

# City of Glendale

5850 West Glendale Avenue  
Glendale, AZ 85301



## Meeting Minutes - Final

Tuesday, December 2, 2014

1:30 PM

Workshop

Council Chambers - Room B3

## 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****Rollcall**

**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

*Also present were Brenda Fischer, City Manager; Julie Frisoni, Assistant City Manager; Jennifer Campbell, Assistant City Manager; Michael Bailey, City Attorney; and Pamela Hanna, City Clerk.*

**WORKSHOP SESSION**

3. [14-457](#) COUNCIL ITEM OF SPECIAL INTEREST: DISCUSSION OF NON-DISCRIMINATION ORDINANCE AND HUMAN RELATIONS COMMISSION
- Staff Contact and Presenter: Jim Brown, Director, Human Resources and Risk Management
- Staff Contact and Presenter: Brian Friedman, Director, Economic Development
- Staff Contact and Presenter: Nancy Mangone, Assistant City Attorney
- Mr. Friedman said they will cover nondiscrimination ordinances and human relations commission and staff is seeking direction on how Council would like to proceed.*
- Ms. Mangone provided background on anti-discrimination ordinances. She explained the history of federal anti-discrimination laws, which include the equal pay act and fair labor standards act and they both prohibit discrimination based on sex. She also went on to explain title 7, Civil Rights Act of 1964, a Pregnancy Discrimination Act and Family Medical Leave Act, Age Discrimination Act and American Disabilities Act of 1973. She also talked the expansions of some of those laws for federal government employees and contracts, to include gender identity and sexual orientation. She explained there is currently no federal law to protect against discrimination based on sexual orientation or gender identity in the workplace even though Congress has considered changing the law for the last 20 years. She said there are now 35 states that allow same sex couples to marry. She said most of those decisions rely on the equal protection clause of the 14th Amendment.*
- Ms. Mangone explained what state law does and does not provide with respect to non-discrimination. She said Arizona law prohibits discrimination in housing, voting and providing services or goods based on race, color, religion, sex, age, national origin, ancestry, and disability or family status. She said current state law does not prohibit private businesses from discriminating based on sexual orientation, gender identity or genetic characteristics. The Arizona legislature has had the ability to extend civil rights protections that are currently in state law, ARS 41-1401. The legislature has had the opportunity to extend those protections, but has declined to do so. Governor Napolitano issued an Executive Order prohibiting discrimination against State employees based on sexual orientation and gender identity in 2003. The State also had extended employee benefits to same sex couples, but rescinded those benefits in 2012 when the state went*

into deficit spending. She said Arizona's gay marriage ban was ruled unconstitutional on October 17, 2014.

Councilmember Alvarez asked about public accommodations and asked if this was for the doors to a public facility.

Ms. Mangone said that was covered under the Americans with Disabilities Act.

Councilmember Alvarez asked if they were covering that.

Ms. Mangone said she did not believe so with this item. She said that was covered under federal law under the Americans with Disabilities Act.

Councilmember Alvarez said they are out of compliance then. She said in the Ocotillo community center, they do not have the doors for the elderly and handicapped. She also said the Community Action Program is on the first floor and the clients have to go to the first floor for bathroom and they do not have handicapped. She said they needed to check on that since it should have accommodations for the disabled.

Ms. Mangone discussed anti-discrimination ordinances that had been passed by four cities in Arizona. She had provided a comparison chart that compared the components of the various ordinances. She highlighted some of the similarities and differences. Some common points shared by all the cities are: they prohibit discrimination by the city and city contractors and vendors; all four prohibit outside employers that operate within the city from discriminating against their employees; and they all prohibit discrimination based on gender identity, sexual orientation and age. Some exemptions to these ordinances include religious organizations, private or social clubs or private landlords. Three cities exempt small businesses, but the definition differs within each city. Three cities have protections based on marital status and family status, two add protection for veteran status and two exempt organizations like the Boy Scouts. She said the ordinances have different approaches as to who enforces and investigates any violations. She explained the penalties differ from a civil penalty all the way to criminal penalty. She said the City Council can fashion its ordinance in any manner it chooses. She said Tempe has also enacted a change to the city charter in addition to its ordinance. The Tempe charter amendment applied only to the city as an employer and Tempe enacted that change because it already had existing language in its charter that dealt with non-discrimination. She also provided information on other cities that are exploring adding antidiscrimination language as well.

Councilmember Sherwood asked for an explanation of registries.

Ms. Mangone said it was for domestic partners to be able to register with the city government so they could either access certain benefits or be recognized when a partner went to the hospital or needed an emergency contact. This was prior to the recognition of same sex marriage.

Mr. Brown said the city's benefits and policies apply to all married couples, which now includes same sex married couples. He said the city has been inclusive of all categories discussed by Ms. Mangone previously, but also inclusive of sexual orientation, genetic characteristics, gender identity, marital and familial status and veteran status. There are no written policies, statements or ordinances that reflect that non-discrimination in the city's practice. He said staff is working to draft internal policies that will reflect practices and these policies will be presented to the Personnel Board and then Ms. Fischer for review and final approval.

Mr. Brown next discussed the Municipal Quality Index (MEI) which was developed by the Human Rights Campaign. He said Phoenix, Tucson and Tempe scored a perfect 100 points on this index. Glendale had a 23 point improvement from 2013, with a score of 36. He said he expects that score to continue to improve.

Vice Mayor Knaack supports these changes, and asked what caused the 23 point increase, since most of these changes have occurred very recently.

Mr. Brown said with the state recognition of same sex marriage, it automatically qualified the city's benefits plan to recognize same sex marriage and the city was given points for that. He said the city was also recognized for some of the parks and recreation programs for LGBT youth. He said the city also received points for its reporting of hate crimes and having a liaison within the police department for the LGBT community.

Ms. Fischer also mentioned that last year the city did not fully complete the survey to submit information about all the items just mentioned by Mr. Brown.

Mr. Brown said that was correct. Mr. Brown said the only response came from the police department and they did not get everything turned in. That is another reason why the city is showing the points improvement.

