

***PLEASE NOTE: Since the Glendale City Council does not take formal action at the Workshops, Workshop minutes are not approved by the City Council.**



**MINUTES OF THE
GLENDALE CITY COUNCIL WORKSHOP SESSION
Council Chambers – Workshop Room
5850 West Glendale Avenue
March 5, 2013
1:30 p.m.**

PRESENT: Mayor Jerry P. Weiers, Vice Mayor Yvonne J. Knaack and Councilmembers Norma S. Alvarez, Ian Hugh, Manuel D. Martinez, Gary D. Sherwood, and Samuel U. Chavira

ALSO PRESENT: Horatio Skeete, Acting City Manager; Jamsheed Mehta, Interim Assistant City Manager; Deborah Robberson, Deputy City Attorney; and Pamela Hanna, City Clerk

1. UPDATE ON DEVELOPMENT IMPACT FEES

PRESENTED BY: Stuart Kent, Executive Director of Public Works and Dr. Dwayne Guthrie, TischlerBise

Staff and representatives of TischlerBise, who are updating the city's current development impact fee model, will be present to discuss the status of the project and to seek guidance from Council on the preferred method for the community to review the proposed development impact fees that is provided for in state law.

Mr. Kent said development impact fees are charged to mitigate growth not to be a burden on taxpayers but also impact fees are not used to impose on development a burden tax payers should bare. When SB1525 was signed into law, it required the city to do a number of things. The sanitation, landfill and general government categories were eliminated. It also set forth what portion of these fees could be used for services. Regional facilities are no longer able to be used to calculate development impact fees. They have looked at all the projects to determine what is growth and what is not growth. All non-growth projects would no longer be considered. As a result of these changes, the development impact fees have dropped by over 55 percent.

Councilmember Martinez asked Mr. Kent to give some other examples of where development impact fees can be used. Mr. Kent said the categories include police and fire services, parks and recreation facilities, library facilities, water and wastewater treatment facilities and roadways.

Dr. Guthrie discussed how to get community input. He said this could be accomplished by an infrastructure improvement advisory committee or the alternative is a biennial certified audit of

products related to the development of fees. He said the audit would occur two years after the adoption, which would be in 2016. He said it is more common to have the biennial audit. He said they like to work with the public, so even if they agree to do the audit, they will still have public meetings to get public input.

Vice Mayor Knaack asked if there were any cities that had chosen the committee option. Dr. Guthrie said none of their clients have chosen that option. Mr. Kent said none of the cities he has spoken to are interested in creating a committee. He said they would develop a draft report that they would provide to the community for review before presenting it to council. He said what they are recommending is doing a hybrid of what the state statutes require, but still complying with state statutes.

Councilmember Sherwood asked what the makeup of the committee would look like. Mr. Kent said it would include members from the homebuilding community, multi-family development community and industrial and commercial development community. They would all have a chance to review the fees and provide input. Councilmember Sherwood asked how that would be documented. Mr. Kent said everything was in writing, and the last time, the development community provided letters to document any concerns and their input on the fees.

Mr. Skeete said they have also engaged the development community when they have looked at other fees and it is not unusual to get letters from that community regarding their approval of the process. He said they try hard to facilitate consensus with the community.

Councilmember Martinez said he liked the hybrid idea. Mayor Weiers said there was a consensus on the idea and that is how they wanted to proceed.

Dr. Guthrie said they would be bringing three separate products, land use assumptions, infrastructure improvements and development fees. He also explained the way the new process would work. Councilmember Sherwood asked if the process timelines ran consecutively. Dr. Guthrie said this adoption process would take about 6 to 8 months. He said they will look out to the next 5 years as the process has to be updated every 5 years.

Mr. Kent said August 1, 2014 is the deadline. He said they will come back to council with draft work products in fall of 2013 for council review.

2. COUNCIL ITEM OF SPECIAL INTEREST: PLACEMENT OF RESIDENTIAL REFUSE AND RECYCLING CONTAINERS
PRESENTED BY: Stuart Kent, Executive Director of Public Works

At the City Council workshop on February 5, 2013, Councilmember Knaack asked for information on the placement of residential refuse and recycling containers.

Mr. Kent discussed the procedures for placing the containers and said placing two containers per household into the street may create traffic issues. He said the other issue in placing the cans at the edge of the curb may create issues for sidewalk access.

