



**MINUTES OF THE  
GLENDALE CITY COUNCIL MEETING  
Council Chambers  
5850 West Glendale Avenue  
November 26, 2013  
6:00 p.m.**

The meeting was called to order by Mayor Jerry P. Weiers. Vice Mayor Yvonne J. Knaack and the following Councilmembers were present: Norma S. Alvarez, Samuel U. Chavira, Ian Hugh, Manuel D. Martinez and Gary D. Sherwood.

Also present were Brenda Fischer, City Manager; Julie Frisoni, Interim Assistant City Manager; Michael Bailey, City Attorney; and Pamela Hanna, City Clerk.

Mayor Weiers called for the Pledge of Allegiance.

The prayer/invocation was given by Pastor Kim Gladding, First United Methodist Church of Glendale.

**CITIZEN COMMENTS**

Mayor Weiers said due to the large number of speakers for this item, each person would have three minutes.

Kim Baker, an Avondale resident, spoke about the Jesshye Shockley case. He said he is baffled why Detective Geisler asked him where Jesshye was when he met with him. He said the Council needs to look into this.

Ken Jones, an Ocotillo resident, said the Council is spending money the city doesn't have. He said they should talk about bankruptcy when discussing next year's budget. He suggested the Council begin working with the Coyotes' owner. He said the arena is going to cost over \$12 million this year. He asked where the city is going to find the money. He said they need a public vote about the casino. He said the public hasn't been told the truth about the casino. He said the Council has created conflicts with neighboring cities. He asked they put the casino issue on the ballot.

Arthur Thurston, a Cactus resident, said the Coyotes are driving the city into a hole. He said the casino should have been done months ago and people should be in the city spending

money. He said the Council should start running the city like a business and making money.

Ken Sturgis, a Yucca resident, spoke about Councilmember Alvarez 's request to have a monthly report about the arena management fee and also he heard the City Manager wanted to hire an administrator as a watchdog for this agreement. He said none of these things had been done. He spoke about going to the Follow Your Money website and the monies which have been collected so far. He said revenues are falling short by almost \$8 million and asked what will become of the city during the next budget talks.

B.J. Becker, a Cactus resident, said the City Manager is doing a wonderful job. He said the casino began with deceit and he did not think it was a good idea to deal with those who want to bring the casino to the city.

Larry Pitts, a Cactus resident, said the Council is not taking into consideration what the casino is going to do to Westgate. He said the casino will hurt Westgate. He said the Westgate restaurants will suffer and the casino will impact the high school across the street as well. He said it is wrong to put a casino that close to the school and the homes that are out there. The casino will put an extra burden on police and fire.

Jack Shoop, a Sahuaro resident, thanked Mayor and Council for the job they do every day. He asked the Council to stay the course and make the right decision about the casino. He said he does not think the casino is a good idea for the city.

Robin Berryhill, an Ocotillo resident, said everyone is speaking about deceit this evening and both the city and the Tohono O'Odham are guilty of deceit. She said the city needs to look at the giveaways the city has done over the years, including the Coyotes, Camelback Ranch and tax incentives. She said the city should sit down with the Tohono O'Odham and work with them on what is built on the land. She complained about Mayor Weiers reducing each speaker's time from five to three minutes.

Eric Biallas, a Sahuaro resident, said he has never seen anything from the city which talks about the deal with the casino. He also spoke about the letter he received from the Mayor about the casino. He said he would like to see a statement of the facts of what has occurred from the city.

Anna Lee, a Sahuaro resident, said she is a member of a tribe and gets emails from the Tohono O'Odham (TO) about why they should build the casino. She said the TO talks about the money that they will bring to the city. She said she is a vendor for the TO and their goal is to get the people in and keep them in the casino. She said this is not fair to the surrounding area. She said the TO also has tribal preference for their employees.

Jay Maynes, a Cactus resident, talked about the reasons for the casino. He said people fear that the casino will bring crime and violence to the area. He said every one of the casinos he has ever been in has been safe and clean. He said the age group of people frequenting the casinos is about 40 to 90.

Douglas Martin, a Yucca resident, is confused about why people don't want the casino. He discussed several reasons why citizens don't want the casino built. He spoke about the various donations made by the Indian nations. He said Council needs to use common sense and act accordingly, make sure the casino doesn't raise taxes and employs Glendale residents.

Ron Kolb, an Ocotillo resident, supports the casino. He said jobs for construction and hospitality would be great. He said the casino brings in competition and competition makes us healthy. He said he doesn't understand the hostility with the opposition to the casino. He said having the casino would be historic for the west valley. He said he didn't understand why the city isn't positioning itself to take advantage of what may come. He would like to see a business committee made up of business community members to liaison with the TO nation to work out some of the problems.