Mayor Weiers said the three cities that have the perfect scores have the largest populations in the state. He asked just by having more money, wasn't it easier to get perfect scores than a smaller city like Glendale. He asked if the cities that scored better than Glendale had money to put money in to make sure those issues were addressed.

Mr. Brown said Tempe and Phoenix have designated some money for non-discrimination issues, but he said it is not necessarily easier for those cities to do something than it is for Glendale. He said staff would have to do some research into that. He said those cities have been in the forefront of developing ordinances to protect the LGBT community. He said that direction comes from the leadership of the cities.

Vice Mayor Knaack commented that those three cities have a fairly large lesbian and gay community that she didn't think Glendale really had. She said the size of the gay community is a catalyst for change when there is a larger community.

Councilmember Martinez asked about option A, last paragraph, and asked if the CDB has signed the pledge, but the city has not.

Ms. Fischer said Councilmember Martinez had jumped ahead a little bit, and asked if they could table his question for a few minutes.

Councilmember Martinez said that was fine.

Mr. Brown said the city is making progress and expects to continue to make progress.

Mr. Friedman said staff had reached out to benchmark cities, Phoenix, Tucson and Flagstaff, who have all passed ordinances to collect information about non-discrimination ordinances. He said those cities explained that it took about 6 months to fully study and implement Council's outcome. He said there are many choices available to Council, which include: taking no action at this time; option A, sign a unity pledge; option B1, adopting an ordinance to change the city's codes that applies only to the City and its contractors; option B2, adopt an ordinance that applies to all employers that do business

*in the city; and option C, a voter approved amendment to the city charter.*

*Mr. Friedman first discussed taking no action, which requires no formal Council action. He explained the city's internal anti-discrimination policies are being redrafted with regard to sexual orientation, gender identity, genetic characteristics, marital and familial status and veteran status to match current practices. He explained there are no budgetary considerations for this option.*

*Mr. Friedman next discussed option A, which is to sign the unity pledge. It confirms the city's commitment to inclusion and diversity and encourages, but does not require, other businesses to support diversity efforts. Glendale CVB and the Glendale Chamber of Commerce have signed the pledge. The unity pledge is a stand-alone option and there are no budgetary considerations.*

*Councilmember Martinez asked since the CVB has already signed the unity pledge, could the Council take action for the city.*

*Mr. Friedman said the city can choose to choose option A, taking the unity pledge.*

*Councilmember Martinez asked if they were to choose this option would that increase the MEI score.*

*Mr. Brown indicated an ordinance by the city would be required to score additional points.*

*Councilmember Martinez said he didn't think it was fair for this Council to vote for an ordinance as some of them won't be there any longer and new Councilmembers would have to vote on this. He said for today's discussion, the ordinance should be off the table.*

*Councilmember Sherwood said this is a workshop and there is no voting today.*

*Councilmember Martinez said even giving direction to go ahead with the ordinance should be off the table.*

*Ms. Mangone said if Council does desire to pursue enacting an ordinance, staff would need direction on how to move forward: whether it will apply to how the city does business or whether it would apply to all employers in the city. She also said staff would need direction on the types of anti-discrimination protections that would be included in the ordinance, including which groups would be protected and who would be exempt. She also said staff needs direction on who would investigate complaints and what sanctions would be imposed.*

*Councilmember Martinez said from what he has heard over the years, he doesn't think this has been an issue due to the good practices of the city. He also said he thinks option A would strengthen what the city already has done and, if the new Council sees fit to change or modify it, they could.*

*Ms. Mangone explained option C, amending the City Charter. She said there is no language in the Glendale charter that is similar to that of other cities, such as Tempe. She said Tempe prohibits discrimination as an employer and already had those protections in its charter so the vote expanded them. She said this question can be referred to the voters to see if they want to put that in the City Charter. This could be done in a regularly scheduled election.*

Mr. Friedman said staff is seeking guidance from Council at this time regarding all the options presented. He went over each option again for Council's approval.

Mayor Weiers asked if staff had the unity pledge.

Ms. Fischer asked Mr. Friedman to read the unity pledge into the record.

Mr. Friedman read: "As business and community leaders, we understand that if we want to compete for top talent, we must have a diverse and inclusive workforce. We also understand that if our travel and tourism industry wants to be competitive and if Arizona wants to be competitive on a national and international level, we must support all our diverse communities. It's time for LGBT inclusive, nondiscrimination policies in the workplace, in housing, and in public accommodations, including restaurants and hotels. For our part, the company or organization below celebrates diversity and supports workplace equality. We are committed to fostering, cultivating and preserving a culture of diversity, inclusion, fairness and equality. We celebrate our employees regardless of age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical or mental ability, political affiliation, race, religion, sexual orientation, veteran status and other characteristics that make our employees unique. It's time to assure equality for all Arizona employees, residents and consumers. It's the right thing to do, it's good for business, it's good for the business of Arizona. "

Mayor Weiers said option A is good except for the fact it is the city of Glendale, not the state of Arizona. He would also like the Council to give direction for a vote in the future on the Unity Pledge but inserting the language "City of Glendale," rather than the state of Arizona. He said he would like to have a citizen team, headed up by Councilmember Sherwood, to get more information and come back before the new council with strong recommendations. He said it is a great idea for the new council to vote on this. He said the city is very diverse already.

Vice Mayor Knaack agreed and said the Unity Pledge is needed immediately. She said it is the start of a future discussion. She said an ordinance is a way off, and this is a big issue. She expected the new council to vote on this. She supported Councilmember Sherwood heading up a team if he wanted to do that.

Councilmember Sherwood said he did not realize the Council was going in as a lame duck Council. If he did, this item would have waited for the new council, although he agreed the new council should have a say in this. He said at a minimum, the Unity Pledge is necessary. He said option B1 should be adopted to hold vendors and suppliers to the same degree as the city itself. Regarding MEI, he said it appears there doesn't seem to be much interest in the Glendale business community with only 34 businesses having signed on out of 1100, he said most of the activity has been with east valley businesses and that Glendale businesses haven't been asked to sign onto this. He said because Glendale is the 72nd largest city in the country, it would be great for Glendale to take the lead on this issue for the west valley. He said he would like to see this item eventually go in the Charter, but it would make better sense to add when the overall Charter is revised to take in all the past revisions. He would like to move forward in creating an ordinance. He suggested having a similar workshop as soon as possible at the first of the year with the new council to show everyone Glendale is a welcoming community.

