



**GLENDALE CITY COUNCIL MEETING
Council Chambers
5850 West Glendale Avenue
December 22, 2009
7:00 p.m.**

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

Mayor Scruggs 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 6 resolutions and 1 ordinance 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 DECEMBER 8, 2009 CITY COUNCIL MEETING

It was moved by Goulet, and seconded by Clark, to dispense with the reading of the minutes of the December 8, 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

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>Glendale Municipal Property Corporation</u>				
Leland Peterson – Chair	Cactus	Reappointment	12/22/2009	12/01/2010
<u>Personnel Board</u>				
Gary Sherwood – Chair	Sahuaro	Appointment	12/22/2009	12/22/2010
Al Lenox – Vice Chair	Barrel	Appointment	12/22/2009	12/22/2010

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 Leland Peterson to the Glendale Municipal Property Corporation; and Gary Sherwood and Al Lenox to the Personnel Board, for the terms listed above. The motion carried unanimously.

Vice Mayor Martinez called those present forward and issued the Oath of Office.

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. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.

Mr. Ed Beasley, City Manager, read agenda item numbers 1 through 7 and Ms. Pamela Hanna, City Clerk, read consent agenda resolution item numbers 8 through 10 by number and title.

Lieberman requested items 5, 9 and 10 be heard separately.

1. LIQUOR LICENSE NO. 3-1277, LIL DEEMO'S FAMILY BISTRO

This is a request for City Council to approve a new, non-transferable series 12 (Restaurant) license. Lil Deemo's Family Bistro is located at 5830 West Thunderbird Road, Suite B 3-4. The Arizona Department of Liquor Licenses and Control application (No. 12078180) was submitted by Keith Anthony Dils.

The location of the establishment is 5830 West Thunderbird Road, Suite B 3-4 and is located within the Sahuaro District. The property is zoned C-2 (General Commercial). The population density within a one-mile radius is 16,887. This series 12 is a new license, therefore, the approval of this license will increase the number of liquor licenses in the area by one. The number of liquor licenses within a one-mile radius is as listed below.

Series	Type	Quantity
06	Bar - All Liquor	2
07	Bar - Beer and Wine	4
09	Liquor Store - All Liquor	3
10	Liquor Store - Beer and Wine	2
12	Restaurant	4
	Total	15

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

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

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

2. SPECIAL EVENT LIQUOR LICENSE, INTEGRATED MEDICAL SERVICES HEALTH FOUNDATION, TAILGATE PARTIES, JANUARY 3 AND 4, 2010

This is a request for City Council to approve a special event liquor license for the Integrated Medical Services Health Foundation. The event will be held at Westgate City Center located at 6770 North Sunrise Boulevard on Sunday, January 3 from 10 a.m. to 3 p.m. and Monday, January 4 from 10 a.m. to 10 p.m. The purpose of this special event liquor license is for sporting tailgate parties with live music held outdoors.

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. SPECIAL EVENT LIQUOR LICENSE, KNIGHTS OF COLUMBUS, FUNDRAISERS, JANUARY 23 AND MARCH 13, 2010

This is a request for City Council to approve a special event liquor license for the Knights of Columbus. The event will be held at St. Raphael Church inside Hibner Hall located at 5545 West Acoma Road from 6 p.m. to 11 p.m. on the following Saturdays: January 23 and March 13. The purpose of this special event liquor license is for fundraiser dinners with live music held indoors.

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.

4. SPECIAL EVENT LIQUOR LICENSE, FAITH INTERNATIONAL ORPHAN RELIEF, TAILGATE PARTIES, JANUARY 9, 10, 16, 17, AND 24, 2010

This is a request for City Council to approve a special event liquor license for the Faith International Orphan Relief. The event will be held at Westgate City Center located at 6770 North Sunrise Boulevard on Saturday, January 9; Sunday, January 10; Saturday January 16; Sunday January 17; and Sunday January 24, 2010, from 10 a.m. to 10 p.m. The purpose of these special event liquor licenses are for tailgate parties.

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 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.

6. CONSTRUCTION SERVICES AGREEMENT: SEWER MANHOLE REHABILITATION PROJECT, 67TH AVENUE AND ARIZONA CANAL DIVERSION CHANNEL

This is a request for City Council to approve and authorize the City Manager to enter into a construction services agreement with Southwest Environmental Testing, Inc. for construction services for the sewer manhole rehabilitation project at 67th Avenue and the Arizona Canal Diversion Channel.

This project addresses Council's goal of one community with high quality services for citizens by reducing system blockages and potential service interruptions.

The project is needed to rehabilitate seven existing sanitary sewer manholes near the intersection of 67th Avenue and Greenway Road, north of the Arizona Canal Diversion Channel. The manholes requiring rehabilitation were identified during the annual sanitary sewer cleaning, maintenance, and repair program. This project will help to keep the city compliant with existing federal and state regulations.

