



**GLENDALE CITY COUNCIL MEETING
Council Chambers
5850 West Glendale Avenue
December 13, 2011
7:00 p.m.**

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

Councilmember Norma S. Alvarez was absent.

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

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

A statement was filed by the City Clerk that the 3 resolutions and 3 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 NOVEMBER 22, 2011 CITY COUNCIL MEETING

It was moved by Martinez, and seconded by Knaack, to dispense with the reading of the minutes of the November 22, 2011 Regular City Council meeting, as each member of the Council had been provided copies in advance, and approve them as written. The motion carried unanimously.

BOARDS, COMMISSIONS AND OTHER BODIES

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.

Glendale Municipal Property Corporation

Ron Cantrell	Yucca	Reappointment	12/13/2011	12/01/2012
Art Dobbelaere	Cholla	Reappointment	12/13/2011	12/01/2012
Donald Knafels	Cactus	Reappointment	12/13/2011	12/01/2012

Leland Peterson	Cactus	Reappointment	12/13/2011	12/01/2012
Roger Schwierjohn	Barrel	Reappointment	12/13/2011	12/01/2012

Judicial Selection Advisory Board

Jerry Berntsen – Chair	Barrel	Reappointment	12/13/2011	11/29/2012
Terrance Mead – Vice Chair	Sahuaro	Reappointment	12/13/2011	11/29/2012

Personnel Board

Al Lenox – Chair	Barrel	Reappointment	12/22/2011	12/22/2012
Ferne Ridley – Vice Chair	Cholla	Reappointment	12/22/2011	12/22/2012

Planning Commission

Gary Sherwood – Vice Chair	Sahuaro	Appointment	12/13/2011	03/25/2012
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The recommendation is to make appointments to the boards, commissions and other bodies and administer the Oaths of Office.

It was moved by Clark, and seconded by Frate, to appoint Ron Cantrell, Art Dobbelaere, Donald Knafels, Leland Peterson and Roger Schwierjohn to the Glendale Municipal Property Corporation; Jerry Berntsen and Terrance Mead to the Judicial Selection Advisory Board; Al Lenox and Ferne Ridley to the Personnel Board; and Gary Sherwood to the Planning Commission, for the terms listed above. The motion carried unanimously.

Mayor Scruggs called those in attendance forward and issued the Oath of Office.

PROCLAMATIONS AND AWARDS

PACIFIC SOUTHWEST DISTRICT 2011 GARDEN OF THE YEAR AWARD

This is a request for City Council to accept the Pacific Southwest District 2011 Garden of the Year Award. Bill Sheperd, President of the Rose Society of Glendale, will present the award to the City of Glendale and the Glendale Historical Society.

The American Rose Society is the parent organization to the Rose Society of Glendale. Arizona is in the Pacific Southwest District of the American Rose Society along with New Mexico, southern California, southern Nevada and Texas. Each year the American Rose Society, Pacific Southwest District, presents three awards to outstanding public gardens. The awards are categorized by: Small Garden, a garden with less than 100 rose bushes; Medium Garden, 101 to 500 rose bushes; and Large Garden, 501 or more rose bushes.

This year’s small garden award went to a church in Las Cruces, New Mexico. The large garden award was presented to a rose garden at the Wrigley Mansion in Pasadena, California (home to all the “Tournament of Roses” festivities). The medium garden award went to Glendale’s very own rose garden at Sahuaro Ranch Park.

The award was presented to Bill Sheperd, President of the Rose Society of Glendale, at the American Rose Society Annual Rose Show & Convention in Studio City, California, in October 2011.

The recommendation is to accept the Pacific Southwest District 2011 Garden of the Year Award.

Mayor Scruggs called Mr. Sheperd forward and members of the Glendale Historical Society and the Rose Society of Glendale who were in attendance. Mr. Sheperd explained the history of the Rose Society of Glendale and said they had been established in 1987. He stated this was the third year they had been involved with the Rose Garden at Sahuaro Ranch. He commended the staff at the park for their dedication to the park and in working closely with the society as well as being very accommodating. He read the submission letter that was presented by one of the members to the awards committee. He presented the award to the Mayor and Council and thanked them for their support.

AMATEUR SOFTBALL ASSOCIATION OF AMERICA AWARD OF EXCELLENCE

This is a request for City Council to accept the James Farrell Award of Excellence from the Amateur Softball Association of America (ASA) for excellence in the management and coordination associated with hosting the “Men’s E National Tournament” held September 2 through September 4, 2011. Don Fischel, Arizona Chairman of the Amateur Softball Association of America, will present the award to the City of Glendale.

The ASA is the National Governing Body of Softball in the United States and recognized members and tournament hosts during the 80th Annual Governing Council Meeting held on November 7, 2011 in Myrtle Beach, South Carolina. Awards were given for excellence in conducting ASA National Championship Tournaments in 2011.

The City of Glendale was awarded the James Farrell Award of Excellence for all of the work associated with hosting the Men’s E National Tournament this past Labor Day weekend at the newly renovated Sahuaro Ranch Park Sports Complex. To attain the James Farrell Award of Excellence, named in honor of former St. Louis ASA commissioner and national office staff member James Farrell, cities must do an outstanding job of hosting ASA National Championship Tournaments. The host city must receive an overall rating of at least 95 percent. The City of Glendale received a perfect score of 100 percent.

The recommendation is to accept the James Farrell Award of Excellence from the Amateur Softball Association of America for hosting the national “Men’s E National Tournament.”

Mayor Scruggs called Don Fischel and Chris Gallagher, Recreation Manager, forward to present the award. Mr. Fischel stated how excited he was for the city to receive this award. He said the city of Glendale had received a perfect score of 100 percent, and to his knowledge, this was the first time anyone has received that score. He recognized Mr. Gallagher and his staff for an outstanding job done on the fields. He thanked city staff for the great job they did hosting the event and hopes Glendale can host many more ASA events. Mayor Scruggs presented the award.

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 8 and Ms. Pamela Hanna, City Clerk, read consent agenda resolution item numbers 9 through 11 by number and title.

