Meeting Minutes
Tuesday, June 25, 2019
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 5:31 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
Michael Bailey, City Attorney
Chris Anaradian, Assistant City Manager
Vicki Rios, Assistant City Manager
Julie K. Bower, City Clerk

PRAYER/INVOCATION

The invocation was offered by Scott Naill of the First Baptist Bible Church.

POSTING OF COLORS

PLEDGE OF ALLEGIANCE

CITIZEN COMMENTS

Bill Demski, Sahuaro District resident, commented on employee salaries and benefits.

James Deibler, Phoenix resident, commented on the 59th Avenue and Olive Avenue intersection.

Nick Thomas, Litchfield Park resident, commented on abortion.

James Baird, Ocotillo District resident, commented on abortion.

APPROVAL OF THE MINUTES

1. APPROVAL OF THE MINUTES OF THE JUNE 11, 2019 VOTING MEETING

A motion was made by Councilmember Jamie Aldama, seconded by Councilmember Ian Hugh to approve the minutes of the June 11, 2019 voting meeting.

AYE: Mayor Jerry Weiers
Vice Mayor Joyce Clark
Councilmember Jamie Aldama
Councilmember Ian Hugh
Councilmember Ray Malnar
Councilmember Lauren Tolmachoff
2. PARKS AND RECREATION MONTH PROCLAMATION: JULY 2019
Presented by: Office of the Mayor
Accepted by: Parks and Recreation Advisory Commission

Mayor Weiers proclaimed the month of July 2019 as Parks and Recreation Month in the City of Glendale. The National Recreation and Parks Association (NRPA) had celebrated July as the official Parks and Recreation Month since 1985 in appreciation of the professional and volunteer men and women who had worked to advance opportunities for all to recreate and enjoy active and passive parks and facilities that enrich the quality of life.

Mayor Weiers said Glendale Parks and Recreation divisions consisted of 42 employees who were responsible for programming and maintaining 121 different parks and related facilities including 55 neighborhood parks; 47.1 miles of trails, nine community parks; six regional parks; Thunderbird Conservation Park; four sports complexes; 23 retention basins; 22 special-use facilities; and shade structures, parks restrooms, sports courts and playground equipment. The recreation division was also responsible for programming and activities through after school programs; the Foothills Recreation and Aquatics Center; the Adult Center and four community recreation centers/youth programs.

3. RECOGNITION OF THE 2019 COMMUNITY PHOTO CONTEST WINNERS
Presented by: Office of the Mayor

Mayor Weiers said the City hosted its first-ever Community Photo Contest themed #ThisIsGlendale by inviting the community to submit photographs that captured what it meant to thrive, connect, and experience life in Glendale, AZ. The panel of judges reviewed over 70 photo submissions in the following categories: Architecture, Spirit of the City, Daily Life, Community & Culture, and Environment. The 2019 Community Photo Contest winners were:

<table>
<thead>
<tr>
<th>Photographer</th>
<th>Name of photo</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Cornelius</td>
<td>Heroes Park</td>
<td>Architecture</td>
</tr>
<tr>
<td>Patrick Beumler</td>
<td>Glendale Fire Rookie</td>
<td>Spirit of the City</td>
</tr>
<tr>
<td>Kurt Christianson</td>
<td>New River Trail North</td>
<td>Daily Life</td>
</tr>
<tr>
<td>Michael Ratcliff</td>
<td>Kiss Me I'm Irish Westgate</td>
<td>Culture and Community</td>
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<tr>
<td>Michael Ratcliff</td>
<td>Kiss Me I'm Irish Westgate</td>
<td>Culture and Community (runner up)</td>
</tr>
<tr>
<td>Porus Mir</td>
<td>Blissful View</td>
<td>Environment</td>
</tr>
<tr>
<td>Porus Mir</td>
<td>Sunrise</td>
<td>Environment (runner up)</td>
</tr>
</tbody>
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BOARDS, COMMISSIONS AND OTHER BODIES

4. APPROVE RECOMMENDED APPOINTMENTS TO BOARDS, COMMISSIONS & OTHER BODIES
Presented by: Councilmember Bart Turner
A motion was made by Councilmember Bart Turner, seconded by Councilmember Lauren Tolmachoff to reappoint Alicia Rubio to the Community Development Advisory Committee for a term expiring 6/30/2021; reappoint Tim Wayne to the Community Development Advisory Committee for a term expiring 6/30/2021; and appoint Edwin Nyberg to the Planning Commission for a term expiring 1/31/2021.

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.

CONSENT AGENDA

Ms. Bower read the Consent Resolutions by title.

5. PROTEST LIQUOR LICENSE ACQUISITION OF CONTROL APPLICATION, LA RUBIA Y LA MORENA

6. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-25439, 7 OCEANOS TACOS Y MARISCOS

7. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-25539, CARAMBA

8. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-3388, BLACK AND WHITE COFFEE SHOP

9. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-25465, MARC'S SPORTS GRILL & NIGHTLIFE

10. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-19863, SALT TACOS Y TEQUILA

11. AUTHORIZATION TO APPROVE THE SOLE SOURCE PURCHASE OF ANNUAL MAINTENANCE SUPPORT FROM TATA CONSULTANCY SERVICES LIMITED (TCS) FOR THE TAX MANTRA SYSTEM

12. APPROVAL OF THE FISCAL YEAR 2019-20 GILA RIVER ARENA CAPITAL REPAIRS/REPLACEMENT PROGRAM, AND AUTHORIZATION FOR THE CITY MANAGER TO RELEASE FUNDS TO AEG MANAGEMENT GLENDALE, LLC

13. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH PANASONIC SYSTEM SOLUTIONS COMPANY OF NORTH AMERICA AND EXPENDITURE AUTHORIZATION FOR A TABLET REPLACEMENT PURCHASE FOR THE POLICE DEPARTMENT, FROM AUTHORIZED RESELLER MOBILE CONCEPTS TECHNOLOGY, UTILIZING A STATE OF ARIZONA COOPERATIVE PURCHASING CONTRACT
14. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH CAPITAL PUMP AND EQUIPMENT FOR CHEMICAL AND WATER PUMPS SERVICES AND PARTS

15. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH CINTAS CORPORATION NO. 2 FOR UNIFORMS AND LINEN RENTAL SERVICES AND TO RATIFY EXPENSES

