



**MINUTES OF THE  
GLENDALE CITY COUNCIL MEETING  
Council Chambers  
5850 West Glendale Avenue  
August 11, 2009  
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, and Yvonne J. Knaack.

Councilmember H. Philip Lieberman was absent.

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 3 resolutions and 4 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 JUNE 23, 2009 CITY COUNCIL MEETING**

It was moved by Goulet, and seconded by Clark, to dispense with the reading of the minutes of the June 23, 2009, Regular City Council meeting, as each member of the Council had been provided copies in advance, and approved them as written. The motion carried unanimously.

**PROCLAMATIONS AND AWARDS**

**DROWNING IMPACT AWARENESS MONTH PROCLAMATION**

This is a request for City Council to proclaim August 2009 as Drowning Impact Awareness Month in the City of Glendale for support of Water Watchers at Phoenix Children's Hospital.

Drowning Impact Awareness month is a statewide effort to bring attention to the potential consequences of childhood drowning and the simple steps we can take to prevent them. The

drowning incidents in Arizona take the lives of the equivalent of a classroom of children each year.

The proclamation will be presented to Tiffany Isaacson, Water Safety Coordinator with Phoenix Children's Hospital.

Drowning Impact Awareness Month is part of the drowning prevention community outreach program at Phoenix's Children's Hospital. Together the Mayor and Council, Glendale Fire Department, Glendale Parks and Recreation Department and Phoenix Children's Hospital work vigorously every year to prevent childhood drowning by providing water safety awareness, education, CPR classes and swim lessons.

The recommendation is to present the proclamation to Tiffany Isaacson, Water Safety Coordinator, with Phoenix Children's Hospital.

Mayor Scruggs asked Councilmember Frate to come forward and speak on this item.

Councilmember Frate stated he has been involved with drowning prevention for over eight years. It began when he attended a Phoenix Children's Hospital program, which touched his heart. He explained he learned of the many unnecessary drowning and how their life was altered even if they survived. He mentioned his support for the Fire Fighters drowning awareness program which has helped prevention tremendously. He indicated that the month of August has the highest amount of drowning across the United States. He encouraged everyone to practice safety awareness around their own pools and teach children how to swim.

Mayor Scruggs thanked Ms. Tiffany Isaacson and Councilmember Frate for their dedication to water safety.

Ms. Tiffany Isaacson thanked Mayor Scruggs and Council for the proclamation. She said she was proud of Glendale's commitment to water safety. They have already lost 12 children in Maricopa County this year, with two of those deaths in Glendale. She once again thanked the Council, the Fire Department and Parks and Recreation for their hard work and support of water safety.

## **CONSENT AGENDA**

Mr. Ed Beasley, City Manager, read agenda item numbers 1 through 15 and Ms. Pamela Hanna, City Clerk, read consent agenda resolution item numbers 16 through 18 by number and title.

1. **SPECIAL EVENT LIQUOR LICENSE, MOUNTAIN LIONS BASEBALL BOOSTER CLUB, AUGUST 22, 28, AND SEPTEMBER 13, 2009**

This is a request for City Council to approve a special event liquor license for the Mountain Lions Baseball Booster Club. The event will be held at Westgate City Center located at 6770 North Sunrise Boulevard on Saturday, August 22 from 3:00 p.m. to 8:00 p.m., Friday, August 28 from 3:00 p.m. to 8:00 p.m., and Sunday, September 13 from 10:00 a.m. to 2:00 p.m. The purpose of this special event liquor license is for Cardinals football tailgating fundraiser.

If this application is approved, the total number of days expended by this applicant will be five of the allowed 10 days per calendar year. Under the provisions of A.R.S. § 4-203.02, the Arizona Department of Liquor Licenses and Control may issue a special event liquor license only if Council recommends approval of such license.

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

Based on the 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. LIQUOR LICENSE NO. 3-1244, EL PRESIDENTE

This is a request for City Council to approve a new, non-transferable series 12 (Restaurant) license. El Presidente is located at 5171 West Bell Road. The Arizona Department of Liquor Licenses and Control application (No. 12078022) was submitted by Ricardo Sahagun Sr.

The location of the establishment is 5171 West Bell Road and is located within the Sahuaro District. The property is zoned M-1 (Light Industrial). The population density within a one-mile radius is 12,359. This series 12 is a new license, operating with an interim permit, therefore, the approval of this license will not increase the number of liquor licenses in the area. The number of liquor licenses within a one-mile radius is as listed below.

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
06	Bar – All Liquor	4
07	Bar – Beer and Wine	3
09	Liquor Store – All Liquor	2
10	Liquor Store – Beer and Wine	4
12	Restaurant	16
	<b>Total</b>	<b>29</b>

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.

3. LIQUOR LICENSE NO. 3-1245, CAFÉ GA HYANG

This is a request for City Council to approve a new, non-transferable series 12 (Restaurant) license. Café Ga Hyang is located at 4362 West Olive Avenue. The Arizona Department of Liquor Licenses and Control application (No. 12078044) was submitted by Denny Tae Kang.

The location of the establishment is 4362 West Olive Avenue and is located within the Cactus District. The property is zoned C-2 (General Commercial). The population density within a one-mile radius is 21,358. This series 12 is a new license, operating with an interim permit, therefore, the approval of this license will not increase the number of liquor licenses in the area. The number of liquor licenses within a one-mile radius is as listed below.

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
06	Bar – All Liquor	9
07	Bar – Beer and Wine	3
09	Liquor Store – All Liquor	5
10	Liquor Store – Beer and Wine	6
12	Restaurant	9
	<b>Total</b>	<b>32</b>

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.

