172656

City of Phoenix

Minutes

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

City Council Formal Meeting

Thursday, July 5, 2018 **12:00 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Thursday, July 5, 2018 at 12:02 p.m. in the Council Chambers.

Present: 8 - Councilman Sal DiCiccio, Councilwoman Kate Gallego, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilman Daniel Valenzuela, Vice Mayor Jim Waring and Mayor Thelda Williams

Councilman Nowakowski joined the voting body via telephone during Citizen Comments held at the beginning of the meeting, and left the voting body during discussion on Item 47.

Mayor Williams acknowledged the presence of Maria Garcia, a Spanish interpreter. In Spanish, Ms. Garcia announced her availability to the audience.

CITIZEN COMMENTS

Luis Acosta mentioned he was a former City of Phoenix employee for 16 years. He discussed how much the City planned to spend on light rail, and added there was a waste of water throughout Phoenix. He said he contacted City Manager Ed Zuercher about the water leaks and landscape that was not repaired, and noted the area where he lived along Baseline Road was in horrible condition. He talked about how budgets increased due to new projects, but said there was a lack of funds to maintain the projects.

Greta Rogers submitted a petition on behalf of Joanne Scott Woods. She discussed the attendance of Councilman DiCiccio at the June 6, 2018 City Council Formal meeting, and noted he did not attend community meetings held by citizens at Alta Vista Center. She talked about his comments toward Mr.

Zuercher, and mentioned he had no proof to the accusations he made. She cited the definition of demean, and commented on how he disrespected the City Council. She further pointed out what he earned for being on the Council.

Note: Councilman Nowakowski joined the voting body via telephone.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6474 and G-6479 through G-6484, S-44863 through S-44899, and Resolutions 21654 through 21658 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Formal Meeting on April 4, 2018

Summary

This item transmits the minutes of the Formal Meeting of April 4, 2018, for review, correction and/or approval by the City Council.

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

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

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

2 For Approval or Correction, the Minutes of the Formal Meeting on April 18, 2018

Summary

This item transmits the minutes of the Formal Meeting of April 18, 2018, for review, correction and/or approval by the City Council.

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

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

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

No: 0

3 For Approval or Correction, the Minutes of the Formal Meeting on May 2, 2018

Summary

This item transmits the minutes of the Formal Meeting of May 2, 2018, for review, correction and/or approval by the City Council.

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

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

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

No: 0

4 For Approval or Correction, the Minutes of the Formal Meeting on May 16, 2018

Summary

This item transmits the minutes of the Formal Meeting of May 16, 2018,

for review, correction and/or approval by the City Council.

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

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

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

No: 0

BOARDS AND COMMISSIONS AND ADMINISTRATION OF OATHS

5 Mayor's Appointments to Boards and Commissions

Summary

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

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

Board of Adjustment

Appoint Jonathan Ammon, for a term to expire May 2, 2022

Appoint Richard Cole, for a term to expire Jan. 1, 2022

Industrial Development Authority

Reappoint David Lujan, for a term to expire Nov. 1, 2023

Reappoint Barbara Ryan Thompson, for a term to expire Nov. 1, 2023

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

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

No: 0

6 City Council Appointments to Boards and Commissions

Summary

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

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

Estrella Village Planning Committee
Appoint Serika Ademolu, for a term to expire Nov. 19, 2018, as recommended by Councilman Nowakowski

North Gateway Village Planning Committee
Appoint Steve Tucker, for a term to expire Nov. 19, 2019, as recommended by Mayor Williams

North Mountain Village Planning Committee (As recommended by Councilwoman Stark)
Appoint Kelsey Nelson, for a term to expire Nov. 19, 2019
Appoint Kirsten Shields, for a term to expire Nov. 19, 2019

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

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

No: 0

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

Serika Ademolu - Estrella Village Planning Committee; Steve Tucker - North Gateway Village Planning Committee; and Kelsey Nelson - North Mountain Village Planning Committee.

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

7 Swearing in of Chief Presiding Judge and Municipal Court Judge

Request to permit the swearing in of the Chief Presiding Judge and Municipal Court Judge.

Summary

Administer the oath of office for the Honorable B. Don Taylor III as Chief Presiding Judge of the Phoenix Municipal Court for a term to expire on June 30, 2019 and a four-year term as Judge of the Phoenix Municipal Court to end on Feb. 9, 2021.

Administer the oath of office for the Honorable Laura Lowery to a four-year term as Judge of the Phoenix Municipal Court to end on Sept. 30, 2022.

Concurrence/Previous Council Action

On April 9, 2018 the Judicial Selection Advisory Board recommended approval to the Public Safety and Veterans Subcommittee.

On June 13, 2018 the Public Safety and Veterans Subcommittee recommended approval to the City Council by a vote of 3-0.

Chief Presiding Judge B. Don Taylor III and Municipal Court Judge Laura Lowery were sworn in.

Mayor Williams administered the oath of office to Chief Presiding Judge Taylor and Municipal Court Judge Lowery. They were invited to approach the dais so Council could extend their appreciation.

Discussion

Councilwoman Gallego announced this meeting could be her last and wanted to thank those who helped her. She thanked Mayor Williams for being a champion for infrastructure and said it was a pleasure to work with her to make Phoenix a friendly city for all ages. Councilwoman Gallego noted her work with Vice Mayor Waring to allow voters to have a chance to vote in the next election to permit

elected officials who commit sexual harrassment to be expelled, and she thanked Mayor Williams for her support and partnership on the policy. She acknowledged her work with Councilwoman Pastor on many items including My Brother's Keeper Initiative, and Councilman Valenzuela when they took on the Presidential executive orders as well as other assignments. Councilwoman Gallego recognized her work with Councilman Nowakowski on a number of things that included the corridor, the budget, and the Laveen Community Center, and mentioned Councilwoman Stark and herself shared interests with work recently on an initiative related to dark money in elections. She thanked Councilman DiCiccio for the work they did on City land recently to protect taxpayers from lost profits, and pointed out they were about to reach $40 million in sold City land to be returned to taxpayers.

Councilwoman Gallego thanked her staff and her parents who supported her. She said the City of Phoenix had been a supporter of her, and noted she was the first Councilwoman to give birth in office. She stated there were bumps she went through and thanked the City for being there for her. She remarked City staff provided a great spirit of professionalism as they were there to always answer the call, and she thanked Mr. Zuercher for being a partner in the progress made and for his honesty and great service to the City. She thanked the District 8 constituents for the opportunity to serve them, and noted she looked forward to more work together.

Mayor Williams asked Councilman Valenzuela if he wanted time to speak.

Councilman Valenzuela answered he would allow the meeting to continue and would put a statement out later as this was his last meeting as the District 5 Councilmember.

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

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

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

Wilford Rhine - Agent, Item 8

Nga Quynh Thi Pham - Agent, Item 12
Bradley King - Agent, Item 15
Juanita Esparza - Agent, Item 19
Craig Miller - Applicant, Item 22
Domenico Cavallo - Agent, Item 25
Theresa Morse - Agent, Item 26
Mitchell Hvdak - Applicant, Item 28

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that Items 8-29 be recommended for approval, except Item 21 which is continued to the Aug. 29, 2018 City Council Formal Meeting, and noting that Items 16-29 are as revised to reflect the change in staff recommendation to approval. The motion carried by the following voice vote:

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

No: 0

8 **Liquor License - Beale St. Bar & Grill**

Request for a liquor license. Arizona State License Application 21455.

Summary

Applicant
Wilford Rhine, Agent

License Type
Series 12 - Restaurant

Location
9617 N. Metro Pkwy. W., Ste. 2032
Zoning Classification: PUD
Council District: 1

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

The 60-day limit for processing this application is July 20, 2018.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have own bars & restaurant in the past for over 18 yrs. And have had #6 & #12 liquor lic. in the past."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Because this will be a restaurant that will serve a up and coming part 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 - Beale St. Bar & Grill
Liquor License Map - Beale St. Bar & Grill

This item was recommended for approval.

9 Liquor License - City Tacos

Request for a liquor license. Arizona State License Application 20855.

Summary

Applicant
Ernesto Rascon, Agent

License Type
Series 12 - Restaurant

Location
903 E. Bell Road, Ste. 103
Zoning Classification: C-2
Council District: 3

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

The 60-day limit for processing this application is July 10, 2018.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is an experienced licensee committed to upholding the highest standards for it's business practices and employees. I currently own more than one restaurant and convenience markets in the state of Arizona of which all sell alcohol beverages. I have been trained in the techniques of legal & responsibility & taken Title 4 liq law training. I will provide a safe experience for the bus & patron."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The public convenience requires in the best interest of the community will be substantially served by the issuance of the liquor because: City Tacos would like the priviledge of serving alcoholic beverages with meals upon the request of the restaurant patron."

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 - City Tacos
Liquor License Map - City Tacos

This item was recommended for approval.

10 Liquor License - Special Event - St. Francis Xavier Roman Catholic Parish Phoenix

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

Summary

Applicant
Mary Musgrove

Location
4715 N. Central Ave.
Council District: 4

Function
Dinner/Dance

Date(s) - Time(s) / Expected Attendance
Oct. 6, 2018 - 6 p.m. to 11 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Citifarms Cafe

Request for a liquor license. Arizona State License Application 20775.

Summary

Applicant
Patricia Edgelow, Agent

License Type
Series 12 - Restaurant

Location
2024 N. 7th St.
Zoning Classification: C-1
Council District: 4

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow alcohol sales, outdoor dining and outdoor alcohol consumption. This business is currently being remodeled with plans to open in August 2018.

The 60-day limit for processing this application is July 9, 2018.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I have owned and operated many businesses and raised a large family. Currently, I own the property at 2024 N. 7th St., Phoenix and live next door. I also run the wellness center and yoga studio on the same property.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“I am sourcing local craft beer and wine to serve on tap along with Kombucha. Purchasing from local vendors strengthens our community and keeps money in our local economy. I am creating a low-key social environment for patrons of my wellness center, yoga studio and 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 - Citifarms Cafe
Liquor License Map - Citifarms Cafe

This item was recommended for approval.

12 Liquor License - PT Noodles

Request for a liquor license. Arizona State License Application 20555.

Summary

Applicant
Nga Pham, Agent

License Type
Series 12 - Restaurant

Location
702 W. Camelback Road, Ste. 1
Zoning Classification: C-2

Council District: 4

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

The 60-day limit for processing this application is July 6, 2018.

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

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

PT Noodles (Series 12)
13749 N. Litchfield Road, Ste. G-109, Surprise
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

PT Noodles (Series 12)
10220 W. McDowell Road, Ste. 150, Avondale
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 been in restaurant business for 6 years. I am currently holding a liqour license at our Surprise location. I have completed management training.

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"PT Noodles can effectively serve customers when they are enjoying food with their family at our restaurant. Alcohol are likely served while having foods help customers to relax after a long day working or facing stressful issues in their lives."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - PT Noodles
Liquor License Map - PT Noodles

This item was recommended for approval.

13 Liquor License - Nishikawa Ramen

Request for a liquor license. Arizona State License Application 20861.

Summary

Applicant
Xiaoyu Zhou, Agent

License Type
Series 12 - Restaurant

Location
3141 E. Indian School Road, Ste. 110
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is July 10, 2018.

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

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

Nishikawa Ramen (Series 12)
1909 E. Ray Road, #10, Chandler
Calls for police service: N/A - not in Phoenix

Liquor license violations: In February 2017, a warning letter was issued for failure to display the license, knowledge of liquor laws and rules, and not maintaining an employee log.

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 understand the responsibilities and regulations that come with owing a liquor license. I take these responsiblilites and regulations serioulsy as I am trying to ensure that my business is run successfully and professionally."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Liquor will be served in a safe and regulated environment."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Nishikawa Ramen
Liquor License Map - Nishikawa Ramen

This item was recommended for approval.

14 Liquor License - Ruby Tuesday

Request for a liquor license. Arizona State License Application 12077637.

Summary

Applicant

H. J. Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
4415 E. Monroe St.
Zoning Classification: C-2 M-R TOD-1
Council District: 8

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

The 60-day limit for processing this application is July 17, 2018.

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

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

Ruby Tuesday (Series 12)
27 S. McClintock Drive, Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Ruby Tuesday (Series 12)
2571 S. Market St., Gilbert
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Ruby Tuesday (Series 12)
1035 N. Avondale Blvd., Avondale

Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The pending Application is for a change of control of this existing licensed business. No management or staff changes or any other operational changes are taking place. Change of control due to a merger with the company's parent company. Acquiring company is a SEC-regulated investment fund and otherwise qualified for licensure."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Concierge

Request for a liquor license. Arizona State License Application 21003.

Summary

Applicant
Bradley King, Agent

License Type
Series 12 - Restaurant

Location
1140 E. Washington St., Ste. 101A
Zoning Classification: C-3 TOD-1
Council District: 8

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

The 60-day limit for processing this application is July 13, 2018.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have a masters degree in business management. I ran my family restaurant in St. Louis Mo. as well as its bar & nightclub. I worked for

Pabst Brewery in Milaukee Wisconsin in the 1980's in their City Sales Division as a marketing representative. Prior to working for Pabst Brewery I worked for Johnson Bros Liquor Wholesaler again in the capacity as a marketing representative."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Our business will work closely with other community stakeholders to develope strategies that are align with the community's needs. We will hold ourselves accountable in assuring we're transparent & responsible in our due diligent towards professionalism & business practices. Finally we're committed to paying forward in investing in our youth population by making a financial contribution in education and youth & development programs."

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 - Concierge
Liquor License Map - Concierge

This item was recommended for approval.

16 Liquor License - JC Sushi & Chinese

Request for a liquor license. Arizona State License Application 21707.

Summary

Applicant
Jian Yan, Agent

License Type
Series 12 - Restaurant

Location
2740 W. Bell Road
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 does not have an interim permit.

The 60-day limit for processing this application is July 24, 2018.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I understand the responsibilities and regulations that come with owing a liquor license. I take these responsibilities and regulations seriously as I am trying to ensure that my business is run successfully and

professionally .”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Liquor will be served in a safe and regulated environment.”

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

Attachments
Liquor License Data - JC Sushi & Chinese
Liquor License Map - JC Sushi & Chinese

This item was recommended for approval.

17 Liquor License - Machete #3

Request for a liquor license. Arizona State License Application 22342.

Summary

Applicant
Mark Gonzalez, Agent

License Type
Series 12 - Restaurant

Location
3549 W. Thunderbird Road
Zoning Classification: PSC
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 Aug. 3, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been in the restaurant industry since September 2016 in all aspects of running this business successfully in the daily operations internally and external without incident. I am professional and responsible and will adhere to all rules and regulations as it pertains to my restaurant with the City codes and 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 will provide quality food at reasonable prices and will now be able to provide our clients to enjoy an alcoholic beverage with their meals. There is adequate parking so no traffic issues and the business provides opportunity for employment when needed to the community."

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

Attachments
Liquor License Data - Machete #3
Liquor License Map - Machete #3

This item was recommended for approval.

18 Liquor License - 2 Sons Food Mart LLC

Request for a liquor license. Arizona State License Application 22403.

Summary

Applicant
Maqsood Saeed, Agent

License Type
Series 10 - Beer and Wine Store

Location
8941 N. Central Ave.
Zoning Classification: C-2
Council District: 3

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

The 60-day limit for processing this application is Aug. 3, 2018.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Operated gas station/convenient store with beer & wine license in Scottsdale."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Existing gas station/convenient store with a beer & wine license."

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

Attachments
Liquor License Data - 2 Sons Food Mart LLC
Liquor License Map - 2 Sons Food Mart LLC

This item was recommended for approval.

19 Liquor License - Caravan Bar

Request for a liquor license. Arizona State License Application 06070343.

Summary

Applicant
Juanita Esparza, Agent

License Type
Series 6 - Bar

Location
4835 N. 15th Ave.
Zoning Classification: C-2 TOD-1
Council District: 4

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 outdoor alcohol consumption. A Use Permit hearing has been scheduled.

The 60-day limit for processing this application is July 30, 2018.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is an experienced licensee committed to upholding the highest standards for it's business practices and employees. I along with my employees have been trained in the techniques of legal & responsibility & will take the Title 4 liquor law training. I will provide a safe experience for the business & patrons."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The public convenience requires in the best interest of the community will be substantially served by the issuance of the the liquor because: Caravan Bar like the priviledge of serving alcoholic beverages upon the request of the bar patron."

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

Attachments
Liquor License Data - Caravan Bar
Liquor License Map - Caravan Bar

This item was recommended for approval.

20 Liquor License - La Chamba

Request for a liquor license. Arizona State License Application 06070654.

Summary

Applicant
Patricia Serrano, Agent

License Type
Series 6 - Bar

Location
3501 N. 43rd Ave.
Zoning Classification: C-2
Council District: 4

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 patron dancing.

The 60-day limit for processing this application is July 22, 2018.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I was a prior licensee in the state of Arizona and my investigation revealed that I met the capability, reliability and qualifications to hold a liquor license. I was in business at this same location and continued to proof that I possessed CRQ to hold a liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location previously went through the liquor licensing process and license was issued. In my opinion, as not only property owner, but also the owner of the business location I feel the public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license."

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

Attachments
Liquor License Data - La Chamba
Liquor License Map - La Chamba

This item was recommended for approval.

21 Liquor License - Wagon Wheel

Request for a liquor license. Arizona State License Application 06070541.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
710 W. Montecito Ave.
Zoning Classification: C-2 SAUMSO
Council District: 4

This request is for an ownership and location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption. A Use Permit hearing has been scheduled. This business is currently being remodeled with plans to open in September 2018.

The 60-day limit for processing this application is July 24, 2018.

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Applicant will provide a friendly, retro-themed neighborhood bar and backyard patio where guests can enjoy outdoor activities. Applicant would like to offer guests 21 and over the opportunity to enjoy alcoholic beverages."

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

Attachments
Liquor License Data - Wagon Wheel
Liquor License Map - Wagon Wheel

This item was continued to the Aug. 29, 2018, City Council Formal Meeting.

22 Liquor License - La Playa Mar y Tierra

Request for a liquor license. Arizona State License Application 22206.

Summary

Applicant
Francisco Lopez, Agent

License Type
Series 12 - Restaurant

Location
7532 W. Indian School Road, Ste. A
Zoning Classification: C-2
Council District: 5

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption. A Use Permit hearing has been scheduled. This business is currently being remodeled with plans to open in August 2018.

