

DRAFT

City of Glendale

*5850 West Glendale Avenue
Glendale, AZ 85301*



Meeting Minutes

Tuesday, April 9, 2024

5:30 P.M.

Voting Meeting

Civic Center

City Council

Mayor Jerry Weiers

Vice Mayor Ian Hugh

Councilmember Joyce Clark

Councilmember Ray Malnar

Councilmember Lauren Tolmachoff

Councilmember Bart Turner

Ocotillo District Vacant

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 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

PRAYER/INVOCATION

The invocation was offered by Pastor Jonathan Garcia, Centro de Fe Phoenix.

POSTING OF COLORS

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

1. APPROVAL OF THE MINUTES OF THE MARCH 26, 2024 VOTING MEETING
Presented by: Julie K. Bower, City Clerk

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Lauren Tolmachoff to approve the minutes of the March 26, 2024 voting meeting.

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

Passed

2. APPROVAL OF THE MINUTES OF THE APRIL 2, 2024 SPECIAL VOTING MEETING
Presented by: Julie K. Bower, City Clerk

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Lauren Tolmachoff to approve the minutes of the April 2, 2024 special voting meeting.

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

PROCLAMATIONS AND AWARDS

3. PROCLAIM APRIL 7-13, 2024, AS NATIONAL LIBRARY WEEK
Presented by: Mayor Jerry P. Weiers

Mayor Weiers proclaimed the week of April 7th as National Library Week in the City of Glendale. The proclamation was accepted by Diane Kocur, Chair of the Library Advisory Board.

BOARDS, COMMISSIONS AND OTHER BODIES

4. APPROVE RECOMMENDED APPOINTMENTS TO BOARDS, COMMISSIONS & OTHER BODIES
Presented by: Councilmember Ray Malnar

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to appoint Marc Floyd to the Audit Committee for a term expiring June 30, 2025.

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

Mayor Weiers administered the oath of office to Mr. Floyd.

5. COUNCIL COMMITTEE APPOINTMENTS
Presented by: Julie K. Bower, City Clerk

Ms. Bower said there was a Council vacancy on both the Audit Committee and the Government Services Committee.

Councilmember Tolmachoff was appointed to the Government Services Committee for a term expiring June 30, 2024. Councilmember Clark was appointed to the Audit Committee for a term expiring June 30, 2025.

CONSENT AGENDA

6. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000100-L12, UNCLE PANDA DUMPLING AND NOODLE HOUSE, 5626 W BELL RD STE 101
7. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000030-L06, THE TIPSY, 6770 W DEER VALLEY RD STE B103
8. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH MGT OF AMERICA CONSULTING, LLC FOR A COST OF SERVICES AND FEE SCHEDULE STUDY
9. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT WITH MGC CONTRACTORS, INC., FOR GMP1A CONSTRUCTION SERVICES FOR THE THUNDERBIRD RESERVOIR PROJECT - ROOF REPLACEMENT
10. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 2 TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT WITH MGC CONTRACTORS, INC., FOR GMP2 CONSTRUCTION SERVICES RELATED TO THE THUNDERBIRD RESERVOIR PROJECT – REPLACEMENT OF EXISTING LINER
11. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE LINKING AGREEMENT WITH SENERGY PETROLEUM, LLC, FOR THE PURCHASE OF BULK FUEL AND RATIFICATION OF EXPENDITURES
12. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE LINKING AGREEMENT WITH AZ PRO SIGNS, INC., FOR VEHICLE DECAL AND GRAPHIC
13. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH L.N. CURTIS & SONS FOR FIREFIGHTING EQUIPMENT
14. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH L.N. CURTIS & SONS FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS (SCBA) PARTS AND EQUIPMENT
15. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BLACK AND VEATCH CORPORATION TO ESTABLISH A TRANSMISSION MAIN AND VALVE ASSESSMENT PROGRAM
16. AUTHORIZATION TO ENTER INTO A DESIGN PROFESSIONAL AGREEMENT WITH ENTELLUS, INC. FOR WATERLINE IMPROVEMENTS ON 59TH AVENUE FROM GLENDALE AVENUE TO NORTHERN AVENUE
17. AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH AGILENT TECHNOLOGIES INC. FOR THE PURCHASE OF A HIGH-PERFORMANCE LIQUID CHROMATOGRAPHY AND EXTRACTOR

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Joyce Clark to approve Consent Agenda items 6 through 17.

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

CONSENT RESOLUTIONS

Ms. Bower read the Consent Resolutions items by title.

