

City Council Formal Meeting

Wednesday, October 4, 2017

2:30 PM

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CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Oct. 4, 2017, at 2:44 p.m. in the Council Chambers.

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

Note: Councilman Nowakowski was not present during Roll Call but arrived during the discussion of items 89 and 90.

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

CITIZEN COMMENTS

Andy Zhang spoke on the Chinese Cultural Center and stated the City missed an opportunity to take a stand on the preservation of history because of politics and the influence of the developer. He added that the Chinese community was determined to protect their culture and requested the City to honor the CC&Rs and zoning stipulations that he believed protected the Chinese Cultural Center.

Mayor Stanton responded that he had only met with the owner of the True North once, at the request of the Chinese cultural center to try and negotiate a settlement.

Jennifer Yang stated she took the day off work to speak before the Council and asked the City not to be fooled by True North, who she said, had lied to the City and the public and was doing unpermitted work at the location.

Leonard Clark spoke in support of the Chinese Cultural Center. He stated developers had ruled Arizona for too long, asked why the City allowed history to be tore down and stated citizens needed to know if True North's ownership supported the campaigns of any elected officials.

Yibo Chin spoke in favor of the item and stated that diversity is what separates America from the rest of the world and makes it great. He asked that Council think about how their actions would impact the future of the City, thanked the City and the community, and wished them good luck.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6365 through G-6368, S-43868 and S-43932 through S-43965, and Resolutions 21571 through 21579 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 items that were attached to the agenda.

MINUTES OF MEETINGS

1 (CONTINUED FROM SEPT. 20, 2017) - For Approval or Correction, the Minutes of the Formal Meeting on May 31, 2017

Summary

This item transmits the minutes of the Formal Council meeting of May 31, 2017 for review, correction and/or approval by the City Council.

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

Discussion

These minutes were assigned to Councilman DiCiccio for review.

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

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

Absent: 1 - Councilman Nowakowski

2 (CONTINUED FROM SEPT. 20, 2017) - For Approval or Correction, the Minutes of the Formal Meeting on July 6, 2017

Summary

This item transmits the minutes of the Formal Council meeting of July 6, 2017 for review, correction and/or approval by the City Council.

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

Discussion

These minutes were assigned to Councilman Nowakowski for review.

In Councilman Nowakowski's absence, this item was continued to the Oct. 18, 2017, City Council Formal Meeting.

BOARDS AND COMMISSIONS

3 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 by Mayor Stanton:

Citizen's Transportation Commission

Gail Knight would serve a second full term beginning on Oct. 29, 2017 which would expire on Oct. 28, 2019.

David Martin would serve a second full term beginning on Oct. 29, 2017 which would expire on Oct. 28, 2019.

Jennifer Mellor would serve a second full term beginning on Oct. 29, 2017 which would expire on Oct. 28, 2019.

Rick Naimark would serve a second full term beginning on Oct. 29, 2017 which would expire on Oct. 28, 2019.

Phil Pangrazio would serve a second full term beginning on Oct. 29, 2017 which would expire on Oct. 28, 2019.

Ed Pastor would serve a second full term beginning on Oct. 29, 2017 which would expire on Oct. 28, 2019.

Quinn Tempest would serve a second full term beginning on Oct. 29, 2017 which would expire on Oct. 28, 2019.

Human Relations Commission

Julianna Myers was a community educator and resident of District 6. She would fill a vacant seat, serving a full term which would expire on Oct. 4, 2020.

Brendan Mahoney would serve his second term, which would expire on June 30, 2020.

Karen Bayless Feldman would serve her second term, which would expire on June 30, 2020.

Phoenix Arts and Culture Commission

Shannon McBride was a resident of District 5 and ran an arts center in the 19 North neighborhood. She would serve a full term, which would expire on Sept. 30, 2020.

Patrick Murphy was the theater manager at the Musical Instrument Museum in District 2. He would serve a full term, which will expire on Sept. 30, 2020.

Barbara Snyder was the Phoenix Campus Director at the University of Phoenix and resided in District 3. She would serve a full term, which would expire on Sept. 30, 2020.

Phoenix Aviation Advisory Board

Karlene Keogh Parks was the Senior Vice President Employee Benefits

at USI Insurance Services, and she was the Founder of Keogh Health Connection. She replaced Andrew Cohn and would serve a full term which would expire on Oct. 4, 2021.

Phoenix Residential Investment Development Effort

Sherry Sentgeorge was a realtor with Century21 and a resident of District 5. She would fill a vacant seat, serving a full term which would expire on Oct. 4, 2020.

South Mountain Village Planning Committee

Kurt Mangum Jr. was the General Manager at The Refuge located in the Phoenix Sky Harbor International Airport, and a resident of District 8. He filled a vacant seat, and would serve a full term which would expire on Oct. 4, 2021.

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

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

Absent: 1 - Councilman Nowakowski

4 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:

Neighborhood Block Watch Oversight Committee

Councilman Sal DiCiccio recommended the following appointment:

Tracey Church was the founder and administrator of the Ahwatukee Crime Watch social media platforms. She filled a vacant position and would serve a full term to expire on Oct. 4, 2019.

Camelback East Village Planning Committee

Councilman DiCiccio recommended the following appointment:

Linda Bair was on the Echo Canyon Homeowners Association Finance Committee, and a member of the Social Ventures Partners. She replaced Mo Stein, and would serve a partial term to expire Nov. 19, 2017.

Deer Valley Village Planning Committee

Councilwoman Debra Stark recommended the following reappointments:

Ricardo Romero would serve his third term to expire on Nov. 19, 2018.

William Levy was a retired Calibration Technician, and a resident of District 3. He filled a vacancy on the committee and would serve a term to expire on Nov. 19, 2019.

North Gateway Village Planning Committee

Councilmember Jim Waring recommended the following appointments:

Julie Read was a special education teacher in PVUSD & a Co-Leader of Block Watch Phoenix North. She would serve a full term, which would expire on Nov. 19, 2019.

Michelle Ricart was the owner of West Coast Plumbing and Air and a resident of District 2. She would serve a full term, which would expire on Nov. 19, 2019.

North Mountain Village Planning Committee

Councilwoman Debra Stark recommended the following reappointments:

Jason Barraza would serve his second term to expire on Nov. 19, 2018.

Ted Donley would serve his fifth term to expire on Nov. 19, 2018.

Jim Larson would serve his fifth term to expire on Nov. 19, 2019.

