

ROUGHLY EDITED TRANSCRIPT

Phoenix City Council  
Formal Meeting  
July 2, 2014  
1:00 p.m.

(REALTIME CAPTIONING IS PROVIDED IN ORDER TO FACILITATE COMMUNICATION ACCESSIBILITY AND MAY NOT BE VERBATIM.)

>> B. Gates: Good afternoon to everybody.

We're going to go ahead and get started with public comment at this time.

Our first speaker is Leonard Clark.

Mr. Clark.

>> Thank you very much, Mr. Gates.

As far as I'm concerned, you are the better -- I'm glad we have you instead of the other Bill Gates here.

My name is Leonard Clark and I am from Phoenix, born right down the street there at Good Samaritan Hospital.

I just wanted to say that being a resident in Phoenix all my life except when I was in the Army and moving around different times, we always have had a problem with the drownings.

I was reading in the newspaper not long ago, just several days ago, that unfortunately I believe Phoenix has already equaled the number of drownings that it had in 2013.

And I know that all of you on the council and my fellow citizens out there are trying to monitor their children around water, but we've got to even do better than that.

We've got to become zealous with our children and our water.

I ask that the City of Phoenix try to make it more simple for parents to find ways to teach their children to swim because I'm surprised at how many parents in the City of Phoenix -- I have friends that do the same thing.

I know we have got to do some work as parents.

But maybe the city could provide a link, just very simple, saying, hey, this is where you can go hopefully for low cost swimming lessons for your children because this is really a problem.

We have already equaled that.

I would like to leave you with please have a happy 4th of July.

It is a great thing to be in the United States of America where I can come up here and talk to people who run our City of over 4 million people and not have to worry about retribution like in other countries where you better watch out what you say.

Thank you very much.

>> B. Gates: Thank you very much for your comments, Mr. Clark.

Next John Rusnick.

>> My name is John Rusnick.

I don't have much to say because my council person is never here on citizens request. But about four weeks ago we had a meeting.

It was supposed to be at 9:00 and I asked if I could have 15 minutes early to set down my evidence.

And as soon as I got there, he came in -- I didn't even get a chance to put my evidence down.

I have really quite a bit.

But he told me that everybody violates ordinances, nobody really cares.

So I showed him these rocks and you got some 2 1/2 inch, you got some a quarter inch, the proper size.

He said they all look the same to him.

But I'm going to cut this short because I'd like to talk to him eyeball to eyeball.

That's what a citizen should be able to do.

Instead of the hour meeting I had, he cut me off at about 40 minutes for the meeting that we were supposed to have.

So, there's something about is the city going to represent the citizens or maybe the citizens don't have any rights at all in the City of Phoenix.

Thank you.

>> J. Waring: Thank you.

Diane Barker.

>> Good afternoon.

Good afternoon, city council and Vice Mayor Waring.

Diane Barker.

We're at citizen comment.

And, again, I don't see it on the agenda.

I believe that the vote was foul from the city council to not have the citizens a part of the formal agenda.

And unfortunately the new Web site does not take you right to meetings, and it had nothing that announced even this other meeting and, quote, meeting as a quorum.

We don't have a quorum.

We have got myself.

I'm District 7.

And we have Mr. Rusnick from District 6 and Mr. Clark from District 2, and none of our representatives are here.

We know we are going into the summertime and it's hot and everything.

But we should have representation, all of it, here.

Now, if they think that any of the council people that we're not constituents and that -- you know, why should you even come?

Look, we're citizens.

Citizens, you know, have the allegiance to our government.

And we're entitled to the protection of the City of Phoenix and by the City of Phoenix.

We want to be respected, and we want to respect you.

A citizen cares for the feelings of others and the safety and we stay informed on issues and we vote.

And we are for reducing, reusing and recycling all ideals that are a benefit for the future. The City of Phoenix city manager has rightfully hired a sustainability man, and he comes from Vancouver.

They've done an awful lot there.

I hope that the city will do reduce, reuse and recycle and very much have it so that the people are part of this process.

Again, we should be the first, the citizenry, when you open up the link to the City of Phoenix "citizens hello" and these are our meetings.

We come here today.

We have taken our time, and we want you to give our time to the citizenry.

Thank you.

>> J. Waring: Thank you.

Any further citizen comment?

Going once, going twice.

We have a few minutes if people want to fill out a card, Bill and I will be here.

Thank you very much.

[Gavel]

>> Mayor Stanton: Good afternoon, everybody.

Welcome to today's formal meeting of the City of Phoenix.

We are at a special time because we may end up having a longer agenda.

It is our final meeting before we take a few weeks off, until the end of August.

So we have a busy agenda.

We did have citizen comment before the meetings.

We will have citizen comments at the end of the meeting for those citizens not able to participate for citizen comment at the beginning of the meeting.

Before we begin our formal portion of today's meeting, we do have a special meeting which is a meeting of the Tatum ranch community facilities district.

Let's have that meeting first and then we'll have the invocation and pledge and enter into our formal meeting.

Can I get a call to order and a roll-call for the Tatum ranch community districts board meeting.

>> Clerk: DiCiccio.

>> S. DiCiccio: Here.

>> Clerk: Gallego.

>> K. Gallego: Here.

>> Clerk: Gates.

>> B. Gates: Here.

>> Clerk: Nowakowski.

>> M. Nowakowski: Here.

>> Clerk: Pastor.

>> L. Pastor: [ inaudible ]

>> Clerk: Valenzuela.

>> D. Valenzuela: [ inaudible ]

>> Clerk: Williams.

>> T. Williams: Here.

>> Clerk: Waring.

>> J. Waring: Here.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Here.

The next item is minutes of the meetings.

Do I have a motion to approve the minutes of the July 3rd, 2013 special meeting of the board of directors?

>> Move to approve.

>> Mayor Stanton: We have a motion.

Do we have a second?

>> Second.

>> Mayor Stanton: We have a motion and a second.

All in favor say aye.

[ Chorus of ayes ]

Opposed?

Pass unanimously.

Now is the time for the public hearing regarding the final district budget for fiscal year 14/'15 and now is the time for the tax levy in the Tatum ranch community's district.

I hope the hearing.

Are there any cards on this item?

Going once?

Going twice?

I will now close the public hearing.

Item Number 5 is consideration, adoption of a resolution in support of the budget.

Do I have a motion on Item Number 5?

>> So moved.

>> Mayor Stanton: We have a motion.

Do we have a second?

We have a motion.

We have a second.

Any comments?

All in favor say aye.

>> Roll-call.

>> Mayor Stanton: I apologize.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Williams.

>> T. Williams: Yes.

>> Clerk: Waring.

>> J. Waring: No.

>> Clerk: Stanton?

>> Mayor Stanton: Yes.

The item passes 7-1, I believe.

We're missing one.

Yeah, 7-1.

Okay.

Are there any other comments at this time related to the Tatum ranch community facilities district?

Do we have any comments for Item Number 6?

This meet something now adjourned.

Now we begin with our formal meeting with our City of Phoenix.

We will begin this meeting as we begin all meetings with the formal meetings with an invocation.

Today it will be provided by Pastor David Drew of Celebration Church.

Pastor Drew, are you here?

Please come forward and all rise.

>> Will you bow in reverence as I pray.

Dear heavenly father, we thank you for all who are gathered here today.

Thank you for your meeting and abundant blessings.

Thank you for life itself and what we need to full till our callings and sustenance and friendship.

We thank you for the ability to be involved in useful work and for bearing appropriate responsibilities.

Thank you as well for the freedom you have given to embrace you, for the freedom to go our own way.

We thank you for loving us even so.

From your loving and gracious nature.

In your word you said that citizens should obey the governing authority since you have established those very authorities to promote peace and order and justice.

Therefore, I pray for our Mayor, for the various levels of city officials and in particular for this assembled council.

I'm asking that you would graciously grant in wisdom to govern the conflicting interests and issues of our times.

A sense of the welfare and the true needs of our people, a keen thirst for justice and righteousness, confidence in what is good and fitting, the ability to work together in harmony even when there is honest disagreement and give each one personal peace in their lives and joys in their task.

I pray for the agenda set before them today.

Please give an assurance of what would please you and what would benefit those who live and work in and around our beloved City of Phoenix.

It is in your most blessed name, I pray.

Amen.

>> Mayor Stanton: Amen.

Thank you very much, Pastor Drew.

The "Pledge of Allegiance" will be led by vice mayor Jim Waring.

I pledge allegiance  
To the flag  
Of the United States of America and to the republic  
For which it stands  
One nation,  
Under God,  
Indivisible,  
With liberty,  
And justice for all.

>> Mayor Stanton: Robbing.

>> Clerk: DiCiccio.

>> S. DiCiccio: Here.

>> Clerk: Gallego.

>> K. Gallego: Here.

>> Clerk: Gates.

>> B. Gates: Here.

>> Clerk: Nowakowski.

>> M. Nowakowski: Here.

>> Clerk: Pastor.

>> L. Pastor: Here.

>> Clerk: Valenzuela.

>> D. Valenzuela: Here.

>> Clerk: Williams.

>> T. Williams: Here.

>> Clerk: Waring.

>> J. Waring: Here.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Here.

>> J. Waring: We need a motion -- I guess we are going to approve the minutes.

We do have an interpreter here, if you could wave, Judy Holm.

Thank you for joining us today.

[Interpreter speaking in Spanish.

].

>> Clerk: The titles of the following ordinance and resolution numbers on the agenda were available to the public at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only:

Ordinances numbered -

G-5936 thru G-5941

S-41033 thru S-41097

and Resolutions numbered 21234 thru 21239.

>> J. Waring: Thank you very much.

Councilman DiCiccio, do you have a motion about the meeting minutes from April 16th,

2014?

>> S. DiCiccio: Motion to approve Mayor.

>> Second.

>> J. Waring: All in favor say aye.

[ Chorus of ayes ]

Opposed say nay.

Ayes appear to have it.

Councilman Gates, do we have a motion to approve commissions?

>> So moved.

>> Second.

>> J. Waring: All in favor say aye.

[ Chorus of ayes ]

>> J. Waring: Ayes appear to have it.

We are now going to have ten-minute speeches from every person we just appointed.

I'm just kidding.

I just wanted to see the looks on your faces.

Some of them looked hopeful.

I'm sorry for those of you who came today to be appointed.

We appreciate your service.

Because you can see it is a pretty packed crowd and everything, we are not going to go ahead and do the traditional handshaking and everything.

We will get you sworn in at a later date.

Is that what we are doing, Mr. City manager?

>> Are we doing a picture?

>> J. Waring: We will swear you in right now.

>> I do solemnly swear that I will support the Constitution of the United States and the Constitution and laws of the state of Arizona and I will bear truth faith and allegiance to the same to defend against all enemies foreign and domestic and I will faithfully and partially discharge the duties of the office according to the best of my ability so help me God.

[ applause ]

>> Who is that police officer in uniform back there?

>> Mayor Stanton: Thank you very much.

Next?

Councilman Gates, do you have a motion?

>> B. Gates: Yes, motion to suspend the rules and change the order of business to permit the holding of a public hearing on the property tax levy and adoption of the property tax levy ordinance.

>> Mayor Stanton: Heard the motion.

All in favor say aye.

[ Chorus of ayes ]

Oh, second?

Thank you.

All those in favor say aye.

[ Chorus of ayes ]

Opposed say nay.

Ayes appear to have it.

So ordered.

We will now open a public hearing and we have a few cards, at least one card.

Leonard Clark.

Thank you.

You have two minutes.

>> Thank you very much, council.

My name is Leonard Clark.

I believe this public hearing is on the property tax levy.

>> Mayor Stanton: Yes.

>> I just wanted to say that even though I don't own a house that I hope all of my fellow citizens out there in Phoenix are paying very close attention.

I'm not even what you would call a conservative.

I'm a liberal.

But the problem is when we go thinking about or raising taxes, we have to be very careful and we have to explain to our citizens exactly what we're doing.

And I want to thank you for being very open, having a public hearing process throughout these times where we're trying to make ends meet as our jobs are being shipped off to other countries.

So I would just ask you that you please always, always make sure this process is as transparent as possible because I do have a lot of friends that own houses and every time their taxes go up, it gets harder and harder to survive.

So thank you very much for letting me speak.

[ applause ]

>> Mayor Stanton: Thank you very much, Mr. Clark, for your testimony.

Any other cards for the public hearing?

Anybody that would like to talk about the proposed property tax levy?

Going once, going twice.

We are now closing the public hearing.

[Gavel]

Next item on the agenda is the property tax levy for 2014/'15 fiscal year.

Do we have a motion on Item Number 3?

>> K. Gallego: Motion to approve.

>> Mayor Stanton: We have a motion to approve Item Number 3.

Do we have a second?

>> L. Pastor: Second.

>> Mayor Stanton: We do have a second.

Do we have comments from members of the council on Item Number 3, property tax levy?

>> S. DiCiccio: Mayor?

I have a comment.

I'm on the phone so I apologize if I sound like I'm interrupting it is hard to hear sometimes, too, as we all know if you have been on the phone.

I will be voting against this, Mayor.



It continues the policy of maximizing the primary, which is just another way of saying that it is creating a fiscally responsible situation for the City of Phoenix.

It does not go far enough in order to fix the problems we are about to see in front of us. Just several months back, just several months back, we saw a situation where we were supposed to be voting on the policy of either raising taxes or cutting back of services and that was taken off the table.

So when we talk about transparency, that did not create a transparent process at the City of Phoenix.

What this does, and I have been talking about this now probably for, oh, about four years now, by maintaining this policy, it is going to create a situation where there could be massive tax increase of over 50% on the secondary tax next year or the year after that or a situation where services would have to be cut.

It is not a fiscally responsible move to continue on this path at the City of Phoenix.

The property tax issue is significant.

It is a big issue.

It is something that I believe has not been brought forward to the public and it's one that I think the public fully needs to understand what is occurring every year after year at the City of Phoenix.

And the only reason we're in this process is because the City of Phoenix refuses to deal with the short-term problem.

So what does it do?

Long-term, I believe it puts not only our taxpayers at risk with higher taxes but I don't believe that this council -- I don't believe that this council would vote for a property tax increase.

I don't see the votes there for this.

And what that then does is put at risk the bond holder and it takes money away from paying off your debt.

So I'm going to continue to talk about this issue.

I think it is a problem.

I think that it is one of the reasons that we saw a downgrade in our credit rating.

I believe that when the bonding companies realize that this city is not going to be raising taxes to pay for this, they're going to find and create consternation with those as well, Mayor.

So I will be voting no on it.

>> Mayor Stanton: Thank you very much, Councilman DiCiccio.

So we have a motion in favor of Item Number 3.

We have a second.

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: No.

>> Clerk: Gallego.

>> K. Gallego: [ inaudible ]

>> Clerk: Gates.

>> B. Gates: [ inaudible ]

>> Clerk: Nowakowski.

>> M. Nowakowski: [ inaudible ]

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Williams.

>> T. Williams: Yes.

>> Clerk: Waring.

>> J. Waring: No.

>> Mayor Stanton: Yes.

The item passes on a 6-3 vote, I believe.

Next item are liquor licenses.

I saw Councilman Maddox may have had to leave.

I wanted to thank him for being here.

Councilman Maddox, you will be watching us later on Channel 11, I'm sure.

Do we have a motion on liquor licenses?

>> J. Waring: Mayor, I move items 4 through 25 holding out items 4 and items 15.

>> Mayor Stanton: Do we have a second?

>> L. Pastor: Second.

>> Mayor Stanton: Motion and a second.

Any cards?

All in favor say aye.

[ Chorus of ayes ]

Any opposed?

Passes unanimously.

Item 4 is a special event.

There is a card on it.

Do we have a motion on Item Number 4?

>> J. Waring: Move approval of Item Number 4.

>> Mayor Stanton: Do we have a second?

>> Second.

>> Mayor Stanton: Leonard Clark, you are up, as quickly as possible, that would be appreciated.

>> I just want to say as a former athlete and working -- knowing people who work with Special Olympics, this is not the same.

I strongly approve of this and I hope people will learn more about this because these -- this particular non-for-profit organization goes out and helps athletes, special needs athletes and we know a lot of people who have children and special needs adults that need help.

One of the best things you can do if you have a child with special needs is get them out there and participate in an athletic activity.

I want to thank this organization, and I will try my best to find out more and help.

And I urge my fellow citizens to do the same.

Thank you.

>> Mayor Stanton: Thank you very much, Mr. Clark.

All in favor say aye.

[ Chorus of ayes ]

Opposed?

Passes unanimously.

Item 15, Councilman Gallego, that's in your district.

What's your pleasure?

Do we have a card?

>> K. Gallego: The neighbors and I have had a productive conversation with the owner of this business and we have talked -- and we appreciate their commitment to work with our police department on crime prevention through environmental design.

They are going to open not single selling alcohol which we very much appreciate they are doing a variety of commitments to neighborhood concerns on vendors on parking lots and advertisements on exterior windows.

We have people from the neighborhood, so I would love to hear the comments before my motion.

>> Mayor Stanton: Thank you very much.

So we don't have a motion on the table yet.

Shawna Duma.

>> Shawna Duma.

I'm opposed.

JJ's market has been a blight to the neighborhood.

I know we have new owners.

That's good.

I have looked up the new owners and their properties are better maintained.

Thank you.

We have been working really hard in this neighborhood trying to rid the blight.

When you have an anchor store on 24th street that is constantly -- will not keep the property up, will let homeless people sleep behind the store, no matter what we do, the store is just a detriment to the neighborhood so I am opposed.

>> Mayor Stanton: Thank you very much for taking the time to come down.

>> I have a picture.

>> Mayor Stanton: Please pass the picture around so the council has the opportunity to see it.

Couple other cards.

Janet Forward, you are marked not for testimony.

Are you okay, just for the record opposed?

Okay.

And then Gary Barno not wishing to speak is in favor.

And then Josephine Valenzuela is in favor I assume in light of the leadership provided by Councilman Gallego to provide a compromise.

Available to speak if requested.

It is up to you if you want to provide testimony at this time.

No?

You want to come?

You okay, okay?

I will hand the floor back over to Councilman Gallego for a motion.

>> K. Gallego: Wonderful.

We have, I think, a very productive dialogue with the owner and they are committed making this an asset for the neighborhood.

I hope we can put their letter in the official record.

I will move approval.

>> Second.

>> Mayor Stanton: We have a motion and second for approval with the important stipulations that Councilman Gallego was able to generate.

All in favor say aye.

[ Chorus of ayes ]

Any opposed?

Passes unanimously.

Can we have -- next item is suspension of the rules for items 41, 42 and 43.

>> J. Waring: Move to suspend the rules and change the order of business to take items 41, 42 and 43 out of order.

>> Second.

>> Mayor Stanton: All in favor say aye.

[ Chorus of ayes ]

Opposed?

Passes unanimously.

Vice mayor, you wanted to do a motion on 41 and 42?

>> J. Waring: I do.

I would like to table 41 and 42.

We have a long agenda.

43 is the star of the show.

>> Mayor Stanton: Motion to table.

Second?

>> Second.

>> Mayor Stanton: Comments by members of the council on 41 and 42?

We have cards.

The request has been to table 41 and 42.

I will take testimony on that request only.

Greta Rogers, did you want to provide testimony in light of the fact that the motion is to table the item?

The motion on 41 and 42 is to table those items.

Do you wish to provide testimony on 41 and 42 in light of the motion?

>> [ inaudible ]

>> Mayor Stanton: We don't know what the vote will be so we want to hear your testimony first.

Provide testimony on your thoughts on 41 and 42.

If you would like to provide testimony on both, I would accept that as well.

>> Thank you, Mayor and council.

Diane Barker also ceded two minutes to me per card.

>> Mayor Stanton: Go ahead.

>> First of all, I have spoken before on narratives on complicated subjects in the text of the agenda.

It is like reading Arabic.

In fact, I could probably read Arabic better.

Stated clearly, concisely and factually, this is on changing pension benefit -- defined pension benefits program to 401(k).

I'm opposed unalterably.

This will probably cost the city a minimum of \$350 million.

Last year San Diego, as I stated here about a month ago paid 343 mill for '13.

We're looking ahead two years before this starts manifesting and fees being collected.

We can no more afford \$350 million as a city than I can as an individual.

You're 37 mill in the shorts.

What are you doing?

Compounding your problem?

So we will file for a Chapter 9 for God's sake?

You people have no ethics, morals or common sense.

Keep the defined benefits program as it is.

There is a plan for it to become 80 or more percent funded within 20 years or 25.

That's not a panacea, but it's better than 300 plus to 400 million because you've switched to a 401(k).

And stop putting narrative in the agenda that is inaccurate for anybody but a Harvard law student to be able to interpret.

