

Results

City Council Formal Meeting

Wednesday, December 18, 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, 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 April 17, 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

BOARDS AND COMMISSIONS

- 2** 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 as corrected. 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 Swearing in of Municipal Court Judges

Mayor Gallego administered the oath of office to Phoenix Municipal Court Judges Walter Jackson, James Sampanes, Francisca Cota and Cynthia Gonzales.

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

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 4 through 31 be recommended for approval, except Item 7 which is withdrawn by the applicant. 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

4 Liquor License - Special Event - W.R. Marksman Club, Inc.

This item was recommended for approval.

5 Liquor License - GoPuff

This item was recommended for approval.

6 Liquor License - Mercado y Carniceria Sepulveda

This item was recommended for approval.

7 Liquor License - Roadhouse Cinemas

This item was withdrawn.

8 Liquor License - Special Event - Orgazac, Inc.

This item was recommended for approval.

- 9 Liquor License - Special Event - Orgazac, Inc.
This item was recommended for approval.
- 10 Liquor License - Special Event - St. Mary's Roman Catholic High School
Phoenix
This item was recommended for approval.
- 11 Liquor License - Montecito Mercantile
This item was recommended for approval.
- 12 Liquor License - Carniceria La Hacienda
This item was recommended for approval.
- 13 Liquor License - Special Event - Kiwanis Club of Ahwatukee Foundation, Inc.
This item was recommended for approval.
- 14 Liquor License - Special Event - Kiwanis Club of Ahwatukee Foundation, Inc.
This item was recommended for approval.
- 15 Liquor License - Special Event - Valley Dogs, Inc.
This item was recommended for approval.
- 16 Liquor License - Cock N Tails
This item was recommended for approval.
- 17 Liquor License - Mercbar
This item was recommended for approval.
- 18 Liquor License - Special Event - The Grand Canyon Sisters of Perpetual
Indulgence, Inc.
This item was recommended for approval.
- 19 Liquor License - Special Event - The Grand Canyon Sisters of Perpetual
Indulgence, Inc.
This item was recommended for approval.
- 20 Liquor License - Punch Bowl Social
This item was recommended for approval.
- 21 Liquor License - Dollar General Store #20071
This item was recommended for approval.

22 Liquor License - Pigtales

This item was recommended for approval.

23 Liquor License - Special Event - Children's Museum of Phoenix

This item was recommended for approval.

24 Liquor License - Special Event - Children's Museum of Phoenix

This item was recommended for approval.

25 Liquor License - Family Market

This item was recommended for approval.

26 Liquor License - Marz Market

This item was recommended for approval.

27 Liquor License - Mesa Airlines, Inc.

This item was recommended for approval.

28 Liquor License - PHX Beer Co/Scramble/Ajo Al's

This item was recommended for approval.

29 Liquor License - Wren House Brewing Co

This item was recommended for approval.

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

This item was recommended for approval.

31 Off-Track Pari-Mutuel Wagering Permit Renewal - Bleacher's Sports Grill

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 32 through 91 be approved or adopted, except Items 36, 39, 42, 48, 50, 53, 57, 63, 87, 88, 90 and 91; continuing Item 52 to the Jan. 29, 2020 City Council Formal Meeting and Item 89 to the Feb. 19, 2020 City Council Formal Meeting; and noting that Item 62 is withdrawn. 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 ANIXTER, INC.

This item was adopted.

33 Phoenix Community Alliance

This item was adopted.

34 C3 Pathways, Incorporated

This item was adopted.

35 Dominion Voting Systems, Inc.

This item was adopted.

37 Settlement of Claim(s) Jazo v. City of Phoenix

This item was adopted.

38 Settlement of Claim(s) Verdugo v. City of Phoenix

This item was adopted.

40 Arizona Parks and Recreation Association

This item was adopted.

41 Electric Vehicle Company

This item was adopted.

43 Legal Publication and Advertising Expenditures - RFQ 19-028 (Ordinance S-46251)

This item was adopted.

44 Authorization to Amend Lease with Felipe Perez Farms, Inc. to Extend Term of Farming Lease (Ordinance S-46232)

This item was adopted.

45 Acceptance of Easements for Water and Drainage Purposes (Ordinance S-46242)

This item was adopted.

- 46** Grant of Public Utility Easement on City-Owned Property for Century Library Service Entrance Section (Ordinance S-46243)

This item was adopted.

- 47** Facilities Maintenance and Repair and Operations and Industrial Supplies - Requirements Contract (Ordinance S-46245)

This item was adopted.