Councilmember Clark requested that item number 6 be heard separately.

1. SPECIAL EVENT LIQUOR LICENSE, FIESTA EVENTS, INC.

This is a request for City Council to approve a special event liquor license for the Fiesta Events, Inc. The event will be held on and adjacent to the great lawn located at 1 Cardinals Drive on Monday, January 2, 2012, from 10 a.m. to midnight. The purpose of this special event liquor license is for the Fiesta Bowl.

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. SPECIAL EVENT LIQUOR LICENSE, GLENDALE ARTS COUNCIL

This is a request for City Council to approve a special event liquor license for the Glendale Arts Council. The event will be held at Sahuaro Ranch Park located at 9802 North 59th Avenue on Friday, January 20, 2012, from 7 p.m. to 9 p.m. The purpose of this special event liquor license is for a fundraiser.

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.

3. SPECIAL EVENT LIQUOR LICENSE, ST. RAPHAEL CATHOLIC CHURCH

This is a request for City Council to approve a special event liquor license for the St. Raphael Catholic Church. The event will be held at St. Raphael Catholic Church located at 5525 West Acoma Road on Saturday, February 18, 2012, from 6 p.m. to midnight. The purpose of this special event liquor license is for a fundraiser.

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.

4. LIQUOR LICENSE NO. 5-3116, CHIPOTLE MEXICAN GRILL #1768

This is a request for City Council to approve a new, non-transferable series 12 (Restaurant) license for Chipotle Mexican Grill located at 20004 North 67th Avenue, Suite 500. The Arizona Department of Liquor Licenses and Control application (No. 12078915) was submitted by H.J. Lewkowitz.

The location of the establishment is 20004 North 67th Avenue, Suite 500 in the Cholla District. The property is zoned C-2 (General Commercial). The population density within a one-mile radius is 18,882. This series 12 is a new license, therefore, the approval of this license will increase the number of liquor licenses in the area by one. The current number of liquor licenses within a one-mile radius is as listed below.

Series	Type	Quantity
07	Bar - Beer and Wine	3
09	Liquor Store - All Liquor	5
10	Liquor Store - Beer and Wine	2
12	Restaurant	14
14	Private Club	1
	Total	<u>25</u>

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

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

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

5. LIQUOR LICENSE NO. 1-51312, SUPER TACOS LOS CUAIS

This is a request for City Council to approve a new, non-transferable series 12 (Restaurant) license for Super Tacos Los Cuais located at 6522 West Glendale Avenue, Suite 14. The Arizona Department of Liquor Licenses and Control application (No. 12078907) was submitted by Jose Antonio Gonzalez.

The location of the establishment is 6522 West Glendale Avenue, Suite 14 in the Ocotillo District. The property is zoned C-2 (General Commercial). The population density within a one-mile radius is 22,665. This series 12 is a new license, therefore, the approval of this license will increase the number of liquor licenses in the area by one. The current number of liquor licenses within a one-mile radius is as listed below.

Series	Type	Quantity
06	Bar - All Liquor	1
07	Bar - Beer and Wine	1
09	Liquor Store - All Liquor	3
10	Liquor Store - Beer and Wine	9
12	Restaurant	10
14	Private Club	4
	Total	28

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

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

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

7. PROFESSIONAL SERVICES AGREEMENT AMENDMENT: SAHUARO RANCH PARK SPORTS COMPLEX

This is a request for City Council to authorize the City Manager to enter into Amendment No. 1 to the Agreement for Professional Services with Ritoch-Powell & Associates Consulting Engineers, Inc. in the amount of \$43,433.02 for Sahuaro Ranch Park Sports Complex improvements.

This project addresses Council’s goal of one community with high-quality services for citizens by completing a comprehensive assessment and site improvements to one of the community’s most highly-used older parks and sports complexes.

Sahuaro Ranch Park Sports Complex is an 80-acre park that features historic elements and active recreation amenities (soccer, softball, picnic and playground) that have been developed over the past 25 years. Due to its high use, the popularity of its amenities and the age of the park, it was necessary to conduct a comprehensive assessment of the park in 2009. The assessment focused on the overall park conditions such as landscape, lighting, infrastructure, irrigation, electrical, concrete, water and sewer, drainage, and accessibility. One of the items identified was the need to renovate the outdated sports and ball field complex.

As a result, Ritoch-Powell & Associates Consulting Engineers, Inc. was awarded a contract to provide design services and related construction administration for improvements that resulted in the renovation of the sports and ball field complex that included lighting, turf replacement, irrigation, drainage, spectator shade, Americans with Disabilities Act (ADA) accessibility and pedestrian connectivity to the entire park. During the course of construction, it was necessary to modify the scope of work and design elements such as retaining wall design; revised sports soil mix; revised light pole foundation design; revised water plans and water meter assignment; and revisions to the north grass areas for irrigation and landscaping. Although these modifications will result in long-term, on-going operational savings to the city, they did extend the project by seven additional weeks of construction administration, survey staking and construction oversight.

In June 2010, Council authorized an award of a construction contract to D.L. Withers Construction for the renovation of the Sahuaro Ranch Park Sports Complex.

On January 27, 2009, Council approved a professional services contract with Ritoch-Powell & Associates Consulting Engineers, Inc. to conduct an assessment, provide design services, and related construction administration for the needed improvements, repairs and renovations at the Sahuaro Ranch Park Sports Complex.

In 2008, repairs were made to the Foreman’s House and Pump House and masonry repairs on historic structures; including ADA related upgrades to the Fruit Packing Shed; the group picnic pavilion renovation; and the parking lot received new underground conduit, wiring and light pole bases.

Sahuaro Ranch Park Sports Complex is one of the city’s most popular and heavily used parks. Various portions of the park, such as the picnic areas and sports fields, generate income and the sports complex improvements attract a wide range of local, regional, and national athletic events. The continued renovation of this regional park will benefit residents and visitors.