16. AUTHORIZATION TO ENTER INTO A CONSTRUCTION AGREEMENT WITH ACHEN-GARDNER CONSTRUCTION, LLC FOR CONSTRUCTION SERVICES FOR WATER LINE REPLACEMENT ON OCOTILLO ROAD AND GRAND AVENUE

17. AUTHORIZATION TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH BLACK & VEATCH CORPORATION FOR CONSTRUCTION ADMINISTRATION SERVICES FOR PROCESS IMPROVEMENTS (GMP 1B) AND EXPANSION (GMP2) PROJECTS AT THE PYRAMID PEAK WATER TREATMENT PLANT

18. AUTHORIZATION TO ENTER INTO A CONSTRUCTION MANAGER AT RISK AGREEMENT WITH MCCARTHY BUILDING COMPANIES, INC. FOR CONSTRUCTION SERVICES FOR THE PROCESS IMPROVEMENTS (GMP 1B) PROJECT AT THE PYRAMID PEAK WATER TREATMENT PLANT

19. AUTHORIZATION TO ENTER INTO A CONSTRUCTION MANAGER AT RISK AGREEMENT WITH MCCARTHY BUILDING COMPANIES, INC. FOR CONSTRUCTION SERVICES FOR PLANT EXPANSION (GMP 2) PROJECT AT THE PYRAMID PEAK WATER TREATMENT PLANT

20. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH STANTEC CONSULTING FOR PRELIMINARY ENGINEERING DESIGN SERVICES FOR CONNECTING LUKE AIR FORCE BASE TO THE CITY OF GLENDALE WASTEWATER SYSTEM FOR WASTEWATER TREATMENT AND DISPOSAL

21. AUTHORIZATION TO AMEND THE AGREEMENT FOR IFB 16-01 WITH BRENTTAG PACIFIC, INC. FOR CHEMICALS FOR WATER AND WASTEWATER TREATMENT AND RATIFICATION OF EXPENDITURES

22. AUTHORIZATION TO AMEND THE AGREEMENT C-10326 FOR IFB 16-01 WITH RELIANT GASES, LTD. FOR CHEMICALS FOR WATER/WASTEWATER TREATMENT AND RATIFICATION OF EXPENDITURES

23. AUTHORIZATION TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH GHD, INC. FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR ARROWHEAD RANCH WATER RECLAMATION FACILITY WASTE ACTIVATED SLUDGE PIPELINE REHABILITATION AND EMERGENCY BY-PASS

24. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH STRAND ASSOCIATES, INC. FOR CONSTRUCTION CONTRACT ADMINISTRATION SERVICES FOR WATER LINE REPLACEMENT

25. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH ARIZONA FUEL MANAGEMENT SPECIALIST, LLC, FOR THE COOPERATIVE PURCHASE OF FLEET MANAGEMENT AND RELATED TECHNOLOGY SOLUTIONS

26. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 4 TO THE LINKING AGREEMENT WITH SUN MECHANICAL CONTRACTING FOR HVAC SERVICE AND REPAIRS
27. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE SERVICE AGREEMENT WITH ZONAR SYSTEMS INC. FOR ELECTRONIC VEHICLE INSPECTION REPORT SYSTEMS

28. APPROVAL OF THE FISCAL YEAR 2019-20 CAMELBACK RANCH – GLENDALE CAPITAL REPAIRS/REPLACEMENT PROGRAM; AUTHORIZATION FOR THE CITY MANAGER TO EXPEND FUNDS TO REIMBURSE CAMELBACK SPRING TRAINING, LLC FOR CAPITAL REPAIRS MADE AT CAMELBACK RANCH - GLENDALE IN FISCAL YEAR 2019-20

29. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE AGREEMENT FOR AFTER-SCHOOL RECREATION AND STEM PROGRAMS AT ROSE LANE RECREATION CENTER WITH FRIENDLY HOUSE, INC. (C18-0603)

30. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE AGREEMENT FOR PARTNERSHIP FOR AFTER-SCHOOL AND SUMMER YOUTH PROGRAMS (C18-0371) WITH ROOTS RECREATIONAL AND LEARNING CENTER, INC.

31. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 2 TO THE AGREEMENT (C-10666) FOR GLENDALE HEROES REGIONAL PARK – AFTER-SCHOOL, SUMMER RECREATION, CULTURAL AND STEM PROGRAMS WITH WHEELS IN MOTION FOUNDATION

32. AUTHORIZATION TO AWARD THE BID FOR THE RECONSTRUCTION OF BARNYARD BUILDINGS AT THE SAHUARO RANCH HISTORIC AREA TO AUGUST BUILDING COMPANY, LLC

33. AUTHORIZATION TO RATIFY EXPENDITURES FOR REPAIR SERVICES AT 5800 WEST GLENN DRIVE WITH MODE REAL ESTATE MANAGEMENT SERVICES, LLC

34. AUTHORIZATION TO ENTER INTO AN EXCLUSIVE LISTING AGREEMENT WITH CBRE, INC. FOR 5800 WEST GLENN DRIVE

35. AUTHORIZATION TO ENTER INTO AN EXCLUSIVE LISTING AGREEMENT WITH NATHAN & ASSOCIATES, INC. FOR 5450 WEST NORTHERN AVENUE

36. AUTHORIZATION TO ENTER INTO A CONSTRUCTION MANAGER AT RISK AGREEMENT WITH HAYDON BUILDING CORP. FOR THE CONSTRUCTION OF BALL PARK BOULEVARD

37. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH STANLEY CONSULTANTS, INC. FOR THE BALL PARK BOULEVARD EXTENSION PROJECT

38. APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH INTERIM PUBLIC MANAGEMENT, LLC

39. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 5 WITH CORVEL ENTERPRISE COMP, INC (CONTRACT # C-8818) FOR WORKERS' COMPENSATION CLAIMS THIRD PARTY ADMINISTRATOR (TPA), AND TO RATIFY EXPENSES PAID TOTALING $666.67

40. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH FIVE G, INC. FOR GUARDRAIL AND ATTENUATOR REPAIR SERVICES
41. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE GREATER PHOENIX ECONOMIC COUNCIL

CONSENT RESOLUTIONS

42. RESOLUTION NO. R19-68

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT WITH TOLLESON UNION HIGH SCHOOL DISTRICT NO. 214 FOR A SCHOOL RESOURCE OFFICER AT COPPER CANYON HIGH SCHOOL DURING THE 2019-20 SCHOOL YEAR

