

# City of Glendale

5850 West Glendale Avenue  
Glendale, AZ 85301



## Meeting Minutes - Final

Tuesday, January 24, 2017

6:00 PM

Voting Meeting - added Executive Session

### City Council

*Mayor Jerry Weiers*

*Vice Mayor Ian Hugh*

*Councilmember Jamie Aldama*

*Councilmember Joyce Clark*

*Councilmember Ray Malnar*

*Councilmember Lauren Tolmachoff*

*Councilmember Bart Turner*

**CALL TO ORDER**

**Present:** 7 - Mayor Jerry Weiers, Vice Mayor Ian Hugh, Councilmember Jamie Aldama, Councilmember Joyce Clark, Councilmember Lauren Tolmachoff, Councilmember Ray Malnar, and Councilmember Bart Turner

Also present were Kevin Phelps, City Manager; Tom Duensing, Assistant City Manager; Michael Bailey, City Attorney; Julie K. Bower, City Clerk; and Darcie McCracken, Deputy City Clerk.

**PLEDGE OF ALLEGIANCE****PRAYER/INVOCATION**

The invocation was offered by Rev. Joseph Bui of St. Louis the King Catholic Church and School.

**CITIZEN COMMENTS**

Bill Demski, a Sahuaro resident, spoke about a bicycle accident he had several years ago. He spoke about private property issues and the problems he had with the police report that was taken regarding the incident.

Steve Einstman, a Sahuaro resident, spoke about street repairs that were not getting done. He said something had to be done about the holes in the roads.

James Deibler, a Phoenix resident, disagreed with President Trump's views on illegal immigration and supported the right to march. He did not support abortion rights. He encouraged Planned Parenthood to provide women's health care but not abortions.

**APPROVAL OF THE MINUTES OF JANUARY 10, 2017**

1. [17-013](#) APPROVAL OF THE MINUTES OF THE JANUARY 10, 2017 VOTING MEETING

Staff Contact: Julie K. Bower, City Clerk

**A motion was made by Councilmember Tolmachoff, seconded by Councilmember Aldama, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Clark, Councilmember Tolmachoff, Councilmember Malnar, and Councilmember Turner

**CONSENT AGENDA**

Ms. Bower read Consent Resolution items 9 through 12.

Councilmember Aldama requested to hear Consent Agenda item 8 separately.

2. [17-019](#) RECOMMEND APPROVAL OF WINE FESTIVAL LICENSE, AZ WINE CELLARS LLC

Staff Contact: Vicki Rios, Director, Budget and Finance

3. [16-674](#) RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-21972, SUSHI PLUS  
Staff Contact: Vicki Rios, Director, Budget and Finance
4. [16-675](#) RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-21983  
EDDIE'S LOUNGE  
Staff Contact: Vicki Rios, Director, Budget and Finance
5. [16-641](#) AUTHORIZATION TO APPROVE THE SOLE SOURCE PURCHASE OF ANNUAL MAINTENANCE SUPPORT FROM TCS AMERICA, INC., FOR THE TAX MANTRA SYSTEM  
Staff Contact: Vicki Rios, Director, Budget and Finance
6. [17-005](#) AUTHORIZATION FOR THE RATIFICATION OF EXPENDITURES WITH HEMPELMAN AUTO PARTS CO., DOING BUSINESS AS NAPA AUTO PARTS, FOR ONSITE AUTOMOTIVE AND HEAVY EQUIPMENT PARTS, REPAIR AND SERVICES, AND AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE AGREEMENT TO INCREASE EXPENDITURE AUTHORITY  
Staff Contact: Jack Friedline, Director, Public Works
7. [17-011](#) AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN & ASSOCIATES, INC. AND APPROVAL OF A BUDGET APPROPRIATION TRANSFER FOR THE 95TH AVENUE EXTENSION PROJECT  
Staff Contact: Jack Friedline, Director, Public Works

**CONSENT RESOLUTIONS**

9. [17-004](#) RESOLUTION NO. R17-02  
  
A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF SUBRECIPIENT AGREEMENT (NUMBER 150803-03) AND AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF FFY 2015 HOMELAND SECURITY GRANT PROGRAM AWARD REALLOCATION FROM THE STATE OF ARIZONA DEPARTMENT OF HOMELAND SECURITY, IN THE APPROXIMATE AMOUNT OF \$22,500, TO ASSIST WITH THE URBAN AREA SECURITY INITIATIVE ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.  
Staff Contact: Rick St. John, Police Chief
10. [17-006](#) RESOLUTION NO. R17-03  
  
A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND ENTERING INTO

CHANGE ORDER NO. 2 FOR AN INTERGOVERNMENTAL AGREEMENT (GRANT PASS-THROUGH AGREEMENT) WITH THE CITY OF PHOENIX FOR GRANT NO. AZ-90-X131 RELATING TO TRANSIT SERVICES.