Funds are available in the FY 2011-12 capital improvement plan. There are no new operating costs associated with this project.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
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	X		X		\$43,433.02
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Account Name, Fund, Account and Line Item Number:
 Sahuaro Ranch Park Improvements, Account No. 2060-70520-551200, \$43,433.02

The recommendation is to Authorize the City Manager to enter into Amendment No. 1 for Professional Services in the amount of \$43,433.02 for Sahuaro Ranch Park Sports Complex improvements.

8. MEMORANDUM OF UNDERSTANDING WITH SPECIAL OLYMPICS OF ARIZONA

This is a request for City Council to authorize the City Manager to enter into a memorandum of understanding (MOU) with Special Olympics of Arizona (SOAZ) for the use of Glendale’s municipal sports facilities.

This MOU furthers Council’s goal of one community with high-quality services for citizens by strengthening community relationships through partnerships, sharing public amenities, improving health and lifestyles of residents while upgrading the quality and diversity of programs for residents with special needs.

Council requested that staff explore the possibility of entering into a partnership with SOAZ for the purpose of providing additional recreational opportunities for Glendale residents facing intellectual and physical disabilities.

The mission of SOAZ is to provide annual sports training and athletic competition in a variety of Olympic-type sports for children and adults with physical/intellectual disabilities, giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other SOAZ athletes and the community. This is consistent with the current Parks and Recreation Master Plan and the operational philosophy of the Parks, Recreation and Library Services Department.

As a result, an MOU has been drafted between SOAZ and the city. As part of the MOU, the city will provide reserved practice times at local parks and sports and aquatic facilities to assist in the delivery of special need recreational activities. The MOU also provides SOAZ assistance in the promotion, planning and coordination of city parks and recreation venues for adaptive activities such as soccer, flag football, basketball, swimming, tennis, bocce and other games offered through the organization.

In addition, both organizations will allow reciprocal use of their recreation program promotions. Glendale will provide routine maintenance and service to the sports and aquatic venues including facility lighting. Subject to approval, this MOU shall remain in effect for a period of five years.

On September 6, 2011, Special Olympics Arizona was discussed as a Council Item of Special Interest.

Glendale and SOAZ will work together toward the development and implementation of strategies and programs that address issues of common interest and concern within each organization's respective mission, exchange ideas, and share best practices in the delivery of high-quality, cost-effective local sports venues for organized teams associated with SOAZ.

The issue of special needs and adaptive recreational programming was brought forward during a series of public meetings recently conducted as staff and planning consultants were gathering information for the Parks and Recreation Master Plan Update. A key element mentioned throughout the public participation process was the request to initiate partnership programs to engage alternative providers for diverse recreational programming in the community.

The recommendation is to authorize the City Manager to enter into a memorandum of understanding with Special Olympics of Arizona for the use of Glendale's municipal sports facilities.

CONSENT RESOLUTIONS

9. MEMORANDUM OF UNDERSTANDING WITH UNITED STATES POSTAL INSPECTION SERVICE

This is a request for the City Council to adopt a resolution authorizing the City Manager to enter into a memorandum of understanding (MOU) with the United States Postal Inspection Service (USPIS) for participation in the "Triple I" (Intelligence, Investigation, Interdiction) Parcel Task Force.

This MOU supports Council's goal of one community committed to public safety by allowing the Police Department to work collaboratively with the USPIS to assure Glendale is a safe community.

Federal task force agents and detectives partner with the Police Department's narcotics and street crimes detectives in medium and large-scale drug suppression operations. Narcotics officers, along with their drug dogs, will work on an overtime basis to assist with drug interdiction efforts connected to the United States Postal Inspection Service. Participation in the task force helps the Police Department fight the transportation, sale and use of dangerous drugs and narcotics. The USPIS will pay overtime up to \$15,000, annually, per officer, as the result of task force activities. Seven other valley agencies also participate in this task force: Chandler, Mesa, Peoria, Phoenix, Scottsdale, Tempe, and Maricopa County.

Participation in the Task Force benefits the Police Department and the community by enhancing the sharing of information, which leads to periodic medium and large-scale operations to suppress drug transportation and sales and promotes close cooperation between the USPIS and the Police Department. Removing drug traffickers and the effects of their operations from our neighborhoods is an ongoing priority for law enforcement.

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into a memorandum of understanding with the United States Postal Inspection Service for participation in the “Triple I” Parcel Task Force.

Resolution No. 4530 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A MEMORANDUM OF UNDERSTANDING WITH THE UNITED STATES POSTAL INSPECTION SERVICE FOR PARTICIPATION IN THE TRIPLE I PARCEL TASK FORCE BY THE GLENDALE POLICE DEPARTMENT.

10. INTERNET CRIMES AGAINST CHILDREN GRANT ACCEPTANCE

This is a request for City Council to adopt a resolution authorizing the City Manager to accept the FY 2011-12 Internet Crimes Against Children (ICAC) sub-grant, funded by the United States Department of Justice through the Phoenix Police Department, in the approximate amount of \$4,744.

This sub-grant award supports Council’s goals of one community committed to public safety and one community with high-quality services for citizens by enhancing the ability of police to investigate and successfully prosecute offenders of internet crimes against children.

The ICAC Task Force is managed by the Phoenix Police Department, which is the primary ICAC grantee. Glendale Police Department assigned a detective to the ICAC Task Force in 2007. This detective conducts forensic analysis of technology used by offenders. This sub-grant will fund the purchase of electronic storage tapes for evidence retention and computer forensic software. Frequently, the perpetrators of crimes involving technology have advanced computer systems and software and it is imperative that law enforcement have equivalent or better equipment.

On November 9, 2010, Council approved the acceptance of the FY 2010-11 Internet Crimes Against Children sub-grant in the amount of \$5,000.

The equipment will enhance the detective’s ability to identify, obtain and admit evidence into court to support adjudication of offenders who have victimized citizens.

