

### City Council Formal Meeting

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Wednesday, July 1, 2020

10:00 AM

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**\*\*\*Items appear in the order action was taken by Council.\*\*\***

**\*\*\*Once finalized, the approved minutes will supersede this document and serve as the permanent record of this meeting and minutes.\*\*\***

#### **CALL TO ORDER AND ROLL CALL**

**Present:** 9 - Councilman Sal DiCiccio, Councilmember Carlos Garcia, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilman Jim Waring, Councilwoman Thelda Williams, Vice Mayor Betty Guardado and Mayor Kate Gallego

#### **MINUTES OF MEETINGS**

- 1** For Approval or Correction, the Minutes of the Formal Meeting on Aug. 28, 2019

**A motion was made by Councilman Nowakowski, seconded by Councilwoman Williams, that this item be approved. The motion carried by the following voice vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

- 2** For Approval or Correction, the Minutes of the Formal Meeting on Sept. 4, 2019

**A motion was made by Councilmember Garcia, seconded by Councilwoman Williams, that this item be approved. The motion carried by the following voice vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

- 3** For Approval or Correction, the Minutes of the Formal Meeting on Sept. 18, 2019

**A motion was made by Councilman Waring, seconded by Councilwoman Williams, that this item be approved. The motion carried by the following voice vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

### **BOARDS AND COMMISSIONS**

- 4** Mayor and Council Appointments to Boards and Commissions

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that this item be approved. The motion carried by the following voice vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

### **LIQUOR LICENSES, BINGO, AND OFF-TRACK BETTING LICENSE APPLICATIONS**

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that Items 5 through 17 be recommended for approval and continuing Item 17 to the Aug. 26, 2020 City Council Formal Meeting. The motion carried by the following voice vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia,  
Councilman Nowakowski, Councilwoman Pastor,  
Councilwoman Stark, Councilman Waring,  
Councilwoman Williams, Vice Mayor Guardado and  
Mayor Gallego

**No:** 0

**5** Liquor License - Maskadores Taco Shop & Wings

**This item was recommended for approval.**

**6** Liquor License - Los Sombreros

**This item was recommended for approval.**

**7** Liquor License - Canteen LLC

**This item was recommended for approval.**

**8** Liquor License - Latitude Wines

**This item was recommended for approval.**

**9** Liquor License - Blanco Tacos & Tequila

**This item was recommended for approval.**

**10** Liquor License - Quiktrip #1435

**This item was recommended for approval as revised.**

**11** Liquor License - QuikTrip #1415

**This item was recommended for approval as revised.**

**12** Liquor License - Pinspiration Peoria

**This item was recommended for approval as revised.**

**13** Liquor License - Cafe Margarita

**This item was recommended for approval as revised.**

**14** Liquor License - RJ Liquors

**This item was recommended for approval as revised.**

**15** Liquor License - Wingstop

**This item was recommended for approval as revised.**

**16** Liquor License - Matty G's

**This item was recommended for approval as revised.**

- 17 Liquor License - Cool VYBZ Jamaican Restaurant

**This item was continued to the Aug. 26, 2020 City Council Formal Meeting.**

### **ORDINANCES, RESOLUTIONS, AND NEW BUSINESS**

A motion was made by Vice Mayor Guardado, seconded by Councilman Nowakowski, that Items 18 through 77 be approved or adopted, except Items 19, 20, 25-34, 36, 43-45, 49-50, 71, and 77; continuing Item 72 to the Aug. 26, 2020 City Council Formal Meeting; and noting that Items 40, 51, 73.1, 73.2, and 73.3 are withdrawn. The motion carried by the following vote:

**Yes:** 8 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Guardado and Mayor Gallego

**No:** 0

**Absent:** 1 - Councilwoman Williams

- 18 Lee R. Bays Concrete & Cool Decking, Inc.

**This item was adopted.**

- 21 CCR Furniture Upholstery Cleaners, Inc.