Mayor Weiers said there is no clear solution for this problem and asked Mr. Kent if they were trying to fix a one-time problem. Vice Mayor Knaack said she has a constituent that was blind and there were people in wheelchairs and walkers. She said putting the cans on the sidewalk forces these people out into the street. She felt like this was a safety issue. She said according to Mr. Kent's report there are 100,000 cans per week picked up and two claims, with cans in the street, in six years. She said based on Mr. Kent's report that means that there were over 32 million, 200,000 hundred thousand times the sidewalks were blocked over 6 years. As an insurance agent if you hit a can, it is your fault. The driver would be cited for not controlling their vehicles. She commented vehicles and loose trash were not allowed on the sidewalks. She talked to the city attorney's office and they haven't reviewed this item. She suggested turning this over to the Commission on Persons with Disabilities to evaluate this further before the council made a decision.

Mayor Weiers asked if there was consensus to take this issue to the Commission on Persons with Disabilities. There was consensus.

3. CITY MANAGER UPDATE ON CARDINALS TRAINING CAMP, ARENA EVENT, LICENSE AGREEMENTS WITH THE NEW WESTGATE, DIGITAL BILLBOARDS ON CITY-OWNED PROPERTY AND POTENTIAL ZONING TEXT AMENDMENT ON ALL DIGITAL BILLBOARDS
PRESENTED BY: Horatio Skeete, Acting City Manager

This is an opportunity for the Acting City Manager to provide an update regarding the Cardinal's Training Camp, an upcoming Arena event, License Agreements with The New Westgate, digital billboards on city-owned property and a potential zoning text amendment on all digital billboards in the city.

This is for Council information only. The Acting City Manager and staff are available to answer any questions regarding the information provided.

Mr. Skeete provided an update on the Cardinals training camp. He said Mr. McAlindin would present an update on the status of the negotiations. Before doing that, he said they previously sent out an RFP to manage the youth sports fields. Mr. Skeete said Mr. McAlindin would compare this to the bid response they received from Global Spectrum.

Mr. McAlindin said it has been a pleasure working with the Cardinals and they have worked in good faith. They have discussed a 15 year deal with the Cardinals, beginning in 2013. The Cardinals would utilize the University of Phoenix stadium for spring training and would stay at the Renaissance Hotel during the training camp and food would be provided by Rojo Hospitality Group. The Cardinals would have the option to create a bubble on fields 2 and 3 of the Youth

Sports Complex and, in return, Rojo Entertainment would manage the youth sports fields for the entire 15 years of the agreement.

Mr. McAlindin provided a comparison between the bid from Global Spectrum and Rojo Management. He said a positive economic impact of about \$15.3 million would benefit the city. He said this was comparable to the money Flagstaff would see with their training camp. Direct revenue for the city was \$509,000, for fan spending, hotels and increased attendance at Westgate during July and August. He said they are working on three agreements, a memorandum of understanding, a parking agreement and a lease management agreement with Rojo to manage the youth sports fields.

Vice Mayor Knaack asked if police and fire overtime costs were included. Mr. McAlindin said they were not asking for any money for police and fire due to the lower numbers of people expected to attend these events. Vice Mayor Knaack asked if the Cardinals would be responsible for the 500 parking spaces near the bubble. Mr. McAlindin said the displaced parking would go onto the great lot.

Councilmember Martinez said they were not given the information shown on the slides presented. Mr. McAlindin said it was a last minute item to present this information. Councilmember Martinez said the item should have been heard at the next meeting so Council had time to review information. Mr. McAlindin said the council would see any and all agreements well in advance for approval and consideration. Councilmember Martinez said he wouldn't support this item because he didn't receive the information early enough to review it.

Councilmember Sherwood had questions about the figures presented and Mr. McAlindin explained the figures more in detail. Councilmember Sherwood asked about the money made in hotel rooms for fans traveling to Flagstaff. Mr. McAlindin said there would be some money made for hotel rooms, but most of the fans would be coming from the Valley.

Mayor Weiers asked if there was consensus from the council to continue to move forward with this item. There was consensus.

CITY MANAGER'S REPORT

Mr. Skeete introduced the subject of renting the arena for several events during the summer months. Mr. McAlindin discussed a large group that wanted to use the arena in the summer. He said it would bring about 200,000 people to the Westgate area. He said they were attempting to use the city's event days that they have with the arena to host this group. Using the event days would cost the group a much lower fee. He said they are working to establish a good relationship with this group as the group wanted this to be an annual event for a long period of time.

Mayor Weiers asked if the 200,000 people were from the valley. Mr. McAlindin said they were from all over, but mostly from western states. He said the group has already contacted hotels in Glendale and have received an excellent response.

