

City of Glendale

*5850 West Glendale Avenue
Glendale, AZ 85301*



Meeting Minutes - Final

Tuesday, April 26, 2016

6:00 PM

Voting Meeting

Council Chambers

City Council

Mayor Jerry Weiers

Vice Mayor Ian Hugh

Councilmember Jamie Aldama

Councilmember Samuel Chavira

Councilmember Ray Malnar

Councilmember Lauren Tolmachoff

Councilmember Bart Turner

CALL TO ORDER

Present: 7 - Mayor Jerry Weiers, Vice Mayor Ian Hugh, Councilmember Jamie Aldama, Councilmember Samuel Chavira, Councilmember Ray Malnar, Councilmember Lauren Tolmachoff, and Councilmember Bart Turner

Also present were Kevin Phelps, City Manager; Tom Duensing, Assistant City Manager; Michael Bailey, City Attorney; Pamela Hanna, City Clerk; and Darcie McCracken, Deputy City Clerk.

PLEDGE OF ALLEGIANCE**PRAYER/INVOCATION**

Chaplain Tim Heath from the Glendale Police Department offered the invocation.

CITIZEN COMMENTS

Monica Toby, a Yucca resident, asked that the Stonehaven item be tabled until the lot size issue can be resolved. She said that lot size is not typical for the area and would like more public discussion on this issue.

Bill Demski, a Sahuaro resident, spoke about the travel costs expended by the Councilmembers. He said it was unfair that the Councilmember spent so much money and the roads remained in poor shape for the residents. He said the Councilmember's behavior was illegal and the City Attorney's opinion was wrong. He said it was unfair that the Council spends so much of the taxpayers' money and makes poor decisions, instead of spending money on fixing the city roads.

James Deibler, a Phoenix resident, said the Council needs to help grow the downtown Glendale economy. He wanted to see the Jazz Festival return to the city to bring more traffic to downtown. He also wanted to see Heroes Park and the Western Area Branch Library finished on time. Residents do not want to see a vacant lot anymore. Glendale will be a picture of growth in the West Valley.

Rezan Finley, a Yucca resident, spoke about the lot sizes and zoning requirements for a parcel of land near her home. She said she has been in contact with the City about the size of proposed lots and the zoning issues. She said her family and neighbors do not want houses built on small lots near their homes. She said the neighbors want the SR-17 zoning enforced. She said she wants the Council to be aware of the error made by the city on this zoning issue and said the neighboring homeowners should not have to suffer because of the city's oversight.

APPROVAL OF THE MINUTES OF APRIL 12, 2016 VOTING MEETING

1. [16-184](#) APPROVAL OF THE MINUTES OF APRIL 12, 2016 VOTING MEETING
Staff Contact: Pamela Hanna, City Clerk

A motion was made by Councilmember Turner, seconded by Councilmember Chavira, that this agenda item be approved. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

BOARDS, COMMISSIONS AND OTHER BODIES

APPROVE RECOMMENDED APPOINTMENTS TO BOARDS, COMMISSIONS AND OTHER BODIES

PRESENTED BY: Councilmember Lauren Tolmachoff

2. [16-182](#)

BOARDS, COMMISSIONS & OTHER BODIES

Staff Contact: Brent Stoddard, Director, Intergovernmental Programs

Board of Adjustment:

Tonya Blakely, Barrel District Reappointment, 6/30/16 to 6/30/18

Lawrence Feiner, Sahuaro Reappointment, 6/30/16 to 6/30/18

Ernie Zara, Mayoral Reappointment, 6/30/16 to 6/30/18

Linda Vescio, Chair, Cholla Appointment, 6/30/16 to 6/30/17

Lawrence Feiner, Vice Chair, Sahuaro Appointment, 6/30/16 to 6/30/17

Citizens Bicycle Advisory Committee:

Michael Wilson, Cactus Resignation

Larry Flatau, Barrel Appointment, 4/26/16 to 7/17/16

Anthony Pratcher, Vice Chair, Cholla Appointment, 4/26/16 to 7/17/16

Citizens Transportation Oversight Commission:

Marie Nesfield, Sahuaro Appointment, 4/26/16 to 3/25/17

Community Development Advisory Committee:

Sharyn Nesbitt, Yucca Reappointment, 7/1/16 to 7/1/18

Dennise Rogers, Neighborhood Rep, Yucca Reappointment, 7/10/16 to 7/10/18

Industrial Development Authority:

Michael Mitchum, Cholla Reappointment, 8/23/16 to 8/23/20

Judicial Selection Advisory Board:

Michele Tennyson, Cholla Appointment, 4/26/16 to 4/23/17

Judge Andrew Gould, Appellate Court Judge, Appointment, 4/26/16 to 4/23/19

Library Advisory Board:

Timothy Ndamu, Cactus Appointment, 4/26/16 to 4/13/18

Jessica Koory, Chair, Ocotillo Appointment, 4/26/16 to 4/13/17

Parks and Recreation Advisory Commission:

Alicia Rubio, Ocotillo Appointment, 4/26/16 to 4/9/17

A motion was made by Councilmember Tolmachoff, seconded by Vice Mayor Hugh, that this agenda item be approved. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

PROCLAMATIONS AND AWARDS

3. [16-135](#) PROCLAIM MAY 1 - MAY 7, 2016 MUNICIPAL CLERKS WEEK
Staff Contact: Pamela Hanna, City Clerk
Presented By: Office of the Mayor
Accepted By: Pamela Hanna, City Clerk
- Mayor Weiers proclaimed May 1 through May 7, 2016 Municipal Clerk's Week. Ms. Hanna, City Clerk, accepted the proclamation.
- Mayor Weiers introduced and welcomed Christopher Ipson, Boy Scout Troop 542, who was working on his merit badge.
- Mayor Weiers introduced MYAC students Christian Katana, Ocotillo District, Michaela Barnes, Cholla District, and McKeeley Barnes, Cholla District, who were in the audience.

CONSENT AGENDA

Ms. Pamela Hanna, City Clerk, read consent agenda item numbers 4 through 21 and consent resolution item numbers 22 through 26 by number and title.

Councilmember Turner requested that Item 12 be heard separately.

