172835

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, October 17, 2018 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, October 17, 2018 at 2:34 p.m. in the Council Chambers.

Present: 8 - Councilman Sal DiCiccio, Councilwoman Vania Guevara, Councilwoman Felicita M. Mendoza, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Vice Mayor Jim Waring and Mayor Thelda Williams

Councilman Nowakowski joined the voting body via telephone after the swearing in of Boards and Commissions members and joined the voting body at the dais during discussion of the omnibus motion. Councilwoman Mendoza temporarily left the voting body after Item 58 and returned during discussion on Item 52. Mayor Williams left the voting body following Item 58; Vice Mayor Waring assumed the Chair.

Mayor Williams acknowledged the presence of Mario Barajas, a Spanish interpreter. In Spanish, Mr. Barajas announced his availability to the audience.

CITIZEN COMMENTS

Elizabeth Mann submitted a citizen petition requesting confirmation the Chinese Cultural Center was a City Public Art program and an executive decision on how to preserve this Public Art program.

Purple Fire submitted photos that showed demolition of the Chinese Cultural Center's roof and urged the Council to protect it.

Tina Kwan asked Council to help her as she was unable to open her store, Healthy Chinese Herbs, due to miscommunication about her business lease.

A gentleman from the audience submitted a citizen petition on behalf of Cheak Yee that questioned if there was a public arts element required for all City development and if the developer/owner of the Chinese Cultural Center was responsible for past zoning requirements.

Leonard Clark concurred with the testimony about the Chinese Cultural Center and said he hoped that Council would do the right thing.

Councilman DiCiccio conveyed Ms. Kwan's story related to a landlord-tenant issue, but he requested her contact information as he had reached out to the property owner about her situation.

The City Clerk confirmed that copies of the titles of Ordinances G-6515 through G-6517; S-45019, S-45038, S-45047 through S-45070; and Resolutions 21682 through 21685 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

References to attachments in these minutes relate to documents that were attached to the agenda.

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Special Meeting on Aug. 21, 2018

Summary
This item transmits the minutes of the Special Meeting of Aug. 21, 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 Councilwoman Mendoza, that this item be approved. The motion carried by the following voice vote:

Yes: 7 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams

No: 0

Absent: 1 - Councilman Nowakowski

BOARDS AND COMMISSIONS

2 Mayor and Council Appointments to Boards and Commissions

Summary

This item transmits recommendations from the Mayor and Council for appointment or reappointment to City Boards and Commissions.

The following individuals were recommended for appointment by Mayor Williams and Councilmembers:

Phoenix 2020 Census Complete Count Committee

Mayor Williams appointed the following individuals to the Media and Technology Subcommittee:

Maria Barquin
Abbie Fink
Ian Foss
Manny Garcia
Laura Madrid
Mary Rabago
Kelly Taft
Tim Tait

Mayor Williams appointed the following individuals to the Business and Finance Subcommittee:

Maria Baier
Thomas Barr
Terry Benelli
Sue Glawe
Marcus Johnson
Dave Martin
Tammy McLeod
Jeff Moloznik
Peggy Neely

Danny Ortega
Devney Preuss
Todd Sanders

Mayor Williams appointed the following individuals to the Equitable Outreach Subcommittee:

Luis Acosta-Herrera
Myriam Cruz
Petra Falcon
Phil Gordon
Patricia Hibbeler
Joe Larios
Jennifer Longdon
Francisca Montoya
Eva Olivas
Phil Pangrazio
Karyn Pina
Shannon Scutari
Muktar Sheikh
Diana Yazzie-Devine

Alhambra Village Planning Committee
Appoint Keith Ender, for a partial term to expire Nov. 19, 2018, as recommended by Councilman DiCiccio

Citizens Transportation Commission
Appoint Dave Siebert, as a representative of District 1, for a partial term to expire Oct. 28, 2018, as recommended by Mayor Williams

Phoenix Arts and Culture Commission
Appoint Mario Romero, for a term to expire Sept. 30, 2021, as recommended by Mayor Williams

Phoenix Business and Workforce Development Board
Appoint Susan Ciardullo, filling a vacant position previously held by Stacie Garlieb in the Small Business category, for a first term to expire June 30, 2021, as recommended by Mayor Williams

Sister Cities Commission

Appoint Lin Ling Lee, for a first term to expire June 30, 2021, as recommended by Mayor Williams

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that this item be approved except for Maria Baquin from Radio Campesina and Danny Ortega from the Ortega Law Group, who are being appointed to the Phoenix 2020 Census Complete Count Committee. The motion carried by the following voice vote:

Yes:	7 -	Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman Nowakowski

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, to approve appointment of Maria Baquin from Radio Campesina and Danny Ortega from the Ortega Law Group to the Phoenix 2020 Census Complete Count Committee. The motion carried by the following voice vote:

Yes:	7 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams
No:	0
Absent:	1 - Councilman Nowakowski

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

Phil Gordon, Phoenix 2020 Census Complete Count Committee Equitable Outreach Subcommittee;
Dave Siebert, Citizens Transportation Commission;
Mario Romero, Phoenix Arts and Culture Commission;

Susan Ciardullo, Phoenix Business and Workforce Development Board; and Lin Ling Lee, Sister Cities Commission.

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

Note: Councilman Nowakowski joined the voting body via telephone.

3 Swearing in of Municipal Court Judges

Request to permit the swearing in of Municipal Court Judges.

Summary
Administer the oath of office for Tina Solomon to a term expiring June 29, 2022; Ana M. Sanchez to a term expiring Dec. 19, 2021; and Thomas Parascandola to a term expiring Dec. 19, 2021.

Concurrence/Previous Council Action
On July 27, 2018 the Judicial Selection Advisory Board recommended approval to the Public Safety and Veterans Subcommittee.

On Sept. 13, 2018 the Public Safety and Veterans Subcommittee recommended approval to the City Council by a vote of 4-0.

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

Yes:	8 -	Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams
No:	0	

Mayor Williams administered the oath of office to Municipal Court Judges Tina Solomon, Ana M. Sanchez and Thomas Parascandola. The judges were invited to approach the dais so Council could extend their appreciation.

Councilman DiCiccio announced Ms. Kwan could go back to her business as it should be open by end of day.

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

Note: Speaker comment cards were submitted for the record in favor of liquor license items by the following individuals:

Jyl Steinback - Applicant, Item 6
Danielle Breed - Agent, Item 7
Neda Marilovic - Applicant, Items 9-10
Rebecca Golden - Agent, Item 11
Representative of Soup & Sausage Bistro, Item 12
Michelle Osife, Item 13
Jodie Weiss, Item 20
Melissa Sutton - Applicant, Item 21
Christianna Millan - Representative, Item 22
Rachel Barone - Applicant, Item 23
Joseph Fradi - Applicant, Item 27

Speaker comment cards were submitted for the record on Item 37 by the following individuals:

Odette Odeh - Applicant, in favor
Lawrrie Fitzhugh - Sevilla Neighborhood Association, opposed
Police Officer Caleb Zigler, opposed

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that Items 4-37 be recommended for approval except Item 16; and continuing Item 37 to the Nov. 7, 2018 City Council Formal Meeting. The motion carried by the following voice vote:

Yes: 8 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams

No: 0

4 Liquor License - Special Event - Our Lady of Czestochowa Roman Catholic Parish Phoenix

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

Summary

Applicant
Andrew Furga

Location
2828 W. Country Gables Drive
Council District: 1

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
Oct. 21, 2018 - 4 p.m. to 10 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

5 Liquor License - Special Event - Horses Help Foundation

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

Summary

Applicant
Gregg Goodman

Location
2601 E. Rose Garden Lane
Council District: 2

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 3, 2018 - 5 p.m. to 10 p.m. / 500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

6 Liquor License - Special Event - Shape Up US, Inc.

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

Summary

Applicant
Jyl Steinback

Location
22500 N. Aviano Way
Council District: 2

Function
Concert

Date(s) - Time(s) / Expected Attendance
Dec. 8, 2018 - 4 p.m. to 10:30 p.m. / 2,500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

7 Liquor License - The Tipsy Coyote Bar & Grill

Request for a liquor license. Arizona State License Application 12076265.

Summary

Applicant
Danielle Breed, Agent

License Type
Series 12 - Restaurant

Location
7077 E. Bell Road, Ste. 110
Zoning Classification: C-2

Council District: 2

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Nov. 3, 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 extensive knowledge through my background in the bar and restaurant industry of over 8 years. I understand the location, clientele, neighborhood, flow of business of the business I am now an owner, having worked at this restaurant for 8 years. The importance of providing a safe and responsible environment for customers to feel welcomed while enjoying time out with family and friends eating, drinking and/or socializing is paramount. I am excited to be local and to bring our enthusiasm and professionalism to this business and accept the responsibilty associated with it."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

8 Liquor License - Sapporo

Request for a liquor license. Arizona State License Application 30270.

Summary

Applicant
Kevin Kramber, Agent

License Type
Series 12 - Restaurant

Location
14344 N. Scottsdale Road
Zoning Classification: C-2 PCD
Council District: 2

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 Nov. 3, 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.

Living Room Wine Cafe & Lounge (Series 12)
4905 E. Ray Road, Ste. 107, Phoenix
Calls for police service: 36
Liquor license violations: None

Living Room Wine Cafe & Lounge (Series 12)
20751 N. Pima Road, Ste. 120, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: In February 2016, a fine of $750 was paid and a consent agreement signed for failure to derive 40% of income from food.

Living Room Wine Cafe & Lounge (Series 12)
8977 N. Scottsdale Road, Ste. 500, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Living Room Wine Cafe & Lounge (Series 12)
2905 E. Skyline Drive, #168, Tucson
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:
"I am currently agent on 108+ liquor licenses statewide. Principal owner has restaurant experience since 2009 and has held numerous liquor

licenses in the state of Arizona and has attended Title IV Training on several occasions."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Our primary purpose is the sale of Asian Cuisine / Teppan / Sushi and believe that offering Beer and Wine as an accessory will only enhance our customers experience & enjoyment of the restaurant."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Sapporo
Liquor License Map - Sapporo

This item was recommended for approval.

9 Liquor License - Special Event - Free Serbian Orthodox Church St. Nicholas

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

Summary

Applicant
Neda Marilovic

Location
11640 N. 16th Place
Council District: 3

Function
Dance

Date(s) - Time(s) / Expected Attendance
Oct. 27, 2018 - 7:00 p.m. to 1:30 a.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Special Event - Free Serbian Orthodox Church St. Nicholas

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

Summary

Applicant
Neda Marilovic

Location
11640 N. 16th Place
Council District: 3

Function
Dance

Date(s) - Time(s) / Expected Attendance
Nov. 17, 2018 - 7:00 p.m. to 1:30 a.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Lovecraft Beer Shop & Ale House

Request for a liquor license. Arizona State License Application 07070530.

Summary

Applicant
Rebecca Golden, Agent

License Type
Series 7 - Beer and Wine Bar

Location
3128 E. Cactus Road

Zoning Classification: C-2
Council District: 3

This request is for an ownership and location transfer of a liquor license for a bar. This location was previously licensed for liquor sales with a Series 12 - Restaurant, liquor license and does not have an interim permit. This business is currently being remodeled with plans to open in November 2018.

The 60-day limit for processing this application is Oct. 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:

“I am the former sole owner of 32 Shea which sold beer, wine, and liquor under a series 12 liquor license for the 6 years I owned the business. 32 Shea included permitted indoor and outdoor patio alcohol consumption; a drive through window operating during the day; and had over 25 employees. Over those 6 years I have proven my ability to control and store alcohol inventory; to properly serve and to train staff how to serve alcohol to customers; to train staff on signs of impairment, when not to serve alcohol, and what actions to take for impaired customers; to monitor and control customers and employees in the alcohol serving space. Records show I was in good standing with the Arizona Department of Liquor for all 6 years and met the series 12 license alcohol revenue ratio every year.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “My record of developing 32 Shea into a 2016 Phoenix New Times "Area Revitalizer" award winning establishment will translate directly to Lovecraft and serve the interest of the community for the following reasons: 1 - Revitalization due to successful local businesses: This property has been many different businesses over the years. The community deserves an updated, locally owned and stable business run by neighborhood centric owners who are, in fact neighbors. My work in developing 32 Shea is an example of a community/neighborhood establishment that serves locals and drives destination traffic as well. 2 - Revitalization due to beatification: The Lovecraft Beer concept along with the food menu is a part of a business model that includes an immediate and very much needed upgrade to the front of the building. A modern design to the store front will help in beautifying the area. My remodel and design of 32 Shea is an example of how community improvement through beautification is a priority in my businesses. 3 - Use of the property does not change: This location has operated under a series 12 liquor license for decades. The modification to a series 7 liquor license for this application is to allow Lovecraft to offer the addition off-premise options for the community, giving them a locally owned location to purchase unique craft beer that is not offered in other nearby locations.”

Staff Recommendation

Staff recommends approval of this application.

Attachments
Liquor License Data - Lovecraft Beer Shop & Ale House
Liquor License Map - Lovecraft Beer Shop & Ale House

This item was recommended for approval.

12 Liquor License - Soup & Sausage Bistro

Request for a liquor license. Arizona State License Application 29906.

Summary

Applicant
Oleksii Koshalko, Agent

License Type
Series 12 - Restaurant

Location
13240 N. 7th St., Ste. 4-5
Zoning Classification: PSC
Council District: 3

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 alcohol sales as an accessory use to a restaurant.

The 60-day limit for processing this application is Oct. 30, 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:
"Restaurant has possibilities to serve customers and I have necessary education, experience from my previous work and certification."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I received a lot of wishes, propositions and requests from our customers to serve beer and wine with our food."

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 - Soup and Sausage Bistro
Liquor License Map - Soup and Sausage Bistro

This item was recommended for approval.

13 Liquor License - Special Event - Cancer Support Community - Arizona

Request for a Series 15 - Special Event liquor license for the temporary

sale of all liquors.

Summary

Applicant
Deborah DiCarlo

Location
360 E. Palm Lane
Council District: 4

Function
Brunch

Date(s) - Time(s) / Expected Attendance
Oct. 27, 2018 - 8:30 a.m. to 11:30 a.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - Special Event - Orgazac, Inc.

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

Summary

Applicant
Jesus Barraza Rodriguez

Location
4231 W. Thomas Road
Council District: 4

Function
Dance

Date(s) - Time(s) / Expected Attendance
Nov. 9, 2018 - 8 p.m. to 2 a.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - 27 Shell

Request for a liquor license. Arizona State License Application 29865.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
4102 N. 27th Ave.
Zoning Classification: C-2
Council District: 4

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 Oct. 30, 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 information is not provided due to the multiple ownership interests held by the applicant 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:
"Applicant is committed to upholding the highest standards for retail sales of alcohol. Managers and staff will be trained in Arizona liquor law and the techniques of responsible sales and service to guests 21 and over."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"27 Shell has offered fuel, grocery, household and convenience items, including beer and wine for many years. Applicant would like to continue to offer beer and wine to its customers 21 and over."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - 27 Shell
Liquor License Map - 27 Shell

This item was recommended for approval.

17 Liquor License - Thai Recipe Bistro

Request for a liquor license. Arizona State License Application 29780.

Summary

Applicant
Lin Rawlinson, Agent

License Type
Series 12 - Restaurant

Location
2234 N. 7th St.
Zoning Classification: C-1
Council District: 4

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 alcohol sales as an accessory use to a restaurant. A Use Permit hearing has been scheduled.

The 60-day limit for processing this application is Oct. 29, 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 understand the responsibilities and regulations that come with owning a liquor license. I take these responsibilities and regulations seriously as I am trying to ensure that my business is run successfully and professionally."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Liquor will be served in a safe and regulated environment."

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 - Thai Recipe Bistro
Liquor License Map - Thai Recipe Bistro

This item was recommended for approval.