Staff Contact: Jack Friedline, Director, Public Works

11. [17-017](#)

RESOLUTION NO. R17-04

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ADOPTING THE GLENDALE CITY COUNCIL "COUNCIL MEETING RULES AND PROCEDURES" TO INCLUDE THE ORDER OF BUSINESS AND ADDING A ROLL CALL AFTER THE CALL TO ORDER.

Staff Contact: Julie K. Bower, City Clerk

12. [17-003](#)

RESOLUTION NO. R17-05

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A JOB RETENTION AND ECONOMIC DEVELOPMENT ACTIVITIES AGREEMENT WITH BECHTEL CORPORATION.

Staff Contact: Brian Friedman, Director, Office of Economic Development

Approval of the Consent Agenda

**A motion was made by Turner, seconded by Hugh, to approve the recommended actions on Consent Agenda Item Numbers 2 through 7 and Consent Resolution Item Numbers 9 through 12. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Clark, Councilmember Tolmachoff, Councilmember Malnar, and Councilmember Turner

8. [17-015](#)

AUTHORIZATION TO ENTER INTO AMENDMENT NO. 3 AGREEMENT FOR SERVICES WITH SMG FOR THE PROVISION OF EMERGENCY MEDICAL SERVICES PROVIDED BY THE GLENDALE FIRE DEPARTMENT AT THE UNIVERSITY OF PHOENIX STADIUM

Staff Contact: Jean Moreno, Executive Officer, Strategic Initiatives and Special Projects

Ms. Bower introduced item 8.

Ms. Moreno said the request was to enter into Amendment No. 3 of the contract with SMG for provision of emergency medical services provided by the Glendale Fire Department at the University of Phoenix Stadium. The amendment would extend services through April 7, 2017 to ensure continuity of service through the NCAA Men's Final Four. She said a new venue manager was chosen on July 6, 2016 and

previous extensions of the agreement were awarded to allow the new manager to orient themselves. The reimbursed costs exceeded actual expenditures under the existing contract.

Ms. Moreno said SMG was still finalizing the contract with its new provider and so there had been no training at the facility with the new provider. Also, the current provider had been meeting monthly with NCAA organizers to plan for the Final Four event. SMG did not believe there was enough time to bring a new vendor up to speed prior to the Final Four event. SMG was requesting an extension to put a transition plan in place for the new vendor and would pay the City for the services. The extension would provide the new vendor an opportunity to work alongside Glendale staff in the field.

Councilmember Aldama expressed concern that the new vendor did not have experience working in the stadium. He asked why the program would be continued even for a few more months if there was no cost recovery.

Ms. Moreno said the new vendor was not yet familiar with the facility and that was why SMG had requested to do transition planning and knowledge transfer for a seamless transition. The new vendor did have similar operations in the region. The City would work with the current vendor through April, even though it was costing the City money. It was in the best interest of everyone to ensure the seamless operation for the NCAA Final Four. She said there were no additional budget allocations as staff expected to pay the cost for the current vendor through the end of FY17.

Councilmember Aldama said a negative cost recovery went against the Council's priorities. He asked if staff was positive the transition to the new vendor would be smooth and if it could conduct business as needed.

Ms. Moreno said the purpose of the extension was to keep the current vendor in place to provide for the transition so that after the Final Four, the new vendor would have the experience inside the facility to be prepared to move forward.

Councilmember Aldama said the safety of citizens and visitors was of the utmost priority. He wasn't sure four months was enough time for the new vendor.

Ms. Moreno said SMG was requesting to get the contract finalized so the transition and knowledge transfer could begin. She said staff had asked SMG to get the new vendor involved in the meetings to prepare for the Final Four and other upcoming large events.

Councilmember Clark asked what the EMS contract said about services outside the building.

Ms. Moreno said the City did not have a contractual obligation to provide EMS service on the outside of the building and the parking lots. She said staff had made it clear to SMG that the new vendor would be covering the parking lots as well and SMG was in agreement with that.

Councilmember Clark said she didn't want SMG relying on the Fire Department to respond to calls in the parking lots of the stadium. She verified that SMG and its new vendor would be responsible for incidents in the parking lot and outside of the stadium building.

Ms. Moreno said that was correct and staff had provided information about the number of calls that were typically received on game days, so SMG was fully informed and prepared to address the calls. Staff would continue to work with SMG to resolve any issues.

Councilmember Clark was glad to hear staff was going to monitor the need for emergency service at the stadium.

Mayor Weiers asked about an incident that occurred on a very hot day and asked if that sort of incident had been discussed with SMG.