4. [16-167](#) RECOMMEND APPROVAL OF SPECIAL EVENT LIQUOR LICENSE, MAGNIFICAT
Staff Contact: Vicki Rios, Interim Director, Finance and Technology
This agenda item was approved.
5. [16-154](#) RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-19846, PACIFIC SEAFOOD BUFFET
Staff Contact: Vicki Rios, Interim Director, Finance and Technology
This agenda item was approved.
6. [16-155](#) RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-19900, HEROES
Staff Contact: Vicki Rios, Interim Director, Finance and Technology
This agenda item was approved.
7. [16-156](#) RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-19863, SALT TACOS Y TEQUILA
Staff Contact: Vicki Rios, Interim Director, Finance and Technology
This agenda item was approved.

8. [16-185](#) RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-20087, BAR LOUIE
Staff Contact: Vicki Rios, Interim Director, Finance and Technology
This agenda item was approved.
9. [16-139](#) AUTHORIZATION TO ENTER INTO AMENDMENT NO. 5 OF THE ICAPTURE SOFTWARE LICENSE SUPPORT AGREEMENT WITH IMPRESSION TECHNOLOGY, INC.
Staff Contact: Vicki Rios, Interim Director, Finance and Technology
This agenda item was approved.
10. [16-152](#) AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH INSIGHT PUBLIC SECTOR, INC., AND APPROVAL OF THE EXPENDITURE OF FUNDS
Staff Contact: Vicki Rios, Interim Director, Finance and Technology
This agenda item was approved.
11. [16-183](#) POSITION RECLASSIFICATION
Staff Contact: Jim Brown, Director, Human Resources and Risk Management
This agenda item was approved.
13. [16-142](#) AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE SERVICE AGREEMENT WITH ASSIGNMENT STAFFING SERVICES, LLC, DOING BUSINESS AS LAB SUPPORT, AND APPROVE THE EXPENDITURE OF FUNDS TO PROVIDE TEMPORARY LABORATORY TECHNICIAN STAFF
Staff Contact: Craig Johnson, P.E., Director, Water Services
This agenda item was approved.
14. [16-149](#) AUTHORIZATION TO ENTER INTO AMENDMENT NO. 2 TO THE SOFTWARE MAINTENANCE AGREEMENT WITH TMMI - TECHNICAL MARKETING MFG INC. - GE INTELLIGENT PLATFORMS, FOR THE SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM
Staff Contact: Craig Johnson, P.E., Director, Water Services
This agenda item was approved.
15. [16-170](#) AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH EMPIRE SOUTHWEST, LLC, FOR THE COOPERATIVE PURCHASE OF PARTS, SERVICE AND REPAIRS ON HEAVY EQUIPMENT
Staff Contact: Jack Friedline, Director, Public Works
This agenda item was approved.
16. [16-181](#) AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH

CREATIVE COMMUNICATIONS SALES & RENTALS, INC., FOR THE PURCHASE OF 44 TWO-WAY RADIOS, ACCESSORIES, INSTALLATION AND CREATIVE AIRTIME COMMERCIAL REPEATER SERVICE

Staff Contact: Jack Friedline, Director, Public Works

This agenda item was approved.

17. [16-178](#) AWARD OF BID 16-31, AUTHORIZATION TO ENTER INTO AN AGREEMENT AND APPROVE EXPENDITURE OF FUNDS TO PURCHASE FIREFIGHTER TURNOUT GEAR FROM FDC RESCUE PRODUCTS, LLC

Staff Contact: Terry Garrison, Fire Chief

This agenda item was approved.

18. [16-179](#) AWARD OF BID 16-31, AUTHORIZATION TO ENTER INTO AN AGREEMENT AND APPROVE EXPENDITURE OF FUNDS TO PURCHASE FIREFIGHTER TURNOUT GEAR FROM L. N. CURTIS & SONS

Staff Contact: Terry Garrison, Fire Chief

This agenda item was approved.

19. [16-180](#) AWARD OF BID 16-31, AUTHORIZATION TO ENTER INTO AN AGREEMENT AND APPROVE EXPENDITURE OF FUNDS TO PURCHASE FIREFIGHTER TURNOUT GEAR FROM UNITED FIRE EQUIPMENT COMPANY

Staff Contact: Terry Garrison, Fire Chief

This agenda item was approved.

20. [16-173](#) AWARD OF BID 16-40 AND EXPENDITURE AUTHORIZATION FOR THE PURCHASE OF PATROL RIFLES FROM SIONICS WEAPON SYSTEMS

Staff Contact: Debora Black, Police Chief

This agenda item was approved.

21. [16-174](#) AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH SAN DIEGO POLICE EQUIPMENT CO. INC. AND APPROVE THE PURCHASE OF AMMUNITION FOR THE GLENDALE POLICE DEPARTMENT UTILIZING A STATE OF ARIZONA PURCHASING COOPERATIVE CONTRACT

Staff Contact: Debora Black, Police Chief

This agenda item was approved.

CONSENT RESOLUTIONS

22. [16-043](#) RESOLUTION 5088: ADOPT A RESOLUTION TO CALL 2016

ELECTIONS

Staff Contact: Pamela Hanna, City Clerk

RESOLUTION NO. 5088 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, DESIGNATING THE ELECTION DATES AND PURPOSE OF ELECTIONS (PRIMARY ELECTION: AUGUST 30, 2016; GENERAL ELECTION: NOVEMBER 8, 2016); DESIGNATING THE DEADLINE FOR VOTER REGISTRATION; DESIGNATING THE PLACE AND THE LAST DATE FOR CANDIDATES TO FILE NOMINATING PAPERS; AND ORDERING THAT THE CITY CLERK PUBLISH THIS CALL OF ELECTION.

This agenda item was approved.

23. [16-148](#)

RESOLUTION 5089: AUTHORIZATION TO ACCEPT REALLOCATED FEDERAL FISCAL YEAR 2014 HOMELAND SECURITY GRANT PROGRAM AWARD FUNDS AND ENTER INTO GRANT AGREEMENT 140803-03 WITH THE STATE OF ARIZONA DEPARTMENT OF HOMELAND SECURITY

Staff Contact: Debora Black, Police Chief

RESOLUTION NO. 5089 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF FFY 2014 HOMELAND SECURITY PROGRAM AWARD-REALLOCATION FROM THE STATE OF ARIZONA, ARIZONA DEPARTMENT OF HOMELAND SECURITY, IN THE APPROXIMATE AMOUNT OF \$11,650, FUNDED UNDER THE URBAN AREA SECURITY INITIATIVE FOR THE PROJECT ENTITLED "PHOENIX USAI RAPID RESPONSE TEAM - GLENDALE POLICE DEPARTMENT" ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.

This agenda item was approved.