18 Liquor License - Special Event - Veterans Transportation

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

Summary

Applicant
Eric Morales

Location
4344 W. Indian School Road, Ste. 100
Council District: 5

Function

Concert

Date(s) - Time(s) / Expected Attendance
Nov. 21, 2018 - 7 p.m. to 2 a.m. / 900 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

19 Liquor License - Special Event - Arizona Parks and Recreation Association

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

Summary

Applicant
Samantha Coffman

Location
10919 S. Central Ave.
Council District: 6

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Nov. 17, 2018 - 12:30 p.m. to 6:30 p.m. / 1,200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

20 Liquor License - Special Event - Childsplay, Inc.

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

Summary

Applicant

Steven Martin

Location
3515 E. Hialea Court
Council District: 6

Function
Food & Wine Tasting

Date(s) - Time(s) / Expected Attendance
Nov. 3, 2018 - 4:30 p.m. to 8:30 p.m. / 150 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

21 Liquor License - Special Event - Keystone Montessori Charter School, Inc.

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

Summary

Applicant
Melissa Risinger-Sutton

Location
1025 E. Liberty Lane
Council District: 6

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 3, 2018 - 3 p.m. to 9 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

22 Liquor License - Special Event - Phoenix Children's Hospital Foundation

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

Summary

Applicant
Amy Pearce

Location
800 E. Camelback Road
Council District: 6

Function
Concert

Date(s) - Time(s) / Expected Attendance
Nov. 10, 2018 - 7 p.m. to 11:30 p.m. / 550 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

23 Liquor License - Special Event - St. Benedict Roman Catholic Parish Phoenix

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

Summary

Applicant
Rachel Barone

Location
16035 S. 48th St.
Council District: 6

Function

Festival

Date(s) - Time(s) / Expected Attendance
Oct. 27, 2018 - 5 p.m. to 10 p.m. / 600 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

24 Liquor License - Special Event - St. Joseph Maronite Catholic Church

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

Summary

Applicant
Wissam Akiki

Location
5406 E. Virginia Ave.
Council District: 6

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 2, 2018 - 5 p.m. to 10 p.m. / 300 attendees
Nov. 3, 2018 - Noon to 10 p.m. / 500 attendees
Nov. 4, 2018 - Noon to 7 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

25 Liquor License - Garcia's Mexican Restaurant

Request for a liquor license. Arizona State License Application 12079201.

Summary

Applicant
H. J. Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
4601 E. Thomas Road
Zoning Classification: C-1
Council District: 6

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Oct. 22, 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 information is not provided due to the multiple ownership interests held by the applicant 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:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff are, or will be, trained in the techniques of legal and responsible alcohol sales

and service."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

26 Liquor License - ATL Wings

Request for a liquor license. Arizona State License Application 31182.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
7810 N. 12th St., Ste. 10
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 and may currently operate with an interim permit.

The 60-day limit for processing this application is Nov. 6, 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:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"ATL Wings is a friendly, popular family neighborhood restaurant offering a variety of delicious wings and southern homemade classics. ATL Wings would like to offer guests 21 and over the opportunity to enjoy alcoholic beverages as an incident to the creative dishes its guests enjoy."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - ATL Wings
Liquor License Map - ATL Wings

This item was recommended for approval.

27 Liquor License - La Pita

Request for a liquor license. Arizona State License Application 29347.

Summary

Applicant
Joseph Fradi, Agent

License Type
Series 12 - Restaurant

Location
7811 N. 12th St.
Zoning Classification: C-1
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. This business has plans to open in November 2018.

The 60-day limit for processing this application is Oct. 22, 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.

Arco AM PM (Series 10)
1201 E. Northern Ave., Phoenix
Calls for police service: 36
Liquor license violations: None

Shell Food Mart (Series 10)
9102 W. Peoria Ave., Peoria
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:
"I have been operating two convenience stores one in the city off Phoenix and the other store in the city of Peoria. During my seven year in business never had any problems. All my employees are trained to handle the daily operations from receiving storing and selling the alcohol product to 21 years and older customers."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We as La Pita and my self will continue to serve our neighborhood in the existing business location with grate customer serves and best food and drinks. Also will keep our standers by respecting our neighbor and follow the law."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - La Pita
Liquor License Map - La Pita

This item was recommended for approval.

28 Liquor License - Wink 24

Request for a liquor license. Arizona State License Application 29679.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
2502 E. Camelback Road, Ste. 148 A & B
Zoning Classification: PSC CEPCSP
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 Oct. 28, 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.

Pomo Pizzeria Napoletana (Series 12)
705 N. 1st St., Ste. 120, Phoenix
Calls for police service: 22
Liquor license violations: None

Pomo Pizzeria Napoletana (Series 12)
366 N. Gilbert Road, Ste. 102, Gilbert
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Pomo Pizzeria Napoletana (Series 12)
8977 N. Scottsdale Road, Ste. 502, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: In March 2017, a fine of $375 was paid for delinquent taxes.

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:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will

be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Wink 24 is a friendly, popular family neighborhood restaurant featuring classic Italian dishes, including a variety of pastas, pizzas, salads, and main dishes in an authentic Italian atmosphere. Applicant would like to offer guests 21 and over the opportunity to enjoy alcoholic beverages as in incident to the creative meals served."

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 - Wink 24
Liquor License Map - Wink 24

This item was recommended for approval.

29 Liquor License - Special Event - Luke-Greenway Post No. 1, The American Legion, Department of Arizona

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

Summary

Applicant
James Lawson

Location
364 N. 7th Ave.
Council District: 7

Function
Community Event

Date(s) - Time(s) / Expected Attendance

Nov. 3, 2018 - 10 a.m. to 9 p.m. / 900 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

30 Liquor License - Special Event - Phoenix Community Alliance, Inc.

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

Summary

Applicant
Alison Sipes

Location
67 W. Culver St.
Council District: 7

Function
Community Event

Date(s) - Time(s) / Expected Attendance
Oct. 28, 2018 - 1 p.m. to 6 p.m. / 1,500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

31 Liquor License - Special Event - Phoenix Community Alliance, Inc.

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

Summary

Applicant
Alison Sipes

Location
67 W. Culver St.

Council District: 7

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 17, 2018 - 11 a.m. to 5 p.m. / 4,000 attendees
Nov. 18, 2018 - 11 a.m. to 3 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

32 Liquor License - Special Event - Phoenix Rotary Club Charities, Inc.

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

Summary

Applicant
Peter Shelbo

Location
113 N. 6th St.
Council District: 8

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 4, 2018 - Noon to 5 p.m. / 700 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

33 Liquor License - Special Event - Saint Sava Serbian Orthodox Church

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

Summary

Applicant
Milan Kesic

Location
4436 E. McKinley St.
Council District: 8

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 3, 2018 - Noon to 10:30 p.m. / 1,500 attendees
Nov. 4, 2018 - Noon to 8 p.m. / 850 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

34 Liquor License - Latitude Wines

Request for a liquor license. Arizona State License Application 28276.

Summary

Applicant
Camila Alarcon, Agent

License Type
Series 4 - Wholesaler

Location
2820 S. 18th Place, Ste. 100
Zoning Classification: A-2 RSIOD
Council District: 8

This request is for a new liquor license for a wholesaler. This location was

not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application was Oct. 8, 2018. However, the applicant has submitted a written request for more time.

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.

Latitude Wines (Series 4)
431 N. 47th Ave.
Calls for police service: 4
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:
“Applicant's members have interests in importer and wholesaler licenses in 12 other states: Massachusetts, Michigan, Ohio, Illinois, Louisiana, Tennessee, Texas, California, Nevada, New Mexico, Oregon, and Washington. They have held another Series 4 license without incident in Phoenix since 2016, as well as an Out-of-State Producer's license in

Arizona since 2005. With this new license, the applicant will continue to be committed to adhering to all of Arizona's liquor laws."

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.

35 Liquor License - Aloft Hotel Phoenix Airport

Request for a liquor license. Arizona State License Application 29081.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 11 - Hotel/Motel

Location
4450 E. Washington St.
Zoning Classification: C-2 M-R TOD-1
Council District: 8

This request is for a new liquor license for a hotel. 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 Oct. 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:
"Applicant is committed to upholding the highest standards for retail sales of alcohol. Managers and staff will be trained in Arizona liquor law and the techniques of responsible sales and service to guests 21 and over."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Aloft Hotel Phoenix Airport is a centrally located, popular hotel among business + personal travelers. Applicant would like to offer alcoholic beverages to its guests 21 and over."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Aloft Hotel Phoenix Airport
Liquor License Map - Aloft Hotel Phoenix Airport

This item was recommended for approval.

36 Liquor License - Smooth Brew

Request for a liquor license. Arizona State License Application 29812.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
504 E. Roosevelt St., Ste. 1
Zoning Classification: DTC-East Evans Churchill ACSBO
Council District: 8

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 business is currently under construction with plans to open in November 2018.

The 60-day limit for processing this application is Oct. 29, 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:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Smooth Brew will offer a variety of delicious fresh pastries and made-to-order burritos, bowls and sandwiches, including locally roasted coffee in a welcoming community gathering space. Applicant would like to offer its guests 21 and over the opportunity to enjoy alcoholic beverages as an incident to their creative menu items."

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 - Smooth Brew
Liquor License Map - Smooth Brew

This item was recommended for approval.

37 (CONTINUED FROM OCT. 3, 2018) - Liquor License - Speedo Business

Request for a liquor license. Arizona State License Application 28037.

Summary

Applicant
Odette Odeh, Agent

License Type
Series 10 - Beer and Wine Store

Location
4150 N. 35th Ave.
Zoning Classification: C-2
Council District: 5

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 was Oct. 5, 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.

Gas & Food Mart (Series 10)

1902 W. Cactus Road, Phoenix
Calls for police service: 30
Liquor license violations: In January 2014, a fine of $375 was paid for delinquent taxes. In March 2017, a fine of $750 was paid for failure to request ID from an underage buyer and selling, giving, furnishing an underage person with alcohol.

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 the Sevilla Neighborhood Association. They feel the applicant has a pattern of problematic business practices including several tax liens, allowing intoxicated transients to loiter on their property, and failure to maintain their property free from weeds, trash and litter. They also feel the location, which is already challenged with high crime, requires a highly responsible operator with a proven track record. They believe the applicant does not meet this criteria. They do not support the issuance of this liquor 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 had a liquor license for the past 20 year and I had more than one business with liquor licnese and I have been very sucessfull in running them."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I service the community and I have a very good service with the community."

Staff Recommendation
Staff recommends disapproval of this application based on a Police Department recommendation for disapproval and neighborhood protest.

The Police Department disapproval is based on concerns with the applicants' capability, reliability and qualifications to hold and control a liquor license. The applicants provided inaccurate information on the application and have had numerous liquor license violations, blight violations and civil judgments levied against them. The applicants have not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments
Liquor License Data - Speedo Business
Liquor License Map - Speedo Business
Liquor License Police Department Recommendation - Speedo Business

This item was continued to the Nov. 7, 2018 City Council Formal Meeting.

16 Liquor License - The Louie Restaurant and Bar

Request for a liquor license. Arizona State License Application 06070028.

Summary

Applicant
Stephen Fendley, Agent

License Type
Series 6 - Bar

Location
605 W. Osborn Road
Zoning Classification: C-2
Council District: 4

This request is for an ownership and location transfer of a liquor license for a bar. This location was previously licensed for liquor sales with a Series 12 - Restaurant, liquor license and does not have an interim permit. This location requires a Use Permit to allow patron dancing as an accessory use to a bar and to allow a bar, which exceeds 5,000 square feet, within 300 feet of a residential zoning district. This business has

plans to open in November 2018.

The 60-day limit for processing this application is Oct. 23, 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
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 resident who is concerned with the close proximity of the venue to his home and the potential impact on the neighborhood due to insufficient parking, intoxicated strangers in the area, and increased noise.

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 the funds to start up a restaurant and bar. I believe in the laws and rules pertaining to the operation of a successful business. Submission of required documentation for series 6 license. Answered all questions accurately and honestly. US citizen and Phoenix metro resident."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Commitment to the community to provide quality food and beverage in a safe and fun environment. Sensitive to the needs of the neighborhood. To provide dinning and social venue for urban proffessionals and their family and friends. Intended ongoing community engagement by investing in the neighborhood. Managers and staff to be compentant in safe food preparation and legal liquor sales.”

Staff Recommendation
Staff gave careful consideration to the protest letter received, however after reviewing the application in its entirety, 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 Louie Restaurant and Bar
Liquor License Map - The Louie Restaurant and Bar

Discussion
Councilwoman Pastor mentioned she pulled this item because she received three protest letters for this application. She indicated this application was for a location and ownership transfer of a Series 6 license for a bar, noting the location previously had a Series 12 license for a restaurant. She pointed out this application did not have a use permit for a bar within 300 feet of residential or for dancing, plus lacked a certificate of occupancy. She conveyed the use permit and certificate of occupancy were handled by the Planning and Development Department though the applicant was notified they had to be obtained prior to beginning operations. She said she understood that staff received and reviewed a protest letter but still recommended approval.

License Services Program Manager Denise Archibald affirmed staff did receive one letter of opposition from a local resident during the comment period. She advised after reviewing it staff recommended approval.

In further response to Councilwoman Pastor, Ms. Archibald explained if the license was approved the applicant would still need to comply with city codes and laws regarding the use permit and certificate of occupancy.

A motion was made by Councilwoman Pastor, seconded by Councilwoman Mendoza, that this item be forwarded without recommendation. The motion carried by the following vote:

Yes: 8 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams

No: 0

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

Discussion

A motion was made and seconded to approve Items 38-87, except Items 39, 42, 46-47, 52, 58-61, 64, 66, and 86; noting Item 41 has been withdrawn; and Item 54 is as corrected.

Councilman DiCiccio interjected his preference to hear Item 41 in order to vote yes or no instead of withdrawing it.

Vice Mayor Waring expressed his displeasure that Item 41 was being pulled off as he expected to vote on it today. He said he did not think it was a productive use of taxpayer money. He stated he would get three Councilmembers to sign a letter to place it on the November 7 agenda for a vote. He asked what the deadline was for membership and how the league got paid in the interim.

City Manager Ed Zuercher replied this item authorized staff to write a check to the league, noting in some years the City did not pay the league until the following year so there was no hard deadline.

Vice Mayor Waring asserted the City should have its own lobbyist team or be a member of the league to save taxpayers some money.

Councilman DiCiccio remarked this item was always controversial and reiterated his preference to vote it up or down today. He said he realized it would be

controversial if the City left the league; however, it showed a level of dissatisfaction from multiple people.

Vice Mayor Waring recalled this item failed in 2012 but there were only eight people on the Council now so it was a different dynamic. He also noted the league conducted a poll about consolidated elections and did not share that information with Council.

Note: Councilman Nowakowski joined the voting body at the dais.

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that Items 38-87 be approved or adopted, except Items 39, 42, 46-47, 52, 58-61, 64, 66, and 86; noting that Item 41 has been withdrawn; and Item 54 is as corrected. The motion carried by the following vote:

Yes:	8 -	Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams
No:	0	

Items 38, 40-41, 43-45, Ordinance S-45047, 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.

38 Hughes Ventures, Inc. doing business as The FOD Control Corporation

For $11,000.00 in payment authority for a one-time purchase of a Foreign Object Debris Razor Sweeper Assembly for the Aviation Department. The sweeper will be used to quickly and efficiently remove foreign objects and debris from critical areas of the airfield, which will reduce the downtime and possible shutdown of runways and taxiways.

This item was adopted.

40 Stock Enterprises, LLC

For $22,000.00 in payment authority for one-time Grappler Police Bumper system purchase for the Police Department. The Grappler Police Bumper system is a vehicle mounted tool used to prevent vehicle pursuits and conclude incidents with much less danger to the public. The Special Assignment and K-9 Units routinely assist with the apprehension of violent felons driving motor vehicles at high rates of speed endangering the public.

This item was adopted.

41 The League of Arizona Cities and Towns

For $145,300.00 in payment authority for the FY 2018-19 City of Phoenix annual membership dues. The League of Arizona Cities and Towns provides services and resources focusing on member representation and interests of cities and towns before the legislature. It also provides technical and legal assistance, coordinates shared services and educational conferences and events. The membership ensures that Phoenix's interests are represented and advocated for at the Governor's Office, state legislature, and other state agencies.

This item was withdrawn.

43 Arizona Parks and Recreation Association

For $60,000.00 in payment authority to reimburse Arizona Parks and Recreation Association (APRA), per Letter of Agreement 148444, for providing financial coordination services for the Phoenix Summit Challenge for the Parks and Recreation Department. The City's non-profit partner, APRA, is responsible for taking on the role of lead financial coordinator for the event and facilitation of all financial transactions. The source of funds is from the revenue generated through participant entry fees, which are collected through the event registration process. No general funds are used to produce this event.