Chief Garrison said there were over 50 calls around the stadium during that incident. He said SMG would be responsible for inside the stadium and the footprint of the stadium. He would be monitoring the calls very closely and if it became an issue, staff would bring it before Council for discussion.

Councilmember Turner said providing the highest level of service to visitors and citizens was the priority and the City had done that, even at a negative cost recovery. He asked if the City was achieving cost recovery during the extension of the contract.

Ms. Moreno said the City was not achieving a cost neutral situation during the contract extensions. She said the intention of the extensions had been to provide SMG with some due diligence. SMG had requested an extension through January 31st and staff had monitored contract payments during that time. It would have required a 21 percent increase in costs to become cost neutral. She said it was reasonable and in the best interest of the community and safety, to request the extension at this time.

Councilmember Turner agreed with Ms. Moreno that currently it was in the best interest of the City to continue with the extension. He did not feel it was in the best interest of the taxpayers to continue to do it at a loss. He was proud of the events hosted in Glendale but didn't feel it should be on the backs of the taxpayers who some couldn't afford to attend the events. The taxpayers had carried an undue burden with recent large events and he felt Council should put an end to that practice.

Mr. Phelps said the initial call of concern about the transition came from the executive director of AZSTA after a meeting with the NCAA. The NCAA felt Glendale could provide the level of service for the event. He said the City wanted to put the best face forward and it seemed reasonable to extend the agreement to handle the mega event. The event brought millions of dollars in exposure for Glendale and staff was confident it could put a public safety plan in place that would meet the needs of everyone. Mr. Phelps said Police Chief St. John had also worked closely on letting DPS take over the main security role.

Councilmember Turner was not advocating not providing the service, his concern was providing the service at a loss. He said professional sports were big business and a lot of money was involved. He was concerned that the taxpayers were footing the bill on these events.

Ms. Moreno said that was exactly the reason why the contract only extended through the Final Four and the contract was going to other vendors.

Councilmember Aldama said there was no question that the City would provide a high level of service, but should be compensated for it. He said the Fire Department had

provided services for the last ten years. He asked what the contract covered as far as outside of the stadium building.

Ms. Moreno said the existing contract applied to parking lots, the plaza and the great lawn.

Councilmember Aldama said it was a benefit that the Fire Department had the ability to coordinate with both the interior and exterior of the building. He said they wouldn't have it to that extent anymore and he was concerned with an increase of 911 calls around the stadium.

Ms. Moreno said the issue of radio communications for emergency management issues still needed to be addressed through transition planning. The same service provider would provide both internal and external communications on the contract.

Councilmember Aldama wasn't sure if staff had quantified the value and didn't feel the contract should be extended because it was against Council priorities. He said Council owed it to the taxpayers to continue providing the service, but only if the costs were recovered.

Ms. Moreno said costs between now and the Final Four would be approximately \$25,000.

Councilmember Tolmachoff asked if the cost recovery issue was part of the conversation during the contract extension discussions.

Ms. Moreno said that was an integral part of the conversation. There had also been discussions about adjusting staffing models to obtain cost recovery and that was one reason why the process had taken so long. She said timing had also been an issue. There had not been adequate time to move through the entire transition plan prior to the upcoming events.

Councilmember Tolmachoff asked if there were any conversations about the City adjusting its rate.

Ms. Moreno said there had not been and staff had not asked SMG for an increase. SMG was advised that, in order to do a permanent contract, there would have to be an increase in rates.

Councilmember Turner said it was possible that SMG could discover that cost recovery was not possible. He would like to see the taxpayers reimbursed for the money lost during the contract extensions. Both AZSTA and the NCAA were put on notice last year that it was not right or fair for the taxpayers to underwrite the events when so much money was being made from the events.

Councilmember Clark hoped the same remarks were heard the next time a Super Bowl was discussed. She was not going to fault staff on the issue because the first extension was made by staff in good faith, even at taxpayer expense. Staff didn't want to endanger public health and safety by walking away from the contract. Councilmember Clark was not pleased to have to use taxpayer funds, but understood the reason for doing so. It would be impossible to go back and demand the money the City had lost from the extensions when the extensions were negotiated in good faith.

**A motion was made by Councilmember Clark, seconded by Councilmember**

**Tolmachoff, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 5 - Mayor Weiers, Vice Mayor Hugh, Councilmember Clark, Councilmember Tolmachoff, and Councilmember Malnar

**Nay:** 2 - Councilmember Aldama, and Councilmember Turner

## **PUBLIC HEARING - LAND DEVELOPMENT ACTIONS**

### **13. [17-002](#) ORDINANCE NO. O17-05**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY LOCATED AT 6502 NORTH SARIVAL AVENUE 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 THIS ORDINANCE BE RECORDED.

