City of Phoenix

Minutes

City Council Formal Meeting

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

Wednesday, March 6, 2019 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, March 6, 2019 at 2:33 p.m. in the Council Chambers.

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

Councilwoman Pastor joined the voting body via telephone. Councilwoman Mendoza and Councilman Nowakowski entered the Chambers and joined the voting body during Citizen Comments held at the beginning of the meeting. Councilman DiCiccio left the voting body prior to the omnibus vote on Liquor Licenses, Bingo, and Off-Track Betting License Applications. Councilman DiCiccio rejoined the voting body prior to the omnibus vote on Ordinances, Resolutions, and New Business. Councilwoman Pastor disconnected from the voting body during discussion on Item 59. Councilman DiCiccio left the Chambers and the voting body during Citizen Comments held at the end of the meeting.

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

CITIZEN COMMENTS

Eddie Cook mentioned he was the Vice Mayor of the Town of Gilbert, and discussed how a session on civility in the workplace at a leadership conference he attended intrigued him. He said he shared the information he learned from the leadership conference with the Mayor and Council of Gilbert to develop a policy on civility for the Town of Gilbert. He noted a subcommittee was formed

as a result, and added he would share this information with other cities and towns in Arizona to build communities and not divide them.

Peggy Neely talked about the history of light rail in the Valley, and mentioned the City of Glendale voted to not move forward with the Glendale segment. She stated the City would still spend $700 million of taxpayer money for a fragmented line, and acknowledged the Council decided to defer a portion of the light rail that would go to Paradise Valley Mall. She presented a petition to terminate or indefinitely suspend any development or construction with public funds connected to the light rail transit route along Camelback Road between 19th and 43rd Avenues.

Note: Councilwoman Mendoza entered the Chambers and joined the voting body.

Michael Johnson spoke in support of the businesses along Camelback Road that would be affected by the light rail extension mentioned earlier by Ms. Neely. He commented he was supportive of light rail where it is needed, but suggested this extension would be destructive to business. He said the majority of residents in the area did not support the extension, and asked Council to put the extension on an agenda to remove that portion of light rail.

Note: Councilman Nowakowski entered the Chambers and joined the voting body.

Joshua Haskins stated he was a Christian and an abolitionist. He asked Council to stop abortion.

Michael Hendrickson said he was a member of Apologia Church, and asked Council to stand up for those who could not stand up for themselves. He asked Council to uphold Arizona Revised Statutes (A.R.S.) 13-3603.

Marcus Pittman said he was a member of Apologia Church and mentioned his group was at the Chambers for every Council meeting, and noted they had not heard a response from anyone on the Council to uphold A.R.S. 13-3603. He talked about the history of defying the federal government, and asked for abortion clinics to be shut down.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6561 through G-6568, S-45413 through S-45435, and Resolution 21722 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

MINUTES OF MEETINGS

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/reappointment by Mayor Williams and Councilmembers:

Census Complete Count Committee

Education

Appoint David Lujan and Francisco Avalos, as recommended by Mayor Williams.

Communities of Faith

Appoint Ignacio Rodriguez, as recommended by Mayor Williams.

Central City Village Planning Committee

Appoint Lauren Booth and Nate Sonoskey, filling vacancies, for terms to expire Nov. 19, 2020 as recommended by Councilwoman Mendoza.

Civil Service Board

Reappoint Bruce Meyerson, for a third term to expire April 30, 2021, as recommended by Mayor Williams.

Estrella Village Planning Committee

Reappoint Bill Barquin for a sixth term, and Daniel Rush for a third term to expire Nov. 19, 2019, as recommended by Councilman Nowakowski.

Fast-Track Cities Ad Hoc Committee
Appoint Debbie Rubenstrunk and Wendy Wolfersteig, for terms to expire Jan. 18, 2020, as recommended by Mayor Williams.

Mayor's Human Trafficking Task Force
Appoint Alicia Shields, for a term to expire March 6, 2025, as recommended by Mayor Williams.

Parks and Recreation Board
Reappoint Sarah Porter, for a second term to expire April 4, 2024, as recommended by Mayor Williams.

South Mountain Village Planning Committee
Appoint Matthew Aguilar, for a partial term to expire Nov. 19, 2019, as recommended by Mayor Williams.
Reappoint Martin Hayime Monge Kotake, for a second term to expire Nov. 19, 2019, as recommended by Councilman Nowakowski.

Water/Wastewater Rate Advisory Committee
Appoint Henrietta Anderson, for a term to expire March 18, 2022, and reappoint Wes Harris, for a second term to expire March 18, 2022, as recommended by Mayor Williams.

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

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

Mayor Williams administered the oath of office to the following Boards and Commissions appointees:

Francisco Avalos - Census Complete Count Committee Education Subcommittee;
Ignacio Rodriguez - Census Complete Count Committee Communities of Faith

Subcommittee;
Nate Sonoskey - Central City Village Planning Committee; Wendy Wolfersteig - Fast-Track Cities Ad Hoc Committee;
Alicia Shields - Mayor's Human Trafficking Task Force; and
Matthew Aguilar - South Mountain Village Planning Committee

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

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

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

Note: Speaker comment cards were submitted for the record in favor of the following items:

Michael Phillips - Applicant, Item 3
Mary Manross, Item 4
Brent Kleinman, Item 5
Kelly Larabee Morlan - Applicant, Item 5
Jason Dwight - Applicant, Item 7
Linda Torkelson - Applicant, Item 9
Anish Patel, Item 12
Sean McBath - Applicant, Item 17
Todd Judd, Item 19

Note: Councilman DiCiccio left the voting body.

A motion was made by Vice Mayor Waring, seconded by Councilwoman Stark, that Items 2-21 be recommended for approval. The motion carried by the following voice vote:

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

2 Liquor License - Luccicare

Request for a liquor license. Arizona State License Application 48008.

Summary

Applicant
Patrick Frederick, Agent

License Type
Series 12 - Restaurant

Location
4727 E. Bell Road, Ste. 59
Zoning Classification: PSC
Council District: 2

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

The 60-day limit for processing this application is March 18, 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.

Danky's Bar B Q (Series 12)
4727 E. Bell Road, Ste. 31
Calls for police service: 68
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have held a liquor license for another business since 2015."

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 accomodate our guests ethically and safely within our restaurant."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Luccicare
Liquor License Map - Luccicare

This item was recommended for approval.

3 Liquor License - Special Event - Combat Veterans Motorcycle Association Chapter 32-5

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

sale of all liquors.

Summary

Applicant
Michael Phillips

Location
12001 N. Cave Creek Road
Council District: 3

Function
Live Music Performance

Date(s) - Time(s) / Expected Attendance
March 24, 2019 - 11 a.m. to 3 p.m. / 174 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

4 Liquor License - Ginza Sushi Fusion Cuisine

Request for a liquor license. Arizona State License Application 47301.

Summary

Applicant
Maggie Liao, Agent

License Type
Series 12 - Restaurant

Location
13216 N. 7th St., Ste. B2
Zoning Classification: PSC
Council District: 3

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 March 8, 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.

Sushi J (Series 12)
4320 N. Miller Road, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

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

because:
“I have substantial experience in the restaurant business having worked over the last 14 years at various including work in the kitchen, as server, a hostess, manager, and as an owner for last 5 years at a restaurant in Scottsdale, AZ called Sushi J. I am currently the agent series 12 license for Sushi J. I believe I have demonstrated my capability, reliability and qualification.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“The issuance of this liquor license will be important for the establishment of a new small business in the north central Phoenix community and will also create new jobs. The issuance of this license will serve the publlic convenience and the best interest of the community and provide diversity in owership and in the type of business in the community.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Ginza Sushi Fusion Cuisine
Liquor License Map - Ginza Sushi Fusion Cuisine

This item was recommended for approval.

5 Liquor License - Special Event - Friends of Encanto Park

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

Summary

Applicant
Kelly Larabee Morlan

Location
2605 N. 15th Ave.
Council District: 4

Function
Street Fair

Date(s) - Time(s) / Expected Attendance
March 24, 2019 - 10 a.m. to 4 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

6 Liquor License - In Perfetto

Request for a liquor license. Arizona State License Application 47986.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
1616 N. Central Ave., Ste. 103
Zoning Classification: DTC - DG
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.

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

Forno 301 (Series 12)
1616 N. Central Ave., Ste. 104, Phoenix
Calls for police service: 88
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is an experienced licensee 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:
"From the owner of Forno 301, In Perfetto is a casual neighborhood restaurant featuring rustic breads, salads, sandwiches and gelato.

Applicant would like to offer alcohol beverages as an incident to the meals enjoyed by guests 21 and over."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - In Perfetto
Liquor License Map - In Perfetto

This item was recommended for approval.

7 Liquor License - Persepshen

Request for a liquor license. Arizona State License Application 47598.

Summary

Applicant
Jason Dwight, Agent

License Type
Series 12 - Restaurant

Location
4700 N. Central Ave., Ste. 122
Zoning Classification: C-2 TOD-1
Council District: 4

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 has plans to open in April 2019.

The 60-day limit for processing this application is March 11, 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 worked twenty-five years in the industry to get to this point. I am a husband and father of two, looking to support our family with the success of our restaurant."

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 provide a restaurant focused on logal, organic, sustainability. Educating families on the ability to utilize all that our Desert has to offer. Striving to build community through food. Complemented by local beer & wine & delicious craft cocktails."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Persepshen
Liquor License Map - Persepshen

This item was recommended for approval.

8 Liquor License - Special Event - Fallen Heroes Wreath Program, Inc.

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

Summary

Applicant
Erin Morgan

Location
906 E. Camelback Road
Council District: 6

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
March 17, 2019 - 8 a.m. to 2 a.m. / 1,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Special Event - Maggie's Place, Inc.

