

City Council Formal Meeting

Wednesday, May 5, 2021

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: 8 - Councilwoman Yassamin Ansari, Councilman Sal DiCiccio, Councilwoman Betty Guardado, Councilwoman Ann O'Brien, Councilwoman Debra Stark, Councilman Jim Waring, Vice Mayor Carlos Garcia and Mayor Kate Gallego

Absent: 1 - Councilwoman Laura Pastor

MINUTES OF MEETINGS

- 1 For Approval or Correction, the Minutes of the Formal Meeting on Jan. 29, 2020

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

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Pastor

A motion was made by Councilwoman Stark, seconded by Councilwoman Guardado, to suspend the rules and hear Items 2-3 after Item 53. The motion carried by the following voice vote:

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Pastor

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

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that Items 4-11 be recommended for approval; and noting that Item 8 is continued to the July 1, 2021 City Council Formal Meeting. The motion carried by the following voice vote:

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio,
Councilwoman Guardado, Councilwoman O'Brien,
Councilwoman Stark, Councilman Waring, Vice Mayor
Garcia and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Pastor

4 Liquor License - Sprouts Farmers Market #9

This item was recommended for approval.

5 Liquor License - Chino Bandido

This item was recommended for approval.

6 Liquor License - Tacos Chiwas

This item was recommended for approval.

7 Liquor License - Cobblestone Auto Spa & Market #19

This item was recommended for approval.

8 Liquor License - The Wine Curator

This item was continued to the July 1, 2021 City Council Formal Meeting.

9 Liquor License - Quality Distributor

This item was recommended for approval.

10 Liquor License - Hyatt Place Phoenix Downtown

This item was recommended for approval.

11 Liquor License - Del Monte Market

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that Items 12-76 be approved or adopted, except Items 16, 19, 21, 46, 48, 51, 53 and 71-76; and noting that Items 22-23 and 69-70 are withdrawn. The motion carried by the following vote:

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio,
Councilwoman Guardado, Councilwoman O'Brien,
Councilwoman Stark, Councilman Waring, Vice Mayor
Garcia and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Pastor

12 FX Tactical LLC

This item was adopted.

13 Coulter Ventures, LLC, doing business as Rogue Fitness

This item was adopted.

14 Atlantic Diving Supply, Inc

This item was adopted.

15 Regupol Zebra Athletics LLC

This item was adopted.

17 Websolv Computing, Inc. doing business as ecfirst

This item was adopted.

18 ReluTech, LLC

This item was adopted.

20 Herc Rentals, Inc.

This item was adopted.

22 Public Hearing to Present Position Statements from City and AFSCME Local
2384 (Unit 2) on Unresolved Issues

This item was withdrawn.

- 23** Public Hearing to Present Position Statements from City and AFSCME Local 2960 (Unit 3) on Unresolved Issues

This item was withdrawn.

- 24** Call for a Special Meeting and Notice of Legally Required Public Hearings on Proposed 2021-22 Budget for the City of Phoenix

This item was approved.

- 25** Authorization to Accept Real Property for the Durango Regional Conveyance Channel, along Lower Buckeye Road, 75th to 107th Avenues (Ordinance S-47507)

This item was adopted.

- 26** Authorization to Enter into a Revocable License with TB North, LLC on City-Owned Property Located at 31750 N. Cave Creek Road (Ordinance S-47510)

This item was adopted.

- 27** Acceptance of Easements for Drainage and Water Purposes (Ordinance S-47518)

This item was adopted.

- 28** Acceptance and Dedication of a Deed and Easements for Sidewalk, Public Utility and Roadway Purposes (Ordinance S-47519)

This item was adopted.

- 29** Oracle Software, Hardware, Support and Maintenance Contract (Ordinance S-47524)

This item was adopted.

- 30** Intergovernmental Agreement between Maricopa County and City Prosecutor's Office for Use of Maricopa County Phone Services (Ordinance S-47529)

This item was adopted.

- 31** Intergovernmental Agreement between Maricopa County and City Public Defender's Office for Use of Maricopa County Phone Services (Ordinance S-47534)

This item was adopted.

- 32** Intergovernmental Agreement between Maricopa County and Phoenix

Municipal Court for Use of Maricopa County Phone Services (Ordinance S-47535)

This item was adopted.

- 33** Amend Contract with Community Legal Services for COVID-19 Tenant Eviction Assistance Project (Ordinance S-47528)

This item was adopted.

- 34** Request Phoenix Become Signatory City of C40 Clean Air Cities Declaration

This item was approved.

