

**DRAFT**

## **City of Glendale**

*5850 West Glendale Avenue  
Glendale, AZ 85301*



## **Meeting Minutes**

**Tuesday, May 23, 2023**

**5:30 P.M.**

**Voting Meeting  
Council Chambers**

### **City Council**

*Mayor Jerry Weiers*

*Vice Mayor Joyce Clark*

*Councilmember Jamie Aldama*

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

Also Present: Kevin Phelps, City Manager  
Jim Gruber, Deputy City Attorney  
Julie K. Bower, City Clerk  
Jamsheed Mehta, Assistant City Manager

## **PRAYER/INVOCATION**

The invocation was offered by Councilmember Malnar.

## **POSTING OF COLORS**

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF THE MINUTES**

1. APPROVAL OF THE MINUTES OF THE MAY 9, 2023 VOTING MEETING  
Presented by: Julie K. Bower, City Clerk

A motion was made by Councilmember Ian Hugh, seconded by Vice Mayor Joyce Clark to approve the minutes of the May 9, 2023 voting meeting.

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

Passed

## **PROCLAMATIONS AND AWARDS**

2. PROCLAIM MAY 21 THROUGH MAY 27, 2023, AS PUBLIC WORKS WEEK IN THE CITY OF GLENDALE

Presented by: Mayor Jerry Weiers

Mayor Weiers proclaimed the week of May 21st as Public Works Week in the City of Glendale. The proclamation was accepted by Michael Carr, Deputy Director of Field Operations.

## **BOARDS, COMMISSIONS AND OTHER BODIES**

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

Presented by: Councilmember Bart Turner

A motion was made by Councilmember Bart Turner, seconded by Vice Mayor Joyce Clark to make the following appointments: Sharyn Nesbitt to the Citizens' Transportation Oversight Commission to a term expiring 1/31/2025; Srikanth Grandhi to the Citizens' Utility Advisory Commission to a term expiring 1/31/2024; Robert Portillo to the Commission on Diverse Cultures to a term expiring 1/31/2024; Theresa Fowler to the Library Advisory Board to a term expiring 1/31/2024; and Tom Traw to the Parks & Recreation Advisory Commission to a term expiring 1/31/2024.

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

4. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000044-L10, VS BEER & WINE, 6448 W GLENDALE AVE
5. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000076-L12, OVER EASY, 6728 W DEER VALLEY RD STE 101
6. AUTHORIZATION TO ENTER INTO AMENDMENT NO. ONE WHICH INCREASES THE COMPENSATION FOR THE LINKING AGREEMENT WITH BALZIC ENTERPRISE, LLC DOING BUSINESS AS M & J TROPHIES AND APPAREL FOR THE PURCHASE OF AWARDS, RECOGNITIONS AND PROMOTIONAL PRODUCTS AND SERVICES