On November 10, 2009, three bids were received for this project with Southwest Environmental Testing, Inc. being the lowest responsive, qualified bidder.

This project will significantly benefit the community by maintaining the integrity of the sanitary sewer system, minimizing blockages and service interruptions, and improving customer service.

Funding is available in the FY 2009-10 Capital Improvement Plan. Operating costs associated with this project once completed are minimal and will be absorbed by the Utilities Department operating budget.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$99,810

<u>Account Name, Fund, Account and Line Item Number:</u> Sewer Line Replacement, Account No. 2420-63016-551200, \$99,810
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The recommendation is to authorize the City Manager to enter into a construction services agreement with Southwest Environmental Testing, Inc. for construction services for the sewer manhole rehabilitation project at 67th Avenue and the Arizona Canal Diversion Channel in an amount not to exceed \$99,810.

7. SOFTWARE PURCHASE FOR UTILITIES STORM WATER AND GIS MODULES

This is a request for City Council to authorize the City Manager to approve the purchase of software with Infor, formerly Hansen Information Technologies (Hansen). This software will be used to inventory and track the condition of the storm water drainage system, and will also interconnect the Hansen system with the GIS system.

This project addresses Council’s strategic goal of one community with high quality services for citizens. Performing preventative maintenance and repairs to the drain systems ensures continued compliance with state regulations.

The City of Glendale has an outstanding credit with Infor/Hansen and would like to use the credit to purchase the storm water drainage system software and associated GIS software. The purchase price of this software is \$68,200, of which the vendor credit will cover \$67,375 leaving a balance of \$825 to be funded from the Utilities operating budget. Council action is required due to the amount of the purchase agreement and appropriate signature authority.

A collaborated decision with the Field Operations, Utilities, Environmental Resources, and Engineering departments determined that the Infor/Hansen software program is the best option for tracking storm water assets and integrating the Hansen system with the GIS system.

On May 28, 2002, Council approval was given for award of proposal 01-06 for the initial purchase of Hansen software to provide enhanced customer service. The proposal contained an option for the City Manager to purchase additional modules for an additional four years.

A fully functional and well maintained storm water system will provide adequate storm water flow away from streets and into appropriate collection basins. This software purchase will allow tracking of inappropriate uses or illegal dumping of materials into the storm drain system.

The purchase price of this software is \$68,200. Vendor credits will cover \$67,375 of the price. Funds are available in the FY 2009-10 operating budget of the Utilities Department for the remaining \$825.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
		X			\$825

Account Name, Fund, Account and Line Item Number:

Utilities Information Management, Account No. 2360-17120-526800, \$825

The recommendation is to authorize the City Manager to enter into a contractual agreement with Infor, formerly Hansen Information Technologies, for the purchase of software in an amount not to exceed \$68,200 through vendor credits and actual cost.

CONSENT RESOLUTIONS

8. **DIGITAL MARQUEE PLACEMENT LICENSE AGREEMENTS**

This is a request for City Council to adopt a resolution authorizing the City Manager to enter into five digital marquee placement license agreements. The five sites are located at 6291 North 99th Avenue (north of the northeast corner of 99th Avenue, and Bethany Home Road); 7691 North 99th Avenue (south of the southeast corner of Orangewood Avenue, and 99th Avenue); 9802 West Camelback Road (northwest corner of Camelback Road, Loop 101); 9802 West Bethany Home Road (northwest corner of Bethany Home Road, Loop 101); and 7291 N. 99th Avenue (northwest corner of Glendale Avenue, Loop 101).

One of the Council's goals is to promote a city that is fiscally sound and to ensure revenue streams are sufficient to meet city obligations. In addition, Council seeks to utilize marketing opportunities that benefit the City of Glendale.

In January 2009, staff began negotiations for an outdoor advertising agency to install, operate, maintain and repair digital marquee advertising equipment on city-owned land located in the vicinity of Glendale Avenue and Loop 101 and to construct certain improvements. The licenses grant the advertiser the uses and responsibilities above and place no responsibility on the city for maintenance, repairs or operations. In addition, new locations could be recommended if deemed beneficial. These locations would have a 10-year term with a 10-year renewal option and would be aesthetically matched to the surrounding décor and environment.

Entering into these license agreements will provide an additional revenue stream to the General Fund. This can generate resources to pay for needed services to benefit the citizens of Glendale. This will also provide special broadcast capabilities and messaging for public safety and other public uses.

On March 24, 2009, Council approved an authorization to enter into a digital marquee placement license agreement in the vicinity of Glendale Avenue and the Loop 101.

There are three methods of revenue generation for additional digital marquee signs located in the city including a \$10,000 per month rental, 33% of gross revenue (for revenues in excess of \$120,000), an initial one-time \$500,000 business royalty and a 15% referral payment. These are the basic terms and conditions as approved by Council on March 24, 2009 and the revenues will be deposited in the General Fund.

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into five digital marquee placement license agreements.

