174406

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, January 8, 2020 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Jan. 8, 2020 at 2:34 p.m. in the Council Chambers.

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

Vice Mayor Guardado entered the Chambers and joined the voting body after the voice vote on Item 1. Councilman DiCiccio joined the voting body via telephone after the voice vote on Item 1, and disconnected from the voting body during Citizen Comments. Councilman Nowakowski left the Chambers and the voting body during Citizen Comments.

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

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6653 through G-6662, S-46263 through S-46308, and Resolutions 21801 through 21804 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

Summary

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

The following individuals were recommended for appointment/reappointment by Mayor Gallego and Councilmembers:

Community Development Review Team

Appoint Kelly Paisley, replacing Jane Dobbs, for a term to expire June 30, 2021 as recommended by Mayor Gallego.
Appoint Jacqueline Sandoval, replacing Kim Joyce, for a term to expire June 30, 2021 as recommended by Mayor Gallego.
Reappoint Elda Alvidrez, for a third term to expire June 30, 2021 as recommended by Mayor Gallego.
Reappoint Laura Guild, for a second term to expire June 30, 2021 as recommended by Mayor Gallego.
Reappoint Audrey Jenkins, for a second term to expire June 30, 2021 as recommended by Mayor Gallego.
Reappoint Joe Keeper, for a fifth term to expire June 30, 2021 as recommended by Mayor Gallego.
Reappoint Jeff Stephens, for a third term to expire June 30, 2021 as recommended by Mayor Gallego.

Census Complete Count Committee

Appoint Sherman Elliott, resident of Council District 3, for a term to expire July 1, 2020 as recommended by Councilwoman Stark.

Deer Valley Village Planning Committee

Reappoint William Levy, for a second term to expire Nov. 19, 2021 as recommended by Councilwoman Stark.

Judicial Selection Advisory Board

Appoint Dawn Walton, representing Maricopa County Bar on the board, for a term to expire Nov. 19, 2022 as recommended by Mayor Gallego.

Mayor's Human Trafficking Task Force

Appoint Nancy Baldwin of the Hickey Family Foundation, as

recommended by Mayor Gallego.
Appoint John Fraleigh of the University of Arizona College of Nursing, as recommended by Mayor Gallego.
Appoint Jason Isaak of the Office of the Attorney General, as recommended by Mayor Gallego.
Appoint Debbie Johnson of the Arizona Office of Tourism, as recommended by Mayor Gallego.
Appoint Kathy Lemke of the City of Phoenix Prosecutor's Office, as recommended by Mayor Gallego.
Reappoint Bandak Lul of the Arizona State University Office of Sex Trafficking Intervention Research as recommended by Mayor Gallego.
Reappoint Cindy McCain as Co-Chair, as recommended by Mayor Gallego.
Appoint Konstance Merideth of the Phoenix Dream Center, as recommended by Mayor Gallego.
Reappoint Sarah Micflikier of the Maricopa County Attorney's Office, as recommended by Mayor Gallego.
Reappoint Gilbert Orrantia of the Arizona Department of Homeland Security, as recommended by Mayor Gallego.
Reappoint Dominique Roe-Sepowitz of the Arizona State University School of Social Work, as recommended by Mayor Gallego.
Appoint Lieutenant Dave Saflar of the Phoenix Police Department, as recommended by Mayor Gallego.
Reappoint Alicia Shields of the Fort Defiance Indian Hospital Board, as recommended by Mayor Gallego.
Reappoint Barb Strachan of the Girl Scouts Arizona Cactus-Pine Council, as recommended by Mayor Gallego.
Appoint Stacey Sutherland of the Training and Resources United to Stop Trafficking (TRUST), as recommended by Mayor Gallego.
Reappoint Councilman Jim Waring as Co-Chair, as recommended by Mayor Gallego.

North Mountain Village Planning Committee

Appoint Ryan O'Connor, replacing Kelsey Nelson on the committee, for a term to expire Nov. 19, 2021 as recommended by Councilwoman Stark.

Pacific Rim Advisory Council

Appoint Leslie Hull, filling a vacancy on the council, for a term to expire

June 30, 2023 as recommended by Mayor Gallego.

Phoenix Military Veterans Commission

Appoint Terry Araman, filling a vacancy on the commission, for a term to expire Aug. 31, 2022 as recommended by Mayor Gallego.

A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that this item be approved as corrected per the revised memo. The motion carried by the following voice vote:

Yes:	7 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams and Mayor Gallego
No:	0	
Absent:	2 -	Councilman DiCiccio and Vice Mayor Guardado

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

Kelly Paisley, Jacqueline Sandoval, Laura Guild, and Audrey Jenkins - Community Development Review Team;
William Levy - Deer Valley Village Planning Committee;
Dawn Walton - Judicial Selection Advisory Board;
Nancy Baldwin, John Fraleigh, Jason Isaak, Kathy Lemke, Konstance Merideth, Lieutenant Dave Salfar, and Stacey Sutherland - Mayor's Human Trafficking Task Force;
Ryan O'Connor - North Mountain Village Planning Committee;
Leslie Hull - Pacific Rim Advisory Council; and
Terry Araman - Phoenix Military Veterans Commission.

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

Note: Vice Mayor Guardado entered the Chambers and joined the voting body. Councilman DiCiccio joined the voting body via telephone.

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

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

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

Kris Huffman - Agent, Item 6
Dennis Collins, Item 6
Thomas Aguilera - Agent, Item 7
Helene Harty-Miracle - Applicant, Item 9
Heather Rogers - Agent, Item 19
Margret Mosby - Applicant, Item 24
Paul Djurisic - Applicant, Item 25
Steven Schmidt - Applicant, Item 28
Minesh Patel - Applicant, Item 29
Sam Sodhi - Applicant, Item 31
Harismran Sodhi, Item 31

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that Items 2-31 be recommended for approval. The motion carried by the following voice vote:

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

No: 0

2 Liquor License - Special Event - Phoenix Men's Art Council

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

Summary

Applicant
Kory Kisling

Location
4044 W. Black Canyon Blvd.
Council District: 1

Function

Sporting Event

Date(s) - Time(s) / Expected Attendance
Feb. 1, 2020 - 7 a.m. to 4 p.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

3 Liquor License - Morning Ritual

Request for a liquor license. Arizona State License Application 84776.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
2510 W. Happy Valley Road, Ste. 1248
Zoning Classification: C-2 M-R PCD
Council District: 1

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in March 2020.

The 60-day limit for processing this application is Jan. 24, 2020.

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.

Modern Round (Series 12)
8320 E. Mariners Way, Peoria
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We will ensure all of our employees attend the Title 4 Arizona Liquor Law training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like to offer our guests a drink if they choose while visiting Morning Ritual."

Staff Recommendation

Staff recommends approval of this application.

Attachments
Liquor License Data - Morning Ritual
Liquor License Map - Morning Ritual

This item was recommended for approval.

4 Liquor License - Corner Cafe

Request for a liquor license. Arizona State License Application 84414.

Summary

Applicant
Michael Torresso, Agent

License Type
Series 12 - Restaurant

Location
15215 N. Kierland Blvd., Ste. 190
Zoning Classification: C-2 M-R PCD
Council District: 2

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

The 60-day limit for processing this application is Jan. 20, 2020.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a responsible person who is not an absentee owner. I am very hands on in my business and I control the day to day operations. I want to maintain the respect of my customers and clientel."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Many patrons of the Kierland Commons Shopping Center are looking for us to add alcoholic beverages so they can enjoy with their breakfasts and lunch. The previous restaurant which was identical to mine had served liquor for several years."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Corner Cafe
Liquor License Map - Corner Cafe

This item was recommended for approval.

5 Liquor License - Hula's Modern Tiki

Request for a liquor license. Arizona State License Application 84445.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
5450 E. High St., Ste. 101
Zoning Classification: C-2
Council District: 2

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 January 2020.

The 60-day limit for processing this application is Jan. 20, 2020.

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.

Hula's Modern Tiki (Series 12)
7213 E. 1 Ave., Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: In June 2014, a fine of $500.00 was paid for removal of spiritous liquor from licensed premise and an extension of premise violation.

Hula's Modern Tiki (Series 12)
5114 N. 7th St. #101, Phoenix
Calls for police service: 10
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 own other Hula's in the Phoenix/Scottsdale area and run a great restaurant. We will ensure all of our employees attend the Title 4 Arizona Liquor Law training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like to offer our guests a drink with their meal if they choose."

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 - Hula's Modern Tiki
Liquor License Map - Hula's Modern Tiki

This item was recommended for approval.

6 Liquor License - Eddie's Tavern

Request for a liquor license. Arizona State License Application 06070354.

Summary

Applicant
Kristenia Huffman, Agent

License Type
Series 6 - Bar

Location
12302 N. 32nd St.
Zoning Classification: C-2
Council District: 3

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

The 60-day limit for processing this application is Jan. 14, 2020.

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:
"My partner and I have 30+ years of management experience. We are responsible members of our community, who want to see Eddie's Tavern continue to be a nice place to come into and spend time with friends and family."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Eddie's Tavern has been in Phoenix for 60 years. It has long time patrons that continue to support it. Granting this license will allow Eddie's Tavern to continue serving the long time patrons, as well as welcoming new ones."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Eddies Tavern
Liquor License Map - Eddies Tavern

This item was recommended for approval.

7 Liquor License - Wingstop

Request for a liquor license. Arizona State License Application 80142.

Summary

Applicant
Thomas Aguilera, Agent

License Type
Series 12 - Restaurant

Location
1838 W. Bell Road, Ste. 101
Zoning Classification: C-3
Council District: 3

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

The 60-day limit for processing this application is Jan. 12, 2020.

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

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I serve as Agent on numerous liquor licenses in Arizona. I have been fingerprinted and background checked. I have Title IV liquor training and have practiced as a Liquor Law attorney for over 20 years. I have completed all paperwork and have submitted same to the Arizona Department of Liquor Licenses and Control."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Wingstop will provide a family friendly restaurant experience offering the nations best chicken wings. We boast over 500 locations nationwide. We provide the public with an easily accessible dining option with reasonable prices."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Wingstop
Liquor License Map - Wingstop

This item was recommended for approval.

8 Liquor License - Special Event - Coronado Neighborhood Association, Inc.

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

Summary

Applicant

James Hogue

Location

1717 N. 12th St.
Council District: 4

Function
Community Event

Date(s) - Time(s) / Expected Attendance
Feb. 23, 2020 - 10 a.m. to 4 p.m. / 1,500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Los Diablos

Request for a liquor license. Arizona State License Application 06070059.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 6 - Bar

Location
1028 E. Indian School Road
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application is Jan. 15, 2020.

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

Other Active Liquor License Interest in Arizona

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have attended multiple liquor law classes and as a teacher I strictly enforce the laws with all employees. I have ensured that employees attend a certified liquor law course and will terminate employees who do not abide by the law. I have been the manager of this bar since it opened in 2015."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Sushivibe

Request for a liquor license. Arizona State License Application 85561.

Summary

Applicant
Joseph Kim, Agent

License Type
Series 12 - Restaurant

Location
100 E. Camelback Road, Ste. 154
Zoning Classification: C-2 TOD-1
Council District: 4

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in February 2020.

The 60-day limit for processing this application is Jan. 28, 2020.

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 Style (Series 12)
401 E. Bell Road, Ste. 16, Phoenix
Calls for police service: 37
Liquor license violations: None

Sushiholic (Series 12)
3943 E. Camelback Road, Phoenix
Calls for police service: 0
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been operating multiple sushi restaurants since 2006. Fresh Wasabi 6645 W. Bell Rd. Sushi Style 401 E. Bell Rd. Sushiholic 3957 E. Camelback Rd. Owned, operated, managed by husband and wife. Sucessfully maintianed all business under controll."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Over 3600 sqft full service sushi restaurant. Atmosphere of fine casual sit down restaurant appreciate liquor, adult beverages. Although less than 15 percent of liquor sales compare to food sales of 85 percent or more. Bring your own beer and wine is hard to control."

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 - Sushivibe
Liquor License Map - Sushivibe

This item was recommended for approval.

11 Liquor License - Hensley Beverage Company

Request for a liquor license. Arizona State License Application 04077100.

Summary

Applicant
Robert Delgado, Agent

License Type
Series 4 - Wholesaler

Location
4450 N. 45th Ave.
Zoning Classification: CP/BP and A-1
Council District: 5

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

The 60-day limit for processing this application is Jan. 18, 2020.

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

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I have held various executive positions at Hensley Beverage Company for the past 40 years.”

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Hensley & Company

Request for a liquor license. Arizona State License Application 04071007.

Summary

Applicant
Robert Delgado, Agent

License Type
Series 4 - Wholesaler

Location
4201 N. 45th Ave.
Zoning Classification: A-1
Council District: 5

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

The 60-day limit for processing this application is Jan. 18, 2020.

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

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I have held various executive positions at Hensley Beverage Company for the past 40 years.”

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Bamboo Sushi

Request for a liquor license. Arizona State License Application 85376.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
2502 E. Camelback Road, Ste. 119
Zoning Classification: PSC
Council District: 6

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

The 60-day limit for processing this application is Jan. 26, 2020.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Bamboo Sushi owns and operates eight sushi restaurants in the western United States and will open its 9th location in Phoenix. The restaurant features certified sustainable sushi in a modern setting. Applicant would like to offer alcoholic beverages to its guests 21 and over."

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

Attachments
Liquor License Data - Bamboo Sushi
Liquor License Map - Bamboo Sushi

This item was recommended for approval.

14 Liquor License - Ginban Sushi

Request for a liquor license. Arizona State License Application 83800.

Summary

Applicant
Jiabin Lin, Agent

License Type
Series 12 - Restaurant

Location
3941 E. Chandler Blvd., Ste. 107
Zoning Classification: PSC PCD
Council District: 6

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

The 60-day limit for processing this application is Jan. 15, 2020.

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 pass both title 4 basic and title 4 manager certification of AZ Liquor Law for my future employment, I require this training too in order get job at my establishment. I'm the owner who also work as manager and server at my place. I'll be at my place all the time during business operation hour. (We closed Mondays, Tues-Fri 11am - 2:30pm & 4:30pm - 10pm, Sat & Sun 12noon - 10pm) So I can fully observed and control the consumption of alcohol by consumers."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"In traditionally, people love pairing sake with raw sushi. Our recipes and menu items are prepared with consideration to consumption of beer, wine and sakes. We intend to provide our guests with full range of culinary experience. In pass 6 half years, the previous owner already succeed in build up a accountability and regular customers base from community. Also have zero record of violation on Liquor Law. We will add to best efforts to continue serve our community. We expect that approxiatly 65% of revenue to come from food 25% from alcohol, 10% from non-alcohol beverage sales. We will be well trained for food safety and beverage service to all my floor-staff. We love to share our culture through food and give each other nourishment to our community!"

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Ginban Sushi
Liquor License Map - Ginban Sushi

This item was recommended for approval.

15 Liquor License - Nook Kitchen

Request for a liquor license. Arizona State License Application 84701.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
4231 E. Indian School Road
Zoning Classification: C-1
Council District: 6

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

The 60-day limit for processing this application is Jan. 24, 2020.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The

presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Nook Kitchen is led by a management team combining over 100 years of experience. The ownership has created, designed and managed over 20 unique concepts in multiple locations throughout the southwest including Arizona. The ownership has many successful businesses with liquor licenses."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Nook Kitchen is a great addition to this Phoenix neighborhood. Their previous location operated just down the street at 36th Street and Indian School and have developed a great neighborhood following."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Nook Kitchen
Liquor License Map - Nook Kitchen

This item was recommended for approval.

16 Liquor License - Syndicate

Request for a liquor license. Arizona State License Application 07070550.

Summary

Applicant
Shawn Connelly, Agent

License Type
Series 7 - Beer and Wine Bar

Location
777 E. Stella Lane
Zoning Classification: PUD
Council District: 6

This request is for an ownership and location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. A bar is not listed in the Planned Unit Development (PUD) as a permitted use for this property. This business has plans to open in February 2020.

The 60-day limit for processing this application is Jan. 15, 2020.

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.

Urbo (Series 10)
603 W. Fillmore St., Phoenix
Calls for police service: None
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 currently & have in past operate businesses with liquor licenses. I follow and ensure employees adhere to the city, county and state laws. I do not have any infractions with selling of alcohol, nor any other personal issues with the law."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The Syndicate is an amenity to "Alta North Central" apartment complex. It will be primarily open to only residents. This will not be adding any outside traffic to area other than residents who live in building."

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 - Syndicate
Liquor License Map - Syndicate

This item was recommended for approval.

17 Liquor License - Syndicate

Request for a liquor license. Arizona State License Application 83829.

Summary

Applicant
Shawn Connelly, Agent

License Type
Series 12 - Restaurant

Location
777 E. Stella Lane
Zoning Classification: PUD
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. A restaurant is not listed in the Planned Unit Development (PUD) as a permitted use for this property. This business has plans to open in February 2020.

The 60-day limit for processing this application is Jan. 15, 2020.

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.

Urbo (Series 10)
603 W. Fillmore St., Phoenix
Calls for police service: None
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 currently & have in past operate businesses with liquor licenses. I follow and ensure employees adhere to the city, county and state laws. I do not have any infractions with selling of alcohol, nor any other personal issues with the law."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The Syndicate is an amenity to "Alta North Central" apartment complex. It will be primarily open to only residents. This will not be adding any outside traffic to area other than residents who live in building."

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 - Syndicate
Liquor License Map - Syndicate

This item was recommended for approval.

18 Liquor License - Special Event - Ballet Folklorico Quetzalli-AZ, Inc.

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

Summary

Applicant
Vanessa Ramirez

Location
147 E. Adams St.
Council District: 7

Function
Dance

Date(s) - Time(s) / Expected Attendance
Feb. 8, 2020 - 7 p.m. to 1 a.m. / 100 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

19 Liquor License - Special Event - McDowell Mountain Music Festival, Inc.

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

Summary

Applicant
John Largay

Location
1202 N. 3rd St.
Council District: 7

Function
Festival

Date(s) - Time(s) / Expected Attendance
March 6, 2020 - 12:30 p.m. to 11 p.m. / 5,000 attendees
March 7, 2020 - Noon to 11 p.m. / 5,000 attendees
March 8, 2020 - Noon to 9:30 p.m. / 3,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

20 Liquor License - Special Event - Phoenix Chinese Week

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

Summary

Applicant
Eva Li

Location
1202 N. 3rd St.
Council District: 7

Function
Cultural Festival

Date(s) - Time(s) / Expected Attendance
Feb. 8, 2020 - 10 a.m. to 5 p.m. / 5,000 attendees
Feb. 9, 2020 - 10 a.m. to 5 p.m. / 5,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

21 Liquor License - Special Event - The Phoenix Theatre Company

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

Summary

Applicant
Vincent VanVleet

Location
1202 N. 3rd St.
Council District: 7

Function
Food Festival

Date(s) - Time(s) / Expected Attendance
Feb. 29, 2020 - 10 a.m. to 10 p.m. / 5,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

22 Liquor License - Angry Crab Shack Restaurant

Request for a liquor license. Arizona State License Application 85570.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
6360 S. 35th Ave.

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. This business is currently being remodeled with plans to open in February 2020.

The 60-day limit for processing this application is Jan. 28, 2020.

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

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I own several Angry Crab Shacks throughout the valley. My employees

attend the Title 4 Arizona Liquor Law training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We would like to offer our guests a drink of their choice while enjoying a great meal at the Angry Crab Shack."

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 - Angry Crab Shack Restaurant
Liquor License Map - Angry Crab Shack Restaurant

This item was recommended for approval.