4. LIQUOR LICENSE NO. 3-1246, CIRCLE K

This is a request for City Council to approve a new, non-transferable series 10 (Liquor Store - Beer and Wine) license. Circle K is located at 5908 West Thunderbird Road. The Arizona Department of Liquor Licenses and Control application (No. 10075808) was submitted by Kim Kenneth Kwiatkowski.

The location of the establishment is 5908 West Thunderbird Road and is located within the Sahuaro District. The property is zoned C-2 (General Commercial). The population density within a one-mile radius is 16,107. This series 10 is a new license, operating with an interim permit, therefore, the approval of this license will not increase the number of liquor licenses in the area. The number of liquor licenses within a one-mile radius is as listed below.

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
06	Bar – All Liquor	2
07	Bar – Beer and Wine	4
09	Liquor Store – All Liquor	4
10	Liquor Store – Beer and Wine	5
12	Restaurant	6

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.

5. LIQUOR LICENSE NO. 3-1247, CIRCLE K

This is a request for City Council to approve a new, non-transferable series 10 (Liquor Store - Beer and Wine) license. Circle K is located at 7870 West Bell Road. The Arizona Department of Liquor Licenses and Control application (No. 10075804) was submitted by Kim Kenneth Kwiatkowski.

The location of the establishment is 7870 West Bell Road and is located within the Sahuaro District. The property is zoned PAD (Planned Area Development). The population density within a one-mile radius is 11,050. This series 10 is a new license, operating with an interim permit, therefore, the approval of this license will not increase the number of liquor licenses in the area. The number of liquor licenses within a one-mile radius is as listed below.

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
03	Domestic Micro – Brewery	2
05	Government	1
06	Bar – All Liquor	4
07	Bar – Beer and Wine	1
09	Liquor Store – All Liquor	4
10	Liquor Store – Beer and Wine	9
12	Restaurant	31
	<b>Total</b>	<b>52</b>

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.

6. LIQUOR LICENSE NO. 3-1248, CIRCLE K

This is a request for City Council to approve a new, non-transferable series 10 (Liquor Store - Beer and Wine) license. Circle K is located at 20203 North 67<sup>th</sup> Avenue. The Arizona Department of Liquor Licenses and Control application (No. 10075805) was submitted by Kim Kenneth Kwiatkowski.

The location of the establishment is 20203 North 67<sup>th</sup> Avenue and is located within the Cholla District. The property is zoned SC (Shopping Center). The population density within a one-mile radius is 18,901. This series 10 is a new license, operating with an interim permit, therefore, the approval of this license will not increase the number of liquor licenses in the area. The number of liquor licenses within a one-mile radius is as listed below.

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
06	Bar – All Liquor	2
07	Bar – Beer and Wine	2
09	Liquor Store – All Liquor	2
10	Liquor Store – Beer and Wine	1
12	Restaurant	8
14	Private Club	1
	<b>Total</b>	<b>16</b>

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.

7. LIQUOR LICENSE NO. 3-1249, MY BIG FAT GREEK RESTAURANT

This is a request for City Council to approve a new, non-transferable series 12 (Restaurant) license. My Big Fat Greek Restaurant is located at 6922 North 95<sup>th</sup> Avenue, Suite 300. The Arizona Department of Liquor Licenses and Control application (No. 12078026) was submitted by Lauren Kay Merrett.

The location of the establishment is 6922 North 95<sup>th</sup> Avenue, Suite 300 and is located within the Yucca District. The property is zoned PAD (Planned Area Development). The population density within a one-mile radius is 5,765. This series 12 is a new license, operating with an interim permit, therefore, the approval of this license will not increase the number of liquor licenses in the area. The number of liquor licenses within a one-mile radius is as listed below.

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
03	Domestic Micro – Brewery	1
06	Bar – All Liquor	3
07	Bar – Beer and Wine	4

10	Liquor Store – Beer and Wine	2
11	Hotel/Motel	1
12	Restaurant	12
	<b>Total</b>	<b>23</b>

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.

8. LIQUOR LICENSE NO. 3-1251, TRADER JOE'S

This is a request for City Council to approve a new, person to person, location to location transfer series 7 (Bar – Beer and Wine) license. Trader Joe's is located at 7720 West Bell Road. The Arizona Department of Liquor Licenses and Control application (No. 07076005) was submitted by H. J. Lewkowitz.

The location of the establishment is 7720 West Bell Road and is located within the Sahuaro District. The property is zoned PAD (Planned Area Development). The population density within a one-mile radius is 10,768. This series 7 is a new license, however, the approval of this license will not increase the number of liquor licenses in the area because Trader Joe's currently has a series 10 liquor license which will be reverted back to the State if this series 7 is approved. The number of liquor licenses within a one-mile radius is as listed below.

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
03	Domestic Micro – Brewery	2
05	Government	1
06	Bar – All Liquor	4
07	Bar – Beer and Wine	1
09	Liquor Store – All Liquor	4
10	Liquor Store – Beer and Wine	9
12	Restaurant	31
	<b>Total</b>	<b>52</b>

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.

9. LIQUOR LICENSE NO. 3-1253, ARIZONA PIZZA COMPANY

This is a request for City Council to approve a new, non-transferable series 12 (Restaurant) license. Arizona Pizza Company is located at 8110 West Union Hills Drive, Building 3, Suite 350. The Arizona Department of Liquor Licenses and Control application (No. 12078048) was submitted by Rickey Allen Nunley.

The location of the establishment is 8110 West Union Hills Drive, Building 3, Suite 350 and is located within the Cholla District. The property is zoned C-2 (General Commercial). The population density within a one-mile radius is 15,526. This series 12 is a new license, operating with an interim permit, therefore, the approval of this license will not increase the number of liquor licenses in the area. The number of liquor licenses within a one-mile radius is as listed below.