None of us is except Gates and I doubt if he could have interpreted this one.

>> Mayor Stanton: Thank you very much.

>> I'm not finished and my time is not up.

>> Mayor Stanton: Go right ahead.

>> You have taxed and fed us, the citizens, who didn't create this mess which started in 1999 -- we're going to pay -- now we're going to pay because we have a water meter.

You have to have a water meter to measure how much water you've used.

So now we're being penalized because we have a water meter to measure how much water we use to charge us for the water.

That is double dipping taxation at its worst.

There are other fees and charges that you have exacted from the citizens.

It is unconscionable.

You better all take a lesson in third grade arithmetic and learn how to add and subtract.

And if you pass that, you can go to fourth and fifth and learn how to multiple and divide which is faster.

I'm sick of your absolute incomprehensible failure to act intelligently.

>> Mayor Stanton: Thank you very much, Ms. Rogers, for your testimony.

For the record, the item that deals with the possibility of moving to a, quote-unquote, 401(k) is item 43.

I let you provide testimony on 41 and 42 because they were all pension related.

Jerry van gas, do you wish to provide testimony on Item 41?

Again the motion on the table is to table 41 and 42.

>> Thank you very much.

Jerry van gas.

It doesn't really matter if it is cable, it is nebulous numbers.

We were listening to management to paint a rosy picture of how financially sound this city was, how we are moving in the right direction like our surrounding neighbors, all except Glendale.

Here we are.

We are looking to 37 million budget deficit, with no clue.

It is probably going to be just as bad next year.

It was such a rosy picture that the perpetrator, that the lead person, our city manager, a month after expounding on how great everything was retired.

Two months after that our budget director, chief financial officer, also retired and left.

So my suspicion all along was there's a whole lot.

They knew this was coming.

We filed numerous record requests to see how these funds were moved around.

We've heard basically crickets.

So I don't understand what part of public records this staff doesn't understand.

Public is public, the citizens.

Not the staff.

You don't get to pick and choose what you give us.

We've got recourses and we're going to follow every one until we get those records because this has got to stop.

We are not going to have this going on.

It is our money.

We want to know where it's going.

I will close with Pat Flannery just last winter wrote an article on record request and concluded with "as a citizen, these are your public records.

Know about them, find them, use them to educate yourself and your neighbor.

It is not just a democratic right, it is a responsibility ."

Thanks.

>> Mayor Stanton: Thank you very much, Mr. Van gas.

Tim Sirakowski.

Do you wish to provide testimony on the proposed motion?

And then Leonard Clark will follow.

>> Good afternoon.

My name is Tim Sirakowski.

Thank you for this time.

I just want to make a correction.

It wasn't 43, 43 was to put it on the ballot.

41 and 42 is what Greta was referring to, just to make a correction to you.

>> Mayor Stanton: I apologize.

She was suggesting that this -- 41 and 42 would create a 401(k)-type system.

That's not what 41 and 42 would do.

I wanted to correct that for those watching at home.

That's what I wanted to do.

I apologize.

>> I think switching midstream without giving something a chance is going to harm the taxpayers.

I run numbers last night.

I was thinking, my God, are you guys really doing this?

How much are you going to really cost the individual pension people in this town if you continue with your behavior?

This is really pretty much ridiculous.

You are supposed to be working for us, not us working for you.

I'm going to say this, once again.

You work for us.

I don't work for you.

And it seems that government today has switched hats here.

They think we're supposed to be doing your bidding and you're supposed to be doing your bidding so it becomes monotonous to see you guys aren't really doing what the people want.

I'm not really sure if you are really getting this because it seems like all government entity any longer are doing this.

I was looking over your city -- your budget forecast for the last five years and everything else that you guys have put out since the beginning of January.

And I'm wondering if this information is really accurate or if you guys just make this up as you are going along because I run all the numbers and all these.

The numbers don't -- they don't add up.

So if you guys have financial directors and financial people running this, how come the numbers don't add up?

Why don't we start putting this Phoenix on the right course.

Let's start developing new plans that consequently we can get businesses coming here, start generating revenue and doing other things that are going to make this city money, for example, the Super Bowl.

Let's do something about that.

Thank you.

>> Mayor Stanton: Thank you, Mr. Sirakowski.

Leonard Clark is the next speaker on -- thank you so much.

And then -- we have 41 and 42 on the table.

Mr. Sirakowski, was your testimony on 41 and 42?

Thank you so much.

We have a motion.

Any council from the comments?

All in favor say aye?

>> S. DiCiccio: Mayor, Mayor, Mayor.

>> Mayor Stanton: Councilman, go ahead.

>> S. DiCiccio: Am I on?

>> Mayor Stanton: Yes.

>> S. DiCiccio: Thank you, Mayor.

I just have a couple quick comments.

I know everybody wants to leave so I will make it very quick.

But I think this shows what occurred here at the City of Phoenix.

There are two major things that happened here.

One, in this non-transparent process to try to rush these two items to the ballot in order to compete with the citizen-driven initiative, the City of Phoenix has spent hundreds of thousands of taxpayer dollars for this failed effort and in a time when we should be spending that time on police officers on our streets.

The second thing is that it also shows that the clear conflict of interest at city hall dealing with this issue.

All you have to do is read those initiatives, those plans that were put together by city staff and you will see that the clear intent there was to kill the citizen-driven initiative.

The third and most important thing that it did is it showed the true cost of pension spiking.

And I know the media and others have been talking about how pension spiking has stopped at the City of Phoenix in a convoluted message but it has not stopped.

It shows that if the citizen-driven initiative goes forward, it will save over \$380 million, taxpayer dollars on spiking alone for copiers.

That represents the spiking number right now today at about \$19 million a year that the City of Phoenix is continuing to move forward on.

The City of Phoenix spikes pensions \$19 million a year according to the reports that were generated here by the Cherion group.

I will be supporting the motion.

I'm glad we're doing this.

I think it shows what occurs behind closed doors at city hall in order to fight citizen-driven initiatives that would true make lasting pension reform.

The citizen-driven initiative, this will allow it to stand on its own as it should.

Thank you, Mayor.

I will be supporting the motion.

>> Mayor Stanton: Thank you very much.

So the motion is to table and I was told earlier there was not supposed to be a debate.

It is not supporting it or denying it.

It is dealing with it at a later time.

All in favor say aye.

[ Chorus of ayes ]

Any opposed?

That passes unanimously.

Next item is Item Number 43 which is to establish a form of the ballot for the November 4th, 2014 election.

I do have some cards on that item but we have our city manager and his team including legal counsel here to explain why they have proposed what they have proposed in the packet for the proposed form of the ballot.

So without further ado and without putting a motion on the table, I will ask the city manager to lead the discussion on Item Number 43.

>> City Mgr. Zuercher: Thank you, Mayor.

I'm here at the table with our retirement planner and our legal counsel in this matter, Wes Stockard.



The item before you today recommends language to refer to the November 4, 2014 ballot.

That election will be conducted by Maricopa County on behalf of the City of Phoenix and since the election is administered by Maricopa County, we must conform to their rules including a limitation of 50 words allowed in the descriptive title.

A citizens initiative has been properly submitted and certified by the city clerk to the ballot and today the council's duty is to refer a form of the ballot to Maricopa County. And we have proposed some language for your review and action.

Staff and the city manager's office, the retirement office, budget and research, finance and city clerk have done significant review and study of the initiative through our actuarial and pension consultants at Kyron, Siegel and Buck.

We have also been advised from outside counsel.

At the direction of city council on June 10th we assessed all aspects of the initiative for costs or potential savings.

And according to the studies conducted, it is our best management estimate that assuming a 5% city contribution to the new defined contribution plan that will be formed by the initiative, this initiative would cost the city an additional \$358 million over 20 years.

The number reflects management's understanding of the constitutional and contractual/legal issues raised by the proposed charter language of the initiative.

The estimated cost does not include savings that are legally questionable and may be overturned if legally challenged.

Those are all contained within the report.

This is particularly as it relates to changes to pension terms for current employees and assumptions about compensation that is currently in employment contracts and agreements.

Again, this assumed a midrange 5% deferred compensation contribution rate for the plan described in the initiative, although the actual rate would be set by the city council if the initiative is passed and we would advise something between 3 and 7%.

State law requires the descriptive title to be no more than 50 words which is a significant constraint in drafting language.

The language presented to you is staff's management's best recommendation to describe the initiative content accurately and neutrally.

It is ultimately the authority of the city council today to refer specific language to the county.

Thank you.

And we are happy to answer any questions you might have.

>> Mayor Stanton: Thank you very much, Mr. City manager, for that information.

Obviously what's got a lot of attention of people is the staff-proposed inclusion of language as it relates to our police officers and firefighters in city payment to PFPRS if the initiative was to best.

I was hoping you could do to the best of your ability to explain why you as city manager included that proposal in the proposed formal ballot language.

>> City Mgr. Zuercher: Thank you, Mayor.

I will try to explain as best I can here.

There are really two -- two places in the charter language proposed that we think leads to that and creates what we think is legal issues about including public safety, personnel retirement system or PSPRS which covers our police officers and firefighters.

Section 2.2C, which talks about current employees that do not enroll in the plan established shall not receive city contributions to any retirement plan other than contributions to the Phoenix Employees Retirement Plan.

That we think inadvertently or not includes PSPRS.

The other is Section 3.1 that says the adopted plan shall be the only retirement plan offered to future hires which we think also includes specifically future employees of the City of Phoenix, some of which will be police officers and firefighters.

It is really those two places that we think brings the police officers and firefighters into the restrictions of this initiative.

>> Mayor Stanton: Thank you very much for that information.

Obviously that was a lot of the questions that I think have come up over the last few days as the staff-proposed language has been made public, is that portion of it.

There were a lot of public statements about the fact that this was not supposed to include police and fire, but it is based upon your review of the actual language that is in the proposed initiative that led to that conclusion.

I don't want to speak for you.

>> City Mgr. Zuercher: Mayor, that's correct.

While there is a lot of discussion about a preamble that's included with the initiative.

What we've been advised is really the guiding language is the recommended language for the charter, and it is important that we are paying attention to the charter language because our successors 20, 30 and 40 and 60 years from now will only be able to depend what language is in the charter.

I will just give you an example.

This year we had to go to the charter for some language about city taxation related to the library system and CAPS.

That language is probably 50 years old.

I don't know what the intent was when it was first put in there, but we had to be guided by that specific language.

It is important that we focus on what the charter amendment language is more than a preamble.

>> Mayor Stanton: I will hope to members of the council to ask questions.

We do have some cards.

I wouldn't to make sure Councilmembers have an opportunity to ask questions to the city manager and his team.

>> J. Waring: You left out one statement.

You read a couple tracks from different pages.

I'm looking at the text of the proposed amendment, it is date stamped by the city clerk, January 10, 2014.

It says very clearly in Section 1, number 9, this act is not intended to affect individuals who are members of or eligible to join any other public retirement system in the state of Arizona such as the Public Safety Employees Retirement System.

A lot of people -- no offense Bill and Mayor, a lot of people make fun of lawyers not

being clear.

What could be more clear than that sentence?

You are saying it doesn't count for anything.

I would take issue with that because it is right up front.

And unless you expected them to repeat this in every section, I don't know what else you would expect.

>> City Mgr. Zuercher: We can't advise the initiative writers how to do their work.

We do acknowledge the preamble says that clearly.

You are correct.

Section 1, number 9 of their findings and intent.

But what is guiding to us according to what I have been told is the language starting under part 5, Phoenix Pension Reform Act of 2014.

The language in there is as I read, 2.2C and 3.1 do not reflect that intent in our view.

>> Mayor Stanton: Vice mayor, do you have discussion?

>> J. Waring: I do.

I have heard that first statement that seems crystal clear apparently to both of us doesn't count, but I guess I haven't heard an explanation of why that doesn't count.

So, Wes, or somebody want to explain why that doesn't count.

It doesn't make a lot of sense to a lowly layman like me.

>> Thank you, Mayor, vice mayor.

So I wouldn't say that the preamble doesn't count because it does state intent.

However, what will be in the charter is not the preamble but will be part 5, all those things in capital letters.

So in the charter forever more, or until voters would change it again, should it pass, would not be the preamble but will be the actual words, all of them, but in particular 2.2C and 3.1.

As I said, we view as having significant issues that would encompass in our view -- or potentially encompass police officers and firefighters.

>> J. Waring: Thank you.

I guess I would just say you are saying that you are not saying it doesn't count, but you are saying that because you are saying you will include police and fire where clearly that says that's not the guess.

We can quibble about it all day long.

I am sure the courts will end up sorting it out.

We noticed in your presentation we didn't read Section 1, Item 9 sentence which, again, as we both agree could not be more clear.

So I guess I would say we are just going to differ.

Thank you.

>> Mayor Stanton: Thank you very much, vice mayor.

Councilman Gates.

>> S. DiCiccio: Mayor?

>> B. Gates: Thank you, Mayor.

Appreciate it.

I think that Vice Mayor Waring has been watching some lawyer shows at night.

>> J. Waring: I watched half of "Matlock."

[ laughter ]

>> B. Gates: You keep using this term "preamble."  
Where does it appear on this initiative?

I didn't see it.

>> City Mgr. Zuercher: Councilman Gates, you are correct.

That's my laymen's term for it.

>> B. Gates: This is actually language that would be on the ballot, that the people of the City of Phoenix will be asked whether or not they want to vote in favor of it, right?

>> City Mgr. Zuercher: Yes, that's correct.

>> B. Gates: Okay.

So, in fact, that -- this language that Vice Mayor Waring was talking about, the heading over it is "text of proposed amendment."

Right?

>> City Mgr. Zuercher: That's correct.

>> B. Gates: What's it amending?

We don't know.

>> City Mgr. Zuercher: It is amending the city charter with part 5, Phoenix Pension Reform Act being the language that's in the charter.

>> B. Gates: It doesn't say up there text of proposed amendment and we don't mean the first page -- the first page and half of the second page.

It just says "text of proposed amendment."

Right?

>> City Mgr. Zuercher: That's correct.

>> B. Gates: I think what this discussion has illustrated is that reasonable minds can disagree on what the meaning is of this initiative.

And so to go into where I'm headed later, I think we're going to see that throughout this discussion that reasonable minds could disagree.

And before we commit to very conclusory language, we want to make sure that we as a council are comfortable that this says that this initiative actually says what the ballot language says.

Thank you, Mayor.

>> Mayor Stanton: Thank you very much, Councilman.

I think we had other -- vice mayor had some additional questions.

We have other members of the council that have questions first.

>> S. DiCiccio: Mayor?

>> Mayor Stanton: Please, go ahead.

Councilman DiCiccio.

>> S. DiCiccio: Thank you, Mayor.

Couple questions.

And I want to follow up on the same line of questioning as Councilman Gates.

Before I get into that, if I could ask City Manager Zuercher, hello, Ed, why did you not include the savings from the initiative in your presentation?

>> City Mgr. Zuercher: Mayor, Councilman DiCiccio, the language we provided is our best recommendation to describe the initiative as neutrally and as completely as we were able to in 50 words?

>> S. DiCiccio: No, no, no, I'm okay with the 50 words quite frankly.

I like the fact there is a neutral third party doing that.

That's a good thing for the city and we have done that for years.

The part I'm concerned about is the presentation you gave talking about the cost of the initiative being 350 million but you didn't say anything about what the potential savings could be.

How much of that is a potential savings?

And why was that not in your presentation?

>> Mayor Stanton: City manager, you gave a presentation, a discussion about your analysis, the staff's analysis as to the cost if this initiative were to pass.

How did you come to conclusions?

>> City Mgr. Zuercher: Our discussions included that a reasonable estimate of costs would be 358 million of costs over 20 years.

The council did direct us on June 10th to have our consultants go back and cost out each element of the program regardless of whether there were any legal concerns with it or not.

That is contained in the report that was issued last Thursday called "updated ballot initiative analysis."

It does go through each section and does refer to some savings.

The reason why I did not include them is that it is not management's opinion that those savings would be realized due to the legal issues surrounding each one of those individual items.

>> S. DiCiccio: Do you have a legal opinion on that or is that what you are doing, just talking to attorneys?

Do we have anything in writing saying that?

>> City Mgr. Zuercher: I have consulted with our attorneys on that, yes, Councilman.

>> S. DiCiccio: Can we provide something in writing?

>> City Mgr. Zuercher: We can have an executive session discussion on that advice.

>> S. DiCiccio: We are voting on it today.

I would recommend strongly that this council move forward with a legal or written opinion from the city staff that describes whether or not it can be legally justifiable or is it just something we're just saying.

I think there needs to be written documentation as to exactly what it says or it is all phony bologna.

That \$350 million cost, did you include in there any of the deferred compensation savings?

>> City Mgr. Zuercher: Mayor, Councilman DiCiccio, one of the assumptions we made as management in this is that the removal of deferred compensation which you are referring to, the contribution would limit to COPRS and PSPRS.

Because that is part of a total compensation package for employees that is contained in agreements or contracts, that we would have to reopen contracts and agreements with our labor groups and negotiate that in good faith and we did not feel that we could assume that would go away at a zero cost to the city, that there would be an exchange of value for removal of something as this relates to those contracts and agreements.

>> S. DiCiccio: That would be in the first two years.

I'm in agreement with you, in your first two years, you can't change those contracts around.

But you didn't include that in the contracts moving forward.

How come?

>> City Mgr. Zuercher: Mayor, Councilman DiCiccio.

No, we did not because, again, that is considered part of compensation and would certainly be part of negotiations moving forward as well.

>> S. DiCiccio: That's not a legal issue, is it?

It doesn't stop it legally.

What we heard last time from city staff was that there was -- you were making assumptions the council would never do this.

That's not necessarily true.

You don't know that.

It is not about a legal foundation, is it?

>> Mayor Stanton: Councilman, I will let city manager answer your question again.

>> City Mgr. Zuercher: Thank you, Mayor, Councilman DiCiccio.

I would just emphasize what I'm telling you does not have the force of legal recommendation because I'm not the city attorney.

It does have the force of the fact that I'm the city manager and my job is to report to you my best recommendations on the effect of policy.

So it is my assumption and recommendation that we could not assume a zero -- removing that compensation moving forward as a total savings because we need to manage that with our employees who today consider that to be a part of their total compensation package.

Certainly the council can make that decision and would have the opportunity to make that decision.

But that today is not my recommendation is how we view it moving forward.

>> S. DiCiccio: I totally agree with you, Ed, on that part.

I understand that is your assumption.

After the two-year period this council could do anything it wanted, couldn't it?

>> City Mgr. Zuercher: Yes, the council has the ultimate authority in deciding that issue.

>> S. DiCiccio: It doesn't have a legal foundation to exclude it from the cost savings then, does it?

It is basically based on an assumption of past history or what you think the council may do.

Is that correct?

It is not based on legal foundation after the contracts are up, is it?

>> Mayor Stanton: City manager, you want to once again explain the rationale -- or your recommended cost analysis.

>> City Mgr. Zuercher: Thank you, Mayor.

Councilman, DiCiccio, yes, the legal piece of it would be to relate to the contracts in the next two years.

Beyond that, it would need to be a negotiated item with our unions and associations and employees.

And ultimately the council does decide on that, so it is not a legal recommendation past

these two years but it is my best management analysis that you cannot -- that we as management would not assume it to be -- to go completely away.

>> S. DiCiccio: Okay, clear.

I wanted to clear it up in your comments originally you said you did this because the legal foundation.

But these are just based on assumptions then on what you think may or may not happen two years from now.

>> Mayor Stanton: Mr. Manager, if you want to respond.

>> City Mgr. Zuercher: The legal piece of it would be as it relates to the next two years of contracts.

Beyond that is my recommendation.

>> S. DiCiccio: Okay.

Thank you, Mayor.

>> Mayor Stanton: Thank you very much, Councilman DiCiccio.

>> S. DiCiccio: Mayor, I do have one quick thing on that.

That does bring it up.

When we look at staff recommendations on these positions, doesn't that impact our -- just alone because it is going to have an impact not just on the city manager but on all of the other city employees?

How does staff make a recommendation like that, on something that directly impacts their own contract?

How can I happen?

Can I ask that question about the conflict?

>> Mayor Stanton: I think the nature of the question, I want to make sure I get this right is, is the feeling that our professional staff is unable to make a professional recommendation because they're city employees as well.

Is that the nature of the question?

>> S. DiCiccio: I think it's because it has a direct impact on their own contract.

What we have seen, Mayor, we have seen city staff present the reports, hire the consultants, hire the attorneys, put together the entire plan on items that impact themselves and you can't expect people not to be thinking in their own interest on that. I mean, so there's a clear conflict of interest on that.

So when I hear things like "this is the city staff recommendation," there shouldn't be one.

