

Results

City Council Formal Meeting

Wednesday, July 3, 2019

10:00 AM

phoenix.gov

*****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 results.*****

CALL TO ORDER AND ROLL CALL

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

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

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

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

No: 0

65 Public Hearing on Adoption of Property Tax Levy for 2019-20 Fiscal Year

The hearing was held.

66 Adoption of Property Tax Levy for 2019-20 Fiscal Year (Ordinance S-45897)

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

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

No: 2 - Councilman DiCiccio and Vice Mayor Waring

112 Entertainment District Exemption Application - 110 E. Roosevelt St.

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

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

No: 0

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

A motion was made by Vice Mayor Waring, seconded by Councilwoman Stark, that Items 2 through 47 be recommended for approval, except Items 13, 44, 46 and 47. The motion carried by the following voice vote:

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

No: 0

2 Liquor License - Claim Jumper Restaurant

This item was recommended for approval.

3 Liquor License - Borderlands Brewing and Public House

This item was recommended for approval.

4 Liquor License - La Santisima Nightclub

This item was recommended for approval.

5 Liquor License - Pizza Hut #26991

This item was recommended for approval.

6 Liquor License - Matt's Big Breakfast

This item was recommended for approval.

7 Liquor License - Pizza Hut #29881

This item was recommended for approval.

8 Liquor License - Corner on the Market

This item was recommended for approval.

9 Liquor License - Pizza Hut #26978

This item was recommended for approval.

10 Liquor License - Someburros

This item was recommended for approval.

11 Liquor License - Special Event - Empowerment Through Sports

This item was recommended for approval.

12 Liquor License - Pizza Hut #26983

This item was recommended for approval.

14 Liquor License - Pizza Hut #26996

This item was recommended for approval.

15 Liquor License - Pizza Hut #26997

This item was recommended for approval.

16 Liquor License - Special Event - St. Theresa Roman Catholic Parish Phoenix

This item was recommended for approval.

17 Liquor License - Phoenix Ale Brewery Central Kitchen

This item was recommended for approval.

18 Liquor License - Pizza Hut #27002

This item was recommended for approval.

19 Liquor License - The Grand Avenue Bar & Grill

This item was recommended for approval.

20 Liquor License - Punch Bowl Social

This item was recommended for approval.

- 21 Liquor License - The Theodore Beer Bar & Bottle Shop

This item was recommended for approval.

- 22 Liquor License - Club at PHX

This item was recommended for approval.

- 23 Liquor License - Holiday Inn Express & Suites Phoenix Airport North

This item was recommended for approval.

- 24 Liquor License - Home 2 Suites Phoenix Airport North

This item was recommended for approval.

- 25 Liquor License - Pizza Hut #35853

This item was recommended for approval.

- 26 Liquor License - Pizza Hut #35873

This item was recommended for approval.

- 27 Liquor License - Sprouts Farmers Market #40

This item was recommended for approval.

- 28 Liquor License - China Harvest Buffet

This item was recommended for approval.

- 29 Liquor License - Doubletree by Hilton Phoenix North

This item was recommended for approval.

- 30 Liquor License - Los Arbolitos De Cajeme

This item was recommended for approval.

- 31 Liquor License - Pizza Hut #33690

This item was recommended for approval.

- 32 Liquor License - Shell

This item was recommended for approval.

- 33 Liquor License - Arrive Phoenix

This item was recommended for approval.

- 34 Liquor License - Tuck Shop

This item was recommended for approval.

35 Liquor License - Zipps Sports Grill

This item was recommended for approval.

36 Liquor License - Palazzo

This item was recommended for approval.

37 Liquor License - Christo's Ristorante

This item was recommended for approval.

38 Liquor License - Selection Sauvage

This item was recommended for approval.

39 Liquor License - Cambria Hotel Downtown Phoenix Convention Center

This item was recommended for approval.

40 Liquor License - Gobooze

This item was recommended for approval.

41 Liquor License - Long Wong's Tuscano Towne Center

This item was recommended for approval.

42 Liquor License - Pasado

This item was recommended for approval.

43 Liquor License - Pizza Hut #27006

This item was recommended for approval.

45 Liquor License - Gateway Hilton Garden Inn Market

This item was recommended for approval.