43. RESOLUTION NO. R19-69

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 PEORIA TO PROVIDE DETENTION AND WEEKEND COURT SERVICES FOR THE CITY OF PEORIA POLICE DEPARTMENT

44. RESOLUTION NO. R19-70

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ESTABLISHING THE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM PENSION FUNDING POLICY

45. RESOLUTION NO. R19-71

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ELECTING TO REQUEST THE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM BOARD OF TRUSTEES USE AN EXTENDED AMORTIZATION PERIOD

46. RESOLUTION NO. R19-72

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT FOR TRANSIT SERVICES WITH THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY (RPTA) FOR THE PROVISION OF PUBLIC TRANSPORTATION SERVICES IN THE CITY OF GLENDALE

47. RESOLUTION NO. R19-73

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REDUCING THE FEE STRUCTURE AND THE AMOUNTS OF THE MEMBERSHIP FEES FOR THE GLENDALE CONVENTION & VISITORS BUREAU; ALLOWING ANNUAL MEMBERSHIP FEE ADJUSTMENTS; AND ESTABLISHING AN EFFECTIVE DATE
48. RESOLUTION NO. R19-74
A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A LICENSE AND USE AGREEMENT WITH “HEART FOR THE CITY” FOR USE OF CITY REAL PROPERTY LOCATED AT APPROXIMATELY 6850 WEST BETHANY HOME ROAD FOR THE PURPOSE OF A COMMUNITY GARDEN IN GLENDALE, ARIZONA

49. RESOLUTION NO. R19-75
A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AMENDMENT NO. 13 TO THE INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR COMMUNITY ACTION PROGRAM FUNDING

50. RESOLUTION NO. R19-76

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Jamie Aldama to approve Consent Agenda Items 5 through 41 and adopt Consent Resolution Items 42 through 50.

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

51. AUTHORIZATION TO ENTER INTO A MASTER SERVICES AND PURCHASING AGREEMENT WITH AXON ENTERPRISE, INC. AND EXPENDITURE AUTHORIZATION FOR THE IMPLEMENTATION AND ONGOING EXPENSES OF AN UPDATED OFFICER SAFETY PLAN FOR THE GLENDALE POLICE DEPARTMENT

Ms. Bower read the item by title.

A motion was made by Councilmember Ian Hugh, seconded by Councilmember Lauren Tolmachoff to approve item 51.

AYE: Mayor Jerry Weiers
Vice Mayor Joyce Clark
Councilmember Jamie Aldama
52. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH CORPORATE INTERIOR SYSTEMS, INC., FOR FURNITURE PRODUCTS AND SERVICES

Ms. Bower read the item by title.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Ian Hugh to approve item 52.

Vice Mayor Clark said 5-year contracts were not always appropriate. She would be voting no on the agreements that were not appropriate for 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

53. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH PROGRESSIVE SERVICES INC., DOING BUSINESS AS PROGRESSIVE ROOFING, FOR ROOF AND ROOFING SYSTEMS – INSTALLATION, PRODUCTS, AND SERVICES

Ms. Bower read the item by title.

A motion was made by Councilmember Ray Malnar, seconded by Vice Mayor Joyce Clark to approve item 53.

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

54. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH BRIDGESTONE AMERICAS TIRE OPERATIONS LLC, FOR TIRES, TUBES AND SERVICES
Ms. Bower read the item by title.

A motion was made by Councilmember Bart Turner, seconded by Vice Mayor Joyce Clark to approve item 54.

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

55. AWARD OF RFP 19-20 AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH CUMMINS INC., FOR GENERATOR MAINTENANCE

Ms. Bower read the item by title.

A motion was made by Councilmember Jamie Aldama, seconded by Councilmember Lauren Tolmachoff to approve item 55.

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

56. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH CONSTRUCTION PRODUCT MARKETING TO PROVIDE AIR RELEASE VALVE ASSESSMENTS, REPAIR, REPLACEMENT, AND REPORTING

Ms. Bower read the item by title.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Ian Hugh to approve item 56.

AYE: Mayor Jerry Weiers
    Vice Mayor Joyce Clark
    Councilmember Jamie Aldama
    Councilmember Ian Hugh
    Councilmember Ray Malnar
    Councilmember Lauren Tolmachoff
    Councilmember Bart Turner
57. AWARD OF RFP 19-48, RECREATION CENTERS FITNESS EQUIPMENT MAINTENANCE, AND AUTHORIZATION TO ENTER INTO A CONTRACT WITH AMERICAN FITNESS SERVICES, LLC. FOR FITNESS EQUIPMENT SERVICES

Ms. Bower read the item by title.

A motion was made by Councilmember Ian Hugh, seconded by Councilmember Lauren Tolmachoff to approve item 57.

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

58. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH QCM TECHNOLOGIES, INC.

Ms. Bower read the item by title.

A motion was made by Councilmember Ray Malnar, seconded by Vice Mayor Joyce Clark to approve item 58.

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

Passed

59. AWARD OF RFP 19-44 OCCUPATIONAL HEALTH SERVICES AND AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BANNER OCCUPATIONAL HEALTH-ARIZONA, LLC DBA BANNER OCCUPATIONAL HEALTH CLINICS

Ms. Bower read the item by title.

A motion was made by Councilmember Jamie Aldama, seconded by Councilmember Ian Hugh to approve item 59.

AYE: Mayor Jerry Weiers  
Vice Mayor Joyce Clark  
Councilmember Jamie Aldama
PUBLIC HEARING - LAND DEVELOPMENT ACTIONS

60. ORDINANCE NO. O19-59

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY LOCATED WEST OF THE SOUTHWEST CORNER OF 57TH AVENUE AND BELL ROAD (5795 WEST BELL ROAD) FROM PAD (PLANNED AREA DEVELOPMENT) EXISTING ZONING TO PAD FOR A DEVELOPMENT PLAN ENTITLED “TALAVI DRIVE THRU PAD,” AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THE ORDINANCE BE RECORDED.

Presented by: David Williams, AICP, Planning Administrator

Ms. Bower read the ordinance by title.

Mr. Williams said the applicant was requesting to amend the existing Talavi PAD to allow for an additional drive-thru that would apply only to the 0.9 acre along Bell Road. The current permitted drive-thru was utilized by Taco Bell, located approximately 300’ east of the subject property. Per the amendment request, the PAD would allow, by right, one (1) additional drive-thru use within the PAD. Other standards in the PAD remained in effect including permitted uses, setbacks, and design standards.

