

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



**GLENDALE CITY COUNCIL WORKSHOP SESSION
Council Chambers
5850 West Glendale Avenue
September 17, 2013
1:30 p.m.**

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

ALSO PRESENT: Brenda Fischer, City Manager; Julie Frisoni, Interim Assistant City Manager; Michael Bailey, City Attorney; and Eleanor Addison for the City Clerk

CALL TO ORDER

WORKSHOP SESSION

1. COUNCIL ITEM OF SPECIAL INTEREST: BILLBOARDS
PRESENTED BY: Brian Friedman, Executive Director and Jon M. Froke, AICP,
Planning Director

This is a request for City Council to discuss and provide guidance on the location of static and digital billboards.

The Community & Economic Development (CED) Department provided a memorandum to Mayor and Council, dated July 11, 2013, which provided additional information concerning billboards for City Council consideration and study prior to the workshop today.

Mr. Froke said the billboard issue has been raised in the past at workshops, and he provided a brief history of this issue over the past couple of years. Mr. Froke provided examples of static and digital billboards in his Power Point presentation. He said static billboards are not permitted in residential neighborhoods and can only be placed in areas where appropriately zoned. He said council approved a zoning text amendment in June of 2012, which provided a definition of what a digital billboard is and provided regulations for

locations of these billboards. He said the amendment also limited the location of the digital billboards to the sports and entertainment district (located between Camelback Road and Northern Avenue) and adjacent to the Loop 101. Mr. Froke discussed current billboard activity and said three digital billboards have been erected since last summer and all three were located in the sports and entertainment district. He said staff is comfortable with the current zoning text amendment at this time.

Mayor Weiers asked for clarification that the sports and entertainment district is the only place that has been given approval for the digital billboards. Mr. Froke said that was correct. Mayor Weiers said the Loop 303 and the Northern Parkway currently under construction, there may be additional opportunities for that type of billboard with proper planning. Mr. Froke discussed the areas annexed by the city within those construction areas. He said currently there are static billboards already in place on the Loop 303 and on Northern Parkway. Mayor Weiers said some of the language in the code is confusing. Mr. Froke said the billboard issue can be polarizing and said getting some language on the books is a good first step, although there are some things that can be clarified.

Vice Mayor Knaack asked if any of the Loop 303 area is annexed into Glendale. Mr. Froke explained there are two properties that have been annexed near the Loop 303. He said this will bring in about 3,000 acres into the Glendale City Limits. Vice Mayor Knaack asked if those areas could be considered as special areas for billboards. Mr. Froke said they could.

Councilmember Martinez read from his prepared comments as follows: on 6-26-12 the Council unanimously approved ZTA 11-01. This provided a new definition and a new section to enact zoning regulations and establish a set of development standards to regulate digital billboards along the Loop 101 in the Sports and Entertainment District between Northern Avenue and Camelback Road. Digital billboards will continue to be prohibited in all other areas of the city, and will continue to be prohibited along the Loop 101 between 51st Avenue and Bell Road.

Councilmember Martinez quoted some of Mayor Elaine Scruggs comments from the City Council meeting of 06-26-12 as follows: Mayor Scruggs said that there was a very active citizen movement within the city to start an initiative to ban electronic billboards totally because of the thoughtless way in which the ordinance was presented the first time. She said it was really very destructive and inconsiderate and totally disregarded neighborhoods.....Mayor Scruggs thanked Mr. Froke again for his two decades of work here; this certainly was one very significant piece....She said there's so much more thought that went into this ordinance than the very superficial one that was presented to the City Council initially.....She also thanked the various other representatives of the industry and various other attorneys and she thought the city had a model ordinance here in Glendale.