The grant award totals \$4,744. There is no financial match required for this funding. There will be no on-going costs associated with the purchases.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X					\$4,744

Account Name, Fund, Account and Line Item Number:

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

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to accept the FY 2011-12 Internet Crimes Against Children sub-grant, funded by the United States Department of Justice through the Phoenix Police Department, in the approximate amount of \$4,744.

Resolution No. 4531 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 FY2011-12 INTERNET CRIMES AGAINST CHILDREN SUB-GRANT FUNDED BY THE U.S. DEPARTMENT OF JUSTICE ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.

11. COX COMMUNICATIONS LICENSE TRANSFER

This is a request for City Council to adopt a resolution consenting to the assignment of the Cable Television Renewal License Agreement from CoxCom, LLC. to Cox Communications Arizona, LLC. This license transfer reflects CoxCom, LLC's desire to assign all its Arizona cable system assets, including its interest in Cable Television Renewal License, to its Arizona subsidiary as part of its corporate restructuring.

The License Agreement is consistent with Council's goal of one community that is fiscally sound by ensuring Glendale's franchise agreement accurately reflects the correct license holder under the License Agreement.

On January 7, 1999, Glendale and CoxCom, Inc. entered into the License Agreement. The License Agreement authorized CoxCom, Inc. to construct and operate a cable television system in the city. In June 2011, CoxCom, Inc. converted to CoxCom, LLC. As result of the conversion, CoxCom, LLC became the current license holder. In August 2011, CoxCom, LLC formed Cox Communications Arizona, LLC, a Delaware limited Liability Company as a wholly-owned subsidiary of CoxCom, LLC ("Arizona LLC"). Shortly thereafter, CoxCom, LLC and Arizona LLC entered into an Assignment and Assumption of Licenses and a Bill of Sale and Assignment of Assets, under which Arizona LLC will acquire all CoxCom, LLC's assets in the state of Arizona, including the License Agreement.

On August 30, 2011, CoxCom, LLC formally sought Glendale's consent to assign its rights and obligations under the License Agreement to Arizona LLC. Under 47 U.S.C. § 537 and Glendale City Code Sec. 10-26, Glendale has until December 28, 2011 to act upon the CoxCom, LLC's request.

After reviewing the information submitted by CoxCom, LLC and examining the city's own information regarding CoxCom, Inc. and CoxCom, LLC, staff determined the assignment meets all the requirements set forth in the License Agreement and is in compliance with applicable city code sections. The cities of Chandler, Litchfield Park and Phoenix, and the towns of Gilbert, Wickenburg, and Youngtown have already consented to assign to Arizona LLC their respective cable television license agreements with CoxCom, LLC.

The current franchise agreement with CoxCom, Inc. was executed and became effective on January 7, 1999. It expires on December 31, 2013.

The recommendation is to waive reading beyond the title and adopt a resolution consenting to the assignment of the Cable Television Renewal License Agreement from CoxCom, Inc. to Cox Communications Arizona, LLC.

Resolution No. 4532 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, CONSENTING TO ASSIGNMENT OF CABLE TELEVISION RENEWAL LICENSE AGREEMENT FROM COXCOM, INC. TO COX COMMUNICATIONS ARIZONA, LLC.

It was moved by Frate and seconded by Lieberman, to approve the recommended actions on Consent Agenda Item Nos. 1 through 5, and 7 through 11, including the approval and adoption of Resolution No. 4530 New Series, Resolution No. 4531 New Series, and Resolution No. 4532 New Series; and to forward Special Event Liquor License Application for Fiesta Events, Inc., Glendale Arts Council, St. Raphael Catholic Church, and Liquor License Application No. 5-3116 for Chipotle Mexican Grill #1768 and 1-51312 for Super Tacos Los Cuais to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.

6. PURCHASE OF MEDIREDI REFRIGERATED CABINETS

Chris DeChant, Assistant Fire Chief, presented this item.

This is a request for City Council to approve the purchase of 15 MediRedi refrigerated drug cabinets from Budd Medical and Fire Equipment, L.L.C. in an amount not to exceed \$99,536.

The purchase of the refrigerated drug cabinets will support Council's goal of one community committed to public safety for citizens and visitors.

The City of Glendale MMRS program originated in 2002, funded through the Department of Homeland Security, and is managed by the Federal Emergency Management Agency. The MMRS Program is the only federal medical preparedness program that enhances a local government's mass casualty event response, utilizing immediately available resources for the critical initial hours until federal resources can arrive.

As part of Glendale's commitment to the MMRS, the city is tasked with stocking pharmaceutical supplies to be available for use in an initial response. These supplies, when not refrigerated, have a reduced shelf life. To sustain their effectiveness and shelf life, proper temperature-controlled storage cabinets are required. The Fire Department currently has four apparatus equipped with refrigerated drug cabinets. This purchase will complete 15 active apparatus.

Budd Medical and Fire Equipment, L.L.C. is the sole source provider of MediRedi refrigerated drug cabinets that provide controlled temperatures, secure locking key pad entry, and custom dimensions to fit emergency vehicles. The Glendale Fire Department has submitted all necessary documentation to request sole source procurement and, after careful review, the Materials Manager concurs that sole source procurement is appropriate under City Code.

On November 9, 2010, Council approved Resolution No. 4440, New Series, to accept a grant from the Department of Homeland Security for the MMRS Program in the amount of \$307,896.

The community will benefit from the cost savings of the longer shelf-life of pharmaceutical supplies carried in these refrigerated units.

Funds are available in the FY 2010 MMRS Grant. The unit price is approximately \$6,636, which includes an 18-month manufacturer’s warranty, and is the same amount paid for the four initial units already in service. There are no ongoing costs associated with this purchase.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X					\$99,536

<u>Account Name, Fund, Account and Line Item Number:</u> 2010 MMRS, Account No. 1840-34069-551400, \$99,536

The recommendation is to approve the purchase of 15 MediRedi refrigerated drug cabinets from Budd Medical and Fire Equipment, L.L.C. in an amount not to exceed \$99,536.

