

**\*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  
CITY OF GLENDALE  
CITY COUNCIL WORKSHOP  
JUNE 6, 2006  
1:30 P.M.**

**PRESENT:** Mayor Elaine M. Scruggs, Vice Mayor Thomas R. Eggleston, and Councilmembers Joyce V. Clark, Steven E. Frate, David M. Goulet, H. Phillip Lieberman, and Manuel D. Martinez

**ALSO PRESENT:** Pam Kavanaugh, Assistant City Manager; Craig Tindall, City Attorney; and Pamela Hanna, City Clerk

**1. 2006 STATE LEGISLATIVE UPDATE**

CITY STAFF PRESENTING THIS ITEM: Ms. Dana Tranberg, Intergovernmental Programs Director, Ms. Kristin Greene Skabo, Deputy Intergovernmental Programs Director and Mr. Brent Stoddard, Legislative Coordinator

This is a request for the City Council to provide direction on proposed state legislation, consistent with the approved 2006 state legislative agenda.

The purpose of the 2006 state legislative agenda is to affect state legislation in relation to the interests of the city and its residents.

The 2006 state legislative agenda provides the policy framework by which Intergovernmental Programs staff engages on state legislative issues.

Throughout the 2006 state legislative session, policy direction will be sought on proposed statutory changes which fall under the adopted council policy statements relating to the financial stability of the city, public safety issues, promoting economic development, managing growth, and preserving neighborhoods.

The Intergovernmental Programs staff recommends prioritizing the state legislative agenda to a few key issues to allow the city to have a stronger, more consistent message on the items of greatest priority.

The legislative agenda defines the city's priorities for the upcoming session and will guide the city's lobbying activities at the Arizona State Legislature. The Intergovernmental Programs staff will come before the Council on a regular basis throughout the session for direction on bills and amendments that may be introduced.

The city's legislative agenda is a flexible document and may change, based on activities at the Legislature and Council direction.

On January 17, 2006, February 7, 2006, April 18, 2006, and May 2, 2006 the Council provided policy direction on bills of municipal interest.

On December 20, 2005, the Council approved the 2006 State Legislative Agenda, which included policy statements on municipal legislative priorities and principles.

The priorities and principles of Glendale's 2006 state legislative agenda provide the venue for the city to identify and engage on state legislative issues. The key principles of the state legislative agenda are: to preserve and enhance the city's ability to deliver quality and cost-effective services to citizens and visitors; to address quality of life issues for Glendale residents; and to enhance the City Council's ability to serve the community by retaining local decision making authority and maintain state legislative and voter commitments for revenue sources.

Staff is requesting the Council to provide policy direction on the proposed state legislative issues.

Ms. Tranberg said today is day 149 of the State Legislative session and no end of the session is in sight at this point. She said three major issues are still outstanding: the Enterprise Zone reauthorization, which recently passed the House and is now headed back to the Senate for concurrence; Tax Incentives which is waiting for House Rules; and Hybrid Liquor Establishments.

Ms. Stoddard said the grill liquor bill was originally part of HB 2740 which stalled in the Senate. He stated the sponsor of the bill successfully amended the original provisions of that liquor bill onto a different liquor bill, HB 2621. He explained the bill allows an establishment to retain its restaurant license when 70 percent of its overall sales are alcohol sales. He said the bill allows such establishments to operate within 300 feet of churches or schools and severely limits the city's input as well as citizen input into the liquor license process. He stated the bill limits the number of hybrid licenses that can be issued within the first two fiscal years to 15; however, there are different interpretations as to what happens after those two years. He said proponents of the bill suggest the program will disappear after the first two years unless it is renewed by the legislature. He stated, however, city attorneys consistently interpret the bill to mean that after the first two years an unlimited number of these licenses can be issued. He said the bill has to be adopted by both chambers and staff continues to work with neighborhood groups to educate legislators on the harmful impacts the bill will have on neighborhoods.

