172111

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, December 13, 2017 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Dec. 13, 2017, at 2:35 p.m in the Council Chambers.

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

Councilman DiCiccio participated in the meeting telephonically. Councilman Nowakowski joined the voting body telephonically prior to the vote on Ordinances, Resolutions, New Business, and Planning and Zoning items, and joined the voting body in the Chambers during discussion on Item 34. Councilman Waring temporarily left the voting body during discussion on Item 69 and returned during discussion on Item 71. Councilman Valenzuela left the voting body during discussion on Item 128. Mayor Stanton temporarily left the voting body during discussion on Item 125 and returned prior to the vote of that same item. Vice Mayor Pastor left the voting body prior to Citizen Comments held at the meeting of the meeting.

During Mayor's Stanton's absence on Item 125, Vice Mayor Pastor assumed the Chair.

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

CITIZEN COMMENTS

Elizabeth Mann addressed the City Council regarding the Chinese Cultural Center. She provided copies of a post card with images and website

information for the Chinese Cultural Center. She talked about her involvement in the development of the center. She spoke about the number of jobs and taxes that cultural center created and paid for respectfully. She stated that the center had been mismanaged during the last few years, but did not believe that it should be torn down.

Zheng Shi Qi spoke about the Chinese Cultural Center. He read a petition that was signed by 100 people that lived in the area west of the cultural center. He asked for a public hearing regarding any change of the roof line, exterior, garden and pond of the center. He stated his belief that should the city grant a permit to the new owner to change the center to an office complex, the city and the property owner would be in violation of a promise made to the neighbors in 1996 in exchange for zoning support. He stated the neighbors rescinded their original support to the zoning. He reiterated the group wanted to keep the cultural center and distributed copies of the petition.

Greta Rogers spoke about Mayor Stanton's plans to resign as Mayor to run for other public office. She thanked him for his service as Mayor and Councilman. She asked Mayor Stanton to tender his resignation effective December 31, 2017.

Andy Zhang spoke about the City of Phoenix's Sister Cities program and an upcoming delegation trip to China. He stated he felt it was ironic that the trip would take place because the Planning Department had issued a permit to have the Chinese Cultural Center torn down. He questioned what would be said to the Chinese people regarding the destruction of the center.

Dianne Barker spoke about the FitPHX and Meet Me Downtown program. She commended those that participated and encouraged others to join.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6373 and G-6386 through G-6396, S-44116 through S-44120 and S-44122 through S-44158, and Resolutions 21599 through 21602 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

References to attachments in these minutes relate to documents that were

attached to the agenda.

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Formal Meeting on Oct. 4, 2017

Summary

This item transmits the minutes of the Formal Council meeting of Oct. 4, 2017, for review, correction and/or approval by the City Council.

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

These minutes were assigned to Vice Mayor Pastor for review.

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

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

Absent: 1 - Councilman Nowakowski

2 For Approval or Correction, the Minutes of the Formal Meeting on Oct. 18, 2017

Summary

This item transmits the minutes of the Formal Council meeting of Oct. 18, 2017, for review, correction and/or approval by the City Council.

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

These minutes were assigned to Councilman Valenzuela for review.

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

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

Absent: 1 - Councilman Nowakowski

Item 3, approval of the Nov. 1, 2017 Formal Meeting minutes, was heard after Item 99.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, to suspend the rules and hear Item 54 out of order. The motion carried by voice vote:

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

Absent: 1 - Councilman Nowakowski

54 Swearing in of Municipal Court Judge

Request to permit the swearing in of a Municipal Court Judge.

Summary

Administer the oath of office for the Honorable Monyette Nyquist to a four-year term as Judge of the Phoenix Municipal Court to end on Dec. 19, 2021.

Concurrence/Previous Council Action

On Oct. 23, 2017 the Judicial Selection Advisory Board recommended approval to the Public Safety and Veterans Subcommittee.

On Nov. 8, 2017 the Public Safety and Veterans Subcommittee recommended approval to the City Council by a vote of 3-0.

Discussion

Mayor Stanton praised the Phoenix Municipal Court system and acknowledged Chief Presiding Judge Taylor and Judge Nyquist.

Mayor Stanton administered the oath of office to Judge Nyquist and invited her to approach the dais, so Council could extend their

appreciation following the oath.

This item was approved.

BOARDS AND COMMISSIONS

4 Mayor's Appointments to Boards and Commissions

Summary

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

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

Ethics Commission

Appoint Marcelle Costello, serving as one of two Republicans, for a three-year term to expire Dec. 13, 2020

Appoint Sheila Wood, serving as one of two Republicans, for a five-year term to expire Dec. 13, 2022

Appoint Mario Bayne, serving as the Independent, for a five-year term to expire Dec. 13, 2022

Appoint Marcia Busching, serving as one of two Democrats, for a three-year term to expire Dec. 13, 2020

Appoint Larry Herrera, serving as one of two Democrats, for a five-year term to expire Dec. 13, 2022

North Gateway Village Planning Committee

Reappoint Tim Mitten, current chair of the committee, for a partial second term to expire Nov. 19, 2018

Reappoint Shannon Simon, for a second term to expire Nov. 19, 2019

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Gallego, that this item be approved, except for the recommendations to the Ethics Commission, which are being withdrawn. The motion carried by voice vote:

Yes:	8 -	Councilman DiCiccio, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton
Absent:	1 -	Councilman Nowakowski

5 City Council Appointments to Boards and Commissions

Summary

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

The following individuals were recommended for appointment/reappointment by the City Council:

Alhambra Village Planning Committee - as recommended by Councilman Valenzuela

Reappoint Frank Farina, for a sixth term to expire Nov. 19, 2019
Reappoint Pamela Fitzgerald, for a fifth term to expire Nov. 19, 2019
Reappoint Chris Oglesby, for a second term to expire Nov. 19, 2018
Reappoint Elizabeth Sanchez, for a second term to expire Nov. 19, 2019

Deer Valley Village Planning Committee

Appoint Russell Osborne, former member of the North Gateway Village Planning Committee, for a term to expire Nov. 19, 2019, as recommended by Councilwoman Williams

Maryvale Village Planning Committee - as recommended by Councilman Valenzuela

Reappoint Dwight Amery, for a seventh term to expire Nov. 19, 2019
Reappoint Alvin Battle, for a second term to expire Nov. 19, 2019
Reappoint Gene Derie, for a third term to expire Nov. 19, 2019
Reappoint Charlie Ellis, for a second term to expire Nov. 19, 2018
Reappoint Marvin Rochelle, for a second term to expire Nov. 19, 2018
Reappoint Brandon Sirochman, for a seventh term to expire Nov. 19, 2018
Reappoint Zeke Valenzuela, for a sixth term to expire Nov. 19, 2019

North Mountain Village Planning Committee

Reappoint Shannon McBride, for a second term to expire Nov. 19, 2019, as recommended by Councilman Valenzuela

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

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

Absent: 1 - Councilman Nowakowski

Mayor Stanton administered the oath of office to Russell Osborne, Deer Valley Village Planning Committee and Shannon Simon, North Gateway Village Planning Committee. These appointees were invited to approach the dais, so Council could extend their appreciation.

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

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

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

William Bailey - Agent, Item 6
Rebecca Mazzocco - Agent, Item 9
Diana Perez - Agent, Item 22
Nathan Atchison - Agent, Item 23
Alexis Conklin, Item 24
Connor Descheemaker, Item 25

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 6 through 27 be recommended for approval. The motion carried by voice vote:

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

Absent: 1 - Councilman Nowakowski

6 Liquor License - Black Canyon Beer Company

Request for a liquor license. Arizona State License 03073117.

Summary

Applicant
William Bailey, Agent

License Type
Series 3 - Microbrewery

Location
2734 W. Bell Road, Ste. 1302
Zoning Classification: C-2
Council District: 1

This request is for a new liquor license for a microbrewery. This location was not previously licensed for liquor sales and does not have an interim permit. This business has plans to open in January 2018.

The 60-day limit for processing this application is Dec. 18, 2017.

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.

Black Canyon Brewing Supplies (Series 10)
2734 W. Bell Road, Ste. 1300, Phoenix
Calls for police service: 37
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:
"Experience in the retail portion of the beer business, now expanding into the production side to provide a new, unique option for production beer."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"There are no local brewery options near our location."

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 - Black Canyon Beer Company
Liquor License Map - Black Canyon Beer Company

This item was recommended for approval.

7 Liquor License - Circle K Store #9529

Request for a liquor license. Arizona State License 10076937.

Summary

Applicant

Kim Kwiatkowski, Agent

License Type
Series 10 - Beer and Wine Store

Location
5601 E. Bell Road
Zoning Classification: PSC
Council District: 2

This request is for a new liquor license for a convenience store that sells gas. This location was previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow packaged liquor sales within 300 feet of a residential zoning district. A Use Permit hearing has been scheduled. This business is currently under construction with plans to open in November 2018.

The 60-day limit for processing this application is Dec. 25, 2017.

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:
"Circle K requires all store personnel to attend an in-house training program. This training is designed to provide a safe and positive customer service environment. As part of the Circle K training program, we provide an Alcohol Training Program that meets the requirements of the Arizona Department of Liquor License and Control. Employees must pass a test on Techniques of Alcohol Management that becomes part of their employee file. Store managers are required to attend additional in-house manager training and obtain certification from the Arizona Department of Liquor License and Control. The certification requires the submission of fingerprints and includes a background investigation."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It is Circle K's objective to provide a product, accessible in a convenient manner that meets the need of the surrounding community. Circle K's success depends on us being able to provide products that are in demand."

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 - Circle K Store #9529
Liquor License Map - Circle K Store #9529

This item was recommended for approval.

8 Liquor License - Cien Agaves Tacos & Tequila

Request for a liquor license. Arizona State License 1207B202.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
7000 E. Mayo Blvd., Bldg. #18 #1072
Zoning Classification: C-2 HGT/WVR PCD
Council District: 2

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

The 60-day limit for processing this application is Dec. 18, 2017.

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.

Cien Agaves Tacos & Tequila (Series 12)
7228 E. 1st Ave., Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We train all of our employees in responsible liquor service. We conduct regular audits to ensure they comply."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like the ability to offer our patron adult beverages if they choose to have one."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Cien Agaves Tacos & Tequila
Liquor License Map - Cien Agaves Tacos & Tequila

This item was recommended for approval.

9 Liquor License - The Breakfast Joynt

Request for a liquor license. Arizona State License 1207B207.

Summary

Applicant

Rebecca Mazzocco, Agent

License Type
Series 12 - Restaurant

Location
6245 E. Bell Road, #111-112
Zoning Classification: C-1
Council District: 2

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

The 60-day limit for processing this application is Dec. 26, 2017.

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 responsible adult with my main concern being the safety & comfort of my staff & patrons.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“For those whose public convenience & best interest may involve spirits, this now offers that option.”

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

Attachments
Liquor License Data - The Breakfast Joynt
Liquor License Map - The Breakfast Joynt

This item was recommended for approval.

10 Liquor License - Special Event - Willo Neighborhood Association

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

Summary

Applicant
Robert Cannon

Location
301 W. Holly St.
Council District: 4

Function
Community Event

Date(s) - Time(s) / Expected Attendance
Feb. 10, 2018 - 6 p.m. to 10:30 p.m. / 220 attendees
Feb. 11, 2018 - 10 a.m. to 4:30 p.m. / 3,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - The Main Ingredient

Request for a liquor license. Arizona State License 1207B221.

Summary

Applicant
Ronald Amneus, Agent

License Type
Series 12 - Restaurant

Location
2337 N. 7th St.
Zoning Classification: C-2 HP
Council District: 4

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

The 60-day limit for processing this application is Jan. 5, 2018.

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

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

Other Active Liquor License Interest in Arizona
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 operated/managed many places that serve alcohol including Yucca Tap Room, The Radisson, The Vine Tavern & Eatery. Most recently I was employed by Ska Brewing doing promotions and events around the State of AZ. I also took manager certification class taught by Craig Miller a few years ago."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We are an established neighborhood restaurant. We have not had a single mark on the original license and I fully intend on keeping that streak going."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Main Ingredient
Liquor License Map - The Main Ingredient

This item was recommended for approval.

12 Liquor License - Special Event - Valley Dogs, Inc.

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

Summary

Applicant
Marci Miller

Location
4700 E. Warner Road
Council District: 6

Function
Festival

Date(s) - Time(s) / Expected Attendance
March 3, 2018 - Noon to 7 p.m. / 150 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Special Event - The Cedar Club of Arizona

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

Summary

Applicant
Suzanne Sabbagh

Location
1702 E. Northern Ave.
Council District: 6

Function
New Year's Eve Celebration

Date(s) - Time(s) / Expected Attendance
Dec. 31, 2017 - 8 p.m. to 1 a.m. / 160 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - Pomegranate Cafe Central

Request for a liquor license. Arizona State License 1207B213.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
5555 N. 7th St., Ste. 108
Zoning Classification: C-2
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 outdoor alcohol consumption. A Use Permit hearing has been scheduled.

The 60-day limit for processing this application is Dec. 31, 2017.

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.

Pomegranate Cafe (Series 12)
4025 E. Chandler Blvd., #28, Phoenix
Calls for police service: 36
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 our employees attend the Title 4 basic liquor law class."

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 customers an adult beverage 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 - Pomegranate Cafe Central
Liquor License Map - Pomegranate Cafe Central

This item was recommended for approval.

15 Liquor License - Joe's Midnight Run

Request for a liquor license. Arizona State License 07070201.

Summary

Applicant
Amy Nations, Agent

License Type
Series 7 - Beer and Wine Bar

Location
6101 N. 7th St.
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is Dec. 31, 2017.

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:
"The new owners of Joe's Midnight run have been in the food service business for many years and have operated many high profile restaurants here in the Phoenix area. Management is experienced on food and alcohol service and will have all employees take state certified liquor training classes to ensure compliance will all liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Joe's Midnight Run restaurant has been operating in Phoenix for several years with a liquor license. The new ownership wishes to continue operating as a full service restaurant offering alcoholic beverages with their meals if the customers wish to have them."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Joe's Midnight Run
Liquor License Map - Joe's Midnight Run

This item was recommended for approval.

16 Liquor License - Joe's Midnight Run

Request for a liquor license. Arizona State License 1207B214.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
6101 N. 7th St.
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is Dec. 31, 2017.

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:
"The new owners of Joe's Midnight run have been in the food service business for many years and have operated many high profile restaurants here in the Phoenix area. Management is experienced on food and alcohol service and will have all employees take state certified liquor training classes to ensure compliance will all liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Joe's Midnight Run restaurant has been operating in Phoenix for several years with a liquor license. The new ownership wishes to continue operating as a full service restaurant offering alcoholic beverages with their meals if the customers wish to have them."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Joe's Midnight Run
Liquor License Map - Joe's Midnight Run

This item was recommended for approval.

17 Liquor License - Circle K Store #5549

Request for a liquor license. Arizona State License 09073630.

Summary

Applicant
Kim Kwiatkowski, Agent

License Type
Series 9 - Liquor Store

Location
4939 E. Ray Road
Zoning Classification: C-2
Council District: 6

This request is for a new liquor license for a convenience store that sells gas. This location is currently licensed for liquor sales with a Series 10 - Beer and Wine Store, liquor license. This business is currently under construction with plans to open in January 2018.

The 60-day limit for processing this application is Dec. 25, 2017.

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:
“Circle K requires all store personnel to attend an in-house training program. This training is designed to provide a safe and positive customer service environment. As part of the Circle K training program, we provide an Alcohol Training Program that meets the requirements of the Arizona Department of Liquor License and Control. Employees must pass a test on Techniques of Alcohol Management that becomes part of their employee file. Store managers are required to attend an additional in-house manager training and obtain certification from the Arizona Department of Liquor License and Control. This certification requires the submission of fingerprints and includes a background investigation.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“It is Circle K's objective to provide a product, accessible in a convenient manner that meets the need of the surrounding community. Circle K's success depends on us being able to provide products that are in demand.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Circle K Store #5549
Liquor License Map - Circle K Store #5549

This item was recommended for approval.

18 Liquor License - Sakura Sushi

Request for a liquor license. Arizona State License 1207B210.

Summary

Applicant
Zhi Chen, Agent

License Type
Series 12 - Restaurant

Location
4747 E. Elliot Road, Ste. 6
Zoning Classification: PSC
Council District: 6

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

The 60-day limit for processing this application is Dec. 29, 2017.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I have worked in the restaurant industry over 10 years and owned the restaurant over 2 years. I am a very responsible person and understand the inportance of selling alcohol and I.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“More drink options for the customers when they come to our restaurant to eat sushi since that is our Japanese tradition to drink Saki with meal. More convenience for the customers and better dinning experience.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Sakura Sushi
Liquor License Map - Sakura Sushi

This item was recommended for approval.

19 Liquor License - Special Event - Downtown Phoenix Partnership, Inc.

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

Summary

Applicant
Alison Sipes

Location
308 N. 2nd Ave.
Council District: 7

Function
New Year's Eve Celebration

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

Dec. 31, 2017 - 8:30 p.m. to Midnight / 7,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

20 Liquor License - Tilted Kilt Pub & Eatery

Request for a liquor license. Arizona State License 12078744.

Summary

Applicant
Jesus Altamirano, Agent

License Type
Series 12 - Restaurant

Location
2 E. Jefferson St. #22-217
Zoning Classification: DTC-Business Core
Council District: 7

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

The 60-day limit for processing this application is Dec. 17, 2017.

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

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

Tilted Kilt Pub & Eatery (Series 12)

1617 W. Warner Road, 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:
"As one of the owners of TKFO, LLC we have owned and operated other restaurants with alcohol to compliment the service of our food. We train our staff in alcohol awareness to ensure the safety of our customers by instructing employees to check identification and to watch for signs of over intoxication. Futhermore the staff is instructed on procedures to obtain safe transportation for guest who may be too intoxicated to drive. Our mission is also to ensure that underage are properly carded and not served alcoholic beverages. We maintain a safe and friendly atmosphere for our clientele providing quality food service and are proud to own and operate a restaurant in the City of Phoenix."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

21 Liquor License - Mariscos El Dorado

Request for a liquor license. Arizona State License 1207B209.

Summary

Applicant
Eduardo Gonzalez Romero, Agent

License Type

Series 12 - Restaurant

Location
5630 S. Central Ave.
Zoning Classification: C-2 SPVTABDO
Council District: 7

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

The 60-day limit for processing this application is Dec. 29, 2017.

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 had many liquor license in the State of Arizona in the past & present.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“This will be a family style restaurant operating in a clean & safe enviroment working with the local community.”

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

Attachments
Liquor License Data - Mariscos El Dorado
Liquor License Map - Mariscos El Dorado

This item was recommended for approval.

22 Liquor License - Sr Ozzy's Tacos y Mariscos

Request for a liquor license. Arizona State License 1207B199.

Summary

Applicant
Diana Perez, Agent

License Type
Series 12 - Restaurant

Location
1717 W. Southern Ave., Ste. 100
Zoning Classification: C-2
Council District: 7

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

The 60-day limit for processing this application is Dec. 17, 2017.

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 an experienced licensee committed to upholding the highest standards for it's business practices and employees. I will along with all employees will be trained in the techniques of legal and responsible & take the Title 4 liquor law training course. I will provide a safe and profitable experience for both the business and the restaurant patrons."

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

"The public convenience requires in the best interest of the community will be substantially served by the issuance of the liquor because: 'Sr Ozzy's staff would like the ability to serve a drink with meals upon the request of the restaurant patron'."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Sr Ozzy's Tacos y Mariscos
Liquor License Map - Sr Ozzy's Tacos y Mariscos

Discussion
Mike Barragan spoke in support of Item 22.

This item was recommended for approval.

23 Liquor License - M.O.B. Social Club

Request for a liquor license. Arizona State License 06070281.

Summary

Applicant
Nathan Atchison, Agent

License Type
Series 6 - Bar

Location
40 N. 1st St., Ste. 300
Zoning Classification: DTC - Business Core HP
Council District: 7

This request is for an ownership and location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor alcohol consumption. This business has plans to open in February 2018.

The 60-day limit for processing this application is Dec. 31, 2017.

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:
"For the past 17 years I have progressed professionally in managerial positions, owned a local business and have created jobs and opportunities for others in the Phoenix area. I have applied myself in community outreach work and continually strive to leave a positive influence on anything I'm associated with."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"As a social network facility in the heart if downtown, M.O.B Social Club will not only be a direct influence on the art, foodie, fundraising and charity scenes downtown, but will also be a critical venue for business

professionals to gather/network and continue to strengthen the progressive growth model for Phoenix. The issuance of the liquor license is an essential component of this business model."

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 - M.O.B. Social Club
Liquor License Map - M.O.B. Social Club

This item was recommended for approval.

24 Liquor License - Special Event - Valley of the Sun Bowl Foundation

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

Summary

Applicant
Collin Mattoon

Location
301 E. Jackson St.
Council District: 8

Function
Sporting Event

Date(s) - Time(s) / Expected Attendance
Dec. 26, 2017 - 3:30 p.m. to 6:30 p.m. / 6,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

25 Liquor License - Roland's Market

Request for a liquor license. Arizona State License 1207B200.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
1505 E. Van Buren St.
Zoning Classification: C-3
Council District: 8

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

The 60-day limit for processing this application is Dec. 17, 2017.

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.

Pizzeria Bianco (Series 12)
4743 N. 20th St., Phoenix
Calls for police service: 14
Liquor license violations: None

Pane Bianco (Series 12)
4404 N. Central Ave., Phoenix
Calls for police service: 3
Liquor license violations: None

Foothills Cafe (Series 7)
4740 E. Warner Road, 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:
"Applicant is committed to maintaining the highest standards and quality service to deliver a positive experience to every guest. Applicant's principals have successfully operated licensed restaurants such as Pizzeria Bianco and Pane Bianco in Phoenix for many years. Managers and staff will be trained in the techniques of responsible alcohol sales and service to ensure legal compliance."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Roland's Market, which closed in 1971, is an adaptive reuse project that will re-open as an urban restaurant and community gathering place. The

menu will feature authentic tacos and burritos made from fresh, local ingredients. Applicant would like to offer alcoholic beverages as an incident to meals enjoyed by guest 21 and over."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Roland's Market
Liquor License Map - Roland's Market

This item was recommended for approval.

26 Liquor License - AZCentral.com

Request for a liquor license. Arizona State License 10076935.

Summary

Applicant
Amy Nations, Agent

License Type
Series 10 - Beer and Wine Store

Location
3800 E. Sky Harbor Blvd., T4 Space R-22
Zoning Classification: R-3
Council District: 8

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

The 60-day limit for processing this application is Dec. 18, 2017.

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"As passenger frequent terminal 4 on a daily basis, we would like to offer our customers the option of adult 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 - AZCentral.com
Liquor License Map - AZCentral.com

This item was recommended for approval.

27 Liquor License - Zest Market

Request for a liquor license. Arizona State License 09073628.

Summary

Applicant
Faris Hormoza, Agent

License Type
Series 9 - Liquor Store

Location
2801 E. Thomas Road
Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a liquor store. This location is currently licensed for liquor sales with a Series 10 - Beer and Wine Store, liquor license.

The 60-day limit for processing this application is Jan. 5, 2018.

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

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and

includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Zest Market (Series 10)
2801 E. Thomas Road, Phoenix
Calls for police service: 21
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 has owned and operated Zest Market with a series 10 liquor license since 2003 - without a liquor violation. Managers and staff have completed Arizona Title 4 liquor training, and are committed to upholding the highest standards for legal and responsible alcohol sales."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Applicant offers customers one-stop shopping for grocery, household, and convenience products, as well as tobacco, beer, and wine. Many customers have requested to purchase spirituous liquor in addition to the other items they purchase. Applicant would like to offer spirituous liquors to customers 21 and over."

Staff Recommendation
Staff recommends approval of this application.

Attachments

Liquor License Data - Zest Market
Liquor License Map - Zest Market

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

Note: Councilman Nowakowski joined the voting body via telephone.

A motion was made by Vice Mayor Pastor, seoncded by Councilwoman Williams that Items 28 through 129 be approved or adopted, except Items 28-29, 34, 36, 41, 45-50, 53, 58-59, 61, 69-71, 85, 89, 99, 116, 119 and 123-128, and noting that Item 57 is withdrawn and Items 69, 71, 126 and 127 are as revised. The motion carried by the following vote:

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

Items 28-53, Ordinance S-44116, were requests to authorize the City Controller to disburse funds, up to amounts indicated, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

30 Property Insight, LLC

Request $9,000.00 in additional payment authority for Contract 143423 for Maricopa County records (Affidavit of Value/Plat Maps) used to maintain parcel, address, owner, and legal information in the Land Information System (LIS), for the Planning and Development Department. The Planning and Development Department permitting system is dependent on the LIS information for accurate and up-to-date permit issuance.

This item was adopted.

31 Various Vendors for Roofing Repairs and Replacement for City-Owned Properties

For $55,000.00 in additional payment authority for all labor, materials,

equipment, and services to remove, replace, or repair various types of roof materials located on City of Phoenix Housing Department senior housing or scattered sites residential homes. Usage has been higher than anticipated by the Housing Department.

Progressive Services, Inc. doing business as Progressive Roofing, Contract 137757
Capstone Roofing LLC, Contract 137758

This item was adopted.

32 Microception, Inc.

For $38,000.00 in payment authority to purchase equipment to upgrade audio and video recording of interviews for the Phoenix Police Department's Financial Investigative Resource Group. The audio and video recording equipment will be used for the expansion and upgrade of four rooms, including a video monitoring system and a desktop computer for detectives to utilize. The current computer and software infrastructure used for audio and video recordings by the department is in place and supported by Microception. These new upgrades will benefit the entire department and the City, as it will guarantee a standardization of exams conducted by the department.

This item was adopted.

33 Various Vendors for Decontamination Services

For $90,000.00 in additional payment authority and to extend the contracts on a month-to-month basis, up to March 31, 2018, for decontamination services for citywide departments, such as Police, Fire, Human Services, Streets, and other departments. A solicitation for a new contract is currently in review. Additional time is required for the evaluation of bids and contract award. The additional funds are necessary for citywide use of decontamination services and disposition of contaminated materials, such as blood, body fluids, human waste, and biohazardous medical waste, from City vehicles, facilities, and private properties.

BioPro, LLC, Contract 134911
Emergency Restoration Experts, LLC, Contract 134909

This item was adopted.

35 **Settlement of Claim *Castro v. City of Phoenix***

To make payment of $100,000.00 in settlement of claim in *Castro v. City of Phoenix*, Maricopa County Superior Court, Case CV2017-012010, 16-0635-001, for the Finance Department pursuant to Phoenix City Code Chapter 42.

This item was adopted.

37 **4RF USA, Inc.**

For $35,500.00 in payment authority to purchase Supervisory Control and Data Acquisition (SCADA) Telemetry 4RF SR+ Data wireless radios for the Information Technology Services Department. The procurement is to replace one of five remote mountain top site base stations (Mount Gillan) and 18 supporting remote sites, which connect wirelessly to the mountain top site. SCADA wireless communication through data radios allows the Water Services Department to meet regulatory performance requirements; compliance with federal, state, and county regulations; and reporting requirements. The current SCADA telemetry wireless radios must be replaced to continue to meet existing security goals and protocols. An analysis of existing providers was conducted, including proof of concept evaluations, and the 4RF SR+ Data wireless radios were the only ones that met all requirements.