24. [16-163](#)

RESOLUTION 5090: AUTHORIZATION TO ACCEPT A GOOD NEIGHBOR CITIZENSHIP COMPANY GRANT FROM STATE FARM

Staff Contact: Debora Black, Police Chief

RESOLUTION NO. 5090 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ACCEPTING THE 2016 GOOD NEIGHBOR CITIZENSHIP COMPANY GRANT, IN THE APPROXIMATE AMOUNT OF \$13,500, FROM STATE FARM FOR THE PROJECT ENTITLED "IT CAN WAIT" ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.

This agenda item was approved.

25. [16-168](#)

RESOLUTION 5091: AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION MOTOR VEHICLE DIVISION

FOR A CUSTOMER SERVICE KIOSK AT THE CITY COURT**Staff Contact:** Elizabeth R. Finn, Presiding Judge

RESOLUTION NO. 5091 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A MEMORANDUM OF UNDERSTANDING WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION MOTOR VEHICLE DIVISION FOR A CUSTOMER SERVICE KIOSK AT GLENDALE CITY COURT.

This agenda item was approved.

26. [16-172](#)**RESOLUTION 5092: AUTHORIZATION TO ENTER INTO AMENDMENT NO. ONE TO THE INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF TRANSPORTATION TO REVISE THE CONSTRUCTION FUNDING FOR THE 67TH AVENUE FROM GLENDALE AVENUE TO CHOLLA STREET INTELLIGENT TRANSPORTATION SYSTEMS ENHANCEMENTS PROJECT****Staff Contact:** Jack Friedline, Director, Public Works

RESOLUTION NO. 5092 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AMENDMENT NO. 1 TO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION, FOR ADDITIONAL FUNDING FOR SYSTEM ENHANCEMENTS ALONG 67TH AVENUE FROM GLENDALE AVENUE TO CHOLLA STREET.

This agenda item was approved.

Approval of the Consent Agenda

A motion was made by Councilmember Turner, seconded by Councilmember Chavira, to approve the recommended actions on Consent Agenda Item Numbers 4 through 11 and 13 through 21 and Consent Resolutions 22 through 26. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

12. [16-176](#)**AUTHORIZATION TO ACCEPT AN OUTDOOR SCULPTURE AS GIFT TO THE CITY OF GLENDALE****Staff Contact:** Erik Strunk, Director, Community Services

Mr. Strunk said this item is a request to accept an outdoor sculpture as a private gift to the city from Mr. and Mrs. Richard Whitney. The Whitney family moved to Glendale in 1910, and has had a long history with the city. The artist is Michael Anderson and the sculpture was commissioned in 1976. The sculpture was appraised at \$18,000. Staff would place this sculpture in front of the Main Library in the Xeriscape Garden. This is the second sculpture acquired by the city by Mr. Anderson. The Arts Advisory Commission approved accepting this sculpture. Mr. Strunk thanked Mr. Whitney, who was in the audience, for his family's generosity. He said the cost to install the sculpture

was about \$2,500 and the cost will be paid out of the Arts Fund, not the General Fund.

Councilmember Turner wanted to have this item heard separately to bring attention to the generous donation being made to the city. He said it is a significant piece of art by a known artist. He said he was proud to have this art installed in the Barrel District. He thanked Mr. Whitney for his donation.

Mayor Weiers thanked Mr. Whitney for his donation.

A motion was made by Councilmember Turner, seconded by Councilmember Chavira, that this agenda item be approved. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

PUBLIC HEARING - LAND DEVELOPMENT ACTIONS

27. [16-177](#) RESOLUTION 5093 AND ORDINANCE 2985: GENERAL PLAN AMENDMENT GPA15-02 (RESOLUTION) AND REZONING APPLICATION ZON15-07 (ORDINANCE): ZANJERO APARTMENTS PAD – 9300 WEST GLENDALE AVENUE (PUBLIC HEARING REQUIRED)

Staff Contact: Tabitha Perry, Assistant Planning Director

Ms. Perry said this item was a request for approval by a property company to build a 340 unit apartment complex. She explained the site is located within a 158 acre approved mixed-use development known as Zanjero PAD at 9300 West Glendale Avenue. The proposed site is 18 acres. The proposed development would be a gated community with garages and generous amenities on site. This site is located just north of the Westgate Entertainment District. The request to rezone from PAD to PAD is consistent with the request to amend the General Plan destination from CCC to High Density Residential. The development will provide additional pedestrian activities for the Sports and Entertainment District. Staff's recommends adoption of this item.

Mayor Weiers opened the public hearing on General Plan Amendment GPA15-02 (Resolution) and Rezoning Application ZON15-07 (Ordinance).

James Deibler, a Phoenix resident, spoke on this item. He said the Zanjero Apartments will bring in more workers to the area.

Mayor Weiers closed the public hearing.

RESOLUTION NO. 5093 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GENERAL PLAN MAP OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING GENERAL PLAN AMENDMENT GPA15-02 FOR PROPERTY LOCATED AT 9300 WEST GLENDALE AVENUE.

A motion was made by Councilmember Malnar, seconded by Vice Mayor Hugh,

that Resolution 5093 be approved. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

ORDINANCE NO. 2985 NEW SERIES, WAS READ BY NUMBER AND TITLE ONLY, IT BEING AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY FROM PAD (PLANNED AREA DEVELOPMENT) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED "ZANJERO APARTMENTS" LOCATED AT 9300 WEST GLENDALE AVENUE, AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Councilmember Malnar, seconded by Councilmember Chavira, that Ordinance 2985 be approved. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

28. [16-147](#)

**RESOLUTION 5094 AND ORDINANCE 2986: GENERAL PLAN AMENDMENT (GPA) APPLICATION GPA13-06 (RESOLUTION) & REZONING (ZON) APPLICATION ZON13-09 (ORDINANCE):
STONEHAVEN – 9050 WEST CAMELBACK ROAD (PUBLIC HEARING REQUIRED)**

