

City of Glendale Council Workshop Agenda

June 17, 2014 – 1:30 p.m.

Welcome!

We are glad you have chosen to attend this meeting. We welcome your interest and encourage you to attend again.

Form of Government

The City of Glendale has a Council-Manager form of government. Policy is set by the elected Council and administered by the Council-appointed City Manager. The Council consists of a Mayor and six Councilmembers. The Mayor is elected every four years by voters city-wide. Councilmembers hold four-year terms with three seats decided every two years. Each of the six Councilmembers represent one of six electoral districts and are elected by the voters of their respective districts (see map on back).

Voting Meetings and Workshop Sessions

Voting meetings are held for Council to take official action. These meetings are held on the second and fourth Tuesday of each month at 6:00 p.m. in the Council Chambers of the Glendale Municipal Office Complex, 5850 West Glendale Avenue. **Workshop sessions** provide Council with an opportunity to hear presentations by staff on topics that may come before Council for official action. These meetings are generally held on the first and third Tuesday of each month at 1:30 p.m. in Room B3 of the Glendale Municipal Office complex.

Special voting meetings and workshop sessions are called for and held as needed.

Executive Sessions

Council may convene to an executive session to receive legal advice, discuss land acquisitions, personnel issues, and appointments to boards and commissions. Executive sessions will be held in Room B3 of the Council Chambers. As provided by state statute, executive sessions are closed to the public.

Regular City Council meetings are telecast live. Repeat broadcasts are telecast the second and fourth week of the month – Wednesday at 2:30 p.m., Thursday at 8:00 a.m., Friday at 8:00 a.m., Saturday at 2:00 p.m., Sunday at 9:00 a.m. and Monday at 1:30 p.m. on Glendale Channel 11.

If you have any questions about the agenda, please call the City Manager's Office at (623)930-2870. If you have a concern you would like to discuss with your District Councilmember, please call the City Council Office at (623)930-2249



For special accommodations or interpreter assistance, please contact the City Manager's Office at (623)930-2870 at least one business day prior to this meeting. TDD (623)930-2197.

Para acomodacion especial o traductor de español, por favor llame a la oficina del administador del ayuntamiento de Glendale, al (623) 930-2870 un día hábil antes de la fecha de la junta.

Councilmembers

Cactus District – Ian Hugh
Cholla District – Manuel D. Martinez
Ocotillo District – Norma S. Alvarez
Sahuaro District – Gary D. Sherwood
Yucca District – Samuel U. Chavira



MAYOR JERRY P. WEIERS

Vice Mayor Yvonne J. Knaack – Barrel District

Appointed City Staff

Brenda S. Fischer – City Manager
Michael D. Bailey – City Attorney
Pamela Hanna – City Clerk
Elizabeth Finn – City Judge

Meeting Agendas

Generally, paper copies of Council agendas may be obtained after 4:00 p.m. on the Friday before a Council meeting from the City Clerk Department inside Glendale City Hall. Additionally, the agenda and all supporting documents are posted to the city's website, www.glendaleaz.com

Public Rules of Conduct

The presiding officer shall keep control of the meeting and require the speakers and audience to refrain from abusive or profane remarks, disruptive outbursts, applause, protests, or other conduct which disrupts or interferes with the orderly conduct of the business of the meeting. Personal attacks on Councilmembers, city staff, or members of the public are not allowed. It is inappropriate to utilize the public hearing or other agenda item for purposes of making political speeches, including threats of political action. Engaging in such conduct, and failing to cease such conduct upon request of the presiding officer will be grounds for ending a speaker's time at the podium or for removal of any disruptive person from the meeting room, at the direction of the presiding officer.

