172255

City of Phoenix

Minutes

Meeting Location:
City Council Chambers
200 W. Jefferson St.
Phoenix, Arizona 85003

City Council Formal Meeting

Wednesday, February 7, 2018 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Feb. 7, 2018 at 2:34 p.m. in the Council Chambers.

Present: 9 - Councilman Sal DiCiccio, Councilman Michael Nowakowski, Councilwoman Debra Stark, Councilman Daniel Valenzuela, Councilman Jim Waring, Councilwoman Thelda Williams, Councilwoman Kate Gallego, Vice Mayor Laura Pastor and Mayor Greg Stanton

Vice Mayor Pastor entered the Chambers and joined the voting body during Citizen Comments held at the beginning of the meeting. Councilman Valenzuela entered the Chambers and joined the voting body during Citizen Comments held at the beginning of the meeting and left during Citizen Comments held at the end of the meeting. Councilwoman Williams joined the voting body via telephone during Citizen Comments and disconnected during Citizen Comments held at the end of the meeting. Councilman DiCiccio left the Chambers during Item 53, but remained part of the voting body via telephone during Item 53.

Mayor Stanton acknowledged the presence of Marleny Orellana, a Spanish interpreter. In Spanish, Ms. Orellana announced her availability to the audience.

CITIZEN COMMENTS

Carlos Garcia submitted a petition requesting the City outlaw police officers to have use of non-lethal chemical weapons at protests and large community events.

DiDi Hernandez submitted a petition requesting the use of city funds for

buildings and staffing resources be outlawed for any future visits from President Trump.

Note: Vice Mayor Pastor and Councilman Valenzuela joined the voting body.

Dee Dee Blase appreciated the Mayor's zero tolerance policy on sexual harrasment, as well as Councilwoman Gallego's support for the zero tolerance policy. She supported Lydia Hernandez's petition to have Dwight Amery removed from the Planning Commission and asked the Council to look into the City's sexual harrasment policies. She wanted the Council to look into the Phoenix Police Department's sexual harrasment policies.

Note: Councilwoman Williams joined the voting body by telephone.

Councilman Nowakowski requested that Council receive information if there was a commissioner on a village planning committee abusing another commissioner during a village meeting.

City Attorney Brad Holm replied that the item could not be discussed because it was not an agendized item but that they would look into it. Council had authority to take action against members of boards and commissions.

Councilman Valenzuela stated that the board member in question had resigned from all boards and commissions he had held or was currently holding with the City of Phoenix.

Marcelle Costello submitted a petition regarding the Ethics Commission nomination process and requested a public response.

Lydia Hernandez spoke about the zero tolerance on sexual harrasment policy brought forward by Councilwoman Gallego. She commended Councilwoman Gallego for her leadership on the issue, and also commended Counciman Valenzuela for adding language to include members of boards and commissions. She also requested the removal of Dwight Amery from the Maryvale Planning Chair position.

MINUTES OF MEETINGS

1 ***REVISED ITEM (SEE ATTACHED MEMO)* For Approval or**

Correction, the Minutes of the Formal Meeting on Jan. 10, 2018

Summary

This item transmits the minutes of the Formal Meeting of Jan. 10, 2018, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

A motion was made by Councilwoman Stark, seconded by Vice Mayor Pastor, that this item be approved. The motion carried by voice vote:

Yes: 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 0

2 **For Approval or Correction, the Minutes of the Formal Meeting on Dec. 13, 2017**

Summary

This item transmits the minutes of the Formal Meeting of Dec. 13, 2017, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

A motion was made by Councilwoman Williams, seconded by Vice Mayor Pastor, that this item be approved. The motion carried by voice vote:

Yes: 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 0

3 **For Approval or Correction, the Minutes of the Special Meeting on Dec. 20, 2017**

Summary

This item transmits the minutes of the Special Meeting of Dec. 20, 2017, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

A motion was made by Councilman Waring, seconded by Councilwoman Gallego, that this item be continued to the Feb. 21, 2018 City Council Formal Meeting. The motion carried by voice vote:

Yes: 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 0

BOARDS AND COMMISSIONS

4 Mayor's Appointments to Boards and Commissions

Summary

This item transmits the Mayor's recommendations for appointments and reappointments to various city boards and commissions.

The following individuals were recommended for appointment//reappointment by Mayor Stanton:

Environmental Quality and Sustainability Commission

Appoint Colin Tetreault, serving as Chair, for a one-year term to expire February 7, 2019

Appoint Elyse Guidas, serving as Vice Chair, for a one-year term to expire February 7, 2019

Appoint Lesley Forst, for a first term to expire on February 7, 2021

Appoint Jennifer Walton, for a first term to expire on February 7, 2021

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that Item 4 be approved, and Item 5 be withdrawn. The motion carried by voice vote:

Yes: 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 0

5 **(CONTINUED FROM JAN. 24, 2018) - Mayor's Appointments to Boards and Commissions**

Summary

This item transmits the Mayor's recommendations for appointments to the Ethics Commission that were continued from the Jan. 24, 2018 Formal Meeting. At the request of Mayor Stanton, this item is being withdrawn.

This item was withdrawn.

Mayor Stanton administered the oath of office to the following appointees:

Colin Tetreault
Elyse Guidas
Lesley Forrst
Betsy Buxer
Alex Navidad

The above individuals were invited to approach the dias, so Council could extend their appreciation.

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

The Mayor requested a motion on liquor licence items. A motion was made, as appears below.

Note: Speaker comment cards were submitted in favor of the following items, with no one wishing to speak:

Derrick Westrick - Applicant - Item 9
Anthony Canecchia - Applicant - Item 10
Camila Alarcon - Items 10 and 11

Danny J. Quinn - Applicant - Item 12
Shamoon Yousif - Applicant - Item 19

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Gallego, that Items 6-20 be recommended for approval, except Items 13 and 20. The motion carried by the following voice vote:

Yes: 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 0

6 Liquor License - West Coasts Petroleum LLC

Request for a liquor license. Arizona State License 10076956.

Summary

Applicant
Felicity Heron, Agent

License Type
Series 10 - Beer and Wine Store

Location
1602 E. Bell Road
Zoning Classification: C-2
Council District: 3

This request is for a new liquor license for a convenience store that sells gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 13, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application

is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a responsible, law abiding citizen and member of the larger community. I value the integrity of the operation of this business. I also take genuine concern and care for the safety, health & well well being of our employees and customers."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It is my intention to uphold, a also require all employees to uphold, all laws especially those regarding alcohol & liquor as they are in the best interest of the business and were put in place with the highest regards to the safety, health, & well-being of the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - West Coasts Petroleum LLC
Liquor License Map - West Coasts Petroleum LLC

This item was recommended for approval.

7 Liquor License - ARCO AM/PM Mini Mart

Request for a liquor license. Arizona State License 10076606.

Summary

Applicant
Amarjyot Kohli, Agent

License Type
Series 10 - Beer and Wine Store

Location
2341 W. Bethany Home Road
Zoning Classification: C-2
Council District: 4

This request is for an acquisition of control of an existing liquor license for a convenience store that sells gas. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Feb. 16, 2018.

Pursuant to A.R.S. 4-203, consideration should be given only to the applicant's personal qualifications.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant’s Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“I have been operating this business, including beer & wine retail sales since 2014.”

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

8 Liquor License - Mariscos el Vuelve

Request for a liquor license. Arizona State License 1207B255.

Summary

Applicant
Mark Gonzalez, Agent

License Type
Series 12 - Restaurant

Location
2915 N. 43rd Ave.
Zoning Classification: C-2
Council District: 4

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 13, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application

is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I hold a Undergraduate Degree and Masters in Education plus I have always worked in the retail and restaurant industry on and off for over (10) ten years. My family has owned and operated restaurants in Arizona and I know the business thoroughly from cooking to payroll. I feel comfortable owning and operating the business successfully based on my education and experience in this industry."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The restaurant will operate accordingly in providing quality food while operating professionally and providing jobs for the community. There is sufficient parking so traffic and parking will not be an issue within the neighborhood."

Staff Recommendation

Staff recommends approval of this application.

Attachments
Liquor License Data - Mariscos el Vuelve
Liquor License Map - Mariscos el Vuelve

This item was recommended for approval.

9 Liquor License - Villa de Paz Golf Course

Request for a liquor license. Arizona State License 07070422.

Summary

Applicant
Derrick Westrick, Agent

License Type
Series 7 - Beer and Wine Bar

Location
4220 N. 103rd Ave.
Zoning Classification: R-3A PRD
Council District: 5

This request is for an ownership transfer of a liquor license for a golf course. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 19, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in

use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Previous experience in business administration."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Continue serving alcohol for golf course customers."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Villa de Paz Golf Course
Liquor License Map - Villa de Paz Golf Course

This item was recommended for approval.

10 Liquor License - San Tan Brewing Company

Request for a liquor license. Arizona State License 01073053.

Summary

Applicant

Anthony Canecchia, Agent

License Type
Series 1 - In State Producer

Location
1525 E. Bethany Home Road
Zoning Classification: PSC
Council District: 6

This request is for a new liquor license for a beer producer/restaurant. This location was not previously licensed for liquor sales with a Series 1 - In State Producer license and does not have a related interim permit. At this time beer production is not an allowed zoning use at this location.

The 60-day limit for processing this application is Feb. 13, 2018.

Pursuant to A.R.S. 4-203, consideration should be given only to the applicant's personal qualifications.

