



# City of Glendale

5850 West Glendale Avenue  
Glendale, AZ 85301

## City Council Workshop Agenda

*Mayor Jerry Weiers*  
*Vice Mayor Ian Hugh*  
*Councilmember Jamie Aldama*  
*Councilmember Joyce Clark*  
*Councilmember Ray Malnar*  
*Councilmember Lauren Tolmachoff*  
*Councilmember Bart Turner*

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Tuesday, January 3, 2017

1:30 PM

Council Chambers

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### Workshop

One or more members of the City Council may be unable to attend the Workshop or Executive Session Meeting in person and may participate telephonically, pursuant to A.R.S. § 38-431(4).

#### CALL TO ORDER

#### WORKSHOP SESSION

1. [16-568](#) COUNCIL SELECTION OF VICE MAYOR  
Staff Contact: Brent Stoddard, Director, Public Affairs
2. [16-655](#) 2017 STATE LEGISLATIVE AGENDA  
Staff Contact: Brent Stoddard, Director, Public Affairs

**Attachments:** [2017 State Legislative Agenda](#)

#### CITY MANAGER'S REPORT

**This report allows the City Manager to update the City Council. The City Council may only acknowledge the contents to this report and is prohibited by state law from discussing or acting on any of the items presented by the City Manager since they are not itemized on the Council Workshop Agenda.**

#### CITY ATTORNEY'S REPORT

**This report allows the City Attorney to update the City Council. The City Council may only acknowledge the contents to this report and is prohibited by state law from discussing or acting on any of the items presented by the City Attorney since they are not itemized on the Council Workshop Agenda.**

#### COUNCIL ITEMS OF SPECIAL INTEREST

**Councilmembers may indicate topic(s) they would like to have discussed by the Council at a future Workshop and the reason for their interest. The Council does not discuss the new topics at the Workshop where they are introduced.**

## **MOTION AND CALL TO ENTER INTO EXECUTIVE SESSION**

### **EXECUTIVE SESSION**

#### **1. LEGAL MATTERS**

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

B. Council will meet to discuss and consider records exempt by law from public inspection and are specifically required to be maintained as confidential by state or federal law. (A.R.S. § 38-431.03(A)(4))

#### **2. PERSONNEL MATTERS**

A. Various terms have expired on boards, commissions and other bodies. The City Council will be discussing appointments involving the following boards, commissions and other bodies. (A.R.S. § 38-431.03(A)(3)(4))

1. Arts Commission
2. Aviation Advisory Commission
3. Board of Adjustment
4. Citizens Bicycle Advisory Committee
5. Citizens Transportation Oversight Commission
6. Commission on Persons with Disabilities
7. Community Development Advisory Committee
8. Glendale Municipal Property Corporation
9. Historic Preservation Commission
10. Industrial Development Authority

11. Judicial Selection Advisory Board
12. Library Advisory Board
13. Parks and Recreation Advisory Commission
14. Personnel Board
15. Planning Commission
16. Public Safety Personnel Retirement Board/Fire
17. Public Safety Personnel Retirement Board/Police
18. Risk Management/Workers Compensation Trust Fund Board
19. Water Services Advisory Commission

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

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

#### Confidentiality

Arizona statute precludes any person receiving executive session information from disclosing that information except as allowed by law. A.R.S. § 38-431.03(F). Each violation of this statute is subject to a civil penalty not to exceed \$500, plus court costs and attorneys' fees. This penalty is assessed against the person who violates this statute or who knowingly aids, agrees to aid or attempts to aid another person in violating this article. The city is precluded from expending any public monies to employ or retain legal counsel to provide legal services or representation to the public body or any of its officers in any legal action commenced for violation of the statute unless the City Council takes a legal action at a properly noticed open meeting to approve of such expenditure prior to incurring any such obligation or indebtedness. A.R.S. § 38-431.07(A)(B).



