



GLENDALE

**MINUTES OF THE  
GLENDALE CITY COUNCIL MEETING  
Council Chambers  
5850 West Glendale Avenue  
October 25, 2011  
7:00 p.m.**

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

Councilmember Norma S. Alvarez participated and voted by telephone.

Also present were Horatio Skeete, 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 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 OCTOBER 11, 2011 CITY COUNCIL MEETING**

**It was moved by Martinez, and seconded by Frate, to dispense with the reading of the minutes of the October 11, 2011 Regular City Council meeting, as each member of the Council had been provided copies in advance, and approve them as written. The motion carried unanimously.**

**BOARDS, COMMISSIONS AND OTHER BODIES**

**BOARDS, COMMISSIONS AND OTHER BODIES**

Councilmember Joyce Clark presented this item.

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

**Arts Commission**

Jessica Koory	Ocotillo	Appointment	10/25/2011	08/23/2013
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**Citizens Advisory Commission On Neighborhoods**

Jonathan Larkin	Cactus	Appointment	10/25/2011	06/30/2012
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**Library Advisory Board**

Charlene Sharp – Vice Chair	Sahuaro	Reappointment	10/25/2011	09/16/2012
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**Western Loop 101 Public Facilities Corp.**

Sherry Schurhammer		Appointment	10/25/2011	10/25/2013
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Diane Goke		Appointment	10/25/2011	10/25/2013
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The recommendation is to make appointments to the boards, commissions and other bodies and administer the Oaths of Office.

**It was moved by Clark, and seconded by Frate, to appoint Jessica Koory to the Arts Commission; Jonathan Larkin to the Citizens Advisory Commission on Neighborhoods; Charlene Sharp to the Library Advisory Board; and Sherry Schurhammer and Diane Goke to the Western Loop 101 Public Facilities Corp., for the terms listed above. 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. Horatio Skeete, Assistant City Manager, read agenda item numbers 1 through 6 and Ms. Pamela Hanna, City Clerk, read consent agenda resolution item numbers 7 through 11 by number and title.

**1. SPECIAL EVENT LIQUOR LICENSES FOR CITY OF GLENDALE SPECIAL EVENTS DEPARTMENT**

This is a request for City Council to approve five special event liquor licenses for the City of Glendale Special Events Department for their upcoming 2011-12 signature festival season. The following events will be held in downtown Glendale located at 58<sup>th</sup> Avenue and Glenn Drive:

1. Glendale Glitters Spectacular Weekend:  
Friday, November 25, 2011 from 5-10 p.m.  
Saturday, November 26, 2011 from 5-10 p.m.
2. Glendale's Spirit of Giving Weekend:  
Friday, December 2, 2011 from 6-10 p.m.  
Saturday, December 3, 2011 from 6-10 p.m.
3. Glendale Glitter & Glow Block Party:  
Saturday, January 14, 2012 from 4-11 p.m.
4. Glendale Chocolate Affaire:  
Friday, February 3, 2012 from 5-10 p.m.

Saturday, February 4, 2012 from 10 a.m.-10 p.m.

Sunday, February 5, 2012 from Noon-5 p.m.

5. Glendale Jazz & Blues Festival:

Saturday, April 14, 2012 from Noon-10 p.m.

Sunday, April 15, 2012 from Noon-6 p.m.

If these applications are approved, the total number of days expended by this applicant will be 10 of the allowed 10 days for the 2011 calendar year and six days of the allowed 10 days for the 2012 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 the Council recommends approval of such license.

The City of Glendale Planning, Police, and Fire Departments have reviewed the applications and determined that they meet all technical requirements.

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

2. SPECIAL EVENT LIQUOR LICENSE, GLENDALE CIVIC PRIDE AMBASSADORS

This is a request for City Council to approve a special event liquor license for the Glendale Civic Pride Ambassadors. The event will be held in downtown Glendale at 58<sup>th</sup> Avenue and Glenn Drive on Friday, December 9 and Saturday, December 10, 2011, from 6 p.m. to 10 p.m. The purpose of this special event liquor license is for Glendale's Winter Wonderland Weekend.

If this application is approved, the total number of days expended by this applicant will be two 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 the 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.

3. LIQUOR LICENSE NO. 5-2638, LA RUBIA Y LA MORENA

This is a request for City Council to approve a person-to-person transferable series 7 (Bar - Beer and Wine) license for La Rubia Y La Morena located at 6723 West Bethany Home Road. The Arizona Department of Liquor Licenses and Control application (No. 07070232) was submitted by Margarita Molina.

The location of the establishment is 6723 West Bethany Home Road in the Yucca District. The property is zoned C-2 (General Commercial). The population density within a one-mile radius is 29,607. La Rubia Y La Morena is currently operating with an interim permit, therefore, the approval of this license will not increase the number of liquor licenses in the area. The current 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	1
09	Liquor Store - All Liquor	4
10	Liquor Store - Beer and Wine	12
12	Restaurant	2
	<b>Total</b>	<b>21</b>

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. WAREHOUSE LEASE RENEWAL FOR EQUIPMENT AND SUPPLIES

This is a request for City Council to approve the lease renewal for warehouse space for storing public safety equipment and supplies.

This item addresses Council's goal of one community committed to public safety by centralizing essential public safety homeland security equipment and supplies.