Barbara Snyder would serve her second term to expire on Nov. 19, 2018.

Maria Viedmark would serve her fourth term to expire on Nov. 19, 2018.

Donna Wiedoff would serve her seventh term to expire on Nov. 19, 2018.

Paradise Valley Village Planning Committee

Councilwoman Debra Stark recommended the following reappointments:

Roger Baele would serve his fifth term to expire on Nov. 19, 2018.

Toby Gerst would serve his second term to expire on Nov. 19, 2018.

Jennifer Hall would serve her second term to expire on Nov. 19, 2018.

Rio Vista Village Planning Committee

Councilwoman Thelda Williams recommended the following reappointment:

Judy Lorch would serve her second term to expire on Nov. 19, 2018.

Discussion

Councilman DiCiccio acknowledged Tracy Church for her efforts in his district related to protecting neighborhoods.

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

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

Absent: 1 - Councilman Nowakowski

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

Quinn Tempest
Karen Bayless Feldman

Shannon McBride
Patrick Murphy
Barbara Snyder
Sherry Sentgeorge
Kurt Mangum, Jr.
Tracey Church
Ricardo Romero
William Levy
Julie Read
Michelle Ricart
Jason Barraza
Jennifer Hall

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

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

The Mayor requested a motion on liquor license items. A motion was made.

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

Mark Gonzalez, Agent - Item 6
Gregory Bender - Item 7
Francisco Javier Gaucin - Item 9
Justin Owen - Item 20
Victor E. Avila - Item 20

Note: Speaker comment cards were submitted, not indicating a position, for the following items, with no one wishing to speak.

Patricia A. Spencer - Item 11
Thomas McGuire - Item 12
Randy Bortin - Item 17

A motion was made that items 5 through 23 be recommended for approval, except item 23. The motion carried by voice vote:

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

Absent: 1 - Councilman Nowakowski

5 Liquor License - Cambria Suites

Request for a liquor license. Arizona State License 11077098.

Summary

Applicant

Kelly Wilcott, Agent

License Type

Series 11 - Hotel/Motel

Location

4425 E. Irma Lane

Zoning Classification: C-2 DRSP

Council District: 2

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

The sixty-day limit for processing this application is Oct. 17, 2017.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I am a good citizen - responsible and educated."

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

"Our guest & local patrons will be able to purchase alcohol on the premises."

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 - Cambria Suites

Liquor License Map - Cambria Suites

This item was recommended for approval.

6 Liquor License - Las 15 Salsas Restaurant Oaxaqueno

Request for a liquor license. Arizona State License 1207B139.

SummaryApplicant

Mark Gonzalez, Agent

License Type

Series 12 - Restaurant

Location

722 W. Hatcher Road

Zoning Classification: C-2

Council District: 3

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 sixty-day limit for processing this application is Oct. 14, 2017.

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

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:

“Business has been in operation since August 2012 without incident providing quality food and non alcoholic drinks and being able to track all sales accordingly with a POS system in place. Business owners have extensive experience in the restaurant business and has a support staff in place to ensure business runs smoothly.”

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 is primarily a restaurant, it provides quality food at a fair price including dishes from a certain region of Mexico. Also there would be no issue with traffic as the premises has sufficient parking thereby not impacting traffic or parking within the neighborhood. The restaurant provides a safe and comfortable place for their customers to enjoy a great meal at a fair price.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Las 15 Salsas Restaurant Oaxaqueno

Liquor License Map - Las 15 Salsas Restaurant Oaxaqueno

This item was recommended for approval.

7 Liquor License - Smokehouse Bar & Grill

Request for a liquor license. Arizona State License 1207B128.

Summary

Applicant

Gregory Bender, Agent

License Type

Series 12 - Restaurant

Location

3128 E. Cactus Road
Zoning Classification: C-2
Council District: 3

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

The sixty-day limit for processing this application is Oct. 6, 2017.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I am a strong proponent of the community and feel I am capable and

reliable in upholding the liquor license laws."

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 able to uphold the laws of serving liquor issued by the City of Phoenix & State of Arizona."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Smokehouse Bar & Grill

Liquor License Map - Smokehouse Bar & Grill

This item was recommended for approval.

8 Liquor License - Whipples Fun Center/Whipples Cafe

Request for a liquor license. Arizona State License 07070806.

Summary

Applicant

Jeff Carl, Agent

License Type

Series 7 - Beer and Wine Bar

Location

1510 E. Bell Road, Ste. 300

Zoning Classification: C-2

Council District: 3

This request is for a new 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 a bar within 300 feet of a residential zoning district.

The sixty-day limit for processing this application is Oct. 10, 2017.

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

after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than one hundred eighty 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 successfully owned & operated small businesses over the last 16 years. I have past experience operating a wine bar "NW Wine Bar " in Oregon's Willamette Valley. I am comfortable in managing all aspects of business."

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

"We have been in business just short of a year, and the overwhelming request has been to add beer & wine. We first wanted to make sure we had the entertainment centers policies & procedures implemented first."

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 - Whipples Fun Center/Whipples Cafe

Liquor License Map - Whipples Fun Center/Whipples Cafe

This item was recommended for approval.

9 Liquor License - 2601 On Central

Request for a liquor license. Arizona State License 1207B133.

Summary

Applicant

Francisco Gaucin, Agent

License Type

Series 12 - Restaurant

Location

2601 N. Central Ave.

Zoning Classification: C-2 HRI TOD-1

Council District: 4

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

The sixty-day limit for processing this application is Oct. 9, 2017.

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

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

Cash Nightclub & Lounge (Series 6)

2140 E. McDowell Road, Phoenix

Calls for police service: 10

Liquor license violations: None

Las Tres Potrancas (Series 12)

7710 W. Lower Buckeye Road #107, Phoenix

Calls for police service: 17

Liquor license violations: In March 2017, a fine of \$1,500 was paid and a consent agreement was signed for failure to derive 40% of income from food.

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 completed both the basic and management training required, in addition to having the proper business management experience."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "A restaurant at this location would serve the neighboring residents and local businesses."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - 2601 On Central

Liquor License Map - 2601 On Central

This item was recommended for approval.