Councilmember Frate asked Mr. Stoddard to explain the rationale behind the bill. Mr. Stoddard explained proponents of the bill brought it forward to protect the interest of three high dollar restaurants that sell very expensive wine. He said, while none of the restaurants have failed an audit, proponents believe they could because of the

expensive wine being sold. He said staff's research of the menus found an exorbitant amount of alcohol would have to be purchased to go above the current 60 percent threshold. He said, for example, a single meal for two people would require an alcohol purchase of \$320 to \$440 to exceed the 60 percent threshold. He stated staff has consistently educated the legislature that provisions of the bill will harm neighborhoods by allowing restaurants who consistently fail audits to continue to operate. Councilmember Frate questioned how the bill could have gained the support it has when there are so many more important issues at the legislature.

Councilmember Martinez asked if the bill includes specific language concerning its sunset. Mr. Stoddard said, while bills usually have very specific sunset language, such provision does not exist in the subject bill. He stated that is one reason many City Attorneys continue to emphasize the point that the bill does not sunset and will allow an unlimited number of licenses to be issued after the two-year limitation. Councilmember Martinez asked about the cost of a bar license versus a restaurant license. Mr. Stoddard said the bill essentially allows restaurants who do not meet the threshold for the Class 12 license to continue to operate. Ms. Tranberg said the Class 12 license costs about \$2,500 whereas a bar license costs about \$90,000 to \$100,000. She noted the hybrid license will cost approximately \$30,000, giving applicants little incentive to seek a bar license.

Vice Mayor Eggleston asked Ms. Tranberg if they have had an opportunity to speak with Glendale's representatives in the legislature. He also asked if they have spoken with citizens concerning the implications of the bill. Ms. Tranberg said they have made significant headway with some of the city's members, but encourage residents who are concerned about the bill to contact their representatives. She acknowledged Representative McCune Davis, stating she has taken a leadership role in opposing the bill. Vice Mayor Eggleston stated the bill could have a very negative impact on neighborhoods.

Mayor Scruggs thanked staff for the hard work they have put into the issue.

Ms. Tranberg said two key pieces of legislation, the immigration bill and the eminent domain bill, were vetoed by the Governor. She explained, unannounced to city staff, the Senate stopped discussions on the budget last Thursday and put a calendar forward with a vote on HB 2675, the worst eminent domain bill introduced this session. She said the bill passed and was subsequently forwarded to the Governor. She stated cities and towns were very concerned by the Senate's action given that they had worked on compromise language to restrict the use of eminent domain for redevelopment which had been waiting for legislative action for over a month. She said even more concerning was that two days prior to the vote a meeting with legislators from the House and Senate resulted in a commitment being made that no action would take place until another legislative meeting between members would take place. She explained, essentially, the bill would have eliminated all existing redevelopment areas in the state, requiring each parcel within a redevelopment area to be designated as slum in order to qualify as a redevelopment area. She said the Governor vetoed the bill and

in her veto message stated she opposes the use of eminent domain to benefit private economic interests but that the bill goes much too far in restricting a city's ability to deal with slums and gangs. She stated she asked everyone to return to the bargaining table and negotiate a more workable bill for next session.

Councilmember Lieberman asked by what percentage the eminent domain bill passed the Senate, noting it has to pass by two-thirds to override the Governor's veto. Ms. Tranberg was unable to recall the House vote, but recalled the Senate had 19 yes votes. She noted many members have since admitted they were not aware of what they were actually voting on; therefore, she believes it would be difficult to achieve a two-thirds vote. She pointed out there has been discussion at the legislature about putting something on the ballot in November which would bypass the Governor.

