



# 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, March 21, 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

#### ROLL CALL

#### WORKSHOP SESSION

1. [17-091](#) 21ST CENTURY POLICING  
Staff Contact and Presenter: Rick St. John, Police Chief
2. [17-082](#) COUNCIL ITEM OF SPECIAL INTEREST: ZONING TEXT AMENDMENT  
ZTA16-01 DONATION DROP BOX REGULATIONS  
Staff Contact: Sam McAllen, Director, Development Services  
Staff Presenter: Jon M. Froke, AICP, Planning Director  
  
**Attachments:** [ZTA16-01 Draft Ordinance](#)
3. [17-069](#) COUNCIL ITEM OF SPECIAL INTEREST: DIVERSITY COMMISSION  
ORDINANCE  
Staff Contact: Jim Brown, Director, Human Resources and Risk  
Management  
  
**Attachments:** [Changes to Disability Commission Code Provision](#)

#### 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))

**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).

### **SPECIAL ACCOMMODATIONS**

For special accommodations please contact the City Clerk's Office at 623-930-2252 extension 1 at least 3 business days prior to the meeting.



## Legislation Description

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**File #:** 17-091, **Version:** 1

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### **21<sup>ST</sup> CENTURY POLICING**

Staff Contact and Presenter: Rick St. John, Police Chief

#### **Purpose and Policy Guidance**

The purpose of this item is to provide City Council with information regarding the Final Report of the President's Task Force on 21<sup>st</sup> Century Policing and give an update on Glendale Police Department's participation and implementation of recommendations provided in the report to promote effective crime reduction while building public trust. This item is for Council information only and an opportunity to provide answers to any questions Council may have.

#### **Background**

On December 18, 2014, President Obama signed an Executive Order establishing the "Task Force on 21st Century Policing" (Task Force). Task Force Members sought expertise from stakeholders and input from the public through listening sessions, teleconferences, and written comments as they worked to identify best practices in policing. The Task Force submitted an initial report to the President on March 2, 2015 and released the final report on May 18, 2015. There were 58 "Recommendations" and 91 "Action Items" outlined in this report. The recommendations provided contained 38 that were directly related to law enforcement and 20 that were aimed at government agencies and/or community organizations. Within the action items listed, 50 were directly related to law enforcement and 41 were intended for government agencies and/or community organizations.

Recommendations in the Task Force's report call for law enforcement agencies to put in place programs designed to promote positive interactions between police and communities; to adopt and use new technologies to enhance public trust and public safety; to provide opportunities for additional training on a range of topics, including leadership, for police at all levels; and to have policies in place that prioritize de-escalation and avoid confrontational tactics. Other recommendations in the report include measures to promote officer wellness and safety, including procedures to equip officers with individual tactical first-aid kits and ballistic vests.

Upon release of the initial and subsequent final report issued by the Task Force, the Glendale Police Department reviewed the report to determine where improvements could be made to policies, procedures, and best practices in order to strengthen Police Department partnerships within the community and demonstrate that the Department holds itself to the highest standards of performance. Each law enforcement-related recommendation and action item was reviewed and compared to the current practices of the Glendale Police Department. Although it was clear the vast majority of the recommendations in the report have been in practice throughout the Police Department for many years, some were not part of the existing strategies and were found to have considerable merit. In response to the final report, the Police

Department committed to review and revitalize strategies currently in use and to introduce and/or implement other strategies that will enhance the Department's interactions with the community it serves.

### **Analysis**

The Task Force recommendations, each with action items, are organized around six main topic areas or "pillars." The six pillars consist of: Building Trust and Legitimacy, Policy and Oversight, Technology and Social Media, Community Policing and Crime Reduction, Training and Education, and Officer Safety and Wellness. The members of the Task Force are convinced the recommendations contained in this publication will bring long-term improvements to the ways in which law enforcement agencies interact with the public, and bring positive change to their communities. The Glendale Police Department has taken great lengths to meet the requirements of 21st Century Policing. While the Department is already in compliance with a majority of the report findings, and has been for many years, there are a few recommendations and action items that still need to be addressed. Those items are either in the process of being completed or being looked at by the Department.

