City of Phoenix

Minutes

City Council Formal Meeting

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

Wednesday, July 3, 2019 **10:00 AM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, July 3, 2019 at 10:10 a.m. in the Orpheum Theatre.

Mayor Gallego noted this meeting was being held in the historic Orpheum Theatre because of events surrounding the power outage and the tragic loss of life that occurred on Monday. She expressed the Council's appreciation to everyone working to restore that power as well as City employees who worked to make this meeting possible at this venue.

Present: 9 - Councilman Sal DiCiccio, Councilmember Carlos Garcia, Councilwoman Betty Guardado, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilwoman Thelda Williams, Vice Mayor Jim Waring and Mayor Kate Gallego

Councilwoman Williams participated in the meeting via telephone; she temporarily disconnected following Item 47, returned to the meeting via telephone after Item 120, and disconnected during Citizen Comments. Councilman DiCiccio and Councilwoman Pastor left the voting body during Citizen Comments.

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

The City Clerk confirmed that copies of the titles of Ordinances G-6603 through G-6612; S-45826, S-45890 through S-45921; and Resolutions 21762 through 21765 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.

BOARDS AND COMMISSIONS

1 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 Gallego and Councilwoman Stark:

Development Advisory Board

Appoint Kimber Lanning, replacing Connor Descheemaker in the Citywide Business category, for a term to expire July 1, 2022, as recommended by Mayor Gallego

Human Relations Commission

Appoint Ellen Widoff, for a term to expire June 30, 2022, as recommended by Mayor Gallego

Judicial Selection Advisory Board

Appoint Luz Sarmina, for a term to expire Nov. 19, 2021, as recommended by Mayor Gallego

Neighborhood Block Watch Fund Oversight Committee

Appoint Ann Murray, replacing Lilia Wilson, for a term to expire Aug. 31, 2021, as recommended by Councilwoman Stark

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

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

No: 0

A motion was made by Vice Mayor Waring, seconded by Councilwoman Stark, to suspend the rules and take Items 65 and 66 out of order. The motion carried by the following voice vote:

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

No: 0

65 Public Hearing on Adoption of Property Tax Levy for 2019-20 Fiscal Year

As required by State statute, request the City Council hold a public hearing prior to the adoption of a property tax levy for the City of Phoenix for 2019-20.

Concurrence/Previous Council Action
The proposed 2019-20 property tax levy reflects actions taken by the Council on the budget at the May 22, 2019 Policy meeting, at the June 5, 2019 Formal meeting to adopt the tentative 2019-20 budget, and at the June 19, 2019 Formal meeting to adopt the final 2019-20 budget. At the June 19, 2019 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

The hearing was held.

66 Adoption of Property Tax Levy for 2019-20 Fiscal Year (Ordinance S-45897)

An ordinance levying separate amounts to be raised for primary and secondary property tax levies upon each one hundred dollars ($100.00) of the assessed valuation of the property subject to taxation within the City of Phoenix for the fiscal year ending June 30, 2020.

The ordinance (**Attachment A**) provides for a primary property tax rate decrease resulting in a levy of $172,626,492 (a General Fund revenue source) equating to a rate of $1.3055 per $100 of assessed valuation,

including $0.08 for maintenance of parks and playgrounds and $0.3055 for the operation and maintenance of libraries; and an estimated secondary property tax levy of $108,970,886 (used only for debt service) equating to a rate of $0.8241 per $100 of assessed valuation. The total rate is $2.1296, down from $2.1404 last year.

Concurrence/Previous Council Action

The proposed 2019-20 property tax levy reflects actions taken by the Council on the budget at the May 22, 2019 Policy meeting, at the June 5, 2019 Formal meeting to adopt the tentative 2019-20 budget, and at the June 19, 2019 Formal meeting to adopt the final 2019-20 budget. At the June 19, 2019 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

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 - Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego

No: 2 - Councilman DiCiccio and Vice Mayor Waring

A motion was made by Vice Mayor Waring, seconded by Councilwoman Stark, to suspend the rules and take Item 112 out of order so it can be heard before liquor license Item 21 that accompanies it. The motion carried by the following voice vote:

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

No: 0

112 Entertainment District Exemption Application - 110 E. Roosevelt St.

Request to authorize the City Manager, or his designee, to approve an exemption to the 300-foot distance restriction for consideration of a liquor license for the property located at 110 E. Roosevelt St.

Summary

On June 17, 2015, City Council approved the creation of an Entertainment District in Downtown Phoenix, adopted into law through Resolution 21333. Pursuant to Arizona Revised Statutes (A.R.S.) 4-207, an Entertainment District allows a municipality's governing body to approve an exemption from the 300-foot distance restriction applicable to churches and schools and certain liquor licenses. Such exemptions are approved on a case-by-case basis if both the applicant and the neighboring church or school are located in a designated Entertainment District. Exemptions, if approved, are granted to the property only, and will remain in place even if a change in the business or ownership occurs.

The applicant, The Theodore Beer Bar & Bottle Shop proposes to locate a bar at 110 E. Roosevelt St. The location is currently restricted from pursuing certain series of liquor licenses due to its proximity to the Roosevelt Community Church located at 924 N. 1st St. A use permit to allow alcohol sales and services within 300 feet of a church in an Entertainment District was approved on June 13, 2019 by the Zoning Adjustment Hearing Officer with the following stipulations:

The outdoor patio along Roosevelt Street shall be limited to a maximum of 5 feet in depth from the building wall.

1 year to apply and pay for building permits.

General conformance to the floor plan date stamped May 7, 2019.

This exemption is not a recommendation of approval of a liquor license. A separate liquor license application will be heard by City Council. This property is located within the designated Entertainment District in Downtown Phoenix and needs to be heard before the related liquor license file 19-1848. This item is a Formal Action item.

Location

110 E. Roosevelt St.

Council District: 7

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

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

No: 0

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

Mayor Gallego requested a motion on liquor license items. A motion was made, as appears below.

Note: Comment cards were submitted for the record in favor by the following individuals:

Trevor Stech, Item 2
Marshall Norris, Item 3
Matt Wright, Item 3
Juanita Esparza - Agent, Item 4
Theresa Morse - Agent, Items 5, 7, 9, 12, 14, 15, 18, 25, 26, 31, 43
Camila Alarcon - Agent, Item 17
Mario Valencia - Agent, Item 19
Ron Lindblad, Item 29
Lucas Lindsey, Item 33
Jason Sergmak, Item 35
Scott Lightner, Item 35
Timothy Geis - Agent, Item 38
Charles James, Jr. - Agent, Item 41

A motion was made by Vice Mayor Waring, seconded by Councilwoman Stark, that Items 2 through 47 be recommended for approval, except Items 13, 44, 46 and 47. The motion carried by the following vote:

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

No: 0

2 Liquor License - Claim Jumper Restaurant

Request for a liquor license. Arizona State License Application 12078693.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
3063 W. Agua Fria Fwy.
Zoning Classification: C-2
Council District: 1

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 July 15, 2019.

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 new 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.

Craft Republic (Series 6)
7625 N. La Cholla Blvd., 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:
"The new ownership holds many restaurants concepts with liquor licenses throughout the US. They will work to ensure the same great products and service that Claim Jumper is known for. All staff will go through state certified liquor law training to make sure all liquor laws are strictly followed."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

3 Liquor License - Borderlands Brewing and Public House

Request for a liquor license. Arizona State License Application 65019.

Summary

Applicant
Trevor Stech, Agent

License Type
Series 3 - Microbrewery

Location
701 W. Deer Valley Road, Ste. A1 & A2
Zoning Classification: A-1 DVAO
Council District: 1

This request is for a new liquor license for a microbrewery. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in August 2019.

The 60-day limit for processing this application is July 14, 2019.

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.

Borderlands Brewing Company (Series 7)
119 E. Toole Ave., Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Borderlands Brewing Company (Series 3)
119 E. Toole Ave., 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:
"We will all be certified in the servicing of alcohol before opening, and our team has been involved in the producing and servicing of alcohol for other local companies over the years. Our management team has a combined 15 years experience from insuring liquor operations, so we understand the potential liability that comes with the servicing of alcohol, to serving consumers and the potential exposures that can create if not handled properly."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We have a proven track record of working with local charity groups, education foundations, and other local businesses to responsibly educate and serve the community - while also creating livable wage jobs. We aim to create a space that is welcoming to all members of the community, and to aid in stimulating local economic growth."

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 - Borderlands Brewing and Public House
Liquor License Map - Borderlands Brewing and Public House

This item was recommended for approval.

4 Liquor License - La Santisima Nightclub

Request for a liquor license. Arizona State License Application

06070125.

Summary

Applicant
Juanita Esparza, Agent

License Type
Series 6 - Bar

Location
4139 W. Bell Road, Ste. 7
Zoning Classification: C-2 SP
Council District: 1

This request is for an ownership and location transfer of a liquor license for a bar. This location was previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 13, 2019.

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 experienced licensee committed to upholding the highest standards for it's business practices & employees. I have been trained in the techniques of legal & responsibility & have taken the Title 4 liquor law training course. I will oversee all employees and they will be properly trained in all aspects of the liquor law training course. I will provide a safe experience for all staff and bar patrons."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"La Santisima Nightclub wishes to provide entertainment, generate job opportunities, and provide safe environment for the public. In addition, La Santisima Nightclub will responsibly adhere to all state and federal tax laws and maintain a strict adherence to the security requirements of the city and state."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - La Santisima Nightclub
Liquor License Map - La Santisima Nightclub

This item was recommended for approval.

5 Liquor License - Pizza Hut #26991

Request for a liquor license. Arizona State License Application 65469.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 10 - Beer and Wine Store

Location
20206 N. 27th Ave., Ste. B
Zoning Classification: C-2 MR
Council District: 1

This request is for a new liquor license for a restaurant/store. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 20, 2019.

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:
“The owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes. The owners primary purpose is to provide a safe environment for families whether dining in or simply take-out pizza. The owners have area coaches to provide oversight to all establishments and will comply will all city, county and state laws.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“The owners have selected currently existing take out stores to allow customers to purchase beer or wine with their pizza. These stores have been existing in the community for many years and will continue to provide the best interest to the community by allowing customers to take home their pizza and alcoholic beverages. The issuance of this license is in the best interest of the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Pizza Hut #26991
Liquor License Map - Pizza Hut #26991

This item was recommended for approval.

6 Liquor License - Matt's Big Breakfast

Request for a liquor license. Arizona State License Application 65421.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location
13610 N. Scottsdale Road, Ste. 1
Zoning Classification: C-2
Council District: 2

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in August 2019.

The 60-day limit for processing this application is July 19, 2019.

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:
“Matt's Big Breakfast is a family-friendly breakfast/lunch restaurant featuring high-quality, local, fresh ingredients for classic and creative menu items such as hearty scrambles, waffles, sandwiches, burgers, salads and more. The restaurant would like to offer guests 21 and over the opportunity to enjoy alcoholic beverages with their meals.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Matt's Big Breakfast
Liquor License Map - Matt's Big Breakfast

This item was recommended for approval.

7 Liquor License - Pizza Hut #29881

Request for a liquor license. Arizona State License Application 65475.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 10 - Beer and Wine Store

Location
3103 E. Cactus Road
Zoning Classification: C-2

Council District: 3

This request is for a new liquor license for a restaurant/store. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 20, 2019.

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:
"The owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor

law classes. The owners primary purpose is to provide a safe environment for families whether dining in or simply take-out pizza. The owners have area coaches to provide oversight to all establishments and will comply will all city, county and state laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The owners have selected currently existing take out stores to allow customers to purchase beer or wine with their pizza. These stores have been existing in the community for many years and will continue to provide the best interest to the community by allowing customers to take home their pizza and alcoholic beverages. The issuance of this license is in the best interest of the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Pizza Hut #29881
Liquor License Map - Pizza Hut #29881

This item was recommended for approval.

8 Liquor License - Corner on the Market

Request for a liquor license. Arizona State License Application 64805.

Summary

Applicant
Kathleen Blackwell, Agent

License Type
Series 10 - Beer and Wine

Location
5345 N. 7th Ave.
Zoning Classification: C-2
Council District: 4

This request is for a new liquor license for a specialty market. This

location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is July 13, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have managed multiple establishments with on & off premises liquor licenses. I have never received a violation or had license revoked. I am certified as a liquor safe & training manager."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"There is a need in the market for a quality wine & craft beer Retail outlet. It will compliment our other retail products & meet a market need."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Corner on the Market
Liquor License Map - Corner on the Market

This item was recommended for approval.

9 Liquor License - Pizza Hut #26978

Request for a liquor license. Arizona State License Application 65477.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 10 - Beer and Wine Store

Location
2835 N. 16th St., Ste. 7
Zoning Classification: C-2
Council District: 4

This request is for a new liquor license for a restaurant/store. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 20, 2019.

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:
"The owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes. The owners primary purpose is to provide a safe environment for families whether dining in or simply take-out pizza. The owners have area coaches to provide oversight to all establishments and will comply will all city, county and states laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The owners have selected currently existing take out stores to allow customers to purchase beer or wine with their pizza. These stores have been existing in the community for many years and will continue to provide the best interest to the community by allowing customers to take home their pizza and alcoholic beverages.
The issuance of this license is in the best interest of the community."

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

Attachments
Liquor License Data - Pizza Hut #26978
Liquor License Map - Pizza Hut #26978

This item was recommended for approval.

10 Liquor License - Someburros

Request for a liquor license. Arizona State License Application 65385.

Summary

Applicant
Timothy Vasquez, Agent

License Type
Series 12 - Restaurant

Location
5115 N. 7th St.
Zoning Classification: C-2
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 business is currently under construction with plans to open in August 2019.

The 60-day limit for processing this application is July 19, 2019.

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:
"We train all of our employees in responsible liquor service. We also conduct regular audits to ensure they comply."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like the ability to offer our customers of age the ability to order an alcoholic beverage with their meal if they choose to have one."

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 - Someburros
Liquor License Map - Someburros

This item was recommended for approval.

11 Liquor License - Special Event - Empowerment Through Sports

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

Summary

Applicant
Reginald Russell

Location
4216 W. Bethany Home Road
Council District: 5

Function
Comedy Show

Date(s) - Time(s) / Expected Attendance
July 20, 2019 - 7 p.m. to 2 a.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Pizza Hut #26983

Request for a liquor license. Arizona State License Application 65467.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 10 - Beer and Wine Store

Location
8052 N. 19th Ave.
Zoning Classification: PSCOD

Council District: 5

This request is for a new liquor license for a restaurant/store. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 20, 2019.

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:
"The owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor

law classes. The owners primary purpose is to provide a safe environment for families whether dining in or simply take-out pizza. The owners have area coaches to provide oversight to all establishments and will comply will all city, county and state laws”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “The owners have selected currently existing take out stores to allow customers to purchase beer or wine with their pizza. These stores have been existing in the community for many years and will continue to provide the best interest to the community by allowing customers to take home their pizza and alcoholic beverages. The issuance of this license is in the best interest of the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Pizza Hut #26983
Liquor License Map - Pizza Hut #26983

This item was recommended for approval.

14 Liquor License - Pizza Hut #26996

Request for a liquor license. Arizona State License Application 65466.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 10 - Beer and Wine Store

Location
8225 W. Indian School Road
Zoning Classification: C-2
Council District: 5

This request is for a new liquor license for a restaurant/store. This

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

The 60-day limit for processing this application is July 20, 2019.

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:
"The owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes. The owners primary purpose is to provide a safe environment for families whether dining in or simply take-out pizza. The owners have area coaches to provide oversight to all establishments and

will comply will all city, county and state laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The owners have selected currently existing take out stores to allow customers to purchase beer or wine with their pizza. These stores have been existing in the community for many years and will continue to provide the best interest to the community by allowing customers to take home their pizza and alcoholic beverages. The issuance of this license is in the best interest of the community."

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

Attachments
Liquor License Data - Pizza Hut #26996
Liquor License Map - Pizza Hut #26996

This item was recommended for approval.

15 Liquor License - Pizza Hut #26997

Request for a liquor license. Arizona State License Application 65432.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 10 - Beer and Wine Store

Location
6601 W. Indian School Road, Ste. 4
Zoning Classification: PSC
Council District: 5

This request is for a new liquor license for a restaurant/store. This location was not previously licensed for liquor sales and does not have an

interim permit.

The 60-day limit for processing this application is July 20, 2019.

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:
"The owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes. The owners primary purpose is to provide a safe environment for families whether dining in or simply take-out pizza. The owners have area coaches to provide oversight to all establishments and will comply will all city, county and state laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The owners have selected currently existing take out stores to allow customers to purchase beer or wine with their pizza. These stores have been existing in the community for many years and will continue to provide the best interest to the community by allowing customers to take home their pizza and alcoholic beverages. The issuance of this license is in the best interest of the community."

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

Attachments
Liquor License Data - Pizza Hut #26997
Liquor License Map - Pizza Hut #26997

This item was recommended for approval.

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

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

Summary

Applicant
Omar Alvarez

Location
5001 E. Thomas Road
Council District: 6

Function
Trivia Event

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

Aug. 23, 2019 - 5 p.m. to 11:30 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

17 Liquor License - Phoenix Ale Brewery Central Kitchen

Request for a liquor license. Arizona State License Application 07070273.

Summary

Applicant
Camila Alarcon, Agent

License Type
Series 7 - Beer and Wine Bar

Location
5813 N. 7th St., Ste. 140
Zoning Classification: C-2
Council District: 6

This request is for an ownership transfer of a liquor license for a beer and wine bar. 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 June 29, 2019. However, the applicant submitted a written request for more time.

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 will follow all Arizona liquor laws and regulations and will ensure proper training of managers and staff on the same."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Phoenix Ale Brewery Central Kitchen has been in operation since 2015 and will continue to provide a local craft beer option to the surrounding community. Located near other retail and restaurant options, it complements the other establishments currently operating in the vincinity."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Phoenix Ale Brewery Central Kitchen
Liquor License Map - Phoenix Ale Brewery Central Kitchen

This item was recommended for approval.

18 Liquor License - Pizza Hut #27002

Request for a liquor license. Arizona State License Application 65451.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 10 - Beer and Wine Store

Location
5832 N. 16th St.
Zoning Classification: C-2
Council District: 6

This request is for a new liquor license for a restaurant/store. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 20, 2019.

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:
"The owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes. The owners primary purpose is to provide a safe environment for families whether dining in or simply take-out pizza. The owners have area coaches to provide oversight to all establishments and will comply with all city, county and state laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The owners have selected currently existing take out stores to allow customers to purchase beer or wine with their pizza. These stores have been existing in the community for many years and will continue to provide the best interest to the community by allowing customers to take home their pizza and alcoholic beverages. The issuance of this license is in the best interest of the community."

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

Attachments
Liquor License Data - Pizza Hut #27002
Liquor License Map - Pizza Hut #27002

This item was recommended for approval.

19 Liquor License - The Grand Avenue Bar & Grill

Request for a liquor license. Arizona State License Application 65640.

Summary

Applicant
Mario Valencia, Agent

License Type
Series 12 - Restaurant

Location
2448 Grand Ave.
Zoning Classification: C-3
Council District: 7

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 22, 2019.

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 capable of following all laws pertaining to selling alcohol in my restaurant. I educated myself along with taking small courses to understand the great responsibility it is to sell liquor. I am completely reliable to maintain good standings with the law so that I don't jeopardize losing my license once it is obtained. I have also taken the certification exam and passed."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is a full service restaurant serving the surrounding community and visiting public patrons every single day of the week. While alcoholic beverage sales will generate a small percentage of the overall sales, the investment in a liquor license is requested as a service and convenience to the customers as an integral part of the dining experience. The inclusion of a license for incidental alcohol sales with food will allow patrons the same service that they would experience at local restaurants. We strive to become a valuable member of the community and continue to work hard to help the neighborhood achieve their development goal and continually improve the character of the neighborhood."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Grand Avenue Bar & Grill
Liquor License Map - The Grand Avenue Bar & Grill

This item was recommended for approval.

20 Liquor License - Punch Bowl Social

Request for a liquor license. Arizona State License Application 06070620.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
903 N. 2nd St.
Zoning Classification: DTC-West Evans Churchill
Council District: 7

This request is for an ownership and location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in September 2019.

The 60-day limit for processing this application is July 13, 2019.

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:
"Punch Bowl Social plans to open its 14th U.S. location in downtown Phoenix in September. The bar/restaurant combines unexpected food, fun, and entertainment by providing guests with an eclectic mix of delicious food and classic/craft cocktails while guests enjoy board games, arcade games, ping-pong, mini golf, bowling, karaoke, and more. The menu features scratch-made, creative dishes which are available throughout the day. Applicant would like to offer alcoholic beverages to guest 21 and over."