Staff Contact: Jon M. Froke, AICP, Planning Director

Ms. Bower read Ordinance No. O17-05.

Mr. Froke said the proposed ordinance would rezone property at 6502 N. Sarival Avenue from A-1, agricultural, to M-1, light industrial. The applicant had requested rezoning 55 acres to allow for future development of a business park. The M-1 zoning implemented the general plan. He explained Luke Air Force Base had no opposition to the rezoning request. The Planning Commission unanimously recommended approval in December, subject to two stipulations. Staff recommended approval of the ordinance with the two stipulations.

Mayor Weiers opened the public hearing.

There were no speakers on this item.

Mayor Weiers closed the public hearing.

**A motion was made by Councilmember Clark, seconded by Vice Mayor Hugh, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Clark, Councilmember Tolmachoff, Councilmember Malnar, and Councilmember Turner

## **ORDINANCES**

### **14. [17-008](#) ORDINANCE NO. O17-06**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE CHAPTER 2 (ADMINISTRATION), ARTICLE VIII (BOARDS, COMMISSIONS, ETC.) AND CHANGING THE NAME OF THE WATER SERVICES ADVISORY COMMISSION TO THE CITIZENS UTILITY ADVISORY COMMISSION AND EXPANDING ITS PURPOSE.

Staff Contact: Craig Johnson, P.E., Director, Water Services



Ms. Bower read Ordinance No. O17-06.

Mr. Johnson said the proposed ordinance would amend City Code Chapter 2, Article VIII, to change the name of the Water Services Advisory Commission to the Citizens Utilities Advisory Commission and expand the Commission's purpose to include advising Council concerning the Public Works Department. He said City Council consensus was received in January 2017 to bring the item forward to a voting meeting. The expanded role would include potential program adjustments and procedural changes, as well as policy recommendations to Council.

**A motion was made by Councilmember Aldama, seconded by Councilmember Tolmachoff, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Clark, Councilmember Tolmachoff, Councilmember Malnar, and Councilmember Turner

### **REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION**

**A motion was made by Vice Mayor Hugh, seconded by Councilmember Clark, to hold a Special Budget Workshop on Tuesday, February 7, 2017 at 9:00 a.m. in the City Council Chambers, and further moved to hold the next regularly scheduled City Council Workshop on Tuesday, February 7, 2017 at 1:30 p.m. in the City Council Chambers, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Clark, Councilmember Tolmachoff, Councilmember Malnar, and Councilmember Turner

### **COUNCIL COMMENTS AND SUGGESTIONS**

Councilmember Aldama said public comment was requested on the City's lineup of signature festivals and encouraged everyone to take the survey. He also reminded the public about the upcoming Chocolate Affaire on February 3-4, 2017.

Councilmember Clark reminded Yucca residents of her district meeting on February 2, 2017 at 6 p.m. at the Desert Mirage Elementary School cafeteria, 8605 W. Maryland Avenue. She said Mr. Duensing, Finance Director Vicki Rios, Fire Chief Garrison and Public Works Director Jack Friedline would be in attendance. She reported on the ribbon cutting of the newest Dignity Health facility and emergency room at 83rd Avenue and Camelback.

Councilmember Malnar reminded Sahuaro residents of his District Advisory Committee meeting on Thursday at 1:30 p.m. at the YMCA. He encouraged residents to attend.

Councilmember Tolmachoff reminded everyone that she, Councilmember Malnar and the Glendale Police Department were hosting a shred event on February 11, 2017 from 8 a.m. to 11 a.m. at the Foothills Library parking lot. She said registration for the spring session of Glendale University was open until January 25th. Glendale University was a very informative program for residents who wanted to learn more about the City, from February 1st through April 12th.

Mayor Weiers said Glendale had the second largest South Vietnamese population in the state, who celebrated the lunar New Year at a festival last week held at Glendale High School. He said it was a great event and people from all over the valley attended. Mayor Weiers said he was very proud the group was part of the community.

**MOTION AND CALL TO ENTER INTO EXECUTIVE SESSION**

**A motion was made by Councilmember Clark, seconded by Vice Mayor Hugh, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Clark, Councilmember Tolmachoff, Councilmember Malnar, and Councilmember Turner

**EXECUTIVE SESSION**

The City Council entered into Executive Session at 7:05 p.m.

**A motion was made by Councilmember Aldama, seconded by Vice Mayor Hugh, to adjourn the meeting. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Clark, Councilmember Tolmachoff, Councilmember Malnar, and Councilmember Turner

**ADJOURNMENT**

The City Council adjourned at 8:11 p.m.