10 Liquor License - Special Event - East Valley Hispanic Chamber of Commerce

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

Summary

Applicant

Manuel Frklich

Location

4344 W. Indian School Road, Ste. 100

Council District: 5

Function

Concert

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

Oct. 19, 2017 - 7 p.m. to 2 a.m. / 900 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Special Event - Boxer Luv Rescue

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

SummaryApplicant

Patricia Spencer

Location

1702 E. Northern Ave.

Council District: 6

Function

Community Event

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

Oct. 14, 2017 - 6:30 p.m. to 11 p.m. / 200 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Special Event - Mount Claret Roman Catholic Retreat Center Phoenix

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

SummaryApplicant

Thomas McGuire

Location

4633 N. 54th St.

Council District: 6

Function

Dinner

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

Oct. 14, 2017 - 5 p.m. to 10 p.m. / 300 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Special Event - St. Thomas the Apostle Roman Catholic Parish Phoenix

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

Summary

Applicant

Warren Weston

Location

4510 N. 24th St.

Council District: 6

Function

Carnival

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

Nov. 4, 2017 - 10 a.m. to 3:30 p.m. / 1,500 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - Wine Store

Request for a liquor license. Arizona State License 10076433.

Summary

Applicant

Mark Tarbell, Agent

License Type

Series 10 - Beer and Wine Store

Location

3209 E. Camelback Road

Zoning Classification: C-1

Council District: 6

This request is for an acquisition of control of an existing liquor license for a beer and wine store/bar. This location is currently licensed for liquor sales.

The sixty-day limit for processing this application is Oct. 16, 2017.

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

Other Active Liquor License Interest in Arizona

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

Troon North Golf Club (Series 6)

10320 E. Dynamite Blvd., Scottsdale

Calls for police service: N/A - not in Phoenix

Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

"I have held liquor licenses with the City of Phoenix (#94008384, Tarbell's Restaurant, and #07070163/10076433S, Restaurant Collection) for 23 and 3 years respectively, without incident. In August 2017 I updated my Title 4 Management Liquor Law Training Certification."

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Wine Store

Request for a liquor license. Arizona State License 07070163.

Summary

Applicant

Mark Tarbell, Agent

License Type

Series 7 - Beer and Wine Bar

Location

3209 E. Camelback Road

Zoning Classification: C-1

Council District: 6

This request is for an acquisition of control of an existing liquor license for a beer and wine store/bar. This location is currently licensed for liquor sales. This location requires a Use Permit to allow patron dancing.

The sixty-day limit for processing this application is Oct. 16, 2017.

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

Other Active Liquor License Interest in Arizona

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

Troon North Golf Club (Series 6)
10320 E. Dynamite Blvd., Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

"I have held liquor licenses with the City of Phoenix (#94008384, Tarbell's Restaurant, and #07070163/10076433S, Restaurant Collection) for 23 and 3 years respectively, without incident. In August 2017 I updated my Title 4 Management Liquor Law Training Certification."

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.

This item was recommended for approval.

16 Liquor License - Young's Market Company

Request for a liquor license. Arizona State License 04077080.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 4 - Wholesaler

Location

402 S. 54th Place

Zoning Classification: A-2

Council District: 6

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

The sixty-day limit for processing this application is Oct. 7, 2017.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

“Applicant is an experienced wholesale distributor of alcoholic beverages committed to upholding all laws and regulations.”

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

17 Liquor License - My Slice of the Pie Pizzeria

Request for a liquor license. Arizona State License 1207B132.

SummaryApplicant

Randy Bortin, Agent

License Type

Series 12 - Restaurant

Location

3724 E. Indian School Road

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 sixty-day limit for processing this application is Oct. 8, 2017.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than one hundred eighty 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 will uphold local, state and any governing laws and regulations pertaining to the liquor license. Accompanied by food we will serve alcohol responsibly."

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

"The community itself has requested My Slice of the Pie Pizzeria obtain a liquor license. Our main motive has been to serve outstanding food and with approval of this license our patrons can enjoy a beer or a glass of wine with our pizza."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - My Slice of the Pie Pizzeria

Liquor License Map - My Slice of the Pie Pizzeria

This item was recommended for approval.

18 Liquor License - Special Event - Alwun House Foundation

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

Summary

Applicant

Dana Johnson

Location

1204 E. Roosevelt St.

Council District: 8

Function

Art Show

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

Oct. 28, 2017 - 7 p.m. to 1 a.m. / 250 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

19 Liquor License - Special Event - Girl Scouts-Arizona Cactus-Pine Council, Inc.

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

SummaryApplicant

Jennifer Ho

Location

1611 E. Dobbins Road

Council District: 8

Function

Networking Event

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

Nov. 3, 2017 - 6 p.m. to 10 p.m. / 600 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

20 Liquor License - Special Event - Phoenix Pride Incorporated

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

Summary

Applicant

Justin Owen

Location

115 N. 6th St.

Council District: 8

Function

Festival

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

Oct. 21, 2017 - 10 a.m. to 6 p.m. / 10,000 attendees

Oct. 22, 2017 - 10 a.m. to 6 p.m. / 10,000 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

21 Liquor License - El Chino Restaurante Y Cantina

Request for a liquor license. Arizona State License 1207B131.

Summary

Applicant

Rafael Ung, Agent

License Type

Series 12 - Restaurant

Location

711 S. Central Ave.

Zoning Classification: DTC-Commercial-2

Council District: 8

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

The sixty-day limit for processing this application is Oct. 7, 2017.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than one hundred eighty 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 nearly 20 years in restaurant management, I also a licenses loan officer and used to be licenses as a process server for the State of

Arizona.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “The best interest of the community will cause of the fast grown of Phoenix Warehouse District and will be well serve by a top notch Mexican restaurant & bar.”

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 - El Chino Restaurante Y Cantina

Liquor License Map - El Chino Restaurante Y Cantina

This item was recommended for approval.

22 Liquor License - La Marquesa Birreria + Tequilera

Request for a liquor license. Arizona State License 1207B138.

Summary

Applicant

Felipe Guzman, Agent

License Type

Series 12 - Restaurant

Location

1915 E. McDowell Road

Zoning Classification: C-2

Council District: 8

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

The sixty-day limit for processing this application is Oct. 14, 2017.

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

La Santisima Gourmet Taco Shop (Series 12)

1919 N. 16th St., Phoenix

Calls for police service: 1

Liquor license violations: None

La Santisima Gourmet Taco Shop (Series 12)

5932 W. Glendale Ave., Glendale

Calls for police service: N/A - not in Phoenix

Liquor license violations: None

La Santisima Gourmet Taco Shop (Series 12)

119 S. San Francisco St., Flagstaff

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 m responsable person, I have a wife, 6 kids that im resposable for them, Im a honest, hardworker, that follow all the rules, Im a cheff my main business is my dishes, liquor is a complement for my dishes."