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
03	Domestic Micro – Brewery	1
06	Bar – All Liquor	2
09	Liquor Store – All Liquor	3
10	Liquor Store – Beer and Wine	2
12	Restaurant	11
	<b>Total</b>	<b>19</b>

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.

10. OFF TRACK WAGERING LICENSE NO. 4-3973, TURF PARADISE

This is a request for City Council to approve a new, person and location transferable Off Track Wagering (Teletracking and Pari-Mutuel System) license. Turf Paradise will operate within Arizona Pizza Company at 8110 West Union Hills Drive, Building 3, Suite 350. The application was submitted by David Wayne Johnson.

The location of the establishment will be inside the Arizona Pizza Company at 8110 West Union Hills Drive, Building 3, Suite 350, and is located within the Cholla District. The property is zoned C-2 (General Commercial). The population density within a one-mile radius is 15,526. If this application is approved, Turf Paradise will be allowed to operate as an additional wagering

facility at this location. Under the provisions of A.R.S. § 5, Chapter 1, the Arizona Department of Racing may issue a permit to operate an additional wagering facility only if Council recommends approval of such license.

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

Based on information provided under the background, it is staff's recommendation to forward this application to the Arizona Department of Racing with a recommendation of approval.

11. AWARD OF PROPOSAL 09-15: SALES TAX AND LICENSE SYSTEM SOFTWARE

This is a request for City Council to award proposal 09-15 and authorize the City Manager to enter into agreements with TCS America and Impression Technology Incorporated for sales tax and license system software in an amount not to exceed \$2,623,989.

This request supports the Council goal of a city with high quality of services for citizens and a city that is fiscally sound by providing a sales tax system that is crucial to billing, revenue collection, control of cash receipts, and reporting.

The current tax and license system is over 20 years old and was developed by the City of Glendale. The technology used to create and maintain the application has been discontinued by the vendor and is no longer supported. In addition, many manual processes are tied to the current sales tax system. Implementation of a new sales tax and license system will lead to more automation that will improve processes and minimize costs. This project will necessarily include business process improvements related to receiving and processing sales tax returns and license renewals, monitoring outstanding receivables and delinquencies, processing revenue collections, etc. The expected outcomes are better services for our customers (e.g., online submission of sales tax receipts) and the elimination of manual processes.

Materials Management issued a Request for Proposal and two offers were received. An evaluation panel consisting of six City staff reviewed the proposals based on specific criteria including functional requirements (account implementation, tax return process, customer services, etc.) and non-functional requirements (pricing, training, qualifications, implementation plan and post implementation support). The respondent receiving the highest ranking is TCS America.

TCS America will provide the new sales tax system, which includes end user-training, one year of warranty, two years maintenance, and expertise in the implementation of the sales tax system. This software is currently being used by several other Arizona cities, including Tucson and Phoenix.

Impression Technology Incorporated was submitted as an integral part of the TCS America proposal to provide electronic document processing. Electronic document processing reduces the need for manual entry of tax returns and the associated cost of paper management and storage.

The implementation of the sales tax and license system software will provide taxpayers with an opportunity to apply for licenses, file returns, and manage their account online. This will enhance customer service and reduce costs associated with paper forms, postage, and document storage.

Funds are available in the FY 2009-10 capital improvement plan as a result of this project's carryover from FY 2008-09. The first two years of maintenance cost are included in the proposed cost.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
	X	X	X		\$2,623,989

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

Sales Tax System, Account No. 1000-81055-518200, \$2,623,989

The recommendation is to award proposal 09-15 and authorize the City Manager to enter into agreements with TCS America and Impression Technology Incorporated for sales tax and license system software in an amount not to exceed \$2,623,989.

**12. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR PEOPLESOFT/ORACLE CONSULTING SERVICES**

This is a request for City Council to authorize the City Manager to amend the professional services agreement with Empower Solutions for PeopleSoft/Oracle consulting services in an amount not to exceed \$73,000.

This request supports the Council goals of a city with high quality services for citizens and a city that is fiscally sound by enhancing the City's abilities to plan, track and manage compensation related expenses.

In September 2008, Council awarded a professional services agreement for PeopleSoft/Oracle consulting service for a Time and Labor system to Empower Solutions. The initial implementation phase of Time and Labor was successfully completed in June 2009.

During the Time and Labor system implementation some business process improvements were identified that require system modifications. These changes include the development of queries and reports for payroll processes and enhance accuracy and timeliness. Granting this request will allow the city to better plan, track, and manage compensation related expenses.

The implementation of an online Time and Labor system has automated several manual processes which has allowed staff the ability to focus on other projects and has eliminated the organization's need for paper timesheets. Additional functionality includes the ability to track and report time associated with specific events, improved budget planning, and the improved ability for departments to schedule employee time.

On September 23, 2008 Council awarded a professional services agreement for PeopleSoft/Oracle consulting services for a Time and Labor system to Empower Solutions.

Funds are available in the FY 2009-10 Capital Improvement Plan (carryover funds).

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
		X	X		\$73,000

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

Time, Labor, Payroll & Reports, Account No. 1000-81059-518200, \$73,000

The recommendation is to authorize the City Manager to amend the professional services agreement with Empower Solutions for PeopleSoft/Oracle consulting services in an amount not to exceed \$73,000.

13. FY 2009-10 PERFORMING ARTS PROGRAM

This is a request for City Council to approve the Glendale Arts Commission’s FY 2009-10 Performing Arts Program.

The Performing Arts Program supports the Council’s strategic goal of a city with high quality services for citizens through sponsoring a wide variety of arts programs in public facilities and schools throughout the city.