Pillar 1, Building Trust and Legitimacy, focuses on the idea that building trust and nurturing legitimacy on both sides of the police/citizen divide is the foundational principle underlying the nature of relations between law enforcement agencies and the communities they serve. Law enforcement culture should embrace a "guardian," rather than a "warrior," mindset to build trust and legitimacy both within agencies and with the public. Glendale Police Department has accomplished 7 out of the 9 recommendations, and 11 out of the 12 action items. The only areas the Department needs to work on to meet compliance is posting the response to resistance statistics and conducting community surveys to solicit information.

Pillar 2, Policy and Oversight, emphasizes that if police are to carry out their responsibilities according to established policies, those policies must reflect community values. Law enforcement agencies should collaborate with community members, especially in communities and neighborhoods disproportionately affected by crime, to develop policies and strategies for deploying resources that aim to reduce crime by improving relationships, increasing community engagement, and fostering cooperation. Glendale Police Department has accomplished 12 out of 13 recommendations, and 6 out of 7 action items. The Department is working on a de-escalation policy and a search and seizure policy for the LGBTQ community.

Pillar 3, Technology & Social Media, signifies that the use of technology can improve policing practices and build community trust and legitimacy, but its implementation must be built on a defined policy framework with its purposes and goals clearly delineated. Law enforcement agencies and leaders need to be able to identify, assess, and evaluate new technology for adoption and do so in ways that improve their effectiveness, efficiency, and evolution without infringing on individual rights. Glendale Police Department has accomplished 3 out of 3 recommendations and 5 out of 5 action items and is in full compliance.

Pillar 4, Community Policing and Crime Reduction, centers on the importance of community policing as a guiding philosophy for all stakeholders, and emphasizes working with neighborhood residents to co-produce public safety. Law enforcement agencies should, therefore, work with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community. Glendale Police Department has accomplished 4 out of 4 recommendations and 17 out of 17 action items and is in full compliance.

Pillar 5, Training and Education, recognizes that as our nation becomes more pluralistic and the scope of law enforcement's responsibilities expands, the need for expanded and more effective training has become critical. To ensure the high quality and effectiveness of training and education, law enforcement agencies should engage community members, particularly those with special expertise, in the training process and provide leadership training to all personnel throughout their careers. Glendale Police Department has accomplished 2 out of 3 recommendations and 1 out of 2 action items. The Department is working on including the public on internal training committees and arrest procedures for the transgender community.

Pillar 6, Officer Wellness and Safety, highlights that wellness and safety of law enforcement officers is critical not only for the officers, their colleagues, and their agencies but also to public safety. Law enforcement agencies should promote wellness and safety at every level of the organization and every officer should be provided with individual tactical first aid kits and training, as well ballistic vests. Glendale Police Department has accomplished 3 out of 3 recommendations and 3 out of 3 action items and is in full compliance.

The goal of the Glendale Police Department is to quickly and effectively meet all the requirements for 21st Century Policing. The Department is proud of the steps taken so far and will continue to grow and develop.

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

As part of 21st Century Policing, Glendale Police Department's intent is to improve transparency and strengthen trust within the community, while continuing to reduce crime and keep officers safe.



## Legislation Description

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**File #: 17-082, Version: 1**

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**COUNCIL ITEM OF SPECIAL INTEREST: ZONING TEXT AMENDMENT ZTA16-01 DONATION DROP BOX REGULATIONS**

Staff Contact: Sam McAllen, Director, Development Services

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

### Purpose and Policy Guidance

At the February 3, 2015 Council Workshop, Councilmember Aldama identified a Council Item of Special Interest asking about the potential of regulating donation drop boxes throughout the city.

Staff provided City Council with a presentation on this topic at their April 7, 2015 Council Workshop and again at their September 20, 2016 Workshop. A consensus was reached to have staff continue to discuss this topic with industry leaders and to bring forth a draft ordinance for consideration.

On July 23, 2015 the Development Services Department hosted a neighborhood meeting. Those in attendance were in favor of regulating donation drop boxes. Staff provided an update to Council at their September 15, 2015 Workshop meeting. A consensus was reached to have staff continue to gather more information regarding donation drop boxes and proceed. On December 3, 2015 the Planning Commission initiated a Zoning Text Amendment so that staff could continue to work on this request.

