City of Glendale

5850 West Glendale Avenue Glendale, AZ 85301



Meeting Minutes - Final

Tuesday, December 6, 2016 11:00 AM

VOTING MEETING DATE/TIME CHANGE

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

[Councilmember Chavira participated telephonically.]

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

PLEDGE OF ALLEGIANCE

PRAYER/INVOCATION

The invocation was offered by Chaplain Raul Ochoa from the Glendale Fire Department.

Mayor Weiers said it was the 75th anniversary of the Civil Air Patrol. He introduced special guest, Klara Alcott, the Civil Air Patrol's National Cadet of the Year. She was chosen as the top cadet out of 24,000 cadets nationwide. He congratulated her and said she would do many great things in the future.

CITIZEN COMMENTS

James Deibler, a Phoenix resident, spoke about the safety hazard caused by stray cats living in south Glendale. The Code Compliance Department should take care of the problem. He said a playground needed to be installed that met ADA requirements. Deibler would miss Councilmember Chavira but Councilmember-elect Joyce Clark had more experience and would do a good job. He also spoke about the presidential election.

APPROVAL OF THE MINUTES OF NOVEMBER 22, 2016

APPROVAL OF THE MINUTES OF NOVEMBER 22, 2016 1. 16-606 Staff Contact: Julie K. Bower, City Clerk

> 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:

Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

CONSENT AGENDA

2.	<u>16-535</u>	RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-21725, COCO
		LOCO LOUNGE
		Staff Contact: Vicki Rios, Director, Budget and Finance

16-561 AUTHORIZATION TO ENTER INTO A CONSTRUCTION AGREEMENT 3. WITH HUNTER CONTRACTING CO., TO ASSESS AND REPAIR

Councilmember Tolmachoff wanted to clarify, for the sake of transparency, that these

projects through the design, bid and build phases. The costs for these employees would

be covered through enterprise funds with no impact to the general fund.

positions were currently vacant.

Councilmember Aldama asked if funding for the positions was requested in July of 2014.

Mr. Friedline was not sure about the history of the positions. He had had conversations with Elaine Adamczyk, Housing Services Administrator, regarding the responsibilities of the positions and how those responsibilities were divided up among existing staff to continue to provide services.

Councilmember Aldama asked if there had been a loss of services because of those vacancies and asked how that program had continued without those positions.

Ms. Adamczyk said the positions had been vacant for a number of years.

Councilmember Aldama said in 2014, Neighborhood Services was established and the positions were necessary at that time. He asked how they were continuing without the positions now.

Ms. Adamczyk explained those were two different positions. She said the two positions being transferred to Public Works were from the old Neighborhood Partnerships Department. That Department ceased to exist around 2010 or 2011. The positions were temporarily given to her department to fill a need at that time for a maintenance supervisor. Since then, that position had been filled and there was no need for the position in Housing any longer. The second vacant position was a housing assistance representative position that had been vacant since about 2007.

Ms. Adamczyk said the department was dependent on federal funds and those funds had continued to decrease. Staff duties had been reorganized and there was no shortage of services. Community Housing continued to be a high performer with the current staffing levels. There was no need to keep the positions on the books and they would like to transfer the positions to Public Works.

Councilmember Turner asked if one of the positions being transferred was in Neighborhood Partnerships.

Ms. Adamczyk said the position was a neighborhood coordinator from the Neighborhood Partnerships Department.

Councilmember Turner asked if the position interacted internally with the Housing Department or interacted externally with neighborhoods.

Ms. Adamczyk said the Neighborhood Partnerships Department interacted externally with the neighborhoods and all Councilmembers. When that department was dissolved, that position came to her department temporarily to assist with the Public Housing Maintenance services. The maintenance supervisor position was subsequently filled and the person who was in that position retired. The position had remained vacant since 2011-2012

Councilmember Turner asked if the position became necessary again, that reinstatement of the position could be made through the regular budget process.

Ms. Adamczyk said that was correct but wanted to make sure the Council was not confusing the old Neighborhood Partnerships Department with the current Neighborhood Services Department. She explained the Neighborhood Services program continued

strongly serving the community and the volunteer program.

Mr. Deibler, a Phoenix resident, said it was a good idea to create jobs in the Public Works Department so the City could have more workers to fix the streets and sidewalks.

Mayor Weiers asked Mr. Deibler to speak on Item 8 since he submitted a card on that item as well.

Mr. Deibler, a Phoenix resident, said it was a good idea for the City to fix up the Cholla Water Treatment Plant to make sure the plants were working properly so staff could provide the best possible customer service and water to the public.

10. 16-597 AUTHORIZATION TO ENTER INTO A SERVICES AGREEMENT WITH THE PENCHANT GROUP, LLC AND APPROVE THE EXPENDITURE OF FUNDS

Staff Contact: Rick St. John, Police Chief

CONSENT RESOLUTIONS

Ms. Julie Bower, City Clerk, read consent resolution item numbers 11 through 13 by number and title. Ms. Bower read consent resolution item number 14 in its entirety.

11. 16-526 RESOLUTION NO. 5185 NEW SERIES

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A DELEGATION AGREEMENT WITH THE COUNTY OF MARICOPA.

Staff Contact: Elaine Adamczyk, Interim Community Services Director

12. 16-592 RESOLUTION NO. 5186 NEW SERIES

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND ENTERING INTO AMENDMENT NO. TWO (2) TO THE FY 2016-17 INDEPENDENT CONTRACTOR AGREEMENT WITH ARIZONA COMMUNITY ACTION ASSOCIATION.

Staff Contact: Elaine Adamczyk, Interim Director, Community Services

13. 16-593 RESOLUTION NO. 5187 NEW SERIES

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AMENDMENT NO. 5 TO THE INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR COMMUNITY ACTION PROGRAM FUNDING.

Staff Contact: Elaine Adamczyk, Interim Community Services Director

14. <u>16-602</u> RESOLUTION NO. 5188 NEW SERIES

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT WITH ARIZONA HISTORICAL SOCIETY FOR THE USE OF CITY PROPERTY LOCATED AT 9802 NORTH 59TH AVENUE, GLENDALE, ARIZONA.

Staff Contact: Erik Strunk, Director, Public Facilities, Recreation and Special Events

Approval of the Consent Agenda

A motion was made by Turner, seconded by Aldama, to approve the recommended actions on Consent Agenda Item Numbers 2 through 10 and Consent Resolution Item Numbers 11 through 14. 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

Mayor Weiers said he would like to hear all the Ordinance items at one time.

Councilmember Turner had no objection to having the Ordinance items presented all at once, but for the record, wanted to vote on each item separately.

15. 16-601 ORDINANCE NO. 3023 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF A REAL PROPERTY EXCHANGE AGREEMENT WITH FARM 101, LLC, FOR THE EXCHANGE OF REAL PROPERTY LOCATED AT THE SOUTHWEST CORNER OF 91ST AVENUE AND BETHANY HOME ROAD FOR REAL PROPERTY LOCATED AT THE NORTHWEST CORNER OF 95TH AVENUE AND THE MISSOURI AVENUE ALIGNMENT; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.

Staff Contact: Kevin R. Phelps, City Manager

Ms. Bower read Ordinance No. 3023.

Mr. Phelps said the item was a request to enter into a real property exchange agreement with Farm 101, LLC for exchange of property at the southwest corner of 91st Avenue and Bethany Home Road for real property located at the northwest corner of 95th Avenue and the Missouri Avenue alignment. The exchange memorialized the agreement within the Stadium Parking Agreement entered into on November 14, 2016.

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

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

Nay: 1 - Councilmember Aldama

16. <u>16-595</u> ORDINANCE NO. 3024 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A FOOD BANK LEASE AGREEMENT WITH HOPE FOR HUNGER CORPORATION, FOR THE PURPOSE OF WAREHOUSING AND DISTRIBUTING FOOD TO LOW AND MODERATE INCOME PERSONS; AND ORDERING THAT A CERTIFIED COPY OF THE FOOD BANK LEASE AGREEMENT AND THIS ORDINANCE BE RECORDED.

Staff Contact: Elaine Adamczyk, Interim Community Services Director

Ms. Bower read Ordinance No. 3024.

Ms. Adamczyk said the request was to enter into a food bank lease agreement with Hope For Hunger Corporation, for the purpose of warehousing and distributing food to low and moderate income persons. The lease agreement was for a five-year period and addressed a need for food distribution services. Hope for Hunger would be responsible for the cost of electricity and the City would be responsible for repair of major exterior portions of the premises. The lease was originally entered into in 2011 and a two-year renewal was signed in 2015, retroactive to December 2014. The lease provided for payment to the City by Hope for Hunger of \$1 per year for each of the five years of the lease.

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

17. 16-609 ORDINANCE NO. 3025 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 WESTGATE HEALTHCARE CAMPUS; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE; AND DECLARING AN EMERGENCY. Staff Contact: Jack Friedline, Director, Public Works

Mayor Weiers said Items 17 through 24 were all related and asked if Councilmember Turner wanted to hear all of the items separately.

Councilmember Turner did not object to hearing all the items presented and discussed together but would like to vote on each item separately.

Ms. Bower read Ordinance Nos. 3025-3032.