23 Liquor License - Special Event - Children's Museum of Phoenix

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

Summary

Applicant
Megan Tully

Location
215 N. 7th St.
Council District: 8

Function
Dinner

Date(s) - Time(s) / Expected Attendance
March 7, 2020 - 6 p.m. to 11 p.m. / 500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

24 Liquor License - Special Event - Liberty Wildlife, Inc.

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

Summary

Applicant
Margaret Mosby

Location
2600 E. Elwood St.
Council District: 8

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
Feb. 15, 2020 - Noon to 6:00 p.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

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

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

Summary

Applicant
Paul Djurisic

Location
4436 E. McKinley St.
Council District: 8

Function
Awards Dinners

Date(s) - Time(s) / Expected Attendance
Feb. 20, 2020 - 5 p.m. to 1:30 a.m. / 100 attendees
Feb. 21, 2020 - 5 p.m. to 1:30 a.m. / 100 attendees
Feb. 22, 2020 - 5 p.m. to 1:30 a.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

26 Liquor License - Special Event - Students Supporting Brain Tumor Research

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

Summary

Applicant
Wendy Dolcetti-Kaye

Location
700 E. Van Buren St.
Council District: 8

Function
Dinner/Dance

Date(s) - Time(s) / Expected Attendance
Feb. 15, 2020 - 6 p.m. to 11:30 p.m. / 130 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

27 Liquor License - Breakroom Bar & Grill

Request for a liquor license. Arizona State License Application 06070264.

Summary

Applicant
Amy Nations, Agent

License Type
Series 6 - Bar

Location
4737 E. McDowell Road
Zoning Classification: C-2
Council District: 8

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

The 60-day limit for processing this application is Jan. 26, 2020.

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.

The Bar (Series 6)

3174 E. Indian School Road, Phoenix
Calls for police service: 0
Liquor license violations: None

Dilly Dally Cocktail Lounge (Series 6)
3639 E. Indian School Road, Phoenix
Calls for police service: 10
Liquor license violations: None

Nook Kitchen (Series 12)
15 E. Monroe St., Phoenix
Calls for police service: 33
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The new owners of Breakroom Bar and Grill are professional business operators with several liquor licensed establishments in Phoenix. These owners are known for purchasing liquor licensed businesses that may not be doing so well, cleaning up the establishment and property and making it run as efficiently as possible."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The new ownership knows the history of this location with it's neighbors and has reached out to the neighbors trying to resolve any issues they may have had with the previous ownership. They are working to make everyone happy and think they can run this business without issue with the neighbors as well as optimizing the property to the benefit of the local

community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Breakroom Bar & Grill
Liquor License Map - Breakroom Bar & Grill

This item was recommended for approval.

28 Liquor License - Chez Gregory

Request for a liquor license. Arizona State License Application 84718.

Summary

Applicant
Steven Schmidt, Agent

License Type
Series 12 - Restaurant

Location
719 E. Roosevelt St.
Zoning Classification: R-5 R-I HP ACOD
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 March 2020.

The 60-day limit for processing this application is Jan. 24, 2020.

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.

Steve's Espresso (Series 12)
1801 E. Baseline Road, Ste. 102, Tempe
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 currently hold a liquor license at a cafe in Tempe, AZ, Steve's Espresso, and have not had any problems or issues."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Chez Gregory will be a full service neighborhood restaurant serving the historic Garfield District. The location will brighten a very bleak alley entrance and provide a pleasant transition from the busy Circle K corner

to the more residential area."

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 - Chez Gregory
Liquor License Map - Chez Gregory

This item was recommended for approval.

29 Liquor License - Herbal Nails & Spa in Laveen

Request for a liquor license. Arizona State License Application 83784.

Summary

Applicant
Minesh Harish Patel, Agent

License Type
Series 7 - Beer and Wine Bar

Location
5185 W. Baseline Road, Ste. 103 & 104
Zoning Classification: C-1
Council District: 8

This request is for a new liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. A bar is not permitted in a C-1 zoning district.

The 60-day limit for processing this application is Jan. 15, 2020.

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:
"My family has owned and operated a liquor store in Chandler, AZ. I have worked at the liquor store for several years and have the knowledge and capability to hold 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:
"Our customers have been asking for beer and wine as part of their service for many years. They come to the salon to splurge and have a relaxing and enjoyable time in a nice environment that includes beverages."

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

Attachments
Liquor License Data - Herbal Nails & Spa in Laveen
Liquor License Map - Herbal Nails & Spa in Laveen

This item was recommended for approval.

30 Liquor License - Pizzeria Bianco

Request for a liquor license. Arizona State License Application 85381.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
609-623 E. Adams St.
Zoning Classification: DTC-BC HP
Council District: 8

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

The 60-day limit for processing this application is Jan. 8, 2020.

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.

Tratto (Series 12)
4747 N. 20th St., Phoenix
Calls for police service: 0
Liquor license violations: None

Pane Bianco (Series 12)
1505 E. Van Buren St., Phoenix
Calls for police service: 6
Liquor license violations: None

Pizzeria Bianco (Series 12)
4743 N. 20th St., Phoenix
Calls for police service: 1
Liquor license violations: None

Pane Bianco (Series 12)
4404 N. Central Ave., Phoenix
Calls for police service: 3
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 committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Pizzeria Bianco has been a popular iconic restaurant in downtown Phoenix downtown area for many years. The restaurant offers classic Italian pizza and salads and would like to offer guests 21 and over the opportunity to enjoy alcoholic beverages."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Pizzeria Bianco
Liquor License Map - Pizzeria Bianco

This item was recommended for approval.

31 Liquor License - Taco Boys

Request for a liquor license. Arizona State License Application 85415.

Summary

Applicant
Harsimran Sodhi, Agent

License Type
Series 12 - Restaurant

Location
620 E. Roosevelt St.
Zoning Classification: DTC-EEC ACOD
Council District: 8

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 Jan. 26, 2020.

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

Other Active Liquor License Interest in Arizona

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

Arco AM/PM (Series 10)
37 N. McQueen Road, Gilbert
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 come from a family that owns several gas stations and a restaurant. I understand the responsibilities that come along with the liquor license. I have grown up seening my family members running these businesses successfully and safely. I also have a Bachelor's degree in Computer Science from Arizona State University. I have the capability of understanding and following the rules to ensure safety of everyone.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“The restaurant is loacted on a very busy intersection, and in a very densely populated region of the city. Our customers will be able to enjoy great Mexican food, and cocktails without having to travel too far.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Taco Boys
Liquor License Map - Taco Boys

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Note: Comment cards were submitted in favor of Item 71 by the following individuals, but did not wish to speak.

Michael Mooney
Chris Robertson
Deana Garner
J.D. Loudabarger
Dan Klocke
Devney Preuss

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 32-115 be approved or adopted except for Items 33, 36,

43, 45, 50, 62, 74, 77, 79, 87, and 107-112; and continuing Item 70 to the Jan. 29, 2020 City Council Formal Meeting and Item 103 to the March 4, 2020 City Council Formal Meeting. The motion carried by the following vote:

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

No: 0

Items 32, 34-35, 37-42, 44, and 46-49, Ordinance S-46263 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.

32 North American Region of the Airports Council International, doing business as Airports Council International - North America

For $128,061.00 in payment authority for 2020 Airports Council International - North America (ACI-NA) membership dues for the Aviation Department. ACI-NA is an organization that represents state, local, and regional governing bodies that own and operate commercial airports in North America and the world, with a focus on industry issues such as finance, safety, operations, business, and regulatory issues, as well as the Federal Aviation Administration, Department of Homeland Security and Customs and Border Protection. This item was approved by the Transportation, Infrastructure and Innovation Subcommittee on Dec. 4, 2019.

This item was adopted.

34 Trace Analytics, LLC.

For $45,000.00 in payment authority for a new Contract, entered on or about Jan. 15, 2020, for a term of five years, for respiratory air testing and analysis services for the Fire Department. These services are vital to

ensure a continuous supply of clean breathing air for firefighters in their self-contained breathing apparatus. This service is a critical part of the Phoenix Fire Department's effort to provide life safety services to the public.

This item was adopted.

35 Sirchie Acquisition Company, LLC doing business as Sirchie

For $12,000.00 in additional payment authority for Contract 147522 for Custom Gunshot Residue Kits for the Police Department. The additional funds are necessary due to an unanticipated increase in demand. The kits are vital for the Property Management Bureau to test the gunshot residue for evidence. It offers evidence collection tools and containers capable to maintain verifiable chain of custody against tampering with provable security of different types of evidences related to gunshot cases. This equipment is a critical part of the Police Department's effort to provide life safety services to the public and for the use in critical incidents and complicated scenes.

This item was adopted.

37 Bureau of Reclamation

For $55,000.00 in payment authority for the annual administrative fee for the Parks and Recreation Department's land use of the 1,200-acre Reach 11 Recreation Area. The fee is for the Bureau’s administrative costs associated with the agreement.

This item was adopted.

38 Salt River Project Agricultural Improvement and Power District, doing business as SRP

For $30,000.00 in payment authority for irrigation services and repairs for the Papago Park irrigation system through Dec. 31, 2020.

This item was adopted.

39 Salt River Valley Water Users' Association

For $130,000.00 in payment authority to purchase irrigation water during the 2020 calendar year for the Parks and Recreation Department. The irrigation water is needed to water plants, trees, shrubs, and grass at various Parks and Recreation Department locations throughout the City.

This item was adopted.

40 Arizona State University

For $65,000.00 in payment authority for Contract 119092 for the annual operating and maintenance fees for the Downtown Phoenix Civic Space A.E. England Building to Arizona Board of Regents on behalf of Arizona State University for the Parks and Recreation Department.

This item was adopted.

41 Arizona Science Center

For $170,000.00 in payment authority for Contract 127032 for annual reimbursement of utilities for the Parks and Recreation Department.

This item was adopted.

42 Arizona Opportunities Industrialization Center, doing business as AzOIC, Fiduciary Agent for Arizona Martin Luther King, Jr., Celebration Committee

For $13,500.00 in payment authority for sponsorship of the 2020 Dr. Martin Luther King Jr. annual event for the Parks and Recreation Department on behalf of the City of Phoenix. Community educational events will be held at the Phoenix Convention Center, 100 N. Third St., and Margaret T. Hance Park, 1201 N. Third St.

This item was adopted.

44 Arizona Generator Technology, Inc., doing business as Gen-tech

For $15,915.00 in payment authority to repair a lift pump generator for the Public Works Department. The Lift Station 43 is a critical asset of the Waste Water Collection System; this facility allows the gravity sewer that has reached a low elevation point to be pumped to a higher elevation to continue travel. This generator was diagnosed as requiring a new voltage regulator and breaker that could only be purchased through Arizona Generator Technology, which is the original equipment manufacturer.

This item was adopted.

46 Salt River Project Agricultural Improvement and Power District doing business as SRP

For $46,900.00 in payment authority for the removal of one street light and the purchase and installation of 12 new street lights along the Grand Canal from 19th Avenue to 15th Avenue for pathway lighting associated with the Grand Canal Project (ST87600114).

This item was adopted.

47 J.R. Filanc Construction Company, Inc.

For $1,600,000.00 in additional payment authority for Contract 143085, Change Order 1 for Project WS85320024, Union Hills Water Treatment Plant (UHWTP) Rehabilitation 2016 for the Water Services Department. The Change Order is to expedite the scrubber control panels to the local fabricator to meet the plant shutdown schedule; converting the water electrical building fire suppression system from water-based to gas-based system; completing water supervisory control and data acquisition programming; installing additional electrical conduits for the UHWTP power redundancy project, and to provide rental standby generators during construction for dual power source. This work was not included as part of the original bid.

This item was adopted.

48 Charlie Pepper, Inc., doing business as Salt Works

For $1,800.00 in additional payment authority for Contract 146987 for salt for the Street Transportation Department (Streets). The Materials Data Testing Laboratory uses salt for their water softener system in the fog room, which is critical to the concrete testing process. Streets will be added to the Water Services Department contract through Feb. 28, 2023.

This item was adopted.

49 Quick Acquisition, LLC, doing business as Quick Search

For $25,000.00 in additional payment authority for Contract 136301, for background screening services for the Water Services Department (WSD). Quick Acquisition conducts background screenings, analyzes, and provides pass/fail results to the WSD Security Management personnel. Additional payment authority is needed due to various WSD projects increasing the number of Contractor employees requiring background checks.

This item was adopted.

51 Proposed 103rd Avenue and Southern Avenue Annexation - Authorization to File

Request to authorize the City Manager, or his designee, to file with the

Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Shelby Duplessis, with Empire Residential Communities Fund IV, LLC, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation.

Summary

Signatures on the proposed annexation petition shall not be obtained for a waiting period of 30 days after filing the blank petition with the Maricopa County Recorder. Additionally, a Public Hearing will be scheduled within this 30-day waiting period, permitting the City Council to gather community input regarding the annexation proposal. Formal adoption of this proposed annexation will be considered at a later date.

Location

The proposed annexation area includes parcels 101-46-001L, 101-46-002A and 101-46-003D located at 103rd Avenue and Southern Avenue (**Attachment A**). The annexation area is approximately 65.5 acres (0.1023 sq. mi.) and the population estimate is zero individuals. Council District: 7

This item was approved.

52 Proposed 109th Avenue and Indian School Road Annexation (Ordinance S-46300)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Arizona, by annexing an area not within the present limits of the City of Phoenix, designated as the 109th Avenue and Indian School Road Annexation. Further request authority for current county zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

This annexation was requested by Patrick Bergeron, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on Oct. 2, 2019, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the *Arizona Business Gazette* newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location

The proposed annexation area includes parcel 102-58-579B at 4106 N. 109th Ave. (**Attachment A**). The annexation area is approximately 0.0483 acres (0.00007 sq. mi.) and the population estimate is three individuals.

Council District: 5

This item was adopted.

53 Authorization to Apply for the Vitalyst Health Foundation 2020 Systems Change Grant (Ordinance S-46306)

Request to authorize the City Manager, or his designee, to apply for a Vitalyst Health Foundation 2020 Systems Change Grant to support development and implementation of the City's HeatReady initiative to mitigate the negative impacts of rising urban temperatures on low-income residents of Phoenix. This report further requests authorization for the City Treasurer to accept and the City Controller to disburse the funds for the purposes of this ordinance. Grants of $150,000 to $175,000 will be awarded for projects of up to three years.

Vitalyst Health Foundation 2020 Systems Change Grant is designed to support and inform efforts to improve the health of individuals and communities in Arizona. Grants will be awarded to support collaborative projects that address multiple issues in our State, with a focus on low-income communities, including public health, economic development, environment, among others. Grants of $150,000 to $175,000 will be awarded for projects of up to three years.

The City will partner with Arizona State University (ASU) and Maricopa County Department of Public Health (MCDPH), among other community organizations, as well as residents, to support ongoing development of

the HeatReady Phoenix initiative, to mitigate the impacts of rising urban temperatures on our most vulnerable communities, including seniors, low-income residents, people of color, individuals with disabilities and health challenges, veterans, individuals and families experiencing homelessness, LGBT communities, among others.

The proposal will include implementation of up to five pilot projects that will serve as testbeds for measuring how effectively the City can work with neighborhoods and volunteers to create different types of cooling projects that foster walkability and protect public health. Based on community goals, these projects may reduce environmental heat while also addressing priorities such as pedestrian safety, placemaking, and community cohesion. MCDPH and ASU will provide ongoing support including access to data, models, expertise, and networking opportunities.

Financial Impact

Grants of $150,000 to $175,000 will be awarded for projects of up to three years.

Concurrence/Previous Council Action

This request supports the ongoing development and implementation of the City's HeatReady Phoenix initiative, unanimously approved by City Council at the April 9, 2019 Policy Meeting.

This item was adopted.

54 Heavy Equipment Rental - Cooperative Contract (Ordinance S-46269)

Request to authorize the City Manager, or his designee, to authorize additional payment authority for contracts 148171 with Sunbelt Rentals, Inc. and 148172 with Herc Rentals, Inc., in the amount of $160,000 with a revised aggregate value of $510,000, to continue providing Citywide departments with heavy equipment rentals on an as-needed basis. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Due to aging equipment that has exceeded life expectancy there has been an increase in the need for specialized equipment rentals to cover gaps while City-owned equipment is being repaired. The heavy equipment rental contracts provide short-term and long-term rental access to a complete line of operated and non-operated heavy equipment, road maintenance equipment, construction equipment and more that are used to support Citywide projects for multiple departments, including Fire, Parks and Recreation, Public Works, and Water Services. The additional pay authority will allow City of Phoenix Departments to continue renting equipment needed to cover gaps during repairs, and to obtain equipment not currently owned by the City, but needed to complete City services.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The State of Arizona contracts were awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts.

Financial Impact

Upon the approval of the additional expenditures of $160,000 the revised aggregate value will be $510,000 through the term of June 30, 2020. Funds are available in the various department budgets.

Concurrence/Previous Council Action

Use of the State of Arizona contract with Sunbelt Rentals, Inc. and Herc Rentals Inc. was approved by formal Council action on June 27, 2018.

This item was adopted.

55 Calsense Irrigation Components Requirements Contract - IFB 19-059A (Ordinance S-46271)

Request to authorize the City Manager, or his designee, to spend not more than $100,000 in additional money under Contract No.149028 (Contract) with Sprinkler World of Arizona, Inc. to purchase Calsense brand irrigation parts and supplies for the Aviation Department. Further

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

Summary

The Contract was initially awarded by the Parks and Recreation and Public Transit departments, but the Aviation Department has identified an opportunity to utilize the Contract to satisfy operational needs. The Landscape Maintenance Section of the Facilities and Services Division is in the process of updating 20-year-old irrigation control systems at Phoenix Sky Harbor International Airport to meet current technological standards in order to achieve both efficiencies and cost savings. The upgraded irrigation systems will allow for improved irrigation control methods based on humidity, temperature, and evaporation. Additionally, the systems will shut down and send notices when excessive water loss due to breaks and malfunctions occurs, further improving water conservation efforts.

Financial Impact

Upon approval of $100,000 in additional money, the revised aggregate value of the Contract will not exceed $1.05 million. Funds are available in the Aviation Department’s budget.

Concurrence/Previous Council Action

The Contract was approved by the City Council on Jan. 1, 2019.

This item was adopted.

56 Additional Expenditures for Various Metals - IFB 16-210A (Ordinance S-46276)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 143141, with Southwest Steel Sales, LLC, for various metals used by Citywide departments. The additional amount of $313,000 is needed because of increased use by City departments and the revised aggregate value will not exceed $713,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The contract with Southwest Steel Sales, LLC is used to obtain a wide variety of metals to fabricate, maintain and/or repair miscellaneous items and equipment, including grates, handrails, fences, etc. The contract was originally awarded with anticipated use by primarily the Street Transportation and Parks and Recreation departments. However, the contract has experienced increasing usage by several other departments, including Fire, Water Services, Police and Public Works.

Contract Term
The contract term is July 1, 2016 through June 30, 2021.

Financial Impact
Upon approval of the additional $313,000, the revised aggregate value will not exceed $713,000. Funds are available in various City departments' budgets.

Concurrence/Previous Council Action
The contract was originally approved by City Council on July 1, 2016.

This item was adopted.

57 Acquisition of Temporary Construction Easement for Val Vista Transmission Main Rehabilitation Project Along North Horne Drive, North of the Canal, Mesa (Ordinance S-46279)

Request to authorize the City Manager, or his designee, to acquire a temporary construction easement by donation, purchase within the City's appraised value or by the power of eminent domain, required for the Val Vista Transmission Main Rehabilitation Project. Further request to authorize the City Controller to disburse all funds related to this item.

Summary
A temporary construction easement is required to accommodate a material laydown yard and equipment operation for the installation of a steel slip-line over a section of the existing transmission main (Pit 17). This work is necessary to rehabilitate the transmission main in order to maintain structural integrity and extend service life.

The property impacted by this project is located at 1801 N. Horne Drive,

identified by Maricopa County Assessor's parcel number 136-25-006B.

Location
Along North Horne Drive, north of the canal, Mesa
Council District: Out of City

Financial Impact
Funding for this project is available in the Water Services Department's Capital Improvement Program budget.

This item was adopted.