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 - Punch Bowl Social
Liquor License Map - Punch Bowl Social

This item was recommended for approval.

21 Liquor License - The Theodore Beer Bar & Bottle Shop

Request for a liquor license. Arizona State License Application 07070596.

Summary

Applicant
Justin Evans, Agent

License Type
Series 7 - Beer and Wine Bar

Location
110 E. Roosevelt St., Ste. C
Zoning Classification: DTC-West Evans Churchill
Council District: 7

This request is for an ownership and location transfer of a liquor license for a beer and wine 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 an exemption to allow alcohol sales and service within 300 feet of a church in the Entertainment District.

The 60-day limit for processing this application was April 16, 2019. However, the applicant submitted a written request for more time.

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.

Wandering Tortoise (Series 7)
2417 E. Indian School Road, Phoenix
Calls for police service: 2
Liquor license violations: In April 2018, a fine of $750 was paid for failure to request ID from an underage buyer and for selling, giving or furnishing an underage person with alcohol.

Sleepy Whale (Series 7)
290 S. Arizona Ave., Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a hands on business owner. I work behind the bar with my staff and am aware of what is happening in my businesses. I currently own and am the agent on three liquor licenses. I am particular about guest experience,

not over-serving and checking ID's."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We are continuing to push the boundaries of the Food and Beverage scene in Arizona. We believe being on Roosevelt Row, with a group of like-minded bar and restaurant owners is an honor. We look to focusing on the history of Downtown Phoenix and being a part of its development as well."

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

Attachments
Liquor License Data - The Theodore Beer Bar & Bottle Shop
Liquor License Map - The Theodore Beer Bar & Bottle Shop

This item was recommended for approval.

22 Liquor License - Club at PHX

Request for a liquor license. Arizona State License Application 65006.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 14 - Club

Location
3800 E. Sky Harbor Blvd., T4 N4 IC
Zoning Classification: A-1
Council District: 8

This request is for a new liquor license for a private club. This location was not previously licensed for liquor sales and does not have an interim

permit.

The 60-day limit for processing this application is July 14, 2019.

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

23 Liquor License - Holiday Inn Express & Suites Phoenix Airport North

Request for a liquor license. Arizona State License Application 65135.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
800 N. 44th St.
Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a hotel. 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 August 2019.

The 60-day limit for processing this application is July 15, 2019.

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:
"Holiday Inn Express & Suites' 44th Street + Loop 202 location will attract business and personal travelers. In addition to the standard hotel amenities expected at Holiday Inn Express, the hotel would like to offer guests 21 and over the opportunity to purchase beer and wine."

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 - Holiday Inn Express & Suites Phoenix Airport North
Liquor License Map - Holiday Inn Express & Suites Phoenix Airport North

This item was recommended for approval.

24 Liquor License - Home 2 Suites Phoenix Airport North

Request for a liquor license. Arizona State License Application 65137.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type

Series 10 - Beer and Wine Store

Location
888 N. 44th St.
Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a hotel. 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 August 2019.

The 60-day limit for processing this application is July 15, 2019.

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:
“Home 2 Suites' 44th Street + Loop 202 location will attract business and personal travelers. In addition to the standard amenities expected at Home 2, Applicant would like to offer guests 21 and over the opportunity to purchase beer and wine.”

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 - Home 2 Suites Phoenix Airport North
Liquor License Map - Home 2 Suites Phoenix Airport North

This item was recommended for approval.

25 Liquor License - Pizza Hut #35853

Request for a liquor license. Arizona State License Application 65488.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 7 - Beer and Wine Bar

Location
4708 S. 48th St.

Zoning Classification: C-2
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.

The 60-day limit for processing this application is July 20, 2019.

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:
"The owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and

owners are familiar with current liquor laws and are required to take liquor law classes. The owners primary purpose is to provide a safe environment for families whether dining in or simply take-out pizza. The owners have area coaches to provide oversight to all establishments and will comply will all city, county and state laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The owners have selected currently existing take out stores to allow customers to purchase beer or wine with their pizza. These stores have been existing in the community for many years and will continue to provide the best interest to the community by allowing customers to take home their pizza and alcoholic beverages. The issuance of this license is in the best interest of the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Pizza Hut #35853
Liquor License Map - Pizza Hut #35853

This item was recommended for approval.

26 Liquor License - Pizza Hut #35873

Request for a liquor license. Arizona State License Application 65474.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 10 - Beer and Wine Store

Location
5270 W. Baseline Road, Ste. 165
Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a restaurant/store. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 20, 2019.

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:
"The owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes. The owners primary purpose is to provide a safe environment for families whether dining in or simply take-out pizza. The

owners have area coaches to provide oversight to all establishments and will comply will all city, county and state laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The owners have selected currently existing take out stores to allow customers to purchase beer or wine with their pizza. These stores have been existing in the community for many years and will continue to provide the best interest to the community by allowing customers to take home their pizza and alcoholic beverages.
The issuance of this license is in the best interest of the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Pizza Hut #35873
Liquor License Map - Pizza Hut #35873

This item was recommended for approval.

27 Liquor License - Sprouts Farmers Market #40

Request for a liquor license. Arizona State License Application 64250 & 64250S.

Summary

Applicant
Amy Nations, Agent

License Type
Series 10 & 10S - Beer and Wine Store with Sampling Privileges

Location
7700 S. 59th Ave.
Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a grocery store. 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 August 2019.

The 60-day limit for processing this application is July 6, 2019.

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:
"We train all of our employees in responsible liquor service. We also conduct regular audits to ensure they comply."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

“We would like to provide a 'one stop shop' experience for our customers.”

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

Attachments
Liquor License Data - Sprouts Farmers Market #40
Liquor License Map - Sprouts Farmers Market #40

This item was recommended for approval.

28 Liquor License - China Harvest Buffet

Request for a liquor license. Arizona State License Application 66405.

Summary

Applicant
Zhao Lin, Agent

License Type
Series 12 - Restaurant

Location
12407 N. 28th Drive
Zoning Classification: C-2
Council District: 1

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.

The 60-day limit for processing this application is Aug. 3, 2019.

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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been in restaurant business for over 10 years and have been the owner and a manager of China Harvest Buffet for over 5 years. I am very experient at what I am doing."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"More tax dollars."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Liquor License Data - China Harvest Buffet
Liquor License Map - China Harvest Buffet

This item was recommended for approval as revised.

29 Liquor License - Doubletree by Hilton Phoenix North

Request for a liquor license. Arizona State License Application 65382.

Summary

Applicant
Mary Lambert, Agent

License Type
Series 11 - Hotel/Motel

Location
10220 N. Metro Pkwy., E
Zoning Classification: RSC
Council District: 1

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 July 19, 2019.

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

use for more than 180 days.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been on several other liquor licenses with no issues. We have a veteran management team well versed in upholding proper license standards."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We have many community gathering events att the hotel including weddings."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews.

Attachments
Liquor License Data - Doubletree by Hilton Phoenix North
Liquor License Map - Doubletree by Hilton Phoenix North

This item was recommended for approval as revised.

30 Liquor License - Los Arbolitos De Cajeme

Request for a liquor license. Arizona State License Application 65751.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
3508 W. Peoria Ave.
Zoning Classification: C-2
Council District: 1

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 July 23, 2019.

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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet

concluded.

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:
"We train all our employees in responsible liquor service. We also conduct regular audits to ensure they comply."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like the ability to off our customers of age the ability to order an alcoholic beverage with their meal, if they choose to have one."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Liquor License Data - Los Arbolitos De Cajeme
Liquor License Map - Los Arbolitos De Cajeme

This item was recommended for approval as revised.

31 Liquor License - Pizza Hut #33690

Request for a liquor license. Arizona State License Application 65473.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 10 - Beer and Wine Store

Location
420 E. Bell Road #101

Zoning Classification: C-2
Council District: 3

This request is for a new liquor license for a restaurant/store. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 20, 2019.

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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The owners have extensive experience owning and managing liquor

licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes. The owners primary purpose is to provide a safe environment for families whether dining in or simply take-out pizza. The owners have area coaches to provide oversight to all establishments and will comply with all city, county and state laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The owners have selected currently existing take out stores to allow customers to purchase beer or wine with their pizza. These stores have been existing in the community for many years and will continue to provide the best interest to the community by allowing customers to take home their pizza and alcoholic beverages.
The issuance of this license is in the best interest of the community."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Attachments
Liquor License Data - Pizza Hut #33690
Liquor License Map - Pizza Hut #33690

This item was recommended for approval as revised.

32 Liquor License - Shell

Request for a liquor license. Arizona State License Application 66032.

Summary

Applicant
Gina Moninder Gill, Agent

License Type
Series 10 - Beer and Wine Store

Location
315 W. Bell Road

Zoning Classification: C-2
Council District: 3

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

The 60-day limit for processing this application is July 29, 2019.

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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been in this industry for 30 yrs and I have qualification and up to

date knowledge of liq. laws. I have done this for long time & know how important it is to be on top of the changes."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This location is there for 20 yrs and the neighborhood around walk to this place. It is very convenient for the community."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Attachments
Liquor License Data - Shell
Liquor License Map - Shell

This item was recommended for approval as revised.

33 Liquor License - Arrive Phoenix

Request for a liquor license. Arizona State License Application 06073610.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
400 W. Camelback Road
Zoning Classification: C-2 HP TOD-1
Council District: 4

This request is for an ownership and location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow a bar. This business is currently being remodeled with plans to

open in September 2019.

The 60-day limit for processing this application is Aug. 2, 2019.

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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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: "Arrive Phoenix is an innovative adaptive reuse project that will open as a 79-room hotel, featuring a boutique coffee shop, a poolside taco bar, a gourmet ice creamery, and a rooftop bar with 360-degree city views. The hotel would like to offer alcoholic beverages to guests 21 and over."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Liquor License Data - Arrive Phoenix
Liquor License Map - Arrive Phoenix

This item was recommended for approval as revised.

34 Liquor License - Tuck Shop

Request for a liquor license. Arizona State License Application 66293.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
2245 N. 12th St.
Zoning Classification: C-1 HP CNSPD
Council District: 4

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

The 60-day limit for processing this application is August 2, 2019.

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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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:
"We will continue to abide by Arizona liquor laws and ensure our employees attend the Title 4 liquor class."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location has been licensed and we would like to continue to offer alcoholic beverages."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Liquor License Data - Tuck Shop
Liquor License Map - Tuck Shop

This item was recommended for approval as revised.

35 Liquor License - Zipps Sports Grill

Request for a liquor license. Arizona State License Application 65907.

Summary

Applicant
Harry Goldman, Agent

License Type
Series 12 - Restaurant with Growler Privileges

Location
3110 N. Central Ave., G-103
Zoning Classification: C-2 HR TOD-1
Council District: 4

This request is for a new liquor license for a restaurant with growler privileges. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 27, 2019.

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
At the time the agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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 an Agent for 14 Series 12 liquor licenses, all of which have a solid history. I am fully aware of the responsibility that it takes to maintain a license in good standing with the City, State and local residents. I also understand that holding a liquor license is a priviledge which comes with great responsibility and have always taken this very seriously."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We will keep our building and surroundings areas clean with respect to the center and the surrounding residential community. All noise restrictions will be respected. We are a positive addition to our communities, bringing jobs and a great place for friends and family to come together. We also believe in donating and giving back to our communities which can be substantiated over the past 25 years."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Liquor License Data - Zipps Sports Grill

Liquor License Map - Zipps Sports Grill

This item was recommended for approval as revised.

36 Liquor License - Palazzo

Request for a liquor license. Arizona State License Application 65027.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
6250 N. 19th Ave.
Zoning Classification: C-1
Council District: 5

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.

The 60-day limit for processing this application is July 14, 2019.

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 to maintain 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:
"The Palazzo is an active senior living community offering resort-style amenities, including restaurant dining, exercise classes, musical and cultural events, discussion groups, etc. As an additional amenity, the community would like to offer alcoholic beverages to residents and guests 21 and over."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews.

Attachments
Liquor License Data - Palazzo
Liquor License Map - Palazzo

This item was recommended for approval as revised.

37 Liquor License - Christo's Ristorante

Request for a liquor license. Arizona State License Application

12071015.

Summary

Applicant
Michael Zistatsis, Agent

License Type
Series 12 - Restaurant

Location
6327 N. 7th St.
Zoning Classification: C-2
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 July 20, 2019.

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.

Alexi's Restaurant (Series 12)
3550 N. Central Ave., Ste. 120, Phoenix
Calls for police service: 54
Liquor license violations: None

Public Opinion
At the time this agenda was finalized, no protest or support letters had

been received, however the 20-day public comment period had not yet concluded.

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 fully trained as a liquor location manager. I have also owned another restaurant. Thanos Enterprises Inc DBA Alexis Restaurant for many years which also has a liquor license."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

This item was recommended for approval as revised.

38 Liquor License - Selection Sauvage

Request for a liquor license. Arizona State License Application 66313.

Summary

Applicant
Timothy Geis, Agent

License Type
Series 4 - Wholesaler

Location
2440 W. Lincoln St., Ste. 170S
Zoning Classification: A-2
Council District: 7

This request is for a new liquor license for a wholesaler. 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 Aug. 2, 2019.

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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a responsible adult who has more than 8 years of experience in the liquor industry. I recently passed the certified sommelier exam have proven myself in the restaurant industry with my sales abilities and managerial style. I take pride in my professionalism and my sense of urgency and I feel that I am completely capable of holding a liquor license. I intend on enriching the Arizona wine community by importing and wholesaling craft and natural wines."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The natural and craft wines that Selection Sauvage will be importing and wholesaling will only enrich the wine community in Arizona. Selection Sauvage will be the first In-State importer of natural and craft wine. The wines the Selection Sauvage will be selling are hard to find, high quality boutique wines. California and New York always have access to the best

wine in the world which leaves other states dry of some of the best wine on the market. Selection Sauvage intends to change that by bringing incredible natural wines to the people in Arizona.

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

This item was recommended for approval as revised.

39 Liquor License - Cambria Hotel Downtown Phoenix Convention Center

Request for a liquor license. Arizona State License Application 65789.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 11 - Hotel/Motel

Location
222 E. Portland St.
Zoning Classification: DTC-West Evans Churchill
Council District: 7

This request is for a new liquor license for a hotel. 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 October 2019.

The 60-day limit for processing this application is July 23, 2019.

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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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:
"Cambria Hotel Downtown Convention Center will have 127 guest rooms in the Roosevelt Row Arts District near art galleries, shops, restaurants, sports stadiums and concert venues. The hotel will include meeting and event spaces, a full-service restaurant, a fitness center, and a rooftop pool and bar. The hotel would like to offer guests 21 and over the opportunity to enjoy alcoholic beverages for on-premises consumption."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Attachments
Liquor License Data - Cambria Hotel Downtown Phoenix Convention Center
Liquor License Map - Cambria Hotel Downtown Phoenix Convention Center

This item was recommended for approval as revised.

40 Liquor License - Gobooze

Request for a liquor license. Arizona State License Application 65916.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
7150 W. Roosevelt St., Ste. D126
Zoning Classification: A1
Council District: 7

This request is for a new liquor license for a beer and wine store. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 27, 2019.

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.

Gobooze (Series 10)
1370 E. 8th St. #4 & #5, Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: In April 2019, a fine of $250 was paid for storing liquor on an unlicensed premises and unlawful record of delivery.

Gobooze (Series 10)
1665 E. 18th St. #104, Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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:

"As an experienced retail merchant with liquor licenses in many cities throughout the U.S., 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."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Applicant offers direct delivery of snacks, drinks, personal essentials and a variety of convenience items, and would like to offer customers 21 and over the opportunity to purchase beer and wine."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Liquor License Data - Gobooze
Liquor License Map - Gobooze

This item was recommended for approval as revised.

41 Liquor License - Long Wong's Tuscano Towne Center

Request for a liquor license. Arizona State License Application 66003.

Summary

Applicant
Charles James Jr., Agent

License Type
Series 12 - Restaurant

Location
7625 W. Lower Buckeye Road, Ste. 100
Zoning Classification: C-2 PCD
Council District: 7

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 28, 2019.

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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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 35 years experience in operations management for restaurants. I have held a liquor license previously as my other location and never had any violations."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Beer and wine will compliment our menu and give out customers more of a variety of beverage choices for adults dining in restaurant.”

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Attachments
Liquor License Data - Long Wong's Tuscano Towne Center
Liquor License Map - Long Wong's Tuscano Towne Center

This item was recommended for approval as revised.

42 Liquor License - Pasado

Request for a liquor license. Arizona State License Application 65936.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
909 N. 1st St.
Zoning Classification: DTC-West Evans Churchill
Council District: 7

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor liquor service as an accessory use to a restaurant.

The 60-day limit for processing this application is July 27, 2019.

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.

Cobra Arcade (Series 6)
801 N. 2nd St., Phoenix
Calls for police service: 41
Liquor license violations: None

Cobra Arcade (Series 6)
63 E. Congress St., Ste. 109, Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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:
“Located in the heart of the Roosevelt district, Pasado offer fresh, Latin-themed dishes and coffee to guests in its gallery/community gathering space. The restaurant would like to offer guests 21 and over the opportunity to purchase classic and craft alcoholic beverages to complement the unique dishes served.”

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Attachments
Liquor License Data - Pasado
Liquor License Map - Pasado

This item was recommended for approval as revised.

43 Liquor License - Pizza Hut #27006

Request for a liquor license. Arizona State License Application 65705.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 10 - Beer and Wine Store

Location
2755 S. 99th Ave., Ste.101
Zoning Classification: C-2
Council District: 7

This request is for a new liquor license for a restaurant/store. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 23, 2019.

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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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

I have the capability, reliability and qualifications to hold a liquor license

because:
“The owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes. The owners primary purpose is to provide a safe environment for families whether dining in or simply take-out pizza. The owners have area coaches to provide oversight to all establishments and will comply will all city, county and state laws.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“The owners have selected currently existing take out stores to allow customers to purchase beer or wine with their pizza. These stores have been existing in the community for many years and will continue to provide the best interest to the community by allowing customers to take home their pizza and alcoholic beverages. The issuance of this license is in the best interest of the community."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Attachments
Liquor License Data - Pizza Hut #27006
Liquor License Map - Pizza Hut #27006

This item was recommended for approval as revised.

45 Liquor License - Gateway Hilton Garden Inn Market

Request for a liquor license. Arizona State License Application 65992.

Summary

Applicant
Thomas Payne, Agent

License Type
Series 10 - Beer and Wine Store

Location
3838 E. Van Buren St.
Zoning Classification: C-3 HR TOD-2
Council District: 8

This request is for a new liquor license for a beer and wine store. This location is currently licensed for liquor sales with a Series 11, Hotel/Motel, liquor license. This location requires a Use Permit to allow package liquor sales in within a Transit-Oriented District.

The 60-day limit for processing this application is July 28, 2019.

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.

Gateway Hilton Garden Inn (Series 11)
3838 E. Van Buren St., Phoenix
Calls for police service: 53
Liquor license violations: None

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had no yet concluded.

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:
"Gateway Hilton Garden Inn's reliable service and location near the airport makes it the perfect destination for many travellers. In addition to the hotel's standard amenities, Applicant would like to offer guests 21 and over the opportunity to purchase beer and wine from the hotel's market."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Liquor License Data - Gateway Hilton Garden Inn Market
Liquor License Map - Gateway Hilton Garden Inn Market

This item was recommended for approval as revised.

13 Liquor License - Pizza Hut #26986

Request for a liquor license. Arizona State License Application 65485.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 7 - Beer and Wine Bar

Location
3602 W. Camelback Road
Zoning Classification: C-2
Council District: 5

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.

The 60-day limit for processing this application is July 20, 2019.

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
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 that the area has sufficient liquor licenses available to meet the needs and convenience of the residential

population. They are also concerned that the owners lack experience managing a liquor license in their community.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes. The owners primary purpose is to provide a safe environment for families whether dining in or simply take-out pizza. The owners have area coaches to provide oversight to all establishments and will comply with all city, county and state laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The owners have selected currently existing take out stores to allow customers to purchase beer or wine with their pizza. These stores have been existing in the community for many years and will continue to provide the best interest to the community by allowing customers to take home their pizza and alcoholic beverages. The issuance of this license is in the best interest of the community."

