



# City of Glendale

5850 West Glendale  
Avenue  
Glendale, AZ 85301

## Special Meeting Agenda

### City Council Workshop

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

---

Tuesday, January 10, 2017

2:00 PM

Council Chambers

---

#### Special 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. [17-012](#) DISCUSSION OF ADOPTION OF AN ORDINANCE AMENDING GLENDALE CITY CODE CHAPTER 2 (ADMINISTRATION), ARTICLE VIII (BOARDS, COMMISSIONS, ETC.) DIVISION 8 BY CHANGING THE NAME AND DUTIES OF THE WATER SERVICES ADVISORY COMMISSION  
Staff Contact and Presenter: Craig Johnson, P.E., Director, Water Services  
Staff Contact and Presenter: Jack Friedline, Director, Public Works

**Attachments:** [Draft Ordinance](#)

#### 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. Discussion and or consultation, to consider its position, and to provide instruction/direction regarding the evaluation process and performance reviews of the City Manager, City Attorney and City Clerk pursuant to A.R.S. § 38-431.03(A)(1),(4))

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

---

**File #: 17-012, Version: 1**

---

**DISCUSSION OF ADOPTION OF AN ORDINANCE AMENDING GLENDALE CITY CODE CHAPTER 2 (ADMINISTRATION), ARTICLE VIII (BOARDS, COMMISSIONS, ETC.) DIVISION 8 BY CHANGING THE NAME AND DUTIES OF THE WATER SERVICES ADVISORY COMMISSION**

Staff Contact and Presenter: Craig Johnson, P.E., Director, Water Services

Staff Presenter: Jack Friedline, Public Works Director

### **Purpose and Policy Guidance**

The purpose of this item is to provide City Council with information concerning a proposed change to the name of the Water Services Advisory Commission and an expansion of its duties.

### **Background**

On June 25, 2013, the City Council adopted an ordinance establishing the Water Services Advisory Commission (WSAC) to review and analyze strategies and policies, including financial policies, relating to water and wastewater services. Members of the WSAC have provided important service to the Council and the community since that time.

Staff is proposing an expanded role for the WSAC to include advice and recommendations to Council for the Public Works Department. In particular, it is anticipated that citizen evaluation and recommendations will soon be needed for Solid Waste and Landfill rate review, as well as for potential program adjustments and procedural changes for Solid Waste and Landfill policies.

The Government Services Subcommittee considered this item on January 5, 2017, and expressed support of expanding the Commission's mission to include providing recommendations to Council concerning the Public Works Department. Subcommittee members suggested Council adopt the "Citizens Utilities Advisory Commission" as the name of this Commission, reflecting its new and expanded duties.

### **Analysis**

Council has similar needs for receiving citizen recommendations regarding policies, utility budgets, and rates for both the Water Services Department and the Public Works Department. In the interest of organizational and Council business efficiency, it is cost effective to combine related needs for these two departments into a single Citizens Utilities Advisory Commission.

### **Community Benefit/Public Involvement**

It is important that Glendale residents have input into Council decisions through the Boards and Commissions process. The expanded commission will provide Council with recommendations regarding Water Services and

Public Works utility policies, rates, and budgets. This will ensure Council has recommendations regarding utility cost efficiency, and resulting impacts to the quality of life for Glendale residents and businesses. Funding for the existing commission is available in the Water Services FY2016-17 operating budget. Expansion of the commission to include Public Works will result in a nominal additional cost.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE CHAPTER 2 (ADMINISTRATION), ARTICLE VIII (BOARDS, COMMISSIONS, ETC.) BY CHANGING THE NAME OF THE WATER SERVICES ADVISORY COMMISSION TO THE CITIZENS UTILITY ADVISORY COMMISSION AND EXPANDING ITS PURPOSE.

WHEREAS, at the January 24, 2012 Council meeting, the Glendale City Council established the Ad-Hoc Citizens Task Force (“Task Force”) on Water and Sewer;

WHEREAS, in a subsequent Council Workshop the Task Force recommended that the City Council establish a permanent Water Service Advisory Commission (“Commission”);

WHEREAS, on June 25, 2013, the City Council did, in fact, enact an ordinance creating the Commission;

WHEREAS, as part of a January 5, 2017 presentation to the Government Services Subcommittee of the Council, City staff recommended expanding the responsibilities of the Commission to include reviewing and recommending policies, strategies, fee and rate structures and operational issues related to other City infrastructure, including the City’s landfill and solid waste services; and

WHEREAS, the City Council directed staff to move forward with expanding the role of the Commission as a result of the January 10, 2017 workshop.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That Glendale City Code Chapter 2 (Administration), Article VIII (Boards, Commissions, Etc.) Division 8 is hereby amended to read as follows:

**DIVISION 8. - ~~WATER SERVICES-CITIZENS UTILITY~~ CITIZENS UTILITY ADVISORY COMMISSION**

**Sec. 2-326. - Established.**

There is hereby established within the City of Glendale a ~~Water Services-Citizens Utility~~ Citizens Utility Advisory Commission whose members shall be appointed by the council of the City of Glendale.

**Sec. 2-327. - Purpose.**

(a) The commission will provide Council with recommendations ~~regarding policies and strategies related to include regional collaboration, water resources sustainability, operations and infrastructure,~~ the impact of the City’s water and solid waste management services, operations,

policies, rates, fees, and budgets ~~all to ensure on~~ the well-being, and quality of life of Glendale residents and businesses.

(b) The commission may hold public meetings to obtain the input of its citizens or any other interested person on any issue related to its purpose and within its jurisdiction.

**Sec. 2-328. - Members.**

(a) The commission shall be composed of seven (7) members who shall serve without compensation. The members shall be residents of the City of Glendale.

(b) The members of the commission shall be appointed for a term of two (2) years; except that members of the first commission shall be designated by the city council for the following terms:

- (1) Three members for two (2) year terms;
- (2) Four members for three (3) year terms.

(c) The chairperson and vice-chairperson of the commission shall be appointed by the mayor and city council from among the commission members. The term of appointment for the chairperson and vice-chairperson shall be for a period of one (1) year.

(d) The Water Services ~~Executive~~ Director shall serve as secretary and staff liaison to the commission.

**Sec. 2-329. - Meetings and rules.**

(a) The commission shall establish and adopt such rules, regulations or bylaws as it deems necessary for the conduct of its business and performance of its duties.

(b) The commission shall establish a set time for regular meetings, which shall be at least quarterly if there is business to conduct.

(c) The commission will be provided with information necessary ~~an educational program including water resources planning, water and wastewater treatment, reclaimed water storage, and other pertinent topics in order~~ to perform their ~~its~~ duties ~~as a commission member~~. Such information may include information related to the City's provision of water and solid waste management to its users and related to the City's policies, operations, budgets, fees and rates charged for such services.

(d) A majority of the commission shall constitute a quorum and the affirmative vote of a majority of the commission members present and voting shall be required to take action.

**Sec. 2-330. - Recommendation to council.**

All recommendations forwarded by the commission to the city council and other actions of the commission must receive an affirmative vote of not less than a majority of the members present at the meeting at which an item is voted upon by the commission.

SECTION 2. This Ordinance's amendment of the Glendale City Code Chapter 2 (Administration), Article VIII (Boards, Commissions, Etc.) Division 8 shall be effective on February 24, 2017.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor Jerry P. Weiers

ATTEST:

\_\_\_\_\_  
Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael D. Bailey, City Attorney

REVIEWED BY:

\_\_\_\_\_  
Kevin R. Phelps, City Manager

w\_chapter 2 city code - r1