

Results

City Council Formal Meeting

Wednesday, November 6, 2019

2:30 PM

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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 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

MINUTES OF MEETINGS

- 1** For Approval or Correction, the Minutes of the Formal Meeting on March 20, 2019

A motion was made by Councilwoman Pastor, seconded by Councilwoman Williams, 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

- 2** For Approval or Correction, the Minutes of the Formal Meeting on April 3, 2019

A motion was made by Councilman DiCiccio, seconded by Councilwoman Williams, 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

BOARDS AND COMMISSIONS

3 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

ADD-ON ITEMS

A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, to suspend the rules and take Item 108 out of order. 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

108 ADD-ON - Selection of Vice Mayor

A motion was made by Councilwoman Pastor, seconded by Councilman Nowakowski, to select Councilwoman Betty Guardado. The motion carried by the following vote:

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

No: 1 - Vice Mayor Waring

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

A motion was made by Vice Mayor Waring, seconded by Councilwoman Williams, that Items 4 through 26 be recommended for approval, except Item 23; continuing Item 24 to the Dec. 4, 2019 City Council Formal Meeting and Item 26 to the Nov. 20, 2019 City Council Formal Meeting; and noting that Item 25 is as corrected. 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

4 (CONTINUED FROM OCT. 16, 2019) - Liquor License - MOD Pizza

This item was recommended for approval.

5 Liquor License - Cactus Liquor

This item was recommended for approval.

6 Liquor License - Hot N Juicy Crawfish

This item was recommended for approval.

7 Liquor License - Shell Food Mart

This item was recommended for approval.

8 Liquor License - Special Event - First Hungarian Reformed Church in
Phoenix

This item was recommended for approval.

9 Liquor License - Barro's Pizza

This item was recommended for approval.

10 Liquor License - Special Event - CASA Academy

This item was recommended for approval.

- 11 Liquor License - Special Event - The Johnny O Alzheimer's, Dementia and TBI Awareness Foundation

This item was recommended for approval.

- 12 Liquor License - Linger Longer Lounge

This item was recommended for approval.

- 13 Liquor License - Special Event - Be Causal

This item was recommended for approval.

- 14 Liquor License - Special Event - Community Food Connections, Inc.

This item was recommended for approval.

- 15 Liquor License - Special Event - Community Food Connections, Inc.

This item was recommended for approval.

- 16 Liquor License - Antojitos Ay Wey!

This item was recommended for approval.

- 17 Liquor License - Where?House Gallery

This item was recommended for approval.

- 18 Liquor License - Yes! Mart

This item was recommended for approval.

- 19 Liquor License - Special Event - GLSEN, Inc.

This item was recommended for approval.

- 20 Liquor License - Special Event - Heritage Square Foundation

This item was recommended for approval.

- 21 Liquor License - Bar Axiom

This item was recommended for approval.

- 22 Liquor License - Carniceria Mr. Muuu

This item was recommended for approval.

- 24 Liquor License - Mariscos El Nuevo Altata

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

Meeting.

- 25** Off-Track Pari-Mutuel Wagering Permit Renewal - The Burg Sports Grill

This item was recommended for approval as corrected.

- 26** Off-Track Pari-Mutuel Wagering Permit - Moon Valley Grill

This item was continued to the Nov. 20, 2019 City Council Formal Meeting.

- 23** Liquor License - Caravan Taproom

A motion was made by Councilwoman Pastor, seconded by Councilwoman Williams, 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, 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 Williams, that Items 27 through 108 be approved or adopted, except Items 39, 59-60, 63, 67-68, 70, 86, 104 and 107; and continuing Item 38 to the Nov. 20, 2019 City Council Formal Meeting. 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

- 27** Copper State Supply, Inc.

This item was adopted.

- 28** Atlantic Signal, LLC

This item was adopted.

29 Griffeye Inc.

This item was adopted.

30 Pride Group, LLC doing business as Pride Outfitting

This item was adopted.

31 Settlement of Claim(s) Uhl v. City of Phoenix

This item was adopted.

32 Settlement of Claim(s) Scrivner v. City of Phoenix

This item was adopted.

33 Settlement of Claim(s) Sanchez et. al. v. City of Phoenix

This item was adopted.

34 Settlement of Claim(s) Almanza v. City of Phoenix

This item was adopted.