How to Participate

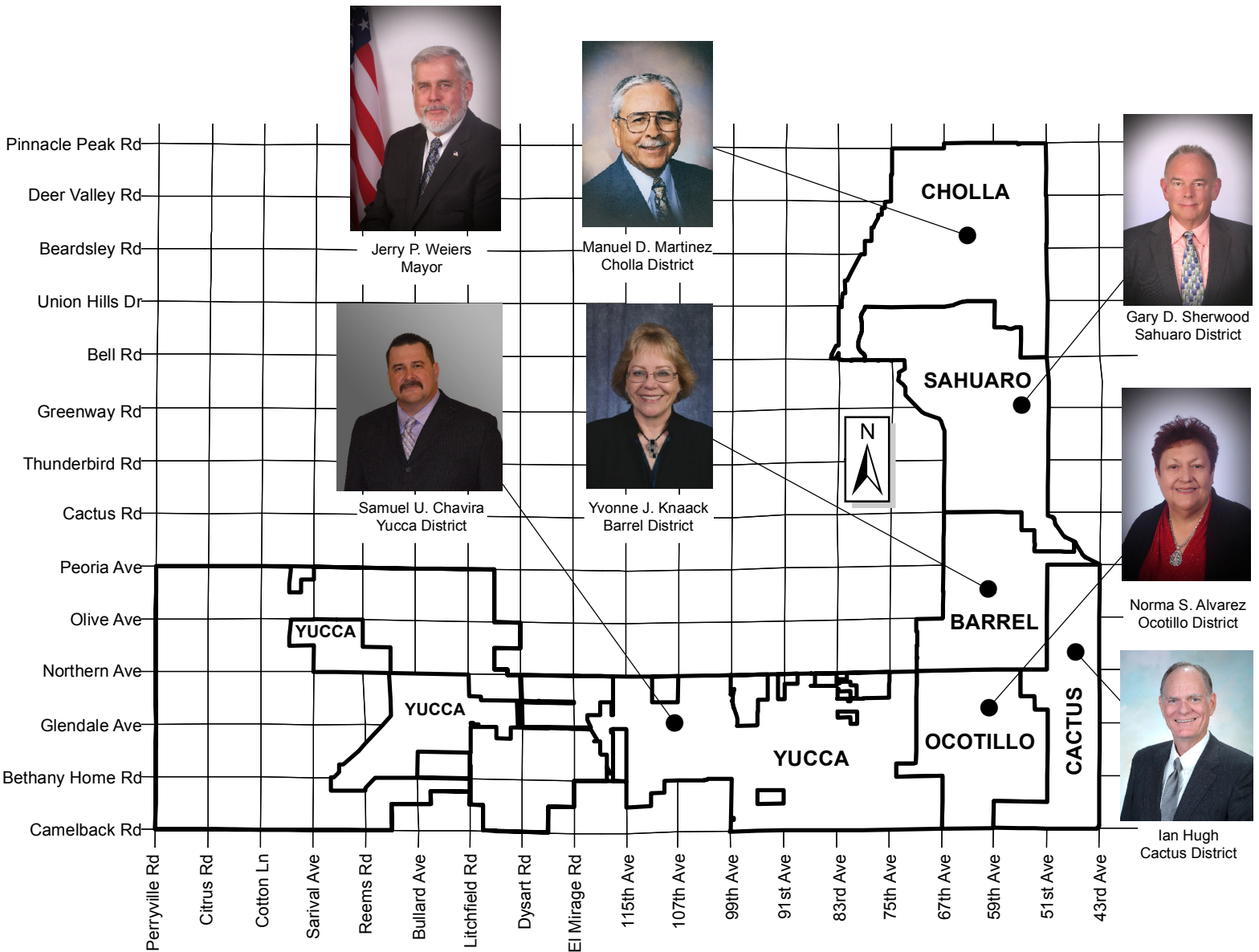
Voting Meeting - The Glendale City Council values citizen comments and input. If you wish to speak on a matter concerning Glendale city government that is not on the printed agenda, please fill out a blue Citizen Comments Card. Public hearings are also held on certain agenda items. If you wish to speak on a particular item listed on the agenda, please fill out a gold Public Hearing Speakers Card. Your name will be called when the Public Hearing on the item has been opened or Citizen Comments portion of the agenda is reached. **Workshop Sessions** - There is no Citizen Comments portion on the workshop agenda.

When speaking at the Podium - Please state your name and the city in which you reside. If you reside in the City of Glendale, please state the Council District you live in.

Regular Workshop meetings are telecast live. Repeat broadcasts are telecast the first and third week of the month – Wednesday at 3:00 p.m., Thursday at 1:00 p.m., Friday at 8:30 a.m., Saturday at 2:00 p.m., Sunday at 9:00 a.m. and Monday at 2:00 p.m. on Glendale Channel 11.



Council District Boundaries





GLENDALE CITY COUNCIL WORKSHOP SESSION
Council Chambers – Room B3
5850 West Glendale Avenue
June 17, 2014
1:30 p.m.

One or more members of the City Council may be unable to attend the Workshop or Executive Session Meeting in person and may participate telephonically, pursuant to A.R.S. § 38-431(4).