Ms. Tranberg presented the House and Senate Budget proposals as they stood as of yesterday. She said the legislature was clearly waiting to see what the Governor's actions would be on the two provisions. She stated the House and Senate passed two different proposals and are now trying to determine how the differences will be reconciled. She said the tax package includes both property and income tax modifications, explaining the Senate proposal calls for a one year 10 percent income tax reduction while the House proposal calls for a two-year five percent each year income tax reduction. She stated the impact would affect cities and towns in FY 2010 since both bills contain an appropriated amount for FY 2009 to hold cities harmless for one year. She pointed out, however, the bills do not make an adjustment to the state shared revenue 15 percent, explaining the JLVC calculated an estimated dollar amount to what cities would get in 2009 if there were no income tax cuts. She said the House proposal had \$649 million appropriated that year; however, the Senate received revised fiscal estimates resulting in \$717 million to be distributed to cities and towns in FY 2009. She said cities and towns continue to push for maintaining state shared revenues and holding cities harmless, noting a rally was held at the legislature last week to convey the message that cities are not experiencing the same surplus as the state.

With regard to property tax, Ms. Tranberg said the Senate proposal includes consolidated elections for secondary property tax bonds effective as of July 2007. She stated it also requires some changes to publicity pamphlet information, updating the estimated impact on an individual residence with a home valued at \$250,000. She noted both measures contain a \$300 million appropriation to accelerate transportation projects throughout the state.

Councilmember Martinez asked if the \$300 million appropriation to accelerate transportation includes the I-10 widening project. Ms. Tranberg responded no, explaining the I-10 project will go through a separate process. She explained MAG will determine over the next year which projects will be brought forward for acceleration.

Councilmember Lieberman asked if any funding was set aside for the protection of Luke Air Force Base. Ms. Tranberg said an article on the newspaper said Governor Napolitano will put forth a proposal to have \$5 million put in a fund for those purposes in

the next legislative year. Councilmember Lieberman noted there was an effort some time ago to have an annual fee. Mayor Scruggs said they did that last year, noting that was when the Arizona Military Facilities Commission was established. Ms. Skabo offered to research what transpired last year and the recent article to ensure the Council has the most up to date information.

Steven Methvin clarified the Military Affairs Commission has a \$5 million budget and recently went through an allocation process wherein they allocated the funds to projects throughout the state.

Councilmember Lieberman asked if the \$5 million is refunded annually. Mr. Methvin said he believes so. He offered to provide the Council with information concerning how the funds were appropriated.

## **2. THUNDERBIRD CONSERVATION PARK MASTER PLAN**

CITY STAFF PRESENTING THIS ITEM: Ms. Becky Benná, Parks and Recreation Director, Ms. Gloria Santiago-Espino, Deputy City Manager, and Mr. Ted Hansen, Chairman, Parks and Recreation Commission

This is a request for the City Council to review the proposed Thunderbird Conservation Park Master Plan recommendations.

The Thunderbird Conservation Park Master Plan addresses the Council's strategic goal of providing high-quality services for citizens.

The 2002 Parks and Recreation Master Plan recommended that a master plan be completed for Thunderbird Conservation Park.

Based upon the 2002 Parks and Recreation Master Plan recommendation to develop a master plan for Thunderbird Conservation Park, the City of Glendale and the community began the process to develop a master plan for the park. That process began in 2004 and included a wide-range of public input, surveys of both the community and park users, studies and analysis of the park site.

The master plan is a general long-range planning tool that will guide staff and the community in protecting and managing Thunderbird Conservation Park. The key areas addressed in development of the plan included park use, standards for maintenance, and park management practices.

In September of 2005, a draft of the preliminary master plan was presented to the community. At that time, public feedback indicated the need to reconsider the recommendations for the plan. Since then, additional steps were taken to provide opportunities for public input and collect additional park information.

As a result, the recommendations for changes to the plan are based on the following priorities: limit park improvements; repair/replace restrooms; provide safe drinking water; provide a safe and clean park; improve signage for parking, rules and regulations; trail markers and plant and wildlife identification; provide shade and picnic areas; provide areas for interpretive education discussions; provide parking, but limit expansion; enhance and preserve wildlife; maintain existing trails; connect trails; and restore areas with native vegetation, as well as preserve native vegetation already in the park.