13 Liquor License - Pizza Hut #26986

A motion was made by Councilwoman Guardado, seconded by Councilwoman Stark, that this item be continued to the Aug. 28, 2019 City Council Formal Meeting. The motion carried by the following voice vote:

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

No: 0

44 Liquor License - SV Market

A motion was made by Councilman Nowakowski, seconded by Councilman DiCiccio, that this item be recommended for disapproval based on the Police Department's recommendation for disapproval. The motion carried by the following vote:

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

No: 0

46 (CONTINUED FROM JUNE 26, 2019) - Liquor License - Boom Boom Room

A motion was made by Councilman Nowakowski, seconded by Councilman DiCiccio, that this item be recommended for disapproval based on community opposition and concerns. The motion carried by the following vote:

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

No: 0

47 (CONTINUED FROM JUNE 26, 2019) - Liquor License - MC Mini Mart

A motion was made by Councilwoman Pastor, seconded by Councilman Nowakowski, that this item be recommended for disapproval based on the Police Department's recommendation for disapproval. The motion carried by the following vote:

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

No: 0

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

A motion was made by Vice Mayor Waring, seconded by Councilwoman Stark, that Items 48 through 125 be approved or adopted, except Items 49, 57, 76, 87, 111, 114, 119-123 and 125; continuing Item 124 to the Sept. 4, 2019 City Council Formal Meeting; and noting that Item 73 is withdrawn. The motion carried by the following vote:

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

No: 0

Absent: 1 - Councilwoman Williams

48 True View Windows and Glass Block Inc.

This item was adopted.

50 Municipal Emergency Services, Inc.

This item was adopted.

51 Settlement of Claim(s) for Danilo Jurkovic

This item was adopted.

52 Settlement of Claim(s) for Edward Stearns

This item was adopted.

53 Settlement of Claim(s) for Rusty Stanton

This item was adopted.

54 Church of the Beatitudes of Phoenix, Arizona

This item was adopted.

55 NetValueCentral, Inc.

This item was adopted.

56 Marsh USA, Inc.

This item was adopted.

58 Poco Verde Pools and Landscape, Inc.

This item was adopted.

59 State of Arizona, Office of the Auditor General

This item was adopted.

60 Bound Tree Medical, LLC

This item was adopted.

61 FBI National Academy Associates (FBINAA) Arizona Chapter

This item was adopted.

62 Enterprise Holding, Inc., doing business as EAN Services, LLC

This item was adopted.

63 Wastewater Solids Management

This item was adopted.

64 City of Scottsdale

This item was adopted.

67 Payment Ordinance for Summer Recess (Ordinance S-45906)

This item was adopted.

68 Acceptance of Sewer Easement Near West Side of South 27th Avenue,
North of West Vineyard Road (Ordinance S-45894)

This item was adopted.

69 Acceptance and Dedication of Deeds and Easements for Sidewalk, Traffic
Control, Public Utility and Roadway Purposes (Ordinance S-45912)

This item was adopted.

70 Voluntary Acquisition of Real Property - 1020 E. Hadley St. (Ordinance
S-45891)

This item was adopted.

71 Acquisition of Real Property for Water Services Department Facility Located

at Northeast Corner of 27th Avenue and Lower Buckeye Road (Ordinance S-45900)

This item was adopted.

- 72 Acquisition of Additional Real Property for Existing Water Services Department Booster Pump Station Located at 524 E. Bethany Home Road (Ordinance S-45911)

This item was adopted.

- 73 Authorization to Sell City-Owned Property at 2250 N. 95th Ave. (Ordinance S-45919)

This item was withdrawn.

- 74 Authorization to Amend Lease 141402 with Corner Capital, LLC dba Stickler's Cafe to Extend the Term (Ordinance S-45903)

This item was adopted.

- 75 Authorization to Amend License with Cemex Construction Materials South, LLC (Ordinance S-45908)

This item was adopted.

- 77 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-45896)

This item was adopted.

- 78 Fiscal Year 2019-24 Public Art Plan (Ordinance S-45893)

This item was adopted.

- 79 Fiscal Year 2019-20 Community Arts Support Grant Allocations (Ordinance S-45915)

This item was adopted.

- 80 Authorization to Enter into Affiliated Personnel Agreements (Ordinance S-45918)

This item was adopted.

- 81 Canine Boarding Services - Requirements Contract - RFQu 19-098 (Ordinance S-45904)

This item was adopted.

- 82 Polygraph Examination Services - Requirements Contract - RFQu 19-121

(Ordinance S-45913)

This item was adopted.

- 83** Safran Helicopter Engines USA, Inc. Aircraft Parts and Services - RFA
18-138 (Ordinance S-45920)

This item was adopted.