This should be from an outside entity.

This is more personal, too.

I just think there is a conflict that created this problem.

>> Mayor Stanton: I appreciate your perspective on that.

>> S. DiCiccio: Mayor, I'm not done.

I'm not done.

>> Mayor Stanton: Do you have questions?

Because we have questions.

>> S. DiCiccio: We are giving comments, too, Mayor.

>> Mayor Stanton: We will giving comments later on.

>> S. DiCiccio: Mayor, let me -- okay. Mayor, you are always cutting me.

I would appreciate you --

>> Mayor Stanton: Councilman, no one talks more than you, my friends.

In this case, I'm asking if you have any questions for staff.

Other Councilmembers have questions, I want to get to them as well.

You will give plenty of time to give comments.

>> S. DiCiccio: Let me ask a question about conflict of interest, Mayor.

This is a question of staff.

Is there not a conflict of interest here giving recommendations on things that impact your own income?

>> Mayor Stanton: Obviously that's an impossible question for them to answer.

>> S. DiCiccio: I'm asking staff.

I'm asking the question, Mayor.

And I have the floor.

I'm sorry.

>> Mayor Stanton: I'm chair of this meeting.

I'm chair of the meeting.

>> S. DiCiccio: I'm allowed to ask a question related to something that's real important here.

>> Mayor Stanton: You have asked the question.

And now I'm saying -- I'm directing staff not to answer the question about their own conflict of interest because for obvious reasons, Councilman, they wouldn't have provided the information if they or council believed that there was a legal conflict of interest.

The point is well made.

>> S. DiCiccio: Go ahead.

That's fine.

>> Mayor Stanton: I will direct staff not to answer.

If you have additional questions, that's fine.

>> S. DiCiccio: If staff doesn't want to answer, that's fine.

>> Mayor Stanton: As chair, I'm directing them not to answer that question.

>> S. DiCiccio: As a Councilman, can I not ask that question?

>> Mayor Stanton: You can ask but I'm directing them not to answer.

>> S. DiCiccio: Mayor, you win.

You win the debate.

Go ahead.

>> Mayor Stanton: Are there additional questions of the council?

Councilman Gallego.

>> K. Gallego: Members of this council, we have said we are not comfortable saying this is going to be a cut in compensation if this is approved.

I think we have obligations including our existing contract, we have a collective bargaining process and we have to follow that.

And I would not be comfortable with those cuts, so it is unfair to tell staff to put those in when they are getting different recommendations from different members of this body.

I wanted to ask questions about other costs that weren't included.

The cost of the litigation, we had testimony from several parties that if this were to go



forward, they would sue.

Do you estimate the cost of that litigation?

>> City Mgr. Zuercher: Mayor, Councilman Gallego, we did not include estimated costs of litigation in this number and it is impossible to know what it will be.

I would just say this.

Two plus years ago the City of San Jose, California passed significant pension reform somewhat similar to this, some of the specifics were different but the idea was there. City of San Jose is now two years later in the middle of ten separate pieces of litigation and it has cost them \$3 million in expense thus far and it is not resolved and they have not been able to fully implement their pension reform.

So that's one example of another city relatively close to our size that's had something happen.

But we did not include that in the \$358 million number, no.

>> K. Gallego: Did you include the cost of establishing a new system?

>> City Mgr. Zuercher: Mayor, Councilman Gallego, we did not include the cost of that either.

>> K. Gallego: I think that would also be a significant cost.

It seems like you focused mostly on actuarial costs based on contribution level which does have more definition to it than some of these other costs that are really up to policymakers, like ourselves here today.

>> City Mgr. Zuercher: Mayor, Councilman Gallego, Ms. Desiree has an estimate.

>> We looked at our current administrative costs for other deferred compensation plans we have and we expend \$2 million a year in fees that does not include any local costs, actuarial on other costs that are required to establish a new plan.

>> Mayor Stanton: Councilman, any additional questions?

Any other members of this council that have a question?

For professional staff?

Okay.

So the staff has made their recommendation.

It was included in the packet.

I know Councilman -- vice mayor has passed out some proposed language that he would like.

And I don't mean to mischaracterize, but essentially but his language does not include -- I think it tries to track staff reasonably closely recommendation but does not include the impact on city contribution to police officer or firefighter retirement system plans.

The only reason I want to make sure that as the members of the public come forward and provide testimony, that they can focus on anything they want but that may be of particular area of interest to this council in addition to the cost.

Vice mayor, go ahead.

>> J. Waring: To that point, I did provide an alternate -- I don't think it changes too dramatically.

I think it is as crystal clear as I thought the text language was, particularly in the number 9 that I cited.

But I would say I don't think we should be putting things in to the ballot language when we only have 50 words that are clearly in dispute.

We have a lawyer right here in Councilman Gates, Harvard educated, saying something else.

Sorry, after Greta's comment, I had to throw that in.

But, you know, I guess realistically it is clearly in dispute.

You say you have got the two points that are crystal clear.

Right up front, there's something that couldn't be more clear and probably to a lot of legal minds, I'm not a lawyer but I'm sure some lawyers, they would also say it is bulletproof.

So I don't think we should be putting something in there that's clearly not clear.

I understand why some people would want to have that in there, but I don't think that's appropriate in this 50 words.

Mine does take that out among a couple other things.

Are we going to discuss this now?

>> Mayor Stanton: I will hear from the public.

I wanted to frame it.

I'm predicting it will be an issue the council will discuss.

Kathy Gleason is the first speaker.

She is opposed to -- I assume it means she's opposed -- you can speak for yourself.

Good to see you again.

>> You are probably tired of seeing me.

Good afternoon, Mayor, members of the council.

My name is Kathleen Gleason.

I live in District 2 and a registered voter.

Prior to retirement in 2011 I was the city's budget director.

I have also served on the city's pension board for almost 17 years.

I have seen my fair share of actuarial reports.

Therefore, as someone who is intimately familiar with the city's pension system and how the budget works, I'm here to ask that you tell the voters the truth.

Let's ignore for a moment that this initiative is so poorly written that the city will spend millions in legal costs and years in court trying to implement it if passed.

And let's ignore that we have no idea who is actually funding this initiative and what this group's motive might be.

We know it wasn't a local grassroots effort.

Instead let's focus on what I know best, the numbers.

This initiative will not reduce the pension system's unfunded liability.

It will not allow the city to remain competitive in recruiting and all of the staff, the writer of this initiative count on and either already been implemented, unconstitutional or violate existing contracts.

We know from the actuaries who are most familiar with our system will cost taxpayers between a few million and 600 million depends at what level the city council chooses to contribute to a new defined contribution plan that would be crafted.

At a modest 5%, the staff reported indicates the cost will be 358 million over the next 20 years.

After 20 years, it will begin to save a bit of money.

But until you save the extra 358 million already spent in another 20 years, it doesn't

begin to break even.

Regardless of whether you think city employees should have a defined benefit or retirement contribution, when does it make sense to spend 358 million on a philosophical question?

The least you can do as elected officials ensure taxpayers know they are voted on.

He are voting on an out of state group wants to limit pensions.

Please tell the voters the truth this will cost them dearly.

They deserve to know that before casting their ballot.

Thank you.

>> Mayor Stanton: Thank you very much, Ms. Gleason.

Frank Picolli is next followed by Roland Almond.

>> Thank you, Mayor.

Thank you, city council.

This is about transparency.

It is about actually showing the voters what the situation is.

This will cost the citizens of this city over \$300 million.

This isn't new ground you're covering.

Believe it or not, this proposal has been proposed in many other cities.

Cincinnati, those voters saw that it would cost hundreds of millions of dollars and voted it down 3-1.

Why it was presented in the ballot as fact that this will cost the taxpayer money.

This will cost the taxpayer money.

How much mistakes is this city council going to make over the next few years that will cost the taxpayer money?

Enough is enough.

States that have passed this have actually switched because they've shown it cost the taxpayer money.

We can argue about whether it legally diminishes current pensioners, whether it affects public safety or not.

The fact is, it is going to cost the taxpayers money at a time they not afford it.

I would hope that the council would actually look at the language and not just talk about transparency but present clear language on this ballot that this will cost the taxpayers money.

Thank you.

>> Mayor Stanton: Thank you very much, President Picolli.

Roland Oman is next.

>> Thank you, Mayor and Councilmembers.

My name is Roland almond and I represent a number of retiree groups and also senior citizen groups.

And I will tell you right now, I find it kind of amazing that the council is even doing this because we called this the citizens initiative.

I think if we are talking about truth in marketing, we ought to really talk about an out of state organization that sends in hired mercenaries, spends millions of dollars to buy the votes of people who sign the thing and then put it out there and they call it a citizens initiative.

This is not local sponsored.

This is outside organization sponsored.

It was the citizens of Phoenix who built this into a great city.

It was the seniors and the retirees who have built Phoenix into a world-class city.

Now when we are at the point we are supposed to enjoy the fruits of our hard work so that our children and grandchildren can profit from this, we have outside organizations who want us to come in here, swoop in and reap whatever benefits that they are going to reap from this.

This is not going to benefit our city in the least.

It is not going to make Phoenix a wonderful place to live in.

So what I'm asking is this: Why is it that people who talk about transparency, who talk about honest and open debate would not want to inform our voters what the true cost is going to be to our city that we built, not them, we built it, to our city, to our communities, to our families and to our children.

We need to tell the voters what the facts are.

And talking about transparency, I would ask Councilmembers when they start throwing numbers out there, if you really want to be transparent, tell the voters where you got those numbers from, what organization actually gave you those numbers.

Don't make the mistake because if we do, we're going to have the same problem where people lost Ray Road and Ray Road doesn't service them or you have a goldmine with no gold or an oil well with no oil.

Do not saddle Phoenix with a situation that happened in Detroit and other cities where the schemers will leave us and we will be saddled with the problem.

[ applause ]

>> Mayor Stanton: Thank you very much.

Scott Musee is next, up to two minutes.

Followed by Leonard Clark.

>> For the regard, my name is Scott Musee, chairman of the citizens for Phoenix pension reform.

Rising to raise concerns about the proposed ballot language being considered by the council today.

In looking at the language -- I think it was made clear in "The Arizona Republic" in discussing it, the language should be as impartial, non-partisan, factual as possible.

And it shouldn't be language in there that's included that can have any sort of dispute or not clarity associated with it.

In particular, just touching on a couple things that have already been hit on, one on the police and fire language, I think we believe strongly that this language does not affect police and fire.

We don't believe the initiative affects police and fire.

We included legislative intent to make that point clear.

A couple of the things by staff, if you look at the definition sections, it define what is a current employee and a future hire is.

To make clear that it doesn't affect police and fire.

We have a legal memo from reputable firm Tiffany and Bosco stating that.

I think reasonable minds can disagree and we strenuously disagree that it affects police

and fire.

Anything under dispute like that should not be included in the language under the initiative.

We applaud Councilman Waring's proposed amendment.

We believe that it's a fair and -- is a middle road approach on addressing language that allows for -- if people want to argue one way or the other, that's fine.

If we are talking about the ballot description, that should be factual and honest.

We ask that you modify the language, include what is factual about the initiative.

We would like to see something added in there that the initiative addresses pension spiking and other abuses.

We urge the council to do that.

We will seek any remedy possible to make sure the citizens, the 50,000 citizens that signed the petitions and the voters in November when they vote that the ballot language is clear on these points.

Thank you.

>> Mayor Stanton: Thank you, Mr. Musee.

Any questions for Mr. Musee?

Thank you.

Leonard Clark is next followed by President Luis Schmidt.

>> Hello, Mayor and Councilmembers.

My name is Leonard Clark.

I'm not with any of these groups.

You know me.

I come here.

I will come down on any one of you, whether you are a Democrat or Republican.

But just as a normal citizen, as you can see, I'm not wearing a three-piece suit.

I'm not a Harvard student.

This ballot, that dark money, with the Supreme Court saying that you don't have to show who's paying for what, these out of state people, this non-citizens initiative, even though it is called that, this is a battle between knowing who is paying for something to influence my fellow citizens.

Goldwater Institute itself has said pension spiking is over.

They dropped their lawsuit.

This is about transparency.

I feel that the wool is trying to be pulled over the eyes of fellow citizens.

Some of you on the council disagree with this initiative as I do.

Okay, fine.

They got their signatures.

They spent their money, this out of state interest.

They fly in their jet airplanes and three-piece suits and come out here and try to fool us.

This is going on across the country.

Phoenix is the model.

As a normal citizen that comes to these meetings day in and day out, I will get up here and disagree with another agenda item later.

I have no -- I'm not getting any money.

I don't get dark money.

I'm a regular citizen.

They are not playing fair.

This is an old western movie.

You have the black hat guys over there, dark money.

They're coming to town and they are trying to overthrow something that's worked well.

They are trying to divide our fellow citizens, our workers.

King of the hill with them.

Only the strongest survive.

The only rule is who can spend the most money and not tell the truth about who is paying it.

Guess what?

As long as it takes, I will be up here, whenever somebody comes to our town with their dark money and won't tell us who is spending their money in three-piece suits, we will stand here non-violently, Constitutionally, to make sure we expose who they are even though the Supreme Court disagrees with that.

It is not fair.

It is not ethical.

You should not do this unless it shows the upfront cost.

We could pay up to \$651 million.

Please do not try to pull the wool over my fellow citizens.

Tell us where the dark money is coming from.

That's not right.

[ applause ]

>> Mayor Stanton: Thank you very much, Mr. Clark.

It has been brought up I think three times now at this meeting.

I want to make sure it is clear that both members of the council with Harvard pedigrees are very down to earth.

Whatever stereotype about Harvard does not apply to members of this council.

President Luis Schmidt, you're next.

Up to six minutes.

You got a couple cards in support.

>> Thank you, Mayor and members of the Councilmember.

I will tell my mom thanks, I took her to the hospital but I felt it was on important.

I cannot sit here -- it is not funny.

I'm being serious.

I cannot sit here and listen to -- is that better?

A little closer.

You know, I was at the hospital listening to you guys talk about some of the other items.

I heard Councilman DiCiccio state "this property tax rate is," started doing -- talking about how it is going to increase and this and that and he doesn't support any increases.

That's his prerogative.

The only clear thing about this language proposal, it will cost the citizens of Phoenix more money.

We went through a budget process that we had \$38 million deficit.

And in that deficit, what did we have to do?

We told the citizens we will close the pools, afterschool programs, senior centers, some of the public pools.

That's only \$38 million.

And now we have this huge deficit that we know this will create.

This will create a deficit for the citizens, for every citizen that lives here, whether -- if you are not a citizen, you will be paying for this expense.

I heard Mr. Clark talk about transparency and reveal yourselves.

Mr. Musee came here talking about -- he's representing the citizens for pension reform, some type of acronym.

I don't know what he said.

Just a few minutes ago he said Free Enterprise Club.

Scott, you collected 54,000 signatures.

Only 34,000 of those signatures were certified or verified.

We would like to know who paid for those signatures.

You pay \$1.50.

We know it wasn't you who paid for that money.

Who did this?

Again, the citizens were misled by this.

At the end of the day, it is every citizen who votes, who decides which way we go on this, whether we go to a 401 or keep the current system which will save over \$600 million.

But Mr. Musee, just at least we want to be transparent.

We have to be transparent in what we are doing.

This city council has an obligation, each one of you, all of you have responsibilities for the entire community.

For the Vice Mayor Waring to make robo calls for this group, that's irresponsible.

How can you be a leader of this city and then still try to push something that will cost the citizens more money?

You sit there and laugh.

You are not even paying attention.

That's irresponsible.

Was he even paid for that?

Did he disclose that?

People need to know.

On that vacant seat you might put Mr. Musee there.

You can sit and laugh and be disrespectful.

It is unprofessional.

Mr. DiCiccio was saying we don't understand, this is rushed.

We are waiting on the ethics policy you still haven't passed.

That's been taking a long time.

For you to try to rush this proposal through here, I just don't know.

At the end of the day, this is about transparency and letting every voter know what the vote means, a yes or a no vote.

Waring and DiCiccio you sat here and said you would not cut pay for police and firefighters.

You used that for political posturing.

You had these guys thinking they had supporters.

The paper you signed you are supporting this pension initiative, you will tell these officers, I didn't mean it.

I changed my mind.

Your support of this initiative will take away pay from each fire and police officer.

I know you don't care about the average city employee who provide everything for you and your constituents.

I'm here to say this is a community that everybody thrives with and we have to make Phoenix a community that is not going to be taxed with all this burden.

The City of Los Angeles last year spend \$200 million in fees that were paid to Wall Street.

If this is all we want to do?

What we want to do, Mr. Waring, members of the city council?

Phoenix needs to continue to thrive.

You have a responsibility to make sure that the voters -- someone just said earlier, you preach transparency.

What does it mean?

Do the right thing today.

The citizens do deserve to know.

Many of you on the city council have said you are not the experts.

These are the experts.

You guys aren't the experts.

When people tell you what you don't want to here, you knock the staff.

Kyron is a neutral party.

You hired them.

They did that service and told you what the cost was going to be.

For you to sit here and today and say we got secret numbers from an organization somewhere and say this is the savings, that's not it.

Even Sal DiCiccio, I know you are listening, he said a lot of this -- he doesn't agree with a lot of the language written on here.

He helped write some of this language.

Even he has said that Free Enterprise Club or the citizens, whatever club they are changing their name to, he told them a lot of this stuff is not going to pass and it is unconstitutional.

You on the council who claim you're attorneys, you took an oath.

You know the fields case was overturned because it violated the Constitution.

We need responsibility here.

At the end of the day, this is going to cost the taxpayers more money.

Every single taxpayer.

It will be a huge increase.

The citizens did the reform last year.

For Mr. Musee or any organization to come in here and try to overdo what the taxpayer



just did, that is irresponsible for our fellow Councilmembers to get suckered into that game.

That's irresponsible.

What we are asking and pleading from you is let the voters know the transparency of this vote.

Don't let it be misleading.

Do the responsible thing.

Thank you.

>> Mayor Stanton: Thank you very much, Mr. Schmidt, for your testimony.

Anyone else wish to testify?

Luis Schmidt asked vice mayor if you were compensated for robo calls.

>> J. Waring: I was not.

I support the initiative.

Happy to do it for free.

And it is not a robo call if you actually make the call yourself.

Subtle distinction.

In any case, we talk about professionalism.

I was laughing because of the robo call comment.

Of course, if you want to be treated like a professional, probably don't come to these meetings in a prison jumpsuit as you actually did last year.

You want to be taken seriously, act like a serious person.

Thank you.

>> Mayor Stanton: That went beyond what you said.

All right.

The comment was unfortunately made.

We will try to keep as much as possible on the issues itself.

On the issue of whether vice mayor was compensated, vice mayor indicates he was not compensated for those potential robo calls.

Anybody else in the audience wish to testify on this Item Number 43?

All right.

I have a question for the city manager.

One more before I throw a motion on the floor.

Obviously I appreciate the time and effort that you put in to getting your analysis as precise as possible based on your professional judgment.

I happen to think we have an outstanding city manager who is unanimously supported by this city council and does a very good job under difficult circumstances.

We ask him to give his best judgment and analysis to this council.

We can choose to reject it.

We can say we have different numbers that we think, but in terms of the professionalism, I want to say thank you for doing that.

I know on this legal decision about the fact that the initiative itself, the language that would go in the charter, is not ambiguous.

There is an issue what we call the preamble or not, how it affects the language itself.

I hope we can agree it is not ambiguous.

I want to ask a separate question.

How would this affect your management of the city if this initiative were to pass?  
Can you give your thoughts and analysis as the professional city manager of the city?

>> City Mgr. Zuercher: Thank you, Mayor.

I have spent a lot of time reviewing it and talking with our professional staff and in looking at particularly the experience in San Jose.

Of course, the people have the right to vote and decide.

And I think it is my duty, though, to talk about what I believe the impacts on the organization are.

There is a couple things that I have concerns about.

One is sort of minor but it is something operational I have to deal with.

That is, there is an expectation in this language that says it will become operational in 30 days.

And I think an issue there is that to get the I.R.S. to approve any sort of plan the way it's described in here will take much, much more than 30 days.

So that's sort of a technical and financial piece that's important.

We have talked about the impact on labor contracts, particularly the next two years where we do have contracts and agreements that were this to pass, we would have to open that up and renegotiate.

We just concluded a very challenging negotiation as we all have been in this room in the last three months.

I'm worried and concerned about the impacts on our labor relations.

I'm also focused on a cloud of uncertainty around us as an employer.

When people would be seeking to come to the City of Phoenix to work and there would be uncertainty about what our compensation is, that is not something that attracts people here.

