



# CITY OF TOLLESON

9055 W. Van Buren St • Tolleson, AZ 85353 • Direct: 623.936.7111 • Fax: 623.936.7117 • TTYusers, dial 711forRelay

## CITY OF TOLLESON

### CITY COUNCIL MEETING AGENDA

TUESDAY, DECEMBER 13, 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 Webinar. You may do so with a computer or cell phone by visiting the following direct link:  
<https://us02web.zoom.us/j/85676286578>.

Prerequisites for attending Zoom Webinars (one required):

1. Zoom Desktop Client: In your internet browser, enter <https://zoom.us/>. At the top-right of the page, click Resources and then click Download Center. Under Zoom Desktop Client, click the Download button.
  - a. Open the Zoom desktop client and sign in
  - b. Click the Home tab and then Join
  - c. Enter Meeting ID: 856 7628 6578 and enter your full name
  - d. Connect audio and/or video and select Join
2. Zoom Mobile App with Cell Phone or Tablet: Download the Zoom – One Platform to Connect App in either the App Store for iOS or Google Play for Android.
  - a. Select Join Meeting
  - b. Enter Meeting ID: 856 7628 6578
  - c. Enter your full name and select Join
  - d. Enter your screen name and email address and select Continue
  - e. Join Audio with Wi-Fi or Cellular Data
3. Web client/browser: Google Chrome, Internet Explorer, Firefox and Safari on a computer.
  - a. Go to <https://zoom.us/join>
  - b. Enter Meeting ID: 856 7628 6578
  - c. Click Open Zoom Meetings or Join (depending on browser)
  - d. Enter your full name and click Join Audio by Computer

Alternate Option via Telephone with Audio Only:

- a. Dial 1-253-215-8782
- b. Enter Meeting ID: 856 7628 6578 and press #
- c. Enter Participate ID and press #, or press # to continue

For technical support or questions in accessing the meeting, please email the Information Technology Department at [ITsupport@tolleson.az.gov](mailto:ITsupport@tolleson.az.gov) or call Zoom Support at (888) 799-9666.



**CALL TO ORDER**

**INVOCATION**

**COUNCIL INSTALLATION CEREMONY**

Loyalty Oath of Office  
Jimmy Davis, Council Member-Elect  
Remarks by Council Member Jimmy Davis

Loyalty Oath of Office  
Clorinda Erives, Council Member-Elect  
Remarks by Council Member Clorinda Erives

Loyalty Oath of Office  
Linda Laborin, Council Member-Elect  
Remarks by Council Member Linda Laborin

Loyalty Oaths of Office administered by the City Magistrate John Lamb

**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](mailto: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. Recognition of Evangeline Diaz for nine years of service on the Tolleson Planning and Zoning Commission.

**BUSINESS FROM THE FLOOR - PUBLIC HEARINGS AND ACTION**

1. Public Hearing – Soliciting comments from interested parties in reference to Site Plan Application #22100004 as submitted by Doug Osborn with Hess-Rountree, on behalf of the property owner, CFT Land LLC, for the construction of a new storage parking lot for Utility Trailer Sales Company of AZ to be located southwest of 85th Avenue and Roosevelt Street in Tolleson, AZ. The site, APN 102-47-073, is approximately two acres and zoned Planned Area Development (PAD). (Utility Trailer Parking Lot Expansion)

Council Action: Approve/Deny Site Plan Application #22100004. (Five recommended stipulations – Development Services Department)

2. Public Hearing – Soliciting comments from interested parties in reference to Site Plan Application #22100002 as submitted by Mike Hills with PHNX Design, on behalf of the property owner, WNDG LLC, for a new freestanding coffee shop and drive-thru to be located at the northwest corner of 83rd Avenue and Interstate 10 in Tolleson, AZ. The site, APN 102-47-060, is approximately one acre and zoned General Commercial (C-2). (Dutch Brothers Coffee Shop)

Council Action: Approve/Deny Site Plan Application #22100002. (Eight recommended stipulations – Development Services Department)

3. Public Hearing – Soliciting comments from interested parties in reference to the location transfer of Bingo License #07-695-A, issued by the State of Arizona Department of Revenue to the City of Tolleson Community Center, from 9555 West Van Buren Street, Tolleson, AZ 85353 to 9055 West Van Buren Street, Tolleson, AZ 85353, pursuant to A.R.S. 5-403.1.