Mayor Weiers asked if Councilmember Sherwood would be interested in a task force for this issue.

Councilmember Sherwood said if it was appropriate, he would.

Councilmember Chavira said he would love to assist Councilmember Sherwood in looking into this issue. He also said he would like to adopt the Unity Pledge right away. Regarding option B1, he said it would be a great opportunity for the new council to vote on that.

Mayor Weiers asked if there was support on the pledge, changing the wording Arizona to Glendale.

Ms. Fischer said that she had a discussion with the President of One Community, who was in attendance at the workshop, and that One Community would prefer the wording to remain "Arizona" as it is a "unity" pledge where all signatories agree to the exact same language. The point is to be unified, taking the same position on the non-discrimination issue. She said all other cities have signed the exact same thing.

Mayor Weiers said since there was consensus to sign for the Unity Pledge, it should be on the agenda for the next Council meeting. Mayor Weiers said there was no consensus for option B at this time, but there should be another workshop to discuss the issue with the new Council.

1. [14-439](#)

COUNCIL ITEM OF SPECIAL INTEREST: MUNICIPAL PROPERTY CORPORATION AND WESTERN LOOP 101 PUBLIC FACILITIES CORPORATION

Staff Contact: Tom Duensing, Director, Finance and Technology

Mr. Duensing said this presentation is for information only and they are not seeking direction at this time. Mr. Duensing introduced Mr. Lee Peterson, the chair of the Glendale Municipal Property Corporation.

Mr. Peterson said he and the other members of the Municipal Property Corporation bring a banking and public finance background to the board. He said members use due diligence to get the best possible financing. He said they are seeing new trends in what are the most effective routes for the city to do refinancing.

Councilmember Alvarez asked about the assets of the MPC and asked how much they report to the income tax.

Mr. Peterson said there are several required reportings and he does review them.

Mr. Duensing said he was not prepared to answer that question, but could forward Council copies of the tax returns that are prepared by the CPA firm. He said he will hit some of those points during his presentation. He explained the assets of the municipal property corporation are treated like assets of any other fund and included in the City's annual audited financial statements, but just titled Municipal Property Corporation.

Councilmember Alvarez wanted to get an idea of what is reported.

Mr. Duensing said he does have some information on the cost of the assets that were financed.

Councilmember Alvarez asked if they would be telling them also on the properties that are not a bank or Camelback Ranch, or individual properties. She said the public needs to know what properties they are and the value of those properties.

*Mr. Duensing said the properties financed by the MPC are few in number and anything outside of that are strictly city of Glendale and have no relation to this corporation.*

*Vice Mayor Knaack thanked Mr. Peterson for his service and she is glad he is on the MPC.*

*Mr. Duensing felt he should bring in the Western Loop 101 Corporation into the discussions. He explained the PFC was incorporated similar to the MPC. He provided a short overview of the debt issued by the PFC in 2008. That debt was refinanced to the MPC debt in 2012. Currently, there is no PFC debt on the books. There is \$519 million debt that was issued by the MPC to fund projects since 1982. He explained the specific projects financed through these funds. He said this corporation has taken no other action to finance any other public facilities. He said the PFC is a nonprofit corporation for the city and incorporated in 2007, solely for the purpose of constructing and equipping Camelback Ranch Spring Training Facility. This PFC debt was refinanced to MPC debt in 2012 and Council adopted a resolution in 2013 authorizing the dissolution of the PFC. Mr. Duensing presented a slide showing PFC to MPC funding construction costs 2008 through 2012. He also discussed the MPC debt issued and outstanding principal by project, and discussed the MPC debt service for each fiscal year. Mr. Duensing went over the characteristics of the MPC and said it was a very common financing mechanism used by municipalities. He said the primary purpose is to sell bonds, and finance acquisition and construction improvements for the city. He said there is a separate fund in the city's financial statements and these funds are treated as financial activities of the city, even though it is associated with a separate, private nonprofit. He said the assets are technically signed back to the city, but these are recorded as city assets and it is city debt that they include on the financial statements. Mr. Duensing said the board members are at large members. There are currently 5 board members and they were approved by the full Council on October 28, 2014. This type of debt financing can only be done through Council approval.*

*Councilmember Alvarez said on the membership, she said some of the members have been in the MPC since 1982. She said even though they are at large, there are no representatives for Ocotillo district. She said two of the members served for life until they died. She said they need change and there are other people that have experience who can serve. She said there should be a time limit for serving on this board.*

*Councilmember Martinez recommended the new Councilmembers look into changing the makeup of the boards and commissions to one member from each district.*

*Mr. Duensing said of all the information that has been presented so far, does not include the impact of the refinancing. The refinancing should make it cheaper for the city. He said he will bring this back before Council once this has been done to advise them of the new debt figures. He mentioned the only financial activities that go through the MPC are transfers in from the general fund to support the MPC debt service payments. There are no other costs of this fund.*

*Councilmember Martinez asked if the amount for refinancing of the bonds went from \$17 to \$31 million. He asked what the possibilities were.*

*Mr. Duensing said the excise tax refunding portion of that, the net present value savings, is between \$7.8 and \$14 million.*

*Councilmember Martinez said he was asking because it is music to his ears.*

Councilmember Hugh wanted people to be aware that the parking garage and convention center at \$87 million, that they are talking about the parking garage out at the Renaissance Hotel at Westgate. He asked how much they contribute towards the payment.

Mr. Duensing said the city takes the sales tax generated throughout the city which goes into revenues of the general fund and an amount is transferred out to the debt service fund for payment. He said they will have to determine how much revenue is generated and he would provide that information.

Councilmember Hugh asked if Mr. Duensing was only talking about sales tax.

Mr. Duensing said it was any revenues the city receives.

Councilmember Hugh asked if Cabela's was financed the same way as he did not see it listed.

Mr. Duensing said that is part of the Zanjero infrastructure and it was lumped in with the rest of those components.