This item was adopted.

44 State of Arizona doing business as Arizona Department of Public Safety

For $100,000.00 in payment authority to pay the Arizona Department of Public Safety (DPS) for storage space on a DPS computer server. The DPS server is a central repository used by various law enforcement agencies in the Valley to store sensitive investigative evidence related to

Homeland Security and Internet Crimes Against Children cases. The Police Department is one of the principal agencies storing investigative evidence on the DPS server. This payment is to financially support the purchase of the Police Department's portion of the shared server.

This item was adopted.

45 Levi, Ray & Shoup, Inc.

For $61,000.00 in additional payment authority under Contract 103651 for annual system maintenance costs for the Retirement Department. Levi, Ray & Shoup, Inc. is the vendor and service provider of the City's pension administration system and manages the pension benefit process for all City of Phoenix public safety and general employees. These costs are for the public safety portion of the system only. The increased spending authority is necessary as the annual maintenance costs for this system are dependent on many factors such as the number of active/retired employees and basic system support required.

This item was adopted.

48 Acceptance and Dedication of an Easement for Alley Purposes (Ordinance S-45057)

Request for the City Council to accept and dedicate an easement for alley purposes; further ordering the ordinance recorded.

Summary

Accepting and dedicating the property interests below will meet the Planning and Development Department's Single Instrument Dedication Process requirement prior to releasing any permits to applicants.

Easement (a)

Applicant: Yeshiva High School of Arizona, Inc., its successor and assigns
Purpose: Alley
Location: 7045 N. 12th St.
File: FN 180056
Council District: 6

This item was adopted.

49 Amend Ordinance S-44458 For Acquisition of Temporary Construction Easements for a Safe Route to School Improvement

Project Located Along Sunland Avenue Between 16th Drive and 15th Avenue (Ordinance S-45060)

Request the City Council amend Ordinance S-44458 for authorization to include an additional parcel needed for a Safe Route to School Improvement Project located along Sunland Avenue between 16th Drive and 15th Avenue.

Summary

The additional parcel was not originally identified during design, and is necessary to accommodate project construction. All of the conditions and stipulations previously stated in the above referenced ordinance will remain the same. The impacted parcel is identified by Maricopa County Assessor's Parcel Number 105-78-002C and located west of Sunland and 15th avenues.

Financial Impact

Acquisition for the project will be funded with Capital Construction Funds, available in the Street Transportation Department's Capital Improvement Program budget.

Location

Sunland Avenue, between 16th Drive and 15th Avenue.
Council District: 7

Concurrence/Previous Council Action

Ordinance S-44458 was adopted by City Council on April 18, 2018.

This item was adopted.

50 Contract for Vector Manhole Cockroach Treatment - Pima County 16-196 (Ordinance S-45051)

Request to authorize the City Manager, or his designee, to access the Pima County Cooperative Contract awarded as a result of solicitation 16-196 and to enter into a contract with Peoria Pest Control for vector manhole cockroach treatment services for the Water Services Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $817,000.

Summary

The Water Services Department has approximately 95,000 manholes, and for the protection of public health and worker safety each manhole requires application of insecticide to exterminate cockroaches. The contractor will provide labor, material, and equipment required to treat the sanitary sewer structures and cleanouts for an estimated 47,500 manholes per year.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in Phoenix City Code chapter 43. Cooperative agreements allow the City to benefit from local government pricing and volume discounts. The Pima County contract covers the application of insecticide to manholes located throughout the City.

Contract Term

The contract term shall begin on or about Nov. 1, 2018, and will end on Oct. 31, 2021.

Financial Impact

The aggregate contract value will not exceed $817,000. Funds are available in the Water Services Department's operating budget.

This item was adopted.

51 Lake and Waterway Management Services - Requirements Contract - IFB 18-306 (Ordinance S-45059)

Request to authorize the City Manager, or his designee, to enter into a contract with Aquatic Consulting & Testing, Inc. to provide lake and waterway management services for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $415,125 over a five-year period.

Summary

This contract will provide the Parks and Recreation Department with urban lake and waterway maintenance services as needed to maintain the proper ecology. The vendor will monitor/test the pH, hardness, alkalinity,

temperature, dissolved oxygen, unionized ammonia and golden algae, as well as perform tests for all metals. These services will improve the water quality, enhance the fish habitats, decrease mosquito activity and remove any foul odors.

Procurement Information
Invitation for Bid (IFB) 18-306 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Procurement Division on Aug. 24, 2018. The offer was evaluated on price, responsiveness to specifications and responsibility to provide the required goods and/or services. The notice of bid was sent to more than 250 registered vendors and was publicly posted and available for download on the City website. The price offered was determined to be fair and reasonable based on a comparison with previous contract pricing.

The Deputy Finance Director recommends that the offer from Aquatic Consulting & Testing, Inc. be accepted.

Contract Term
The five-year contract term will begin on or about Oct. 4, 2018.

Financial Impact
The aggregate contract value will not exceed $415,125, with an estimated annual expenditure of $83,025. Funds are available in the Parks and Recreation Department's budget.

This item was adopted.

53 Armed, Unarmed, and Event Security Guard Services - Requirements Contract - IFB 18-299 (Ordinance S-45063)

Request to authorize the City Manager, or his designee, to enter into contracts with Surveillance Security, Inc. and Andy Frain Services, Inc., to provide armed, unarmed, and event security services for citywide use. Further request the City Controller to disburse all funds related to this item. The five-year aggregate value of the contracts will not exceed $10.5 million, with an annual estimated expenditure of $2.1 million.

Summary
These contracts will provide armed, unarmed, and event security guard

services to secure public and private interior and exterior property, in addition to providing security at City-sponsored events such as the Fabulous Phoenix 4th and Electric Light Parade. Guard services will be used during operating and after hours to monitor City buildings and patrol City locations to deter crime and protect City property. Guard services will also be used to monitor video-surveillance systems, and fire detection, alarm and communication systems as well as provide fire watch services and emergency guard services, as needed. The contracts will be available for citywide use, however the primary regular user departments include the Fire, Police, Public Works, Street Transportation, and Parks and Recreation departments.

Procurement Information

Invitation for Bid 18-299 was conducted in accordance with Administrative Regulation 3.10. There were 12 offers received by the Finance Department's Procurement Division on July 27, 2018. One offer was deemed non-responsive for including exceptions to City's terms and conditions with their submittal, and one offeror was deemed not responsible due to unsatisfactory references.

The Deputy Finance Director recommends that the offers from Surveillance Security, Inc. and Andy Frain Services, Inc., be accepted as responsive and responsible offers which offer the lowest overall cost to the City.

Contract Term

The five-year term will begin on or about Dec. 1, 2018.

Financial Impact

The five-year aggregate value will not exceed $10.5 million, with an estimated annual expenditure of $2.1 million. Funds are available in various departments' budgets.

This item was adopted.

54 Ice and Ice Storage - Requirements Contract (Ordinance S-45066)

Request to authorize the City Manager, or his designee, to enter into a contract with Reddy Ice Corporation to provide citywide departments with ice and ice storage services, on an as-needed basis. The five-year

aggregate value of this contract will not exceed $1,500,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Ice and ice storage is used daily by the City for consumption, cooling of medications, and to help prevent heat-related illnesses for police officers, firefighters, and other city employees and residents. Ice and ice storage is also used at public gatherings, political events, marches or walks, and City-funded public events. This contract will be utilized citywide and is critical to the safety and health of the City's employees and residents by helping prevent heat-related issues, especially during the city's hotter months of the year.

Procurement Information

Request for IFB 18-319 for Ice and Ice Storage was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Procurement Division on Aug. 24, 2018. The solicitation was emailed to 96 suppliers and posted on the City's website. The pricing from the offeror is deemed fair and reasonable based on a comparison to the current contract in use by the City.

Contract Term

The contract will begin on or about Nov. 1, 2018.

Financial Impact

The five-year aggregate value of this contract will not exceed $1,500,000. Funds are available in various departments' budgets.

This item was adopted as corrected.

55 Industrial and Maintenance, Repair, and Operations Supplies Contract Extension and Additional Funding (Ordinance S-45061)

Request to authorize the City Manager, or his designee, to extend State of Arizona Cooperative Agreements 146493 (Border States Electric Supply), 146347 (Voss Lighting), 146366 (Electric Supply), 146346 (Fastenal) and 146348 (WESCO dba Brown Wholesale Electric) and increase funding by an additional amount of $4,000,000, so that these vendors can continue to provide Industrial Maintenance and Repair related equipment and parts to all City departments, which are essential

to all citywide operations. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The State of Arizona is in the process of issuing a solicitation for a cooperative agreement and the City is requesting an extension along with funding of the existing contracts until the solicitation is completed by the State. The requested extension and funding of these contracts is open to all departments and is for lighting hardware critical and essential to the continued business and operations of the City of Phoenix. The contracts provide for lighting hardware, emergency lighting, traffic lamps, construction lighting, and ballasts. Significant users of the contracts include Public Works, Water, Aviation, Streets, Convention Center, and Fire departments.

Contract Term

This request is for a month to month contract renewal, not to exceed 12 months, continuing through Jan. 31, 2020.

Financial Impact

The contracts value will increase by an estimated $4,000,000 annual expenditure and the total amount over the life of the contract including this extension shall not exceed $10,000,000. The appropriate funding is available in various departments' budgets listed above.

Concurrence/Previous Council Action

The State of Arizona Agreements were awarded Feb. 1, 2014 from solicitation ADSPO14-00003418, and were subsequently formally adopted by the City of Phoenix through Cooperative Agreements on July 1, 2016 and formally funded through Council on June 22, 2016, original payment authority (Ordinance S-42687).

This item was adopted.

56 Industrial-Commercial Doors Service and Supply - Requirements Contract - IFB 18-205 (Ordinance S-45068)

Request to authorize the City Manager, or his designee, to enter into contract with D. H. Pace Company, Inc. and Miner Southwest, L.L.C. for Industrial-Commercial Doors Service and Supply for citywide use, in an amount not to exceed $2,500,000 over the five-year contract term.

Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will provide the City of Phoenix with equipment, labor and materials to perform all operations necessary to implement a preventative maintenance program, as-needed repairs, and replace existing door systems, as necessary, to approximately 800 industrial-commercial doors for citywide buildings/facilities protection and security. The contract will be utilized citywide with primary usage by the Fire and Public Works Departments.

Procurement Information

IFB 18-205 was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 123 vendors and was posted on the City's website. The Finance Department, Procurement Division received three offers on Sept. 28, 2018.

One vendor was deemed non-responsive as their references did not demonstrate that they could handle the volume required for this citywide contract.

The Deputy Finance Director recommends that the offers from D. H. Pace Company, Inc. and Miner Southwest, L.L.C. be accepted as responsive and responsible.

Contract Term

The five-year contract term will begin on or about Nov. 1, 2018.

Financial Impact

The aggregate contract value will not exceed $2,500,000 with an estimated annual expenditure of $500,000. The contract is available to all City departments. The Fire and Public Works departments will be the majority users; funds are available in each department's budget.

This item was adopted.

57 2019-20 CDBG Public Services and Public Facilities Request for Proposals

Request for City Council approval of the Community Development Block

Grant (CDBG) Request for Proposals (RFP) process and proposed priorities for the Public Services and Public Facilities program.

Summary

The CDBG RFP for Public Services and Public Facilities program, an important element of the U.S. Department of Housing and Urban Development (HUD) required Annual Action Plan, provides nonprofits that serve low- and moderate-income communities in Phoenix with funding to implement facility improvements or to offer critical services and programs.

The Annual Action (AA) Planning process will begin in October 2018 with a HUD-required public hearing to assess community needs across the City of Phoenix. Residents and neighborhood leaders will provide testimony regarding a number of critical issues including housing, social services, neighborhood revitalization, and community development. Residents who are unable to attend the public hearing have the opportunity to submit comments via email or by phone. This input, along with a needs assessment, will form the basis for the 2019-20 AA Plan.

Staff proposes Public Services and Public Facilities program priorities based on feedback received and the AA Plan process. Each year, over 100 applications for more than $3 million in funding requests are submitted and need for assistance far exceeds the availability of funding. Public Service priorities for the 2019-2020 proposals are based on community comments historically received during community outreach activities and identified needs by the local nonprofits who serve low- and moderate-income Phoenix residents. Last year, Public Services RFP programs serving Low Income Youth, Seniors, and Persons with Disabilities totaled $1.6 million.

Procurement Information

The 2019-2020 RFP proposed priorities are as follows:

<u>Public Services</u>

Low Income Youth Services.
Support Services to Persons with Disabilities.
Senior Support Services.

Staff estimates approximately $240,000 to be allocated to Public Services.

Public Facilities

Acquisition, construction, rehabilitation, and Americans with Disabilities Act (ADA) modifications to public facilities, such as senior and youth centers, neighborhood facilities, and childcare buildings.

Staff estimates approximately $428,000 to be allocated to Public Facilities.

The tentative dates for the 2019-20 Public Services and Public Facilities RFP's are as follows:
RFP Available - Oct. 31, 2018.
Proposals Due - Dec. 5, 2018.

The City Council will be asked to review and approve the Community Development Block Grant RFP allocations in the spring of 2019.

Public Outreach

A public meeting required by the U.S. Department of Housing and Urban Development will be held in October 2018 to receive community input and feedback. Residents who are unable to attend the public hearing have the opportunity to submit comments via email or by phone.

Concurrence/Previous Council Action

This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on Oct. 2, 2018 by a 4-0 vote.

This item was approved.

62 Aviation Department Information Technology Project Management and Consulting Services - Requirements Contract - RFP 18-050 (Ordinance S-45062)

Request to authorize the City Manager, or his designee, to enter into a contract with Barich, Inc. to provide information technology (IT) project management and consulting services for Phoenix Sky Harbor International Airport (PHX) in an amount not to exceed $8 million for the five-year aggregate term. Further request authorization for the City

Controller to disburse all funds related to this item.

Summary

On June 20, 2018, the Phoenix City Council authorized the Aviation Department to Issue a Request for Proposal (RFP) for IT project management and consulting services associated with the planning, design and implementation of IT projects at PHX. These services are critical for successful implementation of many passenger-facing and back office systems for projects such as: wayfinding for passengers, Transportation Security Administration (TSA) video surveillance system, and Aviation Department's badging system. The Aviation Department's Technology Division currently utilizes an outside firm for similar project management and consulting services and that agreement expires on Nov. 4, 2018.

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

Procurement Information

Request for Proposal AVN RFP 18-050 was conducted in accordance with Administrative Regulation 3.10. Eleven proposals were received and the proposals were evaluated by an evaluation panel and scored by consensus based on the following criteria, with total points ranging from 0 - 1,000:

Qualifications and Experience of IT Project Management Staff.
Firm Qualifications and Experience.
Price Proposal.

The evaluation panel recommends Barich, Inc. for contract award as the best value to the City based on the following consensus scores for the top three scoring proposers:

Barich, Inc: 786 Points.
Revision, Inc: 717 Points.
Insight: 520 Points.

Contract Term

The term of this contract will commence on Nov. 5, 2018 for a five-year

aggregate term with no extension options.

Financial Impact

The contract value will not exceed $8 million for the five-year aggregate contract term. Funds are available in the Aviation Department's operating budget.

Concurrence/Previous Council Action

This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on Sept. 25, 2018, by a vote of 3-0.

Location

Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.
Council District: 8

This item was adopted.

63 Stanchions and Accessories - Requirements Contract - IFB 18-026 (Ordinance S-45065)

Request to authorize the City Manager, or his designee, to enter into separate contracts with Tensator, Inc. and Visiontron Corporation to purchase stanchions and accessories for Phoenix Sky Harbor International Airport in a combined amount not to exceed $200,000 over the five-year terms of the contracts. The contracts may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item in an amount not to exceed $200,000 over the terms of the contracts.

Summary

The contracts will require Tensator, Inc. and Visiontron Corporation to provide stanchions and accessories to manage terminal queueing at Phoenix Sky Harbor International Airport in a safe and orderly manner. Stanchions enhance crowd safety and will provide an efficient and safer experience for the customer. The contracts will allow for various stanchion styles and options, which will provide the Aviation Department with an opportunity to determine the best space management for airport operations.

