

City of Glendale Council Workshop & Executive Session Agenda

May 1, 2012 – 1:30 p.m.

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

Welcome!

We are glad you have chosen to attend this City Council workshop. We hope you enjoy listening to this informative discussion. At these “study” sessions, the Council has the opportunity to review and discuss important issues, staff projects and future Council meeting agenda items. Staff is present to answer Council questions. Members of the audience may also be asked by the Council to provide input.

Form of Government

Glendale follows a Council-Manager form of government. Legislative policy is set by the elected City Council and administered by the Council-appointed City Manager.

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

Workshop Schedule

Council workshops are held on the first and third Tuesday of each month at 1:30 p.m. in the Council Chambers of the Glendale Municipal Office Complex, 5850 W. Glendale Avenue, Room B-3, lower level. The exact dates of workshops are scheduled by the City Council at formal Council meetings. The workshop agenda is posted at least 24 hours in advance.

Agendas may be obtained after 4:00 p.m. on the Friday before a Council meeting, at the City Clerk's Office in the Municipal Complex. The agenda and supporting documents are posted to the city's Internet web site, www.glendaleaz.com.

Executive Session Schedule

Council may convene in “Executive Session” to receive legal advice and discuss land acquisitions, personnel issues, and appointments to boards and commissions. As provided by state statute, this session is closed to the public.

Questions or Comments

If you have any questions or comments about workshop agenda items or your city government, please call the City Manager's Office at (623) 930-2870.

If you have a concern you would like to discuss with your District Councilmember, please call (623) 930-2249, Monday - Friday, 8:00 a.m. – 5:00 p.m.

Public Rules of Conduct

The presiding officer shall keep control of the meeting and require the speakers and audience to refrain from abusive or profane remarks, disruptive outbursts, applause, protests, or other conduct which disrupts or interferes with the orderly conduct of the business of the meeting. Personal attacks on Councilmembers, city staff, or members of the public are not allowed. Engaging in such conduct, and failing to cease such conduct upon request of the presiding officer will be grounds for removal of any disruptive person from the meeting room, at the direction of the presiding officer.

Citizen Participation

The City Council does not take official action during workshop sessions; therefore, audience comments on agenda items are made only at the request of the presiding officer.



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

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

Councilmembers

Norma S. Alvarez - Ocotillo District
H. Philip Lieberman - Cactus District
Manuel D. Martinez - Cholla District
Joyce V. Clark - Yucca District
Yvonne J. Knaack – Barrel District



MAYOR ELAINE M. SCRUGGS

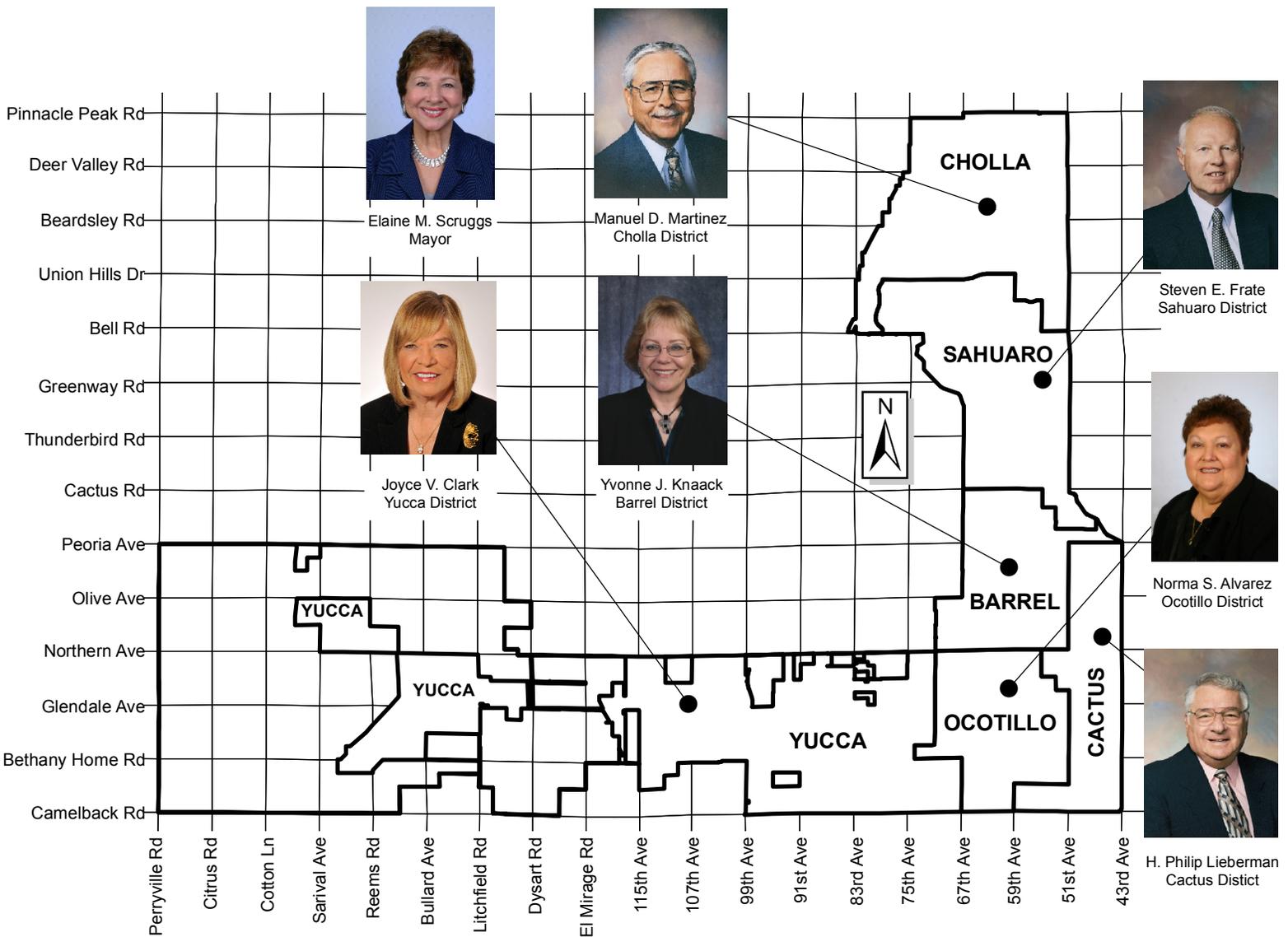
Vice Mayor Steven E. Frate - Sahuaro District