Councilmember Martinez continued his prepared comments as follows: It took about 18 months to finalize this text amendment after getting input from the public and industry representatives through community meetings and public hearings. In February of this year the Rose Law Group and their client, Mr. Becker from Becker Boards, met in separate meetings with Mayor Weiers and I believe most councilmembers regarding their client's

proposal for two digital billboards in the Palm Canyon Business Park which is located North of Bell Road along Loop 101. In my meeting, I made it clear that I was opposed to this request and that I could assure them the neighborhood leaders and residents in the Cholla District would also be opposed. The response was that if we didn't approve this Peoria would jump at the chance - but that is not the case. At a council workshop in March under Items of Special Interest, Councilmember Sherwood asked that Billboards be placed on a future council workshop which brings us to today.

The applicant did not file an application for digital billboards, but on June 7th of this year the Rose Law Group filed an application for their client to install two static billboards 85' high at the Palm Canyon Business Park and - as required by our Citizens Participation Ordinance - that a neighborhood meeting would be held July 2nd at the Adult Center on Brown St and 59th Avenue, across from the Main Library. I asked Mr. Froke to contact the applicant to have the date and location changed, but the applicant said no. Our Citizen Participation Plan has a statement that reads as follows: "The Citizen Participation Plan is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and allow for informed decision making."

I do not believe the applicant has been a good neighbor. I have been on the council for 17 years and do not recall an applicant with a project in Cholla District having their meeting in other districts. The good news is that the 58 persons that attended the meeting included not only Cholla residents but residents from the Sahuaro District and the City of Peoria, and not one was in support of this application. After that meeting a resident of Hidden Manor (which is in the Sahuaro District) who attended the meeting sent a letter to the Mayor and Council with petitions with over 100 signatures in opposition. Other petitions came in with 96 more signatures. I have also received letters, emails, and phone calls.

Peoria Mayor Barrett wrote a letter to then Acting City Manager Dick Bowers that they were opposed to this application. Mayor Barrett also requested and had a meeting with Mayor Weiers and staff to reinforce his opposition. Peoria Councilmember Jon Edwards, who represents the Willow District, just west of the proposed location for these signs, is also opposed and has received many requests by his constituents to voice their opposition - including an HOA with 500 homes.

All of us can see by the turnout this afternoon that billboards of any kind are not welcome. It has been suggested that staff needs to look at our Sign Ordinance regarding billboards because of the future development that is going to occur along the Northern Parkway and Loop 303. This will require a lot of staff time and work. I met with Mr. Froke to get information on his workload and found that in 2006 he had 21 staff and today he is down to 9. He acknowledged that when he had the 21 there was a lot of development taking off so that today he does not need 21 staff. However, he did tell me that based on the workload and for a city of our size and development patterns, he should have approximately 11. He said there is a lot going on including new home building on infill sites. No really big projects, but a lot of smaller projects that take a lot of staff time in plan review. Projects like Copper Cove at 95th and Camelback; John F. Long Properties has plans to start Stone Haven, 400 acres, and Copper Wing, at 115th and Glendale Avenues. Midwestern University

is expanding their campus with new buildings that require Design Review approval. In addition, all wireless carriers are upgrading their networks city-wide and Fry's Food Stores and Burger King are remodeling all their stores in Glendale and those have to go through the Design Review process. Planning is also working on two big annexations along the Loop 303 Corridor. And there is Aspera, a big mixed use project coming up at the Church of Joy property. And there is more but that will give you a flavor of what staff is faced with.

Along with that, General Plans have to be updated every ten years and a major undertaking for staff right now is amending General Plan 2025 which was last updated in 2002. We all know all departments have less staff and I mentioned to Mr. Froke would I be correct in stating that he probably works 50 hours a week. His reply: "at least." Part of the General Plan is looking into the future and what the development will look like. Therefore, staff will look at the Northern Parkway, the 303, and other undeveloped areas and incorporate that into the General Plan. And as the areas are developed the zoning will determine what can be built, including billboards. Therefore, my suggestion is that we do not ask staff to take on a separate project for billboards but do it as part of the General Plan process. In Mr. Froke's memo to Mayor and council dated July 11, 2013 he said: "In the one year since the adoption of Zoning Text Amendment ZTA 11-01, staff has not received a request from the community to amend the Zoning Ordinance relative to billboards. The public appears to be comfortable with the existing standards and ordinance approved by Council on June 26, 2012." ".....In conclusion, city staff finds the existing ordinance appropriate, recently thoroughly examined with the public and well founded with respect to the zoning standards in place for both static billboards and digital billboards....." So I repeat we do not need to ask staff to take on a special project like this at this time. Thank you. This is the conclusion of Councilmember Martinez's prepared comments.