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

San Tan Brewing Company (Series 1)
495 E. Warner Road, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

San Tan Brewing Company (Series 12 & Series 3)
8 S. San Marcos Place, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"The Applicant's members have significant experience operating establishments with liquor licenses for over ten years. Applicant's members currently hold three other licenses: a Series 1, a Series 3, and a Series 12 in Chandler. Applicant will continue to follow all Arizona liquor laws and regulations and will ensure proper training of managers and staff on the same."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Applicant plans to open a second location of San Tan Brewing Company, a restaurant and brewery, on Bethany Home Road and 16th Street. It will complement the other establishments currently operating in the vicinity, and will provide an additional dining and craft beer option to the surrounding community."

Staff Recommendation

Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

This item was recommended for approval.

11 Liquor License - San Tan Brewing Company

Request for a liquor license. Arizona State License 1207B253.

Summary

Applicant

Anthony Canecchia, Agent

License Type
Series 12 - Restaurant

Location
1525 E. Bethany Home Road
Zoning Classification: PSC
Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales with a Series 12 - Restaurant license and may currently operate as a restaurant with an interim permit.

The 60-day limit for processing this application is Feb. 13, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

San Tan Brewing Company (Series 1)
495 E. Warner Road, Chandler

Calls for police service: N/A - not in Phoenix
Liquor license violations: None

San Tan Brewing Company (Series 12 & Series 3)
8 S. San Marcos Place, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"The Applicant's members have significant experience operating establishments with liquor licenses for over ten years. Applicant's members currently hold three other licenses: a Series 1, a Series 3, and a Series 12 in Chandler. Applicant will continue to follow all Arizona liquor laws and regulations and will ensure proper training of managers and staff on the same."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Applicant plans to open a second location of San Tan Brewing Company, a restaurant and brewery, on Bethany Home Road and 16th Street. It will complement the other establishments currently operating in the vicinity, and will provide an additional dining and craft beer option to the surrounding community."

Staff Recommendation
Staff recommends approval of this application.

Attachments

Liquor License Data - San Tan Brewing Company
Liquor License Map - San Tan Brewing Company

This item was recommended for approval.

12 Liquor License - Pubblico Italian Eatery

Request for a liquor license. Arizona State License 1207B258.

Summary

Applicant
Danny Quinn, Agent

License Type
Series 12 - Restaurant

Location
5813 N. 7th St., Ste. 150
Zoning Classification: C-2
Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 16, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been in the restaurant business for over 10 years and have been either a general manager of the director of operations for the past 7 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I will follow all rules and regulations to ensure that the patrons of the restaurant and the surrounding community are safe."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Pubblico Italian Eatery
Liquor License Map - Pubblico Italian Eatery

This item was recommended for approval.

14 Liquor License - The Larder & The Delta

Request for a liquor license. Arizona State License 1207B256.

Summary

Applicant
Stephen Jones

License Type
Series 12 - Restaurant

Location
200 W. Portland St., #101
Zoning Classification: DTC-East Roosevelt RNSPD
Council District: 7

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor liquor service. This business is currently under construction with plans to open in April 2018.

The 60-day limit for processing this application is Feb. 13, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“I am an honest fair and a trustworthy business operator in the City of Phoenix and fully support the downtown community.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“The Larder & The Delta ownership and staff will follow all liquor laws locally and throughout the State.”

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - The Larder & The Delta
Liquor License Map - The Larder & The Delta

This item was recommended for approval.

15 Liquor License - Special Event - Alwun House Foundation

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Dana Johnson

Location
1204 E. Roosevelt St.
Council District: 8

Function
Art Exhibit

Date(s) - Time(s) / Expected Attendance
Feb. 16, 2018 - 7 p.m. to 1 a.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

16 Liquor License - Special Event - St. Agnes Roman Catholic Parish Phoenix

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Natalie Soto

Location
1954 N. 24th St.
Council District: 8

Function
Festival

Date(s) - Time(s) / Expected Attendance
March 3, 2018 - Noon to 10 p.m. / 1,000 attendees
March 4, 2018 - 10 a.m. to 10 p.m. / 1,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

17 Liquor License - 7-Eleven #27401B

Request for a liquor license. Arizona State License 10076660.

Summary

Applicant
Zaw Tun, Agent

License Type
Series 10 - Beer and Wine Store

Location
4748 E. Van Buren St.
Zoning Classification: C-3
Council District: 8

This request is for an acquisition of control of an existing liquor license for a convenience store that does not sell gas. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Feb.19, 2018.

Pursuant to A.R.S. 4-203, consideration should be given only to the applicant's personal qualifications.

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

7-Eleven #21821B (Series 10)
815 S. Alma School Road, Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant’s Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are

shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"N/A - This filing is an Acquisition of Control. The same successful business model will be utilized while this Franchisee continues operation of this business."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

18 Liquor License - Thomas C Store Beer Wine & Groceries

Request for a liquor license. Arizona State License 10076958.

Summary

Applicant
Rani Shaba, Agent

License Type
Series 10 - Beer and Wine Store

Location
2843 N. 24th St.
Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 19, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the

application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Gary's Liquor (Series 9)
2131 N. 24th St., Phoenix
Calls for police service: 6
Liquor license violations: None

Public Opinion
One letter supporting the issuance of this license has been received and is on file in the Office of the City Clerk. The letter is from the Greater Green Gables Neighborhood Association. They appreciate the fact the applicant has improved the interior and exterior appearance of another convenience store in the area owned by the applicant. That location is welcoming, well lit, clean and safe. They believe the applicant will have the same positive impact at this new location. They feel the applicant is an asset to the neighborhood and support the issuance of this license.

Applicant’s Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“I manage Gary's Liquor over 14 months now. I train all my employees to

follow the liquor laws and rules. I've had no problems since."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "1) Add jobs to the community. 2) Offer wide variety of fine wine & craft beer."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Thomas C Store Beer Wine & Groceries
Liquor License Map - Thomas C Store Beer Wine & Groceries

This item was recommended for approval.

19 Liquor License - W. Y. Market

Request for a liquor license. Arizona State License 10076954.

Summary

Applicant
Shamoon Yousif, Agent

License Type
Series 10 - Beer and Wine Store

Location
1819 W. Buckeye Road
Zoning Classification: C-3 CCSIOD
Council District: 8

This request is for a new liquor license for a convenience market. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of

the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Pop N' Bottles Drive Thru Liquor (Series 9)
1620 W. Buckeye Road, Phoenix
Calls for police service: 13
Liquor license violations: In January 2004, a fine of $625 was paid for failure to request ID from an underage buyer and for selling, giving or furnishing an underage person with alcohol.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I am committed to upholding the highest standards for alcohol sales. I will not only be fully alert & aware to all alcohol transactions but my

managers & staff will also be trained in legal & responsible sales."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "A license at this location will offer a safe & convenient way for purchase of alcoholic beverages."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - W.Y. Market
Liquor License Map - W.Y. Market

This item was recommended for approval.

13 Liquor License - Provision Coffee Bar

Request for a liquor license. Arizona State License 1207B263.

Summary

Applicant
Daniel Suh, Agent

License Type
Series 12 - Restaurant

Location
4501 N. 32nd St.
Zoning Classification: C-1
Council District: 6

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining, outdoor alcohol service, and sales of alcoholic beverages. This business is currently under construction with plans to open in March 2018.

The 60-day limit for processing this application is Feb. 17, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Provision Coffee Bar (Series 7)
2100 S. Gilbert Road, #22, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

One letter protesting the issuance of this license has been received and is on file in the Office of the City Clerk. The letter is from a local residence that is concerned with the potential impact this liquor license and business may have on their home and neighborhood. They are concerned with potential increased traffic, noise, and trash in the area. Additionally, they are concerned with the proposed location's proximity to schools in the area. They believe there are sufficient liquor licenses in the area and do not support the issuance of this license.

Applicant’s Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“I currently manage and own a coffee, wine, & beer bar in Chandler for nearly 3 years and have several years of food & beverage experience. I have never been in trouble with the law and I take the responsibility to public safety seriously. I have taken all the required certifications to serve and manage and taken proactive steps to properly document and train our staff on responsible serving.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“We are offering a safe space for the community to interact and drink high quality coffee and alcoholic beverages. Local patrons enjoy the ability to have community meetings, study, or meet friends and family while having food and drinks that focus on sustainable business practices. Our mission statement is to "build community" and we are passionate in that aim to advocate positive community interaction and provide a forum for communication.”

Staff Recommendation
Staff gave careful consideration to the protest letter received, however after reviewing the application in its entirety staff is recommending approval of this application. Staff also notes the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Provision Coffee Bar
Liquor License Map - Provision Coffee Bar

Discussion
A motion was made and seconded to approve Item 13.

Lavona Buttrum, a resident in the neighborhood had been fighting this establishment for 25 years because it had been disruptive ever since it

started. She mentioned that there was no street that went through that area, and as a result it caused more traffic in her area which concerned her with the children and pets around the neighborhood. She stated that because of the patio facing their backyards, there would be music and noise going on during the late evening. She thought it was interesting that a sign was put up informing the residents over the holidays when people went out of town. She suggested the applicant look into a more limited liquor license.

