

# City of Glendale

*5850 West Glendale Avenue  
Glendale, AZ 85301*



## Meeting Minutes - Final

**Tuesday, October 25, 2016**

**6:00 PM**

**Voting Meeting**

**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; James Gruber, Chief Deputy City Attorney; Julie Bower, City Clerk; and Darcie McCracken, Deputy City Clerk.

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

The invocation was offered by Mr. Shawn Nelson from the Church of Jesus Christ of Latter Day Saints.

Mayor Weiers invited City Judge John Burkholder up to the podium to be sworn in to his new term.

**CITIZEN COMMENTS**

Bill Demski, a Sahuarro District resident, spoke about problems with flooding in the roadway. He also spoke about the sale of Cabela's and the taxes paid by Cabela's. He complimented Public Works Director Jack Friedline and members of his staff.

Jarvi Brown-Harty, a Sahuarro District resident, spoke about her concern regarding plasma centers opening in the Glendale. The issue was coming before Council on November 22, 2016. The centers brought in low paying jobs and there were very little regulations. She asked Council to take a look at the information she had sent regarding the facilities.

James Deibler, a Phoenix resident, was glad the children were able to return to Challenger Middle School and Landmark Elementary School. He would like to see bus routes in the east valley and Glendale providing new buses and hoped Valley Metro would find a new CEO without raising taxes. He would miss Councilmember Chavira and said Councilmember Joyce Clark would do a good job.

**APPROVAL OF THE MINUTES OF SEPTEMBER 27, 2016**

1. [16-507](#) APPROVAL OF THE MINUTES OF SEPTEMBER 27, 2016 VOTING MEETING

Staff Contact: Julie K. Bower, City Clerk

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

**BOARDS, COMMISSIONS AND OTHER BODIES**

2. [16-512](#) APPROVE RECOMMENDED APPOINTMENTS TO BOARDS, COMMISSIONS & OTHER BODIES  
Staff Contact: Brent Stoddard, Director, Public Affairs
- Aviation Advisory Commission  
Kerry Dewberry - Sahuaro Appointment
- Glendale Municipal Property Corporation  
Ron Cantrell - Yucca Reappointment
- Art Dobbelaere - Cholla Reappointment
- Donald Knafels - Barrel Reappointment
- Leland Peterson - Cactus Reappointment
- Roger Schwierjohn - Barrel Reappointment
- Leland Peterson, Chair - Cactus Reappointment
- Library Advisory Board  
Madison Heinsel-Ting - Mayoral Appointment
- A motion was made by Councilmember Aldama, seconded by Councilmember Turner, that this agenda item be approved. 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

## CONSENT AGENDA

Vice Mayor Hugh asked that Items 8 through 12 be heard separately.

Councilmember Aldama asked that Item 13 be heard separately.

Councilmember Turner asked that Item 3 be heard separately as he had a conflict.

Ms. Bower introduced Items 3 and 8 through 13, and read Consent Resolutions Items 39 through 42 by number and title.

3. [16-472](#) RECOMMEND APPROVAL OF SPECIAL EVENT LIQUOR LICENSE, GLENDALE ARTS COUNCIL  
Staff Contact: Vicki Rios, Director, Budget and Finance
- A motion was made by Councilmember Malnar, seconded by Vice Mayor Hugh, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 6 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, and Councilmember Tolmachoff

**Abstain:** 1 - Councilmember Turner

8. [16-501](#) AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH ABACUS SERVICE CORPORATION FOR TECHNICAL RECRUITING AND

**STAFFING SERVICES**

Staff Contact: Jim Brown, Director, Human Resources and Risk Management

Mr. Phelps introduced Debbie Burson, Human Resources Assistant Director.

Ms. Burson explained utilizing technical recruiting firms would assist Human Resources to find the very best candidates for vacant IT positions that had been very hard to fill. She explained that payment was made only to the firm who located the candidate that was hired.

Councilmember Aldama asked why the percentage the City paid to each firm varied.

Ms. Burson said the firms charged different rates for their services.

Councilmember Malnar asked if the firms had always been used in the past to fill those positions.

Ms. Burson believed recruitment firms had been used in the past. It was very difficult for Human Resources to locate qualified candidates and IT positions stayed vacant for a very long time. The technical recruiting firms assisted with locating qualified candidates.

Councilmember Malnar asked if using outside recruiters saved the City money.

Ms. Burson did not have actual figures, but the longer the positions stayed vacant, the more it might cost the City in fees to hire temporary employees. She felt the City was saving money in the long run.

Councilmember Malnar asked how many IT positions had been hired in the past using these recruiting firms and how many positions usually became vacant in an average year.

Ms. Burson said there were usually a couple of vacancies each year for IT and there had been about 6 positions open in IT in the last year. She said they had used recruiting firms a couple of times in the past few years.

Councilmember Malnar felt the Human Resources staff was very good at what they did and questioned why staff was moving in this direction at this time.

Ms. Burson said IT positions were different and the recruiting firms were experts in locating potential candidates with the type of experience needed to fill the positions. Human Resources recruited for all the other positions in the City. If IT positions stayed open for months at a time, it affected the department's ability to do its job.

IT Director Chuck Murphy, said consultants had been used several times in the past. A couple of IT positions have gone unfilled for about eighteen months and to employ contractors for the vacant positions was significantly more expensive than hiring regular employees, so it was important to get those positions filled quickly. He explained that recruiters were able to talk with potential candidates and get them interested in interviewing.

Councilmember Malnar had concerns about the authorization for the potential expenditure of funds and the potential taxpayer expense.

Mr. Murphy said the recruiter provided the resumes and Human Resources conducted the

hiring process. He said positions with these unique skill sets were also found in other City departments. He said the amounts paid were limited by the department's budget. The agreements would allow staff to move quickly to get the positions advertised and filled.

Mr. Phelps said although all employees were valued members of the organization, some positions were more critical than others. He said losing some of these IT positions could cause major problems within City operations. The positions need to be filled quickly and having on-call consultants would assist with getting the right kind of candidates and getting qualified employees on board.

**A motion was made by Councilmember Turner, seconded by Councilmember Aldama, to approve Items 8 through 12. The motion carried by the following vote:**

**Aye:** 6 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Tolmachoff, and Councilmember Turner

**Nay:** 1 - Councilmember Malnar

9. [16-502](#) AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH BARA INFOWARE, INC., FOR TECHNICAL RECRUITING AND STAFFING SERVICES  
Staff Contact: Jim Brown, Director, Human Resources and Risk Management

**This agenda item was approved.**

10. [16-503](#) AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH DATAMANUSA, LLC, FOR TECHNICAL RECRUITING AND STAFFING SERVICES  
Staff Contact: Jim Brown, Director, Human Resources and Risk Management

**This agenda item was approved.**

11. [16-504](#) AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH MINDLANCE, INC., FOR TECHNICAL RECRUITING AND STAFFING SERVICES  
Staff Contact: Jim Brown, Director, Human Resources and Risk Management

**This agenda item was approved.**

12. [16-505](#) AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH CYNET SYSTEMS, INC., FOR TECHNICAL RECRUITING AND STAFFING SERVICES  
Staff Contact: Jim Brown, Director, Human Resources and Risk

## Management

This agenda item was approved.

**13.     [16-506](#)****POSITION RECLASSIFICATIONS**

Staff Contact: Jim Brown, Director, Human Resources and Risk Management

Ms. Burson said this item was a request to reclassify existing positions within the organization that had experienced a change in duties or responsibilities.

Councilmember Aldama said no employee should be asked to do anything over and above their job on a regular basis. He asked what the City's plan was regarding employees doing more than their job classification on a regular basis.

Ms. Burson said there was a policy regarding reclassification. She explained positions were reviewed during a reorganization or when a department requested review by Human Resources.

Councilmember Aldama asked if a plan was in place to make sure that employees were not working outside of their classification.

Ms. Burson said a citywide classification and compensation study was completed recently and many positions were reclassified. She said there had been a reorganization and job duties had changed, which required reclassification. It was an ongoing process.

Councilmember Aldama asked if the Code Compliance reclassifications would be taking those Code inspectors off the streets.

Ms. Burson said those employees would be taking on additional responsibilities but would still perform their original functions.

**A motion was made by Councilmember Turner, seconded by Councilmember Chavira, that this agenda item be approved. 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

**4.     [16-473](#)****RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-21546, MARS SMOKE SHOP BEER AND WINE**

Staff Contact: Vicki Rios, Director, Budget and Finance

**5.     [16-474](#)****RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-21537, THE STARLITE LOUNGE**

Staff Contact: Vicki Rios, Director, Budget and Finance

**6.     [16-446](#)****AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH PROFESSIONAL SEARCH ASSOCIATES L.C., DOING BUSINESS AS CORPORATE JOB BANK, FOR TECHNICAL RECRUITING AND STAFFING SERVICES**

Staff Contact: Jim Brown, Director, Human Resources and Risk Management

7. [16-462](#) AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE HAYS GROUP, INC., DOING BUSINESS AS HAYS COMPANIES, FOR EMPLOYEE BENEFITS CONSULTING SERVICES  
Staff Contact: Jim Brown, Director, Human Resources and Risk Management
14. [16-488](#) AUTHORIZATION TO ENTER INTO AMENDMENT NO. 2 TO THE LINKING AGREEMENT WITH TERRA VERDE, LLC, DOING BUSINESS AS TERRA VERDE SERVICES, FOR SECURITY CONSULTING SERVICES  
Staff Contact: Chuck Murphy, Chief Information Technology Officer, Innovation and Technology
15. [16-510](#) AUTHORIZATION FOR THE EXPENDITURE OF FUNDS AND TO ENTER INTO A LINKING AGREEMENT WITH CDW GOVERNMENT, LLC, FOR TECHNOLOGY HARDWARE AND SERVICES  
Staff Contact: Chuck Murphy, Chief Information Officer, Innovation and Technology
16. [16-469](#) AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH VERTECH INDUSTRIAL SYSTEMS, LLC, AND APPROVE THE EXPENDITURE OF FUNDS FOR ON-CALL INSTRUMENTATION AND CONTROL DESIGN AND PROGRAMMING SERVICES FOR THE SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM  
Staff Contact: Craig Johnson, P.E., Director, Water Services
17. [16-479](#) AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE LINKING AGREEMENT WITH SUMMIT ELECTRIC SUPPLY COMPANY, INC., AND APPROVE THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF ELECTRICAL PARTS  
Staff Contact: Craig Johnson, P.E., Director, Water Services
18. [16-480](#) AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH HENNESSY MECHANICAL SALES, LLC, AND APPROVE THE EXPENDITURE OF FUNDS FOR EQUIPMENT REPAIR AND MAINTENANCE  
Staff Contact: Craig Johnson, P.E., Director, Water Services
19. [16-481](#) AUTHORIZATION TO ENTER INTO A SERVICES AGREEMENT WITH ACCESS SECURITY SERVICES INTERNATIONAL, INC., DOING BUSINESS AS ASSI SECURITY OF ARIZONA, AND APPROVE THE EXPENDITURE OF FUNDS TO PROVIDE AND INSTALL CCTV AND ELECTRONIC ACCESS CONTROLS  
Staff Contact: Craig Johnson, P.E., Director, Water Services
20. [16-509](#) AWARD OF RFP 16-54, AUTHORIZATION TO ENTER INTO AN

AGREEMENT WITH HANDYMAN MAINTENANCE, INC., AND APPROVE THE EXPENDITURE OF FUNDS FOR AQUIFER RECHARGE FACILITY LANDSCAPE SERVICES

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

21.     [16-475](#)     EXPENDITURE AUTHORIZATION FOR THE PURCHASE OF EQUIPMENT FROM COVERTTRACK GROUP, INC. FOR THE GLENDALE POLICE DEPARTMENT  
Staff Contact: Rick St. John, Interim Police Chief
22.     [16-476](#)     EXPENDITURE AUTHORIZATION FOR THE PURCHASE OF EQUIPMENT FROM PROFORCE MARKETING, INC. FOR THE GLENDALE POLICE DEPARTMENT  
Staff Contact: Rick St. John, Interim Police Chief
23.     [16-498](#)     AUTHORIZATION TO PURCHASE COMPUTERS AND THE ASSOCIATED ACCESSORIES FOR THE GLENDALE POLICE DEPARTMENT FROM PCS MOBILE, AUTHORIZED RESELLER OF PANASONIC CORPORATION OF NORTH AMERICA, UTILIZING A CITY OF TUCSON COOPERATIVE PURCHASING CONTRACT  
Staff Contact: Rick St. John, Interim Police Chief
24.     [16-511](#)     AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH ELITE SPORTS BUILDERS, LLC, THROUGH THE NATIONAL IPA/TCPN COOPERATIVE PURCHASING CONTRACT FOR TENNIS COURT REPAIR AND RESURFACING AT PASEO RACQUET CENTER  
Staff Contact: Erik Strunk, Director, Public Facilities, Recreation and Special Events
25.     [16-521](#)     AWARD OF CONTRACT RFP 17-11 FOR BROADCAST TELEVISION SERVICES FOR SPECIAL EVENT FESTIVAL ADVERTISING, SPONSORSHIP AND OTHER PROMOTIONAL SERVICES WITH KPHO BROADCASTING CORPORATION, DOING BUSINESS AS 3TV (KTVK-TV)  
Staff Contact: Erik Strunk, Director, Public Facilities, Recreation and Special Events
26.     [16-515](#)     AUTHORIZATION FOR THE EXPENDITURE OF FUNDS TO INFOR PUBLIC SECTOR, INC., FOR THE CITY'S ANNUAL HANSEN MAINTENANCE RENEWAL  
Staff Contact: Sam McAllen, Director, Development Services
27.     [16-483](#)     AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH ANDERSON LOCK & SAFE, LLC, FOR LOCKSMITH SERVICES  
Staff Contact: Jack Friedline, Director, Public Works
28.     [16-484](#)     AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH



PRIORITY BUILDING SERVICES LLC, FOR HVAC DUCT AND  
ASSOCIATED EQUIPMENT CLEANING SERVICES  
Staff Contact: Jack Friedline, Director, Public Works

29.     [16-485](#)     AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE  
LINKING AGREEMENT WITH D.H. PACE COMPANY, INC., FOR  
REPAIR, REPLACEMENT, AND PREVENTATIVE MAINTENANCE OF  
DOORS AND GATES  
Staff Contact: Jack Friedline, Director, Public Works
30.     [16-486](#)     AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH  
WATER & ENERGY SYSTEMS TECHNOLOGY, INC., FOR WATER  
TREATMENT CHEMICALS AND SUPERVISORY SERVICES  
Staff Contact: Jack Friedline, Director, Public Works
31.     [16-487](#)     AUTHORIZATION TO ENTER INTO A SERVICES AGREEMENT WITH  
BETTS SPRING COMPANY, DOING BUSINESS AS BETTS TRUCK  
PARTS AND SERVICE, FOR REPAIR OF HEAVY DUTY VEHICLES  
Staff Contact: Jack Friedline, Director, Public Works
32.     [16-490](#)     AUTHORIZATION TO ENTER INTO A CONSTRUCTION AGREEMENT  
WITH COMBS CONSTRUCTION COMPANY, INC., FOR THE NORTH  
APRON REHABILITATION PHASE I PROJECT  
Staff Contact: Jack Friedline, Director, Public Works
33.     [16-491](#)     AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE  
PROFESSIONAL SERVICES AGREEMENT WITH DIBBLE &  
ASSOCIATES CONSULTING ENGINEERS, INC., DOING BUSINESS AS  
DIBBLE ENGINEERING, FOR CONSTRUCTION ADMINISTRATION  
SERVICES FOR THE NORTH APRON REHABILITATION PHASE I  
PROJECT  
Staff Contact: Jack Friedline, Director, Public Works
34.     [16-492](#)     AWARD OF BID 16-47, AUTHORIZATION TO ENTER INTO AN  
AGREEMENT WITH DUNN EDWARDS CORPORATION FOR GRAFFITI  
PAINT AND OTHER PAINT SUPPLIES  
Staff Contact: Jack Friedline, Public Works Director
35.     [16-493](#)     AWARD OF BID 16-49, AUTHORIZATION TO ENTER INTO AN  
AGREEMENT WITH FORKLIFT EXCHANGE INC., TO PURCHASE  
INDUSTRIAL FORKLIFTS FOR THE MATERIALS RECOVERY FACILITY  
Staff Contact: Jack Friedline, Director, Public Works
36.     [16-494](#)     AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES  
AGREEMENT WITH DICK & FRITSCH DESIGN GROUP, INC., TO  
PROVIDE CITY HALL SPACE NEEDS AND CONDITION ASSESSMENT  
Staff Contact: Jack Friedline, Director, Public Works

37. [16-497](#) AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH WESTERN STATES PETROLEUM, INC., FOR GASOLINE AND DIESEL FUEL, AND RATIFICATION OF EXPENDITURES  
Staff Contact: Jack Friedline, Director, Public Works
38. [16-516](#) AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE LINKING AGREEMENT WITH FREIGHTLINER OF ARIZONA, LLC, FOR THE PURCHASE OF ONE DUMP TRUCK AND FOR FUTURE PURCHASES OF FOUR REARLOAD TRUCKS  
Staff Contact: Jack Friedline, Director, Public Works

**CONSENT RESOLUTIONS**

39. [16-489](#) RESOLUTION NO. 5161 NEW SERIES  
  
A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO CHANGE ORDER NO. 2 TO AN INTERGOVERNMENTAL AGREEMENT (GRANT PASS-THROUGH AGREEMENT) WITH THE CITY OF PHOENIX FOR GRANT NO. AZ-90-X124 RELATING TO TRANSIT SERVICES.  
Staff Contact: Jack Friedline, Director, Public Works
40. [16-477](#) RESOLUTION NO. 5162 NEW SERIES  
  
A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF A SAFETY ENHANCEMENT STIPEND AWARD FROM THE 100 CLUB OF ARIZONA, IN THE APPROXIMATE AMOUNT OF \$8,000, ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.  
Staff Contact: Rick St. John, Interim Police Chief
41. [16-478](#) RESOLUTION NO. 5163 NEW SERIES  
  
A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ACCEPTING A GRANT OFFER FROM THE STATE OF ARIZONA DEPARTMENT OF LIBRARY, ARCHIVES AND PUBLIC RECORDS IN THE AMOUNT OF \$11,479.  
Staff Contact: Elaine Adamczyk, Interim Director, Community Services
42. [16-500](#) RESOLUTION NO. 5164 NEW SERIES  
  
A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND ENTERING INTO AMENDMENT NO. 1 TO THE 2016-2017 INDEPENDENT CONTRACTOR AGREEMENT WITH ARIZONA COMMUNITY ACTION

## ASSOCIATION.

Staff Contact: Elaine Adamczyk, Interim Director, Community Services

Approval of the Consent Agenda

**A motion was made by Councilmember Turner, seconded by Councilmember Chavira, to approve the recommended actions on Consent Agenda Item Numbers 4 through 7, 14 through 38 and Consent Resolution Item Numbers 39 through 42. 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

**PUBLIC HEARING - LAND DEVELOPMENT ACTIONS****43.     [16-513](#)           ORDINANCE NO. 3011 NEW SERIES**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GLENDALE, MARICOPA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ITS SECTION 9-471, ARIZONA REVISED STATUTES AND AMENDMENTS, BY ANNEXING CERTAIN TERRITORY LOCATED WITHIN AN EXISTING COUNTY ISLAND OF THE CITY OF GLENDALE CONSISTING OF APPROXIMATELY 5.75 ACRES AT 7111 NORTH 83RD AVENUE TO BE KNOWN AS ANNEXATION AREA NO. 200; 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. 3011.

Mr. Froke said the proposed ordinance would expand the City boundaries on 83rd Avenue. The site was approximately 5.75 acres in size and was located at 7111 N. 83rd Avenue. A new single family residential subdivision was planned. Mr. Froke explained a rezoning application and subdivision plat would be presented to Council at a later date. Approval of the ordinance was the final step in the annexation process.

Mayor Weiers asked if the tennis academy, immediately to the north of the property, was already annexed by the City.

Mr. Froke said staff had spoken with the tennis academy about annexation and they seemed interested, but post-recession no one ever came forward.

Mr. Froke said staff was requesting Council hold the public hearing and adopt the annexation ordinance.

Mayor Weiers opened the public hearing.

There were no speakers on the item.

Mayor Weiers closed the public hearing.

**A motion was made by Councilmember Chavira, 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 Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

**44.**     [16-514](#)     ORDINANCE NO. 3012 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY LOCATED AT 8510 WEST GLENDALE AVENUE FROM R1-10 (SINGLE RESIDENCE) TO R1-7 PRD (SINGLE RESIDENCE, PLANNED RESIDENTIAL DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED "GARDEN GROVE," AMENDING THE ZONING MAP; PROVIDING 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. 3012.

Mr. Froke said this was a zoning case for 24 acres of property located at 8510 W. Glendale Avenue, rezoning the property from R1-10, single residence, to R1-7 PRD, single resident, planned residential development. A new single family residential subdivision of 82 lots, known as Garden Grove, was planned. Three different lot sizes were proposed. The Planning Commission had unanimously approved the request, subject to two stipulations. Staff recommended approval, subject to the two stipulations.

