



**MINUTES OF THE  
GLENDALE CITY COUNCIL MEETING  
Council Chambers  
5850 West Glendale Avenue  
June 22, 2010  
7:00 p.m.**

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

Also present were Ed Beasley, City Manager; Kenneth A. Reedy, Interim 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 11 resolutions and 5 ordinances to be considered at the meeting were available for public examination and the title posted at City Hall more than 72 hours in advance of the meeting.

**APPROVAL OF THE MINUTES OF THE JUNE 8, 2010 CITY COUNCIL MEETING**

**It was moved by Goulet, and seconded by Clark, to dispense with the reading of the minutes of the June 8, 2010 Regular City Council meeting, as each member of the Council had been provided copies in advance, and approve them as amended. The motion carried unanimously.**

**BOARDS, COMMISSIONS AND OTHER BODIES**

**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.

			<b>Effective</b>	<b>Expiration</b>
<b><u>Arts Commission</u></b>				
Diane Lesser	Mayoral	Appointment	08/23/2010	08/23/2012
<b><u>Aviation Advisory Commission</u></b>				
Victoria Rogen	Mayoral	Appointment	06/22/2010	11/28/2010

**Board of Adjustment**

Jeff Blake	Mayoral	Appointment	06/22/2010	06/30/2012
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**Citizens Bicycle Advisory Committee**

Donna Williams	Barrel	Appointment	07/25/2010	07/25/2012
Bradley Meek – Chair	Cholla	Reappointment	07/17/2010	07/17/2011

**Citizens Transportation Oversight Commission**

Barbara Garland	Yucca	Reappointment	07/25/2010	07/25/2012
James Baribault	Barrel	Appointment	07/25/2010	07/25/2012
Joyce Stribling	Yucca	Appointment	06/22/2010	11/28/2010

**Community Development Advisory Committee**

Mary Eggleston	Yucca	Reappointment	07/01/2010	07/01/2012
Chris Flippen	Sahuaro	Reappointment	07/23/2010	07/23/2012
Pattie Johnston	Cholla	Reappointment	07/10/2010	07/10/2012
Karen Mankoski	Cholla	Reappointment	07/01/2010	07/01/2012
Madelin Page	Barrel	Reappointment	07/01/2010	07/01/2012

**Industrial Development Authority**

John Catledge	Cholla	Reappointment	08/23/2010	08/23/2016
Kevin English	Ocotillo	Appointment	08/23/2010	08/23/2016

**Library Advisory Board**

Marlowe Myers	Mayoral	Appointment	06/22/2010	04/13/2012
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**Parks & Recreation Advisory Commission**

Dana Dale (Teen)	Cholla	Appointment	06/22/2010	05/27/2011
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**Personnel Board**

Richard Westby	Mayoral	Appointment	06/22/2010	01/23/2011
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**Public Safety Personnel Retirement System/Fire Board**

Larry Clark	Mayoral	Reappointment	07/01/2010	07/01/2014
John Holland		Reappointment	07/01/2010	07/01/2014
Mark Manor		Reappointment	07/01/2010	07/01/2014

**Public Safety Personnel Retirement System/Police Board**

Larry Clark	Mayoral	Reappointment	07/01/2010	07/01/2014
Brandon Keefer		Reappointment	07/01/2010	07/01/2014
John Wolfe		Reappointment	07/01/2010	07/01/2014

**Risk Management/Worker's Compensation Trust Fund Board**

Julie Stiak	Cactus	Reappointment	07/24/2010	07/24/2013
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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 Lieberman, and seconded by Frate, to appoint Diane Lesser to the Arts Commission; Victoria Rogen to the Aviation Advisory Commission; Jeff Blake to the Board of Adjustment; Donna Williams and Bradley Meek as Chair to the Citizens Bicycle Advisory Committee; Barbara Garland, James Baribault and Joyce Stribling to the Citizens Transportation Oversight Commission; Mary Eggleston, Chris Flippen, Pattie Johnston, Karen Mankoski, and Madelin Page to the Community Development Advisory Committee; John Catledge and Kevin English to the Industrial Development Authority; Marlow Myers to the Library Advisory Board; Dana Dale to the Parks & Recreation Advisory Commission; Richard Westby to the Personnel Board; Larry Clark, John Holland and Mark Manor to the Public Safety Personnel Retirement System/ Fire Board; Larry Clark, Brandon Keefer and John Wolfe to the Public Safety Personnel Retirement System/Police Board; and Julie Stiak and John Stern as Chair to the Risk Management/Worker’s Compensation Trust Fund Board, for the terms listed above. The motion carried unanimously.**

Mayor Scruggs called those present forward and issued the oath.

**CONSENT AGENDA**

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

Mr. Ed Beasley, City Manager, read agenda item numbers 1 through 13 and Ms. Pamela Hanna, City Clerk, read consent agenda resolution item numbers 14 through 21 by number and title.

Lieberman requested item number 21 be heard separately.

**1. SPECIAL EVENT LIQUOR LICENSE, HOUSE OF ELLIOTT CHARITABLE FOUNDATION, AUGUST 14, 2010**

This is a request for City Council to approve a special event liquor license for the House of Elliott Charitable Foundation. The event will be held at Westgate City Center located at 6770 North Sunrise Boulevard on Saturday, August 14, 2010, from 10 a.m. to 10 p.m. The purpose of this special event liquor license is for the Cardinals football game tailgate party.

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

2. LIQUOR LICENSE NO. 3-1299, CALICO JACK'S

This is a request for City Council to approve a new, non-transferable series 12 (Restaurant) license. Calico Jack's is located at 6770 North Sunrise Boulevard, Suite G109. The Arizona Department of Liquor Licenses and Control application (No. 12078358) was submitted by Randy D. Nations.

The location of the establishment is 6770 North Sunrise Boulevard, Suite G109 and is located within the Yucca District. The property is zoned PAD (Planned Area Development). The population density within a one-mile radius is 5,765. This series 12 is a new license, operating with an interim permit, therefore, the approval of this license will not increase the number of liquor licenses in the area. The number of liquor licenses within a one-mile radius is as listed below.

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
03	Domestic Micro - Brewery	1
06	Bar - All Liquor	6
07	Bar - Beer and Wine	3
10	Liquor Store - Beer and Wine	2
11	Hotel/Motel	1
12	Restaurant	13
	<b>Total</b>	<hr/> <b>26</b>

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

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

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

3. LIQUOR LICENSE NO. 3-1300, NIFTY 50'S NITE CLUB

This is a request for City Council to approve a location-to-location transferable series 6 (Bar - All Liquor) license. Nifty 50's Nite Club is located at 5510 West Camelback Road, Suite 9-12. The Arizona Department of Liquor Licenses and Control application (No. 06070524) was submitted by Janie Bernea Haag.

The location of the establishment is 5510 West Camelback Road, Suite 9-12 and is located within the Cactus District. The property is zoned C-2 (General Commercial). The population density within a one-mile radius is 20,444. This series 6 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.

<b>Series</b>	<b>Type</b>	<b>Quantity</b>
06	Bar - All Liquor	3
07	Bar - Beer and Wine	1
09	Liquor Store - All Liquor	3
10	Liquor Store - Beer and Wine	7
12	Restaurant	1
14	Private Club	1
	<b>Total</b>	<b>16</b>

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

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

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

4. PURCHASE OF PHARMACEUTICALS

This is a request for City Council to approve the purchase of chemical antidote pharmaceuticals from Meridian Medical Technologies for the Metropolitan Medical Response System (MMRS).

The purchase of these pharmaceuticals will further Council's goal of one community focused on public safety for citizens and visitors.

The City of Glendale MMRS Program originated in 2002 and is funded through the Department of Homeland Security and managed by the Federal Emergency Management Agency. The program is the only federal medical preparedness program that enhances a local government's mass casualty event response, whether natural or manmade, utilizing immediately available resources for the critical initial hours until federal resources can arrive. The program is tasked with providing a chemical antidote pharmaceutical cache which will be funded from a 2009 Homeland Security Grant. Meridian Medical Technologies is the sole manufacturer of the pharmaceuticals.

This direct purchase from the manufacturer will assure replacement of the pharmaceuticals prior to the expiration of the existing stock and is in the best interest of the city.

On August 11, 2009, Council adopted a resolution authorizing the City Manager to accept and administer the 2009 State Homeland Security Grants.

On December 11, 2007, Council approved the purchase of chemical antidote pharmaceuticals from Meridian Medical Technologies for this program.

The community will benefit through protection of both first responders and the citizens against natural or manmade disasters.

Funds are available through the 2009 MMRS grant. There are no ongoing costs associated with this purchase.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
X		X			\$78,852.30

<b><u>Account Name, Fund, Account and Line Item Number:</u></b> 2009 MMRS, Account No. 1840-34064-551400, \$78,852.30
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The recommendation is to approve the purchase of chemical antidote pharmaceuticals for the MMRS Program from Meridian Medical Technologies in the amount of \$78,852.30.

**5. EXTENSION OF DELTA DENTAL OF ARIZONA INSURANCE COVERAGE**

This is a request for City Council to authorize the City Manager to extend the agreement with Delta Dental of Arizona through FY 2010-11 by entering into an amendment to the Delta Dental of Arizona agreement.

This request supports Council goal of one community that is fiscally sound by renewing the employee benefit programs with minimal impact to the service level of the benefit programs and costs.