58 Acceptance and Dedication of Right-of-Way Abandoned by Arizona Department of Transportation Resolutions 2019-09-A-026, 2019-09-A-029, 2019-09-A-030 and 2019-10-A-0033 (Ordinance S-46280)

Request for the City Council to accept and dedicate to public use right-of-way abandoned by ADOT Resolutions 2019-09-A-026, 2019-09-A-029, 2019-09-A-030 and 2019-10-A-0033; further ordering the ordinance recorded.

Summary
The right-of-way is no longer needed by ADOT for state transportation purposes, and the City will accept jurisdiction, ownership and maintenance responsibilities, subject to appurtenant, existing access control, which shall remain intact and under ADOT control. Costs of the additional maintenance are not significant.

Maps depicting the right-of-way can be found in **Attachment A**. The ADOT Resolutions will be recorded with the Maricopa County Recorder.

Location
2019-09-A-026 is located between Escuda Drive and the State Route 101 Freeway, east of 23rd Avenue.
Council District: 1

2019-09-A-029 is located within Dove Valley Road, east of Interstate 17.
Council District: 2

2019-09-A-030 is located within Mountain View Road, east of State Route 51 and N. 32nd Street, west of State Route 51.
Council District: 3

2019-10-A-033 is located within Bell Road, west and east of Interstate 17 and within the Interstate 17 northbound on ramp.
Council Districts: 1 and 3

This item was adopted.

59 Acceptance and Dedication of Deeds and Easements for Roadway and Sidewalk Purposes (Ordinance S-46292)

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

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

Easement (a)
Applicant: US Relp Norterra East I, LLC, its successor and assigns
Purpose: Sidewalk
Location: 25322 N. 21st Ave.
File: FN 190070
Council District: 1

Deed (b)
Applicant: W.L. Gore & Associates, Inc., its successor and assigns
Purpose: Roadway
Location: 32212 N. North Valley Parkway
File: FN 190054
Council District: 2

Easement (c)
Applicant: The Community Housing Partnership, Inc., its successor and assigns
Purpose: Sidewalk

Location: 10220 N. 9th Ave.
File: FN 190109
Council District: 3

Deed (d)
Applicant: The Community Housing Partnership, Inc., its successor and assigns
Purpose: Roadway
Location: 10220 N. 9th Ave.
File: FN 190109
Council District: 3

Easement (e)
Applicant: Spin Cycle Laundromat, LLC, its successor and assigns
Purpose: Sidewalk
Location: 1521 W. Camelback Road
File: FN 190123
Council District: 4

This item was adopted.

60 Acceptance of a Quit Claim Deed for Land Located within the 16th Avenue Roadway and Alignment, North of Shangri La Road (Ordinance S-46281)

Request for the City Council to accept a quit claim deed from the State of Arizona for land located within the 16th Avenue roadway and alignment, north of Shangri La Road; further ordering the ordinance recorded.

Summary
The land is identified by Maricopa County Assessor number 159-11-001B, consists of approximately 13,416 square feet, and is partially improved with the 16th Avenue roadway and cul-de-sac. The unimproved portion of the land extends north within the 16th Avenue alignment then east and is surrounded by the City's North Mountain Preserve. The roadway portion of this land will be dedicated via separate instrument. The State of Arizona conveyed the land to the City by Quit Claim Deed C-43-20-012-M-00, Maricopa County recording number 20190818962.

Financial Impact

There is no financial impact associated with this acceptance.

Location
Within the 16th Avenue roadway and alignment, north of Shangri La Road.
Council District: 3

This item was adopted.

61 Authorization Request to Purchase Firefighting Brush Pants (Ordinance S-46286)

Request to authorize the City Manager, or his designee, to enter into a contract with Municipal Emergency Services, Inc. for a one-time purchase of Firefighting Brush Pants in the amount not to exceed $105,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The fire protective brush pants and jackets used by City of Phoenix Fire Department's (PFD) firefighters are intended for extensive use and retention of high thermal protection, and protection from body injuries related to firefighting activities. PFD uses brush pants for protection from heat and flames while fighting brush and urban interface fires. These garments are lighter weight than structural firefighting gear and can be worn over everyday duty clothes. They also allow more breathability and can be worn for extended periods of time in the summer heat. In addition to using the brush pants as protective gear for daily operational use, they also protect from bio-hazards. The PFD is not able to obtain the previously purchased Crew Boss Brush pants due to the normal supply and demand, as well as a shortage of inventory. The Lakeland brush pants and jackets meet PFD's needs and specifications. Therefore, PFD would like to use the Lakeland brand brush clothing as a one-time purchase while a formal solicitation process is competitively bid. This personal protective equipment is a critical part of the Fire Department's efforts to provide life safety services to the public.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a Special Circumstance Without Competition

determination memo was completed and approved by the Finance Department recommending the procurement with Municipal Emergency Services, Inc., be accepted.

Contract Term
The contract term will be effective Jan. 8, 2020 through June 30, 2020.

Financial Impact
Expenditures will not exceed $105,000. Funds are available in the Fire Department's budget.

This item was adopted.

63 Request to Accept and Expend Virginia G. Piper Charitable Trust Holiday Funds (Ordinance S-46307)

Request to authorize the City Manager, or his designee, to retroactively accept a holiday grant award of $15,000 from the Virginia G. Piper Charitable Trust. This report further requests authorization for the City Treasurer to accept and the City Controller to disburse the funds.

Summary
A Virginia G. Piper Charitable Trust grant has been awarded to the Human Services Department to support holiday-related activities that address the material or social-emotional needs of clients in the Community and Senior Services Division, Senior Programs section. Funds are to be distributed equally ($7,500) during the 2019 and 2020 holiday seasons. The donation will allow the Human Services Department to provide holiday activities for members of all 15 Senior Centers. The Human Services Department was notified of the opportunity on Nov. 15 with a short turn around required for submitting the application. The award notification was confirmed on Dec. 4.

Financial Impact
No General Funds are required to receive this funding of $15,000 from the Virginia G. Piper Charitable Trust.

This item was adopted.

64 **Authorization to Amend Contract and Accept Additional Emergency Assistance Funding from the Arizona Community Action Association (Ordinance S-46287)**

Request to authorize the City Manager, or his designee, to amend Contract 150598 with the Arizona Community Action Association (dba Wildfire) to accept additional emergency assistance funding in the amount of $9,065 for a new contract total of $379,021 for the period of July 1, 2019 through June 30, 2020. 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

Funds provided to the City of Phoenix through this contract will be used to assist low-income individuals and families by removing barriers to self-sufficiency through employment and education resources, housing assistance, and emergency utility assistance. This funding will allow the City to provide approximately 12 additional households with emergency financial assistance.

Contract Term

The contract term will be a one-year contract from July 1, 2019 through June 30, 2020.

Financial Impact

Funding for Fiscal Year 2019-20 will be provided from various funding sources (**Attachment A**). There is no impact to the General Fund.

This item was adopted.

65 **Aquatics Equipment, Accessories and Services - Cooperative Contract (Ordinance S-46290)**

Request to authorize the City Manager, or his designee, to allow the use of the National Purchasing Partners (NPPGov) cooperative solicitation with Vortex Aquatic Structures International to purchase a wide range of splash pad equipment, accessories and services for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate

contract value will not exceed $100,000.

Summary

The resulting contract will support efforts to repair and replace current splash pad equipment and accessories throughout the City. Many of the existing splash pad equipment and accessories are at the end of their lifecycle and this contract will ensure that the department can purchase necessary parts and equipment to enhance and support the quality of recreational programs and services that are provided to the residents of Phoenix. The splash pad equipment and accessories will be used in various park locations throughout the City.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement. The City is a member of NPPGov and the contract was awarded through a competitive process, consistent with the City's procurement processes, as set forth in the Phoenix City Code, chapter 43. Utilization of this agreement allows the City to benefit from national governmental pricing and volume discounts.

The Chief Financial Officer recommends the City's participation in this agreement with Vortex Aquatics Structures International be accepted.

Contract Term

The three-year contract term will begin on or about Jan. 9, 2020.

Financial Impact

The aggregate contract value will not exceed $100,000, with estimated annual expenditures of $33,333.33. Funds are available in the Parks and Recreation Department's budget.

This item was adopted.

66 Request to Issue CDBG Housing Rehab ADA Modifications Program RFP

Request City Council approval to issue the Community Development Block Grant (CDBG) Housing Rehab for Americans with Disabilities Act (ADA) Modifications Program Request for Proposals (RFP). The total allocation available for the CDBG Housing Rehab ADA Modifications

Program RFP is $100,000.

Summary

On May 15, 2019, City Council approved the 2019-20 Annual Action Plan, which outlined the broad activity areas for CDBG funding and included an allocation for the CDBG Housing Rehab ADA Modifications Program. The program is intended to provide home accessibility modification services to low- and moderate-income disabled residents of Phoenix.

Procurement Information

The proposed RFP seeks non-profit organizations to provide accessibility modification services for Phoenix residents who are physically disabled, and will be available for download on Jan. 31, 2020. All applicants must be a non-profit Arizona corporation when the proposal is submitted, and the primary program beneficiaries must be low- and moderate-income Phoenix residents. A review committee consisting of City of Phoenix employees and community stakeholders will evaluate each proposal using the following criteria (1,000 possible points):
Work Plan (250 points)
Outcomes (250 points)
Program Budget (250 points)
Experience with Federal Programs (250 points)

The tentative RFP schedule is as follows:
RFP Available - Jan. 31, 2020
Proposals Due - Feb. 21, 2020

City Council will be asked to approve RFP awardees in April 2020.

Financial Impact

The CDBG Housing Rehab for ADA Modifications Program is funded by the U.S. Department of Housing and Urban Development (HUD). There is no impact to the General Fund.

Concurrence/Previous Council Action

This item was recommended for approval at the Land Use and Livability Subcommittee meeting on Dec. 17, 2019, by a vote of 4-0.

Public Outreach
The CDGB Housing Rehab ADA Modifications Program RFP will be advertised in local publications and online.

This item was approved.

67 National Recreation and Parks Association Connecting Communities Through Outdoor Play Grant (Ordinance S-46294)

Request retroactive authorization for the City Manager, or his designee, to allow the Parks and Recreation Department to apply for, accept and enter into an agreement with the National Recreation and Parks Association (NRPA) for the Connecting Communities Through Outdoor Play grant in the amount of $26,000, and related contracts. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary
The Parks and Recreation Department applied for, and was awarded, a grant from the NRPA to resurface two tennis courts at Cielito Park. The project is estimated to have a completion date of May 1, 2020. Per the terms of the grant, $1,000 of the awarded monies is allocated for a community kick-off event. Plans for the kick-off event will include free tennis lessons and giveaways. The City may enter contracts for the work to fulfill the terms of the grant.

Due to the limited time between the grant announcement, proposal deadline and award, there was not enough time to place this item on a prior City Council agenda.

Contract Term
The contract term is Dec. 2, 2019 through June 30, 2020.

Financial Impact
No City in-kind funds are required; and no General Funds are needed as a result of this grant opportunity.

Location
Cielito Park, 3402 W. Campbell Ave.
Council District: 4

This item was adopted.

68 Intergovernmental Agreement between State of Arizona and City of Phoenix for Margaret T. Hance Park Joint Repair Project (Ordinance S-46304)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the State of Arizona Department of Transportation (ADOT) to administer the construction of waterproofing and joint repair work at Margaret T. Hance Park. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. This project will not exceed $3,974,000 and will be reimbursed by ADOT.

Summary

The City is making improvements to Margaret T. Hance Park (Hance Park Revitalization Project) above the Interstate 10 (I-10) Deck Park Tunnel. In conjunction with this project, the City has been coordinating with ADOT to address needed joint repairs, ahead of the next phases of the revitalization project. To accomplish construction of the joint repairs, the City and ADOT desire to enter into an IGA in which the City will be responsible for administering construction of the waterproofing and joint repair work; and ADOT will be responsible for preparing and providing design documents, inspecting work, and paying for the waterproofing and joint repair, including the City's administrative costs.

The City will utilize Haydon Building Corp. to perform the waterproofing and joint repair work. Haydon Building Corp. is the Construction Manager at Risk (CMAR) under contract with the City to provide preconstruction services for the Hance Park Revitalization Project.

Contract Term

The IGA will remain in effect until completion of the waterproofing and joint repair work.

Financial Impact

This project will not exceed $3,974,000 and will be reimbursed by ADOT. Funding is budgeted in the Parks and Recreation Capital Improvement Program budget.

Concurrence/Previous Council Action

CMAR Preconstruction Services Agreement 149558 (Ordinance S-45494) on April 3, 2019.

Location

Margaret T. Hance Park, 67 W. Culver St.
Council District: 7

This item was adopted.

69 Amend Disposition and Redevelopment Agreement with True North Holdings, LLC (Ordinance S-46289)

Request to authorize the City Manager, or his designee, to amend City Contract No. 146822 with True North Holdings, LLC (Developer) to modify terms pertaining to the close of escrow and the project completion date.

Summary

In August 2018, a Disposition and Redevelopment Agreement (DRA), City Contract No. 146822, was entered into with the Developer for the sale and development of 1.5 acres of City-owned land on 2nd Street north of Roosevelt Street (Site) as authorized by Ordinance S-44110. The Developer intends to construct the following at the Site: approximately 354,000 gross-square-feet (GSF) of commercial office space; approximately 77,000 GSF of retail space; and 1,100 parking spaces, with at least 250 spaces available to the public. In addition, Developer will also rehabilitate and restore the historic Leighton G. Knipe House for a use open to the public. Collectively these improvements are referred to as "The Project."

The DRA detailed the close of escrow for the Site to occur in phases, two of which have been completed,as described below:

Phase 1, which included the Knipe House, closed in September 2018 at a sale price to the City of $80,000. The Developer signed the 50-year conservation easement for the Knipe House and is nearly complete with improvements to the home. A restaurant named All The Little Things will occupy the home and will be open to the public in the first quarter of 2020.

Phase 2, which included 0.9 acres of land surrounding the Knipe House,

closed in September 2019 with a sale price of approximately $2.3 million to the City. The Developer has received permits to construct an approximately 134,920 square foot, five-story office and retail building which is expected to break ground in December 2019.

Phase 3 of the Site consists of 0.4 acres of City-owned land combined with an additional 0.9 acres of Developer-controlled land which Developer intends to construct a 19-story office tower and parking structure with ground floor retail.

The Developer has requested two, six-month extensions of the Phase 3 close of escrow date in order to allow for completion of the Project. The following Phase 3 business terms are proposed to be amended:

Close of Escrow for Phase 3 will occur on or before Jun. 15, 2020 (First Extension).

Upon signing the amendment, Developer will pay to the City $21,896.62 as non-refundable earnest money that can be applied to the remaining purchase price.

Should Developer not close escrow by the end of the First Extension, Developer may exercise one additional six-month extension to extend Close of Escrow to Dec. 15, 2020 (Second Extension).

Upon exercising the Second Extension, Developer will pay to the City $43,793.24 as non-refundable earnest money that may be applied to the remaining purchase price.

If the Second Extension is exercised, the City will also extend the Completion of Construction Date by one year.

All other terms and conditions of the DRA shall remain in full force and effect.

Financial Impact

There is no impact to the General Fund by this action.

Concurrence/Previous Council Action

City Council originally approved the Project through Ordinance S-44110 on Nov. 29, 2017.

Location

1016 N. 2nd St.

Council District: 7

This item was adopted.

70 Development Agreement with NIXDT, LLC for Development of Property Located at 117, 125, 133 and 141 E. Jackson St. in Downtown Phoenix (Ordinance S-46301)

Request to authorize the City Manager, or his designee, to enter into a development agreement, lease agreement, easements and other agreements as necessary (Agreements), with NIXDT, LLC, or its City-approved designee (Developer), for the development of a six-story hotel located at 117, 125, 133, and 141 E. Jackson St. that will incorporate and reactivate the historic Fuller (W.P.) Paint Company Warehouse as the hotel lobby, and for the City Treasurer to accept funds related to this item. The Project will have no financial impact to the General Fund.

Summary

On July 1, 2019, the Developer submitted its proposal in response to the 2017-18 Downtown Development Request for Proposals (RFP) requesting the City's consideration of a Government Property Lease Excise Tax (GPLET) transaction for the development of a hotel project that will incorporate and reactivate the historic Fuller Paint Company Warehouse located at 117 E. Jackson St. as the hotel lobby. The new hotel will be built on a parking lot located east of the Fuller Paint Company Warehouse at 125, 133 and 141 E. Jackson St. The project will bring an additional hotel option to an area of downtown that has limited lodging options and support the renovation and rehabilitation of a historic building.

If approved, the project will result in an approximately six-story, 140-room hotel; renovation and rehabilitation of the Fuller Paint Company Warehouse as the hotel lobby; and 23 parking spaces (Project) on the approximately 27,500 square foot property. An extensive renovation is necessary for the Fuller Paint Company Warehouse including a new roof and roof decking, paint removal, brick repair, overhaul of the building's structural support and window replacement. The rehabilitation costs are estimated between $1.17 million and $1.45 million. The Fuller Paint

Company Warehouse and adjacent lot are currently vacant. The proposed Project will bring a capital investment of approximately $21 million to the downtown community and create approximately 100 construction jobs and 30 permanent jobs. Upon issuance of a certificate of occupancy for the Project, and other terms and conditions specified in the Agreements, the Developer will convey title of the property to the City, and the City will lease the property back to the Developer for a term not to exceed eight years for an annual rent as detailed below. The GPLET on the project will be abated for up to eight years from the date of the certificate of occupancy.

Procurement Information

An evaluation panel, consisting of a representative from the Warehouse District and City staff from both the Community and Economic Development Department and the Office of Historic Preservation, was convened earlier this summer to review the proposal. The panel unanimously recommended the City begin negotiations with the Developer.

Contract Term

The lease will be for eight years upon issuance of the certificate of occupancy. There are no extensions to the proposed lease, and upon conclusion of the term, ownership of the property will be transferred back to the Developer. The Developer will have the ability to terminate the lease at any time subject to the terms of the Agreements.

Financial Impact

The Project will have no financial impact to the General Fund. The estimated one-time construction tax revenue to the City is approximately $175,000, plus an estimated annual hotel tax revenue generation of approximately $270,000 at stabilization. The Developer will pay an annual rent to the City starting at $25,000 in year one and escalating by $25,000 every subsequent two years of the lease. The rent payments will be deposited in the Downtown Community Reinvestment Fund.

Concurrence/Previous Council Action

This item was recommended for approval by the Workforce and Economic Development Subcommittee at the Dec. 3, 2019 meeting by a

vote of 3-1.

Public Outreach
Staff presented to the Warehouse District on Nov. 19, 2019 and the Downtown Voices Coalition on Dec. 14, 2019. The Developer also met with the Phoenix Elementary School District No. 1 and the Phoenix Union High School District.

Location
117, 125, 133 and 141 E. Jackson St. (southwest corner of 2nd and Jackson streets)
Council District: 7

This item was continued to the January 29, 2020 City Council Formal Meeting.

71 Resolution to Participate In and Support Bid to Host 2025-2026 NCAA Women's Basketball Final Four Tournament (Resolution 21801)

Request to authorize a resolution to express support for the region's bid to host the NCAA Division I Women's Basketball Final Four Tournament in one of the years from 2025 to 2026, and to authorize the City's participation in the bid if Phoenix advances in the bid process as a finalist.

Summary
The National Collegiate Athletic Association (NCAA) has requested a declaration of support from the City of Phoenix in the bid to host the NCAA Women's Basketball Final Four Tournament between 2025 and 2026. This resolution will express the City's support for the bid through the commitment of general government services (including: citywide operations liaison; ambush marketing protections; permitting assistance; public safety support/emergency preparedness; aviation arrival/departure cooperation; and provision of Fan Festival, Super Saturday Concert, Salute Presentation, Youth Bounce and Women's Basketball Coaches Convention venues).

The national semifinal and championship games would require use of the City-owned Talking Stick Resort Arena in downtown Phoenix as the competition venue. City staff and the Phoenix Bid Committee are

currently working with the Phoenix Suns to reserve the Arena for the requested dates. In addition, major fan-related events, lodging, and meeting activities associated with the tournament would also be held in downtown Phoenix. The tournament is held annually, and this bid is to host the tournament in Phoenix in either 2025 or 2026. If awarded, this would be the first-time that Phoenix would host the Women's Basketball Final Four.

