

City of Glendale

5850 West Glendale Avenue
Glendale, AZ 85301



Meeting Minutes - Final

Tuesday, October 21, 2014

1:30 PM

Workshop

Council Chambers

City Council Workshop

Mayor Jerry Weiers
Vice Mayor Yvonne J. Knaack
Councilmember Norma Alvarez
Councilmember Samuel Chavira
Councilmember Ian Hugh
Councilmember Manny Martinez
Councilmember Gary Sherwood

CALL TO ORDER

Present 7 - Mayor Jerry Weiers, Vice Mayor Yvonne J. Knaack, Councilmember Samuel Chavira, Councilmember Norma Alvarez, Councilmember Manny Martinez, Councilmember Ian Hugh, and Councilmember Gary Sherwood

WORKSHOP SESSION1. [14-317](#)**FY 13-14 FOURTH QUARTER FINANCIAL REPORT**

Staff Contact: Tom Duensing, Director, Finance and Technology

Staff Presenter: Tom Duensing, Director, Finance and Technology

Staff Presenter: Vicki Rios, Assistant Finance Director, Finance and Technology

Ms. Rios explained they were only going to cover the financial results for the major operating funds. She provided a short history of this item and said these are the unaudited financial results. She presented actual results through June 30, 2014.

Mr. Duensing said they compared the information they are presenting today to the five year forecasts which included the general fund forecast presented in December of 2013 and the forecast for the other major funds presented in February of 2014. He explained the five year financial forecasts are the basis for the city's financial planning. He said they want to measure their actual results in FY13-14, compared to where they thought they would be back in December 2013 for FY13-14. He said they consider items on target if they are near 100 percent of the forecast. He said they compared the results to FY12-13 and at Council request they added FY11-12 results as well.

Mr. Duensing said there were overall positive financial results for the fiscal year and growth to the general fund reserves. He explained they either met or exceeded what was forecast in the general fund. He said this financial information was provided to Moody's and Moody's used this information in their report in which they recently revised the city's bond rating outlook from negative to stable. He said staff will continue to monitor these figures and will provide Council with quarterly updates. He also asked for Council's feedback for any questions or issues they might have.

Ms. Rios provided a chart with numbers from the general fund. She explained overall, revenues slightly exceed the forecast. General fund revenue increased from the prior year by \$11.5 million. She said most of that was from sales tax, which increased by \$5 million. She said \$1.8 million of that \$5 million is due to the temporary tax implemented in August of 2012. She said the state shared revenue also performed well. Regarding the five year forecast, she said they expected to draw down the fund balance by just over \$2 million. She said revenue came in higher and expenditures were lower than expected and as a result they added to the fund balance by \$7.8 million.

Mr. Duensing said the sales tax revenue results are more than what was forecast in December by about \$800,000. He said overall he was pleased with the results. He said state shared revenues were about \$2 million ahead of what was forecast and this is very positive. He reminded City Council that the amount budgeted in FY14-15, when they set the budget; they anticipated those revenues to outpace what was forecasted by the \$2 million. He explained in other revenues, the difference between the forecast of \$33 million and the actual \$35 million is primarily the permit activity. He said permit activity is very difficult to estimate and it is easier to estimate sales tax. He explained even though the city outpaced the forecast for revenues, the message finance staff has been sending

is that these are revenues that the city cannot anticipate every year. They need to be cautious going forward. He also said the same message also holds on the expenditure side as well. He said there was about \$5 million the city was under based on the forecast and that was primarily vacancy savings. He said cities have been budgeting for vacancy savings, but this is not a good budgeting practice and you can't rely on that and it is considered one time savings. He explained the overall message was the city is about right where they expected to be. He said the overall results exceeded the forecast by roughly \$9 million.

Councilmember Alvarez asked Mr. Duensing to explain the line that said excess deficiency.

Mr. Duensing explained excess deficiency, if you see a positive number in the FY13-14 actual column, \$7.7 million that is good. He said that means the city added to its fund balance by \$7.7 million. He said at the beginning of the fiscal year, the fund balance in the general fund was \$19.1 and the city added the \$7.7 million to that for an ending fund balance of \$26.9 million in the general fund.