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

Attachments
Liquor License Data - Pizza Hut #26986
Liquor License Map - Pizza Hut #26986

Discussion

Councilwoman Guardado conveyed her office received a letter in opposition from the Sevilla Neighborhood Association. She expressed her appreciation for the hard work the leaders in District 5 neighborhoods did, especially the Sevilla Neighborhood Association for bringing their concerns to her office. She remarked many problems could be resolved if people would sit down and talk to one another. She stated she knew the Sevilla Neighborhood Association reached out to the applicants and briefly spoke over the phone, but neither the applicant nor their representative took the opportunity to sit down and talk about the neighbors' concerns. She noted since that had not yet happened she was requesting this item be continued to the next formal meeting on August 28. She added if the applicant did not take the time to talk with the neighbors then she would recommend denial at the next meeting.

Lawrrie Fitzhugh, the designated spokesperson from the Sevilla Neighborhood Association, said she was not opposed to a continuance. She indicated the neighbors would very much like an opportunity to speak with the business owner.

A comment card was submitted for the record in favor of this item by Theresa Morse.

A motion was made by Councilwoman Guardado, seconded by Councilwoman Stark, that this item be continued to the Aug. 28, 2019 City Council Formal Meeting. The motion carried by the following voice vote:

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

No: 0

44 Liquor License - SV Market

Request for a liquor license. Arizona State License Application 66055.

Summary

Applicant
Peter Yoon, Agent

License Type
Series 10 - Beer and Wine Store

Location
4216 S. Central Ave.
Zoning Classification: C-3 RSIO
Council District: 7

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in September 2019.

The 60-day limit for processing this application is July 29, 2019.

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
At the time this agenda was finalized, no protest or support letters had

been received, however the 20-day public comment period had not yet concluded.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a responsible business owner that looks out for the best interest of my customers. I am a long time business owner and have had this corporation with my wife for 16 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I look to serve the community & look out for my customers. I am thankful for this opportunity & priviledge to provide to this community."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Liquor License Data - SV Market
Liquor License Map - SV Market

Discussion
Mayor Gallego noted a comment card was submitted for the record by Jared Smart of the Police Department. She confirmed the applicant was not present and there were no comment cards from the community.

A motion was made by Councilman Nowakowski, seconded by Councilman DiCiccio, that this item be recommended for disapproval based on the Police Department's recommendation for disapproval. The motion carried by the following vote:

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

No: 0

46 (CONTINUED FROM JUNE 26, 2019) - Liquor License - Boom Boom Room

Request for a liquor license. Arizona State License Application 06070678.

Summary

Applicant
Rasheda Worthy, Agent

License Type
Series 6 - Bar

Location
1501 W. Pierce St.
Zoning Classification: C-2
Council District: 7

This request is for an ownership and location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption when located within 500 feet of a residential district. This business is currently being remodeled with plans to open in September 2019.

The 60-day limit for processing this application was June 25, 2019. However, the applicant submitted a written request for more time.

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
Two letters protesting and two letters supporting the issuance of this license have been received and are on file in the Office of the City Clerk. The protest letters are from local residents. They feel that there are sufficient liquor licenses in the area and adding another liquor license in a residential area will not benefit the community's quality of life. The support letters are from local residents. They feel that the opening of the bar will encourage other business activity in the area.

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 a resident of Phoenix, Arizona for 25 years. I am very comfortable and familiar w/ the diverse central phoenix community. I have been a business owner in various businesses in Phoenix including retail, community health and worked for COP Parks & Rec. I have a masters degree in social work & education in doctoral studies in public health. I have the resources and support of family and other business owners including liquor license owners.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The Boom Boom Room will enhance the community bringing a safe culturally diverse social venue to a community w/ limited social gathering places. The Boom Boom Room will offer the community a place to dine, celebrate, host private events and gather near home."

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 - Boom Boom Room
Liquor License Map - Boom Boom Room

Discussion
Breannah Worthy, the applicant's daughter whose address was 902 W. Roma Ave., spoke in favor. She said what she had learned from fellow neighbors and business owners was that the relationship to address neighborhood concerns must be open, continuous and consistent, and she agreed to do so. She conveyed she also heard concerns on what changes would come to the street as this space became a commercial business. She stated this bar would not change the direction of the neighborhood but would allow it to adapt to a city that was already changing. She pointed out the possibility of owning the business, liquor license and building by a black family in Arizona had not been available before this date. She asked that Council recognize the support of residents, business owners and the black community for a chance to express black music and artistry.

Rasheda Worthy introduced herself and clarified her daughter just spoke. She stated her mother, Deborah Mateen, was also present.

Mayor Gallego confirmed a comment card was submitted for the record in opposition by Tom Havey, 4325 E. Paradise Lane, who was not present to speak.

Councilman Nowakowski requested that speakers provide their address when making their comments.

Rasheda Worthy, the applicant, spoke in favor. She stated she had a long history with the City, noting she started her career in the Parks and Recreation Department at the South Phoenix youth center and then the Thunderbird teen center. She added she had worked in the community for the past 20 years and had a Master's degree in social work from ASU. She said she thought that was important with social gathering venues since bartenders and bar owners were like second-hand neighbor social workers. She pointed out that she and her daughter took the initiative and became certified bartenders and obtained the State certifications so they had management and alcohol service training. She also reached out on multiple occasions to neighborhood association leaders as well as residents, noting they had many supporters and a few opposers. She remarked the neighborhood was changing and she wanted to be part of the economic development and positive change in this neighborhood. She indicated her family had owned property in this neighborhood for almost 12 years, though she lived in Melrose. She conveyed they had a petition with over 500 signatures of people that supported her business.

Beatrice Moore, 1301 Grand Ave., spoke in opposition. She stated the issue was the applicant wanted to locate a bar in a residential neighborhood with affordable housing. She expressed this house was on the edge of the residential district and some of the people that had lived there for many years were not happy about having a bar next door. She said there was insufficient parking, noting there were apartments in this vicinity and people with multiple cars so the street parking was already filled up. She also indicated there was a fire station directly across the street on 15th Avenue, so overflow parking would have to park on the east side of the street.

Ms. Moore conveyed she spoke on behalf of herself and Grand Avenue Arts & Preservation whose mission was to advocate for the arts and preservation of historic Grand Avenue and connect like-minded individuals and organizations. She remarked they met with the applicant and her daughter and found they did not know about the ingress/egress for parking in the backyard, that the commercial dumpsters had to be in

the yard and not the alley or if a loading zone could be done in front of the house for deliveries. She said that meant semi-trucks would stop on 15th Avenue, which was a single lane in both directions, to make large deliveries. She conveyed Breannah informed her they would address parking by making sure their hours were such that people coming home from work could secure parking before their patrons started showing up. Ms. Moore expressed that indicated the applicant was out of touch with how this bar would impact the neighborhood because people were not going to come home and never leave or not have friends or family over. She emphasized that was an unrealistic way to look at how to place a bar in a neighborhood that had no additional parking.

Councilman DiCiccio stated he ran into this issue because he had central city parts in his district and the parking was horrible for neighbors. He indicated they had to put up no parking signs on the streets to keep cars out but even that was hard to enforce. He remarked if whoever spoke on these types of cases could provide their address and proximity to the business as well as the group they represented since more information was better for the record.

Ms. Moore reiterated her address which was within a block of this establishment. She said she also had a building with art studios that was kitty-corner to this business. She added she owned multiple properties in the neighborhood that she had fixed up with adaptive reuse projects over the years. She expressed that one of the reasons why new people wanted to come into the neighborhood because of the completed renovation projects.

Anthony McDonald, 1514 E. Adams St., Unit 1, spoke in favor. He stated he became acquainted with the Worthy family when he was in high school, specifically Rasheda when she worked at the Thunderbird teen center. He expressed she had been a mentor throughout his life, noting he was a business owner and continued to seek her advice on many things. He stated he believed allowing another black-owned business to open within the community was a positive thing and asked that this item be approved.

Mickey Montalvo, 1506 W. Pierce St., lived across the street from this

business and spoke in opposition. He noted the applicant did not go door-to-door and speak to the neighbors about her business. He said he was concerned about the violence that could occur and the parking issue since there was a fire station nearby. He also pointed out there were kids that walked to school and he was worried about what they might see. He claimed the applicant walked out of the meeting on Monday because she was angry but her daughter stayed for the meeting.

Deborah Mateen stated she was Rasheda Worthy's mom and the owner of the property in question, 1501 W. Pierce St. She conveyed the property was on a huge corner lot, noting the deliveries and parking would be in the back so no trucks or patrons would prevent residents from parking. She remarked she had owned at least 10 homes in the Phoenix area, but temporarily lived at 2041 W. Adams St. as her actual house at 30 W. Willetta St. was being renovated. She said she lived at the Pierce property seven years ago and emphasized this business would uplift the neighborhood. She expressed this neighborhood and the homes had not changed since she lived there and thought everybody needed to try and work together before opposing the business.

Mickey Montalvo, Jr. noted he lived with his father at 1506 W. Pierce St. He said he was concerned about homeless people coming into the neighborhood asking for money. He mentioned the applicant did not go door-to-door to talk about the business which would impact the neighborhood.

Todd Morris stated he was the owner of a four-unit building at 1509 W. Pierce St. which was two doors down from this site. He expressed approval of this new business as he thought it would not only improve that property but encourage others in the neighborhood to improve theirs. He said he understood the concern about parking but he believed most people would ride-share to the bar, plus this was not a big establishment so there would not be a lot of cars. He conveyed there was plenty of parking on 15th Avenue, noting delivery trucks could use the median when dropping off supplies. He remarked this was not the first time a business was located in a small neighborhood, noting there were several establishments on Grant, which was a block away, where parking was more of an issue. He reiterated his support of this business coming into

the neighborhood.

Jessica Bueno, 429 N. 17th Drive, spoke in opposition as president of the Oakland Neighborhood Association whose boundaries were 15th Avenue west to 19th Avenue, Roosevelt south to Van Buren. She stressed this area was residential, noting the property was zoned C-2 but it had not been used as commercial. She indicated this business would impact the neighborhood, especially parking since there were two vacant lots on the north and south side of Pierce that would be developed into 12 units. She stated when that component was added to the street that parking should be precedent to the neighborhood. She conveyed the business owners met with the neighborhood on Monday; however, the neighbors had not seen a business plan, site plan or a security plan so the neighborhood had no concrete answers. She said she supported their idea for this business but she did not support it in a residential neighborhood that had no parking on 15th Avenue as it was one lane each way with bike lanes. She added there was a fire station across the street with fire trucks that needed access to 15th Avenue which could be hindered if there was a delivery truck parked on 15th Avenue. She asked that Council not recommend this application to the State Board.

Councilman DiCiccio recalled Ms. Bueno said there was no site plan.

Ms. Bueno replied the neighbors had been asking for it. She continued the neighbors were told there would be 10 parking spots accessed through the alley which was not possible based on analysis conducted by an architect group that suggested six was the most. She stated there was no plan of how these cars would come in and out of the alley but it would impact the surrounding neighbors which had not been addressed.

Councilman DiCiccio remarked a site plan showed what a business was going to do.

Ms. Bueno added there was no occupancy number but 45 had been mentioned, noting the square footage was 900.

Councilman DiCiccio said he wanted to hear what the applicant had done with the site plan and the parking.

Albert Cunningham, 1509 W. Pierce St., spoke in favor. He listened to everyone's concern about traffic and the bar changing the neighborhood, but as a ten-year resident he claimed there were people who had parties into the early morning hours on a regular basis so noise was prevalent in the neighborhood. He stated he talked with the prospective business owners who agreed to be diligent about the parking. He mentioned there was a store across the street where deliveries took place in the median on 15th Avenue. He remarked there were four units in his building and all of them would patronize this business to enjoy the different music. He urged Council to approve this application because he thought it would be good for the community and the city.

Onesimus Strachan spoke in favor. He said he had known the Worthy family since 2004, noting he supported their small business and other small businesses when he served as treasurer of the Greater Phoenix Black Chamber in 2010. He explained the chamber supported small businesses with a black emphasis within the city and he thought this young lady had courage to step out in an endeavor that was already saturated with clubs. He expressed it was not fair that the community was fighting back when this was an opportunity for an African American business owner to move into this neighborhood. He added that fire trucks operated up and down the street, a supermarket had delivery trucks that came in and out, along with night participation on Grand Avenue because of other similar businesses. He stated he encouraged the applicant to work with some of the businesses for overflow parking if that was an issue. He asked that Council allow the applicant to operate by giving her a license.

Mayor Gallego noted comment cards were submitted for the record in favor by the following individuals:

Leteasha Smith, 1509 W. Pierce St., #4
Madinah Simpson, 1630 E. Willetta St.
Yolanda Fortune, 1738 E. Darrel Road
Ousala Aleem, 1013 W. Indian School Road, #C

Mayor Gallego added a comment card was submitted for the record in

opposition by Anthony Zahn, 1301 Grand Ave., #8.

Councilman Nowakowski asked if the applicant had a site plan.

Ms. Worthy replied a site plan was submitted to the Planning Department when she applied for the Use Permit, so there was a site plan on file.

Councilman Nowakowski questioned if the site plan was present at the meeting on Monday.

Ms. Worthy responded the site plan was not at the meeting; however, she was sent a questionnaire by Ms. Bueno which she answered and a copy of it was provided to everyone that attended the meeting.

Councilman Nowakowski wanted to know who the person was that walked out during the meeting.

Ms. Worthy replied she had stepped outside to take a breath because she did not want the meeting to go in the direction it was heading. She conveyed her daughter continued to talk, but she did return to the meeting. She claimed Ms. Bueno sent an email apologizing for being rude and disrespectful towards her at the meeting.

Councilman Nowakowski asked if the future parking would be through an alley or a city street.

Ms. Worthy responded when she originally submitted the site plan it was her hope that she would receive a Use Permit to have an outdoor patio in the front, but she did not receive approval for it. She continued because of that, she talked with her contractor about changing the parking since the area in front of the property could be used as well. She stated she did not bring a copy of the current site plan to the meeting as she did not want to give the impression it was final which she said she explained in the questionnaire. She indicated she told Ms. Bueno that she would send the revised site plan when it was available since there would be additional space for parking.

Councilman Nowakowski confirmed Ms. Worthy did not go to the State

and ask for an extension until August 28. He conveyed he continued this item from the last meeting due to the concerns raised by the community. He recalled he suggested the applicant go to the State and ask for a continuance to work things out with the neighborhood. He pointed out the Grand Avenue Merchants Association and neighborhood associations in that area were willing to support small businesses and the arts community. He said he thought the concept was great for this area but people were having problems with the location. He expressed having the business plan and site plan available at the meeting would have helped find common ground in order to find that win-win situation. He remarked the applicant did not request an extension from the State to work these problems out, noting the neighbors were concerned about the parking, traffic and noise which were not addressed at the meeting on Monday. He, therefore, made a motion to deny this request based on all the reasons expressed today including what he just mentioned.

Prior to his vote, Councilmember Garcia stated that his office attempted to talk to the business as he was inspired by the work and vision of it. He expressed he hoped that City staff would talk to the applicant, noting his office was willing to talk with them about future projects. He said because of the concerns and what had happened at this meeting he was going to support the motion.

A motion was made by Councilman Nowakowski, seconded by Councilman DiCiccio, that this item be recommended for disapproval based on community opposition and concerns. The motion carried by the following vote:

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

No: 0

47 (CONTINUED FROM JUNE 26, 2019) - Liquor License - MC Mini Mart

Request for a liquor license. Arizona State License Application 63363.

Summary

Applicant
Mark Dinkha, Agent

License Type
Series 10 - Beer and Wine Store

Location
2720 W. Indian School Road
Zoning Classification: DTC - Downtown Gateway
Council District: 4

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

The 60-day limit for processing this application is June 22, 2019.

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

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

Public Opinion

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I hold a certificate for "The Basic Liquor Law Training". This training provided me the opportunity of learning the importance and significance of obtaining a beer and wine license. I am assured to uphold the laws and regulations about beer and wine license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This store will provide a safe and secure place for the neighborhood to buy beer and wine. The location will be convenient for the people in neighborhood who may not have access to transportation. Adding the long time experience of the owner with running a store while upholding all the laws and regulations, the store will be a safe, secure and convenience place for the customers to purchase quality liquor."

Staff Recommendation
Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on the applicant's criminal history, failure to obey State laws and potential hidden ownership. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments
Liquor License Data - MC Mini Mart
Liquor License Map - MC Mini Mart
Liquor License Police Department Recommendation - MC Mini Mart

Discussion

License Services Program Manager Jenni Wingenroth stated this request was for a new Series 10 Beer and Wine Store license for a convenience store that did not sell gas. She added this location was previously licensed for liquor sales and may operate with an interim permit. She advised staff recommended disapproval of this application based on a Police Department recommendation for disapproval.

Police Detective Robin Gokool, with the Cactus Park Precinct, said the Police Department recommended disapproval based on the applicant being untruthful on the application. He pointed out there were issues with regard to following State law and financial documentation. He explained through the background investigation staff determined the applicant was not capable, qualified or reliable to hold a liquor license. He stated during the applicant's first application to the State in April, he failed to list an arrest that occurred in Scottsdale in March of 2017 related to disorderly conduct and fighting. He added the applicant pled guilty as a result of alcohol consumption in June of that same year. He noted the applicant withdrew that application and reapplied through the State in May. He indicated the applicant stated their criminal history was not disclosed because they did not know it was required on the State application, even though it was a notarized application.

Police Detective Gokool continued a second meeting was conducted but the applicant was not present at the business; however, the brother was present. He said he noticed that pornographic material was displayed behind the counter in public view. He pointed out there were schools and neighborhood communities in the area, noting the applicant was not aware it was illegal to display those materials in open public. He also asked the applicant for financial documentation that the $47,000 given by their parents was a gift. He stated the applicant did not provide it until June 18 via a notarized document to the City's office stating that the money was a gift. He reiterated the applicant was not capable, qualified or reliable to hold a liquor license as he believed the applicant would do more harm than good and the business would hurt the community.

Mayor Gallego confirmed the applicant was not present.

A motion was made by Councilwoman Pastor, seconded by Councilman Nowakowski, that this item be recommended for

disapproval based on the Police Department's recommendation for disapproval. The motion carried by the following vote:

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

No: 0

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

Note: Councilwoman Williams temporarily disconnected from the meeting.

Mayor Gallego requested a motion on the remaining agenda items. A motion was made, as appears below.

Note: Comment cards were submitted for the record in favor by the following individuals:

Lavonna Arms, Item 56
Nick Wood - Applicant, Item 111
Taylor Earl, Item 113
Ric Toris - Representative, Item 117
Ed Bull - Representative, Item 124

A motion was made by Vice Mayor Waring, seconded by Councilwoman Stark, that Items 48 through 125 be approved or adopted, except Items 49, 57, 76, 87, 111, 114, 119-123 and 125; continuing Item 124 to the Sept. 4, 2019 City Council Formal Meeting; and noting that Item 73 is withdrawn. The motion carried by the following vote:

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

No: 0

Absent: 1 - Councilwoman Williams

Items 48, 50-56, 58-64, Ordinance S-45890, was a request 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.

48 True View Windows and Glass Block Inc.

For $95,000.00 in payment authority for a one-time glass replacement and upgrade program for the Aviation Department. The services include replacing original windows and glass doors in Terminal 4's Common Use Lounge area. The new energy efficient windows will provide sound mitigation and save energy, and new frames and seals will ensure energy conservation by preventing leaks.

This item was adopted.

50 Municipal Emergency Services, Inc.

For $16,850.00 in payment authority to purchase Humat valves for the Fire Department. The Fire Department pumper trucks require Humat valve devices to deliver high pressure water to all fires. This purchase will replace all valves with signs of damage, to ensure all four-way hydrant valves within the City remain in service.

This item was adopted.

51 Settlement of Claim(s) for Danilo Jurkovic

To make payment of up to $22,400.00 in settlement of claim(s) for Danilo Jurkovic, 18-0121-001 GL PD, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

52 Settlement of Claim(s) for Edward Stearns

To make payment of up to $58,800.00 in settlement of claim(s) for Edward Stearns, 18-0311-002 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

53 Settlement of Claim(s) for Rusty Stanton

To make payment of up to $30,900.00 in settlement of claim(s) for Rusty

Stanton, 17-0069-002 GL PD, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

54 Church of the Beatitudes of Phoenix, Arizona

For an amount not to exceed $1,315,000.00 to pay a court order entered against the City of Phoenix for judgment, plus statutory interest and taxable costs, in *City of Phoenix v. Church of the Beatitudes of Phoenix, Arizona, et al., Case CV2018-000014*, a condemnation case for land acquisition for Fire Station 20, for the Finance Department, pursuant to Phoenix City Code chapter 42.

This item was adopted.