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

Summary

Applicant
Linda Torkelson

Location
4001 N. 30th St.
Council District: 6

Function

Dinner

Date(s) - Time(s) / Expected Attendance
April 6, 2019 - 6 p.m. to 11 p.m. / 150 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Special Event - Phoenix Youth Ballet Theatre

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

Summary

Applicant
Samantha Gobeille

Location
5601 N. 16th St.
Council District: 6

Function
Ballet Performance/Dinner/Award Ceremony

Date(s) - Time(s) / Expected Attendance
March 16, 2019 - 7 p.m. to 11 p.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 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
Musical Theater Performance

Date(s) - Time(s) / Expected Attendance
March 21, 2019 - 6 p.m. to 9 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

12 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
Musical Theater Performance

Date(s) - Time(s) / Expected Attendance
March 23, 2019 - 6 p.m. to 9 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Tocaya Organica

Request for a liquor license. Arizona State License Application 48206.

Summary

Applicant
Sean Hennick, Agent

License Type
Series 12 - Restaurant

Location
2525 E. Camelback Road, Ste. 115
Zoning Classification: C-2 H-R CEPCSP
Council District: 6

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

The 60-day limit for processing this application is March 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:
"Tocaya Biltmore LLC is part of a larger restaurant organization with multiple locations in the state of CA and Az. This location in Phoenix will be the second location in Arizona. As a licensee, we take the sale and consumption of alcohol very seriously, our staff under go extensive in house training along with the state required alcohol awareness training. At all times the restaurant is open there will be a full menu of healthy organic meal options. Alcohol is secondary to the sale and consumption of food."

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 fast casual-service restaurant serving the surrounding community and visiting public 7 days a week. The restaurant will prove to be extremely desirable to the public by offering fresh organic Mexican food at a reasonable prices with alcohol sales as an ancillary option. The hours of operation are modest and will not disturb the quite peacefully enjoyment 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 - Tocaya Organica
Liquor License Map - Tocaya Organica

This item was recommended for approval.

14 Liquor License - Dos Gordos Grill

Request for a liquor license. Arizona State License Application 47742.

Summary

Applicant
Linda Sanchez, Agent

License Type
Series 12 - Restaurant

Location
3552 W. Baseline Road, Ste. 144
Zoning Classification: C-2
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 March 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
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.

Cilantro's Mexican Cocina (Series 12)
20928 N. John Wayne Pkwy. #C-8, Maricopa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have worked in the Food Business for over 15 years, I also own another Restaurant for over 5 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Will be allowed to hire and create jobs in the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Dos Gordos Grill
Liquor License Map - Dos Gordos Grill

This item was recommended for approval.

15 Liquor License - Friends Grill & Cocktails

Request for a liquor license. Arizona State License Application 47743.

Summary

Applicant
Rhonda Jaynes, Agent

License Type
Series 12 - Restaurant

Location
101 N. 1st Ave., Ste. 160
Zoning Classification: DTC - BC
Council District: 7

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 March 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:
"I am a law abiding citizen of Maricopa County. I have an outstanding record and would like to provide quality service to the City of Phoenix, through our food and cocktails."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Our high quality of food and cocktails will be an asset to the surround areas. Corporate Phoenix and Events will be delighted."

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 - Friends Grill & Cocktails
Liquor License Map - Friends Grill & Cocktails

This item was recommended for approval.

16 Liquor License - Special Event - Artist Relief Fund, Inc.

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

Summary

Applicant
Sasha Vincett

Location
2835 E. Washington St.
Council District: 8

Function
Ballet Performance/Reception

Date(s) - Time(s) / Expected Attendance
March 30, 2019 - 6 p.m. to 11:30 p.m. / 350 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

17 Liquor License - Special Event - Forty Eight Foundation

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

Summary

Applicant
Sean McBath

Location
401 S. 1st Ave.
Council District: 8

Function
Dance

Date(s) - Time(s) / Expected Attendance
April 5, 2019 - 7 p.m. to 1 a.m. / 1,000 attendees
April 6, 2019 - 7 p.m. to 1 a.m. / 1,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

18 Liquor License - Carniceria Del Pacifico

Request for a liquor license. Arizona State License Application 10076628.

Summary

Applicant
Jorge Felix, Agent

License Type
Series 10 - Beer and Wine Store

Location
2911 N. 36th St.
Zoning Classification: C-2
Council District: 8

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

The 60-day limit for processing this application is March 11, 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:
"I am capable to hold a liquor license because I have been working for this business for six years now. I know exactly how this business works and how to handle/run our family owned business. I have the

qualifications and the experience to hold a liquor license because in these six years we have not had any liquor violations."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

19 Liquor License - 7-Eleven #25730 D

Request for a liquor license. Arizona State License Application 48014.

Summary

Applicant
Sudershan Kalsi, Agent

License Type
Series 10 - Beer and Wine Store

Location
1601 E. Southern Ave.
Zoning Classification: C-2 BAOD
Council District: 8

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

The 60-day limit for processing this application is March 18, 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.

7-Eleven #26062C (Series 10)
2401 E. McDowell Road, Phoenix
Calls for police service: 49
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am currently the franchisee and responsible operator of a 7-Eleven convenience store. I have been a 7-Eleven franchisee since 2001 and have completed an extensive corporate training program regarding the operation of 7-Eleven stores and have completed basic and management liquor training by an authorized trainer, as required by Arizona liquor laws."

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 a 7-Eleven store for many years. I will operate the store in the same responsible manner as my other store and with the high standards required of 7-Eleven franchisees. I plan to continue to

provide quality service to the neighbors of this store, and to the general public which they have enjoyed and have come to rely on for many years."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - 7-Eleven #25730 D
Liquor License Map - 7-Eleven #25730 D

This item was recommended for approval.

20 Liquor License - Carniceria Azteca

Request for a liquor license. Arizona State License Application 41650.

Summary

Applicant
Rebeckah White, Agent

License Type
Series 10 - Beer and Wine Store

Location
1628 E. Southern Ave.
Zoning Classification: C-2
Council District: 8

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

The 60-day limit for processing this application was Feb. 4, 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.

Carniceria Azteca (Series 10)
1628 E. Southern Ave., Phoenix
Calls for police service: 4
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have managed a grocery store with a liquor licenses for over 3 years. During this time I have been trained and attended classes regaedinghe liquor laws of the State of Arizona."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "A liquor license at our store will allow us to prvide a safe family friendly store where families can shop together in a pleasant envornment."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Carniceria Azteca
Liquor License Map - Carniceria Azteca

This item was recommended for approval.

21 Liquor License - Urban Bricks Pizza

Request for a liquor license. Arizona State License Application 48210.

Summary

Applicant
Anish Patel, Agent

License Type
Series 12 - Restaurant

Location
4750 S. 48th St., Ste. 107
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. This business is currently being remodeled with plans to open in April 2019.

The 60-day limit for processing this application is March 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 no violations or crimes on my record. From working in corporate America and managing and owning businesses has gave me the experience and has taught me many skills such as managing employees and controlling situations. I believe managing successful businesses with zero violations gives me experience to run a quick service restaurant with a liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The community will benefit from having a quick service restaurant serving beer. Also having the spring training facility across the street will allow locals to visit the restaurant during breaks. Also we will hold community fundraisers for local sporting teams, and also ask the community what they would like."

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 - Urban Bricks Pizza
Liquor License Map - Urban Bricks Pizza

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Note: Annie Mooney submitted a comment card for the record in favor of Item 28.

Discussion
Note: Councilman DiCiccio rejoined the voting body.

Councilman DiCiccio thanked Paul Gilbert for his work on the hospice case, and added Mr. Gilbert was able to get neighborhood leaders involved. He noted it was a very emotional experience for those family members who had to go through that experience, and commented he was glad this was coming to his district. He thanked Mr. Gilbert again, and stated Mr. Gilbert was very good at what he did.

A motion was made by Vice Mayor Waring, seconded by Councilwoman Stark, that Items 22-61 be approved or adopted except Items 27, 55, 58, and 59; continuing Item 33 to the April 3, 2019 City Council Formal Meeting and Item 49 to the March 20, 2019 City Council Formal Meeting; and noting that Item 29 has been withdrawn and Item 48 is as corrected. The motion carried by the following vote:

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

No: 0

Items 22-26, Ordinance S-45413 were requests to authorize the City Controller to disburse funds, up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

22 Maintenance and Repair of Traffic Controller Devices - Requirements Contract

For $50,000.00 in payment authority for a new contract, entered on or about March 15, 2019, for a term of five years for maintenance and repair of traffic controller treadle devices for the Parks and Recreation Department. This contract will provide maintenance and repair services, parts and replacement traffic controller treadles at various locations. The Department uses the treadles to secure mountain preserve and trail entrances after hours, as well as to control the flow of traffic at these locations.

This item was adopted.

23 Settlement of Claim(s) De Palma v. City of Phoenix

To make payment of $225,000.00 in settlement of claim(s) in *De Palma v. City of Phoenix*, GL, BI, CV2017-056481, 17-0030-001, for the Finance Department pursuant to Phoenix City Code Chapter 42.

This item was adopted.

24 Settlement of Claim(s) Miller v. City of Phoenix

To make payment of $315,000.00 in settlement of claim(s) in *Miller v. City of Phoenix*, Maricopa County Superior Court Case CV2016-050597, 15-0436-001, for the Finance Department pursuant to Phoenix City Code Chapter 42.

This item was adopted.

25 Settlement of Claim(s) Copeland v. City of Phoenix

To make payment of $3,000,000.00 in settlement of claim(s) in

Copeland v. City of Phoenix, CV2017-001506, City File 16-0412-001, for the Finance Department pursuant to Phoenix City Code Chapter 42.

This item was adopted.

26 Settlement of Claim(s) Somerville v. City of Phoenix

To make payment of $362,500.00 in settlement of claim(s) in *Somerville v. City of Phoenix*, Maricopa County Superior, CV2017-009212, GL, BI, City File No.16-0861-002, for the Finance Department pursuant to Phoenix City Code Chapter 42.

This item was adopted.

