



**SUMMARY MINUTES OF THE
GLENDALE CITY COUNCIL MEETING
Council Chambers
5850 West Glendale Avenue
October 27, 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, Yvonne J. Knaack, and H. Philip Lieberman.

Also present were Ed Beasley, City Manager; Pam Kavanaugh, Assistant City Manager; Craig Tindall, City Attorney; and Pamela Hanna, City Clerk.

COMPLIANCE WITH ARTICLE VII, SECTION 6(c) OF THE GLENDALE CHARTER

A statement was filed by the City Clerk that the 6 resolutions and 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 OCTOBER 13, 2009 CITY COUNCIL MEETING

It was moved by Goulet, and seconded by Clark, to dispense with the reading of the minutes of the October 13, 2009 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

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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.

			Effective	Expiration
<u>Arts Commission</u>				
M.B. Finnerty	Barrel	Reappointment	10/27/2009	09/27/2011
Darrell Criswell (Chair)	Cholla	Reappointment	10/27/2009	09/27/2010

Manuel Burruel (Vice Chair)	Barrel	Reappointment	10/27/2009	09/27/2010
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Board of Adjustment

Al DeLossa (Chair)	Barrel	Appointment	10/27/2009	06/30/2010
Peter McCormick (Vice Chair)	Mayoral	Appointment	10/27/2009	06/30/2010

Commission on Persons With Disabilities

Linda Yaeger	Cholla	Appointment	10/27/2009	02/27/2011
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Community Development Advisory Committee

Susan Jernigan (Vice Chair)	Barrel	Reappointment	10/27/2009	04/26/2010
Glenn O'Bannon	Cactus	Appointment	10/27/2009	06/29/2010

The recommendation is to make appointments to the boards, commissions and other bodies and administer the Oaths of Office.

It was moved by Lieberman, and seconded by Frate, to appoint M.B. Finnerty, Darrell Criswell and Manuel Burruel to the Arts Commission; Al DeLossa and Peter McCormick to the Board of Adjustment; Linda Yaeger to the Commission on Persons with Disabilities; and Susan Jernigan and Glenn O'Bannon to the Community Development Advisory Committee, for the terms listed above. The motion carried unanimously.

Mayor Scruggs called the boards and commission members present forward and administered the oath of office.

PROCLAMATIONS AND AWARDS

RECOGNITION OF COMMUNITY SERVICE FOR ARTS COMMISSION MEMBER

This is a request for City Council to recognize Winona E. Passmore for her dedicated service on the Glendale Arts Commission. Ms. Passmore who lives in the Ocotillo District served on the Arts Commission from October 2005 to August 2009.

The recommendation is to present a plaque of recognition to Winona E. Passmore for her commitment and community service to the city and citizens of Glendale.

Mayor Scruggs presented the plaque to Winona Passmore.

CONSENT AGENDA

Mr. Ed Beasley, City Manager, read agenda item numbers 1 through 10 and Ms. Pamela Hanna, City Clerk, read consent agenda resolution item numbers 11 through 15 by number and title.

1. **LIQUOR LICENSE NO. 3-1267, MCFADDEN'S RESTAURANT & SALOON**

This is a request for City Council to approve a person-to-person, location-to-location transfer series 6 (Bar - All Liquor) license. McFadden's Restaurant & Saloon is located at 9425 West Coyotes Boulevard, Building H, at Westgate City Center. The Arizona Department of Liquor Licenses and Control application (No. 06070557) was submitted by Randy D. Nations.

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

2. LIQUOR LICENSE NO. 3-1268, CONNOLLY'S BAR & GRILL

This is a request for City Council to approve a person-to-person transfer series 6 (Bar - All Liquor) license. Connolly's Bar & Grill is located at 5160 West Northern Avenue. The Arizona Department of Liquor Licenses and Control application (No. 06070744) was submitted by Michelle Ann Cambern.

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. 3-1269, SABOR

This is a request for City Council to approve a new, non-transferable series 12 (Restaurant) license. Sabor is located at 18555 North 59th Avenue, Suite 124. The Arizona Department of Liquor Licenses and Control application (No. 12078125) was submitted by Antonio Luis Gutierrez.

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. 3-1270, GLENDALE CIVIC CENTER

This is a request for City Council to approve a new, non-transferable series 12 (Restaurant) license. Glendale Civic Center is located at 5750 West Glenn Drive. The Arizona Department of Liquor Licenses and Control application (No. 12078123) was submitted by Alan Micheal Hause.

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. 3-1271, LE CHALET

This is a request for City Council to approve a new, non-transferable series 12 (Restaurant) license. Le Chalet is located at 5626 West Bell Road, Suite 101. The Arizona Department of Liquor Licenses and Control application (No. 12078137) was submitted by Alain Pierre Keller.