In 2005, the city entered into an agreement with Delta Dental of Arizona to provide coverage for employees and retirees enrolled in the city's benefit program. The current contract expires June 30, 2010. The requested extension would maintain the current coverage at no increase in premiums being paid by the city and plan participants.

Employee benefit plans enable the city to attract and retain qualified employees to carry out the business of the city.

Funding is available in the city's FY 2010-11 operating budget.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
			X		\$1,941,315.96

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

Benefits Trust Fund, Account No. 2580-18210-541200, \$1,581,312.24

Benefits Trust Fund, Account No. 2580-18210-541800, \$360,003.72

The recommendation is to authorize the City Manager to extend the agreement with Delta Dental of Arizona through FY 2010-11 by entering into an amendment to the Delta Dental of Arizona agreement.

**6. EXTENSION OF EMPLOYERS DENTAL SERVICES, INC. COVERAGE**

This is a request for City Council to authorize the City Manager to extend the agreement with Employers Dental Services, Inc. through FY 2010-11 by entering into an amendment to the Employers Dental Services, Inc. agreement.

This request supports Council's goal of one community that is fiscally sound by renewing the employee benefit programs with minimal impact to the service level of the benefit programs and costs.

In 2005, the city entered into an agreement with Employers Dental Services, Inc. to provide coverage for employees and retirees enrolled in the city's benefit program. The current contract expires June 30, 2010. The requested extension would maintain the current coverage at no increase in premiums being paid by the city and plan participants.

Employee benefit plans enable the city to attract and retain qualified employees to carry out the business of the city.

Funding is available in the city's FY 2010-11 operating budget.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
			X		\$59,736.00

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

Benefits Trust Fund, Account No. 2580-18210-541200, \$53,720.52

Benefits Trust Fund, Account No. 2580-18210-541800, \$6,015.48

The recommendation is to authorize the City Manager to extend the agreement with Employers Dental Services, Inc. through FY 2010-11 by entering into an amendment to the Employers Dental Services, Inc. agreement.

**7. CIVIC CENTER STORAGE FACILITY REPAIR**

This is a request for City Council to authorize the City Manager to enter into a Guaranteed Maximum Price (GMP) construction manager at risk agreement with D.L. Withers Construction, L.C. for the repair of the Civic Center storage facility.

One of Council’s goals is one community with high-quality services for citizens. By repairing the storage facility the city will continue to offer the high level of service citizens have come to expect when utilizing the Civic Center facilities.

The Civic Center storage facility was constructed in 2003 as an addition to the original Civic Center building. Staff discovered a below ground water leak in the main water supply line at the northwest corner of the storage facility. As a result of the water line leak the facility settled causing damage to the interior slab, interior walls and ceilings, exterior foundation, exterior walls, columns, and the roof. Temporary repairs have been made to the facility in anticipation of the permanent repairs being made through this agreement.

On March 18, 2010, the city approved a construction manager at risk design phase services contract to D.L. Withers Construction, L.C.

The Civic Center facility offers rental space for a variety of events such as meetings, conventions and weddings. Maintaining all aspects of the facility allows for uninterrupted service to the businesses and residents who utilize this facility when planning such events.

Funds for the construction of this project are available in the FY 2010-11 capital improvement plan. There are no operating costs associated with this project once it is completed.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X	X	X		\$259,443

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

Civic Center Storage Facility Repair, Account No. 2080-77514-550800, \$259,443

The recommendation is to authorize the City Manager to enter into a Guaranteed Maximum Price construction manager at risk agreement with D.L. Withers Construction, L.C. for an amount not to exceed \$259,443.

**8. FUND AUTHORIZATION FOR EMERGENCY WATERLINE REPAIRS, 51<sup>ST</sup> AND PEORIA AVENUES**

This is a request for City Council to authorize the City Manager to approve the expenditure of funds for emergency waterline repairs with Sundt Construction, Inc. for repairs at 51<sup>st</sup> and Peoria avenues; and ratify the entering into by the City Manager of the emergency construction agreement.

This item supports Council’s goal of one community with high-quality services for citizens. The work performed allowed the city to quickly make repairs in order to continue providing high-quality water to customers in the impacted area.

On April 27, 2010, an existing 6-inch waterline ruptured at the intersection of 51<sup>st</sup> and Peoria avenues. This water main break resulted in significant street damage and disruption of traffic.



After initial inspection, it was determined that the extent of the damage and the scope of work required to do the repairs warranted an outside contractor. At the time of the incident, Sundt Construction, Inc. was under contract with the city doing work in the immediate area and was able to respond immediately. The emergency repairs by the contractor included repairs and restorations to the damaged water lines, roads, sidewalks, curbs, and landscaping.

On June 8, 2010, Council authorized the City Manager to approve the expenditure of funds for two emergency waterline repairs: one with Sundt Construction, Inc. for the repairs at 61<sup>st</sup> Drive and Bethany Home Road, and one with Achen-Gardner Construction, LLC for the repairs at 55<sup>th</sup> and Missouri avenues.

This project allowed the rapid reinstatement of water delivery to customers in the impacted area.

Funding is available in the FY 2009-10 capital improvement plan.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$194,161.07

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

Line Replacement & Extension, Account No. 2400-61013-550800, \$194,161.07

The recommendation is to authorize the City Manager to approve the expenditure of funds for emergency waterline repairs with Sundt Construction, Inc. in the amount of \$194,161.07; and ratify the entering into by the City Manager of the emergency construction agreement.

**9. IMPROVEMENTS TO THUNDERBIRD CONSERVATION PARK PARKING LOTS AND THE MARSHALL RANCH TRAIL**

This is a request for City Council to authorize the City Manager to enter into a construction agreement with PBS Construction and Engineering, LLC, in the amount of \$281,138.55 for improvements to existing unpaved parking lots at Thunderbird Conservation Park and an existing unpaved trail section located between Cactus Road and the Marshall Ranch Bridge within the Thunderbird Paseo Linear Park.

The parking lots and trail improvements support Council’s goals of one community with strong neighborhoods and high-quality services for citizens by providing enhanced park and trail accessibility and connectivity.

Thunderbird Conservation Park is a 1,185-acre park that is noted for its pristine desert and open space which attracts thousands of visitors from Glendale and throughout Arizona.

In June 2006, Council adopted the Thunderbird Conservation Park Master Plan which serves as a long-range planning tool that guides the community and staff in protecting and managing the park. The plan recommended surface improvements of the unpaved existing parking lots located at 55<sup>th</sup> Avenue and Pinnacle Peak Road and 67<sup>th</sup> Avenue and Patrick Lane. The proposed

parking lot improvement includes installation of an environmentally-friendly hard surface. The color of the hard surface will blend with the surrounding environment, allow for striping the parking lot areas that will provide for more controlled and efficient parking, and will improve dust control.

The Marshall Ranch Trail Connector is a part of the historic Sun Circle Trail system within Maricopa County and is the remaining unpaved section of trail within the Thunderbird Paseo Linear Park. As a result of the completion of the underpass construction at the intersection of 51<sup>st</sup> Avenue and Cactus Road, the improvements to this portion of the city trail will provide a consistent trail surface for pedestrians and bicycle users.

In December 2009, a topical treatment was applied to the Thunderbird Conservation Park parking lots as a temporary measure to continue to ensure compliance with Maricopa County Environmental Services dust control requirements.

In June 2006, Council adopted the Thunderbird Conservation Park Master Plan which serves as a long-range planning tool that guides the community and staff in protecting and managing the park.

The Thunderbird Conservation Park parking lot improvements will provide designated parking spaces, improve ADA accessibility, and ensure the park maintains its compliance with county dust control regulations.

The Marshall Ranch Trail improvement within the Thunderbird Paseo Linear Park will provide citizens with access to a consistent and high-quality pedestrian and riding surface that connects the linear park to the historic Sun Circle Trail.

The Thunderbird Conservation Park Master Plan was approved and adopted by Council in June 2006 following a series of public input meetings and community surveys.

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

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$281,138.55

<b><u>Account Name, Fund, Account and Line Item Number:</u></b>
Thunderbird Park Improvements, Account No. 2060-70515-550800, \$180,000
Thunderbird Paseo Park Development, Account No. 2140-70000-550800, \$101,138.55

The recommendation is to authorize the City Manager to enter into a construction agreement with PBS Construction and Engineering, LLC for improvements to existing unpaved parking lots at Thunderbird Conservation Park and an existing unpaved section of the Marshall Ranch Trail in an amount not to exceed \$281,138.55.

**10. PROFESSIONAL SERVICES AGREEMENT FOR DESIGN SERVICES FOR BELL ROAD OVERLAY PROJECT**

This is a request for City Council to authorize the City Manager to enter into a professional services agreement with Dibble & Associates Consulting Engineers, Inc., for design services for a pavement overlay on Bell Road between 51<sup>st</sup> and 70<sup>th</sup> avenues.

This addresses Council’s goal of one community with high-quality services for citizens by implementing a pavement management program that will rebuild street sections and maintain pavement conditions for motorists.

The section of Bell Road from 51<sup>st</sup> to 70<sup>th</sup> avenues has been identified as a high priority corridor for a pavement overlay. Due to savings in Glendale’s share of American Recovery and Reinvestment Act (ARRA) funding, surplus federal funds have been identified for construction of this project.