Councilmember Sherwood asked for an explanation of the event days the city has at the arena. Mr. McAlindin said the city is allowed by contract to have community events with reduced services for a small fee at the arena. He said they are asking that this group have the same service level and a small fee. Mr. McAlindin said the city is allowed 4 days a year for community events.

Vice Mayor Knaack said she was pleased this has gone forward and it was the right thing to do.

Councilmember Alvarez asked what the dates were for the event. Mr. McAlindin said the dates were July 4th-6th, July 11th-13th, July 25th-27th and August 1st-3rd. He said the dates would not conflict with either the Cardinals training camp or the potential for Stanley Cup games.

Mayor Weiers asked about the specific dates requested and if the event was going to be simulcast across the nation also if Glendale would be acknowledged. Mr. McAlindin said the dates were important because it would be simulcast at the various multiple events. He said at this point, he believed the group would be happy to promote the venue of City of Glendale.

Councilmember Martinez asked what the large group was comprised of. Mr. McAlindin said the group was the Jehovah's Witnesses. He said this is the classic example where the arena makes no money from this group, but the city and surrounding area can potentially make quite a bit of money from the group visiting and staying in the city. Councilmember Martinez asked if the dates would require an RFP. Mr. McAlindin said it would not require an RFP.

Councilmember Chavira commended Mr. McAlindin's office for pursuing the conversation with this group to help fill the arena in the summer.

Councilmember Alvarez asked when the contract is up with the current arena management group. Mr. Skeete said it runs with the hockey team and the agreement has been extended to the end of April 2013 or the end of the hockey season, whichever comes first. Mr. Skeete said they will continue to book the arena even past the end of the contract with the current arena management group, because they do anticipate keeping the arena open for business even though they may have a new management company.

Mayor Weiers asked if they do not have a management company under contract, are they able to just book the dates at the arena for this group, as these dates are very important for the large group. Mr. Skeete said they would be able to do that.

Councilmember Sherwood asked when the dates would be secured. Mr. McAlindin said the dates are secured and have been blocked out. They are just discussing the fees at this time. Once everything has been agreed upon, the group will sign a contract.

Councilmember Alvarez said if there is no contract with the arena management group, the city should be able to rent the dates out as the council sees fit. She didn't think the city should continue to ask permission to rent out dates at the arena.

Councilmember Martinez said it sounded like these dates are the city's and they have been committed. Mr. McAlindin said he was very confident that the next time this item was brought forward; he would be able to say the contracts have been signed and the dates are reserved.

Councilmember Hugh congratulated Mr. McAlindin on his efforts to make this event happen.

Mayor Weiers asked if there was consensus to continue to move forward with this. There was consensus.

Mr. Skeete next updated the council on the license agreements with the New Westgate group to erect a sign to help visitors locate businesses within the Westgate area. He also said there were some sidewalk issues and shade structures that needed to be addressed on 95th Avenue, to bridge the gap between Westgate and Tanger. The New Westgate group will assume these costs. He said the final documents will be completed and presented to council within the next 2 or 3 weeks.

Vice Mayor Knaack said they should acknowledge the fact that the New Westgate group will be maintaining the sidewalk and shade structures through the end of the agreement. Mayor Weiers said he visited the area and noticed the people walking in the streets between Westgate and Tanger, and said it was a safety issue.

Councilmember Chavira said it is not only a significant investment the group is making, but they are also making it a long term investment, with no cost to the city.

Mayor Weiers asked if there was consensus on moving forward with this item. There was consensus.

Mr. Skeete said the final item up for discussion was the digital billboards. He said a company was interested in proceeding with an agreement to erect two additional billboards, one by the park and ride lot and one closer to Bethany Home Road. He also said they have had a number of inquiries from other developers in the valley who wish to put billboards in other areas of the city. He said the current ordinance restricts electronic billboards and he asked for council direction on this issue.

Mayor Weiers asked that they address the issues separately.

Vice Mayor Knaack asked if the two proposed billboards were within the sports and entertainment district. Mr. Skeete said they were. She also asked if they were within the footage required. Mr. Skeete said the request meets all the stipulations for the current ordinance. Mr. Skeete said he would bring a lease agreement to council with all the specifics of the billboard, the size, and all specifications. Vice Mayor Knaack said if that was case, she would agree to proceed with these two billboards.

Mayor Weiers said asked if there was consensus on moving forward with the two billboards. There was consensus.