And if this passes, it would create -- we would be the only government entity in Arizona with this particular type of retirement system and so we would be at some sort of competitive difference, disadvantage, whatever it is, we would be at a competitive difference with other governments, the hiring uncertainty I have focused on.

Councilman Gallego asked about it.

I look to the experience of San Jose and the fact that they are two-plus years into ten pieces of litigation that has cost them \$3 million.

And beyond the money, it's the time and attention that gets drawn from our ability to manage, operate and provide services to the public that management, council, legal staff are consumed by litigation rather than improving services to the residents of Phoenix.

Just operationally aside from money, those are the things that I would raise as issues that we would have to deal with in the future.

>> Mayor Stanton: Thank you very much to our city manager.

Unless there is any comments, I will throw a motion on the table and see if it gets a second.

I know the vice mayor has a differing one so he may substitute me out and we can deal with that one and have a vote on his proposed language.

I would -- the language that I'm going to propose is very, very similar to what our professional city staff had proposed with some minor changes.

Amend the city charter, eliminate "participation" in the current retirement plan and establish a defined contribution plan for new employees, allow current employees to transfer, prohibit city contributions to any other retirement plan, including deferred compensation plans, post-employment benefit plans, and the police officer and firefighter retirement system.

The intent is to attract our professional city staff recommendation as closely as possible. There is the addition of instead of police and fire, police officer and firefighter.

The reason why I included that in this proposal is that there are both civilian and non-civilian employees within police and fire.

I wanted to make sure it was clear that the issue about PSPRS and the city's inability to contribute to that retirement plan if this thing were to pass include police officers and firefighters not civilian staff of those departments.

The intent was to create as much clarity as possible relative to those two categories of employees.

Other than that, it tracks very closely with what our professional city staff proposed. That would be my motion for the proposed ballot language.

Do I have a second?

>> Second.

>> Mayor Stanton: We have a motion.

We have a second.

As I mentioned vice mayor I know has a substitute at that takes away the police and firefighter.

>> J. Waring: I move a substitute motion, Mr. City Clerk.

I gave you all copies so you have it.

Should I read it?

>> T. Williams: Can you please read it.

>> J. Waring: Thelda, I think they were sending you one.

I have got a copy here, Chris.

Thank you.

So these words all count towards the 50.

The changes are not accepted depending how you look at it, taking out the police officer and firefighter retirement system.

There are a couple changes in nuance.

It goes like this.

Amend the city charter, eliminate new employee participation in the current retirement plan established a defined contribution plan for future employees, allow employees to transfer into this plan, allow current employees excuse me to transfer this plan.

Contribution to additional plans for current employees including deferred compensation or post-employment benefit plans.

The rest is the same.

>> Mayor Stanton: That is the substitute motion.

Is there a second on the vice mayor's proposed substitute motion?

>> B. Gates: Second.

>> Mayor Stanton: Are there any questions or comments relative to the proposed substitute motion that would not include to the initiative's impact on city contribution to

police officer or firefighter retirement systems?

>> J. Waring: I would just say potential.

It is still in dispute.

>> S. DiCiccio: Mayor?

>> Mayor Stanton: Vice mayor, do you have any additional comments.

>> J. Waring: No.

Go ahead.

>> Mayor Stanton: Councilman Gates.

>> B. Gates: Thank you, Mayor.

First comment I would make obviously we are having a lot of legal -- there are a lot of legal issues in the air and I think that the council might have benefited from the ability to go into executive session at some point today.

But we didn't notice executive session, and I'm not blaming anyone in particular.

I didn't ask for it.

I didn't suggest it to anyone.

But I think in the future, when we have a situation like this where we know is dripping with legal issues, we ought to at least reserve the right.

Put it out there, notice it, maybe we don't take advantage of it.

But personally I think it would have been beneficial.

I did second the substitute motion and I will be supporting it for a couple of reasons.

First of all, the first line clarifies where it says "eliminate new employee participation in the current retirement plan."

That clarifies for the voters that this is not pulling our current employees out of the current retirement plan.

I think that's a good clarifying change.

And then for the reasons that I've stated earlier, I think it is a good change to remove the reference to the police and fire retirement system.

Clearly there is a very on how this is going to -- I believe that reasonable minds could come up with different interpretations of whether or not this deals with police and fire and why would we be sort of potentially getting ourselves into litigation with this language.

That's why I would like to see police and fire retirement system removed.

I think that makes a lot of sense because the reality is what we're asking the interpretation that we've heard today, basically ignores the first page and a half of this thing that's called "text to proposed amendment" that will be put in front of the voters.

And so based upon that, I think that it would be in the best interest of the city -- look, however people feel about this initiative, it is going to be on the ballot.

And the only thing we're talking about is what's the best language for the interest of all of us, of the City of Phoenix to avoid as much litigation as possible.

And I personally believe that this substitute motion does that.

Thank you, Mayor.

>> Mayor Stanton: Thank you very much, Councilman Gates.

Other members of the council, comments or questions regarding the substitute motion? Councilman DiCiccio, please.

>> S. DiCiccio: I have a question.

I would like to ask because it relates to both motions.

This is a question of staff.

Staff, have you reviewed both of these languages, changes?

>> City Mgr. Zuercher: Mayor, Councilman DiCiccio, no, we have not.

>> S. DiCiccio: Okay.

And is there a state law that governs what you can and cannot do with ballot language?

>> Mayor Stanton: Councilman DiCiccio, I think counsel is trying to pull it up as quickly as possible to provide it to the city manager.

>> S. DiCiccio: Pardon me.

There is state law.

There is an A.R.S. law.

>> Mayor Stanton: He's providing it to our city manager.

Just a moment.

>> City Mgr. Zuercher: Thank you, Mayor, Councilman DiCiccio.

Yes, it is A.R.S. 19-125 [d]

>> S. DiCiccio: And do both of these language changes meet that requirement?

>> City Mgr. Zuercher: I'm not a lawyer.

I don't play one on TV either.

Let me just ask Mr. Stockard.

>> S. DiCiccio: Mr. City manager.

I did not go to an Ivy league school.

I went to ASU and I know I'm not that smart.

>> City Mgr. Zuercher: I went to Kansas.

So I'm with you.

>> S. DiCiccio: I went to one of those schools.

I'm asking the question.

>> City Mgr. Zuercher: Mayor, Councilman DiCiccio --

>> S. DiCiccio: Go ahead.

>> City Mgr. Zuercher: I'm sorry.

Mayor, Councilman DiCiccio, I think our best answer there is the council has the authority to refer language to the ballot.

There is guiding state law which has got case law behind it and it talks about a descriptive title containing a summary of the principal provisions of the measure, not to exceed 50 words, stating essential change in existing law.

>> S. DiCiccio: Right.

But there's also -- go ahead.

I'm sorry.

Go ahead.

>> City Mgr. Zuercher: That's it.

>> Mayor Stanton: I think they are done, Councilman.

Do you have anything else, please?

>> S. DiCiccio: No.

Do any of these proposals meet the requirement of the law?

>> Mayor Stanton: The question is to the best of your ability without violating attorney-client privilege, does it meet the requirements of state statute?

>> S. DiCiccio: Either one.

>> City Mgr. Zuercher: I can't provide a legal opinion on that.

>> S. DiCiccio: Mayor, I'm going to be voting against both proposals.

I just think it is a wrong thing for us to be doing right now.

I mean, I just -- I can understand.

I don't believe that the initiative at all includes police or fire at all.

As a matter of fact, there was even a comment I think in the "Arizona Republic" from the fire union head saying it doesn't impact them and has nothing to do with them either.

So I don't believe they think it impacts them.

So I don't know if there needs to be any more clarification than that.

This is one of those things that has to go forward as it is.

I mean, it was written by a third party, a neutral third party on this.

And I think that any changes at the last minute without a proper legal review -- and I think what Councilman Gates said was exactly correct, there should have been an eSession on this thing.

It is kind of bizarre that there wasn't.

Generally on something this big that there is.

And everybody's been planning these changes for a while because you just don't write them overnight.

So there should have been at least a legal presence from city staff somewhere somehow giving some guidance as to whether or not this should be moving forward.

I understand why people want clarification on it.

But I don't think that it does the taxpayers any good.

It sets a very bad precedent.

We have never done this before.

The city has never changed at the last minute at all.

The city has also never done anything else before.

I mean, I have never seen as a matter of fact in our history, I have never seen two citizen-driven initiatives moving forward, one on pension and then we are starting to see one on police because this city council and Mayor and city council refuses to deal with these large issues.

So the citizens are taking this into their own hands. So there has been uncharted territory throughout the city.

I think it is just a bad idea, and I would recommend the council just vote all that language down and move forward with the language that was recommended by the neutral third party, even though I don't always agree with it, but I think it sets in place a very bad precedent.

Thank you, Mayor.

>> Mayor Stanton: Thank you, Councilman.

I just want to make sure it is clear my motion makes only two changes and that is change police and fire retirement system to police officer and firefighter retirement system and the point was to clarify in case there was any confusion between civilian and non-civilian employees in the department.

I don't want to speak for the city manager.

I think his intent was to track staff language as closely as possible but to take away the

reference to the impact of the initiative on police officer and firefighter retirements.

>> S. DiCiccio: Mayor, I understand that and I appreciate that.

The bottom line is you are still making changes and this is done in a non-transparent way.

It is being done without any real public debate other than what's occurring here today.

It wasn't done.

No one has seen any of this language until today.

No one saw it.

No one in the public saw it.

No one has had a chance to digest it.

No one has been able to look at this legally.

I understand the fact that everyone is trying to wish something to occur.

You can't just wish it.

That's what the neutral third party was about.

And I don't agree with them.

I think it is great that people are trying to take police and fire out of the language part.

But at the end of the day, it is the language in the initiative and the preamble that's on the ballot that will matter.

This only changes and puts in place something may or may not be true.

I don't think it is fair to the public.

>> Mayor Stanton: Thank you very much, Councilman.

I want to point out for the public that the proposed professional staff language that they recommended was available last week and obviously significant media coverage in advance of this meeting so in terms of the advantage itself, I think it is a mischaracterization that it was sprung on the last minute.

Vice mayor?

>> J. Waring: As you said, I don't think I'm changing anything fundamentally other than dropping police and firefighter.

This is not the first time that has come up.

Why take issue with Councilman DiCiccio's -- his legal interpretation of state law that I'm not looking at it.

So may be subject to interpretation.

But I guess bottom line I can't vote for the staff language because it includes police and fire.

I don't think that's doing the best effort to correctly inform the public because I don't believe that's actually affected.

I think we only have 50 words.

If any of the three proposals don't feel like they are spot on, you got to do it in 50 words which isn't that easy when you are dealing with complex items that deal with a few different things.

I tried to make sure that this was crystal clear.

We didn't change anything in the staff language except dropping the police and fire part and making a few other -- using those few words to sort of clarify some of the other stuff.

If I was doing an entirely different proposal, then I would have released earlier.

Point taken.

I can't vote for the other one.

I wanted to be a guy that proposes an alternative and not someone who criticizes and doesn't have their own ideas.

I tried to put something out there.

Council can take it or leave it.

But at least we will have this discussion.

Appreciate your thoughts.

Thank you.

>> S. DiCiccio: Mayor, it wasn't meant to be anything either in that direction, Jim.

I think both proposals make changes.

That's where I'm having difficulty.

I don't believe there should be any changes to the recommendations at all.

Not even one word.

>> Mayor Stanton: All right.

Councilman Gates.

>> B. Gates: Thank you, Mayor.

I guess for me -- what's the question for staff?

What's the drop-dead date that we have to agree on the ballot language on this initiative?

>> City Mgr. Zuercher: Looking to the city clerk, we must have something to the county no later than July 15th.

>> B. Gates: Okay.

I understand this is our last meeting before we go on council break.

But if there are issues here about having the opportunity to review things, I think we ought to take the time.

If we need time to review things, I'd rather do that than pass something that we don't think is right.

>> S. DiCiccio: Me too.

>> B. Gates: I guess -- I must be missing something.

And specifically -- this is exactly my point before.

I think what I'm picking up on is an allegation -- that's too strong a word.

I think Councilman DiCiccio is raising good questions about A.R.S. 19-125 [d].

I would love to have the opportunity to ask our legal council if he agrees with that.

I can't do that right now because we don't have a eSession noticed.

So I guess I feel like -- I don't know what the rush is to move.

Fair questions are being raised.

And I don't think we should just pass something because we think these other two that might be better, some people might think but we haven't had the opportunity to get legal counsel on it.

>> Mayor Stanton: Just to make sure it is clear, legal counsel has reviewed the staff-proposed language.

Obviously he can't speak here today.

This council obviously has a eSession on the legal analysis of the initiative itself previously.



But in terms of the language that our city manager has proposed here today, it wouldn't have come to this council if it hadn't been reviewed by legal council in advance.

The only change I'm proposing is police to police officer and fire to firefighter retirement system and I think the intent of the vice mayor is simply to track staff language but eliminate the reference to police officer and firefighter retirement system.

Other comments or questions from members of this council?

I'm going to take -- the motion is a substitute motion.

Councilman Williams, are you still there?

>> T. Williams: I'm still here.

>> Mayor Stanton: The motion is Councilman Waring's substitute motion which tracks professional staff but eliminates any reference to police and fire retirement system.

I will not be supporting the motion.

Obviously I made the underlying motion for the reasons stated earlier.

Vice mayor?

>> S. DiCiccio: Mayor?

>> J. Waring: I have a question for Councilman Gates.

Are you suggesting we hold this item and have another meeting?

Because I think I would be okay with that.

>> B. Gates: I'm suggesting that if folks are going to vote for a measure that they don't think is as good as it could be and as accurate as it could be, that's not a good result.

And, instead, if people feel on this council they need to get legal advice with respect to both these -- both the motion on the table and the substitute motion, we ought to do that.

This is too important to move forward so we can all go on break.

>> S. DiCiccio: Mayor?

>> Mayor Stanton: Vice mayor had a question.

>> J. Waring: A procedural thing.

We are at the point we have a motion, substitute motion.

If, not saying everybody would, how would we work that back and would we have another meeting?

I assume we can, but ...

>> Mayor, vice mayor, because under the council rules you can only have one amendment which is yours, at this point you need to go ahead and move forward with the vote on that.

If you wish to come back for another meeting, then you would have to essentially vote both of them down and then so move.

>> J. Waring: Let me ask it this way, if my substitute fails, that's it, there's no further motions.

Somebody can't make a withdrawal or anything else after that.

>> Mayor, vice mayor, that's correct.

In other words, under council rules, you can only amend the original motion once and your motion is that amendment.

So you could not amend it further.

>> J. Waring: So if mine failed, Mayor Stanton's motion passes, somebody -- but if there is a complaint about transparency, very sensitive to that and understand Sal's concerns,

so I guess someone there could ask for reconsideration at which point would we have to have another meeting scheduled to do that, in advance of that?

>> Clerk: Mayor, Vice Mayor, yes, the council could seek a reconsideration that a special meeting can be called by the Mayor or three members of this council.

>> J. Waring: Thank you.

I wanted to make sure it is all even possible.

So thanks.

>> Mayor Stanton: Any other questions?

>> S. DiCiccio: Mayor?

>> Mayor Stanton: Go ahead.

>> S. DiCiccio: Just a couple quick things ta.

Both motions do make changes and I would like to know what's legal.

I think what Councilman Gates is talking about.

Why rush it?

Let's continue it because both motions on the tables are making changes that we haven't all completely reviewed.

I understand why we want to do it.

We want to keep police and fire out of it.

I totally agree with that.

But until there is a real foundation on it, we can't just say I'm only doing -- I mean, any one word change could change the significance of the entire language.

It doesn't have to be three words.

It could be one word that would make that change.

I don't know why we don't continue this and bring it forward in a week or less.

I mean, we've got until next week.

We can have another debate on this thing.

We can talk to staff about it.

It doesn't mean it has to be done today.

>> Mayor Stanton: Okay.

>> S. DiCiccio: I'm sorry.

>> Mayor Stanton: Thank you very much.

>> S. DiCiccio: The procedural part of it -- I want to ask staff if I could, if someone does ask for a reconsideration or three members -- I mean, I would be one of those three members that would ask for a special meeting.

I'm putting it out there if anybody wants to use that if they both go through or they both fail, I will be one of the three asking for a special meeting.

I don't have a problem with that.

As a matter of fact, I would agree with it.

So if someone does ask for a reconsideration and you can't get the Councilmembers to meet, let's say, for whatever reason, you don't get your quorum of five -- you have to get five to pass it.

It doesn't -- it is not just a simple majority.

Is that correct, staff?

You need five to pass it, is that correct?

>> Mayor, Councilman DiCiccio, yes.

You need a majority vote which would be five.

>> S. DiCiccio: What happens then if you don't have the five to get anything passed before the July 13th date?

What happens then?

We're breaking the law because by law we have to have it there?

>> Mayor, Councilman DiCiccio, if there is not five votes, then any motion would fail.

And so at this point, either the council would need to adopt proposed ballot language on or before July 15th.

If they do not, then there's other remedies that could be made.

>> S. DiCiccio: What would be the other remedies?

>> Well, the other remedies would be that certain legal action could be taken to force -- it is basically a writ of mandamus that language be placed.

That's one remedy.

>> S. DiCiccio: I got it.

It could be from the outside would have to force the council to act.

What happens if the language, if someone doesn't like the language, they could take it to court and then that ties it up and then what happens if the court says your language is not correct, what happens then?

>> Mayor, Councilman DiCiccio, of course, there's always -- under election law, any person could bring a special action.

And under state law, there is an expedited process to hear that because it is an election matter.

>> S. DiCiccio: Okay.

All right.

Again, I don't know enough about the legal stuff.

I'm just asking these questions because I am an ASU sun devil.

Thanks a lot, Mayor.

>> Mayor Stanton: Thank you very much.

We have right now the substitute motion, Councilman Waring's substitute motion that eliminates reference to the impact on police officer and firefighter retirement system.

Vice mayor, last question.

Then we vote.

>> J. Waring: So we cannot -- we cannot continue this at this point.

>> Mayor, vice mayor, no you cannot.

At this point, the council needs to vote on the substitute motion, the amendment.

If that fails, then there would be a vote on the Mayor's original motion.

If that fails, then at that point, the council could continue this matter because there's no pending motion.

But as it sits now, under council rules, would be to vote on the vice mayor's substitute motion and then the Mayor's motion.

That's as it sits now.

>> S. DiCiccio: Jim could change his motion.

>> Mayor Stanton: All right.

So the question is whether the vice mayor can change his motion now to something other than a substitute -- he can withdraw it, I'm assuming, I don't think he can change

it.

>> Mayor, vice mayor, at this point, your amendment received a second and so you could not change it to another motion at this point.

It would need to be --

>> J. Waring: I can't change it and we can't continue it.

>> S. DiCiccio: Sure you can, if the second agrees to it.

>> J. Waring: Tell me what the rules are.

That's all I want to know.

>> Mayor, vice mayor, if you -- if the second agrees to change the amendment essentially and you want to change it at this point, you can do that.

>> S. DiCiccio: There you go.

>> Mayor Stanton: Okay.

So we have the motion from the vice mayor, we have a second.

Councilman Gates, do you have another question?

>> B. Gates: I have a point of order.

With respect to once we get beyond the substitute motion, make sure I understand what the city attorney is saying.

We're required to take a vote on the Mayor's motion?

>> City Atty.: Yes.

>> B. Gates: Why?

>> City Atty.: Excuse me, Councilman Gates, the rule as it is stated under the council rules is once the original motion has been amended, then there is a vote on the main motion if that amendment fails.

That's the council rule.

It is basically council rule 5.

Council rule 5E says no more than one amendment to a motion shall be permitted when an amendment to a motion has been made and seconded, the next vote shall be on that motion to amend.

If the motion to amend fails, the original motion remains on the floor and shall be voted on.

>> B. Gates: But it means that -- well, I would argue that that means that then the original motion is now to be decided upon.

But if there was a -- I guess -- as long as the maker of the motion and the second -- okay.

That's fine.

We're trying to -- this is a serious matter, so we want to take the time to walk through this.

I think that's what you would all want us to do.

>> Mayor Stanton: The issue is if we are going to vote today or set up a special meeting and vote on another day.

It is my strong belief that the motion I made, the underlying motion, is the staff recommendation with simple clarifying language from police to police officer and from fire to firefighter and so should be voted on today.

It has been out there.

There has been media articles written about it.

The public is well aware of the issue being voted on.

It is my belief we should vote today.

First we have to vote on the vice mayor's substitute motion.

I will try again.

The substitute motion is Councilman Waring -- vice mayor's motion does not refer to police or firefighter systems.

A yes vote supports the substitute motion.

And a no vote would then revert back to my vote on my motion.

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: No.

>> Clerk: Gallego.