Gary Lammé, a Sahuaro resident, said he has volunteered thousands of hours to the city. He said since the land is located in Maricopa County, it is not taxable by the city. He said since the tribe is a sovereign nation and has its own police force, additional Glendale police officers will not be needed to keep the peace at the casino. He went over several facts about security and the age of patrons of the casino. He spoke about the financial situation the city is in right now.

Bob Gonzalo, a Barrel resident, spoke about the letter from the Mayor. He said he was appalled by the letter and expected the Mayor to talk about how he is going to run programs and pay employees of the city. He said the Mayor and Councilmember Martinez are lobbying for the Gila River Indian Reservation.

Rick Harper, a Sahuaro resident, said he was for the casino. He said a lot of money has been spent on attorney's fees. He said it was time to stop arguing and get the casino in so more people would come to the city, stay and spend money. He said Council needs to make sure the money goes to the city.

Joe Tassonari said every construction job he has done on a reservation, the tribe has burned him. He said the tribe can do whatever it wants. He said he does not want the casino in his backyard.

Carl Watson, a Cholla resident, said he has heard statements that he did not know about from the other speakers about the casino. He said he doesn't like some of the statements he has heard tonight about the Mayor and Council. He spoke about what he had read in an article in the newspaper. He asked the Mayor and Council stick to the facts and let the law take care of itself.

Bonnie Steiger, a Sahuaro resident, said she is against the casino because it will be sovereign land within the city. She said when she visits the casino; she does not spend any money in the area surrounding the casino.

Ray Soza, a Yucca resident, said he hasn't seen any problems with the other casinos he had visited in the valley. He said the neighborhoods around the other casinos are nice and there are no problems.

**Compliance with Article VII, Section 6(c) of the Glendale Charter**

A statement was filed by the City Clerk that the 9 resolutions and 3 ordinances to be considered at the meeting were available for public examination and the title posted at City Hall more than 72 hours in advance of the meeting.

**Approval of the minutes of the October, 22, 2013 City Council Meeting**

**It was moved by Councilmember Sherwood, and seconded by Councilmember Chavira, to dispense with the reading of the minutes of the October 22, 2013 Regular City Council meeting, as each member of the Council had been provided copies in advance, and approve them as written. The motion carried unanimously.**

**BOARDS, COMMISSIONS AND OTHER BODIES**

APPROVE RECOMMENDED APPOINTMENTS TO BOARDS, COMMISSIONS & OTHER BODIES  
PRESENTED BY: Councilmember Manuel Martinez

This is a request for City Council to approve the recommended appointments to the following boards, commissions and other bodies that have a vacancy or expired term and for the Mayor to administer the Oath of Office to those appointees in attendance.

This is a request for City Council to approve the recommended appointments to the following boards, commissions and other bodies that have a vacancy or expired term and for the Mayor to administer the Oath of Office to those appointees in attendance.

**Aviation Advisory Commission**

Joseph Mascaro	Cholla	Appointment	11/26/2013	11/24/2015
Marc Terrill – Chair	Sahuaro	Appointment	11/26/2013	11/24/2014

**Citizens Transportation Oversight Commission**

Jennifer Cameron	Barrel	Appointment	11/26/2013	07/25/2014
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**Glendale Municipal Property Corporation**

Ron Cantrell	Yucca	Reappointment	12/01/2013	12/01/2014
Art Dobbelaere	Cholla	Reappointment	12/01/2013	12/01/2014
Donald Knafels	Cactus	Reappointment	12/01/2013	12/01/2014
Leland Peterson	Cactus	Reappointment	12/01/2013	12/01/2014
Roger Schwierjohn	Sahuaro	Reappointment	12/01/2013	12/01/2014

**Parks & Recreation Advisory Commission**

Yesenia Rascon – Teen	Ocotillo	Appointment	11/26/2013	05/27/2014
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**Personnel Board**

Herbert Haley – Chair	Yucca	Appointment	12/22/2013	12/22/2014
Bud Zomok – Vice Chair	Ocotillo	Appointment	12/22/2013	12/22/2014

**Water Services Advisory Commission**

John Sipple	Cholla	Appointment	11/26/2013	09/10/2016
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**It was moved by Councilmember Martinez, and seconded by Vice Mayor Knaack, to appoint Joseph Mascaro and Marc Terrill to the Aviation Advisory Commission; Jennifer Cameron to the Citizen Transportation Oversight Commission; Ron Cantrell, Art Dobbelaere, Donald Knafels, Leland Peterson, and Roger Schwierjohn to the Glendale Municipal Property Corporation; Yesenia Rascon to the Parks & Recreation Advisory Commission; Herbert Haley and Bud Zomok to the Personnel Board; and John Sipple to the Water Services Advisory Commission, for the terms listed above. The motion carried unanimously.**

**CONSENT AGENDA**

Ms. Brenda Fischer, City Manager, read agenda item numbers 1 through 8.