This project has been approved through the U.S. Department of Homeland Security/FEMA Urban Area Security Initiative (UASI) and Metropolitan Medical Response System (MMRS) programs. The second annual renewal of the sublease for 16,000 square feet of warehouse space in the City of Glendale is a cooperative effort between the Police and Fire Departments and provides a climate controlled, secure storage environment. The lease rate has been verified as a competitive rate by the city's Economic Development Department.

The warehouse space for this lease was identified last fiscal year and the continued use of this space will be addressed through future U.S. Department of Homeland Security grant programs. The city's Material Control Division will continue to monitor the receipt of new equipment housed in this facility.

On November 23, 2010, Council approved the expenditure of Federal Homeland Security grant funds for a partial-year lease of warehouse space for public safety equipment and supplies.

On November 9, 2010, Council approved the acceptance of the 2010 State Homeland Security grant.

This project will benefit the community by continuing to provide the Police and Fire Departments a centralized location to store public safety assets.

This expenditure is approved and funded by the 2011 U.S. Department of Homeland Security/FEMA grant sources. The city’s individual program accounts for these grants and their respective lease allotments are listed below. The lease cost includes City of Glendale Rental Tax.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
X					\$146,000

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

Specific project accounts will be established in Fund 1840, the city’s grant fund, once the grant agreements are formally executed.

The recommendation is to approve the lease renewal for warehouse space for storing public safety equipment and supplies.

**5. AWARD OF BID FOR 67<sup>TH</sup> AVENUE STORM DRAIN**

This is a request for City Council to award the bid and authorize the City Manager to enter into a construction agreement with ALR Construction, Inc. in an amount not to exceed \$499,420.06 for the construction of a 36-inch storm drain in 67<sup>th</sup> Avenue from Frier Drive to Orangewood Avenue.

This project supports Council’s goal of one community with high-quality service for citizens by improving drainage along 67<sup>th</sup> Avenue and the adjoining neighborhoods.

This storm drain was identified as being needed in the city’s Stormwater Management Plans. It is an extension to an existing storm drain system.

On September 20, 2011, 13 bids were received for this project with ALR Construction, Inc. submitting the lowest responsive and qualified bid in the amount of \$499,420.06. Construction is scheduled to begin in mid-November and completion is anticipated by mid-February.

This project will improve the street drainage in the neighborhood surrounding this project.

A public notification component is included as part of the construction agreement, which includes distribution of a newsletter to the surrounding businesses and residents in the affected area.

Funds are available in the FY2011-12 capital improvement plan. There are no additional operating costs associated with this project.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
	X		X		\$499,420.06

<b><u>Account Name, Fund, Account and Line Item Number:</u></b> Local Drainage Problems, Account No. 2180-79004-550800, \$499,420.06
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The recommendation is to award the bid and authorize the City Manager to enter into a construction agreement with ALR Construction, Inc. in an amount not to exceed \$499,420.06 for the construction of a 36-inch storm drain in 67<sup>th</sup> Avenue from Frier Drive to Orangewood Avenue.

**6. AWARD OF PROPOSAL FOR BUS SHELTER TRASH PICKUP SERVICES**

This is a request for City Council to award the proposal and authorize the City Manager to enter into an agreement with ShelterCLEAN of Arizona for bus shelter trash pickup services in an amount not to exceed \$90,000.

This request supports Council’s goal of one community with high-quality services by providing clean bus shelters for the citizens of Glendale.

Glendale contracts for trash collection services to maintain a clean area in and around bus shelters. This agreement will provide trash collection services at all bus stop locations in Glendale, including the park and ride facility. Bus stops are serviced at varying frequencies up to three times weekly, depending on passenger use.

Two proposals were received for the provision of bus stop trash collection. An evaluation panel consisting of staff from Glendale’s Transportation Services and Public Works along with another municipal transit provider reviewed the proposals. The proposal that scored the highest by the committee was submitted by ShelterCLEAN of Arizona.

This agreement is for one year with an option to extend for four additional years in one-year increments.

In 2006, staff entered into an agreement with ShelterCLEAN of Arizona for bus shelter trash pickup. The agreement was for one year with four one-year extension options.

By providing trash collection services at bus stops, citizens will benefit from clean facilities that will encourage continued usage of the city’s transit services.

Funds are available in the FY2011-12 GO Transportation Program operating budget.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$90,000

***Account Name, Fund, Account and Line Item Number:***  
 Fixed Route, Account No. 1660-16540-518200, \$90,000

The recommendation is to award the proposal and authorize the City Manager to enter into an agreement with ShelterCLEAN of Arizona for bus shelter trash pickup services in an amount not to exceed \$90,000; and to further authorize the City Manager to extend the agreement, at his discretion, in accordance with the original terms of the agreement.

**CONSENT RESOLUTIONS**

**7. RULES AND REGULATIONS FOR THE GLENDALE MUNICIPAL AIRPORT**

This is a request for City Council to adopt a resolution amending and adopting the Rules and Regulations for the Glendale Municipal Airport clarifying the prohibition of uses contrary to federal laws, rules, regulations and other requirements.

This request supports the Council’s goal of one community with high-quality services for citizens by updating rules and regulations governing the Glendale Municipal Airport.

The Glendale Municipal Airport is designated as a general aviation airport by the Federal Aviation Administration. As a recipient of federal grants, the airport must adhere to federal grant assurance obligations. Glendale Airport and its tenants follow the Airport Rules and Regulations in order to meet local, state, and federal laws, rules, and regulations.