28 Request to Maintain Pediatric Health Care Initiative Fund (Ordinance S-45435)

Request to authorize the City Manager, or his designee, to maintain the Pediatric Health Care Initiative Fund (Fund) established by Ordinance S-41038, dated July 2, 2014, (Ordinance) and to amend the Ordinance to remove the reference to the Safety Net Care Pool (SNCP) to allow the City to leverage other Arizona Health Care Cost Containment System (AHCCCS) supplemental payments, both existing and under development, and to amend the Ordinance to change references to "H.B. 2010" to "state law."

Summary

In 2014, federal SNCP payments required local match funds. The City Council created the Fund to accept private third-party donations to be transferred to AHCCCS to finance the non-federal share of SNCP payments to eligible freestanding children's hospitals in the Phoenix area. This transfer arrangement was allowed by Arizona and federal law and is similar to transfer arrangements between AHCCCS and other governmental entities in the state. In December 2017, federal authorization for SNCP expired, with the expectation that it would be replaced with alternative and sustainable Medicaid funding mechanisms. Such replacement Medicaid payments would also require local match dollars. Those replacements include Disproportionate Share Hospital payments, Graduate Medical Education payments, the Access to Professional Services Initiative, as well as others that AHCCCS might develop. Arizona Revised Statutes (A.R.S.) § 36-2903.01(P) (DSH) and A.R.S. § 36-2903.01(G)(9)(f) (GME), and A.R.S. § 36-2913(C)(5) (general authority for AHCCCS to accept sources of funds). These

changes to the Ordinance will support the continuation of access to high quality specialized pediatric care at Phoenix Children's Hospital's.

The Ordinance needs to be amended to eliminate references to SNCP and to allow use of these alternative AHCCCS payment programs and any other programs that may become available in the future for augmentation of funding sources to freestanding children's hospitals (collectively "AHCCCS Payment Programs"). Additionally, the Ordinance needs to be amended to change any reference to "H.B. 2010," which referenced SNCP, to "state law."

Concurrence/Previous Council Action

The City Council approved Ordinance S-41038 on July 2, 2014.

This item was adopted.

29 Master Communications System Agreement Upgrade and Amendment between City of Phoenix and Motorola Solutions, Inc. (Ordinance S-45415)

Request to authorize the City Manager, or his designee, to amend the Master Communications Agreement (SOW 16) and to add additional funds to Master Communications System Agreement 124391 with Motorola Solutions, Inc., in the amount of $2,297,016. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Motorola Solutions, Inc. SOW 16 provides the Regional Wireless Cooperative (RWC) hardware, software and implementation of services required to execute up to one system infrastructure upgrade every two-year period over the course of the 10-year ASTRO 25 System Upgrade (SUA) II. Additional equipment is required to add two Network Monitoring (NM) Clients and licenses to the RWC Network Operations Center (NOC) for the master site in Zone 4 located in Glendale, Ariz. The equipment will allow RWC NOC to have separate computer monitors to see all alarms from Zone 4. Additionally, $2,193,956 will be used to cover required taxes throughout the remainder of the contract.

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

Contract Term
The term of Master Communications System Agreement 124391 is set to expire on Aug. 9, 2028. All other terms and conditions of Contract 124391 will remain unchanged.

Financial Impact
With the $2,297,016 in additional funds, the revised aggregate expenditures against this SOW will be $28,677,016 (including applicable taxes), with new estimated expenditures of $2,900,000. Funds are available in the Regional Wireless Cooperative budget with all members sharing the total cost proportionately.

Concurrence/Previous Council Action
City Council approved SOW 16 on Aug. 30, 2017, with an original aggregate value of $26,380,000.

This item was withdrawn.

30 Acceptance of Easements for Sewer Purposes (Ordinance S-45419)

Request for the City Council to accept easements for sewer purposes; further ordering the ordinance recorded.

Summary
Accepting 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: Mival, L.L.C., its successor and assigns
Purpose: Sewer
Location: 842 S. 59th Ave.
File: FN 180139
Council District: 7

Easement (b)
Applicant: Mival, L.L.C., its successor and assigns
Purpose: Sewer
Location: 842 S. 59th Ave.
File: FN 180139
Council District: 7

This item was adopted.

31 Acceptance and Dedication of Easements for Multi-Use Trail and Sidewalk Purposes (Ordinance S-45420)

Request for the City Council to accept and dedicate easements for multi-use trail and sidewalk 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: Phoenix Retail Co., LLC, its successor and assigns
Purpose: Multi-Use Trail
Location: 1200 N. 40th St.
File: FN 170130
Council District: 8

Easement (b)
Applicant: Phoenix Retail Co., LLC, its successor and assigns
Purpose: Sidewalk
Location: 1200 N. 40th St.
File: FN 170130
Council District: 8

This item was adopted.

32 Sports Lighting, Scoreboard and Area Lighting Repair and Maintenance Services - Requirements Contract IFB 19-073 (Ordinance S-45421)

Request to authorize the City Manager, or his designee, to enter into a contract with Hawkeye Electric, Inc. for the maintenance and repair of

area and sports lighting and scoreboards for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The five-year aggregate contract value will not exceed $96,000, with an estimated annual expenditure of $19,200.

Summary

This contract will provide repair and maintenance services, as needed, for more than 180 parks, mountain preserves and golf courses throughout the city of Phoenix. The contract services include periodic scheduled maintenance visits and as-needed repair services to ensure all sports and area lighting and scoreboards are working properly for the Parks and Recreation Department.

Procurement Information

IFB 19-073 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on Dec. 28, 2018. Following are the lowest-priced offers:

Hawkeye Electric, Inc.
Journeyman Electrician - $56 per hour
Helper - $30 per hour
2-Hour Urgent Response: $84 flat rate

Fluoresco Services, LLC
Journeyman Electrician - $189 per hour
Helper - $129 per hour
2-Hour Urgent Response: $284 per hour

The Deputy Finance Director recommends that the offer from Hawkeye Electric, Inc. be accepted as the lowest priced, responsive and responsible offer.

Contract Term

The five-year contract term will begin on or about April 1, 2019.

Financial Impact

The aggregate contract value will not exceed $96,000, with an estimated annual expenditure of $19,200. Funds are available in the Parks and

Recreation Department budget.

This item was adopted.

33 Temporary Staffing Services - Requirements Contract (Ordinance S-45422)

Request to authorize the City Manager, or his designee, to enter into a contract with Accounting & Finance Professionals, Inc., Accurate Placement, L.C., All About People, Inc., Allstaff Services, Inc., RW Staffing Solutions, LLC, and Scott Business Group, LLC, to provide temporary staff on an as-needed basis in the amount not to exceed $27,500,000 over five years, or approximately $5,500,000 annually. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Contractors provide temporary staff to all City departments. The primary departments using the contracts are: Aviation, City Clerk, City Council Office and Office of the Mayor, Finance, Fire, Housing, Human Services, Information Technology Services, Neighborhood Services, Planning and Development, Parks and Recreation, Police, Public Transit, Public Works, Street Transportation and Water Services. Temporary staff are necessary to fulfill short-term or highly specialized staffing needs throughout the City. Departments use the most cost effective contract to hire qualified temporary staff.

Procurement Information

RFQu 19-060 Temporary Staffing Services was conducted as an SBE Reserve Contract in accordance with Administrative Regulation 1.89. The solicitation was emailed to 20 vendors. Six offers were received by the Procurement Division on Jan. 11, 2019.

The Deputy Finance Director recommends the offers from Accounting & Finance Professionals, Inc., Accurate Placement, L.C., All About People, Inc., Allstaff Services, Inc., RW Staffing Solutions, LLC, and Scott Business Group, LLC to be accepted for the Qualified Vendor List.

Contract Term

The five-year contract period for these vendors will begin June 1, 2019.

Financial Impact

The aggregate five-year contract value shall not exceed $27,500,000, or approximately $5,500,000 annually. The contract value is based on historical spend increased by 10 percent. Funds are available in all City of Phoenix departments' budgets. Approximately 30 percent of the aggregate contract amount is utilized by enterprise funded departments.

This item was continued to the April 3, 2019 City Council Formal Meeting.

34 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-45427)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Matthew Cannon in the amount of $6,557.15 to the Arizona State Retirement System, and further request authorization to 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:

Cannon, Matthew: $6,557.15

Concurrence/Previous Council Action

The COPERS Board approved this item at its Feb. 7, 2019 meeting.

This item was adopted.

35 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-45428)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Alvino Cantu in the amount of $102,817.60 to the Arizona State Retirement System, and further request authorization to 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:

Cantu, Alvino: $102,817.60

Concurrence/Previous Council Action

The COPERS Board approved this item at its Feb. 7, 2019 meeting.

This item was adopted.

36 Authorization to Apply for Five-Year (2019-2024) Head Start Birth to Five Grant and Five-Year (2019-2024) Early Head Start Child Care Partner Grant, Accept 2019-2020 Head Start Birth to Five and Early Head Start-Child Care Partner Funds and Enter into or Extend Contracts (Ordinance S-45416)

Request to authorize the City Manager, or his designee, to (a) Apply for Five-Year (2019-2024) Head Start Birth to Five Grant and Five-Year (2019-2024) Early Head Start Child Care Partner Grant for approximately $175,073,700 combined over the life of the grants and (b) Accept 2019-2020 Head Start Birth to Five and 2019-2020 Early Head Start Child Care Partner Funds for up to a total of $35,014,740, (c) Enter into or extend contracts with Delegate and Child Care Partners and (d) Amend contracts to move one time monies to Delegate Agencies and Child Care Partners for necessary health and safety items, provide direct and administrative services to Head Start families, or enter into or amend collaborative contracts or other related agreements required for Head Start services. All additional funding to Delegate Agencies and Child Care Partners will be approved by the Head Start Governing Board prior to contract amendment. Further request authorization for the City Treasurer to accept and the City Controller disburse all funds related to this item. There is no impact to the General Fund.