Councilmember Hugh said Zanjero was shown as \$6.9 million and he thought Cabela's alone was \$10 million.

Mr. Duensing said he would have to pull the details and provide the information at a later date.

Councilmember Hugh said he looked at the Zanjero agreement and talked about additional retail space they were supposed to develop and the revenue the city was supposed to receive. He asked if Mr. Duensing knew how much they had collected.

Mr. Duensing said the city has a separate fund set up to capture that and they currently collect about \$2.2 million per year.

Councilmember Hugh said there was \$26.3 million for public safety and asked if it cost more to build than that.

Mr. Duensing said that was correct. The portion that was MPC financed was about \$27 million. He said he was not aware of the amount of other contributions from other cities.

Councilmember Hugh said he thought it cost about \$43 to build and wondered where the rest of the money came from.

Mr. Duensing said unless there are general obligation bonds out there that financed some of the infrastructure around there, he was unfamiliar how the remainder would have been financed. He said he would look at the specifics and provide that information.

Vice Mayor Knaack thanked Mr. Duensing for allowing them the great parting gift of being able to vote on refinancing the bonds. She said although she and Councilmember Martinez are leaving, they feel the city is on the upswing.

Councilmember Alvarez said on the sales tax for the parking garage. She said at one time it was expected to get from the parking and the convention center, it was going to be paid in increments of \$30 million. She asked what happened with that. She said that is what the previous Council had reported.

Mr. Duensing said he was not familiar with the \$30 million in sales tax.

Councilmember Alvarez said it wasn't sales tax, it was for the parking and the convention center. She said it was part of the deal with them building it. She said just going on sales tax is not enough. She said it is like we are giving it for free. She said the majority of this Council did not agree to it. She also asked who was the agent for the Western Loop.

Mr. Duensing said he was not sure who the agent was for the PFC. He said the role of the statutory agent was just to receive legal paperwork and notices. He said it is not a compensated position. State statute requires this.

Councilmember Alvarez said that agent carries a responsibility and that is why she is questioning who that person was for the Western Loop.

Mr. Duensing said he can provide that information and it should be on file with the corporation commission.

2. [14-474](#)

COUNCIL ITEM OF SPECIAL INTEREST: RESEARCH ZONING CODE TO SEE IF "MIL" COULD BE ADDED

Staff Contact and Presenter: Sam McAllen, Development Services Director

Staff Contact and Presenter: Jon Froke, AICP, Planning Director

Mr. McAllen discussed the history of this item and explained the intent was to inform potential land owners of properties in proximity to Luke Air Force Base. He said the city does not have such land use designations and he presented two options to increase awareness about a property's proximity to Luke Air Force Base.

Mr. Froke explained where the specific area was and provided maps to provide context. He spoke about the Luke Compatible Land Use (LCLU) general plan designation. He said it was in the current and updated general plans. He provided a map to show the areas where residential development is not encouraged within the LCLU. He said the first option was to process a zoning text amendment, which can be done through the Planning Commission and City Council consideration after a citizen participation process. He said the city does not have a provision in the zoning ordinance relative to land use designations with regard to military installations (MIL). He said staff could work up a zoning text amendment. He said this would provide an opportunity to add this MIL designation on future zoning applications.

Mr. Froke said the second option was to update the official zoning map. He explained how the map would look by adding the noise contours and said it would provide clarity in terms of where the Air Force Base was located and the noise contours created by it. He explained that Luke Air Force Base is in support of either, or both, options at this time. He said staff is seeking Council direction on these options.

Councilmember Martinez asked if there had been a problem with not having either option.

Mr. Froke said occasionally they will have questions about proximity of a property within the noise contours, but it has not been a problem in the past. He said they provide information and refer mapping to anyone that has a question.

Councilmember Martinez looked at option 1 and asked for an estimate of the time this

*could be completed, including periods of public outreach.*

*Mr. Froke said they would begin the process in 2015. He said a zoning text amendment would take about 6 to 9 months to process. He explained the neighborhood outreach would come first, before formally asking the Planning Commission to begin the text amendment process.*

*Mr. McAllen said if Council directs them to pursue this option, staff would do the research and come back before Council prior to processing any type of zoning text amendment.*

*Mayor Weiers clarified Councilmember Martinez's questions. He said there were problems, but not necessarily with the city. He explained when the economy improves and building begins again, proximity of a military installation creates problems. He said with this amendment, buyers would be fully informed. He said he has also had feedback from other nearby cities, and they all want a solution that costs the least amount of money and creates the most benefit for everyone involved.*

*Councilmember Martinez appreciated the Mayor's comments, but said based on the information presented, it is not that big of a problem. He said option 2 would provide clarity regarding the location of the noise contours for properties near the Air Force base. He said his preference right now would be to go with option 2.*

*Councilmember Sherwood liked both options. He said on option 2 and the noise contours, he asked if those reside on every map produced for that area.*

*Mr. Froke said if option 2 is chosen, that process could be done administratively by staff. He said it would be done on the official zoning map, on the department webpage and on the maps at the counter.*

*Councilmember Sherwood asked if those contours could be shown on the maps used for general consumption.*

*Mr. Froke said they have a very good GIS (Geographic Information System) system and said it could be done and the mapping can be tailored to whatever purpose is needed.*

*Councilmember Sherwood said he liked the area and he would like to see consensus with the neighboring communities. He said he would like to look at option 2 for now and look at option 1 at a later date.*

*Councilmember Chavira said he was a Luke Air Force Base supporter and asked what pros and cons the speakers saw on this issue.*

*Mr. McAllen explained the highlighted properties shown on the map were currently annexed into the city and the other areas were not, so there would be a majority of property that would not have the MIL designation should option 1 be chosen. Option 2 could immediately be put in place by placing the contours onto the official zoning maps.*

*Councilmember Hugh asked what is the best way to protect Luke.*

*Mr. Froke said the city has a very strong partnership with Luke and have for a very long time. He said Luke agrees at this point that anything the city can do are things that Luke likes to see. Option 2 provides additional information to the public about the area.*

*Councilmember Hugh said they could proceed with option 2 now and then proceed with*