CALL TO ORDER

WORKSHOP SESSION

1. COUNCIL ITEM OF SPECIAL INTEREST: LOOP 303 AND NORTHERN AVENUE ACCESS

PRESENTED BY: Cathy Colbath, Interim Executive Director, Transportation Services

2. PROPOSED ORDINANCE AMENDING GLENDALE CITY CODE, CHAPTER 25, Article V (NOISE)

PRESENTED BY: Sam McAllen, Executive Director, Neighborhood and Human Services

CITY MANAGER'S REPORT

This report allows the City Manager to update the City Council. The City Council may only acknowledge the contents to this report and is prohibited by state law from discussing or acting on any of the items presented by the City Manager since they are not itemized on the Council Workshop Agenda.

COUNCIL ITEMS OF SPECIAL INTEREST

Councilmembers may indicate topic(s) they would like to have discussed by the Council at a future Workshop and the reason for their interest. The Council does not discuss the new topics at the Workshop where they are introduced.

EXECUTIVE SESSION

1. LEGAL MATTERS

- A. The City Council will meet with the City Attorney for legal advice, discussion and consultation regarding the city's position in pending or contemplated litigation, including settlement discussions conducted in order to avoid or resolve litigation. (A.R.S. § 38-431.03(A)(3)(4))
- B. The City Council will meet with the City Attorney and City Manager to receive legal advice, consider its position and provide instruction and direction to the City Attorney and City Manager regarding the City's position in connection with the property at or near 91st and Northern Avenues. (A.R.S. § 38-431.03(A)(3)(4))
- C. Council will meet to discuss and consider records exempt by law from public inspection and are specifically required to be maintained as confidential by state or federal law. (A.R.S. § 38-431.03(A)(4))

2. LEGAL MATTERS - PROPERTY & CONTRACTS

- A. The City Council will meet with the City Attorney and City Manager to receive an update, consider its position and provide instruction and direction to the City Attorney and City Manager regarding Glendale's position in connection with one or more agreements associated with or near the Foothills Library. (A.R.S. § 38-431.03(A)(3)(4)(7))

3. PERSONNEL MATTERS

- A. Various terms have expired on boards, commissions and other bodies. The City Council will be discussing appointments involving the following boards, commissions and other bodies. (A.R.S. § 38-431.03 (A)(1))

- 1. Arts Commission
- 2. Audit Committee
- 3. Aviation Advisory Commission
- 4. Board of Adjustment
- 5. Citizens Bicycle Advisory Committee
- 6. Citizens Transportation Oversight Commission
- 7. Commission on Neighborhoods
- 8. Commission on Persons with Disabilities
- 9. Community Development Advisory Committee
- 10. Glendale Municipal Property Corporation
- 11. Historic Preservation Commission
- 12. Industrial Development Authority
- 13. Judicial Selection Advisory Board
- 14. Library Advisory Board
- 15. Parks and Recreation Advisory Commission
- 16. Personnel Board
- 17. Planning Commission
- 18. Public Safety Personnel Retirement Board/Fire

- 19. Public Safety Personnel Retirement Board/Police
- 20. Risk Management/Workers Compensation Trust Fund Board
- 21. Water Services Advisory Commission

- B. The City Council will meet with the City’s Consultant and the City Manager to discuss and consider the City Manager’s annual performance evaluation. (A.R.S. § 38-431.03(A)(1))
- C. The City Council will meet with the City’s Consultant and the City Attorney to discuss and consider the City Attorney’s annual performance evaluation. (A.R.S. § 38-431.03(A)(1))
- D. The City Council will meet with the City’s Consultant and the City Clerk to discuss and consider the City Clerk’s annual performance evaluation. (A.R.S. § 38-431.03(A)(1))


Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (i) discussion or consideration of personnel matters (A.R.S. § 38-431.03(A)(1));
- (ii) discussion or consideration of records exempt by law from public inspection (A.R.S. § 38-431.03(A)(2));
- (iii) discussion or consultation for legal advice with the city’s attorneys (A.R.S. § 38-431.03(A)(3));
- (iv) discussion or consultation with the city’s attorneys regarding the city’s position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. § 38-431.03(A)(4));
- (v) discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. § 38-431.03(A)(5)); or
- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. § 38-431.03(A)(7)).

Confidentiality

Arizona statute precludes any person receiving executive session information from disclosing that information except as allowed by law. A.R.S. § 38-431.03(F). Each violation of this statute is subject to a civil penalty not to exceed \$500, plus court costs and attorneys’ fees. This penalty is assessed against the person who violates this statute or who knowingly aids, agrees to aid or attempts to aid another person in violating this article. The city is precluded from expending any public monies to employ or retain legal counsel to provide legal services or representation to the public body or any of its officers in any legal action commenced for violation of the statute unless the City Council takes a legal action at a properly noticed open meeting to approve of such expenditure prior to incurring any such obligation or indebtedness. A.R.S. § 38-431.07(A)(B).