Mr. Duensing said FY13-14 was the first full year that the city absorbed full debt service payments on Camelback Ranch. Prior to that, any debt service payments on that facility were paid out of an escrow fund and the general fund did not absorb that. He said it is a very positive thing that the city is able to absorb that sum out of the general fund for those payments. He also explained for FY13-14, although it was not a full year, the results shown on the chart provided do absorb the impact of the arena management agreement.

Councilmember Martinez said with respect to the general fund, he said at times in the past there has been confusion between that and the contingency fund. He asked Mr. Duensing to expand on that.

Mr. Duensing said contingency is an annual appropriation, an amount the city annually budgets, that they don't necessarily have targeted to any specific services. He said the intent behind that is to absorb unanticipated costs or it can also be used for unanticipated revenue shortages. He said in the FY13-14 actual column, there is no actual expenditure for contingency. He said they take that budget, move it to the appropriate line item and record the actual expenditure against that line item. He said it is part of the annual appropriated general fund amount. He said the FY13-14 forecast did assume the city would spend the entire amount of FY13-14 contingency and they did do that. He said they transferred the majority of that consistent with city policy for the arena management agreement that was approved after the FY13-14 budget was adopted.

Ms. Rios provided a summary of the general fund. She said general fund revenues slightly exceeded forecast. She next talked about the HURF fund. She said revenues came in where they were targeted to be. She explained they were slightly lower than the prior year because there in FY12-13 there was a transfer that took place into the fund that was not budgeted for FY13-14. She said expenditures in this fund are also lower than forecast due to capital projects that were not completed and carried over to the following year and some operating expenditure savings.

Ms. Rios next discussed the transportation sales tax fund and these figures were also on target. Revenue was slightly higher than the prior year. Expenditures were lower and she explained the primary purpose of this fund is to pay for capital projects and there were a significant number of capital projects in this fund that were carried over into the following year.

Ms. Rios went on to explain the public safety, police special revenue fund. This fund's revenues also came in slightly above target. She said expenditures were at only 86 percent of the annual forecast due to salary savings in that fund. The fire special revenue fund came in very similar to the police fund. She said revenues were slightly higher as well and expenditures were on target.

Ms. Rios next explained the water and sewer enterprise fund. Both water and sewer revenues came in on target. She said expenditures were only at 77 percent of the forecast due to \$15.4 million in budgeted capital expenses which were not completed and were carried over to FY14-15. She explained there was a similar situation in the sanitation fund. Revenue is right on target and expenditures are slightly lower as well due to budgeted capital projects carrying over in FY14-15.

Councilmember Alvarez said on water and sewer, the money the city borrowed from the trust fund, with the excess or any revenue gained, are they putting it towards the balance the city owes.

Mr. Duensing clarified they were speaking about the advance from the water and sewer fund. He said the water and sewer is not a trust fund, it is an enterprise fund, a self-supporting operation. He said there are scheduled repayments from the general fund back to the enterprise funds for those advances. He said the money is coming in, but there isn't a lot of detail in the summaries they were providing today. He said the money has come in to the water and sewer funds as revenues.

Councilmember Alvarez said on this fund, can't they pay ahead and asked if they have to stay on schedule.

Mr. Duensing said if Councilmember Alvarez was referring to the advances, those are payments from the general fund to the water and sewer funds. He said those repayments or any terms associated with those advances are set by Council. He said Council can choose how they want to structure the advances, the timing of any repayments and it is fairly flexible. He said these are different than the Excise Tax Bond repayments the city has to make supported by the general fund. He said those are set and there are investors that rely on these payments from the city to get money back and those are very specific scheduled payments. However, he said there absolutely is latitude on what they can do with the inter-fund advances.

Councilmember Alvarez asked Mr. Duensing if he had a balance of what the city still owes in that fund. Mr. Duensing said overall the balance is about \$40 million due from the general fund to the enterprise funds. He said the piece for the water and sewer is about \$15 to \$17 million.

Councilmember Alvarez said on this money that the city still has a deficit, if they paid it off. She said she was getting to the point she did not want to increase the water bill because the city owes this money. She said if they can pay it ahead, she felt this will help the residents. She said water is very expensive and she did not agree with another increase if the city has the money to pay these ahead to stop the increases.

Mayor Weiers asked how long before the city has that paid off with what the Council has already decided.