*option 1 by beginning to gather information.*

*Mr. Froke agreed and said that staff would do the research required for option 1 and would come back before Council to discuss findings before proceeding with a zoning text amendment.*

*Vice Mayor Knaack said option 2 seems to have the same basic effect of option 1, but with less staff time and effort. She said option 2 is sufficient at this point.*

*Mayor Weiers said he brought this forward after speaking with other mayors of cities that border military installation. He said he hears a lot from people buying a property who aren't notified about building so close to a military installation. He wants people to know up front where their property is located. He said they are simply trying to protect the city's investment in the Air Force base.*

*Vice Mayor Knaack asked if any of the neighboring cities are considering something like this.*

*Mr. McAllen said if they got direction to move forward with option 1, they will do outreach to other municipalities and bring it back before Council.*

*Mayor Weiers said another option would be to make this completely voluntary with all the cities. He said the last thing the city wants is for the state to come in and require this and then the city wouldn't have any options. He also said the other cities are waiting to see how Glendale handles this issue before proceeding.*

*Councilmember Sherwood asked where a MIL designation would show up in a real estate transaction.*

*Mayor Weiers said his thought was any place that would be affected, if it touches the contour lines or touches the base, so people would ask about it.*

*Councilmember Chavira clarified that when a property is listed on a sign, that the MIL designation would also appear, so the public would know.*

*Mayor Weiers said the MIL label would just be added to the existing zoning designation, such as MIL C-3. The regular zoning designation would not change anywhere, just the MIL designation would appear with that label.*

*Councilmember Chavira asked if they pursue option 1, would that plant a seed for any sort of legal action.*

*Mr. Bailey said option 1 would not apply to most of the land shown on the map because the land isn't annexed into the city. He also said with regard to property rights, adding the MIL designation, one might argue that the city has rezoned that property and that has resulted in a devaluation of the property. He said this is one of the things staff will need to research.*

*Mayor Weiers said it sounded like they were in consensus with option 2.*

*Councilmember Hugh said he was in favor of option 2, but wanted to look into option 1 and talk to the other cities.*

*Ms. Fischer clarified council's direction to proceed with option 2. She asked if it was*

*council's direction to research option 1 and bring findings and recommendations back before council.*

*Mayor Weiers said it sounded like everyone wanted to go with option 2 and see how it worked out, before proceeding with option 1.*

4. [14-446](#)

COUNCIL ITEM OF SPECIAL INTEREST: CITY SUITE POLICY

Staff Contact: Julie Watters, Director, Communications

*Ms. Watters explained Councilmember Sherwood requested a report on the Council approved process and policy regarding suite usage for Councilmembers and ticket reservation for events at Gila River Arena and Camelback Ranch. Ms. Watters provided background regarding suite usage. Ms. Watters said the city has strictly followed policy regarding suite usage and that policy has always been an administrative policy. She said the policy was created based on the city's mission for use of the suites as well as best practices of other cities that also have suites at sporting facilities. The other cities have administrative policies, except for the city of Phoenix, which has a council approved policy. Ms. Watters went over acceptable uses as conducting business, city council conducting city business, recognition of nonprofit and youth organizations, and city volunteers. She said there are 36 tickets per event at Gila River Arena and 12 tickets per event at Camelback Ranch. She explained if reservations have not been made to use the suite by city staff, then the suite is offered to a nonprofit organization. Ms. Watters discussed the second part of this item, as to whether or not the council approved reserving 2 tickets for each Councilmember for each event. She said the council has never approved, nor has the administrative policy required, reserving any tickets for any event for any elected official. She provided some background information. In 2013, staff received a request from the Mayor's office to provide 2 suite tickets to all events at Gila River Arena. That request was approved by a former acting city manager. In the past, the mayor has a lanyard from Camelback Ranch Glendale which provided him admission to all events. He also requested one additional suite ticket to all Camelback Ranch Glendale events to bring a guest. Following best practice of reviewing other city processes, they have confirmed that other valley cities do not have a regular system of reserved tickets for their elected officials.*

*Ms. Watters said staff recommends council consider creating equity with the usage of the suite by elected officials, which might mean an adjustment to the current policy for elected officials. Adjust the policy to allow no Councilmembers to have reserved tickets or all Councilmembers to have reserved tickets. Should council choose to adjust the policy so all Councilmembers receive reserved tickets, there are a few points to consider.*

*Ms. Watters said the available pool of tickets for the suites would be impacted. Gila River Arena would only have 22 tickets left per event if tickets were reserved for all Councilmembers. At Camelback Ranch, there are only 12 tickets available in the entire suite, so it would not be possible for each Councilmember to receive 2 tickets per event. Additionally, the overall pool of tickets would decrease for conducting city business and recognizing youth, nonprofit organizations and city volunteers. If 4 or more Councilmembers were to use the suite, that would be considered a quorum and appropriate public notice would have to be posted for each of those events on a regular basis. Staff would have to create another internal layer for issuing tickets. A structured RSVP system would need to be created, so staff has enough time to make seats available for approved use if Councilmembers chose not to use the tickets.*

*Ms. Watters provided some highlights about the suites. She said there are 76 nonprofit organizations in the database and they have used the suites on average 57 times a year for the last 6 years. They have received many notes of appreciation from the nonprofits*

as well. The media has also portrayed the suite usage by nonprofits in a positive light. Four departments have used the suites in appreciation of the city's volunteers.

Vice Mayor Knaack said when the arena first opened, it was not practice for elected officials to get tickets to anything, unless they were invited for a business purpose. She said they were all very aware of how the public looked at elected officials' use of the suites. She said Camelback Ranch may be an issue due to its small size. She said either all or none should have access to tickets.

Councilmember Hugh asked if there were numbers on how many use the suites.

Ms. Watters said their system tracks the number of tickets that are given out.

Councilmember Hugh asked if there were also 10 premium seats at Camelback Ranch.

Ms. Watters said she believed there was a section outside of the city suite that has been used from time to time, but the suite itself only holds 12 people.

Councilmember Hugh asked how many tickets total did the city have at Camelback Ranch, counting the 12 in the suite.

Ms. Watters said there were 10 additional tickets.

