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FOR CITY COUNCIL PACKET
MAY 22, 2012

The May 22, 2012 Executive Session and Policy Session have been Cancelled.

The May 23, 2012 Formal Meeting has been Cancelled.

GENERAL INFORMATION

- [Liquor License Applications Received for the Period of May 9, 2012 through May 15, 2012](#)
- [Follow-up: May 15, 2012 Policy Session](#)
- [Follow-up: May 16, 2012 Formal Meeting](#)

RESPONSES TO REQUESTS FROM COUNCIL/CITIZENS

The following information report respond to a request from a citizens at the Citizen's Request Session:

- [Mr. Russ Pomerantz](#)
- Mr. Pomerantz expressed concern community members under the age of 18 serving on Village Planning Committees when they are not old enough to vote and may not yet have the knowledge and experience to make informed decisions. He stated young people should instead attend the meetings and assist members before they turn 18.

Packet Date: May 17, 2012

CITY COUNCIL REPORT

GENERAL INFORMATION

TO: Lisa Takata
Deputy City Manager

PACKET DATE: May 17, 2012

FROM: Cris Meyer
City Clerk

SUBJECT: LIQUOR LICENSE APPLICATIONS RECEIVED FOR THE PERIOD OF
MAY 9, 2012 THROUGH MAY 15, 2012

This report provides advance notice of liquor license applications that were received by the City Clerk during the period of Wednesday, May 9, 2012 through Tuesday, May 15, 2012.

INFORMATION

The liquor license application process includes the posting of a public notice of the application at the proposed location for twenty days and the distribution of an application copy or a copy of this report to the following departments for their review: Finance, Planning and Development, Police, Fire, and Street Transportation. Additionally, License Services mails a notice to all registered neighborhood organizations within a one-mile radius of each proposed business location (excluding Special Events).

Additional information on the items listed below is generally not available until the twenty-day posting/review period has expired.

LIQUOR LICENSE APPLICATIONS

<u>Application Type Legend</u>					
<u>O</u> - Ownership	<u>L</u> - Location	<u>N</u> - New	<u>OL</u> - Ownership & Location	<u>AOC</u> - Acquisition of Control	<u>SE</u> - Special Event
<u>Liquor License Series Definitions</u>					
1	In State Producer	*7	On sale-beer & wine	11	Hotel/Motel-all liquor on premises
3	Microbrewery	8	Conveyance license-sale of all liquor on board planes & trains	12	Restaurant-all liquor on premises
4	Wholesaler	9	Off sale-all liquor	14	Clubs-all liquor on premises
5	Government	9S	Sampling Privileges	15	Special Event
*6	On sale-all liquor	10	Off sale-beer & wine		
		10S	Sampling Privileges		

*On-sale retailer means any person operating an establishment where spirituous liquors are sold in the original container for consumption on or off the premises and in individual portions for consumption on the premises.

Dist	App. Type	Agent/Owner Name Business Name/Address Phone	Lic. Type	Approx. Protest End Date	Within 2,000 Feet of Light Rail	Proposed Agenda Date
1	N	David Henry, Agent Buffalo Wild Wings Grill & Bar 2700 West North Lane 602-421-4669	12	6/5/12	No	7/3/12
2	N	Terry Moorhead TNA Wine 34215 North Black Mountain Pkwy., Unit 4322 480-236-0776	4	6/5/12	No	6/20/12
2	OL	Michelle Cavender, Agent Connolly's Sports Grill 2605 West Carefree Highway, #140 602-369-1071	6	6/8/12	No	7/3/12
5	O	Duc Ngo Phuong Dong Restaurant 7828 North 19th Avenue, 6 & 7 602-423-5899	7	6/5/12	Yes	6/20/12
6	SE	Trisha DiSano Hospice of the Valley (9/28/12) 5200 East Camelback Road 602-636-5314	15	N/A	N/A	6/20/12
8	N	Derek Boettcher, Agent Blanco Tacos + Tequila/Olive & Ivy/Modern Burger 3800 East Sky Harbor Blvd., N2-F38 602-275-1721	12	6/5/12	No	7/3/12
8	N	Derek Boettcher, Agent Sauce 3800 East Sky Harbor Blvd., T4-F12 602-275-1721	12	6/5/12	No	7/3/12

For further information regarding any of the above applications, please contact the City Clerk Department, License Services Section, at 602-262-6018.

RECOMMENDATION

This report is provided for information only. No Council action is required.

CITY COUNCIL REPORT

GENERAL INFORMATION

TO: Mayor and Council

PACKET DATE: May 17, 2012

FROM: David Cavazos
City Manager

SUBJECT: FOLLOW-UP: MAY 15, 2012 POLICY SESSION

Attached are the May 15, 2012 Policy Session Minutes and Council Information and Follow-Up Requests.