>> K. Gallego: No.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: No.

>> Clerk: Pastor.

>> L. Pastor: No.

>> Clerk: Valenzuela.

>> D. Valenzuela: No.

>> Clerk: Williams.

>> T. Williams: No.

>> Clerk: Waring.

>> J. Waring: Yes.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: No.

I got confused there.

So the motion fails 7-2.

Now we're going to go to my motion that was seconded by Councilman Valenzuela.

I respect the fact there was a desire by some to have a further executive session and a special meeting of this city council to analyze the difference between police to police officer and fire to firefighter.

I respectfully disagree and suggest those are simply clarifying minor changes and that the staff has put out there is what's out there, obviously approved by legal counsel.

So let's have a motion --

>> T. Williams: Mayor?

>> Mayor Stanton: Councilman Williams.

>> T. Williams: I want to ask a question from staff and maybe from legal because I felt all along that the public needs to be aware of potential cost issues to the taxpayers, why that was not included in staff's recommendation.

I understand yours is simplification and more of a definition.

But it goes back to staff's recommendation, if you could have the city manager explain why there is no dollar value placed on this, I would appreciate it.

>> City Mgr. Zuercher: Thank you.

Mayor and Councilman Williams, our advice about the state law is to we are to provide a short, clear accurate statement of what the law does.

So the language that we have really focused on that piece and focused on what we our analysis of the law says it does.

In that regard, it does not include cost.

>> T. Williams: The lawyer doesn't care how much it costs.

It is just talking about the impact of what would happen.

>> City Mgr. Zuercher: That's one way to say it, yes.

>> T. Williams: Okay.

Thank you.

>> Mayor Stanton: Thank you very much, Councilman.

Thank you for your patience.

I know you are out of town today and been participating via phone.

All right.

So the motion is what I read and passed out to members of the council.

We have a second.

>> S. DiCiccio: Mayor?

>> Mayor Stanton: Councilman, please.

>> S. DiCiccio: I think any changes without a thorough public review and scrutiny for transparency, there are no minor changes on this.

Our legal staff hasn't even had an opportunity to look at it.

As a matter of fact, the council -- we didn't even see it until just now.

So nobody has seen the changes.

Granted you may think they are small but they may not at the end of the day be small issues.

So I think that's problematic to make any changes beyond what a neutral third party agreed should be the language.

It is a slippery slope for the City of Phoenix, and it does not put in place credibility in our electoral process because you may think it is small now.

It may be large later.

It doesn't matter.

What matters is that the public expects the high level of integrity and any changes need to be done through a process that is transparent and open to the public.

I will be voting against it, Mayor.

>> Mayor Stanton: Thank you very much, Councilman.

Councilman Nowakowski.

>> M. Nowakowski: Just some clarifications.

Your changes are what exactly?

>> Mayor Stanton: It uses the phrase "police and fire retirement system" and the change is police officer and firefighter retirement system.

>> M. Nowakowski: The reason being that includes all, not just sworn officers but also employees that work --

>> Mayor Stanton: The key issue there is that PSPRS only involves sworn employees of those departments.

Unsworn are in the COPR system.

So it was an intent to make it clear that the city's -- the language in the initiative that would no longer allow the city to put money into the PSPRS is for firefighters and police officers, not other employees of those departments.

Thank you, Mayor.

>> Clerk: DiCiccio.

>> S. DiCiccio: No.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: No.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Williams.

>> T. Williams: Yes.

>> Clerk: Waring.

>> J. Waring: No.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

>> Mayor Stanton: That items passes on a 6-3 vote.

Thank you, everyone, for your patience.

There are people here for other items.

We will take a one minute break and allow people to leave for this item and we will get back to the remainder of our formal agenda.

Thank you.

>> Mayor Stanton: The next item on our formal agenda are liquor license applications recommended for disapproval.

The first item is 26 is a proposed circle K store in District 4 which are professional staff are recommending disapproval based on street department and comments from the neighborhood.

Can we get a short staff presentation on Item 26, circle K store number 3404.

>> Mayor, members of the council, that application has been withdrawn at the State Department of liquor so staff makes a motion -- recommendation for withdrawal.

>> Mayor Stanton: All right.

The liquor license has been withdrawn at the state so we need a pro forma motion to withdrawal here.

>> L. Pastor: I make a motion to withdraw Item 26, the original staff recommendation of disapproval based on the street department and neighborhood protest.

I want to recognize that the westwood neighborhood is here and very supportive of this.

>> Mayor Stanton: All right.

The motion is to withdraw.

Do we have a second?

>> K. Gallego: Second.

>> Mayor Stanton: Way have a second.

All in favor say aye.

[ Chorus of ayes ]

Any opposed?

The motion to withdraw passes.

Jerry O'Neil, great to see you again.

And we appreciate your continued advocacy on behalf of Westwood and we miss Donna very much.

Good to see you.

Thank you for being here.

Next item is item 27.

A proposed liquor license disapproval in District 5, tacos and tequila cantina.

Councilman Valenzuela, what's your pleasure?

It says the -- why don't we get a staff recommendation on tacos and tequila.

>> Mayor and members of the council, this is for a new Series 12 license for a restaurant doing business at tacos and tequila cantina.

Consideration may be given to the personal qualifications and location.

Staff recommends disapproval based on police department recommendation for disapproval.

>> Mayor Stanton: Detective Cortez is there to provide testimony.

Please come forward to provide testimony.

And then we will get a motion from Councilman.

>> Mr. Mayor, vice mayor, members of council, I'm Oscar Cortez.

I'm a detective in the Cactus Park precinct.

We recommend disapproval for this application due to the reasons that are specified on the recommendation to the form you have in front of you, that being financial disclosure. Those issues regarding financial disclosure, inconsistency of funds, \$30,000, no debts and money being paid for this business itself.

I met with the owner himself and they talked about their savings accounts.

However, there was never any proof of any money of any source of funds for this business other than the fact they have \$523 from the Arizona gold exchange and another \$504.47 from Providence meadows selling of precious metals.

So there's question marks and question marks.

There has been no followup, no revelation of any truth of any financial disclosure of any kind where any monies are coming from for this business.

So we have a problem from the Cactus Park precinct on this issue.

Another issue is the fact that as it says in A.R.S. 4-203 [a], and I will quote the last portion, public conveyance requires that the best interest of the community be substantially served by the issuance of this license.

However, I want to key in on does it serve the best interest of the community.

This is what I look at as well.

Because of the fact that one of the applicants has been listed as a previous employee and manager of the PCC, which is a sweepstakes-style gambling computerized gambling facility at 3421 West Northern Avenue, he was documented there as one of



the employees and documentations come from those at the precinct.

But it is coded as a cyber cafe.

There is a problem with that because it is illegal gambling that was occurring there and our state investigator is still looking into that as well.

But as I met with the applicant at the new location, proposed location I discovered several computers at that location and screens in the rear of the room which also when I questioned about that, they acknowledged the fact they came from the 3421 West Northern Avenue facility which also led me to believe that also had no answers, the fact they could have some computerized gambling going on at the proposed restaurants.

Due to the fact there is financial disclosure questions and due to the fact the best interest of the community is not going to be served with the issuance of this liquor license, the Cactus Park precinct and Phoenix police department recommend disapproval.

>> Mayor Stanton: Thank you very much for that thorough report.

That will be very helpful at the state liquor board.

Do we have any cards on Item 27?

Just Detective Cortez.

>> D. Valenzuela: Thank you, Detective Cortez.

I will support staff recommendation.

My motion is to support staff recommendation.

>> Mayor Stanton: Do we have a second?

>> K. Gallego: Second.

>> Mayor Stanton: We have a motion and a second.

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Williams.

>> T. Williams: [ inaudible ]

>> Clerk: Waring.

>> J. Waring: Yes.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

So the motion to disapprove passes unanimously.

Councilman Williams is out of town.

She did commit to stay on through the tax levy items wells the items relative to the

initiative.

So she's no longer present in the meeting.

Next item is 28, AAA food mart.

Councilman Nowakowski, do you want a staff report?

There's also a detective from Phoenix police department as well on this item.

>> M. Nowakowski: I would like -- I don't think we need a report.

I would like to make the motion to disapprove Item 28 based on the police recommendation for disapproval, concerns with the applicant's qualification and being able to hold a liquor license, applicant has failed to make full financial disclosures and has not been able to answer questions.

Additionally the Arizona State Liquor Board recently denied a liquor license at this location and with this applicant.

Because of all those reasons, that's why I'm making the motion of disapproval.

>> Mayor Stanton: Thank you very much, Councilman Nowakowski.

Do I have a second on that?

>> K. Gallego: Second.

>> Mayor Stanton: Detective Washburn.

Did you have any additional reasons why this liquor license should be denied?

>> Yes, sir, I do.

>> Mayor Stanton: Please come forward and provide those for the record so we have the best opportunity for success before the state liquor board.

>> The information Councilman Nowakowski is correct.

I have further information as of today that I just uncovered.

Monday I had an opportunity to sit down with the applicant and finally receive their documents for the finances for the money going into this business.

The documents that they provided cover about six months worth of bank statements.

One of those months there was a considerable amount of unusual activity.

When I questioned them about the activity, they related that it was money coming in from a fuel gasoline supply company.

The -- that is what the bank statements reflected but the explanation still didn't sit well with me, didn't make sense.

So I asked for further documentation including the fuel invoices from that company.

I had not heard from them as of today in regards to those fuel invoices.

So I went to the fuel company itself and brought the item -- the issue to them.

They also were very concerned about the issue.

One of the issues at hand was a \$225,000 deposit into the applicant's bank account from this fuel company.

The fuel company showed no record of that whatsoever.

When they reviewed their documents, they found an error on their part where the deposit should have been \$25,000.

There was a \$200,000 error credited to the applicant.

The applicant instead of making notification to the fuel company, they turned around three days later and took \$140,000 of that money in a cashier's check, put it towards the new business which is this application here on 51st Avenue.

That was a separate store that they took that from.

So this investigation is ongoing.

But that is new and updated information that you requested.

So for these reasons, I do ask that the council deny the application.

>> Mayor Stanton: Thank you very much for that additional information.

I'm assuming the criminal investigation is ongoing.

>> Yes, sir.

>> Mayor Stanton: Councilman Nowakowski, with that additional information -- including that information in the opposition, did you wish to testify on this item?

I don't have a card for you, so please come forward, state your name for the record and make sure you fill out a card afterwards.

We're glad you're here.

>> I apologize, Mayor.

I didn't realize I had to fill out a card.

I'm the agent on the liquor license.

I'm not the owner.

I would just like to say -- my name is Lauren Merit and I serve as agent.

>> Mayor Stanton: What is your home or business address?

>> 764 Longhorn street, Chandler, 85224.

I would just like to say I respectfully disagree with the statements made by Detective Washburn.

I understand that it's the council's responsibility to give recommendation to the state liquor department and I thank the council for hearing this item.

We very much look forward to addressing this at the state liquor board hearing.

>> Mayor Stanton: Thank you very much.

As you know, this is not a court of law here before this body.

We have to take the information provided by our staff and make the best recommendation possible based upon that, obviously, the information provided by the detective is very, very serious allegation information.

We have a motion for disapproval based upon the information provided by Councilman Nowakowski as well as by Detective Washburn.

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Williams.

>> Clerk: Waring.

>> J. Waring: Yes.

The next item is old business liquor license application in District 5 -- I apologize, 29 is next.

I skipped ahead.

Item 29 is ratification of Planning Commission action.

Vice mayor do you have a motion?

>> J. Waring: Move to approve Item 29.

>> Second.

>> Mayor Stanton: Any cards?

All in favor say aye.

[ Chorus of ayes ]

Any opposed?

Passes unanimously.

Item number 30 is old business liquor license application in District 5.

Councilman Valenzuela, we have one card on the item.

Available to speak if necessary.

What's your pleasure?

>> D. Valenzuela: Who is the card on?

>> Mayor Stanton: Lorraine Carbojol.

Available to speak if requested.

>> D. Valenzuela: I want to thank the applicant and neighborhood association leaders for coming together and working out some issues, working through whatever issues.

I want to remind the applicant of the stipulations agreed to by the between the neighborhood and the applicant.

With that, I would move for approval.

>> Mayor Stanton: Thank you very much.

Motion for profile.

Second?

>> Second.

>> Mayor Stanton: All in favor say aye.

[ Chorus of ayes ]

Any opposed?

Passes unanimously.

Next we are on to G ordinances.

Local title needs to be read.

>> Clerk: ITEM 31

ORDINANCE G-5936

AN ORDINANCE RELATING TO MINIMUM STANDARDS FOR CITY OF PHOENIX AIRPORTS; AMENDING ARTICLE VIII, CHAPTER 4, SECTION 4-160, PHOENIX CITY CODE, MINIMUM STANDARDS FEES.

>> Mayor Stanton: Vice mayor, do you have a motion on item 31.

>> J. Waring: Motion to approve item 31.

One quick question.

>> Mayor Stanton: Let's see if we get a second.

>> Second.  
>> Mayor Stanton: Go ahead.  
>> J. Waring: Does this increase fees?  
>> Mayor Stanton: Does Item 31 either increase immediately or potentially increase fees?  
Danny Murphy, airport director, is here to answer that question.  
>> Thank you, Mayor, vice mayor.  
>> J. Waring: Does this increase fees?  
>> I'm sorry.  
>> J. Waring: What does 31 do assuming it passes this council?  
>> Item 31, vice mayor, this actually lowers the fees that the businesses would pay to the airport.  
>> J. Waring: Perfect.

Thank you.

>> Mayor Stanton: All right.  
Any other questions for item number 31?  
Roll-call.

>> Clerk: DiCiccio.  
>> S. DiCiccio: Yes.  
>> Clerk: Gallego.  
>> K. Gallego: Yes.  
>> Clerk: Gates.  
>> B. Gates: Yes.  
>> Clerk: Nowakowski.  
>> M. Nowakowski: Yes.  
>> Clerk: Pastor.  
>> L. Pastor: Yes.  
>> Clerk: Valenzuela.  
>> D. Valenzuela: Yes.  
>> Clerk: Waring.  
>> J. Waring: Yes.  
>> Clerk: Mayor Stanton.  
>> Mayor Stanton: Yes.  
>> Mayor Stanton: Item Number 32, city clerk, please read the title.

>> Clerk: ITEM 32

ORDINANCE G-5937

AN ORDINANCE ESTABLISHING A COMPLETE STREETS ADVISORY BOARD.

>> Mayor Stanton: Any member like to make a motion?  
>> L. Pastor: I would like to make a motion to move item 32.  
>> K. Gallego: Second.  
>> Mayor Stanton: Motion and a second.

Roll-call.

>> Clerk: DiCiccio.  
>> S. DiCiccio: Yes.  
>> Clerk: Gallego.

>> K. Gallego: Yes.  
>> Clerk: Gates.  
>> B. Gates: Yes.  
>> Clerk: Nowakowski.  
>> M. Nowakowski: Yes.  
>> Clerk: Pastor.  
>> L. Pastor: Yes.  
>> Clerk: Valenzuela.  
>> D. Valenzuela: [ inaudible ]  
>> Clerk: Waring.  
>> J. Waring: Yes.  
>> Clerk: Mayor Stanton.  
>> Mayor Stanton: Yes.

S ordinances and resolutions, Mr. City clerk, are we prepared -- we are ready, okay. Vice mayor, do we have an omnibus motion.

>> J. Waring: I move time 33 through 103 being G5938 through G-5940, S-41034 through S-41097 and resolutions 21, 2324, be adopted exception items 36C, 39, 40, 45, 46, 47, 58, 59 -- sorry, no, scratch that, not 59. 60, 63, 65, 73, 75, 78, 85, 86, 87, 91, 94, 96 and 97 and noting that items 33 and 91 are as corrected.

Items 41, 42 and 43 were taken out of order.

72 requested to be withdrawn.

97.1 and 97.2 are add-ons.

I'm adding 98.

Hold out 98.

I think that's it, right, Cris?

>> Mayor Stanton: We have an omnibus motion.

Do we have a second?

>> B. Gates: Second.

>> Mayor Stanton: We have a motion.

We have a second.

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Waring.

>> J. Waring: Yes.  
>> Clerk: Mayor Stanton.  
>> Mayor Stanton: Yes.  
That passes unanimously.  
Next item, vice mayor.  
>> J. Waring: The next item will be 36C.  
>> Mayor Stanton: 36C is part of our pavement ordinances.  
This is Arizona forward and sponsorship dues.  
Would somebody like to make a motion on 36C?  
>> K. Gallego: Move approval.  
>> Mayor Stanton: Second?  
>> L. Pastor: Second.  
>> Mayor Stanton: Any comments by members of this council on whether we should continue our membership in Arizona Forward?  
>> K. Gallego: Appreciate Arizona Forward's work in my district and many others to make sure that we are developing sustainably.  
They have been a great partnership to make sure we take advantage what our canals have to offer and improve our transportation infrastructure in other areas.  
I'm glad that we are moving forward with our membership.  
>> Mayor Stanton: Thank you very much, councilwoman.  
Any other comments?  
Roll-call.  
>> Clerk: DiCiccio.  
>> S. DiCiccio: No.  
>> Clerk: Gallego.  
>> K. Gallego: Yes.  
>> Clerk: Gates.  
>> B. Gates: Yes.  
>> Clerk: Nowakowski.  
>> M. Nowakowski: [ inaudible ]  
>> Clerk: Pastor.  
>> L. Pastor: Yes.  
>> Clerk: Valenzuela.  
>> D. Valenzuela: [ inaudible ]  
>> Clerk: Waring.  
>> J. Waring: No.  
>> Clerk: Mayor Stanton.  
>> Mayor Stanton: Yes.  
That item passes on a 6-2 vote.  
The next item is item 39.  
>> J. Waring: Move approval.  
>> Mayor Stanton: Motion on 39.  
Do we have a second in we have a second on 39.  
39 is the settlement of cutter aviation revenue audit.  
Greta Rogers, you wish to provide testimony on Item Number 29.

She is opposed to the item for the record but not wishing to speak.  
Any comments by members of the council?

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: [ inaudible ]

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: [ inaudible ]

>> Clerk: Waring.

>> J. Waring: Yes.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

Item number 40, do we have a motion on item number 40.

>> J. Waring: Move approval and just one quick question.

>> L. Pastor: Second.

>> Mayor Stanton: Motion on item 40.

We have a second on item number 40.

Vice mayor, you had a question on item number 40.

The creation of the pediatric healthcare initiative fund.

Vice mayor?

>> J. Waring: Does this -- Paul, does this raise taxes in any way or increase fees or cost to the city?

>> Mayor Stanton: Why don't you in general explain what it does and as part of that to the best of your ability answer the vice mayor's questions.

In my opinion, it is a very exciting proposal.

>> J. Waring: It is a good thing.

>> Mayor, vice mayor, Paul Blue.

This does not raise taxes.

In summary, the City of Phoenix as provided under federal and state law be in a position to accept private donations that can be forwarded to the Arizona Healthcare Cost Containment System that in collaboration with the federal government will bring a 2-1 match of federal resources to Phoenix and to Arizona for pediatric healthcare.

>> J. Waring: You said it but just to repeat, it is private donations.

People don't have to do this.

>> Private donations.

>> Mayor Stanton: Private donations.

It does drawdown federal dollars to the benefit of our local healthcare system.

Councilman Nowakowski.



>> M. Nowakowski: Two years ago Michael Johnson, myself approached you about the lack of healthcare, especially in District 7 and 8.

This is one of your pet projects that you really made sure that we got our fair share of the federal funds that were out there.

I just really want to thank you for taking on this leadership and making this happen and now south Phoenix and west valley is getting their fair share of healthcare.

>> Mayor Stanton: Thank you very much for those nice comments.

Any other comments by members of council?

This council has forward thinking in partnering with local healthcare institutions, obviously with the passage of the AHCCCS care ordinance, provided much needed resources to our local hospitals who are inundated with uncompensated healthcare costs doing right by doctors, nurses, researchers, et cetera.

This is set up a little differently.

It is a creative solution to a problem where the city is partnering with our local pediatric care facilities.

Obviously, Phoenix Children's probably being one of the leading pediatric facilities in the world in my opinion by us being the very best partner, it will allow them to bring significant resources to help with their care of sick children.

I really just appreciate their partnership with the City of Phoenix.

My understanding it would have the impact on Phoenix Children's of approximately \$40 million.

This is real resources to an incredibly important institution here in our community.

Any other comments.

>> S. DiCiccio: Phoenix Children's hospital is a critical component to the City of Phoenix and state of Arizona.

They are put in a bad pickle here basically by the way the state has handled this.

Kudos to them.

I have made a commitment to them to help them with any legislation they might need at the legislature as well.