## Legislation Description

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**File #:** 16-568, **Version:** 1

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### **COUNCIL SELECTION OF VICE MAYOR**

Staff Contact: Brent Stoddard, Director, Public Affairs

### **Purpose and Policy Guidance**

In accordance with the Charter and pursuant to City Council Guidelines, Council will designate among its members a Vice Mayor. The Mayor will accept a motion or motions, call for a second, and conduct a vote of the Council that shall, by virtue of assent of a majority, designate one of its members as Vice Mayor.

### **Background**

Mayor and Council adopted the City Council Guidelines at the May 26, 2009 Council meeting and amended Section 8 pertaining to selection of the Vice Mayor on February 24, 2015. The Guidelines regarding the appointment of a Vice Mayor, Section 8, state as follows:

*The Vice Mayor is selected by a majority vote of the Council. Effective August 13, 2013, at the first workshop of January in each year, the Council will consider the appointment of a Vice Mayor for the year, with the Vice Mayor serving a calendar year term (January to January). At that workshop, nominations for Vice-Mayor will be discussed by the Council. If nominations are indicated by Councilmembers at the workshop, a formal nomination and selection process will be placed on the agenda for the next regular voting meeting following the workshop.*

*If the Vice Mayor is unavailable for any reason, the remaining Councilmember with the most years of service will serve as the interim Vice Mayor during the Vice Mayor's absence or for the remainder of the one-year term.*

The Glendale City Charter provides for the composition of the Council. The Charter states:

*Art. II, Sec. 7. Vice Mayor: The council shall designate one (1) of its members as vice mayor, who shall serve in such capacity at the pleasure of the council. The vice mayor shall perform the duties of the mayor during the mayor's absence or disability.*

### **Previous Related Council Action**

At the January 19, 2016 Workshop, nominations for Vice Mayor were discussed by Council.

At the January 26, 2016 voting meeting, the Council voted and selected Councilmember Ian Hugh as the Vice Mayor.



## Legislation Description

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**File #:** 16-655, **Version:** 1

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### **2017 STATE LEGISLATIVE AGENDA**

Staff Contact: Brent Stoddard, Director, Public Affairs

### **Purpose and Policy Guidance**

This is a request for City Council to review and provide guidance on the proposed 2017 state legislative agenda and to give a legislative preview.

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 proposed key priority issues for consideration are described in the attached reports.

### **Background**

Prior to each legislative session, the Intergovernmental Programs staff seeks Council adoption of the city's state legislative agenda. 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 update Council on a regular basis throughout the session for guidance 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.

The 53rd Legislature's First Regular Session will begin on Monday, January 9, 2017.

### **Analysis**

While we will not know the full scope of issues that will impact the city until the session starts there are some major themes we are anticipating.

### **2017 Budget/Tax Reform**

A number of tax reform measures are currently being discussed by various legislators. We have not seen any specific proposals. However, we are encouraging our legislators to carefully consider whether changes to the tax code truly improve our national competitiveness enough to justify the loss of revenue or to find new revenues to offset any losses to cities, and whether it is wise policy to be over-reliant on any single revenue source.

Municipalities continue to slowly recover from the Great Recession, but overall municipal expenditures are still lower than pre-recession levels. We are facing a pent up demand for infrastructure improvements as well as the continued delivery of other municipal services. A loss of revenue would hamper these efforts.

Several sessions ago the cities and the construction industry agreed to some changes on how taxes are calculated for certain construction work including treating smaller renovation projects differently than full home construction that the development community provides. Those changes have turned out to be very complicated and more difficult to manage. The development community has communicated that they would like to completely change or eliminate the construction sales tax system. Some of their proposed changes could have significant financial impacts on cities and towns. The League has been working with cities through a League task force made up of several city Finance Directors on this issue. That group is developing different options that can be considered to fix the problems while also minimizing the impacts to city and town budgets. This is likely to be a big issue this session or in subsequent sessions until a final solution is adopted.