City Council Requests for Information and Announcements
City Council Policy Session
May 15, 2012

Councilwoman Williams

Councilwoman Williams invited residents to attend the Dive-In Movie at the Wet 'n' Wild Water Park on Saturday night, May 19 located at 4243 West Pinnacle Peak Road. She stated tickets would cost \$5 at the door and proceeds would go to the Phoenix Fire Department's Adopt-A-Pool-Fence program.

Councilman Simplot

Councilman Simplot announced his monthly meeting on Thursday, May 17 at 7:30 a.m. at Circle H Barbecue located at 730 West Camelback Road. He stated he would be joined by special guest State Representative Lela Alston.

Councilman Valenzuela

Councilman Valenzuela announced his monthly meeting on Tuesday, May 29 at 6:30 p.m. at the Helen Drake Senior Center located at 7600 North 27th Avenue. He thanked the Earned Income Tax Credit volunteers for their service. He also invited residents to attend a family picnic for the Heatherbrae Neighborhood Association on Saturday, May 19 at Holiday Park located at 5430 North 67th Avenue.

Councilman Gates

Councilman Gates announced the next Coffee Chat would be on Thursday, May 17 at 7:30 a.m. at the Avista Senior Living Center located at 350 East Eva Street. He stated he would be joined by special guest Arizona Corporation Commissioner Bob Stump.

Councilman Nowakowski

Councilman Nowakowski thanked the residents who came out for the May 4th Dinner Under the Stars event at South Mountain Park. He stated the Cinco de Mayo event at Desert Sky Mall was a success with almost 20,000 people in attendance. Councilman Nowakowski encouraged residents to attend a Park Clean-Up in the morning and Movie in the Park event in the evening at Cuban Park on Saturday, May 19.

Mayor Stanton

Mayor Stanton acknowledged Councilman Valenzuela for being named one of *The Business Journal's* 40 community leaders under 40.



**CITY OF PHOENIX
CITY COUNCIL POLICY SESSION
TUESDAY, MAY 15, 2012 - 2:30 P.M.
CITY COUNCIL CHAMBERS
200 WEST JEFFERSON**

Pursuant to A.R.S. § 38.431.02, notice is hereby given to the members of the City Council and to the general public that the City Council will hold a meeting open to the public on Tuesday, May 15, 2012, at 2:30 P.M. located in the City Council Chambers, 200 West Jefferson, Phoenix, Arizona.

1:00 P.M. - AN EXECUTIVE SESSION WAS CALLED FOR THIS TIME AT THE POLICY MEETING OF MAY 1, 2012.

THE TIMES LISTED FOR AGENDA ITEMS ARE ESTIMATED. ITEMS MAY BE DISCUSSED EARLIER OR IN A DIFFERENT SEQUENCE.

Vice Mayor Johnson called the meeting to order at 2:38 p.m. with Councilmembers Williams, DiCiccio, Gates, Valenzuela, Nowakowski, and Simplot present. Councilman Waring was present by conference call and arrived physically at 2:44 p.m. Mayor Stanton arrived at 2:41 p.m.

ESTIMATED COUNCIL INFORMATION AND
1. 2:30 P.M.- FOLLOW-UP REQUESTS.

This item is scheduled to give City Council members an opportunity to publicly request information or follow-up on issues of interest to the community. If the information is available, staff will immediately provide it to the City Council member. No decisions will be made or action taken.

Action Taken:

Councilmembers made general announcements, commended staff for work completed and submitted questions for staff follow-up.

CALL FOR AN EXECUTIVE SESSION.

A vote to call an Executive Session may be held.

Action Taken:

Councilwoman Williams moved that the City Council, pursuant to Arizona Revised Statutes, Section 38-431.02.A, meet in Executive Session on Tuesday, June 19, 2012, at 1:00 p.m. in the East Conference Room, 12th Floor of Phoenix City hall, 200 West Washington Street, Phoenix. Councilman Nowakowski seconded the motion which passed 8:0.

AGENDA ITEMS.

This item is scheduled to give City Council members an opportunity to ask questions about the Formal Agenda on May 16, 2012. If the information is available, staff will immediately provide it to the City Council member.

Action Taken:

No information was requested.

REPORTS AND BUDGET UPDATES BY THE CITY MANAGER.

This item is scheduled to allow the City Manager to report on changes in the City Council Agenda and provide brief informational reports on urgent issues. The City Council may discuss these reports but no action will be taken.

Action Taken:

This item was not heard.