Mr. Duensing said when that money was advanced to the general fund in two advances, the repayment terms for each was 25 years. The first advance for \$25 million was made

in 2012. The second advance was made in 2013.

Mayor Weiers asked approximately the amount of the payments.

Mr. Duensing said one of the things they decided to do was to set the interest rate for those payments based on the interest rate the city was earning. He said he believed the repayments per year were in total about \$1.2 to \$1.5 million.

Ms. Fischer said if it is Council's desire during the next budget process to make a large lump sum payment to pay these off, staff would seek Council's direction during next fiscal year's budget process.

Ms. Rios said the landfill fund is the last fund. Revenues came in slightly higher than projected. Expenditures are very low in this fund because there are capital expenditures that were not made during FY13-14 and they are being carried over to FY14-15.

Ms. Rios said all the major funds met or exceeded the forecast that was provided in December. The general fund added to its reserves and this positive financial performance contributed to Moody's revising its outlook from negative to stable and staff continues to monitor performance of these funds very closely and will update Council in the next quarter.

Vice Mayor Knaack said this is extremely encouraging from where the city was even a year ago. She said it should be apparent to everyone that the .7% tax is extremely important to the city. She said if the city did not have that tax, the future forecast would not look so encouraging. Vice Mayor Knaack asked if Mr. Duensing had any comments on the tax.

Mr. Duensing said it was cited in the Moody's report that they are looking for how the city will do over the long term. They review year over year performance. He said the next step will be looking at how the city can get back to the fund balance policy of 10 percent.

Vice Mayor Knaack thanked staff for a good job.

Councilmember Martinez thanked Mr. Duensing for the report and said it is the best news the city has had in a long time, including the improved Moody's bond rating. He wanted to state publicly that Council owes city staff a lot of thanks, but especially Ms. Fischer and Mr. Duensing. He said they have taken the lead on this and wanted to thank them.

Councilmember Chavira echoed the comments of Councilmember Martinez. He said this is one of the most concise reports they have ever had. He said what motivated him to maintain that tax was the city being more stable. He said when Moody's upgraded the city from negative to stable that is exactly what staff was trying to do, stabilize the city. He said the tax right now is like a leg brace and they need to keep the braces on until the city is strong and once the city is strong enough, it will get rid of the tax. He said everyone can see that decision has paid off for the city.

2. [14-372](#)

COUNCIL ITEM OF SPECIAL INTEREST: REQUEST TO VOTE ON RESCINDING A RECENT DENIAL OF A REZONING APPLICATION
Staff Contact: Michael Bailey, City Attorney

Mr. Bailey said he serves as the role of the parliamentarian to the Council and the question before Council is procedural in nature and they need to walk through the procedural steps both from a purely procedural standpoint, but also from a

quasi-substantive procedural position. He said his role is not to get involved in the substantive decision making, but he will guide Council with the rules. He also said there are some legal ramifications to some of the decisions Council will be making and he will discuss those, as well.

Mr. Bailey explained the Council request was to rescind or reconsider the previous denial of a rezoning application related to the Palm Canyon billboards. He said if the vote is successful, to reconsider the rezoning application at the same Council voting meeting. He also explained in an October 9, 2014 letter, Councilmember Sherwood advised Ms. Fischer that he was bringing forward the request. He said they are working through whether this is a Council item of special interest or a specific request of the Councilmember. He brought to Council's attention the governing principles. He said he did not list customs and practices which can dictate how Council handles items at a meeting. He said most of the governing principles are fairly set in stone, however, statutes and codes are changed. He said Robert's Rules of Order is in its 11th edition.

Councilmember Martinez asked with respect to what Mr. Bailey said that you can comment on past practices, he said he has been on the Council for about 18 years, he does not remember anything like this coming up before the Council. He said prior to his service on the Council, maybe there was something like this, but in the 18 years he has been here, there has never been anything like this. He said in the past they have used the Council items of special interest which will bring items before the Council.

Mr. Bailey said he understood this and he brought this to Council's attention as they would know better than he the practices historically.