The draft of the preliminary master plan was presented to the Parks and Recreation Commission in June of 2004. However, the Thunderbird Conservation Park Master Plan was postponed until the 59th Avenue Road design public process was completed. That street public process and design approval was completed in early 2005.

In September of 2005, the draft preliminary plan previously reviewed by the Parks and Recreation Commission in 2004, was presented to the public. At that time, public feedback indicated the need to reconsider the recommendations for the plan. During the past nine months, additional steps were taken to listen to provide opportunities for public input through on-site surveys of park users, observation of uses and demands on the park, examination of other area mountain preserves and parks, and additional public meetings.

The Thunderbird Conservation Park Master Plan is intended to protect and manage the resources of the park. It will be the guide for accomplishing the mission of ensuring that the park continues to be cared for and utilized as identified by the community.

The community has been involved in the development of a master plan to address park use, standards for care and maintenance, and best management practices for the park. The process has been lengthy, but it has involved extensive public input through a series of public meetings, Parks and Recreation Commission presentations and public comment, surveys of the community and park users, tours of other area mountain parks, and various park site studies. The Executive Summary for details regarding the plan's public process was presented to the Council prior to the workshop meeting.

As a result of the public process, Parks and Recreation Department staff presented the proposed conceptual changes to the Thunderbird Conservation Preliminary Master Plan at the April 10, 2006 Parks and Recreation Commission meeting. Two public meetings were also held on April 26 and 29, 2006 to present and review the proposed changes to the plan.

Staff presented the Preliminary Master Plan Executive Summary to the Parks and Recreation Commission at its May 8, 2006 meeting. The Commission unanimously approved the proposed changes to the plan and directed staff to proceed with completion of the master plan.

To complete the improvements identified in the master plan, the projected cost is approximately \$5.5 million. Resources to fund the improvements include grants and operating and capital improvement funds. In addition, staff plans to also pursue alternative funding sources through community partnerships.

Funds currently available to begin to address the plan's recommendations total to approximately \$300,000. In addition, a land bridge will be constructed over 59<sup>th</sup> Avenue that will connect the park's east and west sides and improvements to the gate park entrance will be completed as part of the road improvement project. Additional funding is planned in future fiscal years that will continue the completion of the master plan recommendations.

Staff recommends phasing the improvements to the park, based on the following priorities: continue repair and maintenance of trails; removal of invasive plant species and revegetation of the park with native plants; repair and upgrade existing park elements; remove park elements from the wash located at 59<sup>th</sup> Avenue that will allow for restoration of the wildlife corridor and vegetation; and installation of new park elements.

Staff is seeking direction from the Council to proceed with finalizing the Thunderbird Conservation Park Master Plan.

Ms. Santiago-Espino commended the Parks and Recreation Commission on doing an outstanding job and thanked them for their commitment to the park.

Mr. Hansen said there have been numerous public meetings, many of which date back to 2003. He stated public surveys were also used to gather input and extensive public input was collected through a variety of other means, including email and direct communication with staff. He stated the process has been very educational for the Commission members. He stated staff and commissioners have met with Arizona Game and Fish as well as elementary, middle and high school educators to determine how the park might be designed to meet their educational goals. He said it is the Commission's position that the proposed plan meets the requirements, addresses the desires of the residents, and provides a framework for managing the park in the future.