**1. APPROVE SPECIAL EVENT LIQUOR LICENSE, KNIGHTS OF COLUMBUS - ST. HELEN COUNCIL 11738**

PRESENTED BY: Susan Matousek, Revenue Administrator

This is a request for City Council to approve a special event liquor license for Knights of Columbus - St. Helen Council 11738. The event will be held inside St. Helen's Social Center located at 5510 West Cholla Street on Tuesday, December 31, 2013, from 6:30 p.m. to 1 a.m. The purpose of this special event liquor license is for a fundraiser.

Staff is requesting Council to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

**2. APPROVE SPECIAL EVENT LIQUOR LICENSE, KNIGHTS OF COLUMBUS - PADRE SERRA COUNCIL 7114**

PRESENTED BY: Susan Matousek, Revenue Administrator

This is a request for City Council to approve a special event liquor license for Knights of Columbus - Padre Serra Council 7114. The event will be held at St. Raphael Catholic Church inside Heaber Hall located at 5525 West Acoma Road on Saturday, January 25, 2014, from 6 p.m. to 10 p.m. The purpose of this special event liquor license is for a fundraiser.

Staff is requesting Council to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

**3. APPROVE SPECIAL EVENT LIQUOR LICENSE, ARIZONA SPORTS FOUNDATION**

PRESENTED BY: Susan Matousek, Revenue Administrator

This is a request for City Council to approve a special event liquor license for the Arizona Sports Foundation. The event will be held at University of Phoenix Stadium, North Orange Lot and the Great Lawn located at 1 North Cardinals Drive on Wednesday, January 1, 2014, from 10 a.m. to midnight. The purpose of this special event liquor license is for the Tostitos Fiesta Bowl football game.

Staff is requesting Council to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

4. APPROVE SPECIAL EVENT LIQUOR LICENSE, GLENDALE ARTS COUNCIL

PRESENTED BY: Susan Matousek, Revenue Administrator

This is a request for City Council to approve a special event liquor license for the Glendale Arts Council. The event will be held at Sahuaro Ranch Park located at 9802 North 59<sup>th</sup> Avenue on Friday, January 10, 2014, from 7 p.m. to 9 p.m. The purpose of this special event liquor license is for a fundraiser.

Staff is requesting Council to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

5. APPROVE LIQUOR LICENSE NO. 5-11620, HENSLEY & COMPANY

PRESENTED BY: Susan Matousek, Revenue Administrator

This is a request for City Council to approve a new, non-transferable series 4 (Wholesaler) license for Hensley & Company located at 5107 North 51<sup>st</sup> Avenue. The Arizona Department of Liquor Licenses and Control application (No. 04077054) was submitted by Robert Michael Delgado.

Staff is requesting Council to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

6. AUTHORIZATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CH2M HILL FOR DESIGN SERVICES FOR THE GRAND CANAL MULTIUSE PATHWAY AND MARYLAND AVENUE BIKE ROUTE SPOT IMPROVEMENTS

PRESENTED BY: Jamsheed Mehta, AICP, Executive Director, Transportation Services

Staff is requesting City Council authorize the City Manager to enter into Amendment No. 2 to the Professional Services Agreement with CH2M HILL, for the design of the Grand Canal Multiuse Pathway and Maryland Avenue Bike Route Spot Improvements, in an amount not to exceed \$176,586. This amendment is necessary due to a recently adopted Arizona Department of Transportation (ADOT) policy to suspend self-administration of projects. These two improvement projects are located in the Yucca District.

7. AUTHORIZATION FOR CITY MANAGER TO RECLASSIFY EXISTING POSITIONS WITHIN THE ORGANIZATION

PRESENTED BY: Jim Brown, Executive Director, Human Resources and Risk Management

This is a request for City Council to authorize the City Manager to reclassify existing positions within the organization that have experienced a change in duties and/or responsibilities. Reclassifications, while permitted under Human Resources Policy 301, do create a change to Schedule 10 of the Fiscal Year 2013-14 Budget.

8. REQUEST TO RATIFY A PURCHASE, AUTHORIZE THE EXCHANGE OF EQUIPMENT, AND APPROVE AN INCREASE IN THE EXPENDITURE AMOUNT WITH PANASONIC SYSTEM COMMUNICATIONS COMPANY OF NORTH AMERICA

PRESENTED BY: Debora Black, Police Chief

This is a request for City Council to ratify the purchase of NetMotion licenses from Panasonic System Communications Company of North America (Panasonic), approve the exchange of equipment, and authorize an increase in the expenditure amount with Panasonic by \$100,000 to purchase additional equipment, bringing the total not to exceed amount to \$1,400,000.