Summary

The City of Phoenix Head Start program provides comprehensive

education and social services through two service delivery models: Early Head Start (0-3 years) and Head Start (3-5 years). There are 488 families with infants and toddlers in Early Head Start and 2,963 children in Head Start. The current Early Head Start Child Care Partners and Head Start Delegate Agencies are:

Child Care Partners
Cactus Kids
Kids Campus
Out of This World Childcare
Robin's Nest

Delegate Agencies
Alhambra Elementary School District
Booker T. Washington Child Development Center
Deer Valley Unified School District
Fowler Elementary School District
Greater Phoenix Urban League
Murphy Elementary School District
Roosevelt Elementary School District
Washington Elementary School District
Wilson Elementary School District

Contract Term
If awarded, the City of Phoenix, as the Grantee, is entering into the first year of new five-year grant for the Head Start Birth to Five program and the Early Head Start Child Care Partner programs. The contract term for the first year is July 1, 2019 to June 30, 2020.

Financial Impact
The grant funding for the first year of $35,014,740 is inclusive of $7,160,659 for Early Head Start Child Care Partners and $27,854,081 for Head Start. This amount also reflects a 1.77 percent Cost of Living Adjustment expected in Federal Fiscal Year 2020. An annual refunding application will be required in subsequent years of both five-year grants.

There are no General Funds required to operate the City of Phoenix Head Start Program.

Concurrence/Previous Council Action
This item was approved by the Head Start Policy Council on Jan. 14, 2019.
This item was recommended for approval by the Parks, Arts, Libraries and Education (PALE) Subcommittee, which serves as the Head Start Governing Body, at the Feb. 27, 2019 meeting, by a vote of 4-0.

Public Outreach
A series of Head Start focus groups were conducted in November 2018 as part of the Head Start Strategic Planning Process required for the grant application.

This item was adopted.

37 Amend Agreement and Accept Additional Arizona Department of Economic Security Funding (Ordinance S-45424)

Request to authorize the City Manager, or his designee, to amend Intergovernmental Agreement (IGA) 140755 with the Arizona Department of Economic Security (DES) to accept an additional $194,651 in Low-Income Home Energy Assistance Program (LIHEAP) administrative funds for a new contract total of $10,518,093.70 for the period between July 1, 2018 and June 30, 2019. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary
Additional LIHEAP administrative funds have been allocated by DES to support additional LIHEAP program funds of that were approved as part of a previous Council action on Nov. 14, 2018 (Ordinance S-45149) for this fiscal year.

Contract Term
This amendment is for fiscal year July 1, 2018, through June 30, 2019. The entire term of the existing IGA is July 1, 2015, through June 30, 2020.

Financial Impact
There is no impact to the General Fund. There are no matching fund requirements.

This item was adopted.

38 Arizona Commission on the Arts FY 2019-20 Community Investment Level VI Grant Application (Ordinance S-45418)

Request authorization for the City Manager, or his designee, to apply for, accept, and if awarded, enter into an agreement for Arizona Commission on the Arts (ACA) Community Investment Level VI matching grant funds in an amount up to $60,000 for fiscal year 2019-20. Further authorize the City Treasurer to accept and the City Controller to disburse the funds for purposes of this ordinance. The grant funds would be used by the Phoenix Office of Arts and Culture in FY 2019-20 to support initiatives identified through the Office's planning process with the local cultural community.

Summary

The ACA Community Investment Level VI Grant is a flexible funding category developed to recognize and assist the cultural programming and achievements of Arizona's local arts agencies. Funds may be used to support agency operations and special projects. The Phoenix Office of Arts and Culture has applied for and received annual grant funds from the Arizona Commission on the Arts since 1994.

If awarded, the grant funds will support development and distribution of informational materials regarding the: arts and cultural community; provision of management and technical assistance services to artists and cultural organizations; development of educational public outreach programs that promote an appreciation of arts and culture; and support for special community arts and culture initiatives.

Financial Impact

The ACA Community Investment Level VI Grant requires a one-to-one match by applicants. The Phoenix Office of Arts and Culture FY 2019-20 General Fund appropriation will be used to match the FY 2019-20 grant award.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed this item at its Jan. 15, 2019 meeting and recommended approval.

This item was recommended for approval at the Parks, Arts, Libraries

and Education Subcommittee meeting on Jan. 23, 2019, by a vote of 3-0.

This item was adopted.

39 Fixed Wing Pilot Training - Requirements Contract - IFB 19-016 (Ordinance S-45431)

Request to authorize the City Manager, or his designee, to enter into a contract with Bird Acquisition LLC, dba Aeroguard Flight Training Center to provide the Phoenix Police Department's Air Support Unit with Fixed Wing Pilot Training in an amount not to exceed $285,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Police Department's Air Support Unit will utilize fixed wing pilot training with Bird Acquisition LLC, dba Aeroguard Flight Training Center to train new pilots, as in-house pilot training is no longer feasible. The proposed training will streamline the training process for new pilots and reduce the length of time it takes to achieve the pilot certificates this contract will provide. It will also provide the Air Support Unit with oversight from a Federal Aviation Administration (FAA) certified flight instructor school. Risk mitigation from learning to fly non-departmental aircraft first, and then transitioning into the Air Support's aircraft, is also a benefit of outsourcing the pilot training.

Procurement Information

IFB 19-016, Fixed Wing Pilot Training, was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 28 vendors and was posted on the City's website. One offer was received by the Procurement Division on February 8, 2019. The price has been determined to be fair and reasonable based on a current contract with similar requirements and from previous purchases for similar training.

Contract Term

The contract term will begin on or about March 15, 2019 and end on or about March 14, 2024.

Financial Impact

Expenditures against this contract shall not exceed the aggregate amount

of $285,000. Funds are available in the Police Department's budget.

This item was adopted.

40 Request Authorization to Accept Funding from Phoenix Fire Foundation for Emergency Medical Education and Outreach (Ordinance S-45425)

Request authorization for the City Manager, or his designee, to accept a donation of $15,000 from the Phoenix Fire Foundation for Emergency Medical Education and Outreach. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, any grant monies awarded. If not approved, the donation would be turned down.

Summary

The Phoenix Fire Foundation received a $15,000 grant from the Phoenix Suns Charities to fund a collaborative effort, with Food Allergy Research and Education, Inc., to develop a food allergy training curriculum for firefighters, 911 dispatchers, and the public. The funding also will be used to obtain training materials, to obtain supplies to be used when firefighters respond to allergic reaction emergencies, and to produce and distribute public service announcements regarding related health and safety issues.

The Phoenix Fire Foundation is a 501(c)(3) charitable organization. The Foundation is committed to supporting the Phoenix Fire Department and other public safety agencies in metro Phoenix in their daily efforts to save lives, and protect families and communities. This request is part of the Charitable Donations Process that was presented to the Public Safety and Veterans Subcommittee on Sept. 12, 2018.

Contract Term

The contract term is for one year and will end on Dec. 31, 2019.

Financial Impact

The grant funding includes overtime for Fire Department staff. There will be no cost to the City.

This item was adopted.

41 Authorization to Purchase a Mobile Gunshot Detection System for Police Department (Ordinance S-45433)

Request to authorize the City Manager, or his designee, to allow the Phoenix Police Department to purchase a mobile gunshot detection system and a covert camera system to augment crime suppression efforts in the community. The total cost of the system will not exceed $253,565. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The National Crime Gun Intelligence Center Grant Initiative (Award Number 2017-DG-BX-0002) allowed funding through the grant to purchase a Shotspotter Flex Gunfire Detection System. The total value awarded through the grant was $253,565 and was specifically allocated to this piece of equipment. In early 2018, Shotspotter provided a presentation to the Police Department's Executive & Command staff to demonstrate the capabilities of the system. At the conclusion of the presentation, several notable limitations were observed with the most significant limitation being the mobility of the equipment. As a result, a decision was made to not pursue the purchase of the system and to seek other technology options to better support the needs of the department.

After several months of research, a gun detection system that meets the needs of the Department was identified. This system has been successfully utilized by the Colorado Springs Police Department in connection with a serial shooter investigation.

On Dec. 11, 2018, the vendor provided a presentation to Police Department personnel on the capabilities of the system. Based upon the information presented, cost effectiveness, and the mobility of the equipment, a decision was made to pursue the purchase of this system.

The Phoenix Police Department is actively seeking solutions to reduce violent crime through the use of technology and recognizes the need for additional flexibility and dimensions to support crime suppression. The purchase of this system will provide investigators with a variety of ways to collect data and the ability to identify, locate and apprehend criminal

offenders committing crimes through gun violence.

Procurement Information
This procurement will be a non-competitive process. The equipment is purchased directly from the vendor. No other vendor makes a product with the same capabilities.

Financial Impact
The total cost of the system will not exceed $253,565. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action
This item was heard and approved unanimously at the Public Safety and Veterans Subcommittee meeting on Feb. 13, 2019.

This item was adopted.

42 Authorization to Enter Into Intergovernmental Agreements with Arizona Law Enforcement Agencies through Internet Crimes Against Children Task Force (Ordinance S-45434)

Request authorization for the City Manager, or his designee, to enter into Intergovernmental Agreements (IGAs) with Arizona law enforcement agencies to support the efforts of the Internet Crimes Against Children Task Force. Further request the City Controller to disburse funds associated with these IGAs.

Summary
The Arizona Internet Crimes Against Children (ICAC) Task Force is managed by the Phoenix Police Department (PPD) and establishes partnerships with law enforcement agencies statewide to combat cybercrimes involving children. Funding for this task force is provided through various funding sources including but not limited to: the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention and the Arizona Attorney General's Office. The duration of the IGAs would be three years from the date of execution.

The ICAC Task Force assists state and local law enforcement agencies in responding to online child victimization and child pornography cases.