**This item was adopted.**

- 22 State of Arizona, Office of the Auditor General

**This item was adopted.**

- 23 Salt River Valley Water Users' Association

**This item was adopted.**

- 24 State of Arizona doing business as Arizona Department of Water Resources

**This item was adopted.**

- 35 Amendment to Public Transit Furniture Advertising Revenue Contract 143744  
Due to COVID-19

**This item was approved as revised.**

- 37 Elections Tabulation System Services - Maricopa County Contract 190265  
(Ordinance S-46829)

**This item was adopted.**

- 38 Acceptance and Dedication of Easements for Sidewalk and Public Utility Purposes (Ordinance S-46826)

**This item was adopted.**

- 39 Authorization to Amend License Agreement with 19 North Community Alliance, Inc. to Extend Term (Ordinance S-46827)

**This item was adopted.**

- 40 Computer Hardware and Support - State of Arizona (Ordinance S-46841)

**This item was withdrawn.**

- 41 Polymer Modified Master Seal and Tire Rubber Modified Surface Sealer - RFA 18-133A (Ordinance S-46838)

**This item was adopted.**

- 42 Acquisition of Real Property for Installation of a Traffic Signal at 7th Street and Orangewood Avenue (Ordinance S-46843)

**This item was adopted.**

- 46 Amendment to Intergovernmental Agreement between State of Arizona and City of Phoenix for the Margaret T. Hance Park Joints Repair Project (Ordinance S-46835)

**This item was adopted.**

- 47 Authorization to Enter into Performance Audit Requirements Contract (Ordinance S-46822)

**This item was adopted.**

- 48 Maintenance of Parking Access and Revenue Control Systems (Ordinance S-46830)

**This item was adopted.**

- 51 (CONTINUED FROM JUNE 17 AND JUNE 24, 2020) - Confirmation from Transdev of its Joint Venture Partnership Structure with Regards to Fixed Route Transit Service for North and South Transit Facilities in the City of Phoenix

**This item was withdrawn.**

- 52 91st Avenue Wastewater Treatment Plant Solids Rehabilitation Phase 1 -

Engineering Services - WS90100111 (Ordinance S-46821)

**This item was adopted.**

- 53** 91st Avenue Wastewater Treatment Plant Solids Rehabilitation Phase 1 - Construction Manager at Risk Preconstruction Services - WS90100111 (Ordinance S-46823)

**This item was adopted.**

- 54** Glendale Metering Station Upgrades GL03 Improvements Engineering Services - WS90160098 (Ordinance S-46824)

**This item was adopted.**

- 55** Water Main Replacement Program Right-Of-Way - Job Order Contracting Services - 4108JOC193 (Ordinance S-46839)

**This item was adopted.**

- 56** Foundations and Conduit Installation for Traffic Signals - 2-Step Job Order Contract Services Amendment 3 - 4108JOC160 (Ordinance S-46837)

**This item was adopted.**

- 57** Employee Safety Training for Opacity Method 9 (Ordinance S-46828)

**This item was adopted.**

- 58** Quantifit Fit Testing Equipment (Ordinance S-46831)

**This item was adopted.**

- 59** Membrane Diffusers Contract Amendment (Ordinance S-46832)

**This item was adopted.**

- 60** Gated Alley Program Pilot - Expansion (Ordinance S-46833)

**This item was adopted.**

- 61** Final Plat - 7th Avenue & Pinnacle Peak Road - PLAT 200542 - Northeast Corner of 7th Avenue and Pinnacle Peak Road

**This item was approved.**

- 62** Final Plat - Desert Ridge Super Block 1 Southwest Phase 1 - PLAT 190103 - Deer Valley Road, East of 56th Street

**This item was approved.**

- 63** Final Plat - Harmony at Hurley Farms- 200514 - South of Lower Buckeye

Road and East of 91st Avenue

**This item was approved.**

- 64** Abandonment of Right-of-Way - V190032A - 11402 N. Cave Creek Road (Resolution 21846)

**This item was adopted.**

- 65** Abandonment of Right-of-Way - V190027A - 2629 N. 7th St (Resolution 21848)

**This item was adopted.**

- 66** Abandonment of Right-of-Way - V190071A - 3233 E. Camelback Road (Resolution 21847)

