174206

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, December 4, 2019 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Dec. 4, 2019 at 2:38 p.m. in the Council Chambers.

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

Councilman DiCiccio joined the voting body via telephone.

Councilman Nowakowski entered the Chambers and joined the voting body after the voice vote on Item 1.

Vice Mayor Guardado left the Chambers and the voting body during Citizen Comments.

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

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6643 through G-6649, S-46193 through S-46210 and S-46212 through S-46227, and Resolution 21799 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

Summary

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

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

Alhambra Village Planning Committee

Appoint Jonathan Ammon, correcting an incorrect term expiration date on Nov. 6, 2019, for a term to expire Nov. 19, 2020 as recommended by Vice Mayor Guardado.

Camelback East Village Planning Committee

Reappoint Greg Abbott, for a sixth term to expire Nov. 19, 2021 as recommended by Councilman DiCiccio.
Reappoint Linda Blair, for a third term to expire Nov. 19, 2021 as recommended by Councilman DiCiccio.
Reappoint Jay Swart, for a sixth term to expire Nov. 19, 2021 as recommended by Councilman DiCiccio.
Reappoint Ryan Trauscht, for a second term to expire Nov. 19, 2021 as recommended by Councilman DiCiccio.
Reappoint Craig Tribken, for a term to expire Nov. 19, 2021 as recommended by Councilman DiCiccio.

Census Complete Count Committee

Appoint Channel Powe, filling a vacancy on the committee, for a term to expire July 1, 2020 as recommended by Mayor Gallego and Vice Mayor Guardado.

Neighborhood Block Watch Fund Oversight Committee

Appoint Theresa Jones, representing Council District 2 on the committee, for a term to expire Aug. 31, 2021 as recommended by Councilman Waring.

Phoenix Employment Relations Board

Reappoint Joseph Diggs, representing Maricopa Area Labor, for a sixth term beginning Dec. 15, 2019 and expiring Dec. 15, 2022 as recommended by Mayor Gallego.
Reappoint Fernando Ortega, representing the public, for a sixth term beginning Dec. 15, 2019 and expiring Dec. 15, 2022 as recommended by Mayor Gallego.

Phoenix Residential Investment Development Effort

Appoint Kaylyn Adams, replacing Jason Israel, for a term to expire Nov. 1, 2022 as recommended by Mayor Gallego.
Appoint Sebastian Del Portillo Estrada, replacing Gary Todd, for a term to expire Nov. 1, 2022 as recommended by Mayor Gallego.
Appoint Linda Jensen, replacing Penny Allee Taylor, for a term to expire Nov. 1, 2022 as recommended by Mayor Gallego.
Appoint Karl Obergh, filling a vacancy on the board, for a term to expire Nov. 1, 2022 as recommended by Mayor Gallego.
Appoint Tyronne Robertson, filling a vacancy on the board, for a term to expire Nov. 1, 2022 as recommended by Mayor Gallego.

Phoenix Women's Commission

Appoint Allison Otu, filling a vacancy on the commission, for a term to expire June 30, 2022 as recommended by Mayor Gallego.
Appoint Lalitha Byra, filling a vacancy on the commission, for a term to expire June 30, 2022 as recommended by Mayor Gallego.

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

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

No: 0

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

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

Theresa Jones - Neighborhood Block Watch Fund Oversight Committee; Sebastian Del Portillo Estrada, Linda Jensen, Karl Obergh, and Tyronne Robertson - Phoenix Residential Investment Development Effort; and, Allison Otu and Lalitha Byra - Phoenix Women's Commission.

They were invited to approach the dais so Council could extend their appreciation.

2 Reappointment of Municipal Court Judges

This item requests to reappoint Judge Walter Jackson and Judge James Sampanes as Judges of the Phoenix Municipal Court, each for a four-year term expiring Nov. 25, 2023 and Judge Francisca Cota, Judge Cynthia Gonzales and Judge James Hernandez as Judges of the Phoenix Municipal Court, each for a four-year term expiring Dec. 20, 2023.

Summary

On Oct. 8, 2019, the Judicial Selection Advisory Board recommended to the Public Safety and Justice Subcommittee the reappointment of these judges.

On Nov. 13, 2019, the Public Safety and Justice Subcommittee unanimously recommended their reappointments as judges of the Phoenix Municipal Court.

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

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

No: 0

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

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

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

Mihaela Cristina Georgescu - Agent, Item 6
Janns Villela - Applicant, Item 9

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 3-11 be recommended for approval, and noting Item 12 has been withdrawn. The motion carried by the following voice voice vote:

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

No: 0

3 Liquor License - Bonitas

Request for a liquor license. Arizona State License Application 79333.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
4920 W. Thunderbird Road, Ste. 100
Zoning Classification: C-2
Council District: 1

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

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

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

Other Active Liquor License Interest in Arizona
This 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 owner of this business has operated other successful businesses in Arizona and has attended state certified Title 4 basic and management liquor law training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location has operated successfully with a liquor license for some time and the neighborhood loves the food. We would like to continue to

offer a full service dining experience and continue to offer adult beverages for patrons who choose to have them."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Bonitas
Liquor License Map - Bonitas

This item was recommended for approval.

4 Liquor License - Maskadores Taco Shop

Request for a liquor license. Arizona State License Application 79593.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
4015 E. Bell Road, Ste. 124
Zoning Classification: C-2
Council District: 2

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

The 60-day limit for processing this application is Dec. 8, 2019.

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

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

Other Active Liquor License Interest in Arizona

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 liquor industry at my families establishment previous where alcohol was sold and both owners have recently attended Basis and Management alcohol training from a certified trainer. We will uphold all laws and will instruct our staff on identifying underage customers and prevent customers from being intoxicated. We will make arrangements for them to obtain safe transportation if necessary."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Our establishment has been serving the community for several months without alcohol however many customers have expressed that it would be nice to have a beer with their meal. For this reason we are requesting a liquor license to be issued."

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 - Maskadores Taco Shop
Liquor License Map - Maskadores Taco Shop

This item was recommended for approval.

5 Liquor License - Best Gas Mart

Request for a liquor license. Arizona State License Application 79601.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 10 - Beer and Wine Store

Location
5835 N. 27th Ave.
Zoning Classification: C-2
Council District: 5

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

The 60-day limit for processing this application is Dec. 9, 2019.

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

established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been representing liquor licensed establishments in Arizona for over 15 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Tourism plays an important role in our local economy and liquor licensed establishments (the sale of alcohol) is a very important aspect of tourism. Therefore, if the City of Phoenix continues to lead the State of Arizona by approving quality and diverse businesses (restaurants, bars, microbreweries, distilleries, hotels, resorts, golf courses, special events, convenience / grocery stores & gas stations) similar to this proposed liquor licensed business all businesses will prosper in our tourism based economy."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Best Gas Mart

Liquor License Map - Best Gas Mart

This item was recommended for approval.

6 Liquor License - Bleachers Sports Grill

Request for a liquor license. Arizona State License Application 06070300.

Summary

Applicant
Mihaela Georgescu, Agent

License Type
Series 6 - Bar

Location
15410 S. Mountain Pkwy., Ste. 109
Zoning Classification: C-2 PCD
Council District: 6

This request is for an ownership transfer of a liquor license for a bar. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow a bar or cocktail lounge which exceeds 5,000 square feet in gross floor area.

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

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

Other Active Liquor License Interest in Arizona
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.

Pier 54 (Series 12)
5394 S. Lakeshore Drive, Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: In November 2015, a fine of $2,750 was paid for failure to derive 40 percent of income from food and purchasing from other than the required source.

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'm Certified Title IV in Management Liquor Law, I am already in my 6th year as an Agent for number 12 in Tempe, Az for Liquor License 12079809."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Me as an Agent and my staff are trained in Liquor Law, we know the law requirements and we commit to respect them and to act as a responsible member of the community."

Staff Recommendation

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

Attachments
Liquor License Data - Bleachers Sports Grill
Liquor License Map - Bleachers Sports Grill

This item was recommended for approval.

7 Liquor License - Revolu Modern Taqueria & Bar

Request for a liquor license. Arizona State License Application 79577.

Summary

Applicant
Jeremiah Gracia, Agent

License Type
Series 12 - Restaurant

Location
5538 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. 8, 2019.

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

established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

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

Revolu Modern Taqueria & Bar (Series 12)
15703 N. 83rd Ave., #110, Peoria
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have successfully completed the mandated training to sell / serve alcohol. I have been in the spirits industry for over 25 years and have upheld the law in every business entity that I've been involved in and with. I understand how important the role of serving responsibly is. I take great strides to ensure our team is trained, supported and compliant with all aspects of the laws in regards to selling alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We have held a liquor license in a neighboring city, Peoria, for over 3

years. We've had zero infractions, fines or otherwise since we've been open. Our team is trained and held to very high standards as it pertains to carding all guests; being aware of signs of intoxication and ultimately stopping service. We value our clean reputation in the community and work hard by practicing safe serving to protect our brand and keeping our community safe."

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 - Revolu Modern Taqueria & Bar
Liquor License Map - Revolu Modern Taqueria & Bar

This item was recommended for approval.

8 Liquor License - Special Event - Zocalo Arts Foundation

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

Summary

Applicant
Charles Levy

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

Function
New Year's Eve Celebration

Date(s) - Time(s) / Expected Attendance
Dec. 31, 2019 - 8 p.m. to 2 a.m. / 7,500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Grand Avenue Mexican Grill

Request for a liquor license. Arizona State License Application 79768.

Summary

Applicant
Janns Villela, Agent

License Type
Series 12 - Restaurant

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

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

The 60-day limit for processing this application is Dec. 10, 2019.

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

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I take very serious the responsibility of selling alchohol in my restaurant, I have completed Title 4 liqour training and plan to continue taking further training to hold this liquor license free of any violations.I have been a practical tech in radiology for over 10 years, although I love my career I am finally able to fullfill my dreams of owning my own restaurant. I know I am capable because I am responsible and mindfull of the great responsibility I am walking in to. I have managed various physician practices since 2007."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The Grand Avenue Mexican Grill, working on making its own signature of great authentic Mexican Food, by using the highest quality ingredients paired with bold flavors. We offer, tacos, burritos, tortas, chilaquiles and more, serving them in a sophisticated yet accessible fast casual setting. Our menu is rooted in traditional Mexican recipes. I am certain we will be a huge success in Phoenix."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Grand Avenue Mexican Grill
Liquor License Map - Grand Avenue Mexican Grill

This item was recommended for approval.

10 Liquor License - Via Della

Request for a liquor license. Arizona State License Application 79764.

Summary

Applicant
Tanner Locust, Agent

License Type
Series 12 - Restaurant

Location
222 N. 5th Ave.
Zoning Classification: DTC - Van Buren
Council District: 7

This request is for a new liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 7 - Beer and Wine Bar liquor license. This business is currently being remodeled with plans to open in January 2020.

The 60-day limit for processing this application is Dec. 10, 2019.

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

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

for the address listed.

Via Della (Series 7)
222 N. 5th Ave., Phoenix
Calls for police service: 2
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have owned and operated my own businesses for 17 years. Im dilligent, responsible and take this priveledge very seriously."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I was born and raised in Phoenix I care deeply about this community and look forward to giving our patrons a safe and friendly pizzeria to call their own."

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 - Via Della
Liquor License Map - Via Della

This item was recommended for approval.

11 Liquor License - Quick Corner Liquor and Drive Through

Request for a liquor license. Arizona State License Application 09070542.

Summary

Applicant
Jalal Jabaieh, Agent

License Type
Series 9 - Liquor Store

Location
1555 E. Baseline Road
Zoning Classification: C-2
Council District: 8

This request is for an ownership transfer of a liquor license for a liquor store. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow package liquor sales as a primary use.

The 60-day limit for processing this application was Nov. 30, 2019. However, the applicant submitted a written request for more time.

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

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

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

Chandler Liquors (Series 9)
554 N. Arizona Ave., Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I hold a certificate for 'The Basic Liquor Law Training". This training provided me the opportunity of learning the importance and significance of obtaining a beer and wine license. I am assured to uphold the laws and regulations about beer and wine license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities."

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

Staff Recommendation

Staff recommends 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 - Quick Corner Liquor and Drive Through
Liquor License Map - Quick Corner Liquor and Drive Through

This item was recommended for approval.

12 (CONTINUED FROM NOV. 6, 2019) - Liquor License - Mariscos El Nuevo Altata

Request for a liquor license. Arizona State License Application 71546.

Summary

Applicant
Guadalupe Galaviz Quiroz, Agent

License Type
Series 12 - Restaurant

Location
5828 W. Indian School Road
Zoning Classification: C-2
Council District: 5

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 was Sept. 30, 2019. However, the applicant submitted a written request for more time.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have experience working in establishments with liquor licenses, I also coordinate large events and concerts from 1,000 to 15,000 people were liquor is consumed. I have taken all the liquor license training requirements; basic and management. I know and understand local and state liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This restaurant has been operating for more than 20 years serving the local community. We will continue to do the same as a family oriented restaurant in a safe and clean atmosphere."

Staff Recommendation
Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on allegations concerning reports of fraudulent activity conducted by the applicant. The applicant has not demonstrated

the capability, qualifications and reliability to hold and control a liquor license.

Attachments
Liquor License Data - Mariscos El Nuevo Altata
Liquor License Map - Mariscos El Nuevo Altata
Liquor License Police Department Recommendation - Mariscos El Nuevo Altata

This item was withdrawn.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 13-66 be approved or adopted, except for Items 16, 23, 28, 35, 60, 62, and 64-66; and noting Item 63 has been withdrawn. The motion carried by the following vote:

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

No: 0

13 Life Technologies Corporation

For $26,000.00 in payment authority to purchase a one-year service maintenance agreement for two 3500xl Genetic Analyzers for the Laboratory Services Bureau, Forensic Deoxyribonucleic Acid (DNA) Section of the Police Department. The 3500xl Genetic Analyzers are proprietary and have been validated for use with laboratory reagents to meet national standards. These instruments are critical for conducting DNA analysis on biological evidence collected during criminal investigations. Service is required to meet the federal standards for DNA casework laboratories.

This item was adopted.

14 Michael P. Carmody doing business as Asset Security and

Tracking Recovery

For $85,000.00 in payment authority for a one-time purchase for surveillance cameras for the Police Department. This surveillance equipment is purchased to capture and wirelessly transmit video to the investigating detail and is used in felony criminal investigations. Utilizing the camera systems will minimize the need for detectives to physically conduct surveillance, which is expected to decrease overtime costs that would normally be expended on this function.

This item was adopted.

15 Ronald C. Burch doing business as Ronald C Burch, LLC

For $45,500.00 in payment authority for Contract 143666 for the computer-aided dispatch (CAD) transition consultant to oversee and manage the existing 26-year old CAD system for the Fire Department while staff implements a new, regional CAD system. Because of the unusual nature of the highly-modified “old” CAD system, the age of the system itself, and the lack of individuals skilled in the antiquated programming language, Cobol, Fire has contracted with a consultant who has 23 years experience managing a Cobol-based CAD system, Mr. Ron Burch. The funds cover the remaining quarter of the contract term.

This item was adopted.

