

**DRAFT**

## **City of Glendale**

*5850 West Glendale Avenue  
Glendale, AZ 85301*



## **Meeting Minutes**

**Tuesday, October 11, 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  
Jamsheed Mehta, Acting Assistant City Manager

## **PRAYER/INVOCATION**

The invocation was offered by Pastor Bill Davenport, Calvary Church.

## **POSTING OF COLORS**

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF THE MINUTES**

### **1. APPROVAL OF THE MINUTES OF THE SEPTEMBER 27, 2022 VOTING MEETING**

A motion was made by Councilmember Joyce Clark, seconded by Councilmember Lauren Tolmachoff to approve the minutes of the September 27, 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

## **PROCLAMATIONS AND AWARDS**

2. PROCLAMATION DECLARING OCTOBER 23 - 31, 2022 RED RIBBON WEEK  
Presented by: Mayor Jerry P. Weiers

Mayor Weiers declared the week of October 23rd as Red Ribbon Week in the City of Glendale. He presented the proclamation to Staff Sergeant Jasmin Velazquez of the Desert Young Marines.

## CONSENT AGENDA

Mayor Weiers said Councilmember Clark had requested that Consent Agenda item 9 be heard separately.

3. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000056-L12, FIRST WATCH RESTAURANT #215, 18255 N 83RD AVE STE A106
4. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000057-L12, PUPUSAS DONA MARY 3 LLC, 5160 W NORTHERN AVE
5. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000053-L12, PAPI'S PIZZA, 20329 N 59TH AVE STE A9
6. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000054-L12, CHARCOAL GRILL, 5830 W THUNDERBIRD RD
7. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000055-L12, SR OZZY'S TACOS Y MARISCOS, 5140 W PEORIA AVE STE 144
8. POSITION RECLASSIFICATIONS
9. AWARD OF RFP 22-14 AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH UNIVERSAL PROTECTION SERVICE, L.P., DOING BUSINESS AS ALLIED UNIVERSAL SECURITY SERVICES, FOR SECURITY GUARD SERVICES AT SPECIFIED CITYWIDE LOCATIONS AND EVENTS

A motion was made by Councilmember Ian Hugh, seconded by Vice Mayor Jamie Aldama to approve item 9.

Councilmember Clark said, as was her habit and practice, she would be voting no on the 5-year contract.

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

10. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH CAPITAL PUMP AND EQUIPMENT, LLC FOR RENTAL OF PORTABLE PUMPS & LIQUID CONVEYANCE EQUIPMENT CONTRACT
11. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH GHD INC. FOR 67th AVENUE AND ARIZONA CANAL DIVERSION CHANNEL (ACDC) SEWER LIFT STATION 2 CONSTRUCTION ADMINISTRATION & INSPECTION SERVICES
12. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE AGREEMENT WITH BLACK & VEATCH CORPORATION FOR OASIS WATER TREATMENT PLANT MISCELLANEOUS MINOR MODIFICATIONS
13. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH HACH COMPANY FOR SERVICE PARTNERSHIP TO PROVIDE SERVICE ON HACH EQUIPMENT
14. AUTHORIZATION TO ENTER INTO THREE PROFESSIONAL SERVICE AGREEMENTS WITH JACOBS ENGINEERING GROUP, INC., FOR DESIGN SERVICES FOR THE INSTALLATION OF A HAWK AND OTHER PEDESTRIAN SAFETY IMPROVEMENTS AT 58<sup>TH</sup> AVENUE AND BETHANY HOME ROAD, TRAFFIC SIGNAL IMPROVEMENTS AT SARIVAL AVENUE AND GLENDALE AVENUE, AND TRAFFIC SIGNAL IMPROVEMENTS AT SARIVAL AVENUE AND BETHANY HOME ROAD

A motion was made by Councilmember Ian Hugh, seconded by Councilmember Lauren Tolmachoff to approve Consent Agenda items 3 through 8 and 10 through 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

## **CONSENT RESOLUTIONS**

Ms. Bower read the Consent Resolutions by title.

**15. RESOLUTION NO. R22-100**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF A SUB-RECIPIENT AGREEMENT (NO. 22-AZDOHS-HSGP-220810-02) WITH THE ARIZONA DEPARTMENT OF HOMELAND SECURITY AND AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF THE URBAN AREA SECURITY INITIATIVE (UASI) GRANT AWARD IN THE APPROXIMATE AMOUNT OF \$80,380 FOR THE GLENDALE POLICE 2022 UASI TLO SUSTAINMENT.

**16. RESOLUTION NO. R22-101**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF A SUB-RECIPIENT AGREEMENT (NO. 22-AZDOHS-HSGP-220810-01) WITH THE ARIZONA DEPARTMENT OF HOMELAND SECURITY AND AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF THE URBAN AREA SECURITY INITIATIVE (UASI) GRANT AWARD IN THE APPROXIMATE AMOUNT OF \$85,000 FOR THE GLENDALE POLICE 2022 UASI RRT SUSTAINMENT.