In conjunction with the Phoenix Local Organizing Committee, Arizona State University (Host Institution), and the Greater Phoenix Convention and Visitors Bureau (Visit Phoenix), Phoenix has successfully hosted the 2017 NCAA Men's Basketball Final Four and was awarded to again host the NCAA Men's Basketball Final Four in 2024. Additionally, Phoenix will host the 2024 NCAA annual convention at the Phoenix Convention Center.

This item was adopted.

72 Oracle Talari Software Defined Wide Area Network and Acme Packet Session Border Controllers (Ordinance S-46264)

Request authorization for the City Manager, or his designee, to enter into an agreement with Oracle America, Inc. (Vendor 3013727) under the Oracle Master Agreement (Contract 142562) to provide the Talari Software Defined Wide Area Network (SD-WAN) solution, which is a software-defined wide-area network overlay used to carry 9-1-1 voice and data traffic, and the Oracle Acme Packet Session Border Controllers, which are used to the secure the 9-1-1 data network edge, in an amount not to exceed $800,000 over a three-year contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Oracle’s Talari Software Defined Wide Area Network (SD-WAN) is the platform Regional 9-1-1 Services uses to consolidate multiple, diverse resources for the 9-1-1 data network to aggregate bandwidth.

The Talari SD-WAN allows Regional 9-1-1 Services to strengthen the 9-1-1 network’s resiliency by combining Metro Ethernet, high-speed internet, and MAG Regional Community Network/government

fiber/wireless connections to provide stable WAN connectivity without purchasing additional services with high monthly costs.

Regional 9-1-1 Services has great flexibility in determining how a Talari SD-WAN solution is deployed at the physical edge, the virtual edge, or in the cloud using Talari's controller, appliances, and the Aware analytics platform.

The Oracle Acme Packet Session Border Controllers are used to secure the 9-1-1 network edge to allow for call control, manipulation, and security where Regional 9-1-1 interfaces with other agencies or vendors.

Contract Term
The license agreement will begin on or about Feb. 1, 2020 and be in effect through Jan. 31, 2023.

Financial Impact
The total three-year cost is approximately $800,000. Funds are available in the Fire Department's budget.

This item was adopted.

73 Authorization to Enter into Agreement with U.S. Department of Agriculture for Police Services (Ordinance S-46295)

Request authorization for the City Manager, or his designee, to allow the Police Department to enter into an agreement with the U.S. Department of Agriculture - Office of Inspector General (OIG) to reimburse the Police Department up to $30,000 per fiscal year for police services. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary
The purpose of this agreement is to receive reimbursement for police services associated with joint law enforcement operations, involving Supplemental Nutrition Assistance Program (SNAP) fraud. The goal is to identify and locate individuals and businesses involved in SNAP fraud, conduct investigations and effectuate prosecution. In turn, the OIG will reimburse for police overtime incurred in support of the investigations.

The OIG will not reimburse for fringe benefits associated with the overtime, therefore, the City will incur that expense as an in-kind component.

Contract Term
Date of execution through Sept. 30, 2020.

Financial Impact
The U.S. Department of Agriculture - Office of Inspector General will reimburse the Police Department up to $7,500-per-quarter, not to exceed $30,000 for the entire fiscal year.

Concurrence/Previous Council Action
This item wan unanimously approved by the Public Safety and Justice Subcommittee at the Dec. 11, 2019 meeting.

This item was adopted.

75 Authorization to Amend Current Agreement and Payment Ordinance with U.S. Department of Justice, National Institute of Justice, for FY 2018 Paul Coverdell Forensic Science Improvement Program Grant (Ordinance S-46297)

Request authorization for the City Manager, or his designee, to allow the Police Department to amend the current agreement and Payment Ordinance S-44542 with the U.S. Department of Justice, National Institute of Justice for the Fiscal Year (FY) 2018 Paul Coverdell Forensic Science Improvement Program grant. Authorization of the amendment will extend the agreement period by one year. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse all funds related to this item.

Summary
In 2019, the Police Department was awarded the FY 2018 Paul Coverdell Forensic Science Improvement Program grant in the amount of $250,000. The goal of the grant is to improve the quality and timeliness of forensic science and medical examiner/coroner's office services. Due to delays in procuring the equipment being purchased with this funding, the Police Department needs to extend the agreement for

an additional year in order to expend the funds available under the grant.

Contract Term
Authorization of this amendment would extend the contract period end date to Dec. 31, 2020.

Financial Impact
This is a request to extend the agreement and ordinance for an additional period of one year. No additional funding is being requested.

Concurrence/Previous Council Action
This item was unanimously approved by the Public Safety and Justice Subcommittee at the Dec. 11, 2019 meeting.

This item was adopted.

76 Authorization to Amend Current Agreement and Payment Ordinance with U.S. Department of Justice, Bureau of Justice Assistance for FY 2016 Sexual Assault Kit Initiative Grant (Ordinance S-46298)

Request authorization for the City Manager, or his designee, to allow the Police Department to amend the current agreement and Payment Ordinance S-42464 with the U.S. Department of Justice, Bureau of Justice Assistance for the FY 2016 Sexual Assault Kit Initiative grant. Authorization of the amendment will extend the agreement period by one year. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse all funds related to this item.

Summary
In 2016, the Police Department was awarded the FY 2016 National Sexual Assault Kit Initiative grant in the amount of $1,597,406. The goal of the grant is to address the growing number of un-submitted Sexual Assault Kits (SAK) to help provide resolution for victims when possible. Funding was provided to inventory the existing numbers of un-submitted SAKs, test these kits, assign designated personnel to pursue new investigative leads, and to support victims throughout the investigation and prosecution process. The Police Department needs to extend the agreement for an additional year in order to expend the funds available under the grant.

Contract Term

Authorization of this amendment would extend the contract period end date to Sept. 30, 2020.

Financial Impact

This is a request to extend the agreement and ordinance for an additional period of one year. No additional funding is being requested.

Concurrence/Previous Council Action

This item was unanimously approved by the Public Safety and Justice Subcommittee at the Dec. 11, 2019 meeting.

This item was adopted.

78 Original Equipment Manufacturer Vehicle and Equipment Parts Contract (Ordinance S-46267)

Request to authorize the City Manager, or his designee, to spend $750,000 in additional payment authority under Contract No. 150327 with Bingham Equipment Company, Contract No. 150328 with Cummings, Inc., Contract No. 150330 with Empire Southwest LLC, Contract No. 150334 with Forklift Exchange, Inc., Contract No. 150337 with Freightliner of Arizona, Inc., Contract No. 150339 with Norwood Equipment, Inc., Contract No. 150340 with Rush Truck Centers of Arizona, Inc., and Contract No. 150341 with RWC International Ltd. (Contracts) for the Aviation Department. Total expenditures will not to exceed $9,050,000 over the five-year aggregate term of the Contracts. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The contracts were originally awarded to the Public Works Department to supply necessary parts and equipment for City-owned vehicles. The Aviation Department is requesting to be added as a user of these Contracts. The Contracts are needed to support the Aviation Department's regular vehicle maintenance program and to perform the repair and replacement of OEM parts on City-owned vehicles and equipment on an as-needed basis. The regular vehicle maintenance program will ensure the Aviation Department pool vehicles are properly

maintained and are mechanically safe for City personnel and operators.

Contract Term
The initial one-year term of the Contracts began on Jul. 1, 2019. The Contracts have four one-year options to extend the term.

Financial Impact
Additional funds in the amount of $750,000 will increase the total value of the Contracts to $9,050,000 over the five-year terms, if all options are exercised. Funds are available in the Aviation Department's budget.

Concurrence/Previous Council Action
The Contracts were recommended for approval by the Public Works Department at the Formal City Council meeting on May 1, 2019.

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

This item was adopted.

80 Original Equipment Manufacturer Vehicle and Equipment Maintenance and Repairs (Ordinance S-46272)

Request to authorize the City Manager, or his designee, to spend $400,000 in additional payment authority under Contract No. 150325 with Bingham Equipment Company, Contract No. 150326 with Cummings, Inc., Contract No. 150329 with Empire Southwest LLC, Contract No. 150331 with Forklift Exchange, Inc., Contract No. 150332 with Freightliner of Arizona LLC, Contract No. 150333 with Norwood Equipment , Inc., Contract No. 150335 with Rush Truck Centers of Arizona, Inc., and Contract No. 150336 with RWC International Ltd. (Contracts) for the Aviation Department. Total expenditures will not to exceed $35.4 million over the five-year aggregate terms of the Contracts. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Contracts were originally awarded to the Public Works Department to

provide maintenance and service to City-owned vehicles and equipment. The Aviation Department is requesting to be added as a user of the Contracts. The Aviation Department is responsible for maintaining approximately 900 vehicles and equipment and the Contracts will provide maintenance and service by local authorized original equipment manufacturer service providers on an as-needed basis. The Contracts are needed to provide service, repairs, and maintenance on City-owned pool vehicles as part of the regular vehicle maintenance program that will ensure Aviation Department's pool vehicles are properly maintained and are mechanically safe for City personnel and operators.

Contract Term

The initial one-year terms of the Contracts began on Jul. 1, 2019. The Contracts have four one-year options to extend the term.

Financial Impact

Additional funds in the amount of $400,000 will increase the total value of the Contracts to $35.4 million over the five-year terms, if all options are exercised. Funds are available in the Aviation Department's budget.

Concurrence/Previous Council Action

The Contracts were recommended for approval by the Public Works Department at the Formal City Council meeting on May 1, 2019.

Location

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

This item was adopted.

81 Transmission Rebuild and Exchange (Ordinance S-46275)

Request to authorize the City Manager, or his designee, to spend $37,500 in additional money under Contract No. 149782 (Contract) with Wenimm LLC. Total expenditures will not exceed $662,500 over the five-year aggregate term of the Contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Contract was originally awarded to the Public Works Department to supply transmission rebuild and exchange services for City-owned vehicles. The Aviation Department is requesting to be added as a user of the Contract. The Aviation Department is responsible for maintaining approximately 450 fleet vehicles that range from pool vehicles to first responder vehicles for Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport. The Contract is needed to allow expeditious transmission service to properly maintain the safety of the fleet vehicle operators.

Contract Term

The initial one-year term of the Contract began on June 1, 2019. The Contract has four one-year options to extend the term.

Financial Impact

Additional money in the amount of $37,500 will increase the total contract value to $662,500 over the five-year term, if all options are exercised. Funds are available in the Aviation Department's budget.

Concurrence/Previous Council Action

This item was recommended for approval by the Public Works Department at the Formal City Council meeting on May 1, 2019.

Location

Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.; Phoenix Deer Valley Airport, 702 W. Deer Valley Road; Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.
Council Districts: 1,8, Out of City

This item was adopted.

82 Air Service Incentive Program (Ordinance S-46305)

Request to authorize the City Manager, or his designee, to approve a new Air Service Incentive Program (Program) for Phoenix Sky Harbor International Airport (Airport). The aggregate cost for the Program will not exceed $2.5 million per airline. Further request authorization for the City Controller to disburse all monies related to this item.

Summary

Obtaining new routes to serve the customers of the Airport is competitive. Airlines are increasingly selective on which markets they choose to operate international air service. Airlines choose markets that provide the greatest revenue opportunity based on aircraft availability and the high cost of operating international routes. It is industry practice for airports to partner with airlines by reducing an airline's financial risk during the important start-up period through an incentive program. When faced with a choice on where to place new service, airline incentive programs can help influence the airline decision making process.

Contract Term

The Program will be effective from July 1, 2020 through June 30, 2024.

Financial Impact

The Program allows for a maximum of $2 million in marketing funding, plus $500,000 in fee waivers per airline over a two-year period. While it is possible for more than one airline to take advantage of the maximum funding, it is highly unlikely. Money is available in the Aviation Department's budget for this purpose.

Concurrence/Previous Council Action

This item was recommended for approval at the Transportation, Infrastructure and Innovation subcommittee on Dec. 4, 2019 by a vote of 4-0.

Location

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

This item was adopted.

83 Caterpillar Machine Maintenance and Rebuild Services (Ordinance S-46277)

Request to authorize the City Manager, or his designee, to enter into a contract with Empire Southwest, LLC to provide maintenance and rebuild services on Caterpillar equipment. This contract will have an aggregate value of $10.2 million. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is responsible for the repairs and maintenance of 25 Caterpillar units at the City's State Route 85 (SR85) landfill and transfer stations. SR85 and transfer stations rely exclusively on Caterpillar machinery in their daily operations to ensure equipment is operational and meet federal and state laws regarding disposal of contained collection materials. These sites depend on full time Caterpillar certified technicians to provide daily maintenance, lubrication, cleaning and repair work of the equipment. These services are essential to maximizing fuel efficiency, controlling costly repairs, and minimizing downtime to operations. The equipment maintained through this contract includes excavators, front loaders, small wheel loaders, compactors and additional equipment that is critical for landfill operations to safely and properly dispose of waste at the landfills.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing that there is only one source for these essential parts, accessories and service. Empire Southwest is the only authorized distributor of Caterpillar parts, accessories and is the sole vendor for Original Equipment Manufacturer (OEM) Caterpillar repairs for the State of Arizona.

Contract Term

The initial one-year contract term shall begin on or about Jan. 15, 2020, with four option years in increments of up to one year, with a total contract option term of five years.

Financial Impact

This contract will have a total aggregate amount not to exceed $10.2 million over the life of the contract. Funds are available in the Public Works Department's budget.

Locations

North Gateway Transfer Station is located at 30205 N. Black Canyon Hwy.
27th Avenue Transfer Station is located at 3060 S. 27th Ave.
SR85 Landfill is located at 28633 W. Patterson Road, Buckeye

This item was adopted.

84 Amendment of Intergovernmental Agreement with City of Glendale (Ordinance S-46283)

Request to authorize the City Manager, or his designee, to execute an amendment to the Intergovernmental Agreement (IGA) with the City of Glendale to allow the City under special circumstances to deliver recyclable materials to the City of Glendale's facility for processing, in exchange for the City's receipt of Glendale's recyclable materials for processing at a City facility. This IGA amendment will be conducted as a true balanced reciprocal agreement on a ton-for-ton basis with no monetary exchange required.

Summary

The City of Phoenix and City of Glendale mutually agree it is beneficial and good business for each party to use the facilities owned by the other on a reciprocal basis to support operations. This IGA creates mutual service benefits and operational efficiencies in collection and disposal, including vehicle routing, avoidance of excessive travel times and distances, fuel economy, and reduction of air pollution. This amendment would allow balanced exchange of recyclable materials, under special circumstances including temporary closure, renovation or equipment malfunction at the North Gateway Material Recovery Facility (MRF), 27th Avenue MRF and City of Glendale's MRF, or in an emergency such as impassable roads, accidents, or fire.

Contract Term

The initial three-year term of this IGA began on July 1, 2018, through June 30, 2021. Provisions of the IGA include an option for one extension for an additional two-year period, to be exercised by the City Manager, or his designee.

Financial Impact

This amended agreement will be conducted as a ton-for-ton exchange with no monetary value for the recyclable materials.

Concurrence/Previous Council Action

Authorization to enter into an agreement with City of Glendale was approved by City Council on June 6, 2018. The original IGA allows for a balanced exchange of solid waste material. This amendment would include recyclable materials.

Location
North Gateway Materials Recovery Facility is located at 30205 N. Black Canyon Highway
Council District: 2

27th Avenue Materials Recovery Facility is located at 3060 S. 27th Ave.
Council District: 7

This item was adopted.

85 Contract Recommendation for Fire Alarm and Suppression Systems Maintenance and Repair (Ordinance S-46284)

Request to authorize the City Manager, or his designee, to enter into separate contracts with American Fire Equipment Sales & Service, CopperState Fire Protection, Desert Fire Services, LLC, RCI Systems, LLC, and Summit Fire Protection Company to provide regular testing, inspections, maintenance and repairs to fire alarm and fire suppression systems for the Public Works and Housing departments. This contract will have an aggregate total of approximately $13,677,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Public Works Department is responsible for proper operation and maintenance for fire alarm systems and fire suppression systems in City-owned buildings throughout the City. The Housing Department is responsible for fire alarm and fire suppression systems operation and maintenance at several City-owned public housing facilities. These contracts will provide regular testing and inspections of fire and life safety systems, fire alarm systems, fire sprinklers, fire hydrants and fire suppression systems. The contracts will also provide maintenance and repairs to these systems on an as-needed basis.

Procurement Information

Invitation for Bid 20-FMD-017 was conducted in accordance with Administrative Regulation 3.10. There were seven offers received by the Public Works Department on Oct. 9, 2019. The offers were evaluated based on price, responsiveness to all specifications, and the responsibility to provide the required services. The offers submitted by American Fire Equipment Sales & Service, CopperState Fire Protection, Desert Fire Services, LLC, RCI Systems, LLC, and Summit Fire Protection Company were deemed to be fair and reasonable.

See **Attachment A** for the bid summary of offers submitted for Groups 1-3.

Contract Term

The initial five-year contract term shall begin on or about Feb. 1, 2020, with one five-year option to extend, for a total contract option term of up to 10 years.

Financial Impact

This contract will have a $1,367,700 estimated annual expenditure, with a total aggregate amount not to exceed $13,677,000 over the life of the contract. Funds are available in the Public Works and Housing departments' budgets.

This item was adopted.

86 Intergovernmental Agreement with Arizona Department of Transportation for Maintenance of a Box Culvert along Riverview Drive near 18th Place (Ordinance S-46265)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation (ADOT) for maintenance of a new box culvert along Riverview Drive east of 18th Place. Further request an exemption from the indemnification prohibition set forth in Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20.

Summary

The Street Transportation Department has a roadway improvement project currently under construction on Riverview Drive from 18th Place to 22nd Street over the existing ADOT outfall channel. The project scope

includes the construction of a new concrete box culvert within ADOT right-of-way. The agreement establishes the City's maintenance responsibilities for the infrastructure improvements within ADOT right-of-way which includes the new structure along with grafitti and trash removal in the area. The structure number for the new box culvert is 11549.

Contract Term
The agreement term shall be for successive five year periods from the effective date and may be amended upon mutual written consent of both parties.

Financial Impact
The Street Transportation Department has funds within its operating budget to address the IGA maintenance requirements as they arise.

Location
The box culvert is located along Riverview Drive, approximately 1,000 feet east of 18th Place.
Council District: 8

This item was adopted.

88 **Water Production Wells and Aquifer Storage and Recovery Wells Phase 2 - Construction Manager at Risk Preconstruction and Construction Services - WS85010054, WS85010052 and WS85010045 (Ordinance S-46273)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with two contractors listed below, to provide Construction Manager at Risk (CMAR) Preconstruction and Construction Services for the Water Production Wells and Aquifer Storage and Recovery (ASR) Wells Phase 2 project. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed $375,000.

Summary
The purpose of this project is to install five wells for this phase of the

project. The goal of these wells is to augment Phoenix's potable water resources during times of long-term water shortages, emergency outages, and meeting potable system demand balancing.

Felix Construction Company (Felix) and Hunter Contracting Co. (Hunter) will begin in an agency support role for CMAR Preconstruction Services. The Contractors will assume the risk of delivering the project through a Guaranteed Maximum Price (GMP) agreement.

Felix and Hunter's services include, but are not limited to: detailed cost estimating; project planning and scheduling; providing alternate systems evaluation and constructability studies; advising the City on ways to gain efficiencies in project delivery; providing long-lead procurement studies and initiating procurement of long-lead items; and assisting with permitting process. A Small Business Enterprise goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

Felix and Hunter will then transition to preparation of a GMP proposal for the Construction Services provided under the agreement, and participate with the City in a process to establish a Small Business Enterprise goal for the project. Felix and Hunter will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. Felix and Hunter may also compete to self-perform limited amounts of work. GMP preparation is required to be performed during Preconstruction Services due to the phasing of the project.