Mr. Skeete then asked council about the anticipated request to change the ordinance to allow for billboards outside the sports and entertainment district.

Councilmember Sherwood said one of the questions when the Planning Commission reviewed this item was if they could proceed with digital billboards on existing PADs. He was unsure if this had been decided. Mr. Froke said after consulting with the legal department, if this were proposed the proper venue would be a zoning ordinance text amendment. Councilmember Sherwood said the Planning Commission could never make a decision on this. He said there was a lot of public outcry during the meetings for the first billboards, but there is still a lot of conversation that needs to take place. He recommended the item go back to the Planning Commission for further discussions.

Councilmember Martinez said it was his understanding there has only been one inquiry regarding new billboards. Mr. Froke said there had been only one inquiry. He also confirmed what Councilmember Sherwood said about the Planning Commission and said it was correct. There was discussion about digital billboards and PADs.

Vice Mayor Knaack asked Mr. Froke if he remembered during previous council discussions about the billboards, if they required they be only in the sports and entertainment district. Mr. Froke said it was a unanimous vote for the zoning text amendment.

Councilmember Martinez said it was disturbing and presumptuous that this issue was even brought to the council at this time as there has only been one inquiry for additional billboards. He said he was very opposed to this and there was an outcry from the public about bringing these to the neighborhoods. He commented that Glendale has always been a business friendly community. He said he heard at the first meetings about the digital billboards that the community does not want these billboards in their community. He said Glendale can continue to be business friendly without the billboards. Councilmember Martinez also said that he has spoken with the Peoria councilperson whose district is next to his and the Peoria Councilmember said he would also be very opposed to digital billboards of any kind.

Councilmember Sherwood said many cities have ordinances that deal with digital billboards. He said there are several areas of the city where the billboards will work well and some areas where they would not work well. He said it is an issue they have to deal with because other cities are looking at them as well.

Councilmember Martinez said there may be billboards in a lot of places, but asked if they were close to the neighborhoods like they would be in Glendale. He said once you put one up, it would be hard to deny putting up more.

Councilmember Hugh said he shared the concerns of Councilmember Martinez and would like to see consistency in adhering to the ordinances they adopt.

Vice Mayor Knaack said they had a unanimous vote to keep the billboards located only in the sports and entertainment district. She didn't want to go back to the old days when there were

billboards everywhere. She said the digital billboards are even bigger and more eye-catching than the old billboards as well. She considers the billboards blight and wants to keep them only in the sports and entertainment district.

Mayor Weiers said his understanding is that one of the billboards would go between the freeway and a dry riverbed. He said even if Peoria doesn't want to put up more billboards now, that doesn't mean they wouldn't want to in the future. He brought up that the digital billboards can be used by the police to put up an amber alert or silver alert for a missing children or seniors. He said it is a public safety opportunity to help someone. He would like the opportunity to discuss these on a case by case basis.

Councilmember Martinez said it was a big majority of the citizens opposed to this. He said the sales tax revenue for the billboards would be blood money at the expense of their taxpayers.

Mr. Skeete said last year at this time, they were negotiating with the Cardinals regarding parking arrangements and they had a one year agreement. They will be bringing forward an extension of this agreement for use of lots during the football season.

COUNCIL ITEMS OF SPECIAL INTEREST

Councilmember Alvarez said a considerable amount of money has been spent in legal fees regarding the casino. She noted that since the city lost in court, it has to pay for the Tohono O'odham attorney's fees. She said would like to give the Tohono O'odham Nation an opportunity to explain what they could bring to the city. She wanted to discuss the issues with regard to the resort and casino. She commented that she had never heard why the City Council was opposed to it. Councilmember Martinez said he didn't have a problem with getting information on the legal fees spent. However, he disagreed with Councilmember Alvarez that the issues hadn't been discussed. City Council had spent countless hours in this chamber over the past two or three years talking about this. Also, there is a city web page with everything anyone would want to know including why the city opposed it. We made a decision as a council to oppose the creation of a reservation within city limits and that is why the legal fees were spent. He didn't think there was going to be any more money spent on this issue as the court is going to decide. There was further discussion about the issue Mayor Weiers asked Councilmember Alvarez if she wanted to discuss the update and legal fees at a Workshop. Mayor Weiers said there was no reason why the Council couldn't have staff prepare a report and discuss it. He said they'd seen the legal fees but included with other items. He would like a separate accounting of the legal fees.

ADJOURNMENT

The meeting was adjourned at 3:18 p.m.