Mr. Williams said the size of the existing building was 5,226 square feet and the addition of the drive-thru would increase the size to 6,500 square feet. The rezoning was consistent with the General Plan and the proposal would not significantly alter the character of the existing commercial area.

Mr. Williams said the Planning Commission conducted a public hearing on May 16, 2019. No members of the public spoke in support or opposition of the request. The Planning Commission unanimously recommended approval of the proposal with the following stipulations:

- Development shall be in substantial conformance with the development plan and narrative for ZON19-04
- A design review shall be required

Mayor Weiers opened the public hearing.

No one wished to speak.

Mayor Weiers closed the public hearing.

A motion was made by Councilmember Ray Malnar, seconded by Vice Mayor Joyce Clark to adopt Ordinance No. O19-59.

AYE: Mayor Jerry Weiers
Vice Mayor Joyce Clark
61. ORDINANCE NO. O19-60

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY LOCATED AT 7407 NORTH NEW RIVER ROAD FROM A-1 (AGRICULTURAL) TO M-1 (LIGHT INDUSTRIAL), AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THE ORDINANCE BE RECORDED.

Presented by: David Williams, AICP, Planning Administrator

Ms. Bower read the ordinance by title.

Mr. Williams said the request was to approve a zone change from A-1 (Agricultural) to M-1 (light Industrial) for a ¼-acre parcel located at 7407 North New River Road in the Glen Harbor Business Park. The action would remedy an error in the legal description for a prior rezoning case. It was the intent of the applicant to also rezone the wellsight at that time, but the legal description inadvertently excluded the wellsight property. There was no further development proposal included as part of this request.

Mr. Williams said the applicant mailed notification letters to adjacent property owners and interested parties. Neither the applicant or the Planning Department received any response regarding the request. The proposal was consistent with the General Plan and was compatible with other existing/planned development.

Mr. Williams said the Planning Commission voted unanimously to approve the request at its meeting on June 6, 2019.

Mayor Weiers opened the public hearing.

No one wished to speak.

Mayor Weiers closed the public hearing.

A motion was made by Councilmember Bart Turner, seconded by Vice Mayor Joyce Clark to adopt Ordinance No. O19-60.

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

Passed
RESOLUTION NO. R19-77


ORDINANCE NO. O19-61

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY LOCATED NEAR THE SOUTHEAST CORNER OF WEST OLIVE AVENUE AND NORTH 53RD AVENUE (8851 NORTH 53RD AVENUE) FROM C-2 (GENERAL COMMERCIAL) TO R-2 (MIXED RESIDENCE), AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THE ORDINANCE BE RECORDED.

Presented by: Eric Fitzer, Development Services Director

Ms. Bower read the resolution and ordinance by title.

Mr. Fitzer said the proposed project site was approximately 17.4 acres in size and had been vacant for many years as a commercial site. As a result of not being able to acquire an anchor for the large site, the applicant had proposed an amendment to change the general plan land use designation and rezone the project site from commercial to a residential use to allow a bungalow-type residential development.

Mr. Fitzer said the property was rezoned to C-2 in 1999 and was part of a larger parcel to the east and north. The original proposal for the site was a Super Wal-Mart and ancillary shops but the project was not developed and the site had remained vacant.

Mr. Fitzer said the proposed project would include a 208-unit gated complex that would mimic single-family homes and would blend with the surrounding neighborhood. Properties to the south and west were zoned R1-6 (Urban Residential) and properties to the north and east zoned C-2 (General Commercial). The density of the proposed project was 12.0 dwelling units per acre. The complex would consist of a mix of one-bedroom, two-bedroom, and three-bedroom rental casitas designed as one-story buildings.

Mr. Fitzer said the project complied with all R-2 standards. Two neighborhood meetings were held and concerns included traffic, property values, landscaping, access and parking on public streets. The proposed General Plan designation was an appropriate transition from adjacent commercial to nearby medium-density residential areas. The Planning Commission voted to recommend denial based on perceived traffic impacts at its meeting on June 6, 2019.

Mr. Fitzer said, as a result, the applicant had worked with the adjacent property owner to gain access to the north to Olive Avenue and proposed to eliminate access to 53rd Avenue. The applicant was working with staff to limit access on to Barbara Avenue to left out only but maintain emergency access in to the site. The applicant proposed adding a 7th stipulation regarding the access.

Vice Mayor Clark asked how important the access stipulation would be to the adjacent neighborhoods.

Mr. Fitzer said it would move the major access north to Olive Avenue and eliminated traffic into
the adjacent neighborhoods.

Vice Mayor Clark confirmed that only emergency vehicles would be able to enter via Barbara Avenue and that the exit onto Barbara was a left turn only to 51st Avenue.

Mr. Fitzer said that was correct.

Vice Mayor Clark said when the property was first developed over twenty years ago, a Super Wal-Mart was proposed for the site and the neighbors had not wanted commercial traffic to go onto 53rd Avenue or Barbara Avenue.

Mr. Fitzer said that was correct.

Vice Mayor Clark asked if the stipulations for the previous commercial development were still binding on the City or the developer with a rezoning case that was no longer commercial.

Mr. Fitzer said there were entirely new stipulations for the new rezoning case. The applicant had tried to adhere as much as possible to the previous stipulations and discussions.

Vice Mayor Clark said it made sense that a developer would propose single-story rental homes for the property. It would act as a buffer between the commercial and existing residential.

Councilmember Turner said there were six proposed stipulations:

- Development shall be in substantial conformance with the development plan
- A minimum 15' landscape buffer shall be provided
- The owner shall be responsible for ensuring “No Parking” signs are erected on the north side of Barbara Avenue and the east side of 53rd Avenue
- Existing drainage facilities must be maintained or reconfigured
- Existing basins and drainage patterns must be maintained or reconfigured
- Owner/operator of the site shall be responsible for maintenance of the landscape materials and irrigation system

Councilmember Turner said the developer had agreed to an additional stipulation:

Owner/developer shall eliminate any access to 53rd Avenue; full access shall be through the vacant property to the north to the existing curb cut on Olive Avenue; access to Barbara Avenue shall restrict right-hand turns from the development on to Barbara Avenue.

Councilmember Turner wanted to make sure that the Barbara Avenue access was exit-only. He also offered another stipulation that the construction would be limited to single-story only.