Maura Cordova was opposed to this liquor license because she questioned why this establishment needed a liquor license when it was known for their coffee. She met with a group of neighbors as well as the applicant. She mentioned that although the applicant was keeping the community in mind with this application, the problem might arise where more establishments would have looked for similar liquor licenses and that caused her concern with the schools in the area. She does not want any more liquor licenses being approved in her neighborhood, and wanted the Council to consider the long-term effects of this liquor license being approved.

Councilwoman Stark asked if the applicant had filed for a use permit for the outdoor patio with it being close to the neighborhood?

Management Assistant II Denise Archibald answered the Councilwoman's question by saying at the time of the report, the applicant had not submitted an application for zoning.

Daniel Suh, the applicant, clarified he did have a concurrent application with the Planning and Zoning Department and that there was a hearing scheduled later in the month.

Councilwoman Stark questioned if the hours of operation could be limited, and mentioned that the neighborhood should be involved in the process.

Mr. Suh mentioned that he submitted a letter to Councilman DiCiccio about his business, outlining it was primarily a coffee business and that the liquor license was restrictive on the type of alcohol he sold. Mr. Suh

said he has a beer and wine license at another location, but it only represented 15 percent of sales there. He talked about the meeting he had with the neighbors and that he would adhere to any standards or policies that the Zoning Board might have for his business because he wants to be a good neighbor.

Mayor Stanton asked why Mr. Suh had a series 7 liquor license in Gilbert, but applied for a Series 12 liquor license in Phoenix.

Mr. Suh responded he was not sure for that particular neighborhood that a Series 12 liquor license would work, so he opted to go with a Series 7 liquor license.

Mayor Stanton said he was still confused, because the neighbors in the new location would be more in favor of a Series 7 liquor license and asked City staff about the significant differences.

Ms. Archibald clarified a Series 7 liquor license was a bar license that restricted the sales to beer and wine, while a Series 12 liquor license was a restaurant license that required 40 percent food sales, but can allow the sale of any alcohol.

Councilman DiCiccio was concerned about hard alcohol specifically, but also would like them to be able to sell food. He mentioned that other projects throughout the City of Phoenix had gone through similar situations and could see this establishment doing the same after looking at all the options available. He added that he would like to see language put in the application addressing where the outdoor dining would be because he was concerned it could be too close to backyards in the neighborhood. He requested a two-week continuance on the item.

A substitute motion was made by Councilman DiCiccio, seconded by Vice Mayor Pastor, that this item be continued to the Feb. 21, 2018 City Council Formal Meeting. The motion carried by voice vote:

Yes: 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 0

20 Liquor License - Bernice Love Amvets Post #86

Request for a liquor license. Arizona State License 14073088.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 14 - Club

Location
3805 S. 16th St.
Zoning Classification: C-3 RSIOD
Council District: 8

This request is for a new liquor license for a private club. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 10, 2018.

Pursuant to A.R.S. 4-203, consideration should be given to the applicant's personal qualifications.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public

comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a veteran and I am a law abiding citizen as well. I have worked approx. 9 yrs in public schools to assist our youth and I am proud to be a charter member of this organization so we can assist others in need within our community. There have been private clubs in south Phoenix which have not abided by the law. As a security officer with the high school I respect the law and that is why I have decided to be a charter member and Sgt of Arms at this private club."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"There are very few veteran clubs open in the southern section of Phoenix for retired military. Many have closed down their operation due to poor management and / or deceased members. Those individuals who are charter members have attended certified liquor law training to ensure all laws are enforced by the staff and to identify over service and take proper action to protect the health and safety of AZ citizens. We as members also want to contribute to those families in need of assistance as we are a non-profit facility."

Staff Recommendation

Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on possible hidden ownership and affiliation to gang activity. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments

Liquor License Police Department Recommendation - Bernice Love Amvets Post #86

Discussion

Police Detective Jared Smart gave a brief background of what occurred at Bernice Love Amvets Post #96 over the past eighteen months such as fifteen calls for service, five fights, two shootings, and an aggravated assault. He mentioned this establishment had lost their charter during the past eighteen months. He talked about the primary applicant's history of bankruptcies and liens against him. Moreover, he made several attempts to contact Mr. Brookins with no success. Detective Smart reflected on a Dec. 28, 2017 meeting with the co-applicant, Mr. Washington, and mentioned that in the previous application for this establishment there was a hidden owner located out that Mr. Washington could not provide information. Detective Smart said he was able to locate social media posts that suggested this establishment was associated with gang activity, and that the hidden owner himself allowed that activity in the establishment. He stated based on the inforation he provided, he would not recommend this establishment be approved for a liquor license.

Leon Brookins mentioned he was never contacted by the City of Phoenix Police Department and his last bankruptcy was in 2005. He clairifed the establishment was not associated with gang activity and there was no hidden owner, rather that the hidden owner was a community volunteer. He talked about how he was trying to provide programs for the African American male veterans, and that there had not been any police activity since the application was submitted.

Councilwoman Gallego asked if the applicant gave her office a phone number to reach him?

Mr. Brookins responded the phone number was on the application and that he was not contacted by anyone.

Councilwoman Gallego asked the applicant if the Council were to continue this item, if he would be able to meet with her in the two week timeframe.

Mr. Brookins agreed to the continuance.

A motion was made by Councilwoman Gallego, seconded by Vice Mayor Pastor, that this item be continued to the Feb. 21, 2018 City

Council Formal Meeting. The motion carried by voice vote:

Yes: 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 0

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

Items 21-43, Ordinance S-44247 were requests to authorize the City Controller to disburse funds up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that Items 21-54 be approved or adopted, except Items 21, 24, 37, and 52-54. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 0

22 Action Target, Inc.

For $38,000.00 in payment authority for a new contract, entered on or about March 1, 2018, for a term of five years, to purchase replacement parts for the target turning system for the Police Department. The replacement parts are vital for the Training Bureau to provide regular maintenance and repairs to keep the target turning system working. In addition, it offers police officers various training methods to build skills to shoot and conduct firearms training. This equipment is a critical part of the Police Department's effort to provide life safety services to the public

and for use in critical incidents and complicated scenes.

This item was adopted.

23 Law Enforcement Targets, Inc., doing business as Action Target

For $75,000.00 in payment authority for a new contract, entered on or about March 1, 2018, for a term of five years, to purchase targets for the Police Department's Training Bureau. The targets are vital for the Training Bureau to be used to train police officers and recruits how to shoot targets with accuracy. In addition, it offers police officers various training methods to build skills to shoot and conduct safe firearms training. This equipment is a critical part of the Police Department's effort to provide life safety services to the public and for use in critical incidents and complicated scenes.

This item was adopted.

25 Hyland Software, Inc.

For $36,500.00 in payment authority to purchase SIRE software maintenance for the electronic document management system used by the Planning and Development Department (PDD). The SIRE document storage and access software is a critical component for the KIVA application system, which tracks PDD's permitting, plan review, and land information system and inspections.

This item was adopted.

26 Harris Corporation

For $65,700.00 in payment authority for the purchase of a two-year maintenance plan on existing Hailstorm UP-SRII and Harpoon surveillance equipment for the Police Department's Drug Enforcement Bureau Technical Surveillance Squad. The surveillance equipment is used to assist the Police Department on homicide investigations, arrest violent offenders and fugitives, and major drug investigations.

This item was adopted.

27 Salt River Valley Users' Association

For $130,000.00 in payment authority to purchase irrigation water during calendar year 2018 for the Parks and Recreation Department. The

irrigation water is needed to water plants, trees, shrubs and grass at various Parks and Recreation Department locations throughout the City.

This item was adopted.

28 State of Arizona, Office of the Auditor General

For $90,000.00 in payment authority for the state's annual Economic and Fiscal Impact Analysis Audit on the Phoenix Convention Center (PCC), conducted by HVS Convention Sports and Entertainment - Northstar (HVS-Northstar). Arizona's Office of the Auditor General contracts with HVS-Northstar on the yearly audit. It is required by Arizona Revised Statutes 9-626 to measure the effects of direct, indirect and induced economic activity of PCC to meet PCC's obligations to qualify for the state's payment for its debt service. This payment is for work completed in 2017 for the fiscal impact analysis on calendar year 2016 and for work to be completed in 2018 and 2019.

This item was adopted.

29 Various Vendors for Truck/Fleet Accessories and Installation Services

For $650,000.00 in additional payment authority to purchase parts and installation services for vehicle up-fitting for the Public Works Department. Additional funds are needed to continue to purchase parts, installation and complete the up-fit on the new vehicles purchased in FY 2017-2018. The up-fits consist of auxiliary lighting, tool boxes, bed liners, lift gates, bed covers, and any additional items or accessories necessary to allow city of Phoenix employees to properly and safely operate fleet equipment to perform their job duties.

Arizona Emergency Products, Inc., Contract 134994
Arizona Truck Center, Inc., doing business as Vanguard Truck Center of Phoenix, Contract 134993
Arizona Truck Pros, doing business as Hyper Customs, Contract 134988
Creative Communications Sales & Rentals, Inc., Contract 134996
Drake Equipment of Arizona, Inc., Contract 135000
LSH Lights, doing business as Kenco OR, LLC, doing business as LSHLights, Contract 134998
Quality Bumper Company, Inc., Contract 134991

Tom's Camperland, Inc., Contract 134997

This item was adopted.

