

### City Council Formal Meeting

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Wednesday, December 16, 2020

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 Nov. 20, 2019

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, 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 Stark, 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

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

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that Items 3-16 be recommended for approval. 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

**3** Liquor License - ARCO AM/PM

**This item was recommended for approval.**

**4** Liquor License - 76 Station

**This item was recommended for approval.**

**5** Liquor License - Maskadores Taco Shop

**This item was recommended for approval.**

**6** Liquor License - Nomada Provisions

**This item was recommended for approval.**

**7** Liquor License - Maskadores Taco Shop

**This item was recommended for approval.**

**8** Liquor License - Pizza Hut #26986

**This item was recommended for approval.**

**9** Liquor License - Artichoke Basille's Pizza

**This item was recommended for approval.**

- 10 Liquor License - Kahvi Coffee + Cafe

**This item was recommended for approval.**

- 11 Liquor License - Pedal Haus Brewery

**This item was recommended for approval.**

- 12 Liquor License - Pizza Hut #35859

**This item was recommended for approval.**

- 13 Liquor License - Sake Haus

**This item was recommended for approval.**

- 14 Liquor License - Golden Imperial Products LLC

**This item was recommended for approval.**

- 15 Liquor License - AC Hotel Phoenix Downtown

**This item was recommended for approval.**

- 16 Liquor License - Maskadores Taco Shop

**This item was recommended for approval.**

### **ORDINANCES, RESOLUTIONS, AND NEW BUSINESS**

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that Items 17-92 be approved or adopted, except Items 21, 23, 27-28, 31, 34-37, 44-45, 47-49, 52, 55-56, 67 and 92; continuing Item 60 to the Jan. 20, 2021 City Council Formal Meeting and Item 91 to the Feb. 3, 2021 City Council Formal Meeting; and noting that Items 37-38 are as revised. 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

- 17 AZ Wastewater Industries, Inc.

**This item was adopted.**

- 18 Cummins-Allison Corp.

**This item was adopted.**

- 19 Healthy Outcomes, Inc. doing business as Engaged Public

**This item was adopted.**

- 20 FARO Technologies Inc.

**This item was adopted.**

- 22 Global Music Rights, LLC

**This item was adopted.**

- 24 Arizona Public Service Company doing business as APS

**This item was adopted.**

- 25 Form of the Ballot for March 9, 2021 Runoff Election for Districts 3 and 7 -  
Emergency Clause (Ordinance S-47192)

**This item was adopted.**

- 26 Designation of Voting Centers for the March 2021 Runoff Election  
(Ordinance S-47184)

**This item was adopted.**

- 29 Request for City Council to Meet in Executive Session on Dec. 18, 2020 at 9  
a.m.

**This item was approved.**

- 30 SAP Infrastructure and Database Upgrade

**This item was approved.**

- 32 Acquisition of Real Property for Roadway Improvements Along Jomax Road  
at the 67th Avenue and Pyramid Peak Parkway Intersection (Ordinance  
S-47194)

**This item was adopted.**

- 33 3M Bibliotheca Equipment Maintenance and Support - Maricopa County  
Contract Serial 16015 - Requirements Contract (Ordinance S-47172)

**This item was adopted.**

- 38 Amendments to Classification Ordinance S-5815 in Accordance with Human

Resources Committee 607 Recommendations (Ordinance S-47181)

**This item was adopted as revised.**

**39** Benefits Consultant and Actuarial Services (Ordinance S-47185)

**This item was adopted.**

**40** Affordable Care Act Reporting Services (Ordinance S-47199)

**This item was adopted.**

**41** Ratification of Four-Year Update of Fast-Track Cities Ad Hoc Committee Recommendations

**This item was approved.**

**42** Disaster Recovery Services (Ordinance S-47193)

**This item was adopted.**

**43** Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47174)

**This item was adopted.**

**46** LISC Phoenix and Local First Arizona Foundation Agreements for COVID-19 Emergency Food Assistance - Amendment 2 (Ordinance S-47202)

**This item was adopted.**

**50** Request Retroactive Authorization to Apply for and Accept FTA COVID-19 Research-Demonstration Program Grant Funds and Enter into Grant Agreement (Ordinance S-47176)

**This item was adopted.**

**51** Coronavirus Relief Fund Update and Closeout Process Related to the Project Assist Program (Ordinance S-47205)

**This item was adopted.**

**53** Renewable Energy Purchase (Ordinance S-47178)

**This item was adopted.**

**54** Additional Expenditures for Japanese Friendship Garden Pump and Ozone Repair and Maintenance - Requirements Contract - RFA 18-078A (Ordinance S-47179)

**This item was adopted.**

- 57** Add Positions and Apparatus to Support Fire Department Operations (Ordinance S-47198)

**This item was adopted.**

- 58** Intergovernmental Agreement with Arizona State University for Services Associated with Police-Related Projects (Ordinance S-47177)

**This item was adopted.**

- 59** Police Records Management System Enhancements - National Incident-Based Reporting System (NIBRS) (Ordinance S-47196)