**It was moved by Vice Mayor Knaack and seconded by Councilmember Chavira, to approve the recommended actions on Consent Agenda Item Nos. 1 through 8, and to forward Special Event Liquor License Application for Knights of Columbus - St. Helen Council 11738; Special Event Liquor License Application for Knights of Columbus - Padre Serra Council 7114; Special Event Liquor License for Arizona Sports Foundation; Special Event Liquor License for Glendale Arts Council, and Liquor License No. 5-11620, for Hensley & company to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.**

**CONSENT RESOLUTIONS**

Ms. Pamela Hanna, City Clerk, read consent agenda resolution item numbers 9 through 16 by number and title.

9. AUTHORIZATION TO ACCEPT ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY GRANTS

PRESENTED BY: Debora Black, Police Chief

RESOLUTION: 4743

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the City Manager to accept Governor's Office of Highway Safety (GOHS) grants in the total amount of \$155,311.05.

**RESOLUTION NO. 4743 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF FIVE GOVERNOR'S OFFICE OF HIGHWAY SAFETY GRANTS ON BEHALF OF THE GLENDALE POLICE DEPARTMENT**

10. AUTHORIZATION TO ENTER INTO MODIFICATION NO. 1 TO THE INTERGOVERNMENTAL AGREEMENT WITH ARIZONA STATE UNIVERSITY FOR THE SMART POLICING INITIATIVE

PRESENTED BY: Debora Black, Police Chief  
RESOLUTION: 4744

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into Modification No. 1 to the Intergovernmental Agreement (IGA) with Arizona State University (ASU) for the Smart Policing Initiative. The modification would extend the period of performance one additional year.

**RESOLUTION NO. 4744 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF MODIFICATION NO. 1 TO THE INTERGOVERNMENTAL AGREEMENT WITH ARIZONA STATE UNIVERSITY FOR THE SMART POLICING GRANT PROGRAM ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.**

11. AUTHORIZATION FOR PAYMENT OF THE ANNUAL AMORTIZED EQUIPMENT AND DISPATCH COSTS FOR FISCAL YEAR 2013-14 PURSUANT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX

PRESENTED BY: Mark Burdick, Fire Chief  
RESOLUTION: 4745

This is a request for City Council to waive reading beyond the title and adopt a resolution approving the payment of the annual amortized equipment and dispatch costs for Fiscal Year (FY) 2013-14 pursuant to the Intergovernmental Agreement (IGA) with the City of Phoenix Fire Department for dispatching and communication services in an amount not to exceed \$1,256,430.18. This action will approve payment pursuant to the IGA.

**RESOLUTION NO. 4745 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING PAYMENT OF THE ANNUAL AMORTIZED EQUIPMENT AND DISPATCH COSTS FOR FISCAL YEAR 2013-2014 PURSUANT TO INTERGOVERNMENTAL AGREEMENT NO. 106007 WITH THE CITY OF PHOENIX PERTAINING TO PARTICIPATION IN THE PHOENIX FIRE DEPARTMENT REGIONAL SERVICE SYSTEM IN ORDER TO MORE EFFECTIVELY PROVIDE EMERGENCY FIRE, MEDICAL AND OTHER SERVICES.**

12. AUTHORIZATION TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY TO ACCEPT 2013 GRANT FUNDS

PRESENTED BY: Mark Burdick, Fire Chief  
RESOLUTION: 4746

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an Intergovernmental Agreement (IGA) with the Salt River Pima-Maricopa Indian Community (SRPMIC) to accept 2013 grant funds in the amount of \$427,442.33.

Ken Sturgis, a Yucca resident, went over the history of the Indian Gaming Preservation and Self Reliance Act, which allows tribes to distribute part of their annual gaming revenues to cities, towns and counties of the tribe's choosing for government services that benefit the public. He also discussed the two Pima Indian casinos which were located in Scottsdale. He asked if accepting this grant looked like a conflict of interest when this tribe is trying to keep the TO from building a casino in Glendale.

Arthur Thruston, a Cactus resident, said the city has taken thousands of dollars from the Gila Indian tribe and they want to buy the city. He said this is a payoff. He said it is time to work as a business and get the casino issue settled. He said the city needs to drop the lawsuits and litigation. He spoke about Chief Black being one of the few female police chiefs in the country.