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. SPECIAL EVENT LIQUOR LICENSE, VETERAN TICKETS FOUNDATION, SPORTING TAILGATE PARTY, NOVEMBER 1, 6, AND 15, 2009

This is a request for City Council to approve a special event liquor license for the Veteran Tickets Foundation. The event will be held at Westgate City Center located at 6770 North Sunrise Boulevard in the Waterdance Plaza on Sunday, November 1 from 10:00 a.m. to 3:00 p.m.; Friday, November 6 from 4:00 p.m. to midnight; and Sunday, November 15 from 10:00 a.m. to 3:00 p.m. The purpose of this special event liquor license is for a sporting tailgate party.

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.

7. SPECIAL EVENT LIQUOR LICENSE, CITY OF GLENDALE, GLENDALE GLITTERS SPECTACULAR WEEKEND, NOVEMBER 27 AND 28, 2009

This is a request for City Council to approve a special event liquor license for the City of Glendale. The event will be held at 58th Avenue and West Glenn Drive on Friday, November 27 and Saturday, November 28 from 5:00 p.m. to 10:00 p.m. The purpose of this special event liquor license is for the Glendale Glitters Spectacular Weekend.

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.

8. AWARD OF PROPOSAL 09-20, UTILITY BILL AND TAX AND LICENSE PRINTING, FOLDING, INSERTION, AND MAILING SERVICES

This is a request for City Council to award the proposal and authorize the City Manager to enter into an Agreement with InfoSend Incorporated for printing, folding, insertion, and mailing services.

The recommendation is to award the proposal and authorize the City Manger to enter in an Agreement with InfoSend Incorporated. The City Manager is further authorized to extend this agreement, at his discretion, for five additional years, in one-year increments.

9. AWARD OF CONSTRUCTION CONTRACT FOR BICENTENNIAL AND BUTLER PARKS

This is a request for City Council to approve a construction contract with Sunburst Landscaping, Inc. to renovate two neighborhood parks: Bicentennial Park, 71st Avenue and Missouri Avenue, and Butler Park, 57th Avenue and Alice Avenue in an amount not to exceed \$710,741.12.

The recommendation is to award a construction contract for the renovation of Bicentennial and Butler Parks to Sunburst Landscaping, Inc. in an amount not to exceed \$710,741.12.

10. PURCHASE OF A HAZARDOUS DUTY ROBOT

This is a request for City Council to authorize the purchase of a hazardous duty robot from Remotec, a sole-source vendor, in an amount not to exceed \$169,600, using 2009 State Homeland Security grant funds.

The recommendation is to authorize the purchase of a hazardous duty robot from Remotec, a sole-source-vendor, in an amount not to exceed \$169,600.

CONSENT RESOLUTIONS

11. INTERGOVERNMENTAL AGREEMENT WITH CHANDLER POLICE TO JOIN THE VALLEY WIDE COALITION

This is a request for City Council to adopt a resolution authorizing the City Manager to enter into an Intergovernmental Agreement (IGA) with the City of Chandler. The IGA allows the Chandler Police Department to join the Valley Wide Coalition, which assists the Glendale Police Department with public safety services and security for events at the University of Phoenix Stadium.

The recommendation is to waive reading beyond the title and adopt a resolution to authorize the City Manager to enter into an Intergovernmental Agreement with the City of Chandler.

Resolution No. 4314 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 CHANDLER POLICE DEPARTMENT TO PROVIDE PUBLIC SAFETY SERVICES AND SECURITY FOR THE UNIVERSITY OF PHOENIX STADIUM IN GLENDALE.**

12. INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF PUBLIC SAFETY

This is a request for City Council to adopt a resolution authorizing the City Manager to enter into an Intergovernmental Agreement (IGA) with the Arizona Department of Public Safety for participation in the Arizona Auto Theft Task Force.

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an Intergovernmental Agreement with the Arizona Department of Public Safety for participation in the Arizona Vehicle Theft Task Force.

Resolution No. 4315 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 ARIZONA DEPARTMENT OF PUBLIC SAFETY TO ASSIGN ONE POLICE OFFICER TO THE ARIZONA AUTO THEFT TASK FORCE.**

13. RESOLUTION OF SUPPORT FOR NEWTOWN COMMUNITY DEVELOPMENT CORPORATION

This is a request for City Council to adopt a resolution supporting a \$300,000 application by the Newtown Community Development Corporation for federal "HOME" funds administered by Maricopa County. If approved, these funds will be used to purchase and rehabilitate vacant homes that will provide more quality, affordable housing in Glendale.

The recommendation is to waive reading beyond the title and adopt a resolution supporting the application by Newtown Community Development Corporation to the Maricopa County HOME Consortium for a \$300,000 grant for the development of affordable community land trust housing in Glendale.

