

City of Glendale

5850 West Glendale Avenue
Glendale, AZ 85301



Meeting Minutes - Final

Monday, November 14, 2016

1:00 PM

SPECIAL VOTING MEETING WITH EXECUTIVE SESSION

Council Chambers

City Council

Mayor Jerry Weiers

Vice Mayor Ian Hugh

Councilmember Jamie Aldama

Councilmember Samuel Chavira

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 Samuel Chavira, Councilmember Ray Malnar, Councilmember Lauren Tolmachoff, and Councilmember Bart Turner

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

PLEDGE OF ALLEGIANCE**CITIZEN COMMENTS**

Robert Heidt, President and CEO of the Glendale Chamber of Commerce, encouraged the Council to support the settlement. He said the parking issue had been at the top of the list for the Cardinals. The current Council was moving the City forward and encouraged Council to bring closure to the issue. He said working with the Arizona Cardinals would foster continuing good relationships.

Tom Sadler, President and CEO of the Arizona Sports and Tourism Authority, encouraged the Council to support the settlement. He wanted to see all the parties on the same page and working as a team.

Joyce Clark, Councilmember-Elect of the Yucca District, urged the Council to support the settlement. The agreement would resolve several issues, including the \$67 million claim outstanding against the City. The proposed underpass would resolve some of the traffic issues that were outstanding and the 95th Avenue alignment would be set. She said it was not a perfect deal but would resolve many outstanding issues.

Michael Bidwell, President of the Arizona Cardinals Football Club, said commitments were made many years ago and there had been a shortfall of parking over the last few years. After bringing Mr. Phelps on board as City Manager, there was a push to solve many of the City's outstanding disagreements. He said the agreement gave certainty that the parties were working together to protect the stadium and support the mega events. He was excited and looking forward to working with the City for many years to come.

MOTION TO GO INTO EXECUTIVE SESSION

A motion was made by Councilmember Aldama, seconded by Councilmember Chavira, to enter into Executive Session. The motion carried by the following vote:

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

EXECUTIVE SESSION

A motion was made by Vice Mayor Hugh, seconded by Councilmember Malnar, to adjourn from the Executive Session. The motion carried by the following vote:

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

The Executive Session adjourned at 2:49 p.m.

NEW BUSINESS

1. [16-594](#) AUTHORIZATION TO ENTER INTO A SETTLEMENT AGREEMENT WITH THE ARIZONA SPORTS AND TOURISM AUTHORITY, THE ARIZONA CARDINALS FOOTBALL CLUB LLC, THE NEW CARDINALS STADIUM LLC, AND THE STADIUM DEVELOPMENT LLC AND APPROVE A GENERAL FUND CONTINGENCY REQUEST
Staff Contact: Kevin R. Phelps, City Manager
Staff Contact: Michael D. Bailey, City Attorney

Mr. Bailey said the Council had the settlement agreement with the Arizona Cardinals and Arizona Sports and Tourism Authority before them and had been briefed as to the merits of the agreement. He explained it was a settlement of all claims regarding parking associated with the University of Phoenix Stadium.

Gary Sherwood, a Sahuaro District resident, said posting the meeting only one business day before the scheduled meeting precluded public participation on the issue. He went over the history of the issue and terms of the previous agreement. He was unsure what the breach of the contract entailed because the City had spent thousands of dollars complying with the parking agreement. He did not understand why the settlement agreement would go forward and the reasons had not been shared with the public. It would wipe out any savings the City had.

Councilmember Tolmachoff asked for an explanation of the word "event" from the agreement.

Mr. Phelps deferred to Mr. Bailey for an explanation but for the purpose of the agreement, it meant any event that had a user fee and a minimum attendance of 40,000 people.

Mr. Bailey said the term "event" referenced the parking license and referenced an attendance threshold and a user fee.

Councilmember Aldama was disturbed that the meeting agenda was posted right before a three-day weekend and gave the public very little time to review the agreement. He was against moving a contract of this amount in such a quick manner. He didn't feel citizens had time to speak about the issue.

Councilmember Tolmachoff made a motion, seconded by Vice Mayor Hugh, to enter into a settlement agreement with the Arizona Sports and Tourism Authority, the Arizona Cardinals Football Club, LLC, the New Cardinals Stadium LLC and the Stadium Development, LLC, and approve a general fund contingency request.

Councilmember Malnar said the public did deserve to know a little about the reasoning behind the settlement. He said it did resolve a \$67 million claim filed against the City. It resolved the flow of vehicles and people into the stadium and included improving 95th Avenue, which protected the nearby neighborhoods. He said it would send a strong message that the City wanted to do what was right and would correct some bad decisions of the past.

A roll call vote was taken.

Councilmember Aldama said his vote had nothing to do with a relationship with the Cardinals that had gone bad. He was not sure the merits of the claim had been completely vetted and many open-ended questions remained. Councilmember Aldama voted Nay.

Councilmember Chavira agreed with Councilmember Aldama and felt Council was rushing into the agreement. He felt it would have been more appropriate to wait two weeks until Councilmember-Elect Clark was in office before making this big decision. Councilmember Chavira voted Nay.

Councilmember Malnar said it was time for Council to move forward and create relationship that would help the City move forward. The item had been under discussion for many weeks and Council was making an informed decision that was in the best interest of the City. Councilmember Malnar voted Aye.

Councilmember Tolmachoff spoke about acquiring the Pendergast property in hopes of resolving the issue. She said in addition to resolving the parking issues, Glendale citizens would be left with over 30 acres of property that could be developed in the sports and entertainment district to generate revenue for the City. It was important to develop good relationships with the City's business partners. Councilmember Tolmachoff voted Aye.

Councilmember Turner was anxious to reset and repair the relationships that had been damaged in the past. He expressed concern about the short amount of time the public had been aware of the issue and it had made it difficult for him to contact members of the community and staff who might provide input. He supported the improvements noted in the agreement, but was concerned about the loss of control over the City's parking lots. Councilmember Turner said the agreement was not clear about how parking decisions would be made. He was concerned how the agreement would affect the City's other partners in the area, including the arena management firm and Westgate management. He would like more time to study the agreement and share any concerns and receive input. Councilmember Turner also expressed concerns this agreement could possibly diminish the value of our arena and create difficulties with it in the future. Councilmember Turner also said that when he was sworn into office he pledged to support the state Constitution, not subvert it. Councilmember Turner voted Nay.

Vice Mayor Hugh said this was the right thing to do and supported the motion. He said building a parking garage would cost the City much more than the agreement. They were saving taxpayer money. Vice Mayor Hugh voted Aye.

Mayor Weiers said the long-standing dispute had damaged the relationship with the AZSTA and the Arizona Cardinals. It was important to maintain a positive working relationship with these partners and put the conflict behind the City and move forward. Mayor Weiers voted Aye.

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

Aye: 4 - Mayor Weiers, Vice Mayor Hugh, Councilmember Malnar, and Councilmember Tolmachoff

Nay: 3 - Councilmember Aldama, Councilmember Chavira, and Councilmember Turner

ADJOURNMENT

The City Council adjourned at 3:21 p.m.