This amendment to section 2-3 of the Airport Rules and Regulations clarifies that the Airport cannot be used in any way that would cause the city to be in non-compliance with any of the federal grant assurance obligations.

On September 14, 2011, the Aviation Advisory Commission reviewed the amendment and recommended approval.

The recommendation is to waive reading beyond the title and adopt a resolution amending and adopting the Rules and Regulations for the Glendale Municipal Airport clarifying the prohibition of uses contrary to federal laws, rules, regulations and other requirements.

**Resolution No. 4520 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING AND ADOPTING THE RULES AND REGULATIONS FOR THE GLENDALE MUNICIPAL AIRPORT CLARIFYING THE**

**PROHIBITION OF USES CONTRARY TO FEDERAL LAWS, RULES, REGULATIONS AND OTHER REQUIREMENTS.**

**8. INTERGOVERNMENTAL AGREEMENT WITH SALT RIVER PROJECT**

This is a request for City Council to adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement (IGA) entitled, “Distribution Design and Construction Contract” with Salt River Project (SRP) for new electrical service for the landscaping irrigation controller at the 51<sup>st</sup> Avenue and Camelback Road intersection improvement project.

This request supports Council’s goal of one community with high-quality services for citizens by providing irrigation controllers to landscaped areas within the city’s roadway network.

The Arizona Department of Transportation and the Maricopa Association of Governments have allocated funding for intersection improvements at 51<sup>st</sup> Avenue and Camelback Road. As part of this project, new landscaping will be installed along the roadway right-of-way and in the newly constructed medians. This new electrical service will serve the irrigation controller used to efficiently manage the watering of the landscaping.

On June 28, 2011, Council approved an IGA with SRP for construction services to relocate transmission lines.

On April 26, 2011, Council approved two IGA’s with SRP for construction services to underground the streetlight facilities and overhead power lines.

Funds are available in the FY 2011-12 capital improvement plan for design and construction of this new electrical service. The operating costs associated with the construction of this project will be absorbed by the GO Transportation operating budget.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
	X		X		\$2,650

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

51<sup>st</sup> Avenue HES Projects, Account No. 2210-65086-550800, \$2,650

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement with Salt River Project for new electrical service for the landscaping irrigation controller at the 51<sup>st</sup> Avenue and Camelback Road intersection improvement project.

**Resolution No. 4521 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, “DISTRIBUTION DESIGN**

**AND CONSTRUCTION CONTRACT” WITH SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT FOR NEW ELECTRICAL SERVICE AT 5020 NORTH 51<sup>ST</sup> AVENUE IN GLENDALE.**

**9. 2011 ARIZONA DEPARTMENT OF HOMELAND SECURITY GRANTS ACCEPTANCE**

This is a request for City Council to adopt a resolution authorizing the City Manager to accept the 2011 Arizona Department of Homeland Security grant funds in the approximate amount of \$625,859.

This request supports Council’s goal of one community committed to public safety by providing both Fire and Police Department funding to purchase homeland security related equipment.

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 equipment to enhance communication efforts, as well as to develop preparedness training and to enhance prevention and intervention programs.

The Fire Department will be receiving approximately \$419,109 and the Police Department will be receiving approximately \$206,750. This funding will be used to continue and enhance operations by providing the necessary training and equipment to maintain a high level of preparedness. Specifically, the grant will be broken down as follows: Police and Fire Rapid Response Team, Police and Fire Terrorism Liaison Officer, Citizen Corps, Glendale Airport Target Hardening, the Metropolitan Medical Response System, and a file server.

On November 9, 2010, Council approved the acceptance of 2010 Arizona Department of Homeland Security grants.

There are no matching funds required for these grants. This is one-time funding by the Arizona Department of Homeland Security. Any future operating and maintenance costs for equipment purchased through these grants will come from the Fire and Police Departments existing operating budget.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
X					\$625,859

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

Specific accounts 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 authorizing the City Manager to accept the 2011 Arizona Department of Homeland Security grant funds in the approximate amount of \$625,859.

**Resolution No. 4522 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 2011 ARIZONA DEPARTMENT OF HOMELAND SECURITY GRANT FUNDING IN THE APPROXIMATE AMOUNT OF \$625,859 ON BEHALF OF THE GLENDALE FIRE AND POLICE DEPARTMENTS.**

10. FY 2011 SMART POLICING INITIATIVE GRANT

This is a request for City Council to adopt a resolution authorizing the City Manager to accept a FY 2011 Smart Policing Initiative Grant from the Department of Justice, Office of Justice Programs in the approximate amount of \$237,451.

Acceptance of this grant will support Council’s goal of one community committed to public safety by enhancing the Police Department’s ability to reduce crime in neighborhoods.

The Police Department has sought this grant funding to continue the Glendale Police Department Smart Policing Initiative. This Initiative is an additional two-year project in which the Police Department will collaborate with Arizona State University’s (ASU) Center for Violence Prevention and Community Safety. Together, the Police Department and ASU will identify problems involving crime and disorder while developing and implementing responses to the specific problems using community policing strategies. At the conclusion of the Initiative, the impact of the implemented responses will be assessed. ASU professors will provide training in problem solving policing methods, as well as, guide and monitor the Initiative process and conduct an assessment of the outcome.

Funding from this grant will cover the costs of overtime for officers, civilian employees and the salaries for ASU staff involved in this Initiative. This grant will also cover the cost of training and supplies associated with the Initiative.