ESTIMATED

- | | | | |
|----|-------------------|---|---|
| 2. | <u>3:00 P.M.-</u> | RESULTS OF THE "CHAIRity
2011" EVENT - CHECK
PRESENTATION | Staff: Naimark, Jonovich
(Presentation 5 min.) |
|----|-------------------|---|---|

This report provides information to the Mayor and City Council on the results of the 2011 "CHAIRity" fund raising event, which raised \$35,000 to benefit the Family Advocacy Center.

This item is for information only. No City Council action is required.

Backup included in Council packet/City Clerk's Office.

Action Taken:

This item was not heard.

ESTIMATED

- | | | | |
|----|-------------------|-------------|---|
| 3. | <u>3:05 P.M.-</u> | TGEN UPDATE | Staff: Naimark,
Dr. Jeffrey M. Trent
(Presentation 20 min.) |
|----|-------------------|-------------|---|

This report provides a status update to the City Council on the Translational Genomics Research Institute (TGen).

This item is for information only. No City Council action is required.

Backup included in Council packet/City Clerk's Office.

Action Taken:

This item was not heard.

ESTIMATED

4. 3:25 P.M.-

2012-13 CITY MANAGER'S
PROPOSED BUDGET

Staff: Cavazos, Zuercher,
Paniagua
(Presentation 20 min.)

This report requests City Council approval of the 2012-13 City Manager's Proposed Budget. As discussed at the May 1, 2012 Council Policy Session, the 2012-13 recommended budget incorporates changes responding to and reflecting the input from the Phoenix community.

This item is for information, discussion, and possible action.

Backup included in Council packet/City Clerk's Office.

Action Taken:

Mayor Stanton arrived.

City Manager David Cavazos introduced the item with Budget and Research Director Mario Paniagua and Finance Director Jeff DeWitt.

Mr. Cavazos stated staff was requesting City Council approval of the 2012-13 Budget to allow staff to produce and post legally required publications prior to the May 30, June 19, and July 3 public hearings and legal actions.

Mr. Cavazos stated the proposed budget was structurally balanced enabling the City to add services. He described the 17 Community Budget Hearings that occurred in early April which included the first online budget meeting and captured a total of 500 comments from members of the public. Mr. Cavazos outlined the proposed service restorations and expansions in the areas of library hours, College Depot, afterschool programs, street maintenance, bus service, volunteer program, public arts grants, and support for the homeless. Mr. Cavazos also announced that Standard and Poor's reaffirmed the City's AAA bond rating and gave the City the highest financial management assessment score of "Strong".

Mr. Paniagua stated the proposed budget included increasing the City's contingency fund to 3.7% of the General Fund, which is the highest in the City's history and would lead the City toward its goal of 5%. Mr. Paniagua stated the Innovation and Efficiency Task Force savings to date was \$40.5 million. He described the increases in General Fund budget amounts including \$4.8 million for increased contingency; \$4.5 million for increased reserves; \$15.6 million for a 1.6% employee compensation restoration; \$9.9 million for increased pension costs; and \$2.3 million for increased jail costs.

Mr. Paniagua described the remaining legally required Council actions which included the Tentative Budget Adoption on May 30, Final Budget Adoption on June 19, and the Property Tax Levy Adoption on July 3.

Ms. Judy Guilds expressed her support for the proposed budget because of the increased funding it provided for the arts.

Mr. Wesley Harris stated his opposition to the budget process and some specific issues with the proposed budget. He expressed concern with perceived “fluff” items throughout the proposed budget.

Ms. Amy Bratt stated the Chamber of Commerce was in support of the proposed budget. She commended the City for its regional collaboration, AAA Bond Rating, and Innovation and Efficiency Task Force cost savings. Ms. Bratt recommended the City implement a business community satisfaction survey and stated the Chamber could assist in developing its criteria. She also recommended the City implement a fluctuating overall property tax rate, and make sure the City’s policies reflect the appropriate use of its growing contingency fund.

Mayor Stanton thanked Ms. Bratt for the idea about implementing a business community satisfaction survey and requested further discussion at a future meeting.

Councilman Nowakowski asked when the last update was provided on the secondary property tax. Mr. Dewitt responded the last update was provided to the City Council in December 2011.

Mr. Daniel Cook expressed support for the proposed budget because of the increased hours it provided for libraries. He also requested the City continue to invest in physical books especially for children and not just electronic books.

Mr. Clark Norgaard expressed concern with the City’s long-term debt. He recommended the elimination of City employee positions that work directly for the unions, eliminate the pension and benefits for retired employees, and commit to hiring no new employees or restoring current employee salaries until the food tax was repealed.

Ms. Karen Kruse thanked the City Council and staff for proposing more library hours in the budget. She stated she hoped for more hours restored at all of the City Libraries in the future.