- 84** Intergovernmental Agreement with City of Prescott for Processing Recyclable
Materials (Ordinance S-45907)

This item was adopted.

- 85** Intergovernmental Agreement with Arizona Department of Environmental
Quality for Transfer, Use and Abandonment of Groundwater Monitoring Wells
at Glenrosa Service Center (Ordinance S-45916)

This item was adopted.

- 86** Additional Expenditures for Contracts to Purchase Fire Service Apparatus
(Ordinance S-45914)

This item was adopted.

- 88** Ordinance of Intention to Form Hedgepeth Waterline Improvement District -
WS85503001 ID 1309 (Ordinance S-45902)

This item was adopted.

- 89** Accept Transit Funds for Transportation Projects with Regional Public
Transportation Authority (Ordinance S-45921)

This item was adopted.

- 90** Ferric Chloride Contract (Ordinance S-45892)

This item was adopted.

- 91** Hydrocyclone Replacement Parts Contract (Ordinance S-45895)

This item was adopted.

- 92** New Pumps, Parts, Accessories and Services Contracts (Ordinance
S-45899)

This item was adopted.

- 93** Stain Supplies for Detection of Cryptosporidium and Giardia in Water
(Ordinance S-45901)

This item was adopted.

- 94** Water Services Department 23rd Avenue Wastewater Treatment Plant Microgrid (Ordinance S-45905)
This item was adopted.
- 95** Intergovernmental Agreement with ADEQ for Groundwater Sampling Services (Ordinance S-45909)
This item was adopted.
- 96** Intergovernmental Agreement Amendment for Maricopa County Cave Creek Landfill Injection Well Project (Ordinance S-45910)
This item was adopted.

PLANNING AND ZONING MATTERS

- 97** Final Plat - Sky Crossing - Parcel 13 - 180064 - 1,167 Feet North of Deer Valley Drive on the West Side of Black Mountain Boulevard
This item was approved.
- 98** Final Plat - Sky Crossing - Parcel 9 - 180093 - Northwest Corner of Deer Valley Drive and 32nd Street
This item was approved.
- 99** Final Plat - Central and Palm - 190002 - Southwest Corner of Palm Lane and Central Avenue
This item was approved.
- 100** Final Plat - Trellis at Colter - 190012 - 442 Feet East of 17th Avenue and South of Colter Street
This item was approved.
- 101** Final Plat - Camelback Ranch - 180129 - West of 107th Avenue and South of Ball Park Boulevard
This item was approved.
- 102** Final Plat - The Phoenician - 180011 - 6000 E. Camelback Road
This item was approved.
- 103** Final Plat - 201 West Van Buren - 180066 - Southwest Corner of 2nd Avenue and Van Buren
This item was approved.

- 104** Final Plat - Tuscano Parcels D&G - 180082 - Southeast Corner of 75th Avenue and Lower Buckeye Road
This item was approved.
- 105** Final Plat - West 80 - 180089 - Southwest Corner of Buckeye Road and 79th Avenue
This item was approved.
- 106** Final Plat - Sunset Place Phase 1 - 180142 - North of Broadway Road and West of 67th Avenue
This item was approved.
- 107** Final Plat - Gardner's Enclave - 180141 - East of 32nd Street and South of Baseline Road
This item was approved.
- 108** Abandonment of Easement - V190003A - 25322 N. 21st Ave. (Resolution 21763)
This item was adopted.
- 109** Abandonment of Easement - V190019A - Northeast Corner of Happy Valley Road and Norterra Parkway (Resolution 21764)
This item was adopted.
- 110** Abandonment of Easement - V180056A - Southeast Corner of Lower Buckeye Road and 79th Avenue (Resolution 21765)
This item was adopted.
- 113** PCD Major Amendment - Rezoning Application Z-138-D-83-5 - Approximately 368 Feet South and 365 Feet West of the Southwest Corner of 99th Avenue and the Bethany Home Road Alignment
This item was approved.
- 115** Amend City Code - Ordinance Adoption - Rezoning Application Z-91-18-2 - Southeast Corner of 71st Street and Tierra Buena Lane (Ordinance G-6605)
This item was adopted.
- 116** Amend City Code - Ordinance Adoption - Rezoning Application Z-17-19-5 - Northeast Corner of 19th Avenue and Maryland Avenue (Ordinance G-6607)
This item was adopted.

- 117** Amend City Code - Ordinance Adoption - Rezoning Application Z-19-18-8 - Northwest Corner of 41st Place and McDowell Road (Ordinance G-6609)

This item was adopted.