**17. RESOLUTION NO. R22-102**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO AN AGREEMENT WITH THE SECRETARY OF THE AIR FORCE, ACTING BY AND THROUGH THE COMMANDER, 56 FIGHTER WING, LUKE AFB, FOR THE PURPOSE OF AUTOMATIC AID IN FIRE AND EMERGENCY SERVICES.

**18. RESOLUTION NO. R22-103**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, DIRECTING AND ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT BETWEEN MARICOPA COUNTY HUMAN SERVICES DEPARTMENT FOR EMERGENCY RENT ASSISTANCE PROGRAM.

**19. RESOLUTION NO. R22-104**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE ACCEPTANCE OF ADDITIONAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT HOUSING CHOICE VOUCHERS UNDER THE CONSOLIDATED APPROPRIATIONS ACT NOT TO EXCEED \$500,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS RELATED TO THIS PROGRAM.

**20. RESOLUTION NO. R22-105**

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 CITY OF PHOENIX (PROJECT #ST89360036) FOR THE INSTALLATION OF VIDEO DETECTION SYSTEMS ALONG GLENDALE AVENUE IN THE CITY OF GLENDALE AND THE CITY OF PHOENIX.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Vice Mayor Jamie Aldama to adopt Consent Resolutions items 15 through 20.

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

### 21. ORDINANCE NO. O22-64

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF EASEMENTS, DEEDS AND A MAP OF DEDICATION AT VARIOUS LOCATIONS THROUGHOUT THE CITY AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.

Presented by: Jayme E. Chapin, P.E., Principal Engineer

Ms. Bower read the ordinance by title.

Ms. Chapin said the City would be accepting public rights-of-way and easements for roadway purposes at two locations in conjunction with the construction of roadway improvements and water and sewer lines. Staff recommended acceptance of the rights-of-way and easements.

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Joyce Clark to adopt Ordinance No. O22-64.

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

Passed

### 22. ORDINANCE NO. O22-65

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY LOCATED SOUTH AND WEST OF APPROXIMATELY 52ND AVENUE AND WEST GLENDALE AVENUE TO DANIEL F PRATT ENTERPRISES, LLC, AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS RELATED TO SUCH SALE AND DIRECTING

THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.  
Presented by: Jessi Pederson, Assistant Director, Economic Development

Ms. Bower read the ordinance by title.

Ms. Pederson said the City owned several parcels of real property in the geographic area of 52nd Avenue and West Glendale Avenue which functioned as rail spurs until the early 1900s when they were subsequently abandoned by the railroad operators to the City. Over time, the area developed into a commercial district and the intrusive location of the City-owned real property served as an obstruction to the current commercial operations in the area. Therefore, the sale of the parcels to the adjacent property owners was deemed in the best interest of the City to best divide the parcels in an equitable way to support the existing and future commercial uses in the area.

Ms. Pederson said, due to the unique circumstances of the parcels, the City had offered to the adjacent property owners the opportunity to purchase the identified portions of the parcels for \$0.19 per square foot. The purchase price was determined based on the cost incurred by the City to survey the property and any other associated costs to prepare the property for sale.

Ms. Pederson said, based on the staff evaluation of current operations in the area, approximately 4,412 square feet of City-owned parcel APN146-06-061 had been identified for sale to the adjacent property owner, Daniel F Pratt Enterprises, LLC. The sale of a portion of the remnant parcel alleviated current and future impediments to the existing commercial district and absolved the City of any future liability.

Vice Mayor Aldama asked for a description of the location of and access to the property

Ms. Pederson said the remnant parcel ran under the back of the commercial property. The remnant parcels had operated as part of the adjacent commercial properties for some time.

Mayor Weiers said there was no access to the property, and it relieved the City of liability.

Ms. Pederson said that was correct.

A motion was made by Vice Mayor Jamie Aldama, seconded by Councilmember Joyce Clark to adopt Ordinance No. O22-65.

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

NAY: Councilmember Bart Turner

Passed

**23. ORDINANCE NO. O22-66**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GLENDALE CITY CODE, CHAPTER 24 (MOTOR VEHICLES AND TRAFFIC), ARTICLE XII (PEDESTRIAN'S DUTIES), SECTION 24-161 (PROHIBITED CROSSING).

Presented by: Rick St. John, Deputy City Manager

Ms. Bower read the ordinance by title.

Mr. St. John said the proposed ordinance would prohibit pedestrians from stopping or remaining in any portion of the roadway designed for vehicle use. The current Code stated that it was unlawful for a pedestrian to cross a roadway in any section of the roadway other than an established crosswalk in any business district. Staff was requesting Council add language making it unlawful for a pedestrian to enter into a roadway designed for vehicle use and to stop or remain in the roadway or any raised or painted median of the roadway for any purpose other than to cross the roadway at a designated crosswalk. It was a civil infraction and would first require a warning by an enforcement officer. After the warning, if a pedestrian continued to enter or remain in the roadway, a civil citation could be issued. The proposal had been discussed at a previous workshop.

A motion was made by Councilmember Bart Turner, seconded by Councilmember Joyce Clark to adopt Ordinance No. O22-66.