Mr. Tom Nolasco reiterated Mr. Cook’s comments about investing in physical library books. He expressed support for the restoration of funds for library hours, College Depot, and after school programs. He expressed interest in seeing full restoration of funding for all of the library and after school programs in the future.

Mr. Per Klype urged reconsideration of the proposed budget because of his interest in repealing the food tax before providing pay restorations to employees and service restorations, especially pertaining to public transit.

Councilman Nowakowski left at 3:17 p.m.

Mr. Jack Davis expressed support for the proposed budget because of the increase in funding for senior center programs.

Ms. Janet Taylor did not speak but submitted a card indicating she was in favor of the proposed budget because of the restoration of funds for the arts.

Councilman Nowakowski returned at 3:22 p.m.

Ms. Bobbie McLeod expressed support for the proposed budget because of the increase in funding for senior center programs.

Ms. Nancy Tierney expressed support for the proposed budget because of the restoration of funding for after school programs.

Ms. Gerardina Barba expressed support for the proposed budget because of the restoration of funding for after school programs, increased library hours, and extension of the pool season.

Ms. Susan Shaffer did not speak but submitted a card indicating she was in favor of the proposed budget because of the restoration of funds for the arts.

Ms. Diane Barker expressed concern with the City's funding required for operating the Light Rail and eventual Sky Train. She also expressed concern with only having 3.7% of the General Fund in contingency.

Mr. Pat Vint expressed support for the proposed budget because it corrects mistakes from the past. He expressed concern for the pay restorations for City employees.

Ms. Catherine "Rusty" Foley did not speak but submitted a card indicating she was in favor of the proposed budget because of the restoration of funds for the arts.

Mr. Richard Rea expressed support for the proposed budget.

Ms. Jennie Chavez did not speak but submitted a card indicating she was in favor of the proposed budget.

Ms. Donna Reiner did not speak but submitted a card indicating she was in favor of the proposed budget.

Mr. Rex Gulbranson did not speak but submitted a card indicating he was in favor of the proposed budget.

Ms. Rebecca Villicana concurred with Ms. Guilds' comments.

Councilwoman Williams asked if the proposed increases in services and restoration of employee pay could be maintained when the food tax sunsets. Mr. Cavazos responded based on the five-year forecast conducted, the budget should be structurally balanced moving forward enabling the continuance of the proposed restoration of services and employee pay.

Vice Mayor Johnson moved to approve the proposed 2012-13 budget, noting the corrected total authorized positions of 14,983.3 FTEs. Councilman Simplot seconded the motion.

Councilman Gates expressed interest in seeing as much restoration in services as in employee pay. He stated he would support the proposed budget because it incorporates the feedback he received from residents at the budget hearings. He expressed his hope to see the end of the food tax prior to its 2015 sunset.

Councilman DiCiccio stated this was the most transparent budget process he has seen. He stated he would not support the proposed budget because of concerns which include more funding going towards employee pay restorations than service restorations; continuance of the food tax until its sunset in 2015; funding approximately \$3.7 million in union activities based on the approved MOUs; and maximizing the combined primary and property tax revenue.

Councilman Simplot thanked staff for providing a transparent budget process. He expressed support for the proposed budget with the restoration of services while maintaining the AAA bond rating.

Councilman Waring expressed opposition for the proposed budget because of several concerns including the continuance of the food tax until its sunset in 2015; and more funding going towards employee pay restorations than service restorations. He stated he believed there were items in the budget that should be taken out in order to discontinue the food tax.

Councilman Valenzuela expressed support for the proposed budget because it incorporated the priorities expressed by residents at the budget hearings. He thanked neighborhood leaders in District 5 for encouraging their neighbors to participate in the budget process.

Mayor Stanton expressed his support for the proposed budget because it was derived through a transparent process, reflects the strong partnership between the City and labor community, and incorporates service increases which represent the community's values.

The motion to approve the proposed budget passed 7:2 with Councilman Waring and Councilman DiCiccio opposing.

CONSENT AGENDA.

This item was taken out of order.

This item is scheduled to allow the City Council to act on the Mayor's recommendations on the Consent Agenda. The Consent Agenda has been publicly posted.

Action Taken:

Vice Mayor Johnson moved to approve the consent agenda. Councilwoman Williams seconded the motion which passed 9:0

ESTIMATED

5.	<u>3:45 P.M.-</u>	LIGHT RAIL TRANSIT FOR PHOENIX WEST EXTENSION AND EARLY ACTION BUS PROGRAM	Staff: Morris, Santana (Presentation 10 min.)
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This report provides the City Council with an alignment recommendation for light rail transit for Phoenix West Extension and early bus action program.

This item is for information, discussion, and possible action.

Backup included in Council packet/City Clerk's Office.