The goal of the task force is to investigate, prosecute and deter the possession, production and distribution of unlawful images depicting the sexual exploitation of minors and the utilizations of the internet to seek children as sexual victims. Through the various funding sources, the PPD is able to establish IGAs to partner with Arizona law enforcement agencies and provide financial assistance with forensic and investigative components, training and technical assistance and community education. The funding that the PPD has available annually to distribute to the law enforcement agencies through the IGAs has historically been approximately $100,000. The ICAC Task Force has conducted thousands of investigations resulting in the incarceration of hundreds of offenders. In addition, the ICAC Task Force has provided training presentations to children, parents, and community groups to educate them on how to protect children from internet crimes. Currently, the PPD has established IGAs with 24 law enforcement agencies statewide.

Contract Term
The IGAs would be valid for three years from the date of execution.

Financial Impact
The cost to the City is in-kind resources only.

Concurrence/Previous Council Action
This item was heard and approved unanimously at the Public Safety and Veterans Subcommittee meeting on Feb. 13, 2019.

This item was adopted.

43 Authorization for the Issuance of Obligations for the Water Department's Capital Improvement Program (Ordinance S-45429)

An ordinance authorizing the City Manager to cause the issuance of one or more series of obligations of or by a municipal property corporation or by a private leasing company as short- and/or long-term obligations and to issue long-term obligations to refund short-term obligations authorized hereby, authorizing the City Manager to execute and deliver all leases and other agreements necessary or appropriate for the financing of costs to expand and improve the water system of the City. Further authorizing the City Manager to execute other appropriate agreements in connection

therewith, including but not limited to any official statements and bond purchase agreements and certificates necessary or appropriate to finance or reimburse a principal amount not exceeding $600,000,000 plus related financing costs; authorizing the City Manager to take any and all other necessary or desirable actions in connection with such issuance; and authorizing the City Controller to expend all necessary funds therefor.

Summary

As part of the rate setting process, the Water Department provided Council with an overview of infrastructure needs over the next five years totaling over $1.5 billion (the "Water CIP"). Consistent with the Council's authorization, the Chief Financial Officer expects to fund approximately $600,000,000 of the Water CIP with debt financing, consisting of issuing tax-exempt bonds and entering into a Water Infrastructure Finance and Innovation Act (WIFIA) loan.

The Finance Department looks at all options available to find the lowest interest costs, mitigate complexities of use for each product and provide flexibility. For example, the City may want to pay slightly more now in order to pay-off the debt early without penalty later. Each financing tool is considered along with City needs and market circumstances at the time. Due to the City's high credit ratings (AAA by S&P and Aa2 by Moody's), tax-exempt bond financing will likely be the lowest cost option for the City; however, the Water Department has been granted an opportunity by the Federal Environmental Protection Agency (EPA) to apply for a WIFIA loan.

<u>WIFIA</u>

Congress enacted WIFIA as part of the Water Resources Reform and Development Act of 2014. It was modeled after a similar program at the Department of Transportation called TIFIA, which was considered successful. The program is administered by the EPA and provides federal credit assistance in the form of a secured (direct) loan for eligible water infrastructure projects. Eligibility is based on creditworthiness, technical feasibility of the project and whether the project meets the strategic objectives outlined in the WIFIA statute and regulation.

The Water Department was successful in meeting eligibility on one of its Water Main projects. The EPA has invited the City to apply for a loan for up to $49 million to pay for approximately 49 percent of the project. Given current market rates, the WIFIA loan cost is slightly more than the cost for tax-exempt bond financing, if the timing of locking in the WIFIA loan rate and issuing tax-exempt debt happens simultaneously. In addition, the Water Department would have to be in compliance with certain federal laws pertaining to NEPA, Davis-Bacon, American Iron and Steel and all federal cross-cutting provisions. Compliance with these regulations should not be an issue. After discussions with the Water Department staff and considering all these provisions, the Finance Department believes there are still significant advantages to securing the WIFIA loan.

1. The WIFIA loan allows the City to lock-in the rate without securing funds;
   whereas, the rate can only be locked-in on tax-exempt financing when funds are
   received.
2. The WIFIA loan allows the City to draw funds as needed while tax-exempt
   financing requires all funds to be drawn at the time of closing.
3. The City is not obligated nor is there a penalty to draw on the loan if market rate
   conditions are more favorable to issue tax-exempt debt.
4. The WIFIA loan has flexible payment options which allow the City to pay-back at
   any time without penalty.

Financing Considerations

As part of the Finance Departments overall strategic plan to provide financial excellence, staff will continue to monitor financing options prior to any actual issuance. Financing options will be executed based on market timing, prevailing interest costs and option flexibility. The Ordinance allows for flexibility in financing options.

Financial Impact

This Ordinance provides authorization to issue obligations, including a

WIFIA loan, to fund the Water CIP. All expenditures related to the issuance and payment of any such obligations will be paid for with Water revenues.

This item was adopted.

44 Authorization for the Issuance of Obligations for the Street Transportation Department's Accelerated Pavement Maintenance (Ordinance S-45432)

An ordinance authorizing the City Manager to cause the issuance of obligations of or by a municipal property corporation or by a leasing entity as short-term and/or long-term obligations and to issue long-term obligations to refund short-term obligations, including execution and delivery of all leases and other agreements necessary or appropriate for the financing or reimbursing of costs of maintaining, expanding and improving the City's streets and roadways and associated financing costs; pledge, if deemed appropriate, voter-approved Excise Taxes or other lawfully available funds for such purposes and to pay financing costs; and authorizing the City Controller to receive and expend all necessary funds therefore.

Summary
This Ordinance authorizes the Chief Financial Officer to proceed with issuance of debt obligations to fund the accelerated pavement program approved by the Council at the Oct. 3, 2018 formal City Council meeting. The Council voted to accelerate street pavement funding by up to $200 million during the next five fiscal years through financing within the existing Streets Transportation Department's allocation of the Transportation 2050 Tax.

Concurrence/Previous Council Action
At the Oct. 3, 2019 Formal meeting, the Council approved the accelerated street pavement maintenance program of up to $200 million over the next five fiscal years through financing within the existing Streets Transportation Department's allocation of the Transportation 2050 Tax.

This item was adopted.

45 Air Conditioning, Cooler Parts and Equipment - Requirements Contract - IFB 19-FMD-015 (Ordinance S-45414)

Request to authorize the City Manager, or his designee, to enter into contract with United Refrigeration, American Refrigeration Supplies, Inc., Ferguson Enterprises, Inc., Aspen Refrigerant, Inc. and Trane U.S., Inc. for purchase of air conditioning and cooler parts and equipment for existing Citywide heating, ventilation and air conditioning (HVAC) systems on an as-needed basis. The total aggregate amount is $6,286,000 over the life of the contracts. Further request authorization for City Controller to disburse all funds related to this item.

Summary

The purchase of air conditioning and cooler parts and equipment are necessary to maintain the functional operation and longevity of existing HVAC systems for various City departments including, but not limited to: Aviation, Water Services, Parks and Recreation, Housing, Convention Center and Public Works.

Procurement Information

Invitation for Bid (IFB) 19-FMD-015 was conducted in accordance with Administrative Regulation 3.10. There were six bid offers received by the Public Works Procurement Services Division on Jan. 9, 2019. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required goods. The offers submitted by United Refrigeration, American Refrigeration Supplies, Inc., Ferguson Enterprises, Inc., Aspen Refrigerant, Inc. and Trane U.S., Inc. are deemed to be fair and reasonable based on the market and previous contract pricing.

The following represent the discount percentage off the manufacturer parts price list offered by each selected vendor.

Vendor Name	Discount Percentage
United Refrigeration	15 to 61 percent
American Refrigeration Supplies, Inc.	54 to 60 percent
Ferguson Enterprises, Inc.	0 to 53 percent
Aspen Refrigerant, Inc.	0 to 10 percent

Trane U.S., Inc.	0 to 10 percent

Due to the large volume of parts necessary to maintain the wide variety of air conditioning and cooler unit manufacturers used throughout the City, all five offers are being recommended for contract award. In addition to the variety of manufacturers covered, multiple awards are necessary to ensure contractor availability during summer months when contractor availability is diminished.

Contract Term

The initial one-year contract term shall begin on or about March 15, 2019, with four options to extend in increments of up to one year, for a total contract option term of five years.

Financial Impact

This contract will have a $1,257,200 estimated annual expenditure, with a total aggregate amount of $6,286,000 over the life of the contract. Funds are available in the Water Services, Convention Center, Aviation, Housing, Parks and Recreation and Public Works departments' budgets.

This item was adopted.

46 Rejection of Construction Bids - Marcos de Niza Senior Center Site Improvements Rebid - Design-Bid-Build - ND30010025

Request to authorize the City Manager, or his designee, to reject all bids for the Marcos de Niza Senior Center Site Improvements project. Although the lone bidder was deemed responsive, all bids exceeded the Engineer’s Estimate by 56 percent. This project will not be re-bid. The Neighborhood Services Department will utilize the City's Job Order Contracting program to contract this work.

Summary

The purpose of this project is to utilize Community Development Block Grant (CDBG) funds to make minor modifications to the existing Marcos de Niza Senior Center building. Work includes, but is not limited to: installation of new aluminum storefront system at the east entrance and corresponding new security hardware to operate the entrance; providing all required building modifications to accommodate the indicated new features; installation of a new storefront window system in the

multi-purpose room exterior wall, including all necessary modifications to the existing exterior wall to receive the system; and installation of a new pre-fabricated shade canopy on the south side of the building, including concrete foundations and associated minor site improvements and indicated sidewalk paths.

Procurement Information
The Invitation for Bids procurement process is set forth in section 34-201 of the Arizona Revised Statutes. The orignal process for this project received three bids on Sept. 25, 2018, and all of those bids were rejected due to being non-responsive. For this re-bid, one bid was received on Dec.18, 2018. The bidder was deemed responsive.

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

Engineer's Estimate: $65,000
Simpson Walker Contracting Corporation: $101,385

The lowest bid received exceeds the Engineer’s Estimate by 56 percent and is not within the budget for this project.

Concurrence/Previous Council Action
The City Council approved the original rejection of construction bids (Ordinance S-45145) on Nov. 14, 2018.

Location
305 W. Pima St.
Council District: 8

This item was approved.

