



# 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, April 4, 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. [17-116](#) PRESENTATION OF THE PROPOSED GLENDALE URBAN SHUTTLE (GUS) 2 ROUTE RECONFIGURATION  
Staff Contact: Jack Friedline, Director, Public Works  
Staff Presenter: Trevor Ebersole, Deputy Director, Public Works  
Staff Presenter: Kevin Link, Transit Administrator
2. [17-114](#) COUNCIL ITEM OF SPECIAL INTEREST: FIREWORKS ORDINANCE  
Staff Contact: Terry Garrison, Fire Chief  
Staff Presenter: Chuck Jenkins, Fire Marshal

#### 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. Citizens Utility 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).

**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 #: 17-116, Version: 1**

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### **PRESENTATION OF THE PROPOSED GLENDALE URBAN SHUTTLE (GUS) 2 ROUTE RECONFIGURATION**

Staff Contact: Jack Friedline, Director, Public Works

Staff Presenter: Trevor Ebersole, Deputy Director, Public Works

Staff Presenter: Kevin Link, Transit Administrator

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

The purpose of this presentation is to inform Council of a proposed reconfiguration of the Glendale Urban Shuttle (GUS) 2 route to better serve the needs of the community.

#### **Background**

The city began providing GUS service in downtown Glendale in the fall of 1998. Originally, this circulator service was comprised of two routes (GUS 1 & 2) operating in opposite directions. A third route (GUS 3) was implemented in September of 2003. This route connects with routes 1 and 2 providing circulator service to residents who wish to travel as far north as Peoria Avenue between 55<sup>th</sup> and 63<sup>rd</sup> Avenues, and includes stops at the Glendale Adult Center, Main Library, Northern Crossing, Glendale Community College, YWCA, and other points of interest. GUS circulator routes provide same-day transit services which gives residents an alternative to Dial-A-Ride service.

The three routes have not changed since 2003. Over the past few years, Transit has received several requests to expand GUS service to 43<sup>rd</sup> Avenue and south of Glendale Ave to serve residents in those neighborhoods, where there is no convenient access to public transportation.

#### **Analysis**

Transit staff propose reconfiguring the GUS 2 route to start and end at Tanner Terrace at 45<sup>th</sup> Avenue and Palmaire which is a senior assisted living facility. Another elderly and disabled housing complex that would be served is St. John's Manor which is at 51<sup>st</sup> Avenue and Myrtle. Both assisted living facilities currently must rely on Dial-A-Ride or family members for transportation. The reconfigured route will give these residents direct access to facilities and destinations such as Northern Crossing, grocery stores, pharmacies, the Post Office, the Community Center, Rose Lane Park, as well as downtown Glendale. They will also be able to connect with GUS 1 and 3 to access other areas and destinations within Glendale.

In Fiscal Year 2016-17, GUS 1 served a total of 67,329 passengers, GUS 2 served 11,398 passengers, and GUS 3 served 12,184 passengers for a combined total of 90,911 passengers on all three circulator routes. In the first several years of the revised route, ridership is expected to increase on two of the routes, with GUS 1 picking up the previous GUS 2 riders and GUS 2 ridership expanding with the new area.

The hours of operation will be the same as the current route (9:00AM to 6:00 PM) and will run Monday thru Friday. This new route will be a little longer than the current route, so the time between arrivals at stops (frequency) will increase. The frequency on the current route is 30 minutes whereas it will be 45 minutes on the new route. However, because of the longer route, it is expected that the route will have fewer trips and lower overall operating cost when compared to the current routing. A 2% increase in ridership is anticipated over current GUS 2 ridership in the first year.

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

Transportation programs and services provide a benefit to Glendale residents and visitors. Residents of Tanner Terrace and St. John's Manor, and residents in the adjoining neighborhoods, have expressed the need of circulator service to assist with daily transportation needs to quality of-life facilities in Glendale, without the restrictions of using the Dial-A-Ride service which requires that reservations be made in advance. GUS 2 route reconfiguration will include the two above facilities by providing convenient low cost transportation services to the residents.

### **Budget and Financial Impacts**

Transit staff do not anticipate any budget impacts as a result of the proposed GUS 2 route reconfiguration.

Current operating costs for GUS 2 are anticipated annually at \$191,360 and the city has applied for a 5310 New Freedom Grant to offset 50% of the FY 2017-18 operating expenses of GUS 2.

GUS total operating expenses for all three routes for FY16 totaled \$768,840 and fares collected totaled \$21,676 for the same period.



## Legislation Description

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**File #: 17-114, Version: 1**

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### **COUNCIL ITEM OF SPECIAL INTEREST: FIREWORKS ORDINANCE**

Staff Contact: Terry Garrison, Fire Chief

Staff Presenter: Chuck Jenkins, Fire Marshal

### **Purpose and Policy Guidance**

This presentation is in response to a Council Item of Special Interest Councilmember Malnar requested at the February 21, 2017 Council Workshop, regarding clarification on state statute vs. city code related to fireworks and if there is a need to change our city code, as it is currently legal to purchase but illegal to use fireworks in Glendale.

Staff is seeking guidance from Council to propose an ordinance to amend Glendale City Code Section 26.70.3 to be compliant with Arizona Revised Statute (ARS) 36-1606.

### **Background**

On February 21, 2017, City Council requested staff to clarify that Glendale City Code [Section 26.70.3], related to the use of fireworks, is compliant with state statute. The current city code states, "The use of fireworks of any kind within the city is prohibited". This is not in compliance with ARS 36-1606, wherein it states; "The regulation of permissible consumer fireworks is not subject to further regulation by a governing body, except as follows: Prohibit the use of permissible consumer fireworks on days other than June 24 through July 6 and December 24 through January 3 of each year."

### **Analysis**

Staff recommends City Council consider a proposed amendment to bring Glendale City Code into compliance with ARS 36-1606. We recommend that it goes to Council Voting Meeting on May 9, 2017, to be in compliance before the June 24, 2017 date, referred to in the state statute.

### **Previous Related Council Action**

At the Council Workshop on February 21, 2017, Council directed staff to clarify that city code and state statute are compliant, regarding the use of consumer fireworks.

At the Council Voting Meeting on April 24, 2012, Council adopted the current consumer fireworks ordinance (Ord. No. 2801).

At the Council Workshop on April 3, 2012, Council discussed the need for a fireworks ordinance and provided guidance to staff to draft an ordinance banning the use of consumer fireworks.

**Community Benefit/Public Involvement**

Amending city code to align with state statute eliminates ambiguity and confusion with regard to consumer firework use and helps our regulatory and police officers educate the public and enforce the law.