Councilmember Hugh asked how those tickets were utilized.

Ms. Watters said those tickets are used from time to time, primarily by nonprofits and they are used occasionally for overflow.

Councilmember Hugh asked if the 10 tickets sit unused.

Ms. Watters said the nonprofits use them.

Councilmember Hugh said he has seen lists to see who is using the suite at the arena and asked if there was such a list for Camelback Ranch.

Ms. Frisoni said since the city has managed the suite, there has not been a time when they let the tickets sit. They always offer them up first come first served to city staff, Councilmember and if they have not been used two weeks out from any event, that is when the tickets are turned over to a nonprofit. That includes the 12 suite tickets and the 10 additional seats. She explained the same process is used for both the arena and Camelback Ranch.

Ms. Watters said it is considered as an overflow if the extra tickets are needed beyond the 12 suite tickets.

Ms. Frisoni said it may be another group that uses the 10 tickets, as well.

Councilmember Hugh said when they talked about 2 tickets for Councilmembers, she said she didn't believe every Councilmember will attend every event. He said it is a nice option to have and Councilmembers might want to bring a guest. He said he was curious about Phoenix's policy.

Ms. Watters said Phoenix's policy is council approved and they do not reserve their tickets. None of the cities they called had reserved tickets for every event.

*Councilmember Hugh said he would like to see something reserved, and would like to see the Councilmembers have the opportunity to obtain tickets if they want to attend the event.*

*Vice Mayor Knaack said she read somewhere about a lottery system. If a certain number of tickets are set aside and more Councilmembers want to attend the event, she suggested doing a lottery for those tickets. She said it has to be fair for everyone.*

*Councilmember Sherwood spoke about recognition of the volunteers and the number of tickets available at each venue. He also mentioned giving out all the tickets, but only having a few people show up for the event. He suggested collecting a nominal fee to encourage people showing up and using the tickets. He said the suites are never full. He said the system they have in place right now does work and he says tickets are available. He liked option 1 and asked Ms. Watters to encourage the nonprofits to better handle the tickets they are given.*

*Councilmember Martinez asked if there has ever been a time when a Councilmember called in to get tickets and they were not available.*

*Ms. Watters said they have always been able to provide 2 tickets to every elected official who has requested them.*

*Councilmember Martinez said there is room available and not everyone is sitting down at the same time. He doesn't see there is a problem the way the system operates now.*

*Ms. Fischer said the concern is the current policy does allow for 12 tickets to be held back and, while at the end of the process, the day before the event, they may be able to get everyone tickets, staff has been put in the position to have to say no early on when things were booked. She said the system is not working from a staff perspective. Staff is looking for some direction from council on the issue as it has come up several times. She said if there is a quorum, staff will make sure the event is properly posted.*

*Councilmember Martinez asked if a first right of refusal would help.*

*Ms. Fischer said she believed it would help. They have 10 tickets to deal with now, which doesn't add up to the 14 needed for the entire council and a guest. She said they are really only talking about the most popular events, and they need a policy that works in both situations.*

*Councilmember Martinez suggested to follow a policy of right of first refusal to help the staff and put everyone on an equal footing.*

*Councilmember Sherwood suggested breaking it up between sports and non-sporting events. He said he would vote for not reserving tickets for any events.*

*Ms. Watters said it would help if council provided clear direction on whether they are either reserving 2 tickets for every Councilmember for every event or if they are not.*

*Mayor Weiers asked if any other Councilmembers has asked for 2 tickets. Mayor Weiers clarified that he felt this was about an attack on him and he felt he needed to defend himself. Mayor Weiers said he takes his position as mayor very seriously. He said he attends a lot of functions, primarily to thank those in attendance for their service and then he usually has to leave as he has other functions to attend. He asked if there*

*has been another Councilmember who has asked to get 2 tickets for every event.*

*Ms. Watters said to her knowledge, no.*

*Mayor Weiers said it's not that the tickets haven't been made available to them, they just haven't asked for them.*

*Ms. Watters said to her knowledge, no other Councilmember has made a request to have 2 tickets for every event.*

*Mayor Weiers said frequently there are people coming into town and he might have very short notice from constituents or business people to possibly attend events. He said it has been available, but no one has made the choice to ask for the tickets. He said everyone will agree most of the time the suites are not packed full. He said most of the time there are only 3 or 4 people in there. That is why he brought up honoring the volunteers. He said they need to thank people that volunteer for the city. He said it troubles him that staff making \$150,000 show up at the events and utilize the suites. He said if staff makes that kind of money, they should be buying their own tickets. He said no one on the council makes that kind of money.*

*Vice Mayor Knaack said she didn't think was an attack on Mayor Weiers. She said when Mayor Weiers came into office, he made demands that none of the other Councilmembers were ever recipients of. She said it's either all or none, as they are all equal on the council. She said no one should get reserved tickets, because of the message it sends to the public.*

*Mayor Weiers respected her opinion, but said everyone has had the ability to make the request and no one has denied them.*

*Vice Mayor Knaack said they have never done this before.*

*Councilmember Sherwood said on some occasions, he has looked ahead 3 or 4 weeks and have requested 3 functions, so he did get tickets in advance.*

*Ms. Watters said that definitely helps her office manage this. She said that is part of the policy and the Councilmembers can certainly do this.*

*Councilmember Alvarez said she disagreed with the statement this has never been done before. She said there are a lot of things that have been done before. She said they have personally attacked the mayor since he has been in office, and said some of the other items on the agenda are so petty to even discuss. She said there were a lot of things that happened before that the mayor has not done. She said they are in the position they are in because of the actions of the prior council. She said she was surprised with this council as it is all who you know. She said publicly that this has been done, in executive session and in public. She said it is sad they have to spend time talking about tickets and parking. She said the administration needs to learn how to respect the mayor and council. She said she has never used a ticket. She said it is sad the lack of respect and the public feels the same way.*

*Councilmember Martinez said he respected the mayor. Speaking for himself, he said if the mayor came in and started making changes and it was a small series of changes that set this off. He said perhaps it was a misunderstanding. He said they don't always agree on anything and thinks maybe they got off on the wrong foot with the small changes made.*