47 Small Wireless Facilities Master License Agreement to ExteNet Systems, Inc. (Ordinance S-45426)

Request to authorize the City Manager, or his designee, to grant a Small Wireless Facilities Master License Agreement ("Master License") to ExteNet Systems, Inc. ("Licensee") to install, operate, and maintain small wireless facilities in the local public rights-of-way subject to the terms and conditions contained in the license and Phoenix City Code. Further

request the City Treasurer to accept all funds related to this item. Also request that the licensee sign the Master License within 60 days of Council action or this authorization will expire. Licensee will pay applicable rates and fees. There is no cost to the City of Phoenix.

Summary

ExteNet Systems, Inc. has executed a City of Phoenix Telecommunications Services and Interstate Telecommunications Services License (City Contract 145032) effective May 25, 2017 to construct, install, operate, maintain, and use the public highways in the City for telecommunication services as required under Phoenix City Code section 5C-4. The Master License contains appropriate insurance and indemnification provisions, requires a standby irrevocable letter of credit, provides for terms of transfer and revocation, and sets applicable rates and fees for use of local public rights-of-way as provided by law. The Master License permits Licensee to install, operate, and maintain small wireless facilities at individual sites through site license agreements, which are subject to the terms and conditions of this Master License.

Contract Term

The Master License term begins on the date the City Clerk signs the Master License and expires after 10 years unless automatically renewed for an additional 10-year term as provided by law.

Financial Impact

Licensee will pay applicable rates and fees to install, operate, and maintain small wireless facilities in local public rights-of-way by law. There is no cost to the City of Phoenix.

This item was adopted.

48 1-Step and 2-Step Job Order Contracting Services Amendments (Ordinance S-45430)

Request to authorize the City Manager, or his designee, to amend separate Job Order Contract (JOC) master agreements listed in **Attachment A**, to increase the individual project limit authorized under each JOC master agreement to an amount not to exceed $4 million. The change will help streamline the process for completing large City capital projects, including the Council-directed accelerated street maintenance

program, as well as other capital improvement projects. This authorization will not change the Council-approved JOC master agreement total contract capacity.

Summary

JOC contractors are used on an as-needed basis to provide various construction services Citywide in support of all City departments.

The amendments are necessary to adjust the existing per project limit of $2 million, which was established more than 15 years ago, and prior to the Great Recession, to account for market-related labor and materials price increases and to provide a more streamlined project delivery approach for construction projects that cost less than $4 million. Increasing the per project (job order agreement) limit to $4 million also allows for greater flexibility and efficiency in administering the construction work.

These JOC contractors will still be responsible for fulfilling the Small Business Enterprise program requirements included in each of their JOC master agreements by soliciting bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process.

Procurement Information

All JOC contractor selections were made using either one-step (qualifications-based) or two-step (qualifications and price-based) selection processes set forth in section 34-603 and section 34-604 of the Arizona Revised Statutes (A.R.S.).

Contract Term

The terms of the existing JOC master agreements will not change. For each of the existing JOC master agreements, the contract terms are for up to five years, or up to the Council-approved contract capacity, whichever occurs first.

Financial Impact

With approval of this request, the City Manager, or his designee, will be authorized to execute job order agreements performed under these JOC master agreements for up to $4 million each. In no event will any job order agreement exceed this limit without additional Council approval to

increase the limit.

Funding is available in the Citywide departments' Capital Improvement Program and Operating budgets. The Budget and Research Department will review and approve funding availability prior to issuance of any Job Order Agreement. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action
Council has previously approved the JOC master agreements listed in **Attachment A** through S-Ordinances.

This item was adopted as corrected.

49 Amend and Extend Pumps Contracts (Ordinance S-45417)

Request to authorize the City Manager, or his designee, to amend five contracts: Contract 138110 with Hennesy Mechanical Sales, LLC; Contract 138107 with James, Cooke & Hobson Inc.; Contract 138103 with Phoenix Pumps, Inc.; Contract 138104 with Pump Systems, Inc.; and Contract 138109 with Quadna, A DXP Company, to provide pumps, parts, and accessories. The amendments will extend each contract term for six months, from April 1, 2019, through Sept. 30, 2019. Further request authorization for the City Manager, or his designee, to add an additional contract amount not to exceed $1,437,000. The amendments may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The five contracts provide pumps, pump parts, and accessories necessary to replace and/or maintain equipment for the Public Works, Aviation, Convention Center, Parks and Recreation, and Water Services departments. The contracts also include repair and maintenance of the pumps. The extensions will allow sufficient time to complete a competitive process to award multi-year contracts for these services.

Contract Term

The term of the contracts will be extended from April 1, 2019 through Sept. 30, 2019.

Financial Impact

The six-month extension of the five contracts will add an additional $1,437,000, for a total cost for the contracts not to exceed $12,196,000. Funds are available in the Public Works, Aviation, Convention Center, Parks and Recreation, and Water Services departments' operating and capital Improvement Program budgets.

Concurrence/Previous Council Action

The five contracts were awarded by the City Council (Ordinance S-40629) on March 19, 2014, for an initial term of three years with two, one-year options to extend through March 31, 2019.

The original aggregate cost of the contracts was $8,000,000. Council approved the below payment ordinances to increase the funding for a total of $10,759,000:

• S-42275 added $84,000 to Contract 138103 with Phoenix Pumps, Inc. on February 3, 2016;
• S-42751 added $1,200,000 to Contract 138108 with Clearwater Engineering, LLC, Contract 138110 with Hennesy Mechanical Sales, LLC, Contract 138107 with James, Cooke & Hobson, Inc., Contract 138103 with Phoenix Pumps, Contract 138104 Pump Systems, Inc., Contract 138109 with DXP Enterprises, Inc., Contract 138106 with Western Drilling Company, LLC dba The Pump Company, and Contract 134111 with Westcoast Rotor, Inc. on July 1, 2016;
• S-44957-0019 added $1,475,000 to Contract 138103 with Phoenix Pumps, Inc. on Sept. 5, 2018

The six-month extension of the five contracts adds $1,437,000, bringing the total not-to-exceed cost of the contracts to $12,196,000.

This item was continued to the March 20, 2019 City Council Formal Meeting.

50 Fire Hydrants and Accessories Contracts (Ordinance S-45423)

Request to authorize the City Manager, or his designee, to enter into a contract with Mueller Company to provide fire hydrants, and enter into contracts with Dana Kepner Company Inc., Ferguson Waterworks, and Fortiline Waterworks to provide fire hydrants, parts, kits, and accessories for the Water Services Department for a five-year term. The total requested amount will not exceed $5,845,065. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department will use these contracts for purchase of new fire hydrants, parts, kits, and accessories. Fire hydrants are within the City water distribution system and are used primarily for fire suppression, and also for line flushing to ensure water quality, to test hydraulic capabilities, and as part of commercial construction and street cleaning.

Procurement Information

Invitation for Bid (IFB) 1819-WWD-169 was conducted in accordance with Administrative Regulation 3.10 and Phoenix City Code section 43-12 (A) and (B). The IFB was posted on the City's solicitation website on November 28th, 2018 and sent to thirteen prospective vendors who were registered on the City's eProcurement system in Product Category Code 340600000. A pre-bid conference was held on Dec. 5, 2018 and bids were due on Dec. 27, 2018. It was determined that it would be in the City's best interest to award one vendor for fire hydrants, based on the lowest responsible offer. Similarly, three vendors were recommended for award of contracts for the six manufacturers of fire hydrant parts, kits and accessories as a single-digit discount off the catalog list price. The award recommendations are as follows:

Fire Hydrants	Vendor	Unit Cost
Mueller 250	Mueller Co.	$1,243.72

Parts/Kits/Accessories	Vendor	Group Discount Bid
Mueller Co. Super Cent.	Fortiline Waterworks	37.50%
Clow Medallion	Ferguson Waterworks	27%

Kennedy K-81	Dana Kepner	30%
M & H Model	Ferguson Waterworks	27%
American Flow Control	Dana Kepner	30%
Product 72940D	Ferguson Waterworks	0.05%

Contract Term

The 5-year contract shall begin on or about March 1, 2019, thru Feb. 28, 2024, with no options to extend.

Financial Impact

The total five-year aggregate amount will not exceed $5,845,065. Funds are available in the Water Services Department's operating and Capital Improvement Project budgets.

This item was adopted.

51 Final Plat - 29th Street Subdivision - 180057 - 283 Feet +/- South of Utopia Road and East Side of 29th Street

Plat: 180057
Project: 17-722
Name of Plat: 29th Street Subdivision
Owner(s): DLR Properties, LLC
Engineer(s): Everland Engineering Associates
Request: A 5 Lot Residential Plat
Reviewed by Staff: Feb. 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 283 Feet +/- south of Utopia Road on the east side of 29th Street.
Council District: 2

This item was approved.

52 Amend City Code - Official Supplementary Zoning Map 1184 (Ordinance G-6561)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1184. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-172-88-8 and the entitlements are fully vested.

Summary

To rezone a parcel located on the northeast corner of Fillmore Street and 42nd Street.
Z-172-88-8
Zoning: C-2 MR*
Owner: Camelback Equities
Acreage: Approximately 4.07

Location

Northeast corner of Fillmore Street and 42nd Street.
Council District: 8

This item was adopted.

53 Amend City Code - Ordinance Adoption - Rezoning Application Z-70-18-4 - Approximately 170 Feet South of the Southwest Corner of 17th Street and Glenrosa Avenue (Ordinance G-6565)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-70-18-4 and rezone the site from R-3 to R-4 to allow multifamily residential.

Summary

Current Zoning: R-3
Proposed Zoning: R-4
Acreage: 0.94
Proposed Use: Multifamily residential

Owner: Ascend Properties
Applicant: Ascend Properties
Representative: Ashley Marsh, Tiffany & Bosco, PA

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 8, 2019 and recommended approval, per the staff recommendation with an additional stipulation by an 11-0 vote.
PC Action: The Planning Commission heard this case on Feb. 7, 2019 and recommended approval, per the Camelback East Village Planning Committee recommendation, with an additional stipulation by a 9-0 vote.