17 Acquisition of Real Property Rights from Arizona State Land Department for Water Line Infrastructure Near North Central Avenue and East Deer Valley Road (Ordinance S-46198)

Request to authorize the City Manager, or his designee, to voluntarily acquire real property rights required for water line infrastructure from the Arizona State Land Department (ASLD) at a purchase price and upon such other terms as established at ASLD's public auction. Further request authorization for the City Controller to disburse all funds related to this item.

Additionally, request the City Council to grant an exception pursuant to Phoenix City Code §42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code §42-18, as ASLD's form documents include such provisions.

Summary
Three 60-inch underground water lines are required for connection from the City's future Booster Pump and Pressure Reducing Valve stations along the east side of North Central Avenue to existing underground water lines along the south side of East Deer Valley Road. The improvements will ensure reliable water transmission to north Phoenix.

The property impacted by this project is an unassessed parcel owned by ASLD located along the south side of East Deer Valley Road, approximately 610 feet east of North Central Avenue.

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

Location
Along the south side of East Deer Valley Road, approximately 610 feet east of North Central Avenue.
Council District: 1

This item was adopted.

18 Authorization to Accept and Dedicate Easements Located at 4212 N. 16th St. for a Multi-Use Path and Sidewalk (Ordinance S-46196)

Request to authorize the City Manager, or his designee, to accept easements located at 4212 N. 16th St. for a multi-use path and sidewalk. Further request authorization to dedicate land with roadway and/or public improvements to public use via separate recording instrument.

Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18, as the United States of America form documents include such provisions.

Summary

The easements are necessary for sidewalk, landscape and access to facilitate construction of a multi-use path and an American's with Disabilities Act (ADA) accessible sidewalk from the Grand Canal to Madison Park. The United States of America, acting by and through the Secretary of Health and Human Services, and through the Director of the Indian Health Service, is granting the easements for this project at no cost to the City.

The property affected by this project and included in this request is located at 4212 N. 16th St., identified by Maricopa County Assessor's parcel number 155-04-001.

Financial Impact
There is no financial impact to the City of Phoenix.

Location
4212 N. 16th St.
Council District: 4

This item was adopted.

19 Acceptance and Dedication of a Deed and Easements for Roadway and Public Utility Purposes (Ordinance S-46200)

Request for the City Council to accept and dedicate a deed and easements for roadway and public utility 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.

Deed (a)
Applicant: Dora Garcia, its successor and assigns
Purpose: Roadway
Location: 606 W. Wier St.
File: FN 170029
Council District: 7

Easement (b) and (c)
Applicant: Suzanne Hough, its successor and assigns
Purpose: Public Utility
Location: 4246 E. Paradise Lane
File: FN 190056
Council District: 2

Easement (d)
Applicant: Mensanta, Inc., its successor and assigns
Purpose: Public Utility
Location: 2645 E. Phelps Road
File: FN 190101
Council District: 2

Easement (e)
Applicant: ABCO 20th St., LLC, its successor and assigns
Purpose: Public Utility
Location: 1916, 1930, 1942 E. Glendale Ave.
File: FN 190110
Council District: 6

Easement (f)
Applicant: David G. and Deidre A. Wilson as Trustees of the Wilson Family Trust, its successor and assigns
Purpose: Public Utility
Location: 8501 N. 18th St.
File: FN 190111
Council District: 3

This item was adopted.

20 Acceptance and Dedication of a Deed and Easements for Roadway, Sidewalk, Trail and Public Utility Purposes (Ordinance S-46210)

Request for the City Council to accept and dedicate a deed and easements for roadway, sidewalk, trail and public utility 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: HB-Baseline, LLC, its successor and assigns
Purpose: Sidewalk
Location: 4377 E. Baseline Road
File: FN 190072
Council District: 6

Easement (b)
Applicant: HB-Baseline, LLC, its successor and assigns
Purpose: Multi-Use Trail
Location: 4377 E. Baseline Road
File: FN 190072
Council District: 6

Easement (c)
Applicant: Hintze Family Holdings, LLC, its successor and assigns
Purpose: Public Utility
Location: 22405 N. 23rd Ave.
File: FN 190115
Council District: 1

Deed (d)
Applicant: Monique E. Chavarria and Jesus A. Hinojosa, its successor and assigns
Purpose: Roadway
Location: 1446 E. Broadway Road
File: FN 190107
Council District: 8

Easement (e)
Applicant: Monique E. Chavarria and Jesus A. Hinojosa, its successor and assigns

Purpose: Public Utility
Location: 1446 E. Broadway Road
File: FN 190107
Council District: 8

Easement (f)
Applicant: AMA INTL Trading LLC, its successor and assigns
Purpose: Public Utility
Location: 725 S. 12th Place
File: FN 190113
Council District: 8

Easement (g)
Applicant: Arizona Board of Regents, A Body Corporate, For and On Behalf of Arizona State University its successor and assigns
Purpose: Sidewalk
Location: 372-390 N. 1st Ave.
File: FN 190129
Council District: 7

This item was adopted.

21 IT Equipment, Software, and Services - GSA Contract - GS35F-158CA (Ordinance S-46195)

Request to authorize the City Manager, or his designee, to extend Contract 141224 through Jan. 28, 2023 with Impression Technology and add additional funds in the amount of $80,000 for the City Clerk Department. Further request authorization for City Controller to disburse all funds related to this item.

Summary
The City Clerk Department utilizes iCapture, an imaging and data-capture application to import and attach documentation into the tax and license information system called Tax Mantra. This system also supports historical taxpayer information and research along with the ability to provide regulatory licensing services to citizens and businesses. The City Clerk Department will be reliant on this system until the completion of the KIVA replacement project.

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

Financial Impact

With the $80,000 in additional funds, the contract's revised aggregate value is now $280,000 (including applicable taxes). Funds are available in the Finance Department's budget.

This item was adopted.

22 IT Research and Advisory Services Contract Extention (Ordinance S-46224)

Request to authorize the City Manager, or his designee, to extend Contract 140338 on a month-to-month basis up to 12 months through Dec. 7, 2020 with Gartner Inc. and add additional funds in the amount of $210,000 for the Information Technology Services Department (ITS). Further request for the City Controller to disburse all funds related to this item.

Summary

Gartner, Inc**.** is an industry leader in IT research and analysis, providing independent, up-to-date information and analysis to allow IT leaders to make informed decisions and implement effective IT programs Citywide. ITS and the Aviation Department's Technology Division utilize these services for research, technology analysis, and industry-specific advisory services for management of IT operations as well as for planning and solution implementations. The services include: up-to-date industry analysis; technology contract negotiation assistance; advisory services for IT planning, architecture, product assessments, and technology implementations. Value gained from these services includes, but is not limited to; industry research, white papers, online assessment tools, and expert advisory services for critical City projects and initiatives. This contract is a cooperative contract using the State of Arizona solicitation. A month-to-month extension through Dec. 7, 2020 will allow the State of Arizona sufficient time to conduct a new procurement for IT advisory services.

Financial Impact

With the $210,000 in additional funds, the contract's revised aggregate value is now approximately $1.5 million. Funds are available in the ITS and Aviation departments' budgets.

This item was adopted.

24 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-46207)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Collin Nelson in the amount of $35,891.06 to the Arizona State Retirement System (ASRS), and further request authorization for the City Controller to disburse funds.

Summary

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

Nelson, Collin: $35,891.06

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its Nov. 7, 2019 meeting.

This item was adopted.

25 Approval to Submit HUD Section 18 Disposition Application (Ordinance S-46222)

Request to authorize the sale of 130 Scattered Sites single-family homes pursuant to a U.S. Department of Housing and Urban Development (HUD) approved plan for disposition. This report further requests to authorize the City Manager, or his designee, to submit a HUD Section 18 Disposition Application for 40 vacant Scattered Sites single-family homes, and if approved, proceed with the disposition at a cost up to $150,000, to be paid with federal funds, and request authorization for the City Controller to disburse all funds related to this item. There is no

impact to the General Fund.

Summary

The Scattered Sites Single-Family Homes Program began in 1990 to encourage qualified Public Housing residents to become homeowners. Over the next 25 years, very few households transitioned to home ownership and the portfolio became too costly to operate due to reductions in federal subsidies for capital improvements and operating expenses. In addition, the age of the properties, the distance between homes, and the lack of uniform systems continue to drive escalating operating expenses. At this time, the Housing Department (Housing) is seeking to dispose of all the Scattered Sites single-family homes. To date, Housing has obtained City Council approval to dispose of 299 homes through HUD's Section 32 Home Ownership Program and Housing is seeking approval to dispose of an additional 130 homes through HUD's Section 18 Disposition Program. In both programs, vacant homes are identified for sale, no current residents are relocated to facilitate the disposition.

The Section 18 Disposition Program allows homes designated as Public Housing to be sold "as is." With approval, Housing will submit an initial application to HUD seeking to dispose of 40 vacant Scattered Sites single-family homes. Each residence will be sold at a minimum of 90 percent of the property's appraised value based on the deficiencies identified through the buyer's home inspection and/or market demand. Homes will be appraised within six months of the date of sale. If minor repairs are required for a buyer to obtain financing, Housing will arrange to have the repairs completed. Homes will be sold to low-income owner occupants whenever possible. Approximately 20 of the 40 homes will be sold to any qualified buyer, including non-owner occupants. These homes will be available to any qualified buyer due to the excessive rehabilitation required to obtain financing, or the appraised value exceeding an amount low-income buyers can afford. Housing will utilize contracts for listing the homes, and for providing housing counseling and down-payment assistance for applicable low-income buyers. Housing will use the proceeds from each sale to support the continuing operations of the Department's remaining Public Housing units, and leverage public housing redevelopment via the Rental Assistance Demonstration

Program.

Both the Section 32 and Section 18 programs offer homeownership opportunities for low-income residents, however not all homes in the current portfolio are suitable for low-income households. Recognizing the physical condition or location of a home can be a barrier for low-income buyers working to obtain financing, Housing is converting 24 homes previously approved for disposition through the Section 32 program to disposition under the more flexible guidelines of the Section 18 program. Housing will continue to assess the condition of each home and market demand to determine which disposition program will be most successful prior to submitting additional applications to HUD.

Financial Impact

Disposition costs up $150,000 will be paid with federal funds. There is no impact to the General Fund.

Concurrence/Previous Council Action

This item was recommended for approval at the Land Use and Livability Subcommittee meeting on Nov. 20, 2019, by a vote of 3-0.

Public Outreach

On Aug. 16, 2018 a notice was sent to residents within the Scattered Sites Portfolio informing them of the Housing Department's intention to seek approval to dispose of homes through HUD’s Section 18 Disposition Program. The seven-member Public Housing Resident Advisory Board met on Oct. 1, 2019 and approved a Significant Amendment to the Department’s 2019-2020 Annual Agency Plan. The Significant Amendment included a description of the Department’s intention to dispose of 40 Scattered Sites homes through the Section 18 Disposition Program. A Public Hearing was held on Oct.15, 2019, to obtain comments on the Significant Amendment. No comments were received.

This item was adopted.

26 Authorization to Enter into License with Heard Museum for Event Overflow Parking (Ordinance S-46202)

Request to authorize the City Manager, or his designee, to enter into a license agreement with the Heard Museum for use of the parking lot located at 42 W. Cypress St. for two planned events. Further request authorization for the City Treasurer to accept all funds related to this item. Revenue during the two planned events is $1,200, plus applicable taxes.

Summary

The Heard Museum will use the City-owned parking lot for overflow parking during the World Championship Hoop Dance Contest Feb. 8 and 9, 2020, and the Heard Guild Indian Fair and Market March 2, 2020, through March 9, 2020. The fee for the license is $120-per-day, plus applicable taxes, which is within the range of market rents as determined by the Finance Department's Real Estate Division. The license will contain insurance and indemnity provisions acceptable to the City's Risk Management Division and the City Attorney. The license may be canceled pursuant to the provisions of Arizona Revised Statutes section 38-511, or by 30-day written notice from either party. The license may contain other terms and conditions deemed necessary or appropriate by the City. Since 2006, City Council has approved, and the City has executed, overflow parking licenses with the Heard Museum for these events.

Contract Term

The contract term is for a total duration of 10 days between the dates of Feb. 8, 2020 and March 9, 2020.

Financial Impact

Revenue during the two planned events is $1,200, plus applicable taxes.

Location

42 W. Cypress St.
Council District: 4

This item was adopted.

27 Request Authorization to Amend Workforce Innovation and Opportunity Act Youth Development Services Contracts (Ordinance S-46216)

Request to authorize the City Manager, or his designee, to amend contracts with Chicanos Por La Causa, CPLC (Contract 145115), Jewish Family & Children's Services, JFCS (Contract 145116), and Valley of the Sun, YMCA (Contract 145117) to add additional funding due to the termination of the contract with Arizona Center for Youth Resources, ACYR (Contract 145114). Further request authorization for the City Treasurer to accept funds and the City Controller to disburse all funds related to this item. There is no General Fund impact; funding is provided by the U.S. Department of Labor.

Summary

Under the provisions of the Workforce Innovation and Opportunity Act (WIOA), vendors will be responsible for providing innovative youth workforce development programs to assist disconnected, opportunity and at-risk youth in completing secondary and postsecondary education and succeeding in employment. The vendors are part of a network of integrated youth services working with community partners and educational organizations to support the development of positive youth employment services. In October, ACYR requested immediate termination of Contract 145114 as the board made a decision to no longer participate in cost reimbursement contracts.

For FY 2019-20, a total of 954 participants will be served through the WIOA Youth Program. Of the 954, 318 participants were contracted to ACYR and will be re-allocated among the other contracted vendors.

The initial participant service level distribution and contract amounts were as follows:

ACYR: 318 participants, $939,766.46
CPLC: 163 participants, $476,661
JFCS: 76 participants, $221,648
YMCA: 397 participants, $1,169,986

As a result of the termination of the ACYR contract, the service level distribution and contract amounts for the remainder of each contract will be as follows:

CPLC: 310 participants, $906,533
JFCS: 101 participants, $294,559
YMCA: 543 participants, $1,600,258

The revised participant service level allocation is based on vendors' original contract goals and and a portion of ACYR contract goals.

Contract Term
The term of the contracts is from July 1, 2019 through June 30, 2020, with one option to extend, which may be exercised by the City Manager or his designee.

Financial Impact
No General Funds are required. Funding is provided by the U.S. Department of Labor.

This item was adopted.

29 Additional Expenditures for Playground, Fitness and Related Equipment (Ordinance S-46225)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 144992, with Dave Bang Associates, Inc., for playground, fitness and related equipment for the Parks and Recreation Department. The additional amount of $250,000 is needed to increase the value of the contract, and the revised aggregate value will not exceed $2,750,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
This agreement was originally established through the use of a Mohave Educational Services Cooperative Contract to repair and replace playground and outdoor fitness equipment throughout the City, as existing equipment nears the end of its lifecycle. As a result of a grant awarded to the Neighborhood Services Department (NSD), the Parks and Recreation Department in partnership with NSD will use this contract and the grant funds for the purchase and installation of 101 benches and 59 tables throughout the City. The current value of the contract did not include this project; therefore, a request is being made to increase the value. This project will enhance and support the quality of recreational

programs and services that are provided to the residents of Phoenix.

Contract Term
The contract term is May 10, 2017 through April 30, 2023.