Procurement Information

The selections were made using a qualifications-based selection process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Seven firms submitted proposals and are listed below:

Selected Firms

Rank 1: Felix Construction Company

Rank 2: Hunter Contracting Co.

Additional Proposers
Rank 3: Kiewit Infrastructure West Co.
Rank 4: MGC Contractors, Inc.
Rank 5: PCL Construction, Inc.
Rank 6: Haydon Building Corp.
Rank 7: Blucor Contracting

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

Financial Impact
The agreement value for Felix Construction Company will not exceed $225,000. The agreement value for Hunter Contracting will not exceed $150,000. The fees include all subcontractor and reimbursable costs. The total fee for services will not exceed $375,000.

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

This item was adopted.

89 America's Water Infrastructure Act Risk and Resilience Assessment - Engineering Services - 8434100000 (Ordinance S-46285)

Request to authorize the City Manager, or his designee, to enter into an agreement with Brown and Caldwell, Inc., to provide Engineering Services that include assessment and design for the America's Water Infrastructure Act (AWIA) Risk and Resilience Assessment project. Further request to authorize execution of amendments to the agreement

as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $177,000.

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

Summary

On Oct. 23, 2018, the AWIA was signed into law. The law requires community drinking water systems serving more than 3,300 people to develop or update risk and resilience assessments and emergency response plans, and establish deadlines by which water systems must certify to the U.S. Environmental Protection Agency (EPA) completion of the assessments and plans.

This project was initiated under the Citywide Engineering/Consulting On-Call Services for Calendar Years 2017-18 for Brown and Caldwell, Inc. to evaluate, revise, and update Phase I of the Water Services Department's emergency response plan. Brown and Caldwell, Inc. was contracted under the current 2019-20 Citywide Engineering On-Call Services contract to complete Phase II updates to build out the emergency response plans. In the meantime, the AWIA requirements were imposed and now need to be incorporated into the emergency response plans. However, Brown and Caldwell, Inc.'s contract capacity is exhausted.

Procurement Information

Brown and Caldwell, Inc. was chosen for this project using a Direct Select process according to Arizona Revised Statutes (A.R.S.) section 34-103. A Direct Select is necessary due to the unique nature of the requirement to certify the plans by March 31, 2020, and to allow Brown and Caldwell, Inc. to continue work they have already done on the

emergency response plans.

Contract Term

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

Financial Impact

The agreement value for Brown and Caldwell, Inc. will not exceed $177,000, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved:

Citywide Engineering/Consulting On-Call Services for Calendar Years 2017-18 (Ordinance S-43045) on Nov. 30, 2016.

Citywide Engineering/Consulting On-Call Services for Calendar Years 2019-20 (Ordinance S-45138) on Nov. 14, 2018.

This item was adopted.

90 Authorization to Apply, Accept and Disburse Funding, and if Awarded, Enter into Agreements for Transportation Safety Projects in Fiscal Year 2020 (Ordinance S-46293)

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into agreements for disbursement of federal transportation funding from the U.S. Department of Transportation. Further request an exemption from the indemnification prohibition set forth in the Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20 if funding is received. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, the funds, if awarded. The

individual awards are anticipated to range from $250,000 up to $500,000 in federal funding depending on the amount requested and the complexity of the project.

Summary

The U.S. Department of Transportation (USDOT) issued a Notice of Funding Opportunity (NOFO) on Nov. 14, 2019, for $3 million in transportation safety grants in fiscal year 2020 which provides federal funding to address roadway safety problems. The individual awards are anticipated to range from $250,000 up to $500,000 in federal funding depending on the amount requested and the complexity of the project. USDOT created this funding opportunity to develop, refine, and implement safety tools that address a specific roadway safety problem and support practitioner policy and decision making.

The Street Transportation Department aims to pursue all funding opportunities whenever solicitations are presented that align with the City's transportation goals and objectives. This recent NOFO is an avenue to leverage City dollars, while increasing the City's ability to complete more transportation-related projects that enhance safety in the community. Staff is working on an application submittal to develop a comprehensive safety analysis tool that will help make more informed decisions about implementing safety countermeasures. Between now and the application due date of Jan. 17, 2020, staff will continue to refine the scope and costs of the grant submittal to be competitive with other local and regional submittals. Staff anticipates the application submittal will request $500,000 in federal funding.

Financial Impact

The USDOT funding is a reimbursable grant based on completed deliverable(s). The initial 75 percent of the overall funding amount will be reimbursed upon completion of the safety analysis tool and the final 25 percent will be reimbursed upon completion of a final report. Funding for this project is available in the Street Transportation Capital Improvement Program.

This item was adopted.

91 23rd Avenue Wastewater Treatment Plant Grit Basin Replacement - Construction Manager at Risk Construction Services -

WS90200059 (Ordinance S-46282)

Request to authorize the City Manager, or his designee, to enter into an agreement with McCarthy Building Companies, Inc. (McCarthy) to provide Construction Manager at Risk (CMAR) Construction Services for the 23rd Avenue Wastewater Treatment Plant (WWTP) Grit Basin Replacement project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $30,060,000.

Summary

The purpose of this project is to replace the grit basins and supporting facilities at the 23rd Avenue WWTP. Grit removal systems take grit material (sand, stones, rocks, construction material, etc.) out of the wastewater treatment process to increase process capacity and reduce maintenance costs. The original grit basins were constructed in 1984. A recent assessment revealed the grit removal systems have reached the end of their useful operational life and rehabilitation is no longer cost effective. This project will include replacement of the grit removal basins, pumps, bar screens, and other supporting facilities.

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

McCarthy’s services include, but are not limited to: cost estimating; project planning and scheduling; providing alternate systems evaluation and constructability studies, advise on ways to gain efficiencies in project delivery; long-lead procurement; and assist with permitting process. An SBE goal will be established for this project upon substantial completion of preconstruction services and prior to the start of construction.

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

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

Financial Impact
The agreement value for McCarthy Building Companies, Inc. will not exceed $30,060,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved:
Assessment Services Agreement 144853 (Ordinance S-43439) on April 19, 2017;
Engineering Services Agreement 147217 (Ordinance S-44418) on April 4, 2018; and
CMAR Preconstruction Services Agreement 149209 (Ordinance S-45323) on Jan. 23, 2019.

Location
2470 S. 22nd Ave.
Council District: 7

This item was adopted.

92 Verde Water Treatment Plant Facilities Demolition and Site Restoration - Construction Manager at Risk Construction Services Amendment 2 - WS85200010 (Ordinance S-46303)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 140324 with Hunter Contracting Co. to provide additional Construction Manager at Risk (CMAR) construction services for the Verde Water Treatment Plant Facilities Demolition and Site Restoration project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $6,850,000.

Summary

The purpose of this project is to demolish the Verde Water Treatment Plant (WTP) and restore the land-leased site to its original condition as much as possible, at the request of the Salt River Pima-Maricopa Indian Community (SRPMIC). The site is located near the confluence of the Salt and Verde Rivers. In an Oct. 7, 2011 letter, the City gave the SRPMIC notice of its intention to cease the plant operations and remove it from the City's water distribution system on Dec. 31, 2011 and turn the plant over to the SRPMIC on Dec. 31, 2014.

This amendment is necessary because based on sampling of soil for arsenic levels, it was discovered that remediation of arsenic soils near the percolation pond needed to be expanded and excavation depth increased to meet the arsenic level agreed to by the City and SRPMIC. The soil remediation area has increased in volume from 55 tons to approximately 150 tons. The contaminated soil will be removed and replaced with clean backfill and landscape will be added to the extended areas of excavation. This amendment will provide additional funds to the agreement.

Contract Term

The original contract term remains the same. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the

termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

The initial agreement for CMAR Construction Services was executed for a fee not-to-exceed $13,391.63, including all subcontractors and reimbursable costs.

Amendment 1 increased the agreement value by $14,984,709.95, including all subcontractors and reimbursable costs.

Change Orders 1 through 3 increased the agreement value by $2,350,000, including all subcontractors and reimbursable costs.

Amendment 2 will increase the agreement by an additional $6,850,000, for a new total not-to-exceed agreement value of $24,198,101.58, including all subcontractors and reimbursable costs.

Concurrence/Previous Council Action

The City Council approved:

Design Services Agreement 140252 (Ordinance S-41532) on March 18, 2015;

CMAR Design Phase Services Agreement 140253 (Ordinance S-41533) on March 18, 2015;

CMAR Construction Services Agreement 140324 (Ordinance S-41568) on March 25, 2015;

CMAR Construction Services Agreement 140324 Amendment 1 (Ordinance S-43437) on April 19, 2017;

Construction Administration and Inspection Services Agreement 144857 (Ordinance S-43444) on April 19, 2017;

CMAR Construction Services Agreement 140324 Change Order 1 (Ordinance S-44503) on May 2, 2018;

CMAR Construction Services Agreement 140324 Change Order 2 (Ordinance S-44781) on June 20, 2018; and

CMAR Construction Services Agreement 140324 Change Order 3 (Ordinance S-45845) on June 26, 2019.

Location

North Fort McDowell Road and Route 87 (Salt River Pima - Maricopa Indian Community)

Council District: Out of City

This item was adopted.

93 Oracle Software License and Maintenance Services in Support of Water Services Department Critical Business Applications (Ordinance S-46266)

Request to authorize the City Manager, or his designee, to execute a purchase order and authorize expenditures under Contract 142562 with Oracle America, Inc., to obtain the desired software license, maintenance, and support services for the Water Services Department (WSD) Process Control Technology Support Division's existing Oracle platform. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $600,000.

Summary

The purpose of this agreement is to provide Oracle software license, maintenance and support services for WSD's Laboratory Information Management System (LIMS) and Integrated Performance Audit & Compliance Software (iPACS) applications. In 2015, Council approved the existing Master Agreement with Oracle which presently provides service and support for various Citywide software applications. The direct selection is necessary because the Oracle software applications are the intellectual property of Oracle America, Inc.

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

Contract Term

The period of performance for these services will be in accordance with the Master Agreement term, which expires on Apr. 21, 2021.

Financial Impact

The Agreement value for Oracle America, Inc. will not exceed $600,000. Funding is available in the Water Services Department's Operating budget.

Concurrence/Previous Council Action

The City Council approved Oracle Master Agreement 142562 on Oct. 21, 2015.

This item was adopted.

94 Anticorrosive Painting Services Contract (Ordinance S-46274)

Request to authorize the City Manager, or his designee, to enter into an agreement with Tanner Riddle Painting, Inc., to provide anticorrosive painting services for the Water Services Department. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total aggregate value of the agreement will not exceed $150,000.

Summary
The purpose of this agreement is provide anticorrosive painting services for pipes located inside storage rooms that contain corrosive chemicals on an as-needed basis for the Water Services Department.

Procurement Information
The selection was made using an Invitation for Bid process in accordance with City of Phoenix Administrative Regulation 3.10.

Four vendors submitted bids and the selected vendor is listed below.

Selected Vendor
Tanner Riddle Painting, Inc.

Contract Term
The term of the agreement is five years and will begin on Feb. 1, 2020.

Financial Impact
The agreement value for Tanner Riddle Painting, Inc. will not exceed $150,000.

Funding is available in the Water Services Department's Operating Budget.

This item was adopted.

95 Respiratory Personal Protective Equipment Contract (Ordinance S-46278)

Request to authorize the City Manager, or his designee, to enter into an agreement with Municipal Emergency Services to provide respiratory personal protective equipment, and the repair, maintenance and calibration services for such equipment used by the Water Services Department (WSD). Further request to authorize execution of amendments to the contract as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total contract value will not exceed $450,000.

Summary

The purpose of this agreement is to provide personal protective equipment to WSD employees that work in the vicinity of hazardous chemicals in order to prevent harmful exposure. This contract also provides for the repair, maintenance and calibration services of the personal protective equipment.

Procurement Information

The selection was made using an Invitation for Bid procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted a bid. The selected bidder is listed below.

Selected Bidder

Municipal Emergency Services

Contract Term

The term of the agreement is for five years and will begin on or about Jan. 1, 2020.

Financial Impact

The agreement value for Municipal Emergency Services will not exceed $450,000.

Funding is available in the Water Services Department's Operating and Capital Improvement Program budgets.

This item was adopted.

96 Add Positions in Planning and Development Department to Meet Increased Construction Activity (Ordinance S-46288)

Request to authorize the City Manager, or his designee, to add 15 new positions to the base staff level in the Planning and Development Department. No General Fund dollars are requested to support this request; Development Services funds are available.

Summary

Development activity continues to steadily increase over the past several years and staffing has not maintained equivalent levels. The Planning and Development Department continues to utilize innovation, efficiency improvements, technology and contract staff to meet the increasing demands, but there remains a need to increase the base level of staff. The requested positions are in areas of the department that have been most impacted by the increase in construction activity, specifically in Plan Review and Inspections. This targeted increase in staff will help ensure that development activity is not negatively impacting development customers/stakeholders. See **Attachment A** for the positions being requested.

Financial Impact

The estimated cost for the positions for the remainder of the FY 2019-20 is estimated to be $888,227, with full year costs for FY 2020-21 is estimated to be $1,401,276. The total costs for the 15 positions is estimated to be $2,289.503 for Planning and Development. Community and Economic Development will be responsible for half of the cost of the Attorney IV position in the amount of $23,151 for FY 2019-20 and $46,301 for FY 2020-21, which will be paid for from the Downtown Community Reinvestment Fund. No General Funds are requested to support this request and Development Services funds are available.

This item was adopted.

97 Final Plat - Jacquelynn Ranch - Phase I - 180138 - Northwest

Corner of 95th Avenue and Jones Avenue

Plat: 180138
Project: 17-2555
Name of Plat: Jacquelynn Ranch - Phase I
Owner(s): First American Title Insurance Company
Engineer(s): Westwood Professional Services
Request: A 209 Lot detached single family planned residential plat
Reviewed by Staff: Dec.17, 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 on the northwest corner of 95th avenue and Jones Avenue.
Council District: 7

This item was approved.

98 **Final Plat - Residences on 2nd - 190034 - Northwest Corner of 2nd Avenue and McKinley Street**

Plat: 190034
Project: 18-359
Name of Plat: Residences on 2nd
Owner(s): Residences on 2nd, LLC
Engineer(s): MLC Services, LLC
Request: A 6 Lot Subdivision Plat
Reviewed by Staff: Dec. 12, 2019
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northwest corner of 2nd Avenue and McKinley

Street.
Council District: 7

This item was approved.

99 Abandonment of Right-of-Way - V190051A - 4037 N. 54th Place (Resolution 21802)

Abandonment: V190051A
Project: 01-21368
Applicant: Robert W. Pierce III
Request: To abandon 25' right-of-way easement and 7' right-of-way easements on the northern part of APN 128-13-054, adjacent to Lafayette Blvd., addressed 4037 N. 54th Place.
Date of Hearing: Aug. 29, 2019

Location
4037 N. 54th Place
Council District: 6

Financial Impact
A fee was also collected as part of this abandonment in the amount of $1,002.

This item was adopted.

100 Tramonto Development LLC Final Reimbursement Agreement (Ordinance S-46302)

Request to authorize the City Manager, or his designee, to enter into an agreement with Tramonto Development, LLC that establishes terms and conditions to accompany a final reimbursement payment, and further authorize the City Controller to disburse funds in accordance with said agreement in an amount not to exceed $371,479.42.

Summary
Tramonto Development, LLC (TD) entered into the Corridor Infrastructure Group Development Agreement 87015 dated Dec. 13, 1999. In accordance with Section 19 of the agreement, TD is entitled to receive reimbursement in the amount of the difference in water impact fee credit granted to TD for water infrastructure contributions and the water impact fees payable within the Tramonto development area. No other party to the agreement is eligible to receive reimbursement. To date, two such reimbursements totaling $3,238,291 have been remitted to TD. Since it

has taken more than 20 years to build-out Tramonto and fully utilize the water impact fee credit, TD is now requesting a final reimbursement payment in an amount equal to the unutilized and uncommitted water impact fee credit; which was estimated at $371,479.42 as of June 5, 2019.

Financial Impact
The total reimbursement amount will not exceed $371,479.42. Adequate funds are available in the Water Services Department, Northern Water Impact Fee Funds (0768, 2680, 3061).

Location
Generally located north of Jomax Road and Central Arizona Project canal.
Council Districts: 1 and 2

This item was adopted.

101 Amend City Code - Official Supplementary Zoning Map 1190 (Ordinance G-6657)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1190. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-56-04-3 and the entitlements are fully vested.

Summary
To rezone a parcel located approximately 180 feet east of the northeast corner of 15th Drive and Thunderbird Road
Z-56-04-3
Zoning: R-3
Owner: Newcor Development, LLC
Acreage: Approximately 2.15

Location
Approximately 180 feet east of the northeast corner of 15th Drive and Thunderbird Road
Council District: 3

This item was adopted.

102 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-9-19-4- Approximately 210 Feet West of the Southwest Corner of Central Avenue and Pasadena Avenue (Ordinance G-6660)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-9-19-4 and rezone the site from R-3 SP HP to R-3 SP HP to allow a special permit for the existing bed and breakfast and underlying R-3 uses.

Summary
Current Zoning: R-3 SP HP
Proposed Zoning: R-3 SP HP
Acreage: 1.18
Proposed Use: Bed and breakfast and underlying R-3 uses

Owner: Maricopa Manor, Inc.
Applicant: Brian Greathouse, Burch & Cracchiolo, PA
Representative: Brian Greathouse, Burch & Cracchiolo, PA

Staff Recommendation: Approval, subject to stipulations
VPC Action: The Alhambra Village Planning Committee heard this case on Nov. 26, 2019, and recommended approval per staff recommendation by an 11-0 vote.
PC Action: The Planning Commission heard this case on Dec. 5, 2019, and recommended approval per the Alhambra Village Planning Committee recommendation with an additional stipulation by a 9-0 vote.

Location
Approximately 210 feet west of the southwest corner of Central Avenue and Pasadena Avenue
Council District: 4
Parcel Addresses: 11 and 15 W. Pasadena Ave.

This item was adopted.

103 Amend City Code - Ordinance Adoption - Rezoning Application Z-29-19-6- Approximately 235 Feet East of the Northeast Corner of 32nd Street and Campbell Avenue (Ordinance G-6658)

Request to amend the Phoenix Zoning Ordinance, Section 601, the

Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-29-19-6 and rezone the site from R1-6 to P-1 to allow parking to serve adjacent businesses.

Summary
Current Zoning: R1-6
Proposed Zoning: P-1
Acreage: 0.78
Proposed Use: Parking to serve adjacent businesses

Owner: James Aaron Klusman
Applicant: Ed Bull, Burch & Cracchiolo, PA
Representative: Ed Bull, Burch & Cracchiolo, PA

Staff Recommendation: Approval subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on Aug. 6, 2019, and recommended approval per the staff recommendation by a 15-0 vote.
PC Action: The Planning Commission heard this case on Dec. 5, 2019, and recommended approval per the Camelback East Village Planning Committee recommendation by a 9-0 vote.

Location
Approximately 235 feet east of the northeast corner of 32nd Street and Campbell Avenue
Council District: 6
Parcel Addresses: 3216 and 3220 E. Minnezona Circle

This item was continued to the March 4, 2020 City Council Formal Meeting.

104 Amend City Code - Ordinance Adoption - Rezoning Application Z-47-19-7- Southeast Corner of 63rd Avenue and Baseline Road (Ordinance G-6659)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-47-19-7 and rezone the site from S-1 (approved CP/GCP and/or C-2) to CP/GCP, C-2 HGT/WVR and R-4 to allow commerce park development, commercial development with a height waiver for up to 56 feet, and multifamily residential.