- 35** 2021-22 CDBG Public Service and Public Facility Request for Proposals

This item was approved.

- 36** 2021-2022 CDBG Reprogramming Request (Ordinance S-47540)

This item was adopted.

- 37** 2021-2022 CDBG Neighborhood Economic Development Programs (Ordinance S-47512)

This item was adopted.

- 38** 2021-22 CDBG Neighborhood Infrastructure and Enhancement Programs (Ordinance S-47527)

This item was adopted.

- 39** Fiscal Year 2021-2022 Neighborhood Services Department Housing Rehabilitation Programs (Ordinance S-47511)

This item was adopted.

- 40** 2021-2022 Housing and Urban Development Consolidated Plan Annual Action Plan (Ordinance S-47526)

This item was adopted.

- 41** Recruit and Promotional Test Writer Services (Ordinance S-47525)

This item was adopted.

- 42** Biology (BIO160) Instructor for Fire Department's Emergency Medical Services Program (Ordinance S-47530)

This item was adopted.

- 43** Fire Station 62 - Architectural Services - FD57100027 (Ordinance S-47517)

This item was adopted.

- 44** Agreement with State of Arizona Department of Administration for 9-1-1 Program (Ordinance S-47538)

This item was adopted.

- 45** Donation of Canine Ballistic Vests (Ordinance S-47533)

This item was adopted.

- 47** FY 2022 Full Service Forensic Crime Laboratory Grant (Ordinance S-47536)

This item was adopted.

- 49** Consent to Assignment and Assumption of Lease from AC Holdings, Inc. to Travel Content, LLC dba ReachTV (Ordinance S-47521)

This item was adopted.

- 50** Airfield Lighting Hardware Supplies - Agreement Recommendation (Ordinance S-47522)

This item was adopted.

- 52** Bridge and Dam Safety Repair Program Job Order Contracting Services Amendment - 4108JOC191 (Ordinance S-47532)

This item was adopted.

- 54** Margaret T. Hance Park Phase I Improvements - Construction Manager at Risk Preconstruction Services - Amendment - PA75200553 (Ordinance S-47513)

This item was adopted.

- 55** Water Services Department Concrete and Asphalt Restoration - 2-Step Job Order Contract Services - 4108JOC194 (Ordinance S-47508)

This item was adopted.

- 56** Water Main Replacement - Area Bounded By: Indian Bend Road to Mockingbird Lane and 60th Street to Scottsdale Road - Construction Manager at Risk Construction Services - WS85509054 (Ordinance S-47509)

This item was adopted.

- 57** Water Services Department Pavement Restoration Job Order Contract Program - Construction Administration and Inspection Services - Amendment - 8423600000 (Ordinance S-47516)

This item was adopted.

- 58** 23rd Avenue Wastewater Treatment Plant Job Order Contract Program Engineering Support Services - WS90200001, WS90200053, WS90200055, and WS90450008 (Ordinance S-47520)

This item was adopted.

- 59** Water Pipe and Miscellaneous Fittings - Request for Award (Ordinance S-47514)

This item was adopted.

- 60** Membrane Diffusers - Request for Award (Ordinance S-47523)

This item was adopted.

- 61** Final Plat - Sendero Crossing - PLAT 200603 - Northwest Corner of 43rd Avenue and Circle Mountain Road

This item was approved.

- 62** Abandonment of Right-of-Way - V190020A - 1728 and 1802 W. Magdalena Lane (Resolution 21919)

This item was adopted.

- 63** Abandonment of Right-of-Way - V190064A - 4309 E. Bellevue St. (Resolution 21921)

This item was adopted.

- 64** Amend City Code - Official Supplementary Zoning Map 1214 (Ordinance G-6843)

This item was adopted.

- 65** Amend City Code - Official Supplementary Zoning Map 1215 (Ordinance G-6844)

This item was adopted.

- 66** Amend City Code - Official Supplementary Zoning Map 1216 (Ordinance G-6845)

This item was adopted.

- 67** Amend City Code - Ordinance Adoption - Rezoning Application Z-67-20-4 - Northwest Corner of 2nd Street and Catalina Drive (Ordinance G-6842)

This item was adopted.

- 68** Amend City Code - Ordinance Correction for Z-9-20-6 Willowick PUD - Southwest Corner of 16th and Colter Street (Ordinance G-6848)

This item was adopted.

- 69** Amend City Code - Ordinance Adoption - Rezoning Application Z-61-20-8 - Northeast Corner of 16th Street and Chipman Road (Ordinance G-6846)

This item was withdrawn.

