

DRAFT

City of Glendale

*5850 West Glendale Avenue
Glendale, AZ 85301*



Meeting Minutes

Tuesday, February 22, 2022

5:30 P.M.

**Voting Meeting
Council Chambers**

City Council

Mayor Jerry Weiers

Vice Mayor Jamie Aldama

Councilmember Joyce Clark

Councilmember Ian Hugh

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 Jamie Aldama
Councilmember Joyce Clark
Councilmember Ian Hugh
Councilmember Ray Malnar
Councilmember Lauren Tolmachoff
Councilmember Bart Turner

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

PRAYER/INVOCATION

The invocation was offered by Pastor Josue Hernandez from West Side Church of God.

POSTING OF COLORS

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

1. APPROVAL OF THE MINUTES OF THE FEBRUARY 8, 2022 VOTING MEETING

A motion was made by Councilmember Joyce Clark, seconded by Councilmember Lauren Tolmachoff to approve the minutes of the February 8, 2022 voting meeting.

AYE: Mayor Jerry Weiers
Vice Mayor Jamie Aldama
Councilmember Joyce Clark
Councilmember Ian Hugh
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 Bart Turner

A motion was made by Councilmember Bart Turner, seconded by Councilmember Lauren Tolmachoff to appoint Jean Hailey to the Arts Commission to a term expiring January 31, 2023; Martha Dennis to the Commission on Diverse Cultures to a term expiring January 31, 2023; and Gary Hirsch to the Planning Commission as the temporary Cholla District representative and as interim vice chair for terms that will expire when the regularly appointed Cholla District representative is able to return to the Planning Commission.

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

Passed

CONSENT AGENDA

3. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH MATLICK ENTERPRISES, INC. DBA UNITED FIRE EQUIPMENT CO. FOR THE PURCHASE OF SELF CONTAINED BREATHING APPARATUS (SCBA) AND REPLACEMENT PARTS
4. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH GENERAL ACRYLICS, INC., FOR SPORTS COURTS: NEW, REPAIR, AND MAINTENANCE FOR CITYWIDE PARKS, RECREATIONAL FACILITIES, AND AQUATICS CENTERS
5. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICE AGREEMENT WITH J2 ENGINEERING AND ENVIRONMENTAL DESIGN, LLC, FOR THE SAHUARO RANCH PARK MASTER PLAN
6. AUTHORIZATION TO ENTER INTO A CONSTRUCTION AGREEMENT WITH SOUTHWEST SAWCUTTING & MILLING, LLC, DOING BUSINESS AS SWB PAVING FOR THE PUBLIC SAFETY BUILDING PARKING IMPROVEMENTS AT THE GATEWAY STATION
7. AUTHORIZATION TO ENTER INTO A CONSTRUCTION AGREEMENT WITH GONZALEZ ASPHALT, INC, FOR THE PUBLIC SAFETY BUILDING PARKING IMPROVEMENTS AT THE FOOTHILLS STATION
8. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE LINKING AGREEMENT WITH UTILITY CONSTRUCTION COMPANY, INC., FOR MAINTENANCE, REPAIR, AND MINOR CONSTRUCTION WORK
9. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH ASSOCIATED FENCE OF GLENDALE, LLC., FOR JOB ORDER CONTRACTING FOR FENCING

10. AUTHORIZATION TO AMEND AN EXISTING LINKING AGREEMENT WITH ACHEN-GARDNER CONSTRUCTION, LLC, FOR JOB ORDER CONTRACTING SERVICES FOR WET UTILITY PIPELINE PROJECTS
11. AUTHORIZATION TO AMEND AN EXISTING LINKING AGREEMENT WITH B & F CONTRACTING, INC., FOR JOB ORDER CONTRACTING SERVICES FOR WET UTILITY PIPELINE PROJECTS
12. AUTHORIZATION TO AMEND AN EXISTING LINKING AGREEMENT WITH HUNTER CONTRACTING CO., FOR JOB ORDER CONTRACTING SERVICES FOR WET UTILITY PIPELINE PROJECTS

A motion was made by Councilmember Joyce Clark, seconded by Councilmember Ian Hugh to approve Consent Agenda items 3 through 12.

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

Passed

CONSENT RESOLUTIONS

Ms. Bower read the Consent Resolutions items by title.

13. RESOLUTION NO. R22-12

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF THE CHILD AND FAMILY ADVOCACY CENTER FUND GRANT (ID NO. AG22-0023), IN THE APPROXIMATE AMOUNT OF \$33,932.26, FROM THE OFFICE OF THE ARIZONA ATTORNEY GENERAL, BASED UPON THE SERVICES PROVIDED TO VICTIMS IN CALENDAR YEAR 2020 BY THE GLENDALE POLICE DEPARTMENT FAMILY ADVOCACY CENTER.

14. RESOLUTION NO. R22-13

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ADOPTING THE "CITY OF GLENDALE STREET NAMING/RENAMING POLICY"; AND SETTING FORTH AN EFFECTIVE DATE.

A motion was made by Councilmember Ian Hugh, seconded by Councilmember Joyce Clark to adopt Consent Resolutions items 13 and 14.

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

Passed

BIDS AND CONTRACTS

Ms. Bower read the Bids and Contracts items by title.

- 15. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE LINKING AGREEMENT WITH MOTOROLA SOLUTIONS, INC., FOR THE PURCHASE OF A NICE INFORM MULTIMEDIA RECORDER**

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to approve item 15.

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

Passed

- 16. AUTHORIZATION TO ENTER INTO A SERVICES AGREEMENT WITH CATS ARMS, LLC, DOING BUSINESS AS SIONICS WEAPON SYSTEMS, FOR RIFLE PURCHASES AND REPAIRS FOR THE GLENDALE POLICE DEPARTMENT**

A motion was made by Councilmember Ian Hugh, seconded by Councilmember Lauren Tolmachoff to approve item 16.

