

## City Council Formal Meeting

---

Wednesday, February 17, 2021

2:30 PM

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, Councilman Jim Waring, Vice Mayor Thelda Williams and Mayor Kate Gallego

### **BOARDS AND COMMISSIONS**

**1** Mayor and Council Appointments to Boards and Commissions

**A motion was made by Vice Mayor Williams, 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, Councilman Waring, Vice Mayor Williams and Mayor Gallego

**No:** 0

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

**A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that Items 2-13 be recommended for approval, except Items 8, 11 and 12; and noting that Items 3 and 13 are continued to the March 3, 2021 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, Councilman Waring, Vice Mayor Williams and Mayor Gallego

**No:** 0

2 Liquor License - Spice Sea

**This item was recommended for approval.**

3 Liquor License - Special Event - M.U.S.I.C. Foundation of Arizona, Inc.

**This item was continued to the March 3, 2021 City Council Formal Meeting.**

4 Liquor License - Dickey's Barbecue

**This item was recommended for approval.**

5 Liquor License - 7-Eleven #20622F

**This item was recommended for approval.**

6 Liquor License - OG Liquor

**This item was recommended for approval.**

7 Liquor License - Chevron

**This item was recommended for approval.**

9 Liquor License - Carioca Shell #67

**This item was recommended for approval.**

10 Liquor License - Paddock Lounge

**This item was recommended for approval.**

13 Liquor License - El Pueblo Restaurant

**This item was continued to the March 3, 2021 City Council Formal Meeting.**

8 Liquor License - West Side Smoke Shop

**A motion was made by Councilwoman Guardado, seconded by Councilwoman Stark, that this item be recommended for approval.**

**The motion carried by the following voice vote:**

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

**No:** 0

**11 (CONTINUED FROM FEB. 3, 2021) - Liquor License - Lucky Market**

**A motion was made by Vice Mayor Williams, seconded by Councilman Waring, that this item be recommended for disapproval. The motion carried by the following vote:**

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

**No:** 0

**12 Liquor License - Tennessee Grill**

**A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that this item be recommended for disapproval. The motion carried by the following vote:**

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

**No:** 0

**ORDINANCES, RESOLUTIONS, AND NEW BUSINESS**

**A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that Items 14-81 be approved or adopted, except Items 14-15, 20, 27-28, 36, 64 and 79-81; continuing Item 65 to the March 3, 2021 City Council Formal Meeting; and noting that Item 26 is withdrawn and Item 78 is as revised. The motion carried by the following vote:**

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

**No:** 0

- 16 Settlement of Claim(s) Lucero v. City of Phoenix  
**This item was adopted.**
- 17 Settlement of Claim(s) Mason v. City of Phoenix  
**This item was adopted.**
- 18 Settlement of Claim(s) Garcia v. City of Phoenix  
**This item was adopted.**
- 19 Settlement of Claim(s) Hinds v. City of Phoenix  
**This item was adopted.**
- 21 Settlement of Claim(s) Yakoo v. City of Phoenix  
**This item was adopted.**
- 22 Arizona State University  
**This item was adopted.**
- 23 Arizona Generator Technology, Inc., doing business as Gen-Tech  
**This item was adopted.**
- 24 Ferguson US Holdings Inc., doing business as Ferguson Enterprises, LLC.  
**This item was adopted.**
- 25 Central Arizona Water Conservation District doing business as Central Arizona Project  
**This item was adopted.**
- 26 (CONTINUED FROM FEB. 3, 2021) - 2015-2020 Consolidated Plan's 2019 Annual Action Plan CARES Act Amendment (Ordinance S-47290)  
**This item was withdrawn.**
- 29 Acceptance and Dedication of Deeds and Easements for Roadway, Sidewalk and Public Utility Purposes (Ordinance S-47304)  
**This item was adopted.**
- 30 Acceptance of Easements for Drainage and Water Purposes (Ordinance S-47305)  
**This item was adopted.**
- 31 Acquisition of Real Property for Sky Harbor International Airport - 4108 E. Air Lane (Ordinance S-47320)

**This item was adopted.**

- 32 Authorization to Enter into Land Use License with Salt River Project for Patrick Park Plaza (Ordinance S-47309)

**This item was adopted.**

- 33 Verint Audio Log System Upgrade and Professional Services - Requirements Contract - EXC 21-042 (Ordinance S-47306)

**This item was adopted.**

- 34 Hardware and Software for Exadata Cloud@Customer (Ordinance S-47295)

**This item was adopted.**

- 35 Open Data Portal Hosting Annual Renewal (Ordinance S-47322)

**This item was adopted.**

- 37 Library Services and Technology Act Grant Application (Ordinance S-47319)

**This item was adopted.**

- 38 Authorization to Apply for Local Judicial Collection Enhancement Fund Grant to Fund Municipal Court IT Position (Ordinance S-47315)

**This item was adopted.**

- 39 Add Positions in Planning and Development Department to Meet Increased Construction Activity (Ordinance S-47318)