The 60-day limit for processing this application is July 30, 2018.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have over five years' experience as an owner and operator of two reception halls. Alcohol has been served at events that have taken place at the reception halls without incident. Prior to the issuance of a liquor license, I will have successfully completed Title 4 training. I am current on all taxes and other amounts due related to my business and am an upstanding member of the community."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The location of the La Playa Mar y Tierra restaurant was a prior restaurant location and the operation of the restaurant with a liquor license will benefit the community due to the increased revenue and taxes that will flow back to the community. In connection with a patio permit, the City Counsel has reviewed the traffic for the area and has determined that restaurant will not pose any problem. The restaurant is located in a business area and there is, to my knowledge, only one other restaurant that serves alcohol in the nearby area."

Staff Recommendation

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

Attachments

Liquor License Data - La Playa Mar y Tierra
Liquor License Map - La Playa Mar y Tierra

This item was recommended for approval.

23 Liquor License - Bitter & Twisted

Request for a liquor license. Arizona State License Application 06073622.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
1 W. Jefferson St.
Zoning Classification: DTC - Business Core HP
Council District: 7

This request is for a new liquor license for a bar. This location is currently licensed for liquor sales. This location requires a Use Permit to allow outdoor alcohol service.

The 60-day limit for processing this application is July 22, 2018.

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

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

Bitter & Twisted (Series 6)
1 W. Jefferson St., Phoenix
Calls for police service: 2
Liquor license violations: None

Residence Inn & Courtyard by Marriott Downtown Phoenix (Series 11)
132 S. Central Ave., Phoenix
Calls for police service: 38
Liquor license violations: None

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Applicant is currently open and operating with a series 6 liquor license

which will be transferred to a new location in downtown Phoenix. The pending series 6 will replace the transferring license."

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

Attachments
Liquor License Data - Bitter & Twisted
Liquor License Map - Bitter & Twisted

This item was recommended for approval.

24 Liquor License - Little Rituals Bar

Request for a liquor license. Arizona State License Application 06070619.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
132 S. Central Ave., Ste. 401
Zoning Classification: DTC - Business Core
Council District: 7

This request is for an ownership and location transfer of a liquor license for a bar. This location is currently licensed for liquor sales with a Series 11 - Hotel/Motel, liquor license. This business has plans to open in October 2018.

The 60-day limit for processing this application is July 30, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the

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

Other Active Liquor License Interest in Arizona

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

Residence Inn & Courtyard by Marriott Downtown Phoenix (Series 11)
132 S. Central Ave., Phoenix
Calls for police service: 38
Liquor license violations: None

Bitter & Twisted (Series 6)
1 W. Jefferson St., Phoenix
Calls for police service: 2
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

because:
“Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“From the creators of Bitter & Twisted, Little Rituals will be a cocktail lounge with a stylish twist on the 4th floor of the Residence Inn & Courtyard by Marriott Downtown Phoenix. Applicant would like to offer alcoholic beverages to guests 21 and over.”

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

Attachments
Liquor License Data - Little Rituals Bar
Liquor License Map - Little Rituals Bar

This item was recommended for approval.

25 Liquor License - Mimi Forno Italiano

Request for a liquor license. Arizona State License Application 21821.

Summary

Applicant
Domenico Cavallo, Agent

License Type
Series 12 - Restaurant

Location
3624 W. Baseline Road, Ste. 174
Zoning Classification: C-2
Council District: 7

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in September 2018.

The 60-day limit for processing this application is July 28, 2018.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

“I'm going to attend the management trainigg required by the law, also I used to worked as server and I took several times the basic training before.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “A liquor license will have countless benefits for the community one of these benefits is that will create at leaste 12 new oportunietes of jobs, for people in the community plus will help the revenue in this area also we create a new place when the people of our community (because we live there). Could enjoy a meal and a drink on a very clean and secure location.”

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

Attachments
Liquor License Data - Mimi Forno Italiano
Liquor License Map - Mimi Forno Italiano

This item was recommended for approval.

26 Liquor License - Pizza Hut #26999

Request for a liquor license. Arizona State License Application 07070157.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 7 - Beer and Wine Bar

Location
21 W. Van Buren St., Ste. G-4
Zoning Classification: DTC-Business Core
Council District: 7

This request is for a location transfer of a liquor license for a beer and wine bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor liquor service. This business is currently being remodeled with plans to open in Sept. 2018.

The 60-day limit for processing this application is Aug. 4, 2018.

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

Other Active Liquor License Interest in Arizona

This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Hot Pizza LLC holds numerous liquor licenses throughout AZ doing

business as Pizza Hut. They have not been in violation of any liquor laws due to close observation of their staff and frequent liquor law training. This application is a transfer from 1st Street to Van Buren where they will be able to service many downtown office personnel in the area. All owners have met capability, reliability and qualifications previously. Their business will be an asset to the downtown revitalization."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The owners hold this series liquor license on 1st Street in Phoenix. This is merely a location transfer to service the needs of employees and visitors of the downtown Phoenix area. Pizza Hut averages at least 90% of their gross revenue from the sales of food, therefore it's primary purpose is a restaurant even though they hold a beer and wine bar license. The restaurant will be an asset to businesses and the downtown community as a whole as the restaurant will be within walking distance from many offices in the downtown area."

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

Attachments
Liquor License Data - Pizza Hut #26999
Liquor License Map - Pizza Hut #26999

This item was recommended for approval.

27 Liquor License - Imperio 667 Mariscos & Sushi

Request for a liquor license. Arizona State License Application 21812.

Summary

Applicant
Orlando Ramirez, Agent

License Type
Series 12 - Restaurant

Location
2445 E. Thomas Road
Zoning Classification: C-2
Council District: 8

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

The 60-day limit for processing this application is July 28, 2018.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“Responsoble - honest. Clean reccord 10 years experienst.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Tax mony employment. For comunity bussisnes for nehghboor hood.”

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

Attachments
Liquor License Data - Imperio 667 Mariscos & Sushi
Liquor License Map - Imperio 667 Mariscos & Sushi

This item was recommended for approval.

28 Liquor License - Rise Craft Coffee & Eatery / Shine Patio Bar

Request for a liquor license. Arizona State License Application 22302.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
918 N. 5th St.
Zoning Classification: DTC - East Evans Churchill ACSBO
Council District: 8

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

The 60-day limit for processing this application is July 31, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Applicant offers a variety of creative menu items including craft coffee, breakfast, salads, sandwiches and more. Applicant would like to offer alcoholic beverages to guests 21+ as an incident to the meals they enjoy."

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

Attachments
Liquor License Data - Rise Craft Coffee & Eatery / Shine Patio Bar
Liquor License Map - Rise Craft Coffee & Eatery / Shine Patio Bar

This item was recommended for approval.

29 Liquor License - Abacus Inn

Request for a liquor license. Arizona State License Application 20688.

Summary

Applicant
Wei Wang, Agent

License Type
Series 12 - Restaurant

Location
3509 W. Thunderbird Road
Zoning Classification: PSC
Council District: 1

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

The 60-day limit for processing this application is July 8, 2018.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I understand the responsibilities and regulation that come with owing a liquor license. I take these responsiblilites and regulation seriously to ensure that my business is run successfully and professionally."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"As the primary purpose of the business is that of a restaurant and the sales of food the liquor is nothing more than a secondary purpose."

Staff Recommendation
Staff recommends disapproval of this application based on Police Department recommendation for disapproval. The Police Department disapproval is based on the applicant's failure to provide full financial disclosure and possible hidden ownership. The applicant has not demonstrated the capability, qualifications and reliability to hold and

control a liquor license.

Staff also notes that 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 - Abacus Inn
Liquor License Map - Abacus Inn
Liquor License Police Department Recommendation - Abacus Inn

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Note: Nick Wood submitted a comment card for the record in favor of Items 98 and 101.

Note: Patrick Brennan submitted a comment card for the record in opposition of Item 108.

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that Items 30-109 be approved or adopted, except Items 30, 33, 47, 49-50, 52, 59, 67-69, 71, 75-76, 100, and 102-107; and noting that Items 63, 72, 101, 108 and 109 are withdrawn; and Items 71 and 86 are as corrected. The motion carried by the following vote:

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

No: 0

Items 31-32, 34-46, Ordinance S-44864, were requests to authorize the City Controller to disburse funds up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following

contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

31 Maricopa County, Arizona, doing business as Maricopa County Elections Department

For $20,000.00 in additional payment authority for Maricopa County to conduct a special election on Aug. 28, 2018, for the City of Phoenix. Additional payment authority is needed to pay for a required full text ballot insert provided by Maricopa County. The cost for the insert is normally included in the shared cost to each jurisdiction participating in the election, but because the City of Phoenix is the only jurisdiction that has items printed on the August election insert, the City must pay the full cost.

This item was adopted.

32 Courier Graphics Corp.

For $85,000.00 in payment authority for the printing, addressing and mailing of a publicity pamphlet for the August 2018 Special Election for the City Clerk Department. The current contracted vendor, Century Graphics, went out of business without giving the City advance notice. The cost for Courier Graphics to do the pamphlet is comparable to the contracted pricing for Century Graphics. State law and City Code require the mailing of a publicity pamphlet to households with at least one registered voter before early ballots are mailed. To meet this requirement, pamphlets must be mailed out 35 days prior to the election.

This item was adopted.

34 Various Vendors for Firefighting Nozzles, Valves and Clamps

For $60,000.00 in additional payment authority, through Dec. 31, 2018, to continue to provide parts and services for various firefighting nozzles, valves and clamps used by the Fire Department. The various supplies are a critical part of the Fire Department's efforts to provide life safety services to the public. Additional payment authority will provide additional time to implement the replacement contract.

Matlick Enterprises, Inc., doing business as United Fire Equipment Company, Contract 133146
L.N. Curtis & Sons, Contract 133144

This item was adopted.

35 **L.N. Curtis and Sons - Fire Hose Equipment**

For $50,000.00 in additional payment authority to extend Contract 131190 through Dec. 31, 2018, for the purchase of fire hose equipment for the Fire Department. The fire hoses are used when responding to interior and exterior fire calls. This equipment is critical in support of the Fire Department's efforts to provide life safety services to the public. Additional payment authority will allow additional time to implement the replacement contract.

This item was adopted.

36 **L.N. Curtis and Sons - Firefighter Helmets**

For $30,000.00 in additional payment authority for Contract 134109 for firefighter helmets for the Fire Department. The helmets are used to protect firefighters from head and neck injuries related to structural firefighting activities. This gear is a critical part of the Fire Department's efforts to provide life safety services to the public. Additional payment authority will allow additional time to implement the replacement contract.

This item was adopted.

37 **Language Line Services, Inc., doing business as Language Line Solutions**

For $50,000.00 in additional payment authority for Contract 134160 for translation services, through Sept. 30, 2018, for the Police Department. Translation services are needed to provide the public with communication ability in more than 70 languages for public safety personnel during emergency and non-emergency scenarios. The additional payment authority will allow the Police Department to continue receiving uninterrupted translation services and pay for services through the end of the contract term until the new translation services contract is in place.

This item was adopted.

38 **Matlick Enterprises, Inc., doing business as United Fire Equipment Company**

For $60,000.00 in additional payment authority for Contract 135695, through Dec. 31, 2018, to continue to provide leather bunker boots to be used as part of the gear worn on-call or in training, for the Fire Department. The leather bunker boots are a critical part of the Fire Department's efforts to provide life safety services to the public.

Additional payment authority will provide additional time to implement the replacement contract.

This item was adopted.

39 Settlement of Claim *De La Cruz et al v. City of Phoenix*

To make payment of $350,000.00 in settlement of claim *De La Cruz et al v. City of Phoenix* in Maricopa County Superior Court, Case CV2017-012776, 16-0915-001 GL BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

40 Davis Miles McGuire Gardner, PLLC, Trust Account for BN Holdings, LLC

For $50,570.67 to pay a court order entered against the City for judgment, plus statutory interest and taxable costs, in *City of Phoenix v. BN Holdings,* Case CV2014-008675*,* a condemnation case for land acquisition for Avenida Rio Salado/Broadway Road Street Improvement project, for the Finance Department, pursuant to Phoenix City Code chapter 42.

This item was adopted.

41 David S Woods, doing business as Fire Station Outfitters, LLC

For $45,000.00 in additional payment authority for Contract 144783, through April 14, 2020, to continue to provide station seating for the Fire Department. Station seating is necessary to provide temporary sleeping arrangements for move-up crews during high call volume periods and general seating for the public and visiting local, county, state and social service agency employees. The majority of the station seating has exceeded its useful life and is in need of replacement as the warranty has expired and repairs are not a viable option.

This item was adopted.

42 Resource Guru Limited

For $10,000.00 in payment authority for an annual subscription to start July 1, 2018, through June 30, 2019, for the use of an online scheduling application by 160 users to coordinate activity on 77 Regional Wireless Cooperative (RWC) interoperability radios by emergency services

personnel. The RWC realizes a cost savings of approximately $2,000 by transitioning from a month-to-month subscription to a yearly subscription. These costs are paid for by the various cities participating in the RWC and approved by the RWC Board of Directors.

This item was adopted.

43 PerkinElmer Health Sciences, Inc.

For $82,000.00 in additional payment authority for Contract 142285 for lab equipment maintenance and repair for the Water Services Department. The Water Services Department utilizes 14 separate PerkinElmer instruments in its water testing process which require regular maintenance, occasional repair, and replacement parts. Additional funding is requested because two instruments from an expiring contract were added to this contract for maintenance and repairs.

This item was adopted.

44 SW Services, LLC

For $350,000.00 in additional payment authority for Contract 139885 for debris caps for the Water Services Department. Debris caps are used to prevent dirt and rubbish from accumulating around water valves and to allow for easier access. Additional funding is needed for these water valve caps due to increasing street overlay projects throughout the City.

This item was adopted.

45 Maxim Crane Works, L.P.

For $13,037.00 in payment authority for the rental and return of a 22-ton boom truck for the Water Services Department. Rental of a large capacity boom truck at the 23rd Avenue Wastewater Treatment Plant was necessary to mitigate malfunctioning aeration basin gates and actuators while the plant boom truck was out of service for repairs.

This item was adopted.

46 AZ Locators, LLC

For $10,000.00 in additional payment authority for Contract 143970 for locator equipment and associated testing, calibration, repairs, and maintenance to various electrical meters for the Water Services Department. The meters are used to locate water pipes, cables, and utilities. Costs for this contract increased due to higher utilization than the

previous year.

This item was adopted.

48 Request for City Council to Meet in Executive Session on August 29, 2018, at 1 p.m., and on September 11, 2018, at 1 p.m.

Request authorization for the City Council to meet in Executive Session pursuant to Arizona Revised Statutes, section 38-431.02.A, on Wednesday, Aug. 29, 2018 at 1 p.m. in the East Conference Room, 12th Floor of Phoenix City Hall, 200 W. Washington St., Phoenix, Arizona; and on Tuesday, Sept. 11, 2018, at 1 p.m. in the East Conference Room, 12th Floor of Phoenix City Hall, 200 W. Washington St., Phoenix, Arizona.

Public Outreach

The Notice and Agenda for the Aug. 29, 2018 Executive Session will be posted no later than 1 p.m. on Aug. 28, 2018. The Notice and Agenda for the Sept. 11, 2018 Executive Session will be posted no later than 1 p.m. on Sept. 10, 2018.

This item was approved.

51 Protective Footwear Contract (Ordinance S-44865)

Request to authorize the City Manager, or his designee, to enter into a contract with Boot Barn, Foot Solutions for Life, LLC doing business as (dba) Foot Solutions, Uniforms, LLC dba Ace Uniforms of Phoenix, Red Wing Brands of America, Inc., and Jay R Rivin dba Jr's Shoes and Boots, to provide protective footwear to meet the requirements of Administrative Regulation 2.313 Personal Protective Equipment (PPE), in the amount not to exceed $500,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Administrative Regulation 2.313 sets administrative controls to eliminate employee exposure to unsafe conditions. Vendors will provide protective footwear to meet the Occupational Safety and Health Act section 5(a)(1) General Duty Clause, which states each employer "shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or

serious physical harm to his employees." Primary users include the Parks and Recreation and Public Works departments. The requested products are critical to safe citywide operations.

Procurement Information

RFQu 18-184 Protective Footwear was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 45 vendors and was posted on the City's website. Six offers were received by the Procurement Division on March 29, 2018.

The Deputy Finance Director recommends the offers from Boot Barn, Foot Solutions for Life, LLC dba Foot Solutions, Uniforms, LLC dba Ace Uniforms of Phoenix,Red Wing Brands of America, Inc., and Jay R Rivin dba Jr's Shoes and Boots to be accepted for the Qualified Vendor List.

Contract Term

The five-year contract will begin July 1, 2018.

Financial Impact

The aggregate five-year contract value shall not exceed $500,000. Funds are available in all City of Phoenix departments' budgets.

This item was adopted.

53 Paramedic Textbooks and Dictionaries - Requirements Contract - IFB 18-088 (Ordinance S-44867)

Request to authorize the City Manager, or his designee, to enter into contracts with Complete Book and Media Supply, Inc. and Jones & Bartlett Learning, LLC to provide Paramedic Textbooks and Medical Dictionaries for the City of Phoenix Fire Department. The aggregate contract value will not exceed $358,963. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

These contracts are used to purchase a wide variety of paramedic textbooks for the Fire Department used to train firefighters to become Emergency Medical Technician (EMT) and Advanced Life Support (ALS) certified. The Fire Department training is needed for immediate emergency response to medical situations.

Procurement Information
An Invitation for Bid, IFB 18-088 Paramedic Textbooks and Dictionaries was conducted in accordance with Administrative Regulation 3.10. Four offers were received by the Procurement Division on March 29, 2018. Offers were evaluated and the following are the lowest-priced offers received.

Complete Book and Media Supply, Inc.: $25,524.40
Jones & Bartlett Learning, LLC: $46,268.20

The Deputy Finance Director recommends that the offers from Complete Book and Media Supply, Inc. and Jones & Bartlett Learning, LLC, be accepted as the lowest-priced, responsive and responsible offeror.

Contract Term
The five-year contract term will begin on or about July 9, 2018.

Financial Impact
The aggregate contract value will not exceed $358,963. Funds are available in Fire Department's budget.

This item was adopted.

54 Payment Ordinance For Summer Recess (Ordinance S-44870)

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

Summary
Request to authorize the City Controller to disburse funds, not to exceed $100,000 per vendor, per occurrence, arising or otherwise due and payable during the period commencing on July 5, 2018 through Aug. 29, 2018, for the purpose of continuing payment authority for expenditure of public money for payment of claims against the City of Phoenix for normal, recurring, business operating expenditures.

This item was adopted.