7. AUTHORIZATION TO ENTER INTO AMENDMENT ONE TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT WITH PCL CONSTRUCTION INC., FOR ADDITIONAL COMPENSATION RELATED TO ADDITIONAL REQUESTED CONSTRUCTION SERVICES AS PART OF THE COMPLETION OF GMP3 FOR THE CHOLLA WATER TREATMENT PLANT PROCESS, BOOSTER PUMP STATION AND ADMINISTRATION BUILDING IMPROVEMENTS
8. AUTHORIZATION TO ENTER INTO A CONSTRUCTION AGREEMENT WITH COMBS CONSTRUCTION COMPANY, INC., FOR THE RECONSTRUCTION OF GLENDALE AIRPORT (GEU) SOUTH APRON – PHASE 1
9. AUTHORIZATION TO ENTER INTO A CONSTRUCTION AGREEMENT WITH COMBS CONSTRUCTION COMPANY, INC., FOR THE RECONSTRUCTION OF GLENDALE AIRPORT (GEU) SOUTH APRON – PHASE 2A
10. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH DIVERSIFIED FLOORING SERVICES – PHOENIX LLC, FOR FLOORING PRODUCTS AND SERVICES
11. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH LEXIPOL, LLC. FOR THE PURPOSE OF PURCHASING POLICY DEVELOPMENT AND IMPLEMENTATION SERVICES
12. AUTHORIZATION TO RENEW FY 2023-24 PROPERTY, LIABILITY & WORKERS' COMPENSATION INSURANCE/EXCESS INSURANCE PROGRAMS
13. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH CORPORATE TECHNOLOGY SOLUTIONS, LLC FOR COMMUNICATIONS CABLING SYSTEMS
14. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 4 TO THE AGREEMENT WITH TRITECH SOFTWARE SYSTEMS (C18-0605), FORMERLY LUCITY INC., FOR ENTERPRISE ASSET MANAGEMENT SOLUTION (EAMS) SOFTWARE
15. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 7 TO LINKING AGREEMENT C-11437 WITH CDW-G SOFTWARE AND RATIFICATION OF EXPENSES
16. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH SAFETY & RISK MANAGEMENT GROUP, LLC FOR RISK ASSESSMENT SERVICES
17. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH SIEMENS INDUSTRY, INC., FOR SIEMENS NONCONTACT LEVEL METERS; AND TO RATIFY EXPENDITURES

A motion was made by Councilmember Ray Malnar, seconded by Vice Mayor Joyce Clark to approve Consent Agenda items 4 through 17.

AYE: Mayor Jerry Weiers  
Vice Mayor Joyce Clark

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

Passed

## **CONSENT RESOLUTIONS**

Ms. Bower read the Consent Resolutions items by title.

**18. RESOLUTION NO. R23-35**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ADJUSTING SOLID WASTE FEES PURSUANT TO GLENDALE CITY CODE; AND SETTING FORTH EFFECTIVE DATES.

**19. RESOLUTION NO. R23-36**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE CITY'S PARTICIPATION IN THE U.S. GENERAL SERVICES ADMINISTRATION PURCHASING PROGRAM FOR THE PURPOSE OF MAKING COOPERATIVE PURCHASES.

A motion was made by Vice Mayor Joyce Clark, seconded by Councilmember Ian Hugh to adopt the Consent Resolutions items 18 and 19.

AYE: Mayor Jerry Weiers  
Vice Mayor Joyce Clark  
Councilmember Jamie Aldama  
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.

**20. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CP MANUFACTURING LLC, FOR PARTS, SERVICE AND MAINTENANCE**

A motion was made by Councilmember Jamie Aldama, seconded by Councilmember Ian Hugh to approve item 20.

Vice Mayor Clark said, as was her habit and practice, she would be voting no on all 5-year contracts.

The vote on the motion was:

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

**21. AUTHORIZATION TO ENTER INTO A SOFTWARE SERVICES AGREEMENT WITH NIGHTHAWK.CLOUD, INC. FOR FULL SERVICE ANALYTICS SOFTWARE FOR THE GLENDALE POLICE DEPARTMENT**

A motion was made by Councilmember Bart Turner, seconded by Councilmember Lauren Tolmachoff to approve item 21.

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

**22. AWARD OF REQUEST FOR PROPOSAL 23-29 AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH AGILENT TECHNOLOGIES, INC FOR A GAS CHROMATOGRAPH/MASS SPECTROMETER WITH FULLY INTEGRATED AUTOSAMPLER**

A motion was made by Councilmember Ray Malnar, seconded by Vice Mayor Joyce Clark to approve item 22.

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

Councilmember Bart Turner  
NAY: Vice Mayor Joyce Clark  
Passed

**23. AWARD OF INVITATION FOR BID 23-07 AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH CORE & MAIN, LP FOR WATER WORKS SUPPLIES**

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Ian Hugh to approve item 23.

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

**ORDINANCES**

**24. ORDINANCE NO. O23-15**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ABANDONMENT OF CERTAIN RIGHTS-OF-WAY AND EASEMENTS IN THE CITY OF GLENDALE AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.  
Presented by: Jayme E. Chapin, P.E., Principal Engineer

Ms. Bower read the ordinance by title.