Action Taken:

Vice Mayor Johnson and Councilmembers Simplot, Gates and DiCiccio left at 3:52 p.m.

City Manager David Cavazos introduced the item with Albert Santana, Management Assistant II; Wulf Grote, Director of Planning and Development with METRO and Tom Callow, Special Projects Executive with METRO.

Vice Mayor Johnson returned at 3:53 p.m.

Mr. Grote described the high capacity light rail transit system passed in 2010 and supported by the Proposition 400 regional sales tax which included the Phoenix West Corridor. He stated in addition to the regional funding, there was hope to receive funding for the Phoenix West Corridor from the Federal Transportation Administration (FTA). Mr. Grote stated the purpose of the Phoenix West Study was to identify and recommend the appropriate technology and alignment for high capacity transit improvements in the area.

Councilmembers Simplot and Gates returned at 3:56 p.m.

Mr. Callow stated Light Rail was recommended as the preferred technology from the study. He recalled during the spring 2011 metro presented to the City Council the proposed alignment of the Phoenix West Study along Jefferson Avenue that resulted in the Council requesting alternatives that would be less impactful to the surrounding Neighborhoods.

Councilman Waring returned at 3:58 p.m.

Mr. Callow described the alternative alignment derived from public input received over the past year.

Mr. Santana described the targeted public outreach conducted over the past year which included holding thirty public meetings and forming the St. Matthews Community Action Group and St. Matthews Light Rail Working Group consisting of local residents. He stated the public outreach resulted in a unanimously supported alternative alignment of Van Buren Street from 18th Avenue to Interstate 17. He stated Van Buren was the preferred route because it was more commercial than Jefferson Street and could benefit from the possible revitalization resulting from the Light Rail.

Mr. Santana explained the State of Arizona has expressed support for moving forward with the study as long as their security concerns relating to the proximity of the light rail to State buildings is addressed.

Mr. Callow described the lessons learned from the light rail starter line which would be incorporated in the recommendation including aligning the light rail on the north side of Van Buren Street instead of in the middle of the road in order to minimize disturbances to local businesses and underground infrastructure.

Mr. Calvin Goode expressed support for the recommended West Phoenix Corridor and thanked staff for working so closely with the community throughout the process.

Mr. John Maurin expressed support for the recommendation and incorporating the feedback from residents.

Councilman Simplot thanked Mr. Maurin for bringing the concerns of the St. Matthews neighborhood forward a year ago that started the outreach process.

Mr. Jeremy Wood thanked Mayor and Council for supporting the community's involvement in the process.

Mr. Alfonso Vasquez thanked Metro and City staff for listening to the neighborhoods feedback when formulating the recommendation.

Ms. Diane Barker stated her belief that expanding the light rail into West Phoenix was unnecessary when bus service could be improved. She expressed concern with possible accidents and liabilities with having light rail at grade.

Mr. Doug Lynch expressed support for the recommendation because Light Rail would provide benefits to the community.

Ms. Louisa Stark expressed support for the recommendation. She thanked staff and Councilmembers Simplot and Nowakowski for ensuring public input throughout the process and listening to the public with the proposed alignment along Van Buren Street.

Councilman Nowakowski thanked staff for bringing the community together through the outreach process.

Councilman Nowakowski moved to approve staff's recommendation on the alignment of the Phoenix West Light Rail extension, commitment to funding the future operations of the extension, inclusion of a potential early action bus program, and future consideration for increased transit services for areas within and west of the study area per Maricopa Association of Government's Regional Transit Framework Study. Vice Mayor Johnson seconded the motion.

Councilwoman Williams expressed support for the light rail extension but requested an amendment to the motion to ensure the staff continues to study other extensions described as part of the Prop. 400 campaign including an extension to Metro Center Mall. Councilman Nowakowski accepted the amendment.

Councilman Gates reiterated Councilwoman Williams' comments adding his interest in the continual study of a Light Rail extension to Paradise Valley Mall.

Councilman Valenzuela expressed support for Light Rail expansion into West Phoenix; however, he expressed concern with the alignment in the north right-of-way of the Interstate 10 freeway instead of Thomas Road. Mr. Wulf responded that the proposed alignment along Interstate 10 was part of a long range plan. He stated Thomas Road has been identified as a high capacity corridor providing opportunities to enhance transit options there as a separate project.

Councilman Valenzuela expressed concern that transit improvements along Thomas Road would be delayed if the Interstate 10 alignment moved forward. Mr. Santana responded that the proposed alignment was preliminary and there could be changes based on the outcomes of the environmental stage of the process.

Mayor Stanton stated this was a step in the process rather than the final decision. Mayor Stanton stated it was fortunate that the Governor's Office was supportive of moving forward with the study.