Staff Contact: Jon M. Froke, AICP, Planning Director

Mr. Froke said this item is a request for approval of a master planned community known as StoneHaven, located at 9050 West Camelback Road. He said this is one of the largest master planned community development in many years. He provided context for the boundaries of this property. He said there are several existing schools as well as a joint use neighborhood park. He said the General Plan amendment allows commercial development on approximately 21 acres of property on Camelback Road and on approximately 10 acres on Bethany Home Road. He said the zoning case would place a PAD on the entire 382.5 acre site and would establish a site plan. Staff recommends approval of both the General Plan amendment and rezoning application. The Planning Commission has unanimously recommended approval of both applications. Mr. Froke explained there have been several revised stipulations in the Resolution for this item. These stipulations are: (1) development shall be in substantial conformance with the PAD document, dated February 2016. Less intensive development may be deemed substantially conforming by the Planning Director, subject to Preliminary Plat and Design Review approval, (2) right-of-way dedications and off-street improvements shall be completed in conjunction with Final Plat and Design Review approval, (3) there shall be a 30 foot landscaped triangle provided on the corner of Camelback Road and 91st Avenue and on the corner of Bethany Home Road and 91st Avenue, (4) sidewalk improvements adjacent to and vehicular access to 91st Avenue along the existing SRP well site shall be provided by the applicant, and (5) construction of Camelback Road roadway improvements adjacent to the planned commercial parcel shall be designed so that the 69kv power poles shall not split the westbound through lanes from the right turn lane, and that the relocated 69kv poles shall be relocated at the ultimate build out location. He explained stipulation 5 was eliminated, so there are now only 5 stipulations total, instead of 6 stipulations.

Mr. Froke provided a layout of the proposed development and explained where the

commercial buildings would be placed on the property. He said a multi-family residential component was deleted from this property development. He said this development will allow the completion of the gap in Bethany Home Road, so Bethany Home Road will be complete from SR51 all the way to the Loop 101.

Mayor Weiers asked what was the total number of apartments proposed.

Mr. Froke said there were originally about 300 units which have since been dropped from consideration.

Mayor Weiers opened the public hearing on General Plan Amendment (GPA) Application GPA13-06 (Resolution) and Rezoning (ZON) Application ZON13-09 (Ordinance).

Stephen Earl, with the law firm of Earl, Curley & Lagarde, attorney for property owner J.F. Long Properties, said his client is proposing a master planned community, the first of its kind in over 8 years. He said this process began over 3 years ago and several public meetings have been held and notices have been sent out. He provided photos showing the development plan and said it is close to the Westgate Entertainment District. He said the zoning density is consistent with the planned development in the area. He spoke about the zoning for the areas surrounding the property. He provided a copy of the original master plan concept and explained the original concept included multi-family housing. He said those multi-family units were eventually removed. He went on to say that the community is suitable for younger families as well as families looking for a much larger home. He said there are over 60 acres of open space and amenities in this plan. He said road improvements will be made to Camelback and Bethany Home Roads. He spoke about the concern of nearby residents concerning smaller lot sizes. Mr. Earl said this is a master planned community which is suitable for families of all sizes and income levels. He provided information about how the impact fees from this project would be used.

Monica Toby, a Yucca resident, spoke about Heroes Park and said she was sad about the length of time it has taken to move forward with developing this park.

Mayor Weiers asked Ms. Toby to stay on track with discussions of StoneHaven.

Ms. Toby said she was called earlier to speak on StoneHaven and spoke about the small lots in that development.

James Deibler, a Phoenix resident, said he supports this residential development in Glendale. He said this project will bring more residential development in the area and will bring more construction workers as well. He said this is an excellent master plan for this area. He discussed the John F. Long development in the Maryvale area and said he was a pioneer in residential development in the west valley.

Rezan Finley, a Yucca resident, said many homes in the area are custom homes and it is not a good idea to have the master planned community with such small lots. She proposed changing the lot sizes to make them bigger to fit in better with the existing neighborhood. She said they did not want another Maryvale to be built in Glendale.

Tom Traw, a Yucca resident, said John F. Long has been around a long time and has been charitable for the community, and thanked the Council for the archery range. He said neighbors want this development to be the best it can be. He said there were \$500,000 to \$1 million homes for sale nearby this development. He is afraid the smaller lots and houses are going to bring down nearby property values. Neighbors are not

agreeable to this project. He suggested changing the lot size to 8,000 square foot lots. He said there are only 3 cul-de-sacs in the planned community. He asked if anyone had thought about the traffic problems the 1,161 homes will cause in this area, and suggested changing the number to about 800 homes. He asked about the \$1.2 million the city was going to have to pay to complete Bethany Home Road. He said buyers want larger lots. He said they have one chance to get this right and suggested tabling this item for further study.

Councilmember Malnar asked if no rezoning is needed, except for a couple of areas on the north and south.

Mr. Froke said there are two land use applications. He said the rezoning on the map would encompass the entire 382 acres. The General Plan amendment is only for two small areas which he designated on the map. He explained the city implements the General Plan by zoning and this action would rezone the entire 382 acres from a collection of C-2 C-O and R1-8 PRD to PAD.

Councilmember Malnar asked what sort of input was received from the public in the last couple of public meetings that were held about this project.

Mr. Earl said there have been continual meetings since the beginning of this project as refinements were completed to the master plan. The first meetings dealt primarily with removal of the apartment complex. He said additional meetings seemed to have consensus about the project. He said they only heard concerns about the lot size in the last couple of weeks. He explained the overall density is consistent with the General Plan and they needed a variety of lot sizes. He said these varying lot sizes and amenities encourage a diverse array of families moving to the community. He said the community is at least over a football field away from some of the larger homes north of the development. Perimeter walls and arterial roads also provide a buffer to the existing larger homes.

Councilmember Tolmachoff said she did research and found many homebuyers wanted smaller lots. She said this development is a good thing for Glendale. She also explained an appraiser is not going to compare larger homes on acre lots to smaller homes of 5,500 square foot lots. Appraisers will choose same size homes to compare home values. She said she did not think homes would be devalued due to this planned community.

Councilmember Aldama asked if the city requested a letter of adequate facilities from nearby schools.

Mr. Froke said the high school district did respond and the elementary school did not respond. He said the high school district indicated that there were adequate facilities.

Councilmember Aldama said he worked in public education and this development will help improve funding for the nearby schools when it is built. He explained he grew up in a very small home and a 5,500 square foot property would have been a dream. He said this is a great opportunity for the southern part of Glendale. He wants this opportunity for families to live in a master planned community. He said he cannot table or deny this project. It's good for the neighborhood and the city.

Mayor Weiers closed the public hearing.

Mayor Weiers said he lived close to this development and understands neighbors' concerns. He said it was his understanding this community will have a large wall around

it and they won't see the homes. He said during game day, traffic is an issue. He said he hasn't heard about parking being addressed, but said he saw opportunities for businesses in the commercial areas.