Financial Impact
Upon approval of the additional $250,000, the revised aggregate value will not exceed $2,750,000. Funds are available in the Parks and Recreation Department's budget using grant funds.

Concurrence/Previous Council Action
Contract 144992 was originally approved by City Council on May 10, 2017.

This item was adopted.

30 One-Time Purchase of State-Mandated 9-1-1 Call Processing Equipment and Support Services (Ordinance S-46212)

Request to authorize the City Manager, or his designee, to allow the one-time purchase of Emergency Services 9-1-1 answering equipment software and services for the Phoenix Fire Department’s Regional 9-1-1 Services. In July 2019, the State of Arizona transferred this significant management and procurement responsibility to the City of Phoenix Fire Department. This will be a one-time expenditure of $2,300,000 with Intrado Inc. in order to meet critical regional 9-1-1 needs. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Fire Department seeks to purchase Emergency Services 9-1-1 answering equipment software and services as well as installation and training which includes an Internet Protocol (IP) Network (ESInet). The Finance Department is currently negotiating the cooperative linking agreement with West Safety Services/Intrado Inc. Because the new cooperative linking agreement will not be in place by January 2020, this one-time purchase must be made now in order to meet the State-mandated installation project deadline. This one-time purchase will serve the following 9-1-1 regional dispatch partners: City of Mesa Fire, City of Mesa Police, City of Surprise Police, and Town of Paradise Valley Police departments. The equipment software and services are vital in

responding to residents and other emergencies throughout the City and region.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo for alternative competition to use cooperative agreement E07-18 for 9-1-1 Call Processing Equipment and Support for the Regional 9-1-1 Services Emergency Services awarded by Houston-Galveston Area Council (H-GAC) that began on July 1, 2018.

Contract Term
For continuation of services and to avoid any disruption of the 9-1-1 regional dispatch system due to age of critical equipment, the one-time purchase must be made in December 2019.

Financial Impact
Expenditures will not exceed $2,300,000. Funds are available in the Fire Department's budget.

This item was adopted.

31 Request Authorization to Accept Donation from Bethany Bible Church for Phoenix Police Department Human Exploitation and Trafficking Unit (Ordinance S-46217)

Request authorization for the City Manager, or his designee, to accept a donation of investigative technology and related services valued at $9,110 from Bethany Bible Church to be used in human trafficking investigations conducted by the Police Department's Human Exploitation and Trafficking (HEAT) Unit.

Summary
The Pastor of Bethany Bible Church, located at 6060 N. 7th Ave., contacted the Police Department and offered to donate a type of investigative technology and related services to support human trafficking investigations conducted by the Department's HEAT Unit. Bethany Bible Church has long been active in supporting victims of human trafficking and had expressed an interest in supporting the investigative efforts of the HEAT Unit in combating these crimes. The Pastor advised the City that Bethany Bible Church held a series of community fundraising events

to generate funds for this purpose. The donated technology and services will be available to the HEAT Unit for a period of 12 months.

Financial Impact

There is no cost to the City associated with this donation. Bethany Bible Church will be invoiced directly by the vendor. Should the Police Department wish to continue to utilize this technology and the related services beyond the 12-month donation period, an alternate funding source will need to be identified.

Concurrence/Previous Council Action

This item was approved at the Public Safety and Justice Subcommittee meeting held Nov. 13, 2019 by a vote of 3-0.

This item was adopted.

32 Authorization to Enter into an Agreement with Arizona Board of Regents on Behalf of Arizona State University in Support of Research for Strategies for Policing Innovation Grant (Ordinance S-46218)

Request authorization for the City Manager, or his designee, to allow the Police Department to enter into an agreement with the Arizona Board of Regents on behalf of Arizona State University (ASU), to act as a research partner in support of the Bureau of Justice Assistance (BJA), Strategies for Policing Innovation grant for $646,706. 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 was awarded $646,706 from the BJA through the 2019 Strategies for Policing Innovation grant. The grant and disbursement of grant funds was approved by City Council on August 28, 2019, under Ordinance S-45985. The grant requires the Police Department to work with a research partner to analyze data and produce project-related reports regarding the grant project. The Police Department has partnered with ASU on similar projects in the past. This agreement will reimburse ASU, in an amount not to exceed $140,000 during the contract term, to analyze statistics involving gun-crime incidents and use data to assess the impact of this grant on gun crimes

and subsequent prosecutions. The City will be reimbursed for applicable ASU expenses through the BJA grant.

Contract Term
Three years from July 22, 2019 through July 21, 2022.

Financial Impact
The Strategies for Policing Innovation grant provides up to a maximum of $140,000 in funding to reimburse ASU as the grant research partner.

Concurrence/Previous Council Action
This item was unanimously approved by the Public Safety and Justice Subcommittee at the Nov. 13, 2019 meeting.

This item was adopted.

33 Authorization to Modify Agreement with Arizona Board of Regents on Behalf of Arizona State University Related to Provision of Police Services and Jurisdictional Responsibilities (Ordinance S-46219)

Request authorization for the City Manager, or his designee, to allow the Police Department to enter into an agreement with the Arizona Board of Regents on behalf of Arizona State University (ASU), to modify the terms of the 2005 Intergovernmental Agreement (116493) related to the provision of police services and jurisdictional responsibilities at the ASU Downtown Campus, and to address the routing of telephone calls to the 911 Emergency System.

Summary
On June 5, 2005, the City of Phoenix and ASU entered into an Intergovernmental Agreement (IGA) to develop ASU's Downtown Campus. Under the 2005 IGA, the Phoenix Police Department (PPD) was responsible for providing police services to the downtown area, which included the ASU Downtown Campus, and ASU was responsible for providing building security on the ASU Downtown Campus of ASU-occupied facilities.

The Parties now desire to modify the agreement under the 2005 IGA related to the provision of police services and jurisdictional

responsibilities at the ASU Downtown Campus and to address the routing of telephone calls to the 911 Emergency System. The Parties have determined that this new agreement will substantially further the public safety, health and welfare of ASU students at the ASU Downtown Campus as well as the citizens of Phoenix.

The Parties agree that the ASU Police Department (ASUPD) will have primary law enforcement jurisdiction and act as the primary provider of law enforcement services for properties comprising the ASU Downtown Campus. ASUPD's jurisdiction includes the adjoining curtilage, alleyways or rights-of-way, points of ingress and egress, and sidewalks out to the curb line for each of the properties shown in **Exhibit A**, which contains maps of each of these properties. **Exhibit B** is a detailed list of the properties and their addresses.

The PPD will continue to have concurrent jurisdiction on all ASU property within the City of Phoenix boundaries. ASU recognizes the PPD can still conduct law enforcement activities on the ASU Downtown Campus, especially on City streets, sidewalks, alleyways and other rights-of-way.

All 911 calls originating from landlines and wirelines at buildings solely occupied by ASU, and from emergency call box locations within the ASU Downtown Campus (**Exhibits A** and **B**) will be routed directly to ASUPD's Public Safety Answering Point.

All 911 calls originating from landlines or wirelines where ASU is not the sole occupant, will be routed to the PPD's Public Safety Answering Point because these locations cannot be routed as described above. When feasible, the PPD will transfer these calls for service to ASUPD's Public Safety Answering Point.

All 911 calls originating from wireless (cellular) phones located within the ASU Downtown Campus (**Exhibits A** and **B**) and surrounding areas will be routed directly to the PPD's Public Safety Answering Point, which will be re-routed to ASUPD's Public Safety Answering Point if it is determined the 911 call is coming from an ASU Downtown Campus location.

Contract Term
The agreement will commence as of the effective date (once agreement has been signed by authorized representatives of both parties) and shall remain in effect for 10 years.

Financial Impact
There is no cost to the City.

Concurrence/Previous Council Action
This item was unanimously approved by the Public Safety and Justice Subcommittee at the Nov. 13, 2019 meeting.

This item was adopted.

34 Authorization to Apply for, Accept and Enter into Agreements for High Intensity Drug Trafficking Area Grant Funds (Ordinance S-46220)

Request authorization for the City Manager, or his designee, to allow the Police Department to enter into various agreements with the Office of National Drug Control Policy and the Maricopa County Sheriff's Office for up to $2,500,000 in funding through the 2020-21 High Intensity Drug Trafficking Area (HIDTA). 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 applied for and accepted HIDTA funds annually for more than 12 years. Historically, HIDTA funds are used to support and enhance the Police Department's Drug Enforcement Bureau's investigations into illegal narcotic distribution enterprises in the Phoenix area and throughout Arizona. These complex investigations usually involve partnerships with other local, state and federal law enforcement agencies. The investigations focus on identifying and disrupting drug organizations, most of which have connections with the Mexican and Columbian drug cartels.

The Arizona Alliance Planning Committee HIDTA Executive Board makes

all of the HIDTA funding decisions. The Police Department is requesting approval to accept funds and enter into various agreements for any HIDTA funds made available during the funding period. Funding reimburses the City for salary, overtime, 15 percent of the associated fringe benefits and operational supplies associated with the drug trafficking investigations.

Contract Term

Two years beginning Jan. 1, 2020 through Dec. 31, 2021.

Financial Impact

Permission is requested to accept up to $2,500,000 through the various funding sources to receive HIDTA funds. Cost to the City is in-kind resources only.

Concurrence/Previous Council Action

This item was unanimously approved by the Public Safety and Justice Subcommittee at the Nov. 13, 2019 meeting.

This item was adopted.

36 Request Authorization for the Sale of Canine Uno for $1.00 (Ordinance S-46223)

Request authorization for the City Manager, or his designee, to authorize the sale of canine Uno to Officer Melina Walker. Officer Walker is assigned to the Police Department's Airport Bureau, Explosive Detection Canine Team, located at Phoenix Sky Harbor International Airport. Officer Walker has requested to retire and purchase her assigned canine, Uno, in accordance with A.R. 4.21. Officer Walker retired from the Phoenix Police Department in November 2019.

Summary

Canine Uno is a male German Short-Hair Pointer that is nearing seven years of age. He was partnered with Officer Walker in 2014. The Transportation Security Administration (TSA), the owner of canine Uno, has agreed to retire him and transfer ownership to the City of Phoenix. Due to his age and the retirement of his handler, canine Uno is unable to

function in his capacity as a police service dog.

Officer Walker agrees to accept full responsibility and liability for canine Uno until his death, upon which the death certificate will be forwarded to the TSA as required per the cooperative agreement between the City of Phoenix and the TSA.

This item was adopted.

37 Critical Air Response Enterprises, LLC dba AirCARE1 Ground Lease at Phoenix Deer Valley Airport (Ordinance S-46213)

Request to authorize the City Manager, or his designee, to enter into a ground lease with Critical Response Enterprises, LLC, dba AirCARE1 (AirCARE1), to construct, occupy, and maintain a hangar facility at Phoenix Deer Valley Airport (DVT) for 30 years. The anticipated revenue from this will will be approximately $1.4 million.

Summary

AirCARE1 has operated an air ambulance service since 2009. The company has requested to construct, occupy, and maintain aircraft storage hangars for the company's air ambulance service on approximately 87,120 square feet of undeveloped land at DVT.

Contract Term

The term will be for 30 years and includes a construction period of up to 18 months before rent commences.

Financial Impact

Annual rent will be approximately $47,045-per-year, adjusted annually based on Phoenix-Mesa-Scottsdale Consumer Price Index, or 3 percent, whichever is greater. Total anticipated revenue over the term of the lease will be approximately $1.4 million.

Concurrence/Previous Council Action

This item was recommended for approval by the Phoenix Aviation Advisory Board on Nov. 21, 2019, by a vote of 7-0.

Location

Phoenix Deer Valley Airport, 702 W. Deer Valley Road

Council District: 1

This item was adopted.

38 Worldwide Flight Services, Inc. Facility Lease at Phoenix Sky Harbor International Airport (Ordinance S-46214)

Request to authorize the City Manager, or his designee, to enter into a month-to-month Facility Lease agreement with Worldwide Flight Services, Inc. (WFS) to lease 13 cargo bays at Phoenix Sky Harbor International Airport (PHX).

Summary

WFS conducts cargo handling operations and ground service equipment maintenance for airlines at PHX. WFS has requested to lease 13 cargo bays at PHX's West Air Cargo facility. Of the bays being leased,12 of them will support cargo handling operations and one bay will be dedicated to ground service equipment maintenance.

Contract Term

The term will be month-to-month not to exceed five years and may be canceled by either party.

Financial Impact

Annual rent will be approximately $429,477-per-year. Rates subject to annual Rates & Charges adjustments authorized by the Phoenix City Code.

Concurrence/Previous Council Action

This item was recommended for approval by the Phoenix Aviation Advisory Board on Nov. 21, 2019, by a vote of 7-0.

Location

Phoenix Sky Harbor International Airport West Air Cargo, 1323 S. 27th St.

Council District: 8

This item was adopted.

39 Arizona Department of Public Safety Executive Hangar Lease at Phoenix Sky Harbor International Airport (Ordinance S-46215)

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

Executive Hangar Lease agreement with the Arizona Department of Public Safety (DPS) at Phoenix Sky Harbor International Airport (PHX) for a term of four years.

Summary

DPS has requested to lease Executive Hangar E-9 at PHX for the storage and allowed maintenance of DPS's approved aircraft and aviation related equipment. DPS currently leases two corporate hangars and seven tie-downs at PHX for their fleet of aircraft.

Contract Term

The term will be four years.

Financial Impact

Annual rent will be approximately $14,940-per-year, adjusted annually based on Phoenix-Mesa-Scottsdale Consumer Price Index or 3 percent, whichever is greater. Total anticipated revenue over the term of the lease will be approximately $59,760.

Concurrence/Previous Council Action

This item was recommended for approval by the Phoenix Aviation Advisory Board on Nov. 21, 2019, by a vote of 7-0.

Location

Phoenix Sky Harbor International Airport Executive Hangar E-9, 2629 E. Air Lane
Council District: 8

This item was adopted.

40 West Anthem Lift Station 76 Force Main and Water Main Improvements - Design-Bid-Build Services - Rescind and Award - WS90400067 and WS90501005 (Ordinance S-46194)

Request to authorize the City Manager, or his designee, to rescind the award to Action Direction LLC, dba Redpoint Contracting (Redpoint), and to accept Achen Gardner Construction, LLC, as the next lowest responsive and responsible bidder and to enter into an agreement with Achen Gardner Construction, LLC for Design-Bid-Build Services for the West Anthem Lift Station 76 Force Main and Water Main Improvements project. Further request to authorize the City Controller to disburse all

funds related to this item. The fee for services will not exceed $7,531,332.

Summary

The purpose of this project is to construct 24-inch to 36-inch water transmission mains, 18-inch to 21-inch gravity sewer lines, a new lift station, three high-density polyethylene force mains, and upgrade the existing Booster Pump Station 8CP-B1.

The construction of the new lift station is located west of I-17 near Sheriffs Pistol Range Road and will have an initial capacity of 0.5 Million Gallons per Day (MGD) and a maximum capacity of 4.3 MGD. Construction also includes approximately 5,000 feet of 8-inch and 18-inch force mains along Pioneer Road.

Achen Gardner Construction, LLC's services include, but are not limited to: constructing the wet well, manholes, above- and below-ground piping, masonry wall and retaining wall structures; installing submersible pump, electrical and instrumentation and control equipment; installing force mains, 4-inch water mains, and Arizona Public Service utility duct bank/conduits; replacing pavement and Micro Seal; and other work as required for a complete project.