55 Authorization to Amend Lease with Arizona Public Service Company to Extend Term for Electrical Substation at Cave Creek

Water Reclamation Plant (Ordinance S-44871)

Request to authorize the City Manager, or his designee, to amend Contract 83529 with Arizona Public Service Company (APS) to extend the term for one year with one, one-year renewal option. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

APS leases 1.783 acres of land at the Water Services Department's Cave Creek Water Reclamation Plant. APS uses the site for operating an electrical power substation that serves the plant and third-party demands for electricity. The contract with APS is in its final option period and expires Aug. 11, 2018. APS is a long-term tenant in good standing at this location and has requested to extend the term for one year with one, one-year renewal option. Annual base rent during the extended term will be $20,972.15, plus applicable taxes, which is within the range of market rents as determined by the Finance Department's Real Estate Division. Rent at the beginning of the renewal option period will increase at a flat rate of three percent, plus applicable taxes.

Contract Term

The contract will be amended to extend the term for one year, commencing Aug. 12, 2018, with one, one-year renewal option to be exercised upon mutual agreement by the City and APS.

Financial Impact

Revenue during the first year of the extended term will be $20,972.15, plus applicable taxes.

Concurrence/Previous Council Action

Contract 83529 was authorized by Ordinance S-25262, adopted June 3, 1998.

Location

Near the northeast corner of Cave Creek Road and Deer Valley Drive. Council District: 2

This item was adopted.

56 Acceptance and Dedication of Easements for Public Utility Purposes (Ordinance S-44874)

Request for the City Council to accept and dedicate easements for 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: Tsalm Services, LLC, its successors and assigns
Purpose: Public Utilities
Location: 2821 N. 28th Place
File: FN 180058
Council District: 8

Easement (b)
Applicant: Arash Hoss, its successors and assigns
Purpose: Public Utilities
Location: 5909 E. Lafayette Blvd.
File: FN 180052
Council District: 6

This item was adopted.

57 Purchase of Ambulances - Houston-Galveston Area Council Contract (Ordinance S-44875)

Request to authorize the City Manager, or his designee, for additional payment authority for Contract 145995 with Demers Ambulance USA, Inc., in an amount not to exceed $600,000, to purchase ambulances for the Public Works Department, on behalf of the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fire Department has an aging ambulance fleet and has received approval to purchase five ambulances during fiscal year 2018-19. The additional expenditures will allow for the purchase of replacement units. Ambulances are essential to the safety, health, and well-being of Phoenix residents.

Procurement Information

Use of the Houston-Galveston Area Council (H-GAC) contract benefits the City due to national government pricing and volume discounts that exist with the use of a cooperative agreement. The H-GAC contract was awarded using a similar competitive process as set forth in Phoenix City Code, chapter 43.

Financial Impact

Upon approval of the additional payment authority of $600,000, the revised aggregate value will be $1,850,000, through Sept. 30, 2018. Funds are available in the Fire Department's budget.

Concurrence/Previous Council Action

Use of the H-GAC contract with Demers Ambulance USA, Inc., was approved by formal Council action on Aug. 30, 2017.

This item was adopted.

58 New York Times Online Subscription Service - Requirements Contract - RFA 18-016 (Ordinance S-44876)

Request to authorize the City Manager, or his designee, to enter into a contract with New York Times Company, to provide online subscription services for the Phoenix Public Library (PPL). Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $93,300, including applicable taxes, with the anticipated annual expenditure of $18,660.

Summary

This contract will provide PPL cardholders with timely access to historical and current New York Times news articles and publications. The online multi-platform news tool provides full access to content such as breaking news, multimedia, reviews and opinion blogs, videos and historical data. Additionally, online content will be accessible through NYTimes.com 'on the go' using phone and tablet apps for iPhone, iPad, Android, Windows Phone, BlackBerry and Kindle Fire.

Contract Term

The five-year contract term shall begin on or about July 5, 2018.

Financial Impact

The aggregate contract value will not exceed $93,300, including applicable taxes, with the anticipated annual expenditure of $18,660. Funds are available in the Library Department's budget.

This item was adopted.

60 Custodial Services for Parks and Recreation Facilities - IFB 13-157A (Ordinance S-44884)

Request to authorize City Manager, or his designee, to extend Contract 136252 with ISS Facility Services, Inc. and increase funding by an additional amount of $875,000 to continue to provide all labor, cleaning supplies, materials, equipment, tools, vehicles, uniforms, chemicals and supervision necessary for custodial services of Parks and Recreation Department facilities. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The additional funding of this contract is critical and essential to the continued business operations of the Parks and Recreation Department's community centers and the Pueblo Grande Museum. These facilities provide recreational opportunities and activities to many City residents, including programs for youth and seniors. Until a new contract is in place, custodial services are needed in order to provide sanitary facilities to residents and City staff.

Contract Term

This request is for 12 additional months, on a month-to-month basis, through June 30, 2019, for additional time to review the Parks and Recreation Department's needs in an effort to complete a competitive, multi-year solicitation for contract award.

Financial Impact

With the $875,000 in additional funds, the revised aggregate value of the contract is $3,176,385. Funds are available in the Parks and Recreation Department's budget.

This item was adopted.

61 Contract for Pest Management with Related Products and Services - 110916-ORK (Ordinance S-44885)

Request to authorize the City Manager, or his designee, to access the

National Joint Powers Alliance (NJPA) Cooperative Contract awarded as a result of solicitation RFP 110916 and to enter into a contract with Orkin, LLC for integrated pest management services at all Aviation Department facilities. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $655,000.

Summary

The contract will provide integrated pest management services, which includes general pest control treatment, cockroach treatment, mosquito treatment, rodent control, bed bug inspection and treatment, bee, wasp, and hornet removal, termite inspection and control, and bird and bat management. The Aviation Department will use a combination of methods to keep pests at an acceptable level for the health and safety of staff and passengers at its facilities, which includes Phoenix Sky Harbor International Airport, the Rental Car Center, Deer Valley Airport, Phoenix Goodyear Airport, and their owned and maintained properties.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in Phoenix City Code, chapter 43. Cooperative agreements allow the City to benefit from national government pricing and volume discounts. The National Joint Powers Alliance contract covers all facets of integrated pest management, including pest control and elimination.

Contract Term

The contract term shall begin on or about July 6, 2018, and will end on Dec. 31, 2020, with a one-year option to extend at the discretion of the Aviation Director.

Financial Impact

The aggregate contract value will not exceed $655,000. Funds are available in the Aviation Department's budget.

This item was adopted.

62 Acquisition of Real Property for 27th Avenue and Olney Avenue

Storm Drain Project (Ordinance S-44898)

Request to authorize the City Manager, or his designee, to acquire property rights required for drainage basins for 27th Avenue and Olney Avenue Storm Drain Project by donation, purchased within the City's appraised value, or by the power of eminent domain. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City, in partnership with the Flood Control District of Maricopa County (FCDMC), is undertaking the 27th Avenue and Olney Avenue Storm Drain Project to alleviate flooding problems within major washes north of Olney Avenue and east of 27th and 23rd avenues, impacting nearby subdivisions. As part of the project, the City needs to acquire approximately four to five acres for the construction of drainage basins along 23rd Avenue and the Salt River Project (SRP) Canal, and along 22nd Avenue south of the canal.

The properties impacted by this project are identified by location and Maricopa County Assessor's Parcel Number (APN):

North of the SRP Canal and east of 23rd Avenue (if through), identified by APN 300-16-009J.

South of the SRP Canal and east of 23rd Avenue (if through), identified by APN 300-16-208A.

North of Olney Avenue and east of 22nd Avenue, identified by APN 300-16-009P.

Financial Impact

Funding is available in the Street Transportation and Drainage five-year Capital Improvement Program (CIP) budget.

Concurrence/Previous Council Action

An Intergovernmental Agreement (IGA) with the FCDMC for this project was recommended for approval at the Transportation and Infrastructure Subcommittee on Feb. 13, 2018, by a vote of 4-0.

City Council adopted Ordinance S-44314 on March 7, 2018, authorizing the IGA with FCDMC for this project.

Location
North of Olney Avenue, between 23rd and 21st avenues.
Council District: 8

This item was adopted.

63 Executive Consulting Services (Ordinance S-44888)

Request to authorize the City Manager, or his designee, to amend Contract 144971 with Interim Public Management, LLC for additional executive consulting services for the Human Resources Department in the amount not to exceed $230,000. Funds are available in the Human Resources Department through salary savings being achieved with a vacant assistant director position. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Interim Public Management, LLC (Consultant) previously provided executive level human resources consulting services to the City for a five-month period, from May to October 2017. During that time, the Consultant demonstrated the ability to provide sound and effective services to the City. The City is requesting to amend the existing contract with the Consultant to provide for additional HR executive services over the next 12 months.

Procurement Information
In May 2017, the City received formal approval to enter into a contract with Interim Public Management, LLC for professional executive level consulting services using City of Maricopa Cooperative Contract 17-06. The contract was awarded through a competitive process consistent with the City's processes, as set forth by Phoenix City Code, chapter 43. The City of Maricopa contract covers various professional executive level consulting services required by the City, and the Consultant has been successful in the delivery of executive consulting services.

The City has determined additional executive consulting services are needed by the Consultant over the next 12 months. In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Determination Memo citing that there is an unusual nature of the services that require a specific vendor for consistency.

Contract Term
The one-year contract amendment will begin on or about June 30, 2018, and end on or about July 1, 2019.

Financial Impact
The total cost of the amended contract shall not exceed $230,000. Funds are available in the Human Resources Department through salary savings being achieved with a vacant assistant director position.

Concurrence/Previous Council Action
City Council approved Contract 144971 on May 10, 2017.

This item was withdrawn.

64 Authorization to Enter Into Agreement for Data Entry Services Under FARE Program (Ordinance S-44891)

Request to authorize the Phoenix Municipal Court to enter into an agreement with Conduent State & Local Solutions, Inc. to provide data entry services to the Phoenix Municipal Court under the Arizona Supreme Court's FARE (Fines, Fees, and Restitution Enforcement) program. The aggregate contract value will not exceed $225,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Arizona Judicial Department's Administrative Office of the Courts ("AOC") administers the FARE program to enhance payment and collection capabilities for all participating courts, including the Phoenix Municipal Court. The AOC has a current contract with Conduent State & Local Solutions, Inc. to provide services essential to the operation of FARE, including data entry services that are key to the rapid entry of charge information into the FARE repository. The AOC is extending this arrangement with Conduent State & Local Solutions for an additional five years effective July 1, 2018. Because the Phoenix Municipal Court is an Arizona Judicial Department Court, the Phoenix Municipal Court has received data entry services by way of a work order agreement under the AOC's existing contract with Conduent State & Local Solutions, Inc. The Court would like to continue to receive needed data entry services by

establishing a new work order agreement under the extension of the AOC's contract #2013-29 effective July 1, 2018.

Contract Term
The agreement term for a three-year period will begin on or about July 1, 2018, with two one-year renewal options.

Financial Impact
The aggregate contract value will not exceed $225,000. Funds are available in the Phoenix Municipal Court's budget.

This item was adopted.

65 Ak-Chin Indian Community Gaming Grants (Ordinance S-44883)

Request authorization for the City Manager, or his designee, to accept and enter into an agreement for $100,000 in new funding from the Ak-Chin Indian Community. Authorization also is requested for the City Treasurer to accept, and the City Controller to disburse, funds as directed by Ak-Chin Indian Community in connection with this grant.

Summary
The funds would be applied as directed by the Ak-Chin Indian Community for the application submitted by Area Agency on Aging, a nonprofit organization, to support purchase and renovation of an auxiliary building. This building will provide space for a one-stop center for Area Agency on Aging's clients and caregivers to meet one-on-one with professional social workers and trained volunteers to explore answers and offer solutions to the challenges of growing older, create a senior Community Center offering evidence-based health promotion classes and computer learning lab, and a meeting center for programs, coalitions, and community partners.

The gaming compact entered into by the State of Arizona and various tribes calls for 12 percent of gaming revenue to be contributed to cities, towns and counties for government services that benefit the general public including public safety, mitigation of impacts of gaming, and promotion of commerce and economic development.

Financial Impact

There is no impact to the General Fund. Entities that receive gaming grants are responsible for the management of those funds.

This item was adopted.

66 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-44887)

Request authorization for the City Manager, or his designee, to transfer retirement funds for Shireen Boone in the amount of $12,221 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

Summary

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

Boone, Shireen	$12,221

Concurrence/Previous Council Action

The COPERS Board approved this item at its June 7, 2018, meeting.

This item was adopted.

70 Fiscal Year 2018-19 Community Arts Support Grant Allocations (Ordinance S-44881)

Request to authorize the City Manager, or his designee, to execute all necessary agreements between the Phoenix Office of Arts and Culture and approved applicants for Fiscal Year 2018-19 A+CCESS Level I, Level II, A+CTION operating support, Rental Support, Collaborative Communities and Youth Arts and Culture Engagement grant categories in an aggregate amount of $915,346. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Phoenix Office of Arts and Culture has administered the Community Arts Support Grants Program since 1986. The program includes three tiers of Operating Support grants, Rental Support grants for arts

organizations that are primary users of city-owned performance venues, and Project Grant requests in the Collaborative Communities and Youth Engagement categories. To be eligible for any category of funding, an organization must be a registered non-profit arts or cultural organization, must have tax-exempt status under Section 501(c)(3) of the Internal Revenue Code, and must provide a cultural service to Phoenix residents.

Funding allocations totaling $915,346 are requested for 72 grants to 60 organizations funded through A+CCESS I, A+CCESS II, A+CTION, Rental Support, Youth Arts and Culture Engagement and Collaborative Communities grants categories (**Attachment A**). Applications for all grant categories of the Community Arts Support Grants Program were due to the Office of Arts and Culture on March 23, 2018.

A+CCESS (Arts + Culture Community Engagement Service Support) operating support grant allocations consist of a base award and a merit award. The base awards represent a percentage of an organization's three-year average contributed and earned income. The merit award is determined by the ranking an organization receives during the panel review of the following criteria:
1) Artistic/Program Value (30 percent)
2) Public Value (30 percent)
3) Financial Position (20 percent)
4) Diversity Initiatives (10 percent)
5) Administration/Governance (10 percent)

In A+CCESS Level I, 11 organizations are recommended for funding totaling $336,934. In A+CCESS Level II, 16 organizations are recommended for funding totaling $187,347. To qualify for Level I category funding, the organization must have an operating budget of at least $2,500,000, must employ a paid professional, full-time manager, and must provide an audited financial statement for the last completed fiscal year. For Level II, the organization must have an operating budget of at least $250,000, must employ a full-time manager, and must provide a reviewed or audited financial statement for the last completed fiscal year.

A+CTION (Arts + Culture Targeted Infrastructure and Organizational

Needs) operating support grantees receive a flat $7,000 award. Applicants in this category are ranked by a panel review of the following criteria:
1) Artistic/Program Value (20 percent)
2) Growth/Sustainability (20 percent)
3) Public Value (20 percent)
4) Diversity (20 percent)
5) Administration/Governance (20 percent)

A total of 13 organizations are recommended for funding totaling $91,000. For A+CTION grantees, the organization must have an operating budget of at least $25,000 and submit a Data Arts funders report.

Collaborative Communities project grants are designed to encourage arts and cultural organizations to collaborate with one or more schools, businesses, social-service organizations, parks, recreation centers, libraries, senior centers or any other community center or organization that would benefit from the collaboration. These applications were ranked by a panel using the following criteria:
1) Artistic Quality (25 percent)
2) Collaborative Engagement Quality (25 percent)
3) Project Logistics (25 percent)
4) Budget/Administrative Ability (25 percent)

Nineteen organizations are recommended for funding totaling $55,065.

Last year, City Council added $20,000 to the Community Arts Support program budget to support projects targeting youth. The Youth Arts and Culture Engagement grant category supports projects proposed by youth-led arts advisory boards, councils, groups, clubs or similar organizations within arts or cultural organizations. The program is administered by the Youth Arts and Culture Council of the Office of Arts and Culture. Applicants were ranked using the following criteria:
1) Artistic Quality (33 percent)
2) Youth Engagement Quality (33 percent)
3) Budget (33 percent)

The grant is offered bi-annually, at the beginning of the school year and mid-year. Four applications are recommended for funding in the first round for a total of $8,300. A second round of funding in the amount $11,700 will be allocated in the fall.

To qualify for Rental Support Program grants, arts organizations must use the Orpheum Theatre, Symphony Hall, or Herberger Theater for a minimum of 15 performances per fiscal year, and must demonstrate financial and/or organizational need for the support. The Rental Support Program allocations of $225,000 include $125,000 of funding budgeted in the Phoenix Convention Center Department's operating budget, and $100,000 in general purpose funds. Rental Support grant funds are released in three installments and are restricted to payment of rental costs for performances in the eligible facilities. Payments are made in installments so that adjustments can be made to allocations reflecting increases and decreases in the actual number of performances booked as the season progresses. Two new organizations joined the Herberger Theater this season as primary users, resulting in a total of nine organizations recommended for funding totaling $225,000.

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

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission is scheduled to review and approve the FY 2018-19 Community Arts Grants Program allocation recommendations at its meeting on June 19, 2018. The Parks, Arts, Education and Equality Subcommittee recommended this item for City Council approval at its June 27, 2018, meeting by a vote of 3-0.

This item was adopted.

72 (CONTINUED FROM JUNE 27, 2018) - Electronic Patient Care Reporting (ePCR) System - Requirements Contract - RFP 18-032 (Ordinance S-44863)

Request to authorize the City Manager, or his designee, to enter into a contract with ImageTrend, Inc., to purchase an electronic patient care reporting (ePCR) system for the Phoenix Fire Department. Further request the City Controller to disburse all funds related to this item.

Summary

The Phoenix Fire Department (PFD) has operated a fire-based emergency medical ambulance service since 1985, after successfully obtaining a Certificate of Necessity (CON) from the Arizona Department of Health Services (ADHS). The PFD provides fire and emergency medical services to approximately 1.5 million residents (plus visitors). For every EMS incident, the responding crew uses a standard paper-based quadruplicate form (EMS Incident Report) to document the location and nature of the the incident, the assessment and treatment of the patient and the additional pertinent information. PFD had over 170,000 EMS calls in 2016. If hospital services are needed for a patient, the transportation crew uses a second standard paper-based triplicate form (ETS Transport Ticket) to document the transportation details and additional treatment provided while the patient was en-route to the hospital. In 2016, PFD Rescue units transported more than 67,000 patients to Phoenix-area hospitals.

The new system will allow PFD to thoroughly and efficiently analyze incident and transportation information, which includes identification of public health trends, the monitoring and reporting of EMS performance and the effectiveness of emergency medical care.