30 Archaeological Consulting Services - Requirements Contract (Ordinance S-44250)

Request to authorize the City Manager, or his designee, to add additional funds to contracts with: Desert Archaeology, Inc., Archaeological Consulting Services, Inc., EcoPlan Associates, Jacobs Engineering, Logan Simpson Design, and URS Corporation, in the amount of $1,500,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

These contracts provide in-house archaeological consulting services on an as-needed basis, including but not limited to, monitoring, surveying and performing limited data analysis during discovery assignments. Consultants conduct investigations that evaluate or mitigate impacts to sensitive cultural resources resulting from a variety of City sponsored projects. In addition, the projects have different funding sources that require specific compliance procedures in order to meet City, state and federal archaeological policies and regulations. The additional funds reflect the increase usage in order to complete various projects for the Aviation, Neighborhood Services and Parks and Recreation departments.

Financial Impact

With the $1,500,000 in additional funds, the contracts' revised aggregate value is now $6,955,000 (including applicable taxes). Operating and Capital Improvement Program funding may be utilized.

Concurrence/Previous Council Action

The City Council approved these contracts on Aug. 29, 2012, with an original aggregate value of $5,000,000. Additional funding of $455,000 was approved by City Council on Dec. 7, 2016.

This item was adopted.

31 Marcive GPO Database Subscription and Shipping Services -

Requirements Contract - RFA 18-057 (Ordinance S-44251)

Request to authorize the City Manager, or his designee, to enter into a contract with Marcive, Inc., to provide Marcive GPO database subscription and shipping services for the Phoenix Public Library. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $47,350.

Summary
This contract will enable the Phoenix Public Library (PPL) to meet the Federal Depository Library Program's requirement to provide the public with timely access to government publications. PPL receives thousands of publications from the Government Printing Office (GPO) each year. The GPO database subscription extracts bibliographic records based on the PPL's GPO item number profile. The shipping list services work in tandem with the GPO database and generates printed labels with SuDoc numbers and barcodes for each document.

This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing that the database subscription and services are proprietary. The Deputy Finance Director recommends the contract with Marcive Inc., be accepted.

Contract Term
The five-year contract term shall begin on or about Feb. 7, 2018.

Financial Impact
The aggregate contract value will not exceed $47,350 (including applicable taxes) with the anticipated annual expenditure of $9,470. Funds are available in the Phoenix Public Library budget.

This item was adopted.

32 Wireless Intelligent Transportation System Hardware, Software

and Services - RFA 12-013 (Ordinance S-44254)

Request to authorize the City Manager, or his designee, to extend Contract 132635 with L4 Technologies, LLC and to authorize additional expenditures in an amount of $1,000,000 for wireless hardware, software and services. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
L4 Technologies, LLC provides Tropos hardware, software, parts and services for the Street Transportation Department's wireless Intelligent Transportation System (ITS). The ITS communications network is utilized to manage traffic. The purchase of additional wireless hardware, software and services are needed to replace aging equipment and to expand the wireless intelligent transportation network, including traffic signals. The services are essential as the equipment supports the communications network to the Traffic Management System, which includes 1,100 signalized intersections throughout the City of Phoenix.

This item has been reviewed and approved by the Information Technology Services Department.

Contract Term
This request will extend the contract up to 12 additional months on a month-to-month basis through Dec. 31, 2018. During this time, staff will finalize and issue the new procurement for these wireless hardware, software and services.

Financial Impact
With the $1,000,000 in additional funds, the contract's revised aggregate value is now $3,817,300 (including applicable taxes). Funds are available in the Street Transportation Department's operating budget.

Concurrence/Previous Council Action
This contract is the result of RFA 12-013 awarded by Formal Council Action on Jan. 4, 2012, with an original aggregate value of $810,000. The contract's value increased since its initial award and would now be at an

aggregate value of $3,817,300 with the additional amount.

This item was adopted.

33 Street Paving Emulsion Products - Requirements Contract IFB 18-125 (Ordinance S-44255)

Request to authorize the City Manager, or his designee, to enter into contracts with Musgrove Enterprise LLC, dba Seal Master Arizona, and Wright Asphalt Products Co. for the supply of paving emulsion products for the Street Transportation Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The two contracts will supply paving emulsion products. Asphalt emulsions are environmentally friendly, energy efficient and cost effective products used for paving and asphalt preservation. Street maintenance crews utilize emulsion products to pave, patch, repair and/or coat major, collector and local streets and parking lots citywide.

Procurement Information

IFB 18-125 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on Dec. 15, 2017. Attachment A shows the lowest-priced offers received.

The Deputy Finance Director recommends that the offers from Musgrove Enterprise LLC, dba Seal Master Arizona, and Wright Asphalt Products Co. be accepted as the lowest-priced, responsive and responsible offers.

Contract Term

The five-year term for each contract shall begin on or about Feb. 1, 2018.

Financial Impact

The aggregate value of each contract will not exceed $1,575,000, with a total estimated annual expenditure of $315,000 for each contract. Funds are available in the Street Transportation Department's budget.

This item was adopted.

34 Contracts for IT Research, Advisory and Consulting Services (Ordinance S-44256)

Request authorization for the City Manager, or his designee, to enter into contracts with multiple vendors to provide professional Information Technology (IT) research, advisory, and consulting services on an as-needed basis, for a total amount not to exceed $7.5 million over the life of the contracts. Further request authorization to agree in these contracts that notwithstanding Section 42-18 of the City Code, each vendor's aggregate liability with respect to liabilities arising out of their respective contract shall be limited to an amount equal to three times the value of the engagement. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Information Technology Services requests authorization for multiple contracts to be used on an as-needed basis to engage research, advisory and consulting firms for departments citywide. The City has a large and diverse technology environment, requiring continuous projects and initiatives to maintain operations and implement new technology solutions. IT research, advisory, and consulting services are often needed to provide the most current industry research, develop strategy, perform fit-gap and similar analysis, recommend process improvements, and perform pre-project planning. Historically, departments requiring IT research, advisory, or consulting services either released a solicitation, utilized the general IT Professional Services Qualified Vendor list, or used a firm from the State contract. Conducting all of these processes separately is time-consuming and limits the variety of firms involved. This request would significantly streamline the process by allowing firms to be selected from any one of the vendors listed below, while ensuring selection of the best candidate for each unique engagement.

Procurement Information

In December 2017, the Information Technology Services Department released a Request for Qualifications (RFQ) for qualified research, advisory, and consulting firms. The request included separate

qualifications for large and small firms, to provide opportunities for small firms for engagements estimated to be less than $150,000. Twenty-six firms responded to the RFQ. A panel consisting of staff from multiple departments reviewed responses and recommended the following vendors as having met the required qualifications.

Qualified for Small Engagements:
Cadenza, LLC
CISOSHARE
Dimension Systems, Inc.
Education, Leadership and Analytics, LLC
Gaea Global Technologies, Inc.
ISOutsource
Mission Critical Partners
OZ Engineering
Paradigm Solutions, LLC
Paramount Software Solutions, Inc.
Rishaank, LLC
Securance LLC
SeNet International Corporation
Sensi Project Solutions, Inc.
ServiceTec International, Inc.
The Evolvers Group, L. P

Qualified for Any Engagement:
Arcadis U.S., Inc.
Ernst & Young
Gartner, Inc.
IDC Research, Inc.
Public Consulting Group, Inc.
Slalom LLC
Timmons Group, Inc.
Zolon Tech, Inc.

Contract Term
The term will be for five years beginning on or about Feb. 8, 2018 and ending on or about Feb. 7, 2023.

Financial Impact

The contracts will be used on an as-needed basis, in an amount not to exceed $7.5 million for all contract years. The annual amount is expected to be $1.5 million, based on the estimated usage of contracted research, advisory, and consulting services. Funds are available in various departments' budgets.

This item was adopted.

35 Piestewa Peak Summit and Navajo Trailheads, Construction Manager at Risk Design Phase Services - PA75300231 (Ordinance S-44253)

Request to authorize the City Manager, or his designee, to enter into an agreement with Valley Rain Construction Corporation to provide Construction Manager at Risk (CMAR) Design Phase Services in support of the Piestewa Peak Summit and Navajo Trailheads project. The total amount will not exceed $72,834.24, with funding available in the Parks and Recreation Department Capital Improvement Program budget. Further request authorization to execute amendments to the contract as necessary within Council approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item.

Summary

Scope of work for this project includes major improvements to the Piestewa Peak Summit and Navajo trailheads, construction of an automotive and pedestrian precast concrete bridge connecting two trail parking lots, pavement and parking lot improvements throughout the park, demolition and improvements associated with new ramadas and restrooms, and construction of a new park ranger office.

Valley Rain Construction Corporation will begin in an agency support role for the CMAR Design Phase Services and then hold the construction contract with the City for the construction of the project. Services during the CMAR Design Phase Services may include, but are not limited to, providing detailed cost estimating and knowledge of marketplace conditions, project planning and scheduling, construction phasing and scheduling that will minimize interruption to the City, alternate systems

evaluation and constructability studies, and advising the City on ways to gain efficiencies in project delivery.

Procurement Information
Valley Rain Construction Corporation was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of firms until a contract has been awarded. Three firms submitted proposals and were ranked as follows:

Valley Rain Construction Corporation: Ranked 1
DNG Construction, LLC: Ranked 2
Hunter Contracting Co.: Ranked 3

Contract Term
The contract term for the CMAR Design Phase Services will be for eight months from the issuance of Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact
Valley Rain Construction Corporation's fee will not exceed $72,834.24, including all subcontractors and reimbursable costs. Funding is available in the Parks and Recreation Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Location
6900 N. Squaw Peak Drive
Council District: 6

This item was adopted.