Procurement Information

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Three bids were received on March 12, 2019 and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Small Business Enterprise program requirements.

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

Engineer's Estimate: $6,069,439.90
Achen Gardner Construction, LLC: $7,531,332
T & T Construction, Inc.: $9,639,360

Bid of contract terminated for convenience:
Action Direct LLC dba Redpoint Contracting: $6,480,889

After discussions with Redpoint, the City and Redpoint reached an agreement to terminate the contract for convenience. Although the next lowest bid exceeds the Engineer's Estimate by more than 10 percent, it has been determined the bid represents a fair and reasonable price for the required work scope. Additionally, the bid award amount is within the total budget for this project.

Contract Term
The term of the agreement is 335 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Achen Gardner, LLC will not exceed $7,531,332, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved:
Engineering Services Agreement 142098 (Ordinance S-42295) on Feb. 3, 2016;
Engineering Services Agreement 142098 Amendment 1 (Ordinance S-45187) on Dec. 5, 2018; and
Design-Bid-Build Agreement 150136 (Ordinance S-45684) on June 5, 2019.

Location

Along the west side of I-17 between Pioneer Road and just north of Sheriff's Pistol Range Road
Council District: 1

This item was adopted.

41 Lift Station 66 Refurbishment - Engineering Services - Rescind and Award - WS90400084 (Ordinance S-46201)

Request to authorize the City Manager, or his designee, to rescind the award to Jacobs Engineering Group, Inc. and to award and enter into agreement with Garver, LLC, to provide Engineering Services that include design and construction administration and inspection (CA&I) services for the Lift Station 66 Refurbishment project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $700,000.

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

Summary
The purpose of the project is to provide an assessment and design for replacement or upgrades of pumps, motors, slide gates, piping, valves, biofilter, variable frequency drives, programmable logic controllers, control panels and instrumentation and coatings, and CA&I services during construction.

Garver, LLC's design services include, but are not limited to: coordination with the Water Services Department's Wastewater Engineering Division and the Planning and Development Department to obtain Wastewater

Master Plan and flow monitoring data to determine updated build out flow demand due to recent expansion and development within the service area; data collection and assessment as needed to obtain necessary design parameters which may include geotechnical and soil corrosivity investigation and force main surge analysis; design services for lift station civil, mechanical, structural, electrical and Instrumentation & Control refurbishment; coordinate with permitting and regulatory agencies for obtaining necessary permits; coordination with the City's Water Asset Management team; and assist the City during the procurement phase by providing response to questions from bidders. CA&I services include, but are not limited to: providing oversight of project construction activities; inspecting the site through various stages of construction; reviewing contractor work submittals; and performing field inspections where required for completed repairs.

Procurement Information

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

Selected Firm

Rank 1: Jacobs Engineering Group, Inc.

Additional Proposers

Rank 2: Garver, LLC
Rank 3: Greeley and Hansen, LLC
Rank 4: Valentine Environmental Engineers, LLC
Rank 5: WestLand Resources, Inc.

After discussions with Jacobs Engineering Group, Inc., the City has terminated negotiations and it intends to contract with the second ranked firm, Garver, LLC, for this project.

Contract Term

The term of the agreement is five years from issuance of the Notice to

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

Financial Impact
The agreement value for Garver, LLC will not exceed $700,000, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved:
Engineering Services Agreement 150111 (Ordinance S-45687) on June 5, 2019.

Location
30101 N. Black Canyon Hwy.
Council District: 2

This item was adopted.

42 59th Avenue Sanitary Sewer South of Baseline Road - Construction Manager at Risk Construction Services - WS90500286 (Ordinance S-46204)

Request to authorize the City Manager, or his designee, to enter into an agreement with Achen-Gardner Construction, LLC (Achen-Gardner) to provide Construction Manager at Risk (CMAR) Construction Services for the 59th Avenue Sanitary Sewer South of Baseline Road project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $5,750,000.

Summary

The purpose of this project is to replace the existing 15-inch sewer located on the west side of 59th Avenue with a new 30-inch sewer. The new sewer will start at the intersection of Dobbins Road and 59th Avenue, travel north on 59th Avenue approximately 4,700 feet, and will tie into the existing 24-inch sewer just before the Laveen Area Conveyance Channel crossing, approximately 950 feet south of Baseline Road.

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

Achen-Gardner's services include, but are not limited to: construction of the selected alignment design per final plans and specifications; bond and insure the construction; address all federal, state and local permitting requirements; arrange for procurement of materials and equipment; schedule and manage site operations; address owner issues; maintain a safe work site for all project participants; and provide quality controls.

Procurement Information

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

Contract Term

The term of the agreement is 365 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional

changes may be executed after the end of the term.

Financial Impact
The agreement value for Achen-Gardner, LLC will not exceed $5,750,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved:
Construction Manager at Risk Preconstruction Services Agreement 149797 (Ordinance S-45629) on May 15, 2019.

Location
Intersection of Dobbins Road and 59th Avenue
Council District: 8

This item was adopted.

43 Scenario 9 Transmission Main Rehabilitation - Construction Manager at Risk Preconstruction Services - WS85507006 (Ordinance S-46205)

Request to authorize the City Manager, or his designee, to enter into an agreement with Kiewit Infrastructure West Co. (Kiewit), to provide Construction Manager at Risk (CMAR) Preconstruction Services for the Scenario 9 Transmission Main Rehabilitation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $106,000.

Summary
The purpose of this project is for steel slip-line rehabilitation of

approximately 2,700 linear feet of existing, distressed 48-inch diameter Prestressed Concrete Cylinder Pipe along Roeser Road from 4th to 9th streets.

Kiewit will begin in an agency support role for CMAR Preconstruction Services. Kiewit will assume the risk of delivering the project through a Guaranteed Maximum Price (GMP) agreement.

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

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

Selected Firm
Rank 1: Kiewit Infrastructure West Co.

Additional Proposers
Rank 2: Achen-Gardner Construction, LLC
Rank 3: T & T Construction, Inc.

Contract Term
The term of the agreement is 365 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Kiewit will not exceed $106,000, including all subcontractor and reimbursable costs.

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

Location
Roeser Road from 4th to 9th streets
Council Districts: 7 and 8

This item was adopted.

44 Pavement Management JOC Program Support Construction Inspection - Engineering Services (Ordinance S-46206)

Request to authorize the City Manager, or his designee, to enter into separate agreements with the five consultants listed in **Attachment A**, to provide Pavement Management JOC Program Support Construction Inspection Services for the Street Transportation Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $7.5 million.

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

Summary

The purpose of this project is to provide Pavement Management JOC Program Support Construction Inspection Services for current projects under the Accelerated Pavement Maintenance Program.

The Engineering consultants' services include, but are not limited to: work under the direction of the Streets Construction Inspection Supervisor; perform inspections on a per project basis; monitor and document construction progress; inspect construction operations and materials used by contractor; observe, record, and review performance tests; review and coordinate request for information, submittals and change orders; and provide other services as required to support successful completion of the work and City's interest.

Procurement Information

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

Contract Term

The term of each agreement is up to two years, or up to $1.5 million, whichever occurs first. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement values for each of the Engineering consultants will not exceed $1.5 million, including all subconsultant and reimbursable costs. The total fee for all services will not exceed $7.5 million.

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

rendered agreement services, which may extend past the agreement termination.

This item was adopted.

45 Transportation 2050 Program Management Support Services - Professional Services Amendment 1 - ST85100368 and PT00170023 (Ordinance S-46208)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 143088 with AECOM Technical Services, Inc., to provide additional Professional Services for the Transportation 2050 (T2050) Program Management Support Services project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $3.5 million.

Summary

The purpose of this project is to provide program management support to the City of Phoenix related to the planning, programming, implementation and oversight for the T2050 Program. AECOM Technical Services, Inc. provides support and expertise as the Program Management Consultant (PMC).

The scope of services for the PMC includes:

assisting with implementation planning and programming;
developing and reporting performance measures;
providing technical planning and engineering services including feasibility analyses;
conducting cost estimation and administrative support;
developing design guidelines and typical standard designs and details; and
providing services as required to support staff in executing the multi-modal T2050 program of projects.

The contract also requires the implementation and management of a Qualified Vendor List (QVL) to efficiently provide services needed for

design, inspection, grant application preparation, safety analysis, utility work, outreach, traffic studies, and other tasks necessary for T2050 implementation. The contract requires work by firms on the QVL make up at least 40 percent of the contract expenditures and the utilization of Small Business Enterprise firms.

This amendment is necessary because over the last three years the PMC and QVL firms have provided additional support to meet the extensive needs of the program that had not been specifically anticipated in estimating the original contract capacity over the five-year term. The type of work is included within the scope of responsibilities outlined in the contract, however additional expenditure authorization is needed to meet the overall program demands within the five-year term. The additional needs provided by the PMC and the vendors on the QVL have included the following major areas:

Accelerated Pavement Maintenance Program support and public outreach.
Pedestrian safety support.
Analysis of traffic safety needs and measures.
Development of federally-required bus safety plans.
Grant application preparation.
Mobility Improvements Program development and implementation to enhance safety and roadway and transit accessibility.
Transportation planning support.
Public Transit planning support.
Development of T2050 Annual Progress Reports.

This amendment will provide additional expenditure authority to the agreement necessary to continue this support through the remainder of the five-year term.

Contract Term

There is no change to the five-year term of the initial agreement. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The initial agreement for Professional Services was executed for a fee not-to-exceed $5 million, including all subconsultants and reimbursable costs.

Amendment 1 will increase the agreement by an additional $3.5 million, for a new total not-to-exceed agreement value of $8.5 million, including all subconsultants and reimbursable costs.

Funding for this amendment is available in the Street Transportation Department's and Public Transit Department's Capital Improvement Program budgets. The Budget and Research Department will separately review and approve funding availability prior to the execution of any amendments, and the Budget and Research Department will review any task orders of $100,000 or more for funding availability. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The Citizens Transportation Commission:
Recommended approval of original Agreement on May 26, 2016.
Recommended approval of proposed amendment on Oct. 17, 2019.

The Transportation, Infrastructure and Innovation Subcommittee:
Recommended approval of original Agreement on June 14, 2016.
Recommended approval of proposed amendment on Nov. 6, 2019.

The City Council approved:

Professional Services Agreement 143088 (Ordinance S-42743) on June 22, 2016.

This item was adopted.

46 Phoenix Deer Valley Airport Taxiway Bravo 3 Connector Relocation - Engineering Services - AV31000088 FAA (Ordinance S-46209)

Request to authorize the City Manager, or his designee, to enter into an agreement with TRACE Consulting, LLC, to provide Engineering

Services that include construction administration and inspection (CA&I) Services for the Phoenix Deer Valley Airport (DVT) Taxiway Bravo 3 (B3) Connector Relocation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $160,000.

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

Summary

The purpose of this project is to design and construct a new Taxiway B3 connector, which will be located west of its current location outside of the runway protection zone for runway 7L-25R, as recommended by the DVT Master Plan Update dated June 2015. This project includes geotechnical analysis, new LED lighting, signage and new markings, and demolition of the old taxiway. TRACE Consulting, LLC's services are necessary to oversee the construction of the project scheduled to begin on Jan. 6, 2020.

TRACE Consulting, LLC’s CA&I services include: project administration, construction meetings, inspection and review of contractor’s work; certifying contractor progress payments; preparing Federal Aviation Administration (FAA) reports and a Construction Management Plan; providing post-construction services; and other related CA&I services as required.

Procurement Information

The selection was made using a qualifications-based selection process

set forth in section 34-603 of the Arizona Revised Statues (A.R.S.). Scoring and selection were made in conjunction with the Engineering (design) Services selection process.

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

Financial Impact
The agreement value for TRACE Consulting, LLC will not exceed $160,000, including all subconsultant and reimbursable costs.

Funding is available in the Aviation Department's Capital Improvement Program budget. On July 9, 2019, staff signed a grant agreement in the amount of $2.6 million from the Federal Aviation Administration for this project. The Budget and Research Department will separately review and approve funding availability before execution of any amendments. Payments may be made to agreed limits for all rendered contract services, which may extend past the agreement termination.

Concurrence/Previous Council Action
The City Council approved:
Engineering Services Agreement 143032 (Ordinance S-42672) on June 15, 2016.

Location
702 W. Deer Valley Road
Council District: 1

This item was adopted.

47 Uniform Laundry Service - Invitation for Bid (Ordinance S-46197)

Request to authorize the City Manager, or his designee, to enter into an agreement with Mission Uniform Services (Mission), to provide laundering services for Water Services Department (WSD) uniforms. Further

request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total agreement value will not exceed $245,000.

Summary
The purpose of this contract is to provide laundry services for regular uniforms and flame-resistant uniforms for WSD. Services include, but are not limited to: pick-up, laundering, pressing, maintenance (mending, button, zipper and hook replacement), and delivery of uniforms.

Procurement Information
The selection was made using an Invitation for Bid procurement process as set forth in City of Phoenix Administrative Regulation 3.10.

Two vendors submitted bids and one bidder was deemed non-responsive. The selected bidder is listed below.

Selected Bidder
Mission Uniform Services

Contract Term
The term of the agreement is five years and will begin on or around Nov. 15, 2019.

Financial Impact
The agreement value for Mission will not exceed $245,000. Funds are available in the WSD's Operating budget.

This item was adopted.

48 Chlorination Systems Parts and Equipment Contract (Ordinance S-46203)

Request to authorize the City Manager, or his designee, to enter into an agreement with TW Associates Inc. dba Miscowater (Miscowater) to provide replacement parts and new equipment for the various chemical systems used by the Water Services Department (WSD). Further request to authorize execution of amendments to the agreement as

necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total agreement value will not exceed $7.6 million.

Summary
The purpose of this contract is to ensure that the chemical systems at the WSD Water Production and Wastewater Treatment Plants are properly maintained and parts are repaired or replaced as necessary.

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

One bid was received from the following vendor:
TW Associates Inc. dba Miscowater

Contract Term
The term of the agreement is for 10 years and will begin on Jan. 1, 2020.

Financial Impact
The agreement value for Miscowater will not exceed $7.6 million.

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

This item was adopted.

49 Authorization to Enter into a License with Central Arizona Water Conservation District (CAWCD #1998-003) for Water and Fiber Optic Lines Crossing Bureau of Reclamation Right-of-Way (Ordinance S-46226)

Request to authorize the City Manager, or designee, to enter into a land use license with United States Department of Interior, Bureau of Reclamation (BOR), issued by Central Arizona Water Conservation District (CAWCD), for water and fiber optic lines. Further request to authorize the City Controller to disburse all funds related to this item. The licensing fees and costs will not exceed $950,000.

Request the City Council to grant an exception pursuant to Phoenix City Code §42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code §42-18, as BOR's form documents include such provisions.

Summary
The land use license is required for the right to access and operate a 24-inch underground reclaimed waterline and underground fiber optic line within approximately 1.68 acres of BOR right-of-way. The facilities cross the Central Arizona Project (CAP) canal north of the East Bell Road and North 64th Street intersection and extend to a Water Services facility north of the canal. The reclaimed water and fiber optic lines were installed under separate licenses, and construction was complete in 2004. This license supersedes CAWCD Construction Period Land Use Licenses 1998-003 and 2001-064.