Councilman Waring noted the Governor's Office was in agreement with moving forward with the study, but there could be eventual changes with the alignment based on their security concerns.

Mr. Santana noted the significant costs associated with acquiring right-of-way for the three mile Northwest Light Rail extension which equaled \$80 million. He noted similar costs would be realized with alignments along arterial streets.

Councilman Valenzuela requested an amendment that the environmental study would incorporate a Thomas Road alignment.

Vice Mayor Johnson expressed concern that additional funding would be required for a Thomas Road option and that it was not part of MAGs regional long term transit plan.

Councilman Nowakowski did not accept the amendment.

The motion passed 6:2 with Councilmembers Valenzuela and Waring opposing.

Mayor Stanton left at 4:40 p.m.

ESTIMATED

6. 3:55 P.M.-

LEGISLATIVE WRAP-UP

Staff: Peters

(Presentation 20 min.)

This report provides an update to the Mayor and Council on the recently adjourned state legislative session.

This item is for information only. No City Council action is required.

Backup included in Council packet/City Clerk's Office.

Action Taken:

Karen Peters, Government Relations Director introduced the item with John Wayne Gonzales, Management Assistant II. Ms. Peters stated she would provide a brief wrap-up of the session with a more extensive report coming later because the Governor still had an opportunity to sign or veto bills from the legislative session. Ms. Peters described the highlights of the State's \$8.5 billion budget. Ms. Peters noted the outcomes of interest to Cities and Towns which included eliminating the Arizona Department of Water Resources municipal assessment; returning \$12 million in Arizona Highway User Revenue Funds to the City by not transferring them to the Motor Vehicle Department; providing \$1.8 million in Emergency 9-1-1 telecommunications funding; and funding \$6 million in the University of Arizona's Downtown Phoenix Campus.

Ms. Peters described bills recently signed by the Governor which could impact the City. She stated HB2815 was initially opposed by the City Council because of its regulatory tax credit component which has since been removed. She stated the remaining tax cuts in the bill in support of economic development could impact State Shared Revenue.

Ms. Peters stated the amended version of SB1442 signed by the Governor would impact State Shared Revenues distributed to the City. She stated the worst case scenario would cost the City \$700,000 over 10 years.

ESTIMATED

4:55 P.M. – ADJOURNMENT

Vice Mayor Johnson adjourned the meeting at 4:48 p.m.

For further information, please call the Management Intern, City Manager's Office, at 602-262-4449.

For reasonable accommodations, call the Management Intern at Voice/602-262-4449 or TTY/602-534-5500 as early as possible to coordinate needed arrangements.

Si necesita traducción en español, por favor llame a la oficina del gerente de la Ciudad de Phoenix, 602-262-4449 tres días antes de la fecha de la junta.

PHOENIX CITY COUNCIL MEMBERS

Councilman DiCiccio
Councilman Gates
Vice Mayor Johnson
Councilman Nowakowski
Councilman Simplot
Councilman Valenzuela
Councilman Waring
Councilwoman Williams
Mayor Stanton

CITY COUNCIL REPORT

GENERAL INFORMATION

TO: Mayor and Council

PACKET DATE: May 17, 2012

FROM: David Cavazos
City Manager

SUBJECT: FOLLOW-UP: MAY 16, 2012 FORMAL CITY COUNCIL MEETING

Attached are the May 16, 2012 Citizen Requests and Comments.

**CITIZEN REQUESTS/COMMENTS
CITY COUNCIL FORMAL SESSION
May 16, 2012**

Mr. Darrell Colby

Mr. Colby expressed concern with Mr. Salman being prosecuted and sentenced for hosting bible studies at his private residence since 2007.

Mr. Michael Salman

Mr. Salman expressed concerns with being prosecuted and sentenced for hosting bible studies at his private residence since 2007. He stated he was told by the Development Services Department that in order to continue with the bible studies his property would need to be converted to meet commercial guidelines because more than two people were in attendance. He expressed concern with this response given the opportunity for residents to host political meetings in their homes which include more than two people. He stated he has been prosecuted and will be sentenced tomorrow for continuing to conduct the bible studies. He requested the City review the policy.

Councilman Waring asked staff to follow-up with his office specifically on the policy.

Ms. Suzanne Salman

Ms. Salman expressed concern with Mr. Salman being prosecuted and sentenced for hosting bible studies at his private residence since 2007. She expressed concern with being cited for hosting the bible studies without parking or noise issues when parties and political functions are allowed in private homes that create noise and parking issues.

Mr. Frank Salman

Mr. Salman expressed concern with Mr. Michael Salman being prosecuted and sentenced for hosting bible studies at his private residence since 2007.