On October 13, 2009, Council approved the acceptance of a FY 2009-10 Smart Policing Initiative Grant in the amount of \$299,985.

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

The grant award totals \$237,451. There is no financial match required for this grant.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
X					\$237,451

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

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

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to accept a FY 2011 Smart Policing Initiative Grant from the Department of Justice, Office of Justice Programs in the approximate amount of \$237,451.

**Resolution No. 4523 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 FY 2011 SMART POLICING INITIATIVE GRANT FROM THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, IN THE APPROXIMATE AMOUNT OF \$237,451 ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.**

**11. ARIZONA GOVERNOR’S OFFICE OF HIGHWAY SAFETY GRANTS**

This is a request for City Council to adopt a resolution authorizing the City Manager to accept two Governor’s Office of Highway Safety (GOHS) grant awards. The first grant in the approximate amount of \$10,000 will be used for vehicle occupant protection enforcement/education; the second grant in the approximate amount of \$19,000 will be used to enhance speed traffic enforcement.

This request supports Council’s goal of one community committed to public safety by providing the Police Department a means to focus on speed enforcement and vehicle occupant protection enforcement/education.

The first grant award in the approximate amount of \$10,000 will support the Police Department by providing overtime funding for personnel to promote vehicle occupant safety through enforcement and education during the grant period ending September 30, 2012. This will include a *Click It or Ticket* enforcement campaign to encourage seat belt use and child car safety seats.

The second grant award in the approximate amount of \$19,000 will allow the Police Department to purchase radar technology to enhance speed traffic enforcement.

Council has approved the acceptance of grant funding from GOHS since 1995.

These grant awards will benefit the citizens of Glendale by allowing the Police Department to purchase more resources to enforce traffic laws and provide additional hours of police officer patrol time dedicated to promoting occupant safety.

The two grant awards total \$29,000. There is no financial match required for either grant.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
X					\$29,000

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

Specific accounts 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 title and adopt a resolution authorizing the City Manager to accept two Governor's Office of Highway Safety grant awards on behalf of the Glendale Police Department.

**Resolution No. 4524 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 TWO GOVERNOR'S OFFICE OF HIGHWAY SAFETY GRANTS ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.**

**It was moved by Frate and seconded by Clark, to approve the recommended actions on Consent Agenda Item Nos. 1 through 11, including the approval and adoption of Resolution No. 4520 New Series, Resolution No. 4521 New Series, Resolution No. 4522 New Series, Resolution No. 4523 New Series, and Resolution No. 4524 New Series; and to forward Special Event Liquor License Applications for City of Glendale Special Events Department and Glendale Civic Pride Ambassadors and Liquor License Application No. 5-2638 for La Rubia y la Morena to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.**

**BIDS AND CONTRACTS**

**12. COMPUTER AIDED DISPATCH/RECORDS MANAGEMENT SYSTEM UPGRADE**

Steve Conrad, Police Chief, presented this item.

This is a request for the City Council to authorize the expenditure of up to \$5,600,000 for the purchase and implementation of a new Computer-Aided Dispatch and Records Management (CAD/RMS) system for the Police Department; to authorize the City Manager to enter into an agreement with Intergraph Corporation for software, implementation, and maintenance services; and to authorize the related purchase of computer hardware and networking equipment, cabling, installation and consulting services in accordance with the city's standard purchasing requirements.

This project supports Council's goal of one community committed to public safety by implementing an integrated CAD/RMS system enabling the Police Department to better analyze trends, link crimes, identify suspects, make arrests, and improve the quality of field reporting.

The current CAD/RMS was developed in-house and has become outdated, no longer meeting Police Department needs. The replacement system is more technologically advanced, reliable,

supportable and fully integrated; CAD and RMS are engineered to work together. Important outcomes include to more accurately deploying resources, improved access to critical information for officers responding to calls for service enabling the Police Department to continue meeting its obligation to protect citizens and property, and improved ability to respond to and analyze crimes for commonalities.

Intergraph Corporation was selected through a RFP process, which focused primarily upon a bidder's ability to meet the city's needs and operational requirements. Intergraph Corporation was the most qualified bidder; they are an internationally recognized leader in the software products specific to this project.

On September 27, 2011, Council approved the acceptance of \$35,250 from the FY 2011-12 Gerald Hardt Memorial Criminal Justice Records Improvement Program Grant.

On August 23, 2011, Council approved the acceptance of \$122,631 from the 2011 Edward Byrne Memorial Justice Grant.

On October 12, 2010, Council approved the acceptance of \$1,000,000 from a U.S. Department of Justice grant.

On August 11, 2009, Council approved the acceptance of \$172,060 from the 2009 Edward Byrne Memorial Justice Grant.

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

All five grant awards will be used towards the partial funding of the CAD/RMS implementation.

The implementation of this program over the next several years will utilize various funding sources including grants and operations accounts. A total of \$2,070,804 in grant funds have been awarded to date that will be used to fund portions of this program. An additional amount of \$3,529,196 from RICO funds will be allocated towards its implementation.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X			X		\$5,600,000

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

ACJC Records Improvement, Account No. 1840-33170-551400, \$35,250  
 2011 JAG CAD/RMS Replacement, Account No.1840-33173-526800 , \$122,631  
 GPD Technology Enhancement Pro, Account No. 1840-33164- 526800, \$1,000,000  
 2009 Edward Byrne Memorial JAG, Account No. 1840-33141-551400, \$172,060  
 JAG Recovery Act, Account No. 1842-37002-551400, \$740,863  
 State RICO, Account No. 1860-32030- 551200 , \$3,529,196

The recommendation is to authorize the expenditure of up to \$5,600,000 for the purchase and implementation of a new Computer-Aided Dispatch and Records Management (CAD/RMS) system for the Police Department; to authorize the City Manager to enter into an agreement with Intergraph Corporation for software, implementation, and maintenance services; and to authorize the related purchase of computer hardware and networking equipment, cabling, installation and consulting services in accordance with the city's standard purchasing requirements.