Appointed City Staff

Ed Beasley – City Manager
Craig Tindall – City Attorney
Pamela Hanna – City Clerk
Elizabeth Finn – City Judge



Council District Boundaries





GLENDALE CITY COUNCIL WORKSHOP SESSION
Council Chambers – Workshop Room
5850 West Glendale Avenue
May 1, 2012
1:30 p.m.

WORKSHOP SESSION

1. [GLENDALE CITY CODE: CHAPTER 25 \(NUISANCES\)](#)

PRESENTED BY: Sam McAllen, Code Compliance Director

2. [LANDFILL RENEWABLE ENERGY PROJECT](#)

PRESENTED BY: Stuart Kent, Executive Director, Public Works

CITY MANAGER'S REPORT

This report allows the City Manager to update the City Council about issues raised by the public during Business from the Floor at previous Council meetings or to provide Council with a response to inquiries raised at previous meetings by Council members. The City Council may only acknowledge the contents to this report and is prohibited by state law from discussing or acting on any of the items presented by the City Manager since they are not itemized on the Council Workshop Agenda.

EXECUTIVE SESSION

1. LEGAL MATTERS

A. The City Council will meet with the City Attorney for legal advice, discussion and consultation regarding the city's position in pending and contemplated litigation, including settlement discussions conducted in order to avoid or resolve litigation. (A.R.S. § 38-431.03(A)(3)(4))

2. LEGAL MATTERS – PROPERTY & CONTRACTS

A. Discussion and consultation with the City Attorney and City Manager to receive an update, consider its position and provide instruction and direction to the City Attorney and City Manager regarding Glendale's position in connection with

agreements associated with the area in, near, surrounding or related to the Stadium, Arena and the Hockey Team, which are the subject of negotiations. (A.R.S. § 38-431.03(A)(3)(4)(7))

3. PERSONNEL MATTERS

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

1. Ad-Hoc Citizen Task Force On Water And Sewer
2. Arts Commission
3. Aviation Advisory Commission
4. Board of Adjustment
5. Citizen Bond Election Committee
6. Citizens Advisory Commission On Neighborhoods
7. Citizens Bicycle Advisory Committee
8. Citizens Transportation Oversight Commission
9. Commission On Persons With Disabilities
10. Community Development Advisory Committee
11. Glendale Municipal Property Corporation
12. Historic Preservation Commission
13. Industrial Development Authority
14. Judicial Selection Advisory Board
15. Library Advisory Board
16. Parks and Recreation Advisory Commission
17. Personnel Board
18. Planning Commission
19. Public Safety Personnel Retirement System/Fire Board
20. Public Safety Personnel Retirement System/Police Board
21. Risk Management/Worker's Compensation Trust Fund Board
22. Western Loop101 Public Facilities Corporation

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

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

Confidentiality Requirements Pursuant to A.R.S. §38-431.03 (C)(D): Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.