Mr. Friedline said many discussions have been held about the traffic issues for this community. He said the completion of Bethany Home Road will improve the situation. He said residents will adapt to traffic and will use alternate routes on game days.

Mayor Weiers asked about people trying to park in the neighborhoods on game days so they don't have to pay for parking.

Mr. Friedline said staff would rather react to that if it develops and Transportation staff will work with the Police Department on any parking issues. He said any issues would be addressed once they occur. The parking lots which will be built may also alleviate some of those parking issues.

Councilmember Tolmachoff asked about traffic signals that were going to be installed at several intersections in that development to give residents access during heavy traffic days.

Mr. Friedline said those traffic signals will give residents many more options.

Councilmember Chavira provided a quote from the economic development commissioned report and how it applies to current development. He provided information on how much money the city would receive in residential sales tax, impact fees, and commercial sales tax. He said there will also be an increase in state shared revenue. He spoke about some of the amenities included in this development.

RESOLUTION NO. 5094 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GENERAL PLAN MAP OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING GENERAL PLAN AMENDMENT GPA13-06 FOR PROPERTY LOCATED AT 9050 WEST CAMELBACK ROAD.

A motion was made by Councilmember Chavira, seconded by Councilmember Aldama, that Resolution 5094 be approved. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

ORDINANCE NO. 2986 NEW SERIES, WAS READ BY NUMBER AND TITLE ONLY, IT BEING AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY LOCATED AT 9050 WEST CAMELBACK ROAD FROM R1-8 PRD (SINGLE RESIDENCE, PLANNED RESIDENTIAL DEVELOPMENT), C-2 (GENERALCOMMERCIAL), AND C-O (COMMERCIAL OFFICE) TO PAD (PLANNED AREA DEVELOPMENT); AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Councilmember Chavira, seconded by Vice Mayor Hugh,

that Ordinance 2986 be approved with the discussed stipulations. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

29. [16-165](#)

RESOLUTION 5095: GENERAL PLAN AMENDMENT (GPA)
APPLICATION GPA16-01 (RESOLUTION): ENVISION GLENDALE 2040
– CITY WIDE GENERAL PLAN UPDATE (PUBLIC HEARING
REQUIRED)

Staff Contact: Jon M. Froke, AICP, Planning Director

Guest Presenter: Celeste Werner, AICP, Vice President, Matrix Design
Group

Mr. Froke said GPA16-01 is for an update to the overall citywide General Plan, and will replace the current General Plan. He said two public hearings were held over the weekend and last night on this issue and that the Planning Commission recommended unanimous approval of the General Plan amendment. Mr. Froke thanked the General Plan Steering Committee for bringing together a plan that is community driven and thanked Matrix Design Group, the City's planning consultant.

Ms. Werner said the General Plan is the official planning document for the city. She thanked everyone who assisted in this long process. She said she would provide information on the Steering Committee role, land use plan updates, the public draft General Plan overview and what the next steps in the process will be. She introduced her staff from Matrix Design for their subject matter expertise on this project.

Ms. Werner said the Steering Committee's role was to evaluate existing conditions and the map atlas, provide visioning and act as an ambassador outreach program. She said the Steering Committee is an advisory body appointed by the Council to guide development of the General Plan. The committee held 13 meetings during this process. The committee identified issues and opportunities which led to the development of land use alternatives and assessment. The committee also guided refinement of existing policies and new policy development, as well as coming up with new mixed-use definitions and a draft land use plan.

Ms. Werner said updates were made to existing mixed-use categories, which include Corporate Commerce Center (CCC), which are mixed-use employment centers, including residential, commercial and office categories. Updates were also made to the Entertainment Mixed-Use (EMU) category, which includes regional level sports, entertainment, shopping and employment centers with a wide range of commercial and office space and high density residential units. Two new mixed-use categories were added. The first was Downtown Mixed Use (DMU), which is the area bound by Glenn Drive, Lamar Road, 51st Avenue and 59th Avenue. This area encourages the mix of residential and commercial in the historic downtown area. The second new category was Regional Mixed Use (RMU). This category encourages new multi-modal, mixed-use development in regionally significant areas, intensive use of land with a compact urban form, and this is the best use of the Loop 303 corridor, with minimal residential space.

Ms. Werner provided maps showing new land use diagrams, as well as pinpointing areas of change on the new land use diagram. She also provided maps showing changes to the central Glendale area, the downtown mixed-use area as well as other changes, and west side changes.

Ms. Werner next went over the policy changes that are part of the public draft of Envision Glendale 2040. She explained the public draft of the General Plan was available for review and comment from February 9th to April 9th, 2016 and the draft plan was posted on the Envision Glendale 2040 website. Public draft workshops were held on March 14th, March 24th and March 30th. Approximately 40 public comments were received during the public workshops, via email and in discussions with city staff. Comments were also received from several city departments, most of which were editorial changes, but a few policies were deleted and/or revised.

Ms. Werner said some notable changes included updating the population using the most recent census data and clarification that Glendale is the sixth largest city in Arizona. Clarification was added to the Land Comparison Table and any discussion regarding Floor Area Ratio was removed as it is not used for land use designation categories. In the public draft, Uses allowed in Mixed Use Designations section, changes were made to the residential density for RMU from HDR 20 to be consistent with the Luke Air Force Base graduated density concept. Restrictions were removed on single family detached homes from DMU land use designation category and references were added to the newly adopted Loop 101 Scenic Corridor. There were added dimensions for Luke AFB Accident Potential Zones and added definitions for Airport Obstacle Free Area, Obstacle Free Zone and Runway Safety Area.

Ms. Werner said in connection with the Community Preservation and Revitalization Theme, several new policies were added. Those included, "CRR-1.7. The City shall give high priority to transportation initiatives," "HPD-1.9. The City should preserve, promote and maintain the Glendale Urban Irrigation System with rates that are fair to both customers and the City," and "HPD-1.20. The City should preserve, promote and maintain the Sahuaro Ranch Historical Area and help and assist in the preservation and maintenance of historic Manistee Ranch. The Economic Vitality Theme was revised by Economic Development Department for clarity and conciseness. One goal and associated policies that were deleted was "privatization efforts are encouraged. A new policy was added, "F-2.5. The City shall establish policies and programs that support transparency in the administration of economic development incentives." In the Connectivity Theme, Roadway maps were revised to change classification of some roadways, per the Transportation Department. Additionally, the Bicycle and Pedestrian Network was revised to change some routes identified as "future" to existing" as they have recently been completed.