Councilmember Clark asked if there were any requirements on the use of the RICO account. Chief Conrad replied yes and added those guidelines were established by the federal government. He noted one of the expressed uses for RICO funding was law enforcement equipment. Councilmember Clark stated she wanted to make the public aware of all the grants and funding mechanisms being used for this item rather than the funds coming from the general fund.

Vice Mayor Frate asked what the letters RICO stood for. Chief Conrad remarked they stood for the Racketeering, Influenced, Corrupt Organizations Act. He explained it was passed by the federal government to allow for assets-sharing in situations where funding had been seized from criminals. Vice Mayor Frate asked how long this process will take. Chief Conrad determined this was going to be an extended project using a phased approach. Vice Mayor Frate noted the current system was satisfactory; however, the city was planning for the future with this new system.

**It was moved by Clark, and seconded by Lieberman, to authorize the expenditure of up to \$5,600,000 for the purchase and implementation of a new Computer-Aided Dispatch and Records Management (CAD/RMS) system for the Police Department and to authorize the City Manager to enter into an agreement with Intergraph Corporation for software, implementation, and maintenance services; and to authorize the related purchase of computer hardware and networking equipment, cabling, installation and consulting services in accordance with the city's standard purchasing requirement. The motion carried unanimously.**

## **RESOLUTIONS**

### **13. INTERGOVERNMENTAL AGREEMENT WITH LUKE AIR FORCE BASE FOR DUAL-STAFFING OF A FIRE TRUCK**

Mark Burdick, Fire Chief, presented this item.

This is a request for City Council to adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement (IGA) with Luke Air Force Base (LAFB) to operate a dual-staffed Glendale fire truck which will be deployed from LAFB for a six-month pilot program.

This item supports Council's goals of one community committed to public safety and one community with an active partnership with LAFB by providing a dual-staffed, Advanced Life Support (ALS) fire truck to serve Glendale and LAFB.

As part of the automatic aid system, LAFB Fire Department responds to emergencies inside and outside the base, however, they do not have paramedic ALS responders. In 2010, calls requiring paramedic response accounted for approximately 42% of all calls in the area that LAFB Fire Department serves. This IGA outlines the proposed dual-staffed unit that will deliver ALS paramedic response service to an area of Glendale that currently relies on automatic aid from other cities for its paramedic coverage.

This unit will be in service during the operating hours mutually agreed upon by both the Glendale and LAFB Fire Chiefs. The specific hours of operation will be determined within 10 days of the effective date of the IGA. Glendale will provide an existing, fully equipped, reserve ALS fire engine pumper for this program and two existing Glendale paramedic firefighters (one captain and one engineer). Their vacancies in the field will be backfilled during the duration of this program with grant funding made available by a Governor's Office of Economic Recovery, Public Safety Stabilization Program grant approved for this program.

In exchange for receiving on-base ALS response capability, LAFB will provide two LAFB firefighters to complete the four member crew and the use of LAFB Fire Station 362 and all associated costs of operating and maintaining the station.

On December 14, 2010, Council accepted grant funding from the Governor's Office of Economic Recovery's Public Safety Stabilization Program.

On January 11, 2005, Council approved an addendum to the Mutual Aid Agreement with LAFB to align the agreement with federal regulations.

This IGA will enhance emergency ALS response coverage and service to Glendale residents and LAFB and will further strengthen the community's bond with LAFB.

The City's cost to temporarily reassign an existing captain and engineer to this unit will be their backfill in the field. Funding for this cost is in the department's operating budget and was made available by taking advantage of public safety grant opportunities.

The program will operate for up to six months, or until this funding amount of \$75,000 is depleted.

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement with Luke Air Force Base to operate a dual-staffed Glendale fire truck which will be deployed from LAFB for a six-month pilot program.

Councilmember Clark stated this was a wonderful, innovative program and was pleased it was moving forward. She inquired where the fire truck was coming from. Chief Burdick explained the city's fire department maintains about four engine pumpers in reserve in the event one breaks down, as well as a couple assigned to the training center. Therefore, the capacity was there to take on this project on a temporary basis.

Mayor Scruggs said congratulations and thank you to all involved in Luke Air Force Base. We appreciate it very much.