Mayor Weiers opened the public hearing.

Stella Greazzo, Ocitllo District, spoke in opposition.

Sharon Brown, Barrel District, spoke in opposition.

Dawn Gath, Barrel District, spoke in opposition.

Al Delossa, Barrel District, was not opposed but wanted to reduce the density.

James Deibler, Phoenix Resident, spoke in opposition.
Beverly Black, Barrel District, spoke in opposition.

Gary Sherwood, Sahuaro District, spoke in Support.

Gary Hirsch, Cactus District, Planning Commission Chair, said the Commission had not supported the application. The developer had been admonished to work with the neighborhood to find something that made sense. He said with the proposed stipulations, the project was appropriate for the property.

Brennan Ray, Representative for the Applicant, said it was a challenging infill site. The developer had agreed to the additional access stipulation. The residential development would have much less impact than a commercial development. He confirmed that the developer had agreed to the one-story stipulation.

Vice Mayor Clark said a concern had been raised about multiple families living in one unit.

Mr. Ray said the lease would control the number of residents allowed in each unit.

Councilmember Aldama confirmed that there would be less traffic with the proposed zoning than there would have been with the existing zoning.

Mr. Ray said that was correct. A traffic study had identified that the proposed development would generate 1,400 average daily trips. A commercial development would generate 7,100 average daily trips.

Mayor Weiers closed the public hearing.

A motion was made by Councilmember Ian Hugh, seconded by Vice Mayor Joyce Clark to adopt Resolution No. R19-77.

Vice Mayor Clark said her vote for the project was not intended to send a message to Yucca District residents that she would approve any proposed project at 75th Avenue and Bethany Home Road.

Councilmember Aldama was not initially happy about the traffic issues when the project was first proposed. The developer had made changes based on the neighborhood's comments. He still had concerns about traffic on Olive and Barbara Avenues.

Councilmember Tolmachoff said the worst thing for a neighborhood was a vacant parcel. The proposal had the least impact on the existing neighborhood and the traffic impact would be less than a commercial development.

The vote on the motion was:

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

A motion was made by Councilmember Ian Hugh, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O19-61 with the stipulations.

Councilmember Turner said the motion included the seven stipulations which included the Barbara Avenue access and one-story buildings. He thanked the developer for expanding the notification area and responding to the residents' concerns. He also thanked the residents for staying involved in the process and voicing their concerns. The traffic from the proposed development would be a fraction of the traffic generated by a commercial development. All things considered, it was a win-win.

Mayor Weiers said the applicant had been engaged and tried to address the residents' concerns. He said the population in the state kept increasing and traffic was going to get worse even if the property did not develop. The police department would enforce the "no parking" signs.

The vote on the motion was:

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

Passed

63. ANNEXATION (AN) APPLICATION AN-199 COTTON PROPERTIES (PUBLIC HEARING REQUIRED)
Presented by: David Williams, AICP, Planning Administrator

Ms. Bower read the item by title.

Mr. Williams said it was the first public hearing for the annexation case. The annexation was approximately 161 acres in size and was located on the west side of Loop 303 Freeway, between Glendale Avenue and Bethany Home Road. It was currently farm land that was planned for industrial and commercial development. The property was designated Regional Mixed Use and Luke Compatible Land Use (LCLU) by the City’s General Plan. The property was zoned RU-43 (Rural Residential) in Maricopa County. A rezoning application for Planned Area Development (PAD) was under staff review.

Mr. Williams said a fiscal impact analysis was completed and there would be a short and longer term positive fiscal impact. The road improvements would be privately-funded and there were no existing buildings or structures on the property. It was subject to the EPCOR Pre-annexation Development Agreement. It was consistent with the City’s Annexation Policy.

Mayor Weiers opened the public hearing.
No one wished to speak.

Mayor Weiers closed the public hearing and said no further action was required on the matter.

PUBLIC HEARING - ORDINANCES

64. ORDINANCE NO. O19-62

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE ZONING ORDINANCE OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING ZONING TEXT AMENDMENT ZTA19-04 FOR BUFFERING MEDICAL MARIJUANA DISPENSARIES FROM MORE USES AN AMENDMENT TO THE ZONING ORDINANCE AS FOLLOWS: ARTICLE 7 (GENERAL DEVELOPMENT STANDARDS); PROVIDING FOR SEVERABILITY, SETTING FORTH AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THE ORDINANCE BE RECORDED.

Presented by: David Williams, AICP, Planning Administrator

Ms. Bower read the ordinance by title.

Mr. Williams said the Zoning Text Amendment would expand the types of uses that dispensaries would be separated from. The new requirements would require buffering from various types of schools or similar facilities where children may be enrolled. Dispensaries would also be required to be separated from child care centers, libraries, public parks, and residential substance abuse treatment facilities, sober living homes, or other drug or alcohol rehabilitation facilities. Any expansion of an existing dispensary would be required to conform with these requirements.

Mr. Williams said three public meetings were held and were attended by one citizen. The proposed ordinance would require separation of dispensaries by 1,320 feet from elementary, secondary or high schools. It also expanded the definition of schools to include specialty schools such as fine arts or dance studios where minors congregated. It also added a buffer for child care facilities, libraries, public parks and drug or alcohol rehabilitation facilities.

Mr. Williams said the Planning Commission unanimously recommended adoption at its meeting on June 11, 2019.

Councilmember Tolmachoff could not find “dance studios” in the ordinance. She asked if there were existing dispensaries inside the buffer.

Mr. Williams said the proposed ordinance would not apply to existing dispensaries. It would only apply to new dispensaries. Fine Arts included dance.

Councilmember Tolmachoff clarified that it would apply only to dance studios with minors.

Mayor Weiers asked if it applied to public or private dance studios.

Mr. Williams said the intent was where minors congregated. Section H of the proposed ordinance read: “Shall not be located within 1,320 feet of a public, private, parochial, charter, fine arts, or similar school or educational facility where minors are enrolled.”

Mayor Weiers asked about karate studios where children were receiving instruction.

Mr. Williams said it would be included.
Vice Mayor Clark suggested adding where minors learned in addition to congregate.

Mr. Williams said public and private were included and was qualified by an educational facility.

Councilmember Tolmachoff said some businesses provided day care services, such as gyms. She asked how that would be addressed.

Mr. Williams said it would be through the City’s business license database. If the gym had a license for day care, the ordinance would apply.