55 NetValueCentral, Inc.

For $19,000.00 in additional payment authority for Contract 148173 for access to NetValueCentral's Maricopa County Assessor Information System Database to search commercial and residential properties that may be liable for Transaction Privilege Tax related to construction contracting and speculative building activities for the Finance and Neighborhood Services departments. The construction contracting business classification currently generates between $40 to $50 million annually in Transaction Privilege Tax. This database offers unique information related to business operations, activities, addresses, ownership, sale amounts, rentals, property values and plant maps in the city of Phoenix in an organized, easily searchable manner allowing faster turnaround times with less research time for staff.

This item was adopted.

56 Marsh USA, Inc.

For $778,150.00 in payment authority to amend Ordinance S-45741 to purchase various property and casualty insurance policies on behalf of the City for July 2019 through June 2020. This additional amount will allow the City to buy-down the Self Insurance Retention Fund from $10,000,000 to $7,500,000. This option was not available at the time of the original submittal and funds are available through the Self Insurance Retention Fund.

This item was adopted.

58 **Poco Verde Pools and Landscape, Inc.**

For $64,000.00 in payment authority for a new contract entered on or about July 1, 2019, for trailhead maintenance at the Pueblo Grande Museum for the Parks and Recreation Department. Services include installing concrete pavers along two sections of the interpretive trail and on top of the platform mound to replace existing asphalt. The proposed work is to be completed on or before Oct. 31, 2019.

This item was adopted.

59 **State of Arizona, Office of the Auditor General**

For $75,000.00 in payment authority for the state's annual Economic and Fiscal Impact Analysis on the expansion project for the Phoenix Convention Center. The audit will be conducted by HVS Convention Sports and Entertainment - Northstar (HVS-Northstar). The Arizona Office of the Auditor General contracts with HVS-Northstar to conduct the annual study as required by Arizona Revised Statutes 9-626. The study will measure the effects of direct, indirect and induced economic activity resulting from the expansion of the Phoenix Convention Center. Payment authority is for work to be completed in 2019 and 2020.

This item was adopted.

60 **Bound Tree Medical, LLC**

For $40,000.00 in payment authority to purchase narcan pouches from Bound Tree Medical, LLC, for the Police Department. The pouches will be used to provide patrol, specialty unit officers and other police employees with the necessary equipment to respond to opioid overdose situations within the City.

This item was adopted.

61 **FBI National Academy Associates (FBINAA) Arizona Chapter**

For $10,000.00 in payment authority to the FBINAA, Inc., Arizona Chapter, for law enforcement leadership training at the FBINAA annual conference in Phoenix, Arizona. The City of Phoenix is the host city for the 2019 conference. Funds will be used in support of training only during the conference being conducted July 20-23, 2019.

This item was adopted.

62 **Enterprise Holding, Inc., doing business as EAN Services, LLC**

For $9,392.24 in payment authority for rental vehicles for the City Clerk Department. The vehicles were used to transport election officials and support staff in the performance of duties including registered voter sign-in, explanation of voting procedures and use of voting equipment, and to monitor the conduct of the March 12, 2019 special election.

This item was adopted.

63 Wastewater Solids Management

For $77,500.00 in additional payment authority for Contract 143579 with Wastewater Solids Management for digester tank cleaning services for the Water Services Department. The digester tanks are used for sludge digestion which is the biological degradation or stabilization of organic matter. To maintain the performance of the digestion process, digester tanks are required to be cleaned on an as-needed basis. Additional payment authority is needed due to an increase in demand for digester tank cleaning and an underestimation of the funds needed for the option years.

This item was adopted.

64 City of Scottsdale

For $1,025,660.00 in payment authority for Fiscal Year 2019-20, pursuant to the Memorandum of Understanding of Overlapping Retail Sewer Services for the Water Services Department (WSD). The City of Scottsdale provides sewer services at a wholesale rate to Phoenix customers for sewer areas within Phoenix boundaries but outside the WSD distribution and wastewater collection area.

This item was adopted.

67 Payment Ordinance for Summer Recess (Ordinance S-45906)

This request is prepared at the end of each fiscal year to allow for continuance of operations during the annual Council summer recess.

Summary

Request to authorize the City Controller to disburse funds, not to exceed $100,000 per vendor, per occurrence, arising or otherwise due and payable during the period commencing on July 3, 2019 through Aug. 27, 2019, for the purpose of continuing payment authority for expenditure of public money for payment of claims against the City of Phoenix for normal, recurring, business operating expenditures.

This item was adopted.

68 Acceptance of Sewer Easement Near West Side of South 27th Avenue, North of West Vineyard Road (Ordinance S-45894)

Request to authorize the City Manager, or his designee, to accept an easement for sewer purposes near the west side of South 27th Avenue, north of west Vineyard Road.

Summary

The Planning and Development Department is requiring a sewer easement for the Water Services Department to connect service for development of a property currently owned by Gehan Homes of Arizona, LLC. The easement is approximately .29 acres and will extend from west Vineyard Road approximately 335 feet north to the property to be developed. The easement is located along the western boundary of the parcels identified by Maricopa County Assessor's parcel numbers 105-88-010F and 105-88-018E, located at 6706 and 6808 S. 27th Ave. There are no costs associated with acceptance of this sewer easement.

Location

6706 and 6808 S. 27th Ave.
Council District: 8 and Out of City

This item was adopted.

69 Acceptance and Dedication of Deeds and Easements for Sidewalk, Traffic Control, Public Utility and Roadway Purposes (Ordinance S-45912)

Request for the City Council to accept and dedicate deeds and easements for sidewalk, traffic control, public utility and roadway 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: The Kroger Co., its successor and assigns
Purpose: Sidewalk and Traffic Control Easement
Location: 4707 E. Shea Blvd.

File: FN 190020
Council District: 3

Easement (b)
Applicant: Central Corners, LLC, its successor and assigns
Purpose: Sidewalk Easement
Location: 3501 N. Central Ave.
File: FN 190052
Council District: 4

Easement (c)
Applicant: Aurum Funding, Inc., its successor and assigns
Purpose: Public Utility Easement
Location: 3927 N. Longview Ave.
File: FN 190060
Council District: 4

Easement (d)
Applicant: Evergreen Phoenix Investors, II, LLC, its successor and assigns
Purpose: Sidewalk Easement
Location: 2744 W. Northern Ave.
File: FN 190050
Council District: 5

Deed (e)
Applicant: L/S Five Crescent Drive, LP, its successor and assigns
Purpose: Roadway
Location: 48th Ave. and West Watkins St.
File: FN 190053
Council District: 7

Deed (f)
Applicant: Slevcove Family Trust, et al., its successor and assigns
Purpose: Roadway
Location: 8305 W. Thomas Road
File: FN 190059
Council District: 7

This item was adopted.

70 Voluntary Acquisition of Real Property - 1020 E. Hadley St. (Ordinance S-45891)

Request to authorize the City Manager, or his designee, to acquire real property located 1020 E. Hadley St. voluntarily within the City's appraised value, plus usual and customary closing costs. Further request authorization for the City Controller to disburse, and for the City Treasurer to accept, all funds related to this item.

Summary

The property to be acquired is located within Aviation's Land Reuse Strategy Area under the Airport Land Use Plan. This area consists of 166 acres of Aviation-controlled land, ready for redevelopment pursuant to feedback from the Federal Aviation Administration and the adopted implementation plan. Aviation, in partnership with the Community and Economic Development Department, desires to voluntarily acquire remaining privately-owned parcels as they become available, to create economically viable and marketable sites.

The parcel affected by acquisition and included in this request is identified by Maricopa County Assessor's parcel number 116-39-068 located at 1020 E. Hadley St.

Financial Impact

Funding is available in the Aviation Department's Capital Improvement Program.

Concurrence/Previous Council Action

The Land Reuse Strategy and Airport Land Use Plan were approved at the City Council Policy Session on Oct. 23, 2018 by a vote of 8-0.

Location

1020 E. Hadley St.
Council District: 8

This item was adopted.

71 Acquisition of Real Property for Water Services Department Facility Located at Northeast Corner of 27th Avenue and Lower Buckeye Road (Ordinance S-45900)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain for a Water Services Department facility located at the northeast corner of 27th Avenue and Lower Buckeye Road. Further request authorization to provide relocation assistance and benefits as federally mandated, and to execute agreements to minimize relocation costs and allow occupants time to relocate, as may be necessary to and in furtherance of this acquisition. Further request authorization for the City Controller to disburse, and for the City Treasurer to accept, all funds related to this item.

Summary

The acquisition is required for a new Water Services Department facility to be constructed adjacent to the City's existing 23rd Avenue Wastewater Treatment Plant. The new facility is part of a larger program to consolidate the department's existing 13 field service facilities into four larger yards, in a phased transition. The program was established to address safety and security concerns, operational efficiencies and projected water service needs for residents.

The parcels affected by acquisition and included in this request are identified by Maricopa County Assessor's parcel numbers 105-22-001J and 105-22-005A, located at the northeast corner of 27th Avenue and Lower Buckeye Road.

Financial Impact

Funding is available in the Water Services Department's Capital Improvement Program budget.

Location

Northeast corner of 27th Avenue and Lower Buckeye Road
Council District: 7

This item was adopted.

72 Acquisition of Additional Real Property for Existing Water Services Department Booster Pump Station Located at 524 E. Bethany

Home Road (Ordinance S-45911)

Request to authorize the City Manager, or designee, to acquire all real property and related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain for a Water Services Department booster pump station. Further request to authorize the ability to provide relocation assistance and benefits as federally mandated, and to execute agreements to minimize relocation costs and allow occupants time to relocate, as may be necessary to and in furtherance of this acquisition. Additionally, request to authorize the City Treasurer to accept all funds, and the City Controller to disburse all funds, related to this item.

Summary

The Water Services Department will be upgrading and improving the existing booster pump station located on the existing site at 526 E. Bethany Home Road. Due to land constraints at the existing site, additional land is required for the improvements.

The parcel affected by acquisition and included in this request is identified by Maricopa County Assessor's parcel number 161-17-035 located at 524 E. Bethany Home Road.

Financial Impact

Funding is available in the Water Services Department's Capital Improvement Program budget.

Location

524 E. Bethany Home Road
Council District: 6

This item was adopted.

73 Authorization to Sell City-Owned Property at 2250 N. 95th Ave. (Ordinance S-45919)

Request to authorize the City Manager, or his designee, to sell City-owned property located at 2250 N. 95th Ave. identified as excess real property. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

The excess property to be sold is undeveloped park land located in the Sheely Farms Infrastructure subdivision near north 91st Avenue and west McDowell Road. The property is comprised of approximately 15.67 acres of land, identified by assessor parcel number 102-34-016 and zoned R-2. In 2002 this property was acquired by the Parks and Recreation Department using 2001 bond funds for the potential development of a neighborhood park. However, no funds are currently available for the development and maintenance of a park at this location.

In August 2018, the Parks and Recreation Department received a formal letter of interest from City to City Commercial, representing Hancock Communities, LLC to purchase the parcel to construct single-story rental homes. In accordance with City of Phoenix Parks and Recreation Board Policy 3.9, "Public Notification of Sale or Disposition of Park Land," staff responded to the letter of interest by seeking input from the Parks and Recreation Board and the public regarding the proposed sale.

The property will be advertised on the open market by a City-contracted broker at market value to be determined by an appraisal, broker's opinion of value, or other valuation method accepted by the City.

Further requesting authorization to negotiate with the offeror(s) in order to yield the highest dollar return to the City, as deemed acceptable by the City Manager, or his designee. The City Manager, or his designee, will select the highest responsive and responsible offer for the property based upon market value, and enter into an agreement for the purchase and sale of City-owned property, containing terms and conditions deemed necessary and appropriate by the City. The subsequent fee simple conveyance will be by special warranty deed.

Financial Impact

Revenue will be reflective of the market value of the property. Pursuant to Ordinance S-43701, adopted by City Council on July 6, 2017, proceeds from the sale of City park land not otherwise encumbered are to be returned to the Phoenix Parks and Preserves Initiative Fund.

Concurrence/Previous Council Action

The process to notify the public for the sale or disposition of park land has been conducted in accordance with Parks and Recreation Board Policy 3.9, Public Notification of Sale or Disposal of Park Land.

Public Outreach
Public meetings regarding the proposed sale of this parcel were held at Sheely Farms Elementary School on Feb. 20 and March 12, 2019. After a public hearing was conducted at the April 25, 2019 Parks and Recreation Board meeting, the Parks and Recreation Board directed staff to pursue the land sale.

Location
Property is located at 2250 N. 95th Ave.
Council District: 5

This item was withdrawn.

74 Authorization to Amend Lease 141402 with Corner Capital, LLC dba Stickler's Cafe to Extend the Term (Ordinance S-45903)

Request to authorize the City Manager, or designee, to amend Contract 141402 with Corner Capital, LLC dba Stickler's Cafe to provide one additional five-year option period. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary
Corner Capital, LLC dba Stickler's Cafe (Tenant) currently leases approximately 2,981 square feet of interior retail space and 1,700 square feet of patio space located on the ground floor at 30 N. 3rd Ave. The current contract term expires Oct. 9, 2020, with one five-year option period remaining. Rent will increase by 5 percent at the beginning of the five-year option period under the terms of the current contract. Tenant is in good standing at this location.

For business planning purposes, Tenant has requested to add one additional five-year option period to the contract. The additional option period will be exercised upon mutual agreement of the City and the Tenant. Contract rent at the beginning of the additional five-year option period will increase by 5 percent, consistent with the terms of the current contract. Tenant will continue to pay a monthly pro rata share of electricity and chilled water, which is adjusted annually according to usage.

Financial Impact
Contract rent at the beginning of the additional option period, beginning Oct. 10, 2025, will be adjusted to $45,781.56 per year, plus applicable taxes.

Concurrence/Previous Council Action
This contract was authorized by Ordinance S-41582, adopted April 15, 2015.

Location
30 N. 3rd Ave.
Council District: 7

This item was adopted.

75 Authorization to Amend License with Cemex Construction Materials South, LLC (Ordinance S-45908)

Request authorization for the City Manager, or his designee, to amend License 118477 between the City of Phoenix and Cemex Construction Materials South, LLC (Cemex) to extract 10 feet deeper than the current 30-foot maximum depth and add an option to extend the license term for a one-year period. Further request authorization for the City Treasurer to accept funds related to this item.

Summary
The City-owned property at 4815 S. 67th Ave. is approximately 78.22 acres of undeveloped land licensed to Cemex for material extraction. The current license, which expires Feb. 14, 2020, allows Cemex to mine to a 30-foot maximum depth. Cemex is nearing the 30-foot depth and has requested to amend the license to increase the extraction depth by an additional 10 feet. Cemex estimates the additional 10 feet has approximately one million tons of sand and gravel that will take 10 to 12 months to extract. The royalty rate is $1.00 per ton.

Contract Term
The current license expires Feb. 14, 2020. This amendment would add one, one-year option to extend.

Financial Impact
Based on estimated material, potential revenue at $1.00 per ton is approximately $1 million, plus applicable taxes.

Concurrence/Previous Council Action
This contract was approved by Ordinance S-32615, adopted Jan. 4, 2006. It was amended by Ordinance S-38304, adopted Nov. 16, 2011; Ordinance S-42235, adopted Jan. 6, 2016; and Ordinance S-42280, adopted Feb. 3, 2016.

Location
4815 S. 67th Ave., identified by assessor parcel number 104-66-001.
Council District: 7

This item was adopted.

77 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-45896)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Dana Owsiany in the amount of $62,987.64 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

Summary
Pursuant to Arizona Revised Statutes, sections 38-730 and 38-922, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System (ASRS) upon approval by the Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Owsiany, Dana: $62,987.64

Concurrence/Previous Council Action
This item is pending approval by the COPERS Board at its June 27, 2019 meeting.

This item was adopted.

78 Fiscal Year 2019-24 Public Art Plan (Ordinance S-45893)

Request City Council approval of the Phoenix Office of Arts and Culture's Fiscal Year 2019-24 Public Art Plan.

Summary

The Phoenix Office of Arts and Culture was established in 1985 to advance the growth and development of the City's arts and cultural community. It manages the City's Public Art Program, funded through the percent-for-art ordinance that City Council adopted in December 1986. The ordinance requires one percent of designated City Capital Improvement Program funds to be invested to enhance the design and experience of public infrastructure, buildings and spaces through public art. These funds must be used for capital purposes.

The percent-for-art ordinance requires the Phoenix Office of Arts and Culture, upon the recommendation of the Phoenix Arts and Culture Commission, to submit an annual Public Art Plan in advance of each new fiscal year. The plan is developed by staff of the Phoenix Office of Arts and Culture in consultation with City departments, City Council offices and community groups. Projects must be sited at or near the city construction projects.

Financial Impact

The $9,775,595 plan includes 35 public art projects funded in FY 2019-24. It has 11 new projects totaling $2,732,589 and 24 continuing projects totaling $7,043,006 (**Attachment A**). It follows the priorities established in the Phoenix Public Art Program Master Plan, which designates a wide variety of opportunities for art to improve public spaces and infrastructure throughout Phoenix (**Attachment B**). Funds are budgeted in the Capital Improvement Program budget.

Arizona Artist Involvement

Of the 34 projects in the FY 2019-24 Public Art Plan that will involve hiring artists and contractors, 19 or 56 percent either currently involved Arizona artists and design professionals or are expected to involve Arizona professionals. Arizona artists and designers are encouraged to apply for all projects.

Public Involvement

Public involvement is critical to the success of Percent for Art projects.

Neighborhood organizations, village planning committees, schools, and City departments are included as important participants in the public art process. The Office of Arts and Culture staff works closely with City Council offices and numerous City departments to ensure that neighborhoods near public art projects are involved in the project's development.

Concurrence/Previous Council Action
The Phoenix Arts and Culture Commission reviewed and recommended approval the FY 2019-24 Public Art Plan at its June 18, 2019 meeting.

This item was adopted.

79 Fiscal Year 2019-20 Community Arts Support Grant Allocations (Ordinance S-45915)

Request to authorize the City Manager, or his designee, to execute all necessary agreements between the Phoenix Office of Arts and Culture and approved applicants for Fiscal Year (FY) 2019-20 General Operating Support Level I, Level II and Level III, Rental Support Program, Collaborative Communities and Youth Engagement grants in an aggregate amount of $940,346. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Phoenix Office of Arts and Culture has administered the Community Arts Support Grants Program since 1986. The program includes three tiers of operating support grants, rental support grants for arts organizations that are primary users of City-owned performance venues, and project grant requests in the Collaborative Communities and Youth Engagement categories. To be eligible for any category of funding, an organization must be a registered non-profit arts or cultural organization, must have tax-exempt status under Section 501(c)(3) of the Internal Revenue Code, and must provide a cultural service to Phoenix residents. For the Youth Engagement Grant, an applicant can be a school or registered non-profit organization with an arts or culture program.

Funding allocations totaling $940,346 are requested for 84 grants to 70 organizations funded through A+CCESS I, A+CCESS II, A+CTION, Rental Support, Youth Arts and Culture Engagement and Collaborative Communities Grants categories (**Attachment A**). All grant category

applications for the Community Arts Support Grants Program were due to the Office of Arts and Culture on April 2, 2019.

In 2018, City Council added $20,000 to the Community Arts Support program budget to support projects targeting youth. This year, $25,000 was added to support organizations that serve underserved and/or youth populations.

A+CCESS (**A**rts + **C**ulture **C**ommunity **E**ngagement **S**ervice **S**upport) operating support grant allocations are determined by the ranking an applicant received during the panel review of the following criteria:
1) Artistic/Cultural Value (30 percent)
2) Public Value (40 percent)
3) Financial and Administration (30 percent)

In A+CCESS Level I, 11 organizations are recommended for funding totaling $318,106. In A+CCESS Level II, 17 organizations are recommended for funding totaling $190,346. To qualify for Level I category funding, the organization must have an operating budget of at least $2,500,000, must employ a paid professional, full-time manager, and must provide an audited financial statement for the last completed fiscal year. For Level II, the organization must have an operating budget of at least $250,000, must employ a full-time manager, and must provide a reviewed or audited financial statement for the last completed fiscal year.

A+CTION (**A**rts + **C**ulture **T**argeted **I**nfrastructure and **O**rganizational **N**eeds) operating support grantees receive a flat award between $5,000 and $7,000. Allocations are determined by the ranking an applicant received during the panel review of the following criteria:
1) Artistic/Cultural Value (30 percent)
2) Public Value (40 percent)
3) Growth and Sustainability (30 percent)

A total of 20 organizations are recommended for funding totaling $120,000. For A+CTION grantees, the organization must have an operating budget of at least $25,000 and submit a Data Arts Funders Report.