**Resolution No. 4525 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT WITH THE SECRETARY OF THE AIR FORCE FOR A SIX-MONTH PILOT PROGRAM FOR THE DUAL STAFFING OF A FIRE TRUCK AT LUKE AIR FORCE BASE.**

**It was moved by Martinez, and seconded by Knaack, to pass, adopt and approve Resolution No. 4525 New Series. The motion carried unanimously.**

### **REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION**

**It was moved by Frate, and seconded by Knaack, to hold a City Council Workshop at 1:30 p.m. in Room B-3 of the City Council Chambers on Tuesday, November 1, 2011, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. It was additionally moved to vacate the regularly schedule City Council Meeting on Tuesday, November 8, 2011. It was also moved to hold a regularly schedule City Council Workshop at 1:30 p.m. in Room B-3 of the City Council Chambers on Tuesday, November 15, 2011, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.**

### **CITIZEN COMMENTS**

Ken Jones, an Ocotillo resident, commented on next year's election cycle and how the Council might look very different next year. He listed a few points he believes the Council should work on before their terms end. One, establish term limits for Mayor and Councilmembers. Two, place a cap on the amount Council can spend on non-essential items without a public vote. Three, schedule a public vote to determine the city's position on the casino. Four, give the public a vote before spending any more millions on the Coyotes. He noted that some of the Councilmembers were past the age in which most people retire. He said four years might be a very long time for some.

Arthur Thruston, a Cactus resident, decided not to speak.

Andrew Marwick, a Phoenix resident, commented on the city's fight to keep the casino from being built when other cities are fighting to get a casino. He wondered why Glendale was fighting this issue with such determination when it has been proven that casinos bring money and traffic into an area. He provided an example of casino parking lots being full of vehicles even on weekdays. He listed the profits made by other cities that have casinos in their area. In regards to the Westgate arena, he noted that many cities have run successful arenas without an NHL franchise.

## **COUNCIL COMMENTS AND SUGGESTIONS**

Councilmember Alvarez remarked that she had received several calls regarding the comments made at the October 11, 2011 City Council meeting. She disagreed with the comments and believed that they were in her view, incorrect. Furthermore, she asked the Council to show respect and an open mind when dealing with the Tohono O'odham Nation. She noted that today the Arizona Supreme Court denied Glendale's request to hear an appeal related to a proposed tribal reservation. She reiterated the need for the Council and the Tohono O'odham Nation to meet and together come to an understanding that will benefit all.

Councilmember Clark remarked she considers it a sad commentary on society when a citizen gets up to extol the virtues of a casino by telling everyone that he went by one and the parking lot was 2/3 full on a Tuesday morning. In regards to the Tohono O'odham Nation, she asked everyone to keep in mind that there were still two lawsuits pending; one by the state with regards to the violation of the Compact, the other by the Gila River Tribe. She continued that until these two lawsuits are resolved, there will be no movement and the Tohono O'odham Nation will not be able to secure or begin construction of a casino. She added that to her understanding, the resort and other associated items in the plan will come in later phases, with the casino being the primary objective.

Councilmember Clark commented on her pilot e-reader program. She explained that through her office, they purchased six e-reader devices to be on loan to citizens within her district in order to gauge usage patterns and how successful they were. These devices will be going out on loan to different citizens every two months. She stated that so far, the only problem has been the wait, since most e-books are on waiting lists at libraries. She believes this was the wave of the future and Glendale should start looking into acquiring more digital licenses for libraries so the public can download books easily.

Councilmember Lieberman stated he will be replying directly to Mayor Scruggs' comments from the October 11<sup>th</sup> City Council meeting in which he was rudely interrupted and not allowed to speak and/or provide his reply. He explained he had a number of facts to state that he will back up with proof. He remarked that the Arizona Supreme Court denied Glendale's request to hear an appeal related to a proposed tribal reservation near the city's sports district and awarded the Tohono O'odham Nation's legal fees in the case totaling a little over \$100,000 dollars. He stated that 11 years ago, just south of Pima Road in Scottsdale, the Salt River Pima and Maricopa Nation Tribe chose to put a casino in a tent. Presently, their current investment was better than a billion dollars. He said that right across the street from Scottsdale, where the original casino was, is now a beautiful casino and a large multi-story hotel. He added that along the street was also the beautiful Talking Stick Casino and Resort that will equal anything in Vegas. Councilmember Lieberman quoted Chairman Dr. Ned Norris stating "...at that time and consistently for nearly three years, the nation has never wavered in its commitment to building a state of the art resort and facility. Moreover, we will do this without any taxpayer incentives, subsidies or free infrastructure like those provided to the developers of Cabalas, Westgate and others in the vicinity." He said Dr. Norris continued explaining that the project will be constructed in simultaneous phases.

Councilmember Lieberman explained that under the voter approved Prop 202, the number of casinos the tribe can operate was based on its population. As one of the most populous tribes in the state, the Tohono O'odham Nation can operate up to four casinos. The number of gaming facilities each tribe is allotted is described in section three, appendix C, paragraph five of the State Gaming Compact. He noted that it states very clearly in the State Gaming Compact that the tribe can operate four casinos. He invited anyone interested to study and read the legal evidence in the Compact.

Councilmember Lieberman asked to explain the tribe's contributions. He referred to Proposition 202. He stated that 12% of tribal contributions go directly to cities, towns and counties. He added that 88% of tribal contributions are sent to the Department of Gaming and after the end of the fiscal quarter, they go to the Arizona Benefit's Fund. He noted that 9% or \$8 million, whichever is greater, goes to the department's administrative and regulatory expenses, 2% is for problem gaming, 56% of this above is transferred to the instructional improvement fund and 28% is transferred to the trauma and emergency services. He remarked that Dr. Ruiz had made it very clear that this was the reason the University of Arizona had the finest ER rooms in the world. He added that it had been also stated that beyond a doubt, the life of Representative Giffords was saved in large part because of casino contributions to medical facilities. He stated that in the past three years the Tohono O'odham Nation has given \$1,620,000 to medical facilities in four counties. Also, he said 8% is transferred to the Wildlife Conversation Fund and 8% is transferred to the Tourism Fund. He stated he was reading from a document produced by the Arizona Gaming Commission. He determined the only thing the Nation gets in return is not paying any sales tax. He stated the tribe was not going to dig a well, put in their sewer lines or build their own septic plant. The Nation will pay the exact same cost for a six inch water meter as any business in Glendale. He noted the law did not provide for any breaks of any sort, only in sales tax. He explained that the 300 or so estimated employees for the casino, with six to nine thousand during construction, were not exempt from having to pay taxes.