Ms. Benná spoke about priorities for the plan as identified by the citizens, stating they include limited park improvements, ensuring the park is safe and clean, maintaining and connecting the trails, repairing and replacing the existing restrooms, providing access to drinking water, improving signage, providing shade and picnic areas, providing interpretive education discussion areas, enhancing and preserving the wildlife habitat, restoring areas with negative vegetation, and providing parking while limiting expansion. She displayed maps of each of the four major park areas, stating the goal was to preserve what already exists in the area of 55<sup>th</sup> Avenue and Pinnacle Peak. She noted making the park accessible to everyone was identified as a priority, stating they are proposing that Trail 13 be upgraded to be accessible and functional as an interpretive trail. She stated they are also proposing shade structures and restrooms with water. She said they are also proposing two linear parking spaces for buses as well as a 60 to

100 seat half circle seating area with shade to accommodate group discussions. She said the entrance to that parking lot will be moved to the traffic signal to provide for better control and a secondary entrance will be provided.

Councilmember Clark asked if they are proposing a total of six shaded interpretive areas. Ms. Benná clarified the numbers on each map are different depending on the element in the park.

Councilmember Frate asked if they addressed the rogue trails. Ms. Benná said staff identified 10 existing undesignated trails; stating they feel some of the trails should stay. She noted several areas on the 67<sup>th</sup> Avenue side were identified as having erosion issues.

Ms. Benná said few improvements are being made to the sedimentation area. She stated they met with Arizona Game and Fish to talk about the lake itself as well as the wildlife and vegetation. She said they also met with the Homeowners Association and other residents from the area to talk about vegetation and wildlife and use of the lake. She the plan includes installing educational signage at the viewing blinds to provide information about that area of park as well as the lake and sedimentation area. She said the existing H1 trail will be improved to meet trail standards, noting it will be widened and connected to the 59<sup>th</sup> Avenue land bridge. She stated two water guzzlers will provide opportunities for wildlife to access water when available; noting the goal of the design of those guzzlers is that the water will evaporate within days to prevent problems with standing water.

Councilmember Clark noted vegetation in the area of the guzzlers appears to be rather dense while the rest of the area looks rather sparse. She asked if the area will be revegetated. Ms. Benná stated they are looking at all areas of the park that are considered damaged or overgrown with invasive species. Councilmember Clark said there is a concern about sedimentation washing down into the basins. Ms. Benná agreed, stating one of the recommendations was to help slow down sedimentation by revegetating the area.

Councilmember Frate asked Ms. Benná to comment on the study of the sedimentation basin. Ms. Benná stated an analysis of sedimentation in the lake found the average increase across the lake was approximately 1.2 inches per year over the 22-year period. She said if the current pattern continues it will be many years before significant dredging will be required. She stated, however, they need to make sure the issue is addressed in their operations plan.

Councilmember Clark said the average figure was two feet over 22 years, asking what was the highest amount of accumulation. Ms. Benná said the accumulation ranged from 1.5 feet to 2.5 feet, noting they have a map that indicates the points where measurements were taken.

Ms. Benná stated their recommendation for the 59<sup>th</sup> Avenue wildlife corridor and amphitheater area is to remove the existing park elements and revegetate the area. She said the Ranger Park Information Station proposed for the southern end of the wash will provide a central location for storage of equipment and act as a point of contact and information for park visitors and emergency personnel. She explained the facility will also include restrooms and shade as well as a small parking lot. She noted a bicycle lane and sidewalk along 59<sup>th</sup> Avenue will allow them to connect to the park once the road improvements are completed. She stated the undesignated trail that runs behind the houses will be removed and the area will be revegetated. She said they are proposing to restore the amphitheater, putting a group ramada at the bottom. She noted an analysis of the parking lots found the lots were not being used to the best of their ability because people either did not realize they were there or people looked for the closest parking lot. She said in talking with the trail maintenance crews it was suggested that they provide a trailhead and another connection at the parking lot at the north end of the road. Also, improved signage is recommended to direct visitors to the various parking lots.

Councilmember Martinez complimented staff on the great job they have done. He said, while there are still some concerns about the 2,000 square foot building, the storage component seems to make a big difference. Ms. Benná explained equipment, supplies and materials used by staff will be stored in the building. She pointed out the actual size of the building has not yet been determined.