Collaborative Communities project grants are designed to encourage arts and cultural organizations to collaborate with one or more artists, schools, businesses, social service organizations, parks, recreational centers, libraries, senior centers or any other community centers or organizations that would benefit from the collaboration. Applicants request an amount between $1,000 and $3,500 to fund their proposed project. Grantees are awarded a percentage of the requested amount, and that percentage is determined by the ranking an applicant received during the panel review of the following criteria:
1) Artistic Quality (30 percent)
2) Community Engagement Quality (30 percent)
3) Project Logistics (20 percent)
4) Budget/Administrative Ability (20 percent)

Twenty-four organizations are recommended for funding totaling $74,994.

The Youth Arts and Culture Engagement Grant category supports projects proposed by youth-led arts advisory boards, councils, groups, clubs or similar organizations within arts or cultural organizations. The program is administered by the Youth Arts and Culture Council of the Office of Arts and Culture. Applicants were ranked using the following criteria:
1) Artistic/Cultural Quality (40 percent)
2) Youth Engagement Quality (40 percent)
3) Budget (20 percent)

Three applications are recommended for funding in the first round for a total of $11,900.

To qualify for Rental Support Program grants, arts organizations must use the Orpheum Theatre, Symphony Hall, or Herberger Theater for a minimum of 15 performances per fiscal year, and must demonstrate financial and/or organizational need for the support. The Rental Support Program allocations of $225,000 include $125,000 of funding budgeted in the Phoenix Convention Center's operating budget, and $100,000 in the General Fund. Rental support grant funds are released in three

installments and are restricted to payment of rental costs for performances in the eligible facilities. Payments are made in installments so that adjustments can be made to allocations reflecting increases and decreases in the actual number of performances booked as the season progresses. Two new organizations joined the Herberger Theater this season as primary users, resulting in a total of nine organizations recommended for funding totaling $225,000.

Organizations without tax-exempt status under Section 501(c)(3) of the Internal Revenue Code may apply to the project categories using a fiscal agent with tax-exempt status. The organization serving as fiscal agent must be an arts or cultural organization. This policy allows the Phoenix Office of Arts and Culture to broaden the reach of the grant program to small, emerging arts and cultural organizations and, through the fiscal agent partnership, establish relationships between large and small organizations in the hope that traditional partnering opportunities and resource sharing may develop.

Concurrence/Previous Council Action
The Phoenix Arts and Culture Commission reviewed and approved the FY 2019-20 Community Arts Grants Program allocation recommendations at its meeting on June 18, 2019.

This item was adopted.

80 Authorization to Enter into Affiliated Personnel Agreements (Ordinance S-45918)

Request authorization for the City Manager, or his designee, to enter into agreements with Justin Chandler, Christopher Courtney, and Jordan Jacobs to serve as Affiliated Personnel of the Arizona Task Force One (AZ-TF1). Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Phoenix Fire Department (PFD) is the sponsoring agency of AZ-TF1, one of 28 national Urban Search and Rescue response system task forces that can rapidly deploy skilled personnel and state-of-the-art equipment to sites of natural disasters, terrorist attacks, and building collapses.

AZ-TF1 consists of individuals occupying certain specified positions plus additional support personnel, all of whom have been properly trained with the requisite skills and capabilities required for urban search and rescue operations and/or deployment of the AZ-TF1. As a requirement of the Urban Search and Rescue (US&R) Readiness Cooperative Agreement, PFD is charged with the recruitment and training of new task force members to an operation-ready state of deployment.

Contract Term
The agreements shall be effective upon approval and execution and shall remain in effect for a term of five years.

Financial Impact
Affiliated Personnel will be reimbursed through Federal Emergency Management Agency (FEMA) funds.

This item was adopted.

81 **Canine Boarding Services - Requirements Contract - RFQu 19-098 (Ordinance S-45904)**

Request to authorize the City Manager, or his designee, to enter into a contract with Coady Enterprises, Inc. dba Applewood Pet Resort for canine boarding services. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value shall not exceed $85,000.

Summary
The contract is to provide canine boarding services for the Police Department. The Police Department has an agreement with the Department of Homeland Security and Transportation Security Administration (TSA) for eight K9 teams assigned to Sky Harbor Airport and three K9 teams assigned to the Transit Bureau to patrol and deploy for the detection of explosive devices. In addition, the canines are utilized to build bonds with the community through presentations and demonstrations at schools, community events, churches and other public gatherings. The as-needed boarding services will include overnight boarding, quarantine, food, exercise, grooming and other canine care services as required. The required services will be provided in accordance with applicable federal, state, city and local laws, rules and regulations.

Procurement Information

A Request for Qualifications, RFQu 19-098, for canine boarding services was conducted in accordance with Administrative Regulation 3.10, with the intent of establishing a Qualified Vendor List (QVL) of qualified vendors to provide canine boarding services. The solicitation was posted on the City's website. There were two offers received by the Finance Department's Procurement division on April 12, 2019. One offer was deemed to be a responsive, responsible offer to the specifications and minimum qualification criteria stated in the solicitation. The other offer was deemed as non-responsive.

The Deputy Finance Director recommends the offer from Coady Enterprises, Inc. dba Applewood Pet Resort, be accepted as the most responsive and responsible offer, which is the most advantageous to the City.

Contract Term

The contract will be valid on or about July 3, 2019, and end June 30, 2024.

Financial Impact

The five-year aggregate value shall not exceed $85,000. Funds are available in the Police Department's budget.

This item was adopted.

82 Polygraph Examination Services - Requirements Contract - RFQu 19-121 (Ordinance S-45913)

Request to authorize the City Manager, or his designee, to enter into a contract with Accurate Polygraph Examinations, LLC; AZPE Inc., dba Wells Polygraph; Bell Polygraph; Copper Star Polygraph and Pass Investigations, LLC for polygraph examination services for the Phoenix Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value shall not exceed $914,000.

Summary

The contracts will provide, as needed, polygraph examination services to the Phoenix Police Department. The pre-employment polygraph testing

will be provided to police sworn and civilian applicants and reserves. Services will include a pre-test interview, an acquaintance exam prior to the pre-employment polygraph examination, and as needed, a post-test interview with applicants.

Procurement Information
A Request for Qualifications, RFQu 19-121, for polygraph examination services was conducted in accordance with Administrative Regulations 3.10, with the intent of establishing a Qualified Vendor List (QVL) of qualified vendors to provide polygraph examination services. The solicitation was posted on the City's website. There were six offers received by the Finance Department's Procurement Division on May 10, 2019. Five offers were deemed to be responsive, responsible offers to the specifications and minimum qualification criteria established in the solicitation. One offer was deemed as non-responsive.

The following responsive Offerors will be part of the Qualified Vendors List for polygraph examination services:

Accurate Polygraph Examinations, LLC
AZPE Inc., dba Wells Polygraph
Bell Polygraph
Copper Star Polygraph
Pass Investigations, LLC

The Deputy Finance Director recommends award to all firms listed above, as responsive and responsible Offerors and to be accepted for the Qualified Vendors List.

Contract Term
The contract term shall begin on or about July 3, 2019 and end June 30, 2024.

Concurrenct/Previous Council Action
This item was unanimously approved at the Public Safety and Veterans Subcommittee meeting held on April 10, 2019.

Financial Impact

The aggregate contract value shall not exceed $914,000. Funds are available in the Police Department's budget.

This item was adopted.

83 Safran Helicopter Engines USA, Inc. Aircraft Parts and Services - RFA 18-138 (Ordinance S-45920)

Request to authorize the City Manager, or his designee, to proceed with a contract for aircraft parts and services for the Police Department's Air Support Unit's helicopters and to waive, or make an exception to, Phoenix City Code, section 42-18 (Chapter 42 Risk Management, Contract provisions; indemnification prohibition). Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of this contract over the initial five-year term will not exceed $4,000,000.

Summary

The Police Department, Air Support Unit, helicopters are critical to support patrol officers, provide crime suppression and conduct mountain rescue services. The Federal Aviation Administration (FAA) mandates that routine maintenance and overhauls are performed to ensure the safe operation of the aircraft fleet. The Airbus helicopter N353FB needs repair / overhaul on the hydro mechanical unit (HMU) because the component has reached its operating limits. Once an aircraft component reaches its service life limit or time between overhauls, the aircraft is restricted from flying until the appropriate maintenance is accomplished. Therefore, repairs must be completed in a timely manner.

Safran Helicopter Engines USA, Inc. (Safran) is the only FAA authorized repairer for the City's HMU and other helicopter parts. Safran will not deviate from its standard terms and conditions, which includes a limitation of liability clause to the cost of repair(s), the City indemnifying Safran from any and all claims related to the City's property, and no additional named insured on Safran's policy. They request the City's insurance cover Safran. Additionally, Safran's contract will contain clauses with the venue in Texas, request for arbitration for disputes, and other changes from the City's standard terms and conditions that the City agrees to for this special circumstance.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived for a Special Circumstance Without Competition Determination Memo based on Safran as the aircraft parts, maintenance and repair provider for the Police Department helicopters. The memo was completed and approved by the Deputy Finance Director recommending acceptance of the contract with Safran.

Contract Term

The contract term will begin on or about July 10, 2019 and end on or about July 9, 2024, with the option to extend up to five years, in one year increments.

Financial Impact

Expenditures against this contract shall not exceed $4,000,000. Funds are available in the Police Department's budget.

This item was adopted.

84 Intergovernmental Agreement with City of Prescott for Processing Recyclable Materials (Ordinance S-45907)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the City of Prescott to accept and process recyclable materials collected in the City of Prescott and delivered to the City of Phoenix's North Gateway and 27th Avenue Material Recovery Facilities (MRF). Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The City of Prescott offers recycling services to its residents and has delivered these recyclables to the City of Phoenix under the terms of an IGA for processing. The City of Prescott would like to continue this arrangement. The City of Phoenix can accept these materials with some change of terms to address changing market conditions resulting in lower commodity prices and increased processing costs from contamination in the recyclables. This IGA will authorize the City of Phoenix to charge a processing fee to the City of Prescott for recycling tonnage processed at the two City MRFs, which is designed to ensure all costs associated with processing recyclables are recovered by the fee. The terms of this IGA include:

• In a market with low recycling commodity prices, the City of Phoenix will charge a processing fee to the City of Prescott, and no revenue share to Prescott will be available.
• In a market with high recycling commodity prices, the City of Prescott will pay a processing fee and will receive 50 percent of the net revenue share and the City of Phoenix will receive the remaining 50 percent.

Annually, the City of Prescott will deliver up to 7,000 tons of recyclable materials to City of Phoenix facilities. This agreement may also allow the City of Prescott to deliver additional waste streams that may have value including but not limited to refuse, green organics and food scraps at tipping rates established in accordance with Chapter 27 of the Phoenix City Code.

Contract Term
The one-year term of this IGA will begin on July 1, 2019 and conclude on June 30, 2020. Provisions of the IGA include four, one-year options to extend the agreement.

Financial Impact
Over the life of the agreement, Prescott's 50 percent of the revenue share is not expected to exceed $525,000. Funds for the revenue share payments to the City of Prescott are available in the Public Works Department's budget.

Concurrence/Previous Council Action
The City Council previously approved IGAs with the City of Prescott on June 5, 2013.

Location
North Gateway Material Recovery Facility
30205 N. Black Canyon Hwy.
Phoenix, AZ 85085
Council District: 2

27th Avenue Material Recovery Facility

3060 S. 27th Ave.
Phoenix, AZ 85009
Council District: 8

This item was adopted.

85 Intergovernmental Agreement with Arizona Department of Environmental Quality for Transfer, Use and Abandonment of Groundwater Monitoring Wells at Glenrosa Service Center (Ordinance S-45916)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Arizona Department of Environmental Quality (ADEQ) to transfer ownership of 20 of 87 groundwater monitoring wells located at the Glenrosa Service Center to ADEQ. These wells were installed between 1987 and 2005 to allow groundwater sampling, monitoring and remediation of fluid leaked into the subsurface environment beneath the site by the City of Phoenix. The site is listed by ADEQ as a Leaking Underground Storage (LUST) site.

Summary

The Office of Environmental Programs has been monitoring these groundwater monitoring wells for the Public Works Department since 2014 and in November 2018 received approval for closure on the fuel tank releases from ADEQ. The City no longer has a need for the wells. Staff has worked closely with ADEQ to develop a plan to permanently remove closed wells over the next several years to remove the site from ADEQ's list of LUST sites. The IGA is very instrumental to support planned efforts to close wells.

This IGA provides mutual benefits to the City and ADEQ in support of the planned closure of wells. Transferring the 20 wells is essential to the ADEQ remediation efforts and will allow ADEQ to continue to monitor other, non-City, spill plumes in the area. The Public Works Department is willing to transfer ownership of the wells to ADEQ provided that ADEQ takes full responsibility for the use and official abandonment of the wells. Transferring these 20 wells will reduce the number of wells the City will need to abandon in future years for removal from ADEQ's list of LUST sites.

Contract Term

The initial five-year contract term will begin on or about July 1, 2019 and conclude on June 30, 2024. Provisions of the IGA include one five-year option to extend the contract.

Financial Impact

The City of Phoenix is responsible to pay the required fees estimated at $700 to Arizona Department of Water Resources to accomplish the transfer of ownership of the wells. It is anticipated the City will save approximately $70,000 in abandonment costs associated with these 20 wells.

Location

Glenrosa Service Center, 4021 W. Glenrosa Ave.
Council District: 4

This item was adopted.

86 Additional Expenditures for Contracts to Purchase Fire Service Apparatus (Ordinance S-45914)

Request to authorize the City Manager, or his designee, to authorize additional expenditures for Houston-Galveston Area Council Contracts - FS-12-17, Contract 149184 with H&E Equipment Services, Inc.; City Contract 149183 with Hughes Fire Equipment, Inc.; City Contract 149181 with Rosenbauer Minnesota, LLC; City Contract 149179 with Rosenbauer South Dakota, LLC; City Contract 149182 with Oshkosh Airport Products, LLC; and City Contract 149180 with Super Vacuum Manufacturing Co., Inc., in an amount not to exceed $11,300,000 to purchase fire apparatus for the Public Works Department, on behalf of the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. Upon approval of the additional expenditures of $11,300,000 the revised aggregate value will be $13,800,000.

Summary

The Fire Department has aging fire service apparatus and has received approval to purchase: 1 specialized aircraft rescue and firefighting vehicle for deployment at Phoenix Sky Harbor Airport, and 1 ladder tender, 5 ladder trucks, 7 pumper trucks, and 1 striker for deployment at various locations citywide. The contracts will continue to allow the Fire Department to purchase fire service apparatus to meet the various needs of the department, which is critical to providing emergency response

services to City of Phoenix residents and surrounding municipalities who are automatic aid partners in the computer-aided dispatching system.

Financial Impact
Upon approval of the additional expenditures of $11,300,000 the revised aggregate value will be $13,800,000. Funds are available in the Fire and Aviation departments' budgets.

Concurrence/Previous Council Action
The contracts were originally approved by Formal Council Action on Dec. 5, 2018.

This item was adopted.

88 **Ordinance of Intention to Form Hedgepeth Waterline Improvement District - WS85503001 ID 1309 (Ordinance S-45902)**

Ordinance S-45902 of the City Council, declaring under Arizona Revised Statutes (A.R.S.) section 48-576 its intention to form the Hedgepeth Waterline Improvement District (WS85503001 ID 1309) for the real property located within an area generally bounded by 51st Avenue to 43rd Avenue from Loop 101 to Pinnacle Peak Road, and adopting the related preliminary plans and specifications.

The proposed improvements shown in the Hedgepeth Waterline Improvement District Preliminary Map (**Attachment A**) include, but are not limited to, installation of a waterline, relocation of existing improvements as needed, and performance of all items of work called for in the preliminary plans, final plans, specifications, or indicated by estimates of improvements costs. The proposed improvements may be constructed under one or more contracts.

In accordance with A.R.S. section 48-577, preliminary plans that show the location, type, and character of the proposed improvements and an estimate of the costs and expenses of the proposed improvements have been prepared and are on file with the City Clerk. The assessment for any lot will not exceed its proportion of the cost estimate.

Summary
In October 2017, by petition 76.2 percent of Hedgepeth Waterline Improvement District property owners approved a request to form an improvement district. This petition process is used to determine the level of support for the proposed improvements.

In April 2018, the affected property owners were balloted following the successful petitioning process in October 2017. Ballot results (**Attachment B**) show 73.6 percent of the property owners support the project; a majority of the balloted property owners are needed to move forward to the next steps in the process.

When construction is completed and the project is accepted, a bond will be issued and will be payable in semi-annual installments over ten years at an estimated interest rate of 6.9 percent. Property owners who wish to pay the assessment in full will have 30 days after project completion to pay all or part of the assessment to avoid or save on interest payments.

Financial Impact
Total proposed improvement costs are currently estimated at $1.8 million for Option B 12-inch waterline and $1,960,000 for Alt. Bid Option B 16-inch waterline. These costs include design, right of way, construction and administration costs. Funding is available in the Water Services Department's Capital Improvement Program Budget.

Public Outreach
This Ordinance of Intention, if approved by Council, will be published in The Arizona Business Gazette on the following dates:
July 11, 2019
July 18, 2019

Location
The proposed improvement district includes single-family residences and one commercial business located within an area generally bounded by 51st Avenue to 43rd Avenue from Loop 101 to Pinnacle Peak Road.
Council District: 1

This item was adopted.

89 **Accept Transit Funds for Transportation Projects with Regional Public Transportation Authority (Ordinance S-45921)**

Request to authorize the City Manager, or his designee, to enter into an agreement with the Regional Public Transportation Authority (RPTA) for receipt and use of $1,017,000 in transit funds under the Achieving Transit Accessibility Now (ATAN) grant program. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The Street Transportation Department (Streets) applied for and was awarded a total of $1,017,000 in ATAN funding through three rounds of Maricopa Association of Governments (MAG) grant funding availability opportunities between March 2018 through April 2019. Streets submitted three separate grant applications totaling $3,446,870. One of the grant requirements for reimbursement of these funds was to enter into an agreement with the RPTA. The ATAN grant funds are focused on improving accessibility at transit stops within the MAG region.

The City's use of these ATAN funding opportunities will leverage local dollars and increase the number of City transportation projects that enhance the community.

Financial Impact

The local City match for the agreement with RPTA for all three awarded applications will not exceed $2.5 million. Funding is available in the Street Transportation Department's Capital Improvement Program using Arizona Highway User Revenue (AHUR) and Transportation 2050 (T2050) funding.

Previous Council Action

City Council granted approval to submit for the three rounds of MAG ATAN program funding on March 18, 2018 (S-44394), Oct. 17, 2018 (S-45070), and April 3, 2019 (S-45533).

This item was adopted.

90 **Ferric Chloride Contract (Ordinance S-45892)**

Request to authorize the City Manager, or his designee, to enter into a

contract with Kemira Water Solutions, Inc. to provide ferric chloride for the Water Services Department's Water and Wastewater Treatment Plants. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $67 million.

Summary

Ferric chloride is used more than any other chemical in the Water Production division to treat surface water at the Water Treatment Plants (WTPs). Ferric chloride aids in removing impurities by forming larger solids, which are then filtered out in the treatment process. Removal of the solids is critical in ensuring proper disinfection of the water prior to delivery to the distribution system.

Additionally, the ferric chloride process is used at the 23rd and 91st Avenue Wastewater Treatment Plants (WWTPs) to enhance the solids settling performance of the primary sedimentation basins and to provide odor control. Ferric chloride addition is used to control emission of hydrogen sulfide released by burning digester gases at the flares.

Procurement Information

Request for Proposals (RFP)1819-WPP-190, Ferric Chloride, was conducted in accordance with Administrative Regulation 3.10. Three offers were received. Two offers were determined to be responsive to the solicitation requirements. Offerors were required to submit unit prices for all geographic locations in a group. The maximum possible score was 1,000 points.

The proposals were scored by a three-member evaluation panel and the two responsive and responsible offerors and their scores are as follows:

Group I - WWTPs
Kemira Water Solutions, Inc.: 799 points
Pencco, Inc.: 770 points

Group II - WTPs
Kemira Water Solutions, Inc.: 840 points

The evaluation panel recommended acceptance of the offers from

Kemira Water Solutions, Inc. as the highest scoring, responsive, and responsible offeror that is the most advantageous to the City.

Contract Term
The contract term will be for five years, effective on July 1, 2019, with an end date of June 30, 2024.

Financial Impact
The contract value will not exceed $67 million. Funding is available in the Water Services Department's Operating budget.

This item was adopted.