Councilmember Lieberman stated that since 2003, tribal Gaming has contributed more than \$300 million to the state's instructional improvement fund which is disbursed to schools across Arizona. He noted more than \$35 million of that funding has gone toward Glendale area schools. He questioned if football, hockey or baseball ever contributed \$4 million or even \$1 million to Glendale's school district. He stated that an additional \$150 million had gone to the Trauma and Emergency Service Fund. Additionally, almost \$45 million has gone for both the State Tourism Fund and the Arizona Wildlife Conservation Fund. He said the west valley resort will add to these impressive contributions for the benefit of the west valley and communities around the state.

Councilmember Lieberman commented on the 10 acres of land and the financial output of how much it would generate for Glendale to be able to pay for amenities around the city. He said a figure of \$5.5 million per year and \$10 million in onetime cost had been discussed. However, in his estimation, if they took \$5.5 million and their sales tax was 2.2% a year, that tells him it takes \$200 million a year in sales and revenue to generate \$4.4 million. However, that same \$2 million, if it were in a casino at 12% of net profit, would generate \$24 million. He provided examples of estimated revenue streams of various projects around the city in this bad economic climate. He compared those figures to the much larger revenue the casinos would contribute to

Glendale. He reminded everyone that Westgate had been turned back into the bank. He commented on a couple other developments in the area and the lack of tenants. He stated that the \$4.4 million cannot be done. He stated that the city put 60 million into Cabela's and another 130 million into the arena. He remarked on the three meetings he has had with Dr. Ned Norris over the last two years and believes it was a misconception that the Nation makes it difficult to have meetings. He offered to set up meetings for anyone who wanted one. He said he was a businessman with property in downtown Glendale for over 37 years. He continued that nothing could do better than a casino in that area. He stated that the casinos will do more for the city of Glendale than any other single venture recently proposed, including the Super Bowl scheduled in four years.

Vice Mayor Frate was pleased to announce a new tenant moving into the former Borders vacant space on Bell Road. The new business is called Furniture King and was out of New York. The new store on Bell Road will be the largest in their chain of stores. He asked everyone to be careful on Halloween night and have children wear reflective clothing as a precaution. As always, he asked everyone to remember to watch children around water.

Councilmember Martinez remarked that with all this talk about the casino, it was important to remember that this was a sovereign nation coming into the city of Glendale. Therefore, because they were a sovereign nation, the city would not have any control over what happens at that site. He believes it was not a good thing when a city has no control over an occupant in the city. He explained the Tohono O'odham Nation acquired the land about the same time that they signed the Compact with the State of Arizona. In that Compact, there was no intent of a casino coming into the city of Glendale. He noted that the city was not the only one that was opposed to this venture. He stated that the Governor, Attorney General Horne and other tribes were also in opposition to this project. He noted some considered it simple greed that will only hurt the other casinos. He remarked casinos get their customers by offering cheap food, cheap booze and cheap hotel rooms. He explained that all these were in direct competition with Westgate and surrounding businesses that are paying city taxes and helping to support the city. Staff has developed a report on what the infrastructure will cost and it was about \$3.5 million. The Council early on decided that it wasn't something that was wanted in the City. He continued that in the long run it would not be good for the City of Glendale to have a foreign nation within their city.

Mayor Scruggs said under the open meeting law, under the comments portion, which is intended to be much shorter than what they have been here everyone speaks once and the meeting is adjourned. It's adjourned - it's not a time for debate or rebuttal. So addressing some of the things that were referenced tonight that said she had made incorrect statements at the last meeting. She said there would be no sales tax revenue to the city, the county or the state coming from any of the activities on any of the land, whether it's a small portion or the entire portion owned by the Tohono O'odham, if it is taken into federal trust and made into an Indian Reservation, which is a sovereign nation. That is a true statement. There is no question there. She said that there is no resort or conference center planned in the initial phase - that is due to the announcement made by the Tohono O'odham Nation's government themselves in a press conference in January of this year, so you can find that out by just researching it on the internet and you will find the details of that press conference. The Tohono O'odham tribe announced

that they were reducing their building plans or construction plans to a 54,000 - some odd square foot casino and nothing else and the rest will be built at later dates unspecified.

Mayor Scruggs said the question of whether they can drill wells to get their water rather than getting the water the way everybody else does – she got that information directly from Dr. Ned Norris, Chairman of the Tohono O'odham Indian Nation when she met with him last January. She asked him how he intended to get water to the site. And he said he would allow Glendale and other entities and other jurisdictions to bid on it, but if the prices were too high he would just drill wells. So that's his statement. She said last time that there was absolutely no need for an Indian Reservation, which as Councilmember Martinez explained, is a sovereign nation, to build anything other than the casino, that they want, on the rest of the land. She cited the Glendale general plan approved by Glendale voters in 2002 which designates uses for that land to be 70% employment in office, not commercial, not retail. So, it would be 70% in office, 15% in residential, most likely high density, and then 15% in other commercial ventures. She had tried to find a copy on her blackberry of the memo she e-mailed to all of the Council explaining where those figures came from. She did not make them up. The figures of 5.5 million dollars per year being generated in sales tax came directly from formulas used by national planning associations when they look at the floor area ratio of a project – it equates out to so much in terms of employees and sales tax. And using those nationally recognized formulas, it comes to 5,000 jobs on the site and 5.5 million dollars a year in sales tax to the city. She did not compute what would go to the state.