This item was adopted.

38 **eScribers, LLC**

For $82,000.00 in additional payment authority for Contract 135171 through Dec. 31, 2018 to continue to obtain transcription services for the Municipal Court, Law Department, and Public Defender’s Office. Records of live proceedings are maintained as digital recordings in the Municipal Court and parties to such proceedings are entitled by law to have the recordings transcribed for appeals and other purposes.

This item was adopted.

39 **Allied Waste Industries, Inc., doing business as Southwest Regional Landfill**

For $4,821,726.00 in payment authority for Contract 130693, to exercise an option resulting in payment through July 1, 2020, to continue delivery service of solid waste tonnage to Allied Waste's transfer stations and

cover revenue share payments for recyclables, for the Public Works Department.

This item was adopted.

40 High Leah Electronics, Inc., doing business as Diamond Traffic Products

For $18,000.00 in payment authority to purchase six traffic counters to perform continuous data collection for the Street Transportation Department. The information is used to determine if traffic flow devices, such as speed humps, stop signs and traffic signals are needed. The counters will replace obsolete equipment incapable of transmitting data wirelessly to the Traffic Count Office. The City requires data collection of up to eight traffic lanes, including two bicycle lanes.

This item was adopted.

42 Magnum Precision Machines, Inc.

For $36,300.00 in payment authority to purchase a lathe machine for the Water Services Department. With the precision lathe, larger parts will be machined on site, eliminating the current process of sending parts to be serviced off-site. The lathe allows for precision design specifications and tolerance production during repair and fabrication of equipment and/or parts, necessary for water infrastructure critical to the water distribution system.

This item was adopted.

43 ManSci, Inc.

For $50,000.00 in payment authority for a new contract, entered on or about Jan. 1, 2018, for a term of five years, for biochemical oxygen demand analysis system preventative maintenance services for the Water Services Department. The preventative maintenance is to ensure compliance with the Clean Water Act as it pertains to the water and wastewater treatment plants. The contractor must ensure and adhere compliance to the Arizona Department of Health Services Laboratory Licensure requirements.

This item was adopted.

44 Arizona State University Water & Environmental Technology Center

For $60,000.00 in payment authority to purchase annual membership in the Arizona State University Water & Environmental Technology (ASU WET) Center, for the Water Services Department (WSD). WSD collaborates with the ASU WET Center to conduct research regarding: water quality within the Phoenix water system, emerging contaminants, taste and odor, watershed quality and the impact of contaminants from wildfires on watershed quality. This item was approved by the Transportation and Infrastructure Subcommittee on Sept. 12, 2017.

This item was adopted.

51 Settlement of Claim *Wilson v. City of Phoenix*

To make payment of $75,000.00 in settlement of claim in *Wilson v. City of Phoenix*, United States District Court for the District of Arizona, Case 2:16-CV-02973-SPL, 12-9003-001 GL BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

This item was adopted.

52 Settlement of Claim *Herrera v. City of Phoenix*

To make payment of $500,000.00 in settlement of claim in *Herrera v. City of Phoenix,* Maricopa County Superior Court, Case CV2014-009632, 14-0017-001 and 14-0017-002, GL BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

This item was adopted.

55 Request to Authorize the City Manager, or his Designee, to Apply, Accept, and Enter an Agreement for the Cities of Service Engaged Cities Award (Ordinance S-44152)

This report requests the City Council to authorize the City Manager, or his designee, to apply, accept, and enter an agreement for the Cities of Service Engaged Cities Award. Further request to authorize the City Treasurer to accept and the City Controller to disburse the funds as necessary.

Summary

The Cities of Service Engaged Cities Award is designed to elevate city-led strategies that most successfully engage residents to help solve the most pressing local problems. Cities of 30,000, or more, in the Americas and Europe, are eligible to apply. Ten cities will be selected as finalists who will then submit a more detailed application. One grand prize

winning city will receive $100,000, and two cities will receive $50,000 each. The funding is to be used for future efforts that engage resident volunteers as part of the solution to the city's most pressing issues. The deadline to apply is Jan. 5, 2018. The 10 finalist cities will be notified by the end of January 2018.

The City's application will focus on the PHX C.A.R.E.S. initiative to help those experiencing homelessness find long-term solutions. This initiative aligns with the goals of the Engaged Cities Award in key areas including: engaging residents in creative ways, fostering collaborations within the City and the community, and creating efficiencies.

The City of Phoenix is a founding member of Cities of Service, a non-profit organization founded by former New York City Mayor Michael R. Bloomberg that supports cities in engaging residents to help solve its most pressing issues. Phoenix is the only city in the nation with three current grant programs: Leadership, Love Your Block, and Resilience AmeriCorps.

Concurrence/Previous Council Action

This item was recommended for approval by the Sustainability, Housing, Efficiency, and Neighborhoods Subcommittee on Nov. 28, 2017 by a vote of 3-0.

This item was adopted.

56 Contract Award for Barricade and Warning Device Rental/Set-Up (Ordinance S-44138)

Request to authorize the City Manager, or his designee, to enter into a contract with Trafficade Services, Inc. to provide traffic and barricade warning device set-up (including special events) for all City of Phoenix departments. The aggregate value through Jan. 31, 2023 shall not exceed $15,000,000, with an annual value of $3,000,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will be utilized for the rental, supply and servicing of barricades, warning devices and lights, signs, flag-type high-level warning devices, 28" cones, arrow panels, dynamic message signs, sand bags,

and other related items and services related to traffic control due to emergencies, construction or special events. Contractor customer support shall be on a 24-hours-a-day, seven-days-a-week basis.

Procurement Information

An Invitation for Bid, IFB 17-178 Barricade and Warning Device Set-Up Requirements Contract, was conducted in accordance with Administrative Regulation 3.10. One non-responsive bid was submitted and rejected and three responsive and responsible bids were received by the Finance Department/Procurement Division on Aug. 25, 2017.

Trafficade Service, Inc.	$2,380,840
Roadsafe Traffic Systems	$2,827,491
Southwest Barricades	$3,259,970

It is recommended by the Deputy Finance Director that the bid from Trafficade Service, Inc. be accepted as the lowest, responsive and responsible bidder.

Contract Term

The five-year term shall begin on or about Feb. 1, 2018. Provisions of the contract do not provide any options to extend.

Financial Impact

The aggregate value through Jan. 31, 2023 shall not exceed $15,000,000, with an annual value of $3,000,000. Funds are available in all City of Phoenix department budgets.

This item was adopted.

57 Audio Video Equipment and Service - ADSPO17-00007302 (Ordinance S-44142)

Request to authorize the City Manager, or his designee, to enter into a contract with Inter-Tech Corporation, Ford Audio Video Systems, LLC, Troxell Communications Inc., Commercial Computer Services, Inc. and Level 3 Audio Visual LLC through the State of Arizona's Cooperative Contract ADSPO17-00007302 in order to purchase audio video equipment and services for citywide departments. Further request authorization for the City Controller to disburse all funds related to this

item. The aggregate contract value will not exceed $3,600,000 over the life of the contract, with an estimated annual expenditure of $720,000.

Summary

The purpose of this Audio Video Equipment and Service cooperative agreement is to provide a broad range of audio and video equipment, support services, as well as any necessary account and delivery services to citywide departments. Examples of AV items that are eligible for purchase are actual manufacturer's products and/or services and all labor, materials, transportation, equipment and other necessities for the installation, integration, and implementation, including engineering analysis, design and configuration of the manufacturer's product and/or service. Software and/or hardware maintenance of the manufacturer's product or service. Ancillary services that may be offered in conjunction with implementation or extension of a product include design, installation, training, maintenance and integration.

Procurement Information

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

Contract Term

The five-year contract term shall begin on or about Dec. 13, 2017.

Financial Impact

The aggregate contract value will not exceed $3,600,000 over the life of the contract, with an estimated annual expenditure of $720,000. Funds are available in various department's budgets.

This item was withdrawn.

60 Authorization to Award Contract to Habitat for Humanity Central Arizona for the Disposition and Development of Vacant Lots Near the Matthew Henson Hope VI Community (Ordinance S-44143)

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

contract(s) with Habitat for Humanity Central Arizona (Habitat), execute all related agreements and documents, and take all action necessary and appropriate to effectuate the disposition and development of residential City-owned vacant lots located near the Matthew Henson HOPE VI Community in the general vicinity of 7th Avenue and Buckeye Road for affordable homeownership. Further request authorization for the City Controller to expend up to $100,000 for associated real estate transaction costs. There is no impact to the General Fund.

Summary

On March 22, 2017, City Council authorized staff to issue a Request for Proposals (RFP) for the disposition and development of City-owned vacant lots in the general vicinity of the Matthew Henson HOPE VI Community near 7th Avenue and Buckeye Road. The parcels, zoned R-3, are located between 7th and 15th avenues, including lots on the west side of 15th Avenue, from Pima to Hadley streets. These lots were purchased over a period of years from 1995 through 2008 using non-General Fund funding sources that restrict the use of the lots, primarily to affordable housing. Property addresses and parcel numbers are listed in Attachment A. Attachment B includes a map identifying the area where the lots are located.

Procurement Information

The City received two proposals in response to the RFP that was issued on Aug. 8, 2017. The proposals from Chicanos Por La Causa (CPLC) and Habitat were evaluated on proposed development approach; qualifications, experience and financing capacity; project cost and feasibility; and project timeline. The evaluation panel, comprised of City staff and an external representative, awarded the scores as follows:

Habitat for Humanity Central Arizona: 800.25
Chicanos Por La Causa: 590.25

Habitat will build 31 new Energy Star-certified single-family owner-occupied homes over a five-year period. Habitat will offer financial literacy and homeownership financial fitness training to the qualified homebuyer, along with a zero percent interest mortgage note, and principal loan amount based on appraised value. Additionally, Habitat will implement their Neighborhood Revitalization Program to rehabilitate up to

80 owner-occupied homes within the neighborhood over five years. Habitat will survey and engage the community to identify additional community amenities. All final business terms and benchmarks will be negotiated prior to entering into an agreement. If development benchmarks are not met, ownership of any remaining undeveloped lots will revert to the City unless new benchmarks are determined to be in the best interest of the City.

Financial Impact

There is no impact to the General Fund. Disposition of the vacant lots will be exchanged for creating affordable homeownership for homebuyers whose income is at or below 80 percent of AMI. Funds are available in the Housing Department's Affordable Housing Fund for costs associated with real estate transactions.

Concurrence/Previous Council Action

On March 22, 2017, City Council authorized the Housing Department to issue the RFP for the disposition and development of the vacant lots. This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on Nov. 28, 2017, and approval was recommended by a vote of 3-0.

Location

See Attachment A for addresses.
Council District: 8

This item was adopted.

62 Operation and Maintenance of Central City Addiction Recovery Center (Ordinance S-44158)

Request to authorize the City Manager, or his designee, to enter into a contract with Mercy Maricopa Integrated Care (MMIC) to provide for the operation and maintenance of the Central City Addiction Recovery Center (CCARC) in an amount not to exceed $200,000 annually, or $2 million over the life of the contract, and to enter into a land lease with the Arizona Department of Health Services (ADHS) for the operation of CCARC. The contract with MMIC will require that the CCARC service provider be contractually obligated to pay $90,000 annually for the City's rent for the land lease. Further request authorization for the City Controller to

disburse and the City Treasurer to accept all funds related to this item for the life of the contract.

Summary

The City has an Intergovernmental Agreement (IGA) with ADHS for the construction, operation, and maintenance of the CCARC (formerly known as Local Alcohol Reception Center or LARC) on the grounds of the Arizona State Hospital. The IGA expires on Dec. 31, 2017. The City constructed the facility that houses CCARC. The City maintains the ownership of the facility and the right to continue to use it for CCARC after the IGA expires.

The CCARC serves the community of Phoenix and combines medical and behavioral interventions to address a patient's psychiatric and substance abuse issues. CCARC provides Methadone detox services and substance abuse treatment, which includes day treatment, partial hospitalization, inpatient detox, and hospital inpatient treatment services.

Three years ago, MMIC was competitively selected and entered into a contract with the State of Arizona for the delivery of mental health services in Maricopa County. The contract includes provision of local alcoholism reception center services as described in Arizona Revised Statutes title 36, chapter 18, article 2. As a result, MMIC is the sole source for the Regional Behavioral Health Authority and no other entities can be solicited for proposals for this service. MMIC has contracted with Community Bridges, Inc., to be CCARC's service provider.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, a Sole Source Determination was processed and approved for this contract as the the operation and maintenance of CCARC requires a specific vendor due to the State of Arizona contract with MMIC.

Contract Term

The initial term of this contract is five years, beginning on Jan. 1, 2018 through Dec. 31, 2022, with one, five-year option to extend.

Financial Impact

The contract amount will not exceed $200,000 annually, or $2 million over

the life of the contract. General funds to support this contract are available in the Human Services Department's budget.

This item was adopted.

63 Authorization to Amend License with Zayo Group, LLC, Formerly 360networks (USA), Inc., to Extend the Term (Ordinance S-44157)

Request authorization for the City Manager, or designee, to amend Contract 122932 with Zayo Group, LLC to extend the license on a month-to-month basis for up to a 12-month period. Further request authorization for the City Treasurer to accept all funds related to this item. Revenue during the extended term will be $125 per month.

Summary

Zayo Group, LLC has a 10-year license with the City for a fiber conduit system for telecommunication purposes located at 2120 N. Central Ave., which expires Jan. 8, 2018. The tenant has requested additional time to make a determination about the long-term viability at this location. The license will be extended on a month-to-month basis for up to a 12-month period at a fee of $125 per month, plus applicable taxes. The license fee during the extension is comparable to other similar telecommunication facilities at this location.

Financial Impact

Revenue during the extended term will be $125 per month.

Concurrence/Previous Council Action

Contract 122932 was approved by Ordinance S-34393, adopted Sept. 19, 2007.

Location

2120 N. Central Ave.
Council District: 4

This item was adopted.

64 Phoenix Public Library's Request to Apply, Accept, and Enter an Agreement for Annual Arizona State Library's State Grants-In-Aid Funds (Ordinance S-44135)

This report requests the City Council to authorize the City Manager, or his designee, to apply, accept, and enter an agreement on behalf of the

Phoenix Public Library for the annual 2018 State Grants-in-Aid (SGIA) money. The Phoenix Public Library will receive $75,276 this year, which will be used for the Phoenix Public Library Workforce Assistance and Early Literacy Outreach programs. Further request to authorize the City Treasurer to accept and the City Controller to disburse the funds as necessary.

Summary

State Grants-in-Aid (SGIA) are allocated annually to the Library based on a per capita distribution of funds by the Arizona State Legislature through the Arizona State Library, Archives and Public Records. The amount allocated for Phoenix Public Library this year is $75,276.

For the fourth year running, the above funds will be utilized to assist Phoenix Public Library with its efforts in the areas of Workforce Assistance and Early Literacy Outreach. On the Workforce Assistance front, $21,000 of the funds will be used for continued funding of a part-time employee to assist with the implementation of workforce literacy classes and drop-in workforce assistance at the Ocotillo Library and Workforce Literacy Center, located at 102 W. Southern Ave. Of the total, $44,000 of the funds will be used to continue to fund two part-time Early Literacy Outreach employees to conduct outreach into the communities of the Harmon (1325 S. 5th Ave.), Cesar Chavez (3635 W. Baseline Road), Palo Verde (4402 N. 51st Ave.), Ocotillo, and Desert Sage (7602 W. Encanto Blvd.) libraries. The remaining $10,276 will be used to provide staff training, outreach supplies, giveaway children’s books for outreach visits, and to pay for employee mileage.

The Ocotillo Library and Workforce Literacy Center assists job seekers by offering classes in resume writing, interviewing skills, and computer use. It also offers PhoenixWorks, which is a collection of materials to support workforce needs including resume writing, occupational testing, language learning and computer skills.

Phoenix Public Library’s early literacy outreach efforts are vast, and are supported at seven library locations by First Things First grant money provided by the Phoenix North Region Council. SGIA funds allow Phoenix Public Library to spread this critical outreach into other areas of the City.

Financial Impact

The amount allocated for Phoenix Public Library this year is $75,276.

This item was adopted.

65 Amendment of Arizona Department of Housing Low-Income Weatherization Assistance Program (Ordinance S-44126)

Request to authorize the City Manager, or his designee, to amend Ordinance S-42450 to increase by $198,000 the Arizona Department of Housing Low-Income Weatherization Assistance Program funding to a total of $1,998,000. Further request authorization for the City Controller to accept and disburse all funds related to this item over the life of the contract.

Summary

Ordinance S-42450 authorized the City Manager to enter into contract with the Arizona Department of Housing (ADOH) for the Weatherization Assistance Program (WAP), and authorized the City Controller to disburse up to $1.8 million for the 2016-2017 and 2017-2018 fiscal years. In fiscal year 2017-18, ADOH compiled and redistributed unspent program funds, and extended an additional $198,000 in WAP grants to the City of Phoenix for a total award of $1,998,000.

Contract Term

The contract term is for a two-year period from July 1, 2016 to June 30, 2018.

Financial Impact

There is no impact to the General Fund; these programs are funded with grants from federal agencies and local organizations.

This item was adopted.

66 Arizona Department of Housing Low-Income Weatherization Assistance Program (Ordinance S-44127)

Request to authorize the City Manager, or his designee, to enter into a contract with the Arizona Department of Housing (ADOH) for the Neighborhood Services Department (NSD) to administer the Southwest Gas Corporation's Weatherization Assistance Program (WAP) services in the amount not to exceed $500,000. Further request authorization for

the City Controller to accept and disburse all funds related to this item over the life of the contract.

Summary

ADOH administers the Southwest Gas Corporation's WAP grant awards throughout the state of Arizona. NSD, through various funding entities, provides WAP services to eligible low-income owner-occupied households within the City of Phoenix. WAP services provide attic insulation, sun screens, duct sealing, room pressure balancing, and the repair or replacement of heating and cooling systems.

Contract Term

The contract term is for a two-year period from Jan. 1, 2018 to Dec. 31, 2019.

Financial Impact

There is no financial impact to the General Fund; these programs are funded with grants from federal agencies and local organizations.

This item was adopted.

67 Flood Irrigation System Repair and Replacement - Requirements Contract - IFB 18-049 (Ordinance S-44119)

Request to authorize the City Manager, or his designee, to enter into a contract with Luebkin & Walker Enterprises, dba Salt River Irrigation, to provide flood irrigation system repair and replacement services for the Parks and Recreation Department for up to five years in an amount not to exceed $1,083,820 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will provide services to clean, repair and replace flood irrigation lines for the City's parks. This will ensure the Parks and Recreation Department is providing safe, beautiful, shaded park environments to the public, with green grass and trees. This contract will also give the Parks and Recreation Department the option to utilize the contractor for non-irrigation pipe cleaning.

Procurement Information

IFB 18-049 was conducted in accordance with Administrative Regulation

3.10. There were four offers received by the Procurement Division by the Sept. 29, 2017 deadline.

Luebkin & Walker Enterprises, dba Salt River Irrigation: $216,764.00
Premier Irrigation, LLC.: $361,051.55
Lincoln Contractors, Inc.: $379,250.00
Action Direct LLC. dba Redpoint Contracting: $438,450.00

The Deputy Finance Director recommends that the offer from Luebkin & Walker Enterprises, dba Salt River Irrigation, be accepted as the lowest-priced, responsive and responsible offer.

Contract Term
The five-year contract term will begin on or about Feb. 1, 2018.

Financial Impact
The aggregate contract value will not exceed $1,083,820, with an estimated annual expenditure of $216,764. Funds are available in the Parks and Recreation Department's operating budget.

This item was adopted.

68 Extend Contract with Brightview Landscape Services, Inc., for Sports Field Maintenance Services and Add Additional Funding (Ordinance S-44128)

Request to authorize the City Manager, or his designee, to extend Contract 140096 with Brightview Landscape Services, Inc., for a term of six months, with an option for six additional months, to continue providing all labor, materials and equipment for sports field and grounds maintenance services at Papago Sports Complex, and to add additional funding to cover expenditures during the current contract term. Further request authorization for the City Controller to disburse all funds related to this item. The total financial impact of this item is $850,000.

Summary
This contract provides services to maintain the sports field and grounds at the Papago Sports Complex, including providing all necessary labor, materials and equipment. In September 2015, a monsoon storm uprooted nine large trees, resulting in a need for additional funding to cover expenditures through the end of the current contract term, which

expires in January 2018.

Exercising the City's renewal option and extending this contract will ensure the Parks and Recreation Department is able to continue providing a safe, beautiful and professional-level tournament facility for the youth, adults, local, national, international, amateur and professional organizations who book the facility, as discussions continue about the future management of the Papago Sports Complex.

Procurement Information
In 2015, Brightview Landscape Services, Inc., (Brightview), formerly known as Valley Crest, was selected to provide sports field and grounds maintenance services for the City's Papago Sports Complex through a competitive Request for Proposals (RFP). Through this process, Brightview was the high-scored proposer.

Contract Term
The original term of the contract with Brightview was three years (Feb. 1, 2015 to Jan. 31, 2018). The City has an option to extend the term of the agreement for up to two additional years. If approved by City Council, the six-month extension will begin on or about Feb. 1, 2018. If exercised, the six-month option would begin on or about Aug. 1, 2018.

Financial Impact
The aggregate value of the six-month contract extension, and six-month option if exercised, will not exceed $650,000. Additionally, $200,000 is requested to cover expenditures through the end of the current contract term, bringing the total financial impact of this item to $850,000. Funds are available in the Parks and Recreation Department's Papago Sports Complex General Fund budget.

Concurrence/Previous Council Action
On Jan. 7, 2015, City Council authorized a three-year agreement with Brightview to provide sports field and grounds maintenance services at Papago Sports Complex.

Location
Papago Sports Complex, 1802 N. 64th St.

Council District: 6

This item was adopted.

72 Authorization to Enter into Development Agreement for Public Parking (Ordinance S-44156)

Request authorization for the City Manager, or his designee, to enter into a development agreement, and other agreements as necessary, (collectively, the Agreements) with Hines Interests, LP, or its City-approved designee (Developer) to purchase structured public parking spaces. This action will have no impact to the General Fund. The $500,000 is available in the Community and Economic Development Department's Capital Improvement Program budget using Downtown Community Reinvestment Funds. Further request authorization for the City Controller to disburse the necessary funds.

Summary

The Developer has proposed to develop the undeveloped pad at Colliers Center with a high-rise, multi-family residential rental project. The pad is located at the southeast corner of the Colliers Center, near the corner of 3rd Street and Jefferson Street. While the Collier Center already has underground structure parking spaces for the residences, the Developer and the City have identified there is a need for additional public parking in the vicinity, and the developer has agreed to build at least 40 additional parking spaces. The Developer will then sell half of those spaces to the City and these approximately 20 spaces will be under total City ownership, which will assist in bringing new tenants into Downtown Phoenix. The proposed key business terms include:

Developer will enter into a Development Agreement within six months.
Developer shall commence construction within 36 months of City Council authorization.
Developer shall have an option to extend the commencement date by no more than six months.
City shall pay the developer the cost of constructing the City parking spaces, not to exceed $500,000, upon transfer of title.
City and Developer shall enter into an operating and revenue sharing agreement to manage the spaces through a qualified third-party operator.

Developer will comply with Arizona Revised Statutes title 34 requirements for the construction of this new parking area in addition to other terms and conditions as required by the City. This project will provide additional public parking in Downtown Phoenix, immediately adjacent to office, retail, convention and arena uses, in an area where parking has become constrained.

Contract Term
The total term of the development agreement is four years.

Financial Impact
This action will have no impact to the General Fund. The $500,000 is available in the Community and Economic Development Department's Capital Improvement Program budget using Downtown Community Reinvestment Funds.

Concurrence/Previous Council Action
This item was recommended for approval at the Downtown, Aviation, Economy and Innovation Subcommittee meeting on Dec. 6, 2017 by a vote of 4-0.

Location
Colliers Center, 201 E. Washington St.
Council District: 7

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this item be adopted. (Note: This item was reconsidered along with discussion after Item 71.) The motion carried by the following vote:

Yes:	8 -	Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton
No:	1 -	Councilman Waring

73 Workforce Telestaff - Fire Department First Responder Scheduling System (Ordinance S-44151)

Request authorization for the City Manager, or his designee, to enter into

an agreement with Kronos, Inc. (3071384) for Workforce Telestaff software maintenance, technical support and cloud hosting. The total cost for a one-year agreement shall not exceed $108,300.35. Further request authorization for the City Controller to disburse related funds.

Summary

Workforce Telestaff is a personnel scheduling software program used to schedule first responders and emergency dispatchers. The residents of the City of Phoenix and all 22 of the Phoenix Fire Department's (PFD) automatic aid partners benefit from appropriate staffing of these business units. The system automates scheduling, communication and deployment of employees resulting in improved workforce efficiency, controlled labor costs and compliance with union rules, labor laws, and other agency policies.

The Workforce Telestaff system allows personnel in staffing positions to quickly identify vacancies that need to be filled and the qualified personnel that are available to fill those positions. The system has the ability to apply qualifications, certifications, and negotiated labor rules to the process of fillng a vacancy in order to ensure that the appropriate employee is selected.

Approximately 12 months ago, PFD was asked to hold efforts to implement a new five-year, department-specific contract with Kronos for Telestaff by several City departments that have similar staff scheduling needs. This hold was requested because an expanded contract that would include additional departments was being explored. Several weeks ago, PFD was advised to proceed with a department-specific contract. Therefore, PFD is currently in the process of procuring a new five-year contract. However, the current maintenance, technical support and cloud hosting agreement has expired in the interim, and a one-year agreement is now required to prevent a loss of service while the new, five-year contract is established.

Procurement Information

Due to the proprietary nature of Telestaff, no other vendor besides Kronos, Inc., can provide the support, maintenance and hosting services for the PFD. An After-the-Fact Determination was submitted and approved by Finance on Nov. 13, 2017.

Contract Term
The term of the agreement will be from Nov. 1, 2017 through Oct. 31, 2018.

Financial Impact
The total cost for a one-year agreement shall not exceed $108,300.35. Funds are available in the Fire Department budget.

Concurrence/Previous Council Action
The original software maintenance and technical support agreement was approved by City Council on Nov. 17, 2010.

This item was adopted.

74 Adven Capital Group, LLC dba Service IT Direct - Hardware/Software Maintenance Support for CAD (Ordinance S-44154)

Request authorization for the City Manager, or his designee, to enter into a five-year contract with Adven Capital Group, LLC dba Service IT Direct for hardware and software maintenance support for the Fire Department's Computer Aided Dispatch (CAD) system. The aggregate value of this contract will not exceed $60,000. Further request authorization for the City Controller to disburse related funds.

Summary
Adven Capital Group, LLC dba Service IT Direct provides hardware and software maintenance support for the Fire Department's existing CAD system. In addition to overseeing support, this agreement will also provide proactive monitoring of PFD systems and skilled software engineers who work on public safety systems and understand the urgency of keeping these mission critical systems operating. This maintenance and support agreement is only required until implementation of the new CAD system, which is expected to occur in approximately three years.