Councilmember Martinez noted the storage facility was originally proposed for a sparse area along 55<sup>th</sup> Avenue. Ms. Benná said that area will be revegetated.

Ms. Benná said equestrian users often access the park at 67<sup>th</sup> Avenue, noting the parking lot is heavily used. She said they are proposing to relieve that parking lot by providing access to the parking lot to the north. She pointed out a number of undesignated trails in the area have resulted in erosion and will be removed.

Ms. Benná said the implementation priorities are to develop an operations plan, continue to repair and maintain the trails, remove invasive plant species and revegetate the park, repair and upgrade existing park elements, ensure signage is consistent and attractive and install new park elements.

Councilmember Lieberman commented on problems they have had with a restroom by the water reservoir. Ms. Benná said the restroom is currently closed, but it is included in the plan for improvements.

Ms. Benná said their recommendations come at a cost of about \$5.5 million, noting they have \$300,000 available now to continue repairs. She said they are looking at alternative funding sources such as community partnerships and grants. She noted the Trail Maintenance Crew suggested they work with community volunteer groups to ensure repairs meet the standards that have been established.

Councilmember Lieberman asked if any thought has been given to restoring the lakes to their original depth and, if so, who would pay for that work. Ms. Benná said as part of the operations plan they will look at who is responsible and what will be required to maintain the lake. She noted the Arrowhead Amenities Group is currently responsible for maintenance of the lake.

Councilmember Clark thanked Ms. Benná and her staff for the job they have done. She said she attended one of the first meetings and felt the consultant firm being used at that time exhibited a certain level of insensitivity toward the residents' concerns. She stated staff acted appropriately when it reassessed the situation and listened to the citizens with regard to their desire for a passive park. She pointed out Thunderbird Park is the only conservation area in the City of Glendale.

Councilmember Goulet thanked Mr. Hansen and other members of the Commission as well as the citizens who participated throughout the process. He referred to Item 3 on Page 4, asking to what extent they anticipate expanding the parking facility. Ms. Benná said before expanding they propose marking the parking spaces to provide for more effective and efficient use of the space. She said the additional parking was identified to accommodate future growth. She said there are currently 68 spaces. She stated an area by the road has been identified for parking as well should additional parking be needed in the future. Councilmember Goulet asked if the renovations will occur in phases. Ms. Benná said they will take a phased approach, explaining they will begin by addressing what already exists. She noted the operation plan will identify the standards for restrooms and ramadas. Councilmember Goulet asked if they have determined how many new water lines will have to go in to accommodate the new drinking fountains and water features. Ms. Benná said they do not have water lines at 55<sup>th</sup> Avenue and Pinnacle Peak and will have to work with the City of Phoenix to provide those lines.

Councilmember Martinez asked if major changes to the plan will be brought back before the Commission and citizens. Ms. Benná responded yes. Councilmember Martinez expressed concern about the dangers that barbeque grills could pose to the park and nearby residents. Ms. Benná said some of the shade structures currently have charcoal grills, but currently the charcoal grills cannot be used due to fire restrictions. She assured the Council that they work closely with the Fire Department.

Councilmember Martinez commented \$300,000 will take them very far, asking if they anticipate putting projects into next year's CIP. Ms. Benná answered yes, although they intend to look for alternative funding sources as well. Councilmember Martinez suggested 1,600 square feet might be a good compromise for the Park Ranger building.

Councilmember Frate thanked the citizens, the Parks Commission and city staff for their hard work. He commented there were a lot of misconceptions in the beginning. He pointed out erosion is part of the natural environment, stating not all of the erosion that occurred was caused by people. He emphasized the importance of maintaining what they already have; noting additional rangers will be needed to protect the

improvements that are made.

Ms. Benná stated they will bring the plan to Council for final adoption at its June 27 meeting.

Mayor Scruggs voiced Council's consensus to proceed.

#### ADJOURNMENT

The meeting was adjourned at 3:10 p.m.