Summary
Current Zoning: S-1 (approved CP/GCP and/or C-2)
Proposed Zoning: CP/GCP, C-2 HGT/WVR and R-4
Acreage: 128.61
Proposed Use: Commerce park development, commercial development with a height waiver for up to 56 feet and multifamily residential

Owner: Laveen Baseline, LLC
Applicant: Wendy Riddell, Berry Riddell, LLC
Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Laveen Village Planning Committee heard this case on Nov. 4, 2019, and recommended approval per the staff recommendation with a modified stipulation by an 8-0 vote.
PC Action: The Planning Commission heard this case on Dec. 5, 2019, and recommended approval per the Laveen Village Planning Committee recommendation by a 9-0 vote.

Location
Southeast corner of 63rd Avenue and Baseline Road
Council District: 7
Parcel Addresses: 8388 S. 59th Drive

This item was adopted.

105 Amend City Code - Ordinance Adoption - Rezoning Application Z-23-19-8 - Approximately 165 Feet East of the Southeast Corner of the 35th Street Alignment and Van Buren Street (Ordinance G-6655)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-23-19-8 and rezone the site from C-3 to WU Code T5:3 GW to allow multifamily and mixed use.

Summary
Current Zoning: C-3
Proposed Zoning: WU Code T5:3 GW
Acreage: 3.21
Proposed Use: Multifamily residential and mixed use

Owner: Vista Village on Van Buren, LLC
Applicant: Tom Wilson, Chicanos Por La Causa
Representative: Jerry Cook, Cook Associates

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Central City Village Planning Committee heard this case on Nov. 18, 2019, and recommended approval per the staff recommendation by a 14-0 vote.
PC Action: The Planning Commission heard this case on Dec. 5, 2019, and recommended approval per the Central City Village Planning Committee recommendation by an 8-0-1 vote.

Location
Approximately 165 feet east of the southeast corner of the 35th Street alignment and Van Buren Street
Council District: 8
Parcel Addresses: 3541 E. Van Buren St.

This item was adopted.

106 Amend City Code - Ordinance Adoption - Rezoning Application Z-48-19-8 - Northwest Corner of 25th Street and Southern Avenue (Ordinance G-6654)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-48-19-8 and rezone the site from Industrial Park to C-2 for an auto parts retail store.

Summary
Current Zoning: Industrial Park
Proposed Zoning: C-2
Acreage: 2.64 acres
Proposal: Auto parts retail store

Owner: 25th Street and Southern, LLC
Applicant: Dennis Newcombe, Beus Gilbert, PLLC
Representative: Paul E. Gilbert, Beus Gilbert, PLLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The South Mountain Village Planning Committee meeting heard this case on Nov. 12, 2019, and recommended approval per the staff recommendation with an additional stipulation and comment by an 8-4 vote.
PC Action: The Planning Commission heard this case on Dec. 5, 2019, and recommended approval per the South Mountain Village Planning Committee recommendation with an additional stipulation by a 9-0 vote.

Location
Northwest corner of 25th Street and Southern Avenue
Council District: 8
Parcel Addresses: N/A

This item was adopted.

113 One-time Purchase of Ladder Truck (Ordinance S-46308)

Request to authorize the City Manager, or his designee, to enter into a contract with Hughes Fire Equipment, Inc. to purchase one Pierce Manufacturing ladder truck. This is a one-time expenditure of $482,275. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Public Works Department is seeking to purchase one used ladder truck on behalf of the Fire Department to replace a truck that has exceeded its projected life cycle. This purchase will allow the Fire Department to reallocate achieved savings to replace other aged emergency response vehicles required to support operations. This purchase will also reduce the wait time for a new truck to be built, which has been on average one year.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination memo citing sole source. Hughes Fire Equipment is the sole authorized dealer in the State of Arizona for Pierce Manufacturing equipment.

This item needs to be procured by the end of January 2020 to meet the purchasing deadline from the vendor and save the City approximately

$700,000.

Contract Term
Upon Council approval, for the one-time purchase of a ladder truck.

Financial Impact
Expenditures will not exceed $482,275. Funds are available in the Fire Department's budget.

This item was adopted.

114 Request to Change Start Time of Jan. 14, 2020 Executive Session

Request for the City Council to change the start time of the Jan. 14, 2020, Executive Session from 1 p.m. to 12:30 p.m.

Public Outreach
The Notice and Agenda for the Jan. 14, 2020 Executive Session will be posted no later than 12:30 p.m. on Jan. 13, 2020, pursuant to A.R.S. section 38-431.02.

This item was approved.

115 Consideration of Citizen Petitions

This report provides the City Council with information regarding six citizen petitions **(Attachments A-F)**.

Summary
Mayor Kate Gallego released a memo to the City Council on Aug. 2, 2019 with updated subcommittee assignments. One of the charges of the Land Use and Livability Subcommittee is to review citizen petitions. Staff recommends these petitions be forwarded to the Jan. 15, 2020 Land Use and Livability Subcommittee for consideration.

This item was referred to the Land Use and Livability Subcommittee.

Items 33, 36, 43, and 45, Ordinance S-46263 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.

33 American Association of Airport Executives

For $59,375.00 in payment authority for 2020 Airport Legislative Alliance (ALA) Federal Affairs membership dues for the Aviation Department. The ALA Federal Affairs Department advocates on behalf of airports and works to prevent shifting of costs and federal responsibilities to airports, ensuring that unfunded mandates are not imposed. It is the primary interface with elected officials and regulatory agencies on issues affecting airports across the country. ALA Federal Affairs provides important information, alerts, updates and insight on legislation and proposed regulations, security policy, and congressional hearing reports. This item was approved by the Transportation, Infrastructure and Innovation Subcommittee on Dec. 4, 2019.

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

Yes: 7 - Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

36 Settlement of Claim(s) Zepeda v. City of Phoenix

To make payment of up to $45,000.00 in settlement of claim(s) in *Zepeda v. City of Phoenix*, 18-0634-002 GL BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

Discussion

Councilmember Garcia asked if staff could give facts on this case.

City Attorney Cris Meyer stated this item was for a payment of a claim to the daughter of an individual who sued the City after an interaction with a police officer in the restroom of a convenience store. He noted there was some misunderstanding of the circumstances, and added the City had paid the claim to the individual while this claim was filed by the minor

daughter who was there.

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

Yes: 7 - Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

43 **Maricopa County Rio Salado Community College**

For $10,000.00 in payment authority for the use of the Maricopa County Rio Salado Community College (Rio Salado) Police Academy testing services. This ensures that recruits are awarded college credit for their classroom training, testing, and grading through the Rio Salado Community College. Once the recruits become Police Officers, they are awarded the college credits. The Phoenix Regional Police Academy provides training to recruits for the Phoenix Police Department, Arizona Department of Public Safety, and various other Police agencies in Arizona. The academy holds up to 12 classes-per-year with an average of 30 recruits in each class.

Discussion

Councilwoman Pastor declared a conflict of interest and withdrew from the voting body.

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

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

No: 0

Conflict: 1 - Councilwoman Pastor

45 **NewGen Strategies and Solutions, LLC**

For $38,650.00 in additional payment authority for Contract 150134 with

NewGen Strategies and Solutions, LLC for the solid waste cost of service study for the Public Works Department. The additional costs are associated with new tasks assigned to provide analysis and information requested by staff and the solid waste rate advisory committee, including analysis of recycling go-away costs and revised capital improvement programs.

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

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

No: 1 - Councilman Waring

50 Amend City Code to Reflect State Licensure of Structured Sober Living Homes (Ordinance G-6661)

Request to modify the Phoenix City Code to remove the provisions of Chapter 10, Article XV Structured Sober Living Homes in accordance with State law, which now preempts cities from implementing such regulation. This Code change will have no financial impact to the City

Summary

The Phoenix City Council established a structured sober living home licensing program that became effective July 1, 2018. The licensing program reflected the efforts of a working group representing a broad range of community and industry stakeholders convened by the Planning and Development Department in 2017 and incorporated the input of the Law, Planning and Development, Neighborhood Services and City Clerk departments.

State legislation passed in 2018 stipulated that the City's authority to operate a licensing program would be repealed after the Arizona Department of Health Services (ADHS) finalized its rules and implemented a statewide licensing program for sober living homes.

Effective Sept. 30, 2019, the City’s authority for structured sober living home licensing has been repealed. Accordingly, staff is requesting to

remove the provisions related to licensing from the City Code.

Anyone operating a facility that meets the State definition of a sober living home must obtain a license from ADHS to operate legally in Arizona. The State's definition is broader than the City's, therefore, more homes in Phoenix may be required to obtain a license under the State law than were required to do so under City Code.

Group homes, including sober living homes, are still subject to community residence spacing, parking and other requirements outlined in the City of Phoenix Zoning Ordinance. The Neighborhood Services Department continues to receive and follow up on complaints regarding potential zoning ordinance violations and allegations of failure to comply with other City, County and State regulations and licensing requirements.

Financial Impact

This Code change will have no financial impact to the City Clerk Department.

Concurrence/Previous Council Action

Ordinance G-6453 was adopted by the City Council on April 18, 2018, and revised by G-6477 on June 28, 2018.

The City Council Land Use and Livability Subcommittee heard an update on this topic as part of a one-year review report presented by the Planning and Development, Neighborhood Services and City Clerk departments on Dec. 17, 2019.

Public Outreach

A notice regarding the statewide licensing program and the proposal to amend City Code to reflect current State law was sent in December 2019 to all homes and managers previously licensed with the City, as well as community stakeholders from 2018 who requested to remain informed of future developments related to this issue.

Discussion

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

Leonard Clark spoke in favor, and said a compromise needed to be made. He mentioned he could understand how neighborhoods would not

like to find out about issues at these homes, and added this was something that benefited society. He suggested many people had loved ones or friends that needed help with addiction, and asked Council to vote in favor of this item.

Councilwoman Stark said she appreciated the State making rules for sober living homes statewide, and added it was the right thing to do because it was a statewide problem. She stated the State took over the role of managing sober living homes.

Councilman Waring asked for clarification if this item was for the City to comply with statewide rules so there would not be different rules in every city.

City Attorney Cris Meyer replied that was correct.

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

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

No: 0

62 Professional Development, Facilitation and Training Services - RFQu 20-031 (Ordinance S-46291)

Request to authorize the City Manager, or his designee, to enter into new contracts with the 33 companies listed below for professional development, facilitation, and training services for various City departments. Further request authorization for the City Controller to disburse funds related to this item. The five-year aggregate value of all contracts will not exceed $2 million.

Summary

The Human Resources Department receives numerous requests from City departments for services which require procurement of specialized professionals and consultants to provide professional development,

facilitation, and training services. The vendors referenced below are qualified firms or individuals who will be placed on a Qualified Vendors List (QVL) to provide professional facilitation, training, motivational speaking, or management consulting services to departments citywide or with members of the community. The engagement formats may include, but are not limited, to community engagements, workshops, focus groups, informational sessions, seminars, departmental training, meetings and work sessions. Solutions to be provided by contracted vendors range from turn-key solutions to highly customized sessions in order to meet department and/or the community's needs.

Procurement Information
Request for Qualifications (RFQu) 20-031 was conducted in accordance with Administrative Regulation 3.10, with the intent of establishing a list of qualified vendors to supply professional development, facilitation, and training services to departments citywide. There were 45 offers received by the Finance Department's Procurement Division on Oct. 11, 2019. The offers were evaluated by a committee which determined that the following 33 offers met the City's minimum qualifications criteria:

Wellington Consulting Group, LTD
Tyrone A. Holmes Performance Consultants, LLC
Triad West, Inc
Traaen & Associates, LLC
The Pontis Group, LLC
The New River Group, LLC dba New River Group
The Murli Group, LLC
Talsa LTD
Sympraxis LLC
SOS Technology, LLC dba SOS Consulting
Sheila Murphy, LLC
SDS Global Enterprises, Inc
Positive Potentials LLC
MSS Technologies, Inc.
McKinnon Performance Consulting
Maricopa Corporate College
Management Partners, Inc
LeCroy & Milligan Associates, Inc

Keen Independent Research LLC
Heartfelt Workforce LLC
Gunn Communications Inc
FranklinCovey Client Sales, Inc
Elevate USA Inc
Dr. Maria Church International LLC
Dr. Karen Jacobson Enterprises, LLC
Compass Computer and Business School, LLC
Carla Carter & Associates, Inc. dba Center for Change Excellence
Blanchard Training and Development, Inc dba The Ken Blanchard Companies
Berry, Dunn, McNeil & Parker, LLC dba BerryDunn
Ben Harrison Associates, LLC
Bailey Strategic Innovation Group dba Extraordinary Balance
The Center for Professional Development, Inc
Avid Consulting, LLC

The Finance Director recommends that the offers from the above vendors be accepted as responsive and responsible offers that are most advantageous to the City.

Contract Term
The five-year contract term shall begin on or about Feb. 1, 2020.

Financial Impact
This is a Citywide contract and funds are available in the various departments' budgets. The five-year aggregate value of all contracts will not exceed $2 million.

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

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

74 Authorization to Enter into Intergovernmental Agreement with

Arizona Health Care Cost Containment System in Support of Arizona State Opioid Response Grant (Ordinance S-46296)

Request authorization for the City Manager, or his designee, to allow the Police Department to enter into an Intergovernmental Agreement with the Arizona Health Care Cost Containment System (AHCCCS) to increase access to medication assisted treatment, coordinated and integrated care, opioid use disorder (OUD) recovery support services and opioid prevention activities to reduce the prevalence of OUDs and opioid-related overdose deaths. The amount of funding available under this agreement is $150,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse all funds related to this item.

Summary

AHCCCS received a $30.8 million dollar grant from the Substance Abuse and Mental Heath Services Administration to address the opioid epidemic in the State of Arizona. The objective of the grant is to develop and support state, regional and local level collaboration and service enhancements to develop and implement best practices to comprehensively address the full continuum of care related to opioid misuse, abuse and dependency.

Funding provided under this grant will be utilized to increase access to medication assisted treatment, coordinated and integrated care, opioid use disorder recovery support services and opioid prevention activities to reduce the prevalence of opioid use disorders and opioid-related overdose deaths. The Police Department will use its share of funding to purchase Naloxone kits that will be distributed and used by trained officers and to purchase equipment and supplies necessary to train law enforcement officers throughout the City in CPR and Airway Management.

Contract Term

One year beginning Oct. 22, 2019 through Sept. 29, 2020.

Financial Impact

AHCCCS provides up to a maximum of $150,000 in funding under this

agreement.

Concurrence/Previous Council Action
This item was unanimously approved by the Public Safety and Justice Subcommittee at the Dec. 11, 2019 meeting.

Discussion
Leonard Clark spoke in favor, and suggested this was an epidemic. He talked about how it was better to get treatment for people with addiction rather than put them in jail, and added something needed to be done besides throwing people in jail.

Councilman DiCiccio mentioned Mr. Clark made some great points, and cited close to 99 percent of the opioids that are brought into the country illegally came from other nations. He suggested there had been more deaths and addiction than ever, and talked about how the money for this item would be better spent in dealing with cartels.

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

Yes:	9 -	Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	

77 Request Authorization to Accept a Donation of Services and Materials to Upgrade the Police Department's Canine Kennel (Ordinance S-46299)

Request authorization for the City Manager, or his designee, to accept services from Brycon Construction (Arizona office) along with donated materials and labor, collectively valued at approximately $200,000, to upgrade the Police Department's canine kennel located at the Southern Command Station.

Summary
The Police Department’s Canine Unit operates from the Southern

Command Station. The condition of the canine kennel located on the property has deteriorated over the years and is currently inadequate to safely shelter the police canines. Among the top concerns, there is minimal shade over the enclosure, so the canines are exposed to direct sunlight during the hottest part of the day. Of the eight individual pens, half are rusted and deteriorated so badly they have been deemed unsafe for use. The remaining pens are cooled by a leaky, rusted swamp cooler that has little effect during the monsoon season. Additionally, the enclosure has an antiquated environmental monitoring system and it lacks sufficient water and waste drainage.

Brycon's Arizona office became aware of the condition of the kennel and notified the Police Department they had selected the City of Phoenix police canine kennel upgrade as their 2019 Arizona Community Outreach project. Brycon strives to give back to the local community every year as a way for their employees and like-minded firms they work with throughout the year to help others. This project was selected because the company wanted to recognize the outstanding service of the City of Phoenix police canines and their handlers.

The plans for the new kennel involve renovating an existing enclosed structure located near the site of the current kennel. The new kennel will have a heat pump and exhaust fans to both heat and cool the interior space, motion sensor occupancy lighting, floor drains throughout, a dog wash basin, and storage and shelving for supplies. Additionally, the area outside the kennel structure will be landscaped with new sidewalks, benches and an adjustable dog run.

Brycon will facilitate this project. All necessary materials and labor needed for this upgrade have been donated from local community members.

Financial Impact

There is no cost to the City for the materials and labor associated with this project. The only cost to the City is for construction oversight and permitting fees, which are not expected to exceed $10,000. Funds for these expenses are available in the Police Department's budget.

Location
3443 S. Central Avenue
Council District: 7

Concurrence/Previous Council Action
This item was unanimously approved at the Public Safety and Justice Subcommittee meeting held Dec. 11, 2019.

Discussion
Mayor Gallego mentioned this item was a generous donation to help the Police Department get upgrades to the canine kennel at the southern command station.

Leonard Clark spoke in favor, and said he heard about the sad news from the El Mirage Police Department about a canine being killed and read about the conditions of the Phoenix police kennel. He thanked the donor for their donation, and asked Council to vote in favor of this item.

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

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

No: 0

79 Aviation Department Photography Services (Ordinance S-46270)

Request to authorize the City Manager, or his designee, to enter into a contract with Haute Media, LLC (Haute) for photography services for the Aviation Department in an amount not to exceed $250,000 over the five-year term of the contract, if all options are exercised. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Under the contract, Haute will provide photography services for the Aviation Department. The services will ensure that the Aviation Department has the ability to meet multiple requests from magazine and other professional publications to capture high-resolution images for press releases, public relation campaigns, airport websites, and other events at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport.

Procurement Information

Request for Proposals 20-007 - Photography Services was conducted in accordance with Administrative Regulation 3.10. Five offers were received and one was deemed nonresponsive.

The proposals were evaluated by an evaluation panel and scored by consensus based on the following criteria, with a point range of 0-1000 points:
Work Samples: 0-450 points.
Qualifications and Experience: 0-350 points.
Fees: 0-200 points.

The evaluation panel recommended Haute for contract award as the best value to the City based on the following consensus scores:
Haute Media, LLC - 963 points.
Studio 3 Images, LLC - 840 points.
Creative Badere LLC - 545 points.

Contract Term

The term of the contract will begin on or about Jan. 8, 2020. The term is for one year, with four one-year options to extend the term, which may be exercised in the sole discretion of the Aviation Director.

Financial Impact

The cost of the contract will not exceed $250,000 over the five-year aggregate term of the contract. Funds are available in the Aviation Department's budget.

Location

Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.

Phoenix Deer Valley Airport, 702 W. Deer Valley Road
Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.
Council Districts: 1, 8, and Out of City

Discussion

Mayor Gallego discussed how this season was going to be big for tourism in Phoenix, and mentioned the Council voted earlier to unanimously support bidding for the NCAA Women's Basketball Final Four. She stated Phoenix never had this event, and added it would be nice to make sure the Sky Harbor Airport was able to participate in great communications moving forward.

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

Yes:	7 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	2 -	Councilman DiCiccio and Councilman Waring

87 Water Production Wells and Aquifer Storage and Recovery Wells Phase 2 - Engineering Services - WS85010054, WS85010052 and WS85010045 (Ordinance S-46268)

Request to authorize the City Manager, or his designee, to enter into separate agreements with three consultants listed below to provide Engineering Services that include design and possible construction administration and inspection (CA&I) services for the Water Production Wells and Aquifer Storage and Recovery (ASR) Wells Phase 2 project. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $4.75 million.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the

project and to include disbursement of funds. Utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is for the design of equipment for production wells and ASR wells.

The Engineering consultants' Design Services include, but are not limited to: preparing design reports, drawings, and specifications for 60, 90, and 100 percent plans including cost estimates; obtaining all necessary permits; providing support services for project award, including attending any pre-selection or pre-bid meetings; responding to contractor questions; and preparing and submitting documents for construction procurement.