36 Authorization to Enter into Contract with AZPB Limited Partnership dba Arizona Diamondbacks for Parking for the 2018 Major League

Baseball Season

Request to authorize the City Manager, or his designee, to enter into a contract with AZPB Limited Partnership (dba Arizona Diamondbacks), for non-reserved parking spaces during home baseball games for the Arizona Diamondbacks 2018 Major League Baseball (MLB) season. Further request authorization for the City Treasurer to accept all funds related to this item. This contract will generate up to $129,600 over the entire term of this contract and is based on the Diamondbacks using all 320 parking spaces every game.

Summary

The Phoenix Convention Center Department (PCCD) will provide up to 320 parking spaces in the East Garage for the Arizona Diamondbacks (Diamondbacks) seasonal and service contractor employees in accordance with the following contract provisions: parking spaces provided under this contract will be for pre-season, regular-season, and post-season games, including up to six special events; Diamondbacks will fund and distribute parking access passes and pay $5 per parking space, per game/event day. This $5 parking space rate is unchanged from the 2017 parking rate.

Contract Term

This is a new contract with AZPB dba Arizona Diamondbacks for the 2018 MLB Season, starting with pre-season games and ending after the last post-season game, if any, including up to six special events. Provisions of the contract include four one-year options to extend the contract that may be exercised by the City Manager or designee, upon request of the Diamondbacks.

Financial Impact

This contract will generate up to $129,600 over the entire term of this contract and is based on the Diamondbacks using all 320 parking spaces every game. There are generally 81 regular-season home games during the 2018 MLB season. Post-season games are to be determined.

Location

The East Garage is located at 601 E. Washington St.

This item was approved.

38 Authorization to Enter into Agreements with United States Department of Agriculture to Accept Reimbursement for Police Services (Ordinance S-44257)

Request authorization for the City Manager, or his designee, to authorize the Police Department to enter into agreements with the U.S. Department of Agriculture, Office of Inspector General to accept funds not to exceed $100,000 in reimbursement for police services. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary
The Police Department has partnered with the U.S. Department of Agriculture over the past several years and is currently participating in joint law enforcement investigations. This agreement is renewed annually. The primary goal of the investigations is to identify and locate individuals and businesses involved in fraud against the Supplemental Nutrition Assistance Program (SNAP). This initial agreement will reimburse up to $29,000 for police overtime costs related to the investigations. The Police Department requests authorization to accept up to $100,000 should additional funding become available during the funding period.

Contract Term
From date of execution through Sept. 30, 2018.

Financial Impact
The cost to the City is related fringe benefits and in-kind resources.

Concurrence/Previous Council Action
This item was unanimously approved by the Public Safety and Veterans Subcommittee at its Jan. 10, 2018 meeting.

This item was adopted.

39 Metal Millwork, Repair, and Replace Services (Ordinance S-44248)

Request to authorize the City Manager, or his designee, to enter into contract with Lincoln Constructors to provide fabrication and repair services for kitchen and architectural building components on an as as-needed basis in an amount not to exceed $1,425,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will be used as needed to provide fabrication and repair services for kitchen and architectural building components. These services are needed to manage specialized work repairs for various customer departments including but not limited to Fire, Police, Parks and Recreation, Library, Aviation, and Human Services.

Procurement Results

Invitation for Bid 18-FMD-039 Metal Mill Work, Repair, and Replace was conducted in accordance with Administrative Regulation 3.10. The solicitation notification was distributed to 45 contractors. There was one offer received on Nov. 8, 2017.

The offer was evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required goods and/or services. The offer submitted by Lincoln Constructors is deemed to be fair and reasonable based on the market and previous contract pricing.

Contract Term

The initial contract term is two years and shall begin on or about April 1, 2018, and end on March 31, 2020. Provisions of the contract include an option to extend the term up to three years, in one-year increments, which may be exercised by the City Manager or his designee.

Financial Impact

The aggregate value of the contract will not exceed $1,425,000 (including applicable taxes), with an estimated expenditure of $507,000

for the initial two-year period. Funds are available in the Public Works and Aviation departments' budgets.

This item was adopted.

40 Water Services Department Specialized Equipment, Piping, and Infrastructure Coatings Job Order Contract 4108JOC163 (Ordinance S-44249)

Request to authorize the City Manager, or his designee, to enter into an agreement with Joseph Painting Company, Inc., to provide Wastewater Facilities Specialized Equipment, Piping, and Infrastructure Coating Job Order Contracting (JOC) services for the Water Services Department, and to execute contract options as necessary. The fee for JOC services will not exceed $15 million. Further request authorization for the City Controller to disburse all funds related to this item.

Additionally, request authorization for the City Manager, or his designee, to take action as deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to development, design, and construction of the project and to include disbursement of funds. Utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

Joseph Painting Company, Inc., will provide construction services that include but are not limited to: applying protective coatings on wastewater process equipment and all exterior surfaces, ensuring proper surface preparation, providing coatings of the sanitary sewer manholes, and other work as required by the project.

Procurement Information

Joseph Painting Company, Inc., was chosen for this project using a qualifications-based selection process according to Section 34-604 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. Title 34, the City is not to release the scoring of firms until a contract has been awarded. Three contractors submitted proposals, and the top-three

rankings follow:

Joseph Painting Company, Inc.: Ranked 1
Murphy Industrial Coatings, Inc.: Ranked 2
Riley Industrial Services, Inc.: Ranked 3

Contract Term
The contract will be for three years, with an option to renew for an additional two-year term. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact
The contract value is $9 million, with an option to renew for an additional $6 million, for a total contract value of $15 million, including all amendments. Authorization is requested to execute Job Order Agreements (JOA) performed under this JOC for up to $2 million each in construction costs. In no event will any JOA exceed this limit without Council approval to increase the limit. Funding is available in the Water Services Department's Operating and Capital Improvement Program budgets. The Budget and Research Department will review and approve funding availability prior to issuance of any JOA. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

This item was adopted.

41 Solar Energy Projects Qualified Vendors List

Request to authorize the City Manager, or his designee, to establish a Qualified Vendor List (QVL) for Ameresco, Strategic Solar Energy, LLC, SunPower Corporation Systems, and Urban Energy Solutions, Inc., to develop solar projects at various City sites.

Summary
The City has established a renewable energy target of 15 percent by

2025, using partnerships, sponsorships, power purchase agreements and outright ownership to meet this target. To date, the City has 32 megawatts (MW) of installed capacity at City sites. This QVL will be used to develop additional solar energy projects under various forms of financing/ownership including consideration for energy/battery storage. Future projects may include roof or ground-mounted solar systems on various City facilities (buildings, rooftops, parking garages, parking canopies, water plants, airport terminals, parks, storage tanks, reservoirs, landfill sites and other open space). This QVL will be available to all departments.

Procurement Information

Request for Qualifications (RFQ) 18-FMD-030 was conducted in accordance with Administrative Regulation 3.10. On Sept. 28, 2017, the Public Works Department issued an RFQ seeking qualified vendors for developing solar projects at various City sites. Nine submittals were received on Oct. 25, 2017, with one being deemed non-responsive.

An evaluation panel of staff from the Public Works Department, City Manager's Office, Phoenix Convention Center, and Aviation Department reviewed the responses. The evaluation was based on the following criteria: general information, experience and qualifications, financial capability of the firm, experience of key personnel, understanding of the project/approach, principal location/local participation, and the firm's ability to provide the required services. Vendors receiving at least 70 points are eligible for inclusion in the QVL. The evaluation panel scores are:

94 points - Ameresco, Inc.
83 points - Urban Energy Solutions, Inc., dba Natural Power and Energy
82 - SunPower Corporation Systems
73 - Strategic Solar Energy, LLC
66 - Climatec, LLC
66 - Core Construction, Inc.
64 - ForeFront Power
64 - Stratton Restoration, LLC, dba Stratton Builders

Contract Term

This QVL will be in effect from Feb. 15, 2018 through Jan. 31, 2023, with no options to extend.

This item was approved.

42 Support for Formation of Bartlett Heard Ranch I Irrigation Water Delivery District (Resolution 21612)

Request to adopt a resolution to support formation of the Bartlett Heard Ranch I Irrigation Water Delivery District (IWDD) through Maricopa County. The proposed IWDD includes the single-family residential properties bounded by Vineyard Road to the south, Southern Avenue to the north, 36th Street to the west, and 40th Street to the east. This action has no financial impact to the City of Phoenix.

Summary

Under the provisions of Arizona Revised Statutes (A.R.S.) Chapter 20, Title 48, Irrigation Water Delivery Districts, when the majority of the lot or parcel owners entitled to or capable of receiving irrigation water from the same system want irrigation water delivered to their lands, they may propose the organization of an IWDD. Maricopa County requires that applicants for an IWDD within City of Phoenix boundaries obtain City Council support before the County will start the process of forming or re-establishing a district.

If approved by the City Council, landowning neighbors seeking an IWDD complete a special taxation impact statement, and submit this document to the Maricopa County Board of Supervisors. The Board of Supervisors, along with Salt River Project (SRP), will decide if a petition to organize an IWDD may be circulated. See Attachment A for the Consent from SRP to the Board of Supervisors.

This request has been reviewed by the Water Services Department.

Financial Impact

This action has no financial impact to the City of Phoenix.