Vice Mayor Knaack said she thought the sign ordinance that they passed was fair and appropriate. She said they have spent years trying to get rid of the other billboards in the city. She said "with the adoption of the city's design review in 1983, the community, the city council and the city's development team have focused on creating and maintaining a reputation for quality development. This consistent focus created a distinguished and recognized level of quality associated with both Glendale's aesthetic appearance and unique character here in the west valley." She said that is so true and nothing has changed thirty years later. She said the city has worked very hard to get to this point and she does not want to go backwards. She recommends leaving the zoning ordinance as it is.

Councilmember Sherwood said he was on the other side of this argument. He said the Planning Commission never did provide a recommendation to council on this issue. He said he has spent considerable time on this issue. He followed other cities as they worked through this same issue as well, but they are not consistent throughout the valley. He said he would like to see this go back to the Planning Commission, host public forums, have them do the research and get the sign companies involved to come up with a comprehensive plan for all the areas under development. He said he was aware of the opposition to this issue in the area of the Loop 101. He spoke about the Amber Alerts and the fugitives that have been caught due to the digital billboards. Councilmember Sherwood said he would like to send this back to the Planning Commission for them to do most of the

leg work to try and resolve this issue. He would like to see a comprehensive plan. He spoke about the city of Peoria's efforts to resolve the digital billboard sign issue around the Peoria Sports Complex. He said digital billboards are all over the valley and he doesn't see the danger in allowing them in appropriate areas. He suggested sending this back to the Planning Commission at this time.

Councilmember Chavira said the digital billboards are a tool to put out information that people need. He agrees this issue needs to be resolved in a responsible manner and agrees with Councilmember Sherwood that it should be sent to the Planning Commission for further work.

Councilmember Hugh agrees with staff's recommendation and said the public seems to be comfortable with the existing standards and the ordinance approved by the city council.

Councilmember Alvarez said she would like to go along with staff's recommendation. She said Council just voted on and passed the ordinance and she supports staff's recommendation.

Mayor Weiers said phenomenal growth is headed to Glendale and if they don't start coming up with rules and regulations for this future growth, there will be problems. He would like to see clear and precise definitions from staff that the council can vote on, showing where they can and cannot have billboards. He said there is a public benefit from the billboards, which include Amber Alerts and fugitive alerts. He said the codes are conflicting and are not precise and he said they need clarification.

Councilmember Martinez asked Mr. Froke to discuss the conflicts in the ordinance. Mr. Froke said there was a section in the zoning ordinance that was not changed in the 2012 zoning text amendment that is a little confusing. He said this has been flagged to clean up and bring back to the council. Councilmember Martinez asked if this would be put into the general plan. Mr. Froke said it would be a zoning ordinance update. Councilmember Martinez also commented that Amber Alerts were useful, but digital billboards had no place being in the neighborhoods. He spoke about going back to the Planning Commission for a comprehensive plan. He said there were over 18 months that went into the text amendment just over a year ago. He said it takes a long time to go through the process, which is a lot of staff time. He doesn't think it is a good idea to put the additional workload on staff at this time. He does not see any urgency to resolve this issue as there has only been one application. He said the process is in place to handle both static and electronic billboard applications. He said when the text amendment was under discussion, there was a lot of input, a lot of billboard industry involvement, along with zoning attorneys and neighborhoods involved and much discussion. He said the Planning Commission did not make a recommendation, but the council made the final decision and came up with the text amendment. He said they don't need to go back to the Planning Commission to review this at this time. The present ordinance is fine and can handle whatever issues come up.

Vice Mayor Knaack commented she is not against sign companies. She said she is here to represent the citizens. She thanked everyone who was in attendance at the meeting. She said she is going to listen to the citizens.

Mayor Weiers said there is no consensus to move forward.

2. COUNCIL ITEM OF SPECIAL INTEREST: PARKS AND RECREATION FEES AND AMENITIES USAGE

PRESENTED BY: Erik Strunk, Executive Director, Parks, Recreation and Library Services and Lori Bye, Recreation Manager

The purpose of this item is to provide Council with information related to the increase in user fees that occurred on July 1, 2012, and the corresponding impact it has had on overall revenue and the use of parks and recreation amenities.

Mr. Strunk provided a short history of this item. He said the Parks and Recreation Department explored many options regarding services provided, revenue generating opportunities and its overall staffing needs. They implemented a lot of the options to lower costs and increase revenues. He said council provided direction to increase many fees at the Glendale Adult Center, Aquatics, swimming lessons, passes and gate fees, the Foothills Recreation and Aquatics Center and the fee structures in the ramada rentals, before and after school programs and ballparks and athletic fields. On council's request, this information was provided to the Parks and Recreation Advisory Commission at their August summer retreat.

Ms. Bye started with information on the Glendale Adult Center. Some of the changes included the annual membership fee, and reducing hours of operation. Although fees brought in additional revenue, total visits and memberships decreased. The Adult Center did achieve a 47 percent cost recovery, which was an increase from 30 percent the prior year.

Vice Mayor Knaack asked if the reduction in visits were from non-residents or residents. Mr. Strunk said the numbers overall went down with resident visits down about 15 percent and non-resident visits down about 6 percent. Vice Mayor Knaack said that was interesting.

Ms. Bye next discussed the Aquatics program. She said fee increases were primarily for swim lessons and Rose Lane's public recreation swim. She said the fees at Rose Lane were raised to match the fees at Foothills Aquatic Center due to the similar amenities. The summer swim season was shortened by two weeks, in addition to a reduction in the total number of operating hours each week. Overall she said the summer swim program saw a 26 percent decline in participation. Even so swimming lessons and recreational swimming did increase. The summer aquatics program achieved a 60 percent cost recovery rate for FY12-13.

Vice Mayor Knaack asked if there was a decrease with residents or non-residents due to the rate increase. Mr. Strunk said it was split, but the majority of the decline was with residents. He said the Parks and Recreation Advisory Commission noted this and suggested looking at this issue further. Mr. Strunk said there was about a 45 percent decline in patronage between 2011 and FY12-13 at the Rose Lane Aquatics Center. Vice Mayor Knaack said this was not where they wanted to go with this fee increase and she was surprised about this.

Ms. Bye discussed sports ballfields, including Sahuaro Ranch Park and the smaller school and neighborhood fields. She said usage declined from the previous year, but was higher than 2011 before the fees increased. She said the largest reduction in use occurred in the smaller ballfield complexes. Revenue also declined from 2012, but increased from 2011. Foothills Recreation and Aquatics Center made fee changes to the pass holder membership options and center hours were also reduced. There was a general decline in participation since 2009, but the largest decline occurred in the past year, as well as a reduction in revenue. The center achieved an 82 percent cost recovery rate for FY12-13. She said Sahuaro Ranch Park had the overall highest increase in usage from the previous years.

Ms. Bye spoke about facility rentals and before and after school programs. She said there was a decline in ramada rentals over the past four years and a revenue decrease over the past two years. The before and after school programs are self-sustaining and cover the cost to operate the program. She said last year the program received a one-time funding for a nutrition program from the Gila River Indian Community. With this and other fundraising activities, program revenue exceeded the expenditures by over \$14,000. Those funds will support related expenses for the program. The current school year has a higher level of participation.

In summary, Mr. Strunk said the summer swim season exceeded the 50 percent cost recovery initiative for aquatics and there has been a reduction in patronage that occurred from the fee increases. Over the next year and a half, he said they should reach 50 percent cost recovery at the Adult Center as well. He said the Parks and Recreation Commission had some observations. The commission affirmed the five point price plan of the department and it is a best practices model. The commission expressed concern over the reduction in patronage at the Rose Lane Center and they would like to monitor this further. The commission wanted to make recommendations to staff and council over the next 6 to 7 months after review of this issue. Mr. Strunk said the commission also wanted to review differential fees, evening rates versus day rates, summer versus fall rates and the like. They also wanted to look at a discount program for individuals and families who might not be able to afford the fees. He said there is a scholarship program in place, but it is not extended to adults or other able-bodied persons. Mr. Strunk said a recommendation was made to establish a non-profit rate, which would be the same fee as a resident fee. The Commission did not recommend any fee adjustments at this time.

Councilmember Sherwood said the figures were interesting when looking at 2010 to 2013 in usage. He hoped they could get back to being a little more user friendly and have people using the facilities. He liked the idea of a non-profit rate.

Vice Mayor Knaack asked if the ball clubs were non-profit. Mr. Strunk said some of the clubs were non-profit and some were not. He went over some issues they have had with ball clubs in the past and how they dealt with those. Vice Mayor Knaack applauded the effort to increase use at Sahuaro Ranch Park. She asked if the photographer fee has been successful. Mr. Strunk said they have had issues at special events with professional photographers and they haven't had any negative feedback with the new rules and photographer fees. Vice Mayor Knaack asked about the ramada usage at the park. Mr. Strunk said it was difficult to assess whether the lower usage rates were a result of the fee increase. He said in general ramada usage has declined. He said the fees are slightly higher than neighboring cities. Vice Mayor Knaack's concern was that they have priced themselves out of the market. Vice Mayor Knaack asked about the non-profit fee and the need to have staff present for the larger events. Mr. Strunk said that would not change, but the rates for the rental fee could change.

Mayor Weiers said some non-profits work solely to benefit the citizens of Glendale. He asked why they don't have a better rate for a business that will help our citizens. Mr. Strunk asked if the council was interested in looking at non-profits that benefit Glendale only or non-profits in general. Mayor Weiers said maybe they could have another category for non-profits that would benefit Glendale residents.

Ms. Fischer suggested looking not only at non-profits benefitting residents versus non-residents, but to look at different rate based on seniors, youth and adults.

Councilmember Chavira said the information was helpful and was very detailed. He said the numbers presented were enlightening, but he would like to see an increase in resident participation.

Councilmember Martinez asked Mr. Strunk if there was any other space available for a dog park other than what was located up north. Mr. Strunk said the dog park space is constrained up in that area, but they can look at different options, although there isn't a lot of room for expansion. Councilmember Martinez said he does get the occasional comments from citizens about that area. He also thanked the staff and the Parks and Recreation Commission for their work on this item.

3. COUNCIL ITEM OF SPECIAL INTEREST: CIVIC CENTER SELF-SUSTAINING GOAL
PRESENTED BY: Julie Watters, Interim Executive Communications Director and
Mario Rochin, Civic Center Manager

The purpose of this staff report is to provide information for Vice Mayor Knaack's request to evaluate the Civic Center's goal to become 100% self-sustaining. This report will also respond to Mayor Weier's inquiry about the Civic Center's discount policy for non-profit organizations.

Ms. Watters provided some history of the Civic Center and said staff was directed by city management in 2012 to work toward 100 percent cost recovery.

Vice Mayor Knaack said she did not recall council ever giving them direction for 100 percent cost recovery. Ms. Watters said this was not council direction; the direction came from the former Assistant City Manager, Horatio Skeete.