### Background

Zoning Text Amendment application ZTA16-01 proposes to regulate donation drop boxes. ZTA16-01 proposes the following amendments:

- a) Creation of a new section relative to Temporary Use Permits as a means to regulate donation drop boxes. This section would outline how this land use would be regulated and establish where the boxes could be placed.
- b) Temporary Use Permits (TUPs) are proposed to have a three year approval period.
- c) Donation drop boxes are proposed to be allowed in office and commercial zoning districts, including sites zoned PAD, Planned Area Development.
- d) Donation drop boxes are proposed to be allowed on public and private school sites as well as police and fire stations, and city libraries without a TUP.
- e) Amend the definitions pertaining to Donation Center and Donation/Drop-off Box.
- f) By proposing a new section relative to TUPs, the sections regarding Establishing a Historic Preservation (HP) District and Temporary Restraint of Demolition need to be renumbered.
- g) The ZTA does not differentiate between non-profit and for-profit donation drop boxes.

h) Donation Box allotment is proposed as follows:

Property or Premises / Complex Size 1 acre = 1 Box.

1-3 Acres = 2 Boxes \*

3 + Acres = 4 Boxes \*

\* No more than 2 (two) donation bins shall be clustered together in any one location.

i) The proposed Ordinance is similar to what other cities have recently adopted.

j) The property owner will have the right to remove a donation drop box at any time.

### **Analysis**

The process to establish regulations regarding this topic can be achieved through the adoption of this Zoning Text Amendment.

The ZTA process offers additional citizen participation opportunities where citizens can provide input regarding placement of donation drop boxes within the city of Glendale.

### **Conclusion**

With respect to regulating donation drop boxes, staff is seeking direction to bring the draft Ordinance to a voting meeting for consideration after the Planning Commission considers the proposal.



**DRAFT**  
**March 21, 2017**

ORDINANCE NO. \_\_\_\_\_ NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE ZONING ORDINANCE OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING ZONING TEXT AMENDMENT ZTA16-01 FOR DONATION DROP BOXES AND AMENDING THE ZONING ORDINANCE AS FOLLOWS: ARTICLE 2 (DEFINITIONS); ARTICLE 3 (ADMINISTRATION); ARTICLE 5 (ZONING DISTRICT REGULATIONS) AND ARTICLE 7 (GENERAL DEVELOPMENT STANDARDS); PROVIDING FOR SEVERABILITY, SETTING FORTH AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED

WHEREAS, the City of Glendale Planning Commission held a public hearing on \_\_\_\_\_ in zoning text amendment case ZTA16-01 in the manner prescribed by law for the purpose of amending various sections of the Zoning Ordinance for donation drop boxes and other amendments; and

WHEREAS, due and proper notice of such Public Hearing was given in the time, form, substance and manner provided by law including publication of such notice in *The Glendale Star* on \_\_\_\_\_; and

WHEREAS, the City of Glendale Planning Commission has recommended to the Mayor and the Council approval of the Zoning Text Amendment; as aforesaid and the Mayor and the Council desire to accept such recommendation and amend various sections of the Zoning Ordinance.

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

SECTION 1. That the Zoning Ordinance of the City of Glendale, Article 2 (Definitions and Rules of Construction, Sec. 2.300 (Definitions) is hereby amended by adding the following definitions to read as follows:

...

Complex/Center: A commercial and/or office development defined by shared facilities, including but not limited to, circulation, parking, utilities, storm water retention and landscaping that service the shopping complex / center.

Donation Center: A center operated by an organization that collects and sells donated clothing and household items. All such merchandise shall be displayed and stored in an enclosed building.

Donation/Recycling Drop-off Box means any container, storage unit or structure, other than a primary building, accessory building or shed, that is used for the collection of charitable or for-profit donated items by the general public, including but not limited to clothing, household goods, toys, books, and newspapers.

SECTION 2. That the Zoning Ordinance of the City of Glendale, Arizona, Article 3 (Administration) is hereby amended to read as follows:

Section 3.100 Administration Bodies and Officers.

Section 3.920 Temporary Use Permit.

Section 3.9320 Establishing a Historic Preservation (HP) District.

Section 3.9324 Temporary Restraint of Demolition.

SECTION 3. That the Zoning Ordinance of the City of Glendale, Arizona, Article 3 (Administration) Sec. 3.810 is hereby amended to read as follows:

Section 3.920 Temporary Use Permit.

3.921 Purpose.

The City of Glendale recognizes that certain uses which may be appropriate in certain zoning districts may be allowed on a temporary basis. The Temporary Use Permit will regulate uses which are semi-permanent in nature. It is the intent to provide for certain temporary uses for limited periods of time. Allowing temporary uses is not intended to permit uses otherwise prohibited by the Zoning Ordinance or to allow permanent uses to be established. The purpose of this Section is to establish the procedures and outline the review criteria to be used by the Planning Director when considering an application for a Temporary Use Permit. All Temporary Uses shall be conducted so as not to be detrimental to the surrounding properties and shall be subject to the standards and regulations contained herein. Every Temporary Use on private property shall require a Temporary Use Permit.

