

DRAFT

City of Glendale

*5850 West Glendale Avenue
Glendale, AZ 85301*



Meeting Minutes

Tuesday, June 11, 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 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
Jamsheed Mehta, Assistant City Manager

PRAYER/INVOCATION

The invocation was offered by Kimzel Ayers, of the Desert Hills Bible Church.

POSTING OF COLORS

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

1. APPROVAL OF THE MINUTES OF THE MAY 28, 2024 VOTING MEETING
Presented by: Julie K. Bower, City Clerk

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Joyce Clark to approve the minutes of the May 28, 2024 voting meeting.

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

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to make the following appointments:

Kevin Dang to the Board of Adjustment for a term expiring January 31, 2025
Lisa Baker to the Community Development Advisory Committee for term expiring June 30, 2026 and to a term as Chair expiring June 30, 2025
Kelly Carbello to the Community Development Advisory Committee for a term expiring June 30, 2026
Moises Gallegos to the Community Development Advisory Committee for a term expiring June 30, 2026 and to a term as Vice Chair expiring June 30, 2025
Tanja Shineman to the Citizens Transportation Oversight Commission for a term expiring January 31, 2026

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

Passed

Mayor Weiers administered the oath of office.

CONSENT AGENDA

3. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000108-L12, TEXAS ROADHOUSE, 6648 N 95TH AVE
4. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000017-L07, STRATOSPHERE ADVENTURE PARK/PICKLEBALL SPACE, 5665 W BELL RD #2
5. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT AND RATIFICATION WITH INTERPRETER ALLIANCE, LLC, FOR FOREIGN LANGUAGE INTERPRETATION AND TRANSLATION SERVICES
6. AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR ADVISORY COUNSEL AND RATIFICATION OF ADVISORY AGREEMENT FOR LEGAL COUNSEL OF INDIGENT DEFENDANTS IN THE GLENDALE CITY COURT
7. AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR PUBLIC DEFENDER AND RATIFICATION OF PUBLIC DEFENDER AGREEMENT FOR LEGAL COUNSEL AND REPRESENTATION OF INDIGENT DEFENDANTS IN THE GLENDALE CITY COURT

8. AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR ADVISORY COUNSEL AND RATIFICATION OF ADVISORY AGREEMENT FOR LEGAL COUNSEL OF INDIGENT DEFENDANTS IN THE GLENDALE CITY COURT
9. AUTHORIZATION TO ENTER INTO A CONSTRUCTION MANAGER AT RISK PRE-CONSTRUCTION SERVICES AGREEMENT WITH B & F CONTRACTING, INC., FOR THE ARROWHEAD SEWER LINE PHASE 1.1 PROJECT
10. AUTHORIZATION TO ENTER INTO A CONSTRUCTION MANAGER AT RISK PRE-CONSTRUCTION SERVICES AGREEMENT WITH B & F CONTRACTING, INC., FOR THE SEWER AND MANHOLE REHABILITATION, PHASE VI PROJECT
11. AUTHORIZATION TO ENTER INTO AMENDMENT NO. ONE TO THE PROFESSIONAL SERVICES AGREEMENT WITH STRAND ASSOCIATES, INC., FOR THE 103RD AVENUE LANDFILL DRAINAGE IMPROVEMENTS PROJECT
12. AUTHORIZATION TO ENTER INTO AN AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT (CONSTRUCTION GMP2) WITH WILLMENG CONSTRUCTION, INC., FOR THE HEROES REGIONAL PARK BALL FIELDS PROJECT
13. AUTHORIZATION TO ENTER INTO CONSTRUCTION MANAGER AT RISK PRE-CONSTRUCTION SERVICES AGREEMENT WITH RUMMEL CONSTRUCTION, INC, FOR THE GLENDALE MUNICIPAL LANDFILL NORTH CELL LINER - PHASE II PROJECT
14. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH JIM BROWN & SONS ROOFING COMPANY, INCORPORATED, FOR ROOFING SERVICES
15. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH PROGRESSIVE SERVICES INC., FOR ROOFING SERVICES
16. AUTHORIZATION TO ENTER INTO AMENDMENT NO. ONE TO LINKING AGREEMENT WITH KRONOS INCORPORATED
17. AUTHORIZATION TO ENTER INTO AMENDMENT NO. ONE TO THE DESIGN PROFESSIONAL AGREEMENT WITH WILSON ENGINEERS, LLC FOR CHOLLA WTP IMPROVEMENTS DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Joyce Clark to approve Consent Agenda items 3 through 17.