**This item was adopted.**

- 40 Amend Contract for Home Delivered Meals (Ordinance S-47312)

**This item was adopted.**

- 41 Amend Contract for Senior Nutrition Meal Program (Ordinance S-47313)

**This item was adopted.**

- 42 Agreement Between State of Arizona and City of Phoenix for Maintenance and Operation of Margaret T. Hance Park (Ordinance S-47314)

**This item was adopted.**

- 43 Authorization to Enter into Development Agreement with PV RE Devco LLC for Installation of Public Infrastructure and Public Space Improvements (Ordinance S-47323)

**This item was adopted.**

- 44** Authorization to Conduct Direct Negotiations for Disposition of City-Owned Land and Improvements Located at 1 S. 24th St. (Ordinance S-47329)
- This item was adopted.**
- 45** Additional Expenditures for Marketing Services - ADSP016-145339 (Ordinance S-47321)
- This item was adopted.**
- 46** Request Authorization to Apply for, Accept and Enter Into Agreements for Fiscal Year 2021-22 Governor's Office of Highway Safety Grants (Ordinance S-47327)
- This item was adopted.**
- 47** Custodial Services for Fire Locations - Requirements Contract - IFB 17-043B (Ordinance S-47316)
- This item was adopted.**
- 48** Authorization to Amend Ordinance for FY 2020 Paul Coverdell Forensic Science Improvement Formula Grant Program (Ordinance S-47328)
- This item was adopted.**
- 49** Aviation Department Airport Planning On-Call Consulting Services for Fiscal Years 2022-25 (Ordinance S-47294)
- This item was adopted.**
- 50** Sibran Properties, LLC Lease Extension at Phoenix Deer Valley Airport (Ordinance S-47317)
- This item was adopted.**
- 51** Fare Box Software Upgrade Project (Ordinance S-47324)
- This item was adopted.**
- 52** Heavy Duty Bus Procurement - Request to Issue Request for Proposals (Ordinance S-47325)
- This item was adopted.**
- 53** Routing Information Software - Requirements Contract (Ordinance S-47298)
- This item was adopted.**
- 54** Bard Heating, Ventilation and Air Conditioning Equipment and Parts (Ordinance S-47300)

**This item was adopted.**

- 55** SR85 Litter Removal Cost Sharing Agreement (Ordinance S-47301)

**This item was adopted.**

- 56** Intergovernmental Agreement for Waste Collection and Transportation Mutual Aid (Ordinance S-47307)

**This item was adopted.**

- 57** Fuel Island Cleaning - Agreement Recommendation (Ordinance S-47310)

**This item was adopted.**

- 58** Intergovernmental Agreement with City of Tolleson for Real-Time Traffic Management Support (Ordinance S-47293)

**This item was adopted.**

- 59** Relief Sewer Project: Van Buren and 52nd Streets - Design-Bid-Build Services - WS90500295 (Ordinance S-47296)

**This item was adopted.**

- 60** Agreement with Arizona Department of Transportation For Rights of Way along South Mountain Freeway / Loop 202 (Congressman Ed Pastor Freeway) - Amendment 1 (Ordinance S-47302)

**This item was adopted.**

- 61** Agreement with Arizona Department of Transportation for Landscape and Abandonment for Interstate 10 Broadway Curve Improvement Project (Ordinance S-47303)

**This item was adopted.**

- 62** Intergovernmental Agreement with Arizona Department of Transportation for Maintenance of Congressman Ed Pastor Freeway (South Mountain Freeway / Loop 202) - Amendment 1 (Ordinance S-47311)

**This item was adopted.**

- 63** Support for Formation of Tonka Vista Irrigation Water Delivery District (Resolution 21894)

**This item was adopted.**

- 65** Wastewater Collection System Emergency Repair and Replacement - Job Order Contracting Services - 4108JOC196 (Ordinance S-47299)

**This item was continued to the March 3, 2021 City Council Formal Meeting.**

- 66** Intergovernmental Agreement with Arizona Department of Transportation for Right-of-Way Along State Route 51 Near Northern Avenue and 26th Street (Ordinance S-47308)

**This item was adopted.**

- 67** Final Plat - Cachet at Peak View - PLAT 200578 - 42nd Street and Peak View Road

**This item was approved.**

- 68** Final Plat - Lot 1, Aldea Centre - PLAT 200606 - 101st and Montebello Avenues

**This item was approved.**

- 69** Final Plat - Clarendale Arcadia - PLAT 200574 - 3233 E. Camelback Road

**This item was approved.**

- 70** Final Plat - 56th Street and Camelback - PLAT 200625 - 5716 and 5728 E. Camelback Road

**This item was approved.**

- 71** Final Plat - Hurley Ranch - Phase 1 - PLAT 200553 - Southeast Corner of 91st Avenue and Illini Street

**This item was approved.**

- 72** Final Plat - NWC 7th Street and Mohave Street - PLAT 200532 - Northwest Corner of 7th and Mohave Streets