Resolution No. 4332 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 CITY MANAGER TO EXECUTE FIVE DIGITAL MARQUEE PLACEMENT LICENSE AGREEMENTS WITH AMERICAN OUTDOOR ADVERTISING, L.L.C.

It was moved by Lieberman to forward to the Department of Liquor Licenses and Control, with an approval motion, Liquor License No. 3-1277 Lil Deemos Family Bistro, Special Event Liquor License Integrated Medical Services Health Foundation Tailgate Parties, Special Event Liquor License Knights of Columbus Fundraisers January 23 and March 13, Special Event Liquor License Faith International Orphan Relief Tailgate Parties for January 9, 10, 16, 17 and 24, Item numbers 8 and 9 that we pass and take the appropriate actions on the consent resolutions.

City Attorney Craig Tindall asked that the motion be clarified as the current motion included an item that had been pulled from the consent agenda.

Councilmember Clark made the amended motion to approve the recommended actions on the Consent Agenda and only Consent Resolution 8. It was seconded by Knaack.

Councilmember Frate asked if Item Numbers 6 and 7 were included in the motion that Lieberman made.

City Attorney Craig Tindall advised that the pending motion was for approval of items 1 through 4 and 6, 7 and 8 and that the motion had been seconded.

Vice Mayor Martinez called for the vote. The motion carried unanimously.

5. PROFESSIONAL SERVICES AGREEMENT – HUSK PARTNERS, INC.

Ryan Peters, Intergovernmental Programs Administrator presented this item.

This is a request for City Council to approve a Professional Services Agreement with the firm of Husk Partners, Inc. for consulting services and to approve a transfer of funds. The services to be provided under this agreement include economic development, government relations and community relations services. The transfer of funds will facilitate Intergovernmental Programs' management of the agreement.

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

The City of Glendale's current agreement with Husk Partners, Inc. expires at the end of 2009. The work of Husk Partners, Inc. complements the city's continued efforts to capitalize on business opportunities and strengthen relationships at the State Legislature to ensure the city's interests are protected. The practice of retaining outside representation is common for municipalities in Arizona. The specifications of the agreement contain an option that will allow the city, at the discretion of the City Manager, to extend this agreement for three additional years, in one-year increments.

The City of Glendale first entered into a Professional Services Agreement with Husk Partners, Inc. on December 27, 2005.

Utilizing the services of Husk Partners, Inc. enhances the city's efforts to improve the quality of life for its citizens. The firm functions as a resource that Glendale can capitalize to assist in attracting economic development opportunities as well as promoting the general interests of the city.

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

Account Name, Fund, Account and Line Item Number:

Professional and Contractual, Account No. 1000-10910-518200, \$120,000

The recommendation is to approve the transfer and authorize the City Manager to enter into the Professional Services Agreement with Husk Partners, Inc. in the amount of \$120,000; the City Manager is further authorized, at his discretion, to extend the agreement for a maximum of three additional one-year terms.

Councilmember Lieberman stated for the record that he had great respect for the firm, however, could not approve this item. He noted that he has given \$12,000 from his own district budget to help the city avoid another round of furloughs. He added that he believes the city has better uses for this money.

Councilmember Clark disagreed with Councilmember Lieberman's position. She stated that the Husk Partners have helped the city with many different issues over the past four years. She indicated that she views their services as invaluable. She noted that if they wanted to be represented on a local and federal level, the Husk Partners' services were very useful. She will be supporting this item.

Councilmember Goulet agreed with Councilmember Clark's assessments and supports this item. He stated the work of the Husk Partners compliments the city's continued efforts to capitalize on business opportunities, strengthen relationships at the state legislature and to ensure the states interest are protected. He indicated that the history and background they have are invaluable and well suited to the city. He will support this item.

Vice Mayor Martinez stated that he too supports this agreement. He added that they have been very helpful in the recent matters pertaining to 91st Avenue and the Casino issues. He asked if anyone from the Husk Partners would like to make a statement.

Ms. Dana Tranberg thanked the Council for considering the agreement this evening. She stated that it had been an absolute privilege to serve the City of Glendale over the past four years. She hopes to continue this partnership into the future.

It was moved by Clark and seconded by Frate to approve the transfer and authorize the City Manager to enter into the Professional Services Agreement with Husk Partners, Inc. in the amount of \$120,000, and further authorized to extend the agreement for a maximum of three additional one-year terms. The motion carried with Lieberman voting nay.

9. ACQUISITION OF GLENDALE YOUTH SPORTS AND RECREATIONAL FIELDS

Jim Colson, Deputy City Manager, presented this item.

This is a request for City Council to adopt a resolution authorizing the City Manager to execute all documents necessary between the City of Glendale and David L. Malcolm and Annie Malcolm for the purchase of the Glendale Youth Sports and Recreational Fields located at the northwest corner of The Bethany Home Road alignment and 91st Avenue.