Procurement Information

Invitation for Bid (IFB) 18-026 was conducted in accordance with Administrative Regulation 3.10. Three offers were received on Sept. 13, 2018 and they were all deemed responsive and responsible. Awards to Tensator, Inc. and Visiontron Corporation are recommended in order to meet availability and the variety of needs outlined in the IFB. The Aviation Department will select the most cost-effective products available at the time of purchase.

Contract Term

The terms of the contracts are five years and will begin on or about Nov. 1, 2018. The contracts will not contain any option to extend the term.

Financial Impact

The value of both contracts will not exceed a combined amount of $200,000 over their five-year terms. Funds are available in the Aviation Department's budget.

Location

Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.
Council District: 8

This item was adopted.

65 Contract Recommendation - Hale Pumps Repair, Rebuild and Replacement (Ordinance S-45052)

Request to authorize the City Manager, or his designee, to enter into a contract with United Fire Equipment Co., H & E Equipment Services, Inc., and W. W. Williams Company, LLC to provide new Hale pumps, rebuilt Hale pumps, and service repairs of Hale pumps as required. This contract will have an estimated $210,000 annual expenditure. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is responsible for maintaining 120 pieces of critical front line fire apparatus equipment for the Phoenix Fire Department. This contract will provide additional support by providing rebuild and replacement services for Hale water pumps. These water pumps are critical to the operational needs in these very specialized

pieces of equipment, allowing the Phoenix Fire Department to protect and serve the residents of the City of Phoenix.

Procurement Information
Invitation for Bid (IFB) 19-FSD-018 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department, Procurement Section, received three bids for three groups, with two vendors bidding on all three groups, and one vendor bidding on one group. The solicitation was issued for three groups: Group I - purchase of new Hale pumps; Group II - purchase of a rebuilt Hale pump; and Group III - repair of Hale pumps. Because of the critical nature of the equipment being serviced, all bids received are being recommended for award to allow for shorter equipment down time.

Group I: United Fire Equipment Co., H & E Equipment Services, Inc., and W. W. Williams Company, LLC
Groups II and III: H & E Equipment Services, Inc. and W. W. Williams Company, LLC

Contract Term
The initial one year contract term shall begin on or about Dec. 1, 2018, with four options to extend in increments of up to one year, for a total contract option term of five years.

Financial Impact
This contract will have a $210,000 estimated annual expenditure, with a total aggregate amount not to exceed $1,050,000 over the life of the contract. Funds are available in the Public Works Department's budget.

This item was adopted.

67 Proposed Notification Policy for Planned After-Hours Work in the Right-of-Way

Request City Council approval of the proposed notification policy for Planned After-Hours Work in the Right-of-Way.

Summary
The Street Transportation Department was asked to develop a policy to provide notification to residents when work is taking place in the right-of-way during after-hours. Per Phoenix City Code 23-14, approval is

needed for work performed during night time hours (7 p.m. to 6 a.m. from May 1 through September 30 and 7 p.m. to 7 a.m. from October 1 through April 30).

As part of the process to develop the proposed policy, staff from the Street Transportation Department (Streets) completed a comprehensive review of all work types performed in public right-of-way (ROW). The majority of work occurs during daytime hours, however some work does take place on nights, weekends and/or holidays due to necessary work-related lane closures or restrictions that would have negative impacts to the traveling public if performed during daytime hours. In recent years, there has been a significant increase in the number of utility, private developer and City projects taking place in the ROW, which has led to additional traffic congestion and adverse impacts to the traveling public. Often, to minimize these disruptions it is necessary to perform planned ROW work during night time hours.

Work Types and Noise Levels

To assist in identifying work types that would impact the development of public notification criteria, Streets staff identified four categories of ROW work:

Routine maintenance: For Streets, this work includes, but is not limited to filling potholes, repairing sidewalks, performing pavement maintenance activities, conducting street sweeping operations, repairing traffic signals and streetlights, and clearing vegetation and debris from drainage easements.

Replacement of existing equipment and/or infrastructure: These replacement activities are more significant and would be considered major maintenance functions. For Streets, a sample of these activities includes replacing faded signs, re-striping streets, and replacing traffic signal equipment.

New installation or construction: The installation of new infrastructure in the ROW is typically captured as a stand-alone capital improvement program (CIP) project, and for Streets this may include: installation of new traffic signals, construction of new waterlines or sanitary sewer lines, construction or widening of roadways, and installation of new

sidewalks.

Emergency work: Emergency work is typically due to accidents, weather-related damage, or infrastructure failure. Examples include: responding to traffic signal malfunctions, restoring damaged or knocked-down infrastructure (signs, streetlights, or signals), repairing water main breaks, repairing significant or critical damage to roadway (concrete and asphalt), and mitigation of flooding concerns or debris in the road.

Staff also reviewed the typical noise levels associated with each work type and developed three distinct categories.

Minimal Noise: Noise associated with these activities is typically limited to use of non-powered hand tools (shovels / pick axe).

Moderate Noise: Noise at this level may come from equipment with a higher, but less frequent noise level (vehicle back-up alarms) or a lower, but constant noise level (equipment generator).

Loud Noise: Activities that have the highest audible impact would include demolition activities (jack hammers and saw-cutting) or pavement repair activities (vibrating roller).

Citizen calls and emails received by Streets that are related to work in the ROW indicate that residents typically are not as concerned about weekend and holiday work performed during daytime work hours. Rather, concerns are more related to work taking place during night time hours.

Proposed New Street Transportation Department Policy

Based on the information above and the responsibility to maintain the public's rights-of-way with the least negative impacts to residents, Streets staff proposes a policy requiring public notification for any planned work that takes place in the ROW if that work: (1) is performed during night time hours, and (2) will involve activities that generate moderate or loud noise levels. For example, pothole repairs typically produce minimal noise and would not require public notification, whereas significant asphalt repair work generates loud noise and would require public notification. This policy would apply to both public and private sector work in the ROW.

Based on citizen feedback, notification would not be required for weekend and/or holiday work if it will take place during daytime work hours. Public involvement and notification for CIP or other planned projects that are not maintenance in nature and happen in the ROW during daytime hours is addressed as part of a separate policy. It should also be noted that all work (except for emergencies) requiring traffic lane restrictions or closures will be in compliance with the City's existing policy concerning the annual moratorium of activities between Thanksgiving and New Year's Day.

To ensure consistency in its application, the proposed policy will be administered by a Deputy Street Transportation Director, who will serve as the single point of authorization for all work performed in the ROW during night time hours. To confirm that night work is necessary, all requests will be thoroughly vetted in coordination with the Streets Right-of-Way Management Section, which reviews and approves any traffic restrictions or closures in the ROW. Only requests that are deemed necessary will be forwarded to the appropriate Council Office for approval, similar to the process currently utilized by the Planning and Development Department.

If a request for night time hours work is approved, Streets staff will issue a permit for the work activity. As a condition of approval, the permittee will be responsible for providing notice to residents, hotels, and hospitals that are within 500 feet of the work location a minimum of 72 hours in advance of the planned work activity. The notification shall include the project location, a brief description of the work, the dates and times work will take place, and the name and phone number of the on-site contact.

All night time hours work permits may be revoked if the City receives complaints about the work that cannot be resolved. It should be noted that if requests for night time hours work are denied or permits are revoked, day time work may have adverse impacts to the traveling public. Streets will work with the appropriate Council Office to discuss such impacts.

The process to consider night time hours work requests includes an

application, a review and approval process by the City, and stated conditions for approval of any requests. Staff will utilize this process to develop a recommendation for approval or denial of an application.

Emergency Work

Although emergency work may be permitted under the new policy, advance notification requirements for emergency situations will not apply. The nature of emergency work necessitates an immediate response without an opportunity for advance planning and/or notification. Once the initial emergency is mitigated, the entity performing the work may be required to apply for a permit to continue ROW work during night time hours.

Financial Impact

There is no financial impact to the City.

Concurrence/Previous Council Action

This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on Sept. 24, 2018 by a vote of 3-0.

Public Outreach

As part of the development and refinement of the proposed policy, in addition to the input received from residents, Streets staff met with representatives from the Water Services and Planning and Development departments, utility companies, private developers and City contractors to discuss and solicit input. Their feedback played a key role in developing the proposed policy.

This item was approved.

68 Large Valve Repair and Replacement - Engineering Services - WS85500347 (Ordinance S-45050)

Request to authorize the City Manager, or his designee, to enter into an agreement with Brown and Caldwell, Inc. to provide Engineering Services that include construction administration and inspection (CA&I) services for the Large Valve Repair and Replacement project. Further request to authorize the execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and

for the City Controller to disburse all funds related to this item. The fee for services will not exceed $787,000.

Additionally, request to authorize the City Manager, or his designee, to take all action 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

The purpose of this project is to maintain the City’s water transmission system. In order to do so, it is critical to identify and repair leaking and broken large valves in water transmission mains citywide. The consultant will perform CA&I services on an as-needed basis to support the Large Valve Repairs Job Order Contract (JOC). The CA&I consultant and JOC contractors will work together to address large valves in immediate need of repair.

Brown and Caldwell, Inc.'s services include, but are not limited to: project administration; construction inspections; special valve inspections; resident engineering services during construction; daily interaction with contractors to clarify job requirements; administration of contractor's contract, monitoring of job progress, preparation of record drawings, public information and public relations services as needed, and serving as the City's representative during work performed under the job order contract.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Two firms submitted proposals and are listed below:

Selected Firm

Rank 1: Brown and Caldwell, Inc.

Additional Proposers
Rank 2: Stanley Consultants, Inc.

Contract Term
The term of the agreement is five years from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Brown and Caldwell, Inc. will not exceed $787,000, including all subconsultant and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

This item was adopted.

69 Booster Pump Station Replacement 3SE-B1/2S-B3 - Construction Manager at Risk Construction Services - WS85100044 (Ordinance S-45053)

Request to authorize the City Manager, or his designee, to enter into an agreement with PCL Construction, Inc. (PCL) to provide Construction Manager at Risk (CMAR) Construction Services for the 3SE-B1/2S-B3 Booster Pump Station (BPS) Replacement project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $16.5 million.

Summary
The purpose of this project is to replace BPSs 3SE-B1 and 2S-B3. 3SE-B1 is one of two major BPSs that serve as a source, or feeder,

station for the Ahwatukee area, providing a reliable, redundant means to serve this portion of the City. BPS 2S-B3, which serves a pressure zone between Southern Avenue and South Mountain, is also located on the site and will require rehabilitation at the same time. BPSs 3SE-B1 and 2S-B3 have reached the end of their useful life and require complete replacement. Staff proposes replacing the 3SE-B1 BPS with a new 44 million gallons per day (MGD) BPS and the 2S-B3 BPS with a new 20 MGD pressure reducing valve (PRV) station on a site located near the existing BPS station. Staff expects the existing stations will remain in operation during construction.

PCL Construction, Inc.'s initial services will include preparation of a Guaranteed Maximum Price (GMP) proposal for the Construction Services provided under the agreement and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project. PCL will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. PCL Construction, Inc. will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. PCL may also compete to self-perform limited amounts of work.

PCL Construction, Inc.'s services include, but are not limited to: constructing the infrastructure for the BPS and PRV station, scheduling, managing site operations, field verification of site conditions, arranging for procurement of materials and equipment, and providing quality controls.

Procurement Information
The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Preconstruction Services selection process.

Contract Term
The term of the agreement is 548 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties,

and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for PCL Construction, Inc. will not exceed $16.5 million, including all subcontractors and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to the agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action
The City Council approved:
CMAR Preconstruction Services Agreement 147484 (Ordinance S-44570) on May 16, 2018.

Location
42nd Place and Baseline Road
Council Districts: 6 and 8

This item was adopted.

70 Fiscal Year 2018 Federal Tap HAWK Installation Project - Design-Bid-Build Services - ST89330183 (Ordinance S-45056)

Request to authorize the City Manager, or his designee, to accept AJP Electric, Inc. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with AJP Electric, Inc. for Design-Bid-Build Services for the Fiscal Year 2018 Federal Tap HAWK (High-intensity Activated crossWalK) Installation Project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $1,481,720.

Summary
The purpose of the project is to provide safe and ADA-compliant pedestrian crossings at the following locations:

15th Avenue and Highland Avenue.

15th Avenue and Whitton Avenue.
Lower Buckeye Road and 72nd Avenue.
McDowell Road west of 67th Avenue.
Van Buren Street and 36th Street.
7th Street and Montebello Avenue.
McDowell Road east of 34th Street.
McDowell Road and 41st Avenue.

AJP Electric, Inc.'s services include, but are not limited to: construction of new ADA compliant curb ramps; new HAWK beacons; and associated signing and markings.

Procurement Information
The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. One bid was received on Aug. 14, 2018 and was sent to the Equal Opportunity Department (EOD) for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Disadvantaged Business Enterprise (DBE) program requirements.

The Engineer's estimate and the lowest responsive, responsible bidder is listed below:

Engineer's Estimate: $1,504,035
AJP Electric, Inc.: $1,481,720

The bid award amount is within the total budget for this project.

Contract Term
The term of the agreement is 180 calendar days from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for AJP Electric, Inc. will not exceed $1,481,720,

including all subcontractor and reimbursable costs.

Funding is available in the Street Transportation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to the execution of any amendments. Payments may be made up to agreement limits for all rendered agreements services, which may extend past the agreement termination.

Public Outreach
A public meeting will be held prior to start of construction and the community will be notified with flyers during construction.

Location
Council Districts: 4, 6, 7 and 8

This item was adopted.

71 Amend Substation Facilities Services Contract 139425 with Salt River Project for Design and Construction Services and Add Funds for Tres Rios Substation Improvements at 91st Avenue Wastewater Treatment Plant (Ordinance S-45048)

Request to authorize the City Manager, or his designee, to add funds in the amount not to exceed $1,341,525 and execute an amendment to Contract Number 139425, Customer-Owned Substation Facilities Service Agreement, dated Oct. 2, 2014, with Salt River Project Agricultural Improvement and Power District (SRP) to enter into Schedule 11 to add design and construction services for the Tres Rios Substation located at the 91st Avenue Wastewater Treatment Plant. Additionally request the City Council to grant an exception pursuant to Phoenix Code section 42-20 to authorize inclusion of indemnification and assumption of liability provisions in the documents pertaining to this transaction that otherwise would be prohibited by Phoenix Code section 42-18. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The contract amendment with SRP is for design and construction services for installation of a 69kV bus divider breaker and associated equipment for the Tres Rios Substation at the 91st Avenue Wastewater

Treatment Plant for the Water Services Department. This substation does not currently meet SRP standards for isolated redundancy and is at risk of experiencing power failure which would result in a complete plant shutdown. SRP responsibilities under this contract include installation of a new 69kV bus driver breaker including the purchase of equipment, design and construction. The additional divider breaker will split the 69kV bus into two segments to provide relay protection per SRP standards for adequate redundancy and protection for the 69kV system.

Contract Term

The original contract term is for five years with one automatic one-year renewal effective Oct. 2, 2014, through Oct. 2, 2020.

Financial Impact

Funding for this amendment in the amount of $1,341,525 is available in the Water Services Department's Capital Improvement Program budget.

Concurrence/Previous Council Action

The City Council approved Contract 139425 on June 19, 2013, Amendment 1 (Ordinance S-44846) on June 27, 2018, and Amendment 2 (Ordinance S-44386) on March 21, 2018. The Sub-Regional Operating Group (SROG) Committee approved Amendments 1 and 3 on Sept. 12, 2018.

Location

The 91st Avenue Wastewater Treatment Plant is located at 5615 S. 91st Ave.

Council District: 7

This item was adopted.

72 Ferric Chloride Contract (Ordinance S-45054)

Request City Council to authorize additional funds for contract 146295 with Kemira Water Solutions, Inc. (Kemira), to supply ferric chloride to the Water Services Department. Further request making funds available for this contract which were approved but not used under Ordinance S-43121. Request authorization for the City Controller to disburse all funds related to this item. The additional funds will not exceed $700,000.

Summary

The Water Services Department (WSD) requires additional funding to purchase ferric chloride. Ferric chloride is a necessary chemical used during water production and during wastewater treatment, and more of this chemical is required when temperatures are high. The 91st Avenue Wastewater Treatment Plant (WWTP) requires more ferric chloride than anticipated as summer temperatures were higher than previously estimated. WSD is in the process of re-soliciting for this product. The additional funds will enable the plants to function until a long term contract can be put in place.