91 Hydrocyclone Replacement Parts Contract (Ordinance S-45895)

Request to authorize the City Manager, or his designee, to enter into a contract with FL Smidth USA, Inc. to provide Krebs hydrocyclone replacement parts for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not to exceed $425,568.

Summary
The Deer Valley Water Treatment Plant treats surface water to produce potable drinking water for the City of Phoenix. Part of the process requires sand and sediment to be pumped from a wasteline to a hydrocyclone separator, where settled liquid is separated from silica sand. This contract will provide the Krebs hydrocyclone replacement parts used in this process, which is necessary for water treatment.

Procurement Information
Under Phoenix City Code section 43-11(D) and the City's Administrative Regulation 3.10, the competitive procurement process was waived because FL Smidth is the sole source for these essential Krebs parts. A determination was issued that described the lack of other sources.

The Water Services Department requests a waiver from Phoenix City Code section 43-18(C). FL Smidth seeks to restrict the standard indemnification terms that Risk Management has established to protect the City from liability. FL Smidth will only agree to defend and indemnify the City for liability arising directly out of third-party personal/property-injury claims.

Contract Term
The contract term will be for six years, effective on July 22, 2019, with an end date of July 21, 2025.

Financial Impact
The aggregate contract value will not exceed $425,568. Funding is available in the Water Services Department's Operating budget.

Location
Deer Valley Water Treatment Plant
Council District: 1

This item was adopted.

92 **New Pumps, Parts, Accessories and Services Contracts (Ordinance S-45899)**

Request to authorize the City Manager, or his designee, to enter into contracts with Gicon Pumps and Equipment, LTD; Hennesy Mechanical Sales, LLC; Keller Electrical Inc.; Phoenix Pumps, Inc.; James, Cooke, & Hobson, Inc.; and Capital Pump & Equipment, LLC to provide new pumps, parts, accessories, and services to the Water Services, Public Works, Aviation, Convention Center, and Parks and Recreation departments. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $13,685,000.

Summary
The Public Works, Aviation, Convention Center, Water Services, and Parks and Recreation departments require pumps, pump parts, and accessories necessary to replace and/or maintain equipment. The contracts also include repair and maintenance of the pumps.

Procurement Information
A solicitation was completed in accordance with City of Phoenix Administrative Regulation 3.10. Ten bids were received, nine of which were determined to be responsive to the solicitation requirements. Bids were awarded by total extended unit costs of core items. Vendors with the lowest bid of core items are also awarded the manufacturer catalogs

bid. The bidders are listed below:

Gicon Pumps and Equipment, LTD
Hennesy Mechanical Sales, LLC
Keller Electrical Inc.
Phoenix Pumps, Inc.
James, Cooke, & Hobson, Inc.
West Coast Rotors
Capital Pump & Equipment, LLC
Pump Systems
Pioneer Equipment Inc.

The Procurement Officer recommends acceptance of the bids as the most responsive and responsible and most advantageous to the City.

Contract Term
The contract term is for five years effective Oct. 1, 2019, through Sept. 30, 2024.

Financial Impact
The aggregate contract values will not exceed $13,685,000. Funding for the contracts is available in the Water Services, Public Works, Aviation, Convention Center and Parks and Recreation departments.

This item was adopted.

93 Stain Supplies for Detection of Cryptosporidium and Giardia in Water (Ordinance S-45901)

Request to authorize the City Manager, or his designee, to enter into a contract with BTF Precise Microbiology Inc., for stain supplies for detection of Cryptosporidium and Giardia in water for the Water Services Department (WSD). Further request to authorize the City Controller to disburse all funds related to this item. The contract value will not exceed $50,000.

Summary
BTF Precise Microbiology Inc. manufactures EasySeed and EasyStain. These products are used by WSD to test water samples for Cryptosporidium and Giardia as outlined by the Environmental Protection Agency (EPA) Method 1623. EPA Method 1623 is part of the WSD

Compliance Laboratory's standard operating procedure and has been approved by the Arizona Department of Health Services.

Procurement Information
Under Phoenix City Code section 43.11(d) and the City's Administrative Regulation 3.10, the competitive process was waived as a result of a Determination Memo citing BTF Precise Microbiology Inc., as the sole source provider for its proprietary products EasySeed and EasyStain.

Contract Term
The seven-year contract term will commence on July 1, 2019, with an end date of June 30, 2026.

Financial Impact
The aggregate contract value will not exceed $50,000. Funds are available in the Water Services Department's Operating budget.

Location
23rd Avenue Wastewater Treatment Plant
Council District: 7

This item was adopted.

94 Water Services Department 23rd Avenue Wastewater Treatment Plant Microgrid (Ordinance S-45905)

Request to authorize the City Manager, or his designee, to enter into a 20-year agreement with Arizona Public Service (APS) to provide standby power services to the Water Services Department (WSD) 23rd Avenue Wastewater Treatment Plant (WWTP). Further request to authorize the City Controller to disburse all funds related to this item. The total value of this agreement will not exceed $4.5 million.

Summary
APS will provide standby power to the 23rd Avenue WWTP through a 6.25 megawatt microgrid. Microgrids are local energy grids with control capabilities that can disconnect from a traditional energy grid and operate autonomously. The microgrid is capable of supporting emergency power requirements to the entire WWTP site. The City is responsible for a cost

share of the capital costs and any fuel usage over the life of the agreement. APS is responsible for permitting, design, construction, and operation and maintenance of the microgrid.

The 23rd Avenue WWTP provides wastewater treatment services to the central Phoenix area. The facility has been in operation since 1932 and has a treatment capacity of 63 million gallons per day. Currently, there are six standby power generators located throughout the WWTP providing emergency power generation to key facilities. WSD recently evaluated the 23rd Avenue WWTP standby power needs for full standby capability to all facilities and evaluated the condition of the existing standby generators. The evaluation indicated a need for replacement or modifications to existing on-site generators at an estimated cost of over $7 million.

The estimated capital cost to the City for the microgrid facility will be approximately $3.4 million, which is $3.6 million less than the estimated cost of replacing the standalone generators at the site as identified in the study. Additionally, APS will be responsible for all operations and maintenance costs associated with the microgrid facility, thus providing additional cost savings to WSD for the lifetime of the agreement.

WSD will have first rights for use of the microgrid. APS will use the system as needed when not in use by the WWTP. The microgrid facility will be located at 23rd Avenue WWTP, on City property, and access to the facility will be granted to APS for the purposes described in the agreement. The microgrid will include Tier 4 generators which are more energy efficient and emit less air pollutants than the Tier 2 generators now in service at the WWTP.

Financial Impact

The initial impact of the contract, beginning in Fiscal Year 2019-20, is estimated at $3.4 million in capital costs. In addition to capital costs, it is anticipated there will be an additional $1.1 million in fuel costs to the City over the life of the contract. The aggregate value of the contract will not exceed $4.5 million.

Concurrence/Previous Council Action

The Water, Wastewater, Infrastructure and Sustainability Subcommittee heard this item for information only at its June 5, 2019 meeting.

Location
23rd Avenue Wastewater Treatment Plant
Council District: 7

This item was adopted.

95 Intergovernmental Agreement with ADEQ for Groundwater Sampling Services (Ordinance S-45909)

Request to authorize the City Manager, or his designee, to execute an Intergovernmental Agreement with the Arizona Department of Environmental Quality (ADEQ) to provide groundwater sampling services. Further request to authorize the City Treasurer and the City Controller to disburse all funds related to this item. The fee for services will not exceed $150,000.

Summary
ADEQ will be responsible for providing services that include, but are not limited to: sampling up to 175 groundwater monitoring wells within the West Van Buren Water Quality Assurance Revolving Fund (WQARF) site, coordinating all work activities, and attempting to renew access to wells if access needs to be obtained. The work will commence as soon as practicably possible and is expected to be completed within six months from the start date, assuming all expired access agreements for wells can be renewed.

Contract Term
The term of the agreement is for up to one year, by its terms expiring June 30, 2020.

Financial Impact
The agreement value will not exceed $150,000. Funding is available in the Water Services Department's Operating budget. Under a separate agreement the Salt River Project will reimburse the City for half of the costs of the well sampling.

Location
West Van Buren WQARF Site

Council Districts: 4, 7 and 8

This item was adopted.

96 Intergovernmental Agreement Amendment for Maricopa County Cave Creek Landfill Injection Well Project (Ordinance S-45910)

Request to authorize the City Manager, or his designee, to execute an amendment to an existing Intergovernmental Agreement (IGA) between the City of Phoenix and Maricopa County to specify that the City of Phoenix will own the pipeline infrastructure near 3955 E. Carefree Highway during and after its installation, so that it can be installed within Phoenix's existing reclaimed water easement across the Arizona State Land Department's (ASLD) property. This amendment will not require additional funding from the City.

Summary

The existing IGA between the City and Maricopa County was signed in October 2016. The City partners with Maricopa County on efforts to clean groundwater impacted by the Cave Creek Landfill in north Phoenix with use of an injection well near the landfill. The injection well recharges treated groundwater and creates a hydraulic barrier to prevent contaminated groundwater from entering City water supply wells. This amendment will not add time or money to the agreement.

Financial Impact

There is no financial impact to the City for this amendment.

Concurrence/Previous Council Action

The City Council approved:

IGA 143720 with Maricopa County (Ordinance S-42838) on Aug. 31, 2016; and

IGA 143720 with Maricopa County Amendment (Ordinance S-44566) on May 16, 2018.

Location

The project is located near 3955 E. Carefree Highway.

Council District: 2

This item was adopted.

PLANNING AND ZONING MATTERS

97 Final Plat - Sky Crossing - Parcel 13 - 180064 - 1,167 Feet North of Deer Valley Drive on the West Side of Black Mountain Boulevard

Plat: 180064
Project: 16-1029
Name of Plat: Sky Crossing - Parcel 13
Owner(s): Cave Buttes Development Partners, LLC
Engineer(s): Hilgart Wilson
Request: A 97 Lot Detached Single Family Planned Residential Plat
Reviewed by Staff: June 4, 2019
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 1,167 feet north of Deer Valley Drive on the west side of Black Mountain Boulevard.
Council District: 2

This item was approved.

98 Final Plat - Sky Crossing - Parcel 9 - 180093 - Northwest Corner of Deer Valley Drive and 32nd Street

Plat: 180093
Project: 16-1029
Name of Plat: Sky Crossing - Parcel 9
Owner(s): Cave Buttes Development Partners, LLC
Engineer(s): Hilgart Wilson
Request: A 63 Lot Detached Single-Family Planned Residential Plat
Reviewed by Staff: June 4, 2019
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

Northwest corner of Deer Valley Drive and 32nd Street
Council District: 2

This item was approved.

99 Final Plat - Central and Palm - 190002 - Southwest Corner of Palm Lane and Central Avenue

Plat: 190002
Project: 99-39661
Name of Plat: Central and Palm
Owner(s): 1850 Central, LLC
Engineer(s): CEG Applied Sciences, LLC
Request: A 1 Lot Commercial Plat
Reviewed by Staff: June 6, 2019
Final Plat requires Formal Action Only

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

Location
Generally located at the southwest corner of Palm Lane and Central Avenue.
Council District: 4

This item was approved.

100 Final Plat - Trellis at Colter - 190012 - 442 Feet East of 17th Avenue and South of Colter Street

Plat: 190012
Project: 17-3351
Name of Plat: Trellis at Colter
Owner(s): Colter-TCD, LLC
Engineer(s): Survey Innovation Group, Inc.
Request: A 20 Lot Single Family Attached Residential Plat
Reviewed by Staff: June 4, 2019
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 442 feet east of 17th Avenue and south of Colter Street.
Council District: 4

This item was approved.

101 Final Plat - Camelback Ranch - 180129 - West of 107th Avenue and South of Ball Park Boulevard

Plat: 180129
Project: 14-834
Name of Plat: Camelback Ranch
Owner(s): Mattamy Arizona, LLC
Engineer(s): EPS Group, Inc.
Request: A 199 Lot Residential Plat
Reviewed by Staff: June 12, 2019
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 west of 107th Avenue and south of Ball Park Boulevard.
Council District: 5

This item was approved.

102 Final Plat - The Phoenician - 180011 - 6000 E. Camelback Road

Plat: 180011
Project: 16-3642
Name of Plat: The Phoenician
Owner(s): Host Camelback I, LLC & Phoenician Residential I, LLC & Phoenician Residential II, LLC & Phoenician Residential III, LLC & Phoenician Residential IV, LLC & East Camelback Residential, LLC & Arizona Vacation Ownership, LLC
Engineer(s): Wood, Patel & Associates, Inc.

Request: A 20 Lot Residential Plat
Reviewed by Staff: June 20, 2019
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 north of Camelback Road, east of 56th Street, south of Cholla Lane, and portions of East Invergordon Road and 64th Street, south of Chaparral Road.
Council District: 6

This item was approved.

103 Final Plat - 201 West Van Buren - 180066 - Southwest Corner of 2nd Avenue and Van Buren

Plat: 180066
Project: 17-3401
Name of Plat: 201 West Van Buren
Owner(s): XSC Phoenix Investment, LLC
Engineer(s): AZCA Engineering, LLC
Request: A 1 Lot Commercial Plat
Reviewed by Staff: June 11, 2019
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 west of 2nd Avenue and south of Van Buren Street.
Council District: 7

This item was approved.

104 Final Plat - Tuscano Parcels D&G - 180082 - Southeast Corner of 75th Avenue and Lower Buckeye Road

Plat: 180082

Project: 01-21305
Name of Plat: Tuscano Parcels D&G
Owner(s): Tuscano Master Homeowners Association
Engineer(s): HilgartWilson, LLC
Request: A 277 Lot Residential Subdivision Plat
Reviewed by Staff: June 20, 2019
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 V180056A.

Location

Southeast corner of 75th Avenue and Lower Buckeye Road
Council District: 7

This item was approved.

105 Final Plat - West 80 - 180089 - Southwest Corner of Buckeye Road and 79th Avenue

Plat: 180089
Project: 07-3176
Name of Plat: West 80
Owner(s): CH Realty VII-WPC I Phoenix West 79th, LLC
Engineer(s): Hunter Engineering, Inc.
Request: A 1 Lot Commercial Plat
Reviewed by Staff: June 4, 2019
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southwest corner of Buckeye Road, east of 79th Avenue.
Council District: 7

This item was approved.

106 Final Plat - Sunset Place Phase 1 - 180142 - North of Broadway Road and West of 67th Avenue

Plat: 180142
Project: 18-2043
Name of Plat: Sunset Place Phase 1
Owner(s): Banning Holdings, LLC
Engineer(s): EPS Group, LLC
Request: A 120 Lot Residential Plat
Reviewed by Staff: May 31, 2019
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 north of Broadway Road and west of 67th Avenue.
Council District: 7

This item was approved.

107 Final Plat - Gardner's Enclave - 180141 - East of 32nd Street and South of Baseline Road

Plat: 180141
Project: 13-3085
Name of Plat: Gardner's Enclave
Owner(s): Taylor Morrison/Arizona, Inc./Keystone at South Mountain, LLC
Engineer(s): Survey Innovation Group, Inc.
Request: A 61 Lot Residential Plat
Reviewed by Staff: Derek Rogers
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

East of 32nd Street and south of Baseline Road
Council District: 8

This item was approved.

108 Abandonment of Easement - V190003A - 25322 N. 21st Ave. (Resolution 21763)

Abandonment: V190003A
Project: 15-3108
Applicant(s): AWH Construction, Incorporated
Request: To abandon a portion of 44-47 foot by 461.43 foot water and sewer easement addressed 25322 N. 21st Ave., APN 210-04-008E, recorded on Book 1334, Page 40 of Maricopa County Recorder's Office.
Date of Decision/Hearing: March 18, 2019

Location
25322 N. 21st Ave.
Council District: 1

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

This item was adopted.

109 Abandonment of Easement - V190019A - Northeast Corner of Happy Valley Road and Norterra Parkway (Resolution 21764)

Abandonment: V190019A
Project: 15-3108
Applicant(s): AWH Construction, Inc.
Request: To abandon 47' of water and sewer easement shown as Recorded Final Plat "Norterra PUD Phase 1" recorded in Book 691, Page 26 of MCR, Doc # 2017-0522067.
Date of Decision/Hearing: May 7, 2019

Location
Northeast corner of Happy Valley Road and Norterra Parkway

Council District: 1

Financial Impact

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

This item was adopted.

110 Abandonment of Easement - V180056A - Southeast Corner of Lower Buckeye Road and 79th Avenue (Resolution 21765)

Abandonment: V180056A
Project: 01-21305
Applicant(s): Josh Robinson; Hilgart Wilson, LLC
Request: To abandon all easements within Tuscano Parcel D and excess right-of-way as shown along 79th Avenue.
Date of Decision/Hearing: Dec. 11, 2018

Summary

The resolution of the abandonment and the subdivision plat 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

Southeast corner of Lower Buckeye Road and 79th Avenue.
Council District: 7

Financial Impact

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

This item was adopted.

113

PCD Major Amendment - Rezoning Application Z-138-D-83-5 - Approximately 368 Feet South and 365 Feet West of the Southwest Corner of 99th Avenue and the Bethany Home Road Alignment

Request to approve Rezoning Application Z-138-D-83-5 to rezone the site from PUD PCD to PUD PCD for a major amendment to the DC Ranch PCD to allow an amendment to the Aldea Centre PUD to allow a mix of uses including commercial, commerce park, and multifamily residential. PCD Major Amendment requires formal action only.

Summary
Application: Z-138-D-83-5
Current Zoning: PUD PCD
Proposed Zoning: PUD PCD
Acreage: 125.30
Proposed Use: Commercial, Commerce Park, and Multifamily Residential

Owner: John F. Long Revocable Trust. c/o Tim Wright
Applicant: John F. Long Revocable Trust. c/o Tim Wright
Representative: Stephen W. Anderson, Gammage & Burnham, PLC

Staff Recommendation: Approval, per the Addendum A Staff Report (see **Attachment C**).
VPC Action: The Maryvale Village Planning Committee was scheduled to hear this case on May 8, 2019, however, there was no quorum.
PC Action: The Planning Commission heard this case on June 6, 2019, and recommended approval per Addendum A Staff Report with an additional stipulation by a 9-0 vote.

Location
Approximately 368 feet south and 365 feet west of the southwest corner of 99th Avenue and the Bethany Home Road alignment.
Council District: 5
Parcel Address: 10000, 10100, 10150, 10200, and 10250 W. Montebello Ave.

This item was approved.

115 Amend City Code - Ordinance Adoption - Rezoning Application Z-91-18-2 - Southeast Corner of 71st Street and Tierra Buena Lane (Ordinance G-6605)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Z-91-18-2 and rezone the site from C-2 PCD to PUD for the LCG Kierland PUD to allow multifamily and commercial uses.

Summary
Current Zoning: C-2 PCD
Proposed Zoning: PUD
Acreage: 2.21
Proposed Use: LCG Kierland PUD to allow multifamily and commercial uses

Owner: Tierra Buena-Kierland, LLC
Applicant: Leon Capital Group
Representative: Nick Wood, Esq., Snell & Wilmer, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard this case on June 3, 2019 and recommended approval per staff recommendation by an 11-1 vote.
PC Action: The Planning Commission heard this case on June 6, 2019 and recommended approval per the Paradise Valley Village Planning Committee recommendation by a 9-0 vote.

Location
Southeast corner of 71st Street and Tierra Buena Lane
Council District: 2
Parcel Address: 7111 E. Tierra Buena Lane

This item was adopted.

116 Amend City Code - Ordinance Adoption - Rezoning Application Z-17-19-5 - Northeast Corner of 19th Avenue and Maryland Avenue (Ordinance G-6607)

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

Z-17-19-5 and rezone the site from C-2 and R-5 to C-2 for an outpatient surgical center.

Summary
Current Zoning: C-2 and R-5
Proposed Zoning: C-2
Acreage: 4.57
Proposed Use: Outpatient surgical center

Owner: HP Phoenix 19, LLC
Applicant: Benjamin Graff, Quarles & Brady, LLC
Representative: Benjamin Graff, Quarles & Brady, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard the case on May 28, 2019, and recommended approval per the staff recommendation with modifications and an additional stipulation by an 11-0 vote.
PC Action: The Planning Commission heard the case on June 6, 2019, and recommended approval per the Alhambra Village Planning Committee by a 9-0 vote.

Location
Northeast corner of 19th Avenue and Maryland Avenue.
Council District: 5
Parcel Addresses: 6501 N. 19th Ave. and 1840 W. Maryland Ave.

This item was adopted.