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

Procurement Information

RFP 18-032 Electronic Patient Care Reporting (ePCR) System was conducted in accordance with Administrative Regulation 3.10. The

procurement consisted of acquisition and deployment of an ePCR solution for every responding unit to transition from a paper-based to an electronic method of documentation. The RFP was issued on Sept. 7, 2017, and a mandatory Pre-Offer Conference was held on Sept. 20, 2017. Three offers were received on Oct. 6, 2017. One offer was deemed non-responsive.

An evaluation committee was appointed to conduct detailed evaluations of the offers, establish a competitive range and select the offer to receive the contract award. The committee included subject matter experts (SMEs), field evaluators and a qualified voting panel from the Information Technology Services, Fire and Parks and Recreation Departments. The offers were scored based on the following criteria: Requirements [Functional, Technical, Informational, Interface and Proposer Demonstrations] (400 Points), Implementation and Support [Implementation Plan, Operation, Maintenance and Support Plan, PFD ePCR Activities, Deliverables and Milestones Response Form] (200 Points), Qualifications, Experience, and References [Company Overview, Company History, Experience and Qualification Information] (100 Points), Pricing [Five-year Cost of Ownership] (200 Points) and Offeror Financial Viability [Audited Financial Statements, Annual Reports or equivalent] (100 Points). The evaluation committee invited the two firms to participate in demonstrations held on Dec. 12 and 13, 2017. After demonstrations concluded, the evaluation committee recommended moving forward with the Best and Final Offer (BAFO) process with the two firms. During the final consensus held on Jan. 23, 2018, the evaluation committee recommended ImageTrend, Inc. for contract award.

The finalists and their scores are listed below.

ImageTrend, Inc.: 847.5
Starwest Associates, LLC: 777.5

The Deputy Finance Director recommends the offer from ImageTrend, Inc., be accepted as the highest scored offeror.

Contract Term

The five-year term shall begin on or about July 5, 2018.

Financial Impact

The aggregate contract value will not exceed $1,477,450. Funds are available in the Phoenix Fire Department's budget.

This item was withdrawn.

73 Authorization to Amend Current Intergovernmental Agreement and Payment Ordinance with Arizona Attorney General's Office for Internet Crimes Against Children Task Force (Ordinance S-44890)

Request authorization for the City Manager, or his designee, to amend the current agreement and payment ordinance (S-43916) with the Arizona Attorney General's Office for the Internet Crimes Against Children (ICAC) Task Force to accept additional funds and to extend the agreement period. Authorization of the amendment will make the total agreement $4,500,000, and extend the agreement period one additional year. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse all funds related to this item.

Summary

In 2016, the Police Department entered into an agreement to receive reimbursement from the Arizona Attorney General's Office for $1,800,000 to support ICAC Task Force investigations. The agreement supports the ICAC Task Force by providing funding for personnel, technology, equipment and supplies. The goal of this task force is to identify, investigate and prosecute individuals who exploit children. In 2017, the agreement was amended to add an additional $1,800,000 to the agreement, for a total award of $3,600,000.

Recently, the Arizona Attorney General's Office advised the Police Department of two amendments to the current agreement. The amendments would add an additional $900,000 in reimbursement to the City, and extend the agreement by one year. Authorization of the amendment will make the total agreement $4,500,000, and extend the agreement period one additional year.

Contract Term

The initial contract began May 12, 2016. This amendment would extend

the contract period end date from June 30, 2018, to June 30, 2019.

Financial Impact

No matching funds are required. Cost to the City is in-kind resources only.

This item was adopted.

74 Authorization to Apply for, Accept and Enter into Agreement with U.S. Department of Justice, via Office of Community Oriented Policing Services, for 2018 Community Policing Development Grant Program (Ordinance S-44892)

Request authorization for the City Manager, or his designee, to authorize the Police Department to apply for, accept and enter into an agreement to receive federal grant funds through the Office of Community Oriented Policing Services, 2018 Community Policing Development grant program. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The grant amount requested is $300,000. No matching funds are required.

Summary

The Police Department is seeking federal funding to implement the Virtual Community Crime Prevention program. This innovative new program would combine the Virtual Block Watch program with the Crime Free Multi-Housing program to enhance community safety through a projected reduction in calls for service and violent crimes. The program goals and objectives are to develop an innovative policing strategy to address and respond to gangs, violent crimes, and the opioid crisis. The Virtual Community program would identify 60 multi-housing properties within the City of Phoenix with the highest number of calls for service. These properties would be invited to participate in the program where they would purchase and install a surveillance camera system and signage promoting their participation in the Virtual Community program. The Police Department would inspect the cameras, ensure access to the video footage, and then reimburse the property management company for the purchase of the surveillance camera system. Access to this camera footage could then be accessed by Police Department personnel during an investigation of a crime. The program goal is to reduce calls for service and violent crimes, while enhancing the quality of

life for residents and the community. If awarded, grant funding will be utilized to reimburse Crime Free Multi-Housing complexes for the purchase of a monitored camera security system. The grant application was due June 7, 2018. If this request is denied, the grant application will be rescinded.

Contract Term
The term is two years, with an anticipated start date of Oct. 1, 2018 through Sept. 30, 2020.

Financial Impact
The grant amount requested is $300,000. No matching funds are required. Cost to the City would be in-kind resources only.

Concurrent/Previous Council Action
This item was unanimously approved by the Public Safety and Veterans Subcommittee on June 13, 2018.

This item was adopted.

77 Authorization to Enter into Agreement with Arizona Coliseum and Exposition Center for Increased Police Services during Arizona State Fair 2018 (Ordinance S-44895)

Request authorization for the City Manager, or his designee, to enter into an agreement with the Arizona Coliseum and Exposition Center to provide increased traffic enforcement, perimeter security, proactive police patrol, permit parking enforcement, and vending enforcement in the area surrounding the State Fairgrounds during the State Fair. Further request authorization for the City Controller to receive and disburse all funds related to this item.

Summary
The intent of this agreement is to recover costs associated with providing such services. Additionally, Finance Tax Enforcement is requesting space at no charge for the licensing and collections of taxes from the vendors.

Contract Term
Increased services will take place from Oct. 5, 2018, through Oct. 28, 2018.

Financial Impact

The amount to be recovered by the Police Department is $31,500. This figure is the cost associated with providing police services ($19,000) and neighborhood services permit parking enforcement ($12,500) to the State Fair.

Location

The area surrounding the Arizona State Fairgrounds located at 1826 W. McDowell Road.
Council District: 4

Concurrence/Previous Council Action

This item was approved unamiously by the Public Safety and Veterans Subcommittee on June 13, 2018.

This item was adopted.

78 Authorization to Enter into Agreement with Arizona Peace Officer Standards and Training Board (Ordinance S-44896)

Request authorization for the City Manager, or his designee, to enter into an agreement with the Arizona Peace Officer Standards and Training Board (AZPOST) for the reimbursement of basic training costs at the Phoenix Regional Police Academy. Further request authorization for the City Controller to receive and disburse all funds related to this item.

Summary

The Phoenix Regional Police Academy is managed by the Phoenix Police Department Training Bureau and trains recruits from multiple Arizona law enforcement agencies. The Phoenix Regional Police Academy holds approximately 12 classes per fiscal year. In FY 2018-19, AZPOST shall pay $2,500 per recruit who graduates and $900 per recruit who completes at least 50% of the academy but does not graduate.

Contract Term

This agreement is effective when ratified by all signatories, and terminates June 30, 2023, with annual options to amend for the per recruit amount.

Financial Impact

Funds will be used for recruit training supplies, equipment, vehicle maintenance, fuel and capital improvements at the training facilities.

Concurrence/Previous Council Action
This item was unanimously approved by the Public Safety and Veterans Subcommittee at its June 13, 2018 meeting.

This item was adopted.

79 Authorization to Apply for and Accept Federal Transit Administration Grant Funds and Enter into Grant Agreement (Ordinance S-44897)

Request to authorize the City Manager, or his designee, to: (1) apply for the Federal Transit Administration (FTA) Section 5339 Bus and Bus Facilities discretionary grant for an amount not to exceed $6,393,628; and (2) enter into an agreement with the FTA for the purpose of accepting the awarded grant; and, authorizing the City Treasurer to accept, and the City Controller to disburse, grant funds in accordance with the terms of the aforementioned grants and agreements.

Summary
The Section 5339 Bus and Bus Facilities competitive grant program provides funds to State and local governmental authorities for capital projects to replace, rehabilitate, purchase or lease buses and related equipment and to rehabilitate, purchase, construct or lease bus-related facilities. The purpose of the Bus Program is to improve the condition of the nation's public transportation bus fleets, expand transportation access to employment, educational, and healthcare facilities, and to improve mobility options in rural and urban areas throughout the country.

The Public Transit Department will seek to utilize a combination of Section 5339 grant and local matching funds to purchase up to 15 buses to replace aging buses which have been utilized beyond the end of their useful life. The buses will replace aging buses used to operate daily transit service, providing transportation for a large number of passengers to reach employment and employment-related services.

Financial Impact
Applications for the FTA Section 5339 grant requires a minimum 15 percent nonfederal cost share. The project's total cost is estimated to be

$7,521,915 with the Phoenix portion not to exceed $1,128,287. The local match will come from regional Public Transportation Funds (Proposition 400) for the non-federal share.

This item was adopted.

80 Small Wireless Facilities Master License Agreement to Mobilitie, LLC (Ordinance S-44886)

Request to authorize the City Manager, or his designee, to grant a Small Wireless Facilities Master License Agreement ("Master License") to Mobilitie, LLC ("Licensee") to install, operate, and maintain small wireless facilities in the local public rights-of-way subject to the terms and conditions contained in the license and Phoenix City Code. Further request the City Treasurer to accept all funds related to this item. Also request that the Licensee sign the Master License within 60 days of Council action or this authorization will expire. Licensee will pay applicable rates and fees. There is no cost to the City of Phoenix.

Summary

Mobilitie, LLC has executed a City of Phoenix Agreement for Telecommunication Equipment in Right-Of-Way (City Contract 141632) effective Oct. 23, 2015, to install, use, and maintain wireless telecommunications equipment within the City right-of-way as required under Phoenix City Code section 5C-4. The Master License contains appropriate insurance and indemnification provisions, requires a standby irrevocable letter of credit, provides for terms of transfer and revocation, and sets applicable rates and fees for use of local public rights-of-way as provided by law. The Master License permits Licensee to install, operate, and maintain small wireless facilities at individual sites through site license agreements, which are subject to the terms and conditions of this Master License.

Contract Term

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

Financial Impact

Licensee will pay applicable rates and fees to install, operate, and maintain small wireless facilities in local public rights-of-way by law. There

is no cost to the City of Phoenix.

This item was adopted.

81 Authorization to Enter into an Agreement with The Nature Conservancy (Ordinance S-44868)

Request to authorize the City Manager, or his designee, to enter into an agreement with The Nature Conservancy (TNC) to fund projects designed to protect the flows and improve water quality in the Salt and Verde Rivers. The aggregate value will not exceed $300,000 over the life of the agreement. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department obtains roughly half of its raw water supply from the Salt and Verde watershed. Reliable flows are critical to the City. Disruptions could result in increased treatment costs and/or service interruptions. It is in the City's best interest to enter into this strategic partnership to mitigate risks to the rivers and in doing so, to provide leadership to other Valley water providers. By designing and implementing cost-effective and protective Salt-Verde watershed projects, TNC will help create water security that supports continued public safety and economic development. Funds for these projects will be committed to TNC's Salt and Verde Alliance: Healthy Rivers, Healthy Communities. In addition to paid staff, TNC's extensive use of volunteers will provide a greater return on Phoenix's investment.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, competitive procurement was waived as a result of a Determination Memo citing there is an unusual nature of the goods or services that require a specific vendor due to TNC's network of private and public partners funding the project on the Verde River. TNC provides a one-of-a-kind opportunity for the City to fund collaborative projects that positively impact Phoenix's original water supply.

Contract Term

The term is for three years effective July 5, 2018, through June 30, 2021.

Financial Impact

The aggregate value of the contract is not to exceed $300,000, with annual expenditures of $100,000. Funding for this contract is available in the Water Services Department's operating budget.

This item was adopted.

82 Predictive Maintenance Vibration Analysis Program (Ordinance S-44872)

Request to authorize the City Manager, or his designee, to enter into a contract with Caltrol, Inc. for a predictive maintenance vibration analysis program for the Water Services Department. The aggregate value shall not exceed $150,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department has a variety of pumps, blowers, fans, drive units, centrifuges, scrubbers, and mixers that require maintenance to remain in optimal working order. A predictive maintenance vibration analysis program will ensure assets are tested on a regular basis and reduce equipment failure by detecting and identifying worn or broken components, avoiding equipment failure.

Procurement Information

A solicitation was completed in accordance with City of Phoenix Administrative Regulation 3.10. The Water Services Department received two offers, which were determined to be responsive to the solicitation requirements. The solicitations were evaluated on Experience and Qualifications, Method of Approach/Service Implementation, and Price for a total of 1,000 points.

Scores:
Caltrol, Inc.: 760
Maintenance Technology Systems: 632

Contract Term

The contract term is for five years effective from July 1, 2018, to June 30, 2023.

Financial Impact

The aggregate value of the contract shall not exceed $150,000, with annual expenditures estimated at $30,000. Funding for this contract is available in the Water Services Department's operating budget.

Location

23rd Avenue Wastewater Treatment Plant, 2470 S. 22nd Ave.
91st Avenue Wastewater Treatment Plant, 5615 S. 91st Ave.
24th Street Water Treatment Plant, 6202 N. 24th St.
Union Hills Water Treatment Plant, 2001 E. Deer Valley Road
Deer Valley Water Treatment Plant, 3030 W. Dunlap Road
Val Vista Water Treatment Plant, 3200 E. McDowell Road, Mesa, Ariz.
Council Districts: 1, 7, and Out of City

This item was adopted.

83 Truck Scales Preventive Maintenance, Calibration and Repairs Contract (Ordinance S-44877)

Request to authorize the City Manager, or his designee, to enter into a contract with Mettler-Toledo, LLC to provide preventive maintenance, calibration, and repairs for Mettler-Toledo truck scales. The aggregate contract value including all option years will not exceed $225,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department uses contractual preventive maintenance, calibration, and repairs for truck scales installed at various water and wastewater treatment facilities. The truck scales measure the weight of trucks hauling processed solids before they leave the facilities. Solids hauling is regulated and requires weight documentation and reporting for State and City regulatory compliance.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, normal competition was waived as a result of a Determination Memo citing that there is only one source for the necessary goods and services as the truck scale services are only provided by Mettler-Toledo.

The Water Services Department requests a waiver from Phoenix City Code section 42-18(C). Mettler-Toledo seeks to restrict the standard indemnification terms. Mettler-Toledo will only agree to defend and indemnify the City for liability arising out of Mettler-Toledo's sole negligent or willful acts, subject to further restrictions set by Mettler-Toledo to cap its liability. If the City Council approves this waiver, allegations of wrongdoing against the City or a third party will require the City to defend and resolve any litigation itself and the City may be responsible for any liabilities above Mettler-Toledo's established cap.

Contract Term

The contract term will be for 10 years, with one five-year option to extend, effective on or about July 6, 2018, with an end date of July 5, 2033.

Financial Impact

The aggregate contract value including all option years will not exceed $225,000. Funds are available in the Water Services Department's operating budget.

This item was adopted.

84 Spare Parts Replacement for Water Filtration Equipment (Ordinance S-44882)

Request to authorize the City Manager, or his designee, to enter into a contract with Duperon Adaptive Technology to provide original parts for maintenance and repair of water filtration equipment located at the 91st Avenue Wastewater Treatment Plant (WWTP). The six-year contract value will not exceed $2,250,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City is seeking a six-year contract to provide spare parts used by Water Services Department WWTP staff for maintenance and repair of eight mechanical filters (Duperon FlexRake Bar Screens) used for large object and debris removal from the City’s wastewater. The bar screens are the first WWTP primary filtration level for incoming wastewater. The system is in continuous use, requiring ongoing service and/or worn part replacement.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing that there is only one source for the necessary goods and services. Duperon Corporation is the sole source for replacement parts for all Duperon FlexRake Bar Screens.

Contract Term
The six-year contract term shall begin on or about July 1, 2018, with an end date of June 30, 2024.

Financial Impact
The six-year contract value will not exceed $2,250,000 (including applicable taxes). Funds are available in the Water Services Department's operating and Capital Improvement Program budgets.

Location
91st Avenue Wastewater Treatment Plant, 5615 S. 91st Ave.
Council District: 7

This item was adopted.

85 Ductile Iron Pipe and Fittings (Ordinance S-44889)

Request to authorize the City Manager, or his designee, to enter into a contract with Fullerform Irrigation & Waterworks (Fullerform) to provide various sizes of ductile iron pipe for the Water Services Department. The contract value shall not exceed $260,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The City is seeking a one-year contract to provide frequently used ductile iron pipe and fittings pending solicitation and award of a multi-year contract. The previous contract expired and there is no replacement contract to support the City’s infrastructure and warehouse inventory requirements. Award of this contract will ensure there is no lapse in service to provide ductile iron pipe and fittings for water distribution infrastructure repair and prevent off-contract purchases to mitigate warehouse shortages.

Procurement Information

Fullerform was awarded the previous contract and has been providing these parts since 2014. In accordance with Administrative Regulation 3.10, Solicitation No. RFA-1718-WWT-183 was issued to Fullerform through a Special Circumstances Determination. The contractor has agreed to honor the same pricing contained in its previous contract, with no increases for the duration of this one-year contract.

Contract Term

The one-year contract term shall begin on or about July 1, 2018, with an end date of June 30, 2019.

Financial Impact

The contract value shall not exceed $260,000 (including applicable taxes). Funds are available in the Water Services Department's operating budget.

This item was adopted.

86 Lake Pleasant Water Treatment Plant Service Agreement Second Amendment and Consent to Assign (Ordinance S-44899)

Request to authorize the City Manager, or his designee, to execute (i) a second amendment to Contract 107745 with American Water Enterprises, LLC formerly known as American Water Services, Inc. (American Water), (ii) a consent to the assignment of the Contract to Contract Services, LLC which will become an affiliate of Veolia Water North America Operating Services, LLC (Veolia), and (iii) all other documents as may be necessary or appropriate to implement the provisions of this Ordinance and the amendment and assignment of the Contract.

