. to 2:00 p. m., Saturday, February 20, 2010. It will be held at the Paseo Ball Park Fields. He stated this event was informative and great fun for the entire family. He reminded everyone to watch children around water.

Councilmember Knaack asked if everyone had checked or installed a smoke and carbon monoxide detector in their homes since her reminder at the previous meeting. If not, she encouraged them to do so now.

Mayor Scruggs thanked everyone for attending and for their interest in the City of Glendale.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:30 p.m.

Pamela Hanna

Pamela Hanna - City Clerk