Contract Term
The contract term is effective through March 31, 2019.

Financial Impact
The additional funds will not exceed $700,000, and the total contract will not exceed $6,141,448. Funds are available on Ordinance S-43121.

Concurrence/Previous Council Action
The City Council approved Ordinance S-43121 on Dec. 14, 2016, in the amount of $44,000,000. The Ordinance authorized the City Manager to execute two separate contracts with Pencco, Inc., and Kemira Water Solutions, Inc. to provide ferric chloride. On Sept. 20, 2017, City Council approved Ordinance S-43928, in the amount of $5,573,568, for the emergency contract with Thatcher Company of Arizona, Inc. On Nov. 1, 2017, City Council approved Ordinance S-44017 in the amount of $5,441,448 for the emergency contract with Kemira.

Location
91st Avenue Wastewater Treatment Plant
23rd Avenue Wastewater Treatment Plant
24th Street Water Treatment Plant
Union Hills Water Treatment Plant
Council Districts: 2, 6, and 7

This item was adopted.

73 LabVantage Solutions, Inc. Software Maintenance and Support Services (Ordinance S-45064)

Request to add an additional $100,000 for Sapphire Laboratory

Information Management System (LIMS) annual licensure and software maintenance and support services for LabVantage Solutions, Inc. Contract 105428, through Oct. 31, 2019. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

LabVantage Solutions, Inc. Contract 105428 provides maintenance and software support services for the Water Services Department's Laboratory Information Management System (LIMS). This primary laboratory operating software is used to track and manage laboratory samples and provides water quality reporting data to water regulatory agencies. LabVantage Solutions, Inc. is the software manufacturer and sole source. The license and software maintenance agreement is awarded by Sole Source Determination. The additional funds are for licensure and software maintenance and support to allow sufficient time to complete a new multi-year Request for Agreement (RFA) to replace the curent contract.

Contract Term

The software agreement is effective through Oct. 31, 2019.

Procurement Information

In accordance with Administrative Regulation 3.10, a Determination Memo was approved by the Finance Department citing a sole source for requested services.

Financial Impact

The total cost will not exceed $100,000 (including applicable taxes). Funds are available in the Water Services Department's operating budget.

Concurrence/Previous Council Action

Contract 105428 was approved by City Council on Jan. 15, 2003, and amended by City Council on June 1, 2006. City Council approved RFA 08-034 Sapphire LIMS support and maintenance agreement on Jan. 30, 2008.

This item was adopted.

74 Agilent Technologies Wastewater Sampling Laboratory Instrument

Maintenance and Repair Services (Ordinance S-45067)

Request to authorize the City Manager, or his designee, to amend Contract 137126 with Agilent Technologies for a six-month extension from Nov. 1, 2018 through April 30, 2019. No additional funding is requested.

Summary

Agilent Technologies, Contract 137126, provides service and repair for the Agilent 7500 Series Inductively Coupled Plasma Mass Spectrometer (ICP-MS) instrument used at the Water Services Department laboratory. The instrument is used during wastewater sampling to provide analytical data in support of compliance with the requirements of the Arizona Department of Health Services (ADHS), the National Environmental Laboratory Accreditation Conference (NELAC), the City's National Pollutant Discharge Elimination System (NPDES), the Arizona Pollutant Discharge Elimination System (AZPDES) permits, the Environmental Protection Agency Safe Drinking Water Act, and the federal Lead and Copper Rule. The extension will allow sufficient time to complete the competitive process and award multi-year contracts.

Contract Term

The term of Contract 137126 will be extended through April 30, 2019.

Financial Impact

There is no financial impact due to sufficient funding on the contract.

Location

23rd Avenue Wastewater Treatment Plant, 2470 S. 22nd Ave.
Council District: 7

This item was adopted.

75 Modification of Stipulation Request for Ratification of Sept. 19, 2018 Planning Hearing Officer Action - Z-120-88-7

Request for City Council to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Sept. 19, 2018. This ratification requires formal action only.

Summary

Application: PHO-1-18--Z-120-88-7
Existing Zoning: A-2
Acreage: 20.9
Owner: Exeter Property Group - Cristina Virgilio
Applicant: 303 and Lower Buckeye LLC
Representative: Cawley Architects - Kevin Fawcett

Proposal:
1. Deletion of Stipulation 1 regarding general conformance to site plan submitted and dated May 18, 1988.
2. Deletion of Stipulation 2 regarding a maximum of 0.3 FAR.
3. Deletion of Stipulation 3 regarding 25-foot landscape setbacks for street frontages along Lower Buckeye Road and 39th Avenue and 2.5 inch caliper trees to be planted.
4. Deletion of Stipulation 5 regarding six-foot masonry walls to be placed along the perimeter property lines.
5. Deletion of Stipulation 6 regarding outdoor storage be limited to the yard area as specified on site plan dated May 18, 1988.
6. Deletion of Stipulation 7 regarding future development plans shall be subject to review by the Planning Hearing Officer.

Location
Approximately 565 feet west of the southwest corner of 39th Avenue and Lower Buckeye Road.
Council District: 7
Parcel Address: N/A

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on Sept. 11, 2018 and recommended approval with modifications by a 7-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended denial as filed and approved with a modification on Sept. 19, 2018.

This item was approved.

76 Modification of Stipulation Request for Ratification of Sept. 19,

2018 Planning Hearing Officer Action - Z-59-88-7(8)

Request to approve Planning Hearing Officer's recommendation to modify stipulations on Z-59-88-7(8) without further hearing by the City Council on matters heard by the Planning Hearing Officer on Sept. 19, 2018. This ratification requires formal action only.

Summary

Application: PHO-5-18--Z-59-88-7(8)
Existing Zoning: C-1
Acreage: 3.66
Owner: GRRO Devco - Robert & Ginger Orsi
Applicant: Delonna North Ridge, LLC
Representative: Hamilton Architecture, PLLC

Proposal:
1. Modification of Stipulation 4a regarding height of structure not to exceed 20 feet.
2. Modification of Stipulation 4b regarding FAR to not exceed 0.2.
3. Modification of Stipulation 4c identify the location of landscaping.
4. Deletion of Stipulation 4d regarding a 6-foot decorative block wall.
5. Deletion of Stipulation 4f regarding the site to be developed with an architectural theme.
6. Modification of Stipulation 5 regarding substantial conformance with site plan dated April 4, 1988 and elevation dated July 15, 1987.

Location

Approximately 148 feet east of the southeast corner of 27th Avenue and Southern Avenue.
Council District: 8
Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee heard this case on Sept. 11, 2018 and recommended approval with a modification and an additional stipulation by a 10-5 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended denial as filed and approved with a modification and

additional stipulations on Sept. 19, 2018.

This item was approved.

77 Final Plat - Franklin Place - 170087 - South of Campbell Avenue and East of Longview Avenue

Plat: 170087
Project: 17-118
Name of Plat: Franklin Place
Owner(s): Oak Street Properties, LLC, and Paul Schuller
Engineer(s): DNA, Inc.
Request: A 2 Lot Residential Plat
Reviewed by Staff: June 8, 2018
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 south of Campbell Avenue, east of Longview Avenue
Council District: 4

This item was approved.

78 Final Plat - Beatitudes Campus - 170115 - North of Glendale Avenue and East of 17th Drive

Plat: 170115
Project: 06-1827
Name of Plat: Beatitudes Campus
Owner(s): The Beatitudes Campus, An Arizona Non-Profit Corporation
Engineer(s): EPS Group, Inc.
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Sept. 7, 2018
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. This plat needs to record concurrently with Abandonment V170078A.

Location
Generally located at 1616 W. Glendale Ave.
Council District: 5

This item was approved.

79 Final Plat - Reliance Riverview Business Park Replatted - 170101 - East of 7th Street and North of Riverview Drive

Plat: 170101
Project: 04-3459
Name of Plat: Reliance Riverview Business Park Replatted
Owner(s): AZCF Riverview, LLC and TR Investors, LLC
Engineer(s): CEG Applied Sciences
Request: A 5 Lot Commercial Plat
Reviewed by Staff: Sept. 25, 2018
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. This plat needs to record concurrently with Abandonment V180022A.

Location
Generally located east of 7th Street, north of Riverview Drive
Council District: 8

This item was approved.

80 Final Plat - 12th Street and Jones - 180063 - South of Jones Avenue and West of 12th Street

Plat: 180063
Project: 18-576
Name of Plat: 12th Street and Jones
Owner(s): Forever and a Day Properties, Inc.

Engineer(s): Bowman Consulting
Request: A 3 Lot Residential Subdivision Plat
Reviewed by Staff: Sept. 21, 2018
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 south of Jones Avenue and west of 12th Street.
Council District: 8

This item was approved.

81 Abandonment of Right-of-Way - V170078A - Myrtle Avenue West of 15th Avenue (Resolution 21685)

Abandonment: V170078A
Project: 06-1827
Applicants: The Beatiitudes Campus Foundation and The Beatitudes Campus
Request: To abandon the south 20 feet of Myrtle Avenue right-of-way, from the west parcel line of 1523 W. Myrtle Ave. (APN 157-14-004F) to the northwest corner of the subdivision plat Myrtle Estates on Fifteenth, recorded in Book 1274 Page 48, Maricopa County Recorder.
Date of Hearing: March 1, 2018

Summary

The resolution of the abandonment and the subdivision plat 170115 "Beatitudes Campus" are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location

Myrtle Avenue west of 15th Avenue
Council District: 5

Financial Impact

A fee was also collected as part of this abandonment in the amount of $2,244.57.

This item was adopted.

82 Abandonment of Right-of-Way - V180022A - 12th Place and Riverview Drive (Resolution 21684)

Abandonment: V180022A
Project: 04-3459
Applicant: James D. Harrison Jr.
Request: To abandon all public easements Plat 'Reliance Riverview Business Park', Book 1007 page 44, Maricopa County Recorder, adjacent to parcel Lots 1, 2, 3, 4, 5 and Tract C, APN's: 115-37-168, 115-37-169, 115-37-170, 115-37-171, 115-37-172, 115-37-174 and 115-37-175.
Date of Decision: June 19, 2018

Summary

The resolution of the abandonment and the subdivision plat "Reliance Riverview Business Park Replatted", PLAT 170101, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location

12th Place and Riverview Drive
Council District: 8

Financial Impact

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

This item was adopted.

83 Amend City Code - Ordinance Adoption - Rezoning Application

PHO-1-18--Z-9-17-3 - Approximately 435 Feet East of the Southeast Corner of 12th Street and Bell Road (Ordinance G-6517)

Request to amend Zoning Ordinance G-6327 by approving Planning Hearing Officer's recommendation to amend stipulations without further hearing by the City Council on matters heard by the Planning Hearing Officer on Sept. 19, 2018.

Summary
Application: PHO-1-18--Z-9-17-3
Existing Zoning: C-1
Acreage: 0.72
Applicant: SimonCRE ASE IV, LLC - Dan Biswas
Representative: Metro Commercial Holdings LLC
Owner: BRR Architecture - Kelsey Ahumada

Proposal:
1. Review of Stipulation 1 regarding Planning Hearing Officer review and approval of conceptual elevations.

Location
Approximately 435 feet east of the southeast corner of 12th Street and Bell Road.
Council District: 3
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee chose not to hear this case.
Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with a modification and additional stipulation on Sept. 19, 2018.

This item was adopted.

84 **Amend City Code - Ordinance Adoption - Rezoning Application Z-24-18-4 - Southwest Corner of 2nd Avenue and Clarendon Avenue (Ordinance G-6515)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application

Z-24-18-4 and rezone the site from R-5 TOD-1 to R-5 HP TOD-1 to add a Historic Preservation (HP) zoning overlay for Executive Towers, 207 W. Clarendon Ave.

Summary
Current Zoning: R-5 TOD-1
Proposed Zoning: R-5 HP TOD-1
Acreage: 2.33 acres
Proposed Use: Historic Preservation (HP) zoning overlay for Executive Towers, 207 W. Clarendon Ave.

Owner: Executive Towers Association
Applicant: City of Phoenix Historic Preservation Commission
Representative: Kevin Weight, City of Phoenix Historic Preservation Office

Staff Recommendation: Approval.
HP Commission Action: No recommendation.
VPC Action: No recommendation.
PC Action: The Planning Commission heard this case on Oct. 4, 2018 and recommended approval as recommended by staff by a 7-0 vote.

Location
Southwest corner of 2nd Avenue and Clarendon Avenue.
Council District: 4
Parcel Address: 207 W. Clarendon Ave.

This item was adopted.

85 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-18--Z-45-12-7 - Southwest Corner of 67th Avenue and Broadway Road (Ordinance G-6516)

Request to amend Zoning Ordinance G-5796 by approving Planning Hearing Officer's recommendation to amend stipulations without further hearing by the City Council on matters heard by the Planning Hearing Officer on Sept. 19, 2018.

Summary
Application: PHO-1-18--Z-45-12-7
Existing Zoning: R1-6 and C-2
Acreage: 29.54

Applicant: Meritage Homes - Sara Andrews
Representative: DNZ Holdings, LLC
Owner: EPS Group Inc. - Jorge Villasenor

Proposal:
1. Modification of Stipulation 1 regarding general conformance of site plan date stamped Oct. 24, 2012.
2. Modification of Stipulation 2 regarding 10 percent minimum open space.
3. Modification of Stipulation 3 regarding maximum number of lots to not exceed 135.
4. Deletion of Stipulation 4 regarding decorative pavers, stamped or colored concrete or another material in the pedestrian pathways when crossing the street intersection.
5. Modification of Stipulation 5 to identify the location of decorative pavers, stamped or colored concrete or another material in the pedestrian connections between shops A, B and C and pads A, B, C and D.
6. Modification of Stipulation 6 regarding all sidewalks shall be detached.
7. Deletion of Stipulation 8 regarding rear property line wall of lot numbers 44 through 54 and 67 through 89 consisting of a four foot block wall with two feet additional view fencing.

Location
Southwest corner of 67th Avenue and Broadway Road.
Council District: 7
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on Sept. 11, 2018 and recommended approval with a modification by a 7-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended denial as filed and approved with modifications and additional stipulations on Sept. 19, 2018.

This item was adopted.

87 ADD-ON - Authorization to Apply for, Accept and Disburse

Transportation Funding for Transportation Projects in Fiscal Year 2019 (Ordinance S-45070)

Request to authorize the City Manager, or his designee, to apply for, accept and if awarded, enter into agreements for disbursement of $320,000 in transportation funding through grant applications to the Maricopa Association of Governments (MAG) under the Achieving Transit Accessibility Now (ATAN) Program.

Summary

The Maricopa Association of Governments is soliciting applications for the ATAN Program. The MAG Regional Council has made available $500,000 of transit funds within the MAG Region to improve accessibility at transit stops, with a limitation that no single agency be awarded more than 70 percent of the total available funding. The ATAN grant funds are also limited to a maximum of $40,000 per location. Applications from local jurisdictions are evaluated on a rolling application cycle every six months. This is the fourth application cycle. The Street Transportation Department plans to request $320,000 in ATAN funds for eight projects as part of a comprehensive grant application. The city would contribute the required minimum 20 percent match, or $10,000, for each project.

This funding opportunity would leverage local dollars and increase the number of City transportation projects that enhance the community. The program funding has its own competitive review and ranking process that will happen under the MAG purview. In preparing the grant application, staff will refine the grant submittal, cost and scope to be competitive with local and regional submittals.

Financial Impact

ATAN requires local jurisdictions to contribute a minimum 20 percent funding match toward eligible project costs. The grant application will include up to eight project locations, requesting a total of $320,000 in ATAN funds, or $40,000 for each location with a local match of $10,000 for each location. These projects have already been programmed using Arizona Highway User Revenue (AHUR) funding. If awarded, this will free up $320,000 of AHUR funds to be reprogrammed for other CIP street transportation projects.

This item was adopted.

Items 39 and 42, Ordinance S-45047, 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.