Items Respectfully Submitted,



 Brenda S. Fischer, ICMA-CM
 City Manager



WORKSHOP COUNCIL REPORT

Meeting Date: **6/17/2014**
Meeting Type: **Workshop**
Title: **COUNCIL ITEM OF SPECIAL INTEREST – LOOP 303 AND NORTHERN AVENUE ACCESS**
Staff Contact: **Cathy Colbath, Interim Executive Director, Transportation Services**
Presented by: **Cathy Colbath, Interim Executive Director, Transportation Services**

Purpose and Policy Guidance

The purpose of this report is to provide information to Council on access to Loop 303 at Northern Avenue, as requested by Mayor Weiers as a Council Item of Special Interest.

Background

The Arizona Department of Transportation (ADOT) is currently in the process of improving Loop 303 in the West Valley to a limited access, six-lane facility with grade separations at major intersections, which include Northern and Olive avenues. Traffic enhancements at these locations include a northbound off-ramp and a southbound on-ramp at Northern Avenue. Interim direct-access ramps allow traffic to seamlessly flow between two high-capacity transportation corridors—Loop 303 and the newly constructed Northern Parkway.

The ultimate system interchange and improvements to Loop 303 have been conceptually designed, and include reconfigured ramp connections between Loop 303 and Northern Parkway, as well as northbound and southbound frontage roads between Northern and Peoria avenues. Additional ramp connections are also included for northbound and southbound off-ramps and on-ramps, respectively, at Northern Avenue. Some of these improvements are included as part of the Regional Transportation Plan; however, the funding is not programmed within the current countywide half-cent sales tax plan.

Several property owners have contacted the city concerned about the diminished level of access provided at Loop 303 and Northern Avenue, particularly for traffic traveling to and from the north end of the interchange.

Analysis

Because the alignment of Northern Parkway falls halfway between Olive and Northern avenues, and with the Railroad's location on the north side of Olive Avenue, there are limited opportunities for access from Loop 303 and these two arterial streets. The current Loop 303 and Northern Parkway configuration does not permit the frontage roads and access ramps to be constructed as



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shown on the ultimate improvement design concept. This requires persons travelling to areas at Loop 303 and Northern Avenue to take a circuitous route.

Staff requested that URS, the city's general engineering consultant, develop options for enhanced access for southbound traffic on Loop 303 to exit at Northern Avenue. Two alternatives were prepared and presented to ADOT in September 2013. After further review by ADOT it was determined that neither concept was feasible. In April 2014, ADOT began working with the Maricopa Association of Governments (MAG) to develop additional alternatives for consideration. Staff continues to coordinate with regional partners on the status of alternatives development to improve access at this location and identify potential funding options for the project. Funding for construction of a selected alternative has not been identified.

Community Benefit/Public Involvement

A robust and comprehensive transportation system is critical to the overall economic development and vitality of the city. Additional access from Loop 303 to Northern Avenue will increase transportation options and circulation in the area, stimulating interest in potential development.

Budget and Financial Impacts

ADOT and MAG are currently coordinating to develop improvement concepts and secure funding for a selected alternative to provide additional access between Loop 303 and Northern Avenue.



WORKSHOP COUNCIL REPORT

Meeting Date: **6/17/2014**
Meeting Type: **Workshop**
Title: **PROPOSED ORDINANCE AMENDING GLENDALE CITY CODE, CHAPTER 25, Article V (NOISE)**
Staff Contact: **Sam McAllen, Executive Director, Neighborhood and Human Services**
Presented by: **Sam McAllen, Executive Director, Neighborhood and Human Services**

Purpose and Policy Guidance

This is an opportunity for staff to seek direction from the City Council regarding a proposed ordinance amendment to Glendale City Code Chapter 25, Article V. relating to loud radios, sound sets, etc. The proposed amendment would allow the ability to temporarily exempt events, being operated in accordance with a city issued special event and/or event permit, from the provisions of Section 25-66 when the event is being conducted in accordance with the provisions of the city issued permit. The proposed amendment would only allow for exemptions associated with city issued event permits. The original noise protection provisions would remain in place for all other activities and would retain the originally approved noise protection provisions of the City Code. Staff is seeking guidance from City Council regarding moving forward with a proposed ordinance amendment.