**RESOLUTION NO. 4746 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY TO ACCEPT FUNDS IN THE AMOUNT OF \$427,442.33 PURSUANT TO REVENUE SHARING PROVISIONS OF STATE LAW RELATING TO INDIAN GAMING TO FUND SERVICES AND PROGRAMS BENEFITTING THE GENERAL PUBLIC; AUTHORIZING DISBURSEMENT OF GRANT FUNDS TO DESIGNATED RECIPIENT FOR DELINEATED PURPOSES; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY AGREEMENTS OR DOCUMENTS FOR THE DISBURSEMENT OF FUNDS TO FIGHTER COUNTRY FOUNDATION.**

13. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 10 TO THE INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR COMMUNITY ACTION PROGRAM FUNDING AND OPERATIONS

PRESENTED BY: Sam McAllen, Executive Director, Neighborhood and Human Services  
RESOLUTION: 4747

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into Amendment No. 10 to the intergovernmental agreement (IGA) with the Arizona Department of Economic Security (DES) for Community Action Program (CAP) funding and operations.

**RESOLUTION NO. 4747 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA**

**COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AMENDMENT NO. 10 TO THE INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR COMMUNITY ACTION PROGRAM FUNDING.**

14. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE INTERGOVERNMENTAL AGREEMENT WITH CITY OF PHOENIX FOR TREATED SEWER SERVICE EXPANSION

PRESENTED BY: Craig Johnson, P.E., Executive Director, Water Services  
RESOLUTION: 4748

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into Amendment No. 1 to the Intergovernmental Agreement with the City of Phoenix for treated sewer service expansion.

**RESOLUTION NO. 4748 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AMENDMENT NO. 1 TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PHOENIX AND THE CITY OF GLENDALE PERTAINING TO TREATED SEWER SERVICE TO AN AREA LOCATED IN PHOENIX NEAR THE NORTHEAST CORNER OF 51<sup>ST</sup> AVENUE AND LOOP 101.**

15. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE INTERGOVERNMENTAL AGREEMENT WITH CITY OF PHOENIX FOR TREATED WATER SERVICE EXPANSION

PRESENTED BY: Craig Johnson, P.E., Executive Director, Water Services  
RESOLUTION: 4749

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into Amendment No. 1 to an intergovernmental agreement with the City of Phoenix for treated water service expansion.

**RESOLUTION NO. 4749 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AMENDMENT NO. 1 TO THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX AND THE CITY OF GLENDALE PERTAINING TO TREATED WATER SERVICE TO AN AREA LOCATED IN PHOENIX NEAR THE NORTHEAST CORNER OF 51<sup>ST</sup> AVENUE AND LOOP 101.**

16. AUTHORIZATION TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH SALT RIVER PROJECT FOR SWEETWATER LIFT STATION DESIGN AND CONSTRUCTION

PRESENTED BY: Craig Johnson, P.E., Executive Director, Water Services  
RESOLUTION: 4750

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement with Salt River Project (SRP) for the design and construction of electrical facilities improvements at the Sweetwater Sewer Lift Station.

**RESOLUTION NO. 4750 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT ENTITLED "CITY OF GLENDALE DISTRIBUTION DESIGN AND CONSTRUCTION CONTRACT" WITH SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT FOR DESIGN AND CONSTRUCTION OF ELECTRICAL FACILITIES AT THE LOCATION OF SWEETWATER LIFT STATION WITHIN GLENDALE CITY LIMITS.**

**It was moved by Vice Mayor Knaack and seconded by Councilmember Martinez, to approve the recommended actions on Consent Agenda Item Nos. 9 through 16, including the approval and adoption of Resolution No. 4743 New Series, Resolution No. 4744 New Series, Resolution No. 4745 New Series, Resolution No. 4746 New Series, Resolution No. 4747 New Series, Resolution No. 4748 New Series, Resolution No. 4749 New Series, Resolution No. 4750 New Series; The motion carried with Councilmember Alvarez voting nay.**

## **BIDS AND CONTRACTS**

17. AWARD OF BID AND AUTHORIZATION TO ENTER INTO A CONSTRUCTION AGREEMENT WITH GARNEY COMPANIES, INC. FOR EQUIPMENT MAINTENANCE AT THE WEST AREA WATER RECLAMATION FACILITY

PRESENTED BY: Craig Johnson, P.E., Executive Director, Water Services

This is a request for City Council to award a bid and authorize the City Manager to enter into an agreement with Garney Companies, Inc. to repair equipment at the West Area Water Reclamation Facility in an amount not to exceed \$367,310.

Mr. Johnson said this work is essential and critical to the water reclamation process for continued regulatory compliance.