35 Settlement of Claim(s) Wilson v. City of Phoenix

This item was adopted.

36 Levi, Ray & Shoup, Inc.

This item was adopted.

37 Salt River Project Agricultural Improvement and Power District

This item was adopted.

38 (CONTINUED FROM SEPT. 4, SEPT. 18, AND OCT. 2, 2019) - Election
Funding Disclosure (Dark Money) (Ordinance G-6617)

**This item was continued to the Nov. 20, 2019 City Council Formal
Meeting.**

40 Proposed 17th Avenue and Desert Hollow Drive Annexation - Authorization to
File

This item was approved.

41 Inspection Testing and Maintenance Report System for Fire and Life Safety
Compliance - PPA Cooperative Contract RFP 1406 (Ordinance S-46120)

This item was adopted.

42 Authorization to Enter into Wireless Communications License with New
Cingular Wireless PCS, LLC at 38925 N. New River Road (Ordinance

S-46121)

This item was adopted.

- 43** Authorization to Amend Lease to Extend Term for Transit Center and Park-and-Ride at Metrocenter Mall (Ordinance S-46122)

This item was adopted.

- 44** Residential and Commercial Appraisal Services - Requirements Contracts (Ordinance S-46125)

This item was adopted.

- 45** Protective Footwear Contract (Ordinance S-46132)

This item was adopted.

- 46** Acceptance and Dedication of Easements for Public Utility and Sidewalk Purposes (Ordinance S-46133)

This item was adopted.

- 47** Acquisition of Real Property for Roadway Improvements at Thomas Road and 71st and 75th Avenue Intersections and Indian School Road and 51st and 67th Avenue Intersections (Ordinance S-46136)

This item was adopted.

- 48** Voluntary Acquisition of Three Parcels Near E. Sherman Street and S. 9th Place and Disposal of Three City-owned Parcels Near E. Watkins and S. 18th Streets (Ordinance S-46128)

This item was adopted.

- 49** Request for City Council to Call to Meet in Executive Session on Nov. 19, 2019 at 1 p.m. and Revise Work Study Session to a Policy Session on Nov. 12, 2019

This item was approved.

- 50** Authorization To Apply for, Accept, Disburse Funds and Enter into Agreements For U.S. Environmental Protection Agency Brownfields Assessment Coalition Grant for Rio Reimagined Project (Ordinance S-46153)

This item was adopted.

- 51** Authorization to Apply for, Accept, Disburse Funds and Enter into Agreements for U.S. Environmental Protection Agency Brownfields Revolving Loan Fund Grant (Ordinance S-46154)

This item was adopted.

- 52 2019-20 HOME Investment Partnerships Program Call for Interest

This item was approved.

- 53 Authorization to Enter into Contract for Social and Emotional Learning Program and Professional Development (Ordinance S-46130)

This item was adopted.

- 54 Authorization to Amend Agreement and Accept Additional Department of Economic Security Funding (Ordinance S-46137)

This item was adopted.

- 55 Phoenix Public Library's Annual Application for Arizona State Library's State Grants-In-Aid Funds

This item was approved.

- 56 2019 Community Development Block Grant Reprogramming Request (Ordinance S-46138)

This item was adopted.

- 57 2020-21 CDBG Public Service and Public Facility Request for Proposals

This item was approved.

- 58 Intergovernmental Agreements with Various School Districts for Phoenix Afterschool Center (PAC) Sites (Ordinance S-46135)

This item was adopted.

- 61 Authorization to Enter into Development Agreement with Mercury Systems (Ordinance S-46155)

This item was adopted.

- 62 Dedication of a Sidewalk Easement Located at 222 E. Jefferson St. (Ordinance S-46152)

This item was adopted.

- 64 Consent to Assignment of Leases from Fox Rent A Car, Inc. to Europcar Mobility Group (Ordinance S-46151)

This item was adopted.

- 65 Amend and Extend Transit Scheduling Software Maintenance Agreement (Ordinance S-46140)

This item was adopted.

- 66 Amend Scheduling/Dispatch Software Agreement to Include Additional Peak Vehicle Licenses (Ordinance S-46141)

This item was adopted.

- 69 Miscellaneous Building Repairs - Requirements Contracts (Ordinance S-46144)

This item was adopted.

