



**MINUTES OF THE
GLENDALE CITY COUNCIL MEETING
Council Chambers
5850 West Glendale Avenue
May 10, 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: Norma S. Alvarez, Joyce V. Clark, Yvonne J. Knaack, H. Philip Lieberman and Manuel D. Martinez.

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

The Mayor welcomed Boy Scout Troop 720 from Arrowhead who were there working on their Citizenship in the Community merit badge.

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

A statement was filed by the City Clerk that the 5 resolutions to be considered at the meeting were available for public examination and the title posted at City Hall more than 72 hours in advance of the meeting.

APPROVAL OF THE MINUTES OF THE APRIL 26, 2011 CITY COUNCIL MEETING

It was moved by Clark, and seconded by Frate, to dispense with the reading of the minutes of the April 26, 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.

PROCLAMATIONS AND AWARDS

2011 RUTH BYRNE HISTORIC PRESERVATION AWARD

This is a request for City Council to present the 2011 Ruth Byrne Historic Preservation Award to the Thunderbird Tower Restoration Project Committee together with the Thunderbird Community.

This award is being presented in recognition of their hard work in restoring the Thunderbird Control Tower building on the campus of the Thunderbird School of Global Management. Mr. Will Counts, Project Manager for the Thunderbird Tower Restoration Project Committee, will be present to accept the award.

The Ruth Byrne Historic Preservation Award was established in 1996. The purpose of the award is to recognize individuals or organizations that have made significant contributions to the preservation of Glendale's historic and cultural resources. This prestigious award is named after Ruth Byrne, a Glendale native, in honor of her dedicated work and ongoing efforts to preserve Glendale's history.

Each year, Council presents the award during the month of May to coincide with National Historic Preservation Month. After careful review and evaluation, the Historic Preservation Commission selected the Thunderbird Tower Restoration Project Committee along with the Thunderbird Community as the award recipients.

The tower has been the icon of the school grounds for 60 years. The tower was built in 1941, and served as the air control tower and officers' quarters during the operation of the Thunderbird 1 Army Air Field, where American, British, Canadian, and Chinese pilots trained during World War II.

In January 2006, the tower closed due to structural issues. In the fall of 2007, a student-led task force initiated a project to restore the tower. Andrew Burman, Will Counts, and Rebecca Mitchell, Thunderbird students, spearheaded the project and started a vigorous campaign to raise money for the restoration.

The tower restoration embraces a commitment to a sustainable future by incorporating several green elements into the design and engineering plans of the restoration project. Part of those efforts included salvaging and reusing materials from the building, using natural day lighting to reduce energy usage, and employing state-of-the-art water saving techniques.

The exterior of the restored building retains many of its original features such as the floor plan, original steel windows, and exterior finish. The observatory, the most intriguing portion of the tower, has been restored to its original glory. The project's vision to maintain the history of the building and to replicate the events that gave rise to its birth; was realized in the interior spaces of the building by providing places for people to meet in a setting reminiscent of Thunderbird's history.

The project is a wonderful testimony and commitment to environmental sustainability and an outstanding contribution to the preservation of Glendale's historic heritage. The tower dedication celebration will be held in conjunction with Thunderbird's 2011 homecoming activities on November 11, 2011.

The recommendation is to present the 2011 Ruth Byrne Award to Mr. Will Counts, who will accept on behalf of the Thunderbird Tower Restoration Project Committee and the Thunderbird Community.

Mayor Scruggs called forward Mr. Will Counts, who will accept on behalf of the Thunderbird Tower Restoration Project Committee and the Thunderbird Community.

Mr. Counts accepted the award on behalf of the Thunderbird Tower Restoration Project Committee and the Thunderbird Community. He stated they were the number one international business school in the world. He noted they have been ranked in the Financial Times and in the Wall Street Journal, 16 years in a row, as number one for graduate degrees in International Business. Thunderbird started in 1946 and is trying to maintain their treasures in some older buildings as well as Thunderbird Tower. He indicated an interesting fact about Thunderbird was that Ms. Byrne met her husband there. He encouraged people to visit the Tower to learn about the history of this historic landmark.

Mayor Scruggs stated that in 2009, Thunderbird had a ground breaking ceremony for this fantastic project. She explained the campus brings forth a tremendous sense of history, especially when you think about what used to be there and how it's been transformed. She noted Thunderbird School was a very little known treasure and an asset known better internationally than in Glendale. She encouraged everyone to find out information about the donor wall mission which was available to anyone who makes any contribution to this project. Your name will be added to the donor wall of this prestigious educational facility and on this historic landmark building. In addition, if anyone would like to be part of the legacy of Thunderbird School and Tower, please contact her office.

NATIONAL PUBLIC WORKS WEEK PROCLAMATION

This is a request for City Council to proclaim the week of May 15, 2011 as National Public Works Week in the City of Glendale.

The American Public Works Association is designating May 15 - 21, 2011 as National Public Works Week. The purpose of this designation is to celebrate the tens of thousands of men and women in North America who provide and maintain the infrastructure and services collectively known as public works. This proclamation seeks to raise the public's awareness of the contributions which Public Works employees make in the community, and to honor the professional men and women who serve the public good every day with quiet dedication.

Public Works includes programs and services such as land development and flood control, environmental and facilities engineering, street design and maintenance, equipment and facility maintenance, right-of-way beautification, graffiti removal, and solid waste services. In addition, Public Works personnel are among the first responders during emergencies and natural disasters, often going above and beyond the call of duty in order to quickly maintain and restore needed city services. Public Works personnel continue to work diligently to complete cleanup efforts after the crisis is over, and long after other first responders have departed.

The recommendation is to proclaim the week of May 15, 2011 as National Public Works Week in the City of Glendale, and present the proclamation to Mr. John Trujillo on behalf of the city's Public Works Group.

Mr. John Trujillo, President of the Arizona Chapter of the American Public Works Association, will be present to accept the proclamation on behalf of the city's Public Works Group.

Mr. Trujillo thanked the Mayor and Council for inviting him to accept the proclamation on behalf of the public works group. He stated National Public Works week was started in 1960 raising public awareness about public works issues and its employees who are dedicated to improving the quality of life for present and future generations. He thanked the City of Glendale for supporting the public works efforts and declaring public works week with this proclamation.

Mayor Scruggs asked all public works employees who were in the audience tonight to please stand and be recognized.

CONSENT AGENDA

Mr. Ed Beasley, City Manager, read agenda item numbers 1 through 5 and Ms. Pamela Hanna, City Clerk, read consent agenda resolution item numbers 6 through 10 by number and title.

Councilmember Lieberman requested that Agenda Items No. 5 and No. 10 be heard separately.

1. LIQUOR LICENSE NO. 5-717, SHANGRI-LA CHINESE CUISINE

This is a request for City Council to approve a new, non-transferable series 12 (Restaurant) license for Shangri-La Chinese Cuisine located at 18561 North 59th Avenue, Suites 120-122. The Arizona Department of Liquor Licenses and Control application (No. 12078696) was submitted by Kim Han Huynh.

The location of the establishment is 18561 North 59th Avenue, Suites 120-122 in the Cholla District. The property is zoned SC (Shopping Center). The population density within a one-mile radius is 12,623. This series 12 is a new license; however, the approval of this license will not increase the number of liquor licenses in the area because this license replaces the previous one held at this location. 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	2
12	Restaurant	9
	Total	13

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

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

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

2. LIQUOR LICENSE NO. 5-763, GLENDALE MINI MART

This is a request for City Council to approve a new, non-transferable series 10 (Liquor Store - Beer and Wine) license for Glendale Mini Mart located at 5904 West Glendale Avenue. The Arizona Department of Liquor Licenses and Control application (No. 10076148) was submitted by Simon Nassim Isaac.

The location of the establishment is 5904 West Glendale Avenue in the Ocotillo District. The property is zoned C-2 (General Commercial). The population density within a one-mile radius is 20,981. The Glendale Mini Mart is currently operating with an interim permit, therefore, the approval of this license will not increase the number of liquor licenses in the area. The current number of liquor licenses within a one-mile radius is as listed below.

Series	Type	Quantity
06	Bar - All Liquor	3
07	Bar - Beer and Wine	1
09	Liquor Store - All Liquor	3
10	Liquor Store - Beer and Wine	12
12	Restaurant	13
14	Private Club	3
	Total	35

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. AWARD OF BID 11-45: AGGREGATE BASE COURSE MATERIAL

This is a request for City Council to authorize the award of Bid 11-45 to Mesa Materials Inc. in an amount not to exceed \$130,551 for the purchase of crushed aggregate base course material (ABC).

This request supports Council's goal of one community with high-quality services for citizens by supplying the materials necessary to restore road surfaces for motorists and pedestrians.

ABC is a road material used in restoring roadways after a water or sewer main repair. It is a mixture of rock and sand used as a sub-grade prior to pavement restorations and prevents road settling. Awarding this bid will provide material for scheduled line replacements, as well as for any emergency water and sewer line breaks where large amounts of base material are required.

Nine offers were received in response to Bid 11-45. The lowest responsible offer was received from Mesa Materials Inc. The bid award shall commence upon approval by Council and continue for one year. The bid contains an option that will permit the city to extend the bid for an additional five years in one-year increments. Price adjustments are permitted annually if mutually agreed upon by both parties. The city can accept or reject the price adjustment. If the city accepts the price adjustment, the contract will be extended for one year. If the city rejects the price adjustment, the contract will be sent out for bid.