Proposals for performing arts projects to be held in Glendale were solicited from non-profit arts organizations, schools and government agencies for FY 2009-10. The Arts Commission reviewed 17 proposals at their meeting on April 27, 2009. The Arts Commission recommends issuing contracts for 10 performing arts projects totaling \$32,000 as well as appropriating \$3,500 to Foothills Branch Library to support “Around the World in Eighty Days”, a three-month series of dance and music performances and artistry workshops. All 11 performing arts projects total \$35,500 for funding for FY 2009-10. Contracts to be issued:

- \$3,000 - Arizona Broadway Theatre for two performances held in Main Library’s auditorium;
- \$3,500 - Arizona Theatre Company to support the artists in residence program for students at Mountain Ridge High School showcasing the work of William Shakespeare;
- \$3,500 - Ballet Arizona for the “Ballet Under the Stars” free outdoor performance at Sahuaro Ranch Park Historic Area and artists in residence at Don Mensendick Elementary School;
- \$2,500 - Bead Museum to support the 2009-2010 public lecture series for the special exhibition “From Caves to Castles”, which opens in September 2009;
- \$3,500 - Center Dance Ensemble for “Poetry in Motion”, a series of 9 lecture-demonstration dance performances to be held for the student body, parents and friends at Challenger Middle School and Sunset Vista, Desert Garden and Glenn F. Burton Elementary Schools;

- \$3,000 - Deer Valley School District for a series of workshops for band students and performances for the student body at Desert Sky Middle School;
- \$3,000 - Phoenix Conservatory of Music for “Bicentennial Around the World!!”, a year-long after school music program presented at Bicentennial South Elementary School;
- \$3,000 - Phoenix Symphony for presenting the “Classroom Concert Series” at Desert Garden Elementary School;
- \$3,500 - Scottsdale Cultural Council for presenting the “Arizona Wolf Trap” arts programs for preschoolers and workshops for teachers at Coyote Ridge, Desert Garden, Isaac E. Imes and Landmark Annex Schools;
- \$3,500 - West Valley Arts Council for presenting “The Big Read” literary arts series at Glendale’s libraries.

In 1996, Council approved the Performing Arts Program to motivate, increase and support the performing arts in Glendale. Since inception of the program, the city has invested \$422,700 in 159 performing arts projects.

The Performing Arts Program supports a wide variety of programs, which make the arts more accessible to Glendale citizens, most notably youth and their families. The various organizations host a variety of diverse arts programs throughout the community that can be enjoyed by residents of all ages.

Funds are available in the FY 2009-10 capital improvement plan. There are no operating costs associated with this program.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
	X		X		\$35,500

**Account Name, Fund, Account and Line Item Number:**  
 Arts Commission, Account No. 1220-84650-518200, \$35,500

The recommendation is to authorize the City Manager to award funding to agencies providing performing arts programs.

14. CONTRACT CHANGE ORDER FOR FIRE STATION SECURITY GATES AND FENCING

This is a request for the City Council to approve a change order to the construction contract with Phoenix Fence in the amount of \$58,872 for the construction of security gates and fencing at Fire Station 153.

This request supports the council goal of one community committed to public safety by enhancing security at the fire station.

At a previous council meeting, council approved a contract for security gates and fencing for six fire stations. The Police Department has available Homeland Security Grant funding that can be used for security gates and fencing at Fire Station 153.

On April 28, 2009, Council approved the construction contract to Phoenix Fence for installation of security fencing at six fire stations.

The one-time cost associated with this project is contained within the Homeland Security Grant. The operating and maintenance cost are minimal and will be absorbed by the Fire Department's operating budget.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
\$58,872					\$58,872

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

2007 UASI Threat Mtgtn-PS Bldg, Account No. 1840-33096-550800, \$58,872

The recommendation is to approve a change order to the construction contract with Phoenix Fence in the amount of \$58,872 for the construction of security gates and fencing at Fire Station 153.

15. PUBLIC SAFETY MEMORIAL CONTRACT

This is a request for City Council to authorize the City Manager to enter into a contract with public artist Haiying Wu for the construction of the Public Safety Memorial. The site for the Memorial is the Glendale Civic Center Plaza, 5752 West Glenn Drive.

The Memorial addresses the Council goal of one community committed to public safety. The Memorial will provide a venue to hold ceremonies and a place for citizens to go to recognize their fallen heroes.

Following discussion by the Council at two workshops, a Public Safety Memorial Committee was formed consisting of representatives from families of two fallen public safety personnel, the Arts Commission, the Police and Fire unions, interested citizens and city staff members.

Staff researched memorials across the country. The committee participated in tours of memorials in the Greater Phoenix area and toured potential locations throughout the city. The committee provided input for the request for qualifications, which resulted in over sixty proposals from artists. Following a review and ranking of the proposals, the committee selected and interviewed finalists and reached a consensus on recommending artist Haiying Wu and the Civic Center Plaza site for Council consideration.

At the June 2, 2009 workshop Council reviewed the Memorial's proposed design concept and site.

At the August 21 and May 1, 2007 workshops Council discussed commissioning a memorial.

The Memorial provides the community with a ceremonial site in a highly visible location to honor and give respect to public safety employees that have lost their lives in the line of duty.

Following the death of Officer Anthony Holly, citizens expressed support for creating a memorial through letters, telephone calls and emails to public officials.

Citizens volunteered to participate on the committee and have been active over the past year in the process to plan this project.

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

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$200,000

<p><b><u>Account Name, Fund, Account and Line Item Number:</u></b>          Arts Commission, Account No. 1220-84650-518200, \$200,000</p>
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The recommendation is to authorize the City Manager to enter into a contract with public artist Haiying Wu for the construction of the Public Safety Memorial.

**CONSENT RESOLUTIONS**

16. VICTIMS OF CRIME ACT GRANTS

This is a request for City Council to adopt a resolution allowing the Police Chief to accept two Victims of Crime Act (VOCA) grants through the Arizona Department of Public Safety (DPS) for the department’s Victim Assistance Program.