AYE: Mayor Jerry Weiers
Vice Mayor Ian Hugh
Councilmember Leandro Baldenegro
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. R24-39

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, APPROVING THE 2024 APPLICATION FOR A PROPOSITION 202 GRANT ON BEHALF OF THE ORGANIZATION DEL CORAZON DE JESSICA IN THE AMOUNT OF \$46,743 FROM THE AK-CHIN INDIAN COMMUNITY FOR COMMUNITY AID.

19. RESOLUTION NO. R24-40

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 REGIONAL PUBLIC TRANSPORTATION AUTHORITY FOR THE PURPOSE OF PROVIDING THE PLATINUM PROGRAM.

20. RESOLUTION NO. R24-41

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A GRANT PASS-THROUGH AGREEMENT WITH THE CITY OF PHOENIX (FAIN NO. AZ-2024-001-00) FOR THE PURPOSE OF PROVIDING TRANSIT SERVICES.

21. RESOLUTION NO. R24-42

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING ENTERING INTO A CONTRACT AMENDMENT NO. 1 TO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX (GRANT NO. AZ-2021-026, AZ-2021-028 AND AZ-2021-049) FOR THE PURPOSE OF PROVIDING TRANSIT SERVICES.

A motion was made by Councilmember Joyce Clark, seconded by Vice Mayor Ian Hugh to adopt Consent Resolutions items 18 through 21.

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

Passed

BIDS AND CONTRACTS

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

22. AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH ALBERT HOLLER & ASSOCIATES FOR CONTRACT TRANSACTION PRIVILEGE (SALES) AND USE TAX AUDITING SERVICES

A motion was made by Councilmember Bart Turner, seconded by Councilmember Lauren Tolmachoff to approve item 22.

Councilmember 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
Vice Mayor Ian Hugh
Councilmember Leandro Baldenegro
Councilmember Ray Malnar
Councilmember Lauren Tolmachoff
Councilmember Bart Turner

NAY: Councilmember Joyce Clark

Passed

23. AWARD OF RFP 24-40 AND AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH KUNIKLO CORPORATION FOR LABOR COMPLIANCE SERVICES

A motion was made by Councilmember Leandro Baldenegro, seconded by Councilmember Lauren Tolmachoff to approve item 23.

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

NAY: Councilmember Joyce Clark

Passed

24. AWARD OF RFP 24-21 AND AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH APPLICATION SOFTWARE, INC. FOR THE ADMINISTRATION OF HEALTH FLEXIBLE SPENDING ACCOUNTS, DEPENDENT CARE ACCOUNTS, COBRA ADMINISTRATION AND RETIREE BILLING SERVICES

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to approve item 24.

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

ORDINANCES

25. ORDINANCE NO. O24-19

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA (1) AUTHORIZING THE EXECUTION AND DELIVERY OF A DEPOSITORY TRUST AGREEMENT, INCLUDING THE DEFEASANCE OF CERTAIN TRANSPORTATION EXCISE TAX REVENUE OBLIGATIONS WITH LAWFULLY AVAILABLE FUNDS (2) 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 (3) DECLARING AN EMERGENCY.

Presented by: Amy Lindsay, Assistant Director, Budget and Finance
Guest Presenter: Tom Carlson, Managing Director, RBC Capital Markets, LLC
Bill DeHaan, Shareholder, Greenberg Traurig, LLC

Ms. Bower read the ordinance by title.

Ms. Lindsay said the proposed ordinance would authorize the Assistant City Manager or Chief Financial Officer to execute documents and take the necessary actions to apply legally available funds to the defeasance of any or all of the 2015 or 2017 Transportation Excise Tax revenue obligations for debt service savings if it was determined to be financially advantageous to the City.