- 71 Intergovernmental Agreement with Arizona Department of Transportation for Loop 101 Mobility Project (Ordinance S-46123)

This item was adopted.

- 72 MCDOT Intergovernmental Agreement Indemnification Language (Ordinance S-46146)

This item was adopted.

- 73 Request to Amend and Extend Contract for LED Street Light Services (Ordinance S-46127)

This item was adopted.

- 74 Fire Alarm - Job Order Contracting Services Contracts (Ordinance S-46143)

This item was adopted.

- 75 Salt River Project Land Use License at 24th Street and the Arizona Canal and Waiver of Phoenix City Code 42-18 (Ordinance S-46142)

This item was adopted.

- 76 Authorization to Apply, Accept and Disburse Funding and if Awarded, Enter into Agreement for Transportation Safety Projects in Fiscal Year 2020 (Ordinance S-46147)

This item was adopted.

- 77 Project Agreement with Maricopa Association of Governments to Accept and Disburse Regional Transportation Funds (Ordinance S-46149)

This item was adopted.

- 78 Phoenix Deer Valley Airport Taxiway D - Engineering Services - AV31000089 FAA (Ordinance S-46157)

This item was adopted.

- 79** Fence Line and Atmospheric Odor Treatment Equipment Monitoring Services Contract (Ordinance S-46124)

This item was adopted.

- 80** HERE Mapping Data Maintenance and Support for Oracle's Mobile Workforce Management - Contract Direct Selection (Ordinance S-46126)

This item was adopted.

- 81** Maintenance and Repair Services for Locator Equipment Agreement (Ordinance S-46129)

This item was adopted.

- 82** Joint Funding Intergovernmental Agreement with U.S. Department of the Interior, U.S. Geological Survey for Stormwater Monitoring Services (Ordinance S-46131)

This item was adopted.

- 83** Development Agreement between City of Phoenix and Aspire Fillmore, LLC for Upsizing of Water Main at 3rd Avenue, North of Fillmore Street (Ordinance S-46145)

This item was adopted.

- 84** Request to Enter into Development Agreement with Host Hotels & Resorts, L.P. to Construct Water Booster Pump Station (Ordinance S-46148)

This item was adopted.

- 85** SRP Data Licensing Agreement (Ordinance S-46150)

This item was adopted.

PLANNING AND ZONING MATTERS

- 87** PCD Major Amendment - Rezoning Application Z-190-H-84-7 - Southwest Corner of 83rd Avenue and Palm Lane

This item was approved.

- 88** Final Plat - Norterra PUD Union Street Lots 2 & 3 - 190040 - Southeast Corner of White Thorn Boulevard and Norterra Parkway

This item was approved.

- 89** Final Plat - I-17 & Jomax Apartments - 190041 - 337 Feet North of Jomax Road on the West Side of 27th Avenue

This item was approved.

- 90** Final Plat - Western Enclave 2 - 180126 - Southwest Corner of 91st Avenue and Campbell Avenue

This item was approved.

- 91** Final Plat - Parcels 2A & 2B of Western Enclave 2 - 190031 - 1,475 Feet West of 91st Avenue Along Campbell Avenue

This item was approved.

- 92** Final Plat - Logic Park 91 - 190043 - Southwest Corner of 91st Avenue and Buckeye Road

This item was approved.

- 93** Final Plat - Aspire Fillmore - 190055 - 601 N. 3rd Ave.

This item was approved.

- 94** Final Plat - 700 N. 4th Street - 190044 - 700 N. 4th St.

This item was approved.

- 95** (CONTINUED FROM AUG. 28 AND OCT. 2, 2019) - Abandonment of Easement - V190030A - 4250 N. 103rd Ave. (Resolution 21769)

This item was adopted.

- 96** Abandonment of Easement - V190044A - 25322 N. 21st Ave. (Resolution 21796)

This item was adopted.

- 97** Abandonment of Easement - V180015A - 11011 N. 13th Ave. (Resolution 21794)

This item was adopted.

- 98** Abandonment of Easement - V190035A - 4502 W. Monterosa St. (Resolution 21797)

This item was adopted.

- 99** Abandonment of Easement - V190050A - 6204 N. 22nd St. (Resolution 21793)

This item was adopted.

