



CITY OF TOLLESON

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CITY OF TOLLESON

CITY COUNCIL MEETING AGENDA

TUESDAY, AUGUST 23, 2022

6:00 P.M.

THIS MEETING WILL BE HELD BY REMOTE PARTICIPATION ONLY.

Members of the public are encouraged to participate in the meeting via Zoom Conference. You may do so with a computer or cell phone by visiting the following direct link:
<https://us02web.zoom.us/j/5439720804>

Alternate Options:

1. Computer:

- a. Go to join.zoom.us
- b. Enter Meeting ID: 543 972 0804
- c. Click Open Zoom Meeting
- d. Enter your full name
- e. Click Join with Computer Audio

(You will need a microphone or headset on your computer if you wish to speak during a public hearing or call to the public, or you can join on your phone in addition to the computer.)

2. Telephone:

- a. Dial 1-253-215-8782
- b. Enter Meeting ID: 543 972 0804 and press #
- c. Enter Participate ID or press # to continue

3. Zoom Cloud Meetings App with Cell Phone or Tablet:

- a. Select Join Meeting
- b. Enter Meeting ID: 543 972 0804
- c. Enter your full name
- d. Select Join
- e. Join Audio with Wi-Fi or Cellular Data

Your audio will be muted to prevent background noise. For technical support or questions, concerns, or difficulty accessing the meeting, please email technical support at ITsupport@tolleson.az.gov.



CALL TO ORDER

INVOCATION

ROLL CALL

FINAL CALL TO SUBMIT SPEAKER REQUESTS

All citizens and interested parties wishing to speak before the Council regarding agenda items, non-agenda items or during a public hearing shall participate via Zoom Video Conference. Click the chat button, and enter your name and the item you would like to address. Submissions should be made no later than the Mayor announcing the “Final Call to Submit Speaker Requests”. **All speakers will be limited to three (3) minutes unless otherwise noted by the Mayor.** Speakers are not required to disclose their identities or personal information. You may also submit your comments to cityclerk@tolleson.az.gov at least one hour prior to the meeting.

CALL TO THE PUBLIC (NON-AGENDA ITEMS)

This is the time for the public to comment on non-agenda items. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01.H, action taken as a result of public comment will be limited to (1) responding to criticism; (2) directing staff to review the matter; or (3) asking that a matter be put on a future agenda.

SCHEDULED PUBLIC APPEARANCES AND PROCLAMATIONS

1. Proclamation declaring the month of September 2022 as Ovarian Cancer Awareness Month in the City of Tolleson, encouraging all residents to learn more about the subtle signs, symptoms and current treatment options available to women to identify and overcome this disease. The City of Tolleson will light up various City buildings in teal to increase awareness in the community and honor those who are, or have been, affected by ovarian cancer. – Rachel Sackett, National Ovarian Cancer Coalition

BUSINESS FROM THE FLOOR - PUBLIC HEARINGS AND ACTION

1. Public Hearing – Soliciting comments from interested parties in reference to Arizona Department of Liquor Licenses and Control Liquor License Application #201675, Series 6 – Bar, as submitted by Juanita Alicia Esparza for Fuegos Bar & Grill LLC located at 9118 West Van Buren Street, Tolleson, AZ. This license allows a bar retailer to sell and serve all types of spirituous liquors, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises.

Council Action: Approve/Deny Arizona Department of Liquor Licenses and Control Liquor License Application #201680. (Development Services Department)

2. Public Hearing – Soliciting comments from interested parties in reference to Site Plan Application #22040004 as submitted by Carolyn Oberholtzer with Bergin, Frakes, Smalley &

Oberholtzer (BFSO), on behalf of the owner, 99/VB LLC, for a 4,650 sq. ft. convenience store with restaurant and gas sales to be located at the southwest corner of 99th Avenue and Van Buren Street in Tolleson, AZ. The site, APN 101-04-981, is approximately five acres and currently zoned Planned Area Development (PAD). The proposed development will consist of approximately three acres of the overall parcel.

Council Action: Approve/Deny Site Plan Application #22040004. (Ten recommended stipulations – Development Services Department)

CONSENT AGENDA – ACTION ITEMS

Items on the Consent Agenda are of a routine nature and are intended to be acted upon in one motion. Council Members may pull items from Consent if they would like them considered separately.