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

"Is a complement for customers to enjoy our dishes."

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 - La Marquesa Birreria + Tequilera

Liquor License Map - La Marquesa Birreria + Tequilera

This item was recommended for approval.

23 Liquor License - The Myle Stone

Request for a liquor license. Arizona State License 1207B103.

Summary

Applicant

Amanda Miller, Agent

License Type

Series 12 - Restaurant

Location

1101 W. Grant St.

Zoning Classification: C-3 CCSIOD

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 sixty-day limit for processing this application was Sept. 11, 2017. However, the applicant submitted a written request for more time.

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

Staff Recommendation

Staff recommends disapproval of this application based on the

applicant's failure to submit the required City application and fees, and based on a Police Department recommendation for disapproval. The applicant has failed to show the capability, reliability and qualifications to hold and control a liquor license.

Staff also notes the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments

Liquor License Data - The Myle Stone

Liquor License Map - The Myle Stone

Police Department Recommendation - The Myle Stone

Discussion

Councilwoman Gallego stated that the applicant decided to pursue a different business venture and did not submit their required application or fees.

Phoenix Police Department Sergeant Mark Doty stated that the Police Department recommended disapproval for this item because the applicant, Ms. Miller, failed to submit the required City forms that were necessary to complete the Department's review of the application which had not shown she was capable, qualified, or responsible to hold a liquore license.

A motion was made by Councilwoman Gallego, seconded by Councilwoman Williams, that this item be recommended for disapproval. The motion passed by the following vote:

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

Absent: 1 - Councilman Nowakowski

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

A motion was made by Councilman DiCiccio, seconded by Councilwoman Williams, to suspend the rules and take items 89 and 90 out of order. The motion carried by voice vote:

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

Absent: 1 - Councilman Nowakowski

89 Amend City Code - Public Hearing and Resolution Adoption - General Plan Amendment GPA-CE-2-16-6 - Approximately 1,340 Feet North of the Northeast and Northwest Corners of Invergordon Road and Camelback Road (Resolution 21578)

Request to hold a public hearing on the General Plan Amendment request for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved.

Summary

Application: GPA-CE-2-16-6

Current General Plan Land Use Map Designation: Residential 0 to 1, Residential 3.5 to 5, Residential 5 to 10, Residential 10 to 15 dwelling units per acre, Commercial, Parks/Open Space - Private, and Parks/Open Space - Public

Proposed General Plan Land Use Map Designation: Residential 0 to 1, Residential 3.5 to 5, Residential 3.5 to 5 or 5 to 10, Residential 5 to 10 dwelling units per acre, Resort-Commercial, Mixed Use Commercial/Residential 5 to 10 dwelling units per acre, Parks/Open Space - Private

Acreage: 318.37 (Originally 319.11)

Proposal: Single-family residential, multifamily residential, and resort

Owner: Todd Mark - Host Hotels and Resorts

Applicant: Paul Gilbert - Beus Gilbert, PLLC

Representative: Paul Gilbert - Beus Gilbert, PLLC

Staff Recommendation: Approval per Addendum A

VPC Action: The Camelback East Village Planning Committee heard the request on Aug. 1, 2017 and recommended approval, per Addendum A, by a 15-0 vote.

PC Action: The Planning Commission heard the request on Sept. 7, 2017 and recommended approval as recommended by the Camelback East Village Planning Committee, by a 6-0 vote.

Location

Approximately 1,340 feet north of the northeast and northwest corners of Invergordon Road and Camelback Road

Council District: 6

Discussion

Planning & Development Director Alan Stephenson introduced items 89 and 90, provided a staff report on the items and stated Parks & Recreation Director Inger Erickson was there to answer questions, as necessary.

Mayor Stanton asked Ms. Erickson if she wished to provide additional perspective on the trails related to the case from the point of view of the Parks & Recreation Department.

Parks & Recreation Director Inger Erickson responded that the trail is heavily used and she hoped access would continue to be available but added that if the trail were to be moved that bathroom access, which was lacking at the existing location, could be provided.

Councilwoman Stark stated she had received a letter requesting a landmark designation and asked if it would apply for only 3 years before they were able to demolish the building. She then followed-up by asking if the proposal of 10 years was better than the 3 years provided by the landmark designation.

Mr. Stephenson replied that if the landmark designation were applied to the location, it would be preserved for 3 years before demolition of the building could occur.

Historic Preservation Officer Michelle Dodds added that there would be the possibility to demolish the building sooner should approval for economic hardship, based upon the condition of the building, be obtained.

Councilwoman Stark received verification that the applicant was suggesting a 10-year preservation period of the building and a willingness to do a study.

Mayor Stanton noted that the applicant, Mr. Gilbert, could provide additional information on Councilwoman Stark's discussion during his testimony.

Mayor Stanton opened the Public Hearing on items 89 & 90.

Paul Gilbert, the applicant, asked when he would be allowed to provide testimony on the items. Mayor Stanton explained the City's process was for Council to receive a staff report and then open the public hearing, allowing the applicant and members of the public to provide testimony.

Paul Gilbert then provided testimony on behalf of the application and stated the proposal was only requesting a slight increase in the number of residential units, maintained the character of the Arcadia area and preserved open space, though the golf course was being reduced from 27 holes to 18 holes. He also added, the traffic study they performed showed no negative impact to the surrounding area, they were willing to contribute \$100,000 toward a City trail, and were willing to enter into an agreement preserving the existing structure for a minimum of 10 years.

Vice Mayor Pastor asked why the applicant would not want the historic preservation designation to be placed on the property and Mr. Gilbert responded the interior was deteriorated and they were proposing to preserve only the exterior, as previous owners had.

Councilman DiCiccio stated the City could not put an overlay on the property because it would result in a lawsuit and added the applicant was willing to preserve the building for 10 years, which was more than the 3 years the City could require.

Historic Preservation Officer Michelle Dodds stated she had spoken with Mr. Gilbert regarding different options for the property and added the applicant had agreed to provide documentation to the National Park Service, at significant cost, before receiving permits.

Councilman DiCiccio explained the developer could have already applied for a demolition permit and the City could only have delayed it for 30 days.

Vice Mayor Pastor stated the City had never requested an overlay and clarified she was asking why the applicant opposed the historic designation of the property.

Mr. Gilbert stated Vice Mayor Pastor's statement the City never requested an overlay was true but did not respond to her question regarding the applicant's opposition to the historic designation of the property.