**This item was approved.**

- 73** Abandonment of Right-of-Way - ABND 200527 - Northeast Corner of 42nd Street and Peak View Road (Resolution 21896)

**This item was adopted.**

- 74** Abandonment of Right-of-Way - ABND 200559 - Southeast Corner of Camelback Road and 32nd Street (Resolution 21895)

**This item was adopted.**

- 75** Abandonment of Right-of-Way - ABND 200524 - Southwest Corner of 23rd Avenue and Roeser Road (Resolution 21897)



**This item was adopted.**

- 76** Modification of Stipulation Request for Ratification of Jan. 20, 2021 Planning Hearing Officer Action - PHO-4-20\_Z-273-79-5(7) - Approximately 670 Feet South of the Southeast Corner of 83rd Avenue and Thomas Road

**This item was approved.**

- 77** Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-20\_Z-43-13-7 - Northwest Corner of 67th Avenue and Broadway Road (Ordinance G-6809)

**This item was adopted.**

- 78** Formal Action - PCD Major Amendment - Rezoning Application Z-49-XX-75-3 - Northwest Corner of Tatum Boulevard and Cactus Road

**This item was approved as revised.**

**A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that Items 14 and 15 be adopted. The motion carried by the following vote:**

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

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

- 14** American Association of Airport Executives

**This item was adopted.**

- 15** PFM Financial Advisors, LLC

**This item was adopted.**

- 20** Settlement of Claim(s) Foster v. City of Phoenix

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

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

**No:** 0

**27** 2015-2020 Consolidated Plan's 2019 Annual Action Plan CARES Act Amendment (Ordinance S-47330)

**A motion was made by Councilwoman Pastor, seconded by Councilmember Garcia, that this item be adopted as amended with additional direction to include a second Emergency Solution grant and Community Development Block Grant allocations, and to amend the first round of the Community Development Block Grant authorized by the Coronavirus Aid, Relief and Economic Security Act, and to make the following changes to Public Law 116-136 enacted on March 27, 2020: increase the allocation to support the Human Services Campus to \$4 million with the following distributions: \$2.4 million going to Central Arizona Shelter Services (CASS) to support the downtown location, \$1.6 million through a new contract with the Human Services Campus (HSC) to support the needs of HSC partners who provide critical service needs. Further request staff work with HSC to identify how the money will be used and to provide a timeline for the use of this one-time funding prior to the release of funds; reduce by \$1 million for a total of \$14 million allocation to support the funding of facility acquisition and/or improvement; further ensure RFP clearly delineates this is one-time funding allocation, with the preference for a regional approach to purchase a shelter facility to organizations that identify sustainable resources to maintain ongoing maintenance operations with no changes to the allocation presented by staff for the RFP to support homeless services; request the RFP requires respondents to outline their proposed plan tied back to the Council approved homeless plan approved in October 2020; and request to dedicate \$200,000 from administrative costs to further efforts into identifying regional resources and working with Maricopa Association of Governments (MAG) to urgently advance a regional plan to address homelessness under the direction of the City Manager. The motion carried by the following vote:**

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

**No:** 0

**28** Public Hearing and Authorizing Amendment to Chapter 14 of the Phoenix City Code Relating to Taxes (Ordinance G-6808)

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

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

**No:** 0

**36** Oracle Master Agreement (Ordinance S-47326)

**A motion was made by Vice Mayor Williams, 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, Vice Mayor Williams and Mayor Gallego

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

**64** Zone 3D and 4A Improvements Program: Water Transmission Main - Construction Manager at Risk Services Amendment - WS85500442 and WS90500306 (Ordinance S-47297)

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

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

**No:** 0

- 79** Public Hearing - Amend City Code - Ordinance Adoption - Responsible Adult Use of Marijuana - Z-TA-8-20 (Ordinance G-6810)

**The hearing was held. A motion was made by Vice Mayor Williams, seconded by Councilwoman Pastor, that this item be approved per the Feb. 4, 2021 Planning Commission recommendation, with adoption of 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 Williams and Mayor Gallego

**No:** 1 - Councilman Waring

- 80** Public Hearing - Rescind Action and Withdraw Ordinance Adoption - Rezoning Application Z-30-20-5 - Southeast of the Southeast Corner of 107th Avenue and Camelback Road (Ordinance G-6811)

**A motion was made by Vice Mayor Williams, seconded by Councilwoman Pastor, that this item be approved to rescind Ordinance G-6755 and adopt related Ordinance G-6811. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Councilwoman Guardado

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

- 81** Human Services Campus Request

**A motion was made by Councilwoman Guardado, seconded by**

**Councilmember Garcia, that this item be denied. The motion carried by the following vote:**

- Yes:** 6 - Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Mayor Gallego
- No:** 3 - Councilman DiCiccio, Councilman Waring and Vice Mayor Williams

**000 CITIZEN COMMENTS**

**ADJOURN**