Procurement Information
Due to the proprietary nature of the system, no other vendor besides Adven Capital Group, LLC dba Service IT Direct can provide the support and maintenance services for the PFD.

Contract Term

The term of the agreement will be on or about Jan. 17, 2018 through Jan. 16, 2023.

Financial Impact

The aggregate value of the contract will not exceed $60,000, with an estimated annual expenditure of $12,000. Funds are available in the Fire Department's budget.

This item was adopted.

75 Contract to Purchase Reflective Decals - City of Scottsdale Cooperative Contract - 15PB026 (Ordinance S-44118)

Request to authorize the City Manager, or his designee, to utilize the City of Scottsdale Cooperative Contract awarded as a result of solicitation 15PB026 and to enter into a contract with Pressure Sensitive Products for the purchase of Reflective Decals. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $72,566.00.

Summary

The reflective decals are an integral part of the Fire Department's personal accountability reporting system. This system is used to identify personnel operating inside of a hot zone where tracking and accounting for each firefighters location and function is imperative to ensure safety. The reflective decals are used on Fire Department crews helmets, self-contained breathing apparatus, and various other equipment to help company and command officers locate and track inside of smoke filled, low visibility, high heat, immediate danger to life or health, smoke, super heated gases, gas leaks, and hazmat atmospheres.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. The City of Scottsdale contract covers the purchase of Reflective Decals and was awarded on July 9, 2015.

Contract Term
The five-year contract term shall begin on or about Jan. 1, 2018.

Financial Impact
The aggregate contract value will not exceed $72,566.00. Funds are available in the Fire Department's budget.

This item was adopted.

76 Authorization to Amend Payment Ordinance with Bureau of Justice Assistance

Request authorization for the City Manager, or his designee, to amend Payment Ordinance S-42505 to extend the funding period to agree with the grant award agreement with the Bureau of Justice Assistance through the National Crime Gun Intelligence Center Initiative.

Summary
City Council authorized Payment Ordinance S-42505 in the amount of $1,000,000 on May 4, 2016 as it pertained to receiving a grant award from the Bureau of Justice Assistance through the National Crime Gun Intelligence Center Initiative grant application. The proposed funding period was Oct. 1, 2016 through Sept. 30, 2018. The grant funding was recently awarded for a period of Oct. 1, 2017 through Sept. 30, 2019 requiring an amendment to the original Payment Ordinance. The amendment is for time only; there are no additional funds received with the amendment.

Contract Term
New funding period is Oct. 1, 2017 through Sept. 30, 2019.

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

This item was approved.

77 Authorization to Enter into Agreements with United States Food and Drug Administration to Accept Reimbursement for Police Services (Ordinance S-44147)

Request authorization for the City Manager, or his designee, to authorize the Police Department to enter into agreements with the United States

Food and Drug Administration's (FDA), Office of Criminal Investigations, to accept funds not to exceed $100,000 in reimbursement for police services. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Police Department has partnered with the FDA over the past several years and is currently participating on this task force. This agreement is renewed annually. The joint task force conducts investigations designed to disrupt illegal activities including drug smuggling and distribution, and gathers intelligence related to illegal drug trafficking to effectuate seizures of illegal drugs. The Police Department provides one experienced law enforcement investigator to work with the task force and assist with investigations and prosecutions of these cases.

Contract Term

One year from Jan. 1, 2018 through Dec. 31, 2018.

Financial Impact

The cost to the City is in-kind resources.

Concurrence/Previous Council Action

This item was unanimously approved by the Public Safety and Veterans Subcommittee at the Nov. 8, 2017 meeting.

This item was adopted.

78 Authorization to Enter into Agreement with Phoenix Union High School District to Implement the Cars, College & Career (C3) and Drag Racing Against Gangs and Graffiti (DRAGG) Phoenix Program

Request authorization for the City Manager, or his designee, to authorize the Police Department to enter into an agreement with the Phoenix Union High School District (PUHSD) to implement the Cars, College & Career (C3) and Drag Racing Against Gangs and Graffiti (DRAGG) Phoenix program.

Summary

The Phoenix Police Department is partnering with the PUHSD to implement the C3 and DRAGG Phoenix, an innovative after-school program that will facilitate and encourage Phoenix police officers,

educators and professionals from the automotive industry to mentor and empower local high school students to make positive life choices. Students participating in the program will learn basic skills critical to working in the automobile industry through a curriculum that will blend courses in automotive repair and creative car customization. Throughout the year, students enrolled in the C3 and DRAGG Phoenix program will also be involved in various community outreach projects with the goal of fostering a sense of civic pride and neighborhood ownership.

The program will be launched at Trevor Browne High School during the current school year. The student selection process is expected to take place in late December 2017, with classes beginning in early January 2018. At the completion of the agreement term, the program will be evaluated to determine if another agreement will be put in place.

Contract Term
The term of the initial agreement shall begin on or about Jan. 11, 2018 and end on June 30, 2018.

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

Location
Trevor Browne High School
7402 W. Catalina Drive
Council District: 5

Concurrence/Previous Council Action
This item was heard for Information Only at the Sept. 13, 2017 Public Safety and Veterans Subcommittee meeting.

This item was approved.

79 Request to Issue RFP for Custodial Services

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for custodial services at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport and the facilities at the airports. The aggregate amount over the life of the two contracts will not exceed $89,963,181.

Summary

The custodial services contract provides staff, equipment, supplies, and supervision necessary to provide custodial cleaning services for 1.7 million square feet of airport facilities. Cleanliness is the first and last impression of the airports and the region.

Through the RFP, the Aviation Department will create up to two contracting opportunities, as listed below. The term of each contract will not to exceed seven years. The Small Company Category opportunity is reserved for small businesses, including local small businesses, with gross income less than $20.5 million over the past three years.

1. Large Company Category
2. Small Company Category

Procurement Information

The proposal evaluation criteria with the corresponding points (up to 1,000 points are available) are as follows:
Qualification and Experience: 200 points
Method of Approach: 250 points
Quality Assurance Programs: 200 points
Recruitment and Retention Plan: 200 points
Proposed Price: 150 points

The Aviation Department anticipates that this RFP will be issued immediately after City Council approval.

Public Outreach

A Small Company Category 101 Workshop will be conducted shortly before the RFP is issued.

Contract Term

Large Company Category Contract: The term will be five years and will include two one-year options to extend the term, which may be exercised by the Aviation Director or his designee.
Small Company Category Contract: The term will be one year and will include six one-year options to extend the term, which may be exercised by the Aviation Director or his designee.

Financial Impact

The total estimated combined monthly cost for both contracts is $1,070,990. The aggregate amount over the life of the contracts will not exceed $89,963,181.

Concurrence/Previous Council Action

This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on Nov. 1, 2017 by a vote of 3-0.

Location

Phoenix Sky Harbor International Airport is located at 3400 E. Sky Harbor Blvd., Phoenix Deer Valley Airport is located at 702 W. Deer Valley Rd., and Phoenix Goodyear Airport is located at 1658 S. Litchfield Rd., Goodyear, Arizona
Council Districts: 1, 8 and Out of City

This item was approved.

80 Window Cleaning and High Dusting Services

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for window cleaning and high dusting services for the Aviation Department (Aviation) and the Phoenix Convention Center Department (PCCD). The total estimated contract value for Aviation is $1,710,000 over the five-year term of the contract. The total estimated contract value for PCCD is $225,000 over the five-year term of the contract.

Summary

The contract will provide for window and glass cleaning and high dusting services at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, Phoenix Goodyear Airport, the Rental Car Center, Sky Train Stations, and other Aviation facilities, including the newly renovated Terminal 3 Processor and the new Corporate Office Building. The contract will provide for specialized services and equipment to clean windows at extreme heights and over roadways and airside and to maneuver equipment between parked aircraft in a safety and security sensitive environment. Aviation and PCCD will use the window and glass cleaning and high dusting service under the contract. Aviation's window

cleaning services are performed quarterly and as needed after storm events.

Procurement Information
The proposal evaluation criteria with the corresponding points (up to 1,000 points are available) are as follows:

Contractor qualification and experience: 300 points
Staff qualifications and experience: 250 points
Method of approach: 250 points
Proposed price: 200 points

Aviation and PCCD anticipate that the RFP will be issued immediately after City Council approval.

Contract Term
The term of the contract will be three years and include two one-year options to extend the term, which may be exercised at the sole discretion of the Aviation Director. The term will begin on July 1, 2018.

Financial Impact
The total estimated contract value for Aviation is $1,710,000 over the five-year term of the contract. The total estimated contract value for PCCD is $225,000 over the five-year term of the contract.

Location
Phoenix Sky Harbor International Airport is located at 3400 E. Sky Harbor Blvd., Phoenix Deer Valley Airport is located at 702 W. Deer Valley Rd., Phoenix Goodyear Airport is located at 1658 S. Litchfield Rd., Goodyear, Arizona, and the Phoenix Convention Center is located at 100 N. 3rd St., including Symphony Hall, Orpheum Theatre, and Herberger Theater Center.
Council Districts: 1, 7, 8, Out of City

This item was approved.

81 Request to Issue Revenue Contract Solicitation for Common-Use Airport Lounge

Request to authorize the City Manager, or his designee, to issue a

Revenue Contract Solicitation (RCS) for one or more common use airport lounges. Each respondent must propose a minimum annual guarantee (MAG), which shall be greater than $350,000.

Summary

The Aviation Department (Aviation) is seeking a vendor to develop, operate, and manage a common use airport lounge in Terminal 4 at Phoenix Sky Harbor International Airport. The RCS will be issued to ensure a fair and competitive process. The goals of the Common Use Airport Lounge RCS are to optimize sales and revenue over the term of the lease, improve the quality and uniqueness of the lounge facility, emphasizing local culture and Arizona destinations in the design of the facility and in food and beverage offerings, and to select a respondent with experience operating successful common use airport lounges in the United States or abroad.

The total lease space in Terminal 4 is 5,346 square feet. Upon mutual agreement between the parties, an additional location in Terminal 3 may be added to the lease to develop, operate, and manage a common use airport lounge.

The successful respondent will be required to create and operate a lounge that:

Offers access to customers flying on any airline, regardless of class of ticket, for a fee.
Offers access to customers belonging to partner organizations, such as airlines, credit card companies, etc., with complimentary lounge membership benefits.
Offers complimentary, high-speed wi-fi access to customers.
Has a variety of seating options, including desk workspaces, tables, at least one bar, and lounge chairs.
Offers a variety of food options, including hot and cold items.
Offers a variety of beverage options, including hot and cold tea, soft drinks, wine, beer, and liquor.
Offers complimentary local and national newspapers.
Offers television services, including local and national news and live sporting events.
Offers personalized customer service.

Throughout the term of the lease, the successful respondent shall pay a minimum annual guarantee (MAG) or percentage rent derived from gross sales, whichever is greater. The percentage rental rate shall be 13 percent of gross sales.

Respondents must meet the following minimum qualifications:

At least three years of experience operating and managing an airport lounge within the last five years.
Minimum annual gross sales in excess of $500,000 per lounge.
Provide three business references.
Provide evidence of financial capacity to design, construct, operate, and maintain concepts submitted in response.
Provide evidence of ability to obtain required insurance.
Provide response guarantee.

Procurement Information
Responsive and responsible responses will be evaluated by committee according to the following evaluation criteria (1,000 point total):

Business Operations (300 points available)
Qualifications/Experience (250 points available)
Concept Design (250 points available)
Financial (200 points available)

The highest-scored response will be recommended for contract award.

Contract Term
The term of the lease will be five years with two one-year options to extend the term, which may be exercised at the sole discretion of the Aviation Director.

Financial Impact
Each respondent must propose a MAG, which shall be greater than $350,000.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board unanimously recommended approval on Oct. 19, 2017.

This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on Dec. 6, 2017 by a vote of 3-0.

Location
Phoenix Sky Harbor International Airport is located at 3400 E. Sky Harbor Blvd.
Council District: 8

This item was approved.

82 Maintenance and Repair of Vehicle Barriers and Security Gates - AVN IFB 17-018 (Ordinance S-44125)

Request to authorize the City Manager, or his designee, to enter into a contract with Phoenix Fence Company for the maintenance and repair of vehicle barriers and security gates on an as-needed basis at Phoenix Sky Harbor International, Deer Valley, and Goodyear Airports (Airports). Further request authorization for the City Controller to disburse all necessary funds. The Aviation Department is requesting a total aggregate of $500,000 for the life of the contract, including all applicable taxes.

Summary
This contract is for the installation, inspection, repair, maintenance and/or replacement of vehicle barriers, turnstiles, security gates, gate operating systems, control bollards, and their support infrastructure on an as-needed basis at the Airports and airport-owned properties.

Procurement Information
Solicitation AVN IFB 17-018 was conducted in accordance with Administrative Regulation 3.10. Three offers were received on Oct. 4, 2017, and one offer was deemed non-responsive. The offers were evaluated based on price, responsiveness, terms and conditions, and responsibility to provide the services required. Phoenix Fence Company was the responsive and responsible bidder.

Contract Term

The initial term of the contract is two years commencing on or about Jan. 1, 2018, with three one-year options to extend at the discretion of the City Manager or his designee.

Financial Impact

The Aviation Department is requesting a total aggregate of $500,000 for the life of the contract including all applicable tax. Funds are available in the Aviation Department budget.

Location

The locations for this contract are Phoenix Sky Harbor International Airport, located at 3400 E. Sky Harbor Blvd.; Deer Valley Airport, located at 702 W. Deer Valley Road; and Goodyear Airport, located at 1658 S. Litchfield Road, Goodyear, Arizona.
Council Districts: 1, 8, Out of City

This item was adopted.

83 Landscaping Plant Material Services - AVN RFQu 17-016 (Ordinance S-44146)

Request to authorize the City Manager, or his designee, to enter into separate contracts with Dream With Colors, Inc., Mountain States Wholesale Nursery, and Poco Verde Pools And Landscape, Inc., as part of a Qualified Vendors List to provide landscaping plant materials for the Aviation Department. Further request authorization for the City Controller to disburse all funds related to these items. The Aviation Department is requesting total aggregate spending authority of $50,000.

Summary

The contracts will provide plant material for over 250 acres of xeriscape landscape complimenting the roadways of Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport (Airports). The Airports are home to over 200 species of trees, shrubs, cacti, succulents, ground cover, and accent plants. Many of these plants have a short life span due to a number of factors, including insects, disease, heat, drought, and damage. The contracts will allow the landscape maintenance staff to replant, refurbish, rejuvenate, and revive the landscape that is unique to the Airports. Approximately 35 percent of all plant material used to enhance the desert beauty of the Airports is grown in the City's own propagation facility at the Sky Garden.

Procurement Information
Solicitation AVN RFQu 17-016 was conducted in accordance with Administration Regulation 3.10. Three offers were received on Oct. 24, 2017. The offers were evaluated based on the number of years in business, with a minimum of one year, and references. The following companies were the responsive and responsible offerors:

Dream With Colors, Inc.
Mountain States Wholesale Nursery
Poco Verde Pools And Landscape, Inc.

Contract Term
The term of each contract will be two years that will begin on or about Jan. 1, 2018. The contracts may contain three one-year options to extend the term, which may be exercised by the City Manager or his designee.

Financial Impact
The Aviation Department is requesting total aggregate spending authority of $50,000. Funds are available in the Aviation Department's budget.

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

This item was adopted.

84 Enter New Ground Lease and Amend Fixed Base Operator Agreements with Cutter Aviation Deer Valley, Inc. (Ordinance S-44150)

Request to authorize the City Manager, or his designee, to enter into a 30-year ground lease (Lease) with Cutter Aviation Deer Valley, Inc. for land at Phoenix Deer Valley Airport. Further request to authorize the City Manager, or his designee, to amend two current fixed base operator (FBO) agreements with Cutter at Phoenix Deer Valley Airport to extend the term of the agreements and to combine the agreements into one. Currently, revenue to the City is approximately $122,000 per year.

Revenue to the City over the term of the new agreements will be approximately $11.8 million.

Summary

Cutter Aviation Deer Valley, Inc., (Cutter) currently operates two Fixed Base Operations at Phoenix Deer Valley Airport, providing aircraft storage, fuel sales, maintenance services, and avionics and aviation supply sales. Cutter intends to grow the services it offers to local and transient aircraft operators through a new hangar development and improvements to its FBO facilities.

Cutter will invest not less than $5 million to construct new aircraft storage hangars that consist of approximately 60,000 square feet at Phoenix Deer Valley Airport. Cutter will also make an investment of not less than $2 million to upgrade and improve its FBO facilities. In order to allow Cutter to amortize these investments, the term of the FBO agreements will be extended 23 years. Upon expiration, ownership of all investments and improvements will be conveyed to the City. The FBO agreements will be combined into one agreement and the rental rate will be based on a ground lease at fair market value instead of the current methodology of a minimum annual guarantee. The area of the current FBO leased premises is approximately 20 acres.

Upon completion of the improvements, a legal survey will be completed. If the square footage of the leased premises is reduced, then rent will be adjusted to reflect the change and Cutter will receive a credit from the rent commencement date for the difference. If the square footage is increased, Cutter will pay to the City the difference from the rent commencement date.

Contract Term

The terms of the Lease and FBO agreement will be 30 years with no options to extend. If the leased premises are needed for airport expansion purposes, the City may terminate the Lease by giving Cutter at least 12 months' prior written notice. In that event, the City will buy out the unamortized portion of the initial investment. All other terms and conditions of the Lease and all prior amendments not in conflict with the amendment will remain in full force and effect.

Financial Impact

The ground rental rate for the new development will be $0.54 per square foot per year, plus applicable taxes, adjusted annually according to the Consumer Price Index (CPI).

The ground rental rate for the FBO leasehold and agreement will be $0.138 per square foot in the first year and will be adjusted according to the CPI at the beginning of years two through seven. At the beginning of year eight, the rate will be $0.49 per square foot per year, plus applicable taxes. At the beginning of years nine through 30, the rate will be adjusted according to the CPI. In no event will the rate be less than the rate for year nine.

Currently, revenue to the City is approximately $122,000 per year. Revenue to the City over the term of the new agreements will be approximately $11.8 million.

Concurrence/Previous Council Action

This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on Dec. 6, 2017 by a vote of 3-0.

Location

Phoenix Deer Valley Airport, 702 W. Deer Valley Road.
Council District: 1

This item was adopted.

86 Automated Teller Machine Concession Lease (Ordinance S-44132)

Request to authorize the City Manager, or his designee, to enter into a lease with Bank of America, National Association, to provide automated teller machine concession services at Phoenix Sky Harbor International Airport and the Rental Car Center. Further request authorization for the City Controller to accept and disburse all funds related to this item. Bank of America, National Association will pay a Minimum Annual Guarantee (MAG) of $500,000 and 50 percent of all transaction fees. In subsequent years of the lease, the MAG will be subject to an annual 3 percent increase.

Summary

Automated teller machine (ATM) services are considered an essential amenity for Airport customers. Through this Concession Lease, Bank of America will provide ATM services pre- and post-security at 11 defined locations. Services will be provided 24 hours a day, seven days a week including holidays. ATMs will accept multiple credit/debit card companies including, but not limited to: Visa, MasterCard, American Express and chip technology contained in Europay, MasterCard and Visa (EMV) cards. Passengers will have the ability to complete cash withdrawals, conduct account inquiries and other customary services. The locations, units and services may be adjusted to meet evolving customer and Airport needs at the sole discretion of the Aviation Director.

Procurement Information

Solicitation AVN RCS 17-038, Automated Teller Machine Concession, was conducted in accordance with Administrative Regulation 3.10. The Aviation Department issued a Revenue Contract Solicitation (RCS) for the automated teller machine concession on Sept. 5, 2017. One proposal was received and found responsive. Bank of America, National Association is the successful respondent with a Minimum Annual Guarantee (MAG) of $500,000.

Contract Term

The lease term is three years starting Jan. 1, 2018, with two one-year options to extend the term at the discretion of the Aviation Director.

Financial Impact

Bank of America, National Association will pay a Minimum Annual Guarantee (MAG) of $500,000 and 50 percent of all transaction fees. In subsequent years of the lease, the MAG will be subject to an annual 3 percent increase.

Public Outreach

The ATM business opportunity was advertised in the following publications or newsletters: The Airport Council International, Airport Minority Advisory Council, Federal Aviation Administration Opportunities Bid Board, and Phoenix Sky Harbor website. The announcement was also sent to more than 100 individuals from the Aviation Departments interest list. A pre-response meeting was held on Sept. 8, 2017.

Concurrence/Previous Council Action
This item was unanimously recommended for approval by the Phoenix Aviation Advisory Board on Nov. 16, 2017.

Location
Phoenix Sky Harbor International Airport is located at 3400 E. Sky Harbor Blvd.
Council District: 8

This item was adopted.

87 Foreign Currency Exchange Services Concession Lease (Ordinance S-44133)

Request to authorize the City Manager, or his designee, to enter into a concession lease with Travelex Currency Services, Inc., dba Travelex Worldwide Money, to provide foreign currency exchange services at Phoenix Sky Harbor International Airport. Further request authorization for the City Controller to accept and disburse all funds related to this item. Travelex Currency Services, Inc., dba Travelex Worldwide Money will pay the greater of a Minimum Annual Guarantee (MAG) or Percent Rent in the amount of 12 percent of gross sales. MAG for the first year will be $91,500.

Summary
Providing foreign currency exchange services to passengers traveling through Phoenix Sky Harbor International Airport via international flights and international connecting flights is a vital service for international travelers. The Airport has become a primary provider of these services to individuals living in the Phoenix Metropolitan area due to limited currency changing venues in the market. Through this concession lease, Travelex Currency Services, Inc., dba Travelex Worldwide Money, will provide foreign currency exchange services such as: the exchange of U.S. and foreign currency, bank notes and coins; sale of travel insurance, international telephone debit and prepaid phone cards; purchase/sale of travelers checks and money orders; and process wire transfers. Services and locations may be adjusted to meet evolving customer and Airport needs at the sole discretion of the Aviation Director.

Procurement Information

Solicitation AVN RCS 17-036, Foreign Currency Exchange Services, was conducted in accordance with Administrative Regulation 3.10. The Aviation Department issued a Revenue Contract Solicitation (RCS) for foreign currency exchange services on Sept. 5, 2017. One proposal was received and found responsive. Travelex Currency Services, Inc., dba Travelex Worldwide Money, is the successful respondent with a Minimum Annual Guarantee (MAG) of $91,500.

Contract Term
The lease term is five years starting Jan. 1, 2018, with two one-year options to extend the term at the discretion of the Aviation Director.

Financial Impact
Travelex Currency Services, Inc., dba Travelex Worldwide Money will pay the greater of a Minimum Annual Guarantee (MAG) or Percent Rent in the amount of 12 percent of gross sales. MAG for the first year will be $91,500. The MAG will be adjusted annually thereafter at 85 percent of the annual rent revenues paid during the preceding year. The MAG will not fall below the proposed amount for year one.

Public Outreach
The foreign currency exchange services business opportunity was advertised in the following publications or newsletters: The Airport Council International, Airport Minority Advisory Council, Federal Aviation Administration Opportunities Bid Board, and Phoenix Sky Harbor website. The announcement was also sent to more than 100 individuals from the Aviation Department’s interest list. A pre-response meeting was held on Sept. 8, 2017.

Concurrence/Previous Council Action
This item was unanimously recommended for approval by the Phoenix Aviation Advisory Board on Nov. 16, 2017.

Location
Phoenix Sky Harbor International Airport is located at 3400 E. Sky Harbor Blvd.
Council District: 8

This item was adopted.

88 Concession Lease for Shoe Shine Services (Ordinance S-44134)

Request to authorize the City Manager, or his designee, to enter into a lease with Goodfellows Shoeshine - Phoenix, Inc., to provide shoe shine services and approved foot/shoe care merchandise at Phoenix Sky Harbor International Airport. Further request authorization for the City Controller to accept and disburse all funds related to this item. Goodfellows Shoeshine - Phoenix, Inc., will pay the greater of a Minimum Annual Guarantee (MAG) or Percent Rent of 5 percent of gross sales for shoe shine services and 16 percent of gross sales for shoe/foot care merchandise. The MAG for the first year will be $41,777.

Summary

Shoe shine services have been a longstanding amenity offered to travelers utilizing Phoenix Sky Harbor International Airport. This service will be offered in six locations in three terminals and will provide customers with polish and shine services for shoes, boots and other footwear. The operator may sell approved shoe/foot care merchandise at specified locations as approved by the Aviation Director. The locations, units and services may be adjusted to meet evolving customer and Airport needs at the sole discretion of the Aviation Director.

Procurement Information

Solicitation AVN RCS 17-037, Shoe Shine Concession, was conducted in accordance with Administrative Regulation 3.10. The Aviation Department issued a Revenue Contract Solicitation (RCS) for Shoe Shine Concession services on Sept. 5, 2017. Four proposals were received and found responsive. Goodfellows Shoeshine - Phoenix, Inc., is the successful respondent with a Minimum Annual Guarantee (MAG) of $41,777.

Qualified Respondent Proposed First-Year MAG:
Goodfellows Shoeshine - Phoenix, Inc.: $41,777
Sunshine Shoeshine: $29,075
Cactus Shoeshine: $24,000
The Classic Shine Company: $20,000

Contract Term

The lease term is three years starting Jan. 1, 2018, with two one-year

options to extend the term at the discretion of the Aviation Director.

Financial Impact

Goodfellows Shoeshine - Phoenix, Inc., will pay the greater of a Minimum Annual Guarantee (MAG) or Percent Rent of 5 percent of gross sales for shoe shine services and 16 percent of gross sales for shoe/foot care merchandise. The MAG for the first year will be $41,777. The MAG will be adjusted annually at 85 percent of the annual rent revenues paid during the preceding year. MAG will not fall below the proposed amount for year one.

Public Outreach

The shoe shine concession opportunity was advertised in the following publications or newsletters: The Airport Council International, Airport Minority Advisory Council, Federal Aviation Administration Opportunities Bid Board, and Phoenix Sky Harbor Website. The announcement was also sent to more than 100 individuals from the Aviation Department's interest list. A pre-response meeting was held on Sept. 8, 2017.

Concurrence/Previous Council Action

This item was unanimously recommended for approval by the Phoenix Aviation Advisory Board on Nov. 16, 2017.

Location

Phoenix Sky Harbor International Airport is located at 3400 E. Sky Harbor Blvd.

Council District: 8

This item was adopted.

90 Service of Energy Management Control Systems Recommendation (Ordinance S-44117)

Request to authorize the City Manager, or his designee, to enter into contracts with Trane U.S., Inc., and Siemens Industry, Inc., to provide service on Energy Management Control Systems (EMCS) on an as-needed basis in an amount not to exceed $6,100,000 over the life of the contracts. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will provide essential services necessary to maintain fast response times and optimum performance of the EMCS. Currently, the City has 25 facilities that have a Trane EMCS installed, and two additional sites have a Siemens EMCS installed. These facilities have large central plants with sophisticated control programs, and each system has products that are only manufactured and distributed through Trane and Siemens for their respective systems.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Determination Memo citing that there is only one source for the necessary goods and services for each system.

Contract Term

The initial contract term is three years. Provisions of the contract include an option to extend the term up to two years, in one-year increments, which may be exercised by the City Manager or his designee.