Dibble & Associates was hired in 2009 to design this overlay project according to local engineering standards. This agreement will extend Dibble & Associates engineering services for the redesign of the project to the Arizona Department of Transportation (ADOT) standards in order to be eligible for federal funds. The design for this project will include plans for milling, repaving, some full depth structural paving, and upgrade of ramps and driveways in accordance with the Americans with Disabilities Act. The sections of Bell Road to be rehabilitated will also include utility cover adjustments, pavement markings, and traffic signal loop detectors.

This project is scheduled for bid advertisement by ADOT in October 2010.

On October 27, 2009, Council approved an intergovernmental agreement with ADOT for the use of ARRA funds for Glendale transportation projects.

On February 24, 2009, Council approved a professional services agreement with Dibble & Associates for design and preparation of construction plans for the Rubberized Asphalt Overlay Program.

Maintaining and rebuilding city streets will improve safety for motorists and contribute to continued high-quality commercial development within the Bell Road corridor.

Funds are available in the GO Transportation FY 2010-11 capital improvement plan.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
	X		X		\$128,700

<p><b><u>Account Name, Fund, Account and Line Item Number:</u></b>            Arterial Overlay, Account No. 2210-65082-551200, \$128,700</p>
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The recommendation is to authorize the City Manager to enter into a professional services agreement with Dibble & Associates Consulting Engineers, Inc., in an amount not to exceed \$128,700 for design services for pavement overlay on Bell Road between 51<sup>st</sup> and 70<sup>th</sup> avenues.

**11. PROFESSIONAL SERVICES AGREEMENT FOR THE GLENDALE ONBOARD TRANSPORTATION PROGRAM**

This is a request for City Council to authorize the City Manager to approve an amendment and two-year extension of a professional services agreement with URS Corporation for general engineering services to complete capital projects in the Glendale Onboard (GO) Transportation Program. The agreement is for engineering services and right-of-way acquisitions for Northern Parkway and Grand Avenue improvements.

Council’s goal of one community focused on public safety for citizens and visitors will be addressed by safety enhancements associated with access control on Grand and Northern avenues as well as bicycle and street improvements.

General engineering services with URS Corporation provides Glendale the technical support and expertise within several engineering disciplines. With the existing agreement Glendale has benefited from resources such as: hydrology, drainage, traffic engineering, bridge and roadway structures, right-of-way acquisition, relocation services, public involvement, financial analysis, and has met federal and state environmental regulations on all transportation projects. This proposed amendment will provide these continuing services for two additional years. Grand Avenue and Northern Parkway continue to be the two major transportation projects that require contracted expertise. Other active projects in the GO transportation program include bicycle, multi-use pathways, street improvements, and coordination with state, regional, and county agencies.

In June 2008, Council approved a professional services agreement with URS Corporation for general engineering services for the GO transportation program for two years with the option to extend the agreement for two additional two-year terms for a total of six years. The current agreement expires June 30, 2010.

The consultant will work collaboratively with city staff, stakeholders and residents to provide general engineering services that will address the transportation needs of Glendale residents, visitors, and businesses.

Funding is available in the GO transportation capital improvement program for FY 2010-11 and FY 2011-12.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
	X		X		\$2,342,276

<b><u>Account Name, Fund, Account and Line Item Number:</u></b>
PE & Oversight for Transp. Pkg, Account No. 2210-65022-551200, FY 10-11 \$1,550,727
PE & Oversight for Transp. Pkg, Account No. 2210-65022-551200, FY 11-12 \$527,875

Northern Ave Super Street, Account No. 2210-65016-551200, FY 11-12 \$170,065 Northern Ave Parkway Preliminary, Account No. 2210-65033-551200, FY 09-10 \$93,609
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The recommendation is to authorize the City Manager to approve an amendment and two-year extension of the professional services agreement with URS Corporation for general engineering consultant services in an amount not to exceed \$2,342,276.

## 12. PROFESSIONAL SERVICES AGREEMENT FOR INVESTMENT ADVISORY SERVICES

This is a request for the City Council to authorize the City Manager to enter into a professional services agreement with Cutwater Investor Services Corp. for investment advisory services, in an amount not to exceed \$225,000 for three years with an option to extend for another two years.

This request supports Council's goal of a city that is fiscally sound. Providing financial stability is addressed through ensuring that the city receives a reasonable return on its investments, while focusing on safety of the funds invested.

Seven proposals were received and an evaluation committee consisting of staff from Finance and Internal Audit reviewed the offers received. Specific evaluation criteria included: experience of firm in providing service to the public sector, all associated fees, qualifications of individuals assigned to the city's account, portfolio management resources, reporting capabilities, and responsiveness to the proposal. The offer scored highest by the committee was submitted by Cutwater Investor Services Corp. Cutwater Investor Services Corp (formerly MBIA Asset Management) has been the city's investment advisor since 1998.

An investment advisory firm monitors the marketplace for both the city's current and proposed investments, ensuring that a high-quality portfolio is always maintained. The city uses an outside firm to ensure that we have professional advice available to us when deciding on investments. Using an outside firm is a common practice among municipalities.

The agreement is for three years, with an option clause that will permit the city, at the discretion of the City Manager, to extend this agreement for two additional years in one-year increments.

Use of an investment advisory firm improves the fiscal stability of the city by increasing the financial resources available to fund budgeted services, activities, and projects.

Funds are available in the general, water and sewer, and bond funds for the fees.

The recommendation is to authorize the City Manager to enter into a professional services agreement with Cutwater Investor Services Corp. in an amount not to exceed \$225,000 for three years with an option to extend for another two years.

## 13. RATIFICATION OF PETITION TO CREATE COMMUNITY FACILITIES DISTRICT

This is a request for City Council to ratify the filing of a petition pursuant to A.R.S. § 48-702 requesting the formation of a community facilities district that incorporates city-owned land. The petition, which is signed by 100% of the landowners holding land within a district area that has no residents, allows the city to adopt a resolution that creates the district.

This request supports Council's goal of one community with quality economic development in our entertainment district.

Arizona statutes have provided for community facility districts since 1988. These entities are granted the ability to collect and disburse revenue, enter into contracts, issue debt obligations, and conduct other business and operational activities. The formation of a district will create a valuable development tool that will assist in assuring that public facilities are utilized to the maximum extent, and support continued economic development in the area.

Staff has discussed the creation of a community facilities district with Council during workshop meetings and Council Meetings on April 13, 2010, May 11, 2010, and June 8, 2010.

The necessary petition and general plan for the district was filed with the City Clerk on June 11, 2010.

Ratification of the petition has no budget impact.

The recommendation is to waive reading beyond the title ratify the Petition for the Creation of City of Glendale, Arizona Community Facilities District Number Two.

## **CONSENT RESOLUTIONS**

### **14. LIQUOR LICENSE APPLICATION FEE**

This is a request for City Council to adopt a resolution setting the liquor license application fee effective July 1, 2010.

This item addresses Council's goal of a city that is fiscally sound by pursuing and maintaining revenue streams that support service delivery through sound financial practices.

Staff received Council approval on April 27, 2010, to implement increases for liquor license fees in the City of Glendale. The exhibit in the resolution did not include the increase for the liquor license application fee.

In an effort to ensure that fees are updated and consistent with other Valley cities, a study was conducted regarding the liquor license application fee. Currently our fee is among the lowest as compared to other Valley cities.

It is recommended that Glendale increase its application fee to \$1,000 per application in order to bring it in line with cities that are similar in size.

The fee will become effective July 1, 2010.

The liquor license application fee was previously adjusted in 2003.

The recommendation is to waive reading beyond the title and adopt a resolution setting the liquor license application fee effective July 1, 2010.

**Resolution No. 4395 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, SETTING THE LIQUOR LICENSE APPLICATION FEE PURSUANT TO GLENDALE CITY CODE, CHAPTER 4 (ALCOHOLIC BEVERAGES); AND SETTING FORTH AN EFFECTIVE DATE.**

#### 15. LIBRARY USAGE FEES

This is a request for City Council to adopt a resolution amending the library fees for hold pickup failures, replacement library cards, and non-resident library cards. The new fees shall become effective July 1, 2010.

This item addresses Council's goal of one community that is fiscally sound by maintaining revenue streams that support service delivery through sound financial practices. It also addresses the goal of one community with high-quality services for citizens by continually providing excellent library services and programs.

Library staff recently conducted an assessment of library fees and recommends adjustments to the fees associated with hold pickup failures, replacement of library cards, and non-resident library cards. These fee adjustments will better reflect the administrative costs associated with providing these services, and will bring the Glendale Public Library in line with fees charged at other Valley libraries.

The Library currently charges patrons \$0.25 for failure to pick up an item that they have requested to be held for them. Based on library statistics, 18,187 holds were not picked up by patrons in FY 2008-09. Staff recommends increasing this fee to \$1.00, which better reflects the staffing costs involved in initially pulling the materials and then returning them to the shelves when they have not been picked up.

It currently costs Glendale cardholders \$1.00 to replace a lost library card. Staff recommends increasing this fee to \$2.00 to capture costs associated with replacing the card.

Soon after the Glendale Main Library opened in 1987, a non-resident fee was established for those who desire a Glendale library card but reside outside Glendale's city boundaries. The fee was last adjusted in 1999, when Council approved a fee of \$10.00 per quarter or \$40.00 annually. With recent changes to library hours in nearby communities and other effects of the economic downturn, there has been an increased demand for services and use of the public computers at all three Glendale libraries. Staff is recommending an increase of \$5.00 per quarter for non-resident library cards, bringing the fee to \$15.00 per quarter or \$60.00 annually.