Construction administration and inspection services include: construction management inspections and oversight; reviewing construction schedules; issuing technical and construction clarifications; certifying contractors progress payments; material testing; producing record drawings and project documents; training and commissioning; preparing guidance documents; oversight of backwash operations and well development activities; and developing Supervisory Control and Data Acquisition programming specifications.

Procurement Information

The selections were made using a qualifications-based selection process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Four firms submitted proposals and are listed below.

Selected Firms

Rank 1: Wilson Engineers, LLC
Rank 2: Carollo Engineers, Inc.
Rank 3: Brown and Caldwell, Inc.

Additional Proposers
Rank 4: Stanley Consultants, Inc.

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

Financial Impact
The agreement value for Wilson Engineers, LLC will not exceed $2.2 million. The agreement value for Carollo Engineers, Inc. will not exceed $1.7 million. The agreement value for Brown and Caldwell, Inc. will not exceed $850,000. The fees for the three agreements include all subconsultant and reimbursable costs and the total fee for all services will not exceed $4.75 million.

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

Concurrence/Previous Council Action
The City Council approved Aquifer Storage and Recovery Wells and Water Production Wells - Engineering Services Agreements 148713-148715 (Ordinance S-45072) on Nov. 7, 2018.

Discussion
Leonard Clark spoke in favor, and asked for Council to vote in favor of this item. He commented one of the reasons he liked this was because of the recovery wells, and talked about other larger cities such as Tucson that have wells for rainwater. He discussed how the direct storage of rainwater would be beneficial, and stated the City needed to prepare now to prevent a situation like the recent wildfires in Australia from happening.

A motion was made by Vice Mayor Guardado, seconded by

Councilwoman Williams, that this item be adopted. The motion carried by the following vote:

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

No: 0

Discussion

Mayor Gallego asked Vice Mayor Guardado if she would make a motion to take Items 108-111 out of order.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, to take Items 108-111 out of order. The motion carried by the following voice vote:

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

No: 0

108 **Public Hearing and Resolution Adoption - General Plan Amendment GPA-DV-4-19-1- Northeast Corner of 45th Avenue and Alameda Road (Resolution 21804)**

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. This file is a companion case to Z-53-19-1.

Summary

Application: GPA-DV-4-19-1
Current Designation: Residential 0 to 2 dwelling units per acre
Proposed Designation: Residential 2 to 3.5 dwelling units per acre
Acreage: 15.04

Proposed Use: Traditional lot residential 2 to 3.5 dwelling units per acre

Owner: US Relp Norterra East 1, LLC
Applicant: Taylor Earl - Earl & Curley
Representative: Taylor Earl - Earl & Curley

Staff Recommendation: Approval.
VPC Action: The Deer Valley Village Planning Committee heard this case on Nov. 21, 2019 and recommended approval by a 9-0 vote.
PC Action: The Planning Commission heard this case on Dec. 5, 2019 and recommended approval, per the Deer Valley Village Planning Committee recommendation by a 9-0 vote.

Location
Northeast corner of 45th Avenue and Alameda Road
Council District: 1
Parcel Addresses: 24421 N. 45th Ave.

Discussion
Mayor Gallego noted Items 108 and 109 were related cases for the northeast corner of 45th Avenue and Alameda Road in Council District 1. She asked Councilwoman Williams if she would like to hear a staff report first or start the public hearing.

Councilwoman Williams asked for a brief staff report on the item.

Planning and Development Deputy Director Joshua Bednarek noted this item was a request for a public hearing for a General Plan Amendment located at the northeast corner of 45th Avenue and Alameda Road. He stated staff recommended approval, and mentioned this request was approved by the Deer Valley Village Planning Committee and the Planning Commission. He said Item 109 was the corresponding case to Item 108, and acknowledged that case was also approved by the Deer Valley Village Planning Committee and the Planning Commission.

Mayor Gallego opened the public hearing.

After hearing no response from the audience, Mayor Gallego closed the public hearing.

Councilwoman Williams stated this item was good planning for the City, and made a motion to approve both Item 108 and Item 109 and adopt the related ordinances.

Mr. Bednarek clarified for Item 108 the motion would need to be per the Planning Commission recommendation and adopt the related resolution, and added for Item 109 the motion would be per the Planning Commission recommendation and adopt the related ordinance.

The hearing was held. A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that this item be approved per the December 5, 2019 Planning Commission recommendation with adoption of the related resolution. The motion carried by the following vote:

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

No: 0

109 Public Hearing - Amend City Code and Ordinance Adoption - Rezoning Application Z-53-19-1 - Northeast Corner of 45th Avenue and Alameda Road (Ordinance G-6656)

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved. Request is to rezone the site from S-1 to R1-10 to allow a single-family residential subdivision. This is a companion case to GPA-DV-4-19-1.

Summary
Current Zoning: S-1
Proposed Zoning: R1-10
Acreage: 15.04
Proposed Use: Single-family residential subdivision

Owner: US Relp Norterra East 1, LLC
Applicant: Taylor Earl - Earl & Curley

Representative: Taylor Earl - Earl & Curley

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this case on Nov. 21, 2019, and recommended approval per the staff recommendation with a modified stipulation by a 9-0 vote.
PC Action: The Planning Commission heard this case on Dec. 5, 2019, and recommended approval per the Deer Valley Village Planning Committee recommendation with an additional stipulation by a 9-0 vote.

Location
Northeast corner of 45th Avenue and Alameda Road
Council District: 1
Parcel Addresses: 24421 N. 45th Ave.

Discussion
Note: For discussion on Item 109, refer to Item 108.

The hearing was held. A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that this item be approved per the December 5, 2019 Planning Commission recommendation with adoption of the related ordinance. The motion carried by the following vote:

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

No: 0

110 Public Hearing and Resolution Adoption - General Plan Amendment GPA-DV-3-19-1 (Companion Case Z-78-C-88-1) - Southwest Corner of 35th Avenue and Hackamore Drive (Resolution 21803)

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. This file is a companion case to Z-78-C-88-1.

Summary

Application: GPA-DV-3-19-1
Current Designation: Parks/Open Space-Publicly Owned, Commercial, Residential 0 to 2 dwelling units per acre
Proposed Designation: Residential 15+ dwelling units per acre
Acreage: 13.09
Proposed Use: Multifamily residential development

Owner: Arizona State Land Department
Applicant: Pederson Group, Inc.
Representative: Carol Oberholtzer - Bergin, Frakes, Smalley & Oberholtzer

Staff Recommendation: Approval.
VPC Action: The Deer Valley Village Planning Committee heard this case on Nov. 21, 2019 and recommended approval by a 9-0 vote.
PC Action: The Planning Commission heard this case on Dec. 5, 2019 and recommended approval, per the Deer Valley Village Planning Committee recommendation by a 9-0 vote.

Location
Southwest corner of 35th Avenue and Hackamore Drive.
Council District: 1
Parcel Addresses: 3550 W. Happy Valley Road

Discussion
Mayor Gallego stated Items 110 and 111 were related cases for the southwest corner of 35th Avenue and Hackamore Drive, and noted a joint public hearing would be held for both items. She said both items were in Council District 1. She asked Councilwoman Williams if she wanted to hear a brief staff report.

Councilwoman Williams replied yes.

Planning and Development Deputy Director Joshua Bednarek stated this item was a General Plan Amendment request to go from open space to residential near 35th Avenue and Hackamore Drive. He noted the location was just south of Sandra Day O'Connor High School and just north of an existing shopping center. He mentioned staff recommended approval with stipulations, and added the Deer Valley Village Planning Committee

and Planning Commission recommended approval.

Mayor Gallego opened the public hearing.

Carolyn Oberholtzer spoke in favor, and stated she was present on behalf of the Peterson Group. She talked about the history of this property, noting Jim Peterson bought Stetson Village over 12 years ago. She described the process of this property going up for auction, and talked about the importance for Mr. Peterson to make sure the quality of the development would be the same level as the Stetson Village Shopping Center. She mentioned the Peterson Group approached the auction with a concept of mixed-use village with commercial along the frontage with residential behind. She stated this property was the last privately-held undeveloped parcel on this property, and described how the original plan for zoning in 1988 had changed over the years with multi-family housing being converted to single-family housing. She noted 40 percent of the project was supposed to have multi-family housing. She cited the stipulation on unit cap of 4,000, and said there were 3,316 units on the property, and 325 units being added would make it 3,641. She showed on a map where the exit and entrances, with an exit only onto Hackamore Drive and the entrances being on 35th Avenue.

Arthur Schwartz spoke in opposition, and provided Council with a list of car accidents that had happened in the area. He talked about the population growth in the Valley since 1980, and discussed how there had been objections over this development since the first public hearing. He mentioned a meeting he had with Mr. Peterson in October, where he suggested Mr. Peterson to consider building an upscale assisted living facility on the property. He said the objections were to the traffic and less-desirable transient tenants, and mentioned the high school did not exist at the time of the original site plans. He discussed how adding 500 more residents to the area would create a perfect storm of traffic, and cited most of the car accidents in the area happened between 35th Avenue and 39th Drive with two accidents resulting in injuries. He suggested the Peterson Group did not see the problems that would happen with this development, and repeated the car accidents would increase in the area.

Robert Saigh spoke in opposition, and mentioned his wife and himself had followed the process on this since mid-July. He talked about how they were concerned with the negative impacts on the Sandra Day O'Conner High School because they had a grandchild who attended the school. He talked about concerns with traffic safety and security, noting these concerns were mentioned at the Planning Commission meeting. He took issue with the size, design, and appearance of the proposed multi-family housing, suggesting it was in contrast with the region's single-family residential development. He discussed how the density of this project would put a strain on infrastructure, and commented this proposal contradicted the General Plan and the Deer Valley Village Character Plan. He asked Council to reconsider approving this item.

Ms. Oberholtzer asked Council for their support on this case, and explained the Peterson Group had created a balance of commercial and residential environments. She acknowledged vehicle traffic was involved in every zoning case, and suggested there would be a reduction in the amount of traffic where the commercial zoning would be. She mentioned the recommendation from both the Deer Valley Village Planning Committee and Planning Commission should be considered to have Council vote in favor.

Councilwoman Williams mentioned she knew the area well because she was on the Council when Stetson Hills was approved, and suggested it was very controversial at the time because people did not want to see any land developed by the mountain or horse farms. She commented this was one of the most beautiful areas in Council District 1, and said the problem there dealt with traffic from the high school. She talked about conversations with the Deer Valley School Board regarding additional parking for the school, and added the parking issue there had been going on for 10 years. She said the Peterson Group built quality projects and were an asset to the community. She discussed how this area was one of the few places with bus service, and noted there was a shortage of affordable housing in the area. She cited there were 22,000 new jobs in this area, and commented this was a worthy project. She mentioned future improvements to landscaping and pavement in the area, and concluded she would be voting for the project.

Mayor Gallego closed the public hearing.

The hearing was held. A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that this item be approved per the December 5, 2019 Planning Commission recommendation with adoption of the related resolution. The motion carried by the following vote:

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

No: 0

111 Public Hearing and PCD Major Amendment - Rezoning Application Z-78-C-88-1 - Southwest Corner of 35th Avenue and Hackamore Drive

Request to hold public hearing and approve Z-78-C-88-1 to allow multifamily residential development. This is a companion case to GPA-DV-3-19-1. This item requires a public hearing and Formal Action.

Summary

Current Zoning: S-1 (Approved C-2 PCD)
Proposed Zoning: R-4 PCD
Acreage: 13.09
Proposed Use: Multifamily residential development

Owner: Arizona State Land Department
Applicant: Pederson Group, Inc
Representative: Carol Oberholtzer - Bergin, Frakes, Smalley & Oberholtzer

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this case on Nov. 21, 2019, and recommended approval per the staff recommendation with modified stipulations by a 7-2 vote.
PC Action: The Planning Commission heard this case on Dec. 5, 2019, and recommended approval per the Deer Valley Village Planning Committee recommendation with an additional stipulation and a modified

stipulation by a 9-0 vote.

Location

Southwest corner of 35th Avenue and Hackamore Drive.
Council District: 1
Parcel Addresses: 3550 W. Happy Valley Road

Discussion

Note: For discussion on Item 111, refer to Item 110.

The hearing was held. A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that this item be approved per the December 5, 2019 Planning Commission recommendation with adoption of the Planned Community District Major Amendment. The motion carried by the following vote:

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

No: 0

107 Public Hearing - Amend City Code - Ordinance Adoption - Short-Term Rental Registration (Ordinance G-6653)

This report requests the City Council approve the proposed amendment to the City Code by adding section 10-193, 10-194, 10-195, 10-196 and 10-197 to Chapter 10, Section Article XVI, Vacation Rental to create a rental registry for Short-Term Vacation Rentals.

Summary

In 2017, Arizona State Legislature enacted Arizona Revised Statutes (A.R.S.) §9-500.39 which eliminates the ability for local cities and towns, including the City of Phoenix to regulate these types of rentals based solely on their classification or use. Consequently, these rentals are allowed by State law, in the City of Phoenix.

The City of Phoenix is proposing an ordinance that requires owners of short-term or vacation rentals to register, provide emergency and complaint contact information. The proposed ordinance outlines vacation rental violations, prohibited types of uses and introduces an enhanced

penalty structure. (Adding section 10-193, 10-194, 10-195, 10-196 and 10-197 to Chapter 10, Section Article XVI, as outlined below and in **Attachment A**).

Short-term Vacation rentals means any portion of the land zoned for residential use or any unit, room, or detached structure of a single-family or multi-family dwelling unit that is offered to the public for short-term residential purpose, which is defined as a stay less than 30-days.

Owners and operators of short-term rentals are subject to the following:

The owner of a short-term vacation rental must register their information and designated emergency contact person (name, address, contact information) with the City of Phoenix on a form or platform specified by the City of Phoenix.

The online lodging operator must display the phone number and email address of the emergency contact person.

Renting or advertising a vacation rental for the uses outlined in A.R.S. 9-500.39 is prohibited.

Failure to post the following notice in a conspicuous place in the vacation rental: NOTICE: Using this property for following purposes are prohibited: Any nonresidential use; Holding a special event that requires a permit or license pursuant to a city or town ordinance or state law or rule; Operating a retail business, restaurant, event center, banquet hall or similar use; Housing sex offenders; Operating or maintaining a sober living home; Selling liquor, illegal drugs or pornography; Operating a nude or topless dancing; Obscenity; Adult-oriented business; or Other uses prohibited by A.R.S. 9-500.39.

When requested by a police officer or code enforcement officer, the owner or the owner's agent must be on the vacation rental premise within 60 minutes. Failure to be on the premise within 60 minutes is a violation.

Any vacation rental owner, agent, renter, or online marketplace who causes, permits, facilitates, aides, or abets any violation of any provision of this Article or who fails to perform any act or duty required by this Article is subject to a civil sanction as follows: First offense, $500; Second offense on the property within 12-month period, $1,000 per offense; Third and subsequent offense within 12-month period, $1,500 per offense.

Within 30 days after a verified violation, and if required by law, the City will notify the Arizona Department of Revenues and the owner of the vacation rental of the verified violation.

Unless a use permit is obtained for the vacation rental, having persons other than a “family” as defined in Section 202 of the Phoenix Zoning Ordinance stay overnight at the vacation rental is prohibited.

Staff recommends approval of the proposed amendment to the City Code by adding section 10-193, 10-194, 10-195, 10-196 and 10-197 to Chapter 10, Section Article XVI, Vacation Rental.

Discussion

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

Mayor Gallego said a lot of individuals had been working on this item, and noted technology and State legislation were changing so the City would continue to work on this.

Planning and Development Director Alan Stephenson stated this item addressed the rental registration requirements passed by the State during the last legislative session, and added this would allow for cities to create a registry for short-term rentals to have designated contacts if there are concerns or issues with police trying to get in contact with someone at a short-term rental. He talked about how State law changed in 2017 to eliminate local control on short-term rentals in residential zoning districts, and cited stays of less than 30 days were prohibited within a single-family or multi-family neighborhood. He said staff proposed two City Code changes, with the short-term rental registry being this item, and a loud party ordinance scheduled for a Council agenda in February. He explained there were added definitions for online lodging marketplace, short-term rental, vacation rental, nonresidential use, and verified violations, and mentioned the registration required a property owner to have a designated contact with a name, address, and contact information. He described the first change was needing a proof of registration with the City posted within 10 feet inside of the entrance to the rental property, and added it was a violation to rent a short-term rental unit for prohibited uses outlined in State law.

Mr. Stephenson discussed the requirements for online lodging operators

in their application to have details regarding the type of rental unit, conditions of the unit, and would have to put in a statement that this property could not be used for purposes identified by the City as prohibited uses. He said draft language required time of compliance either by phone or text message to the Police, and clarified the online marketplace such as AirBnB, VRBO, Orbitz, Homeaway, or any similar platform would not be responsible for any violation. He listed the first, second, and third offenses for violating this ordinance, and added the City would pursue other legal enforcement methods. He detailed the amounts for fines in regards to the first, second and third offenses and noted the City would pursue other legal enforcement methods. He gave an example of the enforcement if there was underage drinking at a rental property, and suggested the fines would apply to the rental owner, the agent, or renter of the unit. He stated staff recommended approval per the memo from the Planning and Development Director. He described a strike to the provision to require a use permit if renting a vacation rental that did not meet the definition of a family, and said staff proposed taking this item out to come back and work on it in the future to better address this. He mentioned an example of an entity owning multiple short-term rental units that could enter into an agreement with the renters and owner to comply with this ordinance, and say the renters were responsible for any violations or issues. He talked about how staff had good discussions with industry representatives, and told Council he was available for questions.

Councilwoman Stark asked for clarification that until this year, the City did not have authority over short-term rentals until there was State action.

Mr. Stephenson replied that was correct.

Councilwoman Stark inquired if this item followed suggestions of requirements to State law.

Mr. Stephenson responded that was correct.

Councilwoman Stark questioned if this was similar to what had been adopted in the City of Scottsdale and City of Tempe.

Mr. Stephenson answered that was correct for the City of Scottsdale, with the City of Tempe being similar but they had not adopted their ordinance yet.

Councilwoman Stark suggested this was to comply with State law, and added she appreciated Mr. Stephenson mentioning the use permit that would help a lot of neighbors out. She asked for clarification if there was an ad hoc group at the State looking into additional ability to give the City more regulation of rules.

Mr. Stephenson responded that was correct.

Councilwoman Stark commented staff had worked long and hard on this, and noted if the City received additional authority on this, then Council could come back and work on it together. She stated this was a good sign of the industry working with neighborhoods, and commented on the difficulty of living next to a party house. She repeated her question earlier that this item was to comply with what the State had given the City.

Mr. Stephenson answered that was correct.

Councilman DiCiccio asked if the use permit section was being removed.

Mr. Stephenson replied that was correct, and added the memo striked the provisions that required a use permit.

Mayor Gallego opened the public hearing. She mentioned Kate Bower donated time to Larisa Balderrama, and added she would have four minutes to speak.

Larisa Balderrama spoke in favor, and mentioned she was a member of Take Action Phoenix (TAP). She said this was a neighborhood group of leaders that worked with the State and local governments on issues impacting neighborhoods. She noted she was a blockwatch co-captain, and added there were multiple vacation rentals in their blockwatch that were either owner-occupied or non-owner occupied. She stated TAP was in support of a majority of this, and commented she believed enforcement was critical and needed to be consistently applied to all

residential uses. She talked about how TAP was involved with the additional legislation being worked on at the State, and said she was hopeful the issues with some short-term rentals could be mitigated in neighborhoods.

Carrick Sears spoke in opposition, and noted he rented out his primary residence on occasion throughout the year. He stated he was fine with everything proposed except for the one-hour response time for availability to talk about the property. He gave an example of being on an airplane and not being able to respond in that time, and suggested this rule would favor large property management companies who could always have someone call staff to go to the property. He said all of his neighbors had his cell phone number, and commented if law enforcement was called to the property they could tell the guests to cease noise and if continued they could be removed from the property. He suggested motels and hotels use law enforcement to remove unruly guests, and cited he was charging a 12 percent occupancy tax to his guests just like motels and hotels. He asked Council to do away with the proposed one-hour response time, and to have the ability to list several emergency contact phone numbers for the registration.