Mr. Friedline provided an aerial photograph of the site and information regarding the irrigation easements which fell within the property. He said there were five easements, two warranty deeds for rights-of-way and a land use license and companion piece for land use between the City and Westgate Healthcare Campus. He explained the land use license was between the City and Salt River Project (SRP). The companion piece would allow Westgate Healthcare to use that land.

Mr. Friedline said Item 17 was a request to accept a new waterline easement at Westgate Healthcare Campus located at 9950 West Glendale Avenue and declared an emergency to provide for the changes, effective December 7, 2016. Mr. Friedline said the emergency regarding these documents had to do with getting the documents completed and recorded in order to meet the dry up season for SRP for construction of the irrigation lines.

Mr. Bailey said this was a perfect example of how staff took feedback from Council when facing a similar situation a few months ago and resolved the issue based on that feedback. He wanted to make sure Council was aware of that.

A motion was made by Councilmember Turner, 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

18. 16-611 ORDINANCE NO. 3026 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A WATER LINE AND SEWERLINE EASEMENT LOCATED AT WESTGATE HEALTHCARE CAMPUS; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

Staff Contact: Jack Friedline, Director, Public Works

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

19. <u>16-612</u> ORDINANCE NO. 3027 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A SIDEWALK EASEMENT LOCATED AT WESTGATE HEALTHCARE CAMPUS; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE; AND DECLARING AN EMERGENCY. Staff Contact: Jack Friedline, Director, Public Works

A motion was made by Councilmember Turner, 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

20. <u>16-614</u> ORDINANCE NO. 3028 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF AN IRRIGATION EASEMENT IN FAVOR OF SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT LOCATED ON WESTBOUND GLENDALE AVENUE 571 FEET WEST OF 99TH AVENUE; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE; AND DECLARING AN EMERGENCY. Staff Contact: Jack Friedline, Director, Public Works

A motion was made by Councilmember Turner, 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

21. <u>16-615</u> ORDINANCE NO. 3029 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF AN IRRIGATION EASEMENT IN FAVOR OF SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT LOCATED ON SOUTHBOUND 99TH AVENUE 1010 FEET NORTH OF GLENDALE AVENUE; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE; AND DECLARING AN EMERGENCY. Staff Contact: Jack Friedline, Director, Public Works

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

22. 16-616 ORDINANCE NO. 3030 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A WARRANTY DEED FOR RIGHT OF WAY LOCATED AT WESTGATE HEALTHCARE CAMPUS; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

Staff Contact: Jack Friedline, Director, Public Works

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

23. 16-617 ORDINANCE NO. 3031 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A WARRANTY DEED FOR RIGHT OF WAY LOCATED AT WESTGATE HEALTHCARE CAMPUS; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

Staff Contact: Jack Friedline, Director, Public Works

A motion was made by Councilmember Turner, 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

24. 16-621 ORDINANCE NO. 3032 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A LAND USE LICENSE IN FAVOR OF THE CITY OF GLENDALE FROM THE SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT LOCATED ON THE NORTHWEST QUADRANT OF 99TH AVENUE AND WESTBOUND GLENDALE; AUTHORIZING THE EXECUTION OF A COMPANION PROPERTY USE AGREEMENT WITH 101 W HEALTHCARE, LLC; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

Staff Contact: Jack Friedline, Director, Public Works

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

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

A motion was made by Vice Mayor Hugh, seconded by Councilmember Tolmachoff, to reschedule the Voting Meeting of Tuesday, December 27, 2016, to Tuesday, December 20, 2016 at 11:00 a.m. in City Council Chambers and moved to hold a regularly scheduled City Council Workshop on Tuesday, December 20, 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. 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 reminded residents of Winter Wonderland Weekend on December 9-10, 2016 from 6 p.m. to 10 p.m. in downtown Glendale.

Councilmember Tolmachoff reminded Cholla residents of the 2nd Annual Cholla Holiday Mixer to be held on Thursday, December 7, 2016 at the Foothills Recreation and Aquatics Center from 6 p.m. to 8 p.m.

Councilmember Turner reminded everyone to come enjoy downtown on the weekends, but wanted to let everyone know they could avoid the big crowds and enjoy Glendale Glitters during the week.

Vice Mayor Hugh asked everyone to come to the Annual Christmas Parade to see Rotary Club win first prize for its float this year.

Mayor Weiers invited everyone 4th Annual Christmas Parade December 10, 2016 at 11 a.m. The parade runs from 51st Avenue to 59th Avenue along Glendale Avenue. He said Jordin Sparks would be the grand marshal. He also invited everyone to a free pop up concert by Sounds of the Southwest Singers at Arrowhead Mall, on December 11, 2016 at 1 p.m. He said the concert would move outside after the first few songs.

ADJOURNMENT

The City Council adjourned at 11:45 a.m.