- 70** Amend City Code - Ordinance Adoption - Rezoning Application Z-62-20-8 - Northeast Corner of 16th Street and Chipman Road (Ordinance G-6847)

This item was withdrawn.

- 16** Ignazio Edward Genna

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

Yes: 6 - Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

Absent: 1 - Councilwoman Pastor

- 19** Maricopa Association of Governments

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

Yes: 5 - Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Vice Mayor Garcia and Mayor Gallego

No: 3 - Councilman DiCiccio, Councilwoman Stark and Councilman Waring

Absent: 1 - Councilwoman Pastor

- 21** Reopening City Services in the Parks and Recreation and Human Services Departments

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that this item be approved as amended to have

staff evaluate and return to Council with options and budgetary impact of pools being open on weekends in September. The motion carried by the following vote:

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Pastor

- 46** Approval of Neighborhood Block Watch Oversight Committee's Recommendations for 2021 Grant Program Awards (Ordinance S-47531)

A motion was made by Councilwoman Stark, seconded by Councilwoman O'Brien, that this item be adopted with direction that the Committee re-evaluate the 29 applications not funded. The motion carried by the following vote:

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Pastor

- 48** Enter into Agreements with Various School Districts for Funding of School Resource Officers (Ordinance S-47537)

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

Yes: 7 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring and Mayor Gallego

No: 1 - Vice Mayor Garcia

Absent: 1 - Councilwoman Pastor

- 51** Aviation Department Environmental On-Call Consulting Services for Fiscal Years 2021-25 (Ordinance S-47515)

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

Yes: 6 - Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

Absent: 1 - Councilwoman Pastor

53 Funding from Salt River Project to Install Electric Vehicle Charging at Parks and Libraries (Ordinance S-47539)

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

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Pastor

2 For Approval or Correction, the Minutes of the Formal Meeting on Feb. 5, 2020

A motion was made by Councilwoman Stark, seconded by Councilwoman O'Brien, that this item be approved. The motion carried by the following voice vote:

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Pastor

3 Mayor and Council Appointments to Boards and Commissions

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that this item be approved, except Ethics

Commission appointments. The motion carried by the following voice vote:

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Pastor

A motion was made by Councilwoman Stark, seconded by Councilman Waring, that the Ethics Commission appointments be approved. The motion failed to receive the required 7 affirmative votes by the following vote:

Yes: 5 - Councilwoman Ansari, Councilwoman O'Brien, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 3 - Councilman DiCiccio, Councilwoman Guardado and Councilwoman Stark

Absent: 1 - Councilwoman Pastor

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, to suspend the rules and hear Items 73-76 out of order. The motion carried by the following voice vote:

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Pastor

73 ADD-ON - Public Comment on Proposed MOU Between City of Phoenix and AFSCME Local 2384 (Unit 2)

The hearing was held.

74 ADD-ON - Approving the Memorandum of Understanding Between City of Phoenix and AFSCME Local 2384 (Unit 2) (Resolution 21922)

A motion was made by Vice Mayor Garcia, seconded by

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

Yes: 6 - Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

Absent: 1 - Councilwoman Pastor

- 75** ADD-ON - Public Comment on Proposed MOU Between City of Phoenix and AFSCME Local 2960 (Unit 3)

The hearing was held.

- 76** ADD-ON - Approving the Memorandum of Understanding Between City of Phoenix and AFSCME Local 2960 (Unit 3) (Resolution 21923)

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

Yes: 6 - Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

Absent: 1 - Councilwoman Pastor

- 71** Public Hearing and Resolution Adoption - General Plan Amendment GPA-SM-1-20-8 - Approximately 340 Feet West of the Southwest Corner of 40th Street and Southern Avenue (Resolution 21920)

The hearing was held. A motion was made by Vice Mayor Garcia, seconded by Councilwoman Guardado, that this item be denied as filed with approval of Mixed Use Agricultural/Residential 5-10 dwelling units per acre and adoption of the related resolution. The motion carried by the following vote:

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Pastor

- 72** Public Hearing and Ordinance Adoption - Rezoning Application Z-35-20-8 - Approximately 340 Feet West of the Southwest Corner of 40th Street and Southern Avenue (Ordinance G-6841)

The hearing was held. A motion was made by Vice Mayor Garcia, seconded by Councilwoman Guardado, that this item be approved per the May 5, 2021 memo from the Planning and Development Director, with adoption of the related ordinance. The motion carried by the following vote:

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Pastor

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN