

DRAFT

City of Glendale

*5850 West Glendale Avenue
Glendale, AZ 85301*



Meeting Minutes

Tuesday, May 25, 2021

5:30 P.M.

Voting Meeting

Civic Center

City Council

Mayor Jerry Weiers

Vice Mayor Ian Hugh

Councilmember Jamie Aldama

Councilmember Joyce Clark

Councilmember Ray Malnar

Councilmember Lauren Tolmachoff

Councilmember Bart Turner

CALL TO ORDER

Mayor Weiers called the meeting to order at 5:30 p.m.

ROLL CALL

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

Also Present: Kevin Phelps, City Manager
Michael Bailey, City Attorney
Julie K. Bower, City Clerk
Jack Friedline, Assistant City Manager

PRAYER/INVOCATION

The invocation was provided by Mojgan Elston of the Bha'i Faith.

POSTING OF COLORS

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

1. APPROVAL OF THE MINUTES OF THE MAY 11, 2021 VOTING MEETING

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Joyce Clark to approve the minutes of the May 11, 2021 voting meeting.

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

Passed

BOARDS, COMMISSIONS AND OTHER BODIES

2. APPROVE RECOMMENDED APPOINTMENTS TO BOARDS, COMMISSIONS & OTHER BODIES

Presented by: Councilmember Aldama

A motion was made by Councilmember Jamie Aldama, seconded by Councilmember Lauren Tolmachoff to make the following appointments:

Gary Hirsch to the Citizens Transportation Oversight Commission for a term ending January 31, 2022

Elaine Gomez to the Historic Preservation Commission for a term ending January 31, 2023

Bernice Harris to the Library Advisory Board for a term ending January 31, 2022

Daniel Heath to the Planning Commission for a term ending January 31, 2023

and the following appointments to the Audit Committee:

Irene Avalos for a term ending June 30, 2023

Rusty Simmons for a term ending June 30, 2023

Vice Mayor Ian Hugh for a term ending June 30, 2023

Councilmember Jamie Aldama for a term ending June 30, 2023

Councilmember Ray Malnar for a term ending June 30, 2023

and the following appointments to the Community Development Advisory Committee:

Kirstin Flores for a term ending June 30, 2023

David Giles for a term ending June 30, 2023

Theodora Hackenberg for a term ending June 30, 2023

Alicia Rubio for a term ending June 30, 2023

Abby Vick for a term ending June 30, 2023

AYE: Mayor Jerry Weiers

Vice Mayor Ian Hugh

Councilmember Jamie Aldama

Councilmember Joyce Clark

Councilmember Ray Malnar

Councilmember Lauren Tolmachoff

Councilmember Bart Turner

Passed

Mayor Weiers administered the oath of office to the newly appointed board and commission members.

CONSENT AGENDA

Ms. Bower read the Consent Resolutions by title.

3. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000010-L10, FAMILY DOLLAR STORE #31184, 5435 N 59TH AVE

4. RECOMMEND APPROVAL OF LIQUOR LICENSE NO.600000002-L01, SAN BARTOLO FARMS, 7902 N GLEN HARBOR BLVD #6
5. AUTHORIZATION TO ENTER INTO A MEMBERSHIP AND SERVICES AGREEMENT WITH THE GLENDALE CHAMBER OF COMMERCE FOR CHAIRMAN'S CIRCLE MEMBERSHIP AND GENERAL SUPPORT SERVICES BENEFITING THE CITY OF GLENDALE
6. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH DBA CONSTRUCTION INC., FOR CONSTRUCTION SERVICES RELATED TO THE INSTALLATION OF THE METAL PICKET FENCE AT THE YELLOW LOT LOCATED AT THE SOUTHWEST CORNER OF 91ST AND MARYLAND AVENUES
7. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH TRANE U.S. INC., FOR HVAC PRODUCTS, SERVICES AND REPAIR
8. AUTHORIZATION TO APPROVE EXPENDITURE OF FUNDS FOR THE SUPPLY OF RAW WATER FROM CENTRAL ARIZONA PROJECT
9. AUTHORIZATION TO APPROVE EXPENDITURE OF FUNDS FOR THE SUPPLY OF RAW WATER FROM SALT RIVER VALLEY WATER USERS' ASSOCIATION
10. AUTHORIZATION TO APPROVE EXPENDITURE OF FUNDS FOR ORGANIZATIONAL MEMBERSHIP IN THE ARIZONA MUNICIPAL WATER USERS ASSOCIATION
11. AUTHORIZATION TO APPROVE EXPENDITURE OF FUNDS FOR THE COSTS ASSOCIATED WITH PARTIAL OWNERSHIP IN THE SUB-REGIONAL OPERATING GROUP
12. AUTHORIZATION TO APPROVE EXPENDITURE OF FUNDS FOR THE COSTS ASSOCIATED WITH PARTIAL OWNERSHIP OF NEW RIVER-AGUA FRIA UNDERGROUND STORAGE PROJECT
13. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 3 OF THE AGREEMENT WITH DANA KEPNER COMPANY, INC. TO PROVIDE WATER METER VALVE BOXES, FRAMES AND LIDS
14. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH DICK & FRITSCHÉ DESIGN GROUP, INC FOR THE O'NEIL COMMUNITY CENTER RENOVATION PROJECT
15. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH DICK & FRITSCHÉ DESIGN GROUP, INC FOR THE GLENDALE COMMUNITY CENTER RENOVATION PROJECT
16. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH DICK & FRITSCHÉ DESIGN GROUP, INC FOR THE ROSE LANE RECREATION CENTER RENOVATION PROJECT

17. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH J. BANICKI CONSTRUCTION, INC, AN ARIZONA CORPORATION, FOR JOB ORDER CONTRACTING FOR CONSTRUCTION SERVICES FOR THE STRUCTURAL REPAIRS FOR THE CITY OF GLENDALE PUBLIC PARKING GARAGE AT 5835 WEST PALMAIRE AVENUE

CONSENT RESOLUTIONS

18. RESOLUTION NO. R21-41

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AMENDMENT NO. 2 TO THE INTERGOVERNMENTAL AGREEMENT FOR FIRE AND MEDICAL SERVICES RESPONSE TO THE DESERT DIAMOND CASINO WITH THE CITY OF PEORIA AND THE SUN CITY FIRE DISTRICT ON BEHALF OF THE GLENDALE FIRE DEPARTMENT.

19. RESOLUTION NO. R21-42

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING SUBMISSION OF THE SUBSTANTIAL AMENDMENT 2 TO THE 2015-16, 2017-18, 2018-19 AND 2019-20 ANNUAL ACTION PLANS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE COMBINED AMOUNT OF \$701,766.49.

20. RESOLUTION NO. R21-43

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, DIRECTING AND ENTERING INTO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE HOUSING AUTHORITY OF MARICOPA COUNTY AND THE GLENDALE HOUSING AUTHORITY FOR THE VETERAN AFFAIRS SUPPORTIVE HOUSING PROGRAM.

21. RESOLUTION NO. R21-44

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE AND ACCEPT A PROPERTY USE LICENSE FROM SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT FOR THE INTERSECTION LOCATED AT 63RD AVENUE AND NORTHERN.

22. RESOLUTION NO. R21-45

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION (IGA 21-0008180-1) FOR THE INSTALLATION OF BICYCLE LANES AND ENHANCEMENT OF PEDESTRIAN FACILITIES AT THE INTERSECTION OF 67TH AVENUE BETWEEN MISSOURI AVENUE AND CHOLLA STREET.

23. RESOLUTION NO. R21-46

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, APPROVING THE PARKS AND RECREATION MASTER PLAN FOR THE CITY OF GLENDALE.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Joyce Clark to approve Consent Agenda items 3 through 17 and adopt Consent Resolutions items 18 through 23.

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

Passed

BIDS AND CONTRACTS

24. AMENDMENT TO CITY CLERK EMPLOYMENT AGREEMENT

Presented by: Jim Brown, Director of Human Resources and Risk Management

A motion was made by Councilmember Bart Turner, seconded by Councilmember Joyce Clark to approve item 24.

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

Passed

25. AWARD OF IFB 21-41 AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH DANA KEPNER COMPANY, LLC. FOR PURCHASE OF WATER METERS

Presented by: Craig Johnson, P.E., Director, Water Services

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to approve item 25.

Councilmember Clark could not support 5-year contracts that involved usual and customary services.

The vote on the motion was:

AYE: Mayor Jerry Weiers
Vice Mayor Ian Hugh
Councilmember Jamie Aldama
Councilmember Ray Malnar
Councilmember Lauren Tolmachoff
Councilmember Bart Turner
NAY: Councilmember Joyce Clark
Passed

- 26.** AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH SHADE 'N NET OF ARIZONA, INC., FOR PRE-ENGINEERED SHADE STRUCTURES FOR PARKS
Presented by: Jim Burke, Director, Public Facilities, Recreation and Special Events

A motion was made by Councilmember Jamie Aldama, seconded by Vice Mayor Ian Hugh to approve item 26.

AYE: Mayor Jerry Weiers
Vice Mayor Ian Hugh
Councilmember Jamie Aldama
Councilmember Ray Malnar
Councilmember Lauren Tolmachoff
Councilmember Bart Turner
NAY: Councilmember Joyce Clark
Passed

- 27.** RATIFICATION OF U.S. DEPARTMENT OF THE TREASURY EMERGENCY RENTAL ASSISTANCE (ERA 2) FINANCIAL ASSISTANCE AGREEMENT
Presented by: Jean Moreno, Director, Community Services

A motion was made by Councilmember Joyce Clark, seconded by Councilmember Lauren Tolmachoff to approve item 27.

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

ORDINANCES

28. ORDINANCE NO. O21-38

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A QUIT-CLAIM DEED FROM VALLEYWISE HEALTH AND AUTHORIZING THE EXECUTION OF A QUIT-CLAIM DEED TO MARICOPA COUNTY FOR PROPERTY AT 5141 WEST LAMAR ROAD (PROPERTY) AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.

Presented by: Rick St. John, Deputy City Manager

Ms. Bower read the ordinance by title.

Mr. St. John said the proposed ordinance authorized the City Manager to accept a quit claim deed for a 3.5 acre property at 5141 West Lamar Road from Maricopa County Special Health Care District (MCSHCD), DBA Valleywise Health, and execute a quit claim deed conveying the property to Maricopa County. The County would use the property as a medical facility.

A motion was made by Councilmember Bart Turner, seconded by Councilmember Joyce Clark to adopt Ordinance No. O21-38.

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

Passed

RESOLUTIONS

29. RESOLUTION NO. R21-47

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE ACCEPTANCE OF EMERGENCY HOUSING VOUCHERS ISSUED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) NOT TO EXCEED \$1,500,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS RELATED TO THIS PROGRAM INCLUDING THE ACCEPTANCE OF ADDITIONAL VOUCHERS IF NEEDED.

Presented by: Jean Moreno, Director, Community Services

Ms. Bower read the resolution by title.

Ms. Moreno said the proposed resolution authorized the acceptance of funding and vouchers for the U.S. Department of Housing and Urban Development's (HUD) Emergency Housing Voucher (EHV) program, authorized the execution and delivery of all agreements and documents necessary to administer the program, and authorized the acceptance of additional vouchers or funding specific to the program if made available by HUD for the total not to exceed amount \$1,500,000.

Ms. Moreno said participating in the HUD EHV program would provide longer term sustainability for individuals and families experiencing homelessness or fleeing domestic violence or other unsafe situations allowing them to access supportive services to advance self-sufficiency with the goal of graduating from the voucher program.

A motion was made by Councilmember Joyce Clark, seconded by Vice Mayor Ian Hugh to adopt Resolution No. R21-47.

Mayor Weiers said Ms. Moreno was doing an incredible job. The City was trying to deal with the homelessness issue and Ms. Moreno had been remarkable in trying to help the City address the issue.

The vote on the motion was:

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

Passed

NEW BUSINESS

30. APPOINTMENT OF MICHELE IAFRATE TO CITY JUDGE

Presented by: Jim Brown, Director of Human Resources and Risk Management

Ms. Bower read the item by title.

Mr. Brown requested Council consider and take action on the appointment of Michele IafRATE to a two-year term as a City Judge. The effective appointment date would be June 9, 2021.

A motion was made by Councilmember Joyce Clark, seconded by Councilmember Lauren Tolmachoff to appoint Michele IafRATE as City Judge.

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

Passed

Presiding Judge Nicholas DiPiazza administered the oath of office to Ms. Iafrate.

31. ORDINANCE NO. O21-39

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, CREATING A NEW GLENDALE CITY CODE CHAPTER 34 "NON-DISCRIMINATION CODE" PROHIBITING DISCRIMINATION IN PUBLIC ACCOMMODATION, EMPLOYMENT, AND HOUSING ON THE BASIS OF RACE, COLOR, ETHNICITY, NATIONAL ORIGIN, AGE, DISABILITY, RELIGION, SEX, SEXUAL ORIENTATION, GENDER, GENDER IDENTITY, VETERAN'S STATUS, MARITAL STATUS, AND FAMILIAL STATUS AND ESTABLISHING PENALTIES FOR VIOLATIONS THEREOF. Presented by: Brent Stoddard, Deputy City Manager

Ms. Bower read the ordinance by title.