CITY OF GLENDALE

Council Communication

Workshop Agenda

05/01/2012

TO: Honorable Mayor and City Council
FROM: Ed Beasley, City Manager
PRESENTED BY: Sam McAllen, Code Compliance Director

SUBJECT: **GLENDALÉ CITY CODE: CHAPTER 25 (NUISANCES)**

Purpose

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This is a request for City Council to provide guidance concerning recommended amendments to Glendale City Code Chapter 25 relating to public nuisances.

Background

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A review of current City Code provisions related to barking dogs, odor, and excessive noise were found to need further clarification by the City Court, City Prosecutor's Office, and Code Compliance Department. This matter was discussed at the City Council workshop on October 4, 2011. Council provided input related to animal noise, odor, and excessive noise, and specified that two or more independent witnesses who are not related must be negatively impacted to support public nuisance violations. Based upon the input provided by Council, staff recommends amending Glendale City Code Chapter 25 to clarify the respective provisions.

Previous Council/Staff Actions

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On October 4, 2011, Council provided input regarding proposed amendments of Glendale City Code Chapter 25 relating to public nuisances.

On February 27, 2001, Council adopted Ordinance No. 2186, New Series, addressing dog barking noises, odors and excessive noises.

Community Benefit

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Amending City Code Chapter 25 enhances the city's ability to take enforcement action, if voluntary compliance is not obtained, related to animal noise, odor and excessive noise violations that are negatively impacting Glendale residents.

Policy Guidance

Staff is seeking guidance on recommended amendments to Glendale City Code Chapter 25 relating to public nuisances.



CITY OF GLENDALE

Council Communication

Workshop Agenda

05/01/2012

TO: Honorable Mayor and City Council
FROM: Ed Beasley, City Manager
PRESENTED BY: Stuart Kent, Executive Director, Public Works

SUBJECT: **LANDFILL RENEWABLE ENERGY PROJECT**

Purpose

This is a request for City Council to provide guidance on a renewable energy project at the City of Glendale landfill proposed by Vieste Energy, LLC.

Background

Vieste Energy, LLC was created to provide services to communities, specifically in the area of renewable energy. Vieste Energy, LLC is actively developing multiple biomass-to-energy and landfill gas-to-energy facilities.

This proposed renewable energy project would divert approximately 90,000-120,000 tons of refuse annually received at the landfill (approximately 40-50% of all refuse received at the landfill) to a waste to energy facility that would be built adjacent to the city's recycling facility. Vieste Energy, LLC has identified a proven technology and partners to develop the project that requires no use of public funds for the construction or operation of the facility. Vieste Energy, LLC will invest \$90 million in capital for the construction of the facility which will generate 12 megawatts of power, equivalent to the annual consumption of 4,500 single family homes.

This project is consistent with the ongoing efforts of the landfill operations to maximize opportunities to improve the financial and environmental impacts of the landfill. With a current landfill life of 40 years, this project could extend the landfill life an additional 10-20 years.

The project will gasify the refuse brought to the facility through a proven process that is already in use in Canada and other countries around the world. Parts of the waste stream that can be recycled, such as metals, will be sorted and marketed separately, with the remainder being used to generate a synthetic gas that can be used to heat steam to power turbines that generate electricity.

Previous Council/Staff Actions

On December 23, 2008, City Council approved an agreement between the City of Glendale, Brian Stirrat and Associates, and Sexton Energy to initiate a methane gas to energy project at the Glendale landfill, and the energy plant began operation in January 2010. The project resulted in \$100,000 in annual payments to the city and allowed for the generation of 2.2 megawatts of electricity equivalent to the power consumed by 750 homes annually.

Community Benefit

This project will provide the city with net revenues of over \$500,000 each year for 25 years and will create 25 new jobs, as well as 75 construction jobs. In addition, the project will offer the city the option to either extend landfill life by as much as 10-20 more years over the term of the agreement or allow the city to bring in additional waste to the landfill with an estimated value of two to three million dollars annually.

Public Input

The technical and environmental aspects of the project will be reviewed in a series of public meetings. Regulatory agencies, including the Maricopa County Air Quality Division and the Arizona Department of Environmental Quality will conduct the public hearings.

Budget Impacts & Costs

Vieste Energy, LLC is solely responsible for all capital investment including construction, permitting and securing the necessary environmental approvals from the regulatory agencies. The city will receive one million dollars annually for 25 years as a host fee (escalating at 1.5% annually), and the city will be charged five dollars per ton by Vieste Energy, LLC for bringing waste to their facility (\$450,000 for 90,000 tons), generating a net revenue of over \$500,000 annually to the city.

Policy Guidance

Staff is seeking policy guidance on a renewable energy project at the City of Glendale landfill proposed by Vieste Energy, LLC.