18. RESOLUTION NO. R24-23

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING SUBMISSION OF THE CITY OF GLENDALE'S 2024 GLENDALE HOUSING AUTHORITY ANNUAL PHA PLAN (form HUD-50075-HP) TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

19. RESOLUTION NO. R24-24

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING SUBMISSION OF THE CITY OF GLENDALE'S COMMUNITY HOUSING 2024-2028 CAPITAL FUND PROGRAM FIVE YEAR ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

20. RESOLUTION NO. R24-25

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF A LAND USE LICENSE AGREEMENT WITH SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT, FOR THE USE OF PROPERTY FOR THE NEW RIVER PATH BETWEEN MARYLAND AVENUE AND THE BETHANY HOME OUTFALL CHANNEL.

A motion was made by Councilmember Joyce Clark, seconded by Vice Mayor Ian Hugh to adopt Consent Resolutions items 18 through 20.

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

ORDINANCES

21. ORDINANCE NO. O24-08

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT FOR TRANSFER OF PROPERTY AND A TEMPORARY CONSTRUCTION EASEMENT WITH MARICOPA COUNTY AT THE SOUTHWEST CORNER OF 99TH AND NORTHERN AVENUES IN SUPPORT OF THE NORTHERN PARKWAY PROJECT AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

Presented by: Jayme Chapin, PE, Principal Engineer

Ms. Bower read the ordinance by title.

Ms. Chapin said the proposed ordinance would authorize the City Manager to enter into a Purchase Agreement and Temporary Construction Easement (TCE) with Maricopa County for City property located at the southwest corner of 99th Avenue and Northern Avenue in support of the Northern Parkway project. The Purchase Agreement would transfer 2.40 acres of land for right-of-way purposes and the TCE would allow for construction of the roadway and associated facilities by utilizing 0.46 acres adjacent to the right-of-way.

Ms. Chapin said the first parcel was on the southwest corner of 99th Avenue and Northern Avenue. The 4.23-acre parcel was purchased specifically for the Northern Parkway. The project would require 0.92 acres of the parcel for right-of-way for roadway purposes and 0.46 acres would temporarily be encumbered during construction. The second parcel was located south of the southwest corner of 99th Avenue and Northern Avenue and comprised 11.59 acres. The parcel was acquired by the Water Services Department for a groundwater treatment plant. However, it was determined that there was no need for a plant at the location. 1.48 acres of the parcel would be dedicated as right-of-way for drainage purposes. As a condition of the intergovernmental agreement, the City was obligated to contribute \$37.9 million toward the project. The acquisition of the 4.23-acre parcel satisfied \$1.8 million of the \$37.9 million obligation.

A motion was made by Councilmember Bart Turner, seconded by Councilmember Joyce Clark to adopt Ordinance No. O24-08.

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

Passed

NEW BUSINESS

- 22. CONSIDERATION AND ACTION TO DIRECT THE CITY MANAGER AND CITY ATTORNEY TO TAKE ALL NECESSARY ACTS IN ACCORDANCE WITH THE DIRECTION PROVIDED TO THE CITY MANAGER AND CITY ATTORNEY IN EXECUTIVE SESSION INCLUDING THE FILING OF A NOTICE OF APPEAL IN CASE NUMBER NO. CV2023-018404**
Presented by: Michael Bailey, City Attorney

Mr. Bailey asked, in accordance with the discussion and direction that occurred in the executive session, that Council entertain a motion directing the City Attorney and City Manager to take all necessary action to preserve the City's appeal rights in the pending litigation which included the filing of a notice of appeal in the noted case.

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Joyce Clark to approve the action outlined by the City Attorney.

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

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Clark said the Yucca District meeting would take place on Wednesday, April 17th, at the Desert Diamond Arena.

Councilmember Tolmachoff thanked City staff for the successful Final Four event. It was a good showcase for the City.

Councilmember Turner agreed the Final Four was perfectly pulled off, and he gave credit to the City staff.

Mayor Weiers said City staff did a remarkable job on the Final Four event. He also recognized all the local, county, state and federal partners for their participation in the spectacular event.

CITIZEN COMMENTS

Jason Tamura, Gilbert resident and employee of Wyyerd Fiber, commented on Wyyerd Fiber's project to provide fiber optic internet to homes in the City.

James Deibler, Phoenix resident, commented on the NCAA Final Four event.

ADJOURNMENT

Mayor Weiers adjourned the meeting at 5:55 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 April, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ___ day of ____, 2024.

Julie K. Bower, MMC, City Clerk