They are a great organization.

>> Mayor Stanton: Thank you very much.

It should be noted we are able to do this creative solution because of a bill passed by the legislature.

If they would give us more opportunity to do creative solutions, I think this council is ready and willing to step up and support our local healthcare providers.

Our cards that are here in support not wishing to speak, C.E.O. of Phoenix Children's Hospital Robert Meyer.

Thank you for being here and all you do to support kids in the City of Phoenix.

Annie moody, VP of public affairs.

Randall Christensen, a physician.

Yolanda Duhard, chief of pharmacy services.

I blew your name.

Thank you for being here.

Carmen Newburger, senior vice president and general counsel for Phoenix Children's Hospitals.

I apologize for the comments about lawyers earlier in the meeting.

Thank you for being here anyway.

Craig McKnight, CFO of Phoenix Children's.

You didn't go to Harvard, did you?

You don't have to answer that.

[ laughter ]

Reese Miller, patient advocate from Phoenix Children's.

And Julia Wise, a nurse from Phoenix Children's Hospital.

You already know this every time we do polling, nurses are at the very top of the most respected professions, ahead of even doctors.

Thank you for choosing that profession as a nurse.

With that, roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: No.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: My is a definite yes and I'm very proud to have Phoenix Children's in District 4.

But in addition to that, they do great service as I have visited Phoenix Christian -- I mean, Phoenix Children's facility three times, two times this year.

So it is a yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Waring.

>> J. Waring: Yes.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

As the Mayor and dad I appreciate Phoenix Children's.

It passed 7-1.

7-1.

Congratulations, Phoenix Children's.

And with the doctors being here, I should have had you go first.

Go back and help those kids right away.

Thank you so much.

[ applause ]

Next item is item 45.

Agreement for a trade office in Mexico City.

>> J. Waring: Move approval.

>> Mayor Stanton: Do we have a second?

>> M. Nowakowski: Second.

>> Mayor Stanton: We have a motion.

We have a second on Item 45.

Any comments by members of this counsel?

Councilman DiCiccio, I noted you had comments on 45.

This is the agreement for trade office in Mexico City.

>> S. DiCiccio: It is, Mayor.

I was going to keep my comments real brief.

I know it is the year-end and things always get a little stressed.

This is a really good thing for the City of Phoenix.

And I appreciate you for your leadership on this as well, Mayor.

This was a joint effort -- I wasn't planning on talking, but the bottom line is this is a joint effort from the City of Phoenix, the state of Arizona because I'm looking at 45 and 46.

>> Mayor Stanton: You can provide comments on both.

Go ahead.

>> S. DiCiccio: Just make it easier.

And it literally moves the state forward, moves the City of Phoenix forward.

It gives the City of Phoenix the opportunity to go out there and generate our own business at the same time partnering with the state of Arizona.

I think it is a fantastic move.

This is going to bring in considerable results which it has already.

Mayor, you have done a great job.

I think people need to remember as well Councilman Nowakowski started this discussion back in the mid 2000s and getting us forward.

If it wasn't for the bad economic times, we could have moved faster.

State legislature and the governor's office, gosh, Sandra Watson from the Arizona -- what is that, the Arizona -- I just remembered it, commerce authority, GPEC, SRP, others, everyone has been involved.

It shows the type of bipartisan support we have been able to get to move these big projects forward.

Out of this, we will get pro Mexico.

We are getting University at the City of Phoenix.

We will get a trade office in Mexico City.

Lots of good things happening.

Thank you, Mayor.

>> Mayor Stanton: Thank you very much, Councilman.

I should also mention MAG, as well as some of our leading private sector businesses.

As you mentioned, it is a true public/private partnership.

Councilman Nowakowski.

>> M. Nowakowski: I just want to mention that we shouldn't overlook Ed Moceil.

If there is somehow some way we can get an office because that's our sister city, plus the businesses we have partnerships with.

Last month I was able to go to a conference where all the mayors of Sonora and the state of Arizona, I was representing the Mayor there.

We signed an agreement where we're going to actually create a mega region.

What that means is that the state of Arizona and the state of Sonora will go out there

and let the world know they are open for business.

What a great opportunity we will have a mega region without borders that we're going to start to market the state of Arizona and the state of Sonora and use both sides to bring big business and opportunities to both of our states.

So with that, Mayor, I would really like to look into the future open upping an office in Hermosillo and looking with our sister cities.

What a great opportunity to open doors especially with other elect officials.

I just got word that I will be receiving the Oatly Award on September 15th on the Mexican Independence Day here at city hall.

Thank you for all that leadership also.

>> Mayor Stanton: Congratulations.

>> S. DiCiccio: Mayor.

>> Mayor Stanton: Councilman DiCiccio.

>> S. DiCiccio: I will be really quick.

I do want to just congratulate Councilman Nowakowski for all the great work.

He has been an incredible asset to the City of Phoenix.

I don't think people realize the assets he brings to the city, his connections with Edmociel are outstanding.

His connections with most of the northern states of Mexico, which are our largest trading partners, we ought to be using him a lot more quite frankly with his abilities and connections and opening up that door for business and trade for the state of Arizona and for the city.

This is one of those things we all agree on.

I think it is about positive movement and moving our city forward.

>> Mayor Stanton: Councilman Valenzuela.

>> D. Valenzuela: Mayor, this is long overdue.

I agree.

I think this is something we all agree on.

We have a lot of partners.

I don't want to forget some very important people in this entire process and that is our city staff with Paul Blue and Hank Marshall and our entire staff that has worked on this.

We can talk about GPEC who I have great deal of respect for.

We can talk about the ACA and everyone else.

The City of Phoenix is an incredible partner as well to them.

Thank you to Paul Blue and to Hank Marshall for getting us here and very excited.

>> Mayor Stanton: Any other comments?

Phoenix has pushed forward and shown leadership on this issue as we should.

And I think the state of Arizona who is joining with us in this effort is super excited.

I think we will have more coming forward.

Councilman Nowakowski has been doing this for so many years.

I'm glad to have partnered with him.

I think the point he made about our investment in Mexico City, the capital city, is critically important.

So is our relationship with state of Sonora, in particular Edmociel is equally as important.

One doesn't really exist without the other.

But the benefit of this office, the success of this office won't just be for Phoenix businesses, although a lot of Phoenix businesses are going to benefit from this. It is for the entire region and the entire state because we don't exist as an island, as the City of Phoenix.

We are part of this larger economy.

We have unique leadership role to play and we are playing it.

This Mexico City trade office will benefit this entire economy.

I'm happy to support this.

Let's get this thing going and get the grand opening and create some jobs.

>> D. Valenzuela: Mayor, I mentioned Paul Blue and Hank Marshall.

We are blessed to have the most humble city manager in the state and probably the country.

We always do that.

Paul Blue Rick Niemacher, but Ed Zuercher, thank you for your leadership as well.

>> Mayor Stanton: Councilman Pastor.

>> L. Pastor: I also want to recognize the Arizona Mexico Commission and Margie Emmerman and all her efforts for many years.

>> Mayor Stanton: I think that is an outstanding point.

Margie has done incredible work in difficult political times in our relationship with Mexico.

That's why Phoenix had to show leadership on this and Margie has done great, great work and we wouldn't be here if she didn't partner with us in her capacity with the Arizona Mexico Commission.

Diane Barker, did you have testimony on this item?

Please.

>> Thank you, Mayor and council.

District 7.

And I want to applaud my Councilman Nowakowski for obviously stepping up this process.

This is something we want to increase the important export capabilities.

It is long overdue with our neighbor Mexico.

And I want to congratulate you also, Councilman, that you're coming in summer attire.

I notice that the air is -- and if I'm able to take this in here like this, I'm in summer attire, we've cut down on this energy feed.

Other than that, it is because I have been swimming at the Encanto pools and my blood is going now.

On this point here, I know the Mayor did quit a bit in presenting this issue at M.A.G. and we got some compliance there.

There were some cities that thought that maybe that was too much, they would be asking for other cities.

But there will be some overflow.

Now, I'd like to speak not only on this one but the next item, the next two they are related to economic development.

Can I do that?

>> Mayor Stanton: If you keep it within two minutes, go.

>> Okay.

So we're in favor of this but rather than going out and remember we still have to come back with the ethics.

It was spoken today about that.

And the issue is the money that will be expended for trips.

I suggest we do more in here.

I notice there are different budgets.

We also are paying \$10,000 to the hotel that we own, Sheraton, to bring in hosting for the airport.

We have venues here that we can have Mexico come up here and investors and look -- that's better because they can see all the possibilities of investing in Phoenix.

And so I say rather than going out and also, Mayor, having the press all against you for not being around and handling the business here but gone out in other places traveling, we bring that more in there.

We've hired a consultant.

That's good.

I understand they can be -- and they do it through the Internet, the phone, whatever, into Mexico and they're here and so that's the next agenda item.

GPEC, we unfortunately have not increased the funding for GPEC and that's for economic development and for jobs like this.

And we've got all these so let's take all of our sources and maximize to the most.

Thank you.

>> Mayor Stanton: Thank you very much, Ms. Barker.

I would just politely point out that through economic development, through my office, through Councilman Nowakowski and all of our offices, there is a lot of activity here in Phoenix hosting visitors, dignitaries, elected officials and investors from Mexico.

This is a two-way street.

This is not just going to be Phoenix-based companies investing in Mexico but as important will be trade opportunities and foreign direct investment from Mexican investment entities and/or wealthy individuals into the City of Phoenix.

They can choose where to take their resources, and we need to do a much better job of have them bring resources here.

And the best way for them to meet us, see us and maybe understand it is a little bit different they have seen in their local media.

This is a wonderful place with wonderful people and wonderful business opportunities.

It is a point well taken.

With that, we will do 45 first roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Waring.

>> J. Waring: [ inaudible ]

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

The item passes unanimously.

Next item is item 46 which is negotiations in agreement for Mexico trade promotion services.

This is the hiring of a firm that will represent the City of Phoenix in Mexico and staff the office full-time in Mexico.

Do we have a motion?

>> L. Pastor: I make a motion for Item 46.

>> M. Nowakowski: I second.

>> Mayor Stanton: We have a motion and second on item number 46.

Additional comments by any members of the council on 46?

Diane Barker, did you provide your testimony on 46?

Thank you for covering both in one item.

The reality is this, is that Phoenix is going to get started sooner rather than later with our trade office.

As the state, they got money in their budget for a trade office, we're going to partner with them.

We are not going to be subsumed by them.

We will still have an independent entity.

Obviously we are on the same team.

We will be partnering as much as possible the firm recommended by professional staff is in the same tune in that regard.

With that, roll-call.

>> Councilman DiCiccio has a comment.

>> S. DiCiccio: No, thank you, Mayor.

>> Mayor Stanton: No problem.

Councilman Nowakowski.

>> M. Nowakowski: I really want to thank Ruman Himand and Tammy fisher from the airport, we wouldn't have an airline going to Mexico.

We have two flights, one two Guadalajara, other to Mexico City.

There is talk to going to two other cities in the neither future.

I want to thank you all for your hard effort.

It took about five years or so but we finally nailed them.

Thank you for your hard work.

Once again, Tammy, thank you for being that shiny star for us.

Thanks.

>> Mayor Stanton: Thanks for the kind comments.

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

Passes unanimously.

Next item is item 47, proposed contract with Phoenix economic council.

>> L. Pastor: I make a motion, contract with greater Phoenix economic council.

>> Mayor Stanton: Do we have a second?

We have a second.

Do we have cards on item 47.

Councilman Valenzuela, did you have additional comments on contract with GPEC?

Value value I'm proud to support this item.

We have had more than a 25-year successful relationship, we meaning City of Phoenix and GPEC.

And while the City of Phoenix makes up about 12% of GPEC's total budget, 42% of GPEC's in the past five years are right here in Phoenix.

We can do not do it alone.

I'm appreciative of all of our partners.

All of the chambers.

I have to tell you, in humble opinion, I have to put GPEC at the top of the list for all the work they do, not only for the City of Phoenix but the region and in many cases the state.

With that, I'm in full support.

>> Mayor Stanton: Thank you very much.

Other comments?

Councilman Nowakowski.

>> M. Nowakowski: I don't know if I can vote on this without Barry being here.

At the same time, I really want to thank Barry for his hard work on that Amazon in District 7 and all the other businesses that he's able to bring to the City of Phoenix and all of his great staff for all your great effort.

Keep up the good work.

>> Mayor Stanton: Thank you very much.

Chris Comacho is here representing GPEC.

Thank you for being here.



Any other comments?

>> K. Gallego: I want to say appreciate GPEC's work on business retention on making sure we take good care of our businesses who are here and understand their business climate and look forward to continue to work to support our existing businesses because they really are our backbone.

And I appreciate that on behalf of GPEC.

Since I didn't speak on the last item, I wanted to congratulate Councilman Nowakowski on his big award which is the highest award an American can receive from the government of Mexico.

A very big deal.

You get the well-deserved recognition.

>> Mayor Stanton: Other comments?

>> B. Gates: I will be supporting this item.

I greatly appreciate the work of GPEC.

I also appreciate the fact that they have kept their fees at the same level.

They didn't increase them.

I guess the reason Barry wasn't here, I saw him -- ran into him at Tom's tavern.

We were both watching World Cup.

I think he's having a World Cup hangover, disappointed by the result.

>> Mayor Stanton: He told me he was working yesterday.

[ laughter ]

>> B. Gates: He actually was working the room.

>> Mayor Stanton: With Barry, I'm shocked.

Other comments by members of this council?

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Waring.

>> J. Waring: Yes.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

That item passes.

Next item, vice mayor?

>> J. Waring: Mayor, I would like to do four items that Councilman Gallego has items on 58, 59, 61 and 67.

>> Second.  
>> Mayor Stanton: Roll-call.  
>> Clerk: DiCiccio.  
>> S. DiCiccio: Yes.  
>> Clerk: Gates.  
>> B. Gates: Yes.  
>> Clerk: Nowakowski.  
>> M. Nowakowski: Yes.  
>> Clerk: Pastor.  
>> L. Pastor: Yes.  
>> Clerk: Valenzuela.  
>> D. Valenzuela: Yes.  
>> Clerk: Waring.  
>> J. Waring: Yes.  
>> Clerk: Mayor Stanton.  
>> Mayor Stanton: Yes.  
Next item, vice mayor.  
>> J. Waring: Move item 60.  
>> Second.  
>> Mayor Stanton: We have a motion, we have a second.  
Greta Rogers, you had a comment on item 60.  
60 is the sale of city owned property identified as excess property.  
>> Mayor and council, you approved the sale of the same number of properties in the last three months.  
I have from '11/'12 the total compendium of properties that the city owns.  
It is this thick, both sides of 8 1/2 by 11 pages.  
1400 listings.  
You have got 12 today and you had 8 or 12 two months ago.  
That isn't even spit in the ocean of this problem.  
It is a big money provider when the city is in dire financial conditions on the budget.  
I want to ask you to seriously consider putting together a small task force of citizens who have really background and experience.  
It doesn't have to be in commercial or residential or vacant land.  
Real estate is real estate and the practice is the same across the board in this state.  
Get this done.  
Get this down to within five years less than a thousand properties.  
And put the money in the treasury where it is sorely needed for the progress and service and improvement of services in the city and I volunteer myself.  
I know I don't endure myself to you but I have 29 years of experience in business.  
I am no longer licensed but I can consult.  
Thank you.  
>> Mayor Stanton: Thank you very much, Ms. Rogers.  
Appreciate the suggestion.  
We have a motion.  
We have a second.

Any other comments by members of this council on Item Number 60?

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Waring.

>> J. Waring: Yes.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

Next item, vice mayor.

>> J. Waring: Approval of item 63.

There is a card.

>> Second.

>> Mayor Stanton: We have a motion and second.

Leonard Clark, do you wish to provide testimony on item 63?

That is accept donation for baby shots immunization program.

>> Thank you.

I want to come up here and say hopefully thank you for bringing this motion.

I hope you vote for it.

As a citizen of Phoenix, I know that children are covered for shots sometimes under AHCCCS even though adults are not.

I have friends who went to get vaccinated and AHCCCS doesn't cover them.

Anything to get our community vaccinated, I think it is a great thing.

Hope to get more of it.

>> Mayor Stanton: Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Waring.

>> J. Waring: Yes.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

Next item, vice mayor.

>> J. Waring: Move approval of item 65.

>> Second.

>> Mayor Stanton: Amending our professional services contract with Protiviti.

Any cards?

Comments by any Councilmembers?

>> B. Gates: This amendment to the contract addresses the issue we've heard a lot about lately with target over the holidays where people's credit card information was compromised.

This was an important issue.

We need to protect the privacy and the identity of those folks who are using credit cards to pay for city services.

And we are seeing more and more of that.

I thank staff for their hard work on this.

We need to make sure that we are protecting that vitally important confidential information.

Thank you, Mayor.

>> Mayor Stanton: Thank you very much, Councilman.

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Waring.

>> J. Waring: Yes.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

Next item, vice mayor.

>> L. Pastor: I will move item 73.

>> Mayor Stanton: We have a motion on item 73.

Do we have a second?

-- 66, I apologize.

>> J. Waring: Sorry, I should have told you.

Bill said we didn't need to pull that.

I don't think I pulled it.

It is not on the list I read.

>> Mayor Stanton: We did vote on 66 previously?

>> J. Waring: I didn't pull it.

>> Mayor Stanton: Okay.

Item 73 is next.

Councilman Pastor made a motion.

>> K. Gallego: Second.

>> Mayor Stanton: This is to apply for, accept and disburse national endowment for the arts "artworks" grant.

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: [ inaudible ]

>> Clerk: Waring.

>> J. Waring: No.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

Item passes 7-1.

Next item is item number 75.

Can we get a motion on 75 holding out the Phoenix symphony item?

>> J. Waring: Move approval.

>> Second.

>> Mayor Stanton: We have a motion and a second on item 75.

Any comments by members of this council?

I just want to say that the number is the same as last year and it shows strong commitment by this council to be supportive of our incredible arts organizations in the City of Phoenix.

That's just my short comment on these arts grants awards this year.

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.  
>> B. Gates: Yes.  
>> Clerk: Nowakowski.  
>> M. Nowakowski: Yes.  
>> Clerk: Pastor.  
>> L. Pastor: Yes.  
>> Clerk: Valenzuela.  
>> D. Valenzuela: Yes.  
>> Clerk: Waring.  
>> J. Waring: Yes.  
>> Clerk: Mayor Stanton.  
>> Mayor Stanton: Yes.

Can I get a motion on item 75, the Phoenix symphony item.

>> J. Waring: Move approval of the phoenix symphony line item.  
>> K. Gallego: Second.  
>> B. Gates: Mayor, potential conflict.  
>> Mayor Stanton: All right.

We have a motion and secretary noting Councilman Gates' potential conflict.  
He will not be participating.

>> Clerk: DiCiccio.  
>> S. DiCiccio: Yes.  
>> Clerk: Gallego.  
>> K. Gallego: Yes.  
>> Clerk: Nowakowski.  
>> M. Nowakowski: Yes.  
>> Clerk: Pastor.  
>> L. Pastor: Yes.  
>> Clerk: Valenzuela.  
>> D. Valenzuela: Yes.  
>> Clerk: Waring.  
>> J. Waring: Yes.  
>> Clerk: Mayor Stanton.  
>> Mayor Stanton: Yes.

Next item, vice mayor.

>> L. Pastor: I move item 78.  
>> Mayor Stanton: We have a motion and a second on 78.

78 is providing some historic preservation funds to ensure that we can preserve a current threatened building located at 411 south second street in the warehouse district, District 8.

We have a motion and a second.

Any comments on 78?

>> K. Gallego: More than part of preserving a very neat part of our city, very unique part of the city where I think we will be investing a lot, a lot to offer and glad we are preserving our history.

>> Mayor Stanton: Thank you very much.

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Waring.

>> J. Waring: No.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

So that item passes on a 7-1 vote.

Next I'm, vice mayor.

>> L. Pastor: Item 85.

>> Mayor Stanton: We have a motion on item 85.

Was that a second?

That was a motion in favor.

>> L. Pastor: Yeah.

>> Mayor Stanton: Second on 85?

>> K. Gallego: Second.

>> Mayor Stanton: Thank you very much.

This is a proposed IGA between ASU sustainability partnership agreement between City of Phoenix and ASU.

Do we have any cards on item 85?

Any Councilmembers like to provide testimony on item number 85?

>> S. DiCiccio: Mayor?

>> Mayor Stanton: Councilman DiCiccio.

>> S. DiCiccio: Thank you for that.

This goes along the lines of the last vote that the city took that was not only controversial but we saw an incredible amount of uproar where the city spent over \$600,000 on a garbage study.