Mr. Bailey went through general governing principles. He said section 15 of the Glendale City Charter stated the Council shall determine its own rules and order of business subject to the provisions of this charter. It shall keep a journal of its proceedings and the journal shall be open to public inspection. He said the Council has adopted its own rules of procedure. He said beyond this, the charter is fairly silent with regard to how Council operates the meetings. Mr. Bailey said the Glendale Municipal Code is silent as to general procedural steps outside of specific ordinance requirements. He said in land use decisions there are certain procedure requirements, one being the notice provisions, as well as statutory provisions that require certain notice with regards to the procedures steps Council will be taking on a substantive issue. Mr. Bailey provided a couple of examples.

Mr. Bailey next discussed Council rules of procedure. He said this becomes somewhat of a challenge under Council's authority, Council has adopted these and Council has the right to create their own rules and order of business and to regulate the conduct of the meetings. He said if no decision can be made under that guidance, Council looks to Robert's Rules of Order as a supplementary guide. He said Council needs to understand under its rules of procedure, general parliamentary procedure is an operating parameter. He also explained under the rules of procedure, the Mayor is the chair and any decision by the Mayor is generally final and is also subject to the appeal of the Council. He said this is where the terms point of order usually comes out when there is a disagreement with how a decision has been made by the chair. He also said Council can move to appeal to the chair and the Council, as a majority, can move to overturn the decision of the chair. He said Robert's Rules of Order references this as well. He also explained that Council may suspend strict observance of these rules and procedures and any applicable provisions of Robert's Rules of Order for the timely and orderly progression of the meeting. Mr. Bailey explained further that the Mayor is the chair on procedure matters in final, subject only to appeal to the whole Council as provided in Robert's Rules

of Order. He also said the rules and procedures have changed over time, but believes Council has seen the most up to date versions.

Under the Glendale Code of Ethics, members shall respect the process and shall perform their duties in accordance with the process and rules established by the Council.

Mr. Bailey explained all these documents are mostly in agreement, but do not address every specific issue. Mr. Bailey said the Council guidelines call Robert's Rules of Order a supplementary guideline and it is more of a reference document as opposed to a governing document. He explained that compliance with Robert's Rules of Order does not mean compliance with the law and noncompliance does not mean it is illegal either.

Mr. Bailey said the context this question arose in was a Council item of special interest and under the guidelines, a Council item of special interest generally requires the city manager within 30 to 60 days to bring the item back before the Council at a workshop.

Mr. Bailey next addressed rescission. He said he looked at Council's governing principles and Robert's Rules of Order. He said in terms of the governing principles, there is very little that discusses rescission and he said most of what is being relied upon is Robert's Rules of Order. He said in Robert's Rules of Order, there is a motion to rescind and that is one of a group of motions that brings the question back before Council. Those two motions are generally motion to reconsider and rescission.

Councilmember Martinez asked if there was a time limit in which reconsideration can be done.

Mr. Bailey explained reconsideration and rescission are two separate motions. He said reconsideration generally needs to occur the same night that the original motion occurred. He said a rescission does not have a time restriction; however, there are restrictions and exceptions. He explained about those motions that cannot be rescinded are those that are subject to reconsideration. He said if you are going to reconsider an item, you do it in the same night; you can rescind it after it's been reconsidered. He said if it can't be reconsidered, then it could be rescinded. He explained the other exception is motions that have already been done. He discussed an example of this.

Councilmember Martinez asked if there was any criterion that has to be met for allowing reconsideration.

Mr. Bailey said he was getting to that point and asked Councilmember Martinez to bear with him.

Mr. Bailey said for example, a motion that has been adopted to accept a resignation, whether or not someone has been elected or an expulsion. He said you cannot rescind those. He said in terms of rescission, there are voting requirements, which include the motion needs a second. He said if there is notice, a majority can vote to rescind it. He said if there is no notice, and Robert's Rules of Order contemplates there is no need for notice, but 2/3 of the majority will need to act, so a super majority will need to vote in favor of it. He said the effect is it places again before the assembly the question on which the vote is to be reconsidered. He said it brings back to life, the item in the form it was in when it was originally acted upon.

Councilmember Martinez wanted to confirm it would take 2/3.

Mr. Bailey said if it were not noticed. He said if it were noticed in advance, it would just

be a majority.

Mr. Bailey provided a form of a motion for Council review. Mr. Bailey said those are the general operating principles set forth in Robert's Rules of Order with regards to rescission. He said there is no per se time limitation for rescission, but there is one for reconsideration. He said he was giving the Council the guiding principles of procedure and not talking about the substantive concerns Council may have.