The acceptance of the VOCA Grants addresses the Council goals of one community committed to public safety and a community with high quality services for citizens. The Victim Assistance Program provides comprehensive services to Glendale crime victims and their families.

The VOCA Grants will fund the majority of the salary, benefits and training for one Victim Assistance Caseworker, with the remainder coming from the department’s budget. It will also fund the salaries for one part-time Victim Assistance Caseworker and one part-time Victim Assistance Volunteer Coordinator.

The department’s Victim Assistance Program is part of a nationwide movement to better serve Glendale victims of crime by enhancing and expanding direct services in accordance with the Victims of Crime Act. The program assists Glendale victims in exerting their rights and helping them to gain stability in their lives. The Victim Assistance Program also ensures Glendale continues to maintain compliance with Arizona’s Crime Victims’ Rights mandates.

The Victim Assistance Program provides direct services to Glendale residents, and their families, who have become crime victims. Services offered through the Victim Assistance Program include: resource referrals, crisis counseling, court accompaniment, crime prevention, as well as advocacy services.

There is a \$30,258 financial match required for this funding. The money that is being spent on the rent and utilities for the advocacy center, where the advocates provide their services, qualifies as the department's financial match.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
\$121,033			\$30,258		\$151,291

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

Crime Investigations, Account No. 1000-12150-528600, \$30,258

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

The recommendation is to waive reading beyond the title and adopt a resolution allowing the Police Chief to accept two Victims of Crime Act grants through the Arizona Department of Public Safety for the department's Victim Assistance Program.

Resolution No. 4288 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ACCEPTING TWO GRANT OFFERS FROM THE ARIZONA DEPARTMENT OF PUBLIC SAFETY, VICTIMS OF CRIME ACT (VOCA), IN THE TOTAL AMOUNT OF \$121,033 FOR THE VICTIM ASSISTANCE PROGRAM IN THE GLENDALE POLICE DEPARTMENT.**

17. JUSTICE ASSISTANCE GRANT AWARD

This is a request for City Council to adopt a resolution authorizing and ratifying the acceptance of grant funding from the Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$172,060. The Police Department plans to use this funding toward replacement of its current Computer Aided Dispatch (CAD) System and a Records Management System (RMS).

This grant supports Council's goals of a city with high quality services for citizens by improving the level of service to citizens and one community focused on public safety for citizens and visitors. These goals are supported by focusing on public safety with the replacement of the current CAD and RMS system with a more advanced system.

The U.S. Department of Justice has made funding available to cities through the Edward Byrne Memorial Justice Assistance Grant Program (JAG). Maricopa County serves as the fiscal agent for this pass-through grant. This grant funding is in addition to the funds already received for 2009.

The replacement CAD and RMS system would include modules for booking, records management, dispatch, field reporting, property and evidence management and crime analysis.

On April 28, 2009 Council approved the acceptance of \$740,863 from the Edward Byrne Memorial Justice Grant.

There is no financial match required for this grant. This is one-time funding by the U.S. Department of Justice. Ongoing operating costs will be funded by RICO.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X					\$172,060
<b><u>Account Name, Fund, Account and Line Item Number:</u></b>					
A specific account will be established in Fund 1840, the city's grant fund, once the agreements are formally executed.					

The recommendation is to waive reading beyond the title and adopt a resolution authorizing and ratifying the acceptance of grant funding from the Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$172,060.

Resolution No.4289 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, RATIFYING THE ACCEPTANCE OF GRANT FUNDING FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$172,060 FOR THE GLENDALE POLICE DEPARTMENT.**

18. ACCEPTANCE OF 2009 STATE HOMELAND SECURITY GRANTS

This is a request for City Council to adopt a resolution authorizing the City Manager to accept and administer 2009 State Homeland Security grant funds in an amount not to exceed \$1,079,156.

This request supports the Council strategic goal of one community focused on public safety for citizens by providing both Police and Fire Departments a means to purchase homeland security related equipment to enhance security within the city.

The Police Department will be receiving approximately \$427,562. This funding will be used to enhance operations, through various homeland security projects, such as: purchasing protective gear, training, maintenance and acquisition of essential equipment and supplies.

The Fire Department will be receiving approximately \$651,594. This funding will be used to enhance operations by providing training and equipment. It will also allow the completion of enhancing security for several fire stations.

On December 9, 2008 Council approved the acceptance of State Homeland Security grants in the total amount of \$1,163,868.

Since 1999, Glendale has been able to leverage city funds with grant funds to enhance first responder preparedness. Grant funds have been used to purchase safety equipment to protect

first responders, specialized equipment for technical operations, and communication equipment, as well as training for prevention and intervention programs.

There is no financial match requested for this funding. This is one-time funding by the State Department of Homeland Security. Any operating and maintenance costs and future equipment replacement costs associated with the items initially purchased with the grant funds will be addressed in future budgets with the Fire Department's portion of the public safety sales tax funds. The Police Department will absorb operating and maintenance costs within its budget.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X					\$1,079,156

**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 awarded and formally executed.

The recommendation is to waive reading beyond title and adopt a resolution authorizing the City Manager to accept and administer the 2009 State Homeland Security grant funds in an amount not to exceed \$1,079,156.

**Resolution No. 4290 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 ACCEPTANCE OF THE FISCAL YEAR 2009 STATE HOMELAND SECURITY GRANTS FROM THE STATE OF ARIZONA, ARIZONA DIVISION OF EMERGENCY MANAGEMENT, IN AN AMOUNT NOT TO EXCEED \$1,079,156; AND AUTHORIZING THE CITY MANAGER OR ASSISTANT CITY MANAGER TO ADMINISTER SAID GRANT.**

Mr. Leonard Clark, a Phoenix resident, discussed the budgetary issues facing the legislature and his support of Items 10, 15, 16, 17 and 18. He supports the Public Safety Memorial contract and was glad the City was honoring their falling heroes. He stated that he was also in full support of the VOCA and the Justice Assistance Grant Awards. He believes it was very much needed. He also supports the Homeland Security Grants.