Summary

The Water Services Department (WSD) is currently in a 15-year contract with American Water to operate and maintain the Lake Pleasant Water Treatment Plant (WTP). This contract expires April 30, 2022. American Water is selling its merchant assets to Veolia nationwide. WSD seeks authorization to consent to assignment of the Lake Pleasant WTP contract from American Water to Contract Services, LLC which will

become a Veolia company. The contract will also be amended to establish a $30 million liability cap for damages resulting from breaches of the agreement, in accordance with current business practices in the industry, and to otherwise effectuate the assignment.

Procurement Information
American Water was chosen for this contract using a qualifications-based selection process according to section 34-604 of the Arizona Revised Statutes.

Contract Term
The contract term is unchanged by the amendment and will run through April 30, 2022, subject to an existing option by the City to extend the contract for an additional five-year term.

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

Previous Council Action
On July 2, 2003, the City Council approved Contract 107745 with American Water for operation of the Lake Pleasant WTP, and on Jan. 1, 2014, approved the First Amendment to Contract 107745.

Location
Lake Pleasant WTP, Lake Pleasant Road and New River Road
Council District: 1

This item was adopted as corrected.

87 Modification of Stipulation Request for Ratification of May 16, 2018 Planning Hearing Officer Action - Z-151-05-7(8)

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 16, 2018. This ratification requires formal action only.

Summary
Application: PHO-1-18--Z-151-05-7(8)

Current Zoning: S-1 (Approved C-2)
Acreage: 11.35
Applicant: Wendy Riddell, Berry Riddell, LLC
Representative: Wendy Riddell, Berry Riddell, LLC
Owner: 59th & Baseline, LLC

Proposal:
1) Modification of Stipulation 1A regarding general conformance to site plan date stamped Dec. 13, 2005.
2) Deletion of Stipulation 1B regarding general conformance to elevations date stamped Oct. 13, 2005.
3) Deletion of Stipulation 2 regarding a landscape plan to be administratively approved by the Planning Hearing Officer.
4) Deletion of Stipulation 2A regarding shading seating within the courtyard and plaza areas.
5) Deletion of Stipulation 2B regarding shaded seating areas on the patios adjacent to Pads D and K.
6) Deletion of Stipulation 2C regarding all entry drives shall be developed with a minimum 50 X 50 enhanced landscape areas.
7) Deletion of Stipulation 3 regarding pedestrian walkways shall be provided between Pads E and F.
8) Deletion of Stipulation 4 regarding pedestrian walkways located outside of driving aisles.
9) Deletion of Stipulation 14 regarding buildings being limited to single-story in height except for E and L.
10) Modification of Stipulation 16 regarding development shall be subject to a comprehensive sign plan that excluding LED electronic message reader boards.
11) Technical correction to Stipulation 8.

Location
Southeast corner of 59th Avenue and Baseline Road.
Council District: 8

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee recommended approval with modifications by an 8-0 vote at their May 14, 2018 meeting.

Planning Hearing Officer Recommendation: The Planning Hearing Officer took the case under advisement and recommended approval with modifications on June 1, 2018.

This item was approved.

88 Final Plat - Dollar Self Storage #19 - 170086 - East of 23rd Avenue and South of Happy Valley Road

Plat: 170086
Project: 16-2979
Name of Plat: Dollar Self Storage #19
Owner(s): Dollar Self Storage #19, LLC
Engineer(s): HilgartWilson, LLC
Request: A 1 Lot Commercial Plat
Reviewed by Staff: June 8, 2018
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 east of 23rd Avenue and south of Happy Valley Road.
Council District: 1

This item was approved.

89 Final Plat - Hillstone - North Parcel - 170071 - South of Happy Valley Road and 20th Street Alignment

Plat: 170071
Project: 16-3288
Name of Plat: Hillstone - North Parcel
Owner(s): D.R. Horton, Inc.
Engineer(s): HilgartWilson, LLC
Request: A 131 Lot Residential Plat
Reviewed by Staff: June 13, 2018
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with both Plat 170093 (Hillstone South) and Abandonment V180002A.

Location

Generally located south of Happy Valley Road and the 20th Street Alignment.
Council District: 2

This item was approved.

90 Final Plat - Hillstone - South Parcel 1 - 170093 - West of Desert Peak Parkway and North of Cave Creek Dam Road

Plat: 170093
Project: 16-3288
Name of Plat: Hillstone - South Parcel 1
Owner(s): D.R. Horton, Inc.
Engineer(s): HilgartWilson, LLC
Request: A 219 Lot Residential Plat
Reviewed by Staff: June 13, 2018
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with both Plat 170071 (Hillstone North) and Abandonment V180002A.

Location

Generally located west of Desert Peak Parkway and north of Cave Creek Dam Road.
Council District: 2

This item was approved.

91 Final Plat - Sky Crossing - Parcel 5.2 - 180021 - 32nd Street North of Deer Valley Drive

Plat: 180021
Project: 16-1029
Name of Plat: Sky Crossing - Parcel 5.2
Owner(s): Cave Buttes Development Partners, LLC
Engineer(s): HilgartWilson, LLC
Request: A 35 Lot Residential Subdivision Plat
Reviewed by Staff: June 6, 2018
Final Plat requires Formal Action Only

Summary

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

Location

Generally located west of 32nd Street and north of Deer Valley Drive.
Council District: 2

This item was approved.

92 Final Plat - Phoenix Northgate - Lot 1- 170076 - Southwest Corner of 26th Avenue and Bell Road

Plat: 170076
Project: 11-1212
Name of Plat: Phoenix Northgate - Lot 1
Owner(s): Arizona State Land Department
Engineer(s): HilgartWilson, LLC
Request: A 1 Lot Commercial Plat
Reviewed by Staff: June 7, 2018
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 26th Avenue and Bell Road.
Council District: 3

This item was approved.

93 Final Plat - Harmony at Arcadia II - 170104 - East of 37th Street and South of Earll Drive

Plat: 170104
Project: 17-891
Name of Plat: Harmony at Arcadia II
Owner(s): D.R. Horton, Inc.
Engineer(s): HilgartWilson, LLC
Request: A 38 Lot Residential Plat
Reviewed by Staff: June 1, 2018
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 east of 37th Street and south of Earll Drive.
Council District: 8

This item was approved.

94 Final Plat - Park Meadows Unit 2 - 170054 - East of 31st Avenue and North of Southern Avenue

Plat: 170054
Project: 16-585
Name of Plat: Park Meadows Unit 2
Owner(s): Cherokee Development Partners, LLC
Engineer(s): Clouse Engineering, Inc.
Request: A 34 Lot Single Family Residential Subdivision Plat
Reviewed by Staff: June 12, 2018
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 east of 31st Avenue and north of Southern Avenue.
Council District: 8

This item was approved.

95 Final Plat - Prevalent at Madison Ranch - 180016 - North of Baseline Road and East of 24th Avenue

Plat: 180016
Project: 17-2507
Name of Plat: Prevalent at Madison Ranch
Owner(s): Prevalent 24, LLC
Engineer(s): Sunrise Engineering
Request: A 29 Lot Residential Plat
Reviewed by Staff: June 8, 2018
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 Baseline Road and east of 24th Avenue.
Council District: 8

This item was approved.

96 Abandonment of Easement - V180012A - 15822 South 22nd Street (Resolution 21654)

Request: To abandon a portion of the pedestrian access, refuse collection and emergency and service access easements identified on lot addressed 15822 S. 22nd St. (APN 301-78-939).

Date of Decision: May 2, 2018
Abandonment: V180012A
Project: 00-2747
Applicant: John Johnson

Financial Impact

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

Location

15822 S. 22nd St.
Council District: 6

This item was adopted.

97 Abandonment of Right-of-Way - V180002A - Northwest of Desert Peak Parkway and Cave Creek Road (Resolution 21656)

Abandonment: V180002A
Project: 16-3288
Applicant(s): D.R. Horton, Incorporated
Request: To abandon the easement for Highway purposes per Maricopa County Recorder Docket 12306, Page 437 - 439, aka Cave Creek Dam Road, adjacent to the north parcel line of APN 212-15-001L and 212-15-001M, excluding any area within the State Trust Land; along with the Roadway Easement and Water Easement dedicated per Ordinance S-18333 on the parcels identified as APN 212-15-003A and 212-15-003B.

Summary

The resolution of the abandonment and both of the following subdivision plats, "Hillstone - North Parcel", Plat 170071, and "Hillstone - South Parcel 1", Plat 170093, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plats are recorded second.

Location

3000 feet northwest of Desert Peak Parkway and Cave Creek Road.
Council District: 2

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

This item was adopted.

98 Amend City Code - Ordinance Adoption - Rezoning Application Z-12-18-2 - Approximately 330 Feet North of the Northeast Corner of 71st Street and Tierra Buena Lane (Ordinance G-6481)

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-12-18-2 and rezone the site from C-2 PCD and C-2 HGT/WVR PCD to PUD zoning to allow a mix of uses including multifamily residential and/or commercial uses.

Summary
Current Zoning: C-2 PCD (Intermediate Commercial, Planned Community District) and C-2 HGT/WVR PCD (Intermediate Commercial, Height Waiver, Planned Community District)
Proposed Zoning: PUD (Planned Unit Development)
Acreage: 4.17
Proposed Use: LMC Kierland PUD to allow a mix of uses including multifamily residential and/or C-2 commercial uses

Owner: Kierland Office Limited Partnership and Beauty and Barber Supply Institute, Inc.
Applicant: Lennar Multifamily Communities (LMC)
Representative: Nick Wood, Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Paradise Valley Village Planning Committee heard this case on June 4, 2018 and recommended approval by a 14-0 vote.
PC Action: The Planning Commission heard this case on June 7, 2018 and recommended approval per the Addendum A Staff Report with an additional stipulation as read into the record by a 7-0 vote.

Location
Approximately 330 feet north of the northeast corner of 71st Street and Tierra Buena Lane.
Council District: 2
Parcel Addresses: 15825 and 15849 N. 71st St.

This item was adopted.

99 Amend City Code - Ordinance Adoption - Rezoning Application Z-30-18-4 - Approximately 400 Feet West of the Southwest Corner of 3rd Street and Roanoke Avenue (Ordinance G-6479)

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-30-18-4 and rezone the site from C-2 HRI TOD-1, C-1 TOD-1, and P-2 TOD-1 to WU Code T5:7 MT for a fitness and conference center.

Summary
Current Zoning: C-2 HRI TOD-1, C-1 TOD-1, and P-2 TOD-1
Proposed Zoning: WU Code T5:7 MT
Acreage: 1.86 acres
Proposed Use: Fitness and conference center

Owner: Nicole Hosking, Amerco Real Estate Co
Applicant: Philip A. Carhuff
Representative: Philip A. Carhuff

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on June 4, 2018 and recommended approval per the staff recommendation by a 13-0 vote.
PC Action: The Planning Commission heard this case on June 7, 2018

and recommended approval per the Encanto Village Planning Committee recommendation by a 6-0 vote (1 recusal).

Location
Approximately 400 feet west of the southwest corner of 3rd Street and Roanoke Avenue.
Council District: 4
Parcel Addresses: 2721 N. Central Ave.; and 43, 47, 53, 57, and 61 E. Roanoke Ave.

This item was adopted.

101 Public Hearing - Appeal of Abandonment of Right-of-Way - Appeal of Hearing Officer Decision - V180035A - Northwest Corner of Portland Street and 1st Street (Resolution 21655)

Request to hold a public hearing to appeal the Hearing Officer's decision regarding abandonment of Right-of-Way - V180035A, located at the Northwest corner of Portland Street and 1st Street (alley as indicated on **Attachment A**). This appeal request was approved by the Planning and Development Director for scheduling prior to the initial public hearing by the Abandonment Hearing Officer on June 18, 2018. The appeal period for this case will expire on July 3, 2018. If no actual appeal is filed by 5 p.m. on this date, this item will be withdrawn. If an appeal is filed, additional information will be provided at the hearing on July 5, 2018. Scheduling in this manner was necessary to ensure that this matter was heard before the City Council summer break to meet the applicant's stated timeline.

The alley proposed for abandonment is part of the Knipe House redevelopment, which was solicited by the Community and Economic Development Department through a Request for Proposals process.

Summary
Abandonment: V180035A
Project: 18-1603
Abandonment Applicant: True North Holdings, Limited Liability Corporation
Date of Abandonment Hearing Officer’s Decision: June 18, 2018

Appellant: Case must be appealled by July 3, 2018 or the request will be withdrawn from the City Council agenda.

Appellant Rationale: Will be provided at the Hearing if appealled.

Location
Northwest Corner of Portland Street and 1st Street.
Council District: 7

This item was withdrawn.

108 Request for Reconsideration of Item 87 from the June 27, 2018 Formal Council Meeting

Request for reconsideration of Item 87 - Request to Add-On - Transportation 2050 Funding from Street Maintenance from the June 27, 2018 City Council Formal Meeting, pertaining to staff evaluation of Transportation 2050 revenues, projects and expenditure schedules, and to evaluate how adjustments to future light rail or other transportation projects would allow expediting street pavement maintenance.

Summary
At the June 27, 2018 meeting, the vote of the City Council on Transportation 2050 Funding from Street Maintenance was 2-5 with Mayor Thelda Williams, Councilwoman Kate Gallego, Councilman Michael Nowakowski, Councilwoman Laura Pastor and Councilman Daniel Valenzuela in opposition. Therefore, the item failed to pass.

This reconsideration is being placed on the next available agenda in accordance with a memo requesting reconsideration from Mayor Williams.

Pursuant to the City Charter and the Rules of Council Proceedings, Item 87 from the June 27, 2018, Formal Council Meeting has been placed on the agenda immediately following this request for reconsideration. If this request is approved, the City Council will reconsider this item. If this request is not approved, the City Council will not reconsider this item and the original action on the item will stand.

This item was withdrawn.

109 Reconsideration of Item 87 from the June 27, 2018 Formal Council Meeting - Request to Add-On - Transportation 2050 Funding for Street Maintenance

Per Council rules, an item for the agenda was requested by Mayor Thelda Williams (co-signed by Vice Mayor Jim Waring, **Attachment A**). This item is for City Council discussion and possible action to direct staff about evaluating Transportation 2050 revenues, projects and expenditure schedules, and to evaluate how adjustments to future light rail or other transportation projects would allow expediting street pavement maintenance. This could include the use of financing to accelerate street paving.

This item was withdrawn.

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, to suspend the rules and take Items 49, 50, 30, 75 and 76 out of order. The motion carried by the following voice vote:

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

No: 0

49 Public Hearing on Adoption of Property Tax Levy for 2018-19 Fiscal Year

As required by State statute, request the City Council hold a public hearing prior to the adoption of a property tax levy for the City of Phoenix for 2018-2019.

Concurrence/Previous Council Action
The proposed 2018-19 property tax levy reflects actions taken by the

Council on the budget at the May 22, 2018 Policy meeting, at the June 6, 2018 Formal meeting to adopt the tentative 2018-19 budget, and at the June 27, 2018 Formal meeting to adopt the final 2018-19 budget. At the June 20, 2018 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

Discussion

Mayor Williams declared the public hearing open. Noting no one was present wishing to speak, she declared the public hearing closed.

The hearing was held.

50 Adoption of Property Tax Levy for 2018-19 Fiscal Year (Ordinance S-44869)

An ordinance levying separate amounts to be raised for primary and secondary property tax levies upon each one hundred dollars ($100.00) of the assessed valuation of the property subject to taxation within the City of Phoenix for the fiscal year ending June 30, 2019.

The ordinance (**Attachment A**) provides for a primary property tax levy of $163,218,253 (a General Fund revenue source) equating to a rate of $1.3163 per $100 of assessed valuation, including $0.08 for maintenance of parks and playgrounds and $0.3163 for the operation and maintenance of libraries; and an estimated secondary property tax levy of $102,186,555 (used only for debt service) equating to a rate of $0.8241 per $100 of assessed valuation. The total rate is $2.1404, down from $2.1600 last year.

Concurrence/Previous Council Action

The proposed 2018-19 property tax levy reflects actions taken by the Council on the budget at the May 22, 2018 Policy meeting, at the June 6, 2018 Formal meeting to adopt the tentative 2018-19 budget, and at the June 27, 2018 Formal meeting to adopt the final 2018-19 budget. At the June 20, 2018 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

Discussion

Wesley Harris spoke in opposition and listed several reasons. He said

the City requested $163 million as a primary and $102 million as a secondary which serviced debt and helped for 39 percent of the total tax assessment. He questioned the amount spent on the South Central light rail route with it left to a private corporation, and asked how it benefitted the citizens of Phoenix and business owners. He stated the light rail extension could destroy the only retail strip in South Phoenix. He said the light rail extension cost three times more than the tax assessment for the year, and asked what portion of it was for light rail.

Mayor Williams asked if staff had a response to his question.

Budget and Research Director Jeff Barton stated he did not have the answer and would have to get back to Mr. Harris on that.

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

Yes:	6 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela and Mayor Williams
No:	2 -	Councilman DiCiccio and Vice Mayor Waring

Item 30, Ordinance S-44864, was a request to authorize the City Controller to disburse funds up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

30 (CONTINUED FROM JUNE 27, 2018) - City of Glendale

For $27,273.00 in payment authority to pay the City of Phoenix's share of the agreement with Baker, Donelson, Bearman, Caldwell & Berkowitz to provide West Valley Partner Communities comprehensive federal legislative consulting services to protect and enhance Luke Air Force Base, for the Office of Government Relations and the Aviation Department.

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that this item be adopted. The motion carried

by the following vote:

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

No: 0

75 Request to Enter into Agreement with National Police Foundation for Officer-Involved Shooting Study (Ordinance S-44893)

Request to authorize the City Manager, or his designee, to enter into an agreement with the National Police Foundation for an Officer-Involved Shooting (OIS) study. The estimated expenditure for the six-month study is $149,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Phoenix Police Department (PPD) has an immediate and critical operational need to address the number of OIS incidents that have occurred since the beginning of the year. Between Jan. 1 and May 29, 2018, there have been 23 OIS incidents in Phoenix. Historically, this is the number of OIS incidents that occur on an annual basis. To illustrate, the annual number of OIS incidents for the most recent three-year period totaled: 21 in 2017, 25 in 2016 and 17 in 2015. The PPD has already exceeded the annual OIS incident totals for 2015 and 2017 in the first five months of the current year.

The PPD's top priority is ensuring the safety of both the community and our officers. An in-depth analysis of OIS incidents in Phoenix will provide the department with a deeper understanding of these events to gain a full picture of each incident to determine not only what occurred, but how, and why, from the point of initiation to conclusion. This insight, coupled with the study recommendations, will improve the chances of reducing the frequency of these deadly force encounters.