**It was moved by Councilmember Chavira, and seconded by Councilmember Hugh, to award a bid and authorize the City Manager to enter into an agreement with Garney Companies, Inc. to repair equipment at the West Area Water Reclamation Facility. The motion carried unanimously.**

18. AWARD OF PROPOSAL 13-36 AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH ARIZONA GENERATOR TECHNOLOGY FOR TEMPORARY POWER GENERATORS AND ACCESSORIES

PRESENTED BY: Julie Watters, Interim Executive Director, Communications

This is a request for City Council to award Request for Proposal (RFP) 13-36 and authorize the City Manager to enter into a five-year agreement with Arizona Generator Technology for temporary power generators, cabling and distribution boxes for city festivals.

If approved, this agreement will ensure the temporary power generation and distribution necessary to provide power to vendors, sponsors, media, performance stages, rides and attractions in areas such as Murphy Park and city streets where these festivals are held to successfully produce each festival.

**It was moved by Councilmember Hugh, and seconded by Vice Mayor Knaack, to award Request for Proposal (RFP) 13-36 and authorize the City Manager to enter into a five-year agreement with Arizona Generator Technology for temporary power generators, cabling and distribution boxes for city festivals. The motion carried unanimously.**

19. AWARD OF PROPOSAL 14-09 AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH TOTAL EVENTS AND MORE FOR EVENT STAFFING

PRESENTED BY: Julie Watters, Interim Executive Director, Communications

This is a request for City Council to award request for proposal (RFP) 14-09 authorizing the City Manager to enter into a five-year agreement with Total Events and More, doing business as T.E.A.M. Security, for providing security personnel for city festivals.

If approved, this agreement will ensure the security personnel needed to staff areas such as liquor consumption area (beer tent), perimeter fence openings, parking lots, stages, as well as other key staffing needs; will be available at designated times/quantities necessary to produce City of Glendale festivals.

**It was moved by Councilmember Sherwood, and seconded by Councilmember Chavira, to award request for proposal (RFP) 14-09 authorizing the City Manager to enter into a five-year agreement with Total Events and More, doing business as T.E.A.M. Security, for providing security personnel for city festivals. The motion carried unanimously.**

20. AWARD OF PROPOSAL 14-11 AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH PRO EM PARTY AND EVENT RENTALS FOR TENTS AND ACCESSORIES

PRESENTED BY: Julie Watters, Interim Executive Director, Communications

This is a request for City Council to award Request for Proposal (RFP) 14-11 and authorize the City Manager to enter into a five-year agreement with Pro Em Party and Event Rentals for rental of festival tents, tables, chairs and other various event equipment supplies for city festivals.

If approved, this agreement will ensure the tents and accessories necessary to accommodate vendors, sponsors and media to operate in areas such as Murphy Park and

city streets where these festivals are held are available to successfully produce each festival.

**It was moved by Vice Mayor Knaack, and seconded by Councilmember Sherwood, to award Request for Proposal (RFP) 14-11 and authorize the City Manager to enter into a five-year agreement with Pro Em Party and Event Rentals for rental of festival tents, tables, chairs and other various event equipment supplies for city festivals. The motion carried unanimously.**

## **ORDINANCES**

### **21. ADOPT AN ORDINANCE UPDATING THE CITY'S SIGNATURE AUTHORITY FOR BANKING TRANSACTIONS AND APPOINTING A CITY TREASURER**

PRESENTED BY: Tom Duensing, Executive Director, Financial Services  
ORDINANCE: 2864

This is a request for City Council to waive reading beyond the title and adopt an ordinance updating the city's signature authority for banking transactions and appointing Thomas Duensing, Executive Director of Financial Services, as City Treasurer. The city signature authorizations are updated periodically due to changes in the organization. The appointment of a City Treasurer is authorized by the Glendale City Charter.

Mr. Duensing said the appointment of a City Treasurer, gives that appointee the responsibility to accept custody of all the city's transactions and responsibilities therein.

**ORDINANCE NO. 2864 NEW SERIES, WAS READ BY NUMBER AND TITLE ONLY, IT BEING AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING DESIGNATED OFFICERS TO DEPOSIT CITY FUNDS IN DESIGNATED BANK; DIRECTING SAID BANK TO RECOGNIZE THE SIGNATURES OF SAID OFFICERS ON ELECTRONIC FUND TRANSFERS, CHECKS FOR DEPOSIT AND/OR WITHDRAWAL; AND DECLARING AN EMERGENCY.**

**It was moved by Councilmember Martinez, and seconded by Councilmember Chavira, to approve Ordinance No. 2864 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Alvarez, Chavira, Hugh, Knaack, Martinez, Sherwood, and Weiers. Members voting "nay": none.**

### **22. ADOPT AN ORDINANCE APPROVING FISCAL YEAR 2013-14 BUDGET AMENDMENTS**

PRESENTED BY: Tom Duensing, Executive Director, Financial Services  
ORDINANCE: 2865

This is a request for City Council to consider and approve Fiscal Year (FY) 2013-14 budget amendments. The City of Glendale's total FY 2013-14 budget appropriation across all funds is unchanged. Exhibit A reports Capital Improvement Project (CIP) carryover appropriation adjustments and transfers of appropriation consistent with the City Charter.