**It was moved by Frate and seconded by Knaack, to approve the recommended actions on Consent Agenda Item Nos. 1 through 18, including the approval and adoption of Resolution No. 4288 New Series, Resolution No. 4289 New Series, and Resolution No. 4290 New Series; and to forward Special Event Liquor License Application for Mountain Lions Baseball Booster Club for events on August 22, 28 and September 13, 2009 and Liquor License Application Nos. 3-1244 for El President, 3-1245 for Café Ga Hyang, 3-1246 for Circle K, 3-1247 for Circle K, 3-1248 for Circle K, 3-1249 for My Big Fat Greek Restaurant, 3-1251 for Trader Joe's, 3-1253 for Arizona Pizza Company to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.**

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

### **19. ANNEXATION APPLICATION AN-183: 115<sup>TH</sup> AVENUE ALIGNMENT – 11401 WEST GLENDALE AVENUE (PUBLIC HEARING REQUIRED)**

Mr. Jon Froke, AICP, Planning Director, presented this item.

This is a request for City Council to conduct a public hearing on the blank annexation petition for Annexation Area No. 183 (AN-183) as required by state statute. The approximately one acre parcel is located along Glendale Avenue and includes a portion of the 115<sup>th</sup> Avenue alignment. The request was initiated by Gammage & Burnham PLLC.

The proposed annexation is consistent with the Council goal for one community with quality economic development, as the private property is intended to be developed as a business park. This is an opportunity to develop an employment base in this portion of the Glendale Avenue Corridor.

The proposed annexation includes approximately .6 acres of private property, and the remainder of the area is existing road right-of-way planned for future construction of 115<sup>th</sup> Avenue.

The proposed annexation is not within the noise contours of Luke Air Force Base or the Glendale Municipal Airport. The property is not in a floodplain or floodway. The area is designated HI (Heavy Industrial) and LI (Light Industrial) on the Glendale General Plan. A portion of the property is currently designated LI and is the subject of a General Plan Amendment application. The property is currently zoned RU-43 (Rural Residential) in Maricopa County.

On May 7, 2009, the Planning Commission held public hearings and made recommendations to Council concerning the portion of the annexation area subject to the concurrent General Plan and rezoning applications.

The annexation of the area will allow the city's Public Works Group to implement roadway improvements to the Glendale Municipal Landfill and to install a new traffic signal at the intersection of 115<sup>th</sup> and Glendale avenues.

All property owners within the area to be annexed have been notified of this public hearing by first class mail. The proposed annexation has been posted in at least three conspicuous places on the property and advertised in *The Glendale Star*. No comments have been received.

The recommendation is to conduct a public hearing on the blank annexation petition for Annexation Area No. 183 (AN-183) as required by state statute.

**Mayor Scruggs opened the public hearing on Agenda Item No. 19.**

**As there were no comments, Mayor Scruggs closed the public hearing.**

**No action taken.**

## **PUBLIC HEARING – ORDINANCES**

20. REZONING APPLICATION ZON07-03 (ORDINANCE): CVS PHARMACY – 6030 NORTH 43<sup>RD</sup> AVENUE – (PUBLIC HEARING REQUIRED)

Mr. Jon Froke, AICP, Planning Director, presented this item.

This is a request for the City Council to approve a Planning Commission initiated rezoning from C-3 (Heavy Commercial) to C-2 (General Commercial). The property is located on the northwest corner of 43<sup>rd</sup> Avenue and Bethany Home Road. The property is currently zoned C-3 and the General Plan Land Use Map designation is GC (General Commercial). The rezoning request is intended to bring the zoning of the property into conformance with the city's General Plan.

Rezoning this property will allow CVS to have a property that is in conformance with the General Plan designation. The request will allow the proposed zoning district to be in conformance with the General Plan.

This CVS received their Certificate of Occupancy in August 2007. A conditional use permit was approved for the drive-thru at this location in October 2005.

This rezoning case was initiated by the Planning Commission on March 1, 2007, and was recommended for approval on September 4, 2008.

This action will strengthen the relationship between the General Plan Land Use Map and the zoning map.

A public notice for the City Council hearing was published in *The Glendale Star* on July 16, 2009. Informational postcards were mailed out to property owners and interested parties on July 17, 2009. There were no comments received during the citizen participation process.

The recommendation is to conduct a public hearing, waive reading beyond the title and adopt an ordinance for rezoning application ZON07-03 as recommended by the Planning Commission.

**Mayor Scruggs opened the public hearing on Agenda Item No. 20.**

**As there were no comments, Mayor Scruggs closed the public hearing.**

Ordinance No. 2689 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY LOCATED AT 6030 NORTH 43<sup>RD</sup> AVENUE FROM C-3 (HEAVY COMMERCIAL) TO C-2 (GENERAL COMMERCIAL); AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.**

**It was moved by Martinez, and seconded by Frate, to approve Ordinance No. 2689 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Knaack, Martinez, Frate, and Scruggs. Members voting “nay”: none.**

Councilmember Frate commented on the dramatic change to the corner of 43<sup>rd</sup> Avenue and Bethany Home Road. He stated the revitalization of that corner speaks volumes of how people want to come to Glendale and invest their money. These investments make the community better.

Mayor Scruggs thanked city staff and all departments who worked on this item.