**This item was adopted.**

- 67** Abandonment of Right-of-Way - V190091A - Northeast Corner of 3rd Street and Keim Drive (Resolution 21845)

**This item was adopted.**

- 68** Abandonment of Right-of-Way - V190067A - Southwest Corner of Estes Way and 39th Avenue (Resolution 21849)

**This item was adopted.**

- 69** Amend City Code - Ordinance Adoption - Rezoning Application Z-15-19-1 (Francis and Sons PUD) - Northeast Corner of 35th Avenue and Thunderbird Road (Ordinance G-6715)

**This item was adopted.**

- 70** Amend City Code - Ordinance Adoption - Rezoning Application Z-61-19-2 (Embrey Kierland North PUD) - Approximately 350 Feet North of the Northwest Corner of Scottsdale Road and Tierra Buena Lane (Ordinance G-6717)

**This item was adopted.**

- 72** Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application PHO-1-19--Z-165-06-7(8) - Northwest Corner of 35th Avenue and Carver Road (Ordinance G-6718)

**This item was continued to the Aug. 26, 2020 City Council Formal Meeting.**

- 73.1** \*\*\*REQUEST TO ADD-ON (SEE ATTACHED MEMO)\*\*\* Phoenix Healthy

Tourism and Hospitality Measures (Ordinances G-6719)

**This item was withdrawn.**

- 73.2** \*\*\*REQUEST TO ADD-ON (SEE ATTACHED MEMO)\*\*\* Phoenix Healthy Tourism and Hospitality Measures - Supplemental Paid Sick Leave for Tourism and Hospitality Workers (Ordinance G-6720)

**This item was withdrawn.**

- 73.3** \*\*\*REQUEST TO ADD-ON (SEE ATTACHED MEMO)\*\*\* Phoenix Healthy Tourism and Hospitality Measures - Public Hygiene and Handwashing for Tourism and Hospitality Workers (Ordinance G-6721)

**This item was withdrawn.**

- 74** \*\*\*REQUEST TO ADD-ON (SEE ATTACHED MEMO)\*\*\* Laboratory COVID-19 Testing Services (Ordinance S-46848)

**This item was adopted.**

- 75** \*\*\*REQUEST TO ADD-ON (SEE ATTACHED MEMO)\*\*\* COVID-19 Laboratory Testing for Summer Months (Ordinance S-46849)

**This item was adopted.**

- 76** \*\*\*REQUEST TO ADD-ON (SEE ATTACHED MEMO)\*\*\* Authorization for Issuance of Excise Tax Funded Obligations to Acquire and Improve Phoenix Fire Department Facilities and Equipment (Ordinance S-46850)

**This item was adopted.**

- 19** Settlement of Claim(s) Hernandez v. City of Phoenix

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that this item be adopted. The motion carried by the following vote:**

**Yes:** 8 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Guardado and Mayor Gallego

**No:** 0

**Absent:** 1 - Councilwoman Williams

- 20** Reid West Golf Academies, LLC

**A motion was made by Vice Mayor Guardado, seconded by**



**Councilwoman Stark, that this item be adopted. The motion carried by the following vote:**

**Yes:** 8 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 1 - Councilman Waring

**25** Public Hearing on Adoption of Property Tax Levy for 2020-21 Fiscal Year

**The hearing was held.**

**26** Adoption of Property Tax Levy for 2020-21 Fiscal Year (Ordinance S-46825)

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that this item be adopted. The motion carried by the following vote:**

**Yes:** 7 - Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 2 - Councilman DiCiccio and Councilman Waring

**27** Payment Ordinance For Summer Recess (Ordinance S-46840)

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that this item be adopted. The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

**28** (CONTINUED FROM JUNE 24, 2020) - Request Authorization to Enter Into a Contract with Crisis Response Network, Inc. for a Web-Based Emergency Shelter Availability Portal Due to COVID-19 Pandemic (Ordinance S-46798)

**A motion was made by Vice Mayor Guardado, seconded by Councilman DiCiccio, that this item be adopted. The motion carried by the following vote:**