Mr. Orlando Sanchez

Mr. Sanchez expressed concern for being prosecuted like Mr. Salman since he also hosts bible studies in his home. He stated the bible studies at his home and Mr. Salman's have not created parking or noise issues unlike parties and political functions which are allowed in private homes.

Follow-Up: Cavazos, Verburg, Krietor, Stark

Ms. Amanda Million

Ms. Million requested the City consider moving its money to community banks or credit unions because they have closer ties to the local community. She disputed the claims that small banks do not have the capacity to serve large city accounts.

Mayor Stanton requested staff add the City's banking policy to a future City Council meeting agenda.

Mr. Charles Parks

Mr. Parks requested the City consider moving at least some of its money to community banks or credit unions. He stated as a small business owner, he believed local banks serve more local businesses than the big banks.

Mr. Kevin Hengehold

Mr. Hengehold requested the City consider moving its money to community banks or credit unions as a member of the Phoenix Community Banking Initiative. He expressed concerns with big bank practices, specifically noting J.P. Morgan Chase's \$228 million settlement involving illicitly rated bonds.

Mr. Justin Filtz

Mr. Filtz requested the City consider diversifying its funds from J.P Morgan Chase Bank to local financial institutions because they would make more sound investments. He also stated he has started a petition which is available online.

Mr. Pete Branham

Mr. Branham expressed concern with large bank's practices and urged the City to utilize locally owned banks instead as a member of the Phoenix Community Banking Initiative.

Follow-Up: Cavazos, DeWitt

Mr. Margarito Blancas

Mr. Blancas expressed concern with police officers utilizing threatening language and threatening to close the park or arrest residents when small groups gather at Cesar Chavez Park. He requested the City Council and City Manager work with the new Police Chief to meet with the groups to create positive changes.

Follow-Up: Zuercher, Garcia

Mr. Joseph Vint

Mr. Vint expressed concern with none of his concerns getting on a City Council Agenda.

He expressed concern with the Fire Department making him go to the hospital when he visited a station with heart pains because it required him to pay \$900 plus \$200 co-pay for services.

Follow-Up: Krietor, Khan

He expressed concern with having to pay \$180 to obtain two permits for a fence in an illegal location. He stated Ms. Stotler walked him through the process and he is requesting a refund.

Follow-Up: Krietor, Stark

Mr. Vint expressed concern with an illegal curb and gutter located near Northern and Las Palmanitas that caused flooding in his driveway.

Follow-Up: Naimark, Bearup

Ms. Dianne Barker

Ms. Barker expressed concern with residents not knowing how to speak on specific items on the City Council Agenda when they have to sit in the overflow area in the basement of the City Council Chambers.

Follow-Up: Takata, Meyer

Ms. Barker requested the nullification of an item passed during the May 2, 2012 City Council meeting based on a recommendation by the Phoenix Industrial Authority.

Follow-Up: Takata, Meyer, DeWitt

CITY COUNCIL AND CITIZEN REQUESTS
Unanswered as of May 16, 2012

CITY COUNCIL INFORMATION REQUESTS

INFORMATION REQUESTS	DATE AND COUNCIL PERSON	DUE DATE	ASSIGNED TO
There Are No Council Requests At This Time.			

CITIZENS REQUESTS

REQUEST	REQUEST DATE AND NAME OF CITIZEN	DUE DATE	ASSIGNED TO
Mr. Colby expressed concern with Mr. Salman being prosecuted and sentenced for hosting bible studies at his private residence since 2007.	May 16, 2012 Mr. Darrell Colby	5/30/12	Cavazos, Verburg, Krietor, Stark
Mr. Salman expressed concerns with being prosecuted and sentenced for hosting bible studies at his private residence since 2007. He stated he was told by the Development Services Department that in order to continue with the bible studies his property would need to be converted to meet commercial guidelines because more than two people were in attendance. He expressed concern with this response given the opportunity for residents to host political meetings in their homes which include more than two people. He stated he has been prosecuted and will be sentenced tomorrow for continuing to conduct the	May 16, 2012 Mr. Michael Salman	5/30/12	Cavazos, Verburg, Krietor, Stark