39 Alliance for Innovation, Inc.

For $9,000.00 in payment authority for the City's annual membership dues to the Alliance for Innovation, Inc. The Alliance is an international network of local governments and partners committed to accelerating innovation to enhance organizations' operations and build stronger communities. Alliance, with its strategic partnership with the Arizona State University, advances values by sharing knowledge of emerging practices, cutting-edge research, and providing professional development opportunities. The City has been a member since 2006, and over the years, staff has presented and participated at Alliance's Transforming Local Government conference and events. In addition, the City has been recognized with several Alliance innovation awards. Funding is available in the Budget and Research Department's budget. The City Council Planning and Economic Development Subcommittee approved the item at their Sept. 18, 2018 meeting by a 3-0 vote.

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

Yes:	7 -	Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Mayor Williams
No:	1 -	Vice Mayor Waring

Discussion

Councilman DiCiccio requested Item 39 be reconsidered as he wished to vote no.

A motion was made by Councilman DiCiccio, seconded by Councilwoman Pastor, to reconsider Item 39. The motion carried by the following voice vote:

Yes: 8 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams

No: 0

A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that Item 39 be adopted. The motion carried by the following vote:

Yes: 6 - Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Mayor Williams

No: 2 - Councilman DiCiccio and Vice Mayor Waring

42 Maricopa Association of Governments

For $212,166.00 in payment authority for annual membership dues and assessments for FY 2018-19 for the Office of Government Relations, Public Works, Finance, Water Services and Human Services departments. The Maricopa Association of Governments (MAG) is a Council of Governments that serves as the regional planning agency for the metropolitan Phoenix area. MAG is the air quality planning agency and Metropolitan Planning Organization for transportation in Maricopa County; this includes the neighboring urbanized area in Pinal County, containing the Town of Florence and City of Maricopa. MAG also provides regional planning and policy decisions in areas of transportation, air quality, water quality, and human services.

Discussion

Leonard Clark said he supported the Council continuing to work with the Maricopa Association of Governments to get transportation out to the far West Valley.

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

Yes: 7 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Vice Mayor Waring and Mayor Williams

No: 1 - Councilwoman Stark

46 **(CONTINUED FROM OCT. 3, 2018) - Public Communications Email System - Replace Implementation Vendor (Ordinance S-45038)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Hub Spot, Inc. for a hosted public communications email solution, replacing Fig Leaf Software, the original vendor approved by City Council on March 21, 2018. The funding amount will not exceed $700,000 over a five-year period, and replaces the $711,450.00 that was approved by City Council on March, 21, 2018. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City's current listserv email solution for communicating with large groups is more than 20 years old and is limited and cumbersome for users. It no longer meets the communication needs of the City's and community's desires to receive more useful information in an easy-to-read format. The Hub Spot solution standardizes the technology to be used by all departments, includes communication tools that deliver dynamic and engaging content to recipients, and provides important analytics that can improve the way the City interacts with the community. The new public communications solution will be available for departments throughout the City who communicate en masse to residents, constituents, businesses, and employment applicants. It also will be useful for internal communications.

Procurement Information

On June 22, 2017, the Information Technology Services Department issued a Request for Proposals (RFP) for a comprehensive solution for notifications to the public. Seven firms responded. The panel recommended the top four responders to move forward in the process and provide presentations. The panel then selected the top two vendors to work with staff to provide a proof of concept in the City's actual technology and business environment. In November 2017, Best and Final Offers (BAFO) were solicited from both finalists. Based on the results of the BAFO, Fig Leaf Software, Inc. was selected as the most responsible, responsive, and affordable offeror. Their successful offer

was to implement and provide training on the Hub Spot hosted software solution.

On March 21, 2018, the City Council authorized entering into a contract with Fig Leaf Software, Inc. to implement the Hub Spot solution. On April 1, 2018 staff began working with Fig Leaf, Inc. on finalizing the contract and kicking off the implementation project. On May 7, 2018, Fig Leaf, Inc. communicated concerns that they would no longer be able to provide the services they offered in the RFP because the company had undergone ownership changes in early 2018, and the new leadership no longer felt they could provide what they had offered. Staff attempted to work with the company until July 2, 2018, when Fig Leaf, Inc. withdrew from the process.

Information Technology Services staff, in consultation with the Law Department, reviewed options for moving forward to implement the much-needed communications solution. It was determined that Hub Spot, Inc., the company that owns the software that was selected by the RFP panel, could provide the implementation and training services that were offered by Fig Leaf, Inc. This request is to enter into a contract directly with Hub Spot, Inc. for initial implementation and training services, and then for ongoing license and maintenance costs for the software solution. A special circumstance determination memo has been approved for this agreement.

Contract Term
The term of the agreement for implementation and training services, and first-year license and maintenance, is for one year, beginning on or about Oct. 1, 2018. Ongoing annual license and maintenance for the software solution will continue while the solution remains in use.

Financial Impact
This request is for implementation costs and five years of license and maintenance costs, for an amount not to exceed $700,000 over five years. This funding amount replaces, and is not in addition to, the $711,450 that was approved by City Council on March 21, 2018 for Fig Leaf Software, Inc. Funds are available in the Information Technology Services Department's budget.

Discussion

A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, to approve this item.

Councilwoman Mendoza made a substitute motion to direct staff to reissue the RFP for the public communications email system, which was seconded by Vice Mayor Waring.

Councilwoman Pastor asked if she could have dialogue about the listserv.

City Attorney Brad Holm replied dialogue on the entire issue of the listserv procurement was on the floor.

Councilwoman Pastor requested staff provide background on this item.

Acting Deputy City Manager Toni Maccarone stated listserv was the City's current system for managing email outreach to hundreds of residents and businesses at the same time; however, it was more than 20 years old. She conveyed the Information Technology Services Department went through an RFP process last year to replace the system. She advised staff received approval from Council in March of this year, but the approved company, Fig Leaf, alerted the City they would not be able to implement the program due to management and ownership changes. She indicated Hub Spot had partnered with Fig Leaf and confirmed they could implement the product for the City which was the item before Council. She understood the motion was to ask staff to reissue the RFP and come back to Council at a later date which would be about a six-month process, noting staff's recommendation could be the same company or a different one.

Councilwoman Pastor expressed the reason she asked for background on this item was because she had heard many complaints about the listserv and recited a list of issues her staff had with the system. She pointed out it had taken nine years to get to this point, noting staff had spent quite a bit of time getting trained on the new listserv. She remarked she wanted everyone to know about the challenges with the listserv, especially since her staff had to send out a newsletter every two weeks

using this outdated system.

Councilwoman Mendoza agreed it was a challenging system; still, she noted that the City carried out RFPs to avoid the appearance of impropriety, and she did not think Hub Spot officially submitted an RFP.

Ms. Maccarone affirmed that was correct, though Hub Spot had partnered with the company that was awarded the contract. She explained when the department began contract negotiations with Fig Leaf they informed the City about their ownership and management changes and that they would no longer implement the product. She reiterated Hub Spot said they could implement the product for the City.

Councilwoman Mendoza concurred it needed to be done, but the City needed to follow the process and not just give it to a company because they can do the work yet never officially submitted an RFP.

Councilwoman Pastor questioned how the City could legally move forward given Councilwoman Mendoza's concerns about the RFP process.

Mr. Holm responded there were a number of proposers on this contract; however, five proposals did not qualify for one reason or another which left only two proposals that were advanced to the short list. He advised those two proposals included Hub Spot and one other, but at the last minute the second one was disqualified due to lack of required functionality with their software. He conveyed that left the Fig Leaf proposal, noting the City could legally do it by acknowledging what they proposed to begin with which was the Hub spot application. He explained Fig Leaf would have provided project management so in a sence it had been competitively procured at this point which he thought met the spirit of the RFP requirements. He acknowledged an argument could also be made it did not meet the RFP requirements and reprocurement was an appropriate way to deal with it.

Councilwoman Pastor confirmed either position was right.

Councilman DiCiccio expressed this could be done individually by District

using Council budget for a couple grand versus the cost of $1.4 million contract for this system.

City Manager Ed Zuercher noted the cost was $700,000.

Councilman DiCiccio replied it was $700,000 now but there was another amount of $711,450 that was approved a few months ago.

Mr. Zuercher conveyed the current amount replaced the previous request so the $700,000 would stand alone.

A substitute motion was made by Councilwoman Mendoza, seconded by Vice Mayor Waring, that this item be approved to direct staff to reissue a Request for Proposal (RFP) and come back to Council at a later date. The motion carried by the following vote:

Yes: 8 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams

No: 0

A motion was made by Councilwoman Pastor, seconded by Councilman DiCiccio, to take Item 58 out of order. The motion carried by the following voice vote:

Yes: 8 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams

No: 0

58 Authorization to Extend Professional Services Agreement with Molera Alvarez, LLC (Ordinance S-45069)

Request to authorize the City Manager, or his designee, to exercise the final one-year option to extend for Professional Services Agreement 139598-2 with Molera Alvarez, LLC, and authorize the City Controller to disburse funds in an amount not to exceed $185,270 for the final contract year. There is no impact to the General Fund. Funds are available in the

Community Reinvestment Fund.

Summary

In 2014, following a competitive procurement process, City Council authorized a Professional Services Agreement with Molera Alvarez, LLC to represent and advance trade promotion, Foreign Direct Investment (FDI) and tourism interests of the City of Phoenix in Mexico. This agreement has proven successful as demonstrated by the achievements under the established Key Performance Indicators. As of mid-2018, efforts have been coordinated that have resulted in:

23 Inbound/outbound trade missions.
Representation at 58 expositions and conferences.
87 Trade leads and prospects.
Eight cooperation agreements.
15 "Doing Business in Phoenix" roadshow presentations in leading Mexico markets.
FDI locates and prospects (Etiquetas Mexico; Lariv Desarollos).
Inaugurations of the City of Phoenix trade offices in Mexico City and Hermosillo.

The City of Phoenix has established a recognized leadership position in Mexico as it relates to key relationships and economic opportunity. Maintaining this leadership position requires a sustained effort. Staff proposes extending the contract with Molera Alvarez, LLC for Trade Development Representative Services to further elevate the City's leadership position, leverage the success to date, and position Phoenix for increased economic opportunity with Mexico.

The contract extension will consist of the following elements of the scope of work, including:

Identify, qualify and support trade and sales opportunities with Mexico of both products and services for Phoenix companies.
Identify enhanced supply chain opportunities for Phoenix companies looking to expand their product purchasing from Mexico.
Fully support the preparation and implementation of visitation programs for City of Phoenix inbound missions of elected officials, business leaders and private companies pursuing trade.

Provide economic development staff in Mexico City and Hermosillo, as well as resources in Phoenix to administer the Mexico strategy.
Continue physical presence in Mexico City and Hermosillo.
Expand comprehensive "Doing Business in Phoenix" Roadshow programs in Tijuana, Chihuahua and State of Mexico, in addition to existing locations of Mexico City, Hermosillo, Queretaro, Guadalajara, Monterrey and Culiacan.
Fully support two strategic outbound missions to targeted cities: Mexico City and Hermosillo.
Work with the City of Phoenix and Phoenix companies to fully leverage opportunities resulting from the new United States Mexico Canada Agreement (USMCA).
Work with the City of Phoenix and Phoenix companies to facilitate connections and integration with elected officials and their teams at the Mexican municipal, state and federal level.
Develop opportunities in emerging sectors that have been identified as core growth areas for the City of Phoenix such as Cybersecurity, Autonomous Vehicles, Advanced Manufacturing and the Internet of Things (IoT).
Advance FDI prospects targeting Phoenix for expansion and development opportunities.
Expand participation in targeted trade shows and programs throughout Mexico, including Mexico's Aerospace Summit, ExpoIndustrial, ExpoManufactura, FAMEX and ExpoMed.

Mexico remains the top trading partner for both the City of Phoenix and State of Arizona. The City has experienced record exports to Mexico for the three most recent years for which data is available, 2013 ($2.7 billion), 2014 ($3.6 billion) and 2015 ($4.2 billion). Active engagement with Mexico is necessary to continue this positive export trajectory.

Contract Term

The original contract term was for two years, with three one-year options to extend through July 31, 2019. This request is to exercise the final one-year option for an amount not to exceed $185,270 for all services satisfactorily performed under this Agreement. All other terms and conditions of the Agreement will remain in full force and effect.

Financial Impact

There is no impact to the General Fund. Funds are available in the Community Reinvestment Fund.

Discussion

A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, to approve this item.

Councilwoman Mendoza made a substitute motion to approve the final option to extend the professional services agreement with Molera Alvarez with an additional stipulation that an RFP be issued and procured concurrently by City staff, which was seconded by Councilwoman Pastor.

The following speaker comment cards were submitted for the record in favor of this item:

Claude Mattox
James Ahlers
Michael Langley

Leonard Clark submitted a speaker comment card for the record noting a neutral position on this item.

A substitue motion was made by Councilwoman Mendoza, seconded by Councilwoman Pastor, that this item be adopted as corrected to approve the contract extension with additional stipulation to issue a RFP and proceed with concurrent procurement process. The motion carried by the following vote:

Yes:	7 -	Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Mayor Williams
No:	1 -	Vice Mayor Waring

Note: Mayor Williams left the voting body; Vice Mayor Waring assumed the Chair. Councilwoman Mendoza temporarily left the voting body.

47 Authorization to Enter Into Lease Agreement with Honeywell International, Inc. for Groundwater Monitoring Well Site Within Cave Creek Park - Sandlilly (Ordinance S-45049)

Request to authorize the City Manager, or his designee, to enter into a lease agreement with Honeywell International, Inc., a Delaware Corporation (Honeywell), for a groundwater monitoring well site within Cave Creek Park - Sandlilly, for a 20-year term with two 10-year options to extend. Honeywell will pay a consideration fee of $2,080 per year, plus applicable taxes. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

The lease agreement is for access, construction, installation, maintenance and ongoing monitoring of the groundwater monitoring well (Well). The leased well site is approximately 1,000 square feet. Honeywell will have temporary rights to use approximately 8,000 square feet of additional space during construction of the Well.

Remediation at the site is conducted under the Arizona Voluntary Remediation Program. The site is associated with a manufacturing facility originally owned by General Electric and later purchased by Honeywell. Disposal practices at the site resulted in a narrow plume of contaminated groundwater approximately three-quarters of a mile long. Honeywell no longer owns the facility; however, it continues to remediate and monitor groundwater quality at the site. The impacted groundwater is extracted from the subsurface and sent directly to the City of Phoenix sanitary sewer in accordance with Class A wastewater discharge permits for industrial users.

Contract Term

The term of the lease is 20 years with two 10-year options to extend. The lease may be terminated by Honeywell upon receipt of a 30-day written notice.

Financial Impact

The annual consideration fee of $2,080 is within range of market rates as determined by the Finance Department's Real Estate Division, with $41,600 expected over the 20-year term.

Concurrence/Previous Council Action

This item was approved by the Parks and Recreation Board on Sept. 27, 2018.

Location

2520 W. Cholla Ave., within the west portion of the property identified by Assessor Parcel Number (APN) 149-06-002C.
Council District: 3

Discussion

Leonard Clark conveyed he supported this item and said he hoped Council approved this lease with Honeywell to monitor the drinking water.

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

Yes:	6 -	Councilman DiCiccio, Councilwoman Guevara, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Vice Mayor Waring
No:	0	
Absent:	2 -	Councilwoman Mendoza and Mayor Williams

52 One-Time Purchase of Surveillance Cameras and Supporting Equipment (Ordinance S-45055)

Request to authorize the City Manager, or his designee, to enter into a contract with Asset Security Tracking & Recovery (ASTR) for the purchase of surveillance cameras, supporting equipment and supplies for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Police Department is purchasing ASTR surveillance cameras, supporting equipment and supplies to capture and wirelessly transmit video to the investigating detail. This surveillance equipment is used in felony criminal investigations. Utilizing these camera systems will minimize the need for detectives to physically conduct surveillance, which is expected to decrease overtime costs that would normally be expended on this function.

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 without competition due to the unusual nature of the procurement. ASTR is the patent holder on the design of the camera street light heads.

Contract Term
Upon Council approval, for one-time purchase of ASTR surveillance cameras.

Financial Impact
Expenditures shall not exceed $142,000. Funds are available in the Police Department's budget.

Discussion
Leonard Clark stated he was opposed to this proposal for additional surveillance cameras until he saw some safeguards.

Councilwoman Pastor requested staff to explain the need for this one-time purchase of surveillance cameras and supporting equipment.