117 Amend City Code - Ordinance Adoption - Rezoning Application Z-19-18-8 - Northwest Corner of 41st Place and McDowell Road (Ordinance G-6609)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-19-18-8 and rezone the site from R1-6, C-2 and C-2 SP to PUD to allow mixed uses (commercial and multifamily residential).

Summary
Current Zoning: R1-6 (0.08 acres), C-2 (1.76 acres) and C-2 SP (0.09 acres)
Proposed Zoning: PUD

Acreage: 1.93
Proposed Use: Mixed uses (commercial and multifamily residential)

Owner: Michael Allayev, Real Estate & More, LLC
Applicant: Rodney Q. Jarvis, Earl Curley & Lagarde, PC
Representative: Rodney Q. Jarvis, Earl Curley & Lagarde, PC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on May 7, 2019 and recommended approval per the staff recommendation with modifications and additional stipulations by a vote of 13-0.
PC Action: The Planning Commission heard this case on June 6, 2019 and recommended approval per the Addendum A Staff Report with an additional stipulation and a modified stipulation by a 9-0 vote.

Location
Northwest corner of 41st Place and McDowell Road.
Council District: 8
Parcel Address: 4040 E. McDowell Road and 1610 N. 41st Place

This item was adopted.

118 Amend City Code - Ordinance Adoption - Rezoning Application Z-7-19-8 - Southeast Corner of 59th Avenue and South Mountain Avenue (Ordinance G-6606)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-7-19-8 and rezone the site from S-1 and S-1 (Approved R-2) to R-3 for multifamily residential development.

Summary
Current Zoning: S-1 (13.24 acres) and S-1, Approved R-2 (0.72 acres)
Proposed Zoning: R-3
Acreage: 13.96
Proposed Use: Multifamily residential

Owner: Rodney and Donna Family Trust and DEKA Company, LLC; and Phoenix Union High School District 210
Applicant: Andy Jochums, Beus Gilbert, PLLC

Representative: Paul Gilbert, Beus Gilbert, PLLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Laveen Village Planning Committee heard the case on May 13, 2019, and recommended approval per the staff recommendation with additional stipulations by a 12-0 vote.
PC Action: The Planning Commission heard the case on June 6, 2019, and recommended approval per the Laveen Village Planning Committee with modifications and an additional stipulation by a 9-0 vote.

Location
Southeast corner of 59th Avenue and South Mountain Avenue
Council District: 8
Parcel Addresses: N/A

This item was adopted.

124 Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-90-18-1 - Northwest Corner of 43rd Avenue and Circle Mountain Road (Ordinance G-6612) ***REQUEST TO CONTINUE (SEE ATTACHED MEMOS)***

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved. Request is to rezone the site from S-1 to R1-6 and S-1 zoning for single-family residential.

Summary
Current Zoning: S-1
Proposed Zoning: 46.81 acres of R1-6 and 8.61 acres of S-1
Acreage: 55.42
Proposed Use: Single-Family Residential

Owner: Desert Hills 160, LLC
Applicant: Linda Cheney, El Dorado Holdings
Representative: Rob Gubser, Hilgart Wilson, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Rio Vista Village Planning Committee heard this case on May 14, 2019 and recommended denial by a 5-1 vote.

PC Action: The Planning Commission heard this case on June 6, 2019 and recommended approval, per the staff recommendation with additional stipulations by a 6-0 vote.

Location
Northwest corner of 43rd Avenue and Circle Mountain Road
Council District: 1
Parcel Address: N/A

This item was continued to the Sept. 4, 2019 City Council Formal Meeting.

Items 49 and 57, Ordinance S-45890, was a request 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.

49 Alliance for Innovation, Inc.

For $9,750.00 in payment authority for the City's annual membership dues. The Alliance is an international network of local governments and partners committed to accelerating innovation to enhance organizations' operations and to build stronger communities. Alliance, with its strategic partnership with 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 budget. The City Council Planning and Economic Development Subcommittee approved this item at its June 4, 2019 meeting.

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

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

No: 0

Absent: 1 - Councilwoman Williams

57 **Arizona Forward Membership Renewal**

For $20,000.00 in payment authority for the City's membership renewal and continued participation as a Visionary member of Arizona Forward for Fiscal Year 2019-20 for the Office of Sustainability. Arizona Forward's 200 members include businesses, governmental agencies, nonprofit organizations and 17 municipalities including the City of Phoenix, which has been a member of Arizona Forward since 1990 and a Visionary member since 2007. This membership was approved by the Water, Wastewater, Infrastructure and Sustainability Subcommittee on June 5, 2019.

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 - Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Mayor Gallego

No: 2 - Councilman DiCiccio and Vice Mayor Waring

Absent: 1 - Councilwoman Williams

76 **Contract for Email Citizen Engagement System (Ordinance S-45898)**

Request authorization for the City Manager, or his designee, to enter into a contract with Synchronous Technologies Group, Inc. dba GreenRope LLC, for a new enterprise-wide email marketing solution in an amount not to exceed $1,100,000 over a term of five years. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City currently is using a nearly 15-year-old email marketing product to

communicate with residents, business partners, media and other constituents. The current system resides on aging, stand-alone hardware, is cumbersome to use, and requires users to understand coding in order to process simple operations and requests. This is the City's only system to provide resident communications from city departments and the Mayor and City Council offices. The system is used for sending messages to residents such as weekly job postings from the Human Resources Department, Parks and Recreation Department class registration, Library Department reading programs and other library services, and distribution of news releases and other City information to the media and the public.

The current solution no longer meets the needs of the City and significantly limits the City's ability to communicate and deliver information to its residents in the format they desire. The proposed new email marketing system is a hosted solution, which standardizes the technology to be used by all departments. It also includes efficient and effective communication tools that deliver better dynamic and engaging content to recipients, and provides important analytics that can help improve the way the City interacts with the community.

Procurement Information

On Dec. 13, 2018, the Information Technology Services Department conducted a Request for Proposals, RFP ITS 18-707, in accordance with Administrative Regulation 3.10 for a qualified proposer to provide a Citizen Engagement System that would be a comprehensive solution for efficient and effective communications to the public. Nine firms responded to the proposal. A seven-member panel evaluated the responses based on qualifications, experience and references; method of approach; total cost; and business and technical requirements. The panel recommended the top five responses to move forward in the process and provide a presentation and demonstrations of their product. After the five demonstrations, the panel selected two proposers to provide a proof of concept in the City's actual business and technology environment.

In April 2019, a Best and Final Offer (BAFO) was solicited and Synchronous Technologies Group, Inc. dba GreenRope LLC, was deemed the most responsible and responsive proposer and is

recommended for award.

Contract Term
The contract term is for five years, beginning on or about July 3, 2019 and ending on or about July 2, 2024.

Financial Impact
The total cost over the contract term is an amount not to exceed $1,100,000. After implementation costs during the first year, the total annual amount for the following four years is expected to be approximately $204,000 (including applicable taxes). Funds are available in the Information Technology Services Department's operating budget.

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 -	Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Mayor Gallego
No:	2 -	Councilman DiCiccio and Vice Mayor Waring
Absent:	1 -	Councilwoman Williams

87 Adoption of 2019 Floodplain Ordinance Amendment to Chapter 32B of Phoenix City Code (Ordinance G-6611)

Request City Council authorization to adopt the 2019 proposed changes to the City's Floodplain Ordinance included in Chapter 32B of the City's code.

City Clerk Denise Archibald read the title of the ordinance for this item.

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

Yes:	8 -	Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Williams

111 (CONTINUED FROM JUNE 19, 2019) - Warehouse and Threatened Building Grant for Fuller (W.P.) Paint Company Warehouse (Ordinance S-45826)

Request to authorize the City Manager, or his designee, to enter into necessary agreements and conveyances with NIXDT, LLC, an Oklahoma limited liability corporation, related to a Historic Preservation Warehouse and Threatened Building Grant of up to $200,000 for the Fuller (W.P.) Paint Company Warehouse located at 117 E. Jackson St. in the Downtown Redevelopment Area. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fuller Paint Company Warehouse was constructed in 1929 for W.P. Fuller & Company, a company that eventually included storage of glass, paint and oil products, as well as offices and a retail operation that encompassed not only the 117 E. Jackson St. property, but three additional parcels immediately to its east. The building later housed Beacon Upholstery. The 1929 brick building is a red brick building with raised parapet, steel trusses and full basement, with some changes to original openings such as an enclosed front-loading bay on the north façade. The building is significant as an important and increasingly rare example of a utilitarian brick warehouse located in Phoenix's industrial downtown hub adjacent to the railroad siding on Jackson Street.

The warehouse was designated on the Phoenix Historic Property Register in July of 2009 as part of the Jackson Street PUD that called for its preservation, rehabilitation and a conservation easement. A demolition permit was requested on Jan. 22, 2019 and denied. Currently, there is a one year stay of demolition on the property, although approval of a major amendment to the Jackson Street PUD would be required prior to issuance of a demolition permit.

NIXDT, LLC, an Oklahoma limited liability corporation, is the property owner. Andy Patel, Anish Hotels Group, is the applicant. They are proposing to build a new limited service extended stay hotel on the site that includes the three adjacent parcels to the east and to rehabilitate the historic building for use as a lobby for the new hotel. The grant request is to provide reimbursement toward the following items: new roof and roof

decking; sensitive removal of paint from the brickwork; repair of damaged brick;

repair of documented structural issues and appropriate window replacement where necessary.

Financial Impact
The amount requested for the Warehouse and Threatened Building grant is $200,000. The total project budget for the historic building rehabilitation is estimated between $1,170,000 to $1,450,000. In an effort to save the historic building and assist in the added costs of rehabilitation, the Community and Economic Development Department (CEDD) has made up to $200,000 in funds available and will be disbursed to the applicant when work is completed and inspected. CEDD funds are appropriate for this project provided it will result in net new job creation, new hotel revenues and the property is located in the Downtown Redevelopment Area. The applicant will be required to provide a dollar-for-dollar match, which may include exterior work items as well as items not typically eligible for Warehouse and Threatened Building grant funds, such as plumbing, electrical, mechanical, interior or site work. In exchange for the grant funds, the City will receive a 30-year conservation easement on the property. The easement will require that the property be preserved, insured and will be maintained in good repair. Funds are budgeted in the Community and Economic Development Department Capital Improvement Program budget.

Concurrence/Previous Council Action
The Historic Preservation Commission recommended approval of this item on May 20, 2019, by a vote of 6-0.
This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on June 4, 2019, by a vote of 4-0.

Location
117 E. Jackson St.
Council District: 7

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

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

No: 0

Absent: 1 - Councilwoman Williams

114 **Amend City Code - Ordinance Adoption - Rezoning Application Z-89-18-2 - Approximately 275 Feet South and 240 Feet West of the Southwest Corner of Scottsdale Road and Joan de Arc Avenue (Ordinance G-6604)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-89-18-2 and rezone the site from C-1 SP to PUD.

Summary
Current Zoning: C-1 SP
Proposed Zoning: PUD
Acreage: 7.18
Proposed Use: Manor Scottsdale PUD to allow multifamily and/or C-1 commercial uses

Owner: Halmic, LLC, Kash Asset Holdings, LLC, etal
Applicant: The Related Group
Representative: Nick Wood, Snell and Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard this case on May 6, 2019, and recommended approval per the staff recommendation with additional stipulations by a 12-1 vote.
PC Action: The Planning Commission heard this case on June 6, 2019, and recommended approval per the Paradise Valley Village Planning Committee with the addition of a new stipulation and the deletion of one stipulation by a 9-0 vote.

Location
Approximately 275 feet south and 240 feet west of the southwest corner of Scottsdale Road and Joan de Arc Avenue.

Council District: 2
Parcel Address: 13220 N. Scottsdale Road

Discussion

Denise Finell stated she lived a few blocks south of this proposed building and spoke in opposition. She expressed this building would have about 300 units which put undue burden on the neighborhood. She said even though FAA requirements had been complied with that airport safety was a concern. She mentioned Scottsdale Road was a parking lot in the winter, so cars would turn into residential areas to avoid the long waits to get through a light which increased danger to children and residents. She added the design of this building had limited visitor parking on the site. She noted there was a statistical increase in crime because of the interface between urban residential and high density buildings that were not integrated into the community. She remarked there would be more noise, concentrated pollution and homes would become devalued. She suggested the developer create a more reasonable design that more properly integrated into the community.

Vice Mayor Waring wanted to know what was being done in terms of traffic mitigation as he knew that was one of the issues.

Nick Wood, representing the applicant, replied he had worked with the Streets Department and submitted a traffic report. He pointed out the report indicated that the traffic volumes were identical to what was currently being generated by LA Fitness. He added most of the people that utilized LA Fitness lived in the neighborhood so more traffic originated within the neighborhood from the existing use than would be generated from their proposal. He also stated he had worked with the immediate neighbors and that there were 70 letters of support on file.

Vice Mayor Waring conveyed LA Fitness was pulling out and the owner of the building wanted to find another gym to fill that void as it was designed to be a gym so something had to change. He remarked this was right on Scottsdale Road, noting he and staff had spoken with Ms. Finell about her concerns. He said there was opposition for this case based on other uses before this proposal and stated he believed the

applicant worked with the neighbors since the opposition had gone down to one person. He stated LA Fitness created traffic so he accepted that the traffic study would be a wash. He recalled knocking on doors and meeting some residents who were concerned that Joan De Arc would become a through street instead of a dead end.

Mr. Wood confirmed that street would not go through unless the Council directed the department to do so. He added there was no reason for anyone that lived in the apartment building to access that neighborhood so it was not something his client desired to do.

Vice Mayor Waring advised he was not contacted by anyone from that street since the Village meeting. So, he was going to support this case and moved approval which was seconded.

Councilman DiCiccio expressed the case could have gone to a higher intense commercial zoning, especially since it was on Scottsdale Road, but the applicant went to C-1 which he thought was impressive.

Vice Mayor Waring asked for clarification that based on current zoning the applicant could already make something almost this big with the same use as what was being discussed.

Planning and Development Director Alan Stephenson affirmed the site was currently zoned C-1 and the special permit allowed for the health club to bet here. He added with removal of the special permit C-1 did allow R-3 multifamily development at a little over 15 units per acre up to three and four stories the further away from the neighborhood.

Vice Mayor Waring stated he understood this was on Scottsdale Road and was also aware of the airport but there was already residential, so he was going to support it.

Councilman DiCiccio reiterated this site could actually get higher intensity zoning, but it was going down to C-1 which was impressive.

Councilwoman Stark clarified the motion included adoption of the related ordinance.

A comment card was submitted for the record in favor by Ariel Shoshan.

A motion was made by Vice Mayor Waring, seconded by Councilman DiCiccio, that this item and the related ordinance be adopted. The motion carried by the following vote:

Yes:	8 -	Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Williams

119 Public Hearing - General Plan Amendment - GPA-LV-1-19-8 - Northeast Corner of 59th Avenue and Elliot Road (Resolution 21762)

Request to hold a public hearing on the General Plan Amendment request for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved. This file is a companion case to Z-14-19-8.

Summary
Application: GPA-LV-1-19-8
Current Designation: Residential 3.5 to 5 dwelling units per acre
Proposed Designation: Residential 10 to 15 dwelling units per acre (22.89 acres) and Commercial (7.25 acres)
Acreage: 30.14
Proposed Use: Multifamily residential and commercial

Owner: Miller 160, LLC; AMED Partners, LLC
Applicant: Jim Stockwell, Jr., Vita Communities, LLC
Representative: Jim Stockwell, Jr., Vita Communities, LLC

Staff Recommendation: Approval.
VPC Action: The Laveen Village Planning Committee heard this case on May 13, 2019 and recommended approval by a 12-0 vote.
PC Action: The Planning Commission heard this case on June 6, 2019 and recommended approval per the Laveen Village Planning Committee recommendation by a 9-0 vote.

Location
Northeast corner of 59th Avenue and Elliott Road
Council District: 8
Parcel Addresses: N/A

Discussion
Mayor Gallego declared the public hearing open. Noting there was no one present to speak, she declared the public hearing closed.

The hearing was held. A motion was made by Councilmember Garcia, seconded by Councilman DiCiccio, that this item be approved per the Planning Commission's recommendation and to adopt the related resolution. The motion carried by the following vote:

Yes:	8 -	Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Williams

120 Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-14-19-8 - Northeast Corner of 59th Avenue and Elliot Road (Ordinance G-6608)

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-14-19-8 and rezone the site from S-1 (Approved R1-8 PCD) and S-1 (Approved C-1 PCD) to R-3 and C-1 for multifamily residential and commercial.

Summary
Application: Z-14-19-8
Current Zoning: 22.08 acres of S-1 (Approved R1-8 PCD) and 8.06 acres of S-1 (Approved C-1 PCD)
Proposed Zoning: 22.89 acres of R-3 and 7.25 acres of C-1
Acreage: 30.14
Proposed Use: Multifamily residential and commercial

Owner: Miller 160, LLC; AMED Partners, LLC
Applicant: Jim Stockwell, Jr, Vita Communities, LLC

Representative: Jim Stockwell, Jr, Vita Communities, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Laveen Village Planning Committee heard the case on May 13, 2019, and recommended approval per the staff recommendation with additional stipulations by an 11-1 vote.
PC Action: The Planning Commission heard this case on June 6, 2019, and recommended approval per the Laveen Village Planning Committee recommendation by a 9-0 vote.

Location
Northeast corner of 59th Avenue and Elliot Road.
Council District: 8
Parcel Addresses: N/A

Discussion
Mayor Gallego declared the public hearing open. Noting there was no one present to speak, she declared the public hearing closed.

The hearing was held. A motion was made by Councilmember Garcia, seconded by Councilman DiCiccio, that this item be approved per the Planning Commission's recommendation and to adopt the related ordinance. The motion carried by the following vote:

Yes:	8 -	Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Williams

121 Public Hearing and Ordinance Adoption - General Plan Amendment GPA-EN-1-19-4 - Northeast Corner of Central Avenue and Indian School Road (Ordinance S-45917)

Request to hold a public hearing on a General Plan Amendment for the following item and to consider the Planning Commission's recommendation and the related ordinance if approved. This file is a companion case to Z-9-19-4.

Summary

Application: GPA-EN-1-19-4
Proposal: General Plan Amendment to repeal the Phoenix Indian School Specific Plan
Acreage: 108.17 acres

Owners: Central Park I, LLC; City of Phoenix; State of Arizona; and the United States of America
Applicant: City of Phoenix Planning Commission
Representative: City of Phoenix Planning and Development Department

Staff Recommendation: Approval.
VPC Action: The Encanto Village Planning Committee heard this case on May 6, 2019 and recommended approval by a 14-0 vote.
PC Action: The Planning Commission heard this case on June 6, 2019 and recommended approval per the Encanto Village Planning Committee recommendation by a 9-0 vote.

Financial Impact
There is no financial impact to the city.

Location
Northeast corner of Central Avenue and Indian School Road.
Council District: 4
Parcel Addresses: 4221, 4307 N. Central Ave.; 4141 N. 3rd St.; 4141 N. S. Herrera Way; and 300, 650 E. Indian School Road.

Discussion
Mayor Gallego declared the public hearing open.

Humberto Badillo spoke in opposition as a patron of the park. He mentioned that Jason Morris recently spoke with him because he missed several meetings. Mr. Badillo emphasized this was a sensitive area and if Council repealed the Phoenix Indian School Specific Plan that it would cause problems.

Rebecca Wininger spoke in favor. She stated she served on the Encanto Village Planning Committee and the Planning Commission. She expressed this was an incredible development and indicated both the

Village and Commission asked the City to make sure the archaeological survey was taken more seriously since this site had the potential to have artifacts. She added she believed that City staff had been good in taking the appropriate measures. She pointed out the developer conducted several open houses and met with a number of neighborhood associations to collect feedback and solicit recommendations. She said she thought this had the ability to be an architectural anchor for Phoenix and urged Council to deny additional public hearings and approve this project.

Mayor Gallego announced Items 121 and 122 were being heard together, so Council would take testimony on both items.

Margaret Dietrich, with the Midtown Neighborhood Association, spoke in favor. She recognized Christine Mackay and her development team for doing an amazing job in getting the office space in Midtown filled up. Ms. Dietrich mentioned Park Central had also been developed, noting the area was ready for the next step. She said this was a spectacular project that would be open to everyone as well as a gateway to the park. She conveyed the developer provided open houses, attended their neighborhood meeting and went to other neighborhood meetings. She expressed she hoped that Council approved it.

Jason Morris, the applicant, spoke in favor. He confirmed he talked with Mr. Badillo who was concerned this application impacted the entire park. Mr. Morris indicated he informed Mr. Badillo the development was only on the private parcel adjacent to the park. Mr. Morris affirmed he held numerous public hearings which had unanimous support, noting the neighborhood association surrounding this property also supported this project.