Staff is requesting that Council waive reading beyond the title and adopt an ordinance approving the FY 2013-14 budget amendments.

Mr. Duensing said they estimate the carryover funds and depending on what happens in the fiscal year, the necessary action is to go through and reduce those appropriations. This will bring the project funding down so it's not overspent. The second part of this action is a request to approve appropriation transfers, which is consistent with the City Charter. Mr. Duensing added that they will be bringing forward a comprehensive transfer policy at the next evening meeting. He said this action does adhere to the policy they will be bringing forth.

**ORDINANCE NO. 2865 NEW SERIES, WAS READ BY NUMBER AND TITLE ONLY, IT BEING AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ADJUSTMENT OF CAPITAL IMPROVEMENT PROJECT CARRYOVER APPROPRIATIONS AND THE TRANSFER OF APPROPRIATION AUTHORIZATION BETWEEN BUDGET ITEMS IN THE ADOPTED FISCAL YEAR 2013-2014 BUDGET.**

**It was moved by Councilmember Hugh, and seconded by Councilmember Chavira, to approve Ordinance No. 2865 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Alvarez, Chavira, Hugh, Knaack, Martinez, Sherwood, and Weiers. Members voting "nay": none.**

23. ADOPT AN ORDINANCE AMENDING GLENDALE CITY CODE, CHAPTER 2, ARTICLE III, DIVISION 2, SECTION 2-68 (UNCLASSIFIED AND CLASSIFIED SERVICE), AND REVISING HUMAN RESOURCES POLICIES 201, 513 AND 514

PRESENTED BY: Jim Brown, Executive Director, Human Resources and Risk Management

ORDINANCE: 2866

This is a request for the City Council to waive reading beyond the title and adopt an ordinance amending Glendale City Code, Chapter 2, Article III, Division 2, Section 2-68 (Unclassified and classified service) and to approve changes to Human Resources Policies 201 – Employment; 513 – Discipline; and 514 – Grievances in order to align these policies with the revised code.

Mr. Brown said these changes will not impact any individuals currently in those positions, who are not probationary. Expanding the unclassified service positions will remove appeals rights and grievance rights for those employees who are in those unclassified positions and it places them into an at-will status. He said changes to the City Code were taken to the Personnel Board on November 7, 2013 for review and feedback. The Personnel Board recommended proceeding with the changes in policies, but they believed the unclassified positions in the appointed officials' offices should be limited to exempt positions only. Staff recommends both exempt and nonexempt positions in the City Manager's, City Attorney's and City Clerk's Offices be unclassified. He said these changes are supported by the City Attorney.

Councilmember Hugh asked what would be served by changing these positions. Mr. Brown said it is not uncommon that higher positions be at-will so if new appointed officials come in it gives them flexibility and they can require a higher level of accountability. Councilmember Hugh asked what was wrong with the way it was done now. Mr. Brown said the current process includes appeal rights for every employee in the city, up to the Assistant City Manager level, and the only employees that don't have the right of appeal are the appointed officials.

Councilmember Martinez asked if that included a receptionist or someone answering the phones in the City Council office. Mr. Brown said that is correct, it would include all the positions in those appointed official's offices. Councilmember Martinez said he did not support this. He said in those types of positions, it makes it too easy to dismiss someone without good reason. He said there is something about it that troubles him when those kinds of positions are at-will employees.

Councilmember Alvarez said she disagreed with this as well. She said the employee has a right to appeal and it is not right to just dismiss someone.

Councilmember Martinez asked if this had previously come to a workshop. Mr. Brown said changes to the ordinance were not discussed in a workshop. Councilmember Martinez suggested tabling this item and putting it to a workshop for further discussion. He said it did not sound right to just make everyone an at-will employee.

Councilmember Martinez moved, seconded by Councilmember Alvarez to table this item and to take it to a workshop.

In order to allow additional discussion of the item;

Councilmember Martinez, seconded by Councilmember Alvarez moved to withdraw the motion..

Councilmember Sherwood said it does give flexibility to leadership, for both appointed and voted in leaders. He said if someone is not a good fit, it gives an opportunity for a transfer, not necessary firing the employee. He said he supports this ordinance.

Councilmember Alvarez asked which other cities are doing this. Mr. Brown said different cities have different unclassified definitions. Some cities' policy is all exempt employees are at-will and nonexempt are not. He said other cities in the valley have similar classified and unclassified definitions. Councilmember Alvarez said she does not support this.