Councilmember Tolmachoff wanted to make sure there were no unintended consequences.

Councilmember Malnar said the intent was to redefine what a school was so that a dispensary would not be located within a certain distance of a school. It would now include preschools.

Councilmember Tolmachoff had a hard time thinking of a karate or dance studio as a school. Dispensaries were a legal business in the state. The proposed language in the ordinance could be loosely interpreted to be applied to any business where a child might congregate.

Mayor Weiers was concerned that the ordinance overreached and asked Council to table the ordinance until there were more clear definitions for schools. He believed recreational marijuana would be approved and he did not want the City to miss out on tax revenue.

Vice Mayor Clark said the City had to permit the sale of marijuana but had no obligation to promote the use of marijuana. She did not want to make it easier to obtain marijuana.

Councilmember Malnar thought Council had requested that the matter be brought back to a workshop to discuss the definition of school.

Councilmember Aldama said the Cerreta Candy Company had educational tours for children. He was not clear if the proposed definition would apply to the tours. He supported tabling it so that it could be brought to a workshop for discussion.

Councilmember Tolmachoff supported tabling it for a workshop discussion.

Councilmember Hugh was ready to vote but was comfortable with tabling it.

Councilmember Turner supported tabling it for a workshop discussion.

A motion was made by Councilmember Bart Turner, seconded by Councilmember Lauren Tolmachoff to table Ordinance No. 19-62.

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

Passed

ORDINANCES
AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ADOPTING THE LAND USE ASSUMPTIONS AND INFRASTRUCTURE IMPROVEMENT PLAN RELATED TO THE FUTURE ADOPTION OF DEVELOPMENT IMPACT FEES.

Presented by: Chris Anaradian, Assistant City Manager

Ms. Bower read the ordinance by title.

Mr. Anaradian said the proposed ordinance would formally adopt the Infrastructure Improvement Plan (IIP) and the Land Use Assumptions (LUA) that would provide the basis for calculating and then adopting fees to ensure that growth paid its proportional fair share for the impacts to City services and infrastructure.

Mr. Anaradian said the cost calculations for soccer and football fields in the growth areas had been amended based on recently-received public comments. Council had received the amended plan that reflected the changes for soccer and football fields.

Vice Mayor Clark asked if the table on page 21, was illustrative only. She asked what the rules were for the 30-acre parameter and when impact fees could be used.

Jim Burke, Public Facilities, Recreation and Special Events Director, said the table provided examples of the kinds of projects that could be funded with impact fees. He said when the State Legislature amended the impact fees in 2010, it placed limits on what could be funded by impact fees. A 30-acre limitation was placed on park size. He said some amenities were also restricted.

Vice Mayor Clark asked if fees collected prior to 2010 were subject to the stipulations.

Ms. Rios said the fees collected prior to 2010 were subject to the laws in place at the time of collection. She said the fees collected prior to 2010 had to be spent by January 2020. The City did not have a large balance of pre-2010 fees left to be spent.

A motion was made by Councilmember Jamie Aldama, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O19-63.

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

Passed
66. ORDINANCE NO. O19-64

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF GLENDALE, SUBJECT TO TAXATION, A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS ($100) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTIONS, FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS AND PROVIDING FUNDS FOR GENERAL MUNICIPAL EXPENSES; ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2020; AND DECLARING AN EMERGENCY.

Presented by: Lisette Camacho, Interim Director, Budget and Finance

Ms. Bower read the ordinance by title.

Ms. Camacho said the proposed ordinance would set the primary property tax rate at $0.4144 per $100 of assessed valuation for FY2019-2020 (FY19-20) and the secondary property tax rate at $1.4441 per $100 of assessed valuation for FY19-20. The total property tax rate would decrease from $1.9764 to $1.8585. She said the total levy would be $26,265,323.

Mayor Weiers said the City was actually lowering taxes.

Ms. Camacho said that was correct.

A motion was made by Councilmember Bart Turner, seconded by Councilmember Jamie Aldama to adopt Ordinance No. 019-64.

Mayor Weiers said it was the fourth year in a row that the City had lowered the property tax rate.

The vote on the motion was:

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

Passed

67. ORDINANCE NO. O19-65

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A MAP OF DEDICATION FOR RIGHT-OF-WAY AND EASEMENTS FOR CARDINALS WAY BETWEEN 83RD AND 91ST AVENUES AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.

Presented by: David D. Beard, P.E., City Engineer
Ms. Bower read the ordinance by title.

Mr. Beard said the proposed ordinance would accept the Map of Dedication for Cardinals Way between 83rd and 91st Avenues adjacent to Phase I of the Stonehaven Planned Area Development.

Mr. Beard said Stonehaven Residential JV, LLC, the developer of the new Stonehaven Planned Area Development located at the northeast corner of 91st Avenue and Camelback Road was constructing Cardinals Way (formerly Bethany Home Road) between 83rd and 91st Avenues. The developer was constructing full width street improvements and dedicating to the City the right-of-way and easements necessary for the City to maintain the roadway, utility and other associated improvements.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Ian Hugh to adopt Ordinance No. O19-65.

Mayor Weiers said the road would relieve traffic on both Glendale Avenue and Camelback Road.

The vote on the motion was:

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

68. ORDINANCE NO. O19-66

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ABANDONMENT OF 99TH AVENUE RIGHT-OF-WAY NORTH OF BETHANY HOME ROAD AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.
Presented by: David D. Beard, P.E., City Engineer

Ms. Bower read the ordinance by title.

Mr. Beard said the proposed ordinance would abandon public right-of-way on 99th Avenue adjacent to 6151 North 99th Avenue. The City annexed the subject portion of 99th Avenue which consisted of a 90-foot wide half-street right-of-way adjacent to the proposed Holiday Inn development. The City’s Transportation Department had determined that the improvements required for the Holiday Inn development required only 75 feet of right-of-way so there was no need for the 15-foot strip of right-of-way. The abandonment would allow the 15-foot strip to be utilized in the Holiday Inn development.

A motion was made by Councilmember Ian Hugh, seconded by Councilmember Jamie Aldama adopt Ordinance No. O19-66.
AYE: Mayor Jerry Weiers
   Vice Mayor Joyce Clark
   Councilmember Jamie Aldama
   Councilmember Ian Hugh
   Councilmember Ray Malnar
   Councilmember Lauren Tolmachoff
   Councilmember Bart Turner

Passed

69. ORDINANCE NO. O19-67

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A WARRANTY DEED FOR RIGHT-OF-WAY AT 8245 WEST ORANGEWOOD AVENUE AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.
Presented by: David D. Beard, P.E., City Engineer

Ms. Bower read the ordinance by title.