*Vice Mayor Knaack agreed.*

*Mayor Weiers said the suite is never full, so he didn't know why this is a problem. He explained he thought it made the process easier by requesting tickets to every event, instead of calling every week to request tickets. He said everyone should want to see the suite full. Mayor Weiers asked what the consensus was.*

*Councilmember Martinez said it would help if there was a policy to make things easier for staff.*

*Ms. Fischer went over several simple options that would help solve the problem.*

*Councilmember Alvarez suggested they provide the courtesy to the new council to make that decision. She didn't think they should be voting and making changes when they are not going to be there.*

*Councilmember Martinez said he did not have a problem with that.*

*Mayor Weiers asked for support on what Councilmember Alvarez said. He said he had four members willing to wait for the new council. It was the consensus of Council to wait until the new council could be part of the discussion.*

*Councilmember Alvarez left the meeting after this item.*

5. [14-408](#)

**COUNCIL ITEM OF SPECIAL INTEREST: USE OF DEDICATED MOTORPOOL VEHICLE BY MAYOR'S OFFICE**

**Staff Contact: Brent Stoddard, Director, Intergovernmental Programs**

*Mr. Stoddard explained the issue at hand was how and when the mayor received a dedicated city vehicle for use of the mayor's office and information regarding the previous mayor's use and access to a dedicated city vehicle. When Mayor Weiers took office, he requested of the then acting city manager the use of a dedicated city vehicle for travel and meetings. A vehicle was identified and long term use of a city vehicle is allowed per policy as long as the department using the vehicle pays for the gas and vehicle maintenance out of that department's budget. The mayor's office spent over \$1,300 on gas and maintenance for that vehicle. Mr. Stoddard said that has been no access from the council office or request for the use of that vehicle and it has been used solely by the mayor and his staff.*

*Councilmember Chavira asked if this practice has happened before.*

*Mr. Stoddard said the previous mayor did not have dedicated use of a city vehicle and used her own vehicle. She submitted mileage reimbursements consistent with the city's travel policies.*

*Mayor Weiers asked if any members of the council wanted to do the exact same thing, would they be able to do that.*

*Mr. Stoddard said the city's policy does allow a department to have long term use of a vehicle, as long as it is over 30 days and the department pays for gas and maintenance costs. He said the council has not requested such a vehicle.*

*Mayor Weiers said that gas and maintenance comes out of his own budget.*

*Mr. Stoddard said that was true.*

*Mayor Weiers clarified when he made the request, they gave him a brand new motor pool car, which he said he did not need. He said he would be happy with an older vehicle, it made no difference to him. Mayor Weiers was trying to avoid getting something more reliable that would be a lot more, especially with city graphics on it. He said he was looking for an older car with a little bit darker windows for safety reasons. He said he didn't ask for anything that wasn't available and he can't help the fact he came in with new ideas that the council wasn't accustomed to.*

*Vice Mayor Knaack said she would rather drive her car.*

*Councilmember Sherwood asked to defer this to another workshop to see if the new council would prefer to have a staff car available to the council office*

*Mayor Weiers told Councilmember Sherwood that the cars are available right now if he wanted to make the request.*

*Councilmember Sherwood said if there is only one person on the council that wanted the vehicle, he felt it should come out of that Councilmember's budget. If the entire council wanted the vehicle, it would be split amongst all the budgets.*

*Councilmember Chavira said the city of Peoria had the practice where they allowed their city council to use vehicles from the motor pool.*

*Mr. Stoddard said any of the elected officials, including staff members, currently have access to the motor pool that the city controls. He also said there is a fleet of vehicles available at the city hall, and all that's needed is to call and make a reservation. He said the question today is for a dedicated vehicle. He provided the example that he would use a motor pool vehicle, but would not use the mayor's vehicle, as it was a dedicated vehicle. He said there is no charge for using the motor pool vehicles.*

*Mayor Weiers said his staff has accessed the vehicle and Mr. Stoddard did ride with the mayor and staff to a meeting downtown. He explained it was not his car, it was a car that his office uses.*

*Councilmember Sherwood said if the new council thought they would use a dedicated vehicle on a regular basis, that would make sense. If they felt they would not, they will revert back to use of a motor pool vehicle.*

*Mayor Weiers said Councilmembers currently have the ability to use their own vehicles and turn in their mileage.*

*Vice Mayor Knaack said she was never aware she could use a motor pool vehicle.*

*Mayor Weiers said there was consensus at this time not to do anything.*

**6. [14-450](#)**

**COUNCIL ITEM OF SPECIAL INTEREST: INFORMATION ON FRONT END PARKING IN CITY HALL PARKING GARAGE**

**Staff Contact: Debora Black, Police Chief**

*Chief Black said she provided a copy of the city code regarding front end parking in the city hall garage. She also said there was a city manager directive restricting parking to*

front end due to the fact a sticker was required on the back of all city employee vehicles. She said that is no longer the case because they now use hanging tags to indicate employee vehicles. She said enforcement has been limited to warnings for public education, but since 2012, 28 citations have been issued for this code. She said they cannot track how many of those citations were issued in the city hall parking lot.

Vice Mayor Knaack asked if there was a public facilities reason vehicles are not allowed to back in.

Chief Black said there are reasons for parking front end as the curb will block the vehicle from running into the wall, and if a vehicle backs in, it might strike the wall of the garage.

Councilmember Chavira said from a public safety standpoint, he asked if it was also because the security cameras can see the license plate if the vehicles are backed in, and that Arizona only requires one license plate at the rear of the vehicle.

Chief Black said he was absolutely right. She explained this is also the case with any automated license plate reader devices the police department might have to capture plate information.

Councilmember Hugh asked if security has had a problem with reading the license plates in city hall.

Chief Black restated Councilmember Hugh's question to make sure she understood it.

Councilmember Hugh asked if anyone routinely went through the city hall parking lot to check license plates.

Chief Black said there is a camera system that allows them to scan the parking lot and they are able to remotely read license plates. She explained if a vehicle is backed in, they do not have that ability.

Mayor Weiers said if a car is in the parking lot and if security has not seen the vehicle before, and asked if security runs the plate.