Mr. Bailey then addressed the substantive request from a procedural standpoint. He explained the underlying request is to amend the existing PAD to allow two static billboards at the northwest corner of Loop 101 and Bell Road. He provided a brief history of this issue and the proposed motion. He provided some information for Council consideration, including rescission of the previous decision and the implications and unintended consequences. He said he does not know what the customs and practices of this Council are and asked that Council consider the fact that this may create new customs and practices. Mr. Bailey explained the item would be noticed in terms of how it was approved and explained the wording of the item that will become live again if Council rescinds. He also wanted to discuss if and when Council wished to bring this item forward, and that the November 24, 2014 meeting is the last meeting for action. He said to the extent the Council wished to move forward with this, as a condition of that notice, there were several notice requirements that would have to be completed, including the applicant sending notices, a notice of public hearing will have to be submitted and other postings will have to occur. He said these notice requirements would be at the applicant's cost.

Councilmember Chavira asked Mr. Bailey if Council wanted to go to a special meeting, how would that apply.

Mr. Bailey said three Councilmembers have the ability to request a special meeting of the Council. He said the Council can ask for a meeting, technically it does not allow Council to place an item on the agenda. He provided information from the Glendale City Code and the City Charter regarding this issue.

Ms. Fischer asked if three Councilmembers were to request a meeting, if the notice requirements previously set forth by Mr. Bailey still needed to occur.

Mr. Bailey said the 2/3 vote procedural for rescission. The notice requirements are still in effect and would need to occur.

Councilmember Chavira said every decision he makes he hopes is well-informed. He provided an example of the recent vote on the casino. He said public information requests have come in and it has raised enough doubt with him that he hadn't studied this issue enough. He is in favor of looking at rescinding the decision on this item. He said even more information has come to light and he can't say he made a good decision previously based on the information he had been given.

Councilmember Martinez said some things will not go away and this item has taken on a life of its own. He said the citizens have spoken loud and clear on this issue and Council has voted on this. He said he hasn't seen any new information that would change his vote. He spoke about letters and emails he received from the Mayor and Councilmembers of the City of Peoria who have been supportive of him and are opposed to this issue. He reiterated some of his comments from the previous meetings that were held, there were over 1,700 residents, including about 600 from the Cholla district and 50 from the Willow district in Peoria who are opposed to this. He said they have not

changed their position on this. He said claims have been made about revenues that would be received from this. He said it would be hardly anything. He said the Council voted on this with a vote of 5 to 2 and he didn't think anything has changed that would require Council to have a meeting on this issue. He said he believed there was a consensus that this item not move forward, it's done. He asked to see if there was consensus for this.

Mayor Weiers asked Councilmember Martinez if it was okay with him to allow everyone to say where they stood on this issue before moving forward.

Councilmember Martinez said that was fine.

Councilmember Alvarez said she continues to support that the public should be heard. She said that privilege has not been given to Ocotillo district. She said things have passed where the public had no input. She said she is not going to change her mind. She is looking at money for Ocotillo, not money for Cholla. She feels her district needs money from any project they can get and she said this is a good project. She wished the Councilmembers would join her on a tour of her district so they could see the difference. She said she lives in Ocotillo, but not in the areas she is talking about. She said neither the money nor opportunities have been provided to Ocotillo. She said at the beginning, the vote was 5 to 2 and she respected that. Then she got an email from the Peoria leaders asking why Glendale supported the billboards. She said they were asked if they would partner with this to get more billboards. She said they are either for or against the billboards. She said she doesn't think the Glendale Councilmember should be working for Peoria; they should be working for their constituents. She disagreed that they should just ignore it. She said the districts didn't protest when they had Heroes Park and they were going to have a library and a rec center. She said all of a sudden it turned and it was taken to Foothills and the south side got nothing. She said they can't do that anymore. She said this was because of the powers of the people of Cholla. She said they should consider the other areas because they did not protest when they got the library and the rec center. She said Cholla gets so much and the south side gets nothing. She is not changing her vote. She said right now is a time for sharing and she is not going to change her mind. She said people in leadership before and some in leadership now do not have the best interest of Glendale, they just have interest in their own districts. She thinks this is something that will give the city money.