Councilmember Clark wondered if this was the first time the city had bought refrigerated cabinets and if so, what did the city do before the cabinets. Chris DeChant, Assistant Fire Chief, noted she was correct; this was the first time they bought these cabinets. He explained they had been monitoring the temperature of the medicine for some time. A study was recently done that validated the concerns that were already being raised about the temperatures at which the drugs were being stored. The study findings require them to move forward with the purchase of refrigeration units for the trucks. Councilmember Clark inquired as to the temperature at which anyone should be concerned regarding their medications. Assistance Chief Fire DeChant stated the temperature range was between 60 to 80 degrees and will vary by medication. Councilmember Clark asked if they ever had a problem with the drugs in the field because of this. Assistant Fire Chief DeChant replied no.

It was moved by Clark, and seconded by Lieberman, to approve the purchase of 15 MediRedi refrigerated drug cabinets from Budd Medical and Fire Equipment, L.L.C., in an amount not to exceed \$99,536. The motion carried unanimously.

ORDINANCES

12. LEASE AGREEMENT WITH HOPE FOR HUNGER CORPORATION

Jim Colson, Deputy City Manager, presented this item.

This is a request for City Council to adopt an ordinance authorizing the City Manager to enter into a lease agreement with Hope for Hunger Corporation, for the city-owned facility located at 5605 North 55th Avenue, for the purpose of warehousing and distributing food. The lease agreement is for an initial three-year period with one two-year renewal option.

This item addresses Council's goal of one community with strong neighborhoods. If authorized, this lease agreement will allow Hope for Hunger to begin distribution of dry food goods to economically disadvantaged residents from the community who are in need of assistance.

This location has been utilized as a warehouse and food distribution since 1990, known as the Westside Food Bank/St. Mary's Food Bank. Since the closing of the facility in June 2010, the city has published request for proposals (RFPs) for food distribution services for all qualified bidders. Hope for Hunger Corporation, an Arizona non-profit 501(c) (3), will provide continuing services for Glendale with a three-year lease agreement with the option to renew with one two-year renewal option.

In early 2010, the city was informed that St. Mary's intended to cease operations at the food bank location. St. Mary's initially tried to find a replacement entity to operate the food bank but was unsuccessful. In September 2010, the city initiated an RFP process to identify a suitable entity to lease the facility and distribute food. One entity responded, but the review committee determined the bid not to be qualified. In September Of 2011, the city initiated a second RFP process consistent with all city legal and procurement requirements. One entity, Hope for Hunger Corporation, submitted a bid and was selected by the review committee.

Hope for Hunger will operate under a contractual affiliation with St. Mary's Food Bank. St. Mary's will conduct an initial inspection to ensure qualifications, operational soundness and compliance with program requirements. St. Mary's indicates that they will work closely with Hope for Hunger to ensure success at this location. Hope for Hunger will initially deliver food two days per week with a maximum delivery of 100 boxes per day. They will increase capacity as they develop new resources and capacity. They anticipate working with other agencies to increase capacity and services.

As a side note, staff has discussed the potential reopening of this facility with other service providers in the area including the Salvation Army, St. Vincent De Paul, and faith-based operations. All are very busy and distributing food to families in Glendale and the surrounding region. All are very supportive of the proposed location and recognize the continuing need for service.

The Hope for Hunger Corporation lease payments will be deposited into the General Fund in accordance with the terms set forth in the lease agreement.

The recommendation is to waive reading beyond the title and adopt an ordinance authorizing the City Manager to enter into the lease agreement with Hope for Hunger Corporation; and further authorizing the City Manager to extend the lease, at his discretion, in accordance with its terms.

Councilmember Lieberman stated this was a wonderful thing the city was doing and was very proud of the staff. He noted the rent to the city was only \$1.00 during the term of this lease for the premises. He restated how proud and delighted he was with that fact.

Councilmember Clark asked if the facility will be delivering the food or do the people come to the bank to receive it. Jim Colson, Deputy City Manager, stated they will be operating out of this facility and people will come to that food bank for the distribution. Councilmember Clark asked if the public could also drop off food at this location. Mr. Colson replied he was not sure but will get back to her on that issue.

Mayor Scruggs said Mr. Colson, continuing with questions that she'd asked him earlier, the most important part of all of this is that there is a severe need in our community for people to be able to get boxes of food. And when Saint Mary's Food Bank vacated the premises in Glendale, it became more inconvenient for people – they have to drive to – she thinks its 35th Avenue or nearby. So it's very important that the city meet this critical need in the community. The premise of all her questions was to assure that this need will be met. The bidder selected was incorporated on May 17th of this year, so therefore she assumed that they have not been in the business of providing food boxes to the needy previously. Was she correct?

Mr. Colson stated she was correct. He noted that their RFP response outlined their operational plan and critical to their operational plan was their support and the affiliate relationship that they would have with Saint Mary's Food Bank. Accordingly, while they are an independent entity that will be operating out of this facility, they are contractually obligated under Saint Mary's rules and regulations. He added the success of this location was very important to Saint Mary's; therefore, they will be providing support and start-up assistance.

Mayor Scruggs said and that's why she was very disappointed – she asked if we had anything in writing from Saint Mary's Food Bank affirming any of these arrangements and she was told no. So that is very disappointing because it was stressed in the memo received by Council, it was stressed in the presentation, it was stress over and over that there are these agreements, but yet when she asked if there is anything in writing, she was told no.

Mr. Colson stated he understood the Mayor's concerns and that issue could be addressed by obtaining a letter from Saint Mary's to substantiate the agreements and confirming the discussions.

Mayor Scruggs said she was going to turn now to the lease agreement itself, and she wasn't sure who to ask Mr. Colson or Mr. Tindall. The agreement says that this facility will be used for the operation of a food distribution center and a referral office for social service activities to low and moderate income persons residing in the city. Who is it that's going to be there doing these kinds of referral services? Because in looking at the filing with the corporation commission, there is one person who filed this as being this corporation. Is it volunteers or who is it that's going to be doing this? She would like to also point out that - although it says that the city recognizes the importance of the use of the premises for the distribution of food – when you get to the actual services to be rendered – it does not say the distribution of food, but rather talks

about the social services of referring people on to other services that they need. So, well here it says – unpaid staff, so I guess that answers that question. But it refers to what the, the lessee will insure that the premise is adequately staffed to provide onsite referral services to any first time clients who come to the premises without a referral. Under the services to be rendered it doesn't talk about food box distributions, so how is that addressed in this lease?

Mr. Colson stated that it is initially anticipated that the actual qualification work that will happen for the low and moderate income (LMI) qualifying residents by both the Community-Action Program (CAP) office and Saint Mary's. He explained in terms of the premise use, the specific agreement obligates that the premises be used by the lessee for the specific purposes of food distribution.

Mayor Scruggs asked if it was allowed to say in a general non-specific way what made the other bidders unqualified and this bidder, who has never been in this business before, qualified? She can't even imagine what the other bidders had wrong with them to be unqualified.

Mr. Colson stated he had not actively been involved in this program at the time the initial Request for Proposal (RFP) went out. Although, he did do the research and talked to the various people involved. The review committee did review the findings and made a determination. He added he was not prepared to provide specifics on the bidders and believes it also might be inappropriate in this setting. However, he will be happy to come back with more specific information in that regard.

Mayor Scruggs said she had two major concerns with this. One is that the city is giving an initial three year lease with the option to renew for two years to an organization that obviously has the biggest heart in the world and understands the real need, but has absolutely no experience in providing this. She would feel a lot more comfortable if the city were starting with a one year lease because the community is going to have certain expectations and with all the good intentions that these people have, they may not be able to make this work out. So the fact that, in effect, the city was giving five years tying up a city resource for five years to an untested organization gives her great concern.

Mr. Colson agreed that it was a very valid concern and it was a concern that they have whenever they enter into any type of agreement. He explained that the lessee would have an opportunity within the contract to cure that and if not, the city would have the right to terminate the lease.

Mayor Scruggs said her second question would probably go to the city attorney. The individual who formed this non-profit, this 501c3 corporation, Hope for Hunger Corporation, as she understood, is an employee of this city. And today she was given additional names, four other names of people that are on the board and one of those is also an employee of the city. So she was going to ask Mr. Tindall for the record, if doing business with this organization is in conformance with article eight "Contract" of our city charter, specifically as it refers to section nine – personal interests - that talks about members of the Council, officers or employees of the city, contracting with the city?

Mr. Craig Tindall, City Attorney, explained the charter refers to the state statute and state statute prohibits conflicts of interest as a substantial interest in an organization. However, this is a non-profit organization and the employees are non-salaried employees working with this organization, as a result, they are in compliance with section nine.

Mayor Scruggs said related to that question, she thought we all became aware last week that the Goldwater Institute has sued the city of Phoenix because they feel that their public safety people working for the city are doing union business, but collecting a city salary and so therefore they have sued them. She noted the fact that this organization being discussed is mainly a fire fighter, does give her pause. She heard about all the other organizations that are so busy and they have so much food to hand out and the need is so great. But she still cannot understand when they have so much to do, why they couldn't come for a dollar a year and help conduct their mission out of that building. The city only has one resource to give and we are giving it to an organization that's six months old, maybe seven months old, hasn't done this before, is incorporated by a city employee and the city doesn't have any letters here from Saint Mary's Food Bank attesting to all that they are going to do and that staff told City Council that they are going to do. That gives her a high degree of discomfort. She started asking these questions last week and continued yesterday and today and she still has concerns.

Mr. Colson thanked Mayor Scruggs for her comments and said he appreciated her concern in this regard. He explained the issues regarding the closing of the food bank in 2010 as well as the difficulties in trying to continue the effort with no results. He noted that there were three separate attempts to replace St. Mary's and that in the last RFP only the one applicant responded and was approved by the committee. He stated they will continue to work with Saint Mary's to get them to outline their commitment; however, the city does have the affiliation contract they will enter into with Hope for Hunger.

Councilmember Clark stated she appreciated the concerns raised by Mayor Scruggs; however, the most salient point Mr. Colson made was that in terms of the lease agreement, there was the ability to terminate for non-performance of the criteria within the lease. She said she felt comfortable should such non-performance occur, the lease would be terminated expeditiously. She added she would much rather see that facility used for good than continue to let it sit idle and nonproductive. She will support the motion.

Ordinance No. 2790 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 AND DIRECTING THE CITY MANAGER TO ENTER INTO A FOOD BANK LEASE AGREEMENT WITH HOPE FOR HUNGER CORPORATION FOR THE PURPOSE OF WAREHOUSING AND DISTRIBUTING FOOD TO LOW AND MODERATE INCOME PERSONS; AUTHORIZING THE EXTENSION OF THE TERM OF THE LEASE FROM THREE TO FIVE YEARS; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.

Vice Mayor Frate stated he will support this item solely because of the specific performance clause. They have to perform in order to keep the lease valid and the city had the right to terminate for non-compliance. He added that the need was there and this was a good cause.

Councilmember Lieberman agreed with Vice Mayor Frate and stated he will also support it. He noted that the need in the community has been proven and was comfortable with the non-compliance clause. He added that Saint Mary's has lots of experience in this and he was willing to help them in any way he can.

Mayor Scruggs said she would not support it and these are my reasons. My reasons are because the need is there, it is a real need. If the city were doing this for one year, she would vote yes. But with all the uncertainty going into a five year contract– she's not comfortable with it. She does not agree that the city has a good track record of resolving delinquencies or other types of issues. We just have to look at our airport and how long lessees go out there after they have been in default. There were a number of other places that she thought people could point to. So the city really doesn't have a good track record of "Johnny on the Spot" taking care of things. And the fact that even though she'd asked, there is no guarantee of getting a letter from Saint Mary's Food Bank outlining how this is all going to work together. She applauded the people who want to do this; she believed their heart was in the right place. But she believes because of the serious need, the city needs to look a little harder for somebody who has experience, this place is going to be open for more than two days a week distributing only dry foods, nothing else, she thought the city could do better and she was really concerned about the conflict of interest here. She was glad our attorney is on the record as saying that it's not there, but it does concern her. So, those are the reasons why she will not support this particular action.