Councilmember Malnar asked if neighborhood meetings were held and the result of those meetings.

Mr. Froke said there was a level of interest in the proposal, but no real opposition to the project. The applicant worked with staff to provide larger lots which were a bit of a buffer to Rovey Farm Estates.

Councilmember Malnar said rezoning issues had come up several times in his district. He asked why developers were going with smaller lots.

Mr. Froke said there had been trends toward buyers looking for smaller homes and lots. He said this community was a more traditional single-family community. He said buyers were also looking for more amenities in the home and less lot and yard to take care of. Mr. Froke explained this was an infill area and there hadn't been much interest in this property in the past.

Councilmember Tolmachoff said the minimum lot size in this development was 7,200 square feet and that was not a small lot. She said there was customer interest in this type of property. It was a great project for the City and developers were looking to build communities that were attractive to many different types of buyers.

Councilmember Aldama asked if this project was in line with Envision Glendale 2040 and addressed the need for growth in the community.

Mr. Froke said it was and it did address the need for growth.

Councilmember Aldama asked for an explanation of the two stipulations that the Planning Commission had approved for the project.

Mr. Froke said the first stipulation was substantial conformance with the development booklet and the second was related to off-site improvements, such as right-of-way dedications.

Councilmember Aldama said this was consistent with the plan, provided affordable homes to buyers and provided street improvements.

Mr. Froke explained the applicant hadn't decided if this community was going to be a gated community. A portion of 85th Avenue and curbs, gutters and sidewalks would be built. There would also be street lights and landscaping, as well as amenities in the community.

Councilmember Aldama asked how long the property had been undeveloped.

Mr. Froke said the initial property was zoned in 1988, and development in the area was in the early 2000's.

Mayor Weiers opened the public hearing.

There were no speakers on the item.

Mayor Weiers closed the public hearing.

**A motion was made by Councilmember Chavira, 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 Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

## ORDINANCES

### 45. [16-495](#) ORDINANCE NO. 3013 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A WARRANTY DEED LOCATED AT 8232 NORTH 59TH AVENUE AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

Staff Contact: Jack Friedline, Director, Public Works

Ms. Bower read Ordinance No. 3013.

Mr. Friedline said the proposed ordinance accepted a right-of-way at 8232 N. 59th Avenue. The owner was required to construct new street improvements and dedicate the City's right-of-way along 59th Avenue. The owner, Landmark Senior Living LP agreed to dedicate the right-of-way in order for the City to maintain this portion of the street. Staff recommended acceptance.

**A motion was made by Councilmember Malnar, 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 Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

**46.     [16-496](#)           ORDINANCE NO. 3014 NEW SERIES**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A WATER LINE EASEMENT LOCATED AT 8232 NORTH 59TH AVENUE, AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE CONVEYANCE OF EASEMENT AND THIS ORDINANCE.

Staff Contact: Jack Friedline, Director, Public Works

Ms. Bower read Ordinance No. 3014.

Mr. Friedline said the proposed ordinance accepted a waterline easement at 8232 N. 59th Avenue. The owner had constructed a new public water line that would meet the demands and fire protection requirements of the City Code for the development. The owner, Landmark Senior Living LP was granting the City an easement to allow the City to access, maintain, operate and repair the new waterline consistent with City Code. Staff recommended accepting the new waterline easement.

**A motion was made by Councilmember Turner, seconded by Councilmember Chavira, that this agenda item be approved. 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

**47.     [16-517](#)           ORDINANCE NO. 3015 NEW SERIES**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE TRANSFER OF CASH AND APPROPRIATION AUTHORIZATION BETWEEN BUDGET ITEMS IN THE ADOPTED FISCAL YEAR 2015-2016 BUDGET.

Staff Contact: Vicki Rios, Director, Budget and Finance

Ms. Bower read Ordinance No. 3015.

Ms. Rios said the proposed ordinance approved FY15-16 budget amendments. She explained it was part of the process to close the books on the last fiscal year. The total budget appropriation with the transfers did not change and all of the transfers had been provided to Council, and all transfers complied with the cash and budget transfer policy.