- a. Approve City Council Meeting Minutes of July 12, 2022 and Work Study Minutes of August 9, 2022. (City Clerk Department)
- b. Approve Claims and Bills Report for the period of July 6, 2022 to August 16, 2022. (Finance Department)
- c. Approve Amendment to the Guaranteed Maximum Price #2 (GMP 2) with Haydon Building Corp for the new Tolleson City Hall Civic Center Complex Project located at the southeast corner of 91st Avenue and Van Buren Street, previously approved by City Council on July 13, 2021 in the amount of \$20,429,535. The City desires to amend the GMP 2 to increase the Owner's Contingency Fund on the Project in the amount of \$350,000 to fund unforeseen costs associated with supply and demand issues that most construction projects are currently experiencing. (Development Services Department)
- d. Adopt Resolution No. 2504 of the Mayor and Council of the City of Tolleson, Arizona, approving the Intergovernmental Agreement between the City of Tolleson and Maricopa County, administered by its Human Services Department, for Community Development Block Grant funds to provide home repair or rehabilitation services to 10 owner-occupied housing units to improve the living conditions of residents in the specified service area from September 1, 2022 to September 1, 2024 in the amount of \$400,000. (Human Services Department)
- e. Approve Second Amendment to the Professional Services Agreement between the City of Tolleson and Motorola Solutions, Inc. for the Spillman Flex CAD technology, its portfolio of software applications and annual maintenance and support, and authorize the City Manager to execute and deliver said Agreement. The City and Vendor wish to enter into this Second Amendment to amend the Agreement to increase the annual aggregate amount paid to the Vendor. The City shall pay the Vendor for the Initial Term and for each subsequent Renewal Term, if any, an annual aggregate amount not to exceed \$150,000 for parts and services. (Police Department)

- f. Approve Second Amendment to the Professional Services Agreement between the City of Tolleson and Axon Enterprise, Inc. for Records Management System (RMS), implementation, integrations and related services, and authorize the City Manager to execute and deliver said Agreement. The City desires to amend the existing Agreement to include additional parts and services, to establish an annual aggregate purchasing amount and remove the maximum contract aggregate amount. The City shall pay the Vendor an annual aggregate amount not to exceed \$210,000 for parts and services. (Police Department)
- g. Approve the Cooperative Purchasing Agreement between the City of Tolleson and Deere & Company for landscape & utility vehicles, trailers and equipment, and authorize the City Manager to execute and deliver said Agreement. The City shall pay the Vendor an annual aggregate amount not to exceed \$120,000 for the equipment. This Agreement shall remain in full force and effect until November 7, 2022. (Utilities Department)

REGULAR AGENDA – ACTION ITEMS

- 1. Adopt/Deny Resolution No. 2505 of the Mayor and Council of the City of Tolleson, Arizona, approving the Intergovernmental Agreement between the City of Tolleson and Tohono O’odham Nation relating to police dispatch services and administration; and authorizing the City Manager to execute and deliver said Agreement. The Initial Term of this Agreement shall be from January 1, 2022 through September 30, 2022 and shall automatically renew itself annually for a period of two years upon the first day of October of each year. In consideration of the services provided by Tolleson, the Nation shall pay Tolleson \$299,824.13 per year for the services. (Police Department)
- 2. Adopt/Deny Ordinance No. 605 N.S. of the Mayor and Council of the City of Tolleson, Arizona, amending the Tolleson Zoning Code, Chapter 12, Land Usage, Article 12-4, Zoning, Section 12-4-95, Architectural and Site Design Guidelines, by repealing paragraph (J), Painted Displays, allowing for painted displays and murals within the Downtown Tolleson Commercial, Office, Residential and Entertainment (CORE) Zoning District, providing for repeal of conflicting Ordinances; and providing for severability. (Development Services Department)
- 3. Adopt/Deny the City of Tolleson Public Art Mural Policy to establish a mural general design criteria, steps to obtain approval and notice of the Visual Artist Rights Act (VARA). The City of Tolleson is committed to incorporating artwork and aesthetic concepts into properties within the City. (Development Services Department)
- 4. Approve/Deny First Amendment to the Cooperative Purchasing Agreement between the City of Tolleson and Felix Construction Company for Wastewater Treatment Infrastructure services, on an as-needed basis, and authorize the City Manager to execute and deliver said Agreement. The City desires to amend the existing Agreement to include additional services, increase the annual not to exceed amount from \$1,325,000 to \$1,500,000 and to renew the Agreement to run concurrently with the Cooperative Contract, expiring on September 17, 2023. The City shall pay the Vendor an annual aggregate amount not to exceed \$1,500,000. (Utilities Department)