Councilmember Clark asked how much money would be saved by the action.

Mr. Carlson said the City was expected to save \$4.8 million.

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O24-19.

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

Councilmember Lauren Tolmachoff
Councilmember Bart Turner
Passed

26. ORDINANCE NO. O24-20

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GLENDALE CITY CODE, CHAPTER 25 (NUISANCES), ARTICLE II (SPECIFIC ACTS, OMISSION AND CONDITIONS), BY ADDING SECTION 25-22 (REPEAT OFFENDERS) AND SETTING FORTH AN EFFECTIVE DATE.

Presented by: Rick St. John, Deputy City Manager

Ms. Bower read the item by title.

Mr. St. John said the proposed ordinance would amend Chapter 25 of the City Code by adding Section 25-22, Repeat Offenders. He said Section 25-22 (a) used the word "Titles" and it was more accurate to use "Chapters." He requested that Council amend the ordinance.

Warren Wilfong, Ocotillo District resident, had questions regarding how the change would correct outstanding repeat violations.

Councilmember Malnar asked for a response to Mr. Wilfong's questions.

Mr. St. John said the ordinance would go into effect in 30 days if approved. Under the ordinance, after the third violation, the person would be cited as a repeat offender.

Councilmember Turner asked if residents started at zero when the ordinance went into effect.

Mr. Bailey said the ordinance was prospective, and everyone would start at zero. It would not penalize people for actions in the past.

Mr. St. John said the proposed ordinance established repeat offender as an offense that could be cited. There was currently an administrative process for repeat offenders and any cases in that process would continue.

Councilmember Tolmachoff asked how cases that were on hold would be affected by the ordinance.

Mr. St. John said it would depend on if a citation had been issued. The case was put "on hold" until it was adjudicated. The reinspection would take place shortly before the hearing date. It depended on when the case was closed.

Mayor Weiers requested that the public be notified of the new process for repeat offenders.

Councilmember Clark asked why a complaint be on hold if it was not due to a court proceeding.

Mr. St. John said at reinspection, a new violation could have been observed. The case was put on hold so that it would not escalate in GlendaleOne. GlendaleOne was not a records management system but was being used as one for code violations. If the case was not put on hold, an escalation notice would go to a supervisor.

Councilmember Clark said there were areas in the City that needed extraordinary attention. She asked Council to identify the problematic areas in their districts and bring it to the attention of Code Enforcement.

Councilmember Tolmachoff said the City had a responsibility to its residents to enforce its laws and regulations. She was concerned that there was no records management system for Code Enforcement. She asked if that was the issue.

Mr. St. John said there had been a system that needed to be replaced. A company was hired to develop a new case and records management system but after two years, it was clear the company would not be able to deliver a system. The contract was terminated, and the City was currently working with a different company.

Mayor Weiers said the discussion was getting off topic.

Mr. Bailey said the ordinance under consideration was for a repeat offender program.

Mr. Phelps said the ordinance was a Council Item of Special Interest. It had been brought to workshop and after a lengthy discussion, Council directed staff to bring the ordinance back to a voting meeting. None of the GlendaleOne issues were affected by the ordinance.

Mayor Weiers said the ordinance was a step in the right direction.

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Joyce Clark to adopt Ordinance No. O24-20 and that Section 25-22 (a) be amended by replacing the word "Titles" with "Chapters."

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

Passed

27. ORDINANCE NO. O24-21

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF DEEDS, EASEMENTS AND A DEDICATION AT VARIOUS LOCATIONS THROUGHOUT THE CITY 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 construction of public infrastructure was occurring at several locations throughout the City. The owners of the private property had agreed to convey the property interests to allow the City to maintain, operate, repair, replace and remove, if necessary, the associated infrastructure. The City was designating a portion of City property as public

right-of-way.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Joyce Clark to adopt Ordinance No. O24-21.

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

Passed

SPECIAL BUDGET MEETING – RESOLUTION (TO ADOPT FISCAL YEAR 2024-25 FINAL BUDGET)

Mayor Weiers recessed the regular meeting and convened the special budget meeting.