Ms. Werner explained that in the Public Facilities and Services Theme, new policies were added. Those included, "PS-6.5. The City should work with the school districts to evaluate the ability to expand or renovate school facilities within infill areas to provide adequate facilities; and evaluate alternatives such as smaller school sizes, smaller campus land areas and multi-story buildings," and "PS-6.6. The City should encourage developers to address school district needs based on new development impacts." Additionally, revisions to Water Resource Elements were made to clarify statements and update outdated information. A new policy was added, "WR-6.3. The City shall promote water conservation through outreach programs to community members," and "WR-6.4. The City shall encourage direct and indirect methods of reclaimed water use when cost effective, including applications in parks, golf courses, landscaped areas and groundwater recharge. New policy, WR-6.5 indicated, "The City shall encourage golf course developments to use reclaimed or alternate water resources, whenever available and cost-effective," and policy WR-6.7 indicated, "The City shall encourage the use of drought tolerant plant materials for landscaping applications through ordinances, resolutions, education and incentives.

Ms. Werner said revisions were made to the Environmental Sustainability Theme to clarify statements and update outdated information and to provide additional information on Glendale's Xeriscape Demonstration Garden. New policies added include, "CON-5.3. The City should work with neighboring cities to promote regional wildlife corridors," and "EP-1.7. The City shall continue to educate residents and businesses on the City's fugitive dust ordinances and update the ordinances as needed."

Ms. Werner said next steps include Council approval of this item and voter approval in the Primary Election on August 30, 2016.

Mayor Weiers opened the public hearing on General Plan Amendment (GPA) Application GPA16-01 (Resolution): Envision Glendale 2040, Citywide General Plan Update.

There were no speakers on this issue.

Mayor Weiers closed the public hearing.

RESOLUTION NO. 5095 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ADOPTING ENVISION GLENDALE 2040, A GENERAL PLAN FOR MUNICIPAL PRESERVATION AND DEVELOPMENT POLICY PURSUANT TO ARIZONA REVISED STATUTES, A.R.S. 9-461 *ET. SEQ.*, ESTABLISHING PLANNING GOALS, OBJECTIVES AND POLICIES AND CONSIDERING EACH OF THE PLAN ELEMENTS REQUIRED BY STATUTE AS WELL AS OTHERS DETERMINED ESSENTIAL BY THE CITY.

A motion was made by Councilmember Turner, seconded by Councilmember Chavira, that this agenda item be approved. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

ORDINANCES

30. [16-171](#)

ORDINANCE 2987: AUTHORIZATION TO ENTER INTO LEASE AGREEMENT WITH KELMAR CONSULTING LTD, DOING BUSINESS AS KELMAR AVIATION, FOR SUITE 203 AT GLENDALE MUNICIPAL AIRPORT

Staff Contact: Jack Friedline, Director, Public Works

Mr. Friedline said this is a request to authorize a lease agreement with Kelmar Aviation for lease of Suite 203 at the Glendale Municipal Airport. The lease will likely lead to additional revenues for the Airport. The Aviation Advisory Commission approved this lease agreement in the amount of \$3,460.44 per year and a prorated share of utilities.

ORDINANCE NO. 2987 NEW SERIES, WAS READ BY NUMBER AND TITLE ONLY, IT BEING AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AN AIRPORT TERMINAL LEASE AGREEMENT WITH KELMAR

CONSULTING LTD DBA KELMAR AVIATION FOR CERTAIN OFFICE SPACE IN THE TERMINAL BUILDING AT THE GLENDALE MUNICIPAL AIRPORT.

A motion was made by Councilmember Aldama, seconded by Councilmember Chavira, that this agenda item be approved. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

PUBLIC HEARING – RESOLUTIONS

31. [16-175](#) RESOLUTION 5096: ADOPT A RESOLUTION AUTHORIZING THE SUBMISSION OF THE FY 2016-2017 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN (PUBLIC HEARING REQUIRED)

Staff Contact: Erik Strunk, Director, Community Services

Mr. Strunk said this is a request to authorize the submission of the annual action plan for FY17 to HUD. The annual action plan is developed by the Community Development Advisory Committee and consists of funding recommendations for the CDBG program, HOME Investment Partnerships program, and the ESG program. Over the years, these funds have been used to help keep Glendale residents in their homes through emergency repair programs, housing rehabilitation programs, and assist with basic needs such as food, utilities and shelter. The funds are also used to voluntarily demolish and clear blighted structures to help revitalize neighborhoods. The CDAC reviewed and recommends 27 funding applications for formal approval. Staff expects these funds to assist over 6,000 Glendale residents. He said staff recommends conducting a public hearing and submission of these applications to HUD.

Councilmember Aldama asked if any of the funds can be used for Sonorita residents.

Mr. Strunk said staff determined that due to environmental concerns and federal regulations, those residents are prevented from using the funds.

Councilmember Aldama said the city's zoning also precludes that community from using those funds as well.

Mr. Strunk said that is correct and that neighborhood has been zoned light industrial and not residential.

Councilmember Aldama said it was one of the oldest communities in the city.

Mayor Weiers opened the public hearing.

There were no speakers.

Mayor Weiers closed the public hearing.

RESOLUTION NO. 5096 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING SUBMISSION OF THE ANNUAL ACTION PLAN FOR FISCAL YEAR 2016-2017 TO THE U.S. DEPARTMENT OF

HOUSING AND URBAN DEVELOPMENT AND FOR ACCEPTING: A COMMUNITY DEVELOPMENT BLOCK GRANT IN THE AMOUNT OF \$2,200,786, A HOME INVESTMENT PARTNERSHIPS PROGRAM ALLOCATION IN THE AMOUNT OF \$514,115, AND EMERGENCY SOLUTIONS GRANTS FUNDING IN THE AMOUNT OF \$189,758; AND AUTHORIZING THE ALLOCATION OF THE FUNDS.

A motion was made by Councilmember Aldama, seconded by Councilmember Chavira, that this agenda item be approved. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

NEW BUSINESS

32. [16-162](#)

RESOLUTION 5097: AUTHORIZATION TO ENTER INTO A DEVELOPMENT AGREEMENT WITH JACOB F. LONG, TRUSTEE OF THE JOHN F. LONG FAMILY REVOCABLE LIVING TRUST, FOR THE PURCHASE OF THE NORTH ROW AND REMNANT PARCEL (STONEHAVEN)

Staff Contact: Sam McAllen, Director, Development Services

Mr. McAllen said this is related to Item 28 and is a request to authorize the city to enter into a development agreement with John F. Long for construction of Bethany Home Road between 83rd Avenue 91st Avenue. Costs associated with the roadway development will be shared. The total purchase price is just over \$1.2 million. The roadway will be completed all at once and the parties can take advantage of lower costs by using the same suppliers and construction company. No city funds are currently allocated for completion of this portion of Bethany Home Road. The city will fund its portion using development impact fees designed for streets. This road extension will be completed by January 1, 2022.