### **Education**

The Governor will announce his priorities during his State of the State address. We are hearing that there may be an effort to find additional funds for education including. This could include bringing back full-day kindergarten, increasing funding for buildings and maintenance and higher classroom spending. It remains unclear where those funds will come from or how those additional funds may be allocated between K-12 and higher education institutions.

### **Residential Rental Tax Elimination**

It is likely that there will be another bill to eliminate transaction privilege taxes on residential rental properties in municipalities over 100,000 in population. Elimination of this revenue would cause a loss of more than \$71 million statewide that is currently being used to fund critical local services, particularly public safety. The impact in Glendale would be a \$6 Million deficit in our budget.

As a matter of local control, these taxing decisions should be left to the individual City Councils to determine the appropriate size and application in each unique city. The Legislature should not be pre-empting or mandating to municipalities.

### **Economic Development**

Cities and towns are on the front line of economic development. Providing the infrastructure necessary to attract and support businesses continues to be a challenge. To that end, we will continue to be supportive of new economic development tool designed to help fund our infrastructure needs. Additionally, the business community is looking at other funding options and may be bringing new tools for our economic development program forward.

It is critical that cities and towns provide the necessary environment for successful job creation by the private sector. Additional tools to help us accomplish this task will be important in our overall economic development efforts.

Several groups have already announced their intent to seek legislation that will severely limit or repeal economic development tools including Government Property Lease Excise Tax (GPLET).

### **Transportation and Restoration of Highway User Revenue Funds (HURF)**

A legislative task force has been studying the need for more transportation infrastructure and need to find the cash for construction and maintenance. The task force consultant, Alan Maguire provided some analysis to the group which included a list of funding options with calculations on what increasing each item would

generate. There are likely to be some discussion on increasing the state's gas tax and potentially the sales tax on fuel purchases but it is unclear how such a proposal would be received by the legislature.

HURF funds are routinely swept in amounts greater than the statutory limit to pay for Department of Public Safety operations. Cities and towns have objected to this practice as local streets and roads are falling further into disrepair. However, the amount of funds that have been diverted away from maintenance and construction of transportation projects has continued.

This year the Legislature will see another budget surplus. While they need to continue to be prudent regarding spending, we believe they should place a higher value on investing in transportation infrastructure by fully restoring HURF funding.

### **PSPRS Reforms/Workers Compensation Presumption of Cancer**

One of the first things legislators are likely to discuss this session is the fallout from Arizona Supreme Court ruling in the *Hall* case. The Supreme Court ruled in that case that Laws 2011, Chapter 357 (S1609; retirement systems plans, plan design) was unconstitutional. The result of the ruling is additional costs to cities in relation to EORP and PSPRS. It is unclear what remedies if any the legislature could explore, however, we believe there will be a serious discussion.

Over the interim period, when the Legislature has not been in session, the Senate Commerce and Workforce Development Committee and the House Agriculture, Water and Land Committee held a joint meeting to discuss two legislative proposals to expand the existing list of worker's compensation presumed illnesses for firefighters and peace officers. Some of these proposals could have financial impacts of cities. Senator-elect Karen Fann has committed to working through a stakeholders' group to find a common ground approach that protects taxpayers and public safety employees.

### **9-1-1 Public Safety Funding**

The 911 funding model established in 2001 for telecommunication excise tax (911 tax) had an automatic reduction written into the legislation. The monthly fee dropped from 37 cents per month to 28 cents per month and finally in 2007 to 20 cents per month. More than \$52 million in 911 funds have been swept by the legislature since 2003. Approximately \$18 million is now collected annually and distributed to the 911 system requirements and requests. These monies are critical to ensure that the 911 public safety network is not compromised. Cities across the state are trying to raise this issue to a priority level so that additional resources that are needed to support the 911 public safety network are provided by the State.

### **Arizona Coyotes Legislative Proposal**

The media has recently reported that the Arizona Coyotes intend to ask the State to provide taxpayer funds for the construction of a new arena in the east valley. There are very few public details regarding what the Coyote's proposal may be. We expect one component of the public policy discussion at the legislature to center on the appropriateness of an entity asking for new taxpayer funds to construct an arena so they can leave another taxpayer funded facility that the taxpayers are still paying off.