Executive Assistant Police Chief Michael Kurtenbach conveyed the police used a number of covert and overt surveillance methods in accordance with the law. He indicated this purchase would allow officers to film activity in the public domain with regard to felony investigations.

Note: Councilwoman Mendoza returned to the voting body.

Councilman DiCiccio said he was supportive of this item, but he recalled the City videotaping people at public events, such as football games.

Mr. Kurtenbach responded this equipment would not be used for that type of surveillance.

Councilman DiCiccio restated in the past the City filmed people at football games which infringed on their rights as well as freedom of speech. He asked if these cameras would only be used when the police expected a crime to occur.

Mr. Kurtenbach affirmed that was correct. He also clarified what

Councilman DiCiccio was referring to was a tool used by the City's Homeland Defense Bureau. Mr. Kurtenbach pointed out this tool was specific to only felony criminal investigations.

Councilman DiCiccio insisted on having a public discussion and vote regarding the filming of citizens doing normal things, like attending ASU football games. Again, he remarked it infringed on people's rights and limited their free speech. He expressed there was no reason the City should be doing that type of surveillance.

Councilwoman Pastor questioned if the City was videotaping at ASU football games in Tempe.

Mr. Kurtenbach answered what Councilman DiCiccio was referring to was the Department's strong watch vehicle which was loaned out to other entities as part of the City's Homeland collaboration for a specific purpose.

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

Yes:	7 -	Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Vice Mayor Waring
No:	0	
Absent:	1 -	Mayor Williams

59 2019 Downtown Enhanced Municipal Services District Estimate of Expenses, Assessment of Expenses and Set Hearing Date (Resolution 21682)

Request for City Council to approve the 2019 Downtown Enhanced Municipal Services District (EMSD) estimate of expenses, assess this total on the EMSD, and set the date of Nov. 7, 2018 for the public hearing on the estimated assessments pursuant to A.R.S. 48-575. The EMSD is generally bounded by Fillmore Street, 7th Street, 3rd Avenue and the railroad tracks south of Jackson Street. The City of Phoenix estimated annual expenditure for this program is $1,285,640.

Summary

The City Council authorized formation of the EMSD in 1990 to provide enhanced public services, above and beyond the level of services provided in the remainder of the City. The City contracts directly with Downtown Phoenix, Inc. (DPI) to implement the work program of the downtown EMSD.

2019 Downtown EMSD Estimate of Expenses

The work plan and budget for 2019 provides a variety of enhanced services in the downtown core, including the Ambassadors, streetscape improvements and maintenance, a Clean Team, marketing, events, economic and community development and transportation services.

In June of 2018, the EMSD Board of Directors (District Board), which includes representatives of the City and other EMSD property owners, approved a 2019 proposed EMSD budget of $3,922,780. This includes $156,315 for streetscape maintenance expenses, which are paid only by property owners and tenants adjacent to the Streetscape Improvement District.

This proposed budget represents a 2.04 percent increase over the 2018 budget. The total increase is approximately $78,493, and is distributed among the approximately 785 parcels in the EMSD. The increase is driven by fixed costs (utilities, liability insurance and health insurance) and does not add new full-time employees. DPI continues to increase services including improving walkability by adding and maintaining trees, trash pickup, graffiti removal, safety enhancements and assistance with conventions. These expenses are outlined below.

Estimated EMSD Expenses: $3,766,465.
Estimated Streetscape Maintenance Expenses: $156,315.
Total estimated of District Expenses: $3,922,780.

It is important to note that the City of Phoenix General Fund will see a $3,192 reduction in expenses in 2019 due to the sale of the Barrister Building.

Assessment of Expenses

The annual assessments for the Downtown EMSD will be levied for the 2019 calendar year after the required EMSD approval process has been completed. Assessments are determined in proportion to the benefits received by each parcel.

The proposed EMSD assessment diagram indicates the properties to be assessed for enhanced municipal services. This proposed diagram is on file in the office of the Director of the Street Transportation Department in the City of Phoenix. The proposed assessments and diagram are based on the estimate of expenses and property data available as of June 21, 2018. The proposed diagram was completed on June 21, 2018.

Public Hearing Date

It is requested that the City Council set the date of Nov. 7, 2018, as the date for the public hearing on the EMSD assessments.

Financial Impact

The City of Phoenix estimated annual expenditure for this program is $1,285,640, which includes $368,117 from the General Fund, $539,798 from the Convention Center, $128,607 from the Sports Facilities Fund, $8,983 from the Genomics Facilities Operations and Maintenance Fund, and $240,135 from collections from tenants on City-owned properties.

Concurrence/Previous Council Action

The Planning and Economic Development Subcommittee heard this item on Oct. 2, 2018 and recommended approval by a vote of 4-0.

Public Outreach

A public hearing will be held for property owners to discuss the proposed assessments, costs, and services provided in connection with the EMSD. If approved, the public hearing would be set for Nov. 7, 2018, at 2:30 p.m. in the Phoenix City Council Chambers. All property owners will be notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments 20 days prior to the public hearing. Notice of the public hearing also will be published in the Record Reporter as specified below. No further notification is required after the public hearing.

Published:

The Record Reporter
Oct. 24, 2018.
Oct. 26, 2018.

Location
The EMSD is generally bounded by Jackson Street to Fillmore Street from 3rd Avenue to 7th Street.
Council Districts: 7 and 8

Note: Speaker comment cards were submitted for the record in favor of this item by the following individuals:

David Krietor
Paige Lund
Dan Klocke - Downtown Phoenix Partnership
Damian Serafine - Serafina Coffee
Jessica Allen - Luhrs City Center

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

Yes:	5 -	Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor and Councilwoman Stark
No:	2 -	Councilman DiCiccio and Vice Mayor Waring
Absent:	1 -	Mayor Williams

60 2019 Downtown Enhanced Municipal Services District Assessment Diagram (Resolution 21683)

Request City Council approval of the 2019 Downtown Enhanced Municipal Services District (EMSD) assessment diagram. There is no financial impact to the City.

Summary
The City Council authorized formation of the Downtown EMSD in 1990 to provide enhanced public services, above and beyond the level of services provided in the remainder of the City. The costs for EMSD services are paid through assessments on property owners within the

EMSD.

The proposed 2019 Downtown EMSD Diagram (2019 Diagram) indicates the properties to be assessed.The 2019 Diagram is on file, and may be viewed, in the office of the Director of the Street Transportation Department in the City of Phoenix and may also be viewed at the following web address: https://www.phoenix.gov/econdev/Reports-Maps. The proposed assessments and 2019 diagram are based on the estimate of expenses and property data available as of June 21, 2018. The proposed diagram was completed on June 21, 2018. Per A.R.S. 48-575(d) the 2019 Diagram shows each separate lot numbered consecutively, the area in square feet of each lot and the area in square feet of any building or buildings located on each lot.

Public streets, alleys, and property utilized for residential purposes that do not benefit by the enhanced public services are excluded from this proposed 2019 Diagram.

Financial Impact
There is no financial impact for approving the 2019 Diagram.

Concurrence/Previous Council Action
This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on Oct. 2, 2018 by a vote of 4-0.

Public Outreach
A public hearing will be held for property owners to discuss the proposed assessments, costs, and services provided in connection with the EMSD. The Public Hearing is set for Nov. 7, 2018, at 2:30 p.m., in the Phoenix City Council Chambers. All property owners will be notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments 20 days prior to the public hearing. Notice of the public hearing also will be published in the Record Reporter as specified below. No further notification is required after the public hearing.

Published:

The Record Reporter
Oct. 24, 2018
Oct. 26, 2018

Location
The EMSD is generally bounded by Jackson Street to Fillmore Street from 3rd Avenue to 7th Street.
Council Districts: 7 and 8

Note: Speaker comment cards were submitted for the record in favor of this item by the following individuals:

Paige Lund
Dan Klocke - Downtown Phoenix Partnership
Damian Serafine - Serafina Coffee
Jessica Allen - Luhrs City Center

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

Yes:	5 -	Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor and Councilwoman Stark
No:	2 -	Councilman DiCiccio and Vice Mayor Waring
Absent:	1 -	Mayor Williams

61 (CONTINUED FROM OCT. 3, 2018) - Enter into Agreements in Support of the Bus Rapid Transit Program (Ordinance S-45019)

Request to authorize the City Manager, or his designee, to enter into agreements with HDR Engineering, Inc. for transportation planning services in support of the Bus Rapid Transit (BRT) Program and with the CK Group, AECOM Technical Services, Inc., and the CA Group Arizona, Inc. to support the planning effort by providing a limited number of corridor alternative concepts for planning evaluation by HDR and the community engagement process. Following Council approval of the BRT Plan, anticipated in late 2019, staff will seek individual corridor approval from Council to initiate preliminary engineering. Further request authorization for the City Controller to disburse all funds related to this item. The fee for services will not exceed $3,450,000.

Additionally, request authorization for the City Manager, or his designee, to take all action as deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requiremens for utility services relating to the development, design, and construction of the project, including 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

On Aug. 25, 2015, City of Phoenix voters approved Proposition 104, providing a 0.3 percent increase and extension of the transaction privilege and use tax rate to fund Transportation 2050 (T2050). The T2050 plan includes implementing five arterial BRT corridors. BRT is a high capacity transit service using specialized buses with multiple doors for fast entry and exit, off-board fare payment, and level platform boarding making it easier for people of all abilities to efficiently access the system. It includes priority treatment at signalized intersections to increase speed and reliability. It also may include bus lanes in some areas to facilitate faster trips.

The objective is to provide fast, frequent and reliable service on arterial streets. Both speed and reliability help reduce operating costs, help people travel faster and more conveniently, and help cities make transit an attractive transportation option, which means more travel options, less cars on the roadway and less congestion. BRT was included in the plan to address the growing population and transportation needs, as the city is projected to add an additional 600,000 people by 2035.

Procurement Information

On Oct. 4, 2017, based on recommendations from the Citizen's Transportation Commission (CTC) and Transportation & Infrastructure (T&I) Subcommittee, the City Council granted approval to issue a Request for Qualifications (RFQ) to solicit firms to provide services for planning and preliminary engineering for the BRT program. This approval included a stipulation that the planning RFQ included an assessment of the criteria used for the initial identification of the BRT corridors.

On Oct. 24, 2017 the Streets Transportation Department procurement staff released the RFQ which included two packages for consultants to submit Statement of Qualifications. Package A included planning, capital system development, community education and engagement. One consultant team would be selected for Package A. Package B is for design services. Three teams would be selected for Package B, with each team working on a corridor.

On Nov. 17, 2017 consultant proposals were due to the City. Two consultant teams submitted for Package A and six consultant teams submitted for Package B. After a qualifications based review and interview process that included staff from the Public Transit Department, the Street Transportation Department, the City Manager's Office, Valley Metro, and an independent outside consultant, HDR Engineering, Inc. was selected for Package A. The following three consultant teams were selected for assignment of a Package B corridor, the CK Group, Inc., AECOM Technical Services, Inc. and CA Group Arizona, Inc.

Package A Selection Results
HDR Engineering, Inc.: Ranked 1
Jacobs Engineering Group Inc.: Ranked 2

Package B Selection Results
CK Group, Inc.: Ranked 1
AECOM Technical Services, Inc.: Ranked 2
CA Group Arizona, Inc.: Ranked 3

In total, 33 prime and subconsultant firms are included on the four selected teams. Twenty-nine of the firms have a local office and Arizona presence. Four of the firms are located outside of Arizona but provide strong national BRT expertise in support of local staff.

Scope of Work
Package A - The scope of work for transportation planning in Package A includes:
Community education and engagement.
Project management.

BRT planning and workshops.
Capital system development.
Development of a funding, finance, and delivery strategy.
Corridor programming and coordination with the Package B teams.

Package B - The overall BRT program has identified a need for Package B services to contribute towards the development of the BRT Plan. This includes development of corridor alternative concepts for the Package A team and community to evaluate and review. Corridor alternative concepts are street cross-sections showing how BRT could operate in a corridor and coordinated improvements related to the option.

Because Council has required re-evaluation of the corridors initially selected in T2050, the Package B teams will provide additional staffing that will be required as we reconsider all potential corridors in the City. The Package B teams will also participate in the network planning workshop providing engineering and national BRT experience insight into the planning effort.

This limited amount of Package B work is not preliminary engineering. After Council has reviewed, vetted and approved corridors for BRT implementation, staff will develop specific preliminary engineering scopes of work and seek Council contract approval in order to initiate preliminary engineering. This is anticipated to occur in 2020, unless grant opportunities or other factors make it advantageous to accelerate the schedule.

Contract Term
Package A is a three-year contract term, with one three-year extension option with HDR Engineering, Inc. The primary deliverable is a BRT Plan, which will be developed for CTC, Aviation & Transportation Subcommittee and City Council consideration. This work will also identify up to three initial BRT corridors to advance into preliminary engineering. The contract amount for Package A shall not exceed $3 million.

Package B efforts at this time will be a three-year contract term with CK Group, Inc., AECOM Technical Services, Inc. and CA Group Arizona, Inc. The contract amount for each firm shall not exceed $150,000, with a

total for the three contracts not to exceed $450,000.

Following approval of the BRT Implementation Plan by City Council, anticipated in late 2019, staff will negotiate a scope, schedule, and cost with the Package B teams for a specific BRT corridor to complete the preliminary engineering to the 15 percent design level. Action on the final preliminary engineering scope, schedule and costs will be brought before the CTC, Aviation & Transportation Subcommittee, and City Council for consideration.

Financial Impact

For Package A, the total amount not to be exceeded is $3 million with approximately $1.5 million in year one and approximately $750,000 in years two and three. The source of the funds for this program is the Transportation 2050 (T2050) fund.

For Package B the total amount not to be exceeded is $450,000 divided between three consultant teams. The Package B is anticipated to be completed by the end of 2019. The source of the funds for this program is the Transportation 2050 (T2050) fund.

Concurrence/Previous Council Action

On Oct. 4, 2017, City Council granted approval to issue a Request for Qualifications (RFQ) to solicit firms to provide services for planning and preliminary engineering for the BRT program based on recommendations from the CTC and T&I Subcommittees. This approval included a stipulation that the planning RFQ included an assessment of the criteria used for the initial identification of the BRT corridors.

On May 31, 2018, the CTC recommended approval of the award recommendation to the T&I Subcommittee by a vote of 13-0.

On April 18, 2018 and informational report on BRT was provided to the T&I Subcommittee.

On June 19, 2018, the T&I Subcommittee recommended to continue this item by a vote of 4-0.

On Sept. 25, 2018, the Aviation and Transportation Subcommittee recommended approval of this item by a vote of 3-0.

Discussion

Councilman DiCiccio expressed the money being spent on this study would be more useful improving the bus routes.

Councilwoman Pastor mentioned the packet listed the scope of work broken down for the contractors. She recalled the Citizen's Transportation Commission (CTC) requested this study to make sure the bus rapid transit routes were accurate and still needed from when it was previously done.

Deputy City Manager Mario Paniagua replied the bus rapid transit program was a new form of transit proposed by the City. He noted it was currently not in place but it was proposed to be implemented as part of the T2050 ballot measure. He advised the consultant would develop a plan to engage the community in discussions about what bus rapid transit could be in the future. He affirmed the CTC requested additional analysis be done to look at what corridors made the most sense for the City. He pointed out there were corridors identified under Proposition 104 but the CTC recognized there had been changes since that was approved, so that would be part of the consultant's work.

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

Yes:	5 -	Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor and Councilwoman Stark
No:	2 -	Councilman DiCiccio and Vice Mayor Waring
Absent:	1 -	Mayor Williams

64 CAD/AVL On-Board Surveillance System, Real Time Locator System and Network Support (Ordinance S-45058)

Request to authorize the City Manager, or his designee, to execute contract options implementing the On-Board Surveillance System, Real Time Locator System (RTLS), and necessary support for Wireless Local Area Network (WLAN) by entering into a contract change order for Agreement 144644 with Clever Devices, Ltd. (Clever). The total estimated cost will not exceed $12.5 million in federal and regional Proposition 400 funds, including Regional Public Transportation Authority

(RPTA) and City of Phoenix portions. Further request authorization for the City Controller to disburse funds.

Summary

The proposed upgrades are intended to help ensure safety and security on buses while mitigating risk and liability, and to allow buses to more consistently arrive and leave on-time, helping transit passengers get to jobs, school, appointments, home and other destinations as scheduled and expected.