**This item was adopted.**

- 60** Substitute Ground Lease with American Greyhound Racing (Ordinance S-47187)

**This item was continued to the Jan. 20, 2021 City Council Formal Meeting.**

- 61** Through the Fence Agreement with Dillon Aero, Inc. at Phoenix Deer Valley Airport (Ordinance S-47189)

**This item was adopted.**

- 62** Salt River Project Agricultural Improvement and Power District Executive Hangar Lease at Phoenix Sky Harbor International Airport (Ordinance S-47190)

**This item was adopted.**

- 63** Home Pick-Up Household Hazardous Waste Collection Service - Pilot Program, Requirements Contract (Ordinance S-47167)

**This item was adopted.**

- 64** Contract Recommendation for Asphalt and Striping Services (Ordinance S-47171)

**This item was adopted.**

- 65** Additional Expenditures for Facility Site Assessments (Ordinance S-47182)

**This item was adopted.**

- 66** Food Waste Diversion Services - Requirements Contract - RFQ 21-SW-015 (Ordinance S-47186)

**This item was adopted.**

- 68** Street Transportation Department Right-of-Way General Construction - Job Order Contracting Services - 4108JOC195 (Ordinance S-47160)

**This item was adopted.**

- 69** 99th Avenue Interceptor Condition Assessment - Engineering Services - WS90160105 (Ordinance S-47161)

**This item was adopted.**

- 70** Agreement between Valley Metro Rail, Inc. and City of Phoenix for Bridge Inspection Services (Ordinance S-47162)

**This item was adopted.**

- 71** 7A-ES1 New Reservoir and 7A New Water Main - Construction Manager at Risk Preconstruction Services - WS85050053, WS85500457, WS85050019 and WS85500446 (Ordinance S-47165)

**This item was adopted.**

- 72** 7A-ES1 New Reservoir and 7A New Water Main - Engineering Services - WS85050053, WS85500457, WS85050019 and WS85500446 (Ordinance S-47166)

**This item was adopted.**

- 73** Relief Sewer Project: Van Buren and 52nd Street - Engineering Services - WS90500295 (Ordinance S-47169)

**This item was adopted.**

- 74** Salt River Project Construction License for Traffic Signal Installation - 14th Street and Buckeye Road (Ordinance S-47188)

**This item was adopted.**

- 75** Central Arizona Water Clearinghouse - Requirements Contract (Ordinance S-47164)

**This item was adopted.**

- 76** Petroleum Products - Amendment (Ordinance S-47168)

**This item was adopted.**

- 77** Authorization to Terminate Easement for Water Line Purposes Near 45th Avenue and Alameda Road (Ordinance S-47170)

**This item was adopted.**

- 78** Rotork Actuators for Process Valves and Gates - Request for Agreement (Ordinance S-47173)  
**This item was adopted.**
- 79** Final Plat - Northpoint - PLAT 200571 - 45th Avenue and Alameda Road  
**This item was approved.**
- 80** Final Plat - Tatum Acres III - PLAT 200533 - North of Gold Dust Avenue and West of Tatum Boulevard  
**This item was approved.**
- 81** Final Plat - McClellan Ranch - Parcels 1, 2a, 3a & 6a - PLAT 200525 - Approximately 3,400 Feet West of South Mountain Freeway (Loop 202) and North of Dobbins Road  
**This item was approved.**
- 82** Final Plat - Broadstone on Portland - PLAT 190093 - 320 E. Portland St.  
**This item was approved.**
- 83** Final Plat - Skyway 202 - PLAT 190115 - South of 202 Freeway and West of 40th Street  
**This item was approved.**
- 84** Final Plat - Estrella Crossing - Phases 1 & 2 - PLAT 200510 - Southwest Corner of 55th and Olney Avenues  
**This item was approved.**
- 85** Abandonment of Easement - ABND 200511 - Northeast Corner of Happy Valley Road and Norterra Parkway (Resolution 21885)  
**This item was adopted.**
- 86** Abandonment of Easement - ABND 200537 - 3515 S. 28th St. (Resolution 21887)  
**This item was adopted.**
- 87** Modification of Stipulation Request for Ratification of Nov. 18, 2020 Planning Hearing Officer Action - PHO-1-20\_Z-63-86-7 - Approximately 325 Feet North of the Northwest Corner of 27th Avenue and Buckeye Road  
**This item was approved.**
- 88** Amend City Code - Ordinance Adoption - Rezoning Application
-



PHO-2-20\_Z-110-08-7(5) - Approximately 300 Feet North of the Northeast Corner of 99th Avenue and McDowell Road (Ordinance G-6780)

**This item was adopted.**

- 89** Amend City Code - Ordinance Adoption - Rezoning Application Z-16-20-6 (Alta Bluewater PUD) - Approximately 440 Feet West of the Northwest Corner of 18th Street and Camelback Road (Ordinance G-6778)

**This item was adopted.**

- 90** Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-20\_Z-14-09-7 - Northeast Corner of 99th and Southern Avenues (Ordinance G-6781)