- 118** Amend City Code - Ordinance Adoption - Rezoning Application Z-7-19-8 - Southeast Corner of 59th Avenue and South Mountain Avenue (Ordinance G-6606)

This item was adopted.

- 124** Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-90-18-1 - Northwest Corner of 43rd Avenue and Circle Mountain Road (Ordinance G-6612) ***REQUEST TO CONTINUE (SEE ATTACHED MEMOS)***

This item was continued to the Sept. 4, 2019 City Council Formal Meeting.

- 49** Alliance for Innovation, Inc.

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

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

No: 0

Absent: 1 - Councilwoman Williams

- 57** Arizona Forward Membership Renewal

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

Yes: 6 - Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Mayor Gallego

No: 2 - Councilman DiCiccio and Vice Mayor Waring

Absent: 1 - Councilwoman Williams

- 76** Contract for Email Citizen Engagement System (Ordinance S-45898)

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

Yes: 6 - Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Mayor Gallego

No: 2 - Councilman DiCiccio and Vice Mayor Waring

Absent: 1 - Councilwoman Williams

- 87** Adoption of 2019 Floodplain Ordinance Amendment to Chapter 32B of Phoenix City Code (Ordinance G-6611)

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

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

No: 0

Absent: 1 - Councilwoman Williams

- 111** (CONTINUED FROM JUNE 19, 2019) - Warehouse and Threatened Building Grant for Fuller (W.P.) Paint Company Warehouse (Ordinance S-45826)

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

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

No: 0

Absent: 1 - Councilwoman Williams

- 114** Amend City Code - Ordinance Adoption - Rezoning Application Z-89-18-2 - Approximately 275 Feet South and 240 Feet West of the Southwest Corner of Scottsdale Road and Joan de Arc Avenue (Ordinance G-6604)

A motion was made by Vice Mayor Waring, seconded by Councilman DiCiccio, that this item and the related ordinance be adopted. The motion carried by the following vote:

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

No: 0

Absent: 1 - Councilwoman Williams

119 Public Hearing - General Plan Amendment - GPA-LV-1-19-8 - Northeast Corner of 59th Avenue and Elliot Road (Resolution 21762)

The hearing was held. A motion was made by Councilmember Garcia, seconded by Councilman DiCiccio, that this item be approved per the Planning Commission's recommendation and to adopt the related resolution. The motion carried by the following vote:

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

No: 0

Absent: 1 - Councilwoman Williams

120 Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-14-19-8 - Northeast Corner of 59th Avenue and Elliot Road (Ordinance G-6608)

The hearing was held. A motion was made by Councilmember Garcia, seconded by Councilman DiCiccio, that this item be approved per the Planning Commission's recommendation and to adopt the related ordinance. The motion carried by the following vote:

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

No: 0

Absent: 1 - Councilwoman Williams

- 121** Public Hearing and Ordinance Adoption - General Plan Amendment
GPA-EN-1-19-4 - Northeast Corner of Central Avenue and Indian School
Road (Ordinance S-45917)

The hearing was held. A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that this item be approved per the Planning Commission's recommendation and to adopt the related ordinance. The motion carried by the following vote:

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

No: 0

- 122** Public Hearing and Ordinance Adoption - Amend City Code - Rezoning
Application Z-9-19-4 - Northeast Corner of Central Avenue and Indian School
Road (Ordinance G-6610)

The hearing was held. A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that this item be approved per the Planning Commission's recommendation and to adopt the related ordinance. The motion carried by the following vote:

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

No: 0

- 123** Public Hearing and Ordinance Adoption - Amend City Code - Rezoning
Application Z-86-18-2 - Northeast and Southeast Corners of Black Canyon
Highway and the Dynamite Boulevard Alignment (Ordinance G-6603)

The hearing was held. A substitute motion was made by Councilwoman Pastor, seconded by Councilman DiCiccio, that this item be remanded back to the Deer Valley Village Planning Committee and Planning Commission for rehearing. The motion carried by the following vote:

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

No: 0

CITIZEN PETITIONS

125 Consideration of Citizen Petition Regarding Request to Terminate, Suspend, Demote, and Retrain Police Officers

This item was discussed.

ADD-ON ITEMS

126 ADD-ON - Final Plat - Ten Phase One - 190003 - Between 83rd Avenue and 79th Avenue, South of Interstate 10 and North of Van Buren Street

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

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

No: 0

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

CITIZEN COMMENTS

ADJOURN