On May 23, 2006, Council approved the award of Bid 06-26 for ABC material. The contract expires on June 13, 2011.

Funds are available in the FY 2010-11 operating budget of the Utilities Department.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$130,551

Account Name, Fund, Account and Line Item Number:

Water Distribution, Account No. 2400-17290-524400, \$130,551

The recommendation is to award Bid 11-45 to Mesa Materials Inc. for the purchase of crushed aggregate base course material in an amount not to exceed \$130,551 for the initial award and authorize the city to extend the award for an additional five years in one-year increments with price adjustments in accordance with Bid 11-45.

4. MOTOROLA RADIO PURCHASE

This is a request for City Council to approve the purchase of radios and accessories from the State of Arizona contract with Motorola, Inc. and authorize the City Manager, or his designee, to execute any and all documents necessary to effectuate the purchase.

This item addresses Council's goal of one community committed to public safety by providing firefighters updated communication equipment to continue to respond to calls for service.

The city entered into an intergovernmental agreement with Regional Wireless Cooperative (RWC) Network. The RWC is a coalition designed to create efficiency and reduce costs for transition to the new radio system while creating a valley-wide communication system. Valley Fire Departments are now using the RWC Network for automatic aid related radio communications in non-hazardous zones. This includes the following cities and towns: Avondale, Buckeye, Chandler, El Mirage, Goodyear, Guadalupe, Maricopa, Peoria, Phoenix,

Scottsdale, Surprise, and Tempe. Daisy Mountain, Sun City, Sun City West, and Sun Lakes fire districts are also using the RWC Network.

The Fire Department has operated on a VHF system and has been part of the Phoenix Regional Automatic Aid system for almost 30 years. The purchase of the mobile multi-band radios from Motorola, Inc. is an upgrade necessary to participate in the RWC Network. Motorola, Inc. is the current supplier of mobile radios through the State of Arizona contract. The radios will be installed in all emergency response vehicles.

On February 22, 2011, Council approved the entering into of an intergovernmental agreement with the Regional Wireless Cooperative Network.

Purchase of the radios will allow firefighters to continue to provide timely communication services to the community.

Funding is available in the FY 2010-11 capital improvement plan of the Fire Department. The equipment purchased through this request has a one-year warranty. After that period, the Fire Resource Management budget will absorb the operating and maintenance costs associated with the equipment.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$247,151.30

<u>Account Name, Fund, Account and Line Item Number:</u> 800MHz Comm Equip, Account No. 2040-75024-551400, \$247,151.30

The recommendation is to approve the purchase of radios and accessories from the State of Arizona contract with Motorola, Inc. in an amount not to exceed \$247,151.30 and authorize the City Manager, or his designee, to execute any and all documents necessary to effectuate the purchase.

CONSENT RESOLUTIONS

6. AMENDMENT NO. 2 TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY FOR CHILDHOOD IMMUNIZATIONS

This is a request for City Council to adopt a resolution authorizing the City Manager to approve a second amendment to the intergovernmental agreement (IGA) with Maricopa County Department of Public Health for childhood immunization services provided by the Glendale Fire Department.

The request addresses Council’s goal of one community committed to public safety by providing free immunizations to children in order to reduce the occurrence of childhood diseases.

Since the city entered into this IGA in 2009, Fire Department paramedics have immunized over 5,000 children against seasonal influenza and childhood diseases in 20 Glendale Elementary School based clinics. Additional clinics were conducted in cooperation with the Maricopa County Department of Public Health at their Glendale facility.

The IGA approved in 2009 was for the period of June 23, 2009 through May 30, 2010. It contained a right to extend provision which allowed the IGA to be extended for additional one year terms, not to exceed a total term of five years. The compensation for the original IGA was \$75,000. Amendment No. 1 in 2010 extended the IGA for another year starting May 31, 2010 through June 2, 2011 for a budget amount of \$75,000. This Amendment No. 2 extends the IGA starting June 3, 2011 to June 2, 2012 and provides another \$75,000 to be used during the extension period.

Glendale is designated as a Metropolitan Medical Response System (MMRS) city by the Federal Emergency Management Agency. As part of the MMRS Biological Response Plan, the Fire Department is expected to participate in public immunizations, provide staffing at vaccination clinics and operate vaccination clinics in times of crisis.

On May, 25, 2010, Council authorized the City Manager to approve Amendment No. 1 to the intergovernmental agreement with Maricopa County Department of Public Health for childhood immunization services by the Glendale Fire Department.

On June 23, 2009, Council authorized the City Manager to enter into an intergovernmental agreement with Maricopa County Department of Public Health for childhood immunization services by the Glendale Fire Department.

Through this agreement, the Fire Department will be able to continue conducting and participating in childhood immunization clinics that help to reduce the occurrence of childhood diseases in the community.

There is no cost to the city for providing childhood immunizations through this IGA. The county will continue to provide federal pass-through funding for each child that the Fire Department vaccinates, at a rate of \$15 per child up to an annual limit of \$75,000.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X					\$75,000

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 amendment to the IGA is formally executed.

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the City Manager to approve a second amendment to the intergovernmental agreement with Maricopa County Department of Public Health for childhood immunization services by the Glendale Fire Department.

Resolution No. 4476, New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AMENDMENT NO. 2 TO THE INTERGOVERNMENTAL AGREEMENT WITH THE MARICOPA COUNTY DEPARTMENT OF PUBLIC HEALTH FOR CHILDHOOD IMMUNIZATION SERVICES BY THE GLENDALE FIRE DEPARTMENT.

7. ACCEPTANCE OF GRANT FUNDING FROM THE ARIZONA GOVERNOR’S OFFICE OF HIGHWAY SAFETY

This is a request for City Council to adopt a resolution authorizing the City Manager to accept an Arizona Governor’s Office of Highway Safety *Click It or Ticket* grant in the approximate amount of \$10,000.

This request supports Council’s goal of one community committed to public safety by providing the Police Department a means to focus on seat belt and car seat enforcement.

This grant award will support the Police Department by providing overtime funding for personnel during the grant period between May 23, 2011 and June 5, 2011. This will allow the department to increase the number of hours officers dedicate specifically to seat belt and car seat enforcement during the national two-week *Click It or Ticket* enforcement campaign. The Police Department has been participating in *Click It or Ticket* enforcement campaigns for several years.

On September 8, 2009, Council approved acceptance of grant funding from the Arizona Governor’s Office of Highway Safety for the *Click It or Ticket* program.

This grant will benefit the Glendale community and the citizens by allowing the Police Department to provide additional hours of police officer patrol time dedicated to enforcing seat belt violations. Worn correctly, seat belts can significantly reduce the risk of fatal injury. High visibility enforcement of seat belt laws, like the *Click It or Ticket* program, has been effective in raising the awareness and the importance of seat belt and car seat usage.

There is no financial match required for this grant.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X					\$10,000

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 formally executed.

The recommendation is to waive reading beyond title and adopt a resolution authorizing the City Manager to accept an Arizona Governor's Office of Highway Safety *Click It or Ticket* grant in the approximate amount of \$10,000.

Resolution No. 4477, New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF A HIGHWAY SAFETY CONTRACT WITH THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR THE *CLICK IT OR TICKET* PROGRAM BY THE GLENDALE POLICE DEPARTMENT.

8. MEMORANDUM OF AGREEMENT WITH THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

This is a request for City Council to adopt a resolution authorizing the Police Chief to enter into a memorandum of agreement (MOA) with the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for reimbursement of overtime salary costs and other costs associated with ATF Task Force.

This MOA supports Council's goals of one community committed to public safety and one community that are fiscally sound by enabling the Police Department to obtain reimbursement for assistance to ATF Task Force.

The Police Department currently assists ATF Task Force on an as-needed basis during local gun shows and various work details within the city. The purpose of this MOA is for ATF to reimburse overtime salary costs and other costs, including but not limited to travel, fuel, training and equipment, incurred by the Police Department in providing resources to assist ATF. Assisting the ATF Task Force enhances the Police Department's opportunities for information sharing.

This MOA will provide the Police Department with access to additional resources to combat alcohol, tobacco and firearm related crime within the city, benefiting the Glendale community and the citizens.

The recommendation is to waive reading beyond the title and adopt a resolution authorizing the Police Chief to enter into a memorandum of agreement with the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives for reimbursement of overtime salary costs and other costs associated with the ATF Task Force.

Resolution No. 4478 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S.

DEPARTMENT OF JUSTICE, BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES (ATF) FOR THE REIMBURSEMENT OF OVERTIME SALARY COSTS ASSOCIATED WITH THE ATF TASK FORCE BY THE GLENDALE POLICE DEPARTMENT.

9. FIBER OPTIC NETWORK LICENSE AGREEMENT

This is a request for City Council to adopt a resolution authorizing the City Manager to execute a license agreement between the city and TCG Phoenix (TCG), for the placement of an underground fiber-based communications network within public rights-of-way.

Granting the license supports Council's goal of one community with high-quality services for citizens by allowing TCG access within public rights-of-way for installation of additional telecommunications and data transmission capabilities for the community.