- 100** Abandonment of Right-of-Way - V190014A - Southeast Corner of Kaler Drive and 3rd Street (Resolution 21795)

This item was adopted.

- 101** Amend City Code - Ordinance Adoption - Rezoning Application Z-5-19-1 - Approximately 2,640 Feet North of the Northeast Corner of 51st Avenue and Tonopah Drive (Ordinance G-6635)

This item was adopted.

- 102** Amend City Code - Ordinance Adoption - Rezoning Application - Z-6-19-1 - Approximately 2,640 Feet North of the Northeast Corner of 51st Avenue and Tonopah Drive (Ordinance G-6636)

This item was adopted.

- 103** Amend City Code - Ordinance Adoption - Rezoning Application Z-33-19-1 - Northwest Corner of 33rd Avenue and the Jomax Road Alignment (Ordinance G-6633)

This item was adopted.

- 105** Amend City Code - Ordinance Adoption - Rezoning Application Z-40-19-7 - Approximately 360 Feet East of the Northeast Corner of 2nd Street and Roeser Road (Ordinance G-6634)

This item was adopted.

- 106** Amend City Code - Ordinance Adoption - Rezoning Application Z-27-19-8 - Southwest Corner of 55th Avenue and Dobbins Road (Ordinance G-6632)

This item was adopted.

- 39** Amendments to Rules of Council Proceedings (Ordinance G-6638)

A motion was made by Councilwoman Pastor, seconded by Councilwoman Williams, that this item be adopted as amended noting Rule 7(C) will go into effect on January 1, 2021. The motion carried by the following vote:

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

No: 3 - Councilman DiCiccio, Councilmember Garcia and Vice Mayor Waring

- 59** Public Hearing and Resolution to Approve the 2020 Downtown Enhanced Municipal Services District Assessments (Resolution 21792)

The hearing was held. A motion was made by Councilwoman Williams, seconded by Councilwoman Pastor, 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

- 60** Authorization to Pay Invoices for 2020 Downtown Enhanced Municipal Services District (Ordinance S-46134)

A motion was made by Councilwoman Williams, seconded by Councilwoman Pastor, 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

- 63** Mexico Trade Development Consulting Services Request for Proposals Contract Award (RFP-CED19-MTD) (Ordinance S-46158)

A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that this item be adopted as amended noting the contract be awarded for two years with direction that staff work on developing a global plan to bring back to the Council. The motion failed by the following vote:

Yes: 3 - Councilwoman Pastor, Councilwoman Stark and Councilwoman Williams

No: 6 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Vice Mayor Waring and Mayor Gallego

- 67** Fiscal Year Reconciliation with Regional Public Transportation Authority for Purchase of Fixed Route Transit Service for Fiscal Year 2018-19 (Ordinance S-46139)

A motion was made by Councilwoman Williams, seconded by

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

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

No: 1 - Vice Mayor Waring

Absent: 1 - Councilmember Garcia

- 68** Request Authorization to Apply for 2019 Federal Transit Administration Transit Oriented Development Planning Grant for Capitol/I-10 West Extension (Ordinance S-46156)

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

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

No: 2 - Councilman DiCiccio and Vice Mayor Waring

Absent: 1 - Councilmember Garcia

- 70** Pedestrian Safety Improvements

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

No: 0

Absent: 1 - Councilwoman Guardado

- 86** Desert Ridge Specific Plan - Southwest Corner of 56th Street and Deer Valley Road

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

- 104** Amend City Code - Ordinance Adoption - Rezoning Application Z-18-19-4 - Northwest Corner of Central Avenue and Indian School Road (Ordinance G-6637)

A motion was made by Councilwoman Pastor, seconded by Councilwoman Williams, that this item be approved per Planning Commission's recommendation on Oct. 3, 2019 and 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

- 107** 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-6639)

The hearing was held. A motion was made by Vice Mayor Waring, seconded by Councilwoman Williams, that this rezoning application be denied. The motion carried by the following vote:

Yes: 5 - Councilwoman Pastor, Councilwoman Stark,
Councilwoman Williams, Vice Mayor Waring and Mayor
Gallego

No: 4 - Councilman DiCiccio, Councilmember Garcia,
Councilwoman Guardado and Councilman Nowakowski

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

CITIZEN COMMENTS

ADJOURN