### **Previous Related Council Action**

The Council approved the 2016 State Legislative Agenda on January 5, 2016 which continues to be the guiding

document until a new legislative agenda is approved.

**Community Benefit/Public Involvement**

The 2017 state legislative agenda includes policy statements intended to protect and enhance the quality of life for Glendale residents by maintaining local decision-making authority.

Throughout the 2017 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.





**CITY OF GLENDALE  
2017 STATE LEGISLATIVE AGENDA**

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**MUNICIPAL LEGISLATIVE PRINCIPLES**

**The Glendale City Council urges the State Legislature to:**

- o **Preserve and enhance the city's ability to deliver quality and cost-effective services to Glendale citizens and visitors.**
  - o **Preserve and enhance the City Council's ability to serve Glendale residents by retaining local decision making authority and maintaining state legislative and voter commitments for revenue sources.**
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**MUNICIPAL LEGISLATIVE PRIORITIES**

**FISCAL SUSTAINABILITY**

**Preservation of State Shared Revenue**

The city supports the retention of state shared sales and income tax revenues at the 15% distribution level and opposes any reduction or cap in state shared revenues, either directly or through the creation of exemptions, unless equal revenue sources are made available.

**Maintaining Revenue Streams/Directed Funding Sources**

The city supports the full disbursement levels of existing revenue streams including the Heritage Fund, the Highway User Revenue Fund (HURF), the Vehicle License Tax (VLT) and the Maricopa County half-cent sales tax for transportation. The city opposes diversions of these funds by the Legislature.

**Preservation of Local Taxing Authority**

The city supports the retention of local taxing authority and the maintenance of fiscally balanced revenue sources. The city opposes legislation that will shift a greater tax burden to homeowners as a consequence of restructuring property tax assessment ratios. Furthermore, the city supports the efforts of the Municipal Tax Code Commission to make tax collection more efficient.

**Unfunded Mandates**

The city opposes unfunded state mandates placed on local jurisdictions, and encourages the legislature to evaluate the fiscal impact such mandates will have on communities prior to considering the issue.

## **ECONOMIC DEVELOPMENT**

The city opposes any attempt to limit local control over, or ability to execute economic development projects, and supports any effort to enhance the range of economic development mechanisms at a municipality's disposal.

## **LAND USE PLANNING**

The city supports maintaining local authority in land use planning issues and supports legislative efforts that promotes more orderly growth and opposes efforts that impede growth management, including the preservation of local authority to set land use policies and support for citizen involvement in the planning and zoning process. Furthermore, the city opposes legislation that would restrict a municipality's ability to redevelop under-performing areas.

## **MILITARY PRESERVATION**

The city recognizes the importance of preserving the mission viability of Luke Air Force Base and the importance of the base to our national security interests, state and local economies, and to the retirees who rely on Luke for services. The city supports the retention of existing state statutes relating to military airports, and the development of legislation that limits encroachment of all types, supports compatible land uses around such facilities, and ensures the capability for future mission expansions.

## **NEIGHBORHOODS**

The city supports initiatives to preserve and enhance the quality of life in neighborhoods and protect the rights of citizens to actively engage in the development of public policy.

## **PUBLIC SAFETY**

The city supports initiatives to preserve and enhance the ability of local governments to strategically plan for and respond to emergencies.

## **TRANSPORTATION**

The city supports regional coordination in transportation planning but opposes efforts that limit local control in the transportation decision-making process. The city supports the voter approved Proposition 400 and opposes efforts to hinder the implementation of the Regional Transportation Plan. Furthermore, the council supports efforts that grant cities and towns the additional ability to provide for transportation improvements.

## **WATER/ENVIRONMENTAL RESOURCES**

The city supports efforts that ensure the wise use of natural resources and promotes environmentally sensitive and sustainable development.