Mr. Beard said the proposed ordinance accepted right-of-way adjacent to 8245 West Orangewood Avenue. In conjunction with the development of their single-family residence at 8245 West Orangewood Avenue, Angel and Gloria Sida Martinez, the owners of the lot, had agreed to dedicate an additional 10 feet of right-of-way adjacent to the lot. It would bring the total right-of-way width to 40 feet which the Transportation Department had determined to be the ultimate width needed for future roadway improvements.

A motion was made by Councilmember Jamie Aldama, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O19-67.

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

Passed

70. ORDINANCE NO. O19-68

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE POWER DISTRIBUTION EASEMENT IN FAVOR OF SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT (SRP) FOR WELL SITE #23 LOCATED AT 5660 WEST COCHISE DRIVE, CONSISTING OF APPROXIMATELY 0.1 ACRE FOR AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.
Presented by: David D. Beard, P.E., City Engineer
Ms. Bower read the ordinance by title.

Mr. Beard said the proposed ordinance granted a non-exclusive Power Distribution Easement in favor to upgrade electrical service to Well Site #23 on City-owned property at 5660 West Cochise Drive, as part of SRP electrical upgrades in the area. The easement area consisted of 4,432.21 square feet or 0.1 acre. The upgrades necessitated consolidation of and relocation of existing transformers and creation of an easement to allow for said improvements.

A motion was made by Councilmember Ray Malnar, seconded by Vice Mayor Joyce Clark to adopt Ordinance No. O19-68.

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

71. ORDINANCE NO. O19-44

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE, CHAPTER 2, ARTICLE III BY AMENDING DIVISION 3 RELATING TO THE MEET AND CONFER PROCESS.

Presented by: Jim Brown, Director, Human Resources and Risk Management

Ms. Bower read the ordinance by title.

Mr. Brown said the proposed changes were limited to Sections 2-85 and 2-86. In Section 2-85, there was clarification that Council budget decisions impacting the memorandum of understanding (MOU) were final and non-reviewable. There would be a requirement for mediation in the case of an impasse during negotiations. There was also a clarification of dates and deadlines for the negotiation process. In Section 2-86, because the MOU was not considered a contract, the term “breach” had been removed and replaced with the term “dispute.” It clarified that arbitration did not bind Council but only had impact on the associations and the City Manager.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Ian Hugh to adopt Ordinance No. O19-44.

Councilmember Turner said the current proposed ordinance was different from the original proposal and employees seemed to be satisfied with it.

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

PUBLIC HEARING - RESOLUTIONS

72. RESOLUTION NO. R19-78

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ESTABLISHING WATER AND SEWER USER RATES PURSUANT TO GLENDALE CITY CODE; AND SETTING FORTH EFFECTIVE DATES.
Presented by: Vicki Rios, Assistant City Manager

Ms. Bower read the resolution by title.

Ms. Rios said the proposed resolution adjusted water and sewer rates effective for bills issued on or after January 1, 2020 and January 1, 2021 respectively pursuant to Glendale City Code Chapter 33.

Mayor Weiers opened the public hearing.
Bill Demski, Sahuaro District, spoke in opposition.
Gary Livingston, Sahuaro District, spoke in opposition.
Laura Tatreu, Barrel District, spoke in opposition.
Gary Sherwood, Sahuaro District, spoke in opposition.
Erik Flodin, Cholla District, provided written comments in support.

Mayor Weiers closed the public hearing.
Councilmember Tolmachoff asked how many years, prior to the current rate increases, had there been without a rate increase.

Ms. Rios said there had been ten years without a rate increase.

A motion was made by Councilmember Bart Turner, seconded by Councilmember Lauren Tolmachoff to adopt Resolution No. R19-78.

Vice Mayor Clark understood the need for the rate increase. The City had committed to remedial, redundant capital improvements to catch up and repair the water system. Seniors were on a fixed income. She asked Council to explore a methodology that would provide relief to the senior population.

Councilmember Malnar supported a rate structure that would provide relief to seniors. There was an account to provide assistance to all residents that needed relief based on income.

Councilmember Hugh said the rate increase averaged out to less than $40 per year.

Councilmember Tolmachoff said no one liked to implement rate increases. Council had a responsibility to provide safe, clean water. There were some places in the City where there was no redundancy. The water and sewer were enterprise funds and were supposed to be
self-sustaining.

Councilmember Turner said if residents were facing financial stress, the City did have a utility assistance program as did other utilities. He said if a rate break was given to one group of residents, another group would have to make up for it. It should be needs-based not age-based.

Mayor Weiers said residents would pay $3 more per month to make sure they always had clean, safe water.

The vote on the motion was:

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

NAY: Councilmember Jamie Aldama

Passed

73. RESOLUTION NO. R19-79

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ESTABLISHING IRRIGATION SERVICE RATES PURSUANT TO GLENDALE CITY CODE; AND SETTING FORTH THE EFFECTIVE DATE.
Presented by: Vicki Rios, Assistant City Manager

Ms. Bower read the resolution by title.

Ms. Rios said the proposed resolution adjusted urban irrigation rates, effective for bills issued on or after August 1, 2019, April 1, 2020 and April 1, 2021 respectively, pursuant to Glendale City Code Chapter 2. The adjustment was in conformance with Resolution 5123 to allocate system-wide costs at fifty percent (50%) for the City and fifty percent (50%) for urban irrigation water users on a per lot basis.

Mayor Weiers opened the public hearing.

Carl Dietzman, Ocotillo District, was opposed to the rate increase. He said the City had agreed to maintain and repair the system. The rates should not be raised to repair the system.

Mayor Weiers closed the public hearing.

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Jamie Aldama to adopt Resolution R19-79.

Councilmember Aldama said most of the irrigation was in his district. He wanted to make sure that irrigation was available for the next 50-60 years.

Councilmember Turner said the urban irrigation system was part of the history of the community and there was a benefit for it to continue to exist. The users should be
responsible for some of the costs. There was a community benefit for the system.

Vice Mayor Clark said her neighborhood had irrigation and when the system failed, everyone on the street was assessed for the repairs. Salt River did not pay for the repairs. The City should not subsidize irrigation for one area of the City.