Ms. Watters spoke first about the non-profit policy which has been in place for 14 years, which offers a 20 percent discount to non-profits. This discount also applies to Glendale residents. She said one-quarter of their business last year received a non-profit discount. She said there have been challenges as they move toward 100 percent cost recovery. She said a three year plan was created and year one began last fiscal year. The net cost to the general fund was \$238,000. She said last year they focused on as many events as possible to generate revenue while lowering costs at the same time. They are projecting the cost to run the facility for this fiscal year will be less than \$200,000. She said per event revenue is up 25 percent for FY12-13. She discussed figures in a historical perspective from FY09-10 to projected figures for FY13-14. She said the percentage of allocated budget returned to the general fund has continued to increase. Ms. Watters said the Civic Center has been ranked as the number one facility of its size for the past two years by Ranking Arizona, the Best of Arizona Business. She said the Civic Center is the only government managed facility to make that list. They have been in the top five for the past six years. She praised the staff for the wonderful job they do.

Vice Mayor Knaack said the cost recovery is great, but if no one is using the facility, why have it. She did congratulate Ms. Watters for the new paint out front of the building. She said she does not support 100 percent cost recovery and said it is not realistic. She said she needed guidance from staff as to what a realistic cost recovery would be. Ms. Watters said this has been a challenge and their recommendation would be they remove the goal of becoming 100 percent self-sustaining and run the facility with a 50-55 percent cost recovery. She said this might loosen things up a little bit as they won't be cutting costs so much. She hoped they could use a little of the funding they have not been using for things like marketing the facility. Ms. Fischer said this would be part of the budget process they would bring to council. She said staff understands those numbers might have to be modified and they might need to be a little more fluid as they proceed to the next budget year. Vice Mayor Knaack commented on the marketing issues. She said it might make a difference if the Center could do more marketing.

Councilmember Martinez asked if they give discounts to non-profits. Ms. Watters said yes. He asked if city employees were given discounts. Mr. Rochin said city employees were given discounts of 20 percent.

Councilmember Chavira congratulated Ms. Watters for the awards and recognition received by the Civic Center. He said the level of quality of events has never been affected by the lean budget. He said 100 percent cost recovery is not a realistic goal at this time.

Councilmember Alvarez asked if the Civic Center received any money for the meals that were served at the facility. Ms. Watters said they do receive a percentage of the revenue from all catering. Mr. Rochin said they receive 14 percent from catering. Councilmember

Alvarez said the service is not an issue. She said the issue with citizens holding their events there is the expense for the caterer. She suggested looking into pricing by the caterer. She said citizens have said the rental hall is not that expensive, but the caterer is quite expensive. Ms. Watters said there are two years left on the current contract with the caterer. When the contract comes to an end, they will put out an RFP and they will look at different options, such as multiple options or letting people bring in their own food.

Mayor Weiers said he has an extensive background in food service. He said the numbers would go up if people had options. He said there are times that people would love to bring in their own food and there are caterers that would like the opportunity to service that facility. He thanked Ms. Watters for being open to the many other options that might be available.

CITY MANAGER'S REPORT

Ms. Fischer said she will start recognizing the work done by staff during this portion of the meeting. She said the public information office works with every department in the city and has created a new safety campaign with several other departments. The goal was to educate the public with safety messages by partnering several city departments in one campaign. She recognized the Communications Department, the Fire Department, Police Department, Parks and Recreation, Library and Transportation for working together on this program. These departments provided a different safety topic each week for six weeks. She said the messages were seen 230,000 times. The topics included heat related illness, water safety, and child safety for kids home alone during the summer. She said this was a successful collaboration.

COUNCIL ITEMS OF SPECIAL INTEREST

Mayor Weiers reminded everyone that Stand Up for Veterans was coming up on September 28th at the Glendale Community College and he said he would love everyone to attend and show their support for our veterans.

ADJOURNMENT

The meeting was adjourned at 3:22 p.m.