Councilwoman Pastor asked for clarification if the owner would need to be on the premises or available on the phone or text within 60 minutes of receiving the request.

Mr. Stephenson answered that was correct.

Councilwoman Pastor inquired if there was an ability to have the owner or person responsible for the rental to have a second name or third name on the registry.

Mr. Stephenson responded they could do that as part of the registry, and allow them to provide an alternate contact if they choose to. He stated the entire purpose of the registry the State put in place and for the City to comply with was to make sure someone was a responsible party to get ahold of when needed. He said that would be fine to have an alternate designee.

Councilwoman Pastor talked about having an emergency contact for her children where there were several names listed, and commented the City would have the capability with the registry to comply with the State and have someone be reached.

Mr. Stephenson responded that was correct, and noted staff would make sure the online portal for the registry would allow for alternate contacts.

Bonnie Raschke spoke in favor, and told the Council she came from two different perspectives with one being that she lived next to a party house, and that she was also a tourism researcher. She talked about how there were parties three nights-a-week in December in her neighborhood, and discussed how these regulations were necessary for the health of the tourism industry. She cited examples of Barcelona, Spain where there was a lack of regulation that created an unwelcoming atmosphere, Boston having a housing crisis, and Los Angeles where property values had dropped. She said this ordinance would help find a balance to allow people to do short-term rentals while protecting neighborhoods and communities.

Lynn Gerardo spoke in opposition, and noted she was happy to hear staff made some modifications to the original proposal. She commended the Council for proactively seeking to implement procedures and restrictions, and added she strongly agreed there needed to be an ordinance to ensure peace in neighborhoods. She said it was a concern for her that staff had talked about collaboration with platforms, but not with owners or agents yet. She mentioned as a licensed Arizona realtor, she worked collaboratively with the Coconino County Board of Supervisors to implement policies for short-term vacation rentals in the Flagstaff community. She stated she had a short-term rental in the Flagstaff area, and commented she had been able to successfully work with the community and neighbors there. She encouraged staff and Council to take time to consider collaborating with successful property owners and neighborhoods to see what had been done to protect neighborhoods. She expressed concern about the license because it might alienate realtors who would be held accountable and fined if they represented the owner. She repeated there should be a little more time to be successful with this ordinance, and mentioned there were more stakeholders who

could represent the interest of vacation rental owners not employed by the online marketplace.

Note: Jeff Spellman, Anne Ender, and Newtown Grimwood had asked to donate their time to Helen Grimwood.

Ms. Grimwood spoke in favor, and mentioned she was a native Phoenician. She talked about herself and her husband growing up in Arizona, as well as her sons and grandchildren who all lived in Phoenix. She noted she cared deeply about Phoenix and the preservation of single-family residential neighborhoods and associated property rights. She suggested this debate left out property rights of the rest of the people in the neighborhood, and talked about a large three bedroom residential single-family home in her neighborhood. She stated the owner of this property lived in Alaska and had never lived here. She mentioned he converted this home into a nine-bedroom, seven-bath resort that slept 32, and added Platinum Express managed the property and advertised this as an event forum. She said her husband, foster sons, and herself lived behind the property, and mentioned the noise and vibration from the house was so loud they could not hear their television. She stated she called the property manager about it as well as the police, and suggested this was not a solution because the police were busy fighting other crime in the community.

Helen Grimwood commented this property was a business, not a single-family residence. She suggested people in the neighborhood would start moving, and mentioned her conversation with her son on how people find out about these parties through social media. She discussed how these parties have underage kids, and noted the biggest problem with juvenile enforcement in Maricopa County is the party crews where gangs get involved with taking revenue at the door. She talked about an example from California about what could go wrong at these parties, and said this ordinance would go a long way toward curbing the problem by defining what a family was in the same way it was defined when she moved into her property. She mentioned a time when the police did not come and they went over to the property themselves to talk to the guests, and suggested this ordinance only complied with State statute but did not comply with Council's duty to protect property rights for residents. She

asked Council to define what a family residence is, and to not take it out of the ordinance.

Councilman Nowakowski questioned if staff changed the part in the ordinance about residential being just families.

Mr. Stephenson replied the existing definition of a family stated a family was an individual or two or more persons related by blood, marriage, or adoption living together as a single housekeeping unit or group of not more than five unrelated persons. He noted Ms. Grimwood talked about having more than five unrelated people staying in the rental versus a more traditional use of single-family. He talked about how the City did not define what a family was in terms of having a parent living there helping kids as well as other examples, and said staff proposed with the memo to take provisions that talked about requiring a use permit to have more than a family there to remove that to allow for additional work on this issue. He stated if someone said they were a family, the City would not challenge that because the concern would be that neighbors could count more than five people going into a house when in reality there were families who would be part of that. He suggested this would be difficult to enforce, and added this was why staff would spend more time to work with the industry and wait on the State Legislature as well as the Law Department on how to better address this issue.

Councilman Nowakowski stated there were some properties in the Laveen area that had 200 individuals in a house meant for three or four people, and talked about an example of how maximum occupancy is posted at facilities and restaurants. He inquired if there was a way for the City to enforce that when there are over 200 people in a single-family residence. He said that was why he brought this up six months ago as it related to historic neighborhoods and in the Laveen area.

Mr. Stephenson mentioned the language in section 10-195 talked about prohibited uses that would address a scenario where there would be 200 people at a house for a party that operated like an event center, banquet hall, or restaurant. He suggested people advertised these homes as a banquet hall facility that they would be protected by the State as the short-term rental applied to them. He clarified this would make it clear this

did not apply to them, and the City would enforce this.

Barbara Freeman spoke in opposition and was in favor of more restrictions, and said she was a resident in the same neighborhood as Ms. Grimwood. She stated she was the chair of the blockwatch, and thanked Council for what they have done so far. She mentioned there needed to be a limit to the number of people who could sleep at the residence mentioned by Ms. Grimwood, and added this was unthinkable in any neighborhood in Phoenix with an R1-10 zoning designation. She asked if there could be a distance requirement similar to group homes applied to short-term rentals, and commented the City needed to talk to the residents and not just those in the industry. She mentioned a few weeks ago a family in the neighborhood did not have the right address for another short-term rental nearby and walked into the wrong home. She asked about hiring private security and if they could enforce this ordinance.

Mark Beauvais spoke in opposition, and commented he was a strong advocate for short-term rentals. He stated he had been a consumer of short-term rentals since 2002 and had been a responsible owner and participant in this market since 2016 in Phoenix. He said he had two properties in Phoenix, and added he had been heavily involved with the State ad hoc legislation that was proposed. He asked Council and staff to take their time on this to not make it a burden on the Arizona economy, or to punitively restrict the owners of these properties. He stated short-term rental did not necessarily mean a party house was next door, and said his clients were families and family groups that were there for all kinds of good reasons. He commented a majority of short-term rental properties were operated responsibly and could operate within the guidelines.

Charles SantAngelo spoke in favor, and talked about the property he owned that had strict rules for number of occupants, no parties, and no loud noises. He said he gave his phone number to his neighbors and had never had an issue. He stated this could be done responsibly, and added this ordinance would not interfere with that at all. He talked about when he moved into his dream home that six months later an owner moved next door and started doing vacation rentals there. He suggested this turned into a party house that had weddings, parties, and was an absolute

nightmare. He described how his neighbor responded when he called the police a dozen times about the occupancy at the property, and he said the neighbor told the police she was not responsible if her guests had a party on their own. He mentioned the Neighborhood Services Department was not available on the weekends when these parties were going on, and added it was great the Police would be involved now.

Stephanie Coffman spoke in opposition, and mentioned she had been a vacation rental owner since 2016. She said she supported the ordinance in principle, but not all parts of it. She cited section 10-193-D which mentioned the definition of a short-term rental, and said this did not include 31 days or longer. She asked for this to be changed to 30 days or longer because people rented in 30-day increments, it would be in compliance with other rentals, and the Arizona Department of Revenue defined it as 30 days. She commented this would be consistent with the State, and added most home owner associations have a requirement to rent for 30 or more days. She asked Council to consider this carefully because it would affect a lot of people.

Sarah Carlblom noted she was neutral, and added she was a responsible AirBnB owner in central Phoenix. She talked about using their guest house as extra income, and said it was a gift for her to be able to host people from out of state to put their money into central Phoenix. She stated her husband and herself had lived in central Phoenix since 2001, and mentioned they were pleased about what had happened in the surrounding area. She talked about how hosting people in her neighborhood would make it more likely for those people to move to central Phoenix if they were interested in moving. She said they place very strict restrictions on their guests, and added she supported the ordinance if it helped AirBnB and other short-term rental platforms be viable long term.

Tracy Spencer spoke in opposition, and noted she was a responsible vacation rental owner. She mentioned she had been doing vacation rentals in California and Phoenix for 20 years, and never had an issue with neighbors. She suggested this ordinance did not solve the bad guest and bad owner problem, because the fines suggested were not enough to deter owners. She said this ordinance would turn away three couples

looking to stay at a short-term rental, six people coming to a trade show who were not related, or six people visiting for a golf tournament. She stated the City needed to figure out a way for enforcement on party houses, and added this ordinance would not fix the problem but make it more difficult for those who were already committed to being good citizens and neighbors.

Councilwoman Pastor asked Mr. Stephenson to address the comments made by Ms. Spencer about an owner hosting six individuals.

Mr. Stephenson explained the language in the memo did not change anything relative to registration based on the existing ordinance language. He said this was how the City defined a short-term rental versus a hotel, and added this was before AirBnB and other short-term rentals existed. He stated the proposed ordinance would require everyone to register who was doing a short-term rental, and mentioned the language that came out this afternoon would strike the provision for a use permit if there were five or more unrelated people staying at a home. He stated staff could work on language to better address that issue from the neighbors, and said the proposal before Council did not include that use permit language in it.

Mayor Gallego closed the public hearing.

Councilwoman Stark declared she was ready to make a motion, and said she wanted to commit herself to working with the neighborhoods and the industry. She mentioned the City needed to wait and see what happened at the State Legislature, and added the City needed to be part of those discussions to make suggestions to the ad hoc committee. She made a motion to approve Item 107 per the Jan. 8, 2020 memo from the Planning and Development Director with adoption of the related ordinance.

Councilwoman Pastor seconded the motion.

Councilman DiCiccio asked for a friendly amendment to the motion to allow for multiple individuals to be on the registry rather than just one person. He suggested it would be better for the City if there were multiple

individuals.

Mayor Gallego commented that made sense, and asked Mr. Stephenson if that needed to be in the motion.

Mr. Stephenson clarified it did not need to be in the motion because staff will set up the registry to allow it. He said this was not a requirement, and mentioned if someone wanted to register themself they would not need multiple people.

Councilwoman Pastor inquired about the comment mentioned earlier about 30-day increments, and asked why this was for 31 days.

Mr. Stephenson replied the days that were referenced in the provision were based on the existing ordinance definition for the City to determine the difference between a hotel versus long-term residential use. He noted prior to 2017, stays of 30 days or less in residential zoning districts were not permitted and guests would have to go to a commercial district that had a hotel or motel. He stated this would make it clear that 30 days or less would comply with short-term rentals, and if the lease was for 31 days or more it would not comply with short-term rentals because those have other rental registration requirements to apply and comply with.

Councilwoman Pastor questioned if private security could enforce this.

Mr. Stephenson answered the City would ultimately enforce this, and deferred to City Attorney Cris Meyer if a private entitity could enforce this ordinance.

Councilwoman Pastor talked about historic districts that hire private security in their neighborhood, and asked if a private security team encountered a short-term rental, would they be able to enforce this ordinance.

Mr. Meyer replied he would have to look into it, and said it might depend on the agreement in place with the homeowners. He stated generally he would say no and that Mr. Stephenson was correct with a property owner on use of the property would be outside the scope of a private security

company's responsibility and authority.

Vice Mayor Guardado thanked the neighbors and everyone who came out in support of this item. She said her office had been working on this since the first day she came into office, and added safety was incredibly important. She commented this ordinance was the result of many conversations and work that staff had been doing. She thanked Ms. Grimwood, Anne Ender, Mr. Spellman and Ms. Crozier who ensured safety in neighborhoods, and talked about how this ordinance was a step in the right direction to put safety of residents first. She noted meetings would continue around the permits and in regards to making sure neighborhoods continue to be safe with respect to privacy.

Councilman Nowakowski commented that what Councilwoman Pastor said about private security was a great idea, and mentioned there were many homeowner associations that started sharing security companies in their areas. He said this could be something the City should look into the future, and talked about how police officers responded to other calls for service while these calls were low-priority.

Councilwoman Pastor said she appreciated the comments made by everyone, and described events that had happened in short-term rentals in Council District 4. She noted this would be a step forward, and thanked Councilwoman Stark for taking the lead on this at the State Legislature and organizing communities. She mentioned her neighbors were very active in providing testimony at the State Legislature, and commented she understood the dynamics but also understood free enterprise in moving the economy forward. She stated there was a balance in all of this to coexist, and added she was glad the City would follow requirements by State law.

Councilwoman Williams asked Mr. Stephenson about parking filling both sides of streets at party homes, and if there was anything the City could do to address that.

Mr. Stephenson answered the challenge at the State level was the way the preemption language was worded. He said you would have to treat those guests the same as anyone doing normal single-family use of

homes, and added the City could not adopt any special regulations to provide more parking requirements than required of normal single-family homes. He mentioned if a standard would be applied by the City, it would need to apply to everyone regardless if it was a short-term rental or not.

Councilwoman Williams questioned if the neighborhoods had issues with parking, could they ask for no parking.

Mr. Stephenson responded the Street Transportation Department had a process that was rigorous because it is a public right-of-way that is owned by all the public. He stated anyone who was interested in that could get in contact with the Street Transportation Department and staff who oversee that effort.

Councilwoman Williams thanked Mr. Stephenson for that information, and thanked him for all of his work along with the councilmembers.

Councilman Waring inquired about Item 50 adopted earlier, and asked if the City changed their rules to comply with State law because the State made a uniform system for all cities.

Mr. Stephenson replied that was correct.

Councilman Waring questioned the chances the State Legislature would express a willingness to take up this issue in a way they had not done previously, and asked Mr. Stephenson if the City of Scottsdale's ordinance was similar to this one but not identical.

Mr. Stephenson answered that was correct, the ordinances were similar but not exact.

Councilman Waring talked about how there would be different rules for the City of Scottsdale and the City of Phoenix, and inquired about the chances the State Legislature could come up with a uniform system. He suggested this would be better for a business-friendly state, and noted this could be a way to address issues. He asked because this was what the City did with sober-living homes that caused a lot of the same continued issues, would this be the logical outcome here as well.

Mr. Stephenson responded that was something in the purview of the State Legislature, and added in briefings he had heard that was something that had not been discussed. He noted this could be discussed, and said he had not been to all of the meetings so he did not have the most up-to-date information.

Councilman Waring commented he did not know if Mr. Stephenson had a sense of where this would lead, and suggested a more ideal situation for the operators and citizens on both sides would be to know what the rules are along with the rights.

Note: The following individuals submitted comment cards on Item 107 indicating their position, wishing not to speak:

Loretta Glenn, Opposed
Richard Freshley, Neutral
Judith Barret, Opposed
Leonard Clark, In Favor
Carmen Rutan, Opposed
Kate Bauer, In Favor

The hearing was held. A motion was made by Councilwoman Stark, seconded by Councilwoman Pastor, that this item be approved per the January 8, 2020 memo from the Planning and Development Director with adoption of the related ordinance. The motion carried by the following vote:

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

No: 1 - Councilman Waring

112 Public Hearing - Amend City Code and Ordinance Adoption - Rezoning Application Z-44-19-8 - Northwest Corner of Central Avenue and South Mountain Avenue (Ordinance G-6662)

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's

recommendation and the related Ordinance if approved. Request is to rezone the site from C-1 and R-3 SP to R-3 for single-family attached townhomes.

Summary

Current Zoning: C-1 and R-3 SP
Proposed Zoning: R-3
Acreage: 5.58 acres
Proposal: Single-family attached townhomes

Owner: Aaron Wallace, Tsalm Services, LLC
Applicant: Aaron Wallace, Divinity Homes
Representative: Mike Hare, Ashland Companies

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee meeting heard this case on Oct. 15, 2019, and recommended approval per the staff recommendation with a modification and an additional stipulation by a 9-5 vote.
PC Action: The Planning Commission heard this case on Nov. 7, 2019, and recommended approval per the South Mountain Village Planning Committee recommendation with a deleted stipulation and additional stipulations by a 7-0 vote.

Location

Northwest corner of Central Avenue and South Mountain Avenue
Council District: 8
Parcel Addresses: 8212 and 8350 S. Central Ave.

Discussion

Mayor Gallego opened the public hearing.

Thomas Galvin spoke in favor, and noted he was present representing Rose Law Group on behalf of the applicant. He commended Councilmember Garcia for his leadership, and said he brought up key questions a month ago. He mentioned he met with Councilmember Garcia after those questions were brought up, and thanked him again for his insight and thankful consideration.

Mayor Gallego closed the public hearing.

Councilmember Garcia thanked Mr. Galvin for coming to the meeting and for having a conversation related to what the community needed.

The hearing was held. A motion was made by Councilmember Garcia, seconded by Vice Mayor Guardado, that this item be approved per the Nov. 7, 2019 Planning Commission recommendation with adoption of the related ordinance. The motion carried by the following vote:

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

No: 0

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

CITIZEN COMMENTS

Note: Councilman DiCiccio disconnected from the voting body.

Mayor Gallego introduced City Attorney Cris Meyer to announce the rules for Citizen Comments.

Mr. Meyer stated the Citizen Comments part of the agenda provides an opportunity for members of the public to address the City Council for up to three minutes on issues of interest or concern to them. The Arizona Open Meeting Law permits the City Council to listen to the comments from the public, but prohibits the members from discussing or taking action on matters presented during Citizen Comments.

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

Leonard Clark expressed condolences for the multiple tragedies that happened in Puerto Rico, a child mauled by a family dog locally, and talked about councilmembers supporting red light cameras. He thanked veterans, and read a statement from Congressman Stanton there was no coherent strategy concerning policies on the Middle East or Asia from the current federal administration. He proposed having a sister city in Iran to make a statement that

no one wanted a war, and mentioned a protest that would happen the next day at 24th Street and Camelback Road. He commented he respected all of the councilmembers.

Greta Rogers talked about dead trees in Margaret T. Hance Park, and suggested this was because water had been turned off there for over a year. She said there were 61 dead trees total, and commented this was negligence on the part of the City. She asked Council to get this situation analyzed and fixed. She took issue with where the entrance to City Hall was located, and asked for it to be moved to a new location. She told Council to speak into their microphones when speaking.

Luis Acosta said he had been addressing issues on Baseline Road between 16th and 32nd streets, and added he invited Councilmember Garcia to ride along with him. He talked about the issues of water being wasted, and discussed how water being wasted in landscaping was horrible. He stated he talked to staff about water audits, and mentioned he had sent more than dozens of photos showing negligence for the trees along the two-mile stretch. He continued to describe how trees had been planted in this area, only to be removed because of negligence, and asked Council to protect the water and stop spending money on new projects.

Elizabeth Venable read from a letter that talked about numerous reports of citations, arrests, and disposal of personal property against the homeless population. She asked for the City to change policies and practices to eliminate unlawful actions by staff, and discussed how an officer did not follow new guidelines related to belongings of those who are homeless. She encouraged Council to follow up with the organizations that signed on with the letter she read.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 4:42 p.m.

Rochelle Malinoff and Linda Gruber submitted comment cards for the record in opposition to the pipeline.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 6:28 p.m.

MAYOR

ATTEST:

CITY CLERK

SM

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 18th day of December, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 21st day of April, 2021.

CITY CLERK