## **ORDINANCES**

21. FLOOD CONTROL CHANNELIZATION EASEMENT ABANDONMENT: WEST OF 59<sup>TH</sup> AVENUE AND SOUTH OF THUNDERBIRD ROAD, ADJACENT TO THUNDERBIRD PASEO

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

This is a request for City Council to adopt an ordinance authorizing the abandonment by Quitclaim Deed of an easement located adjacent to the Thunderbird Paseo, west of 59<sup>th</sup> Avenue and south of Thunderbird Road that is no longer needed for flood control channelization purposes.

In August of 1973, to facilitate the development of the Arizona Canal Diversion Channel (ACDC), a 160-foot wide strip of land was given to the city of Glendale by Quit Claim Deed with the caveat that, if the city deemed the property no longer needed for flood control channelization, the property would be given back to the property owners who gave the land to the city. Formal action by Council is required to return clear title to this property.

Waive reading beyond the title and adopt an ordinance abandoning by Quitclaim Deed the flood control channelization easement and authorizing the City Manager to sign all documents necessary for the abandonment.

**Ordinance No. 2690 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 BY QUITCLAIM DEED OF ANY RIGHTS THE CITY MAY HAVE IN AN EASEMENT GRANTED FOR FLOOD CONTROL CHANNELIZATION (ADJACENT TO THE THUNDERBIRD PASEO, WEST OF 59<sup>TH</sup> AVENUE AND SOUTH OF THUNDERBIRD ROAD) AS IT IS NO LONGER NEEDED.**

**It was moved by Clark, and seconded by Goulet, to adopt Ordinance No. 2690 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Knaack, Martinez, Frate, and Scruggs. Members voting “nay”: none.**

22. SALT RIVER PROJECT POWER DISTRIBUTION EASEMENT: NORTHEAST CORNER 99<sup>TH</sup> AND GLENDALE AVENUES

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

This is a request for City Council to adopt an ordinance granting a power distribution easement in favor of Salt River Project (SRP) across portions of the city's Park and Ride lot at the northeast corner of 99<sup>th</sup> and Glendale Avenues.

Providing power to the digital marquees in the adjacent locations requires the installation by SRP of new power distribution facilities. To protect these facilities, SRP has requested the city of Glendale grant it an easement.

Waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute a power distribution easement in favor of Salt River Project on the Park and Ride lot at the northeast corner of 99<sup>th</sup> and Glendale Avenues.

**Ordinance No. 2691 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 POWER DISTRIBUTION EASEMENT IN FAVOR OF SALT RIVER PROJECT ACROSS PORTIONS OF THE CITY'S PARK AND RIDE LOT AT THE NORTHEAST CORNER OF 99<sup>TH</sup> AND GLENDALE AVENUES; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.**

**It was moved by Clark, and seconded by Goulet, to adopt Ordinance No. 2691 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Clark, Goulet, Knaack, Martinez, Frate, and Scruggs. Members voting "nay": none.**

23. FISCAL YEAR 2009-10 PROPERTY TAX LEVY ADOPTION

Ms. Sherry Schurhammer, Management and Budget Director, presented this item.

This is a request for City Council to adopt an ordinance setting the primary property tax rate at \$0.2252 per \$100 of assessed valuation for FY 2009-10 and the secondary property tax rate at \$1.3699 per \$100 of assessed valuation for FY 2009-10. The total property tax rate will remain unchanged at \$1.5951. A public hearing on the proposed FY 2009-10 property tax levy occurred at the June 23, 2009 evening meeting.

The setting of the property tax rate for FY 2009-10 is consistent with the Council's goal of a city that is fiscally sound as property tax revenue funds a portion of the city's operating and capital budget.

Arizona state law requires Council to set the property tax levy by the third Monday in August.

Arizona's property tax system consists of two tiers. The primary property tax levy has state-mandated maximum limits, but it can be used by a city for any purpose. The primary property tax revenue is included in the General Fund's operating budget. The secondary property tax levy is not limited, but it can be used only to retire the principal and interest on a municipality's bonds. The secondary property tax revenue funds the city's capital improvement plan.

All Truth in Taxation requirements of A.R.S. 42-17107 have been met. A Truth in Taxation hearing is not required. The public notice requirements of A.R.S. 42-17103 also have been met.

The primary property tax rate will change from \$0.2432 to \$0.2252 per \$100 of assessed valuation for FY 2009-10. The secondary property tax rate will be adjusted from \$1.3519 to \$1.3699 per \$100 of assessed valuation for FY 2009-10. The total property tax rate will remain unchanged at \$1.5951, which is the same total rate in effect for FY 2008-09.

A public hearing on the proposed FY 2009-10 property tax levy was held at the June 23, 2009 evening meeting. At the June 23 meeting Council also conducted a public hearing on the final budget and convened a special meeting to adopt a resolution formally approving the final operating, capital, debt service, and contingency appropriation budget.

Public notices, as required by state law, were printed in the June 11 and 18, 2009 issues of *The Glendale Star* regarding the date, time and location for the public hearings regarding the FY 2009-10 final budget and the FY 2009-10 property tax levy as well as the date for adoption of the property tax levy.

The FY 2009-10 preliminary budget was presented to Council on June 9, 2009. Council also conducted a public hearing on this item and adopted a resolution that included setting June 23, 2009, as the date for a public hearing on the property tax levy.

The fourth budget workshop occurred on April 29, 2009. Wrap up information regarding the proposed FY 2010 operating budget and proposed options for the FY 2010-19 Capital Improvement Plan (CIP) were addressed at this workshop.

The third budget workshop occurred on April 7, 2009. Information regarding employee matters was presented and decisions were confirmed regarding the recommended operating budget and rate recommendations for the water, sewer, sanitation, and landfill enterprise funds, both of which were presented in earlier budget workshops.