Financial Impact

The aggregate value of the contracts will not exceed $6,100,000, with an estimated annual expenditure of $1,220,000. Funds are available in the Public Works Department's budget.

This item was adopted.

91 Geographic Information System (GIS) Analyst Services Agreement Recommendation (Ordinance S-44129)

Request to authorize the City Manager, or his designee, to enter into an agreement with TEKsystems, Inc., to provide GIS support in the Public Works Department to review existing solid waste routes that collect curbside and alley trash, recycle, and green organic material, in an amount not to exceed $240,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department has a critical need to review and balance routes on a regular basis due to growth of housing development. With increased growth and demand, routes need to be adjusted to maintain operational standards, miles driven, and time on route to project future

operational needs. The GIS staff will perform analytical work to create electronic routes for solid waste services to optimize routes using the City's routing software.

Procurement Information

The Qualified Vendor List for GIS Technology and/or Services Analysis, Design, Implementation, and/or Administration was established by the Information Technology Services Department on July 1, 2016, through an Award of Engagement. TEKsystems, Inc., is one of the awarded vendors under contract.

Contract Term

The contract term is for six months beginning Jan. 1, 2018, through June 30, 2018, with an option to extend for up to six months for a total contract period of one year.

Financial Impact

Total expenditures for this contract will not exceed $240,000 over the life of the contract. Funds are available in the Public Works Department's budget.

This item was adopted.

92 Refrigerant-Based Appliances Contract Recommendation (Ordinance S-44130)

Request to authorize the City Manager, or his designee, to enter into a contract with Refrigerant Abatement Services, Inc., dba Rapid Recovery, for on-site removal or recovery of chlorofluorocarbon (CFC), hydrochlorofluorocarbon (HCFC), and hydrofluorocarbon (HFC) gas appliances. Authorization is also requested in an amount not to exceed $425,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Refrigerant Abatement Services, Inc. will provide on-site removal and recovery of CFC, HCFC, and HFC appliances, in accordance with the Environmental Protection Agency (EPA) regulations for the Aviation and Public Works Departments. These refrigerant-based appliances are dropped off by residents at Household Hazardous Waste events and designated City locations. This contract is essential to maintain regulatory

compliance to ensure that CFCs are removed and recovered from appliances prior to disposal of the appliances. The contractor will determine if these appliances contain a refrigerant and charge the City for removal.

Procurement Information
An Invitation for Bid 18-SW-019 solicitation was conducted in accordance with Administrative Regulation 3.10. One offer was received by the City on Sept. 27, 2017. The offer was evaluated based on responsiveness to all specifications, terms and conditions, and bid.

Rapid Recovery: $15 per appliance

Contract Term
The initial two-year contract term will begin on or about Jan. 1, 2018, and end on Dec. 31, 2019. Provisions of the contract may include an option to extend the term up to three years, in increments of up to one year, which may be exercised by the City Manager or designee.

Financial Impact
The aggregate contract value will not exceed $425,000 with an estimated annual expenditure of $85,000. Funds are available in the Aviation and Public Works departments' budgets.

This item was adopted.

93 Purchase of a New CNG Compressor (Ordinance S-44137)

Request to authorize the City Manager, or his designee, to enter into a contract with Zeit Energy, LLC, for the purpose of purchasing a new ANGI NG300E Compressed Natural Gas (CNG) Compressor for the Salt River Service Center. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Public Works Department needs to replace an aging Sulzer CNG compressor at the Salt River Service Center with a new ANGI NG300E Compressor. The fuel site currently has two CNG compressors that are nearly 20 years old with high associated repair costs and a high probability of failure in the near future. The bid includes mechanical and electrical connections between the new equipment, utility services, and

existing equipment.

Procurement Information
Invitation for Bid 18-FSD-008 was conducted in accordance with Administrative Regulation 3.10. Four offers were received on Oct. 4, 2017. One bid was deemed
non-responsive, as it did not meet the equipment standard as an acceptable replacement model. The three other bids were evaluated and the recommended bidder, Zeit Energy, LLC, was determined to be both responsive and responsible.

Zeit Energy, LLC: $370,169
Wyoming Northstar Inc., dba Clean Energy Cryogenics: $425,550
TruStar, Energy, LLC: $578,698.66

Contract Term
This contract is to begin on or about Jan. 1, 2018, and shall be for the one-time purchase of a new ANGI NG300E CNG Compressor.

Financial Impact
The cost of the new CNG Compressor is estimated at $370,169. Funds are available in the Public Works Department's Capital Improvement Program budget.

Location
Salt River Service Center, 3045 S. 22nd Ave.
Council District: 7

This item was adopted.

94 Amendment to Street Pavement Cut Ordinance (Ordinance G-6395)

Request City Council approval to amend Ordinance G-6308 regarding street pavement cuts to make minor changes and provide additional clarity of the ordinance provisions.

Summary
City Council adopted Ordinance G-6308 on April 19, 2017, which made changes to the City's existing policy regarding pavement cuts made in City streets. The action also repealed City Code Section 31-38(d) and amended City Code Section 31-49.1 to effect these changes.

The new street pavement cut policy went into effect on July 1, 2017. Street Transportation Department staff has been working with right-of-way stakeholders on the implementation of the new policy. In this process, staff noted areas in the new ordinance that should be modified to improve clarity and ensure effective administration of ordinance provisions. The recommended changes clarify the asphalt overlay thickness requirement, as well as the number of minor cuts (two square feet or less) allowed without triggering the pavement cut ordinance restoration requirements. The specific recommended changes are outlined in Attachment A.

Concurrence/Previous Council Action

City Council adopted Ordinance G-6308 on April 19, 2017.

This item was adopted.

95 Authorization to Amend Parking Meter Contract (Ordinance S-44122)

Request to authorize the City Manager, or his designee, to amend Contract 135354 with IPS Group Inc. (IPS), to extend the term by three years, and to increase the aggregate contract amount during this extension. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item. The total amount not to be exceeded over the life of the three-year extension is $2,125,000.

Summary

The Street Transportation Department operates approximately 1,700 "smart" single-space wireless parking meters that are provided by IPS. These meters operate on a proprietary back-office financial software. The software utilizes wireless technology for two-way communications with the parking meters to accept and monitor payments, monitor the status and use, provide remote diagnostics, and allows for settings to be changed remotely. The City’s "smart" meters have been operating for approximately three years and have an expected life of 15 years.

The Street Transportation Department is requesting the continued business relationship with IPS for the purchase and management of credit card enabled single-space parking meters. This will include the

purchase of additional parking meter units and continued credit card processing.

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

Procurement Information
The original contract was procured in accordance with Administrative Regulation 3.10, and will expire on Jan. 27, 2018. The Street Transportation Department requested an exception to the procurement process via Determination Memo to extend the contract with IPS for three additional years. It is in the best financial interest of the City to extend the IPS contract. No other vendor can supply or provide service for IPS meters, as they operate with IPS proprietary software.

Contract Term
The term of this extension will be from Jan. 28, 2018 until Jan. 27, 2021.

Financial Impact
This is an expense and a revenue contract. The total amount not to be exceeded over the life of the three-year extension is $2,125,000. Funds are available in the Street Transportation Department's Operating and CIP budgets. The City is expected to generate $3.9 million in parking meter revenue this fiscal year.

Concurrence/Previous Council Action
The original contract with IPS Group, Inc., was approved by City Council on Nov. 28, 2012. It was also amended on Aug. 30, 2017 to request additional funding for 200 parking meters which were installed in downtown Phoenix.

Location
Council Districts: 4, 7, and 8

This item was adopted.

96 Traffic Sign Blanks, Bases and Posts - Requirements Contract IFB 18-064 (Ordinance S-44120)

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

contracts with Main Street Signs, Maneri Sign Company, Vulcan, Inc., dba Vulcan Aluminum, Vulcan Signs, and Xcessories Squared Southwest, Inc. to purchase traffic sign blanks, bases and posts for the Street Transportation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $3.5 million, including applicable taxes.

Summary

These contracts will allow the Traffic Services Division to create and install directional and warning street signage for the safe, efficient, and convenient movement of pedestrians and vehicles on City streets. The sign blanks and related components are needed to maintain existing traffic signage, support the expansion of City roadways, and to replace damaged traffic signage due to collisions or severe weather events.

Procurement Information

Invitation for Bid (IFB) 18-064 was conducted in accordance with Administrative Regulation 3.10. There were six offers received by the Procurement Division on Sept. 29, 2017. The following are the lowest-priced offers received.

Main Street Signs: $38,465 for Group II (Bases and Tubing)
Maneri Sign Company: $129,270 for Group V (U-Channel Sign Posts)
Vulcan, Inc., dba Vulcan Aluminum, Vulcan Signs: $376,335 for Group I (Aluminum Sign Blanks)
Xcessories Squared Southwest, Inc.: $20,950 for Group III (Square Tubing) and $58,000 for Group IV (Sign Posts)

The Deputy Finance Director recommends that the offers from Main Street Signs, Maneri Sign Company, Vulcan, Inc., dba Vulcan Aluminum, Vulcan Signs, and Xcessories Squared Southwest, Inc. be accepted as the lowest priced, responsive and responsible offers.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed $3.5 million, including applicable taxes. Funds are available in the Street Transportation

Department's Budget.

This item was adopted.

97 Grand Canalscape Bike and Pedestrian Improvements, Design-Bid-Build - ST87600114 (Ordinance S-44136)

Request to authorize the City Manager, or his designee, to accept Combs Construction Company, Inc. (Glendale, Ariz.) as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Combs Construction Company, Inc., for construction services for the Grand Canalscape Bike and Pedestrian Improvements project. Further request authorization for the City Controller to disburse all funds related to this item. The bid received from Combs Construction Company Inc. was $8,395,815.23.

Summary

Combs Construction Company, Inc., will provide construction services in support of the Grand Canalscape Bike and Pedestrian Improvements project along the Grand Canal between approximately Interstate 17 and the City of Phoenix/City of Tempe border near Priest Drive. The work includes, but is not limited to: construction of a 10-foot wide concrete pathway, lighting, landscape and irrigation; site furnishings such as seating nodes and gabion trail markers; two pedestrian bridges - one at the 36th Street alignment and one east of 44th Street to connect the new pathway to the back gate at the Pueblo Grande Museum; traffic signals, HAWKS, Rapid Flashing Beacons; a new railroad crossing at the intersection of the Grand Canal and the Union Pacific Railroad tracks east of 44th Street; and other associated work required to complete this project.

Procurement Information

Seven bids were received according to section 34-201 of the Arizona Revised Statutes by the Street Transportation Department on Oct. 17, 2017. The bids were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and general contractor responsiveness in demonstrating compliance with the project’s Disadvantaged Business Enterprise (DBE) outreach. Three bidders were deemed responsive and four non-responsive.

Bids ranged from a low of $8,395,815.23 to a high of $11,708,248.33.

The Engineer's estimate and the three lowest responsive, responsible bidders are listed below:

Engineer's Estimate: $12,269,626.25
Combs Construction Company, Inc.: $8,395,815.23
J. Banicki Construction, Inc.: $8,673,888.30
Haydon Building Corporation: $8,995,471.24

Contract Term
The term of the contract is expected to be completed within 365 calendar days from the date of issuance of the Notice to Proceed. 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
This project will utilize local and federal funds and is subject to the requirements of 49 Code of Federal Regulations Part 26 and the U.S. Department of Transportation DBE Program. The bid award amount is within the total budget for this project. Funding is available in the Street Transportation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Small Business Outreach
The funding agency has determined that no Disadvantaged Business Enterprise goal will be established for this project.

Location
Between the existing pedestrian bridge located south of Indian School Road and 23rdAvenue and 15th Avenue; between 16th Street and 36th Street; and between 40th Street and 44th Street; along the south bank of the Grand Canal between 44th Street and the Union Pacific Railroad crossing east of 44th Street; and along the north bank of the Grand Canal between the Union Pacific Railroad crossing and the Phoenix/Tempe border at the 56th Street alignment.
Council Districts: 4, 6, and 8

This item was adopted.

98 Water Main Replacement - Area Bounded By: 16th Street to 20th Street / McDowell Road to Oak Street and 12th Street to 16th Street / Glendale Avenue to Orangewood Avenue, Construction Manager at Risk Construction Services Amendment (Ordinance S-44139)

Request to authorize the City Manager, or his designee, to amend Contract 145071 with Pulice Construction, Inc., to provide continued Construction Manager at Risk (CMAR) construction services for replacement of water mains in two geographically-distinct locations as necessary within the Council-authorized funding authority. Pulice Construction, Inc.'s fee for CMAR construction services will be increased by $7,688,656, including all subcontractor and reimbursable costs, for a total not-to-exceed amount of $7,713,656. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Phoenix Water Services Department evaluates and replaces aging water mains within the City of Phoenix. The primary focus of replacement is on water mains in alleys and easements, which have had historically high break rates and are difficult to repair.

Work for the first project bounded by 16th Street to 20th Street and McDowell Road to Oak Street (WS85509007) includes replacement of approximately 5.2 miles of water main ranging from 4-inch to 12-inch pipeline, 30 fire hydrants, and 400 water service connections. Work for the second project bounded by 12th Street to 16th Street and Glendale to Orangewood avenues (WS85509011) includes replacement of approximately 3.5 miles of water main ranging from 4-inch to 12-inch pipeline, 48 fire hydrants, and 230 water service connections.

Pulice Construction, Inc., will assume the risk of delivering the project through a Guaranteed Maximum Price and will be responsible for means and methods related to the construction of this project, including participation in the Small Business Enterprise (SBE) program, and implementing the SBE goal of nine percent for this contract. Pulice Construction, Inc., will be required to solicit bids from prequalified subcontractors to perform work under the City's subcontractor selection process. Pulice Construction, Inc., may also compete to self-perform

limited amounts of work.

Procurement Information
Pulice Construction, Inc., was chosen for this project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statues. Scoring and selection were made in conjunction with the CMAR Design Services selection process.

Contract Term
The term of the contract will be extended for an additional 18 months. 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
Pulice Construction, Inc.'s fee for CMAR construction services will be increased by $7,688,656, including all subcontractor and reimbursable costs, for a total not-to-exceed amount of $7,713,656. Funding for these services is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Previous Council Action
City Council approved CMAR Design Services Contract 144677 on March 22, 2017, and the CMAR Construction Services Contract 145071 on May 31, 2017.

Location
Projects are located in areas bounded by:
16th Street to 20th Street / McDowell Road to Oak Street
12th Street to 16th Street / Glendale Avenue to Orangewood Avenue
Council Districts: 6, 8

This item was adopted.

100 Phoenix Sky Harbor International Airport Terminal 4 - Engineering Services - AV21000098 (Ordinance S-44124)

Request to authorize the City Manager, or his designee, to enter into a contract with IMEG Corp. (Tempe, Ariz.) (IMEG) to provide engineering services, including retro-commissioning, minor design, and possible construction administration and inspection (CA&I) services, for all mechanical systems and systems controls for Terminal 4, and to execute amendments to the contract within the Council-approved spending authority. Further request authorization for the City Controller to disburse all funds related to this item. The total fee for contract services will not exceed $1,086,596, including all subconsultants and reimbursable costs.

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

Summary

IMEG will perform retro-commissioning services for all mechanical systems and systems controls for Terminal 4, including concourses, connector bridges, and the Terminal 4 PHX Sky Train Station at Phoenix Sky Harbor International Airport. The retro-commissioning effort will result in recommendations to investigate further capital improvements, operation and maintenance activities, diagnostic testing, and develop a design to repair or replace mechanical systems that are identified through retro-commissioning investigation and analysis.

IMEG will be responsible for the design development and oversight of recommended and selected measures for implementation. CA&I services, if needed, may include reviewing RFI's and construction submittals, conducting field inspections, certifying progress payments, reviewing change orders, making recommendations to owner, and providing close-out services.

Procurement Information

IMEG was chosen for this project using a qualifications-based selection

process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Per A.R.S. title 34, the City cannot release the scoring of proposers until a contract has been awarded. Sixteen firms submitted proposals. The top-three rankings are:

IMEG Corp.: Ranked 1
LSW Engineers Arizona, Inc.: Ranked 2
Burns & McDonnell Engineering Company, Inc.: Ranked 3

Contract Term
The term of the initial engineering services under the contract is two years. Contract work scope identified and incorporated into the contract prior to the end of the term of the contract may be agreed to by the parties, and work may extend past the end of the term of the contract. No additional contract work scope changes may be executed after the end of the term of the contract.

Financial Impact
The total fee for contract services will not exceed $1,086,596, including all subconsultants and reimbursable costs.

Staff will execute the initial contract for retro commissioning services for a not-to-exceed $1,055,496, including all subconsultants and reimbursable costs. Contract amendments may be executed for minor design, CA&I, or other contract services totaling an amount not-to-exceed the remaining $31,100, and will be reviewed and approved separately by the Budget and Research Department.

The total amount of $1,086,596 is available in the Aviation Departments Capital Improvement Program Budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the end of the term of the contract.

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

This item was adopted.

101 Deer Valley Airport Taxiway D - Engineering Services - AV31000089 FAA (Ordinance S-44131)

Request to authorize the City Manager, or his designee, to enter into a contract with Trace Consulting, LLC (Trace) to provide design services, and possible construction administration and inspection (CA&I) services, for a new Taxiway D at Phoenix Deer Valley Airport (DVT), and to execute amendments to the contract within the Council-approved spending authority. The total fee for contract services will not exceed $1,110,000, including all subconsultants and reimbursable costs.

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

Summary

The project consists of the design of a new Taxiway D to be located south of Taxiway C. The hold bars south of Runway 7R/25L are currently located 150 feet south of the runway centerline. The design standard is 250 feet. The standard cannot be met with the current taxiway configuration without impacting traffic on Taxiway C. The addition of Taxiway D, as recommended in the DVT Master Plan Update, solves this problem.

Trace's design services will include, but are not limited to, providing geotechnical engineering investigations; surveying; and preparing comprehensive plans, specifications, cost estimates, reports, and all other documents for bidding and construction of the project.

CA&I services will include, but are not limited to, reviewing shop drawings, issuing interpretations and clarifications, certifying contractor progress payments, conducting inspections, and preparing reports.

Procurement Information
Trace was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). According to A.R.S. title 34, the City cannot release the scoring of proposers until a contract has been awarded. Nine firms submitted proposals. The top three rankings are:

Trace Consulting, LLC: Ranked 1
C & S Engineers, Inc.: Ranked 2
Dibble and Associates Consulting Engineers, Inc.: Ranked 3

Contract Term
The term of the initial design services under the contract will be through Dec. 31, 2018. Contract work scope identified and incorporated into the contract prior to the end of the term of the contract may be agreed to by the parties, and work may extend past the termination of work in progress. No additional contract work scope changes may be executed after the end of the term of the contract.

Financial Impact
The total fee for contract services will not exceed $1,110,000, including all subconsultants and reimbursable costs.

Staff will execute the initial contract for design services for a not-to-exceed $740,000, including all subconsultants and reimbursable costs. Contract amendments may be executed for CA&I services or other contact services totaling an amount not-to-exceed the remaining $370,000, and will be reviewed and approved separately by the Budget and Research Department.

Staff anticipates reimbursement from the Federal Aviation Administration. The total amount of $1,110,000 is available in the Aviation Department's Capital Improvement Program Budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the end of the term of the contract.

Location

This project is at Phoenix Deer Valley Airport located at 702 W. Deer Valley Road.
Council District: 1

This item was adopted.

102 Quick Search Background Screening Services (Ordinance S-44123)

Request to authorize the City Manager, or his designee, to add the Neighborhood Services Department (NSD) and Public Works Department (PWD) to the Water Services Department's (WSD) contract with Quick Search, LLC, for background screening services.

Summary
NSD and PWD received notice that their source for background screening services will no longer be viable. The short notice of discontinuation of services does not afford sufficient time to re-solicit these services without negatively impacting the business operations of the two departments. In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a special circumstance determination to allow these departments use of the existing WSD contract with Quick Search, LLC, for these critical services.

Procurement Information
The WSD contract expires June 30, 2018. Although the scope of work is specific to support WSD background screening needs, in an effort to support the security of these additional departments, the contract scope will be amended to allow immediate use of these services by NSD and PWD. Furthermore, the City is currently preparing a new citywide, multi-year solicitation for these services with award expected in 2018.

Contract Term
The three-year contract commenced on July 1, 2013, with two one-year options to extend for a total of five years. This is the second of the two, one-year options.

Concurrence/Previous Council Action
City Council approved contract 136301 on June 5, 2013, with a performance period that began July 1, 2013.

This item was adopted.

103 Final Plat- Next Gen North Central - 170077 - East of 21st Avenue and South of Northern Avenue

Plat: 170077
Project: 17-913
Name of Plat: Next Gen North Central
Owner(s): Next Gen North Central, LLC
Engineer(s): 3 Engineering, LLC
Request: A 3 Lot Commercial Plat
Reviewed by Staff: Nov. 14, 2017

Summary

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

Location

Generally located east of 21st Avenue and south of Northern Avenue.
Council District: 5

This item was approved.

104 Final Plat - Autozone Store 2754 - 170019 - Southwest Corner of 59th Avenue and McDowell Road

Plat: 170019
Project: 16-3517
Name of Plat: Autozone Store 2754
Owner(s): Autozone Parts, Inc.
Engineer(s): HilgartWilson, LLC
Request: A 1 Lot Commercial Subdivision Plat
Reviewed by Staff: Nov. 15, 2017
Final Plat requires Formal Action only

Summary

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

Location

Generally located at the southwest corner of 59th Avenue and McDowell

Road.
Council District: 7

This item was approved.

105 Final Plat - Turtle Industrial Park - 170061 - East of 55th Avenue North of Roosevelt Street

Plat: 170061
Project: 04-738
Name of Plat: Turtle Industrial Park
Owner(s): Turtle RE Investments Fund 1-A, LLC
Engineer(s): Bowman Consulting Group, LLC
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Nov. 1, 2017

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

Location
Generally located east of 55th Avenue, north of Roosevelt Street.
Council District: 7

This item was approved.

106 Final Plat - Runbeck Properties - 170079 - 36th Street North of University Drive

Plat: 170079
Project: 17-2323
Name of Plat: Runbeck Properties
Owner(s): Runbeck Properties, LLC
Engineer(s): CEG Applied Sciences
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Nov. 6, 2017
Final Plat requires Formal Action only

Summary
Staff requests that the above plat be approved by the City Council and

certified by City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V170055A.

Location
Generally located on 36th Street north of University Drive.
Council District: 8

This item was approved.

107 Final Plat - Jackson Street Project - 170048 - Northeast Corner of 13th Street and Jackson Street

Plat: 170048
Project: 16-1081
Name of Plat: Jackson Street Project
Owner(s): SMT Investors Limited Partnership
Engineer(s): Land Survey Services, PLC
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Nov. 20, 2017
Final Plat requires a Formal Action only

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

Location
Generally located at the northeast corner of 13th Street and Jackson Street.
Council District: 8

This item was approved.

108 Final Plat - Southern Plaza Commerce Center - 170057 - Southeast Corner of 35th Avenue and Southern Avenue

Plat: 170057
Project: 13-2257
Name of Plat: Southern Plaza Commerce Center
Owner(s): All other Property Limited Liability Partnership, an Arizona Limited Liability Partnership; Christopher A. Lines, an Unmarried Man;

Ruskin R. Lines Jr., a Married Man, as his Sole and Separate Property; Sandra Ramsey Lines, a Married Woman, as her Sole and Separate Property; G. Lawrence Fleming, as Trustee of the Fleming Family Trust dated March 11, 1994; Leslie C. Williams, an Unmarried Man; Stephen Williams, an Unmarried Man; David G. White and Cheryl A. White, Husband and Wife
Engineer(s): Alliance Land Surveying, LLC
Request: A 3 Lot Commercial Plat
Reviewed by Staff: Nov. 30, 2017
Final Plat requires a 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 southeast corner of 35th Avenue and Southern Avenue.
Council District: 8

This item was approved.

109 Abandonment of Easement - V170055A - 2800 S. 36th St. (Resolution 21599)

Abandonment: V170055A
Project: 17-2323
Applicant: Steve Brown of Sun State Builders
Request: To abandon a portion of the 16-foot Drainage Easement dedicated on the plat "Ewing Irrigation Products Inc. Amended", as recorded in Book 1240 at Page 37, Maricopa County Recorder, on the parcel addressed 2800 S. 36th Street (APN 122-03-112) and on the parcel identified as APN 122-03-113.
Date of Decision: Sept. 26, 2017
This abandonment requires a resolution.

Summary

The resolution of the abandonment and the subdivision plat, Runbeck Properties, Plat 170079, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the

plat is recorded second.

Location
2800 S. 36th St.
Council District: 8

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

This item was adopted.

110 Abandonment of Easement - V130044A - 3rd to 4th Streets and North of East Buchanan Street (Resolution 21600)

Abandonment: V130044A
Project: 13-1748
Applicant: Lee Novak
Request: To abandon the 20-foot Public Utility Easement retained per Resolution 16087 over the abandoned alley right-of-way located between 3rd and 4th Streets, north of East Buchanan Street.
Date of Decision: Dec. 30, 2013

Location
3rd to 4th Streets and north of Buchanan Street
Council District: 8

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

This item was adopted.

111 Abandonment of Right-of-Way - V170035A - Calle Tuberia, West of North 56th Street (Resolution 21601)

Abandonment: V170035A
Project: 00-1818
Applicant: Jeffrey Russell Brown
Request: To abandon the Calle Tuberia right-of-way located between the parcels addressed 5501 to 5529 E. Calle Tuberia (APN 128-13-097 to 128-13-102), from 55-feet west of the 56th Street monument line.
Date of Hearing: Aug. 8, 2017

Location
Calle Tuberia, west of North 56th Street
Council District: 6

Financial Impact
A fee was also collected as part of this abandonment in the amount of $2,099.

This item was adopted.

112 Acceptance and Dedication of a Deed and Easement for Roadway and Traffic Control Purposes (Ordinance S-44144)

Request for the City Council to accept and dedicate a deed and easement for roadway and traffic control 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: D.R. Horton, Inc., its successor and assigns
Purpose: Traffic Control
Location: 65th Terrace (Proposed) and Mayo Boulevard
File: FN170076
Council District: 2

Deed (b)
Applicant: C R Phoenix Shuttle, LLC, its successor and assigns

Purpose: Roadway
Location: 127 N. 31st Ave.
File: FN160048
Council District: 7

This item was adopted.

113 Development Agreement with DR Horton Properties, Inc., for Desert Peak Parkway and Other Impact Fee Items (Ordinance S-44149)

Request an ordinance to authorize the City Manager, or his designee, to enter into a Development Agreement with DR Horton Properties Inc., (DRH) with the developers of Hillstone, a residential development in the Desert View Village.

Summary

The proposed ordinance authorizes the City Manager to execute a Development Agreement with DRH to address a conflict that arises when the City requires new development to provide regional infrastructure improvements that are not anticipated in the City's 10-year Infrastructure Financing Plan (IFP), and as a result are not eligible for impact fee credit pursuant to state law. Hillstone has been required to extend a 20" water transmission main and construct Desert Peak Parkway, a six-lane Major Arterial roadway. These facilities meet the criteria to be included in the respective impact fee programs, however they were not anticipated in the current IFP because the parcel was not expected to develop within the allowable timeframe. To resolve this conflict, staff recommends executing a Development Agreement that incorporates the following items:

20" Water Transmission Main: Water Services Department staff determined the water main is not needed to serve the Cave Creek Road / Desert Ridge Area at this time, and could introduce water quality challenges as a result of low water demand in the area. The water main would be removed from the Hillstone development stipulations. Hillstone will pay full water impact fees in effect at the time permits (or water meters) are obtained. Impact fee revenue from the development could be used toward completing the water main when it is needed in the future. There will be no water impact fee credit granted to Hillstone.