Location
Approximately 170 feet south of the southwest corner of 17th Street and Glenrosa Avenue.
Council District: 4
Parcel Addresses: 4238 N. 17th St.

This item was adopted.

54 Amend City Code - Ordinance Adoption - Rezoning Application Z-69-18-7- Southwest Corner of 103rd Avenue and Broadway Road (Ordinance G-6566)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-69-18-7 and rezone the site from S-1 and RE-43 to R1-8 for a single-family residential subdivision.

Summary
Current Zoning: S-1 and RE-43
Proposed Zoning: R1-8
Acreage: 103.29
Proposed Use: Single-family residential subdivision

Owner: MHale Family, LLP
Applicant: The Lead Group, LLC - Richard Jellies
Representative: EPS Group, Inc - Jorge Villasenor

Staff Recommendation: Approval, per Addendum A Staff Report.
VPC Action: Estrella Village Planning Committee did not hear this case as there was no quorum.
PC Action: Planning Commission heard this case on Feb. 7, 2019 and recommended approval, per the Addendum A, Staff Report with modified and additional stipulations by a 9-0 vote.

Location
Southwest corner of 103rd Avenue and Broadway Road.
Council District: 7
Parcel Addresses: 4601 and 5001 S. 104th Ave., 5101 S. 106th Ave., and 5001 S. 107th Ave.

This item was adopted.

56 Amend City Code - Ordinance Adoption - Rezoning Application Z-74-18-2 - Southwest Corner of Cave Creek Dam Road and Desert Peak Parkway Alignment (Ordinance G-6562)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-74-18-2 and rezone the site from R1-6 DVAO to C-O/G-O DVAO for an office. This item has a companion case Z-76-18-2.

Summary
Current Zoning: R1-6 DVAO
Proposed Zoning: C-O/G-O DVAO
Acreage: 6.61
Proposed Use: Office

Owner: Patrick Brown, DR Horton, Inc
Applicant: Jason Morris, Withey Morris, PLC
Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Desert View Village Planning Committee heard this case on Jan. 8, 2019 and recommended approval, per the staff recommendation by a 7-0 vote.
PC Action: The Planning Commission heard this case on Feb. 7, 2019 and recommended approval, per the Desert View Planning Committee recommendation by a 8-0 vote.

Location
Southwest corner of Cave Creek Dam Road and Desert Peak Parkway alignment.
Council District: 2
Parcel Address: N/A

This item was adopted.

57 Amend City Code - Ordinance Adoption - Rezoning Application Z-76-18-2 - Southwest Corner of Cave Creek Dam Road and Desert Peak Parkway Alignment (Ordinance G-6563)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-76-18-2 and rezone the site from R1-6 DVAO (Pending C-O/G-O DVAO) to C-O/G-O HGT/WVR DVAO for a height waiver to allow up to 38 feet for an office. The companion case is Z-74-18-2.

Summary

Current Zoning: R1-6 DVAO (Pending C-O/G-O DVAO)
Proposed Zoning: C-O/G-O HGT/WVR DVAO
Acreage: 6.61
Proposed Use: Height waiver to allow up to 38 feet

Owner: Patrick Brown, DR Horton, Inc
Applicant: Jason Morris, Withey Morris, PLC
Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Desert View Village Planning Committee heard this case on Jan. 8, 2019 and recommended approval, per the staff recommendation by a 7-0 vote.
PC Action: The Planning Commission heard this case on Feb. 7, 2019 and recommended approval, per the Desert View Village Planning Committee recommendation by a 8-0 vote.

Location

Southwest corner of Cave Creek Dam Road and Desert Peak Parkway alignment.
Council District: 2
Parcel Address: N/A

This item was adopted.

60 Final Plat - Encanto at Bell Park - 180108 - Southeast Corner of 12th Street and Bell Road

Plat: 180108

Project: 15-3171
Name of Plat: Encanto at Bell Park
Owner(s): Metro Living on Bell, LLC
Engineer(s): Miller & Sons Surveying
Request: A 35 Lot Residential Subdivision Plat
Reviewed by Staff: Feb. 28, 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 V180072.

Location

Generally located at the southeast corner of 12th Street and Bell Road.
Council District: 3

This item was approved.

61 Abandonment of Easement - V180072A - 16875 N. 12th St. (Resolution 21722)

Abandonment: V180072A
Project: 15-3171
Applicant: Justin Johnson - Metro Living on Bell, Limited Liability Corporation
Request: To abandon 32.04 foot by 266.50 foot drainage easement, located southwest corner of Final Plat "Eckerd Store No. 5343"; Book 657, Page 4.
Date of Decision: Jan. 28, 2019

Summary

The resolution of the abandonment and the subdivision Final Plat "Encanto at Bell Park," 180108, 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 to record resolution first and record plat second.

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.

Location
16875 N. 12th St.
Council District: 3

This item was adopted.

Item 27, Ordinance S-45413 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.

27 Independent Medical Examination Services for Disability Applications

For $75,000.00 in additional payment authority for Contract 144922 for independent medical evaluations for the Retirement Office. The number of applications submitted has increased from previous years, requiring additional independent medical evaluations. Independent medical evaluations are used when either the City of Phoenix Employees' Retirement System Board, Disability Assessment Committee, or the Local Police and Fire Retirement Boards require information to determine the eligibility of individuals for a disability retirement. Further, state statute requires all public safety members who have filed an application for disability retirement be referred for an independent medical evaluation by a board-certified, Arizona licensed physician to determine if they meet the criteria listed in Arizona Revised Statutes, section 38-859.

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

No: 0

Conflict: 1 - Mayor Williams

55 **Amend City Code - Ordinance Adoption - Rezoning Application Z-44-18-6 - Southeast Corner of 44th Street and Indianola Avenue Alignment (Ordinance G-6564)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-44-18-6 and rezone the site from R1-10 to PUD for a Planned Unit Development to allow dementia care and an education campus.

Summary
Current Zoning: R1-10
Proposed Zoning: PUD
Acreage: 3.56
Proposed Use: Planned Unit Development to allow dementia care and education campus

Owner: Hospice of Valley
Applicant: Dennis M. Newcombe, Beus Gilbert, PLLC
Representative: Paul E. Gilbert, Beus Gilbert, PLLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on Feb. 5, 2019 and recommended approval, per the Addendum A Staff Report by an 18-0 vote.
PC Action: The Planning Commission heard this case on Feb. 7, 2019 and recommended approval, per the Camelback East Village Planning Committee recommendation with additional stipulations by a 9-0 vote.

Location
Southeast corner of 44th Street and Indianola Avenue.
Council District: 6
Parcel Address: 3811 N. 44th St.

Discussion

Wally Graham spoke in favor, and stated he was the president of the Arcadia Osborn Neighborhood Association. He stated the process worked as it should work, and acknowledged that all those involved found a way for the project to be an asset to the community.

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, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams

No: 0

58 **Amend City Code - Ordinance Adoption - Rezoning Application Z-71-18-8 - Approximately 200 Feet East of the Northeast Corner of 16th Street and Roeser Road (Ordinance G-6567)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-71-18-8 and rezone the site from PSC SPVTABDO to C-1 SPVTABDO for multifamily residential.

Summary

Current Zoning: PSC SPVTABDO
Proposed Zoning: C-1 SPVTABDO
Acreage: 4.42
Proposed Use: Multifamily residential

Owner: IP 1616 East Roeser Road, LLC
Applicant: Charles Huellmantel/Huellmantel & Affiliates
Representative: Charles Huellmantel/Huellmantel & Affiliates

Staff Recommendation: Approval, subject to stipulations.
VPC Action: South Mountain Village Planning Committee heard this case on Jan. 8, 2019 and recommended approval, per the staff recommendation by an 11-3 vote.
PC Action: Planning Commission heard this case on Feb. 7, 2019 and recommended approval, per the South Mountain Village Planning

Committee recommendation, with an additional stipulation by an 8-0 vote.

Location
Approximately 200 feet east of the northeast corner of 16th Street and Roeser Road.
Council District: 8
Parcel Addresses: 1616 E. Roeser Road

Discussion
Prior to her vote, Councilwoman Mendoza asked if the applicant was present.

A member of the audience answered yes.

Councilwoman Mendoza asked if the applicant was willing to add more trees to the frontage of the property. She stated that adding more trees in districts that did not have much was part of the Tree and Shade Master Plan.

A member of the audience responded yes.

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

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

59 Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-81-18-6 - Approximately 320 Feet West of the Northwest Corner of 22nd Place and Rovey Avenue (Ordinance G-6568)

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 rezoning application Z-81-18 and rezone the site from RE-35 to R1-18 and RE-35 for single-family residential. This item requires a 3/4 vote.

Summary
Current Zoning: RE-35
Proposed Zoning: R1-18 and RE-35
Acreage: 12.00
Proposed Use: Single-family residential

Owner: Rocky Acres 6204, LLC, et al.
Applicant: Brennan Ray, Burch & Cracchiolo, P.A.
Representative: Brennan Ray, Burch & Cracchiolo, P.A.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: Camelback East Village Planning Committee heard this case on Jan. 8, 2019 and recommended approval, per the staff recommendation by a 10-2 vote.
PC Action: Planning Commission heard this case on Feb. 7, 2019 and recommended approval, per the Addendum A Staff Report with additional stipulations by an 8-0 vote.

Location
Approximately 320 feet west of the northwest corner of 22nd Place and Rovey Avenue.
Council District: 6
Parcel Addresses: 2140 E. Bethany Home Road.; and 6001, 6004, 6006, 6010, 6011, 6014, 6018, 6022, 6024, 6026, 6030, 6034, 6037, 6038, 6042, 6043, and 6044 N. 21st Place

Discussion
Mayor Williams declared the public hearing open.