Background

Glendale City Council adopted Ordinance No. 1567 on November 8, 1988 establishing City Code Chapter 25, Article V. which defines violations as well as exemptions, permitted activities and general protections of the citizens from noise. Section 25-66 was established through this ordinance and is the portion of the City Code that addresses radio receiving sets, phonographs, sound producing, or sound reproducing mechanisms. The current City Code stipulates that sound from such devices must not be heard at a distance of more than 125 feet from the premises where the sound is produced, that use of such equipment shall not produce sound heard off of the premises between 10:00 p.m. and 7:00 a.m., and that sound may not be produced for more than two and one-half (2.5) hours without an intermission of not less than 30 minutes.

In the 26 years since establishing City Code Chapter 25, Article V. the City of Glendale has grown, developed a vibrant downtown, created multiple signature events, and positioned itself as a sports and entertainment destination. As a result, Glendale is host to countless world class concerts as well as collegiate and professional sporting activities including the Phoenix Coyotes, the Arizona Cardinals, the Los Angeles Dodgers and Chicago White Sox Spring Training Facilities, the Tostitos Fiesta Bowl, two NCAA National Championship football games, Super Bowl XLII, and will host Super Bowl XLIX and the Pro Bowl in 2015. City Code 25, Article V, Section 25-66 has not been updated to reflect the current landscape and activities the city hosts.



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Analysis

Entertainment/event promoters have voiced concerns to city staff regarding the restrictions associated with the city's current noise ordinance, specifically Section 25-66, stating the existing City Code makes it challenging to consider holding events in Glendale. Some residents have also voiced concerns that previously held events may not have adhered to provisions of this section of City Code.

Staff reviewed city codes from other Valley municipalities and found they too have established ordinances related to noise, however many also allow temporary exemptions to be issued administratively when noise is created in association with an event that is being held pursuant to a city issued event permit. The Glendale City Code does identify specific noise level exemptions in Section 25-65; and, allows temporary exemptions, different times and higher noise levels, related to construction activities in Section 25-68. However the Glendale City Code does not have a mechanism to allow temporary exemptions for sound producing devices; thus, creating a competitive disadvantage between Glendale and other Valley municipalities that allow for temporary exemptions of this nature.

In an effort to update the current Glendale City Code related to noise, support the City Council's prior decision to make Glendale a sports and entertainment destination, make the city competitive in terms of soliciting and attracting new event activity, and to capitalize on the city's position as the host of the Tostitos Fiesta Bowl, Pro Bowl and Super Bowl XLIX, staff identified the following proposed ordinance amendments for City Council's consideration.

Option 1) Amend Glendale City Code Chapter 25, Article V. to include language that allows a temporary exemption from the provisions of Section 25-66 for events being operated in accordance with a city issued event permit, when the activity is being conducted according to the permitted terms.

Option 2) Temporarily amend Glendale City Code Chapter 25, Article V. to include language that allows a temporary exemption from the provisions of Section 25-66 for events, being operated in accordance with a city issued event permit when the activity is being conducted according to the permitted terms during the period beginning December 26, 2014 and ending February 2, 2015.

Option 3) Take no action to amend Glendale City Code Chapter 25, Article V.

Staff is recommending that the City Council support Option 1. This option upholds the City Council's previous decisions and investments to make Glendale a sports and entertainment destination and provides the City of Glendale with increased year-round opportunities to be more competitive with Valley cities when it comes to attracting and locating special events within Glendale. The exemption for permitted events would still serve to protect residents against



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excessive noise by retaining the provisions put in place when the City Code was originally adopted.

Previous Related Council Action

On November 8, 1988, City Council adopted an Ordinance that created City Code Chapter 25, Article V. Noise, which defines violations as well as exemptions, permitted activities and general protections of the citizens from noise.

Community Benefit/Public Involvement

Amending City Code Chapter 25, Article V. to allow City authorization to grant a temporary exemption from the requirements established in Section 25-66, only when associated with a city issued event permit, enhances the City's ability to attract and locate high quality entertainment and events, and maintains the noise protection provisions put in place when the City Code was originally adopted. This action will make the city more attractive to entertainment/events seeking event venues in the Valley of the Sun; and, makes Glendale more competitive with other Valley cities that have already codified temporary exemptions to noise ordinance regulations when events are being conducted in compliance with provisions of city issued events permits.

Budget and Financial Impacts

There are no costs incurred by the City as a result of this action, however additional revenues may be generated from events that take place in Glendale as a result of this proposed City Code amendment.

Attachments

None