Resolution No. 4316 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, SUPPORTING NEWTOWN COMMUNITY DEVELOPMENT CORPORATION IN ITS APPLICATION TO THE MARICOPA HOME CONSORTIUM FOR FEDERAL FUNDING; CERTIFYING COMPLIANCE WITH THE CITY'S CONSOLIDATED PLAN ALONG WITH AN ADMINISTRATIVE COMMITMENT FOR THE ADMINISTRATION OF SAID CONTRACT BETWEEN MARICOPA COUNTY AND NEWTOWN COMMUNITY DEVELOPMENT CORPORATION, IF FUNDED.**

14. DOMESTIC VIOLENCE VICTIM SERVICES AND PROGRAM ENHANCEMENT GRANT

This is a request for City Council to adopt a resolution authorizing the acceptance of a two-year, \$399,986 continuation grant from the U.S. Department of Justice. This grant will continue funding several domestic violence victim services and program enhancements.

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the acceptance of a two-year \$399,986 continuation grant from the U.S. Department of Justice on Violence Against Women for domestic violence victim services and program enhancements.

Resolution No. 4317 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE SUBMISSION AND ACCEPTING THE \$399,986 GRANT OFFER FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE ON VIOLENCE AGAINST WOMEN, FOR DOMESTIC VIOLENCE VICTIM SERVICES AND PROGRAM ENHANCEMENTS.**

15. INTERGOVERNMENTAL AGREEMENTS WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR AMERICAN RECOVERY AND REINVESTMENT ACT PROJECTS

This is a request for City Council to adopt a resolution authorizing the City Manager to sign all documentation relating to the Intergovernmental Agreements (IGAs) with the Arizona Department of Transportation (ADOT) for eight projects included in the American Recovery and Reinvestment Act (ARRA) of 2009.

Waive reading beyond the title and adopt a resolution authorizing the City Manager to sign any and all documentation relating to the Intergovernmental Agreements with the Arizona Department of Transportation for the eight American Recovery and Reinvestment Act projects.

Resolution No. 4318 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 EIGHT INTERGOVERNMENTAL AGREEMENTS WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR AMERICAN RECOVERY AND REINVESTMENT ACT PROJECTS IN THE CITY OF GLENDALE.**

It was moved by Lieberman and seconded by Clark, to approve the recommended actions on Consent Agenda Item Nos. 1 through 15, including the approval and adoption of Resolution No. 4314 New Series, Resolution No. 4315 New Series, Resolution No. 4316 New Series, Resolution No. 4317 New Series, and Resolution No. 4318 New Series; and to forward Special Event Liquor License Applications for Veteran Tickets Foundation, Sporting Tailgate Party on November 1, 6 and 15, 2009 and City of Glendale, Glendale Glitters Spectacular Weekend November 27 and 28 and Liquor License Application No. 3-1267 for McFadden's Restaurant and Saloon, 3-1268 for Connolly's Bar and Grill, 3-1269 for Sabor, 3-1270 for Glendale Civic Center and 3-1271 for Le Chalet 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

16. GENERAL PLAN APPLICATION GPA09-02 (RESOLUTION) AND REZONING APPLICATION ZON09-02 (ORDINANCE): KELMAN – 5771 WEST EUGIE AVENUE (PUBLIC HEARING REQUIRED)

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

This is a request by Earl, Curley and Lagarde, P.C., for City Council to conduct a public hearing and adopt a resolution to amend the General Plan Land Use Map from HDR (High Density Residential, 12-20 dwelling units per acre) to OFC (Office) and adopt an ordinance for rezoning of 0.71 acres from R-4 (Multiple Residence) to C-O (Commercial Office).

The recommendation is to conduct a public hearing, waive the reading beyond the title, and adopt a resolution for GPA09-02 and adopt an ordinance conditionally rezoning application ZON09-02.

Resolution No. 4319 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GENERAL PLAN MAP OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING GENERAL PLAN AMENDMENT GPA09-02 FOR PROPERTY LOCATED AT 5771 WEST EUGIE AVENUE.**

It was moved by Frate, and seconded by Knaack, to pass, adopt and approve Resolution No. 4319 New Series.

Mayor Scruggs opened the public hearing on Agenda Item No. 16. As there were no comments, Mayor Scruggs closed the public hearing.

The motion carried unanimously.

Ordinance No. 2707 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 5771 WEST EUGIE AVENUE FROM R-4 (MULTIPLE RESIDENCE) TO C-O (COMMERCIAL OFFICE); AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.**

It was moved by Frate, and seconded by Knaack, to approve Ordinance No. 2707 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Knaack, Martinez, Frate, and Scruggs. Members voting “nay”: none.