Councilmember Chavira said it was brought up about the amount of money that the city would receive from the billboards. He said the secondary component is the advertisement and the strategic location. He said the signs could drive people to the city amenities like the casino and the entertainment district. He said the city has to fight to get what the city deserves. He said the signs can be used to advertise businesses in Glendale. He said he is a huge proponent of advertising for the city. He said the city is in a better place because they have made those decisions in the past.

Councilmember Sherwood said he does not want to add to the discussion of the merits or the anti-merits of the billboards. He said he still needs a little bit of clarity. He asked if they needed four in favor of rescinding.

Mr. Bailey said in terms of gaining consensus, Council would need four members to vote to have the item move forward.

Councilmember Sherwood said and as an option without that, there is an ability to still request a special meeting with three Councilmembers.

Mr. Bailey said there has been a past practice with three members requesting a meeting; however, the gap remains as to what is on that agenda. He said it is the administrative aspect of the agenda.

Councilmember Sherwood said is that an option or not.

Mr. Bailey said he was looking for Council direction in telling them there is not a lot of guidelines. Council has the flexibility to create that custom or practice, but he looks to the Council in that regard. He said his understanding as a matter of practice, the Council operating agenda is an administrative document so the request would be of the City Manager. He said if Council wants the meeting, three Councilmembers would ask for it.

Councilmember Sherwood said so if it was a special meeting, there would be two agenda items and there would still have to be a vote of four to rescind the March decision and then an actual go through the whole process of presenting the ordinance again.

Mr. Bailey said his reading of Robert's Rules of Order is that when there is an affirmative vote on a rescission, it brings the item back live again, it revives it. He said at that time, there would be a more robust discussion or additional information provided by planning and zoning. He said if there was a desire to make a different decision that decision could be made then.

Councilmember Sherwood asked if that was something that could be done in the same meeting.

Mr. Bailey said yes.

Vice Mayor Knaack said you still have the requirement of notice, regardless.

Mr. Bailey said yes, that was correct. He said he will not waver from the notice requirements and that is the legal side.

Vice Mayor Knaack said she asked last time if they were going to keep bringing this back until they get the answer they want. She said that is exactly how she feels and thinks this is ridiculous. She asked if they were going to question everything they vote on and keep bringing it back. That is not what this body is for. She said they are supposed to make those decisions as a majority, the decision has been made and now it has come back again. She said it bothers her. She said if the applicant wants to have this reconsidered, they need to go back through the process. She said to just keep trying to get the Council to change their minds is not the way to do it. She said she does not like signage to the extreme, it is blight and distracting. She said the original sign ordinance 30 years ago is the way residents still want it. She is going to support the citizens because that is what elected officials are supposed to do.

Councilmember Hugh had some questions on the process. He said they had a zoning come to the Planning Commission and then came to the Council. He said that was the case that Mr. Bailey mentioned in his presentation. He asked what happened to that case and asked if Mr. Froke could answer some questions.

Mr. Bailey asked if he was trying to find out the status of the case.

Councilmember Hugh asked what happened to it.

Mr. Bailey said it failed. He said the unique aspect of rescission is that nothing was technically granted and it creates a difficult operating premise that when you rescind

something, you are generally taking something away, but if you were never given anything, can you take nothing away. He said nothing exists now. He said the state of the zoning is what it was prior to this request.

Councilmember Hugh said they had a zoning application, but they don't have one right now and there is no request for zoning.

Ms. Fischer said they made a request of the city and they were denied so that ends that application process. She said they are welcome to reapply and there is no prejudice in that denial that prevents them from reapplying, but they would have to begin that process again.

Mr. Froke cited the zoning ordinance section regarding reapplication and read a short segment. He said the action taken by Council was more than 180 days ago, so the applicant is free to refile a new application as there is no application on file at this time for this property. He said that the file was closed out after the March 2014 meeting. He said if the applicant were to refile, they would have to do the noticing requirements discussed by Mr. Bailey.

Councilmember Hugh asked Mr. Bailey if the city might have a legal exposure doing this with the applicants from the past wanting to have another look.

Mr. Bailey asked the Councilmembers to think about the long term effects of creating a practice in this regard. He said there is value in the security of decision making. He said Councilmembers have to make a very difficult decision if they decide to do something like this, because if they do create the practice, they might create a perception that deals that may have been made with the city may not be as secure as they think they are.