Councilman DiCiccio made a motion to approve Item 59 as corrected per Planning Commission recommendation, with a modification to Stipulation 7 to read that there shall be a minimum 60-foot setback from the south property line for the RE-35 rezoning area, and adopt the related ordinance. He said this clarified Stipulation 7 to reflect what the Planning Commission intended as part of their recommendation approval. He noted this passed unanimously by the Planning Commission, and passed the Camelback East Village Planning Committee on a 13-2 vote.

Councilman Nowakowski seconded the motion.

Planning and Development Director Alan Stephenson gave a presentation on this rezoning request, and noted staff recommended approval per stipulations. He showed Council where the potential home would be built 60-feet from the property line, and said the intent of the Planning Commission when the stipulation was added was to allow additional open space to get a density bonus. He talked about the history of the open space on the property, and stated the tennis court as part of the open space would remain on the property.

Ray Brennan spoke in favor, and mentioned he was speaking on behalf of the applicant Leslie Williams. He said this case was to build one home on one-and-a-half acres for Mr. Williams and his family to live in. He stated the process had been on ongoing for two-and-a-half years, and talked about working with the Planning Department on the stipulations and with the Bethany Home Owners Association. He clarified there were two requests on this site, to rezone a larger area of 10 acres, as well as the smaller area that was 2 acres. He mentioned the site was originally annexed in 1959 as RE-35 zoning, which was the same exact zoning as present today. He talked about the need for additional open space in the area in 1997 that was added for the neighborhood, and added the HOA had experienced some challenges and problems with the common space on the property. He discussed an agreement from 1978 that was still legally binding to allow for a single-family dwelling on the proposed site, and noted the property owner was open to offers to sell but did not receive any offers.

Note: Carrie Wheeler submitted a comment card opposed to Item 59, and asked for her time to speak to be donated to Jay Wiggins.

Mr. Wiggins spoke in opposition, and stated he lived in the area directly south of the tennis court lot. He said the site did not have access to water, and noted the reason why he was opposed to this was because he did not want a house behind his property because it was a small lot and it would affect his privacy and views. He suggested he did not want to see bad behavior get rewarded. This started in 2016 when the tennis court lot was sold to a developer, and added the property was out of compliance. He commented this would set a terrible precedent for an HOA to

monetize open space, and asked Council to see through the procedural nature of this rezoning application. He mentioned the neighborhood was special, and he said the residents were committed to defending the neighborhood from any disruptions of wildlife, old growth vegetation, and density.

Note: Whitney Alvarez submitted a comment card in opposition of Item 59, and asked for her time to speak to be donated to Maria Beam.

Ms. Beam spoke in opposition, and provided paper copies of information on the proposed rezoning site to the Council. She said she had lived in the area with her husband for 10 years, and talked about how the number of homes have increased in the area. She described the history of the site, and mentioned the previous owners dating back to 1966. She stated there had been no issues in the neighborhood until Mr. Williams purchased the lot that left the tennis court unlocked and trees being torn down. She noted Salt River Project (SRP) designated the area as a historic open ditch lateral that SRP used for as a maintenance road for the canal. She said if this was approved then it would open doors for other developers to go into neighborhoods and buy open space to develop it.

Councilman DiCiccio asked what group the list of ownership was in the information Ms. Beam provided.

Ms. Beam answered there were many owners within the subdivision, and explained why there were some signatures missing from the ownership authorization forms that were for each lot in the neighborhood. She said there were four ownership authorization forms that were improper.

Councilman Diciccio questioned if those individuals were in her neighborhood or in the neighborhood where the rezoning request was.

Ms. Beam responded they were from the neighborhood where the rezoning request was.

Note: Matt Nolan submitted a comment card in opposition of Item 59, and asked for his time to speak to be donated to Randy Yavitz.

Mr. Yavitz spoke in opposition, and added he represented the Rocky Acres Environmental Protection Association. He said they were an environmental group comprised of neighborhoods in the area. He suggested there were multiple technical reasons as to why this rezoning request could not go forward, and that was because it had not been signed off by all the neighbors and relevant school districts had not been notified. He referenced a drawn map that showed the property did not have 5 percent open space. He displayed a map that showed Lot B on the property that contained the different setback requirements, and added with the appropriate setback requirements and open space, this was 2,300 feet short. He stated this case would set a bad precedent for developers to go into neighborhoods and aquire open space, and asked if it was good policy to allow this to happen.

Taylor Earl spoke in favor, and mentioned he represented the HOA. He noted it was not the case that every property required signatures from both property owners and that one was sufficient. He said everyone in the neighhborhood had authorized the rezoning to go forward, and talked about how common areas are typically discussed or maybe a percentage of the common area. He suggested this was different because people were living in this subdivision. He discussed the proximity of the property to the canal allows access, which was why large trees act as crime prevention through environmental design. He added it was a challenge to keep people off of the property, and commented it would be safer to have someone on the property living there because it would deter people from coming on the property.

Councilman DiCiccio asked if the two portions of zoning in this rezoning case could be separated.

Mr. Stephenson answered they could not be separated because the existing subdivision was able to be built at the density was because of the additional open space. He said they would still need to meet the minimum required open space and added staff believed they would still meet those requirements. He discussed how this property received a density bonus which was not typical for a majority of subdivisions.

Councilman DiCiccio mentioned this would be a significant change to the neighborhood, and noted the concerns he received in his office was that everything would change categorically across the board. He took issue with the fact that the two zoning parcels could not be separated.

Mr. Stephenson explained the issue was the number of units to be rezoned could not legally exist without the additional piece in that subdivision because that allowed for the density bonus. He said the existing subdivision would not be in compliance with their requirements for density if the two parcels were separated.

Councilman DiCiccio thanked Mr. Stephenson for the clarification, and suggested he could see why the neighbors were upset because the change in zoning allowed for the sale of the property. He stated this case was not handled correctly and suggested that was an issue. He commented he would still support the case, and added some of the issues should have been brought up.

Note: Councilwoman Pastor disconnected from the meeting.

Lee Allen spoke in favor, and discussed incidents of trespassing on the tennis court. He noted because it is outside of their walled subdivision, the area was not frequently driven by to observe what goes on there and suggested it was a challenge to secure it.

Dawn Northup spoke in favor, and said she lived near the proposed rezoning site. She mentioned their property was backed up to the unpaved and unlit road leading towards the site, and suggested building a million-dollar-plus home on an acre and a half would not change the character of the neighborhood. She talked about how they have to chase people off the property at night, and suggested many homeowners associations do not have a common area outside of their walls. She commented this developer was not typical of what someone would think of as a developer, and said some people were lead to believe the property would be developed into something greater than what is planned.

James Goodnow III spoke in favor, and suggested people on both sides

of the issue had the same goal in mind to preserve the character of the neighborhood. He mentioned he moved to the neighborhood about five years prior, and noted there was unsavory activity that had taken place at the proposed rezoning site. He described the different types of litter he would see walking along the canal near the property, and expressed that he was confident if there was a single-family home on the property that it would make the neighborhood more peaceful and safer.

Rojelia Holquin spoke in favor, and talked about growing up at 13th Street and Broadway Road. She stated there was a tent with homeless people living in it on the proposed rezoning site, and she mentioned there were cameras put up at her neighbor's house to prevent people from going into his property. She discussed the different types of illegal activity that had been going on at the site, and added that she wanted to make sure the neighborhood was regulated because it was a good neighborhood.

Vincent Keenan spoke in favor, and mentioned his family had lived in the neighborhood for 13 years. He noted the neighborhood had to pay to clean up the tennis lot and surrounding area, and suggested because the site is dark at night and at the end of a dirt road that access to the property is the issue. He talked about when Mr. Williams approached the neighborhood about buying the lot, and said Mr. Williams knew the process he would have to go through to get shovel ready and build his single-family residence. He suggested the single-family home on the site would enhance the area and solve the safety and security issue while conforming to the neighborhood.

Councilman DiCiccio commented that some of the neighbors did not like the way the process was handled, and said the stuff that he heard last minute was not something he found favorable. He stated using zoning to solve a problem was not a good way to use the process, and suggested there should have been more information up front.

Councilwoman Stark asked if the stipulations in the ordinance were to keep the integrity of the neighborhood.

Mr. Stephenson answered that was correct. He noted the RE-35 zoning district if approved would be on that site only and would allow one home

per acre, and added it would allow for a two-story home but per the stipulation it was limited to a one-story home at 25 feet.

Councilwoman Stark stated that it looked like this would preserve as much of the neighborhood as they could, and noted the stipulations were a good way to protect the neighborhood.

Mayor Williams declared the public hearing closed.

Councilman Nowakowski said he represented the Laveen area where there was alot of open space. He mentioned there were concerns over the open spaces because of development and expansion of the Loop 202 freeway, and commented it was important to have communication with the community. He suggested there were some concerns he heard, but said there was a good solution that would solve the problems in that neighborhood. He asked for a more community-orientated approach to these types of issues in the future.

Note: The following individuals submitted comment cards for the record in favor of Item 59:

Carol Keenan
Josie Padilla
Chris Holguin
Joann Philbin

A motion was made by Councilman DiCiccio, seconded by Councilman Nowakowski, that this item be approved as corrected per Planning Commission recommendation, with a modification to Stipulation 7 to read that, "There shall be a minimum 60-foot setback from the south property line for the RE-35 rezoning area." and adopt the related ordinance. The motion carried by the following vote:

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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Note: Councilman DiCiccio left the Chambers and the voting body.

Kim Baker submitted a petition to direct detectives to reopen the investigation into the attempted murder of Kim Covington.

Elizabeth Venable submitted a petition to repeal urban camping laws and end enforcement of trespassing for sleeping. She talked about how the homeless population was negatively affected by those laws, and asked the Council to respect the courts and the Constitution of the United States.

ADJOURN

There being no further business to come before the Council, Mayor Williams declared the meeting adjourned at 3:54 p.m.

ACTING MAYOR

ATTEST:

CITY CLERK

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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 6th day of March, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16th day of October, 2019.

CITY CLERK