- 49** Network Equipment and Services Contract (Ordinance S-46231)

This item was adopted.

- 51** Telecommunication and Data Supplies for Public Safety Wireless (Ordinance S-46257)

This item was adopted.

- 52** Software Value-Added Reseller Services - State of Arizona Cooperative Contract (Ordinance S-46259)

This item was continued to the Jan. 29, 2020 City Council Formal Meeting.

- 54** Uniform Video Service License Agreements (Ordinance S-46252)

This item was adopted.

- 55** Wireless Communications Services, Accessories, and Equipment (Ordinance S-46258)

This item was adopted.

- 56** Authorization for Phoenix Municipal Court to Apply for, Accept, Disburse Funds and Enter into an Agreement for State Justice Institute Grant Funds (Ordinance S-46238)

This item was adopted.

- 58** Chiller and Boiler System Services (Commercial and Residential) - Federally Funded (Ordinance S-46237)

This item was adopted.

- 59** 2020 Arizona State Parks and Trails Land and Water Conservation Fund Grant (Ordinance S-46253)

This item was adopted.

- 60 ASU Knowledge Exchange for Resilience Fellowship Funds (Ordinance S-46256)
- This item was adopted.**
- 61 Donation from United Healthcare for Phoenix Fire Department Baby Shots Immunization Program (Ordinance S-46248)
- This item was adopted.**
- 62 National Vehicle Location Service Database (Ordinance S-46246)
- This item was withdrawn.**
- 64 Wi-Fi Service Concession Agreement (Ordinance S-46240)
- This item was adopted.**
- 65 Gold Key Racquet Club Repaving Improvement District Assessment Diagram and Set Hearing Date (ST87200002, ID 1308)
- This item was approved.**
- 66 Authorization to Enter into Intergovernmental Agreement with Maricopa County for Operation and Maintenance of Two Traffic Signals (Ordinance S-46229)
- This item was adopted.**
- 67 Cave Creek Wastewater Reclamation Plant Rehabilitation - Engineering Services Amendment 1 - WS90300008 (Ordinance S-46230)
- This item was adopted.**
- 68 Mill and Overlay Pavement Maintenance Program - 2-Step Job Order Contracting Services - 4108JOC183 (Ordinance S-46235)
- This item was adopted.**
- 69 Citywide Demolition Services - Job Order Contracting Services - 4108JOC185 (Ordinance S-46236)
- This item was adopted.**
- 70 Request Authorization to Enter into Intergovernmental Agreement with Flood Control District of Maricopa County and City of Scottsdale for Rawhide Wash Flood Hazard Mitigation Project Construction (Ordinance S-46244)
- This item was adopted.**
- 71 Request Authorization to Amend Intergovernmental Agreement with Flood

Control District of Maricopa County and City of Scottsdale for Rawhide Wash Flood Hazard Mitigation Project (Ordinance S-46261)

This item was adopted.

- 72 Confined Space Standby Rescue Services (Ordinance S-46233)

This item was adopted.

- 73 Rental Services for Trench Safety Equipment - Invitation for Bids (Ordinance S-46234)

This item was adopted.

- 74 Background Screening Services (Ordinance S-46239)

This item was adopted.

- 75 Parasite Wasps Contract for Pest Elimination (Ordinance S-46241)

This item was adopted.

- 76 Debris Caps Contract (Ordinance S-46247)

This item was adopted.

- 77 Heavy Duty Mobile Cart and Welding Workstation Contract (Ordinance S-46249)

This item was adopted.

- 78 Mechanical Seals Contracts - Direct Selection (Ordinance S-46250)

This item was adopted.

PLANNING AND ZONING MATTERS

- 79 Modification of Stipulation Request for Ratification of Nov. 20, 2019 Planning Hearing Officer Action - Z-70-00-1

This item was approved.

- 80 Modification of Stipulation Request for Ratification of Nov. 20, 2019 Planning Hearing Officer Action - Z-130-95-2(3)

This item was approved.

- 81 Modification of Stipulation Request for Ratification of Nov. 20, 2019 Planning Hearing Officer Action - Z-33-06-5

This item was approved.

- 82 Modification of Stipulation Request for Ratification of Nov. 20, 2019 Planning

Hearing Officer Action - Z-6-03-7

This item was approved.

- 83 Modification of Stipulation Request for Ratification of Nov. 20, 2019 Planning Hearing Officer Action - Z-46-03-7

This item was approved.

- 84 Final Plat - Discount Tire - 190048 - South of Peoria Avenue and East of 31st Avenue

This item was approved.

- 85 Final Plat - Missouri 3 - 190030 - East of 2nd Street North of Georgia Avenue

This item was approved.

- 86 Amend City Code - Ordinance Adoption - Rezoning Application Z-39-19-4 - Approximately 400 Feet East of the Northeast Corner of 7th Avenue and Camelback Road (Ordinance G-6651)

This item was adopted.

- 89 Public Hearing - Abandonment of Right-of-Way Appeal - V190054A - Yuma Street from 21st Drive to 21st Avenue; 21st Avenue, South of Yuma Street; and Alleyway Southwest of Yuma Street and 21st Avenue

This item was continued to the Feb. 19, 2020 City Council Formal Meeting.

- 36 Settlement of Claim(s) Reynolds v. City of Phoenix

A motion was made by Vice Mayor Guardado, seconded by Councilmember Garcia, 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

- 39 National Association of Housing and Redevelopment Officials

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

No: 2 - Councilman DiCiccio and Councilman Waring

42 Amend Phoenix City Code Chapter 4 Related to Commercial Ground Transportation Trip Fees (Ordinance G-6650)

A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that this item be adopted as amended per the following amendments to Phoenix City Code Chapter 4: 1) Increase existing and set new commercial ground transportation trip fees for non-rideshare companies and rideshare companies (known as Transportation Network Companies) as recommended by staff effective Feb. 1, 2020. The Year 1 trip fees for pick up and drop off will be GT Mode: TNC - \$4.00; Vehicles - 1-8 Seats - \$1.75; 9-23 Seats - \$2.25; 24+ Seats - \$5.00; 2) Establish a process to annually adjust trip fees in an effort to maintain a level of cost recovery. All future trip fee adjustments for both non-rideshare and rideshare companies shall increase at the greater of 3 percent or the Consumer Price Index to keep up with the cost of inflation. For non-rideshare companies, this is effective Jan. 1, 2021 and for rideshare companies this is effective Jan. 1, 2025; 3) Provide the following incentives to discount the trip fee rates: a) 10 percent for each trip made by alternative fuel-powered vehicle or 40 percent for each trip made by a zero-emissions vehicle and b) 30 percent for each trip that initiates or terminates at the 44th Street or 24th Street PHX Sky Train Stations; 4) And make conforming, clarifying and renumbering changes as necessary. 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

48 Audio Video Equipment and Service Contract (Ordinance S-46260)

A motion was made by Councilwoman Williams, 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

- 50** Ordinance Authorizing the Issuance of Obligations to Finance Public Transit Projects (Ordinance S-46255)

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

- 53** Ordinance to Amend City Code Related to Cable Television License Fees (Ordinance G-6652)

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

- 57** (CONTINUED FROM SEPT. 4, SEPT. 18, OCT. 2, NOV. 6, AND NOV. 20, 2019) - Election Funding Disclosure (Dark Money) (Ordinance G-6617)

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

No: 2 - Councilman DiCiccio and Councilman Waring

63 Tasers-EXC 20-055 - Requirements Contract (Ordinance S-46254)

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

87 Public Hearing - Infrastructure Financing Plan: 2020 Update and Recommended Development Impact Fees

The hearing was held.

88 Public Hearing and Resolution Adoption - General Plan Amendment GPA-DSTV-2-19-2 - North of the Northeast Corner of 56th Street and Deer Valley Road (Resolution 21800)

The hearing was held. A motion was made by Councilman Waring, seconded by Councilwoman Williams, that this item be approved per the Dec. 5, 2019 Planning Commission recommendation with adoption of the related resolution. 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

90 Public Hearing - Abandonment of Right-of-Way Appeal - V190063A - Northwest Corner of 1st Avenue and McKinley Street

The hearing was held. A motion was made by Councilman

Nowakowski, seconded by Councilwoman Stark, that this item be approved per the Abandonment Hearing Officer's recommendation, subject to stipulations per the Dec. 18, 2019 memo from the Planning and Development Director. 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

91 ADD-ON - Photo Enforcement Technology - RFP 14-021A - Requirements Contract (Ordinance S-46262)

A motion was made by Councilman Nowakowski, seconded by Councilman DiCiccio, that this item be adopted per the Dec. 11, 2019 Public Safety and Justice Subcommittee recommendation to authorize \$325,000 in additional funds and extend Contract 139520 with Redflex Traffic Systems, Inc. for the continuation of mobile photo speed enforcement services for the Phoenix Police Department, and have a Work Study session to get information on how locations are chosen for cameras and look at best practices. 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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

CITIZEN COMMENTS

ADJOURN