A. Permitted Temporary Uses. The City may grant a Temporary Use Permit for any of the following uses.

1. Temporary municipal uses.

2. Such other uses as the City may deem to be within the intent and purpose of this Section.

3. Donation/Recycling Drop-Off Boxes.

3.922 Application.

A property owner or duly authorized agent may submit an application for a Temporary Use Permit. The applicant shall obtain the official application materials from the City.

Submittal requirements shall be as outlined on the official form and any other requirements that the City deems necessary to understand the proposal, including a Site Plan. The applicant shall submit the official application and associated materials, together with the applicable fee, to the City. Temporary Uses which, in the opinion of the City, meet all the following criteria shall not require posting:

1. The use and/or structure complies with all applicable codes and Ordinances;
2. The use and/or structure does not interfere with pedestrian access ways, fire lanes, driveway entrances, or traffic visibility at driveways or street intersections;
3. Parking on the property is adequate to serve any existing permanent use and the temporary use;
4. The temporary use shall not be conducted between the hours of 10 p.m. and 7 a.m., excluding Donation/Recycling Drop-Off Boxes; and,
5. The City Engineer, or designee thereof, approves vehicular access for the proposed temporary use.

#### 3.923. Review and Approval

Application for a Temporary Use Permit shall be reviewed by the City who shall approve, conditionally approve, or disapprove the application. Approval shall be given only when in the judgment of the City such approval is consistent with the intent and purpose of this Section. In considering the application, the City may include, but are not be limited to, the following conditions:

- a. Regulation of parking, dust control measures, and site lighting.
- b. Regulation of hours of operation.
- c. Regulation of site ingress and egress.
- d. Assurance of compliance with building, fire, electrical, and all other appropriate codes.
- e. Such other conditions deemed necessary to carry out the intent and purpose of this Section.
- f. All signage proposed for the temporary use or event shall be in compliance with Section 7.100. All signage shall obtain a separate sign permit.
- g. The Department shall notify the applicant, in writing, of the decision to approve or deny the application, and shall state any conditions for approval or reasons for denial.

h. Issuance of Permits. To be issued a permit, the applicant shall sign an agreement with the City stating that within 72 hours of cessation of the use or expiration of the permit, whichever occurs first, the site shall be restored to the same condition prior to commencement of the temporary use.

i. Time Limits and Renewal of Permits. All Temporary Use Permit approvals shall be subject to a time limit as set forth by the City.

j. Temporary Use Permits for Donation / Recycling Drop-Off Boxes may be permitted for a renewable duration not to exceed 3 years, or as determined by the City. Each renewal requires a new Temporary Use Permit application and fee.

k. All other Temporary Use Permits shall be limited to a maximum of thirty (30) consecutive days per event, and the cumulative total of all Temporary Uses shall not exceed ninety (90) days per calendar year per lot. A maximum of 12 Temporary Use Permits shall be granted per lot or complex per calendar year.

l. Each occurrence of a Temporary Use and each distinct Temporary Use on a property shall require separate submittal and approval of a Temporary Use Permit Application.

Section 3.9320 Establishing a Historic Preservation (HP) District.

3.9321 Temporary Restraint of Demolition

SECTION 5. That the Zoning Ordinance of the City of Glendale, Arizona Article 5 (Zoning District Regulations) Sec. 5.700 Commercial is hereby amended to read as follows:

Section 5.520 C-O – Commercial Office.

Section 5.525 Uses Subject to Temporary Use Permit.

A. Donation/Recycling Drop-Off Boxes.

5.5256. Accessory Uses.

5.2567 Development Standards.

5.5278 Design Review.

5.5289 Landscaping and Screening.

5.52930 Signs.

5.5301 Parking.

5.540 G-O – General Office.

Section 5.545 Uses Subject to Temporary Use Permit.

A. Donation/Recycling Drop-Off Boxes.

5.545~~6~~ Accessory Uses.

5.546~~7~~ Development Standards.

5.701 NSC – Neighborhood Shopping Center.

5.703 Permitted Uses.

Section 5.705 Uses Subject to Conditional Use Permit.

F. Donation centers.

Section 5.710 SC – Shopping Center.

Section 5.714 Uses Subject to Conditional Use Permit.

K. Donation centers.

Section 5.706 Uses Subject to Temporary Use Permit.

A. Donation/Recycling Drop-Off Boxes.

5.706~~7~~ Accessory Uses.

5.707~~8~~ Development Standards.

5.708~~9~~ Performance Standards.

5.709~~10~~ Master Development Plan.

5.709~~11~~ Design Review.

5.709~~12~~ Landscaping and Screening.

5.709~~13~~ Signs.

5.709~~14~~ Parking.

Section 5.710 SC – Shopping Center.

Section 5.715 Uses Subject to Temporary Use Permit.

A. Donation/Recycling Drop-Off Boxes.

5.71~~5~~6 Accessory Uses.

5,71~~6~~7 Development Standards.

5.71~~7~~8 Design Guidelines.

5.71~~8~~9 Landscaping and Screening.

5.71~~9~~20 Signs.

5.72~~0~~1 Parking.

Section 5.730 C-1 – Neighborhood Commercial.

Section 5.734 Uses Subject to Conditional Use Permit.

H. Donation centers.

Section 5.735 Uses Subject to Temporary Use Permit.

A. Donation/Recycling Drop-Off Boxes.

5.73~~5~~6 Accessory Uses.

5.73~~6~~7 Development Standards.

5.73~~7~~8 Performance Standards.

5.73~~8~~9 Design Review.

5.73~~9~~40 Landscaping and Screening.

5.74~~0~~1 Signs.

5.74~~1~~2 Parking.

Section 5.750 C-2 – General Commercial.

Section 5.754 Uses Subject to Conditional Use Permit.

Z. Donation centers.

5.755 Reserved Uses Subject to Temporary Use Permit.

A. Donation/Recycling Drop-Off Boxes.

Section 5.770 C-3 – Heavy Commercial.

Section 5.774 Uses Subject to Conditional Use Permit.

H. Donation centers.

5.775 Uses Subject to Temporary Use Permit.

A. Donation/Recycling Drop-Off Boxes.

~~5.775~~6 Accessory Uses.

~~5.776~~7 Development Standards.

~~5.777~~8 Performance Standards.

~~5.778~~9 Design Review.

~~5.779~~80 Landscaping and Screening.

~~5.780~~1 Signs.

~~5.784~~2 Parking.

Section 5.782 CSC – Community Shopping Center.

Section 5.786 Uses ~~s~~Subject to e~~C~~onditional u~~se~~ p~~P~~ermit.

J. Donation centers.

5.787 Uses Subject to Temporary Use Permit.

A. Donation/Recycling Drop-Off Boxes.

~~5.787~~8 Accessory Uses.

~~5.788~~9 Development Standards.

~~5.789~~0 Performance Standards.

~~5.790~~1 Master Development Plan.

~~5.794~~2 Design Review

5.7923 Landscaping and Screening.

5.7934 Signs.

57945 Parking.

SECTION 7. That the Zoning Ordinance of the City of Glendale, Arizona Article 7 (General Development Standards) is hereby amended by adding a new Sec. 7.900 to read as follows:

## **Article 7. GENERAL DEVELOPMENT STANDARDS**

### Section 7.900. Donation/Recycling Drop-Off Boxes.

#### Sec. 7.900. Donation/Recycling Drop-Off Boxes

- A. Donation/Recycling Drop-Off Boxes are subject to the issuance of a Business License and approval of a Temporary Use Permit (TUP) and upon receipt of notarized written authorization by the property owner or authorized agent. An authorized agent must provide written evidence he/she has the authority to approve and locate a donation / drop-off box on the parcel.
- B. Donation/Recycling Drop-Off Boxes may be permitted as an accessory use to all permitted non-residential uses within a residential zoning district pursuant to this article.
- C. Donation/Recycling Drop-Off Boxes shall be located on a paved surface.
- D. Donation/Recycling Drop-Off Boxes shall not be located within the front or side yard setbacks, required landscaped areas or within required parking spaces.
- E. Donation/Recycling Drop-Off Boxes shall not obstruct pedestrian or vehicular circulation, or be located within the public right-of-way, drive aisles, fire lanes, loading zones, or any other location that may cause hazardous conditions, or constitute a threat to the public health, safety, and welfare.
- F. There shall be no more than one (1) Donation/Recycling Drop-Off Box on lots or parcels or shopping complexes/centers less than one (1) acre in size, no more than two (2) Donation/Recycling Drop-Off Boxes on lots or shopping complexes/centers of one (1) to three (3) acres in size, and no more than four (4) Donation/Recycling Drop-Off Boxes on lots or complexes/centers greater than three (3) acres in size. No more than two donation boxes shall be clustered together in any one location.