Councilmember Martinez stated Mayor Scruggs had raised some very good questions and hopes staff takes these comments seriously and perhaps obtains the agreement signed by Saint Mary's Food Bank. He commented on the huge need in the community and because of it, he will be supporting this action.

It was moved by Clark, and seconded by Lieberman, to approve Ordinance No. 2790 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Clark, Lieberman, Knaack, Martinez, and Frate. Members voting "nay": Scruggs.

13. SALT RIVER PROJECT POWER DISTRIBUTION EASEMENT AT 43RD AND PEORIA AVENUES

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

This is a request for City Council to adopt an ordinance granting an easement in favor of Salt River Project (SRP) for power distribution lines across portions of city-owned property at 43rd and Peoria Avenues.

This request supports Council's goal of one community with high-quality services for citizens by accommodating construction and maintenance access for SRP to maintain and provide electrical service to the community.

Recently SRP requested an easement for the relocation of their facilities as part of the completed roadway improvements at the intersection of 43rd and Peoria Avenues. This easement will allow SRP to operate and maintain facilities for the transmission and distribution of electricity along the easement parcel.

The recommendation is to waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute an easement in favor of Salt River Project for power distribution lines across portions of city-owned property at 43rd and Peoria Avenues.

Councilmember Clark commented on Mr. Broyles's pending retirement. She expressed her appreciation and gratitude for all his years of service to the city. She said he has been a wonderful resource to this community for so many years and does not know what the city is going to do without him. She thanked him for his dedicated service to the community, city and council. She added he will be greatly missed and was greatly appreciated by all.

Councilmember Lieberman agreed with Councilmember Clark's comments. He stated Mr. Broyles has served the city exceptionally well for 23 years. He has been a great asset to the city and council and will be greatly missed. He wished him a great future.

Ordinance No. 2791 New Series was read by number and title only, it being AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A POWER DISTRIBUTION EASEMENT IN FAVOR OF SALT RIVER PROJECT AT 43RD AND PEORIA AVENUES; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.

It was moved by Lieberman, and seconded by Clark, to approve Ordinance No. 2791 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Clark, Lieberman, Knaack, Martinez, Frate, and Scruggs. Members voting "nay": none.

14. COURT FEES

Elizabeth Finn, Presiding Judge, presented this item.

This is a request for City Council to adopt an ordinance amending Glendale City Code Section 13-9 to establish a contract fee and revise how City Court fees will be set. The contract fee would apply to each case where a payment contract is established at time of final case adjudication on a court-ordered penalty, fine, assessment or sanction including parking penalties and restitution.

To assure future adjustments to City Court fees conform to legislation or other administrative actions in a timely manner, it is also requested that City Council authorize the Presiding Judge to set the amount to be charged by the City Court for all fees set forth in this section.

This item supports Council's goals of one community that is fiscally sound and one community committed to public safety.

Glendale City Court utilizes a variety of tools to maximize receipt of all court-ordered financial sanctions. One of the Court's current strategies involves the review of comprehensive financial applications completed by defendants. These applications include negotiation of electronic payment contracts executed when defendants are unable to pay their fines and fees in full on the day of sentencing, as required by law. Thereafter, court collections staff reviews contract compliance on an ongoing basis with defendants who remain financially current or delinquent. The Court is spending more time tailoring a contract based on a defendant's revenue stream. For example, someone receives their paycheck every fifteen days. Their payment due date should coordinate with the date they receive their paycheck. An additional service provided is reminder calls that a payment is overdue.

This enhanced process, which helps ensure better compliance, places a greater demand on the Court staff and its resources. The proposed contract fee would be cost recovery to assist offsetting these staffing costs. Many other courts are utilizing a contract fee to recover their costs associated with negotiating contracts.

During a workshop on December 6, 2011, Council considered a recommendation on establishing a court contract fee and authorizing the presiding city judge to set all court fees.

The amount of the contract fee will be set by the Presiding Judge based on cost recovery. Based on current cost calculations, a fee of \$31 will be recommended, which includes a mandatory state assessment. The fee would be deposited into the Court Improvement Fund.

The recommendation is to waive beyond reading the title and adopt an ordinance amending Glendale City Code Section 13-9 to establish a contract fee effective January 13, 2012 and authorizing the Presiding City Judge to set all City Court imposed fees.

Ordinance No. 2792 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 13, ARTICLE I, SEC. 13-9 RELATING TO CITY COURT FEES; AND ESTABLISHING AN EFFECTIVE DATE.

Councilmember Clark stated she probably will be the only one not supporting this item. She explained this issue was discussed at length in workshop so she will not go into the details, but to say she believes that the \$31.00 should be reserved in a dedicated fund. In addition, she does not believe that without any review, any presiding judge should have the authority to set fees without some kind of city council review.

Councilmember Martinez explained the public should be aware this was being done to help recover some of the cost associated with the court system and not to make money off of citizens. Additionally, he agreed with a comment made by someone at the recent workshop that the council should not try to micro-manage the court; therefore, he will support this action.

It was moved by Martinez, and seconded by Knaack, to approve Ordinance No. 2792 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Lieberman, Knaack, Martinez, Frate, and Scruggs. Members voting “nay”: Clark.

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

It was moved by Frate, and seconded by Knaack, to hold a City Council Workshop at 1:30 p.m. in Room B-3 of the City Council Chambers on Tuesday, December 20, 2011, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. It was additionally moved to hold a Special City Council Meeting at 4:00 p.m. on December 20, 2011 in the City Council Chambers. It was also moved to vacate the regularly schedule City Council meeting on Tuesday, December 27, 2011. The motion carried unanimously.

MOTION TO EXCUSE COUNCILMEMBER ALVAREZ

It was moved by Frate, and seconded by Lieberman, to excuse Councilmember Alvarez from tonight’s Council meeting. The motion carried unanimously.