This item incorporates the Council's strategic goals of one community with quality economic development while capitalizing on the unique character and identity that defines Glendale.

The city and the AZSTA agreed to develop and construct a youth and amateur sports and recreational facility that is adjacent to the AZSTA Multi-Purpose Stadium to be used for community youth and amateur sports and recreation activities when not being used for overflow turf parking spaces during events at the facility.

The benefits to the city include: reducing costs; reducing the length of payment schedule from 26 years to 15 years; allows opportunity for the city to take ownership of the property; and, generates opportunity for revenues from special events and parking.

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to execute all documents necessary to authorize the purchase of Glendale Youth Sports Facility, from David L. Malcolm and Annie Malcolm.

Councilmember Lieberman stated that he was not opposed to this item, however, would like the costs and benefits of this purchase on record. The net present value is being reduced from \$8.5 million to \$6.6 million dollars. It also reduces the payment schedule from the existing 26 years to 15 years which allows the city to take ownership of the property and provided for revenue opportunities associated with the properties. Councilmember Lieberman stated that he will support this item.

Resolution No. 4333 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 THAT TITLE TO AND POSSESSION OF THE LAND UPON WHICH THE GLENDALE YOUTH SPORTS AND RECREATIONAL FIELDS THAT ARE LOCATED AT THE NORTHWEST CORNER

OF THE BETHANY HOME ROAD ALIGNMENT AND 91ST AVENUE IN THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, BE ACQUIRED BY PURCHASE.

It was moved by Lieberman, and seconded by Clark, to pass, adopt and approve Resolution No. 4333 New Series. The motion carried unanimously.

10. RESOLUTION IN SUPPORT OF REGIONAL BID FOR 2014 SUPER BOWL

Cathy Gorham, Deputy City Manager, Community Services Group, presented this item.

This is a request for City Council to approve a resolution as requested by the Arizona Super Bowl Host Committee to support their regional bid proposal to the National Football League to host the 2014 Super Bowl at the University of Phoenix Stadium in Glendale, Arizona.

The resolution identifies the importance of this event to the city of Glendale, the Phoenix Metropolitan area and the entire state of Arizona. The resolution assures governmental and private partnerships in organizing, financing, promoting, accommodating, staging and conducting a Super Bowl game and its related official events and activities.

The resolution supports the bid to host the 2014 Super Bowl at the University of Phoenix Stadium in Glendale, Arizona. Upon designation of Glendale as the site for Super Bowl XLVIII, the city will work with the Host Committee and other participating agencies to assure that the required governmental resources are made available to support the game.

The 2014 Super Bowl will act as an economic stimulus package for the entire state. At that time, Glendale will see increased development in and around the sports and entertainment district, the potential to host an increased number of Super Bowl related events and the potential inclusion of the Pro Bowl game and related events and activities, which ensures that more visitors will come to our community for a longer period of time.

The city of Glendale hosted one of the most successful Super Bowls of all time and one that the NFL has since modeled future Super Bowls after. The potential to host America's premier sporting event, as well as the additional Pro Bowl event, creates opportunities in 2014 that were not available in 2008.

The recommendation is to waive reading beyond the title and adopt a resolution in support of the bid to host the 2014 Super Bowl at the University of Phoenix Stadium in Glendale, Arizona.

Ms. Cathy Gorham, Deputy City Manager, provided the summary. She stated that the importance of this project was that it would be an economic stimulus for the state of Arizona. She indicated that there was no better time, than now to look ahead and bring some economic stimulus to the state of Arizona, to the Phoenix Greater Metropolitan Region and certainly to the City of Glendale. She explained the vast growth and differences between the city now and when it was first named as the city to host Super Bowl 42. She stated that no one knows what the city will look like in 2014; however, this was a great economic opportunity that should not be passed up.

Councilmember Clark stated that her decision not to support the regional bid proposal to the National Football League to host the 2014 Super Bowl did not come lightly. She read from her

previously written remarks. She stated that if one read the resolution, Section 1 states that the city of Glendale finds that hosting the Super Bowl, and official events will generate goodwill, enhance the worldwide renowned and prestige of the city, create temporary jobs and create substantial economic and fiscal activity. She noted that most of those statements were true; however, she could not support this bid specifically because of past history. She explained that the history of Glendale hosting the Super Bowl in 2008 has demonstrated that it did not generate enough economic activity to offset the associated cost of hosting the event. She noted that those costs were passed on to Glendale tax payers. Revenues generated to the city from the last Super Bowl covered only half of the expenses that the city incurred. The city's expenses were \$2 million and the revenue generated was \$1 million. She indicated that the reason for the lack of revenue can be found in Section 1-B of the resolution. She stated that upon designation of the site, the city of Glendale agrees to provide at no cost to the NFL or the Teams participating, all reasonable governmental services including, public safety, security, fire and medical emergency, traffic and public works, street maintenance, and services and supplies determined to be necessary by the city for the success of the Super Bowl. She explained that other cities like Miami and Dallas had a mechanism in place that provides either whole or partial reimbursements to those cities for the cost they incur as host city. Arizona has no such mechanism and the host city is expected to bear the cost without any reimbursement. She indicated that the taxpayers of Glendale should not have to provide stimulus for the region and for the state at their expense. She stated that until such time as either a whole or partial reimbursement mechanism is available in this state, she cannot support Glendale's bid as a host city to the Super Bowl.

Councilmember Lieberman remarked that he was not against the Super Bowl and believes it was a great thing. He reiterated Councilmember Clark's remarks that upon designation of the site, the city of Glendale agrees to provide at no cost to the NFL or the Teams participating, all reasonable governmental services. He noted that the NFL Experience was tax free because the NFL keeps those funds. He added that they did not receive revenue from any of the products sold at the stadium. He indicated that Glendale had lost \$1.8 million in Super Bowl 2008. He added that with inflation the cost for Glendale will be \$4.8 million to \$6 million for the Super Bowl in 2014. He stated that he knew of no businesses that stayed in Glendale after the Super Bowl in 2008. He remarked if they were to eliminate the cost to the citizens of Glendale, he would be all for the Super Bowl being held here. He stated that it was not fair that the citizens had to foot the bill for public safety and other necessities. He explained how only seven people he knew had mentioned going to the Super Bowl, which was a shame. He cited the city's predicament which had to issue furloughs to its employees and the matter of the city's debt service, as areas in which to focus their energies rather than burdening the citizens with additional taxes. He stated that unless they change paragraph two, which does not provide the city with cost sharing or reimbursement, he will not be in favor of the bid. He added that he wanted a fair and equitable return on the city's investment.

Vice Mayor Martinez asked for any additional comments on this issue.

Mr. Ed Beasley, City Manager, stated that in 2014, Glendale will be a different city. He explained that this was a policy decision which the Council can provide direction, one way or the other. He noted that the initial cost of the 2008 Super Bowl which was set aside was based on infrastructure that did not exist at the time and not all funds went for police and fire. Additionally, that cost will not occur again because the infrastructure now exists. He stated that because this was a process and should they decide to initially apply, they have between now and

April for information to be identified that will affect the revenue stream. He noted that they had not discussed the issue of a mechanism with the legislature or anyone else; however, every Super Bowl city had some element of that mechanism or a large corporation that supports them. He suggested assessing the scenarios that were now taking place with the Pro Bowls and ascertain the cost and revenues. He noted that Glendale was a tourism destination and those events will continue to come. He added that at some point, there has to be some decision in regards to how to off-set the cost because 2008 was one of the best Super Bowls and as a result, they will continue to come to Glendale. He stated that he understands Councilmembers Lieberman and Clark's concerns; however, these are the requirements that the NFL has, if cities wish to participate. He explained that if they wish to move forward, they will try to do things to eliminate, negotiate and possibly create some revenue streams.

Councilmember Lieberman stated that he agreed with Mr. Beasley that the city will be different in 2014, however, at this point; no one really knows when the recession will end. He explained that when they started putting away money for these events, the city was healthy; they are now, facing deficits. Additionally, this year they were facing a huge budget deficit. He suggested other cities in Arizona contribute to Glendale since they will also receive the benefits from the Super Bowl in Glendale. He stated that he would welcome the idea of negotiating with the NFL and the Sports Authority.

Councilmember Goulet stated that he supports the application just like he did the first time. He regrets that there was not full support of this application. He understands that times were tough at the moment, however, believes work can be done that can create the financial stream that the city will need. He noted the NFL created substantial economic and fiscal activity as well as temporary jobs. It also, enhanced the worldwide renown and prestige of the city. He noted that the Super Bowl has done all those things with the hard work and support of countless city employees. He noted that people look to the City of Glendale as a point of pride, at what the city accomplished. He added that there were many people who thought the City of Glendale could not affectively work and pull off an event of this size, however, they were wrong. He stated that Glendale did it hands down, the best. He said he had heard from people who had been involved for 25 years and thought this was the best city they had ever been in. He said it was a testament to the employees and the people who worked so hard to make this happen with the NFL. He acknowledges that this was a stimulus for the state; however, people will focus on Glendale because of the Super Bowl. He believes this will bring long term benefits to the community. He fully supports applying for the 2014 Super Bowl bid application. He also supports working with them to create a revenue stream that helps the city, however, to say no now, was to be so short sighted and does a disservice to the amenities that have been built.