ORDINANCES

17. LEASE AGREEMENT AMENDMENT NO. ONE WITH HANGARS UNLIMITED, LLC

Cathy Gorham, Deputy City Manager, presented this item.

This is a request for City Council to adopt an ordinance authorizing the City Manager to enter into Lease Agreement Amendment No. One with Hangars Unlimited, LLC at the Glendale Municipal Airport.

The recommendation is to waive reading beyond the title and adopt an ordinance authorizing the City Manager to enter into a Lease Agreement Amendment No. One with Hangars Unlimited, LLC.

Ordinance No. 2706 New Series was read by number and title only, it **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE MAYOR AND/OR CITY MANAGER AND CITY CLERK TO EXECUTE A LEASE AGREEMENT AMENDMENT NO. ONE WITH HANGARS UNLIMITED, LLC TO AUTHORIZE OTHER AVIATION-RELATED USES AT THE GLENDALE MUNICIPAL AIRPORT.**

It was moved by Clark, and seconded by Lieberman, to approve Ordinance No. 2706 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Knaack, Martinez, Frate, and Scruggs. Members voting “nay”: none.

18. FOOD AND BEVERAGE LEASE AGREEMENT FOR FOOTHILLS RECREATION & AQUATICS CENTER

William Schwind, Parks and Recreation Deputy Director, presented this item.

This is a request for City Council to adopt an ordinance authorizing the City Manager to execute a lease agreement with Perfetto de café, Inc. for a food and beverage service at the Foothills Recreation & Aquatics Center.

The recommendation is to waive reading beyond title and adopt an ordinance authorizing the City Manager to execute a lease agreement with Perfetto de café, Inc. for a food and beverage service at the Foothills Recreation & Aquatics Center.

Ordinance No. 2708 New Series was read by number and title only, it **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE CITY MANAGER AND CITY CLERK TO EXECUTE A LEASE AGREEMENT WITH PERFETTO DE CAFÉ, INC. FOR OPERATING A FOOD AND BEVERAGE CONCESSION BUSINESS AT THE FOOTHILLS RECREATION & AQUATICS CENTER IN GLENDALE.**

It was moved by Martinez, and seconded by Lieberman, to approve Ordinance No. 2708 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Knaack, Martinez, Frate, and Scruggs. Members voting “nay”: none.

19. UPDATE SIGNATURE AUTHORIZATION

Horatio Skeete, Deputy City Manager, presented this item.

This is a request for City Council to approve an ordinance updating the city's signature authority for banking transactions. These authorizations need to be periodically updated due to changes in the organizational structure of the city.

The changes include removing the Chief Financial Officer and adding the Deputy Finance Director. It is recommended that the following individuals be authorized signers, effective immediately:

<u>Name</u>	<u>Position</u>	<u>Signature Authorization</u>
Ed Beasley	City Manager	City Manager
Pamela Kavanaugh	Assistant City Manager	City Manager
Pam Hanna	City Clerk	City Clerk
Horatio Skeete	Deputy City Manager	Deputy City Manager / City Treasurer
Kenneth A. Reedy	Deputy City Manager	Deputy City Manager
Diane Goke	Deputy Finance Director	Deputy Finance Director

SUPERINTENDENT SIGNATURES

<u>Name</u>	<u>Position</u>	<u>Signature Authorization</u>
Kenneth A. Reedy	Deputy City Manager, Public Works	Superintendent of Streets
Stuart Kent	Field Operations Director	Assistant Superintendent of Streets

The recommendation is to waive reading beyond the title and adopt an ordinance updating the bank signature authority.

Ordinance No. 2709 New Series was read by number and title only, it **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING DESIGNATED OFFICERS TO DEPOSIT CITY FUNDS IN DESIGNATED BANK; DIRECTING SAID BANK TO RECOGNIZE THE SIGNATURES OF SAID OFFICERS ON ELECTRONIC FUND TRANSFERS, CHECKS FOR DEPOSIT AND/OR WITHDRAWAL; AND DECLARING AN EMERGENCY.**

It was moved by Martinez, and seconded by Frate, to approve Ordinance No. 2709 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Clark, Goulet, Lieberman, Knaack, Martinez, Frate, and Scruggs. Members voting "nay": none.

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

It was moved by Martinez, and seconded by Frate, to vacate the regularly scheduled City Council Workshop for November 3, 2009; it is further moved to vacate the regularly scheduled City Council Meeting for November 10, 2009; additionally it is moved to hold a City Council Workshop at 1:30 p.m. in Room B-3 of the City Council Chambers on Tuesday, November 17, 2009, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.

CITIZEN COMMENTS

Please see the regular City Council minutes for citizen comments.

COUNCIL COMMENTS AND SUGGESTIONS

Please see the regular City Council minutes for Council comments.

ADJOURNMENT

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