The NPF has a reputation of providing fair and impartial information. The NPF has been developing an extensive, multi-agency, OIS dataset as part of a groundbreaking collaborative with the Major Cities Chiefs Association. The dataset currently contains detailed information on more

than 1,200 OIS encounters as reported by more than 50 of the largest law enforcement agencies across the United States and Canada. Access to this broader dataset allows the NPF to make regional and even national comparisons between OIS incidents in Phoenix to other agencies. The NPF can complete the analysis and provide a final report with recommendations in six months.

Procurement Information
The PPD obtained three quotes from different entities to complete the study.

Manning & Kass, Ellrod, Ramirez, Trester: $140,000 plus travel cost
National Police Foundation: $149,000
PERF: $151,300

A Request for Proposal (RFP) process can take up to 12 months. Police is requesting a non-competitive procurement process in order to start the study as quickly as possible. The study will take six months to complete. The PPD cannot wait 18 months to get results from the study and begin implementing recommendations.

Contract Term
This agreement shall commence on or about July 1, 2018; the term shall be for six months.

Financial Impact
The cost of the study is $149,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action
This item was approved unanimously by the Public Safety and Veterans Subcommittee at the June 13, 2018 meeting.

Discussion
Frank Reid stated he was the Executive Vice President of the COBY Corporation in Phoenix, and was on the board of the Greater Phoenix Chamber of Commerce. He talked about the opportunity he had a few weeks prior to this meeting where he attended an officer shooting session with the Police Department. He said they had the chance to

review officer-related shootings and had open dialogue about what could have been done differently. He mentioned the process was eye-opening and he had a greater appreciation for their work, and noted the last 35 years of his life were in human resources where he tried to figure out how to develop trust with employees and employers. He commented the answer was transparency, and the study went a long way to develop a productive relationship with the community.

Ann Hart mentioned she had been on the Community Police Trust Initiative (CPTI) for over five years, and added the incident that happened several years ago with former Councilman Michael Johnson was a reason CPTI was formed. She said it hurt the community knowing something like that could happen to someone who served the community. She talked about how the CPTI was formed as it stood that day, and added she wanted to use her voice with others to show how important it was for them to follow through with transparency, open communication and dialogue with the Police Department and Police Chief Jerri Williams with her executive team. She stated it was important to understand what went on in a police shooting so they could collaborate to analyze and figure out how to move forward to eliminate police shootings that had not been explained or justified. She commented this was a good approach to work with the Police Department, and she supported the study.

Gail Knight noted the Community Relations Communications Group started the process first with the Police Department, which formed into CPTI. She said it was important for Council to support the study to continue an open dialogue with the police, and to be transparent. She stated there could not be bias on this, and added there had to be a balance in thinking and caring as well as why police officers were being attacked when they approached a situation. She wanted to know what could be done to improve that, and what hidden factors could there be that they were not aware of. She encouraged Council to support Item 75.

Shawn Severud recalled a situation he experienced recently that involved an altercation between a woman and a Phoenix police officer. He said she was acting erratically, and added the police officer dealt with her well. He stated certain councilmembers in the past had been supportive across the board for police officers regardless of their behavior, and it

did a disservice to that specific police officer. He suggested that officer had the ability to shoot and kill the woman because she was actively struggling with him, and said if it happened no one would have said anything. He commented the community told Council why this had happened, and added this was a failure of leadership from Police Chief Williams, the union, and Council. He noted there were councilmembers running for Mayor and asked Council to listen to the community.

Jeremy Helfgot stated he was a member of the Human Relations Commission, and served on CPTI. He said the study that was proposed was vital due to the high rate of officer-involved shootings. He mentioned the incident reviews he was part of, and noted that some were questionable but at the end of the day it came down to perception. He commented trust between the public and public safety officers was crucial, and the public who lived in fear and were suspicious were more likely to react violently. He talked about how to address those issues, and he added the study was important to determine why this was happening before figuring out what could be done.

Vice Mayor Waring asked for confirmation if an out-of-town group did the study. He also inquired if the study would be more of data instead of spending time with the officers.

Police Chief Jeri Williams responded this was an outside entity doing the study that utilized national data points to compare Phoenix to the rest of the large cities across the country. She stated those who did the study would come in with a blueprint of information and would not be in Phoenix full-time, but would spend time with community members and officers to see what was happening with shootings.

Vice Mayor Waring discussed his meeting with Police Chief Williams, and added there were people who went to budget meetings that said they did not want police at their business. He commented based on that reaction there had been 21 incidents in the calendar year, and he noted Police Chief Williams said those 21 incidents involved armed suspects, three with knives, 18 with a firearm, and 6 to 9 incidents they were not sure.

Police Chief Williams clarified there was now 28 incidents, with 21 of those incidents involving an individual with a weapon or dangerous instrutment that posed a danger to officers. She added in 6 to 8 incidents people shot at officers and killed or harmed community members prior to police arrival.

Vice Mayor Waring mentioned he was not suprised by the statistics based on the texts they received. He said it sounded like the officers responded appropriately in the 21 incidents, and he understood there were lawsuits. He wondered if there were processes to examine each case already as this would be doing it again with an outside group. He talked about the visit from President Trump in August of 2017 where members of Council asked for a study from an outside group to be put on an agenda, and said it failed because the community and the union were against it. He understood that officers sometimes did things that were wrong, but they did their best under the circumstances. He said he could not come up with a reason why the study would be a good idea, and confirmed he would vote no because he did not think it was going to achieve what the City hoped to accomplish.

Councilman DiCiccio mentioned he was pro-police, and said the study sent the wrong message. He said officers were overworked, understaffed, and constantly under attack. He stated the blame should be on the individuals who attack police officers, and said this study sent a bad message to police officers because it was a small group of individuals who attack police officers. He commented society told people it was okay to disobey the law, and pointed out he was a supporter of civil disobedience but it ended at the property of someone else. He followed his point that individuals could not destroy property without facing some level of consequence, and said he would vote no because this sent a bad message to police.

Councilwoman Gallego stated she would support the recommendation from Police Chief Jeri Williams because Council heard from the community and she was impressed with the consultant worked in Charlottesville, Va. She said the Police Department could benefit from more suggested resources, and talked about the recommendations that were made for the police in Charlottesville, Va. She mentioned the

outside review could reveal how to make officers and citizens safer, and expressed her support for the partnership.

Councilwoman Stark said she would support this because it was not an indictment of police, and added she sat down with Police Chief Jeri Williams and she was very emotional about the topic. Councilwoman Stark stated she cared for her officers and the community, and the study would provide data to get a better understanding on how to help officers and the community.

Councilman Valenzuela remarked he was supportive of the issue. He acknowledged the issue was not cut-and-dry, and noted it was not a good thing when someone felt one way or the other on whose fault it was or whose behavior was innapropriate without data and information. He said this was what happened when ideology was put into an issue like this. He stated this was a leadership vote and commended Police Chief Jeri Williams for her work under pressure. He repeated you had to extract politics out of the issue and have a conversation to move forward.

Councilwoman Pastor expressed concern if the study would get to why this happened, and added she was not sure if they would get to that. She did not think there was anyone who was anti-police, and noted officers represented the community so everyone was responsible in solving the issue. She noted there were different factors in why this issue happened, and said all sides had to be looked at. She asked about a community component and where that might be in the process.

Police Chief Williams responded the community piece is part of the study, but they had to start gathering data from somewhere. She said the foundation would not draw conclusions but just look at the data that would be given to Arizona State University to do a wider reach with community members in the second step. She noted the foundation would look at the last ten years of data that included citizen contact, violent crimes and officer-involved shootings, and stated that would give them a template for Arizona State University to better involve the community.

Councilwoman Pastor questioned if the study would look at information about the officers, with an example on the 8-hour rule, and asked about a

study done several years ago that looked at stresses on police officers.

Police Executive Assistant Chief Michael Kurtenbach responded a study was done in 2013 that looked at the 31 officer-involved shootings which was the most the Police Department ever had. He said Arizona State University looked at officer behavior from 2009 to 2014.

Councilwoman Pastor stated that was the study she thought about, and added now was the community portion to bring the studies together. She talked about the dynamics of race both nationally and in the Southwestern states.

Police Chief Williams replied the study would incorporate that piece and gather information from other cities in the Southwestern states.

Mayor Williams declared she fully supported the study because it was key to finding solutions and to ask the right questions and identify markers that were not noticed before to improve the Police Department and make the community safer. She said the City of Phoenix had an outstanding police force, and added there was a temperament that it was okay to attack police officers and argue with authority. She hoped this study would identify mechanisms to get out to the community and teach officers how to have better relationships. She talked about conversations she had with her grandkids on how to interact with police and to not argue with them. She thanked Police Chief Jeri Williams for improving the force.

Note: Joanne Scott Woods submitted a speaker comment card in favor of Item 75, but was not available to speak.

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

Yes:	6 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela and Mayor Williams
No:	2 -	Councilman DiCiccio and Vice Mayor Waring

76 Request to Enter into an Agreement with National Training Institute on Race and Equity to Provide Implicit Bias and Cultural

Competence Training (Ordinance S-44894)

Request to authorize the City Manager, or his designee, to enter into an agreement with the National Training Institute on Race and Equity (NTIRE) to conduct implicit bias and cultural competence training. The estimated expenditure for FY 2018-19 is $150,000. The aggregate amount for the one-year agreement with two one-year options to extend shall not exceed $450,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

In April 2015, the Phoenix Police Department (PPD) instituted a mandatory 40-hour training module for all sworn employees designed to enhance officer decision making and safety, as well as to develop trust, accountability and mutual respect with the community. To address the latter competencies, the module curriculum included eight hours of instruction on the subject of Cultural Consciousness taught by an outside vendor. Instruction was provided by the vendor from the start of the module sessions in April through June 2015, when the module sessions were suspended for the summer break. Prior to the module sessions resuming in August 2015, the vendor of the Cultural Consciousness training withdrew from the contract. A subsequent procurement for Police Cultural Competency training was initiated in October 2015, however, that process was unsuccessful in identifying a new vendor.

The Phoenix Police Department has an immediate and critical operational need to provide implicit bias and cultural competence training to police officers, as they have daily contact with the community. Being aware of implicit bias and having the tools will strengthen the relationship between the Police Department and the community. A vendor with experience in training law enforcement is preferred to provide an understanding of implicit bias, what causes this bias, how it impacts service to the community, how it can be managed and reduced in the workplace, and how one can self-recognize one's own individual implicit bias and use the training to overcome it.

In light of the issues experienced locally and nationally regarding race relations with law enforcement, the PPD would like to start providing implicit bias training as soon as possible. The PPD would like to utilize

the services of the NTIRE. Dr. Bryant T. Marks, Sr., founder and chief training officer of NTIRE, is known as an expert in the field of implicit bias training and has extensive experience in this field. Dr. Marks was cited as a national expert on implicit bias by the Los Angeles Police Commission, Office of Inspector General in a review of the Los Angeles Police Department's adherence with national best practices, reported in May 2017. As a diversity and implicit bias expert, Dr. Marks has provided implicit bias training to more than 2,000 police chiefs and executives via a series of briefings at the White House in 2016, and several thousand patrol officers in local police departments including the entire Los Angeles Police Department. He has also provided training related to diversity and implicit bias to individuals in education (K-12 and higher education), philanthropy, non-profits, local and federal government and several other sectors. NTIRE is an experienced training institute that can meet the law enforcement training needs required by a department the size of the PPD.

Procurement Information

A Request for Proposals (RFP) can take up to 12 months. The PPD is requesting a non-competitive procurement process to utilize the services of the NTIRE in order to begin training as soon as possible.

Contract Term

It is anticipated that the agreement will begin in fall 2018 and the term shall be for one year, with two one-year options.

Financial Impact

The annual cost of the agreement will not exceed $150,000 per year, with an aggregate of $450,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

This item was approved unanimously by the Public Safety and Veterans Subcommittee at its June 13, 2018 meeting.

Discussion

Frank Reid discussed his 35-year background in human resources on working in diversity and inclusion. He said one of the things he found out as a senior executive in human resources was everytime he dealt with an

issue in the corporate environment, they failed to diagnose the problem. He stated the only way to fix it was to sit down and take a hard look and recognize everyone has biases. He conveyed the program would allow the City to get to the bottom of knowing how everyone thought and how to better themselves, and added he strongly recommended Council move forward with the recommendation.

Ann Hart stated this was a very important initiative that should be followed through. She talked about transparency in developing trust with the community. She said she looked forward to the Council's vote on this item.

Jeremy Helfgot expressed support to move this item forward. He repeated he served on CPTI, and said that was where the recommendation for this training came from. He mentioned there was training like this in place, but noted this training got to the core of who people were and how they thought and reacted. He stated the quality and level of training was almost more important than having the training itself because if it was not enough to have an impact then it should not exist. He encouraged the Council to support the action, and commented he trusted Police Executive Assistant Chief Michael Kurtenbach because he led the effort to recruit on the issue and trusted his judgement. Mr. Helfgot recalled the Human Relations Commission had voted unanimously on multiple occasions to affirm the recommendation and there was strong citizen support.

Gail Knight asked to get the item moved forward, and said as a governing board member of a school district, the issues were not just within the Police Department and residents, but with the community as well. She talked about how to train teachers, students, parents and the community to decrease bias and become more culturally sensitive. She discussed how the committees she served on forwarded these issues on police and community relations and trust. She said now there needed to be trust overall for residents in the City of Phoenix that wanted to eliminate bias and competency as it related to culture, religion, where they live and their economic situation. She asked the Council to vote yes on the item.

Parris Wallace suggested the Police Department had been extremely

violent, and they had reported five less deaths than what was posted online. She said she did not want to know what the weather was like or the conditions of the wind when a bullet hit someone in the back, but wanted to know the mindset of the officer. She asked for information on when officers last received a mental health check and hand-to-hand combat training. She took issue with the Police Department spending money, and inquired for an investigation. She suggested as a black woman she did not want to remind herself to walk in a certain way, and said there should be a safety net for people like her. She stated the Council was ignoring their requests and therefore did not support their community.

Viridiana Hernandez noted they came for the previous item, and did not see the time change for the meeting. She suggested the City of Phoenix was inaccessible to community members, and said there were people who wanted to talk on the previous item. She stated although Councilwoman Pastor and Councilman Nowakowski asked for community input, they did not trust the Council, the Police Department and Police Chief Jeri Williams because the community had to be included first. She cited Councilmember Valenzuela and suggested they had facts that no matter how much training was done or how much was spent, if there was no accountability or data then it would be a political show on their part. She continued to talk about there being no accountability and no trust and asked for an investigation in officer training.

Alondra Sanchez donated time to Ms. Hernandez.

Ms. Hernandez stated they constantly asked questions that were not answered, and said the last time there was training the community was not allowed to be part of it. She asked how that was transparent, and asked why Council would spend money on the trainings without letting community members participate. She said she did not know why someone would spend $150,000 without seeing what they were buying. She said last time there was training the shootings had increased, and cited the report on the amount of officer-involved shootings, which she suggested was now at 28 shootings. She mentioned the training tried to figure out how community members could act better to not be shot or killed. She asked when the community would see the training and who chose the entities to work with.

Kate Tutaya said there was frustration and anger from her team over the past few months, and suggested police were worried about their reputation when police shootings had increased. She talked about how the Police Department needed to spend money on the study done by Arizona State University, but mentioned it was not their job to protect people impacted by violence. She commented about those conducting the study and was concerned about their biases. She took issue with the Council dealing with the issue late, and suggested it was a lot of money to do basic training. She asked to have their group be part of the committee because they could use their opinion. She commented the organization that conducted the training said their mission was to make policing smarter and faster.

Maria Sanchez said she had to rush to the meeting because she did not know about the time change, and suggested the Council did not care about the community. She stated the research would not do anything because they looked at stuff that did not matter, and alluded to the police hurting community members. She asked where the money came from, and talked about a compensation fund they had requested. She talked about how her son was scared of the police, and added the Council did not improve their community.

Jennifer Hernandez cited the May report on officer-involved shootings and said there was now 28 with more to come. She stated they told the Council it was a problem but they did not listen. She mentioned the cost of the training, and added Council did not listen to their request for a trauma fund. She asked Police Chief Jeri Williams what she would do in regards to the officer-involved shootings.

Isabel Garcia mentioned she grew up in Phoenix and loved the city, but was angered about how her group was treated. She talked about the involvement of the community in the process and asked how they would be involved and taken into account. She questioned the availability of access to the information, and how the police would be held accountable during the six months the report would be written and after the implicit bias training. She said they would be back in September and they would be watching the Council.

Ms. Garcia translated for Berta Rita, who spoke in Spanish. She said she was angry with what happened, and suggested they were ignored. She stated the Council left the community in pain and suffering with children taken away, and hoped they never went through a problem like that. She told Councilman Valenzuela she opened her doors to him to speak and said he never returned to say thank you. She suggested he never did anything for them as a representative of District 5. She said it took a great and strong person to represent the community, and no one deserved their positions because they were there to serve themselves.

Alexandra Rodriguez noted she was a teenager and should have been out doing something else, and said the Council worked for them so they should not have to tell them to listen to the community. She stated Council had not been listening to their group, and demanded they do something.

Ken Chapman mentioned this was intensely personal for a number of reasons, and said when a member of the community was violently attacked, shot and killed, racially profiled or when someone is transferred to Immigration and Customs Enforcement by the police, their families did not call the Council. He discussed different situations that involved the police, and said they could not get simple counseling. He stated they called groups like theirs when those instances occurred, and suggested those situations happened due to a breakdown in trust and lack of responsibility because they could not reach out to law enforcement or their councilmember without bad things happening. He proposed tough questions had to be asked in order to change the dynamic, and asked Police Chief Williams about the training and if officers had a bias because they needed the training.

Adrianna Gonzales donated time to Mr. Chapman.

Mr. Chapman questioned as community members, would they be able to have a conversation about the intersections between bias and violence. He asked for open dialogue on police behavior, and talked about an early intervention system to flag officers if they need counseling, retraining or disciplinary action prior to them being involved in a use-of-force incident.

He suggested the Council did not want to ask those questions and said to get to real dialogue to allow them to have a conversation without grandstanding.

Councilman DiCiccio stated he would vote no because it fell in line with national anti-police rhetoric. He questioned when police officers became the bad guys and noted it was not okay. He mentioned those individuals worked hard, and left their homes every day not knowing when they would come back. He said it was not a large group of individuals that talked about police officers as bad and biased, and added he would not be part of that.