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

Passed

**24. ORDINANCE NO. O22-67**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GLENDALE CITY CODE, CHAPTER 26 (OFFENSES-MISCELLANEOUS), ARTICLE IV (OFFENSES AGAINST PUBLIC DECENCY AND MORALS), DIVISION 1 (GENERALLY) SECTION 26-74 (PROHIBITED SOLICITATION; PROHIBITED ACTS; VIOLATIONS).

Presented by: Rick St. John, Deputy City Manager

Ms. Bower read the ordinance by title.

Mr. St. John said the City Code did not currently have a section dealing with general, public soliciting. Staff was requesting Council adopt code language making it unlawful to engage in solicitation activities within certain areas and under certain conditions. Council had discussed the proposal at its workshop on September 13th and the following included changes that were requested:

- Title changed from "aggressive solicitation" to "prohibited solicitation"
- Increased the distance from a financial institution from 25 feet to 50 feet
- Prohibits solicitation within 25 feet of the entrance or exit of commercial businesses adjacent to roadways
- Prohibits aggressive solicitation
- Prohibits solicitation on private property if the property owners had requested no solicitation
- Prohibits solicitation from a vehicle that was being operated on a roadway from a street corner or raised median

Vice Mayor Aldama supported the ordinance. He wanted the focus to be on how much safer the streets would be in the City. It would prevent injuries, accidents and deaths.

Councilmember Malnar said a person soliciting from a one-foot wide median had come within six inches of hitting his vehicle. He favored the proposed ordinance.

A motion was made by Councilmember Joyce Clark, seconded by Vice Mayor Jamie Aldama to adopt Ordinance No. O22-67.

Mayor Weiers said aggressive solicitation in parking lots made people feel unsafe. If the business did not allow solicitation, the police needed tools to keep it from happening. A new law had gone into effect that allowed motorcyclists to split traffic when cars were stopped at an intersection. If there was aggressive solicitation in the street, there was potential for the motorcyclist and the solicitor to be injured. The City had to keep people safe.

The vote on the motion 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

**25. ORDINANCE NO. O22-68**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GLENDALE CITY CODE, CHAPTER 16 (FIRE PREVENTION AND PROTECTION), ARTICLE 1 (IN GENERAL), SECTION 16-8 (ASSUMPTION OF JURISDICTION).

Presented by: Rick St. John, Deputy City Manager

Ms. Bower read the ordinance by title.

Mr. St. John said the proposed ordinance would allow the Arizona Sports and Tourism Authority (AZSTA) to request the Glendale Fire Marshal retain jurisdiction from the Office of the State Fire Marshal for fire code enforcement at State Farm Stadium and privately-owned parcels immediately adjacent to the facility for certain mega events.

Councilmember Clark believed the City had given up jurisdiction because it was not compensated for the mega events. She asked if the City would be compensated.

Mr. St. John said fire marshal services would be onsite for the Super Bowl regardless of whether or not the City had immediate or concurrent jurisdiction. It would be a collaborative effort. There would not be a cost impact if the City had primary jurisdiction. Going forward, there might be cost impacts and it would be discussed with AZSTA and the stadium management as the requests were made.

A motion was made by Councilmember Ian Hugh, seconded by Councilmember Joyce Clark to adopt Ordinance No. O22-68.

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

Passed

Mr. Phelps introduced Armando Esparza. Mr. Esparza was attending the Arizona State University's (ASU) Marvin Andrews Fellowship School of Public Affairs. He was attending the Council meeting as part of his coursework at ASU.

## **COUNCIL COMMENTS AND SUGGESTIONS**

Councilmember Clark said the Yucca District would be hosting a Hook a Kid on Fishing event at Heroes Regional Park Lake on October 15th from 8:00 a.m. to 12:00 p.m.

Councilmember Clark said she had the privilege recently of attending the 45th annual Southwest Rocky Mountain Emmy Awards. Her video, "Beyond the Headlines: How to Build a Lake" won an Emmy in the public affairs program category. Glendale was the only city nominated in that category. The video had also received an award from 3CMA, City-County Communications & Marketing Association. She thanked Sue Breeding, Jessica Mensch and Luis Jacinto from Public Affairs for the award-winning production of the video.

Councilmember Hugh said the Cactus District meeting would be held at Manistee Ranch on October 27th, from 5:00 p.m. to 7:00 p.m.

Councilmember Malnar thanked the more than 200 participants of the Granada Estates Serve Day. Six houses received rock cover, 150 houses received house number curb painting, and six houses had landscape maintenance completed. There was progress being made with code compliance at the Granada Estates. Since May, 317 code compliance cases had been opened, 43 citations were issued

and 10 "clean and liens" had been processed. There was still work to be done.

Councilmember Tolmachoff invited Cholla District and Sahuaro District residents to save the date, Thursday, November 3rd at 6:00 p.m. She and Councilmember Malnar were co-hosting an update on water resources and incentives. The presentation would take place at the Foothills Recreation and Aquatics Center.

### **CITIZEN COMMENTS**

Dawn Considine, Sahuaro District resident, commented on code enforcement.

### **ADJOURNMENT**

Mayor Weiers adjourned the meeting at 6:14 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 11th day of October, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_ day of \_\_\_, 2022.

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Julie K. Bower, MMC, City Clerk