Right-Of-Way (ROW) and Drainage Facilities: Hillstone will dedicate full ROW, and design and construct full-sized drainage facilities (culverts) crossing the entire ROW.

Interim Roadway Improvement: DRH will design, prepare a cost estimate, and construct to City standards an "Interim" roadway with at least one outside vehicle travel lane and one bicycle lane in each direction, with a minimum of 24' of asphalt roadway pavement in each direction.

Full-Build Roadway Design and Cost Estimate: DRH will design and prepare a cost estimate for a "Full-Build" roadway with median and three lanes in each direction.

Cash Contribution: DRH will make a cash contribution equivalent to the greater of the project's Major Arterial Impact Fee liability, or the cost difference between the Interim and Full-Build roadway.

Payment Schedule: The developer will remit payment of the cash contribution in two installments. The first installment will be $500,000 and must be received prior to obtaining any building permits that require payment of Major Arterial Impact Fees. The second installment of $741,448 will cover the remainder of the total cash contributions and must be received prior to exhausting the credit balance (estimated as the 200th unit).

Major Arterial Impact Fee Credit: The City will provide Major Arterial Impact Fee Credit equal to the value of cash contribution.

Limitations of Cash Contributions: The City will place the cash contribution in a fund dedicated for regional roadway improvements identified in the IFP for the Northwest Impact Fee Area.

Financial Impact

The City will receive a cash payment from DRH and provide to DRH the equivalent value in impact fee credit that will reduce the Major Arterial Impact Fees assessed to the development. The cash received will be limited to improving Major Arterial Roadways in the Northeast Development Impact Fee Area.

Location

Desert View Village
Northeast Development Impact Fee Area
Council District: 2

This item was adopted.

114 Amend City Code - Official Supplementary Zoning Map 1166 (Ordinance G-6392)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1166. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-78-06-4 and the entitlements are fully vested.

Summary

To rezone a parcel located approximately 380 feet west of the southwest corner of 43rd Avenue and Culver Street.

Z-78-06-4
Zoning: C-2 HGT/WVR
Owner: Value Place Phoenix LLC
Acreage: Approximately 2.06
Location: Approximately 380 feet west of the southwest corner of 43rd Avenue and Culver Street.
Council District: 4

This item was adopted.

115 Amend City Code - Official Supplementary Zoning Map 1165 (Ordinance G-6388)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1165. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-SP-17-92-5 and Z-99-05-5 and the entitlements are fully vested.

Summary

To rezone a parcel located approximately 500 feet west of the northwest corner of 15th Avenue and Glendale Avenue.

Z-SP-17-92-5
Zoning: R-4 SP, R-5 SP
Owner: Beatitude Campus
Acreage: Approximately 1.12 (R-4 SP), Approximately 1.62 (R-5 SP), Approximately 2.74 (Total)

Location: Approximately 500 feet west of the northwest corner of 15th Avenue and Glendale Avenue.
Council District: 5

To rezone a parcel located approximately 660 feet east of the northeast corner of 17th Drive and Glendale Avenue.

Z-99-05-5
Zoning: R-5, C-1
Owner: Beatitude Campus
Acreage: Approximately 9.61 (R-5), Approximately 1.86 (C-1), Approximately 11.47 (Total)
Location: Approximately 660 feet east of the northeast corner of 17th Drive and Glendale Avenue.
Council District: 5

This item was adopted.

117 Amend City Code - Ordinance Adoption - Rezoning Application Z-50-17-2 - Approximately 1,900 Feet East and 1,075 Feet South of the Southeast Corner of North Valley Parkway and Sonoran Desert Drive (Ordinance G-6386)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-50-17-2 and rezone the site from to FH NBCOD to R-2 NBCOD to allow for Multifamily Residential.

Summary
Current Zoning: FH NBCOD
Proposed Zoning: R-2 NBCOD
Acreage: 0.94 acres
Proposed Use: Multifamily Residential
Owner: Toll Brothers AZ Construction Company
Applicant: LVA Urban Design Studio c/o Ron Harris
Representative: LVA Urban Design Studio c/o Ron Harris

Location
Approximately 1,900 feet east and 1,075 feet south of the southeast corner of North Valley Parkway and Sonoran Desert Drive
Council District: 2

Parcel Address: 31200 N. 22nd Ave.

This item was adopted.

118 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-10-17-2 - Approximately 150 Feet North of the Northeast Corner of Cave Creek Road and Grandview Road (Ordinance G-6390)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-10-17-2 and rezone the site from C-2 (0.71 acres) to C-2 SP (0.71 acres) zoning district to allow automobile retail sales and all underlying C-2 uses.

Summary

Current Zoning: C-2 (Intermediate Commercial District)
Proposed Zoning: C-2 SP (Intermediate Commercial District, Special Permit)
Acreage: 0.71
Proposed Use: Automobile retail sales and all underlying C-2 uses
Owner: Michael Lostetter, Auto Obsession, LLC
Applicant: Michael Lostetter, Auto Obsession, LLC
Representative: Michael Lostetter, Auto Obsession, LLC

Location

Approximately 150 feet north of the northeast corner of Cave Creek Road and Grandview Road.
Council District: 2
Parcel Address: 16421 N. Cave Creek Road

This item was adopted.

120 Amend City Code - Ordinance Adoption - Rezoning Application Z-48-17-6 - Approximately 600 Feet South of the Southeast Corner of 53rd Street and Van Buren Street (Ordinance G-6389)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-48-17-6 and rezone the site from R-4A (1.61 acres) to A-1 (1.61 acres) zoning district to allow a parking lot.

Summary

Current Zoning: R-4A (Multifamily Residence District)

Proposed Zoning: A-1 (Light Industrial District)
Acreage: 1.61
Proposed Use: Parking Lot
Owner: CAM-10, LLC
Applicant: CAM-10, LLC
Representative: David Cisiewski, Law Office of David Cisiewski

Location
Approximately 600 feet south of the southeast corner of 53rd Street and Van Buren Street
Council District: 6
Parcel Addresses: 5309 and 5315 E. Van Buren St.

This item was adopted.

121 Amend City Code - Ordinance Adoption - Rezoning Application Z-42-17-8 - Northwest Corner of 30th Street and Broadway Road (Ordinance G-6391)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-42-17-8 (2950 East Broadway Road PUD) and rezone the site from CP/GCP RSIO (6.26 acres) and C-2 RSIO (1.41) to PUD RSIO (7.67 acres) zoning district to allow a Planned Unit Development to allow a mix of commerce park and intermediate commercial uses, and automobile sales.

Summary
Current Zoning: CP/GCP RSIO (Commerce Park / General Commerce Park, Rio Salado Interim Overlay District) and C-2 RSIO (Intermediate Commercial, Rio Salado Interim Overlay District)
Proposed Zoning: PUD RSIO (Planned Unit Development, Rio Salado Interim Overlay District)
Acreage: 7.67
Proposed Use: Planned Unit Development to allow a mix of commerce and intermediate commercial uses, and automobile sales.
Owner: VWP SSF Broadway Industrial, LP
Applicant: Ben Graff, Aday Graff PC
Representative: Ben Graff, Aday Graff PC

Location

Northwest corner of 30th Street and Broadway Road.
Council District: 8
Parcel Address: 2950 E. Broadway Road

This item was adopted.

122 Amend City Code - Ordinance Adoption - Rezoning Application Z-49-17-8- Northwest Corner of 55th Avenue and Elliot Road (Ordinance G-6393)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-49-17-8 and rezone the site to allow removal from the Laveen Town Center Planned Community District and development of single-family residential.

Summary
Current Zoning: 5.86 acres of S-1 (Approved R1-8 PCD) and 33.97 acres of S-1 (Approved R1-10 PCD)
Proposed Zoning: R1-8
Acreage: 39.83
Proposed Use: Removal from the Laveen Town Center Planned Community District and development of single-family residential
Owner: Miller Farm Investments, LLC
Applicant: Richard Jellies, The Lead Group, LLC
Representative: Josh Hannon, EPS Group, Inc.

Location
Northwest Corner of 55th Avenue and Elliot Road
Council District: 8
Parcel Address: N/A

This item was adopted.

129 ADD-ON - Authorization to Enter into an Agreement with Selected Law Firm to Provide Outside Counsel Services for Opioid Litigation

Request to authorize the City Attorney, through the City Manager, or his designee, to enter into a legal services agreement with the law firm Robbins Geller Rudman & Dowd LLP to provide legal services to investigate and (if appropriate) file suit against manufacturers, suppliers, and distributors of prescription opioids.

Summary

The City Attorney's Office issued a Request for Proposals from lawyers and law firms to provide legal services to the City. The responses were evaluated by Brad Holm, City Attorney; Daniel Brown, Chief Assistant City Attorney; and Anoop Bhatheja, Assistant City Attorney. The City Attorney is authorized to enter into an agreement with Robbins Geller Rudman & Dowd LLP to provide legal services for the City of Phoenix.

Financial Impact

There is no financial impact to the City of Phoenix, because these legal fees will be done on a contingency basis.

This item was approved.

Items 28-29, 34, 36, 41, 45-50 and 53, Ordinance S-44116, were requests to authorize the City Controller to disburse funds, up to amounts indicated, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

28 CoStar Realty Information, Inc.

For $25,500.00 in payment authority for subscription renewal through Sept. 30, 2018, for the Community and Economic Development Department. This subscription provides comprehensive real estate market data and information on commercial property sales used extensively by the Community and Economic Development Department. This data is used to assist developers, investors and other interested companies in investing in Phoenix. It is critical for the City to be able to respond competitively by utilizing the most widely used commercial real estate database product in the industry and allows for an integrated regional response in data reporting.

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

Yes: 7 - Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 2 - Councilman DiCiccio and Councilman Waring

29 **Arizona BioIndustry Association, Inc.**

For $11,000.00 in payment authority for FY 2017-18 membership with the Arizona BioIndustry Association for the Community and Economic Development Department. Arizona BioIndustry Association, Inc. is the only statewide organization exclusively focused on building Arizona's bioindustry. Their primary goal is to make Arizona a place where bioscience organizations can grow and succeed by creating a forum for the bioscience community to engage, connect and collaborate, educate policy makers and the public about benefits of our industry to the community and advance the economic interests of individual organizations as well as the sector as a whole. This membership is necessary to implement the City's strategic healthcare initiative which will elevate Phoenix's visibility as a hub for bioscience, build a critical mass of bioscience related companies and attract and develop top talent vital to sustain the long-term growth of the City's thriving bioscience industry. This membership was approved by the Downtown, Aviation, Economy and Innovation Subcommittee on Oct. 4, 2017.

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

Yes: 7 - Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 2 - Councilman DiCiccio and Councilman Waring

34 **Barrett Sports Group, LLC**

For $125,000.00 in additional payment authority for Contract 142318, for sports facility consulting services for the Phoenix Convention Center Department. Consulting services are necessary to support the City's continued evaluation of the City-owned downtown arena and obligations

related to this 25-year-old public facility.

Discussion

Vice Mayor Pastor inquired if sports and entertainment vendors could be placed on a qualified vendor list or something similar for services to be used on an as needed basis.

City Manager Ed Zuercher stated that a qualified vendor list could be used but explained Item 34 was for funding a one-year contract with Barrett Sports Group.

Vice Mayor Pastor reiterated she would like to see a list in place to use vendors on an as needed basis.

Councilwoman Gallego stated that she had previously asked for a list of costs for the arena and had not received that information. She asked if there was a contract that could be reviewed.

Assistant City Manager Milton Dohoney, Jr. responded that several items had been identified to be addressed with the vendor and that information could be provided to members of the City Council.

Councilwoman Gallego asked if there was a need to have the contract in place prior to the next Council meeting.

Mr. Dohoney replied that there was not a way of knowing if the contract with Barrett would be needed because Barrett Sports Group provided analysis of documents and negotiating positions the city might take. Barrett Sports Group also provided analysis of documents the city might receive from the other party. He stated the Phoenix Suns could submit something to the city that would require Barrett Sports Group to analyze the document. He said there was no way of knowing if that would happen before the next Council meeting.

Councilman DiCiccio stated it was his understanding that a document was available for review and stated his belief that the entire Council would like to see the document. He asked if there was a document that listed out what work needed to be done at the arena.

Mr. Dohoney clarified that there were documents relative to a plumbing issue. He stated that a vendor had recently gone through an examination of the facility. He stated there had been a number of verbal discussions involving the Barret Sports Group. He stated the sports group was not asked to formalize comments into a document due to negotiations being on-going. He went on to add that a list of items at the arena that would require immediate attention and costs could be provided to Council.

Councilman DiCiccio asked for staff to provide an overview and analysis of the work required at the arena at the next Executive Session meeting.

Mr. Dohoney spoke about the functionality of the facility not being in such a state to attract top shows and events that tour the country. He stated some technical issues had been addressed but explained that many items that remain to be addressed can only be done once it was determined what would be done with the building. He stated separate decisions would need to be made if the building was not going to be renovated.

Note: Councilman Nowakowski entered the Chambers.

Mr. Zuercher stated staff would be available to provide information at the next Executive Session meeting.

Vice Mayor Pastor also requested the information.

Councilwoman Williams stated she had also asked for the information but noted that she did not want repairs to plumbing or any infrastructure to take place until it was known if a contract would be in place with the Phoenix Suns or not. She stated she did not want to focus on something that was needed today but would end up being replaced in the immediate future.

In response to a question from Councilman Waring, Mr. Zuercher stated that the previous contract with Barrett Sports Group was used for items such as whether hockey could exist in the arena. He stated the contract would provide professional consulting services.

Councilman Waring asked what the outcome was regarding the issue related to hockey in the arena.

Mr. Zuercher replied that the issue regarding hockey was part of the negotiations with the Phoenix Suns. He reiterated that the services of the Barrett Sports Group was used in part for an analysis regarding hockey use in the arena but primarily for negotiations with the operator of the arena, the Phoenix Suns.

Councilman Gallego stated she hoped there would be an open and transparent debate about the topic. She stated she hoped that the public would be able to have a chance to say how they would want money to be spent.

Mayor Stanton stated there would be a public process regarding the topic as long as he was Mayor. He noted that the discussion regarding real estate transactions had been legally discussed and noticed as part of Executive Session.

Councilwoman Gallego reiterated that she felt public participation was important. She stated her belief that the public would want to know and understand how much plumbing can cost.

Mayor Stanton stated there would be plenty of opportunity for public input once it was appropriate for the item to be heard before the entire Council.

In response to a question from Vice Mayor Pastor, Mr. Dohoney explained that the original contract with Barrett Sports Group was for a period of one-year with four extensions. He stated it required action annually and that the request before the Council was to allocate resources for the next twelve month period.

Vice Mayor Pastor stated that some improvements in the arena would be necessary in order to market different types of entertainment regardless if there was a team at the arena. She asked for a committment to have a transparent process and demonstrate the maintenance items that will be needed.

Mr. Zuercher agreed to the commitment.

Councilman Waring stated he would be voting against the item. He stated he was concerned that in a period of ten months, the sports group was not able to provide an answer regarding hockey taking place in the arena. He went on to state that he did not feel certain improvements to the arena were necessary to attract certain acts because those acts would still put on shows in the valley and do so at the arena in the City of Glendale.

Councilman DiCiccio stated he would be supporting Item 34, even though he was against a proposal regarding the Suns. He stated he believed the sports group was the best team to negotiate for the City of Phoenix. He commended the group's experience.

Councilman Valenzuela stated he would be supporting Item 34. He stated his support was based on preserving a city-owned asset. He stated the facility would remain whether the Phoenix Suns were the anchor tenant or not.

Councilman Nowakowski stated the arena was in his district and noted that he too had many unanswered questions. He stated that he supported the Phoenix Suns and did not want to see them leave the City of Phoenix. However, he explained his concern about how to be good stewards of the tax dollars. He stated it was important to spend on what was needed, know what the responsibilities were and negotiate with the Phoenix Suns to make sure that it was a win-win for both sides. He stated he was disappointed with a lack of communication. He stated he did not know if that lack of communication was at the hand of the consultant or city staff.

Mr. Zuercher responded that communication rested with him. He explained that the consultants were advisors to staff and did not communicate directly with the City Council. He stated the City Council would receive a full briefing on matters related to the arena at the first Executive Session meeting in January 2018.

Mayor Stanton said he would be supporting Item 34. He stated his belief that it was important to have a state of the art arena in the downtown area. He said the arena was busy over 200 nights per year and supported

many businesses. He stressed it was important to reach an agreement where costs would be shared to make the facility a state of the art facility without raising taxes.

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

Yes: 7 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Vice Mayor Pastor and Mayor Stanton

No: 2 - Councilman Waring and Councilwoman Gallego

36 Alliance Resource Consulting, LLC

For $35,000.00 in payment authority for a new contract, to be entered into on or about Dec. 14, 2017, for a term of one year for executive recruiting services for the Human Resources Department.

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

Yes: 7 - Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 2 - Councilman DiCiccio and Councilman Waring

A motion was made by Councilwoman Williams, seconded by Vice Mayor Pastor, that Item 41 and Items 45 through 50 be adopted. The motion carried by the following vote:

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

No: 1 - Councilman DiCiccio

41 Arizona Municipal Water Users Association

For $426,914.00 in payment authority to purchase the annual membership for the Arizona Municipal Water Users Association

(AMWUA) for the Water Services Department. AMWUA supports the development of urban water policy and works collaboratively with water stakeholders to devise practical solutions to water problems to ensure sustainable growth for Arizona. This membership was approved by the Transportation and Infrastructure Subcommittee on Sept. 12, 2017.

Discussion

Councilwoman Williams spoke about the importance of the different water organizations and the assistance they provided the City of Phoenix. She stated federal government standards were based on east coast water resources and did not take into account the western states.

Councilwoman Gallego stated the associations had been helpful to the city in the past. She noted an example when there was a story out about chromium in the city's water. She stated that factual information was obtained from leading scientists in the country that helped residents make educated decisions about the water they drink.

This item was adopted.

45 Association of Metropolitan Water Agencies

For $9,605.00 in payment authority to purchase annual membership in the Association of Metropolitan Water Agencies for the Water Services Department (WSD). Membership provides assistance to improve day-to-day WSD operations, professional development opportunities, public outreach efforts, and ongoing updates regarding regulatory issues. This item was approved by the Transportation and Infrastructure Subcommittee on Sept. 12, 2017.

This item was adopted.

46 American Water Works Association

For $21,052.00 in payment authority to purchase annual membership in the American Water Works Association for the Water Services Department. American Water Works Association membership provides access to current water industry research reports, professional training opportunities, public outreach efforts, access to a network of industry leaders, and ongoing updates regarding regulatory issues. This item was approved by the Transportation and Infrastructure Subcommittee on Sept. 12, 2017.

This item was adopted.

47 National Association of Clean Water Agencies

For $53,000.00 in payment authority to purchase membership in the National Association of Clean Water Agencies (NACWA) for the Water Services Department (WSD). NACWA provides information used by WSD to formulate policy recommendations on national issues and offers opportunities to collaborate with colleagues around the country to help shape national policy. This item was approved by the Transportation and Infrastructure Subcommittee on Sept. 12, 2017.

This item was adopted.

48 Water Research Foundation

For $221,777.00 in payment authority to purchase annual membership in the Water Research Foundation for the Water Services Department (WSD). The Water Research Foundation sponsors research to assist water utilities, public health agencies, and other professionals to provide safe and affordable drinking water. Membership in this organization allows WSD access to a variety of resources to address drinking water, wastewater and water reclamation issues. This item was approved by the Transportation and Infrastructure Subcommittee on Sept. 12, 2017.

This item was adopted.

49 WateReuse Association

For $9,500.00 in payment authority to purchase membership in the WateReuse Association for the Water Services Department (WSD). Participation in the WateReuse Association allows WSD access to a variety of resources and information addressing drinking water, wastewater, water reclamation, watershed quality and storm water issues. This item was approved by the Transportation and Infrastructure Subcommittee on Sept. 12, 2017.

This item was adopted.

50 Western Urban Water Coalition

For $35,000.00 in payment authority to purchase membership in the Western Urban Water Coalition (WUWC) for the Water Services Department. The WUWC is an organization of the western United States' largest urban water utilities. It helps secure sound national water policies, programs, and regulations impacting the unique challenges facing urban

water supplies in the West. This item was approved by the Transportation and Infrastructure Subcommittee on Sept. 12, 2017.

This item was adopted.

53 City of Phoenix v. The Whitaker Group, et al.

For $63,141.50 to pay attorney's fees and costs in settlement of *City of Phoenix v. The Whitaker Group, et al*., Maricopa County Superior Court, Case CV2015-011193, 15-0552-001 GL PD, for the Finance Department pursuant to Phoenix City Code Chapter 42.

Discussion

Councilman Waring stated he was unsure on what he could say regarding Item 53 as it had been discussed in Executive Session but noted he was against the item.

Councilman DiCiccio stated he was against Item 53. He stated the City of Phoenix was going to give money to an individual that stole information from another city, used it as his own and was about to charge the City of Phoenix $400,000.

Councilwoman Williams asked if the matter had gone to court.

City Attorney Brad Holm explained that the case was arbitrated and that the arbitrator awarded $63,000 in fees. He stated that Item 53 was payment of the arbitrator's award in accordance with court rules that were applicable.

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

Yes:	6 -	Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton
No:	3 -	Councilman DiCiccio, Councilman Nowakowski and Councilman Waring

58 Public Hearing - Cable Television License for Cox Communications Arizona, LLC

As required by applicable Federal and State laws, request the City

Council hold a public hearing prior to the adoption of the cable television license with Cox Communications Arizona, LLC.

Summary

The authority to grant franchises, issue cable licenses, and police or regulate cable television operations within City of Phoenix boundaries is granted to the City by Federal and State law, and City Code Chapter 5. Cox Communications has held a cable television license in the City of Phoenix since 1994, allowing them to maintain their cable television system and utilize the streets and public rights-of-way to do so. The current license began in 2006 and will expire on Dec. 31, 2017.

Included on this agenda is the request for City Council authorization to enter into the new cable television license with Cox Communications Arizona, LLC.

A copy of the draft cable television license has been available in the City Clerk Department and online at phoenix.gov since Nov. 28, 2017.

Concurrence/Previous Council Action

The Transportation and Infrastructure Subcommittee recommended City Council approval to enter into a cable television license with Cox Communications Arizona, LLC by a vote of 4-0 at the Oct. 10, 2017 meeting.

Discussion

Mayor Stanton declared the public hearing open. Noting there was no one present wishing to speak, he declared the public hearing closed.

The hearing was held.

59 Cox Cable Television License Renewal (Ordinance S-44140)

Request to authorize the City Manager, or his designee, to enter into a license, and any related agreements, with Cox Communications Arizona, LLC, (Cox Communications) to allow them to continue to engage in the business of operating a cable television system in the City of Phoenix.

Summary

The authority to grant franchises, issue cable licenses, and police or regulate cable television operations within City of Phoenix boundaries is granted to the City by Federal and State law, and City Code Chapter 5.

Cox Communications has held a cable television license in the City of Phoenix since 1994, allowing them to maintain their cable television system and utilize the streets and public rights-of-way to do so. The current license began in 2006 and will expire on Dec. 31, 2017. City staff has been negotiating a new license with Cox Communications for over a year.

The current license included a five percent fee for the first year in 2006, and a 4.7 percent fee each year thereafter. The license also included a minimum revenue amount based on the $9.7 million collected in 2006, while the fee was five percent. This meant that in the remaining years of the contract, the City was able to collect an amount higher than the 4.7 percent, if the 4.7 percent rate did not achieve the minimum revenue amount.

After the current license term began, state law changes were enacted that will apply to the new license. The new state laws place a cap of five percent on the license fee and prohibit any provision that results in fee revenue to the City exceeding five percent. So for the new license, the continuation of a minimum revenue amount is not allowed. Along with the statutory five percent cap, the inability to include the minimum revenue provision going forward will likely result in decreased revenue for the City even with the rate at the maximum cap due to the reduction of cable television subscribers. This revenue is General Fund, with a small portion set aside specifically for education access. The last full year payment for education access was $178,687 in fiscal year 2016-17, which has an annual adjustment for inflation. Staff recommends the flat five percent fee for the duration of the new license, which also matches the other cable television license holders in the City of Phoenix.

The proposed license includes continuation of government and educational access channels in standard definition, as well as the option to provide high definition (HD) channels for their programming as well.

Contract Term

The term of the license is 10 years, with the option of an additional five years.

Financial Impact

The license fee revenue from Cox Communications varies based on their cable television revenue, but is initially anticipated to be approximately $10 million per year to the General Fund and education access funds. The total amount will likely decrease over the life of the license, if the market for traditional cable television continues to decline.

Concurrence/Previous Council Action

This item was recommended for approval at the Oct. 10, 2017 Transportation and Infrastructure Subcommittee meeting by a vote of 4-0.

Public Outreach

Staff advertised in *The Arizona Republic* the availability for the public to review the draft license. The draft license was posted on the City's website as well as at the City Clerk Department's public counter. Included on this agenda was a public hearing on issuance of the Cox Communications Arizona, LLC Cable Television License.

Discussion

In response to a question from Councilman Waring, Deputy City Manager Mario Paniagua explained that one of the new aspects of the license was to bring the city into compliance with state law. He said the current contract had been grandfathered in.

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

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

61 **Transfer of Santa Fe Springs Multi-Family Community to City's Affordable Housing Portfolio (Ordinance S-44148)**

Request authorization for the City Manager, or his designee, to approve Phoenix Residential Investment Development Effort (PRIDE) to transfer ownership of Santa Fe Springs, a multi-family community, to an instrumentality of the City in the form of a nonprofit corporation or a

limited liability corporation managed by the Housing Department. Further request authorization for the City Manager, or his designee, to execute any and all documents and agreements and take any and all other actions necessary or appropriate to carry out the purposes of this item. Further request authorization for the City Controller to disburse up to $15,000 to create the instrumentality and transfer the property. There is no impact to the General Fund to transfer or operate Santa Fe Springs.

Summary

PRIDE is a private nonprofit, non-stock corporation created in 1989 to assist the Housing Department's efforts to create and enhance affordable housing communities within the City of Phoenix. In 2010, PRIDE purchased a dilapidated 310-unit apartment community known as Santa Fe Springs. To date, PRIDE has invested approximately $13.5 million of HOME Investment Partnerships Program (HOME) and Neighborhood Stabilization Program (NSP) funds to acquire and rehabilitate this affordable housing community which mostly serves residents whose income is at or below 50 and 60 percent of Area Median Income (AMI). As a result of PRIDE's investment and management, this formerly blighted property is now crime-free certified, occupancy has increased from 77 percent to 95 percent, and the property is generating revenue to sustain its operations. With the successful rehabilitation of Santa Fe Springs, PRIDE intends to transfer ownership of the property to an instrumentality managed by the Housing Department, and begin focusing on other opportunities to support the Housing Department and further the mission of providing quality affordable housing within the City of Phoenix.