**Yes:** 7 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams and Mayor Gallego

**No:** 2 - Councilmember Garcia and Vice Mayor Guardado

**29** Arts and Culture Coronavirus Relief Program - Organizational Support Phase II (Ordinance S-46844)

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that this item be adopted. The motion carried by the following vote:**

**Yes:** 7 - Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 2 - Councilman DiCiccio and Councilman Waring

**30** Emergency Declaration - Outdoor Dining and Alcohol Consumption Measures

**A motion was made by Vice Mayor Guardado, seconded by Councilman DiCiccio, that this item be approved. The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

**31** Emergency Declaration - Temporary Revocable Permit within the Right-of-Way

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that this item be approved. The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

**32** Phoenix Sky Harbor International Airport Concessionaire Financial Relief (Ordinance S-46836)

**A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that this item be adopted as amended to extend the percentage rate to Dec. 31, 2020. The motion carried by the following vote:**

**Yes:** 5 - Councilman Nowakowski, Councilwoman Stark, Councilman Waring, Councilwoman Williams and Mayor Gallego

**No:** 4 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Pastor and Vice Mayor Guardado

**33** Community Development Block Grant CARES Act Public Service Grant Program Request For Proposal Award Recommendations (Ordinance S-46842)

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that this item be adopted. The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

**34** Coronavirus Relief Fund Phoenix Refugee and Asylee Coronavirus Relief Grant Program Request for Proposal Award Recommendations (Ordinance S-46846)

**A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that this item be adopted as corrected to award \$946,802 to the designated non-profits, and directing staff to open the**

**process back up for the agencies who submitted proposals and did not receive funding, provide technical assistance for the remaining \$53,198, and further authorize staff to award those funds and enter into contract with one or more of the agencies deemed responsive. The motion carried by the following vote:**

**Yes:** 7 - Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 2 - Councilman DiCiccio and Councilman Waring

**36 Request to Initiate Street Renaming Process**

**A motion was made by Councilman DiCiccio, seconded by Councilwoman Stark, to approve initiation of processes to change the name of "Squaw Peak Drive" and to provide the necessary assistance for residents to change their address. The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

**A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, to approve initiation of processes to change the name of "Robert E. Lee Street" and to provide the necessary assistance for residents to change their address. The motion carried by the following vote:**

**Yes:** 8 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

**Absent:** 1 - Councilman Nowakowski

**43 Language and Cultural Diversity Classes (Ordinance S-46845)**

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that this item be adopted. The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

- 44** Request for Reconsideration of Item 3 from the June 23, 2020 City Council Policy Session

**A motion was made by Councilwoman Pastor, seconded by Vice Mayor Guardado, that this item be approved. The motion failed by the following vote:**

**Yes:** 4 - Councilmember Garcia, Councilwoman Pastor, Vice Mayor Guardado and Mayor Gallego

**No:** 5 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Waring and Councilwoman Williams

- 45** Reconsideration of Item 3 from the June 23, 2020 City Council Policy Session - Eight-Hour Rule Request for Consideration to Research a Prevailing Wage Ordinance

**This item was not heard.**

- 49** Photo Speed Enforcement RFP 14-021B - Requirements Contract (Ordinance S-46834)

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that this item be adopted. The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

**50 Remote Protective Order Project (Ordinance S-46847)**

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that this item be adopted. The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

**71 Amend City Code - Ordinance Adoption - Rezoning Application Z-58-19-7 (Chicanos Por La Causa PUD) - Northeast Corner of 6th Avenue and Broadway Road (Ordinance G-6716)**

**A motion was made by Councilman Nowakowski, seconded by Councilwoman Williams, that this item be approved per the June 4, 2020 Planning Commission recommendation with adoption of the related ordinance. The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

**77 \*\*\*REQUEST TO ADD-ON (SEE ATTACHED MEMO)\*\*\* Request Authorization to Amend Contract 152138 to Increase Payment Authority for Chiller Replacement at UMOM New Day Centers Inc. (Ordinance S-46851)**

**A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that this item be adopted. The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

**No:** 0

**REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS**

**CITIZEN COMMENTS**

**ADJOURN**