**This item was adopted.**

- 91** Public Hearing - Appeal of Hearing Officer Decision - Abandonment of Right-of-Way - ABND 200534 - Various Segments generally located south of Jefferson Street and north of Harrison Street (railroad tracks) between 7th and 13th Avenues

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

- 21** 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

- 23** Maricopa County Rio Salado Community College

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

**No:** 0

**Conflict:** 1 - Councilwoman Pastor

**27** Proposed Central Avenue and Jomax Road Annexation - Public Hearing

**The hearing was held.**

**28** Proposed 11th Avenue and Jomax Road Annexation - Public Hearing

**The hearing was held.**

**31** Amend Ordinance for Acquisition of Real Property and Related Easements and Licenses for South Central Extension/Downtown Hub and Northwest Extension Phase II Light Rail Projects (Ordinance S-47163)

**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

**34** Marketing Services - State of Arizona Cooperative Contract - ADSP016-145339 (Ordinance S-47183)

**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

**35** Ordinance Authorizing Amendment of Prior Water System Bond Ordinances

to Allow for Issuance of Taxable Obligations (Ordinance S-47195)

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

**No:** 0

- 36** Public Comment on Proposed Changes to Memoranda of Understanding Submitted by Authorized Employee Organizations

**Comments were made.**

- 37** Amendments to Pay Ordinance S-45840 in Accordance with Human Resources Committee 607 Recommendations (Ordinance S-47180)

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that this item be adopted as revised. 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

- 44** Authorization to Enter into Intergovernmental Agreement with Opportunities for Youth/Arizona State University (Ordinance S-47200)

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Pastor, 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

**45** Phoenix Sky Harbor International Airport Concessionaire Financial Relief (Ordinance S-47197)

**A motion was made by Councilwoman Pastor, seconded by Councilwoman Williams, that this item be adopted per staff's recommendation for the continuation of percentage rate rent until Dec. 31, 2021, with stipulations approved by the Transportation, Infrastructure and Innovation Subcommittee on Dec. 2, 2020, and add the following conditions to address employee equity in the concessions program and the specific challenges furloughed and laid off employees face as a result of COVID. To address those challenges, the concessionaires must offer a reasonable period for employees to return to work once notified of a recall offer. A reasonable period should be at least 48 hours to respond to the recall offer and at least 14 days to return to work to account for the CDC published guideline for quarantine. The concessionaires must also ensure employees are eligible for recall for at least as long as the pandemic is expected to affect passenger traffic. Based on data from Moody's and considering the peaks during the holidays, it is reasonable to expect that recovery will not occur before Dec. 2022 and, therefore, the commitment to recall employees must extend to Dec. 2022. Given the importance of health insurance during this time, concessionaires should offer enrollment to recall employees for healthcare insurance currently offered immediately upon being recalled, ensuring that enrollment be completed as soon as possible to avoid lack of insurance for these frontline workers. The motion carried by the following vote:**

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

**No:** 3 - Councilman DiCiccio, Councilman Waring and Vice Mayor Guardado

**47** Increase Funding for Small Business Grants Program (Ordinance S-47203)

**A motion was made by Councilwoman Stark, seconded by Vice Mayor Guardado, 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

- 48** Intergovernmental Agreement with Phoenix Union High School District and its Feeder Elementary Schools, Maricopa County Community Colleges District, and State of Arizona Relating to Digital Divide Solutions for Under-Served Areas (Ordinance S-47201)

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

**No:** 0

**Conflict:** 1 - Councilwoman Pastor

**A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 49 and 92 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:** 1 - Councilman Waring

**Absent:** 1 - Councilman DiCiccio

- 49** Authorization to Amend Contract with Arizona Community Action Association, dba Wildfire, for COVID-19 Emergency Utility, Rent and Mortgage Assistance Services (Ordinance S-47204)

**This item was adopted.**

- 92** ADD-ON - Authorization to Amend Contract to Extend and Accept Additional

Emergency Assistance CARES Act Funding from Arizona Community Action Association dba Wildfire (Ordinance S-47206)

**This item was adopted.**

- 52** Voluntary Acquisition and Sale or Lease of Real Property Located at 12027 N. 28th Drive for U.S. Vets (Ordinance S-47175)

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

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

**No:** 0

**Absent:** 1 - Councilman DiCiccio

- 55** Three-Year Membership with Canada Arizona Business Council (Ordinance S-47191)

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

**No:** 0

**Absent:** 1 - Councilman DiCiccio

- 56** Foreign-Trade Zone Application for Taiwan Semiconductor Manufacturing Company (Resolution 21886)

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

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

**No:** 0

**Conflict:** 1 - Councilwoman Pastor

**Absent:** 1 - Councilman DiCiccio

- 67** Amend Phoenix Municipal Code Section 31-200 Authority and Administration; Adoption of the Traffic Barricade Manual; Definitions (Ordinance G-6779)

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

**No:** 0

**Absent:** 1 - Councilman DiCiccio

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

### **000 CITIZEN COMMENTS**

### **ADJOURN**