The table below reflects the current costs at Valley libraries.

	Glendale	Avondale	Chandler	Desert Foothills	Mesa	Peoria	Phoenix	Tempe
Lost Card	\$1.00	\$2.00	\$2.00	\$5.00	\$2.00	\$2.00	\$2.00	\$2.00
Holds Not Picked Up	\$0.25	\$1.00	\$1.00	N/C	\$0.50	\$1.00	\$1.00	\$1.00

A memorandum regarding this issue was included in the FY 2010-11 Budget Workshop materials and was discussed at the March 30, 2010 City Council Budget Workshop.

Glendale Public Library exists to serve the citizens of Glendale. The amendment of these fees better reflects the administrative costs involved in carrying out the mission of the Library.

Revenue from these fees is deposited into the General Fund and Library Book Fund.

The amended fees were reviewed and approved by the Library Advisory Board on April 15, 2010.

The recommendation is to waive reading beyond the title and adopt a resolution amending the library fees for hold pickup failures, replacement library cards, and non-resident library cards.

**Resolution No. 4396 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 LIBRARY FEES AT THE GLENDALE MUNICIPAL LIBRARIES; AND ESTABLISHING AN EFFECTIVE DATE.**

**16. INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR COMMUNITY ACTION PROGRAM FUNDING**

This is a request for City Council to adopt a resolution authorizing the City Manager to enter into a five-year intergovernmental agreement with the Arizona Department of Economic Security for Community Action Program (CAP) funding and operations effective July 1, 2010.

The services provided by the Community Action Program are consistent with the Council goals of promoting high-quality services for citizens and one community with strong neighborhoods.

The Community Action Program has been providing direct services to low and moderate-income Glendale residents for 28 years. Services include energy assistance payments, minor home repairs, crisis assistance for families, which includes homeless assistance and temporary rent/mortgage subsidies.



Currently, the Community Action Program is being operated through an intergovernmental agreement with Maricopa County Human Services, a Community Action Agency designated by the state to receive Community Service Block Grant (CSBG) funds for the provision of direct services to low and moderate-income families in Glendale and several other communities. The current City of Glendale contract with the Maricopa County Human Services Department will end June 30, 2010.

In December 2009, Council authorized city staff to move forward to obtain a direct contract with the Arizona Department of Economic Security (DES) for CSBG funds and to become the designated Community Action Agency for Glendale. On May 19, 2010, staff received a letter from DES acknowledging its intent to designate the city as the Community Action Agency eligible to provide these direct services to Glendale residents. The Arizona Department of Economic Security, Division of Aging and Adult Services, will provide for an annual allocation of funds to support Glendale’s Community Action Program services for low to moderate-income residents from July 1, 2010 through June 30, 2015. Per the terms of the contract, the FY 2010-11 allocation to the city for the provision of CAP services is \$1,356,366.

On December 8, 2009, the City of Glendale and Maricopa County entered into Amendment No. 3 to increase funding from the American Recovery & Reinvestment Act (ARRA) and authorizing the city to contract directly with the State of Arizona for the FY 2010-11 operation of Glendale’s Community Action Program.

On March 24, 2009, the City of Glendale and Maricopa County entered into Amendment No. 2 extending the Contract to June 30, 2010.

On May 13, 2008, the City of Glendale and Maricopa County entered into Amendment No. 1 extending the Contract to June 30, 2009.

On April 24, 2007, the City of Glendale and Maricopa County entered into Contract No. C-22-08-070-2 with a term from July 1, 2007 to June 30, 2008. The Contract included two options for one-year extensions.

This new contract will ensure that Glendale’s Community Action Program will be able to continue to provide low and moderate-income Glendale residents with crisis services that promote financial stability, self-sufficiency and enhance the quality of life in Glendale.

The City of Glendale population has grown and because of the growth the city will gain its fair share of current and future funding allocations directly from the state. The CAP funding will solely be based on the population and poverty percentage in Glendale.

The Arizona Department of Economic Security will provide \$1,356,366 in FY 2010-11 for CAP Office program administration and operations. The city provides ongoing operating budget support for the CAP Office totaling \$187,280.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
X			X		\$1,356,366

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

1820-32040 Community Action Program

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into a five-year agreement with the Arizona Department of Economic Security for Community Action Program funding and operations effective July 1, 2010; the City Manager is further directed to annually accept the allocation and extend the term of the agreement if deemed appropriate and in the best interest of the City of Glendale.

**Resolution No. 4397 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 ECONOMIC SECURITY FOR COMMUNITY ACTION PROGRAM FUNDING.**

**17. INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY FOR ANIMAL CONTROL SERVICES**

This is a request for City Council to adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement (IGA) with Maricopa County for provisions of animal control services to the City of Glendale. Animal control services include the picking up of stray dogs, enforcement of the city leash laws, and support of the city's vicious dog ordinance.

The IGA meets Council's goal of one community with high-quality services for citizens by allowing experts in the area of animal control to provide these services in the community.

Maricopa County maintains facilities, equipment and trained personnel for the maintenance, control and impoundment of unclaimed or vicious dogs. Maricopa County also administers licensing of dogs, vaccinations and rabies control. Utilization of this service through Maricopa County maximizes existing regional infrastructure and preserves valuable city resources.

The city has contracted with Maricopa County for over 38 years for this service. The city's current IGA with the county expires June 30, 2010. This IGA is for a three-year period, running from July 1, 2010 to June 30, 2013.

On June 12, 2007, Council authorized a three-year contract with Maricopa County for animal control services effective July 1, 2007 and ending on June 30, 2010.

Maricopa County provides over 7,000 service activities to the city annually, ranging from responding to concerns with a stray dog, picking up a confined animal or assisting public safety officials.

The annual cost of this service is \$325,432 and funding is available in the Field Operation Department's FY 2010-11 operating budget.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$325,432

**Account Name, Fund, Account and Line Item Number:**  
 Field Operations Admin, Account No. 1000-13410-518200, \$325,432

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement with Maricopa County for provision of animal control services for the period of July 1, 2010 to June 30, 2013.

**Resolution No. 4398 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 MARICOPA COUNTY FOR ANIMAL CONTROL SERVICES FOR FISCAL YEARS 2011-2013.**

**18. INTERGOVERNMENTAL AGREEMENTS FOR USE OF FACILITIES**

This is a request for City Council to adopt a resolution authorizing the City Manager to enter into three intergovernmental agreements (IGAs) with local school districts for the use of their facilities in the event of an emergency.

Entering into these IGAs address Council’s goal of one community committed to public safety by taking a pro-active approach to prepare for emergencies.

These IGAs will allow the city to maintain their compliance with the National Incident Management System (NIMS). NIMS is a state standard for incident management and all local entities within the State of Arizona are required to comply. One of the objectives of NIMS is for local jurisdictions to develop interagency mutual aid agreements. These IGAs provide for shelter services in the event of a disaster. The partnering school districts are: Glendale Elementary, Peoria Unified, and Deer Valley Unified.

Adopting these IGAs will provide additional facility resources during emergencies and disasters, as well as strengthening partnerships between the city and participating local school districts.

There are no costs associated with the entering into of these IGAs.

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into three intergovernmental agreements with local school districts for the use of their facilities in the event of an emergency.

**Resolution No. 4399 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**

**THREE INTERGOVERNMENTAL AGREEMENTS WITH GLENDALE ELEMENTARY SCHOOL DISTRICT, PEORIA UNIFIED SCHOOL DISTRICT AND DEER VALLEY UNIFIED SCHOOL DISTRICT FOR THE USE OF THEIR FACILITIES IN THE EVENT OF AN EMERGENCY.**

**19. 2010 JUSTICE ASSISTANCE GRANT AWARD**

This is a request for City Council to adopt a resolution authorizing the City Manager to accept grant funding from the 2010 Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$164,499.

This grant supports Council’s goal of one community committed to public safety by providing a secure means of communications for our public safety responders.

The U.S. Department of Justice has made funding available to cities through the Edward Byrne Memorial Justice Assistance Grant Program. Maricopa County serves as the fiscal agent for this pass-through grant.

The Police Department utilizes Motorola mobile radios in department cars. When initially purchased in 2002, 240 of these radios did not include encryption capability. Encryption is a feature available in a radio that allows public-safety responders to conduct two-way radio communications in a secure manner that will not allow scanners to intercept transmissions. The Police Department plans to use this funding to purchase the hardware and software necessary to install and program each of the department’s mobile radios with encryption capabilities. The grant will fund 107 of the radios. The Police Department will fund the additional 133 radios.

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 the Edward Byrne Memorial Justice Grant. This award was part of the American Reinvestment and Recovery Act.

This is one-time funding by the U.S. Department of Justice. There is no financial match required for this grant. However, the Police Department will be contributing \$204,478 to upgrade the additional radios and RICO funds will be used to cover this cost.

<b>Grants</b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
X					\$164,499

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

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

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to accept grant funding from the 2010 Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$164,499.

**Resolution No. 4400 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 GRANT FUNDING FROM THE 2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$164,499 FOR THE GLENDALE POLICE DEPARTMENT.**

## 20. MYRTLE AVENUE HISTORIC ENTRYWAY GRANT

This is a request for City Council to adopt a resolution authorizing the City Manager to accept a grant from the United States Department of Interior, National Park Service, for the restoration of the Morcomb adobe house and service station as part of the Myrtle Avenue Historic Entryway project.

Restoration of the two historic buildings is consistent with Council's goal of one community with a vibrant city center.

Planning Staff submitted a grant application in 2007 for funding through the Save America's Treasures program at the U.S. Department of Interior, National Park Service. In January 2010, the city was informed it had received a \$132,576 matching grant for the restoration of the Morcomb adobe house and service station located at 6024 West Myrtle Avenue. The agreement must be signed and delivered to the National Park Service by August 15, 2010, or the funds must be returned.

The work to be completed will be exterior and interior restoration of both the service station and adobe house, including roof repair and adobe stabilization. The restoration will comply with the Secretary of the Interior's Rehabilitation Standards to retain the historic nature of the buildings.

In 2007, Council approved the Arts Commission historic walk and plaza project, which has brought the property to its current condition. In 2006, Council approved the purchase of the property by the Transportation Department for lane widening purposes.

The restoration of the Morcomb adobe house and service station will provide lasting evidence of Glendale's heritage with unique insight into a part of Glendale's history.

There has been strong support from the Floralcroft Historic District property owners in favor of this project. The location is a popular stop on various historic preservation tours. The Myrtle Avenue Historic Entryway with the adobe house and the service station has been a feature of several Channel 11 programs and specials.

The grant award for \$132,576 will address the physical restoration of the adobe house and service station. The city is required to provide a match of \$132,576, and this match will be met

with funding available in the FY 2009-10 capital improvement plan. No additional operating costs are associated with this project once it is completed. The buildings will not be occupied.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X		X			\$132,576

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

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

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to accept a grant from the United States Department of Interior, National Park Service, for the restoration of the Morcomb adobe house and service station as part of the Myrtle Avenue Historic Entryway project.

Mayor Scruggs stated that Mr. Gary Sherwood, a Sahuaro resident, asked to speak on this item.

Mr. Sherwood expressed his support of the Myrtle Avenue Historic Entryway project. He also wanted to pay tribute to Mr. Ron Short, who is retiring this week. He noted that Mr. Short has worked 10 years for the city. He hopes his position is not eliminated even if his shoes will be hard to fill. He noted that under Mr. Short, the number of Glendale landmarks recognized on the National Historic Register has tripled twice over. He anticipates that once times get better, this position will once again become a full time position. He believes this is very important for the City of Glendale. He once again thanked Mr. Short for this dedication to the city.

**Resolution No. 4401 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ACCEPTING THE GRANT OFFER FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE IN THE AMOUNT OF \$132,576 FOR THE PRESERVATION OF THE MYRTLE AVENUE HISTORIC ENTRYWAY.**

**It was moved by Frate and seconded by Knaack, to approve the recommended actions on Consent Agenda Item Nos. 1 through 20, including the approval and adoption of Resolution No. 4395 New Series, Resolution No. 4396 New Series, Resolution No. 4397 New Series, Resolution No. 4398 New Series, Resolution No. 4399 New Series, Resolution No. 4400 New Series, and Resolution No. 4401 New Series; and to forward Special Event Liquor License Application for the House of Elliott Charitable Foundation on August 14, 2010 at Westgate City Center and Liquor License Application No. 3-1299 for Calico Jack’s and 3-1300 for Nifty 50’s Nite Club, to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.**

**21. FORMATION OF THE COMMUNITY FACILITIES DISTRICT TWO**

Jim Colson, Deputy City Manager, presented this item.

This is a request for City Council to adopt a resolution to form a community facilities district named the City of Glendale, Arizona Community Facilities District Two (CFD2), which will initially incorporate city-owned land surrounding the Arena.

The funding mechanism for the CFD2 as an entity independent of the city will be new, user-driven revenue sources that are directly related to uses benefiting the land within the district.

This request supports Council's goal of one community with quality economic development in our entertainment district.

Arizona statutes have provided for community facility districts since 1988. These entities are granted the ability to collect and disburse revenue, enter into contracts, issue debt obligations, and conduct other business and operational activities. The formation of the CFD2 will create a valuable development tool that will assist in assuring that public facilities are utilized to the maximum extent, and support continued economic development in the area.

Revenue will be generated through activities at the arena and within the surrounding district.

Staff has discussed the creation of a CFD2 with Council during workshop meetings and Council Meetings on April 13, 2010, May 11, 2010, and June 8, 2010.

The CFD2 will be self-funding and rely on revenue generation from fees, assessments, and contractual income related to activities that directly benefit the district.

Waive reading beyond the title and adopt a resolution authorizing the Notification of Intent.

Mayor Scruggs asked for any questions.

Councilmember Lieberman asked if this land was city owned. Mr. Colson responded yes. Councilmember Lieberman remarked that since this land was city owned, they would not be able to charge a surcharge on the property to raise funds. Mr. Colson explained the CFD allows the ability to raise revenues in particular methods such as charging fees for things as parking and activities within the district. He added that as the district grows, they can also consider other voluntary options. Councilmember Lieberman inquired as to what kinds of businesses would be situated on the lots. Mr. Craig Tindall, City Attorney, stated that the only businesses situated on the lots were city owned such as the arena, conference center, media center and parking. Councilmember Lieberman asked if applying a surcharge to parking would raise the price for someone attending an event in the arena. Mr. Tindall replied yes. Councilmember Lieberman asked if money earned would go to other city facilities or just the arena. Mr. Colson explained that the CFD has been created to address the issues that have been discussed at the workshop sessions. The CFD is being created to provide funding that will support the maintenance of the Coyotes and the surrounding parking district. However, the CFD would have some capabilities to do additional ventures in the future. Councilmember Lieberman addressed his concerns regarding raising parking fees for fans when money was very tight. He stated he understood the

purpose of the CFD, however, still felt uncomfortable raising fees in this bad economy. He indicated he might feel better if the city expanded their scope of this endeavor so they might have funds for other small businesses needing help. Mr. Colson explained that it would be out of the scope of today's discussion to address that issue. Councilmember Lieberman also voiced his concerns that raising ticket prices might affect attendance since money was tight these days. He asked what revenue the city currently obtains from the arena. Mr. Colson stated he did not have those numbers but will be happy to forward them at a later date. Councilmember Lieberman asked the estimated percentage this endeavor will bring to the city. Mr. Colson explained they had identified several potential programs and agreements that will be brought forward in their model; however, until they have the new ownership in place, they cannot determine exact estimations. He explained that based on the model put forward, they believe the CFD will meet the specific requirements identified.

Mayor Scruggs asked to clarify this issue. She explained there had been a total of four votes taken by the Council on matters that involve the formation of a CFD. She explained the four meetings in which this issue was voted on and how they had been discussed in detail. She indicated that the last vote involved a resolution to cover losses to the NHL if the purchase of the team did not occur by a certain time. Mr. Colson referred to the city attorney for the correct language. Mr. Tindall explained that the resolution was the Arena Management Agreement. The agreement was created for several things; however, one of those was to allow the NHL to run the arena for the next year.

Mayor Scruggs remarked that two weeks ago, they had voted to approve an MOU to support Ice Edge Holding's bid to the NHL to buy the Phoenix Coyotes. The MOU explained how the city will work with Ice Edge Holdings, envisioning the creation of the CFD. She noted that four different votes had been taken on the issue of creating a Community Facilities District, as well as numerous meetings in executive sessions. Mr. Ed Beasley, City Manager, stated she was correct in her summation and added that in all those meetings, there was never a mention to extend the CFD to include individual businesses in the downtown area. Mayor Scruggs wanted to make clear that this issue has been discussed for 18 months and the Council has been fully aware of the issue and have moved it forward by executive session and by votes in official meetings. She explained this endeavor will help every business and individual in the City of Glendale. She stated they all had an investment in the arena to help it produce to the highest level. She indicated this will be done by seeing that the team is purchased and stays in Glendale so revenue can continue to be used throughout the entire city.

Mayor Scruggs thanked everyone for the opportunity to explain this issue. She indicated that ever since the Coyotes had gone into bankruptcy, the Council's actions have been complex and difficult. She explained that the Council had set parameters early on to ensure the city was always protected. She reiterated this was not a new decision but a careful analysis and examination of the facts that have been repeated time and again on what the CFD represents to the city.

Councilmember Clark explained that even though the CFD is created by the city, once it is created, it becomes a stand-alone facilities district, which does not demand further resources from the city to support it. Mr. Colson stated the CFD was a separate financial entity from the



city. Councilmember Clark explained the whole point of a CFD is to create a mechanism that can raise resources to satisfy the needs of the city and team and keep the arena viable without having to use city funds. Mr. Colson agreed. He noted the CFD has been in the Arizona statute since 1988 and has worked very successful for cities.

Councilmember Lieberman remarked he was well aware of all the meetings where this item had been discussed and in his recollection, it did not go back 18 months. He noted he was the only one who voted for Ice Edge Holdings in a particular meeting and it turned out to be the owner that was purchasing the Coyotes. Mayor Scruggs asked Mr. Beasley to explain how this discussion went back 18 months. Mr. Beasley explained that the CFD did not just recently come up at a public meeting or executive session. He indicated this endeavor had been discussed and analyzed for many months prior to coming to a public meeting. This type of mechanism took time to ensure the city's protection as well as finding a funding source that potential owners could utilize as a chosen method.

Vice Mayor Martinez commented on why the rest of the Council had not voted for the Ice Edge Holding's proposal. He reminded everyone that Ice Edge had a late modification to their proposal; however, it had not been in writing. He explained if they had voted to approve their proposal, there could have been a liability to the City of Glendale. He reiterated the many meetings in which the CFD subject had been discussed, as well as the possibility of having a surcharge to parking. He noted creating the CFD allows for the team to have sustainability without having to use city funds.

Councilmember Clark asked if they were hopeful that once the CFD is established that other properties would want to join. Mr. Colson replied yes.

**Resolution No. 4402 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ORDERING AND DECLARING FORMATION OF CITY OF GLENDALE, ARIZONA COMMUNITY FACILITIES DISTRICT NUMBER TWO.**

**It was moved by Martinez, and seconded by Frate, to pass, adopt and approve Resolution No. 4402 New Series as amended to reflect the amended petition and General Plan which has been filed with the City Clerk. The motion carried unanimously.**

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

### **22. ANNEXATION APPLICATION AN-186: WESTERN AREA ANNEXATION (PUBLIC HEARING REQUIRED)**

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

This is a request for City Council to conduct a public hearing on the blank annexation petition for Annexation Area No. 186 (AN-186) as required by state statute. The annexation is approximately 193 acres in size and includes the Falcon Dunes Golf Course of Luke Air Force Base (AFB), the Dysart Drain, and property acquired by the City of Glendale on Bethany Home

Road for the placement of water lines, and other properties proposed for development or redevelopment.

The proposed annexation is consistent with Council's goal of one community with an active partnership with Luke AFB, as the annexation of the Falcon Dunes Golf Course and the Dysart Drain will continue to strengthen the city's connection and support of the base. The proposed annexation will also carry out the Council goals of one community with quality economic development, as several of the parcels included in the annexation are intended to be developed or redeveloped, and one community with high-quality services for citizens, incorporating within the city existing city water and sewer lines along the Bethany Home Road alignment.

This annexation includes multiple parcels, thus portions of the annexation closest to Luke AFB are within the 65 ldn (average day-night) noise contour line of the base. The Falcon Dunes Golf Course serves the base and also acts as a retention basin, and is within a flood plain. The Dysart Drain conveys water from the base to the Agua Fria River. On February 26, 2010, the Secretary of the Air Force approved the city's request to annex the Falcon Dunes Golf Course and Dysart Drain.

As the proposed annexation includes multiple parcels, the city's General Plan designations for the properties being considered for annexation include Luke Compatible Land Use and Business Park.

The areas proposed to be annexed are currently zoned RU-43 (Rural Residential one acre per dwelling unit) and C-3 (General Commercial). The General Commercial parcel is an existing McDonalds at the intersection of Litchfield Road and Glendale Avenue, at the entrance to Luke AFB, which is proposed to be demolished and rebuilt with a more contemporary design which will also alleviate traffic congestion at the site.

The city's current annexation policy was adopted by the Council on July 12, 2005. As part of this policy, consideration will be given to annexation requests submitted from any location within the Glendale Municipal Planning Area.

The annexation of the area will strengthen the city's ties with Luke AFB, will bring city-owned facilities and property into the corporate limits of the city, and will require that any future development meet the Glendale General Plan requirements as well as all other Glendale development standards.

A public notice for the City Council public hearing was published in *The Glendale Star* on June 3, 2010 and the property was posted on June 1, 2010. Notification letters were mailed to property owners on June 4, 2010. No comments have been received.

The recommendation is to conduct a public hearing on the blank annexation petition for Annexation Area No. 186 (AN-186) as required by state statute.

**Mayor Scruggs opened the public hearing on Agenda Item No. 22.**

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

**23. GENERAL PLAN AMENDMENT GPA08-02 (RESOLUTION) AND REZONING APPLICATION ZON08-11 (ORDINANCE): BELLA VILLAGIO – 9801 WEST BETHANY HOME ROAD (PUBLIC HEARING REQUIRED)**

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

This is a request by LVA Urban Design Studio for City Council to conduct a public hearing and adopt a resolution to amend the General Plan Land Use Map from Business Park to Entertainment Mixed Use and adopt an ordinance to rezone from Agricultural to Planned Area Development for the property located at the southeast corner of 99<sup>th</sup> Avenue and Bethany Home Road.

The proposed General Plan Amendment and Rezoning are consistent with Council's goal of one community with quality economic development by providing a mixed-use employment center with compatible retail, hotel, entertainment, and housing. Approval of this request will position the city for continued economic vitality in the Loop 101 corridor.

The 47 acre site, titled Bella Villagio will include retail, hotel, office and residential land uses. The development plan will create a project that contains complementary land uses unified by architecture, landscaping, signage, lighting, and open space.

The Planning Commission recommended approval of GPA08-02 and ZON08-11 on December 11, 2008.

The project will allow continued growth in the city's Sports and Entertainment District and substantially contribute to a strong, self-sustaining office, residential, retail, and hotel core that can be an economic resource to the community.

A public notice for the City Council public hearing was published in *The Glendale Star* on June 3, 2010 and the property was posted on June 4, 2010. Notification postcards were mailed to 73 property owners and interested parties on June 4, 2010.

Three individuals spoke at the Planning Commission public hearing on December 11, 2008. Two were in support of the project and one opposed the project due to concerns with the proposed building heights and possible negative impacts of surrounding development on the future growth of the airport. Staff explained that the city's Airport Administrator and the Federal Aviation Administration reviews development plans to determine and resolve any potential negative impacts on the existing operation and future growth of the airport.

The recommendation is to conduct a public hearing, waive reading beyond the titles and adopt a resolution for General Plan Amendment GPA08-02 and adopt an ordinance for rezoning application ZON08-11 subject to the stipulations as recommended by the Planning Commission and as modified by staff.

Mr. Nick Wood, applicant's representative, stated they had the unanimous approval from their neighbors on this item. He thanked staff in the Planning Department as well as Mr. Jim Colson in the city's manager's office for their help. He stated they were very excited and were in agreement with staff's stipulations.

Councilmember Goulet stated this was a marvelous project. He asked Mr. Wood to provide a brief overview of the project. Mr. Wood explained they were in negotiations with well known entities in the hotel industry for phase one. He indicated they have been subject to the economy as many have; however, they have several clients that were very excited about the project.

**Mayor Scruggs opened the public hearing on Agenda Item No. 23.**

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

**Resolution No. 4403 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 GPA08-02 FOR PROPERTY LOCATED AT 9801 WEST BETHANY HOME ROAD.**

**It was moved by Clark, and seconded by Goulet, to pass, adopt and approve Resolution No. 4403 New Series. The motion carried unanimously.**

**Ordinance No. 2729 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 FROM A-1 (AGRICULTURAL) TO PAD (PLANNED AREA DEVELOPMENT) FOR DEVELOPMENT PLAN TITLED "BELLA VILLAGIO" LOCATED AT 9801 WEST BETHANY HOME ROAD; AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.**

**It was moved by Clark, and seconded by Goulet, to approve Ordinance No. 2729 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**

### **24. ARIZONA PUBLIC SERVICE COMPANY UTILITY EASEMENT AT THE GLENDALE MUNICIPAL LANDFILL**

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

This is a request for City Council to adopt an ordinance granting a utility easement in favor of Arizona Public Service Company (APS) on city-owned property to enable electrical power service to a new traffic signal at the entrance to the Glendale Municipal Landfill.

Granting the utility easement supports Council's goal of one community with high-quality services for citizens by allowing APS to provide electrical power to a new traffic signal at the entrance to the city's landfill.

Since the opening of the Glendale Municipal Landfill in 1973, no significant changes or improvements to the entrance have been made. Transportation staff performed a traffic volume study for the 115<sup>th</sup> and Glendale avenues intersection, and recommended a traffic signal be placed at the intersection due to the high average daily traffic counts. As a part of the design for the intersection improvements, APS was asked to relocate its existing overhead power lines to accommodate the construction. To protect its facilities in the new location, APS has requested the City of Glendale grant it an easement.

The recommendation is to waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute a utility easement in favor of Arizona Public Service Company on city-owned property to enable electrical power service to a new traffic signal at the entrance to the Glendale Municipal Landfill.

**Ordinance No. 2730 New Series was read by number and title only, it being AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A UTILITY EASEMENT IN FAVOR OF ARIZONA PUBLIC SERVICE COMPANY ON CITY-OWNED PROPERTY TO ENABLE ELECTRICAL POWER SERVICE TO A NEW TRAFFIC SIGNAL AT THE ENTRANCE TO THE GLENDALE MUNICIPAL LANDFILL IN GLENDALE, ARIZONA; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.**

**It was moved by Lieberman, and seconded by Martinez, to approve Ordinance No. 2730 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.**

## 25. FISCAL YEAR 2010-11 PROPERTY TAX LEVY ADOPTION

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

This is a request for City Council to adopt an ordinance setting the primary property tax rate at \$0.2252 per \$100 of assessed valuation and the secondary property tax rate at \$1.3699 per \$100 of assessed valuation for FY 2010-11. The total property tax rate will remain unchanged at \$1.5951. A public hearing on the proposed FY 2010-11 property tax levy occurred at the June 8, 2010 evening meeting.