Mr. Gilbert reiterated his previous statements and concluded his presentation.

Mayor Stanton requested information regarding the conditions of the stipulations from the applicants from Parks & Recreation Director Inger Erickson.

Ms. Erickson stated the stipulations related to the hours the trail would be open, the structures the easement allowed for, the maintenance of the trail, and the development of the trail.

Mayor Stanton ask if the stipulations were tied to the \$100,000 or to the 100-foot easement and Ms. Erickson, as well as Mr. Gilbert, responded that the stipulations were tied only to the 100-foot easement.

Vice Mayor Pastor asked Planning & Development Director Alan Stephenson if the Planning Commission could accept stipulations and funds. Mr. Stephenson replied that Planning Commission could make recommendations to the Mayor and Council, who ultimately have the authority to accept or deny those recommendations.

Vice Mayor Pastor stated the Planning Commission voted to preserve the bathroom but she later received a letter from three members of the Planning Commission requesting the removal of the bathroom, and asked what staff's recommendation was related to the bathroom.

Ms. Erickson replied staff was recommending that if the trail is moved off of Cholla Lane, a bathroom be made available, because many of the

complaints staff had received were related to people using the restroom along the roadway and additionally the bathroom would provide a water fountain for hikers.

Mayor Stanton opened the discussion to members of the public.

Bill Holmeyer stated he was in attendance with his wife Penny and they supported moving the trailhead due to safety concerns.

Mayor Stanton requested clarification for the public, regarding the Planning Commission's recommendations and what was being voted on for items 89 and 90, due to potential confusion related to the trail.

Ms. Erickson responded that nothing had gone through the Parks and Recreation board at that point, which would be required for improvements to the trail or its facilities, but stated that by accepting the easement there was a possibility for a trail in the future.

Mayor Stanton provided clarification regarding the commitment of resources necessary to move forward with a trail in the future by stating it would require a significant expenditure of resources that would go before the appropriate Subcommittee and Council for approval.

Ms. Erickson reiterated Mayor Stanton's statement that a trail was not being voted on as part of the items on the agenda.

Vice Mayor Pastor stated her understanding was a trail was not being voted on today and it would require significant investment by the City.

Ms. Erickson clarified the costs for the trail were estimated over \$2 million, due to the terrain.

Councilman DiCiccio stated the Echo Canyon renovation cost over \$4 million and was one of the most used trails in the City, adding that Council was only voting on the acceptance of an easement for a trail as part of the item. He noted that after a feasibility study was performed, a trail would still be required to go through full process including the Parks board.

John Pappas stated he became involved with the Jokake Inn a few months ago when showing visiting family members around Phoenix. He noticed the building was in disrepair and started investigating the matter. He added the concerns related to the building were not brought up last minute but were instead brought up 6 months ago. He requested the City place the building on the historic registry.

William Clarke spoke on behalf of the Momans and Weisses who lived on Cholla Lane. He stated the families were supportive of relocating Cholla trail but were concerned by potential issues resulting from the project due to the removal of the golf course, which could result in mud and erosion impacting their properties. He requested the property be restored to its natural state and added the families needed a stipulation protecting their properties. He stated stipulations could be placed upon properties outside of the PUD [Planned Unit Development] due to life safety issues, which required the Phoenician to protect neighboring properties.

Tim Moman thanked Councilman DiCiccio and the City for their help and the information they provided, stated there were significant flooding and mud issues for himself and his neighbors the Weiss' and expressed concern the Phoenician would provide the easement and the neighborhood would inherit the problem.

Councilman DiCiccio thanked Mr. Moman for his hospitality throughout the application process and asked Planning & Development Director Alan Stephenson whether the applicant was required to submit a drainage plan.

Mr. Stephenson stated under existing City code and ordinances, a drainage study and revegetation would be required for the project but clarified the project had not gotten to the point of development yet.

Councilman DiCiccio asked if the City would be required to accept grading and drainage plans submitted by the applicant and Mr. Stephenson responded that any plans submitted would have to meet the City's requirements and standards for approval.

Councilman DiCiccio asked if the City could require the Phoenician to notify affected property owners and provide them a copy of the drainage report for them to comment on when plans were submitted. Mr. Stephenson replied that a stipulation could be added by Council.

Mayor Stanton asked Mr. Clarke if he wished to comment on Councilman DiCiccio's proposal. Mr. Clark replied he had submitted a proposed stipulation and was uncertain why that stipulation could not be used.

Councilman DiCiccio replied to Mr. Clarke that Council could only stipulate what was legally allowed and the applicant would be required to comply with code.

Vice Mayor Pastor asked what the stipulation was and if it could be added. Mr. Stephenson provided explanation regarding the proposed stipulations dealing with off-site flow issues and the legal expectations associated with them.

Vice Mayor Pastor requested clarification regarding who the easement belonged to. Mayor Stanton responded the easement belonged to the golf course but if the PUD were approved by Council the easement would be returned to the private property owners, which were the families mentioned previously.

Mr. Clarke stated the easement was previously part of the PUD until August 1 and added the City could also impose stipulations on adjacent properties in matters of life safety.

Mayor Stanton asked why current proposal and the review by the City's professional staff that reviewed every proposed development in the City was not sufficient.

Mr. Clarke stated their engineer was concerned with the civil plans submitted to the City by Wood/Patel. Mayor Stanton responded that Wood/Patel does not make the decisions for the City's staff who would review the submission.

Councilman DiCiccio stated he felt comfortable the affected property owners would be protected by the process and they could protest the plans when they were submitted, if necessary.

Tim Moman requested clarification regarding when the property owners would have a chance to review the submitted plans.

Mayor Stanton stated the development would not start before a permit was issued and the permit would not be issued without the City's review of the drainage plan. He added that Councilman DiCiccio was attempting to add an opportunity to provide property owners a copy of the plans for review when they were submitted but the approval would be based upon the review of City staff.

Vice Mayor Pastor requested further clarification about the impact the vote on these items would have on the easement.

Mr. Stephenson stated the easement was independent of the items on the agenda, was a separate action from the PUD, and a private matter the City was not party to.

Vice Mayor Pastor requested an explanation of the recourse for the affected property owners once plans were submitted, if they were not satisfied.

Mr. Stephenson provided further clarification that property owners could be given notice and a copy of drainage reports and, if necessary, have a meeting with staff who would review their concerns.