Now the city is going to embark on the path of spending close to \$2 million on advertising garbage.

We don't need any more studies.

We don't need any more studies on garbage.

We need more police officers on the street.

I get that it comes from two different budgets.

This is not the time.

If we had all the money in the world, these studies, these nice feel-good things are good

to do if you had all the money.

We don't.

We just went through a major budget crisis.

You would think that this council -- this Mayor and council would learn to put these things off.

It is not what we want.

It is what we need.

We need to focus on economic development.

We saw that with the trade office in Mexico and now we are diverting back and spending \$2 million.

How do you justify \$2 million in advertising garbage?

Advertising garbage to the general public.

You don't justify it it is another feel-good measure that doesn't bring in any real results.

>> Mayor Stanton: Thank you very much, Councilman.

I will ask the city manager to the best of his ability clarify what this intergovernmental agreement would be between City of Phoenix and Arizona State University institute of sustainability.

>> City Mgr. Zuercher: Thank you, Mayor, Councilman DiCiccio, members of the council, this follows up on an action by the council last year to establish a goal for diverting solid waste from the landfills.

Every time solid waste be diverted from landfill, it is a saving to the City of Phoenix.

This would be an IGA with ASU to create a partnership agreement nationwide and around the world for \$500,000 per year.

And it is -- it is also an economic development tool in that it creates an incubator for cutting edge research as it relates to what goes to the landfill and what can be diverted from the landfill.

Our staff estimates that the result could be a savings of 1 to \$3 million per year.

>> Mayor Stanton: Thank you very much.

Any other additional comments or questions for members of our staff?

>> B. Gates: Obviously I agree where Councilman DiCiccio is coming from, that we have to be very careful about every dollar we're spending.

But I will be supporting this because I believe that this will have a return of more than we spend.

Otherwise, I would not support it.

So I believe that this is going to lead to less waste going into landfill which pays for itself.

I also think that it will lead to new enterprises.

I think it will be an economic development tool.

But I think it is very important that since we are investing money in this, that we work very closely with ASU and the entities that get involved in this to make sure we are getting our fair share and protecting our intellectual property rights to the extent that the City of Phoenix has those.

So I don't want to just spend the money and have -- you know, because for all we know, the next Microsoft of trash, it sounds funny, but, you know, it could be developed out of this and I want to make sure we are protecting our investment in this.



Thank you, Mayor.

>> Mayor Stanton: Thank you very much, Councilman Gates.  
Councilman Gallego.

>> K. Gallego: I think it is important that our partners will be leveraging those funds. They will find partners to help pay for this and help our investment.

This supports our strategic plan for economic development which the council put together before I was elected, but it identified sustainable businesses as one of our strategic advantages in an area where Phoenix could do well, where we have advantages that other communities don't have and in trying to take these resources which we used to call trash and solid waste and put them in support of new business creation, we have a lot going for us including the open space to incubate these businesses.

It is just outside of my district, but will be supporting a lot of the businesses in my district, many of which are owned by low-income people who don't get a lot of support.

We do a great job supporting some of our largest businesses but this will also help some of our very small entrepreneurs who want to get into the green space.

Glad to take advantage to ASU which is also helping to fund this agreement.

>> Mayor Stanton: Thank you for your comments and leadership.

Councilman Nowakowski had questions.

>> M. Nowakowski: We have a new director.

Congratulations in your future appointment.

Is it officially it?

>> Mayor, Councilman Nowakowski, thank you for that.

Yes, Mr. Trujillo effective July 16th will be the city's new public works director with the retirement of Neal.

These three items are sort of a summary of what he's really focused on, getting the incubator going, focusing on business analytics and the changes that we're making to enhance our collections and our diversion rate.

So, yes, thank you.

>> M. Nowakowski: Just for some information on the 27th Avenue landfill, I really believe it is District 7 and District 8 that shares that.

But on the question, it is a transfer station.

A lot of people believe that it is actually a landfill -- an operating landfill.

It is not.

Can you explain that for individuals so they can understand what really goes on at that facility?

>> Mayor, Councilman Nowakowski, thank you.

Yes.

We approximately have 160 acres located at that site.

Approximately half of it is a closed landfill.

The other part of it we have a transfer station with a MURF operating at that site that we collect our recyclable material.

So with that site, our goal for that site as you mentioned is economic development.

Way want to create our own circular economy at that site.

About 80 to 90% of the material that we manage at that site either gets shipped to the

landfill or gets shipped to China.

Our goal is to keep it here in the city and create products out of as they call trash-to-fresh treasures is our goal.

We want to bring new business that is have new technologies that can convert our garbage into a product.

That is our goal for this program.

>> M. Nowakowski: John, can you explain to people how many millions of miles trash actually travels from a person's home to the landfill?

>> Yes.

Thank you, Mayor and Councilman Nowakowski, currently the city travels over 4 million miles collecting residential garbage and recycle material.

We travel an additional 3 million miles transporting that to the landfill.

That's 7 million miles total which as I equates going to the moon and back 14 times every year.

>> M. Nowakowski: I want to thank you for this effort.

I think it will not just save our environment but also when you talk about transporting it in trucks, just the air quality itself.

So these are just thinking outside of the box, looking at creative ways and exactly what Councilmember Gates was talking about.

You never know, it might be the new Microsoft product that comes out of this waste material that people never thought of and say "wow, I should have thought about this."

I want to thank you for partnering up with ASU and creating something positive with our trash.

>> Mayor Stanton: Thank you very much.

Councilman Valenzuela.

>> D. Valenzuela: I appreciate it.

I want to thank Arizona State University which I believe is here.

I want to, of course, thank you, John.

Congratulations on your new position, the position you have been working in I understand in the past as well.

Congratulations on the official announcement.

I also think of this as an economic development tool.

So, yes, we did just move forward on the Mexico trade office which is all about economic development.

And this is also about economic development.

It is not just throwing a couple million dollars in the trash simply because we're talking about how we're going to be dealing with trash.

This is about economic development.

It is about perhaps creating jobs, and this is a robust study.

I'm all for more police officers and firefighters.

Personally, I will tell you it is my number one priority.

In fact, I've dedicated my life to keeping people safe.

That is absolutely my number one priority.

This is a different fund, and I'm saying that because it is important that, you know, we express this and we explain this to our constituents because to do otherwise is

absolutely irresponsible.

So this \$2 million, actually the funds are available in the public works department solid waste fund.

This is a partnership with Arizona State University.

This is about economic development and new jobs.

And this is a very positive thing and it is something that I absolutely support.

>> Mayor Stanton: Thank you very much.

Any other comments by members of this council?

Councilman Gallego.

>> K. Gallego: Could you tell us about the partnership with the Mayo Clinic?

>> Yes.

If I may, I will talk -- first of all, we are spending our \$2 million which is \$500,000 a year but also ASU is investing their funding as well into this project as well.

So it is not just City of Phoenix putting funding in.

They will also be leveraging our funding, their funding with grants as well as private sector funding for this process as well.

I just wanted to clarify that.

Now, back to your question, Mayor and Councilman Gallego.

The partnership with Mayo Clinic, that's what this has brought to the city, all these businesses are coming and want to be part of this partnership.

So Mayo Clinic, Republic Services, the City of Phoenix and ASU have created a partnership to work with the Paradise Valley Unified School District to review their solid waste to make it more sustainable, so they can create a diversion program and try to meet or exceed our goal of 40% by year 2020.

On top of this, we are creating a curriculum program to educate those 33,000 kids and 44 schools about this program as well.

So that's the partnership that's created with this type of a program, the public/private partnership going forward.

There are many more.

We are in discussions with Walmart, Pepsi, Amaresco, PepsiCo are talking about these partnerships as well.

>> K. Gallego: Since it is near District 8, I prefer businesses that have lower impact on air quality.

That's something we are working on in our area with Councilman Nowakowski's office. Wanted to put that in the record.

>> Mayor Stanton: Thank you very much, Councilwoman.

Comments?

Councilman Gates and Councilman Pastor.

>> L. Pastor: For the future, doing a partnership with our school districts, that would be great.

>> Mayor Stanton: I'm guessing the paradise valley, that's the beginning with success there.

We want to take it to every single school district in the City of Phoenix.

Is that the plan?

>> Mayor, councilwoman Pastor, the reason we choose Paradise Valley -- we didn't

choose it, Mayo Clinic came to us.

Once we get done with the pilot.

We will work with all the other school districts as part of the process.

>> Mayor Stanton: Councilman Gates.

>> B. Gates: Thank you, Mayor.

May "Microsoft" reference was dated.

Maybe it is the next Google of trash.

>> Mayor Stanton: I told Councilman Gates, that was so '90s to refer to Microsoft.

>> B. Gates: I apologize.

Before when we discussed this, we had -- no offense -- the bureaucratic sounding CFRI Center for Resource Intelligence.

I think we're doing some crowdsourcing on this to come up with a better name.

How is that progressing?

>> As part of this site location, we are going to be working with ASU and everyone else in the city including council and Mayor to figure out how we are going to name this sustainable industrial park.

We don't know yet.

We will be working through that process here in the future to figure out what we're going to call this park.

>> Mayor Stanton: Councilman DiCiccio.

Thank you, Mayor.

I have to tell you, this is all taxpayer money.

It doesn't matter what fund it comes from.

If you want to know why your water rates go up, your trash rates go up, it is because of these unproven methods that government gets involved in.

It is doing it here.

This is not chump change.

It is \$2 million of taxpayer money going in to something.

Everyone talks about the private sector.

Let them go first.

Let them put their dollars up first.

Then you can do some sort of match if that's something you want to do.

To go at it first, government rarely succeeds at getting involved at private sector issues, rarely if ever.

Grants could work.

They could fund it in the private sector does it.

But to go in there and think that the government is going to do anything when it doesn't even -- it is not involved in that area, it is literally going into a new area that government doesn't do well.

So it is just a waste of money.

This is why we see rates go up at the City of Phoenix.

I saw the same debate about economic development when it came to the Coyotes.

We saw that at Glendale.

It was the exact same thing that occurred there.

Talk to me about jobs, economic development and it fell flat on its face.

That's the same thing that will happen here.

Let the private sector invest first.

>> Mayor Stanton: Thank you very much, Councilman DiCiccio.

Any additional comments?

Councilman Valenzuela?

>> D. Valenzuela: I don't think there is money wasted.

I do think this is an investment.

I do think that there will be a return.

I do think that it is irresponsible to let -- to even bring up, you know, that this is \$2 million and the fact that we -- reminding the public we need police officers and firefighters because we absolutely do.

But way can't use this \$2 million for police officers and firefighters.

So let's just be transparent.

So I do want to say that, first of all.

And secondly, maybe this is the new Google.

But Microsoft is still do can great things.

I think we have people from Microsoft here.

And we appreciate what you do as well.

Bill Gates of all people, right?

[ laughter ]

Come on.

>> B. Gates: This has been a rough day.

Harvard stuff and now Microsoft.

Take a break.

>> Mayor Stanton: Anybody have comments about ping?

We'll move on to the next issue.

[ laughter ]

Any other comments by members of this council?

John, I want to thank you.

I wanted to make sustainability a focus.

This is exactly the kind of innovative, cutting-edge thinking we need to do.

We don't have a choice.

We've got to reduce the amount that we are putting into our landfills.

We have got to do more with recycling as a city.

Makes us less competitive of a city if we don't do that.

If we don't take advantage of the opportunity that the global institute of sustainability has right here in our community, if we don't take advantage of that resource to rethink the concept of garbage into resource and the financial opportunities that go along with this, it is going to be become upon every Councilmember to explain it.

It will be criticized.

This is in some cases counterintuitive thinking.

But it is up to us to explain how important it is that we keep -- we reduced miles of our public works vehicles.

We reduce the amount of items that go into our landfill that we have increased the amount of recycling, that we increase the amount of green organics that don't go into

our landfills and we take advantage of the new marketplaces that are opening for things that previously had gone into the landfill.

Phoenix can be at the cutting edge.

I am appreciate of you, staff, members of the council that have been supportive of this type of thinking at the city.

With that, roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: No.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Waring.

>> J. Waring: No.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

Item passes on a 6-2 vote.

Next item, vice mayor.

>> L. Pastor: I would like to move item 86.

>> Mayor Stanton: Do we have a second on 86?

>> K. Gallego: Second.

>> Mayor Stanton: Motion and second.

This is an agreement to continue support services for business analytics upgrade support.

Do we have any cards on item 86?

Any comments by members of this council?

>> S. DiCiccio: Mayor.

Just the same as item 85 and it will be for 87.

I will cut it short on that the reason it is counterintuitive to the public is because it is counter common sense to be doing these types of things when you are in a budget crisis and in a free fall.

Economically at the City of Phoenix we have budget crisis.

It is all taxpayer money.

To discount the fact that it is taxpayer money, the public sees through that.

I will be voting against this and 87.

>> Mayor Stanton: Did you want to make comments on 87 now?

>> S. DiCiccio: No, same as this.

>> Mayor Stanton: Okay.

Item 86, we have a motion.

We have a second.

Any additional comments?

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: No.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Waring.

>> J. Waring: No.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

So item passes 6-2.

Next item 87, motion in favor of 87.

>> J. Waring: I will move it and have one question.

>> Mayor Stanton: Do we have a second?

>> L. Pastor: Second.

>> Mayor Stanton: Question by vice mayor.

>> J. Waring: Somebody coming up?

My question, John, if you can hear me, this is not a study.

This is a service we do and we are reducing the cost of that service?

>> Mayor Stanton: What are we doing with green organics?

>> Mayor, vice mayor, as part of our new programs starting July 7th which includes the curbside green organics program, we have equipment which is grinding and mulching had been-type equipment and we are hiring a contractor to maintain that equipment to create a mulching material that's basically a new business that's located here in the City of Phoenix.

You are correct, vice mayor.

This is a -- to reduce costs instead of taking it to the landfill.

>> J. Waring: Thank you.

That's it.

>> M. Nowakowski: Mayor, I have a question.

>> Mayor Stanton: Please.

>> M. Nowakowski: With this new program, I wonder what the new fees that the residents are going to have for their new brown containers or the green organic waste, would this be self-sustaining or will it cover the costs in the near future, the 101.2 million?

>> Mayor, Councilman Nowakowski, it will not be 100% self-sustaining.

It will be an iterative process going forward.

We haven't identified what the reductions will be, reduction in miles.

There is also some cost reductions at landfill and transfer station.

We haven't identified those yet.

We have only identified the transportation costs associated with this program.

So at this time, I would say not 100%, no.

>> M. Nowakowski: Okay.

>> S. DiCiccio: Mayor.

>> Mayor Stanton: Councilman DiCiccio, go ahead.

>> S. DiCiccio: Just the last point.

Until we get those numbers from staff, the report we got from staff this morning on this was that it is not self-sustaining.

We don't have accurate numbers of what the real cost is going to be on this.

There's no reason to rush through this right now until we know what the true costs are going to be of this program.

Again, everything that we do that costs money will have an impact on a taxpayer.

It will have an impact on what they pay out of their pocketbook.

It is not done in a vacuum.

>> Mayor Stanton: Thank you very much.

Any additional comments regarding agreement for our green organic processing program?

Councilman Gallego.

>> K. Gallego: You mentioned we have \$11 per ton cost to the city.

Are there additional costs beyond transportation including keeping the product in the landfill if we don't end up diverting it.

It is much higher than that.

>> Currently right now, which we didn't identify as a cost because -- our gate rate is \$38.25 and that's our current cost.

And currently we have -- we had a contract, a current mulching contract that we were already utilizing but the contract is void and we are paying for that contract than we will be paying for this contract.

Not only is there a savings that we identified but there is savings on top of the previous contract that we had before.

>> K. Gallego: I mentioned before I have concerns about air quality in the area and leaving grown waste in the landfill creates methane.

This could address that as well?

>> Correct.

There is a cost to maintaining a methane collection system and so we have landfills that we're still maintaining, gas collection systems which checks methane.

We haven't identified those costs as a savings at this time.

>> K. Gallego: I understand you need to be conservative.

We as decision makers could consider those to see if it makes sense for the council and city and I do think it does.

Thank you, Mayor.

>> Mayor Stanton: Thank you very much, Councilwoman.



Any other comments by members of the council?

Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: No.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Waring.

>> J. Waring: Yes.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

That item passes.

So it is 7-1.

Next item, vice mayor.

>> J. Waring: Mayor, I move item 94.

>> Mayor Stanton: Do we have a second?

>> B. Gates: Second.

>> Mayor Stanton: Diane Barker.

Up to two minutes on Item 94.

>> Thank you, Mayor and council.

This has to do with getting more I.T. into the streets department.

>> Mayor Stanton: Yep.

>> And Carrie answered a question out of the streets department on this.

He got Kevin, too.

That they need this I.T. equipment.

I asked why would the city have an I.T. department specifically for the streets.

And now we have complete streets is your policy.

So apparently they did have a RFP for this so now this consultant has a presence here, even though apparently it's national.

And so basically I am in support of this, and I'm hoping that you're in support of it because the streets department has had some turnover and they need to get some people in-house.

This sounds positive.

>> Mayor Stanton: Thank you.

Any additional comments by members of this council?

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.  
>> Clerk: Gates.  
>> B. Gates: Yes.  
>> Clerk: Nowakowski.  
>> M. Nowakowski: Yes.  
>> Clerk: Pastor.  
>> L. Pastor: Yes.  
>> Clerk: Valenzuela.  
>> D. Valenzuela: [ inaudible ]  
>> Clerk: Waring.  
>> J. Waring: Yes.  
>> Clerk: Mayor Stanton.  
>> Mayor Stanton: Yes.  
Item passes unanimously.  
Next item, vice mayor.  
>> L. Pastor: I move item 96, establish complete streets guiding principle.  
>> K. Gallego: Second.  
>> Mayor Stanton: Motion and a second.  
Jean Marky, do you wish to provide testimony on item 96?  
Is she still here?  
Did she have to leave?  
>> [ inaudible ]  
>> Do the complete streets accommodate the ADA?  
>> Mayor Stanton: If you are watching, our city manager indicates it does include protections for ADA.  
In terms of moving forward, we will make sure that the community that cares passionately about ADA accessible goes beyond the minimum of the law, it will be at the table.  
In addition, we have Jean Olmood in favor.  
CJ Hagger not wishing to speak.  
Anybody else wish to speak?  
I have a note that there are pictures on a thumb drive in support of the item.  
Jean, is that true?  
Did I get that right?  
Good to see you.  
>> Just a month ago I was in London and Paris and took lots of pictures of complete streets sustainable.  
I thought I had died and gone to heaven.  
>> Mayor Stanton: You have those on a thumb drive and you provided them to us?  
>> They told me they are not set up to use it here.  
>> Mayor Stanton: Make sure you get those to the city clerk and get those distributed assuming you want to, to every Councilmember individually.  
>> Sure, be glad to.  
>> Mayor Stanton: We have a motion and a second.  
Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

Thank you to everyone who put your hard work into this.

Many years coming.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: [ inaudible ]

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: [ inaudible ]

>> Clerk: Waring.

>> J. Waring: No.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

Item passes 7-1.

Next item, vice mayor.

>> J. Waring: Move approval of item 98.

>> Second.

>> Mayor Stanton: Motion and a second.

No. 98 is an issuance of the \$10 million from IDA funds.

Leonard Clark, you are opposed.

Do you want to provide testimony?

>> Thank you, Mayor and Councilmembers.

I'm just letting you know as a citizen that I'm not here to put down charter schools.

I know a lot of nice people that go to charter schools and I have heard of some success stories.

I'm asking for fairness.

In a public school district, if you want to get a bond passed, have to rightfully, legally go and ask the people in your neighborhood who will be voting on that, knocking on doors, tens of thousands, possibly hundreds of thousands depending on the size of the district you live in, hey, we really need this extra funding.

My big disagreement -- and, by the way, I believe you are all conscientious in what you are doing.

My big disagreement is the fact that a corporate charter school -- you can call it not for profit but we all know, not insinuating on this charter school, it has been reported that certain charter school owners and people who call themselves not for profit hire management companies in which they have financial interest to get around that.

They are still making profit off of it while still calling them selves not for profit.

There is nine of you.

If I want \$10 billion.

I got to know the bankers and people on the appointed board, not to be unfair to Mayor,

any Mayor, like the last mayor, he appoints a political board of people on this industrial development authority board.

They come to you and say we think this is good.

I agree with hospitals, things like that.

My great concern, though, is when my brothers and sisters, family members, community members have to come and ask for millions of dollars to the families that live in these public districts, we have to knock on tens of thousands of doors, millions of doors and sometimes they fail.

As a corporate charter school, they call themselves public but that's not entirely correct because their bottom line is a profit.