The setting of the property tax rate for FY 2010-11 is consistent with the Council's goal of one community that is fiscally sound, as property tax revenue funds a portion of the city's operating and capital budget.

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

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

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

A public hearing on the proposed FY 2010-11 property tax levy was held at the June 8, 2010 evening meeting. At the June 8 meeting Council also conducted a public hearing on the final budget and convened a special meeting to adopt a resolution formally approving the final operating, capital, debt service, and contingency appropriation budget.

Public notices, as required by state law, were printed in the May 27 and June 3, 2010 issues of *The Glendale Star* regarding the date, time and location for the public hearings regarding the FY 2010-11 final budget and the FY 2010-11 property tax levy as well as the date for adoption of the property tax levy.

The FY 2010-11 preliminary budget was presented to Council on May 25, 2010. Council adopted a resolution accepting it and gave notice of public hearings for the final budget and property tax levy for June 8, 2010 as well as for the adoption of the property tax levy on June 22, 2010.

The second budget workshop was held on March 30, 2010. The items addressed at the meeting were the proposed capital improvement plan and follow up items from the March 23, 2010 budget workshop.

The first budget workshop was held on March 23, 2010. The following items were presented at the meeting:

- The proposed operating budget for all departments and all funds.
- The proposed service and program adjustments for the General Fund totaling \$14.7 million.
- The written report about the community's feedback regarding the proposed program and service adjustments.
- The proposed revenue enhancement opportunities.

Council was provided the FY 2011 budget workbook during the week of March 15, 2010.

On February 16, 2010, Council reviewed the strategy for balancing the GF operating budget for FY 2010-11 in preparation for the first budget workshop scheduled for March 23, 2010.

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

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

The preliminary budget book for FY 2010-11 and the corresponding council communication were posted publicly for the May 25, 2010 evening meeting per state requirements.

All budget workshops were open to the public and were posted publicly per state requirements. The Council budget workbook materials were posted publicly along with the meeting agenda.

Community-wide public meetings on the proposed program and service adjustments for FY 2010-11 occurred on March 3, 4, and 8, 2010. A document summarizing the \$14.7 million in proposed program and service adjustments was posted publicly in advance of the meetings. The public also was given the opportunity to provide feedback on the proposed program and service adjustments through the city's website and a telephone hotline, both of which were available through the close of business on March 11, 2010. A total of 200 responses were received plus 52 citizens spoke at the public meetings.

Public notices were printed in the May 27 and June 3, 2010 issues of *The Glendale Star* regarding the date, time and location for the public hearings regarding the FY 2010-11 final budget and the FY 2010-11 property tax levy as well as the date for the adoption of the property tax levy.

It is estimated that the FY 2010-11 primary property tax rate will generate approximately \$3.7 million and the FY 2010-11 secondary property tax rate will generate approximately \$24 million for a total of approximately \$27.7 million.

The recommendation is to waive reading beyond the title and adopt an ordinance setting the primary property tax rate at \$0.2252 per \$100 of assessed valuation and the secondary property tax rate at \$1.3699 per \$100 of assessed valuation. The total property tax rate will remain unchanged at \$1.5951.

**Ordinance No. 2731 New Series was read by number and title only, it being AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF GLENDALE, SUBJECT TO TAXATION, A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE**

**ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTIONS, FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS AND PROVIDING FUNDS FOR GENERAL MUNICIPAL EXPENSES; ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2011; AND DECLARING AN EMERGENCY.**

**It was moved by Lieberman, and seconded by Clark, to approve Ordinance No. 2731 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.**

## 26. ALARM PROGRAM ORDINANCE

Steve Conrad, Police Chief, presented this item.

This is a request for City Council to adopt an ordinance amending Glendale City Code Chapter 3 relating to Alarms.

This item addresses Council’s goal of one community committed to public safety by increasing the time that officers are able to respond to other calls.

False alarms are a major problem in the city and constitute a drain on valuable police resources. In 2009, 98.4% of the alarm calls received were false. Officers spent almost 3,500 hours handling these false alarm calls.

The amendment to city code will require alarm subscribers and proprietor alarm owners to obtain a permit, at no fee, from the Police Department, providing the police with contact information for responsible parties of the residence or business. This information is critical to the efficient and effective police response to alarms. The amendment will allow the Police Department to assess a fee for 2 or more false alarm in a 365 day period. The fee will only apply to false burglary, robbery and commercial panic alarms. Licensing requirements will remain the same, with the exception of including reciprocity for special regulatory licenses for alarm businesses and agents that are licensed in other cities.

False alarms were discussed at the March 23, 2010 budget workshop and at the May 18, 2010 workshop.

Research shows that implementation of such a program will reduce false alarms and allows officers the time necessary to respond to other priorities. Alarm businesses and alarm agents that are not currently licensed will be identified, allowing additional protections for residents and businesses using those services.

The Police Department has reached out to citizens who continue to have repeat false alarms to obtain their input and will continue to work with these citizens to prevent future false alarms.



Several steps will take place prior to any assessments for excessive false alarms including: a citywide marketing campaign to raise awareness about the problem and the program, a grace period, and warnings for the first false alarm at any location.

Revenue projection is estimated at \$275,000 the first year and \$266,500 annually.

The recommendation is to waive reading beyond the title and adopt an ordinance amending Glendale City Code Chapter 3 relating to Alarms.

Councilmember Frate asked if the city was requesting alarm companies to inform their clients of the need to register their alarms with the city. Chief Conrad explained that part of the new ordinance does require alarm companies to educate their customers on applying for a user permit with the city.

Councilmember Clark remarked that she was very pleased to see this ordinance come forward and believes it has been an essential component that has been needed for quite awhile. She was also pleased to hear of the citywide marketing effort to ensure the public was aware that the fee was only for false alarms.

**Ordinance No. 2732 New Series was read by number and title only, it being AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE, CHAPTER 3 CONCERNING ALARM SYSTEMS; AND ESTABLISHING AN EFFECTIVE DATE.**

**It was moved by Frate, and seconded by Knaack, to approve Ordinance No. 2732 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.**

## 27. PAWN SHOP AND SECONDHAND STORE ORDINANCE

Steve Conrad, Police Chief, presented this item.

This is a request for City Council to adopt an ordinance amending Glendale City Code Chapter 21 relating to pawnshop operators and secondhand dealers.

These changes will meet Council’s goal of one community committed to public safety by allowing detectives to spend more time investigating property crimes and to recover stolen property.

Pawn shops are required under state law to report to the Police Department goods they buy from the public for resale. Secondhand stores are required to do this under city code. The data from these reports allows for the search of a national database to determine whether a particular item is stolen or linked to other reported criminal activity.

The amendment to the city code will authorize a transaction fee to be charged for transaction reports which contain the following items: firearms; jewelry; any item which has inscribed, attached or added a personal identifying mark or serial number; or any item having a fair market value equal to or greater than \$100.00. The transaction fee is necessary to assist the city with the costs associated with managing the transactions. State law authorizes cities to collect such fee and allows businesses to pass it along to their customers. Several other Valley agencies already have a transaction fee of \$3.00 in place. These changes will result in more time for detectives to investigate property crimes, and to assist in locating stolen property so it can be returned to its rightful owner.

Pawn shop and secondhand store transaction fees were discussed at the March 23, 2010 and March 30, 2010 budget workshops.

The transaction fee will assist efforts of the Police Department in locating stolen items for residents and allow the Police Department to work more closely with local businesses in a partnership to reduce the impact of property crimes in the city.

The Police Department has been working with State Association of Pawn Shops, as well as the local secondhand stores throughout this process.

The estimated annual revenue projection is approximately \$198,000. This will be deposited into the General Fund.

The recommendation is to waive reading beyond the title and adopt an ordinance amending Glendale City Code Chapter 21 relating to pawnshop operators and secondhand dealers.

Councilmember Goulet thanked Chief Conrad for taking the time to meet with several shop owners to answer their questions and concerns.

Mayor Scruggs asked Chief Conrad to explain why this would not apply to an antique dealer on Glendale Avenue. Chief Conrad explained this ordinance change was specific to the type of license that a business has. He noted if a business was licensed as a pawnshop operator or second hand dealer, this transaction report fee would apply. The definition of a second hand dealer specifically excludes antique dealers.

Councilmember Frate asked if Chief Conrad had been in touch with the association that represents pawnshops. Chief Conrad responded that they had the opportunity to meet with several representatives of the State Pawn Shop Association. In addition, officers had the chance to interact with second hand dealers and provided them with all necessary information and solicit their input. Mayor Scruggs noted that Mr. David Schwartz representing the Pawn Shop Association was attending tonight's meeting. He had submitted a comment card indicating support but did not wish to speak.

**Ordinance No. 2727 New Series was read by number and title only, it being AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE CHAPTER 21**

**(LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS),  
RELATING TO PAWNSHOP OPERATORS AND SECONDHAND DEALERS; AND  
SETTING FORTH AN EFFECTIVE DATE.**

**It was moved by Goulet, and seconded by Lieberman, to approve Ordinance No. 2727 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.**

**RESOLUTIONS**

**28. ALARM PROGRAM RESOLUTION**

Steve Conrad, Police Chief, presented this item.

This is a request for City Council to adopt a resolution establishing fees for the Alarm Program. The fees would become effective August 1, 2010. However, the Program will not be operational and the fees will not be enforced until later this year.