The Housing Department concurs with this transfer and believes that incorporating Santa Fe Springs into its current Affordable Housing Portfolio will provide streamlined property management and long-term high quality affordable housing for the community's residents.

The Housing Department seeks authorization to proceed with all actions necessary or appropriate to execute the transaction including the following:

1) Create an instrumentality of the City of Phoenix and/or a limited liability company of which the instrumentality will be the managing member to

function as the ownership entity for Santa Fe Springs.

2) Amend and transfer all loans made to PRIDE for the acquisition and rehabilitation of Santa Fe Springs to the instrumentality. The Housing Department is committed to maintaining the existing HOME and NSP affordability restrictions and covenants for the length of the required affordability period.

3) Execute loan documents, enter into contracts, and/or execute title or other documents required to legally transfer the property.

4) Take all other actions necessary or appropriate, including disbursing Affordable Housing and/or PRIDE funds in an amount not to exceed $15,000 to create the instrumentality and transfer Santa Fe Springs.

Financial Impact
There is no impact to the General Fund. Funds are available in the Housing Department's Affordable Housing Fund to create the instrumentality and/or transfer the property, if needed.

Location
1717 W. Glendale Ave.
Council District: 5

Concurrence/Previous Council Action
This item was heard at the Sustainability, Housing, Efficiency, and Neighborhoods Subcommittee on Nov. 28, 2017, and approved by a vote of 3-0.

Note: Due to a potential conflict of interest, Councilman Nowakowski withdrew from the voting body.

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

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

Conflict: 1 - Councilman Nowakowski

69 **(CONTINUED FROM NOV. 29, 2017) - Unsolicited Development Proposal Policy for City-Owned Property**

Request to authorize the City Manager, or his designee, to implement an Unsolicited Development Proposal Policy for City-owned property.

Summary

As of June 20, 2017, 655 City-owned parcels were categorized as excess real property. Although some of these properties are eligible for disposal through the City's contracted real estate broker, some will require a competitive process due to federal regulations, state laws, or the City's preference to consider more than purchase price when disposing of a parcel.

Currently, when a developer expresses interest in a City-owned parcel requiring a competitive process, the City researches the parcel, conducts community outreach, and prepares a solicitation. This process is time-intensive for potential proposers, and sometimes is not nimble enough to respond to market interest timely.

Unsolicited Development Proposal Policy

The Unsolicited Development Proposal Policy (Attachment A) will allow developers to submit unsolicited proposals for City-owned parcels for which the City has not announced its intention to issue a solicitation. Parcels owned by the Parks and Recreation Department are governed by a separate process and are excluded from this Policy. Aviation land identified in a Federal Aviation Administration-approved airport layout plan, airport master plan, or comprehensive asset management plan, or is in support of the needs of the flying public or airport operations, is also excluded from this Policy. Benefits to the City will include increased speed to market for properties with interested buyers and reduced staff time preparing solicitations, while maintaining transparency and allowing for competition and community input. The Policy will reserve the City's right to reject an unsolicited proposal at any time prior to contract execution.

Unsolicited Development Proposal Process Overview

The unsolicited development proposal process will be posted on the City's website and provide instructions for submitting an unsolicited proposal. These instructions will include information about the City's Solicitation Transparency Policy, which will be in effect for an unsolicited proposal's owner and partners as of the date the unsolicited proposal is submitted. All unsolicited development proposals will be directed to the Community and Economic Development Department (CEDD).

Upon receiving an unsolicited development proposal, Staff will:

Email City Council a brief description of the unsolicited proposal and the names of the unsolicited proposal's owner and any partners.

Remind the unsolicited proposal's owner, in writing, about the Solicitation Transparency Policy.

Collaborate with the City department that controls the property to prepare a staff recommendation.

Seek authorization at a Formal City Council meeting for each responsive unsolicited proposal received.

Any unsolicited proposal approved by City Council for competition will be posted online to provide other potential proposers an opportunity to offer a proposal. The posting will include: proposer instructions, evaluation criteria, and the City's Solicitation Transparency Policy. The unsolicited proposal's owner may submit a revised proposal during this stage of the process. The City may solicit community input prior to posting any unsolicited proposal for competition.

A list of responsive proposers will be posted following the proposal deadline. If no other responsive proposals are received, the City will begin negotiations with the unsolicited proposal's owner. If the City receives multiple responsive proposals, an evaluation panel comprised of City employees, community representatives, and other individuals with relevant experience or expertise, will be assembled.

The evaluation may be based solely on the materials submitted by the deadline or may include proposer interviews and/or a short-listing process. The evaluation panel will recommend the top-ranked proposer for negotiations. The recommendation will be posted on the City's website, City staff and the recommended proposer will negotiate a letter

of intent, and the recommended proposer will conduct community outreach as directed by the City. The recommended business terms will be presented to the City Council, which may accept or reject the contract award recommendation.

Upon City Council authorization, the City Manager will implement an Unsolicited Development Proposal Policy.

Concurrence/Previous Council Action
The Downtown, Aviation, Economy and Innovation Subcommittee recommended approval of this item on Nov. 1, 2017, by a vote of 3-1.

After the Subcommittee meeting, staff continued to do research and the following additional language is recommended: "Aviation land identified in a Federal Aviation Administration-approved airport layout plan, airport master plan, or comprehensive asset management plan, or is in support of the needs of the flying public or airport operations, is also excluded from this Policy."

Discussion
Mayor Stanton noted Item 69 had been continued from the previous Council meeting.

Vice Mayor Pastor stated that the revised version of the policy made it clear on how other restrictions regarding land use, zoning and the General Plan would apply to a property in question. She asked if historic properties would be added to the language of the policy.

Deputy City Manager Deanna Jonovich responded that it would be included.

Vice Mayor Pastor asked for the fee process to be explained.

Community and Economic Development (CED) Director Christine Mackay stated that the revised policy would allow for properties under 7,500 square feet to have a fee of $2,500, that would be refundable should the proposer not be the recommended proposer and the property was used as single family residential. She stated it would allow for single family residential lots to get into production quicker.

Vice Mayor Pastor asked if there were details about the initial reviews such as the criteria that would be in order to make the proposal acceptable for further review and possible consideration.

Ms. Mackay responded there were proposals that were listed within the guidelines and city policy that staff would use to determine the application.

Vice Mayor Pastor said she wanted to make sure it was not only CED staff that worked with the proposer. She stated it was important for subject matter experts to be part of discussions as it related to information on the land.

Ms. Mackay stated that CED would take in the proposal, work with the department that controlled the land, and involve other subject matter experts.

Vice Mayor Pastor stated it was her understanding that the Unsolicited Policy would mirror the process that the Request for Proposals (RFP) process followed. She stated it would follow the same posting, notification and evaluation process.

Ms. Mackay concurred.

Vice Mayor Pastor made a change to Item 5 of the policy. She stated the Council would approve a scope and evaluation criteria. She wanted to make sure those elements did not change during the period that the RFP was posted. Also, any proposer should be allowed to make a change to their final package as long as it fit in the scope.

Ms. Mackay concurred.

A motion was made by Vice Mayor Pastor to approve the unsolicited policy per the memo from the Community and Economic Development Director dated Dec. 12, 2017, and approve the related process with the following change: striking Section 5 and replacing it with: Any unsolicited proposal the City Council would like to advance for competition will be

posted in full on Phoenix.gov/solicitation to provide all proposers an opportunity to offer a competitive proposal. The posting will include the proposer's instructions, including the proposer's deadline and the proposer's guaranteed details and evaluation criteria and the city's Solicitation Transparency Policy. All interested properties would be afforded the opportunity to submit a proposal by the end of the Council established period based on the approved scope.

The motion was seconded by Councilwoman Williams.

Councilwoman Williams thanked Vice Mayor Pastor and Councilwoman Gallego in their efforts in working with staff on the policy.

Councilwoman Stark also thanked Vice Mayor Pastor and Councilwoman Gallego for their efforts. Councilwoman Stark stated her belief that the revised policy would speed up sales of properties. She also stated that it was a partnership with the private sector.

Councilwoman Gallego stated that when she ran for election, she ran on wanting to make best use of vacant lands. She said she was glad that the entire Council shared the same idea. She noted that since she and Vice Mayor Pastor joined the Council, the city had sold hundreds of vacant parcels bringing in $33 million dollars to the city. Councilwoman Gallego highlighted different real estate and development projects including the Bioscience campus and noted that earlier in the meeting, the Council voted on a partnership to invest in affordable housing.

Note: Councilman Waring temporarily left the voting body.

Councilman Valenzuela stated his excitement and support for the item. He noted the item originated out of the subcommittee he chaired. He commended all involved.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman WIliams that this item be approved per the December 12, 2017 Community and Economic Development Director memo with revision to Section 5. The motion carried by the following vote:

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

Absent: 1 - Councilman Waring

70 Reaffirmation of Block 24 Business Terms (Ordinance S-44153)

Request City Council reaffirm business terms related to the development of the final parcel at Collier Center from the 1991 development agreement.

Summary

In December 1991, the City and Barron Collier Company entered into a Development Agreement pursuant to Ordinance S-20583 for the development of multiple pads on what is known as Block 23 and Block 24. The approved business terms included many provisions including a 60-year term for treatment under the predecessor to Government Property Lease Excise Tax (GPLET) known as possessory interest tax, abatement of that tax for eight years and other typical terms and conditions.

Barron Collier Company and Opus West developed the majority of Block 24 in 2000 with an underground parking structure, office tower and retail/commercial spaces. An undeveloped pad remains at the southeast corner of the block. Hines Interests, LP will construct a high-rise multi-family residential rental project with new retail space on the corner. Pursuant to changes to the Arizona Revised Statutes, City Council must reaffirm the business terms for the City to enter into a lease with the developer. The lease term will be reduced from 60 years to 25 years with no option for an extension. The lease will include GPLET treatment, including eight years of abatement.

Contract Term

The total term of the development agreement is 25 years.

Financial Impact

This item does not impact the General Fund. If approved this action will facilitate construction of a project which will generate new construction

and other privilege license tax revenues for the City.

Concurrence/Previous Council Action
City Council approved the Block 24 Development Agreement by Ordinance No. S-20583 on Dec. 11, 1991 which was then amended by Ordinance No. S-21090 on Oct. 7, 1992.

Location
Colliers Center, 201 E. Washington St.
Council District: 7

Discussion
Community and Economic Development Director Christine Mackay provided an overview of Item 70. She explained that Item 70 was for the reaffirmation of a development agreement that was authorized by the city in 1991. She stated there was one parcel that remained known as the Collier Center. She stated the center was developed with the Bank of America tower and retail, with one remaining PAD at above the 2nd floor retail. She stated it would be constructed as high density residential. She explained certain laws existed at the present time that did not exist in 1991 when the original development agreement had gone forward. The agreement would allow the reaffirmation of the City Council regarding the changes in laws.

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

Yes:	7 -	Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton
No:	1 -	Councilman DiCiccio
Absent:	1 -	Councilman Waring

71 Authorization to Enter into Agreements with Chicanos Por La Causa (Ordinance S-44141)

Request to authorize the City Manager, or his designee, to enter into a development agreement, lease agreement and other agreements as necessary (Agreements) with Chicanos Por La Causa, an Arizona

non-profit corporation (CPLC) , or its City-approved designee, for the development of a mixed-use project focusing on employment-generating uses, with ancillary community-serving uses, on approximately 35 acres of land in Sky Harbor Center; and for the City Treasurer to accept funds related to this item.

Summary

At its July 6, 2017 Formal meeting, City Council directed staff to begin negotiations with CPLC for the use of approximately 35 acres of land in Sky Harbor Center. The land is located on the northeast corner of 16th Street and Buckeye Road and the northeast corner of Sky Harbor Circle North and Buckeye Road (Site). The Site was purchased by the Aviation Department in the 1980's as part of the West Approach Land Acquisition (WALA) program and includes the historic Sacred Heart Church.

CPLC plans to develop the Site in phases and will focus on bringing high-wage jobs and other employment-generating uses to the area while incorporating ancillary community-serving uses such as local retailers and restaurants. CPLC also intends to work closely with the community to incorporate the history of the area through public plazas and other amenities. All development must be in compliance with Federal Aviation Administration (FAA) regulations, including noise compatible and must not contain residential development or any other uses restricted by the FAA. Parking, logistics, and distribution are not permissible as primary uses.

Subject to City Council and FAA approval, the following major business terms have been negotiated with CPLC and would be implemented through the Agreements:

The development agreement and lease must be executed within 12 months of City Council authorization and Phase 1 must be completed within 24 months thereafter.

City will lease approximately 35 acres of land to CPLC. Pursuant to a separate agreement, which would be brought forward to City Council for its own authorization, the area identified as area 2 on the attached parcel map **(Attachment A)**, which includes the historic Sacred Heart Church, may be leased directly to the Roman Catholic Diocese of Phoenix (Diocese). Should an agreement be reached with the

Diocese, both CPLC and the City agree that Area 2, and any obligations associated with the rehabilitation, activation and ongoing maintenance of that area outlined in the business terms below, will not be included in the Agreements. If an agreement, evidenced by a signed Letter of Intent, for the lease of this area with the Diocese is not reached within 90 days of Council authorization, or any lease agreement entered into ends or terminates prior the end of CPLC's lease term, the historic Sacred Heart Church and land identified as Area 2 will be included in CPLC's leasehold for the remainder of the term under the same rental rate and terms identified below.

CPLC will build an 80,000-square-foot corporate headquarters facility for CPLC, which may include other tenants, on Parcel 1 and the rehabilitation and activation of Sacred Heart Church on Parcel 2 (collectively, Phase 1). CPLC may substitute the development of its corporate headquarters facility with a tenant, or tenants, of comparable square footage on Parcel 1, or a different parcel, approved by the City.

CPLC will have 26 months from issuance of the Certificate of Occupancy for a prior structure to design and construct each subsequent structure. Each structure will be a minimum of 25,000 square feet, unless otherwise approved by the City.

If CPLC fails to develop and complete construction of each structure on the Site within the timeframes noted above, City may terminate those portions of the Site, as well as any other vacant portions of the Site, from the lease.

City will lease the Site to CPLC for a term not to exceed 50 years.

CPLC will pay the following fair market value for the Site, as required by the FAA, lease rates ("Rent") (see Attachment A for parcel map):

- Parcel 1: $1.05 per square foot per year, or approximately $748,274 annually.

- Parcel 2: $0.00 per square foot per year.

- Parcel 3: $1.05 per square foot per year, or approximately $528,522 annually.

- Parcel 4: $1.02 per square foot per year, or approximately

$258,958 annually.

Rent will be adjusted annually, commencing the second year of the lease, either by fair market value or the consumer price index, whichever is greater.
CPLC will pay 10 percent of annual gross sales for a convenience/gas station operation and a fuel flowage fee of $0.10 per gallon.
For all other retail/commercial activity, CPLC will pay a percentage of annual gross sales as follows:

- $0.00 to $1 million = 0 percent of annual gross sales.

- $1 million and above = percentage to be negotiated, but at no time will the percentage exceed 10 percent.

Rent on the Site will commence 24 months following the effective date of the lease, or upon issuance of a certificate of occupancy, whichever occurs first.
The Agreements will include other terms and conditions as needed, and deadlines for performance benchmarks and phasing may be modified at the City's discretion.

Contract Term
The lease term will not exceed 50 years, with no options to extend. In addition to termination for non-compliance with general lease terms, the City may terminate the lease for failure to meet performance benchmarks.

Financial Impact
The project will have no expense impact on the General Fund. CPLC will pay initial Rent of approximately $1.5 million per year. Rent will begin 24 months after execution of the lease, or upon issuance of a certificate of occupancy, whichever occurs first. All improvements will revert to City ownership at the end of the lease.

Public Outreach
CPLC held two community meetings seeking input on a potential development plan. The first meeting was held on Oct. 2, 2017 and the

second was held on Oct. 16, 2017.

Location
The Site is generally located on the northeast corner of 16th Street and Buckeye Road, and the northeast corner of Sky Harbor Circle North and Buckeye Road.
Council District: 8

Discussion
Vice Mayor Pastor made a motion to approve Item 71 with the understanding that the agreement was consistent with the area's land reuse plan as previously approved by the Mayor and Council.

Councilwoman Gallego offered a friendly amendment to the motion that the project would participate in the Heritage Trail as ambition by the land reuse proposal passed by the City Council that would celebrate the rich cultural heritage and many veterans with ties to the area.

Vice Mayor Pastor accepted the amendment to the motion.

Speaker comment cards in support of Item 71 were submitted by the following individuals with no one wishing to speak:

Abe Arvizu Jr.
Gilbert Arvizu
Andrew Arvizu
Paul Lopez
Angel Juarez for American Legion

Patricia Gurule spoke in support of Item 71. She told the Council it was an important first step to have a separate agreement with the Roman Catholic Diocese regarding the historic Sacred Heart Church. She stated her belief the revitalization would enhance the well being of residents and create new opportunities.

Norma Munoz spoke in support of Item 71. She thanked the Council for their restoration efforts.

David Adame, from Chicanos Por La Causa thanked the Council for their support of the item. He noted the organization worked with members of the community as well as the diocese. He said his hope was that the church would be restored. He remarked that the organization was looking to include heritage signage as part of the overall planning.

Councilwoman Gallego spoke about the historic importance of the area. She thanked those that were involved with the project.

Note: Councilman Waring returned to the voting body.

In response to a request from Vice Mayor Pastor, Community and Economic Development Director Christine Mackay provided information regarding the property. She pointed out the three acres that surrounded the church and the church itself had been excluded from the number of acres outlined as part of Item 71. She conveyed there were discussions with the diocese about maintaining the land as a catholic church. She stated that staff had asked for an additional 90 days to finish negotiations or come to a conclusion. She said the terms would be brought forward to the Council, should a positive conclusion be reached. She went on to state that the property would be included with Chicanos Por La Causa as part of their land lease based on the agreement should a positive conclusion not be reached.

Councilman Nowakowski recalled personal memories about the church and the area overall. He thanked those involved in working together to preserve the church.

Vice Mayor Pastor also thanked those involved with the process.

A motion was made by Vice Mayor Pastor, seconded by Councilman Nowakowski, that this item be adopted as amended that the project will participate in the Heritage Trail per the Council-approved land reuse proposal. The motion carried by the following vote:

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

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, to reconsider Item 72. The motion carried by voice vote:

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

Discussion

Stacey Champion spoke in opposition to Item 72. She stated her curiosity over a half a million dollar deal for 20 parking spaces that the City of Phoenix planned to buy from Collier. She stated it was constantly being said there was not enough money for sidewalks, trees and protected bike lines. She asked why there was enough money for the City of Phoenix to buy 20 parking spaces for half a million dollars for four years.

Mayor Stanton requested that staff respond to Ms. Champion. He asked for clarification on the source of money.

Community and Economic Development Director Christine Mackay replied the 20 parking spaces would replace parking spaces that were lost earlier in the year. She spoke about the different parking spaces in the downtown area and how the city had been worked to bring companies into Downtown Phoenix.

Ms. Mackay emphasized the transaction recommended was not with the Collier family but rather with Hines Development, who would be building the new tower at the location. She indicated the source of revenue would be the Downtown Reinvestment Fund. She stated the city would own the parking spaces. She explained that money would be expended in the beginning of construction and that over time, the city would collect revenue off the spaces.

Councilman DiCiccio asked if the parking spaces would be owned by the city in perpetuity.

Ms. Mackay responded that the city would be the owner of the 20 spaces in perpetuity.

Councilman DiCiccio stated he would be supporting Item 72. He compared the difference in cost between Item 72 and what a new parking garage or underground parking would cost.

Ms. Champion asked if the agreement was for a four year period.

Ms. Mackay clarified that the agreement was not for a four year period. She explained there was a performance benchmark in the agreement that needed to be achieved within four years. She stated the city would be the permanent and forever owner of the 20 spaces, unless a future Council decided to sell that portion of the parking garage.

Ms. Champion stated her belief that the money allocated for Item 72 should be used for something else.

Councilwoman Williams stated her support for Item 72. She noted she represented a district that did not have public transportation and would never give up their cars. She said that parking spaces were needed for those that visited the downtown area. She stated her belief that Item 72 was a savings compared to building a new garage.

Councilman DiCiccio commended staff for their work.

Councilman Nowakowski complimented staff and the developer for their work on reaching an agreement regarding the 20 parking spaces.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Item 72 be adopted. The motion carried by the following vote:

Yes:	8 -	Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton
No:	1 -	Councilman Waring

85 Taxicab Services Contracts Award Request (Ordinance S-44155)

Request to authorize the City Manager, or his designee, to enter into separate contracts with four companies to provide taxicab services at

Phoenix Sky Harbor International Airport. The contracts may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. The City estimates that it will receive annual revenue totaling approximately $1.9 million.

Summary

The Aviation Department at Phoenix Sky Harbor International Airport contracts with taxicab service providers to ensure on-demand transportation is available for travelers at all times. Over the last four years, taxicab companies have provided nearly 3 million safe, reliable rides.

The Aviation Department requests authorization to enter into four revenue contracts for taxicab services after conducting a competitive revenue contract solicitation (RCS). Two contracts will be awarded to large companies that have a base fleet of 70 vehicles each. Two contracts will be awarded to small companies that have a base fleet of 30 vehicles each. The two large companies will be required to maintain a minimum of 15 percent of vehicles operated by franchises or owner-operators. One small company will be 100 percent owner-operator. All companies will pay a trip fee (currently $3.25) for each passenger pickup. The trip fee will not be passed on by the companies to the customer or the driver.

Procurement Information

This procurement was conducted using a competitive RCS process. The process began with significant industry outreach and did not allow respondents to submit bids, but instead used an evaluation of each respondent's qualifications for ranking and recommendation. Each eligible respondent was given the opportunity to interview with the evaluation panel.

A protest and appeal was filed with and reviewed by the Office of Administrative Hearings (OAH). The OAH administrative law judge recommended that the City Manager dismiss the appeal, and the recommendation was upheld by the City Manager.

The Aviation Department recommends awarding taxicab services contracts at Phoenix Sky Harbor International Airport to the following respondents in each category:

Large Company
AAA Cab Services, Inc., dba Yellow Cab of Arizona
Total Transit Enterprises, LLC

Small Company (100 percent owner-operator)
Mayflower Cab Company, LLC

Small Company (not 100 percent owner-operator)
VIP Taxi, LLC

Contract Term
The term of each contract will be four years and include one two-year option to extend the term, which may be exercised at the Aviation Director's sole discretion.

There was a delay in the RCS schedule because an unsuccessful proposer filed a protest and appeal. The current services contracts with AAA Cab Services, Inc., and Apache Taxi LLC will expire on Feb. 1, 2018 and will need to be extended on a month-to-month basis not to exceed six months. The current services contract with Mayflower Cab Company, LLC will expire on June 1, 2018 and will not need to be extended.

Financial Impact
The City estimates that it will receive annual revenue totaling approximately $1.9 million.

Concurrence/Previous Council Action
This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on Dec. 6, 2017 by a vote of 4-0.

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

Discussion
A speaker comment card was submitted by Fitsum Abreha in opposition

to Item 85, but was not present to speak on the item.

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

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

89 Airline Rates and Charges Code Amendment (Ordinance G-6394)

Request to authorize the City Manager, or his designee, to amend the Phoenix City Code to authorize the Aviation Director to set the rates and charges at Phoenix Sky Harbor International Airport (Airport) up to a cap based on the cost per enplanement.

Summary

The airline rates and charges program generates revenue needed to fund the ongoing operations and maintenance of the Airport. The Phoenix City Council established the basic framework for the Airport's rates and charges program in 1981, and approves a new schedule each year based on the Airport's projected operating and capital costs.

Airline rates and charges are regulated by the FAA to achieve cost recovery (and no more) from the airlines, proportionate to their use of the Airport facilities. Each year, the Aviation Department calculates these rates, consistent with the FAA's regulations, and recommends City Council approval to amend the City Code with the new airline rates and charges to be effective on July 1 of each fiscal year. These include the terminal rate, cargo rates, common use rate, Federal Inspection Services (FIS) charge, Explosive Detection Service (EDS) charge, landing fee, and Remain Overnight (RON) fee.

The airline Cost per Enplanement (CPE) is a common airport metric used to measure the airlines' cost for each passenger who travels from a given airport. This metric adds all of the airlines' costs at an airport, and divides the sum by the number of passengers who board a plane there.

The current annual code amendment approach to rate making at the

Airport requires numerous levels of approval prior to being scheduled and voted on by the City Council. This process is viewed as a credit risk by Moody's Investors Service as it prevents timely responses to airline actions. Staff recommends a CPE cap as a more efficient alternative to the annual code amendment. This solution would comply with FAA regulations and policies, facilitate nimble management of the rates and charges, and maintain Sky Harbor as an affordable airport for airlines to provide service.

If approved, this amendment would replace the existing rate language in the City Code with a simple not-to-exceed CPE cap. The CPE cap would be set at the Large Hub Airport median. As shown in the attached chart, the Large Hub Airport median is currently $10.48. The Aviation Director would be authorized to set airline rates and charges each year, in accordance with FAA regulations, provided that the rates and charges result in a CPE less than the Large Hub Airport median. If, at the fiscal year's end, the CPE is determined to have exceeded the Large Hub Airport median, the Aviation Department would reduce airline billings to bring the CPE within the authorized amount. City Council approval of the airline rates and charges would only be required to amend the City Code in the event the CPE were projected to exceed the Large Hub Airport median value.

Concurrence/Previous Council Action

A staff recommendation regarding an alternative to the annual rates and charges code amendment was requested by the City Council at the May 31, 2017 formal meeting.

This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on Dec. 6, 2017 by a vote of 3-0.

Public Outreach

This recommendation was presented to the Phoenix Aviation Advisory Board's Business and Development Subcommittee on Oct. 5, 2017, to the Airline Affairs Finance Subcommittee on Oct. 16, 2017, and to the full Phoenix Aviation Advisory Board on Oct. 19, 2017.

Location

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

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

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

No: 1 - Councilman Waring

99 **Phoenix City Hall Elevator Modernization, Design-Bid-Build - 70614363 (Ordinance S-44145)**

Request to authorize the City Manager, or his designee, to accept Thyssenkrupp Elevator Corporation (Phoenix) as the lowest-priced, responsive and responsible bidder and enter into an agreement with Thyssenkrupp Elevator Corporation for construction services for the Phoenix City Hall Elevator Modernization project. The bids received range from a low of $4,259,758 to a high of $5,448,888, and is within the total budget for this project. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Thyssenkrupp Elevator Corporation will provide construction services in support of the Phoenix City Hall Elevator Modernization project at Phoenix City Hall. The work includes, but is not limited to, a full and complete modernization of 11 gearless overhead traction passenger elevators in service since 1993. This modernization calls for the replacement of all control, dispatch, landing and power conversion systems, motor drives, governor, hoist machines, selectors, hoist ropes, governor rope, sheaves, guide assemblies, wiring, hoistway door closers and interlocks, car door operators, car door protective devices, car operating panels, position indicators, interior emergency lighting, hands free emergency communication device, hall call buttons and hall direction lanterns, and other associated work required to complete this project. To maintain building occupant access to elevator services, the modernization will be phased and limited to two elevator cars at the same

time (one low-rise and one high-rise).