Ms. Chapin said the proposed ordinance would authorize the abandonment of public right-of-way for roadway purposes at 4902 West Glenn Drive and abandonment of a portion of a water and sewer easement at 9345 West Glendale Avenue. Both of the abandonments were associated with current developments, the Mercy Housing Senior Living project and the Bruster's Real Ice Cream at Westgate. Staff recommended approval of the ordinance.

A motion was made by Councilmember Jamie Aldama, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O23.-15.

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

Passed

## RESOLUTIONS

### 25. RESOLUTION NO. R23-37

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLENDALE, ARIZONA, ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 7, 2023, IN AND FOR THE CITY OF GLENDALE, ARIZONA, TO SUBMIT TO THE QUALIFIED ELECTORS THEREOF QUESTIONS OF SELLING AND ISSUING BONDS PAYABLE FROM SECONDARY (AD VALOREM) PROPERTY TAXES.

Presented by: Brent Stoddard, Deputy City Manager

Ms. Bower read the resolution by title.

Mr. Stoddard said the Bond Committee assessed the need for additional general obligation bond voter authorization and recommended the ballot language for two questions. Council discussed the recommendation at its workshop on May 9th. The proposed resolution would officially refer the questions to the November 7, 2023 ballot.

A motion was made by Councilmember Ian Hugh, seconded by Vice Mayor Joyce Clark to adopt Resolution No. R23-37.

Councilmember Aldama said if the bond election was successful, it would pay for critical and basic services the City was responsible for providing to the citizens. Those services were public safety, streets and transportation and he was in support of the motion.

Councilmember Malnar thanked the Bond Committee for its work on the issue. He said, typically approving a bond would increase taxes but consistent with Council's prior practice, when new bonds were issued, it was to pay off existing bonds and would not result in a tax increase.

Councilmember Tolmachoff said the Bond Committee was established in October 2022 and only met twice, on April 18<sup>th</sup> and May 16<sup>th</sup>. The Bond Committee was asked to vote on staff recommendations of what bonds to pursue and the proposed ballot language. The May 16<sup>th</sup> meeting included a 20-minute presentation on the Streets GO bond Capital Improvement Program (CIP) but there was no mention of public safety needs. The Citizens Transportation Oversight Committee had not been advised that there was a lack of authority to fund the Streets GO bond CIP and that the FY24/25 Pavement Management Plan was not fully funded. There was a shortfall of approximately \$13 million.

Councilmember Tolmachoff believed the bond election was important but did not feel the City was prepared for it. There had been no public input. The Streets CIP could stay on course by filling the gap with Fund Balance money, but there had been no consensus to pursue that. She could not support a process and timeline that put such an important vote in peril.

Councilmember Turner said a few years ago, Council had referred a question to the voters to raise Council salaries and the answer was a resounding no. The year after that, the voters were asked to approve bonds in four crucial areas and the answer was no. Now, with only four months before ballots were mailed, Council was trying to rush through

another bond election. The transportation funding was crucial because there was virtually no bonding capacity left. Public safety was also crucial, but the City still had at least 5 years of capacity. The City was virtually out of parks and recreation authority, but that question was not being put before the voters.

Councilmember Turner said the election should be held off for a year to allow for a review of what should go to the voters and to organize a committee that was willing and capable of building public support.

Mayor Weiers said Council had asked the Transportation Department to expedite raising the quality of roads in the City. It had done a good job but was running out of money. He did not want to get into a situation where the City was unable to fix roads and do what residents expected. He was never going to vote against public safety or to defund the police or to curtail fire services. It was important for Council to understand how critical it was for the City not to be fighting it but joining together to get it taken care of.

The vote on the motion was:

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

## **NEW BUSINESS**

- 26. APPROVAL OF SCHEDULE E UNDER THE PROFESSIONAL SERVICES AGREEMENT WITH INTERM PUBLIC MANAGEMENT, LLC (IPM)**  
Presented by: Jim Brown, Director, Human Services

Ms. Bower read the item by title.