Vice Mayor Pastor restated her understanding that there was a process for property owners to address their concerns in the future. Councilman DiCiccio added he believed the neighbors were fine with the stipulations he had outlined.

Mr. Kautenburger spoke in support of the preservation of the Jokake Inn and stated even though the Phoenician did not propose to demolish the Inn, it was falling further into disrepair.

Don Surface stated he was the civil engineer consulting the Momans and Weisses and noted that what he was going to say had been discussed by staff and Council.

Jordan Rose spoke on behalf of the Daal family, who lived nearby, and expressed concerns related to leaving the public restroom in place for hikers after the golf course closes.

Councilman DiCiccio acknowledged the importance of this project to the neighboring residents and suggested that determining whether or not to include the restroom be evaluated during the feasibility study for the trail.

Mayor Stanton clarified the restroom existed at the time and is open for golf course users. Ms. Rose replied residents expected that the restroom would be removed if building permits were issued.

Shawn Severud stated it was important to balance progress with historic preservation and added it was important to retain the Jokake Inn and Chinese Cultural Center.

Mayor Stanton restated that if the resolution was adopted the property would be preserved for a longer period of time than the historic preservation ordinance would allow.

Charmaine Berggreen informed Council of her safety concerns related to the existing Cholla trail because of the driver and pedestrian interactions it caused and wished to start a conversation related to its relocation.

Councilman DiCiccio echoed Ms. Berggreen's safety concerns.

Lynn Krupnik spoke on behalf of the Phoenician II and opposed the proposal due to the removal of a stipulation requiring a bond for future street light enhancements by the Street Transportation Department.

Councilwoman Gallego stated she would have interest in hearing from the Street Transportation Department regarding the stipulation related to street light enhancements and Mayor Stanton requested staff speak on the matter.

Planning & Development Director Alan Stephenson and Street Transportation Director Ray Dovalina explained the reason for the modification of stipulation was related to the handling and tracking of the funds over time.

Rebecca Hawkins stated she would like to see the Cholla trail moved, citing concerns related to hikers parking along the neighboring streets and driving through landscaping.

Vice Mayor Pastor requested clarification regarding the parking concerns related to Cholla trail and issues with jurisdiction.

Parks & Recreation Director Inger Erickson explained there was an agreement between the City and Paradise Valley that had lapsed and since that time each jurisdiction cited people who were illegally parked within their borders.

Vice Mayor Pastor asked why an agreement had not yet been reached between the municipalities.

Councilman DiCiccio stated the two cities had been working together, with inclusion of the City of Scottsdale, and complimented City staff for their exemplary efforts in working through the issues.

Ms. Hawkins stated the parking restrictions were not being enforced.

Vice Mayor Pastor recommended working with the area to find a solution, stating unfamiliarity with the situation.

Patricia Syntax submitted a speaker comment card in favor of Item 89 but declined the opportunity to speak.

Eugene Kniaz spoke in opposition to items 89 and 90 due to concerns with the care of the Jokake Inn but was happy to hear Mr. Gilbert's statements that the applicant did not have a desire to demolish the structure.

Note: Councilman Nowakowski joined the voting body telephonically during Mr. Kniaz's testimony.

Michael P. Shiaras thanked Councilman DiCiccio for his work and requested the trailhead be moved due to safety and liability concerns, as well as concerns related to hikers using the restroom along Cholla Lane.

Scott Grigg submitted a speaker comment card in favor of Item 90 but declined the opportunity to speak.

Pauline Tom submitted a speaker comment card in favor of Item 89 but declined the opportunity to speak.

Mayor Stanton closed the Public Hearing on items 89 and 90, noting no one else wished to speak.

Note: David Henry submitted a speaker comment card in favor of Item 89, not wishing to speak.

Councilman DiCiccio discussed the addition of stipulations related to the restroom structure and notification of homeowners. Planning & Development Director Alan Stephenson clarified that the General Plan Amendment could not have stipulations added to it and stated action must be taken on Item 89 prior to making a motion on the PUD.

The public hearing was held and a motion was made by Councilman DiCiccio, seconded by Councilwoman Williams, that this item be adopted per Planning Commission recommendation. The motion carried by the following vote:

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

90 Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-83-16-6 - Approximately 1,340 Feet North of the Northeast and Northwest Corners of Invergordon Road and Camelback Road (Ordinance G-6368)

Application No. Z-83-16-6

Current Zoning: P-1 ACSPD, R-2 PCD ACSPD, R-2 PCD SP ACSPD, RE-35 ACSPD, RE-35 PCD ACSPD, RE-35 PCD SP ACSPD, RE-43 PCD SP ACSPD, RH ACSPD, RH PCD ACSPD, R-2 PCD SP, and RE-35 PCD SP

Proposed Zoning: PUD ACSPD and PUD

Acreage: 318.37 (Originally 319.11)

Proposal: Planned Unit Development to allow a mix of uses including single-family residential, multifamily residential, and resort

Applicant: Paul Gilbert, Beus Gilbert, PLLC

Owner: Host Hotels and Resorts

Representative: Paul Gilbert, Beus Gilbert, PLLC

Staff Recommendation: Approval, per the Addendum A staff report

VPC Action: The Camelback East Village Planning Committee heard the request on Aug. 4, 2017 and recommended approval, per the Addendum A staff report with an additional stipulation requiring the developer to install a traffic light on Invergordon Road, by a 13-2 vote.

PC Action: The Planning Commission heard the request on Sept. 7, 2017 and recommended approval, per the Addendum B staff report with modifications and an additional stipulation, by a 6-0 vote. Three Planning Commission members submitted a letter after the hearing to the Mayor and Council to recommend an additional stipulation (Attachment I).

3/4 Vote Required: No

Summary

Request to hold a public hearing to authorize the City Manager to approve the Planning Commission recommendation to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix for the PUD (Planned Unit Development) zoning district to allow a mix of uses including single-family residential, multifamily residential, and resort, as requested with application Z-83-16-6.

Location

Approximately 1,340 feet north of the northeast and northwest corners of Invergordon Road and Camelback Road

Council District: 6

Parcel Addresses: N/A

Discussion

See item 89 for discussion during the public hearing.