Public Outreach

On Dec. 12, 2017, the City received a formal written request from City of Phoenix resident Tanis Earle, representative for the Bartlett Heard Ranch I neighborhood, to pursue Council approval to form an IWDD with Maricopa County (Attachment B).

Location
The proposed IWDD includes the single-family residential properties bounded by Vineyard Road to the south, Southern Avenue to the north, 36th Street to the west, and 40th Street to the east.
Council District: 8

This item was adopted.

43 Support for Formation of Bartlett Heard Ranch II Irrigation Water Delivery District (Resolution 21614)

Request to adopt a resolution to support formation of the Bartlett Heard Ranch II Irrigation Water Delivery District (IWDD) through Maricopa County. The proposed IWDD includes the single-family residential properties bounded by Vineyard Road to the south, Saint Anne Avenue to the north, 32nd Street to the west, and 36th Street to the east. This action has no financial impact to the City of Phoenix.

Summary
Under the provisions of Arizona Revised Statutes (A.R.S.) Chapter 20, Title 48, Irrigation Water Delivery Districts, when the majority of the lot or parcel owners entitled to or capable of receiving irrigation water from the same system want irrigation water delivered to their lands, they may propose the organization of an IWDD. Maricopa County requires that applicants for an IWDD within City of Phoenix boundaries obtain City Council support before the County will start the process of forming or re-establishing a district.

If approved by the City Council, landowning neighbors seeking an IWDD complete a special taxation impact statement, and submit this document to the Maricopa County Board of Supervisors. The Board of Supervisors, along with Salt River Project (SRP), will decide if a petition to organize an IWDD may be circulated. See Attachment A for the Consent from SRP to

the Board of Supervisors.

This request has been reviewed by the Water Services Department.

Financial Impact
This action has no financial impact to the City of Phoenix.

Public Outreach
On Dec. 12, 2017, the City received a formal written request from City of Phoenix resident Beth Postma, representative for the Bartlett Heard Ranch II neighborhood, to pursue Council approval to form an IWDD with Maricopa County (Attachment B).

Location
The proposed IWDD includes the single-family residential properties bounded by Vineyard Road to the south, Saint Anne Avenue to the north, 32nd Street to the west, and 36th Street to the east.
Council District: 8

This item was adopted.

44 Final Plat - Artisan Duette - 170056 - Northeast Corner of 31st Street and Cheryl Drive

Plat: 170056
Project: 14-3081
Name of Plat: Artisan Duette
Owner(s): Artisan Homes
Engineer(s): Westwood Professional Services, Inc.
Request: A 22 Lot Residential Subdivision Plat
Reviewed by Staff: Jan. 10, 2017
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

Location
Generally located at the northeast corner of 31st Street and Cheryl Drive.

Council District: 3

This item was approved.

45 Abandonment of Easement - V170074A - 4315 East Indian School Road (Resolution 21611)

Abandonment: V170074A
Project: 14-1341
Applicant: Samuel and Company, Incorporated
Request: To abandon the Sewer Easement dedicated per Ordinance S-1475 on the west 8-feet of the parcel addressed 4315 E. Indian School Road (APN 127-10-290), except the south 42.5-feet.
Date of Decision: Dec. 12, 2017

Location
4315 E. Indian School Road
Council District: 6

Financial Impact
Pursuant to Phoenix City Code Art. 5, Sec. 31-64 (e) as the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls and by the elimination of third-party general liability claims against the city, maintenance expenses, and undesirable traffic patterns, also replatting of the area with alternate roadways and new development as sufficient and appropriate consideration in this matter.

This item was adopted.

46 Abandonment of Easement - V160070A - 4225 West Buckeye Road (Resolution 21613)

Abandonment: V160070A
Project: 00-7698
Applicant: Blake Kelley
Request: To abandon the sidewalk easement for driveway purposes adjacent to South 43rd Avenue on the parcel addressed 4225 W. Buckeye Road (APN 105-14-973.)

Date of Decision: Jan. 20, 2017

Location
4225 W. Buckeye Road
Council District: 7

Financial Impact
Pursuant to Phoenix City Code Art. 5, Sec. 31-64 (e) as the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls and by the elimination of third-party general liability claims against the city, maintenance expenses, and undesirable traffic patterns, also replatting of the area with alternate roadways and new development as sufficient and appropriate consideration in this matter.

This item was adopted.

47 Amend City Code - Official Supplementary Zoning Map 1168 (Ordinance G-6412)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1168. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-71-04-1, Z-SP-13-04-1 and Z-23-97-1 and the entitlements are fully vested.

Summary
To rezone a parcel located at southeast corner of 26th Avenue and Donald Drive
Council District: 1
Z-71-04-1
Zoning: C-2
Owner: Premier Storage Condos North Phoenix
Acres: Approximately 1.77

To rezone a parcel located at southeast corner of 26th Avenue and Donald Drive

Council District: 1
Z-SP-13-04-1
Zoning: C-2 SP
Owner: Premier Storage Condos North Phoenix
Acres: Approximately 11.71

To rezone a parcel located northwest corner of Interstate 17 and Dynamite Boulevard
Council District: 1
Z-23-97-1
Zoning: R1-10, R1-8, R1-6
Owner: Mountain Park Health Center
Acres: Approximately 92.50

This item was adopted.

48 Amend City Code - Ordinance Adoption - Rezoning Application Z-64-17-3 - Southwest Corner of 32nd Street and Cheryl Drive (Ordinance G-6415)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-64-17-3 and rezone the site from R1-10 to PUD to allow an assisted living and memory care center.

Summary
Application: Z-64-17-3
Current Zoning: R1-10 (Single-Family Residence District)
Proposed Zoning: PUD (Planned Unit Development)
Acreage: 3.72 acres
Proposal: Assisted living and memory care center
Owner: Exaltation of the Holy Cross Orthodox Church
Applicant: William Lally, Tiffany & Bosco
Representative: William Lally, Tiffany & Bosco

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard the case on Dec. 4, 2017 and recommended approval per the staff

recommendation by a 13-0 vote.
PC Action: The Planning Commission heard the case on Jan. 4, 2018 and recommended approval per the Paradise Valley Village Planning Committee recommendation by an 8-0 vote.

Location
Southwest corner of 32nd Street and Cheryl Drive
Council District: 3
Parcel Address: 10030 N. 32nd St.

This item was adopted.

49 Amend City Code - Ordinance Adoption - Rezoning Application Z-66-17-4 - Southwest Corner of 23rd Avenue and Highland Avenue (Ordinance G-6414)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-66-17-4 and rezone the site from R1-6 to R-3 to allow single-family attached residential (townhomes).

Summary
Current Zoning: R1-6
Proposed Zoning: R-3
Acreage: 0.59 acres
Proposed Use: Single-family attached residential (townhomes)
Owner: Ronald D. Bowman Revocable Trust
Applicant: Dorin Pitut
Representative: Dorin Pitut

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee recommended approval with a deletion of Stipulation 1 by a 13-0 vote.
PC Action: The Planning Commission approved, per the Alhambra Village Planning Committee recommendation with an additional stipulation by a 7-1 vote.

Location

Southwest corner of 23rd Avenue and Highland Avenue
Council District: 4
Parcel Address: 4648 N. 23rd Ave.

This item was adopted.

50 Amend City Code - Official Supplementary Zoning Map 1169 (Ordinance G-6413)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1169. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-90-88-7 and the entitlements are fully vested.

Summary
To rezone a parcel located between 73rd Avenue (extended) and 75th Avenue and Van Buren south to the Southern Pacific Railroad right-of-way and the portion covering the SRP right-of-way lying approximately between 70th Avenue and 75th Avenue.

Z-90-88-7
Zoning: A-1
Owner: Santa Fe Pacific Realty Corporation
Acreage: Approximately 99.02
Location: Between 73rd Avenue (extended) and 75th Avenue and Van Buren south to the Southern Pacific Railroad right-of-way and the portion covering the SRP right-of-way lying approximately between 70th Avenue and 75th Avenue.
Council District: 7

This item was adopted.

51 Amend City Code - Ordinance Adoption - Rezoning Application Z-44-17-8 - Northeast and Northwest Corners of 27th Street and Virginia Avenue (Ordinance G-6416)

Request to authorize the City Manager to amend the Phoenix Zoning

Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-44-17-8 and rezone the site from R1-6 to R-2 to allow single-family attached residential.

Summary
Application: Z-44-17-8
Current Zoning: R1-6
Proposed Zoning: R-2
Acreage: 3.42 acres
Proposal: Single-family attached residential

Owner: Arcadia 1, LLC & Equity Financial Plan
Applicant: Wendy Riddell Esq., Berry Riddell, LLC
Representative: Wendy Riddell Esq., Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard the case on Dec. 5, 2017 and recommended approval per the staff recommendation with an additional stipulation by a 13-1 vote.
PC Action: The Planning Commission heard the case on Jan. 4, 2018 and recommended approval per the staff recommendation by an 8-0 vote.

Location
Northeast and northwest corners of 27th Street and Virginia Avenue
Council District: 8
Parcel Addresses: 2601 and 2604 N. 27th St.

This item was adopted.

Items 21 and 24, Ordinance S-44247 were requests to authorize the City Controller to disburse funds up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

21 Skyline Productions, Inc. and Hernandez Creative, LLC

For $70,000.00 in additional payment authority for Contracts 135535 and 135536, to extend the contracts on a month-to-month basis through March 8, 2019, for video filming, editing, graphic design and video post-production services for citywide departments. The additional funds will provide an option for external support of departments' current outreach efforts, including Aviation Department customer relations, trash and recycling programming messaging, water conservation campaigns, as well as employee communication about safety and crisis incidents.