This item addresses Council’s goal of one community committed to public safety by increasing the time that officers are able to respond to other calls.

False alarms are a major problem in the city and constitute a drain on valuable police resources. In 2009, 98.4% of the alarm calls received were false. Officers spent almost 3,500 hours handling these false alarm calls. The Alarm Program will reduce the number of false alarms, hold subscribers and alarm businesses accountable, and reduce the amount of time officers spend responding to false alarm calls.

The resolution will authorize the assessment of a fee for second and subsequent false alarms. The fee for burglary alarms will be \$85.00 for the second false alarm and will escalate for subsequent false alarms. The fee for robbery or commercial panic alarms will be \$125.00 for the second false alarm and will escalate for subsequent false alarms. There will also be a fee of \$100.00 for operating an alarm system without an alarm subscriber permit.

False alarms were discussed at the March 23, 2010 budget workshop and at the May 18, 2010 workshop.

Research shows that implementation of such a program will reduce false alarms and allows officers the time necessary to respond to other priorities. Alarm businesses and alarm agents that are not currently licensed will be identified, allowing additional protections for residents and businesses using those services.

The Police Department has reached out to citizens who continue to have repeat false alarms to obtain their input and will continue to work with these citizens to prevent future false alarms.

Several steps will take place prior to any assessments for excessive false alarms including: a citywide marketing campaign to raise awareness about the problem and the program, a grace period, and warnings for the first false alarm at any location.

Revenue projection is estimated at \$275,000 the first year and \$266,500 annually.

The recommendation is to waive reading beyond the title and adopt a resolution establishing fees for the Alarm Program.

**Resolution No. 4404 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, SETTING FORTH THE RECIPROCAL LICENSE FEE FOR AN ALARM BUSINESS, THE SERVICE FEE FOR ALARM ACTIVATION WITHOUT AN ALARM SUBSCRIBER PERMIT, AND THE EXCESSIVE FALSE ALARM ASSESSMENTS PURSUANT TO GLENDALE CITY CODE, CHAPTER 3; ESTABLISHING AN EFFECTIVE DATE AND THE PENALTIES FOR VIOLATIONS THEREOF.**

**It was moved by Clark, and seconded by Lieberman, to pass, adopt and approve Resolution No. 4404 New Series. The motion carried unanimously.**

#### 29. PAWN SHOP AND SECONDHAND STORE TRANSACTION FEE RESOLUTION

Steve Conrad, Police Chief, presented this item.

This is a request for City Council to adopt a resolution establishing the transaction report fee for pawnshop operators and secondhand dealers. The proposed code changes and related transaction report fee would become effective August 1, 2010.

These changes will meet Council's goal of one community committed to public safety by allowing detectives to spend more time investigating property crimes and to recover stolen property.

Pawn shops are required under state law to report to the Police Department goods they buy from the public for resale. Secondhand stores are required to do this under city code. The data from these reports allows for the search of a national database to determine whether a particular item is stolen or linked to other reported criminal activity.

The resolution will authorize a transaction fee of \$3.00 to be charged for transaction reports which contain the following items: firearms; jewelry; any item which has inscribed, attached or added a personal identifying mark or serial number; or any item having a fair market value equal to or greater than \$100.00. The transaction fee is necessary to assist the city with the costs associated with managing the transactions. State law authorizes cities to collect such fee and allows businesses to pass it along to their customers. Several other Valley agencies already have a transaction fee of \$3.00 in place. These changes will result in more time for detectives to

investigate property crimes, and to assist in locating stolen property so it can be returned to its rightful owner.

Pawn shop and secondhand store transaction fees were discussed at the March 23, 2010 and March 30, 2010 budget workshops.

The transaction fee will assist efforts of the Police Department in locating stolen items for residents and allow the Police Department to work more closely with local businesses in a partnership to reduce the impact of property crimes in the city.

The Police Department has been working with State Association of Pawn Shops, as well as the local secondhand stores throughout this process.

The estimated annual revenue projection is approximately \$198,000. This will be deposited into the General Fund.

The recommendation is to waive reading beyond the title and adopt a resolution establishing the transaction report fee for said operators and dealers to become effective August 1, 2010.

**Resolution No. 4382 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, SETTING FORTH THE TRANSACTION REPORT FEE FOR PAWNSHOP OPERATORS AND SECONDHAND DEALERS; AND ESTABLISHING AN EFFECTIVE DATE.**

**It was moved by Knaack, and seconded by Frate, to pass, adopt and approve Resolution No. 4382 New Series. The motion carried unanimously.**

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

**It was moved by Martinez, and seconded by Frate, to vacate the July Council meetings; it was additionally moved to hold a City Council Workshop at 1:30 p.m. in Room B-3 of the City Council Chambers on Tuesday, August 17, 2010, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. It was additionally moved to vacate the August 24, 2010 regular meeting and hold it on Tuesday, August 31, 2010. The motion carried unanimously.**

#### **CITIZEN COMMENTS**

Mr. Joe Tassinari, a Barrel District resident, remarked on the unfair treatment Vietnam Veterans received when returning from war. He stated he was one of them and had made a pledge not to let that happen to today's veterans. He had noticed the Glendale's job application did not ask for a veteran's preference. He indicated that he has been in touch with Human Resources, Councilmember Lieberman and Knaack, as well as Mr. Beasley's office. He explained that after a long discussion with HR, he was told he had to go to a separate form for that information. He believes the city has an obligation to its veterans to have this information readily available on the

standard application form. He indicated that someone in Mr. Beasley's office had told him point blank this process was not going to change. He reminded everyone that veterans were dying on an average of 17 a month nationwide, because often they were unable to find a job or was without medical care. He hopes the City of Glendale sets an example that veterans deserve better than just a welcome home at the airport. He noted the City of Scottsdale was the only city with that section on the front page of their application. He asked Council for their consideration on this matter.

Mr. Tom Gray, a Barrel District resident, commented on the elimination of Glendale's youth sports programs. He asked the Council to reconsider that decision. He explained the programs importance to the communities as well as the many relationships formed on the fields. He asked the Council to find a way to save these programs and possibly find other alternatives.

Mr. Jerry Lewkowitz, representative for the Pink Cabaret, commented on the city applying for a 60 day waiver from the Liquor License Department. Consequently, their liquor application was not being heard tonight. He noted the applicant never received any communication from staff on this matter. He indicated it was unique for a city to request a waiver since it typically was requested by the applicant. He remarked their application will not be heard tonight as originally requested but possibly August 31<sup>st</sup>, after the summer break. He stated this turn of events impedes business and was unsure why they have not heard back from city staff on why it was being delayed. He indicated he was aware of several issues that needed attention; however, the city has been unavailable for discussions. He stated he was disappointed the city has been unable to work with them on this issue.

Mayor Scruggs explained that under the open meeting law, the citizen comment portion does not allow for any verbal exchange since this business has not been posted on the agenda. She thanked Mr. Lewkowitz for his comments and asked that the appropriate city office contact him with information on this matter.

## **COUNCIL COMMENTS AND SUGGESTIONS**

Councilmember Clark reminded everyone that they will vacate the month of July. She added this has been a difficult year and a break was very much welcomed.

Councilmember Goulet thanked the staff and management for skillfully navigating the city through the difficult times they had this year. He acknowledged the many employees that will be retiring or moving on such as Mr. Short, Mrs. Kavanaugh and Mr. Reedy. He added that they leave the city with a wealth of knowledge and achievements. He thanked them for their great contributions to the City of Glendale. He added he was also extremely grateful for Mr. Beasley's leadership and Mr. Tindall's legal counsel.

Councilmember Lieberman agreed with Councilmember's Goulet's testimonial of Mr. Short, Mrs. Kavanaugh and Mr. Reedy. He noted they all had done an unbelievable job in their respective areas. He asked everyone to be cautious around water and fireworks with the upcoming July 4<sup>th</sup> celebrations.

Vice Mayor Martinez hopes everyone has a fun and safe summer. He stated even though they do not have any meetings planned, citizens can contact him by email or phone.

Councilmember Frate reminded everyone that monsoon season was here and encouraged them to be cautious and not be caught unprepared. He asked everyone to watch children around water as well as beware of fire dangers.

Councilmember Knaack thanked Vice Mayor Martinez for his three years of accomplishments as Vice Mayor and welcomed Councilmember Frate as the new Vice Mayor. She also thanked city staff for their hard work and hoped they also have a nice break. She expressed her gratitude for her constituents and citizens of Glendale for allowing her to work closely with them.

Mayor Scruggs remarked on the great comments made tonight. She acknowledged the institutional knowledge that has been learned from people like Mr. Reedy, Mr. Short and Ms. Kavanaugh and was saddened that changes must occur. She commented on the city's Centennial celebration and her disappointment in it appearing somewhat low key, possibly because of the economy. She explained she worries the Arts Department will be decimated in August when the last employee leaves. She indicated the Arts collections and Historic Preservation speak to the soul of the city. Those two areas say a lot about what the city values and how they want to be seen and remembered. She stated they were at a crossroads where they had to make hard decisions in a time of change; however, they must remember these items must come back as soon as possible, because they define Glendale. She thanked Mr. Beasley and staff for leading them through some difficult budget times with much less harm than other cities. She reminded everyone that August 24<sup>th</sup> was primary election day and encouraged everyone to get involved and express their right to vote.

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:55 p.m.

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Pamela Hanna - City Clerk