Mayor Scruggs said she'd heard a conversation about respect. The City needs to respect the Tohono O'odham Nation, she believes that respect goes two ways. She said one of the things that are very concerning, and Councilmember Martinez alluded to it, is that the Tohono O'odham Nation government's uses for lands that abut municipalities. She encouraged anyone that would like to learn about this to just spend some time on the internet and research what they were going to do to the little town of Sahuarita which abuts their reservation in southern Arizona. They were going to put a prison for 750 felons initially, to be expanded to 1500. When the little town of Sahuarita opposed it and became frightened and was very much against it, the answer from the tribal leadership was “you don't have anything to say about this, we are a sovereign nation and we can do whatever we please. You have no rights.” She stated that maybe their consulting firm from their lobbyist felt that that was a bit harsh because of what was going on up here and suddenly those plans got shelved. She said that she is sure they'll come back again. But she said respect is very important.

Mayor Scruggs said in terms of the Gaming Compact, here it is, Tohono O'odham Nation and the state of Arizona Indian Gaming Compact - and it is correct that they were allocated through negotiations and you can listen to the other tribes talk about how those went for gaming facilities. But she thought it was also important that everybody understand, on page 24, the section that talks about location of Gaming facilities reads “All gaming facilities shall be located on the Indian lands of the tribes.” Well, these are no Indian lands of the tribe...goes further into talking about the rules and the regulations, but the important line in this she thought was: ...gaming activity on lands acquired after the enactment of the act on October – that would be the Federal Indian Gaming Regulatory Act – gaming activity on lands acquired after the enactment of the act on October 17, 1988, shall be authorized only in accordance with – and it

cites – federal law. And that is what our Attorney General is talking about right now. It goes on to talk about the rights of the state and our Attorney General, who has been elected by the majority of the people who was voted in the last state election in 2010, to be the number one attorney for the state, has said, that they are in violation of the Arizona State Gaming Compact. And in Congress, they are saying that this Nation is in violation of the Indian Gaming Regulatory Act. That is a lawsuit by the State Attorney General and he doesn't decide whether to file a lawsuit based on a poll taken of people who live west of I-17, two totally different subjects. So, she thought it was important to always go back to the fact that the State Attorney General has filed this lawsuit.

Mayor Scruggs said now, the 12% money – we all received a memorandum from our city attorney on this subject and maybe Councilmember Lieberman did not get to read his yet. But, so much is made of this 12% money - this is not a matter of taking how much money the casino takes in multiplying by 12% and saying this goes out to the community. This is all set out very, very carefully in the Compact. And this is how it works: 1% of the first 25 million dollars of the tribe's class three net win, 3% of the next 50 million dollars of the tribe's class three net win, 6% of the next 25 million dollars of the tribe's class three net win and 8% of the amount in excess of 100 million dollars of the tribe's class three net win shall be defined as the tribe's contribution requirements as set forth in the Compact. That section states that this is in exchange for exclusivity for gaming in Arizona. So, then we have to say what is a class three net win. It's the difference between the tribe's gaming wins and losses before deducting costs and expenses. Now, of that amount, an example was provided to us using 100 million dollars as the net win figure, so using that, you take 1% of the first 25 million and you add to that 3% of the next 50 million and 6% of the next 25 million and you get a grand total of 3,250,000 dollars. Of that, 3,250,000 dollars, 88% must go, as Councilmember Lieberman said, to the Arizona Benefits Fund and the Arizona Benefits Fund does fund the state's regulatory costs associated with Indian gaming, it funds gaming related law enforcement, gaming addiction service, school district facilities, access trauma and emergency cost, wildlife conservation and tourism promotion.

Mayor Scruggs said those are all fine and wonderful things, but none of which help the city of Glendale in terms of us providing for our citizens. So, 88% now of this 3,250,000 dollars has gone to those uses, that leaves 12% which much be allocated to local government, to benefit the general public including public safety, mitigation of the impacts of gaming or for the promotion of commerce or economic development. That can be given to any local government that each tribe chooses. So using our example, that started with 100 million dollars in net wins and taking out the money that went to the Arizona Benefits Fund, there is a remainder of 390 thousand dollars to be distributed to whichever municipality or municipalities that the tribe chooses to distribute to. This is right out of the law, Section 12 of the Arizona Gaming Compact. So you compare the 390 thousand dollars that this tribe might choose to give to Glendale or might not, to the 5.5 million dollars that can be generated on that land if it was an entity that paid sales tax like everybody else in the state. And you can see why the majority of this Council in 2009, passed the resolution opposing the creation of an Indian Reservation within our municipal boundaries. And, we hope to continue to get information like this out – and it's all factual - and everything that she'd said tonight, you can read for yourselves in the laws – you can read it on the internet. Thank you for listening. The meeting is adjourned.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:32 p.m.

Pamela Hanna

Pamela Hanna - City Clerk