5. Approve/Deny Special Event Class 3 Permit Application as submitted by Cynthia Ramirez on behalf of Blessed Sacrament Church, 512 North 93rd Avenue, Tolleson, AZ 85353, to request a temporary partial street closure on Van Buren Street and on 93rd Avenue during the parade on Saturday, October 8, 2022 from 10 A.M. to 11 A.M. Barricades will be placed beginning at 8:30 A.M. and will be picked up by noon. The parade will begin on 96th Avenue and Van Buren Street; continue east on Van Buren Street to 93rd Avenue; and then north to 93rd Avenue to Blessed Sacrament Church Festival Grounds. (Parks & Recreation Department)

WORK STUDY AND PRESENTATIONS – FOR DISCUSSION

1. Discussion and direction pertaining to the City events schedule for the remainder of the year. – Reyes Medrano Jr., City Manager

MAYOR AND CITY MANAGER’S REPORT OF CURRENT EVENTS

1. Follow Up on Speaker Request Form: Gonzales v. Sheely Monument Proposal – Daniel Rodriguez
2. Distribution of Water Conservation Kits Update – Utilities Department
3. Community College Crisis Workforce Workgroup Update (Subcommittee of the Regional Domestic Violence Council of Maricopa Association of Governments) – Lupe Bandin, Council Member

CONVENE INTO EXECUTIVE SESSION

1. Motion to go into executive session.
2. Convene into an executive session pursuant to A.R.S. 38-431.03(A)(7) to discuss the City’s position regarding negotiations for the sale of City-owned property.
3. Convene into an executive session pursuant to A.R.S. § 38-431.03(A)(3) and (A)(4) to discuss and consult with the City Attorney for legal advice and to provide guidance regarding Intergovernmental Agreements with the Tolleson Elementary School District.

RECONVENE INTO PUBLIC MEETING

ADJOURNMENT

Pursuant to A.R.S. § 38-431.01 and A.R.S. § 38-431.02, notice is hereby given to the members of the Tolleson City Council and to the general public that the Council of the City of Tolleson will hold a meeting open to the public. Council Members of the City of Tolleson will attend by telephone/video conference call.

Note: The City Council of the City of Tolleson, by a duly passed motion, may vote in public session to adjourn to executive session on any agenda item in conformation with A.R.S. § 38.431.03 for legal advice from the City Attorney.

Zoom's live transcription feature can provide automatic captioning by clicking on the Closed Caption (CC) button during the meeting.

THE CITY OF TOLLESON ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. With at least two business days advance notice, accommodations can be provided at this meeting for individuals with vision, hearing and/or speech disabilities, including a transcriber, large print, an interpreter, an assistive listening device, etc. Please call the City Clerk at (623) 936-7111, or TTY users may dial 711 for Arizona Relay Service (AZRS), to request an accommodation to participate in this public meeting. The City will try its best to accommodate any last minute requests.

LA CIUDAD DE TOLLESON SE ESFUERZA PARA HACER TODAS LAS REUNIONES PÚBLICAS ACCESIBLE PARA INDIVIDUOS CON DISCAPACIDADES. Con al menos dos días laborables de previo aviso, se pueden proporcionar adaptaciones en esta reunión para personas con discapacidades visuales, auditivas o del habla, incluido un transcriptor, letra grande, un intérprete, un dispositivo de asistencia auditiva, etc. Llame a la Secretaría Municipal al (623) 936-7111, o los usuarios de TTY pueden marcar 711 para el Servicio de Retransmisión de Arizona (AZRS), para solicitar un alojamiento para participar en esta reunión pública. La Ciudad hará todo lo posible para satisfacer cualquier solicitud de último minuto.

Posted on August 18, 2022
Amended on August 22, 2022 at Noon