Councilman DiCiccio requested assistance with the language of the motion from Planning & Development Director Alan Stephenson. Mr. Stephenson offered technical assistance with the language of the motion Councilman DiCiccio was providing and recommended a new stipulation number 15 that read as follows: the applicant shall provide a copy of the grading and drainage report; 15 days prior to submittal of report to the Planning and Development Department the copy shall be mailed by certified mail to the Momans and Weisses at the following address; they shall be allowed to review and comment on the drainage study so that staff can consider the information prior to approval of the drainage report; and underneath that subset A would be Sharon Weiss 6025 East Cholla Lane, Paradise Valley, Arizona, 85253 and Timothy and Judy Moman and 6211 Cholla Lane, Paradise Valley, Arizona, 85253.

Mayor Stanton stated there were questions related to the bathroom and the recommendation by the Planning Commission but asked if there was a second to Councilman DiCiccio's motion. Councilwoman Williams seconded the motion.

Mayor Stanton asked if there were any questions for staff regarding the item.

Councilwoman Williams requested clarification regarding the responsibility for maintenance and upkeep of the plumbing at the bathroom location during the time between its removal and development occurring.

Parks & Recreation Director Inger Erickson and Planning & Development Director Alan Stephenson stated the property owner would be responsible for the maintenance of the facility because it would still be their property.

Councilwoman Stark requested the restroom remain in place until the feasibility study for the trail and restroom are completed.

Ms. Erickson stated if a trail were proposed, the construction of a

bathroom would be evaluated as part of the trail construction.

Vice Mayor Pastor made a substitute motion, removing stipulation 14 from the previous motion, seconded by Councilwoman Stark.

A hearing was held and a substitute motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that this item be adopted per the Oct. 4, 2017 memo from the Planning & Development Director except Stipulation 14, which would allow the restroom to remain in its current condition and provide time to perform a feasibility study to determine if the restroom should remain. The motion carried by the following vote:

- Yes:** 5 - Councilwoman Stark, Councilman Valenzuela, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton
- No:** 4 - Councilman DiCiccio, Councilman Nowakowski, Councilman Waring and Councilwoman Williams

Note: Councilman Waring left the voting body.

The Mayor requested a motion on the remaining agenda items.

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

Dianne Barker - Item 58

A motion was made that items 24 through 91 be approved or adopted, except items 32, 33, 35, 36, 37, 55, 59, 60, 62, 66, and 88. The motion carried by the following vote:

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

Items 24 through 34, Ordinance S-43932, 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.

24 Savage Range Systems, Inc.

For \$10,500.00 in payment authority to purchase a Savage Range System Heavy Duty Gunsmith, a type of bullet trap allowing police personnel to test-fire crime guns in a controlled setting, for the Police Department. This will allow the Police Department's Violent Crimes Bureau, National Integrated Ballistic Information Network Unit, to process firearms evidence more efficiently.

This item was adopted.

25 B.E. Meyers & Co., Inc.

For \$96,800.00 in payment authority to purchase weapon mounted visible and infrared laser and illuminator devices for the Special Assignments Unit (SAU) for the Police Department. The SAU is the Special Weapons And Tactics (SWAT) team for the Phoenix Police Department responsible for the resolution of barricade subjects, high risk search warrants, and arrests of subjects with a high violence potential. The SAU require specialized weapon accessories as they operate under a tactical environment that is unique in low-light circumstances.

This item was adopted.

26 O.P.E.N. America, Inc., doing business as OpenWorks

For \$88,000.00 in additional payment authority for Contract 135525 to provide all labor, cleaning supplies, materials, equipment, tools, vehicles, uniforms, chemicals, and supervision necessary for custodial services for the Phoenix Convention Center Department (PCCD) facilities. Usage on this contract has been higher than anticipated due to an increase in event bookings and building activities. PCCD is the sole user of this contract.

This item was adopted.

27 Tumbleweed Press, Inc.

For \$30,000.00 in payment authority for a new contract, entered on or about Oct. 1, 2017 for a term of five-years, for a subscription to Tumble Book Premium Library for the Phoenix Public Library. Tumble Book Premium Library is the only digital content platform designed exclusively

for children, with content most appropriate for grades K-6. It includes animated talking picture books, chapter books, video, non-fiction titles, play-lists, books in languages other than English, such as French and Spanish, graphic novels, and math stories.

This item was adopted.

28 Various Vendors for Window Treatments

For \$38,000.00 in additional payment authority for all labor, materials, equipment, transportation, supplies, and coordination related to the supply of window treatments for Citywide departments. Usage has been higher than anticipated, with Fire and Public Works departments being the majority users.

Ardy's Mini-Blind Service Inc., doing business as Ardy's Gallery of Window Coverings, Contract 129183

Coyote Blind Company Inc., Contract 129196

This item was adopted.

29 Copper State Supply, Inc.

For \$10,000.00 in additional payment authority for Contract 142083 to provide needle and syringe collection containers for the Police Department. The needle and syringe collection containers are used by police officers and detectives to secure hazardous needles and other sharp items collected as evidence. The containers are essential for the safety of the officers and detectives.

This item was adopted.

30 Public Safety Crisis Solutions, LLC

For \$19,500.00 in payment authority for International Association of Fire Firefighters Peer Support Training for 100 Phoenix Fire Department firefighters. Phoenix has received a grant from the Federal Emergency Management Agency to provide this train-the-trainer course designed to help address stresses faced by Fire Department members during the course of their careers, such as multiple casualty events, violence, injury to children, and the inherent dangers of firefighting. Peer support programs with mental health oversight and continuing education have been demonstrated to be an effective method for providing support.

This item was adopted.

31 Downtown Phoenix Hotel Corporation, doing business as Sheraton Grand Phoenix

For \$23,050.00 in payment authority for the 2017 Federal Emergency Management Agency (FEMA) required seminar for Arizona Task Force - One (AZ-TF1). As a recipient of FEMA funds, Phoenix is required to coordinate this training seminar/event. All expenses for the seminar will be 100% reimbursed by FEMA.

This item was adopted.

34 American Association of State Highway and Transportation Officials

For \$36,000.00 in payment authority for renewal of bridge management software provided by the American Association of State Highway and Transportation Officials (AASHTO), for the Street Transportation Department. AASHTOWare, a bridge management analytical software, provides a means to collect and store bridge inspection and inventory data for Federal reporting services. It also allows the City to track preservation and maintenance, perform deterioration modeling, and guide the decision-making process toward the most cost-effective choices for bridge preservation, rehabilitation and replacement.

This item was adopted.

38 Authorization to Apply for the Bloomberg Philanthropies 2017 Mayors Challenge (Ordinance S-43962)

This report requests authorization for the City Manager to apply, accept, and if awarded, to enter into an agreement for the Bloomberg Philanthropies 2017 Mayors Challenge Grant. Further request authorization for the City Treasurer to accept and the City Controller to disburse the funds for purposes of this ordinance.