CITIZEN COMMENTS

Ken Jones, an Ocotillo resident, asked to comment on Mr. Beasley’s retirement coming up soon. He stated Mr. Beasley has done an excellent job with the department managers and the people in the departments. He questioned if the council still hopes to finalize the Coyote issue by the end of the year. If so, he implores them not to give away millions of dollars this time around. He hopes the new city manager has good business sense and good negotiating ability. He indicated the city was heavily in debt with the Sports Entertainment District. He noted that it bothers him when the city of Mesa can build a ballpark for the Cubs for half the amount Glendale spent on Camelback Ranch. He also mentioned all the money being spent on attorney fees. He still does not understand why Glendale was the only city that lost money on the Super Bowl when everyone else made money.

Andrew Marwick, a Phoenix resident, commented on the funding for South Mountain Freeway slated to go adjacent to the Indian Gila River reservation. The Gila River Indian Reservation is opposed to it and the freeway has not moved forward for several reasons as well as funding issues. Therefore, this was a big reason why the west valley so far has not had a major casino. He supports building the casino in Glendale and believes it will be a huge investment in the community that many people will visit. In addition, he believes the casino will not draw people away from Westgate or the surrounding areas, but rather bring people to those areas.

Darcy Serlin, a Phoenix resident, stated there had been some miscommunication with her comments at the last council meeting. She said what she was trying to say was that cameras could help the Glendale police department catch criminals. She noted her statements were not to insult the police department, but rather to help them since many people do not trust police. However, she does believe Glendale has a crime problem in the apartment complex on 59th and Bethany Home. She explained there had been 148 calls to 911 in one month to the Glendale police department. Additionally, since the last council meeting, there have been three murders

and one has happened when the council was in session. At the last meeting, some of the councilmembers were disturbed that she spoke at the meetings when she does not live in Glendale. However, in regards to distance, she lives closer to the crime in south Glendale than Mayor Scruggs does. She believes the Mayor was out of touch with the crime areas. She believes the council had a double standard with people speaking from areas other than Glendale. She stated the council supports those who praise them, but dislikes those who don't agree with them and wants to intimidate them not to speak anymore. She noted she attends the meetings solely to try and improve Glendale and the surrounding areas.

Arthur Thruston, a Cactus resident, stated that the end of the year brings everyone a great season and time for joy. He noted that he was glad in this county they were allowed to say happy holidays in any form they want. He commented on his visit to Glendale Glitters and what a wonderful time he had watching so many people enjoying the event. He commended Mr. Beasley and council on their wonderful staff. He hopes next year, with the new election process, with possibly new people coming in, the city of Glendale will be more open with information and not have so many secrets. He asked the council to consider for next year a cap on capital expenditures, and public votes on major items. He added he fully supported the Coyotes staying in Glendale; however, still supports the casino issue and believes it will be an asset to the city.

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Lieberman commented on the rededication of the F100 on Bonsall Park North at 1:00 p.m. on Thursday afternoon. He thanked everyone in his district for allowing the donation of \$5,000 to that project's restoration.

Vice Mayor Frate commented on the special operation Luke Airforce Base (LAFB) was doing to get their pilots all tested by the end of the year. He stated the noise residents will hear was the sound of freedom. He mentioned the two retirements happening in the city of Glendale - Mr. Broyles, City Engineer, and Assistant Police Chief Becker. He thanked them for their service and dedication to the city. He wished everyone a Happy Holiday Season and asked for everyone to remember to watch children around water.

Councilmember Martinez also thanked Mr. Broyles and Assistant Chief Becker for their service and dedication to the city of Glendale. He personally thanked Mr. Broyles for his invaluable help in his district throughout the years. He also wished everyone a Happy Holiday Season and a Happy New Year.

Councilmember Knaack commented on the Salvation Army and all the work they do in the community. She asked everyone to give to the red kettles whenever possible. She added the Salvation Army will be glad when the new food bank opens since they have been inundated with requests for help. She believes this new food bank will work out just great. She also wished everyone a Happy Holiday Season and a Happy New Year.

Mayor Scruggs said she wanted to thank everybody for their patience this evening. She got started a little late. She was having a delightful conversation with Mr. Marwick and Ms. Serlin who refuse to accept the fact that we are very concerned about the 125 acres of land the Tohono

O'odham Nation owns that's not going to be used for a casino and why the nation can't develop that in the city of Glendale and pay taxes like everybody else. But she had great news because they hear about how people are being denied access to casinos and she had some really great news to share with everyone. A group called Arizonan's for Fair Gaming this week took out an application with the Secretary of State's office so they can circulate petitions for an initiative to go on the ballot in this coming year, 2012. Mayor Scruggs quoted from the 100 word supporting statement included in the initiative application: "For many years sovereign nations have had exclusive rights to casino gambling, creating a monopoly. That unacceptable scheme violates the individual and collective rights of many Arizonans. By permitting race tracks and private casinos to operate in Arizona, it will create thousands of permanent jobs and will establish funding for education, organ transplants, CPS, veterans, police, first responders, cities and counties, along with many other vitally needed programs, which are not being funded by native casinos. Also, by passing this initiative, all Arizonans may invest in this very lucrative enterprise. The gaming monopoly must end now." So, you say Arizona is deficient in casinos, so you might want to get a hold of Mr. Carl E. Nickelson by calling 623-889-2277; it's what it looks like. And help him pass his petition around so there will be more casinos throughout all of Arizona, everybody can have their own casino then. So anyway, she wanted to share that very good news with you and those folks will probably be out in a neighborhood near you soon. Right by the bell ringers, but okay that's what's going on. And she thought that has been said many times in the past, almost three years, that will be the out-growth of what the Tohono O'odham Nation has decided to do. So here it is, and the legislature loves the casino concept, so they will probably get some boost there. Anyway, she was going to wait till next week to say Merry Christmas. The meeting is adjourned.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:37 p.m.

Pamela Hanna

Pamela Hanna - City Clerk