#### Donation Box Allotment

Property or Premises / Complex Size 1 acre = 1 Box.

1-3 Acres = 2 Boxes \*

3 + Acres = 4 Boxes \*



\* No more than 2 (two) Donation Bins shall be clustered together in any one location.

- G. Each Donation/Recycling Drop-Off Box shall have a firmly closing and locking lid, shall be clearly marked to identify the specific items and materials to be collected for donation, and shall be clearly marked to identify the City of Glendale Temporary Use Permit number with contrasting paint. The numbers shall be a minimum of 2 inches high and located on the deposit face of the box.
- H. The name and local telephone number of the entity obtaining the TUP shall be affixed to the box on an area no larger than 1 foot by one1 foot.
- I. Donation/Recycling Drop-Off Boxes shall have a capacity no greater than 6 cubic yards.
- J. All donated items must be collected and stored in the Donation/Recycling Drop-Off Box and all contents cleared no less than once a week. Any items or materials left outside of the Donation/Recycling Drop-Off Boxes shall be removed within 24 hours of discovery or notification, whichever occurs first. If a container is damaged or vandalized, it must be repaired or removed within 5 business days of discovery or notification. If there is a public health, safety or welfare concern pursuant to the authority granted to the City, the container must then be removed within 24 hours of discovery or notification.
- K. It is the joint responsibility of the property owner or authorized agent and the entity obtaining the TUP to keep the area around the Donation/Recycling Drop-Off Boxes free of litter and debris, and remove any graffiti within 24 hours of discovery or notification, whichever occurs first.
- L. It is the responsibility of the entity obtaining the TUP to maintain the Donation/Recycling Drop-Off Box painted or otherwise un-rusted and un-dented and in good condition.
- M. Donation/Recycling Drop-Off Boxes not located or maintained in compliance with this Article may be subject to revocation of the Business License and the Temporary Use Permit (TUP).
- N. The City may consider prior permit revocations, prior notices of violation, and fraudulent application information when granting or denying new Temporary Use Permits for Donation/Recycling Drop-Off Boxes.
- O. Any Donation/Recycling Drop-Off Box (including its contents) which is determined to be unauthorized, unpermitted, or is otherwise in violation of this ordinance shall be deemed a public nuisance and may be removed pursuant to those provisions.
- P. The property owner shall control the Temporary Use Permit. The permittee or drop box operator does not control the Temporary Use Permit unless he/she is also the property owner. As such, the property owner or authorized agent may rescind his/her authorization for the donation/drop-off box at any time and the permit shall be revoked. Nothing in this Ordinance prohibits a property owner from removing a donation/drop-off box regardless

of whether said box is permitted or not permitted. A property owner retains the right to remove and dispose of an unwanted donation / drop-off box at any time.

SECTION 8. 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.

SECTION 9. Effective Date. This Ordinance shall become effective at the time and in the manner prescribed by law.

SECTION 10. That the City Clerk be instructed and authorized to forward a certified copy of this ordinance for recording to the Maricopa County Recorder's Office.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2017. (THE CITY CLERK'S OFFICE WILL FILL IN THE DATE.)

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M A Y O R

ATTEST:

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City Clerk (SEAL)

APPROVED AS TO FORM:

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City Attorney

REVIEWED BY:

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City Manager



## Legislation Description

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**File #: 17-069, Version: 1**

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**THIS ITEM HAS BEEN REMOVED FROM THE AGENDA**

**COUNCIL ITEM OF SPECIAL INTEREST: DIVERSITY COMMISSION ORDINANCE**

Staff Contact: Jim Brown, Director, Human Resources and Risk Management

**Purpose and Policy Guidance**

This Council Item of Special Interest is a request to bring back to the Council revisions to the Diversity Commission Ordinance previously presented in the November 22, 2016 voting session for further Council discussion and direction. The changes that have been requested to the Diversity Commission Ordinance are as follows:

- Require that all Diversity Commission members be Glendale residents
- Require that only Diversity Commission members may sit on the Diversity Commission's sub-committees

**Background**

During the November 22, 2016 voting session, Council reviewed and discussed the proposed Diversity Commission Ordinance. The item was tabled and in a later Council meeting, it was brought back as a Council Item of Special Interest.