Mr. Stoddard said Glendale was a tremendously diverse community. The City Council and City management had taken their responsibility seriously to enhance equity, inclusiveness, and opportunity for everyone in the community. The City had taken deliberative action over the years to demonstrate a commitment to non-discrimination. From signing the One Community UNITY Pledge, to forming a Human Relations Commission, and implementing internal non-discrimination policies for its employees and contractors. Council also hired a professional facilitator to hold four community meetings to seek public input on the topic, engaging over 130 individuals. The City had also designated an LGBTQ liaison to the City Manager to serve as a resource for the public. The issue of non-discrimination had been discussed in 14 public City Council meetings.

Mr. Stoddard said the next step was to adopt a non-discrimination ordinance. Eight cities in Arizona had already adopted such an ordinance. The draft ordinance was modeled after the City of Mesa's non-discrimination ordinance. The ordinance prohibited discrimination in employment, housing and places of public accommodation based on race, color, ethnicity, national origin, age, disability, religion, sex, sexual orientation, gender, gender identity, veteran's status, marital status, genetic information or familial status. It ensured that the diverse population had equal access to and treatment in goods, services, employment, and housing.

Mr. Stoddard said the ordinance applied to:

- Businesses with five or more employees
- Places of public accommodation
- Employers and the workplace
- City employees and facilities
- City contractors and vendors

Mr. Stoddard said the ordinance included the following exclusions:

- Small businesses with less than five employees
- Federal government, state agencies and political subdivisions
- Religious corporations and organizations
- Public accommodations that provide beneficial pricing and policies to senior citizens, veterans, students or individuals with disabilities
- Single-sex designated areas of public accommodation and sports and recreational leagues and programs
- Free speech, expressive activities and the free exercise of religion when protected under the First Amendment

Mr. Stoddard said the ordinance was administered by the City Manager and no additional funding would be necessary. Complaints must be received in writing by the City Clerk within 90 days of the alleged violation. The City Manager was allowed to address complaints through informal means such as notices or warnings. A first violation required resolution through mediation or alternative means before citation. Civil penalties could include:

- First violation - a fine of \$300 per civil offense
- Second violation - a fine of not less than \$300 nor more than \$2,500 per civil offense
- Third and subsequent violations - a fine of not less than \$600 nor more than \$2,500 per civil offense

Mr. Stoddard said, based on the feedback from Council's earlier workshop, an amendment would be offered to change the 120-day implementation to an effective date of 30 days after adoption.

A motion was made by Councilmember Jamie Aldama, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O21-39 and amend Section 3, changing the effective date from one-hundred twenty (120) days to thirty (30) days following adoption.

Councilmember Turner said the ordinance originated as an item of special interest with hopes that it would be accomplished in time for the 2015 Super Bowl. He was happy that it would be accomplished by the 2023 Super Bowl.

Mayor Weiers said Council had taken measured steps to address discrimination in its many forms. By adopting the City of Mesa's ordinance, he hoped that other cities would consider using the ordinance as a model to promote consistency across the Valley.

Councilmember Aldama said the action was significant. Glendale would become one of 225 cities and towns nationwide that had adopted a similar ordinance. For those who lived and worked in the City who had felt left out or not protected, it was no longer the case, and he welcomed them.

The vote on the motion was:

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

Passed

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Joyce Clark to hold the next regularly scheduled City Council workshop on Tuesday, June 8, 2021 at 12:30 p.m. in the Civic Center, 5750 West Glenn Drive, to be followed by an executive session pursuant to A.R.S. 38-431.03.

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

Passed

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Aldama thanked the staff of Channel 11 for all the work it did for Council and the LIVE @ Murphy Park series.

Councilmember Clark thanked everyone who attended the groundbreaking for the Heroes Park Lake held on Monday. She also thanked staff for coordinating the event.

Councilmember Clark invited everyone to attend the in-person Yucca District meeting on Thursday, May 27th at 6:00 p.m. in Council Chambers.

Councilmember Clark said the grand opening of the splash pad at O'Neil Park would take place on Thursday, May 27th at 8:00 a.m.

Councilmember Tolmachoff said the finish line of the pandemic was in sight. She thanked City employees, especially public safety staff, for all the work done to make sure City services did not skip a beat.

Mayor Weiers thanked everyone for their patience during his recent health situation. It had been a challenging year.

CITIZEN COMMENTS

Lorraine Zomok, Ocotillo District resident, commented on the 14th Annual Mother's Day Celebration in historic downtown Glendale held on May 8th. There would also be a Christmas in July event on July 10th.

James Deibler, Phoenix resident, commented on a recent street cleaning event.

ADJOURNMENT

Mayor Weiers adjourned the meeting at 6:24 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the meeting of the Glendale City Council of Glendale, Arizona, held on the 25th day of May, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this __ day of ____, 2021.

Julie K. Bower, MMC, City Clerk