

**DRAFT**

## **City of Glendale**

*5850 West Glendale Avenue  
Glendale, AZ 85301*



## **Meeting Minutes**

**Tuesday, May 28, 2024**

**5:30 P.M.**

**Voting Meeting**

**Civic Center**

### **City Council**

*Mayor Jerry Weiers*

*Vice Mayor Ian Hugh*

*Councilmember Leandro Baldenegro*

*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 Leandro Baldenegro  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff

Absent: Councilmember Joyce Clark  
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, Assistant City Manager

## **PRAYER/INVOCATION**

The invocation was offered by Pastor Samson Tweh.

## **POSTING OF COLORS**

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF THE MINUTES**

1. APPROVAL OF THE MINUTES OF THE MAY 14, 2024 VOTING MEETING  
Presented by: Julie K. Bower, City Clerk

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Ray Malnar to approve the minutes of the May 14, 2024 voting meeting.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Leandro Baldenegro  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Other: Councilmember Joyce Clark (ABSENT)  
Councilmember Bart Turner (ABSENT)  
Passed

Mayor Weiers proclaimed May 1st through 31st, 2024 as Affordable Housing Month in the City of Glendale.

The proclamation was accepted by Community Development Advisory Committee Chair Lisa Baker and Community Services staff members.

Mr. Bailey said the applicant for agenda item 24 had requested a continuance of the matter to June 25, 2024. He requested that Council take the item out of order and vote on a motion to continue.

## **CONSENT AGENDA**

2. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000106-L12, MACAYOS MEXICAN FOOD, 6012 W BELL RD
3. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000107-L12, HEROES SPORTS GRILL, 5940 W UNION HILLS DR STE E100
4. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000033-L06, THE NEST NORTH SPORTS GRILL, 5843 W THUNDERBIRD RD
5. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000031-L06, WESTSIDE BLUES & JAZZ, 17045 N 59TH AVE STE 104-105
6. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH DCS CONTRACTING, INC. FOR CIVIL CONSTRUCTION SERVICES
7. APPROVAL OF SETTLEMENT AGREEMENT AND MUTUAL RELEASE WITH SOUTHWEST SAWCUTTING AND MILLING LLC DBA SWB PAVING
8. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH K.M FACILITY SERVICES, LLC FOR HVAC SYSTEMS CLEANING
9. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BLACK & VEATCH CORPORATION FOR ELECTRICAL VULNERABILITY AND ARC FLASH ASSESSMENT
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 OF NEW RIVER-AGUA FRIA UNDERGROUND STORAGE PROJECT FROM SALT RIVER VALLEY USERS' ASSOCIATION
12. AUTHORIZATION TO APPROVE EXPENDITURE OF FUNDS FOR THE SUPPLY OF RAW WATER FROM CENTRAL ARIZONA PROJECT

13. AUTHORIZATION TO APPROVE EXPENDITURE OF FUNDS FOR THE COSTS ASSOCIATED WITH PARTIAL OWNERSHIP IN THE SUB-REGIONAL OPERATING GROUP
14. AUTHORIZATION TO APPROVE EXPENDITURE OF FUNDS FOR THE SUPPLY OF RAW WATER FROM SALT RIVER VALLEY WATER USERS' ASSOCIATION

A motion was made by Councilmember Ray Malnar, seconded by Vice Mayor Ian Hugh to approve Consent Agenda items 2 through 14.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Leandro Baldenegro  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Other: Councilmember Joyce Clark (ABSENT)  
Councilmember Bart Turner (ABSENT)  
Passed

## CONSENT RESOLUTIONS

Ms. Bower read the Consent Resolutions items by title.

15. RESOLUTION NO. R24-36

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 EL MIRAGE TO ALLOW MEMBERS OF THE EL MIRAGE POLICE DEPARTMENT TO PARTICIPATE AS SPECIAL WEAPONS AND TACTICS (SWAT) TEAM OPERATORS WITH THE GLENDALE POLICE DEPARTMENT SWAT TEAM.