Chief Black said if they have reason to run the plate, they will.

Mayor Weiers said his question was if the vehicle was just sitting there, and asked if they run the plate.

Chief Black said they can run the plate.

Councilmember Chavira, speaking from a public safety standpoint, said there have to be a lot of triggers to justify running a plate, some sort of incident. He said the security team is constantly monitoring the garage. He asked if there was usually a trigger for a plate to be run.

Chief Black said that was correct.

Ms. Fischer said they are concerned about fairness and equity in enforcement of this policy. She asked if it was staff's recommendation that they either put in an ordinance revision so they exclude city hall, or is there a recommendation that they do one thing or another. She said continuing to have an ordinance that they are not willfully enforcing does not make a lot of sense from a fairness and equity perspective.

Chief Black said this ordinance is on the books and it is her preference that they follow that ordinance. She said if it is the desire of council not to have that ordinance, the enforcement question will not be relevant. She also said it is a matter of resources. They have one parking enforcement employee and volunteers, but that is based on priority. She asked for direction on this issue.

Councilmember Martinez said enforce the ordinance.

Vice Mayor Knaack and Councilmember Chavira agreed.

Councilmember Sherwood said he recently saw five vehicles backed in and he had never seen that before. He asked security if they were doing anything about it, and was informed they don't do anything about it anymore due to the mayor backing in on the bottom level. He said he brought this issue up for consistency, not attacking the mayor. He brought up the issue of potential accidents if everyone is parked differently and tries to leave at the same time. He said he just wanted consistency.

Councilmember Hugh asked if they are going to enforce the 2 hour parking in the downtown area as well.

Councilmember Martinez said if there is an ordinance that enforces that, they need to follow the ordinance.

Councilmember Hugh said that was what he was asking.

Chief Black said that has been discussed at a prior workshop. She said it comes down to resources.

Vice Mayor Knaack said they had a volunteer that did that.

Councilmember Hugh said they tell the visitors they don't enforce the 2 hour parking and encourage them to stay and enjoy the downtown area. He said he saw a Glendale police truck that was backed into a parking spot at city hall.

Councilmember Chavira asked if the majority of people parking in the garage are city employees.

Chief Black said she does not have that breakdown.

Councilmember Chavira asked if most of employees that work at city hall park in the garage.

Both Chief Black and Ms. Fischer said yes.

Vice Mayor Knaack said if everyone is allowed to back in, most accidents are backing in accidents. She said the ordinance should stay as it is.

Mayor Weiers disagreed on that. He said he has done research and said several large businesses encourage their staff to back in. He said it has been proven that backing in is safer. He said backing out into traffic is dangerous and that's where the accidents occur. He said until the lighting situation in the garage is corrected, he is going to continue backing in as it much safer.

Councilmember Chavira disagreed with the mayor and said any type of backing out, it is not safe. He provided examples of the dangers of backing up.

Mayor Weiers read a statement about why back in parking is safer.

Councilmember Chavira said he can provide examples of children and others being hit or crushed with front end parking as well.

Councilmember Martinez said if there is an ordinance, enforce the ordinance.

Mayor Weiers said there is no consensus other than keep the ordinance.

Councilmember Sherwood asked if they were going to start enforcing the ordinance.

Ms. Fischer asked if there was a majority of council directing to enforce the ordinance.

Mayor Weiers said if they enforce this ordinance, they enforce all the signs and not just pick and choose what they are going to enforce.

Councilmember Hugh said there are a lot that are not being enforced, including the armored car that comes to city hall. He said it cannot stop in the crosswalk.

Mayor Weiers said it was he believed it was a personal attack on him, but an ordinance is an ordinance. He said all he is asking is they enforce all the ordinances and not pick and choose.

Councilmember Chavira said he is not picking on the mayor. He said he wanted to make it specific for the employees that work here and the garage and make sure they know the ordinance. He said they should focus on the garage.

There was discussion about where front end parking was enforced.

Chief Black said it was all public parking that is marked at a diagonal.

Councilmember Chavira said then let's enforce it.

Chief Black said they have enforced it 28 times in two years.

Mayor Weiers pointed out recently, Councilmember Chavira and Councilmember Sherwood were in Texas for League of Cities and asked Councilmember Sherwood if he remembered how people were parked in the restaurant. He said everyone one of them in both directions were backed in. Mayor Weiers also asked if this included special occasion valet parking.

Chief Black said she could not think of a circumstance where they do.

There was further discussion about valet parking.

Mayor Weiers said in the future, when the economy recovers, he hoped there would be situations where there is valet parking. He said if they are going to enforce the laws, don't pick and choose, enforce all the laws.

Vice Mayor Knaack said they had this discussion about the downtown parking at a workshop. She said they either need to take the signs down if they are not going to

enforce it. She said if it is black and white, then the signs need to come down. She said they either need to follow the ordinance or get rid of the ordinance. She said they back in at the Bank of America parking garage. Why enforce it when they don't enforce it everywhere.

Councilmember Hugh said a lot of people back in to other events at Westgate.

Mayor Weiers asked if there was consensus to bring this back to another workshop. He told Chief Black it must be easier for her to give direction if they enforce all the laws and not just some of them.

There was further discussion about supporting the ordinance. The consensus was to begin enforcing the current ordinance not permitting vehicles to back in public parking spaces.

#### **CITY MANAGER'S REPORT**

City Manager Fischer had nothing to report.

#### **CITY ATTORNEY'S REPORT**

City Attorney Bailey had nothing to report.

#### **COUNCIL ITEMS OF SPECIAL INTEREST**

Councilmember Sherwood wanted to bring back items 3, 4 and 5 from today's workshop.

Ms. Fischer said after concluding the unity pledge and nondiscrimination item today, she said this will require a vote of council, so it will appear on the December 18th voting meeting agenda.

Mayor Weiers said with the new council coming on, he hoped they can have a retreat where all the members can get together, and would like to have a retreat soon.

#### **MOTION TO GO INTO EXECUTIVE SESSION**

No motion was made as Council determined they would not go into Executive Session. Meeting was adjourned at 4:30 p.m.