Procurement Information
Two bids were received according to section 34-201 of the Arizona Revised Statutes by the Street Transportation Department on Sept. 26, 2017. Both bidders were deemed responsive.

Of the three Alternates, the Public Works Department chose to select Alternate 2 and 3:
Alternate 1 (add) is to provide a destination dispatch control system in lieu of 2-button conventional Group Automatic control
Alternate 2 (add) is to modernize two elevators simultaneously on the low-rise in lieu of the base case
Alternate 3 (deduct) is to omit interim and warranty periods for elevators 12 and 13

The bids (Base bid plus Alternate 2 and 3) range from a low of $4,259,758 to a high of $5,448,888. The Engineer's estimate and the two lowest responsive, responsible bidders are listed below:

Engineer's Estimate (Base bid): $3,977,000
Thyssenkrupp Elevator Corporation (Base bid): $4,283,758 Alternate 2 and 3: -$24,000
Centric Elevator Corporation (Base bid): $5,195,088 Alternate 2 and 3: $253,800

Contract Term
The term of the contract is 610 calendar days from the date of issuance of the Notice to Proceed. 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 bid award amount is within the total budget for this project. Funding is available in the Public Works Department's Capital Improvement Program budget. Contract payments may be made up to contract limits

for all rendered contract services, which may extend past the contract termination.

Small Business Outreach
A Small Business Enterprise (SBE) goal was not established for this project due to the lack of SBE subcontractor availability for specialized work.

Location
Phoenix City Hall, 200 W. Washington St.
Council District: 7

Discussion
A speaker comment card was submitted by Adam Goldstein in favor of Item 99, but he declined the opportunity to speak.

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

Yes:	8 -	Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton
No:	1 -	Councilman Waring

The following item was taken out of order due to Councilman Nowakowski's absence at the time of its place on the agenda.

3 For Approval or Correction, the Minutes of the Formal Meeting on Nov. 1, 2017

Summary
This item transmits the minutes of the Formal Council meeting of Nov. 1, 2017, for review, correction and/or approval by the City Council.

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

These minutes were assigned to Councilman Nowakowski for review.

A motion was made by Councilman Nowakowski, seconded by Councilwoman Williams, that this item be approved. The motion

carried by voice vote:

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

116 (CONTINUED FROM NOV. 1 AND 15, 2017) - Amend City Code - Ordinance Adoption - Rezoning Application Z-27-17-6 - Approximately 180 Feet East of the Northeast Corner of 7th Street and Marlette Avenue (Ordinance G-6373)

Request to consider adoption of the Planning Commission's recommendation on the rezoning application and the related Ordinance if approved. The required public hearing on the rezoning application was held on Nov. 1, 2017.

Summary

Application: Z-27-17-6
Current Zoning: R-4 and R-5
Proposed Zoning: PUD
Acreage: 3.93
Proposed Use: Planned Unit Development to allow multifamily residential and office

Owner: 700-EM Development Corp. et al
Applicant: Stephen C. Earl
Representative: Stephen C. Earl

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard the request on Sept. 12, 2017 and recommended approval per the staff recommendation by a 12-4 vote.
PC Action: The Planning Commission heard the request on Oct. 3, 2017 and recommended approval per the Camelback East Village Planning Committee recommendation with an additional stipulation by a 5-1 vote.

Location

Approximately 180 feet east of the northeast corner of 7th Street and Marlette Avenue

Council District: 6
Parcel Address: 713, 716, 720, 721, 723, 724, 728, 729 E. Stella Lane, and 714, 722, 724, 730, 832 E. Marlette Ave.

Discussion

Mayor Stanton provided background regarding Item 116, stating it was the third time the case was before the City Council. He noted the item had been previously continued with the direction from the City Council requesting only new information be part of the testimony provided and that each side of the issue be limited to 10 minutes.

Planning and Development Director Alan Stephenson stated the staff recommendation was to approve Item 116 per the memo from the Planning and Development Director dated Nov. 15, 2017.

Note: Due to a potential conflict of interest, Councilwoman Stark left the voting body.

The following individuals submitted speaker comment cards in favor and donated their speaking time to Mr. Stephen Earl, attorney for the applicant:

Brian Burch
Rue Bax
David Zeff
John Kubierowski
William Saul

Stephen Earl, attorney for the applicant, provided an update on the case. He noted several supporters of Item 116 in attendance, including the traffic engineer that provided analysis. He stated that in order to make the project economically feasible, his client had to look at every unit that would be removed to ensure they could still comply with all the PUD requirements. He indicated the staff report showed design features that became requirements of the project. He stressed there were many factors involved when looking at density including amenities, design features and building height.

Mr. Earl noted that Mayor Stanton had sponsored a meeting between the

opposing sides. He stated those in opposition that were present at the meeting spoke about 170 units. He stated that he could not get to that number and still have the PUD project.

Mr. Earl spoke about the traffic study conducted by Jamie Blakeman and noted it was approved by the city in July. He noted her credentials and what she based her report on. He highlighted information from her report, stating that she had noted there would be 100 vehicle trips out of the project in the morning peak hours of 7:15 a.m. to 8:15 a.m. He reiterated Ms. Blakeman's finding that the project would have minimal impact on traffic. He presented a 60 second segment video of the area showing morning traffic taken when winter visitors were back in Arizona. He reviewed a map listing nearby businesses and individuals that were supportive of the project. He added that the applicant was prepared to lower the total number of units to below 245.

The individuals listed below submitted speaker comment cards in favor, but did not address the Council:

Doug Hansen
Adam LaGrou
Rocky LeBlanc
James Christian Weber
Dennis Gilbert
Everett Pleasant
Ashley Hecker
Jemiton Tyndol
Lance Little
Bill Rofch
Steve Smelser
Phillip Richardson
Tony Allen
Kerri Keaton
Dayna Hall
Jill Fredenberg
Mary Burch
Joe Fitzpatrick
Peter Burch

Richard Presto
Irwin Pasternack
Kathleen Anderson
Troy Munig
Cynthia Brow
Kira Brown
Jason Comer
Emily Burkett
Cody Newport
Michelle Myers
Tessa Patterson
Karen Frost
Steve Scotten
Chris Scotten
Michael Nolan
Kasey Shores
Terry Henry
Troy Thomas
Maria Blecher
Siena Tueros
Michael Wallace
Ryan Miller
John Klocek
Glenn Woods
Andrea Biskind
Garrett Turnball
Hana Kaizer
Debi Pompo
Lisa Johnson
Todd Angstandt
Alex Quenzler
Brian Friedman
Isaiah Russell
Rachael Anderson
Mary Zarob
Brian Cassidy
Tommy McKone
Nathan Stum

Michelle Murr
Katie Riley
Paulina Ploszay
Jenny McKone
Wendy Anderton
Lindsay Schultz
Wendi Cooley
Safia Kerr
Brenda Acosta

The following individuals submitted speaker comment cards in opposition and wished to donate their speaking time to Mary Crozier:

Elizabeth Hester
Mark Hester
D. Palo
Janis Harris
Robert Schorsch
Benjamin Harris
Crystal Develis
Kim Schorsal
Marilyn Rendon
Susan Pickering
Tim Pickering
Susan Stroud
Sheri Stroud
Jackie Rich
Ada Jacobowitz
Scott Crozier
Brook Tunnicliff
John Hathaway
Paul Barnes
Sandy Grunow
Will Culbertson
Milton Stamatis
Denise Blaskovic
Neal Haddad
G.G. George

Clyde Grunow

Mary Crozier spoke on behalf of the group of residents in opposition to Item 116. She stated no progress had been made since the previous City Council meeting. She conveyed the residents were not invited to a meeting at the site with the traffic engineer nor was there an attempt for a compromise regarding density which were directives from the Council at the previous meeting. She said Mr. Earl and his client had reneged on their promises to the citizens and to the Council. She indicated a collaborative effort was needed between the city, the developer and the neighborhood. She noted over 1,100 personalized messages and signatures on a petition in opposition.

Ms. Crozier told the Council she had an evaluation that showed all of the completed projects by Wood Partners in Arizona and the average density. She stated the average density, if applied to Item 116, would be 185 units. She had hoped Mr. Earl and his client would have negotiated something less than 245 units. She remarked a meeting was organized by the Mayor's office on Nov. 28, 2017 but there were no clear decision makers present at the meeting.

Ms. Crozier went on to talk about traffic concerns in the area. She stated the traffic study that was submitted in July was not part of the public record, was sealed and was not readily available. She indicated that she had received the study from Mr. Earl the week prior but that Mr. Earl had not told her about the submitted traffic study addendum. She said the group had less than 48 hours to review the addendum and only four days to review the first traffic study. She added that the group had hired an independent traffic engineer to review and analyze the study provided by Mr. Earl. She asked the Council to vote no on Item 116.

John Hathway spoke in opposition. He stated he was an engineer and statistician and had reviewed the traffic study on behalf of the neighborhood. He conveyed the study took into account unrealistic numbers in regard to left hand turns. He added there had been statistical and methodology errors in preparing the study. He said the updated study listed 24 left turns during peak hours; 6 percent of the cars in the garage turning left. He questioned why would it be expected to have 64

percent of the residents of the apartments travel north, when 100 percent of the desirable destinations were south.

The individuals listed below submitted speaker comment cards in opposition, but did not address the Council:

Judi Marshall
Mary Mulligan
John Melton
Mary Bush
Claire Griffin
Opal Wagner
Willis Guerrero
Susan Hager
Karen Sterling
Ryan Jason Cook
Samantha Hirsch
Scott Marios
Hannah Perlmutter
Jack Leonard
Jeff Lewis
Trevor William Lewis
Bryn Lewis
Lori Gonzales
Pam Fitzgerald

Councilman Nowakowski asked about the standard for street studies.

Street Transportation Director Ray Dovalina replied the standard that was typically used was from the Institute of Transportation Engineers. He noted the organization went throughout the entire country and looked at data and how it was generated at different land uses. He stated the study consisted of parameters that talked about A.M. peak, P.M. peak and weekday hours, which were used as the trip generation for the proposed development. He went on to state that the Street Transportation Department provided recommendation to the Planning and Development Department. He said the Street Transportation Department had asked for a traffic statement to be included for analyzing the development.

Jamie Blakeman, Engineer from J2 Engineering, worked with Mr. Earl and the applicant. She answered questions presented to her regarding the study she conducted which was based on real data utilizing the Institute of Transportation Engineers manual. She noted concerns regarding left hand turns at the proposed site but reiterated that many people would not be making left hand turns because they were difficult to make. She reiterated that data was taken from Marlette and based on actual patterns. She also addressed concerns regarding right hand turns being made into school traffic. She did not believe it was an issue since those driving would be familiar with the area and would not want to be caught up in school traffic.

Councilman Nowakowski spoke about a meeting that he attended along with Councilman DiCiccio's Chief of Staff, Mr. Earl and supporters of the project. Councilman Nowakowski presented the neighborhood concerns at the meeting and told the applicant he would not be supportive of the item if the density was not lowered. He announced the applicant was willing to lower the number of units to 229. He added that the applicant was committed to making sure there was enough parking for individuals to have at least one parking spot each.

Vice Mayor Pastor asked for clarification regarding the statements that had been made regarding the traffic study and concerns related to the left and right hand turns.

John Hathaway conveyed the neighborhood would prefer for individuals to turn left than right. He said if individuals were unable to turn left, they would turn right into the neighborhood and drive through the school traffic. He stressed 90 percent of the traffic on Marlette went to the school. He was critical of the study done by the applicant and believed it was flawed and biased.

Mr. Earl stated that drone studies had been done in addition to the study conducted by Ms. Blakeman.

Vice Mayor Pastor voiced her disappointment that progress had not been made from both sides of the issue. She asked Mr. Earl why an

agreement could not be reached.

Mr. Earl responded that the neighbors had indicated they wanted the project to be 170 units. He emphasized 170 units would not be possible for the project as it was a luxury level based project. He pointed out the number of units had come down during the process from the original number of units which was 293, then 255, and then 245. He stated that a number of 229 units was reached based on conversations with Councilman Nowakowski.

Vice Mayor Pastor said she found it interesting that Mr. Earl made negotiations with Councilman Nowakowski since the entire Council had a vested interest in the project.

Councilman Nowakowski stated that he had met with individuals that supported and opposed the project as well as toured the area and asked a lot of questions. He noted his belief that 229 units was a good compromise.

Vice Mayor Pastor commented she drove the area in question every day. She said she worked with the neighbors and Mr. Earl through her Chief of Staff because the issue was contentious.

Councilwoman Gallego asked Ms. Crozier if a number of units had been proposed to the neighbors at the meeting that was held in the Mayor's office.

Ms. Crozier responded that a number was not proposed in the meeting. She said the group had been waiting to hear on a proposed number for six months. She voiced her disappointment that negotiations occurred behind closed doors between Mr. Earl and Councilman Nowakowski without the involvement of the neighbors.

Neal Haddad concurred with Ms. Crozier's statements. He recalled asking at the meeting held in the Mayor's office for a proposed number of units. He stated the group was told the applicant would need to check with their capital partners.

Councilwoman Gallego expressed she was disappointed an agreement was not reached by the parties.

Councilman Nowakowski asked Mr. Haddad for his address in the neighborhood for the record, to which Mr. Haddad responded that he did not live in the neighborhood but was a resident of Phoenix.

Mr. Stephenson stated the motion was to approve the rezoning request per the back-up memo dated Nov. 15, 2017 and adopt the related ordinance with the modification to drop the density to a maximum of 229 units in Stipulation 1E.

Councilman Valenzuela explained his vote. He had taken a personal tour of the area, held talks with Mr. Earl and met with the neighbors but felt he needed to support the item.

Mayor Stanton said the project arrived to the Council with recommendations for approval from staff, Village Planning Committee, Planning Commission and the Councilman of the area and he would be supporting the item.

A motion was made by Councilman Nowakowski, seconded by Councilman DiCiccio, to approve this item per the November 15, 2017 Planning and Development Director memo with revised Stipulation 1E and to adopt the related ordinance. The motion carried by the following vote:.

Yes:	6 -	Councilman DiCiccio, Councilman Nowakowski, Councilman Valenzuela, Councilman Waring, Councilwoman Williams and Mayor Stanton
No:	2 -	Councilwoman Gallego and Vice Mayor Pastor
Conflict:	1 -	Councilwoman Stark

Note: Councilwoman Stark returned to the voting body.

119 Amend City Code - Ordinance Adoption - Rezoning Application Z-56-17-5 - Approximately 200 Feet North of the Northwest Corner of 27th Avenue and Ocotillo Road (Ordinance G-6387)

Request to authorize the City Manager to amend the Phoenix Zoning

Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-56-17-5 and rezone the site to allow for a Group Home.

Summary

Current Zoning: R1-6
Proposed Zoning: R-3
Acreage: 0.65
Proposed Use: Group Home
Owner: Ruperto C. Veliz
Applicant: Dr. Verchot, Project Veterans Pride
Representative: William Lally, Tiffany & Bosco, PA

Location

Approximately 200 feet north of the northwest corner of 27th Avenue and Ocotillo Road
Council District: 5
Parcel Address: 6720 N. 27th Ave.

Discussion

The following individuals submitted speaker comment cards in support, but declined the opportunity to speak:

Ken Speer
David Nelson
Larisa Balderrama
Jeff Spellman

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

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

123 Public Hearing - Certificate of Appropriateness - Appeal of Historic Preservation Commission Decision - 937 E. Granada Road

Request to hold a public hearing on the Certificate of Appropriateness Decision by the Historic Preservation Commission (HPC) for 937 E.

Granada Road in the Coronado Historic District due to an appeal form submitted on Nov. 21, 2017. The Historic Preservation Commission upheld the decision of the Historic Preservation Hearing Officer to approve the Certificate of Appropriateness with an additional stipulation on Nov. 20, 2017. The appellant's rationale for the appeal is that the scale of the addition is out of context with the neighborhood.

Summary

Application Number: HPCA-1700367
Applicant: Joel Contreras for Grace Sampo and Scott Carpenter, property owners
Request: Approve construction of a 2,257-square foot, one and two-story rear addition.

Staff Recommendation: Approve with one stipulation.
HP Hearing Officer Action: Approved per staff recommendation on Oct. 10, 2017
HPC Action: Uphold Hearing Officer Action with an additional stipulation by a vote of 7-1 on Nov. 20, 2017.
Appellant: Arthur A. Vigil III, neighborhood resident.

Historic Preservation Commission Stipulations

1. That the height of the addition be reduced to 20 feet to the top of the parapet wall and 22 feet to the top of the chimney; and
2. That the front porch be restored to its original condition.

Action Requested

Uphold, modify or reverse the Certificate of Appropriateness decision of the Historic Preservation Commission.

Location

937 E. Granada Road
Council District: 4

Discussion

Planning and Development Director Alan Stephenson stated this public hearing was to determine a Certificate of Appropriateness decision that was made by the Historic Preservation Commission for a parcel at 937 E. Granada Road in the Coronado Historic District.

Historic Preservation Officer Michelle Dodds explained the proposal was a one and two story rear addition to a historic home totaling 2,257 square feet. She advised the Hearing Officer recommended approval with a stipulation that the height be reduced to 20 feet to the top of the parapet wall and 22 feet to the top of the chimney. She conveyed the decision was appealed by a neighbor, with the appeal going before the Historic Preservation Commission. The commission upheld the Hearing Officer's decision with an additional stipulation that the front porch be restored to its original condition.

Mayor Stanton declared the public hearing open.

Arthur Vigil spoke in opposition. He stated he lived two blocks from the site and was a local architect. He noted his objections to the scale, architectural features, front yard parking and front porch of the site. He commented that the home was in violation of the Historic District guidelines. He said the proposed addition was a 300 percent increase in the size of the home. He reviewed various pictures and layouts of the home in question and proposed project. He requested a 30 percent reduction of the 2nd story, to make the 2nd story the same footprint as the existing house.

The following individuals submitted speaker comment cards in support, but declined the opportunity to speak:

Connor Descheemaker
Danny Becking
Mike Troyan

Joel Contreras stated he was hired to design the addition for the project. He noted the home was zoned R-3 and was allowed 60 percent lot coverage. He indicated it was about 20 percent larger than the average lot in the Coronado District. He did not believe it would set precedent because this was a unique request as it was not the normal lot size for zoning. He stated his belief that the property would be beautified. He noted that it had been agreed upon to move the two-story addition towards the back of the lot.

Vice Mayor Pastor asked Mr. Contreras why he believed the addition was appropriate for the Historic District.

Mr. Contreras replied that he wanted to work with the Historic Preservation staff to see how he could fulfill his client's request.

Councilwoman Williams inquired as to why a two-story home that would be visible from the street would be approved.

Ms. Dodds responded that each individual situation was reviewed. She stated the building addition had a transition of a one story. She explained that the two story portion would be further back so the visual impact would be minimized. She added there was a stipulation for the height of the addition to be brought down slightly. She also mentioned that the commission thought opening up the porch would return focus to the front of the home.

In response to a question from Councilwoman Williams, Mr. Contreras stated the addition was a kitchen addition with all glass facing the courtyard.

Councilwoman Williams asked if anything similar to the request existed in the neighborhood.

Ms. Dodds indicated there had been a lot of additions done to properties in the Coronado Historic District but none were the same size as the request.

Mr. Stephenson reviewed a rendering of the area. He stated that one would have to go through a walkway on the side of the kitchen in the home to connect to the new building.

Vice Mayor Pastor asked how guidelines were enforced in historic neighborhoods.

Ms. Dodds replied the Historic Preservation Commission approved the design guidelines. She stated that staff tried to implement the guidelines

as people went through changes to their historic properties.

Vice Mayor Pastor questioned if the proposed addition met the design guidelines.

Ms. Dodds responded the design guidelines were not standards and that there was subjectivity to them. She said that staff tried to be consistent and explained the purpose of the public hearing process. She went on to state that guidelines were enforced through a Certificate of No Effect that could be issued over the counter or through a public hearing process. She conveyed whatever Council approved would be what staff implemented.

Mr. Vigil reiterated his belief the guidelines stated that a proposed addition should not be taller than the existing house.

Mayor Stanton declared the public hearing closed.

Vice Mayor Pastor said that both the general guidelines for additions and the Secretary of Interior Standards for treating historic properties stated that additions should be designed and located in a way that results in a new construction being secondary to the original structure. She added that the guidelines and standards also stated additions to historic properties should be similar in height and scale to the original. She noted the proposed addition would be twice as large and taller than the original in the historic district.

Vice Mayor Pastor made a motion to accept the Certificate of Appropriateness and amend the Historic Preservation Commission decision that the height of the proposed addition be reduced to no taller than the original structure or 13 feet.

The hearing was held. A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, to approve this item per the Certificate of Appropriateness decision of the Historic Preservation Commission with the revised stipulation that the height of the proposed addition be reduced to no taller than the original structure or 13 feet. The motion carried by the following vote:

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

124 Public Hearing - Certificate of Appropriateness - Appeal of Historic Preservation Commission Decision - 837 N. 5th Ave.

Request to hold a public hearing of the Certificate of Appropriateness Decision by the Historic Preservation Commission (HPC) for 837 N. 5th Ave. in the Roosevelt Historic District due to an appeal form submitted on Nov. 27, 2017. The Historic Preservation Commission upheld the decision of the Historic Preservation (HP) Hearing Officer to approve the Certificate of Appropriateness with two stipulations on Nov. 20, 2017. The appellant's stated rationale for the appeal is the "CHPO/staff's finding/recommendation for placing new construction of much larger size, scale and mass in front of the uniform historic setback and adjacent historic houses does not comply with the City of Phoenix Historic Preservation Philosophy, the Secretary of the Interior's Standards for Rehabilitation, the General Design Guidelines, the PreserveHistoricPHX Preservation Plan, or Chapter 8 of the Zoning Ordinance".

Summary

Application Number: HPCA-1700399
Applicant: Danny Bockting of Yosemite Partners LLC
Request: Approve construction of a four unit, two-story, 6,185 sq.ft. multi-family building on a vacant lot.

Staff Recommendation: Approve with two stipulations.
HP Hearing Officer Action: Approved per staff recommendation on Oct. 24, 2017
HPC Action: Uphold Hearing Officer Action by a vote of 6-2 on Nov. 20, 2017.
Appellant: Jeff Swan, adjacent property owner to the north and south.

Historic Preservation Commission Stipulations

1. That the building be setback to match the porch of the house to the north (841 N. 5th Ave.), which is 29’ 2” from the front (west) property line

per Sec. 1201.C.4 of the City of Phoenix Zoning Ordinance;
2. That the backflow preventer be moved from the planting area in the right-of-way onto the property per Phoenix City Code Section 37-144.

Action Requested
Uphold, modify or reverse the Certificate of Appropriateness decision of the Historic Preservation Commission.

Location
837 N. 5th Ave.
Council District: 7

Discussion
Planning and Development Director Alan Stephenson and Historic Preservation Officer Michelle Dodds provided an overview of this item. Mr. Stephenson stated the site was part of the Roosevelt Historic District. Ms. Dodds explained that the request was to construct a 4-unit, 2-story, 6,285 square foot multifamily building on a vacant lot. She reviewed aerial images and renderings of the subject site and surrounding area. She advised the request was approved by the Hearing Officer with stipulations that the building be setback to match the porch on the house to the north and that the backflow preventer be moved from the planting area in the right-of-way onto the property. She noted the decision was appealed by the property owners to the north and south. She went on to state the appeal went before the Historic Preservation Commission, where the commission upheld the hearing officer's decision.

Mayor Stanton declared the public hearing open.

Jeff Swan, the appellant, spoke in opposition. He stated guidelines were being misrepresented to justify construction of a larger scale next to two small historic homes. He indicated there were no general design guidelines, standards or principles that supported the recommendation. He noted that both he and the applicant had purchased their homes after the guidelines and Chapter 8 of the zoning ordinance had been adopted. He shared letters of support from individuals, including from the Downtown Voices Coalition. He asked Council to defer this item back to the Historic Preservation Commission so the request adhere to the zoning ordinance and design guidelines.

Danny Bockting stated he was the applicant for this item. He presented the Council his viewpoint, noting the appeal did not have merit. He reviewed various images showcasing the required setbacks of the property. He spoke about two properties in the neighborhood that sat closer to the street and did not align with neighboring properties. He stated the property in question was in an area that was zoned for mixed use in the downtown area and was not subject to the design guidelines referenced by the appellant. He also noted a nearby project which had been recently approved that he believed dismissed the appellant's viewpoint.

Mr. Bockting stated that the project was a three and a half story, 40-foot tall building with a setback of 20 feet. He conveyed the project made up 40 percent of the streetscape and was adjacent to a single story building. He said that the subject property for his project sat on dirt, was not a historic building and did not receive any federal grant assistance. He went on to note that his project had the support of various downtown groups, businesses and property owners. He asked that Council uphold the Historic Preservation Commission's decision.

Michael Hauer spoke in support of the project. He had worked with the applicant for some time on the project, noting they were both Phoenix residents and had a vested interest in the downtown area.

Speaker comment cards in support of the project were submitted by the following individuals, with no one wishing to speak:

Teri Bockting
Mike Twyan
Connor Descheemaker
Joel Contreras
Kenneth Gatt

Speaker comment cards in support of the appeal were submitted by the following individuals, with no one wishing to speak:

Kimberly Kasper

Jennifer Boucek
James Riley

Mayor Stanton declared the public hearing closed.

Councilman Nowakowski asked if this item could be continued.

City Attorney Brad Holm responded the item could be continued to the next Council meeting. He clarified that Council could not receive information outside of the Public Hearing process. He stated that Council's decision would need to be based on the evidence submitted during this hearing.

Councilman Nowakowski asked for additional time to review information.

The hearing was held. A motion was made by Councilman Nowakowski, seconded by Vice Mayor Pastor, that this item be continued to the January 10, 2018 City Council Formal Meeting. The motion carried by voice vote:

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

125 Amend City Code - Public Hearing and Resolution Adoption - General Plan Amendment GPA-CE-1-17-8 - Southwest Corner of 40th Street and McDowell Road (Resolution 21602)

Request to hold a public hearing on the General Plan Amendment request for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved.

Summary

Application: GPA-CE-1-17-8
Current General Plan Land Use Map Designation: Mixed Use (Commercial / Residential 15+ dwelling units per acre), Commercial, and Parks / Open Space-Publicly owned
Proposed General Plan Land Use Map Designation: Commerce/Business Park and Parks/Open Space - Publicly Owned or Parks/Open Space - Privately Owned

Acreage: 84.21
Proposed Use: Commerce park and parks/open space uses
Owner: Phoenix Retail Co. LLC
Applicant: Nick Wood, Esq., Snell & Wilmer, LLP
Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval
VPC Action: The Camelback East Village Planning Committee heard the request on Dec. 5, 2017 and recommended approval per staff recommendation by a 13-0 vote.
PC Action: The Planning Commission is scheduled to hear the request on Dec. 7, 2017.

Location
Southwest corner of 40th Street and McDowell Road
Council District: 8
Parcel Address: 3705 E. McDowell Road

Discussion
Mayor Stanton announced a staff presentation for Items 125 and 126 would be held together but the items would be voted on separately.