Council Action: Approve/Deny location transfer of Bingo License #07-695-A of the City of Tolleson Community Center from 9555 West Van Buren Street, Tolleson, AZ 85353 to 9055 West Van Buren Street, Tolleson, AZ 85353. (Human 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 November 8, 2022.
- b. Approve Claims and Bills Report for the period of November 2, 2022 to December 6, 2022.
- c. Adopt Resolution No. 2509 of the Mayor and Council of the City of Tolleson, Arizona, approving the 2021 Maricopa County Multi-Jurisdictional Hazard Mitigation Plan between the City of Tolleson and Maricopa County relating to natural hazard vulnerabilities, mitigation strategies and plan maintenance procedures for a period five years. (City Management Department)

- d. Adopt Resolution No. 2510 of the Mayor and City Council of the City of Tolleson, Arizona, declaring a public need and necessity and a public purpose; authorizing and directing the acquisition of real property for the expansion of the 97th Avenue wellsite by dedication, donation, purchase, exchange or under the power of eminent domain as a matter of public necessity. The proposed cost for the storm drain improvements is \$313,094.95. (Development Services Department)
- e. Approve City Manager’s decision to allow the appointment of employee Lalo Martinez to the same department as his father-in-law Richard Chiquete, as contemplated by Employee Handbook Policy 4.8: Nepotism. (Employee Resources Department)
- f. Approve the Cooperative Purchasing Agreement between the City of Tolleson and Midway Chevrolet Company for new vehicle purchases, and authorize the City Manager to execute and deliver said Agreement. The City shall pay the Contractor an annual aggregate amount not to exceed \$500,000 for the equipment. This Agreement shall remain in full force and effect until March 16, 2023. (Field Operations and Police Departments)
- g. Approve Fourth Amendment to the Cooperative Purchasing Agreement between the City of Tolleson and Dell Marketing Limited Partnership for computing system products and services including computer hardware, peripherals and associated services, and authorize the City Manager to execute and deliver said Agreement. The City desires to amend the existing Agreement to increase the annual aggregate amount from \$100,000 to \$200,000 for additional services. (Information Technology Department)

**REGULAR AGENDA – ACTION ITEMS**

- 1. Approve/Deny the Professional Services Agreement between the City of Tolleson and Adaptive Architects Inc. for the Consultant to provide the City with architectural design services for the new Tolleson Aquatic Center, and authorize the City Manager to execute and deliver said Agreement. The City shall pay the Consultant a price not to exceed the amount designated in the Purchase Order or Authorization for Services provided to Consultant for the services as set forth in the Fee Proposal. The maximum aggregate amount for this Agreement shall not exceed \$707,419. This Agreement shall remain in full force and effect until August 31, 2023. (Development Services Department)
- 2. Adopt/Deny Ordinance No. 606 N.S. of the Mayor and Council of the City of Tolleson, Arizona, amending the Tolleson City Code, Chapter 3, City Policies and Procedures, Fee, by adding a new paragraph to Article 3-5, Procurement, Section 3-5-21, Small Purchases of \$10,000 or less. The City desires to implement a process to resolve issues with the City’s ability to promptly secure regular services such as the repair of City vehicles and equipment. (Finance Department)
- 3. Election of Vice Mayor for a two-year term from December 2022 to December 2024:
  - a. Open Nominations
  - b. Close Nominations
  - c. Vote on Nominee(s) by Roll Call Vote

## **WORK STUDY AND PRESENTATIONS – FOR DISCUSSION AND ACTION**

1. City of Tolleson Vision Planning and Priorities – Reyes Medrano Jr., City Manager
2. Discuss, review, and if advisable, take action modifying the goals for the City Manager and formally review the City Manager to determine, if appropriate, any increase in compensation. (Employee Resources Department)

## **MAYOR AND CITY MANAGER’S REPORT OF CURRENT EVENTS**

1. COVID-19 Update – George Good, Emergency Preparedness and Response Director
2. Retirement of Chief Financial Officer Vicky Juvet – Reyes Medrano Jr., City Manager

## **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)(3) and (4) to receive legal advice and discuss and consult with the City Attorney regarding the City’s position relating to the Development Agreement for the property located at 600 South 80th Avenue, Tolleson, AZ 85353.

## **RECONVENE INTO PUBLIC MEETING**

### **ACTION ITEM**

1. Approve/Deny dissolution of the Development Agreement between City of Tolleson and 600 South 80th Avenue, LLC, now doing business as The Phoenix Dispensary, regarding a marijuana facility. (City Attorney)

### **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 December 8, 2022