Mayor Weiers received irrigation on his property. He cleaned debris out of the irrigation ditch because it was his responsibility to maintain the system. When the system was damaged, Salt River did not pay for the repair. The users had to pay for the repair.

The vote on the motion was:

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

Passed

NEW BUSINESS

74. RESOLUTION NO. R19-80

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ESTABLISHING A COUNCIL COMPENSATION COMMISSION.
Presented by: Michael D. Bailey, City Attorney

Ms. Bower read the resolution by title.

Mr. Bailey provided a floor amendment for the resolution. The resolution would create the Council Compensation Commission; appoint the members; and charge the commission. The floor amendment was based on the discussion at the previous workshop. Mr. Bailey read the resolution into the record.

Councilmember Aldama said the discussion at the workshop had been to inform the commission of the election dates but the resolution indicated the commission had to act no later than July 12th.

Mayor Weiers said the resolution required that if the commission did not act by July 12th, it moved to the next election.

Mr. Bailey said the resolution provided the date by which the commission must act to meet the November 4th ballot. The discussion at the workshop had been to include the deadlines for the different elections.

Councilmember Turner said the floor amendment should have been distributed at the beginning of the meeting so that Council had a chance to review it. He would be requesting a Council item of special interest regarding procedures for providing motions to the entire Council in a timely fashion.
Councilmember Turner said the resolution read like a directive to the commission. He suggested “shall” be changed to “may” and that “cannot” be changed to “does not.” It should be permissive rather than directive.

Councilmember Tolmachoff suggested wording it, “in the event the commission is able to provide a submission to Council by July 12th then it would be able to be considered for the November 4th election.” The other sections had the wording “in the event.” It could be confusing the way it was currently worded. The idea was that Council was not going to give a directive but instead provide a sequence of events.

Vice Mayor Clark said the resolution was being nitpicked and the language was irrelevant. It was a directive. Council was establishing the commission, asking it to look at a problem, and if possible, to come up with a solution on one of three dates. Whether “shall” or “may” was used was irrelevant. It was being made far more complicated than it had to be, and she would accept the language provided by Mr. Bailey.

Mayor Weiers said even if the commission was able to provide a recommendation by July 12th, it was up to Council to decide the election date. The resolution was providing the dates for the different elections.

Councilmember Malnar suggested removing Sections 4, 5 and 6 and add “and report to Council” to Section 3.

Vice Mayor Clark said the commission did need some guidance from Council regarding special election dates and the deadlines for the elections.

Councilmember Turner said the nominees for the commission did not represent a fair cross section of the community. The resolution seemed to be steering the commission to put the question on a special election that would have a low turnout. It would be better to put it on a higher turnout election such as the August or November 2020 elections.

Gary Sherwood, Sahuaro District, said it seemed like Council was in a hurry and did not remember seeing a notice regarding appointments to the commission. He agreed that it should be on the August or November 2020 election instead of a special election.

Councilmember Tolmachoff agreed with Councilmember Malnar’s suggestion of removing the dates. Staff would be able to advise the commission on the election deadlines. She did not want to set a deadline for the commission.

Mayor Weiers did not believe it was a deadline. It was only providing information regarding the election deadlines.

Councilmember Tolmachoff asked why it had to be part of the resolution. It could instead be part of the discussion. Staff could make the commission aware of the deadlines.

Mr. Bailey said it could be addressed by changing “shall” to “may.”

Councilmember Aldama supported Councilmember Malnar’s suggestion of removing the dates. He could support the resolution without the dates. Staff would advise them of the dates.

Councilmember Hugh said Council provided direction to other boards and commissions and did not understand what the sticking point was. He was okay with removing the dates from the resolution if it moved the resolution forward.
Councilmember Tolmachoff said Council would ask staff to provide the election deadline information. She did not want the commission to feel rushed or that there was a Council expectation.

Mr. Bailey said that would be acceptable but staff would not direct the commission to any specific date.

Councilmember Aldama said the sticking point was that the results would financially benefit Council. Council had to have a “hands-off” approach and not provide any directives.

Mayor Weiers would never make the assumption the commission would make a recommendation that was favorable to Council. It was not guaranteed.

Vice Mayor Clark took no ownership other than establishing the commission and letting it come to its own conclusion regarding Council compensation. Council was saying that it would like to put it on a special election and providing the dates. It was up to the commission to decide what recommendation it was going to make.

Mayor Weiers clarified that the compensation question would not be the only item on the ballot.

A motion was made by Councilmember Ian Hugh, seconded by Vice Mayor Joyce Clark to adopt Resolution No. R19-80 with the floor amendments provided by the City Attorney and replace the “shall” with “may” in Section 4.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Jamie Aldama to amend the resolution by striking Section 4 and paragraphs A and B.

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

NAY: Mayor Jerry Weiers
    Vice Mayor Joyce Clark

Passed

A motion was made by Councilmember Ray Malnar, seconded by Vice Mayor Joyce Clark to add "and report to City Council" at the end of Section 3.

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

Passed
The vote on the main motion as amended was:

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

NAY: Councilmember Bart Turner

Passed

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

A motion was made by Vice Mayor Joyce Clark, seconded by Councilmember Lauren Tolmachoff to vacate the July City Council meetings and workshops and hold the next regularly scheduled City Council workshop on Tuesday, August 13, 2019 at 12:30 p.m. in the City Council Chambers to be followed by an executive session pursuant to A.R.S. 38-431.03.

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 reported that repairs were underway at Murphy Park and were ongoing through September.

Councilmember Malnar said even though Council was in recess during July, the Council Office would be open.

Councilmember Tolmachoff wished everyone a happy 4th of July and reminded residents fireworks that were designed or intended to rise and explode in the air were prohibited.

Councilmember Turner reminded residents of the next Coffee-with-a-Cop event on June 26th, 9:00 a.m. at the Coffee Club, 5102 W. Northern Avenue.

Vice Mayor Clark reported that a 4th of July celebration would be held at Westgate.

Mayor Weiers said the event at Westgate was free to the public.

Mayor Weiers said it was his 37th wedding anniversary. He appreciated his wife's support of his service on Council.
Mayor Weiers adjourned the meeting at 9:21 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 25th day of June, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ___ day of ____, 2019.

_______________________________________
Julie K. Bower, MMC, City Clerk