CITIZENS REQUESTS

REQUEST	REQUEST DATE AND NAME OF CITIZEN	DUE DATE	ASSIGNED TO
bible studies. He requested the City review the policy.			
Ms. Salman expressed concern with Mr. Salman being prosecuted and sentenced for hosting bible studies at his private residence since 2007. She expressed concern with being cited for hosting the bible studies without parking or noise issues when parties and political functions are allowed in private homes that create noise and parking issues.	May 16, 2012 Ms. Suzanne Salman	5/30/12	Cavazos, Verburg, Krietor, Stark
Mr. Salman expressed concern with Mr. Michael Salman being prosecuted and sentenced for hosting bible studies at his private residence since 2007.	May 16, 2012 Mr. Frank Salman	5/30/12	Cavazos, Verburg, Krietor, Stark
Mr. Sanchez expressed concern for being prosecuted like Mr. Salman since he also hosts bible studies in his home. He stated the bible studies at his home and Mr. Salman's have not created parking or noise issues unlike parties and political functions which are allowed in private homes.	May 16, 2012 Mr. Orlando Sanchez	5/30/12	Cavazos, Verburg, Krietor, Stark
Ms. Million requested the City consider moving its money to community banks or credit unions because they have closer ties to the local community. She disputed the claims that small banks do not have the capacity to serve	May 16, 2012 Ms. Amanda Million	5/30/12	Cavazos, DeWitt

CITIZENS REQUESTS

REQUEST	REQUEST DATE AND NAME OF CITIZEN	DUE DATE	ASSIGNED TO
large city accounts.			
Mr. Parks requested the City consider moving at least some of its money to community banks or credit unions. He stated as a small business owner, he believed local banks serve more local businesses than the big banks.	May 16, 2012 Mr. Charles Parks	5/30/12	Cavazos, DeWitt
Mr. Hengehold requested the City consider moving its money to community banks or credit unions as a member of the Phoenix Community Banking Initiative. He expressed concerns with big bank practices, specifically noting J.P. Morgan Chase's \$228 million settlement involving illicitly rated bonds.	May 16, 2012 Mr. Kevin Hengehold	5/30/12	Cavazos, DeWitt
Mr. Filtz requested the City consider diversifying its funds from J.P Morgan Chase Bank to local financial institutions because they would make more sound investments. He also stated he has started a petition which is available online.	May 16, 2012 Mr. Justin Filtz	5/30/12	Cavazos, DeWitt
Mr. Branham expressed concern with large bank's practices and urged the City to utilize locally owned banks instead as a member of the Phoenix Community Banking Initiative.	May 16, 2012 Mr. Pete Branham	5/30/12	Cavazos, DeWitt

CITIZENS REQUESTS

REQUEST	REQUEST DATE AND NAME OF CITIZEN	DUE DATE	ASSIGNED TO
Ms. Barker requested the nullification of an item passed during the May 2, 2012 City Council meeting based on a recommendation by the Phoenix Industrial Authority.			Takata, Meyer, DeWitt

CITY COUNCIL REPORT

CITIZEN REQUEST

TO: David Krietor
Deputy City Manager

PACKET DATE: May 17, 2012

FROM: Debra W. Stark, AICP
Planning & Development Director

SUBJECT: RESPONSE TO CITIZEN REQUEST FROM MAY 2, 2012 FORMAL
MEETING – RUSS POMERANTZ

THE ISSUE

On May 2, 2012, during the City Council Meeting for Citizen Comment, a citizen expressed concern that members of the community under 18 years of age serve on Village Planning Committees. He stated that these individuals are not old enough to vote and may not have the experience and knowledge to make informed decisions.

OTHER INFORMATION

The City of Phoenix General Plan establishes Village Planning Committees (VPC) for each of the 15 urban villages. Each VPC is composed of between 13 to 21 members when all positions are filled. The members are appointed by the City Council. The City Council members appoint VPC members for the villages that are in each member's district in proportion to the council district's land area in the village. The Mayor appoints two members to each VPC as well.

The "Village Planning Handbook," adopted by the City Council, establishes the criteria for appointment and service on a VPC. The objective is to have balanced representation from groups that live and work in the villages. The groups from which representation is sought include:

- The business and professional community
- Village residents
- Trade, service and manufacturing interests
- The development and real estate industry
- Neighborhood organizations within the village
- Educational interests

Members of a VPC are appointed for two years but can be removed for failure to regularly attend meetings.

The "Village Planning Handbook" does not establish any age criteria for VPC members, therefore, any citizen who meets the goals listed above can be appointed.

There are, at this writing, 227 VPC members. Also, at this writing, there are two known members who are under 18 years of age.

In regards to the question of whether or not individuals younger than 18 years of age should serve on VPCs, staff offers the following perspectives for consideration:

- These individuals are stakeholders in their community and residents of the village
- By agreeing to serve on a VPC, they indicate an interest and concern for their village and the community
- They may be directly involved in other civic, service, or charitable activities that contribute to the well-being of their village and the community
- They may have distinguished themselves academically

In addition, citizens under the age of 18 can be employed and pay taxes; serve as directors on state corporations; and start and run small businesses.

Because both the General Plan and the Village Planning Handbook have no age criteria for service on VPCs, it is the purview of the Mayor and City Council to determine who is qualified to serve on VPCs.

RECOMMENDATION

This item is for information only. No Council action is requested.