RESOLUTION NO. 5097 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A DEVELOPMENT AGREEMENT WITH JACOB F. LONG, TRUSTEE OF THE JOHN F. LONG FAMILY REVOCABLE LIVING TRUST; AND DIRECTING THAT THE CITY CLERK RECORD ANY AND ALL NECESSARY DOCUMENTS.

A motion was made by Councilmember Chavira, seconded by Vice Mayor Hugh, that this agenda item be approved. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

33. [16-213](#)

AWARD OF REQUEST FOR PROPOSAL 16-13 AND APPROVE EXPENDITURE OF FUNDS FOR ARENA MANAGEMENT WITH AEG MANAGEMENT GLENDALE, LLC

Staff Contact and Presenter: Kevin R. Phelps, City Manager

Staff Contact and Presenter: Michael D. Bailey, City Attorney

Staff Contact and Presenter: Tom Duensing, Assistant City Manager

Mr. Phelps provided a brief history of this arena management process. Three proposals were received and AEG Management was chosen. He said there are several things that set AEG apart from the other applicants. Those include AEG understands stadiums and are the single largest owner of stadiums in the world. AEG understands professional hockey and the NHL. They manage more venues with NHL franchises than any other management firm in the country and they also own the Los Angeles Kings. AEG understands the concert business as a presenter and from working with other concert promoters. Additionally, AEG understands the importance of the fan experience. Mr. Phelps said the arena is the key catalyst for Westgate and almost 3,000 jobs have been created in that area. In the next three years, this area will generate almost \$1 billion in transactions. It is important to get the right arena manager.

Mr. Phelps said the management fee is \$5.6 million per year for 5 years. Included in this fee, the arena will provide the general manager, leadership team, front office staff, marketing staff, corporate sales staff, accounting department, event booking staff, concessions management, custodial, mechanical, and maintenance and repair. AEG will also provide for all utilities to run the facilities, supplies, manager vendors and partners and tenant management. AEG will also have responsibility for booking, producing and promoting concerts and events, and will manage the relationship with the tenants who use the facility, which includes the Coyotes. Mr. Phelps said this agreement limits the financial exposure to the City, and the city has an opportunity to share in the net income that is generated by the successful management of the arena.

Mr. Bailey said this agreement is a market-based approach to management of the arena. With a skilled arena manager in place, the city will learn more about the arena to help the tenants who are currently there as well as future tenants. He explained they want to minimize their risk of loss with this agreement and to align with the arena manager so both receive a profit. A lot of city investment has gone into the Westgate area and the city wants to protect its investment.

Mr. Bailey went on to point out several sections of the agreement which he wanted to highlight. He said the arena manager will establish the rates charged, collect revenues and supervise and manage arena personnel, as well as other duties. He explained EBITDA is earnings before interest, taxes, depreciation and amortization. He said it is the gross operating revenue, minus operating expenses and that equals profit. The city will contribute \$5.6 million. Expenses would be subtracted and the parties would be left with a profit. The \$5.6 million payment will be made in three installments. Mr. Bailey went on to explain the disbursement of EBITDA by saying the first \$500,000 goes to the arena manager and the second \$500,000 will go to the city. The parties will have a 50/50 share of the next \$2 million. After that, 75% will go to the arena manager and 25% will go to the city. The city will receive \$1.5 million before the parties go to the 75/25 split. Mr. Bailey also explained that 100% of the city collected taxes will go to the city. He said there is a motivation for AEG to make a profit. Mr. Bailey said if there is a negative EBITDA, the agreement remains the same, with each party receiving money as he previously described, but after the parties receive a total of \$1.5 million, the negative EBITDA from the previous year will be included in the waterfall, and then the arena manager will receive 75% and the city will receive 25%. The negative EBITDA can only be carried over for one year. He said in the case of negative EBITDA, all the city sales tax still comes to the city. With regard to EBITDA, the disbursement of funds will occur 120 days following the end of every fiscal year.

Councilmember Malnar said the wording in the contract was confusing regarding the

receipt of \$500,000 and then the \$1 million by each party, and it read that each party would only receive \$1 million, not \$1.5 million. He suggested the wording be changed to until each has received an "additional" \$1 million.

Mr. Bailey said it is reflected in the agreement, but possibly not reflected in the presentation.

Councilmember Malnar said he was looking at the contract and the language was not clear.

Mr. Bailey said the way Councilmember Malnar said it was the way it would be handled.

Councilmember Malnar asked if that is what it said in the contract.

Mr. Bailey said his understanding was similar to AEG's understanding, and both parties understood the agreement on how the funds would be disbursed was clear.

Councilmember Malnar suggested adding the word "additional" to make it clear. He said he reads the language in the contract to read that each party would receive \$1 million, not \$1.5 million.

Mr. Bailey said he didn't believe there would be a concern and it can be adjusted. Mr. Bailey went over salient terms of the contract. First he went over standards which are defined terms in the contract and said the level of service to be provided by AEG is consistent with comparable arenas in comparable markets in accordance with applicable laws in a manner to preserve the asset and profitability and value of the arena. He said the agreement is for 5 years, with one 5 year renewal. To ensure the booking of non-AEG events, the arena manager will establish an event fund in the amount of \$500,000 that will be utilized for Live Nation events, and that fund will be used to provide incentives to have Live Nation events book at the arena. Capital improvements are the responsibility of the city and the city is obligated to create a \$500,000 fund on an annual basis to pay for capital improvements to ensure amounts are available.

Mr. Bailey said annually, the arena manager is contractually required to provide a budget to the city with regard to the needed capital improvements and the city will have 45 days to review and respond to that capital budget. In the event the parties do not agree to the capital budget, there is a 180 day period to try and resolve the differences. He said there is a clause that provides for that in the event the city does not allow for capital improvements to maintain the arena at the standard that the city wants it to be maintained at for profitability and viability, the arena manager has the opportunity to terminate the agreement. There is also a five year plan CIP that will be prepared by the arena manager to forecast what improvements will be necessary in the next five years. Mr. Bailey said the operations and maintenance of the arena will be the responsibility of the arena manager. The city will receive an operating budget. All maintenance less than \$5,000 will be handled by AEG.

Mr. Bailey said other salient terms of interest include the city will receive monthly, quarterly and annual reports. The city will also have annual audit rights and will be able to select the auditor to do that audit on the city's behalf. There will be monthly meetings between the City Manager and AEG during the first year and then quarterly meetings throughout the remainder of the agreement. The purpose of those meetings and executive negotiations is to ensure that any dispute that arises is resolved in an expeditious manner. Mr. Bailey said the city will maintain the right to review the Coyotes

lease. It is the arena's manager responsibility to ensure tenants are booked, but the city has maintained the right to review that particular agreement. The city is under the obligation to terminate the management aspect of the existing agreement with the Coyotes. Mr. Bailey said in the event the Coyotes no longer play at the arena or the lease is amended, the parties will negotiate in good faith. If no agreement can be reached, the arena manager will have the right to terminate the agreement. Other items of interest are that the contract provides for a city representative and that will be the City Manager. The city has ten days for community and nonprofit events. The parties have agreed to provide all public statements to the other party to ensure they are on the same page with regard to communications. He said the city also has the right with the arena manager to participate in the hiring of the general manager of the arena.

Mayor Weiers asked if the Council had any questions.

Vice Mayor Hugh said he would like to hear from Mr. Steedman and get his input on the arena deal.

Mr. Steedman spoke about the things that attracted AEG to this deal. He said the arena is beautiful and a great host to big events and large sporting events. He said this is also a prominent venue for family and musical events. He said ticket sales are very strong in this market. He said the arena also fits well into the regional venues and has a strong anchor position in Arizona.

Councilmember Turner asked about the turnover of the arena between events and how AEG avoids having down time and blackout dates.

Mr. Steedman said the conversion of the arena is very much like an orchestra and their professionals have the management of all these moving parts down to a science. He explained they can have a basketball game one night to a concert the next afternoon.

Mark Burdick, a Sahuaro resident, said he was more concerned about the process of approving this agreement. This has been a very controversial issue, and he was concerned that this agreement was posted with a very limited amount of time for public input. He would like to create a better window of transparency. He also spoke specifically about the funding operations listed in the contract, and that some of the sentences in the contract did not make sense. He said the Councilmembers themselves have said they have questions on this, yet 24 hours later, they are voting on the agreement.

Denise Flynn, an Ocotillo resident, said she read the same part of the contract that Councilmember Malnar had a question about and it was not clear to her either.

Gary Sherwood, a Sahuaro resident, said he would like to have seen more time spent on reviewing this agreement. He brought out some points he saw that may be problematic in this contract. He said the city didn't have much chance in holding onto the Coyotes if they could find another place to go. He spoke about the money the city potentially lost with previous contracts. He said there are no incentives in this contract and he was concerned about this. He said this would be a great contract if he knew the hockey team was going to stay. He looked at several other arenas that do not have professional sports teams and provide data on how many events were scheduled at these facilities.

Adam Kariotoglou, a Glendale resident, said he owned 3 restaurants in Westgate and is negotiating a 4th lease. He said he needed to feel confident the Coyotes were going to stay in Glendale. He said there are 9,000 restaurant seats at Westgate and didn't think

many of them were filled this evening. He said is paying about \$100,000 a month in rents at Westgate every month. He asked the Council to take time and patience to make a good deal. He said he has yet to see any of the Councilmembers faces at his restaurants in Westgate. He wants the Councilmember to talk to the business owners to find out what they need.

James Deibler, a Phoenix resident, said this contract is a new beginning for all parties involved and will help the city save millions of taxpayers' money. He said AEG does an excellent job to bring more events to sports arenas. He hoped the Coyotes would stay at the arena for a long time.

Mr. Bailey responded to Councilmember Malnar's point and question about the language in the contract. He explained the preceding paragraph in the contract provided that each item is in a following order as separate monetary aspects. He explained the city is in agreement on this with AEG. He said the scrivener's errors will be addressed and corrected.

Councilmember Tolmachoff said she wanted to make sure their constituents understood the Council received this contract several days ago and have had the opportunity to ask many questions since then. She said she believed this is a great opportunity for the city, the arena and the Coyotes.

Councilmember Malnar thanked Mr. Bailey for his explanation and now understood the intent of the contract language.

Councilmember Turner said this contract is the written expression of the goals and ideals Council expressed to staff. He said it is highly unusual to negotiate this type of a contract in public. He said there is a level of trust and confidentiality that goes into these types of negotiations. He shared Councilmember Tolmachoff's confidence in this contract.

Councilmember Turner explained his vote by saying he was very excited about the financial arrangement and the expertise brought to the table by new partners. He said this will provide value to all residents. He said the possibilities are endless.

Mayor Weiers said he did have questions about this contract 24 hours ago, but all of them have been addressed. He said they are making certain the arena will be used appropriately and will keep the Coyotes in Glendale.

A motion was made by Councilmember Tolmachoff, seconded by Vice Mayor Hugh, that this agenda item be approved. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

A motion was made by Vice Mayor Hugh, seconded by Councilmember Tolmachoff, to hold a Special Budget Workshop on Tuesday, May 3, 2016 at 9:00 a.m. in the City Council Chambers. It was further moved to hold the next regularly scheduled City Council Workshop on Tuesday, May 3, 2016 at 1:00 p.m. in the City Council Chambers to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Aldama asked Ocotillo residents to join him for mobile office hours on May 2, 2016 from 5 to 6:30 p.m. at Desert Garden Elementary School Cafeteria, 7020 W. Ocotillo Road. He asked everyone to bring their ideas, suggestions and complaints.

Councilmember Chavira told Judy Chavira that he loved her very much and said Happy 24th Anniversary, and reminded everyone to be nice.

Councilmember Tolmachoff invited Cholla residents to the spring district meeting to be held on May 18, 2016 at 6:30 p.m. at Legend Springs Elementary School.

Councilmember Turner thanked members of the General Plan Steering Committee for their hard work.

Vice Mayor Hugh said Glendale has the best arena and now has the best management firm operating that arena. He is confident the Coyotes will stay in Glendale and they deserve to play here.

Mayor Weiers said this was a big agenda with many important issues. The Council has taken these issues very seriously. He hoped this will get the City going in the right direction.

ADJOURNMENT

Mayor Weiers adjourned the City Council meeting at 9:30 p.m.