Councilmember Frate agreed to support this resolution. He explained that people near the stadium did get a boost in value to their businesses and homes. He agrees that they were currently in a down recession, however, when a Super Bowl was announced in a community, the economy is driven by events such as these. He explained that many people get to visit Arizona for the first time and come back to retire or relocate. He stated that something like this takes leadership and vision and to say no, will take away from the citizens of Glendale. He noted that although Councilmember Clark's district will benefit the most, she does not support it. He indicated that he will lobby the host committee to work with the legislature to get some type of mechanism to help the state reimburse the City. Additionally, this was a stimulus package that was not coming from Washington but private enterprise coming into the state. He reiterated that

things were bad, however, people do have money to invest and will invest in areas where they will see a return on their money. He noted that Glendale Arizona was that area. He asked staff if the city received any sales tax revenue from the stadium or the NFL Experience. Ms. Gorham explained that the city has an existing agreement with the Arizona Sports and Tourism Authority and per that agreement; the AZSTA would be the entity that would have to waive sales tax at the stadium with the exception of the dedicated Public Safety and Transportation Sales taxes. It was the AZSTA that waived the general sales tax. She stated that the City of Glendale did not waive the dedicated sales taxes for public safety and transportation. In additions, sales tax generated from items sold at the NFL Experience went to the AZSTA, as it normally does per the agreement regarding sales tax collected on site. Councilmember Frate stated that he can assure the citizens and those visiting; that the City of Glendale provides the highest public services and their experience in Glendale will be top notch.

Councilmember Knaack remarked that Councilmember Lieberman should know, as a business man of 30 years that you have to spend money, to make money to invest in your business. She stated that they made the decision to be in the sports business when they supported the arena and the Cardinals' stadium. She believes they have an obligation to bid on Super Bowls when they have invested in the stadium. She noted that in a down economy, it was not the time to put your head in the sand, but look for opportunities. She indicated that a lot of things can change in four years and this can really benefit Glendale and the state as a whole. She also believes other cities should find a way to help Glendale defer some cost since this will also benefits their cities.

Councilmember Clark remarked that it was being implied that by not supporting the Super Bowl bid, meant that one did not have vision or leadership. She rejects this notion whole heartily and believes leadership and vision implies the protection of the interest of the citizens of the community and as they perceive them individually. She explained how her district did benefit the most from the last Super Bowl; as mentioned before, however, they were also the most inconvenienced. She reiterated that the Super Bowl does have value, however, she believes there was a moral and a fiscal obligation for everyone who benefits, to help Glendale off-set some of the cost they incur to provide the stimulus to the whole state.

Councilmember Lieberman reiterated the state of the current economy and the deficit. He explained that he did not want to come across as being negative, however, he only has to see how some business and lots lay vacant. He would like assurances that the Super Bowl will help Glendale in these economic times and not other cities in the state, which have not invested and are not incurring the cost.

Vice Mayor Martinez stated that each Councilmember had the utmost care and responsibility for the citizens of Glendale when making their decisions. He explained the doom and gloom issue with the Coyotes and the buyout. He stated that by having faith and making a decisive choice, they now are in a much better position. He stated his support for the bid resolution and thanked his colleagues that have spoken in support. He said that they have stated their case very well as to the reasons why they should proceed with this. In addition, he has great confidence in Mr. Beasley and city staff to do their homework and find the best solutions for the City of Glendale. He remarked that he heard that the worst scenario at this point was that the city would break even. Mr. Beasley stated that under the current circumstances, he was correct. Vice Mayor Martinez noted that there was always some risk in everything and nothing was ever guaranteed in life. He added that he believes very strongly that doing nothing would be a disservice to the city, business community, valley and the state.

Vice Mayor Martinez read a prepared statement by Mayor Scruggs on the 2014 Super Bowl bid.

Mayor Scruggs wrote. "I support the Super Bowl host committee's bid to host Super Bowl 48 in 2014 at the University of Phoenix Stadium in our city. Super Bowl 42 held in Glendale in 2008, established the city as an exciting destination for tourist and is an excellent venue for major events which bring revenue, jobs and positive recognition for our city. The benefits derived from hosting a Super Bowl, and similar major events, last long after the event has ended. For all those reasons and more, holding Super Bowl 48 in Glendale in 2014, will be very good for our citizens, our business community, and our future."

Resolution No. 4334 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, IN SUPPORT OF THE BID TO HOST SUPER BOWL XLVIII IN 2014 AT THE UNIVERSITY OF PHOENIX STADIUM IN GLENDALE, ARIZONA; AND PROVIDING ASSURANCES IN SUPPORT OF SAID BID.

It was moved by Goulet, and seconded by Knaack, to pass, adopt and approve Resolution No. 4334 New Series. The motion carried with Lieberman and Clark voting nay.

PUBLIC HEARING – LAND DEVELOPMENT ACTIONS

11. GENERAL PLAN AMENDMENT GPA08-05 (RESOLUTION): DOWNTOWN IMPLEMENTATION – 5139 WEST LAMAR ROAD (PUBLIC HEARING REQUIRED)

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

This is a request by the Planning Commission for City Council to conduct a public hearing and adopt a resolution to amend the General Plan Land Use Map designation on approximately 4.3 acres from PC (Planned Commercial) and HDR (High Density Residential, 12-20 Dwelling Units Per Acre) to PF (Public Facility). The property is located on both sides of Lamar Road at 52nd Avenue.