TCG contacted the city to request permission to expand its existing network in the valley into Glendale. TCG's infrastructure investment in the West Valley allows them to meet their current and future clients' connection needs and the growing demand for fiber optic telecommunications service including cable, telephone and internet. It is anticipated that the installation will begin late 2011 with the majority of the work completed within 18 months.

TCG provides service to other parts of the valley. Granting the license will create additional benefits to ensure future economic development and provide Glendale's residents with improved state-of-the-art service.

The revenue generated from plan review, permit and inspection fees associated with the project during the first 18 months of this license is projected at \$40,000. Additionally, TCG shall pay to the city the Privilege Tax of 5.4% of its gross revenue per year per City Code 21.1-470. All revenue shall be deposited into the General Fund.

Waive reading beyond the title and adopt a resolution authorizing the City Manager to execute a license agreement with TCG Phoenix, for the placement of an underground fiber-based communications network within public rights-of-way.

Resolution No. 4479 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT FOR FIBER OPTIC NETWORK WITH TCG PHOENIX IN GLENDALE, ARIZONA.

It was moved by Frate and seconded by Knaack, to approve the recommended actions on Consent Agenda Item Nos. 1 through 4 and 6 through 9 , including the approval and adoption of Resolution No. 4476, New Series, Resolution No. 4477, New Series, Resolution No. 4478, New Series, Resolution No. 4479, New Series, and Liquor License No. 5-717,

Shagri-La Chinese Cuisine, Liquor License No. 5-763, Glendale Mini Mart to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.

5. APPEAL OF DECISION IN TOHONO O'ODHAM v. CITY OF GLENDALE, et al.

Craig Tindall, City Attorney, presented this item.

This is a request for City Council to affirm its direction to the City Attorney to take all reasonable, necessary and prudent actions to oppose the Tohono O'odham's plan to create a reservation within Glendale, which would include seeking full appellate review in the matter of Tohono O'odham v. City of Glendale, et al.

On April 7, 2009, the Glendale City Council passed and adopted Resolution 4246, New Series, authorizing the City Attorney to take all reasonable, necessary and prudent actions to oppose the Tohono O'odham's (T.O.'s) plan to create a reservation within Glendale for the purposes of gaming. T.O.'s plan has been strongly opposed by United States Senators, Congressmen, Arizona's Governor, the Arizona Legislature, and the Arizona Attorney General. It has also been opposed by nine of Arizona's Indian tribes; no Arizona tribe supports T.O.'s plan. The tribes recognize that the T.O.'s plan is directly contrary to the promises Arizona's gaming tribes made to the voters in 2002 and will be detrimental to Indian gaming in Arizona.

On July 22, 2009, the Tohono O'odham tribe (tribe) sued the City of Glendale and each individual Councilmember disputing the City's annexation of a portion of the land they desire to remove from state and local jurisdiction and convert it into a quasi-sovereign Indian reservation. In March 2010, Glendale prevailed in that lawsuit and the tribe filed an appeal. On May 3, 2011, the Arizona Court of Appeals reversed the trial court. The City's recourse is to petition the Arizona Supreme Court to take under consideration this matter, which has substantial implications to all cities and towns in Arizona.

On June 23, 2009, the City of Glendale adopted Ordinance No. 2688, New Series to give effect to the action taken by the Glendale City Council on the annexation of real property on November 27, 2001.

The recommendation is to affirm direction to the City Attorney to take all reasonable, necessary and prudent actions to oppose the Tohono O'odham's plan to create a reservation within Glendale, which would include seeking full appellate review in the matter of Tohono O'odham v. City of Glendale, et al.

Councilmember Lieberman asked if this motion was to appeal the decision of the Arizona Supreme Court regarding the annexation. Mr. Craig Tindall, City Attorney, explained that the city has to first petition to the Arizona Supreme Court to take this on as an appeal for the annexation. Councilmember Lieberman asked if the city had already spent \$1½ million in taxpayer funds in their battle against the Tohono O'odham Nation. Mr. Tindall responded that was approximately the amount. Councilmember Lieberman asked how much more will this appeal end up costing both in dollars and time. Mr. Tindall noted that both were hard to estimate

since it depends on whether the court hears the case. Councilmember Lieberman noted they were not even sure the Arizona Supreme Court will hear this case. Mr. Tindall agreed and explained the appeal process.

Mayor Scruggs asked for public comments.

Ken Jones, an Ocotillo resident, remarked how tired he was of the back and forth on this issue which was causing a lot of distress in the community. He supports the casino and hopes the city will stop spending taxpayer money fighting this issue. He said he bought a fancy new shirt for when the casino opens in Glendale.

Anna Lee, a Sahuaros resident, stated she has been a Glendale resident for over 26 years and a member of the Salt River Maricopa Indian Community. She has been active in the community and owns a business in the Sahuaros District. She does not support a casino in the middle of Glendale and was thankful for the Council's opposition on this matter. She feels very strongly about this issue and will do anything she can to support the city. She indicated there were too many things wrong with this situation, especially the location of the casino near a school. She added that many in the business community were also against it, but were afraid to speak in public.

B. J. Enos, a Sacaton resident, stated he was a member of the Gila River Indian Community and was here tonight to commend the Council on their leadership and continued efforts to appeal this process. He explained the Gila River Indian Community's position has been a matter of principal and one that dates back to 2002 with the voters approved Proposition 202. With that, there was a promise by the tribes to adhere to very specific rules which are being jeopardized by this initiative moving forward by the Tohono O'odham Nation. He stated the Gila River Indian Community will continue to oppose this initiative to insure the state of Arizona and other tribal governments are not jeopardizing what was agreed upon. This initiative promised to keep gaming and casinos outside of neighborhoods and away from schools.

Valerie Roller, a Cactus resident, stated she was not for or against the casino; however, was against the city spending taxpayer money on this issue. She indicated the state was already involved in a lawsuit over the tenth amendment rights on this issue and it was redundant for the city to be spending taxpayer money to do something the state was already doing. She would appreciate the city not continue with this frivolous lawsuit.

George Sprankle, a Cactus resident, stated the city of Glendale has already spent too much money fighting the casino. He explained it was not in the city's best interest to continue to spend more taxpayer money. He believes the city has been very short-sighted in looking at this and feels this will bring in a lot of revenue and help the community too. He noted the casino was not located near a school as people mistakenly said, but had land between the proposed areas. He believes the bottom line for this development was money and greed. He remarked the city continues to spend taxpayer money and the Gila River Indian Community does not want the casino built because it will give them competition.

Arthur L. Thruston, a Cactus resident, stated he was here to support the casino because the city needs the casino. He stated developing the casino did not mean the city would have a reservation in the middle of Glendale. He referenced the City of Scottsdale as an example. He also remarked on the school issue and how there were no schools next to the casino. He noted high schools will always have drug issues and the casino was not the cause for it. He explained the issue regarding competition as the reason why other tribes were against it. He believes the casino will be an asset to Westgate and will bring additional traffic into the area as well as much needed jobs. He noted for the record, he has never been to a casino in Arizona; however, believes this was good for Glendale.

Robin Berryhill, an Ocotillo resident, stated she was a 16 year resident of Glendale and felt compelled to speak tonight. She believes the problem with the casino did not start with hidden agendas from the Tohono O'odham Nation, but rather started with the Council allowing land in the heart of the sports district to be unincorporated. The nation was allowed to purchase it with the agreement from the federal government to replace land on which the government built a dam. She noted if the nation was guilty of a hidden agenda, then so was the city of Glendale when in the dark of night they moved the Coyotes from Scottsdale and the Cardinals from Tempe. She disagrees with some Councilmembers who state this was a foreign Nation. She believes they are actually a sovereign Nation that preceded the United States of America. She would like the Council to make peace with the Nation and find a compromise that will allow them to build a casino. This will bring jobs and enhance the sports district. She believes the Tohono O'odham Nation was willing to discuss terms with the city to find a compromise. She asked the Council to stop spending taxpayer money on this issue because the city cannot afford it.

Mayor Scruggs asked for any other comments.

Councilmember Clark stated that a speaker had mentioned this issue came down to money and greed. She said she agreed; however, this was not one-sided. She indicated the Tohono O'odham Nation was pursuing a path that will enrich them immeasurably while ignoring the provisions of the voter approved compact of 2002 and the comment of their brother Indian Nations. She noted that when certain people point the finger at them, they better be pointing it at themselves for supporting the Tohono O'odham Nation because there was a motive for greed on that side as well. She explained the casino will make a lot of money that does not come back to the city. She reiterated for all the people wanting the city to negotiate, she could not negotiate with a group of people who had the audacity to keep their purchase secret for six years. She is not interested in pursuing that at this time; however, was interested in moving forward legally, as far as Glendale can, to keep the Tohono O'odham Nation from putting a reservation in the middle of Glendale.

Councilmember Lieberman expressed his disagreement with fellow councilmember Clark. He stated the Tohono O'odham Nation has donated in the past four years, in the form of grants, more than \$1.3 million to health care facilities. He said he had a chart to show that fact. He noted the lead surgeon in Gabby Giffords' case had thanked the Indian Casinos for their support of the health facilities. He explained a big issue on the casinos was that they did not pay sales taxes; however, neither does the Super Bowl, the Fiesta or BCS Bowl. He discussed the job opportunities as well as additional employees moving into the area and paying sales taxes. He

referenced the school issue and kids buying lottery tickets at area Circle Ks which was also a form of gambling, with which no one had an issue. He explained the Council will soon be voting to support a Super Bowl bid for 2015 and the Super Bowl worldwide was the single biggest gambling day in the world. He remarked he has lived in Glendale for 47 years and this was his 421st Council meeting. He discussed his business background which made him aware that having a casino in Westgate will be a great asset, especially the hotel aspect. He provided examples of other communities that have tourist seasons most of the year because they offer similar amenities such as the casinos which they visit year round. He stated he will vote against the appeal and does not support spending any more taxpayer money. He noted they were fighting a losing battle. He added the city had taken \$2.4 million from other city expenditures and placed it in the legal department, which was the money being used to fight this battle.

Councilmember Alvarez stated she also supports the casino. She indicated the Nation had every right to have a business in Glendale. The Nation has not asked the city for any money and is willing to pay the city for any service the city provides. She noted that as Councilmember Lieberman stated, they were using taxpayer money that could be used in the community. She indicated the Nation was as American as they were, therefore not a foreign nation. She added they must respect them as they respect each other. She suggests they make peace and try and form a partnership with them for the betterment of all, instead of spending money on lawsuits.

Councilmember Lieberman commented on the Tohono O'odham Nation being a sovereign nation. He reminded everyone that the Apaches and Hopi Indians were also from sovereign nations. They were also one of the most cited outfits in the Second World War and were called "The Code Talkers". He noted they were proud to fight in the war and proud their nation was America.

It was moved by Martinez, and seconded by Clark, to move forward with the appeal of the decision on TOHONO O'ODHAM v. CITY OF GLENDALE, et al. The motion carried with Lieberman and Alvarez voting Nay.

10. AUTHORIZATION TO EXTEND THE NHL/ARENA MANAGEMENT AGREEMENT

Arthur Lynch, President and CEO, SRJ Government Consultants, presented this item.

This is a request for City Council to adopt a resolution granting the City Manager authority to extend the management agreement between the city and the NHL, and secure the financial mechanisms that are reasonably necessary to satisfy the NHL's requirements in order for the NHL Phoenix Coyotes to remain in Glendale during the NHL 2011-12 season.

This agreement allows the team to remain in place for the NHL 2011-12 season; allowing the NHL and the city additional time to complete the required agreement with a qualified ownership group that will be committed to retaining the team in Glendale.

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

Unexpectedly, in May 2009, the former team owner Coyotes Hockey, LLC and its affiliated entity, Arena Management Group, LLC (collectively referred to as the “Coyotes”) filed for federal bankruptcy protection. The city’s investment was meeting all financial projections and attracting economic development to the area until the Coyotes were thrust into bankruptcy. For the past two years, under the direction of Council, the city has been actively working with potential buyers of the Coyotes to structure a deal that would keep the team in Glendale.

On May 20, 2010, the city executed an agreement with the NHL/Coyotes Newco that allowed Coyotes Newco to manage and operate the Jobing.com arena for the 2010-11 season. Under that agreement, the fee to be paid by the city to Coyotes Newco for operating and maintaining the arena was “actual cash losses” not to exceed \$25 million.

The purpose for the agreement was to keep the team in Glendale for another year to allow an opportunity to secure an owner and to allow the NHL to operate the team and arena on our behalf. The NHL kept the Coyotes here for the full season. The NHL has agreed to extend the agreement to keep the team in Glendale for the 2011-12 season.

On May 11, 2010, Council adopted a resolution granting authority to sign the necessary agreements and secure the financial mechanisms necessary to satisfy the NHL’s requirements to keep the team in Glendale for the 2010-11 season. The NHL managed the arena operations and kept the Coyotes here.

The Coyotes and Westgate Area provide revenue to the city, creating jobs, supporting existing businesses and encouraging new development. The city is obligated to manage, operate and maintain the arena. Extending the agreement allows the city to maintain the lease as required and keep the team in Glendale, which is a critical component to support business and economic development in the Westgate Area. In addition, keeping the team in Glendale will assure the arena has 41 calendared events as an anchor tenant, generating revenue that will assist the city with the ongoing required management costs. The cost is covered by arena operations.

The recommendation is to waive reading beyond the title and adopt a resolution granting the City Manager authority to sign the agreement extending the management agreement between the city and the NHL, and secure the financial mechanisms that are reasonably necessary to satisfy the NHL’s requirements in order for the NHL Phoenix Coyotes to remain in Glendale during the NHL 2011-12 season.

Resolution No. 4480 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, GRANTING THE CITY MANAGER AUTHORITY TO SIGN THE AGREEMENTS AND SECURE THE FINANCIAL MECHANISMS THAT ARE REASONABLY NECESSARY TO SATISFY THE NHL’S REQUIREMENTS IN ORDER FOR THE NHL PHOENIX COYOTES TO REMAIN IN GLENDALE DURING THE NHL 2011-12 SEASON.

Mr. Ed Beasley, City Manager, provided a brief summary on this item.

Mr. Art Lynch, President and CEO of SRJ Government Consultants, stated this agreement allows the Coyotes to remain in place for the NHL 2011-12 season; allowing the NHL and the city additional time to complete the required agreement with a qualified ownership group that will be committed to retaining the team in Glendale. He said it was important to note the Coyotes are an asset of the city and it has been determined the regional economic impact is in excess of \$500 million, both in direct and indirect revenue. Also important to note was the agreement in effect this past year. He stated the NHL carried out the agreement, not only according to the terms, but also kept the team in Glendale and kept the doors open while working with new owners and ownerships. They did not draw on those funds as they had committed until the complete actual operating costs were finalized. The NHL continues to honor the terms of the agreement and continues to manage both the arena and arena operations. The management fee has paid for the arena operations so the city can benefit from receiving some of the revenues from the arena's operation through ticket, concessions and so forth. In addition, the cost of operating the city-owned facility does not change and was a fixed cost.

Mr. Lynch indicated he would like to speak to the value of the \$25 million. He stated the city of Glendale, in December 2003, opened a \$220 million facility with a \$65 million equity position that has value and the city should safeguard it. He stated in the last year, the sale tax revenues generated from the arena, to public safety, has been in excess of \$2 million that would not have existed otherwise. He noted the same thing was true for transportation and improvements that can be made because of those revenues. He added by extending this agreement, the partnership would cap the obligations for operating costs at the \$25 million, regardless of how much operating cost would occur above that amount. He reiterated that those fixed costs would be kept regardless if the team left or stayed. The extension of the agreement will allow the opportunity for continued negotiations to identify and strengthen owner and ownership structures. He recommends waiving reading beyond the title and adopting a resolution granting the City Manager authority to sign the agreement extending the management agreement between the city and the NHL, and secure the financial mechanisms that are reasonably necessary to satisfy the NHL's requirements in order for the NHL and the Phoenix Coyotes to remain in Glendale during 2011-12 season.

Mayor Scruggs asked for any questions or comments from Council.

Councilmember Lieberman remarked that last year, the city placed \$25 million into a reserve account and promised that the NHL would never cash that and the city would collect it back. Those funds were taken from an enterprise fund. As a result, those funds were cashed a week ago yesterday and now the city was voting on another \$20 million. These funds have been budgeted; however do not cover the debt service on the arena which was \$12.2M a year. He explained the arena had only regained \$5.1 million of the \$12.2 million in the form of sales tax and the \$2.75 surcharge per ticket. He noted the arena was not self-sustaining even with help from the NHL and the team remaining here. He believes the Walmart at 55th Avenue and Northern and the Westgate area were paying for the debt service, not the revenues from the Coyote sales. He explained it will cost much less to fund the unfinished courthouse, which was now not budgeted until 2017. He added it would also cost approximately \$10 million, much less to build the west branch library for which Councilmember Clark has been advocating.

Bill Daly, National Hockey League, thanked the Mayor and Council for the opportunity to speak on this item. He stated on behalf of the Commission and the 29 other club owners in the NHL, he was here to thank the Mayor, Council, City Manager, staff and the citizens of Glendale, for their tremendous commitment to the NHL and Coyotes Franchise. He remarked they appreciated their commitment and were just as committed to the city of Glendale, as the two plus years have indicated their desire to be part of the community for the long term. Over that time, they have built a real partnership with the city and with the people of Glendale in order to protect their investment in the arena, as well as produce a first-class result for the Coyotes Hockey Franchise. He had hoped to not have to be here tonight speaking to this resolution, and believed, back in December, they would not have to be here speaking on this matter tonight. He explained both parties had worked very diligently in finding a suitable and qualified owner for the franchise to move forward in Glendale and had been successful in doing that. However, unfortunately, the opposition of the Goldwater Institute had made it very difficult, if not impossible, to consummate the transaction contemplated by the structure that was agreed to and approved by this Council in December. As a result, they are now looking for more time to evaluate the options, and understand the landscape, as well as understand some of the opposition that has been raised and perhaps change the structure or affirm their legal rights, pertaining to that structure. Mr. Daly explained that it may appear as though they were starting at the same place they had a year ago; however, he believes that was not correct. He trusts they were in a much better position tonight than a year ago and much closer to the finish line than they have ever been. He believes they can get there whether with Mr. Hultziser or another potential investor. He also believes the team and arena were also in a much better situation today. Additionally, in the mist of all the turmoil, the Coyotes performed much better this year, made substantial improvements, increased ticket sale revenues and increased their attendance record. He believes this franchise has a bright future and only asks for the opportunity to make that bright future happen here in Glendale.

Vice Mayor Frate asked for clarification on how the franchise has improved in the last year even without having the deal take place. Mr. Daly stated season ticket renewals were at 80%, which was the highest this club has ever had since they have been at the arena. He indicated this showed fans were excited about the future of this franchise on the ice and are showing their commitment. He added that 600 new season tickets have been purchased to date by new fans.

Don Maloney, a Glendale resident and Coyote's Manager, agreed with Mr. Daly's comments regarding the commitments and support Glendale and the League have provided to the Coyotes. He thanked everyone on behalf of the players, trainers and staff. He stated Arizona was a great place to play hockey and they loved it here. He remarked that point-wise, they had their best games in the last two years and it was just the beginning. He noted the base team was still young with a lot of potential, but had the best coach in the hockey league, as seen by the results. He stated they were determined once they get the ownership settled in Arizona, to bring their minor league team in, to continue to invest in the community. He expects to make great things happen in this professional sports town with the great talent they have acquired. This was an exciting time for the hockey product and believes hockey works here in Glendale.

Mayor Scruggs explained the rules for the public hearing.

Kurt Larson, a Cholla resident, stated he was a business owner and a long time resident of Glendale. He also knows much of the Council personally and loves this city. However, he believes they were on a slippery slope when it came to this issue and spending tax dollars. He said the city wanted to run and make decisions like a large sport venue city at the expense and misuse of taxpayer funds. He explained they had just gotten socialized medicine rammed down their throat, now they were doing it with their tax dollars and the Coyotes. He indicated that if a business can't generate a profit on its own, then it deserves the opportunity to succeed or fail on its own merits. He explained there cannot be this bottomless pit of dollars that they continue to underwrite with tax dollars and believes it was bad business. He thanked God for the Goldwater Institute for keeping tabs on the legality of this agreement.

John Hiscott, a Mesa resident, stated he was a Coyote fan who drove 50 minutes to every single game for the last three years. He spends his money here in Glendale when otherwise he would not come to Glendale but for the Coyotes. He remarked that without the Coyotes, they would lose his business. He asked the opposition to look to the future and what this team can bring to the area. He stated that sometimes you need to take two steps back to take one step forward.

Stephen Gilman, a Yucca resident, stated he was not a hockey fan and did not think he had ever been to a hockey game. However, he was intelligent enough to know the fiscal impacts the city will experience if the Coyotes leave the area. He noted this was an incredible indirect revenue generating enterprise for the rest of Glendale. He believes if the Coyotes leave, that the Westgate area has the potential to become a ghost town and those businesses may not survive. He asked the Council to look at the totality of them leaving, as well as a worst case scenario, if this continues. He discussed how this might even affect core services around the city should the team leave Glendale. He added it only made good business sense and a smart business decision.

Chris Pardi, a Cholla resident, stated he was a resident of Glendale for almost 34 years and was a strong supporter of this decision. He remembers Valley West Mall and how it became a ghost town because of some of the decisions made. He believes the Mayor and Council have made good decisions in the interest to support all family values in Glendale. He stated with decisions made throughout the years, the Council has had the foresight on what it will take to build a great community. He asked the Council to not listen to outside entities that put pressure on them because of their philosophical ideas. He remarked the Council has done a great job running the city and would like them to continue and not lose faith and hold true to their agreement because it will pay off in the end.

Brian Haddad, Sludge Nation, a morning radio host, provided an example of what happened in Detroit when a team moved, leaving a similar venue. He stated the area never recovered and now was a rundown decimated area where businesses slowly closed. He stated the \$200 million stadium sold seven years later for \$400 thousand. He believes this can happen here. He stated he can attest to that fact, since he saw this happen first hand.

Amy Jo Green, a Phoenix resident, stated her support for keeping the team in Glendale. She does her shopping and chooses to spend her money in Glendale. She encouraged the Council to hurry along the ownership deal because this drama was wearing on her; the casual fans were

already toast. She noted the diehard fans were still in it, but they need to build up their fan base and this drama was not helping matters.

Bryan Willingham, a Barrel resident, stated he appreciated Mr. Lynch and the NHL representative's comments and how refreshing it was to hear the truth. He does not appreciate the Goldwater Institute holding the city hostage. The Institute has hurt the city's reputation and affected their ability to sell bonds in the city. He believes if they don't keep the Coyotes here, it will affect core services in the future. He also believes millions will be lost in the form of revenues and communities will suffer because of that. He strongly supports the arena and implores them not to allow the Goldwater Institute to hold the city hostage any longer.

Ken Jones, an Ocotillo resident, stated he believes Mr. Daly came a long way to be here tonight to support the Coyotes. However, he also believes Mr. Daly came here for another 25 million of their dollars. He remarked they were here again two years later and another \$25 million was gone. He said that most people would have changed directions at this point. He asked if they would ever stop this madness and do the right thing. He indicated Coyote fans buy their tickets at half price compared to other cities and this was on the backs of the taxpayers. He understands this agreement could be extended for 10 years, which means giving them \$25 million for 10 years. He hopes some of the citizens of Glendale finally stand up for what's right for the taxpayers, not for the free loaders that are getting their tickets at half price.

Barry Broome, GPEC, stated they were here to support Glendale's efforts and keep the Coyotes in their community. He noted the Council had a very tough decision and believes Mr. Lynch's report was very compelling and laid out the facts very clearly. He supports Glendale in their efforts to become a great sports entertainment district and believes the Coyotes play a great part in keeping the area successful. He stated Glendale had a vision for itself and 10 years ago people did not believe the city would be known as a host city for the Super Bowl. He indicated these achievements brought much prestige and importance to the Glendale community. He has seen the City Manager work through incredibly complicated objectives over the last few years. Additionally, the management team was first rate and with the support of Council, he was confident Glendale will succeed in these negotiations. He thanked the NHL for their commitment as well as the excellent commitment of the team to be in Glendale and he will continue to offer his support.

Jenifer Wade, a Phoenix resident, stated her support of the Coyotes and the City of Glendale. She agreed with Councilmember Lieberman's comment that the city should not have had to pay the \$25 million. However, he can thank the Goldwater Institute for that occurrence. She explained had they not butted in where nobody asked them to, this agreement would be complete and the city wouldn't have had to pay that fee. She stated last time she looked, the Institute has not been voted into any position. She reiterated the Goldwater Institute cost every taxpayer \$25 million and they will continue to cost the city a lot of money, and youth hockey, if they continue to interfere with the deal.

John Prato, a Yucca resident, stated his support for the Coyotes and Glendale. He believes Westgate will suffer if they lose the Coyotes along with businesses and ultimately the

community because of lost revenue. He asked the Council to protect Westgate and the city by fighting for this cause.

Delbert Roush, a Glendale resident, stated his support of the Coyotes and added he has been a Glendale resident for 20 years. He thanked the Mayor and Council for their support of keeping the team in Glendale. He noted the many services the Coyotes do in the community such as visit hospitals and give to charities. As far as he was concerned, they can put the Goldwater Institute in the penalty box.

Mayor Scruggs asked for a 10 minute break at 8:50 p.m. and called the meeting back to order at 9:00 p.m.

Frank Frulio, A. T. & T Business Services, stated his company employs many people throughout the valley including in Glendale. He explained his company was very invested in this community and has a significant stake in seeing this community flourish. In order for the valley to continue to attract and support this type of investment, his company and others have made, the valley needs to be a desired destination for businesses large and small for potential new residents, visitors and tourists. The Coyotes play a significant role in making the valley such a desired destination and for that reason, it was imperative they keep them here. He remarked it would be a great disappointment to have their partnership with the Coyotes exported to another city. He implored the Council to do the right thing for their constituents and stakeholders that need the Coyotes to stay in Glendale in order for the community to continue to flourish and thrive.

Heather Schroeder, Phoenix Coyotes Booster Club, stated her support for the Coyotes and has come to respect the Council, especially Mayor Scruggs. She indicated this experience has been unbelievably horrible and the fan base was feeling it. She noted they had been dragged through the mud in the media and told how this was a terrible city that can't support hockey and none of that was true. She explained the many rumors going around while very little facts are getting through. She was confident the city will find a way to complete this deal and that was why she had renewed her season tickets for two years, like many others sitting in this room. She stated that as part of the booster club, they have invited fans from other cities that have come to see games in Glendale. She supports the Council in this initiative of \$25 million since they would still have to pay the money anyway, so they might as well extend the agreement which will allow more time to negotiate the deal. However, she encourages the Council to work quickly because this situation was taking a toll on everyone involved. She once again thanked the Council for everything they have done to keep the club in Glendale.

Bea Wyatt, a Cave Creek resident, stated that at most Council meetings she attended, she has not spoken; however, tonight she wanted to express her thanks to the Council for their efforts to keep the Coyotes, not only in Arizona, but also as the anchor tenant at Jobing.com arena. She noted the city has built a fantastic arena with accommodations for wheelchairs, for which she was very thankful. She considers it amazing that such a beautiful arena still made the extra effort while other facilities around the county she visited fell short. She explained the developments in the area have really made it a great destination for every age to enjoy. She added the employees at the arena were first-rate and believes their jobs were important as well as the many other jobs in

Westgate and surrounding areas that could be affected if this deal does not go through. She commended Mayor Scruggs after hearing the tapes from the Goldwater Institute meeting fiasco. She noted Mayor Scruggs handled herself with dignity and class and everyone who voted her in office should be very proud.

Chris Peterson, a Glendale resident, stated he has been a resident for eight years and loves this part of the city. He noted he did not support the city spending all this money to keep the Coyotes. He explained that a team should pay its own way and does not know why the city was forcing people that do not like hockey to pay for it. He believes this was big government taking over and shoving stuff down their throats and does not care for it at all. He added he does like hockey but believes big companies could fund the team instead of taxpayers' dollars. He hopes the city finds a better way to resolve this issue. He remarked that if this was a successful business, it can stand on its own and should not need the government.

Ron Sites, Fighter Country Partnership at Luke Air Force Base, stated his support of the Coyotes and the great quality of life it provides the citizens of Glendale, as well as the airmen at the base. He stated the Coyotes support Luke Air Force Base and in turn, they support the team. He explained the club had donated thousands of tickets to the base, therefore creating great experiences for the airmen and their families. He reiterated it was important to maintain the great quality of life Westgate has provided and continues to provide for everyone in Arizona. He was here to support the team in any way he can.

Nick Dranias, Goldwater Institute, stated his specialty was constitutional law and has practiced law for 15 years as an attorney. He stated that Arizona was wonderful in that its founders saw the need to ban bailouts of private businesses almost 100 years ago. He read into the record part of the Arizona Constitution, specifically, "that neither the state nor any county, city, town, municipality or other subdivisions of the state, shall ever give or loan its credit or make any donation or grant by subsidy or otherwise to any individual association or corporation." He stated there could not be a more clear statement in any constitution. He noted it was a disgrace that this was even something an attorney should be arguing and succeeding in prevailing to enforce. He asked them to consider some practical questions he will be asking.

Mayor Scruggs explained that the subject matter today was whether to extend the management agreement for someone to manage an asset of the City of Glendale. She noted that what he was speaking to was the agreement approved in December with Mr. Hulsizer.

Mr. Dranias remarked he was speaking to the item at hand. He explained the critical question was the claim that \$25 million is needed to cover the management of the arena. He asked if Council had received a breakdown of operating expenses that are budgeted for the coming year that distinguished between expenses to maintain the arena verses what is necessary to maintain the arena only because there is a hockey team there. He indicated, if they had not been provided that breakdown, they, in good faith, cannot determine if the \$25 million was a subsidy. He noted they had achieved something with this \$25 million agreement and have called the NHL's bluff because they need the city more than the city needs them. He explained the NHL has a master plan to keep hockey in the south and southwest and had abandoned their emergency talks to get

the deal done quickly when it was clear it could not be done. He suggests Council use this leverage wisely.

Monique Reaux, a Tolleson resident, stated her support for hockey. She remarked she had a great passion for hockey and at times it prevented her from getting her point across. However, she had to express her view tonight and say that Glendale was growing a grass roots business through hockey. She believes they were making a difference keeping the Coyotes and could not afford to lose one job in the city. She added they also could not afford to have their tax base shorten anymore in this bad economy. She explained how the Coyotes have been used by many and believes they have never been given the chance to be successful just in the business of hockey. She added that now they were being used once again politically by the Goldwater Institute. She remarked it was time for the Coyotes to be used for the business of hockey, to provide a profit and be successful in Jobing.com arena and broaden their tax and fan base. She thanked the Council for everything they have done to fight not only outside interests, but also from political interests.

Joe Cobb, representing the Glendale Libertarian Party, and a Cactus resident, stated he was an economics professor who taught in California and retired in Arizona. He said in the height of his career in the 1990's, he was the chief economist for the United States Senate and prior to that he was the Staff Director for the Congressional Joint Economic Committee. He stated there had been scientific technical studies of the economic asset value of sports stadiums to communities that invest in them and none of them have ever been profitable or repaid their investments. He believes the city made an economic mistake 15 years ago to build the arena and it was time for them to cut their losses. He said to continue this was throwing good money after bad. He noted his friend Mr. Dranias from the Goldwater Institute has his support and has pointed out this was unconstitutional for them to proceed throwing his money into this bad investment. He added he will be a plaintiff in a lawsuit if they file one. He explained the city has an opportunity to partner with the Tohono O'odham Nation and have them bailout their losing investment in the hockey team and they should consider it instead of using taxpayer money.

Valerie Roller, representing the Glendale Tea Party, and a Cactus resident, agreed that a lot of misinformation has been circulating over the airwaves. However, the fact remains that if this was a lawful deal it would not have fallen apart when the Goldwater Institute got involved. She stated that legally, the Goldwater Institute has the common sense of the people of Arizona and standing up for those who don't understand the legalities. She noted she had no problem with the Coyotes staying in Glendale, however, does not understand why the city would give them \$25 million dollars of taxpayer money for the Coyotes to rent a building from them.

George Sprinkle, a Cactus resident, stated that to him it seems the city has a \$25 million rent-a-team in the Coyotes. He also remembers Westgate having their best year when the Coyotes were on strike. He does not believe this will hurt the infrastructure and community services, because they were already hurting. He also believes instead of giving the Coyotes the \$25 million, they should instead invest in the courthouse, west library and area pools. He noted that across the United States, Glendale was the laughing joke being called "Gongdale". He does not believe the city was ready for prime time at least not with hockey.

T. J. Mackay, a Yucca resident, stated he moved to Glendale in 1993 to an unfinished area of Glendale. He explained he had done his research before moving to the city and found Glendale was an exceptional city to live in. He also looked at the long term plans of the city, and realized this was the place to call home. He noted the city has grown slowly, but responsibly, and added a number of features that have made his neighborhood much more livable and benefited him as a resident and taxpayer. He said the Westgate area and surrounding facilities have all been a great benefit to everyone around the area, as well as to people in the state of Arizona. He believes the situation happening today with this item has been out of their control and believes the Council was trying to do their best with a bad situation. He thanked the Council for continuing to do their best for their residents and the city of Glendale. He indicated this was a short-term setback and believes they should not abandon the long-term approach to positive growth in order to address a short-term setback. He stated the economy will recover, and hopefully in a few years, they would have recovered all the investment they have made in keeping the Coyotes here. He noted that in everything he has read, the city will lose more money if the Coyotes leave than if they pay this money for them to stay.

Arthur Thruston, a Cactus resident, welcomed Mr. Daly from the NHL and thanked him for coming today. He also thanked the people that do not live in Glendale for coming out to see what Glendale was up to. He stated when he was little, he had two skunks and this deal reminded him of those two skunks. He noted this deal had changed like those little skunks changed when they grew up and were not cute and cuddly anymore. He reiterated how he has asked the Mayor and Mr. Beasley to come talk to him about putting together this deal using all the connections he has. He stated he was so sure he could put a deal together, that he pledged his home as collateral if he could not make this deal work. He added the most important negotiation tool was a person's ability to walk away from the table without a deal if necessary.

Robin Berryhill, an Ocotillo resident, noted she had heard a lot of passion for hockey tonight in this room from many people from other cities around the valley. She suggests they help with the burden to help pay for the hockey team so not only Glendale was stuck with the bill and debt. She explained that everyone seems to want this, so they should help pay for it. She also suggested selling shares in the team since everyone seemed to be for this team. She stated her third suggestion was to partner with the casino. She noted she was not for or against the hockey team, however, was concerned with the proposed deal and owner and the additional amount the Council was once again indebting the taxpayers with. She read from the Charter, which discusses the possibility of bankruptcy. She asked the Council if they were prepared to be responsible should this deal prove to be a failure. She remarked if the Council could not answer this question tonight, they should table this item until such time as they can.

Tony Maccarone, a Cactus resident, started his comments by asking the Council where they were getting the \$50 million dollars to keep the hockey team here. He asked the City Manager if there was anything in the Charter which dictates that the public and taxpayers have a vote on whether they want to provide \$50 million to the NHL before the Council makes a decision. He can't imagine that millions of dollars can be spent by only a few people and not go to the voters.

Nicole Gormley, a Peoria resident, stated her support for the Coyotes and added that she has been a season ticket holder for many years. She noted this uncertainty and lack of a deal has

taken its toll on her and many fans. She supports Glendale and is looking for a home in the city, however, if the Coyotes leave, she will look elsewhere and take her tax dollars somewhere else because she will not pay to have an empty arena.

Mayor Scruggs asked for comments from the Council.