They have a board.

They don't have apparently elected school board.

They come to you.

You vote on it and I have elected you, one of you, as my representative.

But it is entirely unfair.

I know you are going to vote unanimously.

People are paying attention.

You know we disagree on this.

Again, you are very conscientious on this, so I applaud that.

But the problem is when you don't have apparently elected school board such as a corporate charter school, that's not fair.

Be fair about it.

I know you will all vote unanimously in favor of it.

I'm disappointed.

I don't know why you keep this.

The President likes it.

Something is going on around here.

Arne Duncan likes it.

>> Mayor Stanton: I don't think the President or Arne Duncan submitted a card but I get your point.

>> M. Nowakowski: I will be voting yes on this issue.

In the future, I would like to look into the IDA, that they look at the community design standards.

We have an incident in Laveen on 43rd Avenue and baseline we have a seven-story building.

It sticks out like a sore thumb.

They didn't have to go through any of our P&Z standards because they were granted monies and I guess school districts and schools don't.

If they are getting funding from the IDA I would like to go they go with the community design standards for that area or they would have to go through our P&Z standards.

So if staff can look into that so we don't have incidents on what happened at 47th Avenue and baseline.

My colleague in District 8 and I are trying to figure out a way to stop that planning and zoning and to make sure they go through some type of a city standard.

>> Mayor Stanton: Thank you very much, Councilman.

Councilman Gallego.

>> K. Gallego: Question for staff.

It is related to the comments that Councilman Nowakowski was making.

We have in both of our districts had several schools come in and sometimes with designs that are not consistent with the community's general standards but also regularly we have meetings on school safety, related to traffic issues, perhaps schools located in places on major arterial streets where there are safety concerns.

Because of the process for charter schools, they don't often come in and meet with staff and learn about how to create safe environments for our students which I think if they did, if that is their goal as well, I want to know a little bit about this school and what process they went about in picking the location, if their neighborhood has any safety concerns on the traffic side.

>> Good afternoon.

I'm the executive director for the Phoenix IDA.

I would like to introduce Mr. Tony Best who is the head master for Pioneer Prep and can answer your question.

>> Can you repeat the question?

>> K. Gallego: We have had questions with charter schools in the arterial streets and not understanding safety implications and not going through a process of learning about local traffic.

If you could tell me what process you went through in picking the location and if there are any safety concerns, if the neighbors have expressed any concerns about your location.

>> The location was actually chosen before I had been hired.

It is set back off of Clarendon.

We were inside the boys and girls club.

At that time, there was no HAWK which was right up there on 67th Avenue.

It was wide open intersection.

When we moved into our brand-new building just set back by the YMCA, HAWK was put in by the City of Phoenix within one year.

HAWK maintains the traffic and the safety there.

And we actually have a full-time para professionals that run the intersections and the crossing -- the crossing sections right on Clarendon.

>> K. Gallego: We put in HAWK to accommodate which users?

>> Actually, the HAWK was put in not specifically because of our school but because of how much more traffic our school created.

>> K. Gallego: Thank you.

We will need to have a conversation as a city about how we can make sure that safety is -- we have a process that makes sure students are safe because it seems that almost every school there, these issues do keep arising.

Thank you.

>> Mayor Stanton: Thank you very much, Councilwoman.

Councilman Gates.

>> B. Gates: Thank you, Mayor.

I just wanted to sort of reiterate and emphasize what Councilwoman Gallego just raised.

This is a real issue.

I have been supportive and very pleased about the charter schools we have had come into District 3.

We have had significant traffic issues that we continue to deal with.

I would just encourage you to keep an open mind and since we have this audience with you, to really work with the neighbors.

And it is very important that as we have school choice expanding, that, you know, our new schools are good neighbors with the folks that have frankly lived in these neighborhoods for many years.

Thank you, Councilman Gallego.

I agree it is something we need to continue to be focused on as we move forward.

>> Mayor Stanton: When I hear from the Councilwoman, I want to make sure it is clear.

The suggestion as schools in particular are being recommended for funding by IDA that that process, the decision about whether to support financing for the school not be divorced from our other departments, streets department and other programs.

Do we have a marriage at this point that the school would receive IDA funding has an opportunity to meet with our professional city staff to make sure we are not by supporting IDA we are not doing harm to our other city goals?

I don't know if there is a process.

>> There is not a process.

>> L. Pastor: From what I understand, there is not a process.

So what I'm hearing is that we need to come together and create a process or a step forward as new schools are coming into the neighborhoods.

>> Mayor Stanton: Without -- let me ask a further question about this particular school today.

I would ask through the Councilwoman's education subcommittee, we develop a policy about how IDA recommendations for educational facilities, particularly charter schools, what process they should go through in order to make sure we are not hurting our other goals in the city in terms of neighborhood support, traffic concerns, et cetera, not a long process but at least a small process to go through so there is not inconsistency.

Councilman Valenzuela.

>> D. Valenzuela: I was just going to mention what you just mentioned.

I sit on the subcommittee education that's led by Councilwoman Pastor.

Perhaps this is obviously a policy discussion we should have in subcommittee or perhaps in a policy session.

But in this case, I do support it.

I think Mr. Best, you have done a great job with the kids in the area and the families have done a great job of continuing your efforts to connect with the families.

You don't have school buses at this school.

Most of these kids, almost all of these kids are from the neighborhoods that are surrounding this -- your school.

And you are doing some great work out there.

For that, I appreciate what you're doing.

I am in support of this.

I'm also in support of the broader discussion that really should be had in the education

subcommittee or a policy session.

>> S. DiCiccio: Mayor?

>> Mayor Stanton: I don't think anyone is questioning taking action today.

Councilman DiCiccio.

>> S. DiCiccio: I'm glad we are talking about traffic because the two schools in my district that had the most significant concerns were public schools.

They were run by the education establishment.

Every school is going to have traffic issues in there.

So whatever rules you're going to impose on the small charter schools, the private charter schools, you ought to be looking at all schools together when it comes to traffic flow.

We had -- part of the Madison school district, it was just hundreds of people were turning out.

They were concerned about the traffic flow there.

Same thing occurs.

It is not exclusive to the private schools at all.

It is across the board because whenever you have a flow of children we know they are all there at one time or one set of time and then they all leave at one time and that's when the traffic occurs in one time.

These private charter schools have been a fantastic investment for the City of Phoenix.

I believe we put in over \$300 million or close to that.

I don't have the numbers in front of me, but pretty close to that.

I think more than any other city in the country, probably even more than any other state in the country that has had this kind of investment and the fact that they have been a good investment in financial terms to the city, but it is also a true investment in parental choice.

That is where the City of Phoenix has been leading.

We have led on choice.

Parents are able to pick what's best for their children.

That's what this is about.

That's what this debate is about, whether or not myself or others are allowed to make the choice of where we want to take our children, to have those alternatives and bring in those good schools across the board.

Not all charter schools are good, and neither are all public schools.

But the competition is what brings in the level of quality that parents deserve to have for their children.

What I would like to see and what I'm glad is happening here with Pioneer, is this is a small school.

In the past, we have seen Basis and Great Hearts and other large organizations that I think are fantastic and I'm very close to their boards get the money.

But at the same time, it is nice to see the smaller schools be able to compete and get the dollars in there.

So I want to give a lot of credit to the IDA for picking these smaller schools and also see whatever quality schools are able to fund.

Again, this is a great move for the City of Phoenix.

It is a great investment for the City of Phoenix.  
And it is a huge investment in school choice.  
Thank you, Mayor.

>> Mayor Stanton: All right.

Thank you very much.

Obviously the difference, Councilman, is the city doesn't have any control over the public schools in this regard.

We are talking about individual cases that would come before the IDA and be recommended for IDA funding, whether we would request that before we grant support for those funding that they meet with the various professionals within the city from streets department, neighborhood services to make sure we are not creating any traffic issues, and/or neighborhood issues before we provide that IDA funding.

Obviously, there is a different relationship between the charter schools seeking IDA funding and traditional public schools.

>> S. DiCiccio: Sorry, Mayor.

You can't single out the private charter schools.

You can't single them out and saying they are the bad ones because they are not.

The two in my district that created problems are public schools.

If we will have rules on private charter schools, then we need to have guidelines for other schools.

You can't basically pull them out of the mix and say we will treat you differently.

The city has done a fantastic job when it comes to these investments.

And I got to give lot of credit to the IDA board for doing this.

They literally done what others could not have done even in bad times.

They have gotten a return on their dollars.

They have been conservative investments.

At the same time, we cannot treat these guys differently.

It is just not fair.

>> Mayor Stanton: Okay.

Anything else?

Councilman Pastor.

>> L. Pastor: Councilman DiCiccio, I hear your concern and we will look at it both for public and private.

>> S. DiCiccio: Thank you.

>> Mayor Stanton: Okay.

That's great.

From a traditional public school, I don't think we are legally allowed to.

I don't want to leave a false impression what we might be able to do.

The ones we are able to work with are the ones seeking IDA funding.

Okay.

So the motion is in favor of 98 and a second with a request that we have this item before the education subcommittee about developing a policy moving forward on support for schools through the IDA.

So that is part of the motion.

Roll-call.



>> Clerk: DiCiccio.  
>> S. DiCiccio: Yes.  
>> Clerk: Gallego.  
>> K. Gallego: [ inaudible ]  
>> Clerk: Gates.  
>> B. Gates: Yes.  
>> Clerk: Nowakowski.  
>> M. Nowakowski: Yes.  
>> Clerk: Pastor.  
>> L. Pastor: Yes.  
>> Clerk: Valenzuela.  
>> D. Valenzuela: [ inaudible ]  
>> Clerk: Waring.  
>> J. Waring: Yes.  
>> Clerk: Mayor Stanton.  
>> Mayor Stanton: Yes next item.  
Vice mayor.  
>> J. Waring: Move approval 104 to 115 holding out 106, 107 and 108 and 105.  
>> Second.  
>> Mayor Stanton: Motion and a second.  
All in favor say aye.  
[ Chorus of ayes ]  
Opposed?  
Passes unanimously.  
>> J. Waring: Move approval 105.  
>> B. Gates: Second.  
>> Mayor Stanton: This is the proposal for the Phoenix to adopt an open data policy.  
Any cards on Item 105?  
Any comments by members of this council?  
Councilman Gates.  
>> B. Gates: Yes, Mayor.  
Excited about this I'm through our subcommittee.  
This will allow for additional innovation in our community for opportunities for app developers that will take advantage of an open data policy.  
I will not name names of any companies that might, you know, come about but I think there are additional economic development opportunities here as well as there has been a lot of talk about transparency today.  
And making public records more available in a quicker format to our community.  
>> Mayor Stanton: Thank you very much.  
We are just getting started if this passes.  
Adopting a philosophy of the council, if this is passed today, that data collected by the city is open.  
By default, it is open.  
There may be certain items that have proprietary information, that will not be made open.

Other than that, we are going to actively work to make sure that data is open.  
On the issue of open data, I work with Mayors around the country, this is an area where Phoenix is behind on.

Many other Mayors and cities have advanced open data policies and they are working very closely with the tech/hacker community to come up with business opportunities associated with that data.

I know in addition to passing open data policy, our city manager is working with the professional city staff to start getting datasets out there even if it is not in the most presentable form.

That's okay.

Get it out there as quickly as possible.

Let people who might be able to take advantage, bring to us bring ideas about what we can do with that information or, in fact, create business opportunities for themselves.

The whole idea is when government collects data, it's public and should be accessible to the public and even potentially profitable to the public.

And that is a great great thing.

Phoenix is taking an important first step with adoption of this open data policy but great things are yet to come in terms of providing this information to the public.

We will be doing a hack-a-thon innovation where we present the datasets and let the tech community have it.

Any other comments by members of this council?

All in favor say aye.

[ Chorus of ayes ]

Any opposed?

Passes unanimously.

Item 106, can I get a motion on the public art project plan.

>> L. Pastor: Move approval for item 106.

>> Mayor Stanton: Motion.

Do we have a second?

Any comments?

All in favor say aye.

[ Chorus of ayes ]

Opposed?

>> J. Waring: No.

>> Mayor Stanton: Passes 7-1 vote.

>> J. Waring: 107-108 potential conflict.

>> K. Gallego: Potential conflict.

>> Mayor Stanton: Motion and a second.

Councilwoman Gallego will not be participating on these items.

All in favor say aye.

[ Chorus of ayes ]

Any opposed?

Passes on a 7-0 vote.

Are there any further items on our regular agenda?

116 on planning and zoning.

On the planning and zoning agenda, we have one item which is a proposed rezoning of 44th street and Palm Lane in district 8.

Councilman, do you want a staff presentation on the proposal or do you want to go right to cards or put a motion on the table?

>> K. Gallego: I would like to make a motion to deny as filed and approve R2 from the memo dated July 2nd and adopt the related ordinance.

>> L. Pastor: Second.

>> Mayor Stanton: I do have cards.

Do I need a public hearing on that?

I do not have that on my -- 116.

I don't on mine.

>> L. Pastor: It is a public hearing.

>> Mayor Stanton: Item 1106, we have to do it in the form of a public hearing.

Noting the Councilwoman's recommended motion, we will open the public hearing and take testimony on that recommendation.

Whitney bell, do you wish to provide testimony?

You don't have to.

You are in favor.

Do you want to provide testimony or -- if you would like to, you may up to two minutes, either come to the table or over to the side.

Thank you very much.

>> Doug Whitney Bell, East Missouri Avenue, Doug Whitney Bell Architects.

This project has gone through the process of review with the various stages and we're very happy to say that it has staff recommendation of approval.

The East Camelback Village recommendation of approval and the Planning Commission recommendation of approval.

At this point, there have been several adjustments to it.

We have worked with the neighbors extensively.

Had two neighborhood meetings, three mailings, phone calls, contacts and so on.

It is in the form that it's in right now, 63 townhouse units.

They are good sized, about 1650 square feet to 1720.

Each one has a two-car garage.

It is a nice residential development.

We have had a traffic study done.

The traffic engineer is present if you have any questions on that.

I would say that there is one neighborhood concern of safety for children walking along Palm Lane.

They go down into the intersection of 44th street and Palm Lane and they cross over to the east to the school over there.

And we have done some things to address this.

We will remove the existing sidewalk and set it back with a landscape strip separating the sidewalk from the street.

And we're also going to request a 300-foot distance of no parking from the intersection of 44th Street and Palm Lane.

If you have any questions, I'm happy to answer them.

>> Mayor Stanton: So you are supporting the Councilwoman's motion?

Thank you.

Next speaker will be not wishing to speak but in favor, Stacy Hinky representing Rancho Venturo.

Thank you for coming.

>> K. Gallego: The neighborhood did provide a letter of support.

We will put that in the record.

Thank you for the letter.

>> Mayor Stanton: Doreen Gone, do you wish to provide testimony?

You are opposed to the recommendation from the Councilwoman?

>> No, not from Stacy.

Okay.

>> Mayor Stanton: Good to see you.

>> My concern is from day one, it is Griffin school.

It holds 800 students.

Regardless of what they are telling me or saying in studies done, it is not done when the school is there, I mean, when the children are in school.

I have a letter from the superintendent, and I can forward that letter to you guys.

And I also spoke to Don Cross about the safety again of the children because one fatality is too much for any of us.

So Mr. Cross suggested that, you know, the city would approve a ladder for the crossing for the children.

But I'm asking the developer in good standing and they acquired the property a year ago.

So they knew the Griffin school was there, no questions about it.

And Stacy is talking about an issue she has never been involved with the school or the neighborhood.

So I want to make that clear.

The other thing is, we would like flashing lights to be put there again by the developer because, again, there's children walking to school and they don't have the support of two parents.

They are our future, and we have to take care of them.

And we have to make sure that the safety there, down the street at Arcadia Cove is 436 apartments.

I've gone to them.

And the other stipulation I would like to see, to make sure that the developer in 1996, these apartments were supposed to be R2.

It was approved by the city council.

They ended up being R3.

So I want to make sure all loopholes are tied up today because, again, I do not trust the developer.

If he's going to build R2, go ahead and build R2.

But we want to make sure nothing else comes in and, again, the safety of the children is very important to the neighbors.

>> Mayor Stanton: Thank you so much.

>> Thank you.

>> Mayor Stanton: Thank you for taking time to come down and your patience for a long meeting.

>> Thank you.

>> Mayor Stanton: Councilwoman has made a motion which includes some changes. Could you read the motion one more time.

I apologize.

>> K. Gallego: Motion to deny as filed and approve R2 per the memo from Alan Stephenson dated July 2nd, 2014 and adopt the related ordinance.

So this would make an additional -- create a transit pad which deals with some of the concerns for people using public safety -- or public transit in the area that we received from the residents.

>> Mayor Stanton: We had a motion.

I wanted to reread so we better understood in light of the testimony.

Any additional comments by members of this council?

Councilwoman?

>> L. Pastor: I have additional comments.

Alan, regarding the safety of the children, is there -- is there a HAWK near there?

She was talking about the flashing lights.

Is it regarding the HAWK or is it just putting flashing lights when they are crossing?

>> A. Stephenson: Mayor, Councilwoman Pastor, there is a traffic light at 44th Street and Palm Lane and the kids are walking from the westside of Palm Lane to the school on the east side.

They are able to use the traffic light.

I think she is just concerned about some additional safety measures to make it safe to walk across 44th Street.

>> L. Pastor: It is possible to add additional measures to that?

Safety measures?

>> A. Stephenson: We would have to talk to the street transportation department and get them to weigh in on that.

I don't know that there's any concerns directly related to it.

I would ask the applicant's traffic engineer to come up because I think he has had some discussions related to that with the streets department.

>> Mayor Stanton: Come forward if you have a quick comment.

>> I have.

I spoke to Don Cross and again he said about the ladder, that the city could do.

But he said to the developer, because they acquired this property a year ago.

There were children about this high walking to school.

So the developer should fund that, not the taxpayers because they knew.

And that would be good faith -- you know, for the developer and their team to show the due care about the children in the community.

>> Mayor Stanton: Thank you very much for your testimony.

Councilwoman, do you have anything else in addition?

>> Mayor, Councilwoman Pastor, certainly we can work with the development and working with planning and development with regards to how that's going to be

evaluated.

Right now we don't see any concerns at this point.

But certainly we can work with our school safety coordinator and working with the school in doing proper training for their folks that are going to be coming to the school. So that we could offer up and make sure we are working with the community there and the school.

>> L. Pastor: Okay.

Just me as an educator and 44th Street as busy as it is, I believe the school is right on the westside as you try to go off onto the freeway.

Am I getting this correctly?

>> The school is just north of McDowell, it is about a quarter mile north of McDowell.

>> L. Pastor: I'm aware of the school in that environment and the crossing of those students.

So my concern is the safety of the children.

And if Councilwoman Gallego would attain the fact that the development community and our transportation and traffic or streets and planning come together of making sure that the safety of the children is there, can we do that?

>> K. Gallego: We did -- we spent -- we looked at maybe six different configurations of the traffic patterns around this and staff's recommendation was that this current was the safest in part because there is a full light at palm.

There was -- we did look at Coronado is the street to the south.

It could have had an exit as well.

And staff felt strongly that this configuration was safer, especially for students.

Maybe I should not be a traffic engineer, if you want to add to that.

>> You are correct.

>> L. Pastor: I just wanted to know only because I received letters in the office and wanted to make sure that this was cleared up.

Okay.

>> Mayor Stanton: Thank you very much.

So we have a motion.

We have a second assuming the vote -- we have to close the public hearing.

Before we do that, we have to officially close the public hearing.

We already gave the motion.

We don't have to give it again, do we?

Okay.

I just want to say thank you for your good work to the Councilwoman.

This parcel has been the subject of a lot of hot activity and referendums, et cetera and may not make everybody 100% happy.

This is a pretty good ending to a situation that could have been a lot worse if other things had gone there years ago.

I want to congratulate everyone involved.

Roll-call.

>> K. Gallego: Thank you to staff and the applicant in the neighborhoods because there was a lot of work on this to get to where we are today.

Thank you.

>> Mayor Stanton: Roll-call.

>> Clerk: DiCiccio.

>> S. DiCiccio: Yes.

>> Clerk: Gallego.

>> K. Gallego: Yes.

>> Clerk: Gates.

>> B. Gates: Yes.

>> Clerk: Nowakowski.

>> M. Nowakowski: Yes.

>> Clerk: Pastor.

>> L. Pastor: Yes.

>> Clerk: Valenzuela.

>> D. Valenzuela: Yes.

>> Clerk: Waring.

>> J. Waring: Yes.

>> Clerk: Mayor Stanton.

>> Mayor Stanton: Yes.

There be no further business before this city council, this meeting is adjourned.

Let's go.

Thank you.