On Nov. 2, 2016, the City Council authorized the Public Transit Department (Department) to enter into a contract with Clever for a regional transit Computer Aided Dispatch (CAD)/Automatic Vehicle Locator (AVL) System to replace the current 15 year-old system. Additional options were included in Clever's proposal for the On-Board Surveillance System and RTLS, but required further evaluation by the City of Phoenix and regional transit partners. Following a thorough evaluation, the Department and regional partners determined that the transit system would significantly benefit from the On-Board Surveillance System and RTLS due to the multiple operational and maintenance enhancements expected to be realized once these systems are in place.

The On-Board Surveillance System will replace the old and obsolete system that has experienced significant performance decline and malfunctions. The current surveillance system for most of the fleet has reached its end of life, is out of warranty and/or is no longer supported by the manufacturer. The video recordings provided by this system are needed to help to ensure safety and security on buses and to mitigate risk and liability. The recordings enable law enforcement and transit agencies the ability to view incidents or accidents that occur in the transit environment. The upgraded system will capture higher quality video and audio and will ensure video system reliability across the fleet, including warnings if there are any technical issues. Video coverage will include the entire bus - front, back, both sides, and full interior and exterior views. More than 500 buses will receive this new system as part of this project. The remainder of the regional fixed route buses already have updated video systems, as those buses were recently purchased with the upgraded systems provided by the bus manufacturer.

The Real Time Locator System will be implemented for City of Phoenix North, South and West sites and for Regional sites in Tempe and Mesa to improve service reliability via improved on-time performance and less missed service through enhanced, real-time electronic vehicle tracking, improved dispatch and early identification of vehicle health problems. The RTLS enables improved management of the regional fixed route fleet of over 800 buses. With such large bus fleets, the automated bus management provided by RTLS is critical to ensuring sustained reliability and on-time performance as regional bus operations continue to expand. The RTLS integrates with the City's scheduling software to enable automatic vehicle resource assignment to bus drivers as well as notifying maintenance staff of vehicle diagnostic information within the maintenance yard. The RTLS provides automated vehicle assignment, vehicle health status, monitoring of duties, and location detection in real-time information.

The set up of RTLS and CAD/AVL at Phoenix and regional garages necessitates extensive Wireless Local Area Network (WLAN) and network infrastructure. The WLAN equipment transmits bulk data between service vehicles and the City’s datacenter to meet the RTLS infrastructure needs. The implementation of these technology enhancements are part of Phoenix's efforts to move forward as a Smart City.

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

Financial Impact

The total cost of this item, including RPTA and City of Phoenix portions, will not exceed $12.5 million, as outlined below.

The total On-Board Surveillance System cost is $7,853,930, broken down as follows:

The Capital costs total $7,199,830, of which $3,887,908 is allocated to Phoenix, and $3,311,922 is allocated to the Region.

The Ongoing Maintenance costs total $654,100 covering four years, of which $353,214 is allocated to Phoenix, and $300,886 is allocated to the Region.

The total RTLS cost is $4,646,070, broken down as follows:
Capital costs total $2,457,970, of which $1,474,782 is allocated to Phoenix, and $983,188 is allocated to the Region.
Maintenance costs total $2,188,100 covering 11 years, of which $1,312,860 is allocated to Phoenix, and $875,240 is allocated to the Region.

The federal funds and regional Proposition 400 funds are available in the Public Transit Department's Capital Improvement Program budget for the capital costs. The City will recover regional transit partners' portion of the annual maintenance costs as incurred.

Concurrence/Previous Council Action
This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on Sept. 25, 2018 by a vote of 3-0.

Note: Leonard Clark submitted a speaker comment card for the record noting a neutral position on this item.

A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that this item be adopted as corrected. The motion carried by the following vote:

Yes:	6 -	Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Vice Mayor Waring
No:	1 -	Councilman DiCiccio
Absent:	1 -	Mayor Williams

66 Complete Streets Design Guidelines

Request City Council approval of the Complete Streets Design Guidelines (Guidelines) based on input from the Complete Streets Working Group and recommended by the Citizen's Transportation Commission and Aviation and Transportation Subcommittee.

Summary
The proposed Guidelines provided in **Attachment A** are based on the recommendation of the Complete Streets Advisory Board (CSAB) and were vetted by a Complete Streets Working Group over the summer.

This effort followed the direction of the Citizen's Transportation Commission (CTC) and the Transportation and Infrastructure (T&I) Subcommittee to continue the review of the Guidelines to allow additional stakeholder input prior to returning to Council to request approval.

Based on the direction from the CTC and T&I Subcommittee, the Street Transportation Department hosted three well-attended Complete Streets Working Group Meetings in July and August of 2018 to allow for additional stakeholder input. The meetings were posted as open to the public on the City's website. Additionally, representatives from the health, development, bicycle, and disability communities were invited to the meetings. Approximately 40 people attended each of the Complete Streets Working Group Meetings, including members of the CTC, where staff facilitated a collaborative effort to ensure input was gathered from all stakeholders to refine the Guidelines as part of a balanced discussion. **Attachment B** provides a list of those who were involved in the Working Group and helped refine the proposed Guidelines. The revised Guidelines are based on the CSAB-recommended Guidelines and incorporate the extensive input from the Community Working Group. The revised Guidelines recognize the strong need for context-sensitivity and the vast differences in history, character, land use, and travel corridors throughout the City's 520 square miles.

Financial Impact

The financial impact will vary and depend on which Complete Streets elements are incorporated into each project based on community and stakeholder input. **Attachment C** includes a list of possible Complete Streets elements along with the estimated per-mile cost and average lifecycle.

Concurrence/Previous Council Action

The Citizen's Transportation Commission heard this item at the Aug. 23, 2018 meeting and recommended this item for approval by a vote of 9-2. This item was recommended for Council approval by the Aviation and Transportation Subcommittee on Sept. 25, 2018 with a vote of 3-0. If approved by Council, the proposed Guidelines will be applied citywide and will supersede the Pilot Complete Streets Design Guidelines for certain types of development within Council District 6 as approved by the

City Council on Aug. 1, 2018.

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

Yes:	5 -	Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor and Councilwoman Stark
No:	2 -	Councilman DiCiccio and Vice Mayor Waring
Absent:	1 -	Mayor Williams

86 (CONTINUED FROM SEPT. 19, 2018) - Consideration of Citizen Petition Related to 4418 E. Osborn Road

This report provides the City Council with information in response to a citizen petition submitted by Mr. Wally Graham at the Aug. 29, 2018 Formal City Council meeting.

Summary

Mr. Graham provided a petition regarding vehicular access to 4418 E. Osborn Road via the alley located to the east of the parcel (**Attachment A**). In addition, he requested that the City Council appoint an impartial arbitrator to hear the issues his neighbors have with the proposed use of the alley for a retail store front with accessory coffee shop use.

Staff Response

The following responds to the petition dated Aug. 29, 2018, in addition to including information on alley access regulations and a prior letter of clarification.

Alley Access Regulations

Alleys are public rights-of-way that the City holds in trust for use by the public. Alley access is permitted for all types of refuse collection. All single family and multi family developments may use adjacent alleys for access by-right with additional requirement for multifamily developments that alleys used for access must be fully paved.

Commercial uses are not outright banned from using alleys for access. Under Ordinance G-780, adopted in 1967 commercial uses may use alleys for service vehicle access by right. Access for employee and

customer access requires approval of a Technical Appeal by Planning and Development Department (PDD) staff, with the exception that commercial uses which were established prior to 1967 and utilized access to and from an adjacent alley were allowed to continue to utilize such established access. There are no provisions in the ordinance stating that any such rights are terminated through vacancy or disuse of the development.

Prior Letter of Clarification

On Oct. 20, 2016, a letter of clarification was sent by PDD staff in response to a written inquiry by William Allison of Withey Morris PLC, who was retained by the applicant at that time, Newquist Commercial Properties. The inquiry was regarding past use of the alley by the commercial use on this site. Staff researched the site, which included old aerial photos, variance applications, and building permits for the site. It was staff's conclusion that this site had utilized the alley along the eastern side of the property for access to the portion of the lot behind the existing building (**Attachment B**).

Historical Basis of Alley Access Rights

The right of this property to use the public alley was confirmed based on research of records providing the following historical information, which was summarized in the letter of clarification:

Aerial photos shows the business on the property has used the alley to access the property since at least 1964. City aerial photos from 1964 show cars parked behind the building, perpendicular and directly adjacent to the alley. Subsequent photos from 1971, 1975, 1978, 1982, 1986, 1991, and 1995 all show the same parking area, where only legal access was from the alley. In addition to the 1964 aerial photo confirming the legal access prior to 1967 ordinance change, the latter photos demonstrated that use of the alley for access to the rear of the lot had been well established and continuous.

The original 1955 plat dedication shows the alley was intended for vehicular access to property. The 1955 plat of "Chestley Manor" created the commercial property, the adjacent residential lots, and dedicated alley in question. This alley was dedicated 20' wide, as opposed to 16' wide as dedicated for the other alleys on the same

plat. The 20' wide alley dedication is significant because the Subdivision Ordinance, Chapter 32 of the City Code, required (and still requires) that any alley dedicated adjacent to commercial or multifamily developments be 20' wide. The wider alley allows vehicular access to the property through the alley. The 20' wide alley dedication supports the conclusion that the alley was dedicated to allow vehicular access to the building.

The original 1963 Building Permit shows the alley as the only legal access to public roads. The City issued a building permit in 1963 for the building currently standing on the property, which is not proposed for demolition. The building was permitted to be constructed within 5' of the east and west property lines, leaving no room for access to enter to the rear of the property, except for the alley. The 1961 zoning ordinance in effect at that time permitted these setbacks for a C-1 use.

After considering these facts together, it was clear that prior access to the alley had been well established and legal.

Continued Access

As mentioned above, the 1964, 1971, 1975, 1978, 1982, 1986, 1991, and 1995 aerial photos all show a parking area to the rear of the building, with access from the alley. After 1995, it appears that the building may have had some long vacant periods. There are no provisions in the Ordinance stating that periods of non-use of a parcel, limit their utilization of adjacent public rights-of-way for access.

Other Options for Access

The other options for access appear to require demolition of the building. Since the building was built in accordance with codes and ordinances in effect at the time, it would not be legal for the City to require demolition to be able to access the rear half of the lot. Access through the adjacent property to the west, the Circle K, is not physically possible due to the location of the Circle K store. It also would not have been possible to force Circle K to allow access across their property to provide access to the rear of the property.

Alley Access Appeals

The submitted petition requests appointment of an arbitrator related to

the alley access issues. The arbitration process is currently not a provision or requirement adopted by the City Council, and requiring this particular applicant to participate in an arbitration process may not be legal.

Safe Use of Alley

Many alleys within the City are shared by commercial, multifamily, and single family users, and have trash collection services within the alley and these do not create any known safety issues compared to similar alleys. Currently, it does not appear that any of the four residences located directly east of the alley in question utilize this alley for vehicular access; it appears that it is used for trash collection.

Location

4418 E. Osborn Road
Council District: 6

Discussion

Planning and Development Director Alan Stephenson stated this citizen petition related to an alley at 4418 E. Osborn Road. He displayed the site plan of the area which showed the surrounding properties and the alley. He explained the citizen petition dealt with the granting of the use of this alley for access to the rear for parking that had historically been on this parcel. He advised staff did not recommend there be follow-up action on this item, noting the zoning had not changed since 1951. He conveyed during that time period 20-foot wide alleys were allowed for commercial access to be used for customer parking in the rear. He presented several aerial photographs throughout time that showed cars parked in the back. He remarked staff conducted research on this issue and again came to the same conclusion that this parcel had legal access that pre-dated any change in ordinance.

Ed Bull, representing KFH Vintage which was made up of three entrepreneurial families, indicated the families owned this property and wanted to repurpose it for their vintage market and coffee shop. He explained a vintage market was an indoor facility that shelved a variety of artisan and curator supplies, antiques and other collector items. He reviewed the historical information and he agreed that staff made the right decision in 2016 that this alley was a property right with the abutting

commercial property. He also concurred with staff's re-determination in 2018 as set forth in the staff report.

Mr. Bull noted he disagreed with the citizen petition since the City could not take the pre-existing right away. Moreover, he did not think the City had legal authority to appoint an arbitrator to mediate this issue. He mentioned he met with the petitioner who suggested his clients tear down the western or eastern few feet of the building to continue access to the property. He advised the estimated cost to tear down part of the building was $500,000 to $750,000 which would cause a ripple effect with lost rent and lost value. He opposed this citizen petition and urged Council to deny it.

Vice Mayor Waring announced speaker comment cards were submitted for the record in opposition by the following individuals:

Jack DeBartolo III
Kevin Holt
Lindsey Holt
Colleen Arnold
Aaron Klusman

Ben Moriarity, a resident in the immediate neighborhood, stated he agreed with staff's assessment as it supported a small local business that wanted to make an adaptive reuse of this building which had been vacant for quite some time. He expressed not allowing access in the alley could be detrimental to the neighborhood as parking would spill out into the adjoining community.

Matthew Richardson, a business owner and local resident, said he supported the vintage market being able to use the full property. He pointed out the property had been vacant for many years and was a blight on the neighborhood due to crime and homeless people. He mentioned the neighborhood was unique and this business would bring people together. He conveyed this local street access issue did not affect the entire community, only the immediate neighbors who supported the vintage market.

Wally Graham, the petitioner, stated he was not opposed to development of this project. He said he submitted this citizen petition requesting an independent review due to bias of decisions made. He recalled a hearing officer made a decision in 2016 that the alley could be converted into an access point with approval from the adjacent neighbors. However, he noted Mr. Stephenson overturned that decision based on input from an attorney who was his employee at the time. Mr. Graham displayed past photos that showed there were multiple ways to access the lot. He expressed he was trying to improve the process that was not fair to the neighbors, not to mention Mr. Stephenson's conflict of interest . Mr. Graham requested the owners look at other options since the lot had been vacant for 20 years.

Vice Mayor Waring asked what the Council's options were regarding the citizen petition.

Mr. Stephenson replied Council's options were to accept the petition as outlined by Mr. Graham or reject it, noting staff recommended the petition be rejected. He asserted the person Mr. Graham referenced was a volunteer zoning adjustment hearing officer. Mr. Stephenson explained during the downturn the department cut funds and one of the items implemented by the previous director was to ask attorneys familiar with real estate and development law to volunteer as zoning adjustment hearing officers. He pointed out the department had been transitioning away from that practice over the last several years and now they were employed and paid by the City. He conveyed there was no impropriety as duties were performed as a volunteer hearing officer.

Vice Mayor Waring questioned if Council had to vote on the item.

City Attorney Brad Holm answered Council could choose to take no action.

Councilwoman Stark expressed Mr. Stephenson did his job correctly.

Councilman DiCiccio said staff had worked on this matter since before 2016, noting the property had become a transient location. He recognized this was a redevelopment project and did not think the

property owners had to look at other options as they had a legal right to this alley. He stated he was not supportive of this petition as he wanted to get the property developed because it was an eyesore in that neighborhood.

Councilwoman Pastor clarified her motion was to reject the petition. She mentioned she had spoken with staff about this matter and understood the area had been shared by neighbors and commercial tenants for quite some time. She stated she also drove by the property and noticed it was a blighted area. She expressed sometimes Council had to make tough decisions for revitalization.

A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that this item be denied per staff's recommendation to reject the petition. The motion carried by the following vote:

Yes:	7 -	Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Vice Mayor Waring
No:	0	
Absent:	1 -	Mayor Williams

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Reverend Zachary Morgan, with Apologia Church, expressed concern about abortions which were illegal in Arizona and asked Council uphold this law.

Wally Graham requested the process of notifying petitioners regarding the scheduling of their items for Council consideration be improved.

Vice Mayor Waring asked staff to get with Mr. Graham as he thought Mr. Graham's petition had been rescheduled because Mr. Graham was going to be out of town.

City Manager Ed Zuercher conveyed that staff would review the process of

notifying petitioners.

ADJOURN

There being no further business to come before the Council, Vice Mayor Waring declared the meeting adjourned at 4:13 p.m.

Thelda Williams
MAYOR

ATTEST:

Denise Archibald
CITY CLERK

SC

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 17th day of October, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 12th day of December, 2018.

DEPUTY CITY CLERK