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

## **RESOLUTIONS**

**48.     [16-542](#)           RESOLUTION NO. 5165 NEW SERIES**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF A LICENSE AGREEMENT WITH CDS PROPERTIES, LLC, FOR THE USE OF CITY-OWNED PROPERTY ADJACENT TO 5524 NORTH 51ST AVENUE IN GLENDALE, ARIZONA.

Staff Contact: Jack Friedline, Director, Public Works

Ms. Bower read Resolution No. 5165.

Mr. Friedline said the proposed resolution authorized a license agreement with CDS Properties LLC for the use of city-owned real property adjacent to 5524 No. 51st Avenue within the public right of way. Mr. Friedline said in 2001, the City agreed to issue a license to the owner of the property at 5524 N. 51st Avenue for use of a portion of the 51st Avenue right-of-way for vehicle parking and property ingress and egress. The owner recently requested a copy of its license and it came to the attention of staff that the license had not been formally authorized. Council action was required to formally authorize the license agreement. The agreement had a 20-year term, with option to renew for two additional 20-year terms.

Mr. Friedline explained the license could not be transferred without the City's consent. The City's intent to grant the license was included in the zoning variance application, which was approved by the Board of Adjustment in 2002.

**A motion was made by Councilmember Aldama, seconded by Councilmember Chavira, that this agenda item be approved. 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

## NEW BUSINESS

**49.     [16-529](#)     AUTHORIZATION TO TERMINATE LITIGATION WITH GLENDALE AIRPORT PILOTS ASSOCIATION AND TO PAY ATTORNEYS' FEES AND COSTS**

Staff Contact: Michael D. Bailey, City Attorney

Mr. Gruber said this was a request for authorization to terminate the ongoing litigation with the Glendale Airport Pilot's Association (GAPA) and to pay GAPA's attorney's fees and costs in the amount of \$77,330.15. The fees were awarded in a lawsuit. Mr. Gruber explained taking this action would provide full and final termination of the lawsuit. The matter was discussed and legal guidance was provided in a previous executive session.

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

**Aye:** 6 - Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

**Abstain:** 1 - Mayor Weiers

## REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

**A motion was made by Vice Mayor Hugh, seconded by Councilmember Tolmachoff, to hold the next regularly scheduled city Council Workshop on Tuesday, November 1, 2016 at 1:30 p.m. in City Council Chambers, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. It was additionally moved to vacate the regularly scheduled City Council Voting Meeting on Tuesday, November 8, 2016 due to the General Election. It was finally moved to vacate the regularly scheduled City Council Workshop meeting on Tuesday, November 15, 2016 due to the National League of Cities Conference. 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

### **COUNCIL COMMENTS AND SUGGESTIONS**

Councilmember Aldama thanked Code Enforcement for touring his district with him. He thanked Glendale Police for the recent Coffee with a Cop and for all they do for the community. He reminded residents about his mobile office hours, which would be held at Bakery by Chef Tom, 5835 W. Palmar, from 5 to 6:30 p.m. He said many items would be discussed.

Councilmember Tolmachoff reminded Cholla residents of her meeting scheduled for Thursday night at Foothills Recreation and Aquatics Center from 6:30 to 8 p.m. to discuss the proposed zoning Ordinance regarding residential chickens.

Councilmember Turner invited Barrel residents to his district meeting on Wednesday evening at Sahuaro Ranch Park. The meeting would be held on the lawn in front of the Main and Guest Houses from 6 to 8 p.m. He also invited the other Councilmembers and Mayor Weiers to the meeting.

Councilmember Turner informed everyone that longtime Glendale resident Ruth Byrne passed away at 94 years of age. He said the Ruth Byrne Preservation Award was created in her honor and was bestowed on individuals that helped to preserve Glendale's history. He said a memorial service would be held at Sahuaro Ranch Park in the Rose Garden at 3 p.m. on November 19, 2016.

Mayor Weiers reported that he had lost a bet with Mesa Mayor Giles regarding the Chicago Cubs, so he would be wearing a Cubs jersey at the next MAG meeting. He said the Cleveland Indians were going to the World Series. The Indians held their spring training in Goodyear.

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

**A motion was made by Vice Mayor Hugh, seconded by Councilmember Tolmachoff, 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**

The City Council entered into Executive Session at 7:30 p.m.

**It was moved by Vice Mayor Hugh, seconded by Councilmember Malnar, to adjourn the meeting. 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

**ADJOURNMENT**

The City Council adjourned at 9:11 p.m.