28. RESOLUTION NO. R24-43

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ADOPTING THE FINAL BUDGET OF THE AMOUNTS REQUIRED FOR THE PUBLIC EXPENSE FOR THE CITY OF GLENDALE FOR THE FISCAL YEAR 2024-2025, SETTING FORTH THE REVENUE AND THE AMOUNT TO BE RAISED BY DIRECT PROPERTY TAXATION AND ADOPTING THE CITY COUNCIL'S FINANCIAL POLICIES. Presented by: Amy Lindsay, Assistant Director, Budget and Finance

Ms. Bower read the resolution by title.

Mayor Weiers opened the public hearing.

Ms. Lindsay said the FY24-25 Final Budget request totaled \$1.48 billion, which included an operating budget of \$671 million, a capital improvement plan (CIP) budget of \$572 million, a debt service budget of \$108 million, and a contingency budget of \$129 million.

Councilmember Tolmachoff asked if the \$55.6 million in the CIP allocated to the Black Lot parking garage was no longer being pursued.

Ms. Lindsay said the project was still in the budget as a placeholder, but her understanding was that the scope of the project had changed and further meetings with Council would occur.

No one wished to speak.

Mayor Weiers closed the public hearing.

A motion was made by Councilmember Joyce Clark, seconded by Vice Mayor Ian Hugh to adopt Resolution No. R24-43.

AYE: Mayor Jerry Weiers

Vice Mayor Ian Hugh
Councilmember Leandro Baldenegro
Councilmember Joyce Clark
Councilmember Ray Malnar
Councilmember Lauren Tolmachoff
Councilmember Bart Turner

Passed

ADJOURN SPECIAL BUDGET MEETING AND RECONVENE REGULAR COUNCIL MEETING

Mayor Weiers adjourned the special budget meeting and reconvened the regular meeting.

NEW BUSINESS

- 29.** REAPPOINTMENT OF PRESIDING CITY JUDGE NICHOLAS DIPIAZZA
Presented by: Jim Brown, Director of Human Resources and Risk Management

Ms. Bower read the item by title.

Mr. Brown said Judge Nicholas DiPiazza had served as Presiding City Judge since 2020 and was eligible for reappointment to a two-year term. If reappointed, the two-year term would begin November 1st, 2024.

A motion was made by Councilmember Leandro Baldenegro, seconded by Councilmember Joyce Clark to reappoint Judge Nicholas DiPiazza.

Councilmember Clark said Judge DiPiazza had done an excellent job in turning the Court around and improving process and procedures. She was pleased to have him as the Presiding Judge.

Councilmember Malnar was grateful to Judge DiPiazza for the great job he had done with the Court. He was pleased with the direction the Court was going in.

Mayor Weiers said Judge DiPiazza had faced a lot of challenges and he had done an excellent job. He had brought good change to the Court.

The vote on the motion was:

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

Passed

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Clark said there would be a shred event on Saturday, June 15th from 8:00 a.m. to 12:00 p.m. at 7677 West Bethany Home Road.

Councilmember Malnar thanked the Parks and Recreation Department for the improvements made to Sunset Palms Park.

Councilmember Malnar offered condolences on the passing of longtime Glendale resident, Ron Short.

Councilmember Tolmachoff offered her condolences to the family and friends of Ron Short.

Councilmember Tolmachoff thanked Mr. Phelps and City staff for the improvements being made to City rights-of-way and medians. It was an important investment.

Councilmember Turner sent condolences to the family of Ron Short. Mr. Short had done a lot to establish historical preservation in the City. Mr. Short had been a City planner, president of the Glendale Historical Society and was an HOA president in his community.

Councilmember Turner also offered condolences on the passing of Glendale resident, Ed Sharp. Mr. Sharp was a community freelance journalist and, with his wife Betty, established The Daily Planet, which earned a Rocky Mountain Emmy for reporting the news and events in the City.

CITIZEN COMMENTS

Warren Wilfong, Ocotillo District resident, commented on the reporting of code compliance violations.

James Deibler, Phoenix resident, commented on abandoned shopping centers.

ADJOURNMENT

Mayor Weiers adjourned the meeting at 6:39 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 June, 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