Councilmember Clark said, as was her habit and practice, she would not be supporting items 16 and 17 because both were 5-year contracts for customary services.

The vote on the motion was:

AYE: Mayor Jerry Weiers
Vice Mayor Jamie Aldama
Councilmember Ian Hugh
Councilmember Ray Malnar
Councilmember Lauren Tolmachoff

Councilmember Bart Turner
NAY: Councilmember Joyce Clark
Passed

17. AWARD OF RFP 22-22 AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH SOUTHWEST FABRICATION, LLC FOR BUS STOP SHELTER AND FURNITURE INSTALLATION, MAINTENANCE AND REPAIR SERVICES

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Ian Hugh to approve item 17.

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

18. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE LINKING AGREEMENT WITH DAVE BANG ASSOCIATES, INC. FOR PLAYGROUND, SPLASH PAD, OUTDOOR FITNESS, AND RELATED EQUIPMENT AT CITYWIDE PARKS, RECREATIONAL FACILITIES, AND AQUATICS CENTERS

A motion was made by Councilmember Bart Turner, seconded by Councilmember Joyce Clark to approve item 18.

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

ORDINANCES

19. ORDINANCE NO. O22-14

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A PRIVATE SEWER EASEMENT IN FAVOR OF EMPIRE RESIDENTIAL COMMUNITIES FUND IV, LLC LOCATED AT THE NORTHWEST CORNER OF 99TH AVENUE AND DESERT RIVER BOULEVARD AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.

Presented by: Jayme Chapin, PE, Principal Engineer

Ms. Bower read the ordinance by title.

Ms. Chapin said Empire was constructing the Desert River II mixed-use development at the northwest corner of 99th Avenue and Desert River Boulevard. Due to the site topography and the location of City wastewater facilities, a gravity sewer solution was not viable. Empire was constructing a private lift station and associated private sewer lines to service the site. It was necessary that the private sewer lines cross 100th Avenue at three locations and Empire was requesting the City grant an easement for the sewer line crossings. Staff recommended approval of the ordinance.

A motion was made by Vice Mayor Jamie Aldama, seconded by Councilmember Ian Hugh to adopt Ordinance No. O22-14.

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

Passed

NEW BUSINESS

- 20. AUTHORIZATION TO ENTER INTO AN EXCLUSIVE LISTING AGREEMENT WITH PLAZA DEL RIO MANAGEMENT CORPORATION TO GRANT EXCLUSIVE RIGHTS TO NEGOTIATE THE SALE OF THE UNENCUMBERED 20+/- ACRE PARCEL LOCATED AT SOUTHWEST CORNER OF 91ST AVENUE AND CARDINALS WAY**
Presented by: Brian Friedman, Economic Development

Ms. Bower read the item by title.

Mr. Friedman said the agreement had specific deliverables, timelines and potential costs. It was the next step in exploring the viability of the 91 Cardinals project. The City owned a total of approximately 54 acres at the site. The twenty acres for the project were unencumbered, and 34 acres were used to support the parking agreements with Crystal Lagoons, the Arizona Cardinals and the Arizona Sports and Tourism Authority.

Mr. Friedman said the agreement would require Plaza del Rio to:

1. List, market and generate potential interest and seek offers from the open market
2. Vet interest and communicate that interest to the City
3. At Council's direction, Plaza would work with prospective buyers to develop a letter of intent

Mr. Friedman said there was no cost to enter into the agreement until Council elected to sell all or part of the City-owned property. If sold, a maximum commission of 5% would be split between the buyer's and seller's brokers. If a buyer was not represented, a 3% commission

would be paid to the City's broker. All commissions were payable upon close of escrow and the term of the agreement was 12 months.

Councilmember Turner asked what "unencumbered" meant.

Mr. Friedman said the 20-acres were not subject to the parking agreements.

Councilmember Turner asked if the phasing plan, design standards and covenants, conditions and restrictions created by Plaza del Rio were applicable to the property.

Mr. Friedman said they would be applicable.

Councilmember Turner was willing to support the agreement but wanted to see what came forward from the market. He was not sure if it was the correct time to sell the property.

A motion was made by Councilmember Joyce Clark, seconded by Vice Mayor Jamie Aldama to approve item 20.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Bart Turner to amend Paragraph 5 of the agreement to read:

A maximum commission of five percent (5%) of the sale price of the Property will be paid and split equally (2.5% commission each) between the Buyer's and Seller's brokers if both parties are represented at the time a purchase and sale contract is executed. In the event the Buyer is not represented by a Broker, at the time Buyer executes a purchase and sale agreement, Owner shall pay a commission equal to three percent (3%) of the sale price of the Property only to its Broker(s). Any and all commissions are conditioned upon and payable in full upon close of escrow.

The vote on the amendment was:

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

Passed

The vote on the motion as amended was:

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

Councilmember Bart Turner
Passed

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Clark invited residents to the Yucca District meeting on March 10th at the Glendale Media Center at 6:00 p.m.

Councilmember Tolmachoff thanked Gary Hirsch for stepping in to help out the Planning Commission until her appointed member was able to return to the Commission.

Mayor Weiers said Luke Air Force Base had canceled this year's air show.

CITIZEN COMMENTS

Thomas Cannon, Sahuaro District, commented on a community nuisance involving barking dogs.

ADJOURNMENT

Mayor Weiers adjourned the meeting at 5:56 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 22nd day of February, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ___ day of ___, 2022.

Julie K. Bower, MMC, City Clerk