Councilwoman Pastor indicated she was an advocate for the training since CPTI as they would get trained on implicit bias and cultural competencies, and mentioned a quote from her father that there was a "browning" of America. She stated this was because the community and dynamics were changing, and added they had to understand the fact there was pain. She noted truthful dialogue was needed to come together, and she said to generalize a group of students that wanted to change their community was disrespectful. She mentioned she may not agree with them but that did not mean to disregard them. She talked about someone who came from a life of privilage that may not understand what others went through. She asked Police Chief Williams how the community was embedded and if there would be dialogue.

Police Chief Williams responded they had community members come in and speak to training groups about their perceptions, realities and feelings about law enforcement, and added she could incorporate that into their training. She stated they had invited some community members that were present to their transparency protocol meetings but did not get a response.

Councilwoman Pastor announced she would commit to go through the process with everybody, and provide several different dates of community dialogue. She said she expected people to respond yes or no if dates were provided, and if they did nothing they would respond by saying no because they would not engage or participate. She asked for people that want to be engaged to commit, and noted there would be

times where they would disagree but that could lead to agreement. She commented she would vote yes on the item due to the fact she was probably the one that pushed it and understood what the training did to people.

Vice Mayor Waring remarked this was not the first time something like this was done, and noted this was done previously three years ago. He said they picked someone who was at Arizona State University but was no longer there, and mentioned he agreed with the people who stood up and said this would not accomplish anything and money should be spent elsewhere. He was in agreement there were underlying issues and bigger societal problems that were changing policing, but added he was not sure spending a few hundred thousand dollars would change those issues or prevent one shooting. He talked about Arizona State University and that they did the study last time and it did not work, and said at some point he was not sure the studies would change the outcomes of the issues that people addressed. He discussed the statistics on officer-involved shootings in the calendar year, and advanced the idea the studies would not address the issue because it would not modify the behavior of the residents of Phoenix because there were too many of them. He said it was hard to see how it would alter their behavior, and talked about a recent officer-involved shooting where the officer was second guessed after someone pointed a gun at him. He asked when this would end, and indicated he would vote no.

Councilman Valenzuela stated he would support the item because even though it was a few hundred thousand dollars, if it prevented one shooting then it was a step in the right direction. He mentioned it was hard to say this would not do anything from what he heard and did not agree because there needed to be conversation. He said when he received a message from one of the police chiefs that there was another shooting, he did not assume he knew exactly what took place which did not make him anti-police or anti-community. He commented even though they had this three years ago, it was a conversation worth having to extract politics out of the issue to examine it. He remarked this was not a knock against City of Phoenix police officers, and said he went through various training scenarios as a firefighter. He remarked it did not mean City employees did the wrong thing, it just meant their salaries were paid with tax dollars

and serving the public meant serving the entire public. He stated it was not just skin color in terms of diversity but a way of thinking and a background of how people grew up, and announced he supported the item.

Councilwoman Gallego asked Police Chief Jeri Williams if the person who led the training was willing to sit down with people and get their feedback on what was happening in Phoenix and what they thought was important.

Police Chief Williams responded absolutely, and added he trained the Los Angeles Sheriff's Department, Las Vegas Metro and others. She said she had a conversation on how important community voice was to help them train better.

Councilwoman Gallego talked about what was said earlier about acknowledgement of bias and noted it absolutely meant there was because people came into the workplace with bias which was difficult and uncomfortable but she hoped people would come through to make the community better. She reviewed the recommendations from the previous item and said the foundation was able to review the Charlottesville, Va. incident and make substantive recommendations. She stated they were critical of the police department and laid out what they would do differently, and commented this had potential. She hoped they learned and had solid recommendations for the City of Phoenix.

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

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

Item 33, Ordinance S-44864, was a request to authorize the City Controller to disburse funds up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority

under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

33 Arizona Forward

For $20,000.00 in payment authority to purchase a membership for the Public Transit, Aviation, Public Works and Water Services departments. The City is an environmental and sustainability leader in the state and benefits from participating in Arizona Forward to ensure cooperation and idea-sharing on important topics such as smart growth and development, efficient transportation, improved air quality, responsible water management and energy alternatives. These statewide issues have a significant effect on quality of life in the Valley and benefit the City and its residents. This item was recommended for approval by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on June 19, 2018.

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

Yes:	6 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela and Mayor Williams
No:	2 -	Councilman DiCiccio and Vice Mayor Waring

47 (CONTINUED FROM JUNE 27, 2018) - Dockless Bikeshare Program (Ordinance G-6474)

Request to authorize the City Manager, or his designee, to amend chapters 31 and 36 of the Phoenix City Code to establish a dockless bikeshare program effective July 30, 2018. There is no cost to the City of Phoenix. All costs associated with the program will be recovered through proposed permit fees.

Summary

The proposed bikeshare program was developed in response to the emergence of dockless shared individual mobility systems. The primary

intent of this program is to ensure safety and mobility for all users of the right-of-way, while maintaining aesthetics and preventing potential visual blight in the Phoenix community. In addition to bikeshare programs, ebike and electric scooter sharing models are appearing nationwide.

Dockless bikeshare is a fee-based service in which bikes are made available in public right-of-way for shared use on a short-term basis. Users of dockless bikeshare services typically use a smartphone app to locate and rent a bike. A dockless bike may be located in designated areas, or at an appropriate spot left by the previous user. This is different from a docked bikeshare system in that there are no fixed docking stations for the bikes. The bikes are secured with an electronic wheel-locking mechanism that is unlocked via the bikeshare operator's smartphone app.

The proposed ordinance (**Attachment A**) establishes:
Definitions related to the dockless bikeshare program.
A permit requirement to operate a dockless bikeshare system in the City's right-of-way.
Regulations for parking bikeshare bicycles in the right-of-way.
The authority for the City (or its authorized representative) to assess a fee to relocate or repark dockless bikeshare bicycles parked in violation of City Code.
An opportunity to include additional dockless shared individual mobility options such as scooters and electric bicycles as part of this program. City Code 36-64 currently prohibits motorized skateboards (scooters) and motorized play vehicles (electric bicycles), which would need to be amended by future Council action if in the City's best interest to do so.

The program will allow dockless bikeshare operators to apply for permits and to initially deploy up to 500 bikes each. The City Manager, or his designee, may increase the maximum number of bikes allowed per operator if deemed in the best interest of the City. The permit will include requirements that address safety, parking, operations, maintenance, data sharing, as well as standard terms and conditions such as indemnification, insurance, and performance bonds.

The proposed program fees are intended to recover the City's costs of administering the program, and will be evaluated periodically and adjusted as appropriate.
Dockless Bikeshare Permit Application Fee: $500.
Bike Permit Fee: $20 per bike annually.
Relocation/Re-Parking Fee: $80 per bike relocated/re-parked.

During the first six months of the program, staff will evaluate its administrative efforts, and gather data from operators to determine if any revisions to the program are needed.

Financial Impact
There is no cost to the City of Phoenix. All costs associated with the program are intended to be recovered through the proposed program fees. Staff will evaluate the fee structure after six months to determine if the fee structure needs to be modified.

Concurrence/Previous Council Action
The Transportation and Infrastructure Subcommittee recommended this item for approval on May 8, 2018 by a vote of 4-0. The Subcommittee directed staff to speak with bikeshare vendors to learn more about their ideas to implement dockless bikeshare, to evaluate if there is a need to allow dockless bikes to be parked only in designated areas and to complete a cost analysis after the first six months of the program to ensure cost recovery.

Staff met with representatives of the various bike share companies interested in operating in Phoenix to explain the proposed ordinance and permit process and answer questions. Overall, industry representatives indicated support of the proposed ordinance.

Discussion
Note: Councilman Nowakowski left the voting body.

Councilwoman Pastor talked about the image shown to the audience, and said the dockless bikeshare programs randomly parked bikes everywhere. She said in District 4 you could easily see them and get a bike without paying. She asked staff to discuss what three items were

recommended, and which item they picked at the Transportation and Infrastructure Subcommittee meeting.

Deputy City Manager Mario Paniagua responded they discussed options for Council to consider, to designate parking areas for bikes and to look at Lock 2 technology to require that dockless bikes had to be locked to a fixed object when parked. He asked Street Transporation Director Maria Hyatt to explain the third item.

Ms. Hyatt stated the third item was to operate within a specific area.

Councilwoman Pastor amended her motion to include the first 6 months to be used to determine where designated parking areas had to be established and to give dockless bikeshare companies until Feb. 1, 2019 to come up with a Lock 2 mechanism.

Councilman DiCiccio seconded the motion.

City Clerk Cris Meyer read the title of the ordinance for this item.

Blaine Light spoke in favor, and said he appreciated the Streets Department and City Attorney's office for their collaboration on the public-private partnership for their meeting and discussed issues together. He said their goal, as the first and largest bikeshare company in the world, was to provide mobile and clean transportation for all and added he would love to bring that to Phoenix at no capital cost to the City. He mentioned they circulated a letter to Council that addressed two issues they wanted to raise, which was to allow dockless bikeshare providers and to not limit access with caps. He clarified the first issue, and said during the pilot program they recommended the City allow all dockless operators that meet the City standards to operate because there was no risk in inviting all to the City with high operational standards to serve the citizens of Phoenix. He stated the City reserved the right to revoke a permit if they did not meet the requirements, and noted they would ask there be no limit on the number of bikes and if there were caps that they would not limit the riders. He mentioned if there were 500 bikes they would not end up in low-income areas, but would end up where most of the money was. He thanked the Council for their leadership in

promoting affordable and sustainable transportation.

Shawn Severud mentioned Phoenix had a huge pollution problem, and said this would help in that effort because it could get more cars off the road. He noted there was a huge problem with pedestrians hit by cars that would increase. He stated he rode a bike or skateboard to work everyday and was nearly hit every time, and he hoped the Council considered that and also when staff or contractors were hired to remove and relocate bikes, to look into how much resources would be required. He asked if the City of Phoenix had reached out to other cities on what they implemented and what they would do differently.

Ms. Hyatt answered they had studied that, and mentioned with other bikes that crept into Phoenix, they needed to address it and provide the City with an opportunity to regulate the dockless bikes. She said they reached out to the partner cities nearby and got copies of their ordinances and use permits. She mentioned they met with vendors to allow them to provide feedback. She talked about Chicago that required Lock 2 technology on dockless bikes, and said a 12-month period to look at that technology would give the City an opportunity to see what works and what does not. She discussed the concerns with locking the bikes to things that are immovable and how that would affect Americans with Disabilities Act paths, and if it would be easy to move with the Lock 2 mechanism. She mentioned the use permit would come after the ordinance and each company was flexible based on the language in the ordinance that would help adopt permit language to address the final action.

Councilwoman Gallego responded to comments from Mr. Severud and said she hoped pedestrian accidents would not increase. She stated some research had shown the more people were out walking and biking, the more people looked for them. She hoped for a more multi-modal community to increase options for people to move around the community. She asked about the original staff recommendation to not have locks, and how the new recommendation could take some companies out.

Ms. Hyatt responded they mentioned the Lock 2 technology, but the research was on the dockless system and Chicago had not finished their

proposal process so they did not get much information on what happened between the Subcommittee meeting and the Formal meeting.

Councilwoman Gallego thanked Ms. Hyatt and stated this was an emerging technology that was difficult to keep up with. She asked if it was included to require a phone number on each bicycle for someone to reach out to the company.

Ms. Hyatt answered in the use permit they would have a variety of requirements that included the bike itself having a phone number of the company. She added the company website was required to have their phone number as well as it being on the City website. She talked about a concern the City had regarding what would happen if a bike was left on a rack at a restaurant site and for the ability of the restaurant to remove it, and said they wanted to make it as easy as possible when a bike was left on private property to have clear information on where to call the company. She stated if the company did not respond, the City would have the ability to respond within a specified time frame.

Councilwoman Gallego said there were places where she expected the bikes would be used in District 8, and noted it made her nervous with areas that may be hard to find. She asked Councilwoman Pastor how that would work.

Councilwoman Pastor stated she would correct what Ms. Hyatt had said earlier on what cities used the Lock 2 mechanism, and listed several cities including Chicago. She mentioned it had been imposed there to prevent unnecessary piling up of bikes, and added she did her research before making the motion. She cited recent data from the City of Seattle that showed 10 percent of free roaming dockless bikes were placed in places that completely blocked pedestrian traffic, and noted more than 10 percent of dockless bikes were rendered as unrideable. She said if someone rode on the grand canal and there was no dock, then it would end up in the canal like on 24th Street and Baseline Road. She mentioned she received calls to remove carts and bikes, and talked about a recent experience she had where a dockless bike blocked the right-of-way. She noted she talked to the owner who had no idea who to call about removing the bike from the right-of-way. She repeated she did

her research before the motion was made to make sure everybody could perform in 6 months to have the ability to get the Lock 2 mechanism, with no one discriminated against.

Mayor Williams asked if the companies would put a label on the bikes indicating where to call.

Ms. Hyatt responded yes, it would be required under the use permit.

Councilman DiCiccio commented there was no reason that Phoenix could not do this, and mentioned Councilwoman Pastor was correct that if they were not docked they were in the middle of roadways. He said he saw them in roadways, rights-of-way, and blocking pedestrian traffic in front of businesses in Scottsdale. He talked about people not taking responsibility for their actions and mentioned he was not a fan of putting limitations on bikes, but noted people needed to be responsible. He thanked District 6 Council Assistant Sam Stone, staff and the Councilmembers involved, and established the bottom line was that individuals left bikes everywhere and they needed to be attached to something. He was fully supportive of the steps taken and was supportive of people on bikes. He talked about bikes as a good thing for quality of life and thought cyclists should be encouraged in the streets. He talked about when he had his staff pick up bikes that were in District 6 and placed them in the neighboring city. He repeated what Councilwoman Pastor did was right to require people to be personally responsible.

Councilwoman Gallego asked Mr. Light if someone called the number on the bike, if they would reach a live person.

Mr. Light responded their bikes had an email address that citizens could reach out to that they monitor every day, and added their street crews swept the streets actively with a response time of 15 to 17 hours. He said there was also a phone number they could call that transcribed the message, but noted they prefer written text to have an exact address with no errors from the transcription.

Councilwoman Gallego questioned what Mr. Light thought of the motion to require locking of dockless bikes.

Mr. Light answered said other types of transportation like scooters and e-bikes did not have functionality to lock to anything and this would force people to lock bikes in areas where there is infrastructure. He said areas of Phoenix where there was no infrastructure would bar citizens from access to the bike, and stated they were there to provide urban mobility to everyone. He noted this would force bikes to be in areas like downtown Phoenix, but not in other areas where there would be equal access to everyone.

Councilwoman Gallego asked Mr. Light if he had a proposal that could address the concerns from Councilwoman Pastor.

Mr. Light responded yes, they had close coordination with the Streets Department and he mentioned from the meetings he had with the office of Councilwoman Gallego, a few months later his company had regular sweeps of the city. He said the Council had probably heard less about the issue over that time and added if they managed it responsibly, the dockless bikes would thrive in Phoenix.

Councilwoman Pastor repeated the amended motion.

A motion was made by Councilwoman Pastor, seconded by Councilman DiCiccio, that this item be adopted as amended to determine within the next 6 months where designated parking areas need to be established, and for dockless bikeshare companies to implement Lock 2 mechanism by Feb. 1, 2019 on their bikes as part of a permanent program. The motion carried by the following vote:

Yes:	5 -	Councilman DiCiccio, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela and Mayor Williams
No:	2 -	Councilwoman Gallego and Vice Mayor Waring
Absent:	1 -	Councilman Nowakowski

Note: A comment card was submitted by Wesley Harris in opposition of Item 67, but he did not wish to speak.

A motion was made by Councilwoman Pastor, seconded by Councilwoman Gallego, that Items 52 and 67 be adopted. The motion carried by the

following vote:

Yes:	6 -	Councilman DiCiccio, Councilwoman Gallego, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela and Mayor Williams
No:	1 -	Vice Mayor Waring
Absent:	1 -	Councilman Nowakowski

52 Authorization to Enter Into Land Use License with Salt River Project for Public Art Located on Portions of Arizona Canals (Ordinance S-44866)

Request to authorize the City Manager, or his designee, to enter into a land use license agreement with Salt River Project Agriculture Improvement & Power District (SRP) for public art located on portions of the Arizona Canal, Grand Canal and Appropriators Canal (Canals) for a 10-year term. Further request pursuant to Phoenix City Code (PCC) 42-20(B) an exemption from the indemnification prohibition set forth in PCC 42-18(A) and (B) to permit the City to indemnify, release and hold harmless SRP, the Salt River Valley Water Users' Association, and the United States of America for (a) acts or omissions of the City, its agents, officers, directors, or employees; (b) the City's use or occupancy of the licensed property for the purposes contemplated by the license, including, but not limited to, claims by third parties who are invited or permitted onto the licensed property, either expressed or implied, by the City or by the nature of the City's improvement or other use of the licensed property pursuant to this license; and (c) the City's failure to comply with or fulfill its obligations established by the license or by law.

Summary

The license is for access, installation, and maintenance of four public art sculptures (Vessels). The Vessels are located on Federal Bureau of Reclamation right-of-way managed by SRP. The Vessels were installed in 1992 as part of the City of Phoenix Wall Cycle to Ocotillo Art Project which includes 35 sculptural pieces dispersed along a five-mile landscaped bicycle path through residential areas adjacent to State Route 51. Of the total 35 sculpture pieces, only four Vessels are located within the area covered by the license. The annual license fee of $1,000 is waived by SRP.

Contract Term
The term of the license will be 10 years, and may be terminated by either party upon receipt of a 30-day written notice.

Location
The four Vessels are located along the Canals, between Thomas Road and Glendale Avenue, off State Route 51.
Council Districts: 4 and 6

This item was adopted.

67 National Endowment for the Arts "Art Works" Grant (Ordinance S-44873)

Request to authorize the City Manager, or his designee, to apply for and accept, and enter into an agreement for up to $50,000 in a National Endowment for the Arts (NEA) "Art Works: Local Arts Agencies" grant to enable the Phoenix Office Arts and Culture (POAC) to increase arts and cultural programming in communities Citywide through a Neighborhood Arts Projects Grant Program. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary
The Phoenix Office of Arts and Culture has an opportunity to continue, for a fourth year, the "Neighborhood Arts Projects Grant Program" through funding provided by this grant.

A $50,000 NEA Art Works grant will be used to continue to into fiscal year 2019-20 the Neighborhood Arts Projects Grant Program created through NEA Art Works funding in 2016. The NEA funds will enable POAC to provide grants to cultural organizations and neighborhood community groups for projects that address community needs from an arts and culture perspective. Staff will work with community groups throughout Phoenix to explore opportunities and foster partnerships between these local entities to encourage submission proposals for projects ranging from murals to performances and festivals. The program will create highly visible temporary projects or long-term physical improvements.