This General Plan amendment supports the Council goal of one community committed to public safety by working in partnership with the neighborhood to ensure that Glendale is a safe community. The use of Fire Station within this amendment strengthens this commitment.

There are two public facilities located on these two properties. Fire Station #151 is located on the north side of Lamar Road. The Maricopa County Department of Public Health is located on the south side of the Lamar Road.

This case was initiated by the Planning Commission on November 6, 2008, and recommended for approval at its public hearing on November 5, 2009.

The General Plan amendment will bring the General Plan Land Use Map designations into conformance with their current uses to ensure the continued operations of the facilities are consistent and supportive of Glendale Centerline.

A notice for the City Council public hearing was published in *The Glendale Star* on December 3, 2009. On December 4, 2009, the property was posted and informational postcards were mailed to property owners and individuals on the city's Interested Parties lists. To date, no comments have been received.

The recommendation is to conduct a public hearing, waive reading beyond the title, and adopt a resolution for General Plan Amendment GPA08-05, as recommended by the Planning Commission.

Resolution No. 4335 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 GPA08-05 FOR PROPERTY LOCATED AT 5139 WEST LAMAR ROAD.

Vice Mayor Martinez opened the public hearing on Agenda Item No. 11. As there were no comments, Vice Mayor Martinez closed the public hearing.

It was moved by Goulet, and seconded by Knaack, to pass, adopt and approve Resolution No. 4335 New Series. The motion carried unanimously.

12. REZONING APPLICATION ZON08-19 (ORDINANCE): DOWNTOWN IMPLEMENTATION – 5139 WEST GLENDALE AVENUE – (PUBLIC HEARING REQUIRED)

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

This is a request by the Planning Commission for the City Council to conduct a public hearing and approve a rezoning request from M-1 (Light Industrial) to C-2 (General Commercial). The properties are located in the vicinity of 5139 West Glendale Avenue and are currently zoned M-1. The General Plan Land Use Map designation is PC (Planned Commercial). The rezoning request is to implement the proper zoning district with the existing land uses.

Rezoning these two properties demonstrates one community with a vibrant city center by continuing the process of identifying the possibilities for Glendale Centerline. Rezoning these properties to a commercial district will show consistency with Glendale Centerline and their current uses.

Fire Station #151 and a commercial building are located on these two properties.

This case was initiated by the Planning Commission on November 6, 2008, and was recommended for approval on November 5, 2009.

This action will strengthen the relationship between the current land uses, zoning district, and is consistent and supportive of Glendale Centerline.

A public notice for the City Council hearing was published in *The Glendale Star* on December 3, 2009. Informational postcards were mailed out to property owners and interested parties on December 4, 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 ZON08-19 as recommended by the Planning Commission.

Ordinance No. 2716 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 IN THE VICINITY OF 5139 WEST GLENDALE AVENUE FROM M-1 (LIGHT INDUSTRIAL) TO C-2 (GENERAL COMMERCIAL); AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Martinez opened the public hearing on Agenda Item No. 12. As there were no comments, Vice Mayor Martinez closed the public hearing.

It was moved by Goulet, and seconded by Clark, to approve Ordinance No. 2716 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Knaack, Martinez, and Frate. Members voting “nay”: none.

PUBLIC HEARING RESOLUTIONS

13. LICENSE AGREEMENT: PLAINS LPG SERVICES, L.P. (PUBLIC HEARING REQUIRED)

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

This is a request for City Council to conduct a public hearing and adopt a resolution authorizing a license agreement between the city and Plains LPG Services, L.P., for the placement of two underground industrial liquid propane and butane gas lines within public rights-of-way.

Granting the license supports the Council goal of one community with quality economic development by allowing Plains access within public rights-of-way for the installation of additional pipelines and related facilities.

In 2007, Plains purchased the existing Bumstead liquid propane gas storage facility and related facilities from AmeriGas Propane, L.P.. The facility, which provides Plains storage for the western United States, consists of a terminal site at the northwest corner of Olive and Bullard avenues, a cavern site north of the northeast corner of Glendale Avenue and Dysart Road, and existing pipelines, originally permitted and installed in 1977 within road rights-of-way then under the jurisdiction of Maricopa County. The City of Glendale has since annexed some of the rights-of-way in which the pipeline is located. Plains contacted the city to request permission to install two additional pipelines within city rights-of-way, parallel to its existing pipeline. Plains

infrastructure investment in the west valley will create additional benefits to ensure future economic development. Luke Air Force Base has reviewed this agreement and does not have any concerns with it.

Plains provides service to Glendale and other parts of the valley and the United States. Granting the license allows Plains to meet its current and future customers' needs and the growing demand for liquid propane transportation, storage, and distribution.