The second budget workshop occurred on March 31, 2009. The recommended 10-year CIP and enterprise fund rate recommendations were presented and discussed.

The first budget workshop occurred on March 24, 2009. The recommended operating budget for FY 2010 was presented and discussed.

The Budget Workbook containing the City Manager's recommended budget for FY 2009-10 was delivered to the Mayor and Council on Friday, March 13, 2009. A copy of the FY 2010 City Manager's recommended budget also was available on the city's website, [glendaleaz.com](http://glendaleaz.com).

Glendale's budget is an important financial, planning and public communication tool. It gives residents and businesses a clear and concrete view of the city's direction for public services, operations, and capital facilities and equipment. It also provides the community with a better understanding of the city's ongoing needs for stable revenue sources to fund public services, ongoing operations and capital facilities and equipment.

The budget provides Council, residents and businesses with a means to evaluate the city's financial stability.

A public hearing on the proposed FY 2009-10 property tax levy was held at the June 23, 2009 evening meeting.

The tentative budget book for FY 2009-10 and the corresponding council communication were posted publicly for the June 9 and 23, 2009, evening meetings per state requirements.

All spring 2009 budget workshops were open to the public and were posted publicly per state requirements. The Budget Workbook provided to Council for the budget workshops also was posted publicly as part of the agenda packet for the budget workshops.

It is estimated that the FY 2009-10 primary property tax rate will generate approximately \$4.2 million and the FY 2009-10 secondary property tax rate will generate approximately \$29.2 million for a total of approximately \$33.4 million.

The recommendation is to waive reading beyond the title and adopt an ordinance setting the primary property tax rate at \$0.2252 per \$100 of assessed valuation for FY 2009-10 and the secondary property tax rate at \$1.3699 per \$100 of assessed valuation for FY 2009-10 for a total rate of \$1.5951.

**Ordinance No. 2692 New Series was read by number and title only, it being AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF GLENDALE, SUBJECT TO TAXATION, A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTIONS, FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS AND PROVIDING FUNDS FOR GENERAL MUNICIPAL EXPENSES; ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2010; AND DECLARING AN EMERGENCY.**

Mr. Leonard Clark, a Phoenix resident, expressed his support of this item. He stated he felt the Council's decision on this matter was needed because of today's bad economic times. He indicated the City of Glendale was faring better than most cites because of the great leadership of the Council.

**It was moved by Clark, and seconded by Frate, to adopt Ordinance No. 2692 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Clark, Goulet, 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, August 18, 2009, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.**

## **MOTION TO EXCUSE COUNCILMEMBER**

**It was moved by Martinez, and seconded by Clark, to excuse Councilmember Lieberman from tonight's Council meeting. The motion carried unanimously.**

## **CITIZEN COMMENTS**

Ms. Michele Duval, a Cactus resident, express her appreciation for the Glendale Dial-A-Ride program. She stated she has ridden this system in other Arizona cities and was very impressed with the service in Glendale. She found the drivers to be very knowledgeable and prompt. She also conveyed her concern regarding Glendale's libraries not having adequate software for the visually impaired on their computers.

Mayor Scruggs thanked Ms. Duval for taking the time to come and speak concerning the Dial-A-Ride program. She stated her comments were greatly appreciated and confirms the work and effort of the Transportation Department are paying off. She added that the Library Director was in the audience tonight and will probably be in contact with her regarding the computer software issue.

Mr. Gary Livingston, a Sahuaro resident, inquired how the city was going to pay for the Camelback Spring Training Complex infrastructure. He indicated that revenue for the complex was not yet available and questioned the revenue sources. He explained that the figures simply do not add up, especially now in these economic times.

Mr. Paul R. Jones, a Phoenix resident, read a quote from the Glendale Star News opposing the proposed Tohono O'odham Nation's Casino. He stated this article recommends starting a class action group to oppose the Tohono O'odham Nation's Casino. He encourages anyone interested to e-mail him and pass the article to interested parties. His e-mail address is included in the article. He added he has important information exposing this group.

Mr. Leonard Clark, a Phoenix resident, expressed his concerns with issues surrounding the ASU West Campus. He suggested the public keep emphasizing to their legislators their concerns and the importance of education in the west valley.

Mr. Evertons Figueroa, an Ocotillo resident, stated he was a victim of an attack in 2003. However, he was the one arrested. He explained all the problems which ensued because of that false arrest including lawyer fees, probation and finally a lien on his home. He stated he was a victim of fraud which he could not fight because of his position. He indicated he did not have legal support because the man accusing him was good friends with the court judge and was very influential. Ultimately, the final decision on this case was ruled against him. Mayor Scruggs asked him if this had anything to do with Glendale City business. Mr. Figueroa stated he was concerned about city judges and had wanted to tell his story publicly.

## **COUNCIL COMMENTS AND SUGGESTIONS**

Vice Mayor Martinez congratulated Mr. Billingsley, coach of the Arrowhead Major All Star Team which won the state championship game. They are now playing for the regional championship. He wished them luck.

Councilmember Frate provided information on economic development in the Sahuaro District. He stated that the Mid First Bank at 66<sup>th</sup> Avenue and Bell Road will be open to the public this Friday. He stated that Advance Care of Glendale on 63<sup>rd</sup> Avenue and Bell Road was on track to open this fall and will employ 130 people. The Wal-Mart on 59<sup>th</sup> and Bell Avenues is 95% complete. He mentioned the Fry's on 66<sup>th</sup> Avenue was also being remodeled and the Ralph's Pizzeria on 59<sup>th</sup> and Greenway had been sold. The building will be converted to a medical facility. As always, he asked everyone to please watch children around water.

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:00 p.m.

\_\_\_\_\_  
Pamela Hanna  
Pamela Hanna - City Clerk