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

Yes: 8 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 1 - Councilman Waring

24 Arrowhead Scientific, Inc.

For $70,920.00 in payment authority for a new contract, entered on or about Feb. 8, 2018 for a term of three years, to purchase sexual assault kits for the Police Department's Property Management Bureau. The kits are vital for the Property Management Bureau to test victims that have been sexually assaulted. In addition, it offers evidence collection tools and containers that provide collection and maintenance to maintain verifiable chain of custody with security against tampering with provable security of different types of evidence related to sexual assault cases. This equipment is a critical part of the Police Department's effort to provide life safety services to the public and for use in critical incidents and complicated scenes.

Discussion

Councilwoman Gallego mentioned this item was a very important initiative because of the backlog of sexual assault testing kits that have been untested. She said by passing this item, it would help clear the backlog of those kits and was pleased to see this move forward.

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

Yes: 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 0

37 Police Recruit Hiring and Public Outreach Marketing Services Cooperative Contract - ADSPO16-145336A (Ordinance S-44252)

Request to authorize the City Manager, or his designee, to utilize additional expenditures for the State of Arizona Cooperative Contract ADSPO16-145336 with On-Advertising. Further request authorization for the City Controller to disburse all funds related to this item. With the additional expenditures of $150,000, the revised aggregate value will be $440,000.

Summary

The contract with On-Advertising will continue to provide the Police Department with marketing and advertising services, specifically for Police recruit hiring and public outreach. The contract ensures public outreach and notifications will be presented in a professional and efficient manner. Advertising by billboards, transit shelters, print media, digital media, radio and television are currently being used.

Financial Impact

Upon approval of the additional expenditures of $150,000, the revised aggregate value will be $440,000 through the contract term of Aug. 31, 2021. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

This contract was originally approved by Formal Council action on Feb. 1, 2017.

Discussion

Councilwoman Gallego mentioned growing the Police Department was something the Council would be excited about, and that she would like the Police Department to prioritize reaching out to people with an interest in technology towards crime investigation.

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

Yes: 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 0

52 Public Hearing- Modification of Stipulation Request for Ratification of Sept. 20, 2017 Planning Hearing Officer Action - Z-152-03-7(8)

Request to hold a public hearing on Planning Hearing Officer's recommendation for PHO-2-17-Z-152-03-7(8) heard by the Planning Hearing Officer on Sept. 20, 2017. This Modification of Stipulation requires a Formal Action only.

Summary

Application: PHO-2-17- Z-152-03-7(8)
Current Zoning: S-1, Approved R1-8
Acreage: 76.86
Applicant: Reid Butler, Butler Housing Company, Inc.
Owner: Wells - 85 LLC - Dr. R. Lines
Representative: Reid Butler, Butler Housing Company, Inc.

Proposal:
1. Modification of Stipulation 6 regarding general conformance to site plan date stamped May 2, 2013.
2. Modification of Stipulation 8 regarding a minimum 800 square foot landscaped entry feature on both sides of the main entry along 43rd Avenue.

3. Modification of Stipulation 21 regarding 45-foot wide lots not exceeding 15 percent of the residential lots.
4. Modification of Stipulation 22 regarding remaining lots be a minimum of 60-feet in width.

Location
Approximately 995 feet west of the southwest corner of 43rd Avenue and Baseline Road
Council District: 8
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee recommended approval with modifications by an 8-3 vote on Sept. 11, 2017.

Planning Hearing Officer Recommendation: The Planning Hearing Officer took the case under advisement on Sept. 20, 2017. The Planning Hearing Officer took the case out from under advisement and recommended approval with modifications on Oct. 9, 2017.

Planning Commission Recommendation: The Planning Commission recommended approval per the Planning Hearing Officer recommendation with modifications by a 6-0 vote on Dec. 7, 2017.

On Jan. 10, 2018 Council requested the item be withdrawn, in order to advertise and bring the item back for public hearing on Feb. 7, 2018.

Discussion
Mayor Stanton introduced Planning and Development Director Alan Stephenson for a brief presentation on the item.

Mr. Stephenson stated this item was a modification for stipulations of a rezoning case located at the southwest corner of 43rd Avenue and Baseline. He said the applicant was requesting a modified stipulation to the previously approved zoning case. He mentioned that this case was withdrawn from a previous Council meeting so the applicant could meet with City staff and have this be a public hearing. He showed the Council

the location of the zoning case on a map and compared the proposed rezoning case to other locations in the neighborhood. He conveyed staff recommended approval per the memo dated January 30.

Mayor Stanton declared the public hearing open.

Note: Speaker comment cards were submitted in favor of the following items, with no one wishing to speak:

Ruskin R. Lines
Robert Branseomb

Reid Butler mentioned the other citizens in the Chamber that wished to speak, but probably would not come forward. He said that residents took time from the last Formal meeting and sat down with the Village Planning Committee as well as other leaders and worked through the stipulations Mr. Stephenson presented and were in full support of them.

Noting no one else wishing to speak, Mayor Stanton declared the public hearing closed.

Councilwoman Gallego thanked the Village Planning Committee members and applicant for working together productively on the project, and that the community was very excited for it.

The hearing was held. A motion was made by Councilwoman Gallego, seconded by Councilman Nowakowski, that this item be approved per the Jan. 30, 2018 memo from the Planning and Development Director with modification to Stipulation 33. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 0

53 Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-17-17-4 - Approximately 130 Feet East of

the Southeast Corner of 7th Avenue and Turney Avenue (Ordinance G-6417)

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved.

Summary
Application: Z-17-17-4
Current Zoning: C-2 SAUMSO
Proposed Zoning: C-2 HGT/WVR SAUMSO
Acreage: 1.00 acre
Proposed Use: Commercial uses with a height waiver for up to 56 feet

Owner: Bruce Raskin, 525 Turney, LLC
Applicant: Jason Morris, Withey Morris, PLC
Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard the request on Dec. 4, 2017 and recommended approval, per the staff's recommendation by a 12-2 vote.
PC Action: The Planning Commission heard the request on Jan. 4, 2018 and recommended approval, per the Encanto Village Planning Committee recommendation by an 8-0 vote.

Location
Approximately 130 feet east of the southeast corner 7th Avenue and Turney Avenue
Council District: 4
Parcel Address: 525 W. Turney Ave.

This is a companion case to Z-SP-3-17-4 (Approximately 130 feet east of the southeast corner 7th Avenue and Turney Avenue).

Discussion
Mayor Stanton mentioned both Items 53 and 54 would be heard together as they were related items. He introduced Planning and Development

Director Alan Stephenson to present a staff report on the items.

Mr. Stephenson mentioned these items were for the same property, with Item 53 being a request to rezone the one-acre site and Item 54 being a request to add a special permit to allow for self-storage to be built on the property. He said the proposed use for the property would be a self-storage facility that would be built up to a height of 56 feet. He mentioned that staff recommended approval per stipulations for both of the items. He showed a map detailing the location of the propsed facilty that was next to a four- and five-story apartment project. He stated there was an overlay on 7th Avenue that was already existing over C-2 zoning to help the merchants in that area.

Vice Mayor Pastor asked if this was not part of the overlay because of the C-2 zoning.

Mr. Stephenson answered that part of the overlay already had commecial zoning. He showed on a map where the location was for the overlay and the C-2 zoning.

Mr. Stephenson showed the proposed site plan for the facility and mentioned that the developers incorporated some elements of the Melrose arch because it blended in with the character of the neighborhood. He conveyed that this was approved by the Village Planning Committee by an 8-0 vote, as well as the Planning Commission.

Mayor Stanton declared the public hearing open.

Charles Jones spoke in favor of the project on behalf of the Community Alliance of Seventh Avenue and that he had comments from Pierson Place Historic District. He said that the Community Alliance of Seventh Avenue is from Camelback Road to Indian School Road, and had improved the identity of the Melrose District through projects. All of his members had gone to outreach meetings on this project and fully supported both Items 53 and 54. Their support was because of the 24-hour security and the compatability of this project to the neighborhood.

Will Gardner spoke in opposition of these items. He said that he recently moved to the area from Laveen because the home he found had character and charm. He was opposed because there were already enough storage units in the surrounding areas, and that having this project in his community would not bring jobs to the area and may lead to crime. He was concerned about the loss of character in the community because this project did not add character to the Melrose District, also safety was a major concern of his because of the lack of walking space and the possible increase of traffic in the community. He also mentioned he was concerned that the City of Phoenix was losing touch with historic districts because of projects like this.

Mayor Stanton asked staff to clarify the unanimous vote of the Planning Commission and Village Planning Committee on this project.

Mr. Stephenson answered the Planning Commission vote was 8-0 in favor, and the Village Planning Committee vote was 12-2 in favor.

Mayor Stanton requested staff clarify if this project was consistent with the City's General Plan.

Mr. Stephenson replied staff suggested that this request was consistent with the City's General Plan as it helped implement the character of the community. He also said the design in terms of height was appropriate compared to other buildings nearby and the final design of the project implemented community input.

Pam Pawlowski introduced herself as the President of the Grandview Neighborhood Association and Secretary of the Community Alliance of Seventh Avenue. She told the Council about her experience with the developers on this project, and that after a process of delaying and regrouping, the developers engaged the community in a way that should be a model for all developers. She was in favor of the items.