The projected revenue generated during the first year of this agreement is \$71,630, which includes the Annual License Fee of \$10,000 and related plan review and permitting fees. The license agreement was negotiated for an initial five-year term, with no more than four five-year renewal terms, at current market rates, based on linear feet of installed pipeline, and with annual increases. All revenues shall be deposited into the General Fund.

The recommendation is to conduct a public hearing, waive reading beyond the title and adopt a resolution authorizing the City Manager to execute a license agreement with Plains LPG Services, L.P., for the placement of two underground industrial liquid propane and butane gas lines within public rights-of-way.

Resolution No. 4336 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 CITY MANAGER TO EXECUTE A LICENSE AGREEMENT FOR LPG PIPELINE SYSTEM IN CITY RIGHT-OF-WAY WITH PLAINS LPG SERVICES, L.P.

Vice Mayor Martinez opened the public hearing on Agenda Item No. 13. As there were no comments, Vice Mayor Martinez closed the public hearing.

It was moved by Clark, and seconded by Frate, to pass, adopt and approve Resolution No. 4336 New Series. The motion carried unanimously.

14. AMENDED INCREASE IN IRRIGATION RATES (PUBLIC HEARING REQUIRED)

Roger S. Bailey, P.E., Utilities Director presented this item.

This is a request for City Council to conduct a public hearing and adopt a resolution implementing amended irrigation rates effective with the 2010 irrigation billing cycle.

One of Council's strategic goals is one community that is fiscally sound. This project will help to ensure that the city has the financial resources to continue to provide irrigation services to Glendale citizens.

Staff received Council approval on June 9, 2009 to implement a rate increase for irrigation services in the City of Glendale. One of the exhibits contained in the resolution contained incorrect irrigation fees. Documents available for public review at the City Clerk's office and on

the Utilities Department web page listed the correct Irrigation Rate fees proposed for the increase.

On June 9, 2009, Council conducted a public hearing and adopted a resolution implementing water, sewer, and irrigation rate adjustments effective with the October 2009 utility billing. Typically, the irrigation watering schedule runs April through October of each year. A total of 317 customers received irrigation services from the city in 2009. This rate increase will be effective with the 2010 irrigation billing cycle.

On April 28, 2009, Council adopted a resolution declaring the city's intent to increase the water, sewer, and irrigation rates effective October 2009 and setting the public hearing for June 9, 2009.

The amended irrigation rate adjustments will ensure that the city has the financial resources to continue to provide the highest quality irrigation services to Glendale citizens.

The recommendation is to conduct a public hearing, waive reading beyond the title and adopt a resolution implementing the amended irrigation rate adjustments effective with the 2010 irrigation billing cycle.

Resolution No. 4337 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ESTABLISHING IRRIGATION RATES PURSUANT TO GLENDALE CITY CODE; AND SETTING FORTH EFFECTIVE DATES.

Vice Mayor Martinez opened the public hearing on Agenda Item No. 14. As there were no comments, Vice Mayor Martinez closed the public hearing.

It was moved by Knaack, and seconded by Lieberman, to pass, adopt and approve Resolution No. 4337 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, January 5, 2010, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.

MOTION TO EXCUSE MAYOR SCRUGGS

It was moved by Frate and seconded by Knaack, to excuse Mayor Scruggs from tonight's Council meeting. The motion carried unanimously.

CITIZEN COMMENTS

None

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Clark wished everyone a very Merry Christmas and a Happy New Year.

Councilmember Goulet stated that they had a great deal to be thankful for as this year concludes. He stated that this was a time to value family and trusted friends. He acknowledged the significant accomplishments the city has achieved. He thanked Mr. Beasley and city staff for all their hard work this year. He also wished everyone a Merry Christmas and asked everyone to be safe on the roads.

Councilmember Lieberman wished everyone a safe Holiday Season. He asked everyone to drive safely when traveling this time of the year. He reminded everyone to attend Glitter and Glow in early January. He wished all the service men and women fighting for us aboard, health, happiness and peace, this holiday season and thanked them for their service to our country.

Councilmember Frate acknowledged all the great things the city had been able to accomplish this year. He thanked the citizens of Glendale for all their support throughout the year, as well as all city employees. He also wished everyone a very Merry Christmas and a Happy New Year. He reminded people to be cautious when out shopping and be security conscious at home. He asked everyone to watch children around water.

Councilmember Knaack asked everyone to take the time to practice safety procedure in this hectic time of year. She also wished public officials have a quiet holiday season. She explained how small thing such as lighting candles can be dangers as well as not watering live trees. She also wished everyone a very Merry Christmas and a Happy New Year.

Vice Mayor Martinez thanked all the people who attended tonight. He also thanked Mr. Beasley and city staff for all their hard work this year. He stated that the city has had some challenges this year; however, better times will be coming. He also wished everyone a very Merry Christmas and a safe and prosperous New Year.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:35 p.m.

Pamela Hanna

Pamela Hanna - City Clerk