16. RESOLUTION NO. R24-37

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF A GRANT AGREEMENT (NO. HT-24-2922A) WITH THE CITY OF TUCSON AND AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF THE HIGH INTENSITY DRUG TRAFFICKING AREA PROGRAM GRANT AWARD IN THE APPROXIMATE AMOUNT OF \$116,000 FOR PERSONNEL AND OPERATING EXPENSES FOR GLENDALE POLICE DEPARTMENT PARTICIPATION IN THE WEST VALLEY DRUG ENFORCEMENT TASK FORCE.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Ray Malnar to adopt Consent Resolutions items 15 and 16.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Leandro Baldenegro  
Councilmember Ray Malnar

Councilmember Lauren Tolmachoff  
Other: Councilmember Joyce Clark (ABSENT)  
Councilmember Bart Turner (ABSENT)  
Passed

## **BIDS AND CONTRACTS**

17. AWARD OF IFB 24-53 AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH TURBOSCAPE BLOWER SERVICES, LLC FOR ENGINEERED WOOD FIBER FOR PARK PLAYGROUNDS

Ms. Bower read the item by title.

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to approve item 17.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Leandro Baldenegro  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Other: Councilmember Joyce Clark (ABSENT)  
Councilmember Bart Turner (ABSENT)  
Passed

## **LAND DEVELOPMENT ACTIONS**

18. MYRTLE AVENUE AND 81ST AVENUE ANNEXATION, CASE NO. AN259, ANNEXATION OF FIVE (5) ACRES LOCATED AT THE SOUTHEAST CORNER OF 81ST AVENUE AND MYRTLE AVENUE (PUBLIC HEARING REQUIRED).

Presented by: Tabitha Perry, Deputy Director, Development Services

Ms. Bower read the item by title.

Mayor Weiers opened the public hearing.

Ms. Perry requested that Council conduct a public hearing on the blank petition for Annexation Area No.259 (AN259) as required by Arizona State Statute 9-471. The annexation was approximately five (5) acres in size and was located at the southeast corner of the Myrtle Avenue Alignment and 81st Avenue. The property was within the Maricopa County jurisdiction and zoned for multifamily and single-family residential uses, which were R-4 (Multiple Residence-4), R-5 (Multiple Residence-5), and R1-6 (Rural Residential). After annexation, the City would apply the most compatible zoning district, which would be R-4 (Multiple Residence-4) and R1-6 (Single Residence). The applicant proposed to develop the site as a 73-unit townhome development.

No one wished to speak on the matter.

Mayor Weiers closed the public hearing.

**19. ORDINANCE NO. O24-15**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, SECTION 9-471, ARIZONA REVISED STATUTES AND ITS AMENDMENTS, BY ANNEXING CERTAIN TERRITORY LOCATED AT THE SOUTHWEST CORNER OF NORTHERN AVENUE AND ALSUP AVENUE IN THE CITY OF GLENDALE CONSISTING OF APPROXIMATELY 2.9 ACRES TO BE KNOWN AS ANNEXATION AREA NO. 260: AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE IS RECORDED. (PUBLIC HEARING REQUIRED).

Presented by: Tabitha Perry, Deputy Director, Development Services

Ms. Bower read the ordinance by title.

Mayor Weiers opened the public hearing.

Ms. Perry said the request involved approximately 2.9 acres for a future commercial development. The property was currently within the Maricopa County jurisdiction and zoned as RU-43 (Rural Zoning District), a district with a minimum lot size of 43,560 square feet (one acre). If annexed, the City would apply the most compatible zoning district, which would be RR-45 (Rural Residence-45) with a minimum lot size of 45,000 square feet. The applicant would request the property be rezoned from RR-45 (Rural Residence-45) to C-2 (General Commercial District), which included land uses such as shopping centers, general retail, and commercial and professional offices. The proposed C-2 (General Commercial District) would not allow uses such as building material sales or heavy equipment sales.

No one wished to speak on the matter.

Mayor Weiers closed the public hearing.