Planning and Development Director Alan Stephenson indicated Item 125 was a General Plan Amendment, while Item 126 was a corresponding rezoning amendment. He said the General Plan Amendment was a request to go from 15+ du/acre, commercial and park open space to commerce park and business park. He showed a rendering of the subject site, noting it had been a vacant parcel held by the Arizona State Land Department. He advised the rezoning request was to change the zoning category to Planned Unit Development to allow a data center. He added the request had been approved by the Camelback East Village Planning Committee and the Planning Commission.

Note: Mayor Stanton temporarily left the voting body. Vice Mayor Pastor assumed the Chair.

Vice Mayor Pastor declared the public hearing open.

Rebecca Wininger spoke in favor as she was excited about the prospect

of a data center going into District 8. She believed it was an important step to have necessary infrastructure in place to bring more technology to the valley.

Nick Wood, attorney for the applicant, submitted speaker comment cards for Items 125 and 126, but declined the opportunity to speak.

Vice Mayor Pastor declared the public hearing closed.

Councilwoman Gallego shared her excitement for the project. She stated the project could be up to a billion dollar project for the community and highlighted other benefits that would come from the data center. She thanked the Planning Commissioners that were involved with the project.

Note: Mayor Stanton returned to the voting body and resumed as Chair.

The hearing was held. A motion was made by Councilwoman Gallego, seconded by Councilman Valenzuela, to approve this item per Planning Commission's recommendation and to adopt the related resolution. The motion carried by the following vote:

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

126 Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-62-17-8 - Southwest Corner of 40th Street and McDowell Road (Ordinance G-6396)

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

Summary

Application: Z-62-17-8
Current Zoning: C-O (12.82 acres), PSC (21.79 acres), R-2 (11.43 acres), R-3A (14.00 acres), R-4 (1.20 acres), R-4A (11.56 acres), and R1-6 (25.05 acres)
Proposed Zoning: Planned Unit Development (PUD)
Acreage: 97.85

Proposal: PUD to allow a mix of uses including a data center campus; general commerce park and/or retail uses; and open space
Owner: Phoenix Retail Co., LLC
Applicant: Nick Wood, Esq. Snell & Wilmer, LLP
Representative: Nick Wood, Esq. Snell & Wilmer, LLP
3/4 Vote Required: Yes

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard the request on Dec. 5, 2017 and recommended approval per staff recommendation by a 13-0 vote.
PC Action: The Planning Commission heard the request on Dec. 7, 2017.

Location
Southwest corner of 40th Street and McDowell Road
Council District: 8
Parcel Address: 3705 E. McDowell Road

Discussion
See Item 125 for discussion as the items were heard together.

The hearing was held. A motion was made by Councilwoman Gallego, seconded by Councilman Valenzuela, to approve this item per Planning Commission's recommendation and to adopt the related ordinance. The motion carried by the following vote:

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

127 Proposal for Group Home Comprehensive Improvement Package

Request authorization for City staff to proceed and finalize a Group Home Comprehensive Improvement Package according to the implementation framework outlined below. The package includes modifications to the Zoning Ordinance related to group homes and a draft licensing program for structured sober living homes.

Summary

At the direction of City Council, Planning and Development Department (PDD) staff formed the Group Home Working Committee in early summer 2017 with a broad range of stakeholders and staff to discuss improvements and gather input on the City's ordinances and policies regarding sober living and other residential care homes. Staff scheduled eight, two-hour Committee stakeholder meetings over several months that were held June 12, July 19, Aug. 31, Oct. 9, Nov. 7, Nov. 20, Nov. 30, and Dec. 6. These public forums allowed for open and robust discussion and vetting of the issues addressed in the proposals in this report. Additionally, staff facilitated numerous focused stakeholder group meetings with the City's contracted group home consultant to provide participants an opportunity to get clarification on national best practices and local, state and federal legal considerations.

The full Working Committee notification list has grown to approximately 100 individuals and includes several dozen residents and Take Action Phoenix (TAP) neighborhood coalition members, sober living home operators and former sober living home residents, experts in addiction and substance abuse treatment, fair housing advocates and representatives for providers of services to people with disabilities, and a current assisted living home operator and industry representative. In addition to facilitating the Working Committee, PDD staff developed proposals outlined in this report to update the Zoning Ordinance. Staff from the City Clerk and Neighborhood Services departments led efforts to draft the licensing program proposal. Staff from the Equal Opportunity, Finance, Fire, and Police departments, as well as the Government Relations and City Prosecutor's offices, and representatives from several state agencies, were on hand throughout the process to provide updates and feedback on group home related topics on which they are subject matter experts.

Staff has outlined in this report a Group Home Comprehensive Improvement Package with a detailed implementation framework designed for full City Council review and potential adoption at the March 21, 2018 Formal Meeting. This implementation timeline matches the framework City Council adopted at the Nov. 29 Formal Meeting and factors in statutorily mandated waiting periods for new fees pursuant to

Arizona Revised Statutes as well as new requirements for increased formal public discussion and notification of Zoning Ordinance text amendments. There are two major regulatory proposals- zoning enhancements and licensing framework.

Proposed Zoning Ordinance Text Amendment

One of the two major components of the Improvement Package is proposed amendment language to the zoning ordinance to update group home definitions, zoning standards, parking standards and reasonable accommodation provisions. Proposed changes include the following:

Definitions for adult day care home, boarding house and group home will be updated and new terms will be added and defined to include block face, community residence home and community residence center. A community residence home would replace assisted living home, residential care home and sober living home. Community residence center would replace assisted living center and residential care center.

Restrictions on boarding houses in single-family zoning districts in order to prohibit unlicensed group living quarters that do not emulate a family or have a required license to operate.

Clarifying the half-mile criteria within the reasonable accommodation provision.

Clarifying that the Disability Accommodation Review process will be used to consider requests not related to spacing, such as for parking requirements or number of residents.

Adding a public notice process to allow for written comments and the creation of an advisory board to make recommendations regarding Requests for Disability Accommodation Reviews.

Adding criteria to prohibit a new community residence home from locating adjacent to, on the same block face or abutting to the rear or at a 90 degree angle from the rear yard of an existing community residence home.

Adding a spacing requirement for a proposed Community Residence Center in addition to the required use permit approval. Also add use permit conditions that must be met in order to approve granting of the use permit. In addition, the maximum number of residences would be stipulated as part of the use permit approval process.

Clarifying parking requirements for assisted living homes/community residence homes and assisted living centers/community residence

centers.

Adding minimum parking standards for structured sober living homes to require a minimum of four spaces on-site.

Clarifying that fire suppression systems cannot be required for structured sober living homes.

Exploring adding provisions to address the clustering impacts of smaller Community Residence Homes with less than five residents from locating adjacent to each other in single-family residential zoning districts or clustering above a maximum threshold in multi-family zoning districts.

Zoning Ordinance modifications will be presented, discussed and acted upon according to the implementation framework outlined in the timeline listed below.

Proposed Licensing Framework

The other major component of this package is a conceptual framework for a licensing program for structured sober living homes in which two or more persons reside. In developing this concept, staff considered:

The authority granted by the State of Arizona for municipal regulation of structured sober living homes.

Federal Fair Housing and Americans with Disabilities Act regulations.

State laws prohibiting municipalities from imposing duplicative regulation and requiring compliance with a Regulatory Bill of Rights.

Constitutional and other constraints related to enforcement.

The importance of avoiding a misperception that licensing could guarantee the quality of care provided by any establishment.

The conceptual framework would be administered by the City Clerk Department and include:

Licensing structured sober living homes - issuing a license to a specific address and group home owner/operator.

Licensing structured sober living home managers - issuing a license to persons managing a group home and requiring certain qualifications (such as training, education, certifications, etc.)

Requiring identification, proof of lawful presence, and criminal background checks for both structured sober living home owners and managers.

Collecting information about the home such as a floor plan, property owner information/proof of authority to occupy the property and copies of various home operation related documents.
Establishing City required minimum operation standards for the home.

Each home would be inspected by the Neighborhood Services Department prior to licensing. Once licensed, all licensees would be required to provide the City with notice prior to making any changes impacting the information submitted with the original application. The renewal process would include payment of a nominal fee and the licensee's confirmation that no changes have occurred that would impact the information provided with the initial application.

Fees charged to license applicants would be established to fully recover the costs of the application process and the initial required inspection. Initial estimates indicate fees could range from $800-$1,500 for a structured sober living home license and from $100-$300 for a structured sober living home manager license.

In addition, there would be unrecovered costs related to investigation and enforcement of potential violations, including investigation of complaints related to unlicensed businesses. Staff estimates the additional, unrecovered General Fund costs to implement the new licensing program would be between approximately $200,000 to $500,000. *For the remainder of 2017-18, these costs would have to be covered by the General Fund contingency.* If there is a budget surplus for 2018-19, these costs would be deducted from the surplus; if there is a budget deficit in 2018-19, new revenue sources or offsetting service reductions would need to be identified. The estimated unrecovered costs could be impacted by a number of variables, including the number of licensed establishments; frequency of complaints of violations; and the scope, number and detail of inspections required to ensure compliance with requirements. After details of the framework have been fully developed with stakeholder input, and a draft ordinance is finalized for Council review, revised cost estimates will be presented.

Upon Council approval of this item, staff will proceed with drafting ordinance language to correspond to this conceptual licensing framework

and move forward with a broader notification to potential stakeholders to provide them with the opportunity to provide additional input before final action by the Council. In addition, staff will post notice of proposed fees in accordance with state law.

Timeline

The proposed timeline for proceeding with development and implementation of the zoning and licensing components described above is:

Dec. 7, 2017: Request Planning Commission initiation of a zoning ordinance text amendment.

Dec. 13, 2017: Present Group Home Improvement Package recommendations to full City Council.

December 2017: Review consultant locational analysis and mapping exercise data.

December 2017/January 2018: Finalize language for Zoning and other recommended changes based upon mapping analysis and City Council direction.

January 2018: Broad stakeholder notice regarding proposed Structured Sober Living Home License regulations.

January 2018: Post proposed new license fee on City website pursuant to state law.

January 2018: Group Home Working Committee meeting to review draft license and zoning ordinance language.

January/February 2018: Staff to present Zoning proposal to the 15 Village Planning Committees for consideration and action.

February 2018: Gather stakeholder feedback on license process changes and finalize proposed ordinance.

March 1, 2018: Planning Commission to review Zoning Ordinance modifications for consideration and action.

March 21, 2018: Full City Council to consider and make a recommendation on the Group Home Comprehensive Improvement Package, which includes the license and zoning ordinance modifications.

Recommendation

Staff recommends that the Council authorize staff to proceed with a Group Home Comprehensive Improvement Package, including a Zoning

Ordinance Text Amendment and a Licensing Program, in accordance with the implementation framework, budget impact and timeline described above. *This will include a General Fund contingency allocation for 2017-18 of up to $500,000 when the Comprehensive Improvement Package is adopted in March.* Staff also recommends that the Council direct staff to continue legislative efforts to have a licensing program adopted by the State.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua, Acting Deputy City Manager Toni Maccarone, and the Planning and Development, City Clerk and Neighborhood Services departments.

Discussion

Note: Due to the City Clerk's role for this item, Deputy City Clerk Elizabeth Martin Parker assumed the meeting duties of the City Clerk.

Councilwoman Stark made a motion to approve the Group Home Comprehensive package as presented, except for the following modifications: require an annual inspection with the license renewal and increase costs accordingly; explore how other cities treat master map process with recommendations to staff on how to treat the issue; develop an annual report to the Mayor and Council that evaluates comprehensive impact of reasonable accommodations that are granted in each year; and the report be open to the public so that the Mayor and Council can gather input on reasonable accommodation process and suggest improvements.

Councilwoman Stark commented it was important to conduct some more legal analysis.

Mayor Stanton stated the item would return before the Council at a future Executive Session meeting and for a vote in March 2018.

Councilman DiCiccio asked if framework for a citizen stakeholder committee could be included in the motion/proposal. He noted the committee could consist of one community, one Group Home and one City representative.

Councilwoman Stark stated the process in which reasonable accommodations were processed could be looked at. She reiterated that further legal analysis needed to take place and further work with the industry.

Councilwoman Williams inquired if there was a process in place to revoke licenses.

City Clerk Cris Meyer stated there was a process in place to revoke licenses. He explained that the process would depend on the time of violation. He added the issue would be presented to the City of Phoenix License Appeal Board.

Planning and Development Director Alan Stephenson conveyed the process would be part of what staff reviewed during January and February 2018. He said the process would be considered and be part of what was proposed to Council.

A speaker comment card in favor was submitted by Larisa Balderrama, wishing to donate time to Jeff Spellman.

Jeff Spellman spoke in favor and thanked the Council for their discussion on the issue. He provided Take Action Phx (TAP)'s overall support of the issue, but stated his concern regarding a master map. He said the map would ensure that clustering did not occur in a neighborhood. He explained the public had the right to know where group homes were going and that it would promote open communication between neighbors and the Group Home administrators. He supported annual inspections taking place to ensure that homes were operated properly.

Ben Graff spoke in favor. He said he was a zoning attorney and a member of the text amendment group that reviewed this item. He commended staff and the committee on their work. He requested analysis of the 1-5 group home category with regard to applying for a license retroactively if an approval letter from the City was issued.

Speaker comment cards in favor were submitted by the following

individuals, wishing to donate speaking time to Wally Graham:

Frank Dancil
Tina Gomez
Pam Fitzgerald

Wally Graham, a member of TAP, stated he had been working with the group for the past 11 months. He thanked the members of Council for their work on the issue. He said it was important to make Group Homes work for residents, administrators and those in the neighborhood. He opposed two parts of what was being recommended; the reasonable accommodations process and lack of transparency. He stated his belief that it would not work because there was not a process for public comment.

Leonard Clark spoke in neutral position to this item. He wanted to ensure that citizens were involved in a public process.

Jeff Taylor spoke in opposition representing the Arizona Housing Association. He stated that Councilmembers needed to know where group homes were located in the districts they represented. He remarked that operators were afraid and could be targeted if information was made public and emphasized it needed to be safe for the operators.

Linda Colino, a member of TAP, spoke in favor. She thanked the Council and staff for their work during the process. She was concerned there would be a 3-month period where a plan would not be in place for reasonable accommodation. She referenced a conference “investing in addition treatment and recovery”. She stated the conference was promoted for executives of group homes. She had asked an attendee what the focus of the conference was and was told economic gain was discussed. Also, the attendee said attendees were told they did not need a 24-hour manager and how to handle certain work-arounds during the process.

In response to a question from Councilman Waring, Mr. Stephenson stated as part of the process to finalize the ordinance, public input would be considered and reviewed, with recommendations to the Council. He

also clarified there was more than just one legal case being referenced and reviewed as part of the process.

Councilman Waring spoke about the long process and time spent on the issue. He wanted to see more citizen involvement in the process.

Councilman DiCiccio thanked those involved in the process. He reiterated his belief that it was important to have a citizen committee in place that consisted of a resident, a city staff member and a group home representative.

In response to comments from Councilmen Waring and DiCiccio, Mr. Stephenson noted the cost of annual fees would be evaluated by staff and included in potential proposals.

Vice Mayor Pastor stressed citizen participation needed to be part of the process.

Councilwoman Stark thanked all involved in the process.

Councilman Valenzuela thanked the community leaders.

Councilman Waring stated he would be voting no, in hopes to increase citizen input.

Speaker comment cards in favor were submitted by Paul Barnes and David Nelson with neither wishing to speak.

A motion was made by Councilwoman Stark, seconded by Vice Mayor Pastor, to approve the Group Home Comprehensive Improvement Package with the following revisions: require an annual inspection with the license renewal and increase costs accordingly; explore how other cities treat master map process with recommendations to staff on how to treat the issue; develop an annual report to the Mayor and Council that evaluates comprehensive impact of reasonable accommodations that are granted in each year; and the report be open to the public so that the Mayor and Council can gather input on reasonable accommodation process and suggest improvements. The motion carried by the following vote:

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

No: 1 - Councilman Waring

128 Consideration of Citizen Petition Related to Changing the Name of Broadway Road to Martin Luther King Jr. Boulevard

This report provides the City Council with information in response to a citizen petition regarding changing the name of Broadway Road to Martin Luther King Jr. Boulevard, submitted by Ms. Joanne Scott Woods at the Nov. 15, 2017 Formal City Council meeting (**Attachment A**).

Summary

The petitioner requests Councilwoman Kate Gallego and Councilman Michael Nowakowski begin a study on the feasibility of changing the official name of Broadway Road to Martin Luther King Jr. Boulevard, including funding the change and consideration of the costs of compensating affected property and business owners. The petition requests a study to begin within two months of its submission and for the name change to occur within the next two years so costs could be included in the Fiscal Year 2019-2020 City budget.

At the Dec. 17, 2014 Formal meeting, the City Council approved ceremonial signage honoring Dr. Martin Luther King, Jr. along the entire length of Broadway Road in Phoenix. The street retained its official Broadway Road name and businesses and property owners along the road retained their current addresses.

The City's current street renaming policy outlines the requirements for residents to initiate the process to change the name of a city street. According to the Street Naming Process approved in 2012, residents seeking to change the name of a collector or arterial street must get the approval of 75 percent of affected property owners and notify by mail all owners, residents and neighborhood associations registered with the City of Phoenix within 1/2 mile of the affected street for arterials and within 1/8 of a mile for collectors. After application, staff also must conduct a

comprehensive review of any new proposed names that includes, but is not limited to, an evaluation of the proposed name against the Maricopa Association of Government's "Address and Street Name Assignment Policy." Staff review also includes solicitation of comments from multiple government agencies on the proposed street name. Only after staff determines the resident(s) has met all petition and notification requirements and that all technical renaming criteria are met, is it submitted for formal City Council consideration.

At the June 27, 2017 Policy Session, City Council approved revision of the street renaming policy to allow the Mayor or three Council members to initiate the process to rename a street when the name is deemed derogatory or offensive based on City Code Section 18-1. Under this provision, the Mayor or three Council members may request a change to the City Manager as the initial step. The City Manager, or designee, would then add an item on the next available Formal meeting agenda for the council to consider whether to begin the process.

Should a resident seek to use the current approved renaming policy to rename Broadway Road, a more detailed list of requirements to initiate the process is available in the City's Street Naming Process Description document.

According to preliminary staff research, there would be extensive petition approval and public notification requirements for a resident(s) seeking to change the name of Broadway Road. The section of the roadway in Phoenix contains more than 730 commercial parcels and more than 140 parcels zoned residential, many of which contain multiple addressees, including shopping and commerce centers with multiple tenants and multi-family housing complexes. Though many address change procedures for residential property owners can be completed for little or no cost, commercial businesses could face significant costs that could include updates to vehicle and facility signage; invoices; business cards; print, online and broadcast advertisements; and other paid business listings. The Street Transportation Department has estimated a cost of $200,000 to replace all city street signs along the City of Phoenix section of Broadway Road, from 48th Street to 91st Avenue. This estimate includes lighted, signalized intersection signs as well as smaller signs at

local and collector streets. Because large areas of the roadway west of 51st Avenue border unincorporated Maricopa County islands, coordination with the county also would be required to update signage in those areas. There are also signage costs that would be borne by the Arizona Department of Transportation or the City related to freeway signage for exit purposes from Interstate 10.

Options for Action

A. Accept the petition as it was presented.
B. Deny the petition as it was presented.
C. Advise the petitioner of the existing process.
D. Other direction to staff.

Staff recommends Option C: advising the petitioner of the existing process to seek the change of a street name (**Attachment B**).

Discussion

Councilwoman Gallego moved to approve this item based on Option C, staff's recommendation to encourage the community to lead a process to change the name of Broadway Road to Martin Luther King Jr. Boulevard.

Councilwoman Williams seconded to motion.

Councilman DiCiccio stated he was in favor but made a friendly amendment to initiate a citizen process to name a street after Cesar Chavez.

Councilwoman Gallego accepted the friendly amendment.

Councilwoman Williams believed a process was already in place.

Planning and Development Director Alan Stephenson clarified a process was already in place for the renaming of a street. He said the process required 75 percent of property owners to consent to changing the street name. He recalled Council had recently modified the process to rename a street name that was deemed offensive as outlined in the code. He stated it was that process which required three Councilmembers to start the process.

Councilwoman Gallego believed Mr. DiCiccio wanted to start a process to name a street after Cesar Chavez.

Vice Mayor Pastor asked for a clear process to be in place for the naming of any street or building.

Mr. Stephenson responded there were many different processes in place for the naming of streets, buildings and parks.

City Manager Ed Zuercher clarified that Council had established different processes for the naming of streets and buildings. He noted the naming of parks was a process established by the Parks Board.

Mayor Stanton reiterated a motion was made and seconded to approve Option C. He did not think it was appropriate to suggest other names that were not part of the agenda item.

Councilman DiCiccio made a substitute motion to initiate a citizen process to name a street after Cesar Chavez.

Councilman Nowakowski seconded the substitute motion if it was legal.

City Attorney Brad Holm confirmed it was not agendized for any other name change. He stated this item dealt specifically with a Citizen Petition regarding changing the name of Broadway Road to Martin Luther King Jr. Boulevard.

Mayor Stanton stated each street renaming request should be on the agenda individually. He conveyed discussion regarding naming a street after Cesar Chavez could be discussed at a future meeting. Accordingly, the amended and substitute motions were not on the floor.

Councilman Waring asked about the timeline for renaming a street.

Mr. Stephenson replied he did not recall a request as complicated as Broadway Road. He stated it would be a significant task and take a long time to complete the request, due to a high number of property owners along Broadway Road.

Councilman Waring wondered if it would be easier to change the name of a freeway.

Councilwomen Gallego and Williams thought that was a promising suggestion.

In response to a question from Vice Mayor Pastor, Mr. Stephenson stated that the 75 percent requirement would consist of 75 percent of all the properties that front on Broadway Road for its entire length in the City of Phoenix.

Mr. Zuercher stated the process to rename a street was designed to not be easy. He emphasized it was an enormous task to change the name of a street, particularly a street like Broadway Road that ran from 48th Street to 99th Avenue in Phoenix. He pointed out the process should not be done quickly or easily because it was not something that should be done often.

Councilwoman Williams noted the cost of renaming a street would be very expensive. She stated the city would absorb costs if the renaming request was initiative started by three Councilmembers.

Vice Mayor Pastor asked who paid for costs if a citizen petition was successful.

Mr. Stephenson responded the city would pay for costs associated with replacing street signs. He stated the purpose of having the property owner consent was to have the owner agree to bear associated costs.

Mr. Zuercher clarified the intent of staff's recommendation of Option C was to inform the petitioner of the process. It was not to initiate any type of process or rename a street.

Councilman Nowakowski spoke about how the honorary boulevard to honor Martin Luther King Jr. came about. He indicated the idea was to have an honorary boulevard in place to allow people the opportunity to get used to the name of Martin Luther King Jr. Boulevard and have the

post office recognize both Broadway Road and Martin Luther King Jr. Boulevard. He stated his belief that the process was at its peak and that it was time to start moving in the direction of renaming the street.

A substitute motion was made by Councilman Waring, seconded by Councilwoman Williams, to deny the petition, instructing staff to advise the petitioner of the existing process and directing staff to obtain information on the process to name/rename a State freeway.

Note: Councilman Valenzuela left the voting body.

Councilwoman Gallego supported Councilman Waring's motion. She noted that Vice Mayor Pastor had suggested multiple times a happy medium between the process in place for renaming a major street and the process for renaming an offensive street. Councilwoman Gallego spoke about her personal commitment to have a more public process than the one envisioned for offensive street names. She stated she had heard from many people in the music community that Broadway Road was associated with the song "Funky Broadway" and did not want to lose that history. She also noted there were many people along Broadway Road that wanted to see the street name change. She recognized individuals that had raised money during the process for the honorary name change of Broadway Road to Martin Luther King Jr Boulevard.

As a point of clarification, Mr. Zuercher reiterated based on the motion made by Councilman Waring, city staff would conduct research and prepare a memo to update the Council on the process for naming/renaming a State freeway.

Councilman Nowakowski stated that a lot of time had been spent with the community leaders and they had chosen Broadway Road for a reason. He did not believe it was appropriate to make a decision without them having a chance to be part of the conversation.

Mayor Stanton stated the motion was to inform the citizen of the process for changing the name of a city street and research how to change the name of a State freeway. He conveyed Council might or might not act on the matter in the future.

Councilman DiCiccio supported the motion but he was concerned about the process dragging. He stated it was important to know the cost and how long the process would take. He did not believe it was a process that should take a long time.

Gary Fanoy spoke in favor and talked about Martin Luther King Jr being a civil rights and global leader and his accomplishments. He agreed with Councilman DiCiccio's remarks as he did not understand why the process took so long. He stated that April 2018 would mark the 50th anniversary of Dr. King's death. He asked the Council to take charge to rename Broadway Road to Martin Luther King Jr. Boulevard and stressed he would be willing to get the necessary community support.

Joanne Scott Woods spoke in favor and also agreed with Councilman DiCiccio's statement. She was concerned that the city had not moved forward with the formal name change of Broadway Road. She asked the Council to proceed with the process for the name change.

Leonard Clark spoke in support and hoped that Council started the process.

Councilman Nowakowski inquired about the cost of renaming the road.

Mr. Stephenson responded that a cost estimate was not available.

Mayor Stanton noted the postal service would work with businesses if a street name change occurred. He stated businesses would still receive any mail addressed to the former street address/name.

Vice Mayor Pastor wished to see a cost estimate for the entire street name change process broken down into different phases.

In further response to Vice Mayor Pastor, Mr. Zuercher explained the city had paid for new LED street signs for areas that were affected after Piestewa Peak was named.

Councilwoman Gallego noted the Street Department estimated it would

cost $200,000 to replace all of the city street signs along Broadway Road.

A subsitute motion was made by Councilman Waring, seconded by Councilwoman Williams, to deny the petition, instructing staff to advise petitioner of the existing process to request a street name change and directing staff to obtain information on the process to name/rename a State freeway. The motion carried by the following vote:

Yes:	8 -	Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton
Absent:	1 -	Councilman Valenzuela

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Note: Vice Mayor Pastor left the voting body.

Mayor Stanton noted the following individuals were not present to speak, but submitted speaker comment cards:

John Rusinek
Jerry Van Gasse
Marilyn Rendon
Ronald Michael Stoner

Pasquale Labate expressed concerns regarding property at 1529 E. Willetta St. and that the owner's needed to comply with approved stipulations.

Marcus Huey spoke about elections in the City of Phoenix. He stated the City Charter required elections for Mayor and City Council to be held on the first Tuesday in October and run-off elections to be held on the fourth Tuesday of November every odd-numbered year. He said the City of Phoenix held the elections on the tenth Tuesday before the first Tuesday after the first Monday in November of every odd-numbered year. He stated his belief that the city violated the charter. He provided copies of a petition requesting the Council

amend the charter to comply with the city's current election schedule and state law.

Joanne Scott Woods talked about and submitted a citizen petition requesting to amend the Rules of Council Proceedings related to Rule 8, Citizen Comments.

Leonard Clark spoke about police officers and his belief that there should be a citizen advisory board in place.

ADJOURN

There being no further business to come before the Council, Mayor Stanton declared the meeting adjourned at 7:58 p.m.

MAYOR

ATTEST:

CITY CLERK

RC

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 13th day of December, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of February, 2018.

CITY CLERK