Councilmember Alvarez stated she has heard a lot of talk this evening about the money the city was willing to give the NHL. She believes this predicament could all be fixed if the city could only find a buyer willing to pay the full price for the team instead of having the city subsidize them. She suggested they go out for bids for the management of the stadium and possibly obtain a cheaper price. She was happy to hear other mayors in the valley supported the Coyotes; however, those same mayors should maybe split the bill. She wondered why the city hasn't moved forward with their plans, if they were correct in their dealings and the Goldwater Institute was incorrect in their assumptions. She explained she was new and had just started in January, however, she made a commitment to her district and what she has to say today may not be what they want to hear. She indicated the city had many needs in the community and had cut services because of the economy. In addition, they also had mandatory furloughs for employees and parks that are not maintained, as well as pools that are not going to be replaced. She stated they need the money for issues in the community and believes the taxpayers agree. She explained the southern part of Glendale was not equal and she had made a promise to her constituents that she would help change that. She added that although some fellow Councilmembers would not agree with her, she still believes the south side needs money. She explained she was not against the Coyotes and thinks they should stay here; however, this all could be avoided if the people that want the hockey team would just pay for their team without taxpayer money. The city cannot use taxpayer money to subsidize the team and neglect their communities. She remarked that speaking for herself, the Council needs to admit they lost because there was no profit made from the Coyotes, for whatever reason. She stated she could not support using taxpayer dollars for this issue and did not know where the money had been taken from. She questioned using enterprise funds to provide funding for this issue. She would like an answer from the city attorney if this was legal and would like it for the record before she gives her vote.

Councilmember Clark stated she considers Councilmember Alvarez a friend and respects her comments profoundly on this matter. Although, she agreed with some of it, she also disagreed with a lot of it. Nevertheless, that's what's great about democracy. She thanked Mr. Daly and the rest of the NHL team for their continued confidence in Glendale and the Coyotes. She would like to respond to some of the comments made before she goes into her own remarks. She has heard repeatedly that this money could go for roads, parks, libraries and streets. She explained that many fail to understand that those infrastructure improvements come from a different set of bonding capacity based upon the city's property tax payments. She added that the higher the property tax payments were, the more they can bond for since they have the money to pay them back. However, what has happened is that the assessed valuation has declined greatly. She explained that currently, the city does not have the capacity to pay back debt on those kinds of bonds. She asked them to not confuse the issue if they don't use the \$25 million for the Coyotes; they can instead use it for a park. She explained these were two very different issues. She noted another important issue to mention was that what a lot of pro-casino people do not recognize was all the spillover or indirect revenue from the casino which they support, also applies to Coyotes'

games and all the people it attracts to the area and Westgate. Additionally, the 41 Coyotes' nights are what create the spillover which is helping pay off the original bond of the \$12 million annual debt on the arena and surrounding infrastructure. She noted that approximately \$10 million is generated annually from the Westgate area and the other \$2 million was generated from Northern Crossing. She explained when those 41 nights go away; they will logically generate less revenue at Westgate which translates to the city having to find funding in the general fund to cover the debt payment. Councilmember Clark noted it was widely known that she has not always voted in favor of the Coyotes specifically when she voted against the Hultziser deal because she did not agree with the termination clause. Therefore, she was not one to always vote on the side of the Coyotes no matter the cause. She always tries to weigh the pros and cons on both sides. She indicated that the last time around she voted no on this issue but this time she will be voting yes. She believes the Goldwater Institute has successfully poisoned the water for Hultziser's bond and she personally thinks that deal will never be made. However, by agreeing to pay the \$25 million for one year and buying breathing space, provides the NHL time to identify a qualified buyer and structure a different kind of deal that may or may not meet with the Goldwater Institute's approval. She does not care what the Goldwater Institute thought at this point, because she believes they used this Glendale issue strictly for publicity purposes to generate and raise their membership and donations. She mentioned the slick flyers they have been circulating portraying Glendale as bad for business. She reiterated the Institute has used this issue to elevate their organization. She added what they were doing was called self-aggrandizement at the expense of Glendale. She was completely against it and it was time someone called them on it. She explained for all the people who keep mentioning taxpayer money, they will be paying one way or another and she would rather invest that payment in giving the NHL further time to put together a good deal for Glendale and the NHL. She acknowledged this was a gamble, however, she was gambling with what she believes was in the best interest of Glendale. She recognizes that many did not approve of Executive Sessions and the inside information they received and wishes they could have full disclosure; however, it was reasonable to not make public some issues since the other side might use it to their advantage. She stated tonight she will vote yes and support the NHL and asked them to please find that buyer quickly and put together a deal, to ease everyone's agony.

Councilmember Lieberman thanked Logan and his mother and the rest of the people attending tonight and appreciates their input. He added that for all those people from other areas of town, he asked them to come up with money to help Glendale offset some of their debt in the form of purchasing tickets. He also thanked the NHL and city staff for a tremendous job in writing the new contracts and amendments. He disagrees with Councilmember Clark's assessment that city funds cannot be used for furloughs and social items. He does not understand how the city was on a tight employee budget and all of a sudden they can pull \$25 million from the general fund. He reiterated he was very proud of the people who attended today both for and against this issue. He suspects the vote tonight will come down as 4 – 2 and he at this time will be voting against this deal. He referenced the employee furloughs and how hard it has been for some and in good conscience cannot vote for this tonight. He noted this year the city will reduce furloughs from 5% to 2½% which translates to 6 ½ days a year with no pay. He noted the many cutbacks the city was doing because of the budget shortfall, as well as the many openings the city still cannot fill. However, they still found money in the budget for this project while not focusing on community needs. He reiterated the city had done a great job with the escrow accounts as well

as the amendments and contracts. He noted the city was asking NHL to only take \$20 million up front to work with and take the last \$5 million on the last day of the hockey season.

Vice Mayor Frate thanked everyone here tonight and everyone who spoke and expressed their opinions both and against this issue. He remarked that many times he has traveled to the capital and sat in meetings where the chairman refused to listen to speakers and ends the meeting. He explained that some people traveled hundreds of miles to express their opinion only to be silenced. Therefore, they were very fortunate that this Council gives everyone an opportunity to speak and enough time to express their views and that's what they do here in Glendale. He stated if the Coyotes stay in Glendale, the city must bear a certain cost. He explained that as long as this cost remains below the cost of the estimated economic impact, then basic understanding dictates that this was in the best interest of the City of Glendale to keep the team. He noted that losing a franchise cheapens the value of the city and over time serves as a negative representation for others to visit and live. He said they have heard about all the money that could be lost either way and all the pros and cons. However, his vote was a logical, non biased, absent of any sort of emotional argument to keep the Coyotes. He believes the upmost thing was to protect the interest of Glendale and its people and that was how he will vote tonight.

Councilmember Martinez remarked this has been a long evening and his remarks will be brief. He thanked Mr. Daly and the rest of the team for sticking with Glendale and firmly believes they were moving in the right direction. He mentioned the many letters and emails the Council has received in regards to the \$25 million. He explained it was very important to note that this was not a giveaway, a subsidy or a boondoggle. He indicated this was an investment in the future of this city. He noted that even though this continues to be said by many, he needs to repeat it once more. He explained the \$25 million and what is being voted on this evening was a payment for a service to manage and operate the arena for the 2011/12 hockey season. He noted that Councilmember Clark covered the background very well and would like to stress, that if they do not go through with this, all the talk of lacking money for streets and libraries, would not compare to what would happen if the Coyotes leave the area, and believes it will be very bad. He thanked the many eloquent speakers tonight who laid out what will happen if the city loses the Coyotes. He also thanked everyone for their continued support.

Councilmember Knaack noted fellow Councilmembers had done a good job of stating their position. She thanked the NHL for being here and working with the city as well as everyone involved with the hockey team. She also thanked the business community speakers that came out in support of this resolution. She thanked all the Coyote fans that had been so steadfast and unwavering though this whole situation and believes because of them, this will eventually work. She believes ticket sales have been very positive and things were moving in the right direction and people were not giving up on this arena or the Coyotes. She mentioned the many emails and letters the Council has received and for her part, her emails ran 90% in favor of keeping the Coyotes in Glendale. She explained they could not afford to lose the Coyotes and arena when the arena was one of the city's largest assets. She referenced the job loss this will create in the Westgate and the surrounding area. She added that in regards to the Goldwater Institute, her problem with them was that they were an entity that was not elected like the Council was. City Council has a responsibility to make the best decisions, they feel were right, for the City of Glendale and the citizens. She wants to assure everyone that their decisions were not taken

lightly and there was a ton of information they go through before they come to meetings and make their decisions. Currently, the Council needs to look at the long-range vision for the city and approve the best possible deal to make this arrangement a success for the citizens and the City of Glendale. She was very glad they had the opportunity to keep the Coyotes here for another year and provide for a better agreement for the city. She would like to comment on Councilmember Alvarez's comments about all the amenities the city needed. She explained that all their districts have needs not just south of Northern and in fact, the Centerline Project was in the Ocotillo District and has received a great deal of attention from the city. Therefore, she does not believe the money they were spending on the larger picture was hurting any individual district and believes they all get the attention they deserve. She reiterated her thanks to all the people attending tonight and staying late. She added she was always available to answer any questions or discuss any issue. She will vote to support this issue.

Councilmember Alvarez stated she misunderstood the \$10 million that went to Westgate and thought it came from Northern Crossing, although now she understands its \$2 million. She noted she was told it was \$10 million. She indicated that businesses were suffering right now especially downtown businesses. She clarified she mentioned the south side since it was so visibly in need and all you had to do was drive the area to know that. She added she was very committed to this area.

Mayor Scruggs thanked everyone for their attendance tonight and participation. She explained that her colleagues had covered just about everything, however, would like to make a few comments. She agreed with Councilmember Clark's comments about the bond capacity and the way these things work. She explained that not paying to manage the arena would not build additional facilities. She agreed there has been tremendous amount of misinformation floating around and would like to speak to the city's bond debt since it was something brought up quite regularly.

Mayor Scruggs stated the city of Glendale has been represented as possibly going bankrupt which definitely was not the case. She noted the city's bond rating was the third highest of 21 bond ratings that were available. She explained what bothered her the most was that the city's bond debt was equated to their investments in building a sports and entertainment district versus just having rooftops along the 101. Accordingly, she would like to talk about what comprises the city's bond debt. She stated that according to the city's budget book from last year, which was available online and she looked at three categories of bond debt. She stated general obligation bonds were used for the acquisition, improvement and equipment for a variety of projects relating to flood control, parks, streets, traffic, parking, water features, multi-purpose recreational facility, open space, trails, public safety and so forth. She explained this was a category of general obligation bonds starting in 2002 and going through 2009 which totaled \$287,255,000. She stated this is what you expect from your community and that Councilmember Alvarez was asking for more of with those types of facilities that build a great quality of life.

Mayor Scruggs explained the transportation excise tax revenue obligation bonds from 2007 which were for design construction and right-of-way acquisitions for roadway widening and intersection improvements, transit stops, bicycle connections, park and ride lots and airport projects which totaled \$109,100,000. She noted that street and highway user revenue and

refunding bonds for 2004 and 2006 brought the total up to \$426,765,000. Additionally, water and sewer revenue obligation projects included the expansion of the existing West Area Water Reclamation Facility, payments for the city's share of upgrades and the expansion of the 91st Avenue Regional Waste Water Treatment Plant replacement and rehabilitation of waterlines throughout the system. She added the water resource master plan and water treatment plan design and construction of facilities at the Cholla water treatment plant to meet solids handling regulations was also part of these bonds. She explained that basically, the city was doing everything they must do in order to deliver water to your homes in lines that were not rusted or broken and met all government guidelines.

Mayor Scruggs stated there was quite a bit of money involved with all these processes which totaled another \$284,543,766. She noted that all together those investments were done to build Glendale as a quality community with the kind of public safety features the residents expect. She added that building quality communities also consisted of water and sewer facilities, services required to build amenities the city desires such as parks, recreations, transportation and good roads. She indicated all these figures together totaled \$711,308,766 which was very close to \$1billion dollars. She explained the debt service was for the services they need, want and require in the city. She thanked Councilmember Clark for explaining that the city does not incur bond debt beyond what their property taxes can pay for and explained that the property taxes have remained constant or reduced for many years.

Mayor Scruggs agreed with Councilmember Martinez' comments and believes this was the most upsetting misunderstanding people have on the matter. She reiterated this money was a payment for a service, not a subsidy. She noted people misunderstood and were very upset because they saw this as a payment to the NHL to keep the hockey team running. She explained that was not what it was at all. She indicated the city has made an investment in building a multipurpose arena so the city can have an anchor for an area that would generate revenue versus just having fields of houses which would probably be in foreclosure now. This matter was to keep our community arena open for business producing revenue, providing jobs and generating taxes. She explained that was all the city was doing. However, because of how this has been characterized by the media and special interest groups, she was not surprised people believe this was some kind of subsidy for the NHL.

Mayor Scruggs made a comparison between the Chase Field arena and the Jobing.com arena. She explained the Jobing.com arena was available 365 days a year for other activities such as concerts. However, the Chase Field arena was only open for the Diamondbacks. Consequently, the fee to manage the Chase Field arena was \$12.5 million for only the baseball season versus \$25 million for an arena that can be used year round for multiple activities that bring revenue into the city. Additionally, for people who believe hockey did not work in the desert, the Diamondbacks only fill 50% of the capacity of the arena versus 72% of capacity for the Coyotes.

Mayor Scruggs clarified there was not an automatic 10 year renewal clause on this agreement. She noted it was an option written in by staff for technical reasons which staff can explain. She added the city was not paying the NHL to rent the arena; the Coyotes team pays the city rent in the amount of \$512,000 a year. She indicated revenue figures for just the arena where \$3.5 million. She reiterated that if the team leaves they still have the debt, still have the cost of

maintaining this asset but will not have the revenue from the team playing there. She discussed how the area will suffer tremendously if the team leaves the area. She noted the money was budgeted when Council went through the budget workshops process and was approved by the whole Council. This is information for the people wanting to know where the money was coming from for the arena.

Mayor Scruggs explained the Coyotes were an enterprise that was growing in success and was producing on the ice. She remarked season ticket sales renewal for next year has exceeded 80%. She wished the city could find a way to communicate facts as well as others communicated misinformation.

Mayor Scruggs discussed how upsetting the glossy flyer from the Goldwater Institute was that had George Will on the cover, who she respected but felt he was mislead. The flyer referenced how terrible the City of Glendale was for taking on the cost of building the University of Phoenix Stadium and was now in debt. She noted this misinformation was all very upsetting and totally untrue. She stated that the State of Arizona owned the University of Phoenix Stadium not the City of Glendale. The stadium was built and is supported by various new taxes that were approved by Maricopa County voters in 2000. Mr. Will was obviously not provided accurate information by the Goldwater Institute.

She explained the findings before them tonight were to make a decision they believe was the best long-term benefit for the city and its citizens. She clarified the decision tonight had nothing to do with whether Mr. Hulsizer ever owns this team or not.

Mayor Scruggs asked Mr. Craig Tindall, City Attorney, to answer Councilmember Alvarez's inquiry regarding the enterprise funds.

Councilmember Alvarez inquired if the city had used enterprise funds and if so, was that procedure legal. Mr. Tindall replied that last year's enterprise funds were used in the agreement and it was legal.

It was moved by Clark, and seconded by Martinez, to pass, adopt and approve Resolution No. 4480, New Series. The motion carried with Lieberman and Alvarez voting Nay.

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, May 17, 2011, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.

CITIZEN COMMENTS

Francine Romesburg, a Barrel resident, stated she could not believe the absolute ignorance, greed and selfishness of people who are shoving socialistic hockey down their throats. She explained she had nothing against the Coyotes or hockey, however, does not approve of this deal. She added the Coyotes had been in Scottsdale, then left and the city was doing just fine. She agrees

there was a lot of misinformation floating around and thinks the Council was also guilty of that as well. There was also information that has not been provided to the public. She indicated that many people visit Westgate without going to a hockey game; therefore Westgate will survive. She does not need a hockey team to visit Westgate. She expressed her views and support for the casino in the Westgate area. She believes the casino will be a great addition to the Westgate area and will bring jobs.

Arthur Thruston, a Cactus resident, stated he would like to make a correction on an earlier comment about not needing the hockey league. He believes they need everyone's help to complete this deal that will benefit Glendale. He thanked the Council because he completed his Glendale University courses yesterday. He also thanked staff members that came each and every Monday to contribute to this wonderful experience.

George Sprankle, a Cactus resident, stated he had a few suggestions to make. He suggests they double the ticket price until they start making some money. He noted the Coyotes have lost money every year since they have been here. He noted that possibly they might also try cutting the ticket prices in half so they can keep the arena full and then gradually raise the price when the lines start forming. He also suggested the 11 mayors in the valley help pay the cost to cover the \$25 million. As to the Goldwater Institute, if the city was so sure the Institute was wrong; they should take legal action against them.

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Clark invited everyone to her Spring/Summer District Meeting on May 18th at 6:30 p.m. at Coyote Ridge Elementary School.

Councilmember Lieberman also invited everyone to his District Meeting tomorrow evening at Carol Peck Elementary School starting at 6:30 p.m. He reminded everyone that May was motorcycle month and everyone should watch out for motorcycles on the road. He noted that on Friday and Saturday, he had attended funerals for longtime friends and Glendale residents who had contributed much to the city. They will be greatly missed.

Councilmember Frate stated he had also attended a memorial service at Luke Air Force for Lieutenant Colonel Frank Bryant who was killed in Afghanistan. He had lived in Glendale with his wife and his two year old son. He was a true American hero and will be missed greatly. He also reminded everyone once again to watch children around water. He stated there had been another drowning in Maricopa County which now totaled six. He commented how he too had received the glossy little brochure from the Goldwater Institute and wished they had put a little section on it pleading people to watch children around water instead. He believes more people would have read it.

Councilmember Knaack commented that tomorrow they were having their Salvation Army Annual Award Luncheon. She would like to recognize and congratulate the winner Ms. Mary Ann Lavine who was a "Glendale Treasure" Councilmember Knaack considers Ms. Lavine her idol and admires her for the many years of dedicated community service to the city.

Mayor Scruggs thanked everyone once again for their attendance this evening especially those who came from outside of Glendale to voice their support. She stated cities, including Glendale, always try to entice and bring outside people into the area to have them spend their money here so the city can use that money to pay for services for their residents. She really appreciates their visits and patronage, which was what economic development, was all about.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:05 p.m.

Pamela Hanna

Pamela Hanna - City Clerk