Councilmember Hugh said that was some of his concern. He said he was just talking about the process. He said the applicant can reapply and go through the regular notice process. He asked if it would just be an administrative process if the applicant wanted to start all over again.

Mr. Bailey said it would go through planning and zoning and come back through Council with all the public notices.

Councilmember Martinez said Councilmember Hugh's comments made a very good point. He said they might be sending the wrong message to developers and the public at large. He said this is not something the Council wants. He said the Planning Commission denied this case 6 to 0, with one absent. He said there are 7 Councilmembers and no one has more power when it comes to voting than anyone else, so when it's said that Cholla residents have the power to do what they want, it does not make sense. He said they all have one vote and that is it. He said it has become difficult sometimes because all of them want to do what is best for their districts. He said a lot of things are done that really impact the whole city. He said in issues like this where citizens are most directly affected, that is something that should be considered. He said the citizens worked together against this issue. He received a lot of feedback from his constituents on this issue. He said this is something they need to put to rest. He said there is no consensus to take this forward.

Mayor Weiers said he is concerned most about the citizens that do not want the billboards in their area. He also said they might be setting a bad precedent. He said the Council could get stuck on the same issues over and over and never moves forward. He

said if he believed that the people asking for reconsideration did not have the opportunity to come back to Council, he did not know if he would look at it the same way as he does now. He knows it is costly, but the applicant has the opportunity to bring this item back for consideration. He said they are looking for a consensus to rescind the earlier decision. If not, then this goes away. He asked if there was a consensus to allow this to be rescinded.

Councilmember Martinez said point of order and said he didn't think they could do this. He said Mr. Bailey emailed them said he was going to come to the meeting to explain what the process was and he has done that. He said he was going to ask for direction.

Mr. Bailey said that was correct.

Councilmember Martinez said he believed there was consensus to give direction to staff that this should not move forward.

Mayor Weiers said he did not see a consensus to move this forward.

CITY MANAGER'S REPORT

City Manager Fischer had no report at this time.

CITY ATTORNEY'S REPORT

City Attorney Bailey had no report at this time.

COUNCIL ITEMS OF SPECIAL INTEREST

Councilmember Sherwood said he has 4 items, the first 3 are somewhat similar and he would like to focus on the history, the process and the precedence. Item 1, he requested a report on Council approved process and policies regarding usage of the city suite by Councilmembers, including spring training at Camelback Ranch, and if Council approved reserving two tickets to each event by any single Councilmember. If that is the case, then 14 tickets should always be reserved so that there is consistency with two tickets for each Councilmember. He said he did not believe that was occurring today. Item 2, he requested a report on how and when the mayor's office received a pool car and if this has always been the case. He wanted to know if the prior mayor had one and what need arose to require usage of that car to the office alone instead of being shared with the full Council and what are the policies/restrictions for its use. Item 3, he requested the history and reasons for the front end only parking in the city's garage and when or if that was waived for the parking spots reserved for Council and appointed. He asked if that has had any impact on the city's ability to enforce the front end requirement of the other front end spaces. He said if we can't or don't enforce it, should we revisit the ordinance just so they are consistent. Item 4, he requested staff look at adding to Glendale City Code an ordinance adding a new article on human relations. He said if they want to send a strong message that they are a world class city and open for business to everyone, they must demonstrate they are inclusive by passing a nondiscrimination ordinance. He said he recently saw a municipal quality index which showed the city having only a rating of 13 on a scale of 100. He said Phoenix is the only city that has a perfect score in the state. Enacting an inclusive human rights ordinance in Glendale is the right thing to do. It is good for business and good for Glendale. He would like to do this prior to the Pro Bowl and Super Bowl in 2015 to show the city is open for business to everyone. He also asked to see if there was a need for a human relations commission as a board or commission. He said that may be a requirement to get a perfect score on the MEI index.

MOTION TO GO INTO EXECUTIVE SESSION

It was moved by Councilmember Martinez, seconded by Vice Mayor Knaack, to enter into Executive Session.

Aye: 7 - Mayor Weiers, Vice Mayor Knaack, Councilmember Chavira, Councilmember Alvarez, Councilmember Martinez, Councilmember Hugh, and Councilmember Sherwood