Mayor Gallego remarked this was an exciting project. She expressed she appreciated the outreach with the different communities, including the Native American community. She stated Central and Indian School was one of the key locations in the city, albeit this parcel had a complicated and extensive legal history. She reiterated her excitement about the proposed architecture.

Councilwoman Pastor wanted verification that there would be an anthropologist looking to see if there were any issues with the land because that was a concern of people from Native Connections.

Mr. Morris confirmed that was correct. He added at the very first meeting, because of the history of this property, he met with Native Connections and a result of that meeting was an additional stipulation at the Planning Commission to ensure it occurred. He recalled this property at one time went all the way to 16th Street so it had an incredible footprint. He conveyed the idea was to make sure that was celebrated and anything that happened on this property was done with Native Connections assistance and knowledge.

Councilwoman Pastor announced she had spoken with the Native American community regarding the property and it was blessed by them to move forward.

Councilman DiCiccio expressed he was excited about this project as this had been going on for some time. He stated this was an amazing developer that was willing to do this which was one of the largest projects. He said he was surprised there were not more people in attendance because this was a big deal as it was providing life for the central city area. He asked what the timeline was for getting this built.

Mr. Morris replied the first action was to go through the design process. He added, because of the underlying zoning, extensive design would take place over the next six months with more technical construction drawings the following year.

Councilman DiCiccio wanted to know the total cost for this development.

Mr. Morris responded with the land value, total construction costs and development it was just shy of $1 billion.

Councilman DiCiccio expressed the public needed to understand the magnitude of this project which he thought would rival anything in the state of Arizona. He remarked this was going to be a big amenity for the City that he fully supported.

Councilman Nowakowski congratulated Councilwoman Pastor for her hard work in making this possible. He said he knew that Steele Indian School Park and Margaret T. Hance Park held major events, so he wanted to make sure people who leased from this building were aware there could be some loud events.

Mayor Gallego declared the public hearing closed.

Note: Councilwoman Williams rejoined the voting body via telephone.

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

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

No: 0

122 Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-9-19-4 - Northeast Corner of Central Avenue and Indian School Road (Ordinance G-6610)

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-9-19-4 and rezone the site from R-5 TOD-1 PISSP (Approved C-2 TOD-1 PISSP) and R-5 TOD-1 PISSP (Approved C-2 H-R TOD-1 PISSP) to WU Code T6:HWR UT to allow mixed-use. This is a companion case to GPA-EN-1-19-4.

Summary
Application: Z-9-19-4
Current Zoning: R-5 TOD-1 PISSP (Approved C-2 TOD-1 PISSP) (0.58 acres) and R-5 TOD-1 PISSP (Approved C-2 H-R TOD-1 PISSP) (17.24 acres)
Proposed Zoning: WU Code T6:HWR UT
Acreage: 17.82

Proposed Use: Mixed-use

Owner: Central Park I, LLC
Applicant: Jason Morris, Withey Morris, PLC
Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on May 6, 2019 and recommended approval per the staff recommendation by a vote of 14-0.
PC Action: The Planning Commission heard this case on June 6, 2019, and recommended approval per the Addendum A Staff Report by a 9-0 vote.

Location
Northeast corner of Central Avenue and Indian School Road
Council District: 4
Parcel Address: 4221 N. Central Ave. and 4141 N. 3rd St.

Discussion
Mayor Gallego declared the public hearing open. She advised testimony was already taken on this item. She stated she looked forward to watching this project come forward as well as having more people enjoy its great amenities. Noting there was no one present wishing to speak, she declared the public hearing closed.

Note: See Item 121 for comments on this case.

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

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

No: 0

123 Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-86-18-2 - Northeast and Southeast Corners of Black Canyon Highway and the Dynamite Boulevard Alignment (Ordinance G-6603)

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved. The request is to rezone the site from S-1 to CP/GCP for a recreational vehicle and boat storage facility.

Summary

Current Zoning: S-1
Proposed Zoning: CP/GCP
Acreage: 11.01
Proposed Use: Recreational vehicle and boat storage facility

Owner: The Prescott Valley Company
Applicant: Mark Temen, Fortress RV Storage, LLC
Representative: Lazarus, Silvyn, & Bangs, PC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this case on May 16, 2019. There was a motion to recommend approval, however, the motion failed by a 3-5 vote.
PC Action: The Planning Commission heard this case on June 6, 2019 and recommended approval per the staff recommendation with additional stipulations by a 9-0 vote.

*3/4 Vote Not Required.

Location

Northeast and southeast corners of Black Canyon Highway and the Dynamite Boulevard alignment.
Council District: 2
Parcel Address: N/A

Discussion

Vice Mayor Waring made a motion to deny that was seconded by Councilwoman Guardado.

Councilwoman Pastor wished to make a substitute motion because of emails she received about what happened at the May 16 Deer Valley Village Planning Committee meeting. She stated her substitute motion was to take this case back to the Deer Valley Village Planning Committee so it could be heard again.

Councilman DiCiccio seconded the substitute motion with a friendly amendment to add the Planning Commission so that it went back through the process.

Councilman DiCiccio stated he wanted this done at a different level where staff was not beat up over the process. He said he did some checking and confirmed information was notated, but an error was sent to the Planning Commission. He expressed staff had done a good job on this case and wanted to be clear as this moved forward that staff was not beat up over the process. He indicated the individuals who wanted this got what they wanted and were going to have two shots at it.

Vice Mayor Waring conveyed he had spoken with Larry Lazarus, the applicant's attorney, about concerns he had about the use before this got to the Village. Vice Mayor Waring remarked there were some things that happened which were not as crisp as they could have been, but he had discussed this extensively with staff. He explained one Village Planning member wanted to make a motion to deny after the original motion failed and was told it was not necessary when it was necessary as normal policy. He recalled there was a discussion about whether this use was appropriate along the entire stretch of I-17. He said there was an indication they could not have that dialogue but they could, noting it was information he wanted to have on this case.

Vice Mayor Waring stated going forward that he felt strongly about denying this case. He pointed out there were a stack of cards from people who were against this project that also participated at the Village which also went into his motion to deny. He agreed a do-over was the appropriate course as it gave everybody a fair chance to start over, most

importantly the Village members would get to have further discussion. He remarked he used information from the Village because of testimony from people who lived in that neighborhood. He said he could not remember voting for a project in his district that failed at the Village. He expressed a lot went into his motion, but he thought a do-over was the appropriate course.

Mayor Gallego conveyed she supported the motion and proceeded to declare the public hearing open.

Heather Dukes, the applicant's representative, stated she understood the substitute motion and agreed that public input was important to the process. She indicated she met with some of the members in opposition and heard the concerns raised regarding the process at the Village Planning Committee meeting. She indicated she read the staff memo dated July 2 and agreed with the conclusions set forth in that memo. She requested the dates this would go back to the Village, Commission and Council if the motion was approved.

Mayor Gallego thanked Ms. Dukes for supporting the Council in making sure the process was done right.

Councilwoman Williams interjected she had been voting and wanted to make sure it was counted.

City Attorney Cris Meyer advised if Councilwoman Williams's not voting was due to technical issues and her vote was verified with her then it could be reflected in the record.

Councilwoman Williams added it would not change the outcome since the items were unanimous.

Planning and Development Director Alan Stephenson said if the motion passed then it would go back to the Deer Valley Village Planning Committee on July 18, the Planning Commission on August 1 and then to Council's formal meeting on September 4.

Mayor Gallego noted comment cards were submitted for the record in

opposition by the following individuals who wished to donate their time to Ms. Neely:

Clifford Jenkins
Andrew Sherman
Kyra Cook
Trenton Gonwa
Kirsten Persampire
Daniel Vargas
Vaughn Donlin
Saeed Tewani
Josh Brett
Alejandro Serrano
Melissa Garcia
Sergio Rodriguez
Priscilla Garcia
Briana Crawford
Sonia Kukich
Cristina Cruz

Peggy Neely stated she was supportive of the motion on the floor as were the folks that donated their time.

Mayor Gallego confirmed comment cards were submitted for the record in opposition by the following individuals who did not wish to speak:

Savannah Field
Richard Smith

Stuart Kimball indicated he was the Village member that created this situation and appreciated the substitute motion. He conveyed there were things in the July 2 memo that he stated he believed were inaccurate, such as the concept that although the Village was not mandated it was done by policy because there was no citizen review process. He reiterated his appreciation for the substitute motion because these problems could happen at any of the Villages. He concluded by citing a section of the Zoning Ordinance which said the intent of the ordinance was to respect the considerations of the citizens.

Clif Freedman, president and founder of Sonoran Citizens Improvement Association, stated he came to this meeting to thank the Council and staff for making sure this project, which was needed in the community, was passed. He expressed pushing this back would set a precedent that someone could attack staff on minutes from a meeting and call them dishonest. He remarked he was at the first meeting and everything was fine, noting changes were made including one about the project closing at 10:00 p.m. He emphasized the community needed this project completed exactly where the developer wanted it.

Fred Bishop said he had been talking to the applicant about a stipulation that would make him no longer oppose this project. He remarked he was happy going back through the process with them on that stipulation if that was the conclusion from this meeting.

Mark Temen expressed this was an interesting turn of events, but he appreciated Council's attention to this project. He stated he understood why the motion on the floor was made, but he was disappointed because of the delays as this amenity was needed in their community. He supported the motion in the interest of doing the right thing and asked that Council do the same when this case returned in September.

Councilman DiCiccio conveyed there was a technical issue which was one of the reasons why he seconded the motion that it go in this direction. He recognized the incredible work the applicant had done in other places, not just in the city of Phoenix. He said he liked this project as a stand-alone and had committed early on he would be supportive; however, he thought going back through the process to clear up any problems was in everybody's best interest.

Comment cards were submitted for the record in opposition by the following individuals:

Ryan Johnson
Schuyler Johnson
Acacia Coffey
Gisselle Arvizu

Caliana Renee Yaw
Aidan Maloney
Julie Campbell
Katlin Meza
Marie Ruggieri
Joseph and Deborah Adeyanju

Noting there was no one else present wishing to speak, Mayor Gallego declared the public hearing closed.

The hearing was held. A substitute motion was made by Councilwoman Pastor, seconded by Councilman DiCiccio, that this item be remanded back to the Deer Valley Village Planning Committee and Planning Commission for rehearing. The motion carried by the following vote:

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

No: 0

CITIZEN PETITIONS

125 Consideration of Citizen Petition Regarding Request to Terminate, Suspend, Demote, and Retrain Police Officers

This report provides City Council with information in response to a citizen petition submitted by Reverend Jarrett Maupin at the June 19, 2019, Formal City Council meeting regarding corrective action or discipline for police officers involved in the May 27, 2019, incident with Mr. Dravon Ames, Ms. Iesha Harper, and their minor children (**Attachment A**).

Summary

Mr. Maupin requests the City Council to direct the City Manager to terminate the employment of two police officers and suspend without pay or demote and retrain all other police officers involved in the incident with the Ames-Harper family.

This action would be a clear violation of the employees' due process rights as well as the Phoenix City Charter. Chapter III, Article 4 of the

Phoenix City Charter states:

"Neither the Council nor any of its Members shall direct or request the appointment of any person to, or his removal from, office by the City Manager or by any of his subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative service to the City. Except for the purpose of inquiry, the Council and its Members shall deal with the administrative service solely through the City Manager and neither the Council nor any Member thereof shall give orders to any subordinates of the City Manager, either publicly or privately.

Any member of the City Council violating the provisions of this section, or offering a resolution or ordinance in violation of this section, shall be removed from office as in this Charter elsewhere provided."

Further, the City Manager is required to adhere to all relevant laws, policies, and terms of any agreements with the City's employee groups, including the process and standards pertaining to taking corrective action or addressing sustained allegations of misconduct. The employees in question have due process and collectively-bargained rights that must be respected, including rights established by the State of Arizona's Peace Officer Bill of Rights. The incident currently is under investigation in accordance with the employees' due process rights, State law, City Charter, Personnel Rules, and collectively-bargained union agreements. It is important that these employees' rights be respected and the law and contracts adhered to.

For all of these reasons, which include City Charter, State law and employee MOU rights, staff recommends denial of the petition.

Discussion

City Attorney Cris Meyer gave a staff report and stated the citizen petition specifically requested that Council take action to terminate or discipline police officers. He advised the City Charter addressed this type of action citing that neither the Council nor any of its members direct or request the appointment of any person to or their removal from office by the City Manager or by any of the subordinates or in any manner take part in the appointment or removal of officers and employees in the administrative

service of the City. He conveyed while there might be petitions that come before Council to take action, in this particular case the petition requested an action that was prohibited by the Charter. He pointed out accepting or granting this petition would be a violation of the City Charter.

Mayor Gallego emphasized it would be illegal for the Council to accept the petition, plus there were rules in place including State law and legislation that provided due process rights for police officers. She continued there were also memorandums of understanding with City employee groups as well as Council being prohibited from firing a City employee.

Mr. Meyer replied that was correct and reiterated Council was prohibited by the Charter from taking this type of requested action. He pointed out all the various State laws, Charter and other provisions laid out the process that had to be gone through for that to happen in the event it was found. He conveyed due process rights of the officers, employees and others had to be protected.

Mayor Gallego stressed that violating all of those items could result in a large legal settlement against the City.

Mr. Meyer affirmed in the Peace Officers Bill of Rights if the termination was done prematurely or improperly the employee was reinstated and the City could be subject to damages for having taken that action.

Councilmember Garcia asked for an update on where the discipline or process was at regarding the officers.

City Manager Ed Zuercher replied the discipline process rested with the police chief. He said he did not know where it was but it was in the police chief's purview under investigation by the Professional Standards Bureau. He conveyed the police chief would inform all when it made its way through that and the employees' due process rights had been fully recognized.

Councilman DiCiccio indicated he spoke with the City Attorney before this meeting because it was his understanding that Council could vote on

anything. He continued State requirement said the city of Phoenix can never be a sanctuary city, so that would preclude that type of discussion, petition or vote going forward, noting the Charter also said it. He remarked the City had to follow all requirements and he wanted to make sure since it was also in the Charter that it would prevent some of these things from moving forward.

Mr. Meyer responded that was generally correct as Council had to comply with the constitution, State laws and Charter in taking its actions. He conveyed in most actions the Council took and most petitions, the specific actions being called for were not as specifically prohibited as they were in this case. He added many times there might be things requested in a petition that Council might be able to take action on in part and some aspects that could not be acted on. He advised the example of a sanctuary city was not well defined so there might be actions the Council could legally take that would be friendly toward those issues, but there were some things that Council would not be able to do. He noted the Council direction and staff's interpretation and implementation would need to be consistent with law.

Councilman DiCiccio stated his point was that right now the city of Phoenix was not a sanctuary city as he considered it to be a threshold issue because the State law was clear on that point. He expressed he was not trying to change the subject but attempting to establish what would and would not be legal moving forward as the City had to follow the law.

Mayor Gallego noted Iiesha Harper submitted a comment card for the record in favor.

LaJuane Pleasant said she supported the Reverend Jarrett Maupin's request to have some type of oversight by the Council because waiting for the regular process to go through was a disservice to those affected and the community at large. She expressed Reverend Maupin wanted an expeditious way to monitor this process, complete the fact-finding investigation in a timely manner and then allow the due process to occur.

Onesimus Strachan remarked there were some reckless officers on this

force which was demonstrated in the Ames-Harper situation. He expressed before officers became more volatile he asked that Council find an expedited way to dismiss these individuals. He said he understood there was a peace officers bill of rights, but more effort needed to be put into this process to find out what happened and where it fit on the dismissal matrix within the Police Department. He emphasized he supported Reverend Maupin and was opposed to staff's recommendation as he wanted some results.

Mayor Gallego conveyed the police chief had committed to putting additional resources into the investigation.

Reverend Jarrett Maupin encouraged the Council to do what it could and challenge whether it was legal for police to have additional protections while other City employees did not. He stated that staff's recommendation did not allow termination, but he indicated there were other options such as demotion, re-training, remove their City-issued weapons or suspend without pay. He added the PLEA contract might need a second look since it was easier to discipline other City employees. He expressed anything else was an endorsement of the inexcusable behavior seen on the tape.

Kathryn McKinney said she supported Reverend Maupin and understood that Council did not have the power to fire these officers; however, Council could make a recommendation to the City Manager who had some authority over them. She stated the Council needed to figure out what to do to repair the City's image because these incidents showed that Phoenix had a problem within its Police Department. She agreed it might be time to seek legal advice on what can be done to create a new agreement with PLEA so that Council could handle these situations accordingly.

Dravon Ames stated he was not against police, but alleged what the officer did to him and his family was wrong. He remarked he wanted Council to show good faith and hold these officers accountable.

Mayor Gallego announced the City was moving forward with a nine-point plan recommended by the National Police Foundation. She noted at

yesterday's Council session Police Chief Jeri Williams presented a five-point plan which was also moving forward with a variety of different measures. Mayor Gallego continued the Council approved two additional steps as well as building on previous steps taken. She conveyed the City would deploy body cameras on frontline officers by August, noting that training had changed. She stressed that Council was committed to having the best department possible and would continue to innovate.

Councilman DiCiccio stated he was strongly opposed to putting any limitations on these police officers as they did everything within policy, minus the swearing. He expressed a false narrative was put out in the media that these officers did something wrong due to video that just showed the end instead of everything that led up to it. He repeated that Council had to follow State law per the Charter as well as the feds, so he hoped the City was precluded going forward if this item failed.

Councilmember Garcia thanked Dravon and Iiesha for their work as he knew it was hard to speak to the media and this Council and then hear things that attacked their character. Councilmember Garcia indicated his office was committed throughout the recess to look for ways in which the family could obtain some justice.

Mayor Gallego wished to move on to Item 126.

Councilman DiCiccio asked if the item failed because it did not move forward.

Mayor Gallego replied yes, that Council had entertained the petition.

This item was heard.

ADD-ON ITEMS

126 ADD-ON - Final Plat - Ten Phase One - 190003 - Between 83rd Avenue and 79th Avenue, South of Interstate 10 and North of Van Buren Street

Plat: 190003
Project: 15-2061
Name of Plat: Ten Phase One

Owner(s): Jenberly LLC
Engineer(s): Bowman Consulting
Request: A 7 Lot Commercial Plat
Reviewed by Staff: July 1, 2019
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. A letter of commitment to license the existing USA fee title land within 79th Avenue's rights-of-way must be acceptable to Salt River Project prior to plat recordation.

Location

Generally between 83rd Avenue and 79th Avenue, south of Interstate 10 and north of Van Buren Street.
Council District: 7

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

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

No: 0

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

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

Kim Baker expressed the City should not be afraid to work on the perception of fairness related to community policing. He added community and officer perceptions needed to be discussed to find a way to bring it all together to the table and be a family. He said he wanted to continue to work with the City to

make the community a safer place.

Adam Rodriquez recounted an assault he went through in 2014 and how police helped him through that incident and gave him the confidence and strength to go outdoors. He stated he did not like people disrespecting the officers and Council as they did a good job.

Note: Councilwoman Pastor left the voting body.

Joshua Haskins recalled Mayor Gallego mention the tragic loss of life with reference to the APS worker. He also remembered Councilman DiCiccio stated that Phoenix could not be a sanctuary city because of State law. Mr. Haskins pointed out that Council had influence and urged them to stand against abortion.

Barb Heller expressed everyone was looking for improvement, diversity and change; however, everybody was jumping to conclusions without all the facts since the video did not show the initial contact. She indicated a city of this size should have 4,000 sworn officers but only had 2,900 officers, so they were over-worked, underpaid and not appreciated. She called on the citizens that were crying out, to put on that uniform and badge, and be the change they demanded at which point she would defend them just as she did the officers.

Zachary Conover pointed out a city council in Texas recently passed a resolution making them a sanctuary city for unborn children and would criminalize any organization providing abortions within their city limits. He emphasized this Council could do the same thing and stand up for this unjustice by upholding State law.

Connor Smith asked that Council be on the right side of history in making Phoenix a sanctuary city for unborn children.

Jerry DeVore stated he was present to speak on Item 73 which was withdrawn. He said he understood the property was up for sale because the City deemed it surplus as there was no money to maintain the current parks. He encouraged Council to look at the parks plan as it was not comprehensive, especially with additional housing tracts and subdivisions being developed and a lack of parks for kids to play.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 12:38 p.m.

MAYOR

ATTEST:

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 3rd day of July, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 24th day of June, 2020.

CITY CLERK