Councilmember Martinez said he was surprised and disappointed that this showed up on the agenda without vetting it in a workshop. Ms. Fischer took responsibility for putting this on the agenda at this time.

Vice Mayor Knaack agreed with Councilmember Martinez. She said it should have been brought to workshop because it affects a lot of people. She would like to talk about it in a

workshop. She could understand it at a higher level, but is concerned about it affecting the line level employees.

Councilmember Chavira agreed this should go to a workshop.

Mayor Weiers said this is not new to him, as the State of Arizona has this policy. He said anytime new management comes in and can't make the changes they need to, it makes their job very difficult. He said the current employees are protected, and any new employees would know up front.

Councilmember Martinez said when he worked for the State years ago, this was not the policy.

Mayor Weiers said the state legislative and executive branches of government do have this policy.

Councilmember Martinez asked about the city's current policy, if new employees were put on probation for six months. Mr. Brown said that was correct. Councilmember Martinez said a supervisor might keep track of a new employee as they learned their job and would be given an opportunity to correct any mistakes, but if they were unable to perform their job duties, they would be terminated at the end of their probationary period. Mr. Brown said that was correct.

**ORDINANCE NO. 2866 NEW SERIES, WAS READ BY NUMBER AND TITLE ONLY, IT BEING AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE, CHAPTER 2, ARTICLE III, DIVISION 2, SECTION 2-68 RELATING TO UNCLASSIFIED AND CLASSIFIED SERVICE, AND SETTING FORTH AN EFFECTIVE DATE.**

**It was moved by Councilmember Martinez, and seconded by Vice Mayor Knaack, to table this item. Motion carried with Sherwood voting nay.**

## **RESOLUTIONS**

24. APPROVAL OF WORKERS' COMPENSATION TRUST FUND 2014 INDUSTRIAL COMMISSION OF ARIZONA SELF-INSURANCE RENEWAL AND SECURITY DEPOSIT EXEMPTION

PRESENTED BY: Dianne Shoemake, Risk Manager, Human Resources & Risk Management

RESOLUTION: 4751

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the approval of workers' compensation trust fund 2014 Industrial Commission of Arizona (ICA) self-insurance renewal and exemption from security deposit. This resolution states the city provides sufficient funding to cover liabilities for workers' compensation claims and allows ICA to waive the requirement to post a security deposit.

Ms. Shoemake said ICA allows government entities to waive posting of a security deposit and the city does meet the criteria for not posting a security deposit. She said the Workers' Compensation Trust Fund is adequately funded to meet the requirements.

**RESOLUTION NO. 4751 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REQUESTING EXEMPTION FROM THE REQUIREMENT BY THE INDUSTRIAL COMMISSION OF ARIZONA TO POST SECURITY FOR THE CITY OF GLENDALE'S SELF-INSURED WORKERS' COMPENSATION CLAIMS.**

**It was moved by Vice Mayor Knaack, and seconded by Councilmember Martinez, to pass, adopt and approve Resolution No. 4751 New Series. The motion carried unanimously.**

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

**It was moved by Vice Mayor Knaack, and seconded by Councilmember Martinez, to hold a City Council Workshop at 1:30 p.m. in the Council Chambers, Room B-3 on Tuesday, December, 3, 2013, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.**

#### **COUNCIL COMMENTS AND SUGGESTIONS**

Councilmember Sherwood went with the Water Services Department to a water main break at Arrowhead Mall. He said was in awe of the way the crew handled it. He said there were several incidents due to the rain. He complimented the Water Services Department. He said they were trying the having the public speak in the beginning of the agenda. He said he will not support this after the trial period. He wished everyone a Happy Thanksgiving.

Councilmember Alvarez said she owed it to the residents to allow them to speak at the beginning of the meeting. She said putting the speakers at the end of the meeting makes it seem like the Council doesn't want to hear what they have to say.

Councilmember Martinez thanked everyone that showed up for the meeting tonight, including all the speakers. He wished everyone a Happy Thanksgiving.

Councilmember Hugh thanked all the speakers this evening. He said the 6:00 p.m. start time works well.

Councilmember Chavira thanked all the speakers and participants. He wished the citizens and employees a safe and Happy Thanksgiving.

Vice Mayor Knaack wished everyone a safe and Happy Thanksgiving.

Mayor Weiers said Glendale Glitters was this Friday evening and urged everyone to come down and enjoy the 20<sup>th</sup> anniversary. He also said December 7<sup>th</sup>, Glendale will have its first Christmas parade. He told everyone to have a safe and happy holiday.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:03 p.m.

Pamela Hanna  
Pamela Hanna - City Clerk