Contract Term
The term of the license is 25 years, from July 1, 2002 through June 30, 2027.

Financial Impact
This project is funded with water revenue funds available in the Water Services Department's program budget. The license fee through June 30, 2027 will be based on appraised value, estimated to be approximately $950,000.

Location
BOR right-of-way, north of the East Bell Road and North 64th Street intersection.
District: 2

This item was adopted.

50 Arsenic Adsorption Media Contract - Invitation for Bids (Ordinance S-46227)

Request to authorize the City Manager, or his designee, to enter into an agreement with AdEdge Water Technologies, LLC (AdEdge) to provide

Arsenic Adsorption Media at well facilities to treat groundwater for the Water Services Department (WSD). Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total agreement value will not exceed $2.5 million.

Summary

The purpose of this contract is to provide the necessary services and material for replacement of arsenic adsorption media at well facilities to treat groundwater to meet Safe Drinking Water Act standards.
AdEdge will perform services including removal of spent adsorption media, installation of Garnet Filter Media, and installation of Bayoxide E33 Arsenic Adsorption Media at designated well facilities.
Due to fluctuations in usage during the water treatment plant shut-downs, the Division processes more chemical through the wells, to meet demand causing the adsorbtion media to be exhausted sooner.

Procurement Information

The selection was made using an Invitation for Bids procurement process in accordance with Administrative Regulation (AR) 3.10.

Two vendors submitted bids and the following vendor was selected:

Selected Vendor
AdEdge Water Technologies, LLC

Contract Term

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

Financial Impact

The total agreement value for AdEdge is $2.5 million.

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

This item was adopted.

51 Final Plat - Springs at Deer Valley - 190075 - North of Pinnacle Peak Road and West of 19th Avenue

Plat: 190075
Project: 18-3658
Name of Plat: Springs at Deer Valley
Owner(s): Roy's Deer Valley Nursery, LLC
Engineer(s): Bowman Consulting
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Nov. 6, 2019
Final Plat requires Formal Action Only

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

Location
Generally located north of Pinnacle Peak Road west of 19th Avenue.
Council District: 1

This item was approved.

52 Final Plat - Western Enclave 2 - 180126 - Southwest Corner of 91st Avenue and Campbell Avenue

Plat: 180126
Project: 18-645
Name of Plat: Western Enclave 2
Owner(s): Lennar Arizona, Inc.
Engineer(s): Hubbard Engineering
Request: A 277 Lot Residential Subdivision Plat
Reviewed by Staff: Nov. 19, 2019
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat is associated with Abandonment V180066A. This plat needs to be recorded concurrently with both of the following: Abandonment V180066A and Plat 190031.

The recording sequence is as follows: Abandonment V180066A, Plat 180126 and then Plat 190031.

Location
Generally located at the Southwest Corner of 91st Avenue and Campbell Avenue.
Council District: 5

This item was approved.

53 Final Plat - Parcels 2A & 2B of Western Enclave 2 - 190031 - 1,475 Feet West of 91st Avenue Along Campbell Avenue

Plat: 190031
Project: 18-645
Name of Plat: Parcels 2A & 2B of Western Enclave 2
Owner(s): Lennar Arizona, Inc.
Engineer(s): Hubbard Engineering
Request: A 238 Lot Residential Subdivision Plat
Reviewed by Staff: Nov. 19, 2019
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat is associated with Abandonment V180066A. This plat needs to be recorded concurrently with both of the following: Abandonment V180066A and Plat 180126. The recording sequence is as follows: Abandonment V180066A, Plat 180126, and then Plat 190031.

Location
Generally located 1,475 feet west of 91st Avenue along Campbell Avenue.
Council District: 5

This item was approved.

54 Final Plat - Eco PHX Apartments - 190067 - Southwest Corner of 3rd Avenue and Roosevelt Street

Plat: 190067
Project: 16-1046

Name of Plat: Eco PHX Apartments
Owner(s): Eco PHX Development, LLC
Engineer(s): Ritoch-Powell & Associates
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Nov. 4, 2019
Final Plat requires Formal Action Only

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

Location
Generally located at the southwest corner of 3rd Avenue and Roosevelt Street.
Council District: 7

This item was approved.

55 Final Plat - Ogaz 8 Lot Subdivision - 180071 - North of Vineyard Road and East of 12th Street

Plat: 180071
Project: 17-2206
Name of Plat: Ogaz 8 Lot Subdivision
Owner(s): Jorge and Mirna Perea, Ignacio and Maria Ogaz
Engineer(s): Delp and Associates
Request: A 8 Lot Residential Subdivision Plat
Reviewed by Staff: Nov. 1, 2019
Final Plat requires Formal Action Only

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

Location
Generally located north of Vineyard Road and east of 12th Street.
Council District: 8

This item was approved.

56 Final Plat - Airport 40 - 190042 - Northwest Corner of 40th Street

and Miami Avenue

Plat: 190042
Project: 18-2986
Name of Plat: Airport 40
Owner(s): Conor Globe - 40th Street, LLC
Engineer(s): Survey Innovation Group, Inc.
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Oct. 29, 2019
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northwest corner of 40th Street and Miami Avenue.
Council District: 8

This item was approved.

57 Final Plat - Superior Logistics Center - 190064 - North of Superior Avenue and West of 44th Street

Plat: 190064
Project: 19-276
Name of Plat: Superior Logistics Center
Owner(s): VWPOZ Superior Industrial, LLC, and VWPOZ 44th Industrial, LLC.
Engineer(s): Survey Innovation Group, Inc.
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Oct. 23, 2019
Final Plat requires Formal Action Only

Summary

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

Location

Generally located north of Superior Avenue and west of 44th Street.
Council District: 8

This item was approved.

58 Final Plat - VA Clinic - 190069 - Northwest Corner of 32nd Street and Van Buren Street

Plat: 190069
Project: 17-3663
Name of Plat: VA Clinic
Owner(s): Phoenix VA, LLC
Engineer(s): Dibble Engineering
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Nov. 1, 2019
Final Plat requires Formal Action Only

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

Location
Generally located at the northwest corner of 32nd Street and Van Buren Street.
Council District: 8

This item was approved.

59 Amend City Code - Ordinance Adoption - Rezoning Application Z-45-19-1 - Southwest Corner of 19th Avenue and Pinnacle Peak Road (Ordinance G-6644)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-45-19-1 and rezone the site from C-2 DVAO to C-2 HGT/WVR DVAO to allow a hotel with a height waiver up to 46 feet.

Summary
Current Zoning: C-2 DVAO
Proposed Zoning: C-2 HGT/WVR DVAO
Acreage: 5.70
Proposed Use: Hotel with a height waiver up to 46 feet

Owner: Tag Land Pinnacle, LLC
Applicant: Waterwalk RE Development Services, LLC
Representative: Michael Maerowitz, Gammage and Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this case on Oct. 17, 2019, and recommended approval per the staff recommendation by a 9-0 vote.
PC Action: The Planning Commission heard this case on Nov. 7, 2019, and recommended approval per the Deer Valley Village Planning Committee recommendation with an additional stipulation by a 6-0 vote.

Location
Southwest corner of 19th Avenue and Pinnacle Peak Road
Council District: 1
Parcel Addresses: 1905 W. Pinnacle Peak Road

This item was adopted.

61 **Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-8-19-7 - Approximately 475 Feet North of the Northwest Corner of 51st Avenue and Broadway Road (Ordinance G-6646)**

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-8-19-7 and rezone the site from C-2 (Intermediate Commercial District) and S-1 (Farm or Ranch Residence) to C-2 SP (Intermediate Commercial, Special Permit) to allow a self-storage facility and all underlying C-2 uses.

Summary
Current Zoning: C-2 and S-1
Proposed Zoning: C-2 SP
Acreage: 3.61 acres
Proposal: Self-storage facility and all underlying C-2 uses

Owner: The Newport Group IV, LLC
Applicant: Brennan Ray of Burch and Cracchiolo, PA
Representative: Brennan Ray of Burch and Cracchiolo, PA

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Estrella Village Planning Committee meeting heard this case on Oct. 15, 2019, and recommended approval per the staff recommendation by a 6-0 vote.
PC Action: The Planning Commission heard this case on Nov. 7, 2019, and recommended approval per the Estrella Village Planning Committee recommendation with an additional and modified stipulation by a 6-0 vote.

Location
Approximately 475 feet north of the northwest corner of 51st Avenue and Broadway Road
Council District: 7
Parcel Addresses: N/A

This item was adopted.

63 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-5-19-8 - Northwest Corner of 25th Street and Broadway Road (Ordinance G-6645)

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-5-19-8 and rezone the site from C-2 FCOD RSIOD to C-2 SP FCOD RSIOD to allow a mortuary and all underlying uses.

Summary
Current Zoning: C-2 FCOD RSIOD
Proposed Zoning: C-2 SP FCOD RSIOD
Acreage: 1.29 acres
Proposal: Special Permit for a mortuary and all underlying uses

Owner: Kenia Conner
Applicant: Jeff Stephens - Searer, Robbins & Stephens, Inc.
Representative: Jeff Stephens - Searer, Robbins & Stephens, Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee meeting heard this case on Oct. 15, 2019, and recommended denial by a 9-1-2 vote.
PC Action: The Planning Commission heard this case on Nov. 7, 2019, and recommended approval per the staff recommendation with an

additional stipulation by a 7-0 vote.

Location
Northwest corner of 25th Street and Broadway Road
Council District: 8
Parcel Addresses: 2454 E. Broadway Road

This item was withdrawn.

16 Proposed 17th Avenue and Desert Hollow Drive Annexation - Public Hearing

A public hearing, as required by Arizona Revised Statutes section 9-471, on the proposed 17th Avenue and Desert Hollow Drive Annexation. This public hearing allows the City Council to gather community input regarding this annexation proposal. The City Council will not act on the proposed annexation at this public hearing. Formal adoption of this proposed annexation will be considered at a later date.

Summary
This annexation was requested by Emil and Emilia Pop for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. Additionally, the annexation is recommended for adoption per the attached Task Force Analysis Report (**Attachment A**).

Public Outreach
Notification of the public hearing was published in the *Arizona Business Gazette* newspaper, and was posted in at least three conspicuous places in the area proposed to be annexed. Also, notice via first-class mail was sent to each property owner within the proposed annexation area.

Location
The proposed annexation area includes parcel 210-10-003 located at 25250 N. 17th Ave. (**Attachment B**). The annexation area is approximately 5.3 acres (0.0083 sq. mi.) and the population is estimated to be zero individuals.
Council District: 1

Discussion

Mayor Gallego opened the public hearing.

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

Note: Eugene S. Cetwinsla submitted a comment card noting he was available to speak if requested.

The hearing was held.

23 League of Arizona Cities and Towns Membership (Ordinance S-46199)

This item requests payment authority for the remaining six months of 2019-20 (January - June) and the entirety of 2020-21 City of Phoenix membership dues of $226,650 to the League of Arizona Cities and Towns. Authorize City Controller to disburse funds for this membership.

Summary

The League of Arizona Cities and Towns provides services and resources focusing on member representation and interests of cities and towns before the legislature. It also provides technical and legal assistance, coordinates shared services and educational conferences and events. Membership with the League of Arizona Cities and Towns ensures that the interests of the City of Phoenix are represented and advocated for at the Governor's Office, state legislature, and other state agencies.

Financial Impact

Funds are available in the Office of Government Relations' budget.

Discussion

Vice Mayor Guardado made a motion to approve Item 23.

Councilwoman Williams seconded the motion.

Councilman DiCiccio talked about the City having limited funds. He suggested the money could be better spent on services for the public, and commented he would be voting no on the item.

Councilman Nowakowski asked if there was staff available for questions.

Mayor Gallego introduced Government Relations Director Frank McCune.

Councilman Nowakowski clarified the City had not been a member of the Arizona League of Cities and Towns (League) for the past year, and questioned what happened with the City not being a member of the League.

Mr. McCune responded the State legislature had a good legislative session the past year, and noted the City worked in conjunction and partnership as a stakeholder with the League on many items. He listed examples of where the City worked with the League, and acknowledged the City still worked with the League as an important stakeholder. He mentioned being a member of the League would have helped the City navigate items more directly with other cities and towns.

Councilman Nowakowski mentioned he heard a story in the news suggesting the City had been good stewards in preserving water that is to be stored for the next 100 years. He said because of the good stewardship of the City, and with growth, the water could last for more than 100 years. He thanked past councilmembers for their leadership including Claude Mattox and Councilwoman Williams. He commented he heard cities and towns were looking to acquire City water supplies, and asked if this League membership would help us prevent those cities and towns from coming after City water supplies.

Mr. McCune replied the challenges facing Arizona for water supply over the next 25 to 100 years were great, and added the City had been very forward-thinking in planning for water supply. He talked about how different regions of the state as well as other industries were looking and fighting for water and water supply, and stated being at the table with those communities helped create relationships. He noted this was an issue that would be approached at a regional level with Maricopa Association of Governments (MAG) and Arizona Municipal Water Users Association (AMWUA).

Councilman Nowakowski clarified the Office of Government Relations staff advocates for the City at the State level, and mentioned there were

two other policy groups hired. He asked for clarification if the cost for those two policy groups totaled $1.3 million.

Mr. McCune answered yes.

Councilman Nowakowski noted the Office of Government Relations advocated for City protection when it came to State laws and obtaining a fair share of tax revenue. He talked about a proposed increase in solid waste fees, and suggested not being a member of the League the past year did not hurt Phoenix. He commented there were youth programs and incentive programs in Council District 7 that were being cut, and added he could not vote for the League membership when there were individuals, two lobbyist groups, and staff that already did what the League does for the City. He stated the City needed to figure out how to solve the issue with solid waste collection fees.

Councilman Waring took issue with the cost of the League membership, and gave an example of purchasing a stoplight at a dangerous intersection versus fixing the intersection. He commented on his perspective as a taxpayer and a former State Senator, and suggested taxpayers did not get anything from the League membership. He noted he was happy the City was out of the League for a year because it saved the City money, and agreed with Councilman DiCiccio and Councilman Nowakowski that League membership competed with other City priorities. He stated he would be voting no on the item.

Councilwoman Williams asked about the length of the League membership term.

Mr. McCune replied the membership term was because of the timing when the City received the invoice. He said the renewal invoices typically arrive in spring, and added in order to be forward on the payment, this ordinance would pay from January 1 through June 30 and then for the next fiscal year membership from July 1 to June 30th of next year.

Councilwoman Williams clarified the City was paying a year in advance.

Mr. McCune responded yes.

Councilwoman Pastor questioned if it was possible to separate the six-month membership from the year after payment, and mentioned she voted to be removed from the League. She said the City had some challenges at that time, and noted her main concern was that she did not feel like the League was being strong enough in supporting the City or the state as a whole. She said she asked the previous day why this membership was important, and talked about issues Councilman Nowakowski and herself worked on in the council districts. She commented it was an eye-opening experience at a committee meeting yesterday when she learned the League was used in other City departments in regards to finances, taxes, and other areas. She asked staff to explain how the League worked through the whole system.