Mr. Brown said the request was to approve Schedule E of Professional Services Agreement C19-0599 with Interim Public Management, LLC (IPM) in an amount not to exceed \$75,000. IPM would provide interim professional staffing for the Municipal Court Administrator until the position could be filled through a normal recruitment process and the transition of duties occurred.

A motion was made by Councilmember Bart Turner, seconded by Councilmember Ian Hugh to approve item 26.

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

Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

## **COUNCIL COMMENTS AND SUGGESTIONS**

Councilmember Aldama said the bond questions would address \$82 million for construction and reconstruction of streets and intersections and intersection safety improvements. Data showed there had been many accidents at the intersections resulting in injuries and fatalities. He said residents had requested street improvements. The other bond question addressed fire and police station improvements, training and safety equipment.

Councilmember Aldama thanked Councilmember Tolmachoff for bringing forward the presumptive cancer item at a workshop two weeks ago. Although he and Councilmembers Tolmachoff and Turner supported moving forward, the majority of Council did not. An administrative policy had since been put into place by the City Manager.

Councilmember Malnar supported the City Manager's administrative agreement with the Fire Union to cover cancer for public safety employees. He was against the proposal because he did not think it did what it needed to do. The agreement did. The right thing happened. The entire Council supported it.

Councilmember Tolmachoff said there was no proposal. She had requested that a discussion be held regarding the presumptive cancer legislation and to have a policy discussion, whether it be administrative or legislative. The request for a discussion was denied but the important thing was that the right thing happened anyway, and firefighters knew the City had their back.

Councilmember Tolmachoff said the issue regarding the bond election was the importance of transportation. The City was spending \$55.5 million of Fund Balance cash on the \$90 million City Hall remodel. Another \$5.8 million of Fund Balance was being spent on sports fields at a park, which was important but not as important as keeping up with the Pavement Management Program. She had asked to use General Fund money to continue with the streets program and go out to bond for parks.

Councilmember Tolmachoff said it was in the best interest of everyone to postpone the election for a year and have time to get public input and educate the public. It was not an effort to defund the police and it was offensive that was said. She believed the bonds were necessary but thought it was a very challenging timeline and would not be successful. Even if the bonds passed, it would be spring before the money would be available. Delaying the Pavement Management Program would be more costly for the taxpayers.

Councilmember Turner wanted to respond to the thinly veiled insult that those that voted against the bond election were in favor of defunding the police. All of the Council were on the record in support of the police.

Councilmember Turner said rushing to the ballot and failing put at risk future bond funding. Based on what staff had presented, there was still 5 years of capacity for public safety bond funding. The City was using one-time cash to fund ballfields. Bond money should be used over a long period of time to preserve cash. Parks and recreation was not being considered for a bond question. Some of the bond funds were basically bankrupt and should be dealt with in a timely manner that allowed time to explain why it was important.

Councilmember Turner said regarding presumptive cancer, the only thing that came out of the two

Council Items of Special Interest was a proposal to go to the State Legislature to solve the problem. There were Councilmembers who said it should not be solved at the City level. Within a week, there was an administrative policy taking care of it at a City level. It was the right thing to do but was not enough. It should be a Council-adopted policy that would not change unless Council changed it.

Councilmember Clark said the presumptive cancer issue was settled. Glendale was the first city to take the initiative and hopefully, other cities would follow suit.

Councilmember Clark was confident the bond questions would appeal to the voters. Anything that would help to alleviate traffic congestion was important to the voters. Public safety had always been a priority for residents. She had every confidence that the bonds would be passed and hoped the entire Council would adopt that position.

## **CITIZEN COMMENTS**

James Deibler, Phoenix resident, commented on homelessness.

## **ADJOURNMENT**

Mayor Weiers adjourned the meeting at 6:11 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 23rd day of May, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_ day of \_\_\_, 2023.

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Julie K. Bower, MMC, City Clerk