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O24-15.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Leandro Baldenegro  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Other: Councilmember Joyce Clark (ABSENT)  
Councilmember Bart Turner (ABSENT)  
Passed

**20. RESOLUTION NO. R24-38**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GENERAL PLAN MAP OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING GENERAL PLAN AMENDMENT GPA23-06 FOR PROPERTY LOCATED AT 15901 WEST NORTHERN AVENUE.  
(PUBLIC HEARING REQUIRED)

AND

**ORDINANCE NO. O24-16**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY LOCATED AT 15901 WEST NORTHERN AVENUE FROM RR-45 (RURAL RESIDENCE-45) TO C-2 (GENERAL COMMERCIAL DISTRICT), AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE IS RECORDED.

Presented by: Tabitha Perry, Deputy Director, Development Services

Ms. Bower read the resolution and ordinance by title.

Mayor Weiers opened the public hearing.

Ms. Perry said the applicant was requesting a Minor General Plan amendment on 2.6-acres of land from LDR-1 (Low-Density Residential Land Use) to LCLU (Luke Compatible Land Use) and to rezone the 2.6 acres of the property from RR-45 (Rural Residence-45) to C-2 (General Commercial District). The matter was heard by the Planning Commission on April 25, 2024, and the Planning Commission recommended approval of the proposed General Plan amendment and rezoning as proposed.

No one wished to speak on the matter.

Mayor Weiers closed the public hearing.

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to adopt Resolution No. R24-38.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Leandro Baldenegro  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff

Other: Councilmember Joyce Clark (ABSENT)  
Councilmember Bart Turner (ABSENT)

Passed

A motion was made by Councilmember Ray Malnar, seconded by Vice Mayor Ian Hugh to adopt Ordinance No. O24-16.

AYE: Mayor Jerry Weiers

Vice Mayor Ian Hugh  
Councilmember Leandro Baldenegro  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Other: Councilmember Joyce Clark (ABSENT)  
Councilmember Bart Turner (ABSENT)  
Passed

## ORDINANCES

### 21. ORDINANCE NO. O24-17

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA (1) AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AGREEMENT, A TRUST AGREEMENT, A CONTINUING DISCLOSURE UNDERTAKING AND AN OBLIGATION PURCHASE CONTRACT; (2) APPROVING THE SALE, EXECUTION AND DELIVERY OF WATER AND SEWER REVENUE OBLIGATIONS IN ONE OR MORE SERIES IN ORDER TO FINANCE IMPROVEMENTS OF THE CITY'S WATER AND SEWER SYSTEM; (3) PLEDGING CERTAIN WATER AND SEWER SYSTEM REVENUES IMPOSED OR RECEIVED BY THE CITY TO THE PAYMENT OF SUCH OBLIGATIONS; (4) DELEGATING TO AN AUTHORIZED OFFICER OF THE CITY THE LIMITED AUTHORITY TO DESIGNATE BY SERIES THE FINAL PRINCIPAL AMOUNT, MATURITIES, INTEREST RATES AND OTHER MATTERS WITH RESPECT TO SUCH OBLIGATIONS; AND (5) AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS ORDINANCE, INCLUDING THE EXECUTION OF CERTAIN DOCUMENTS AND THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT AND (6) DECLARING AN EMERGENCY.

Presented by: Levi D. Gibson, Director, Budget and Finance

Guest Presenter: Kurt Freund, Managing Director, RBC Capital Markets, LLC  
Bill DeHaan, Shareholder, Greenberg Traurig, LLP

Councilmember Clark joined the meeting telephonically.

Ms. Bower read the ordinance by title.

Mr. Gibson said the proposed ordinance would authorize the City Manager, Assistant City Manager or Budget and Finance Director to execute all necessary documents and take the necessary actions to issue City of Glendale, Water and Sewer Revenue Obligations in an amount not to exceed \$35 million and pledge Water and Sewer revenues to the new debt issuance.

A motion was made by Councilmember Leandro Baldenegro, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O24-17.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Leandro Baldenegro  
Councilmember Joyce Clark

Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Other: Councilmember Bart Turner (ABSENT)  
Passed

Councilmember Clark left the meeting.