State Relations Manager Yesenia Dhott responded one of the areas the League did a lot of work in was related to the Finance Department. She gave examples of how the League held meetings for policy discussions related to the Municipal Tax Code Commission. She noted changes made are then adopted by all 91 cities and towns regardless of Phoenix being a member or not, and added it was critical the Finance Department be at the table early in discussions to resolve any issues prior to being brought forward to the Municipal Tax Code Commission. She mentioned the League provided a forum for different City departments to get together and discuss potential changes, and commented the League provided professional development opportunities for City departments by holding various conferences and meetings throughout the year.

Councilwoman Pastor stated she agreed with Councilman Nowakowski the City did a good job with the staff available, and suggested Phoenix had a larger role to play in the League as one of the strongest members. She mentioned other smaller municipalities that needed help from larger cities, and added she appreciated having the membership coming back for a vote.

Mayor Gallego said she supported the item, and noted she was not a member of the Council when the City left the League. She mentioned Phoenix played a role in public safety discussions, and commented she wanted data from Phoenix to be included when the League calculates

financial impacts of different tax policies. She suggested it was important to have these data centers for the State legislature so they understood the implications when adapting the tax code. She stated Phoenix needed to continue being part of the League, and said she supported the motion.

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

Yes:	6 -	Councilmember Garcia, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	3 -	Councilman DiCiccio, Councilman Nowakowski and Councilman Waring

Mayor Gallego commented she was asked to clarify that Item 63 had been withdrawn, and noted that item would not be moving forward at this meeting. She added if anyone in the audience was there for that item, they did not need to stay any longer.

28 Latino Cultural Center

Request authorization for the City Manager, or his designee, to locate the Latino Cultural Center at the North Building in Margaret T. Hance Park, or another site to be determined, and to conduct a Request for Proposals to select a capital campaign consultant to assist in the financial planning of the Latino Cultural Center. There is no impact to the General Fund.

Summary

Through the 2001 City Bond program, funding was made available to promote knowledge and appreciation of Latino/Hispanic cultures.

In 2016, the Phoenix Office of Arts and Culture secured the services of a consultant to conduct a Capital Needs Assessment and Feasibility Study (Study), including a management/business plan and evaluation of potential tie-ins with other cultural resources. In 2017, the Study's report was released and was based on extensive community input consisting of over 20 one-on-one interviews, site visits to arts organizations and facilities in Phoenix and surrounding areas, three public town halls, two focus groups and an electronic survey with 254 respondents.

In 2019, Mayor Thelda Williams created the Latino Cultural Center Ad Hoc Committee to make recommendations to the City Council about next steps, including possible sites for a center and development of a strategic plan, which would result in business and operating, programming, and partnership and fundraising strategies. The committee is charged with using the Study as its roadmap through the process.

The Ad Hoc Committee has met monthly over the past six months and has three working subcommittees (programs and services; fundraising and partnerships; site and operations). All meetings are open to the public and community members may participate in any of the three subcommittees. The Ad Hoc Committee is co-chaired by Vice Mayor Betty Guardado and District 7 Councilman Michael Nowakowski.

Financial Impact

In the Study, a site was not selected. Preferred location of a cultural center was discussed in survey questions. From the survey, respondents stressed important themes for location as follows:

A desire for a visible Latino cultural presence in Phoenix at the heart of the City's cultural center.

Latino Cultural Center should be on par and in company with Phoenix's other major cultural institutions and art centers located downtown.

The Study included a hypothetical site layout showing a building area of approximately 22,000 square feet; 18,000 square feet of programmable outdoor space; and ample parking. The Study recommended the following options that should be considered when looking for the site:

New construction on City-operated land.

Rehab of an existing City-operated Building.

Mixed use development in partnership with City or private development.

The Community and Economic Development and Planning Development Departments presented City-owned sites in and out of the downtown core. Sites in downtown Phoenix are more compact, urban and allow for smaller land plots that can be built up, while the "suburban" sites require a larger area, with a minimum of four acres to accommodate the square footage and parking requirements recommended for the site. Ultimately, four "downtown" sites were presented to the Site and Operations

Subcommittee to review.

Gensler Architects did pro bono work this summer to show how massing can work for each location. Diagrams were presented, along with associated costs with each site. Sites included a parcel adjacent to the Herberger Theatre Center, the North Building adjacent to Margaret T. Hance Park, a parcel next to the Public Market, and the Regency Garage on the southwest corner of 2nd Street and Adams. In addition, a cost comparison for each of the four sites was presented using 2019 estimates, which came out to $600 square feet, which is comparable to retrofitting other historic buildings such as those in the Warehouse District.

Ultimately, the North Building was selected by the Ad Hoc Committee on Sept. 23, 2019. The property is historic preservation eligible, but not designated as such. No upsizing is needed with water or sewer, based on current service levels. The streetscape could meet downtown code requirements without a variance. The cost to rehabilitate the North Building, along with additional funds for FF&E (furniture, fixtures, and equipment) to ensure the project would be occupiable as soon as possible, is estimated at approximately $12 million.

The Ad Hoc Committee requested the Parks and Recreation Board approve the Latino Cultural Center to be located at the North Building in Maragret T. Hance Park, with the understanding that if funds are not raised by Dec. 31, 2023, the use agreement would need to be reevaluated. The Parks and Recreation Board approved the request on Oct. 4, 2019, with the caveat that fundraising benchmarks will be reported to the board along the way. Procurement of a capital campaign consultant can start the planning necessary to raise the funds to rehabilitate the building. There is currently $997,902 in bond funds available to kick off the project.

Concurrence/Previous Council Action
The Land Use and Livability Subcommittee reviewed and recommended this item, and that additional sites be evaluated for consideration, for City Council approval at its Nov. 20, 2019 meeting by a vote of 4-0.

Discussion

Councilman Nowakowski thanked the councilmembers for their support for the community. He cited 40 percent of the population in Phoenix was Hispanic according to the last census, and noted it would be closer to 50 percent in the next census. He said one of the benefits of having a Latino Cultural Center was to learn about the Latino community, and mentioned he was brought up with two different cultures with his father who was Polish and mother who was Mexican. He stated arts and culture brings unity among different cultures, and stated this cultural center would bring people together in Phoenix. He made a motion to approve Item 28.

Vice Mayor Guardado seconded the motion.

Erlinda Torres spoke in favor, and thanked the councilmembers for investing in the cultural centers the City had today. She mentioned different cultural centers in Phoenix, and suggested now was the time to invest in a Latino Cultural Center. She commented this was an opportunity to be inclusive and bring people in from different backgrounds.

Councilwoman Pastor asked for clarification on the motion. She noted she was confused about the location of the proposed Latino Cultural Center if it was in the North building at Margaret T. Hance Park or a different location along with the financial planning for the center.

Deputy City Manager Karen Peters stated the motion was based on the recommendation made at the subcommittee meeting.

Councilwoman Pastor questioned the process of determining another location besides the North building.

Arts and Culture Director Mitch Menchaca replied if Item 28 is approved, the Latino Cultural Center Ad Hoc Committee would create a timeline to look at other sites while continuing assessments of the North building. He noted what comes out of the architectural assessment and other sites found by partner departments brought forward to the Committee for discussion could potentially be brought back to Council for approval.

Councilwoman Pastor inquired about the cost of the assessment for the

North building, and asked about the cost of doing an assessment at a new site. She questioned where the money was coming from.

Mr. Menchaca answered the funding for the assessment would come from bond funds that were held for the Latino Cultural Center. He noted the Planning and Development Department had done an initial assessment, and added this would give staff a better idea of cost and where the building stood architecturally.

Councilman Nowakowski thanked Mr. Menchaca for organizing two trips for councilmembers and staff to visit latino cultural centers throughout the southwestern United States. He commented one of the things councilmembers noticed on the trips was that some cultural centers did their own campaigning or fundraising for in-kind donations such as property, and talked about how the City should leave their options open for donations or another opportunity.

Councilmember Garcia stated Phoenix had waited a long time for a Latino Cultural Center, and said residents deserved another look at having a brand-new site. He talked about how research had already been done looking at other cities, and suggested the proposed location does not allow for growth of the Latino Cultural Center. He commented the proposed site did not have cultural significance to the Latino-Chicano community, and said his interest was finding a more culturally-relevant site for the community.

Vice Mayor Guardado said the City took this route because they did not want to have the impression this project was stalled and not moving forward, and acknowledged it was important to keep options open. She mentioned there were people who worked on this for many years, and added there was a huge commitment to continue moving forward as the City looks at different options while doing it in the most responsible and economic way possible.

Councilwoman Williams noted she made the motion at the subcommittee meeting because this process had gone on for 17 years with thousands of hours of work. She commented not everyone was happy with the building, and added doing the review and the analysis of the building

would move the project forward. She mentioned she would prefer a big campus like in Albuquerque, but said the funds for this project could not be stretched as much as the cost for that cultural center. She talked about if this building is not available, the search for a new building would continue and while doing the search the City could look for someone to donate for a much larger campus. She asked for Council to continue moving forward on this project, and repeated if the building is not available the search would continue looking into other buildings and for donors.

Councilman DiCiccio mentioned comments made by Councilwoman Williams and Councilman Nowakowski, and talked about how this has been in process for 17 years. He repeated the comments made by Councilwoman Williams about proceeding with the review on the proposed site, and if that site does not work then the City could look into other options. He noted Councilman Nowakowski had been working on this project for years, and acknowledged the hard work he had put into the project. He suggested moving the project forward because it would be difficult to restart this, and added Council could not rely on Councilman Nowakowski to do all the work because it required strong teamwork. He stated he understood the need for a Latino Cultural Center to acknowledge the work and committment for Phoenix from the Hispanic community, and added he strongly supported this.

Jeffrey Ferns spoke in favor, and said he had been a working professional in the arts and cultural sector. He talked about how he had been following the process of this project, and added he wanted to share his 25 years of experience in arts and culture to explain the purpose and importance of a cultural center. He suggested the main purpose of a cultural center was to work within a community to share, learn, educate and tell stories. He said the second purpose was to bridge communities, and listed the various cultural centers and buildings he could see from his balcony. He mentioned the walking distance between different museums at the National Mall in Washington D.C., and compared that to the changes made at Margaret T. Hance Park where Latinos have a space to share their culture. He cited 22 million visitors come to Phoenix every year, and suggested if Phoenix had the opportunity and space at Margaret T. Hance Park to intersect with all of the other cultural centers,

then the park would be a miniature version of the National Mall.

Councilwoman Pastor talked about her background working for the Office of Culture and Language for Chicago Public Schools as a Director for Museums In the Park. She agreed with the statement made by Mr. Ferns that cultural centers bring people together, and mentioned the importance of where cultural centers are located. She said the Mexican Cultural Center in Chicago is located in a Hispanic neighborhood, and added because of the location it brings cultures together from the central core of the city to the southern part. She stated this project needed to move forward, and suggested prior councilmembers could have moved this forward. She mentioned the light rail extension into south Phoenix, and stated a cultural center should really be in that part of the community. She asked for clarification on the money allocated to the north building, and if that money could be moved to a new location.

City Manager Ed Zuercher responded there was $900,000 tied to a Latino Cultural Center from the 2006 bond program that would be applicable for a Latino cultural center anywhere in the city. He said the second portion of funds was around $6 million tied to the Phoenix Center North Building. He noted the authorization to move the location was there, but the money was not there. He noted Council ultimately had the authority to use the money as they would see fit in a similar area in the Parks Cultural Facilities area, and added this had been authorized but the bonds have not yet been sold.

Councilman Nowakowski mentioned he was elected in 2007 when this process really went into high speed, and talked about bringing all of the Hispanic community together with artists to raise funds and create a space in downtown Phoenix. He described the process of hiring a consultant for this, and commented at the time every council district wanted a Hispanic or Latino cultural center. He mentioned south Phoenix, Maryvale, Laveen, the Sacred Heart area, and Grant Park all wanted to have a center, and noted there was a lot of history at Margaret T. Hance Park related to the Hispanic community. He talked about how the population has grown in Phoenix with the Hispanic community moving from south Phoenix to the Maryvale area and now the Sunnyslope area. He suggested the decision to have the Latino Cultural Center in

downtown Phoenix was important because it could be shared by all communities, and added with the $80 million revitalization to renew Margaret T. Hance Park would be part of the growth of this area. He mentioned with the leadership of Councilwoman Williams and Mayor Gallego this project would happen, and thanked the councilmembers for their support. He noted if there is another opportunity, then Council should look at it and take advantage of it.

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

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

No: 0

35 Authorization to Enter into Agreement with La Frontera Empact Suicide Prevention Center in Support of Justice and Mental Health Collaboration Program Grant (Ordinance S-46221)

Request authorization for the City Manager, or his designee, to allow the Police Department to enter into an agreement with La Frontera Empact Suicide Prevention Center (EMPACT-SPC), to provide follow-up services to persons with mental illnesses and co-occurring mental illnesses and substance abuse in support of the Bureau of Justice Assistance (BJA), Justice and Mental Health Collaboration Program grant for $100,000. 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 was awarded $100,000 from the BJA through the 2019 Justice and Mental Health Collaboration grant. The grant and disbursement of grant funds was approved by City Council on Aug. 28, 2019, under Ordinance S-45986. The grant requires the Police Department to develop partnerships to provide services to individuals with mental illnesses. This agreement will reimburse EMPACT-SPC, an amount not to exceed $84,432 during the contract term. The City will be

reimbursed for applicable EMPACT-SPC expenses through the BJA grant.

Contract Term
Two years beginning Oct. 1, 2019 through Sept. 30, 2021.

Financial Impact
The Justice and Mental Health Collaboration Program grant provides up to a maximum of $84,432 in funding to reimburse EMPACT-SPC as the grant partner.

Concurrence/Previous Council Action
This item was unanimously approved by the Public Safety and Justice Subcommittee at the Nov. 13, 2019 meeting.

Discussion
Mayor Gallego described what Item 35 entailed, and stated Council had been working hard on public safety to make sure first responders were equipped with the resources they needed. She commented first responders needed to have modernized partnerships to address mental and behavioral health, and added this related to Frontera who was providing mental health first aid training to police officers.

Vice Mayor Guardado made a motion to adopt Item 35.

Councilwoman Stark seconded the motion. She thanked Mayor Gallego for championing this issue, and mentioned this was one of the issues Mayor Gallego ran on. She thanked her for her hard work.

Mayor Gallego commented the Police Department had done the hard work on this issue, and said we should celebrate when we have good news.

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

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

No: 0

60 **Amend City Code - Ordinance Adoption - Rezoning Application Z-41-19-4 - Northwest Corner of Central Avenue and Thomas Road (Ordinance G-6647)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-41-19-4 and rezone the site from C-2 TOD-1 (Approved C-2 H-R HGT/WVR PKG/WVR TOD-1), R-4 TOD-1 (Approved C-2 H-R HGT/WVR PKG/WVR TOD-1), and P-1 TOD-1 (Approved C-2 H-R HGT/WVR PKG/WVR TOD-1) to WU Code T6:HWR MT.