Stacy Lewis stated that he was neutral on this project, based on a few reasons, one being that the developers had been very fair to him. He was concerned about this project due to the negative comments from committee members in the community back in March. He was further

concerned because of the way the Phoenix Planning Commission commented on the project compared to that of the committees in the community. He said that he would lose parking at his private business but he felt good about the scenario.

Briana Klink mentioned that she can see the area of the project from her home office, and that the five-story building next to it was still controversial as it was out of scale with the neighborhood. She said the Melrose District would fall towards a similar path as the Roosevelt District. She thought the Planning and Development Department was siding with these projects over concerns of the communities. She mentioned that zoning rules were not met because they were out of scale and that property values would decrease as a result of this project. She encouraged the Council to look at the staff report for inconsistencies.

Note: Councilman DiCiccio left the Chambers and joined the voting body via telephone.

Rachel Tullio mentioned that she was a resident in the community and pointed out the project was not on 7th Avenue, rather on Turney Road. She said that a history of bad zoning was continued with a project like this, as it relied on having right-of-way access to 7th Avenue. She questioned if the developers can guarantee unrestricted access to 7th Avenue. She requested that Council put a stipulation on the project similar to a project at 16th Street and Flower Road as it was also a storage facility in a residential neighborhood. She told the Council this facility was not needed due to the amount of storage facilities already in the area.

Roman Reyes said that he was a resident in the community and moved to the Melrose District because of the historic aspect of it. He mentioned the signage for the Melrose community and that he takes great pride in his community. He stated that the various shops in the community promoted history and added value which this proposed storage facility would not do. He mentioned some statistics on the zoning in the community and questioned why another storage facility was needed if it was not consistent with other buildings in the area.

Mike Poulton said that he was the current President of the 7th Avenue Merchants Association, and that he submitted a letter on behalf of the organization in support of the project. He conveyed it was important to have more context on this property because the land had been vacant for years. He said that because of where this property was going to be located, his organization had a difficult time trying to find ways to best utilize the area and that this was the best option. He acknowledged the building would not contribute to the historic appearance that the community had, but it was a modern design that was consistent with the neighborhood and had the same signage as other parts of the historic district. He looked forward to working on upcoming projects that would preserve the historic district.

Cynthia Lee said that she was a resident of the neighborhood. She stated residents were not contacted at the beginning and that the process was already going by the time everyone found out about it. She remarked that she did not want the storage facility in her neighborhood.

Jason Morris, a representative of the applicant on this project, provided additional details about it. He hoped the Mayor and Council saw the support for this project that was displayed, and he credited that with the community involvement on the project. He gave a brief overview of the site and mentioned that the use of this facility on the property was more appropriate for this neighborhood than a traditional commercial zone building because it had very low intesity use. He mentioned this storage facility can become an important part of the neighborhood because the community had not changed and having additional storage close by could be an important component of moving to the area. He said the design was incorporated by community input through a design competition among developers. He stated the overall design took into account sustainable materials that matched the historic area, and there was space for community use that benefited the neighborhood. He mentioned that this building would be shorter than the building adjacent to it, and that parking spaces on the property would be shared with the neighboring business.

Councilwoman Stark asked about access to 7th Avenue and if the facility would still be using Turney Road for access.

Mr. Morris responded there would be access to both roads due to the easement adjacent to the property that gives direct access to 7th Avenue.

Councilwoman Stark asked about gating on the property in regards to the parking lot and how that would work.

Mr. Morris replied this was a modern facility with internal access by code if being used after hours.

Vice Mayor Pastor asked staff about egress and ingress on the property and if it was in line with the City's General Plan.

Mr. Stephenson responded by showing the Council where the easements were located on a map that also showed the commercial zoning in the area. He said that this facility was in line with the City's General Plan.

Vice Mayor Pastor asked staff if the proposed property would devalue property values in the surrounding area.

Historic Preservation Officer Michelle Dodds responded by comparing this proposed property to that of other historic districts in the City, and that those historic districts also had tall buildings adjacent to them. She said there would have to be more time to look into the question as she was unfamiliar with the project.

Vice Mayor Pastor said other historic neighborhoods blended in with modern buildings and had devalued property.

Ms. Dodds advised that this historic district would remain a historic district.

Vice Mayor Pastor mentioned the concern over fencing on the property.

Mr. Stephenson said the applicant tried to address that concern, and could go into further detail on that issue.

Mr. Morris noted that because the neighboring business would like to use the parking as well, that having a gate to access the parking lot would prevent it from being available to them. He said the building would still be secure both during hours and after hours.

Amanda, who did not mention her full name or submit a comment card, spoke in opposition of leaving the parking lot ungated. She said the parking lot currently was a nuisance on the property and was causing traffic on Turney Road. She asked about the easement exisiting on the property because she could not find records on it.

Mr. Morris said the property was purchased 26 years ago and it was part of the title when the building was purchased.

Mr. Stephenson stated the applicant would have to submit a site plan that showed the access easement for entrance purposes.

Mayor Stanton declared the public hearing closed.

Vice Mayor Pastor wondered about the community space that would be part of the building. She asked if there would be community space, and also how the community would be able to access it.

Mr. Morris responded the community space implemented in the design of the building was from community input on the project. He mentioned it was about 2,000 square feet, and that the applicant had no problem committing to it because it was part of the winning design. He said this building was going to be privately owned and that deposits might be necessary to use the space.

Vice Mayor Pastor asked why some residents were not invited to the community meetings.

Mr. Morris replied he never had a case with this many neighborhood associations. He conveyed the community was very active and that some groups may have been left out, but he attended as many meetings as possible. He said that this community had the best board meetings he had ever attended.

Vice Mayor Pastor asked staff if this project met the requirements for the height waiver.

Mr. Stephenson said yes, noting the height on the property was on the south and east part of the parcel. He stated that because it was within the 7th Avenue Main Street overlay that this height waiver was reached.

Councilwoman Stark asked if the peak of the building was 48 feet or 56 feet.

Mr. Morris responded it was around 48 feet, but below 47 feet at the peak. He indicated the 56 feet number was the maximum height for the height waiver and that it would not go near that height.

The hearing was held. A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that this item be approved per Planning Commission's recommendation and to adopt the related ordinance. The motion carried the following vote:

Yes: 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 0

54 **Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-SP-3-17-4 - Approximately 130 Feet East of the Southeast Corner of 7th Avenue and Turney Avenue (Ordinance G-6418)**

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved.

Summary
Application: Z-SP-3-17-4
Current Zoning: C-2 SAUMSO (Pending C-2 HGT/WVR SAUMSO)

Proposed Zoning: C-2 HGT/WVR SP SAUMSO
Acreage: 1.00 acre
Proposed Use: Self-storage and all underlying C-2 uses with a height waiver for up to 56 feet

Owner: Bruce Raskin , 525 Turney LLC
Applicant: Jason Morris, Withey Morris, PLC
Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard the request on Dec. 4, 2017 and recommended approval, per the staff's recommendation by a 12-2 vote.
PC Action: The Planning Commission heard the request on Jan. 4, 2018 and recommended approval, per the Encanto Village Planning Committee recommendation by an 8-0 vote.

Location
Approximately 130 feet east of the southeast corner 7th Avenue and Turney Avenue
Council District: 4
Parcel Address: 525 W. Turney Ave.

This is a companion case to Z-17-17-4 (Approximately 130 feet east of the southeast corner 7th Avenue and Turney Avenue).

Discussion
For discussion on Item 54, refer to Item 53.

The hearing was held. A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this item be approved per Planning Commission's recommendation and to adopt the related ordinance. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 0

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

CITIZEN COMMENTS

Note: Councilwoman Williams and Councilman DiCiccio disconnected from the voting body. Councilman Valenzuela left the voting body.

Chaya Lovine spoke about tailgating and aggressive driving. She requested that Mayor Stanton use radio and television to broadcast the amount someone would be fined for engaging in tailgating and aggressive driving. She also wanted more unmarked police vehicles on the roadways to address this behavior.

Pasquale Labate wished to make an appointment with Councilwoman Gallego to resolve a problem. He said that his neighbor was blocking the street which prevented him from leaving his home. He would like the area to be rezoned to what it was previously.

JJ Johnson talked about the after-action report on the Burton Barr Library and expressed concern over the firing of employees. Some were disciplined differently than those in leadership positions. He also mentioned that because of the flooding at the library, it had displaced homeless people into nearby neighborhoods. He suggested there should be different ways to address the homeless population.

Reverend Jarrett Maupin submitted a petition regarding the situation at an apartment complex at 2936 Van Buren St. He said the petition asked the Council to look into communicating with the State Legislature on regulating the collection of rent by property owners.

DD Barker expressed concern that it was a violation to not allow those during public comment to talk about an agendized item. She mentioned Phoenix had a pollution problem and would like something done about it. She also would like to see the City create goals towards fitness in all departments.

James Deibler suggested there should be a new sports arena in downtown Phoenix for the Phoenix Suns and the Arizona Coyotes that does not use

taxpayer funds. He also suggested that college should be more affordable for students without taking loans.

ADJOURN

There being no further business to come before the Council, Mayor Stanton declared the meeting adjourned at 4:48 p.m.

MAYOR

ATTEST:

ACTING CITY CLERK

TS

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 7th day of February, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 21st day of March, 2018.

CITY CLERK