**22. ORDINANCE NO. O24-18**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE OPTION TO SELL REAL ESTATE BY THE CITY OF GLENDALE TO SIMONCRE JC OCOTILLO, LLC LOCATED AT APPROXIMATELY THE NORTHEAST CORNER OF 55TH AVENUE AND NORTHERN AVENUE (5450 W NORTHERN AVENUE, PARCEL NO. APN 148-13-002E), DIRECTING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS FOR THE SALE AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

Presented by: Jessi Pederson, Director, Economic Development

Ms. Bower read the ordinance by title.

Ms. Pederson said the proposed ordinance would authorize the City Manager to enter into a Purchase and Sale Agreement with SimonCRE JC Ocotillo, LLC to sell City-owned parcel number 148-13-002E, located at 5450 West Northern Avenue. As a result of the disposition of the former Glen Lakes Golf Course, the City retained ownership of a remnant Glen Lakes parcel located at 5450 West Northern Avenue, comprised of approximately 1.48 acres. SimonCRE offered a purchase price of \$965,000 (approximately \$14.98 per square foot) which was generally consistent with comparable recorded sales within the market.

Ms. Pederson said the proposed development of the site for commercial retail would require a full design review through the Development Services Department and the development would be required to meet all standards within the approved PAD zoning, including any restrictions on drive-thru operations and land uses.

A motion was made by Councilmember Leandro Baldenegro, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O24-18.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Leandro Baldenegro  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Other: Councilmember Joyce Clark (ABSENT)  
Councilmember Bart Turner (ABSENT)  
Passed

**NEW BUSINESS**

**23. APPROVAL OF THE FY22-23 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) AND ANNUAL AUDIT**

Presented by: Levi D. Gibson, Director, Budget and Finance

Megan L. Ellgen, Controller, Budget and Finance

Guest Presenter: Jean Marie Dietrich, CPA, Director, CliftonLarsonAllen, LLP

Ms. Bower read the item by title.

Ms. Ellgen said Arizona statutes required Council approval and compliance with the related statutes and that the CPA performing the financial audit would present the results and any findings to the governing body during a regular meeting within ninety days after completion of the audit.

Ms. Dietrich presented an overview of the audit process. A clean unmodified opinion with no findings had been issued on the City's financial statements. It was the highest level of assurance an external CPA firm could provide.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Vice Mayor Ian Hugh to approve the FY22-23 Annual Comprehensive Financial Report and Annual Audit.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Leandro Baldenegro  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff

Other: Councilmember Joyce Clark (ABSENT)  
Councilmember Bart Turner (ABSENT)

Passed

**24. PURSUANT TO SECTION 35.6.210.D OF THE CITY OF GLENDALE'S UNIFIED DEVELOPMENT CODE (UDC), THIS IS AN APPEAL OF A ZONING INTERPRETATION REGARDING THE APPROVED "PARK 303" PLANNED AREA DEVELOPMENT (PAD), ORDINANCE (ORDINANCE NO. O20-42), AND THE UDC WITH RESPECT TO DIGITAL BILLBOARDS. THE PROPERTY IS LOCATED AT THE NORTHEAST AND SOUTHEAST CORNER OF GLENDALE AVENUE AND STATE ROUTE 303 AND THE NORTHEAST CORNER OF BETHANY HOME ROAD AND STATE ROUTE 30 AND IS IN THE YUCCA DISTRICT. (PUBLIC HEARING REQUIRED).**

Presented by: Tabitha Perry, Deputy Director, Development Services

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Ray Malnar to continue item 24 to June 25, 2024.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Leandro Baldenegro  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff

Other: Councilmember Joyce Clark (ABSENT)  
Councilmember Bart Turner (ABSENT)

Passed

### **COUNCIL COMMENTS AND SUGGESTIONS**

Councilmember Tolmachoff said last week she attended the Power of Home 2024 event. Community Development Director Jean Moreno was honored at the event. She congratulated Ms. Moreno for the excellent work she was doing for the community.

### **CITIZEN COMMENTS**

None

### **ADJOURNMENT**

Mayor Weiers adjourned the meeting at 6:07 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 28th day of May, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_ day of \_\_\_\_, 2024.

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Julie K. Bower, MMC, City Clerk