Summary

Current Zoning: C-2 TOD-1 (Approved C-2 H-R HGT/WVR PKG/WVR TOD-1), R-4 TOD-1 (Approved C-2 H-R HGT/WVR PKG/WVR TOD-1), and P-1 TOD-1 (Approved C-2 H-R HGT/WVR PKG/WVR TOD-1)
Proposed Zoning: WU Code T6: HWR MT
Acreage: 2.38
Proposed Use: Mixed-use

Owner: J&R Holdings VI, LLC
Applicant: Bergin, Frakes, Smalley & Oberholtzer
Representative: Bergin, Frakes, Smalley & Oberholtzer

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard the case on Oct. 7, 2019 and recommended approval, per staff recommendation by an 11-0 vote.
PC Action: The Planning Commission heard this case on Nov. 7, 2019, and recommended approval per the Encanto Village Planning Committee recommendation by a 6-0 vote.

Location

Northwest corner of Central Avenue and Thomas Road
Council District: 4
Parcel Addresses: 2902, 2904 and 2908 N. Central Ave. and 88 W. Thomas Road

Discussion

Mayor Gallego asked Councilwoman Pastor if she would like to hear a staff presentation first or start with comments from citizens.

Councilwoman Pastor responded start with comments from citizens.

Dr. Robert Cannon spoke in favor, and stated he was the President of the Willo Neighborhood Association. He noted he supported the project, and talked about elements in the design including billboard illumination and traffic issues in the surrounding area. He said he looked forward to the successful completion of the project.

Mayor Gallego noted there were two other neighborhood leaders available to speak if requested.

Councilwoman Pastor made a motion to adopt Item 60.

Councilwoman Stark seconded the motion.

Mayor Gallego commented this was a redevelopment of an important and exciting corridor, and added she was excited for this to move forward.

Prior to her vote, Councilwoman Pastor asked about the billboards at this location. She inquired if these billboards will turn off at night.

Planning and Development Director Alan Stephenson stated there were three billboards at this site that had a perpetual easement that must be moved to allow for redevelopment. He noted Clear Channel owned these billboards, and added they had worked with the Peterson Group to relocate them. He stated there needed to be separate use permit hearings throughout the zoning adjustment process and some variances to make this happen. He talked about how the Board of Adjustment can impose stipulations in terms of the measure of light intensity for billboards, hours of operation, and size.

Councilwoman Pastor mentioned Park Central being an exciting area in Council District 4, and added this would be a game-changer on Central Avenue and Thomas Road for other projects moving in on Central Avenue. She said she was excited the neighborhoods worked together, and commented the Willo Neighborhood Association was great. She expressed support for the work done by the developer, neighborhood and staff, and voted yes.

Note: Comment cards were submitted by the following individuals in favor of Item 60, with no one wishing to speak:

Opal Wagner
Margaret Dietrich

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

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

No: 0

62 **Amend City Code - Ordinance Adoption - Rezoning Application Z-44-19-8 - Northwest Corner of Central Avenue and South Mountain Avenue (Ordinance G-6643)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-44-19-8 and rezone the site from C-1 and R-3 SP to R-3 for single-family attached townhomes.

Summary
Current Zoning: C-1 and R-3 SP
Proposed Zoning: R-3
Acreage: 5.58 acres
Proposal: Single-family attached townhomes

Owner: Aaron Wallace, Tsalm Services, LLC
Applicant: Aaron Wallace, Divinity Homes
Representative: Mike Hare, Ashland Companies

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee meeting heard this case on Oct. 15, 2019, and recommended approval per the staff recommendation with a modification and an additional stipulation by a 9-5 vote.
PC Action: The Planning Commission heard this case on Nov. 7, 2019, and recommended approval per the South Mountain Village Planning Committee recommendation with a deleted stipulation and additional stipulations by a 7-0 vote.

Location
Northwest corner of Central Avenue and South Mountain Avenue
Council District: 8
Parcel Addresses: 8212 and 8350 S. Central Ave.

Discussion
Councilmember Garcia made a motion to withrdraw Item 62, with direction to readvertise for a public hearing at the Jan. 8, 2020 City Council formal meeting.

Councilman Nowakowski seconded the motion.

Nick Labadie noted he was with the Rose Law Group on behalf of Divinity Homes and Ashland communities. He said he was confused why this item was being moved, and stated he performed all the requirements for this item. He noted they held a neighborhood meeting that nobody attended, and said they received approval from the South Mountain Village Planning Committee with no opposition. He stated they received approval from the Planning Commission with no opposition, and suggested they only received positive feedback on the project. He asked what the issues were with this project so they could work on them.

Councilmember Garcia stated he was at the South Mountain Village

Planning Committee meeting when this project was on the agenda, and added there was no community involvement. He stated he just wanted to make sure everyone in the neighborhood could sit down and make sure everyone was on the same page by Jan. 8, 2020.

Mr. Labadie asked if any issues were expressed that they would be able to work on. He suggested this seemed a bit last-minute, and added they had worked with the community significantly.

Councilmember Garcia replied his office would get back to him to schedule a meeting with the neighbors and everyone involved to get on the same page.

Mr. Labadie commented he would be happy to talk with any neighbors if they were present in the Chambers after the meeting.

Councilwoman Pastor noted there had been a lot of work in that area. She stated she was part of the plans for development in that area when she used to work at South Mountain Community College. She suggested Mr. Labadie reach out to the neighbors that were part of the plans for the development in the area originally to understand what the reason and purpose of the area was to plan in the future.

Vice Mayor Guardado stated community input was incredibly important, and added it was important to continue with these decisions to make sure Council felt confident everything had been done to get community input. She said she supported moving this item to January to make sure everyone felt good about the decisions being made.

Mayor Gallego asked for clarification on the motion.

Mr. Stephenson stated Councilmember Garcia's motion was to withdraw Item 62 to allow for readvertising for a public hearing on Jan. 8, 2020. He noted if this item was continued to that date, changes would not be able to be made for stipulations or to have a public hearing. He mentioned because Councilmember Garcia wanted to have a meeting with the neighbors and the developer, they wanted to make sure Council had a public hearing before making any changes.

Mayor Gallego thanked Mr. Stephenson for his explanation, and commented that it was helpful.

A motion was made by Councilmember Garcia, seconded by Councilman Nowakowski, that this item be withdrawn with direction to post for public hearing at the Jan. 8, 2020 City Council Formal Meeting. The motion carried by the following voice vote:

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

No: 0

64 **Public Hearing and Resolution Adoption - General Plan Amendment GPA-CE-1-19-6 - Approximately 193 Feet West of the Southwest Corner of 54th Place and Washington Street (Companion Case Z-28-19-6) (Resolution 21799)**

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. Request to modify the land use designation on the site from Industrial to Mixed Use for a mixed-use development. This file is a companion case to Z-28-19-6.

Summary
Application: GPA-CE-1-19-6
Current Designation: Industrial
Proposed Designation: Mixed Use
Acreage: 4.79 acres
Proposed Use: Mixed-use development

Owner: Papago Tierra, LLC
Applicant: Stephen C. Earl of Earl, Curley & Lagarde, PC
Representative: Stephen C. Earl of Earl, Curley & Lagarde, PC

Staff Recommendation: Approval.
VPC Action: The Camelback East Village Planning Committee heard this

case on Nov. 5, 2019, and recommended approval, per the staff recommendation by a 15-0 vote.
PC Action: The Planning Commission heard this case on Nov. 7, 2019 and recommended approval per the Camelback East Village Planning Committee recommendation by a 5-0 vote.

Location
Approximately 193 feet west of the southwest corner of 54th Place and Washington Street
Council District: 6
Parcel Addresses: 5321 E. Washington St.

Discussion
Vice Mayor Guardado made a motion to adopt Item 64.

Councilwoman Stark clarified she would second the motion as long as the approval was based on the Planning Commission recommendation and to adopt the related resolution.

Planning and Development Director Alan Stephenson clarified this item was a General Plan Amendment, so there would need to be a public hearing pursuant to State law.

Mayor Gallego opened the public hearing.

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

Note: Taylor C. Earl submitted a comment card for the record in favor of Item 64.

The hearing was held. A motion was made by Vice Mayor Guardado, seconded by Councilman DiCiccio, that this item be approved per the Nov. 7, 2019 Planning Commission recommendation with adoption of the related resolution. The motion carried by the following vote:

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

No: 0

65 **Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-28-19-6 (Banyan Washington Apartments PUD) - Approximately 193 Feet West of the Southwest Corner of 54th Place and Washington Street (Ordinance G-6649)**

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-28-19-6 and rezone the site from A-1 and A-2 to PUD to allow a mixed-use project. This file is a companion case to GPA-CE-1-19-6.

Summary
Application: Z-28-19-6 (Banyan Washington Apartments PUD)
Current Designation: A-1 and A-2
Proposed Designation: PUD
Acreage: 4.79 acres
Proposed Use: Planned Unit Development to allow a mixed-use project

Owner: Papago Tierra, LLC
Applicant: Stephen C. Earl of Earl, Curley & Lagarde, PC
Representative: Stephen C. Earl of Earl, Curley & Lagarde, PC

Staff Recommendation: Approval.
VPC Action: The Camelback East Village Planning Committee heard this case on Nov. 5, 2019, and recommended approval per the staff recommendation with an additional stipulation by a 15-0 vote.
PC Action: The Planning Commission heard this case on Nov. 7, 2019 and recommended approval per the Camelback East Village Planning Committee recommendation with additional stipulations by a 5-0 vote.

Location
Approximately 193 feet west of the southwest corner of 54th Place and

Washington Street
Council District: 6
Parcel Addresses: 5321 E. Washington St.

Discussion

Mayor Gallego opened the public hearing.

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

Note: Taylor C. Earl submitted a comment card for the record in favor of Item 65.

The hearing was held. A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that this item be approved per the Nov. 7, 2019 Planning Commission recommendation with adoption of the related ordinance. The motion carried by the following vote:

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

No: 0

66 **Public Hearing - Amend City Code and Ordinance Adoption - Rezoning Application Z-42-19-6 - Approximately 230 Feet North of the Northeast Corner of Central Avenue and Glendale Avenue (Ordinance G-6648)**

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved. Request is to rezone the site from R1-10 NCASPD to R1-10 HP NCASPD for a Historic Preservation zoning overlay for the McElroy-Young House.

Summary

Current Zoning: R1-10 NCASPD
Proposed Zoning: R1-10 HP NCASPD
Acreage: 1.38
Proposed Use: Historic Preservation zoning overlay for McElroy-Young House

Owner: America M. Young Trust
Applicant: City of Phoenix Historic Preservation Commission
Representative: Kevin Weight, City of Phoenix, Historic Preservation Office

Staff Recommendation: Approval.
Historic Preservation Commission Action: The Historic Preservation Commission heard this case on Oct. 21, 2019 and recommended approval by a 8-0 vote.
VPC Action: The Alhambra Village Planning Committee heard the case on Oct. 22, 2019 and recommended approval by an 10-1 vote.
PC Action: The Planning Commission heard this case on Nov. 7, 2019, and recommended approval per the Historic Preservation Commission and Alhambra Village Planning Committee recommendations with an additional stipulation by a 7-0 vote.

Location
Approximately 230 feet north of the northeast corner of Central Avenue and Glendale Avenue
Council District: 6
Parcel Addresses: 7019 N. Central Ave.

Discussion
Mayor Gallego opened the public hearing.

Councilwoman Stark made a motion to approve Item 66 per the Dec. 4, 2019 memo from the Planning and Development Director, with adoption of the related ordinance. She stated Proposition 207 claims have hampered the ability of the City to assist neighborhoods in creating a special identity. She cited research that suggested historic property designations increase the value of a property, and noted she saw an offer for this property at $1.3 million. She commented the City was willing to assist the owner with $120,000 in Historic Preservation bond money, and added she was shown an appraisal on the property valued at a little less than $1.1 million. She talked about how the property owners could file for National Historic Designation for a reduction in property taxes by 50 percent for 15 years, and she did not agree that a Historic Preservation overlay would diminish property value or that rights to sell the property

were being taken away.

Councilwoman Williams seconded the motion.

America Young spoke in opposition, and suggested what Councilwoman Stark said was not true. She noted they have not been able to put their property on the open market, and suggested they were being blocked to do so by a small influential group that said their property was historic. She talked about the size of her property, and added she spent time talking with people in the neighborhood the past week where everyone was in support of them. She said the value was in the property and not the house, and suggested the interior of the home was poorly planned. She mentioned people interested in the property and developers were standing back, and commented they were being harassed by having their property rights taken away. She discussed how there were two historic surveys done on the property that denied this property was historic.

Councilman Nowakowski asked Ms. Young if she was informed about meetings for rezoning or the overlay.

Ms. Young replied this was the only meeting she knew of, and commented she was called greedy at the one Historic Preservation meeting she attended.

Councilman Nowakowski inquired if she received any information in the mail about meetings regarding this overlay.

Ms. Young stated they received notifications, but her husband had been sick and just got out of the hospital so they could not attend the meetings. She noted their lawyer had been to all the public meetings.

Councilman Nowakowski clarified Mr. and Ms. Young did receive notifications of the meetings, but that Mr. Young was sick at the time and was not able to go.

Mary Crozier spoke in favor, and stated she was a resident and owner of a historically-designated property and the former Chair of the North Central Avenue Special Planning District. She said City staff indicated

this house clearly met the criteria for a historic structure, and added this property was one of the only American colonial revival homes left in Phoenix. She noted it was well within the power of the Council to protect this home, and talked about a historic adobe home that was lost 20 years ago in the neighborhood. She commented that home was not the only historic home lost in the neighborhood, as 12 other significant historic homes were lost to development. She discussed how working with the City for three years led to the result of Central Avenue being the only historic streetscape in Arizona. She commented she lived in a historic home, and suggested she was approached frequently to sell her home. She stated the historic designation has increased their property values, and asked Council to vote for the historic designation of this property.

William Fischbach spoke in opposition, and commented he took the oath of office before he became a member of the Camelback East Village Planning Committee. He stated this was an oath to support and defend the Constitution of the United States and Constitution of Arizona, and added both of these constitutions say property rights were sacred. He stated the Youngs have paid property taxes to maintain this property for the past 20 years, and noted they wanted to sell it because it was their right. He talked about the condition of the house being barely livable, and suggested to make the house marketable, the house would need to be eligible for demolition. He talked about how the Youngs sought a demolition permit, but the Historic Preservation Office started the process against it. He stated his law firm would serve a notice on the City if this item was approved, and suggested a yes vote on this item would not only be in derogation of property rights, but would also be fiscally irresponsible.

John Hathaway spoke in favor, and said he lived about a half-a-mile from this property. He mentioned his house was a 1920's vintage English cottage style revival, and stated he would get approached by a developer once-a-month to buy his property with the intent to tear it down to maximize lot coverage. He took issue with the comment made by Ms. Young that she could not sell their property and said this was not true. He talked about the historic homes where he grew up in Virginia as well as Boston, and said there are very few historic properties in Phoenix because the community was inattentive and lacked oversight to maintain

and preserve. He suggested Phoenix did have history that was worth preserving, and commented that was why the Historic Preservation Office was formed.