Financial Impact

The NEA grant requires a dollar-for-dollar match. The POAC Fiscal Year 2018-19 General Fund appropriation will be used to match the grant award.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission recommended approval of this item at its June 19, 2018 meeting. The Parts, Arts, Education and Equality Subcommittee recommended this item for City Council approval at its June 27, 2018, by a vote of 3-0.

This item was adopted.

59 CGI Advantage BRASS Software Maintenance - Requirements Contract - RFA 18-204 (Ordinance S-44878)

Request to authorize the City Manager, or his designee, to enter into a contract with CGI Technologies and Solutions, Inc. (CGI) to provide maintenance and support for the Budget and Research Department's Budget Reporting and Analysis System (BRASS). Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will provide maintenance and support for BRASS, which is used to develop and manage the City's annual budget and Capital Improvement Program. Maintenance includes software releases, software incident corrections and ongoing enhancements to the software to address any technical and functional changes. Additionally, CGI will provide help desk support via telephone, email, and online.

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

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing that the BRASS software and system developed and maintained by CGI is proprietary. The Deputy Finance Director recommends that the contract with CGI Technologies and Solutions, Inc. be accepted.

Contract Term

The five-year term shall begin on or about July 1, 2018.

Financial Impact

The aggregate contract value will not exceed $650,310. Funds are available in the Budget and Research Department's budget.

Discussion

Councilman DiCiccio stated he would vote no on this until the City started looking at a centralized way to combine all of the software. He said the City of Phoenix saw the complaint that others and himself had in every department that had their own software purchases which made it difficult with interfacing with other departments. He noted until it was centralized in a way that was easily combined with other departments, it would cost the taxpayers more.

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

Yes:	6 -	Councilwoman Gallego, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	1 -	Councilman DiCiccio
Absent:	1 -	Councilman Nowakowski

68 National Endowment for the Arts "Our Town" Grant (Ordinance S-44879)

Request to authorize the City Manager, or his designee, to apply for, accept, enter into an agreement for, and disburse up to $150,000 in a National Endowment for the Arts (NEA) "Our Town" grant. The grant would be used to create works of public art and design that spark new thinking about effective ways to increase shade and reduce the urban heat island effect as part of the Choice Neighborhoods Initiative in the Edison-Eastlake community and elsewhere in Phoenix. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The National Endowment for the Arts "Our Town" grant supports innovative arts and culture projects that strengthen communities by

addressing significant economic, environmental or social conditions. The Phoenix Office of Arts and Culture would coordinate the grant with the Mayor and Council offices, multiple City departments, the ASU School of Sustainability, and community groups and businesses in the Edison-Eastlake neighborhoods. Recent studies have identified the urban heat island effect as a major health and environmental challenge for residents of these neighborhoods. The NEA "Our Town" grant would enable the City to create temporary public works that address this critical urban challenge, bolstering ongoing City efforts to develop effective strategies for reducing the urban heat island Citywide.

Financial Impact

Cost to the City is in-kind resources only from the Phoenix Office of Arts and Culture General Fund operating budget.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission recommended this item for approval at its June 19, 2018 meeting. The Parks, Arts, Education and Equality Subcommittee recommended this item for approval at its June 27, 2018, meeting by a vote of 3-0.

Note: A comment card was submitted by Wesley Harris in opposition of Item 68, but he did not wish to speak.

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

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

69 Artist Fabrication and Construction Oversight Contract for 19th Avenue Corridor Phase II Public Art Project (Ordinance S-44880)

Request to authorize the City Manager, or his designee, to enter into a contract with coLAB, LLC (or its City-approved designee) in an amount not to exceed $145,000, in order for coLAB artists Matthew and Maria Salenger to fabricate, install, and oversee construction of the 19th Ave.

Corridor Streetscape Phase II Public Art Project. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fiscal Year 2017-22 Public Art Project Plan includes a project to commission coLAB to work with City departments and the community to fabricate and install an artist-designed bus shelter and surroundings as the final phase of City-funded public art improvements planned for the 19th Avenue corridor streetscape. The first phase, completed in 2011, included a 1,400-foot gabion wall between Maryland Ave. and Tuckey Lane, and a wall and additional landscaping in the Royal Palm neighborhood.

On Jan. 30, 2013, City Council approved a $30,000 design contract (137883) for coLAB to work with City departments to design a bus shelter for Phase II of the 19th Avenue corridor improvements. The artist team worked with students from Orangewood Elementary School, and consulted with the Phoenix Police, Transit and Neighborhood Services departments to design and engineer a sculptural transit shelter that provides riders with improved visibility, ADA access and shade. The proposed contract would enable coLAB to coordinate the shelter's fabrication and oversee the site construction and shelter installation.

Financial Impact

The 19th Avenue Corridor Phase II Public Art Project is one of 31 projects in the Fiscal Year 2017-22 Public Art Project Plan that City Council approved on June 28, 2017. The Art Plan includes $179,768 for this project. The proposed $145,000 fabrication and construction oversight contract will cover all costs related to the artists working with City staff to fabricate and install the project. The percent-for-art funds for this project are available in the Water Services Department Capital Improvement Program.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission approved this item at its June 19, 2018, meeting. The Parks, Arts, Education and Equality Subcommittee recommended this item for approval at its June 27, 2018,

meeting by a vote of 3-0.

Location

The project will be located on 19th Avenue, near Maryland Avenue
Council District: 5

Discussion

Wesley Harris stated Items 67, 68, and 69 were sensitive to him and mentioned the city sidewalks were broken, streets were not good, and there were issues with the Police Department being understaffed. He recommended every citizen in Phoenix sit through a meeting, and added he could not believe the amount of time spent on talking about bicycles that the City did not own. He said people did not have responsibilities for something they rent, and questioned why $1.26 million went to art. He listed core responsibilities of the City as public safety, streets, garbage, water, and waste, and said art had to be way down the list. He discussed how much of his taxes went towards projects.

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

Yes:	6 -	Councilwoman Gallego, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	1 -	Councilman DiCiccio
Absent:	1 -	Councilman Nowakowski

71 Issuance of Education Facility Revenue Bonds (Vista College Prepatory Projects), Series 2018 (Resolution 21657)

Request City Council approval for the issuance of Education Facility Revenue Bonds (Vista College Preparatory Projects), Series 2018, to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed $12,500,000.

Summary

Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Ariz., (the “Phoenix IDA”) has previously resolved to issue up to $12,500,000 of Education Facility Revenue Bonds (the

"Revenue Bonds") for use by Vista College Preparatory, Inc. (the "Borrower"), an Arizona nonprofit corporation, to
a) refinance acquisition, construction, renovation, improvement, and equipping of charter school facilities in Phoenix, Arizona (the "Hadley Campus"),
b) refinance leasing, construction, renovation, improvement, and equipping of charter school facilities in Phoenix, Arizona (the "Maryvale Campus")
c) finance leasing, construction, improvement, and equipping of land and a building adjacent to the existing Maryvale Campus, and
d) pay certain costs related to the issuance of the Revenue Bonds.

Concurrence/Previous Council Action
The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on June 14, 2018.

Location
The Projects are located at 812 and 902 S. 6th Ave., and 4520 W. McDowell Road (including the land adjacent to this location), all in Phoenix, Arizona.

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

Discussion
Wesley Harris discussed the item and said the City was guaranteeing $12.5 million for Vista College Prepatory. He stated the State board governed those activities, and questioned why the City had a responsibility for education. He asked why this school had priority over other schools in the city.

City Manager Ed Zuercher responded the City did not guarantee those bonds, and added it was State law that required the City to act on the bonds, but the City did not guarantee them.

Phoenix IDA Chief Executive Officer Juan Salgado answered under the

IDA act, all bonds issued by municipalities were required to go to their governed entity and there was no guarantee.

Mr. Harris conveyed if it was a process the State had asked for and the City of Phoenix put their name on it then it was implied by those who bought the bonds the City had at least passed the financial responsibility behind the bonds.

Mr. Salgado responded the City of Phoenix did not have their name on the bonds, it was the Phoenix IDA whose name was on the bonds that were secured by the land being used as collateral.

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

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

100 Amend City Code - Ordinance Adoption - Rezoning Application Z-23-18-8 - Northeast Corner of 16th Street and Polk Street (Ordinance G-6480)

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-23-18-8 and rezone the site from C-3, R-4 RI, and P-1 to WU Code T5:6 EG for a Veterans Affairs Clinic with Medical Offices.

Summary
Current Zoning: C-3, R-4 RI, and P-1
Proposed Zoning: WU Code T5:6 EG
Acreage: 9.18 acres
Proposed Use: Veterans Affairs clinic and medical offices

Owner: 16th & Polk, LLC
Applicant: Huellmantel & Affiliates

Representative: Charles Huellmantel, Huellmantel & Affiliates

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Central City Village Planning Committee heard this case on May 14, 2018 and did not make a recommendation.
PC Action: The Planning Commission heard this case on June 7, 2018 and recommended approval per the staff recommendation with additional stipulations by a 3-2 vote.

Location
Northeast corner of 16th Street and Polk Street.
Council District: 8
Parcel Addresses: 417 and 435 N. 16th St.; and 414 N. 17th St.

Discussion
Councilman Valenzuela noted he had a potential conflict on this item.

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

Yes:	6 -	Councilman DiCiccio, Councilwoman Gallego, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams
No:	0	
Conflict:	1 -	Councilman Valenzuela
Absent:	1 -	Councilman Nowakowski

102 Amend City Code - Public Hearing and Resolution Adoption - General Plan Amendment GPA-MV-2-18-5 - Northeast Corner of SR-101 and Indian School Road (Companion Case Z-16-18-5) (Resolution 21658)

Request to hold a public hearing on the General Plan Amendment request for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved. This is a companion case to Z-16-18-5 and related to Z-19-F-00-5.

Summary

Application: GPA-MV-2-18-5
Current General Plan Land Use Map Designation: Mixed Use (Commercial/Industrial)
Proposed General Plan Land Use Map Designation: Residential 3.5 to 5 dwelling units per acre
Acreage: 130.16
Proposal: Single-family residential

Owner: Jim Miller & Tim Wright, John F. Long Properties
Applicant: Jim Miller & Tim Wright, John F. Long Properties
Representative: Stephen W. Anderson, Gammage & Burnham, PLC

VPC Action: The Maryvale Village Planning Committee heard the request on May 9, 2018 and recommended approval by an 8-0 vote (1 abstention).
PC Action: The Planning Commission heard the request on June 7, 2018 and recommended approval per the Maryvale Village Planning Committee recommendation by a 6-0 vote (1 recusal).

Location
Northeast corner of SR-101 and Indian School Road
Council District: 5
Parcel Address: N/A

Discussion
Mayor Williams declared the public hearing open. She stated a comment card was submitted by Stephen Anderson in favor of Item 102, but he did not wish to speak. Noting no one was present wishing to speak, she declared the public hearing closed.

The hearing was held. A motion was made by Councilwoman Pastor, seconded by Vice Mayor Waring, that this item be adopted per Planning Commission's June 7, 2018 recommendation. The motion carried by the following vote:

Yes:	7 -	Councilman DiCiccio, Councilwoman Gallego, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	0	

Absent: 1 - Councilman Nowakowski

103 **Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-16-18-5 - Northeast Corner of SR-101 and Indian School Road (Ordinance G-6482)**

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 PUD PCD to R1-6 to allow single-family residential. This is a companion case to GPA-MV-2-18-5 and related to Z-19-F-00-5.

Summary
Current Zoning: PUD PCD (Planned Unit Development, Planned Community District)
Proposed Zoning: R1-6 (Single-Family Residence District)
Acreage: 131.27 acres
Proposed Use: Single-family residential

Owner: Algodon AG Revocable Land Trust
Applicant: Algodon AG Revocable Land Trust
Representative: Stephen W. Anderson, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Maryvale Village Planning Committee heard this case on May 9, 2018 and recommended approval, per the staff recommendation by a 5-4 vote.
PC Action: The Planning Commission heard the case on June 7, 2018 and recommended approval per the Addendum A Staff Report by a 6-0 vote (1 recusal).

Location
Northeast corner of SR-101 and Indian School Road.
Council District: 5
Parcel Addresses: N/A

Discussion
Mayor Williams declared the public hearing open. She stated a comment

card was submitted by Stephen Anderson in favor of Item 103, but he did not wish to speak. Noting no one was present wishing to speak, she declared the public hearing closed.

The hearing was held. A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that this item be adopted per Planning Commission's June 7, 2018 recommendation. The motion carried by the following vote:

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

104 Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-19-F-00-5 - Area Generally Bounded by 99th Avenue to 91st Avenue, and Thomas Road to Indian School Road and Campbell Avenue (Ordinance G-6483)

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 PUD PCD to PUD PCD to allow a major amendment to the Algodon PUD (Z-19-E-00-5) to modify the PUD boundary. This case is related to GPA-MV-2-18-5 and Z-16-18-5.

Summary
Current Zoning: PUD PCD (Planned Unit Development, Planned Community District)
Proposed Zoning: PUD PCD (Planned Unit Development, Planned Community District)
Acreage: 672.92 acres
Proposed Use: Major amendment to the Algodon PUD (Z-19-E-00-5) to modify the PUD boundary

Owner: Algodon AG Revocable Land Trust
Applicant: Algodon AG Revocable Land Trust
Representative: Stephen W. Anderson, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Maryvale Village Planning Committee heard this case on May 9, 2018 and recommended approval, per the staff recommendation by a 8-1 vote.
PC Action: The Planning Commission heard the case on June 7, 2018 and recommended approval per the Addendum A Staff Report by a 6-0 vote (1 recusal).

Location
Area generally bounded by 99th Avenue to 91st Avenue, and Thomas Road to Indian School Road and Campbell Avenue
Council District: 5
Parcel Addresses: 9150 W. Thomas Road, 3000 N. 91st Ave., 9304 W. Thomas Road, 3750 N. 93rd Ave., 3100 N. 91st Ave., 3301 N. 99th Ave., 9250 W. Thomas Road, 9701 W. Indian School Road, 9130 W. Thomas Road, 3701 N. 99th Ave., 3640 N. 91st Ave., 3000 N. 93rd Ave., 3170 N. 93rd Ave., 3000 N. 91st Ave., 9840 W. Indian School Road, 9410 W. Thomas Road, 3802 N. 91st Ave., and 3020 N. Algodon Way.

Discussion
Mayor Williams declared the public hearing open. She stated a comment card was submitted by Stephen Anderson in favor of Item 104, but he did not wish to speak. Noting no one was present wishing to speak, she declared the public hearing closed.

The hearing was held. A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that this item be adopted per Planning Commission's June 7, 2018 recommendation. The motion carried by the following vote:

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

105 Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-20-17-2 - Approximately 220 Feet North of the Northwest Corner of the 27th Avenue Alignment and North

Foothills Drive Alignment (Ordinance G-6484)

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 to rezone the site from PCD NBCOD (Approved C-2 / CP M-R PCD NBCOD) to C-2 M-R NBCOD for a PCD removal to allow for future development.

Summary
Current Zoning: PCD NBCOD (Approved C-2 / CP M-R PCD NBCOD)
Proposed Zoning: C-2 M-R NBCOD
Acreage: 19.22
Proposed Use: PCD removal to allow for future development

Owner: Robert L. Eaton, Jr.
Applicant: City of Phoenix Planning Commission
Representative: Michael Withey, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Gateway Village Planning Committee heard this case on May 10, 2018 and recommended approval per the Addendum A Staff Report by a 6-0 vote.
PC Action: The Planning Commission heard the case on June 7, 2018 and recommended approval per the Addendum B Staff Report by a 7-0 vote.

Location
Approximately 220 feet north of the northwest corner of the 27th Avenue alignment and North Foothills Drive alignment.
Council District: 2
Parcel Address: 32000 N. 28th Ave.

Discussion
Mayor Williams declared the public hearing open. Noting no one was present wishing to speak, she declared the public hearing closed.

The hearing was held. A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that this item be adopted per

Planning Commission's June 7, 2018 recommendation. The motion carried by the following vote:

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

106 Consideration of Citizen Petition Related to Internal and External Transparency on Officer-Involved Shootings

This report provides the City Council with information in response to a citizen petition submitted by Ms. Joanne Scott Woods at the June 27, 2018 Formal City Council meeting regarding internal and external transparency on officer-involved shootings **(Attachment A)**.

Summary

The petitioner requests the City Council consider the transparency model developed by the Las Vegas Metropolitan Police Department utilized in deadly force incidents involving employees for use by the Phoenix Police Department as a means to increase transparency.

Staff has reviewed the petition and will take into consideration the transparency model referenced by the petitioner to further enhance the Police Department's external transparency with the public. Staff appreciates Ms. Woods input. The Police Department is committed to increasing legitimacy with the community it serves, and remains focused on employing strategies that foster accountability, improves transparency and continually seeks to employ best practices throughout the organization.

Discussion

Mayor Williams stated staff would review both petitions, and asked if that was correct and if it needed a motion.

City Manager Ed Zuercher answered a motion was not needed, unless Council was going to have staff to do something more specific.

Note: Comment cards were submitted in favor of Items 106 and 107, but did not speak:

Joanne Scott Woods
Gail Knight

Council accepted the Police Department's recommendation.

107 Consideration of Citizen Petition Related to External Transparency on Funded Goals of Phoenix Police Department's 2017-2019 Strategic Plan

This report provides the City Council with information in response to a citizen petition submitted by Ms. Joanne Scott Woods at the June 27, 2018 Formal City Council meeting recommending a chart be utilized and posted online to reflect the funding progress for specified goals outlined in the Police Department's strategic plan as a means to improve external transparency **(Attachment A)**.

Summary

The petitioner requests the City Council consider the visual tracking model utilized by the City of Tucson contained in **Attachment A** be used to reflect the annual funding progress by stage for three of the Police Department's strategic plan goals.

Staff has reviewed the petition and will take into consideration the tracking model submitted by the petitioner, as best practices are continually assessed to further enhance external transparency within the Police Department. Staff appreciates Ms. Woods input. The Police Department is committed to increasing legitimacy with the community it serves, and remains focused on employing strategies that foster accountability, improves transparency and continually seeks to employ best practices throughout the organization.

Note: For discussion on Item 107, refer to Item 106.

Council accepted the Police Department's recommendation.

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

There were no additional Citizen Comments.

ADJOURN

There being no further business to come before the Council, Mayor Williams declared the meeting adjourned at 2:41 p.m.

Thelda Williams

MAYOR

ATTEST:

ACTING CITY CLERK

TS

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 5th day of July, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 19th day of September, 2018.

ACTING CITY CLERK