**Analysis**

Should the Council choose to revise the November 22, 2016 Diversity Commission Ordinance with the requested changes and have it brought back to Council for further discussion or vote, it would take minimal staff time to update the existing ordinance with those changes.

**Community Benefit/Public Involvement**

An Ordinance that creates a Diversity Commission benefits the public by helping the community to become more inclusive, harmonious, respectful, and cohesive.



## Legislation Description

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**File #: 17-069, Version: 1**

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**THIS ITEM HAS BEEN REMOVED FROM THE AGENDA**

**COUNCIL ITEM OF SPECIAL INTEREST: DIVERSITY COMMISSION ORDINANCE**

Staff Contact: Jim Brown, Director, Human Resources and Risk Management

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## CHAPTER 2 – ADMINISTRATION

### ARTICLE VIII

#### DIVISION 5 – DIVERSITY COMMISSION

##### **Sec. 2-311. - Established.**

There is hereby established within the City of Glendale a Diversity Commission whose members shall be appointed by the City Council of the City of Glendale.

##### **Sec. 2-312. - Members.**

(a) The Commission shall be composed of fourteen members, who shall be residents of the City of Glendale and shall be selected and appointed by the City Council. The term of appointment shall be for a period of two years; however, the term of five original members shall be for a three-year term as determined by the City Council. The chairperson and vice-chairperson shall be nominated by the government services committee for final approval by the City Council. The term of appointment for the chair and vice-chair shall be for a period of one year.

(b) All vacancies shall be filled by the City Council for the remainder of the term of the member causing the vacancy.

(c) In addition to being residents of Glendale, the members of the Commission may also be diverse members of the Glendale community, including members of the groups protected under any section of this chapter, employers located within the City, including educational institutions, and/or individuals demonstrating special interest, knowledge and dedication to diversity and/or non-discrimination issues.

##### **Sec. 2-313. - Powers and duties.**

(a) The Commission shall advise the Mayor and City Council regarding issues, regulations or policies affecting persons of diverse race, color, religion, sex, national origin, ancestry, age, marital status, sexual orientation, gender identity or expression, genetic characteristics, familial status, U.S. military veteran status or disabled status.

(b) The Commission shall also: (i) advocate and promote all aspects of diversity; (ii) act as an advisory body to the Mayor and City Council to make recommendations on ways to encourage mutual respect and understanding among the residents and businesses of Glendale; (iii) discourage prejudice and discrimination among the residents and businesses of Glendale; (iv) work towards cultural awareness and unity among the residents and businesses of Glendale; and (v) recognize the contributions of persons from the diverse communities within Glendale by supporting and/or sponsoring cultural and community events and providing education about such persons to the general public.

(c) The Commission may establish such rules of procedure as it deems necessary for the conduct of its business and the faithful performance of its duties. Such rules shall not be inconsistent with any provision contained in the City Code or any procedural rule adopted by the City Council or set forth in the City Charter.

(d) The Commission may ~~hold meetings and hearings and take testimony from individuals regarding matters within the jurisdiction of the Commission~~ serve as a public forum for stakeholder input on issues related to the purpose and functions of the commission.

~~(e) The Commission shall provide assistance to City staff, as requested, on issues involving diversity and/or discrimination against such persons.~~

~~(f)(e)~~ (e) The Commission may establish such sub-committees as it deems necessary to assist the Commission in fulfilling its powers and duties. ~~Any person interested in issues related to diversity and/or non-discrimination may be appointed as a member of a subcommittee.~~ The members of the sub-committees shall be Commission members and shall be appointed by the Commission. Each sub-committee shall be chaired by a member of the Commission who shall be appointed by the chairperson of the Commission. The sub-committee shall have no authority to act independent of the Commission.

~~(e)(f)~~ (f) A majority of the Commission shall constitute a quorum and the affirmative vote of a majority of the Commission members present and voting at a meeting shall be required to take action.

~~(f)(g)~~ (g) The Commission may only forward findings and recommendations to take action that have received an affirmative vote of the majority of its members present at a meeting to the City Council for its consideration and further action. Only the City Council may take legislative action to address issues of diversity and/or discrimination as recommended by the Commission.