Mr. Young spoke in opposition, and suggested Mr. Hathaway gave misinformation because they did not have any desire to subdivide the property or anything else except sell it. He stated they wanted to get rid of the property so their children would not be stuck with it, and added they did not want to spend the $15,000 to $20,000 a year to maintain the property. He commented the property could not be sold at a profit because the house was deteriorating and needed extensive restoration. He noted he understood the neighborhood wanted to preserve the property, but added they had contributed nothing to them to make up for the difference. He mentioned the price of a quarter acre lot that was near their property that was offered at $650,000, and compared that to the size of their lot at 1.3 acres. He stated they did not want to sell their property at a 50 percent loss, and suggested they would take the City to court all the way to the Supreme Court. He said they did not want to fight or argue at all, they just wanted to sell their house at fair market value. He talked about people coming to look at the house who want to preserve it, and suggested the $1.3 million offer did not come with earnest money so they did not know how valid that offer was. He noted they were not going to demolish the house but rather offer the demolition permit to whoever wanted to buy it.

Roger Brevcort spoke in favor, and mentioned he had been involved in historic preservation in Phoenix for 35 years. He noted he was a realtor and understood the relationship of historic properties and historic preservation, and suggested the issue today was if this property was eligible for designation on the Phoenix Historic Property Register. He commented there was no question this property was eligible, and added he also represented a group called Preserve Phoenix that was an advocacy group that stood behind this designation. He said the property was actively listed on the open market, and stated historic preservation enhances property values whether it is a single-family house or a historic neighborhood. He noted property owners were not held back by what they could do other than to follow the guidelines from the Historic Preservation Office. He asked Council to support the designation of this

property on the Phoenix Property Register.

Rick Delis spoke in opposition, and mentioned he lived directly adjacent to this property. He commented everything that is old is not historic, and said he had been to this home several times. He stated this home was obsolete, and there was nothing you could do to make this modern. He talked about the North Central Phoenix Homeowner's Association, and asked where the liberty and justice was for these homeowners. He said he welcomed whatever happened to this property, and suggested Council look inside the home. He stated no one would build an apartment building on this property, and repeated liberty and justice for all applied to these property owners.

Dan Klocke spoke in favor, and stated he served as the Chair of the Historic Preservation Commission. He talked about how these cases when brought to the Historic Preservation Commission usually end up with the votes being split, and added this case specifically was not split. He noted he understood how difficult and conflicted these cases can be, and added this was a moment where it was worth taking the vote. He asked Council to consider the way the Historic Preservation Commission voted, and to vote yes on this item.

Eric Jenson spoke in favor, and mentioned he represented the interested party that wanted to purchase and made the initial offer on the property. He noted there was $10,000 in earnest money as part of the offer, and added his clients spoke to the Historic Preservation office to make sure everything they wanted to do would be within the rules. He said everything was approved, and commented it was possible to restore this house to a modern home.

Councilwoman Pastor asked for the definition of a historic preservation overlay.

Historic Preservation Officer Michelle Dodds answered that the way the City designates properties on the Phoenix historic property register is through overlay zoning, and added this does not change the underlying zoning. She said the zoning for this property is R1-10, and an overlay on the property would make it subject to Chapter 8 of the Zoning Ordinance.

She mentioned this would set up designated properties for a review process for demolitions and exterior changes to the property.

Councilwoman Pastor talked about how the exterior of this property was described as great, but the interior was not functional. She said her understanding was the exterior needed to remain the same, but the interior the owner could do whatever they want including having an expansion to the home in the back if it goes through the Historic Preservation process.

Ms. Dodds responded that was correct, the Historic Preservation office did not review interior changes and just the exterior. She commented if there was significant new construction or large add-ons, it may require a public hearing before a hearing officer.

Councilwoman Pastor asked about the process of demolishing a home in a historic district, and the property rights she would have as an owner.

Ms. Dodds noted as the Historic Preservation Officer she would have three days to determine whether to allow for demolition or not after someone receives designation of the property on the register. She commented because this case was significant, she would deny a demolition permit. She acknowledged if this property was part of a larger district and the property was not a contributor to the district, she would approve the demolition. She repeated Councilwoman Pastor was correct on the one-year wait, and mentioned the hearing process for an economic hardship hearing could allow for demolition sooner than one year and would not require a reuse plan.

Councilwoman Pastor questioned if an overlay changed the value of the home.

Ms. Dodds answered she was not an expert or realtor, so she did not have qualifications to say that.

Planning and Development Director Alan Stephenson commented the question would depend on a number of factors, and talked about how comparing smaller lots to larger lots like this case would have some

impact on value but there was a scarcity of larger lots on Central Avenue.

Councilwoman Pastor inquired if an overlay was placed on the home, would it change from $1.8 million selling point by devaluing the home.

Ms. Dodds replied she could not speak to the specifics of this home, but noted the State Historic Preservation Office did a study on historic neighborhoods that documented those properties held their value better than other properties.

Mr. Young commented if they accepted the offer for $1.3 million, that gentleman would have to remodel the inside of the home as well as add 3,000 to 4,000 square feet to the back of the house to be representative of the 1.3 acres. He suggested this would cost close to $1 million, and said this house would need that investment in order to bring it up to value. He discussed how this house could not compare to other homes with historic designation, and mentioned those who had lived in the home found the house inadequate for them so they built a second home.

Mayor Gallego closed the public hearing.

Councilwoman Stark asked for confirmation that if the property owners got an overlay, they could then file with the National Register to qualify for a 50 percent reduction in property taxes for 15 years.

Ms. Dodds responded the property owners could apply for the National Register at any time, and added the State Historic Preservation Office did have the property tax reduction program. She noted it was not quite 50 percent, but was close to it and they could get that for two 15-year periods.

Councilwoman Stark stated the home on the property was 1,600 square feet, and added if the owners wanted to do any additions, they would need to go through the Historic Preservation Office. She suggested some people are happy with a house that size, and mentioned she lived in a 1,300-square-foot home.

Councilman DiCiccio asked if anyone on staff from Law to Planning

believed the City could win this case.

Mayor Gallego said traditionally legal advice is not given in a public setting.

Councilman DiCiccio suggested the City would be heading into a lawsuit so Council needed legal advice so the public could see where we are at. He noted he had not heard anyone from the legal team or staff say this is a winnable case, and said this case was a moral issue of whether or not the City should dictate someone's level of happiness. He stated this controversy has already diminished the value of their property, and commented he did not see any councilmembers go out and try to market that home to bring buyers in. He said he felt bad for the property owners because they suffered through a medical crisis and what had occurred today. He commented this was morally wrong, and added what happened was taking away property rights and financial security for these individuals.

Councilwoman Williams stated Councilman DiCiccio made some good points, and added these cases were always controversial. She asked when the last time the City was sued over a case like this.

Ms. Dodds answered the last time a case was presented to Council that did not have support from the property owner was the David and Gladys Wright House. She noted this was the second time in her tenure where the property owner did not support the designation.

Principal Planner Kevin Weight mentioned there was a case shortly after Proposition 207 in the expansion of the Encanto Palmcroft Historic District. He noted it was at the neighbor's request that covered the 1300 block of West McDowell Road on the north side. He stated there was opposition in the case, and added the neighborhood association encouraged staff to pursue it along with Council who initiated it. He said Council approved it, and there was a $4 million claim filed by a developer who wanted to tear down one-story apartments there and replace them with a four-story condominium development. He talked about how Council reconsidered the Historic Preservation zoning, debated it, and ended up rescinding the approval in 2007. He concluded that case and the David

Wright house were the only two cases he was aware of.

Councilwoman Pastor asked what happened with the case on 19th Avenue and Thomas Road. She suggested this was controversial because it was demolished and the lot is still vacant.

Mr. Weight replied Historic Preservation was not involved in that case.

Mr. Stephenson stated there was an important fact about the comments made by Mr. Weight. He said that referenced under Proposition 207, once a valid claim would be submitted to the City, the City would have 90 days to consider whether or not to keep the land use law or rescind it. He mentioned the applicant would need to provide an argument as part of their submittal, and Council could decide if they wish to go forward or rescind at that time. He noted the case mentioned by Mr. Weight, and said Council decided to rescind that case. He discussed how the $4 million claim case was different than the other case because of the existing zoning allowed for more dense development.

Prior to his vote, Councilman Nowakowski said he normally was supportive of overlays and commented he normally sided with the councilmember of that Council district. He mentioned he did not have a chance to talk to the community or study the case, so he would be a no.

Note: The following citizens submitted comment cards for the record, indicating their position on Item 66.

Scott Mardian, In Favor
John Fournier, In Favor
Anne Ender, In Favor
Flo Eckstein, In Favor
Junxzang Yzn, In Favor
David Sorensen, In Favor
Keith Ender, In Favor
John Szafran, In Favor
Jay Goodfooh, In Favor
Samantha Hirsch, In Favor
Angus Schaal, In Favor

Heather Jones, Opposed
Nichole Cassidy, Opposed
Larry Olsen, Opposed
Kris Olsen, Opposed
Karl Turferg, Opposed
Raquel Adolphsen, Opposed

A motion was made by Councilwoman Stark, seconded by Councilwoman Williams, that this item be approved per the Dec. 4, 2019 memo from the Planning and Development Director with adoption of the related ordinance. The motion carried by the following vote:

Yes:	6 -	Councilmember Garcia, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	3 -	Councilman DiCiccio, Councilman Nowakowski and Councilman Waring

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

The City Attorney stated the Citizen Comment part of the agenda provides an opportunity for members of the public to address the City Council for up to three minutes on issues of interest or concern to them. The Arizona Open Meeting Law permits the City Council to listen to the comments from the public, but prohibits the members from discussing or taking action on matters presented during Citizen Comments.

Mayor Gallego commented there were a large number of citizens who submitted comment cards, and announced the first 10 speakers to address Council who were: Katherine Roxlo, Kasey Billingsly, Sam McKenna, Sharon Landis, Jeannie Swindle, Jeffery Reed, Patrick McMullen, Elizabeth Goff, Dale Strachan, and Diane Habener.

Katherine Roxlo submitted two letters to Council, with one letter being from Linda Gruber and the other from herself and Jeanie Swindle. She mentioned the letters highlighted their concerns with the drought pipeline project, and said they were not allowed to have public comment on the project at a meeting in

October. She stated there were five requests in her letter, and the two most pressing requests were to delay the project to allow for community input and to have the drought pipeline project design and alignment issue to be an agenda item for the Dec. 18, 2019 City Council formal meeting. She talked about how she sent letters and emails and had only received a reply from Water Services Director Kathryn Sorensen. She suggested City values had not been followed, and commented the alignment study was flawed.

Kasey Billingsley mentioned she lived where two of the pipelines would meet. She said she was concerned with the safety of the structures in her neighborhood and the health risk of their children. She stated her concern was with the potential for airborne particulate from blasting of rocks, and talked about Cox Cable digging a trench in their neighborhood that took them three weeks to do instead of 48 hours that was expected. She mentioned the noise was so loud from the construction her family could not even watch television, and said the City did not do their homework in regards to health impact studies for the pipeline project. She urged Council to delay the project and to do more research for the community.

Sam McKenna talked about the pipeline project, and said there were three neighborhoods that would be impacted by this project. She talked about how Granada Park would be affected by construction, and stated this project would affect three of the four routes going out of this neighborhood. She mentioned police canines were trained in this area along with other groups and organizations that use this area. She described the Madison Heights area that had employees at a health facility along with visitors at the park. She asked Council to pause the project and look at alternative routes, and suggested there had to be a better way.

Note: Vice Mayor Guardado left the Chambers and the voting body.

Sharon Landis talked about the Madison Heights neighborhood not having a through street, and was bounded by mountain preserve and State Route 51. She said one of the reasons why she lived in this neighborhood was because she could walk around the neighborhood safely, and added their quality of life would be severely impacted by the proposed pipeline construction. She talked about how residents in this neighborhood actively walked around at all hours of the day and night, and talked about those in her neighborhood with horses that

walk around the preserve. She asked if Council supported quality of life in decision making, and asked Council to delay the pipeline project until issues are fully addressed.

Jeannie Swindle mentioned she lived near the trailhead of the Phoenix Mountain Preserve where she walked with her husband every morning. She expressed concern with the proposed pipeline project in her neighborhood, and added there has not been an opportunity for input from the community. She suggested there would be issues operating heavy equipment in these neighborhoods, and said there could be delays in this project that would inconvenience them for up to five years. She asked Council to delay the pipeline project.

Patrick McMullen expressed appreciation for the Phoenix Mountain Preserve, and presented a citizen's petition. He talked about his concerns with the Water Services Department proposed construction of the water pipeline from the 24th Street Water Treatment Plant to 32nd Street and Bell. He noted it was important to invest in future water supply, but expressed concern with decision making made by the Water Services Department. He suggested the Water Services Department denied the public legal rights under the Charter to determine the fate of the Phoenix Mountain Preserve. He asked for an oversight hearing to look at alternatives for this project, and thanked the City for having the preserves.

Elizabeth Goff stated she was speaking individually today and was the secretary for the Board of Directors for the Phoenix Mountain Preserve Council. She presented a letter from a member on the Preserve Council who was also a past board member on the Parks and Recreation Board. She talked about hiking on a regular basis at the preserve, and suggested the trailhead would be affected by the pipeline construction. She discussed how that desert area would not be the same after the pipeline construction, and asked for an oversight hearing on the project to look at alternatives. She said the project should be stopped, and mentioned a conversation with their attorney on their suggestions for what should happen next. She commented the preserve was fragile, and repeated it would never be the same after construction.

Councilman DiCiccio asked staff to get him information on the alternative routes for this project by the end of next week, and added staff also would be working with the State. He noted staff had been doing a great job trying to find an

alternative, and said he would like to see what they come back with.

Diane Habener spoke on Item 16, and noted she arrived 10 minutes late and the public hearing was closed. She said she lived about 350 feet from the proposed annexation property, and added she was always told this property would stay rural-residential. She stated her neighbors were not for the annexation, and gave a letter from one of her neighbors who could not attend the meeting. She talked about her other neighbors not being able to come to the meeting, and mentioned the property was already listed with a commercial realtor being advertised as commercial property. She asked Council to help maintain one of the unique features of Arizona with these rural areas nestled within city boundaries, and added that she lived in her current home since 2000.

Mayor Gallego announced the annexation item mentioned by Ms. Habener would be back to Council for action on a future agenda.

Jacquelyn Brown presented a map showing where the proposed pipeline mentioned earlier would be constructed in the preserve, and discussed how the neighborhoods affected by the construction only have one ingress and egress point. She suggested the construction would cause a safety hazard, and talked about the issue if a pipe breaks along this new pipeline then the City would need to go through the preserve again to fix it. She mentioned Piestewa Peak used to be a mercury deposit, and suggested the construction might bring up a lot of mercury.

David Gironda said he represented the previous Squaw Peak Citizens Advisory Committee in regards to the design of State Route 51. He talked about an agreement between the City and the Arizona Department of Transportation to abandon a right-of-way in the west portion of Dreamy Draw, and suggested the proposed pipeline would violate this agreement. He asked Council to regard this issue as an extreme conservation effort.

Note: The following individuals submitted cards for the record in favor of those who spoke in opposition to the proposed pipeline:

Mary Gwinn
Charles Gwinn
Kathryn Fuller

Douglas Nelson
Hank Tomlinson
James Kahn
America Young
Linda Gruber
Rochelle Malinoff
Lisa Brown
Rollie Brevart

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 5:06 p.m.

MAYOR

ATTEST:

CITY CLERK

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CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 4th day of December, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 3rd day of February, 2021.

CITY CLERK