Summary

The Bloomberg Philanthropies 2017 Mayors Challenge invites cities across the United States to think big and uncover innovative solutions to today's most pressing problems. Bloomberg Philanthropies is offering \$17.5 million in grants and technical assistance to cities as part of the initiative. In 2013, five cities in the United States were awarded funding, with Providence, Rhode Island securing the grand prize.

The City's application will take on the problem of urban heat and its disproportionate impact on low-income neighborhoods in Phoenix. Increasing urban heat is a serious threat to public health, especially for vulnerable populations, and threatens the long-term viability of the City and quality of life for its residents. Research conducted by Arizona State University shows a significant disparity on how Phoenix residents experience heat depending on where in the City they live. This Mayors Challenge application will focus on using data, community engagement and emerging technologies to create a first-ever "Heat-Ready City" certification, in consultation with first responders, public health experts, social service providers, climate scientists, and others. If funded, the City would establish the certification and then demonstrate it in practice in one or more areas of the City that are the most heat-stressed.

The application deadline is Oct. 20, 2017. In early 2018, 35 Champion Cities will be awarded up to \$100,000 each to test and refine their ideas. 2017 Mayors Challenge winners will be announced in October 2018. The grand prize city will be awarded \$5 million, and four other cities will receive \$1 million each to bring their ideas to life.

On Sept. 6, 2017, the City participated in a day-long pre-application workshop led by Bloomberg Philanthropies to explore the most pressing issues facing our City. Participants included City executives and staff, non-profit partners, and representatives from Arizona State University.

Concurrence/Previous Council Action

This item was recommended for City Council approval by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on Sept. 19, 2017, by a vote of 4-0.

This item was adopted.

39 Contract Award for Real Estate Sales and Brokerage Services for Citywide Projects (Ordinance S-43936)

Request to authorize the City Manager, or his designee, to enter into contracts with the real estate salespersons and brokers listed below. Further request authorization for the City Controller to disburse funds related to this item.

Summary

These contracts will provide the Finance Department Real Estate Division a Qualified Vendor List (QVL) for Real Estate Sales and Brokerage Services on an as-needed basis. The Real Estate Division contracts with real estate salespersons and brokers to assist in the disposition and leasing of City-owned property. Assignments will be made under a separate engagement letter based on qualifications that are required, specific to each property.

Procurement Information

The Finance Department released a Request for Qualifications (RFQ) for Real Estate Sales and Brokerage Services for Citywide Projects on May 24, 2016. The RFQ was conducted in accordance with Administrative Regulation 3.10. Ten proposals were received in response to the RFQ, nine of which were deemed responsive to the requirements of the RFQ.

The evaluation panel reviewed submittals according to the following qualification criteria set forth in the RFQ: qualifications of offeror, licensure of the offeror, and familiarity of the offeror with the local real estate market. The panel determined that nine offerors met the established criteria to provide Real Estate Sales and Brokerage services. The offerors are listed below in alphabetical order.

1. Berry Realty & Associates
2. Colliers International AZ, LLC
3. Colton Realty Ltd dba Colton Commercial
4. Cushman & Wakefield
5. Helix Properties, LLC
6. Jones Lang Lasalle
7. Tina Waggoner Real Estate Services
8. R.O.I. Properties
9. West USA Commercial Services

Contract Term

The five-year contract term shall begin on or about Oct. 15, 2017.

Financial Impact

The contracts are revenue generating. The firms will be compensated from the proceeds of the sale of excess City-owned land.

This item was adopted.

**40 Acquisition of Real Property for Road Improvement Project
Located Along Pinnacle Peak Road from 35th to 45th Avenues
(Ordinance S-43938)**

Request to authorize the City Manager, or his designee, to acquire and dedicate to public use for right of way purposes, fee title or lesser interest in all or portions of improved or vacant land by donation, purchased within the City's appraised value, or by the power of eminent domain for the Pinnacle Peak Road Improvement Project. If, however, the property is acquired directly from the Arizona State Land Department (ASLD) it shall be acquired at a purchase price and upon such other terms as are established at a public auction conducted by ASLD with the City's maximum bid to be determined by the City Manager, or his designee, consistent with instructions provided by the City Council in Executive Session. If the property is acquired directly from Maricopa County, it shall be acquired at a purchase price within Maricopa County's appraised fair market value with opportunity given to the City to review the appraisal for reasonableness.

Further request authorization to enter into short-term protective leases to minimize relocation costs and temporary occupancy agreements to allow occupants time to relocate, as may be necessary to and in furtherance of this acquisition. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to include indemnification and assumption of liability provisions in the transaction documents that are otherwise prohibited by Phoenix City Code 42-18.

Summary

The acquisition is required for widening and roadway improvements along Pinnacle Peak Road from 35th to 45th Avenues. Improvements will include the installation of curbs and gutters, Americans with Disabilities Act (ADA) compliant sidewalks, landscaping, street lighting, traffic signals and intersection improvements. A new storm drain system with upgraded box culverts will also be constructed to improve drainage.

Financial Impact

The project will be funded with Arizona Highway User Revenue Funds (AHUR), available in the Street Transportation Department's Capital Improvement Program budget.

Location

Along Pinnacle Peak Road, from 35th Avenue to 45th Avenue (Attachment A).

Council District: 1

This item was adopted.

41 Purchase IBIS BRASSTRAX Acquisition Station Software, Hardware and Warranty - RFA 18-006 (Ordinance S-43939)

Request to authorize the City Manager, or his designee, to enter into a contract with Ultra Electronics Forensic Technology Inc. in the amount not to exceed \$98,983.50 to purchase the IBIS BRASSTRAX Acquisition Station. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The system will provide the Police Department the ability to utilize tool marks left on expended shell casings recovered at crime scenes and link gun crime cases that would not otherwise be linked.

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 Ultra Electronics Forensic Technology Inc. is the only vendor that provides the IBIS BRASSTRAX Acquisition Station software, hardware and warranty.

Financial Impact

The purchase of the IBIS BRASSTRAX Acquisition Station will not exceed \$98,983.50. Funds are available in the Police Department's budget.

This item was adopted.

42 Amend Ordinance S-43079 to Correct the Street Address of Excess Real Property (Ordinance S-43940)

Request City Council authorization for the City Manager, or designee, to amend Ordinance S-43079 to correct the street address of real property identified as 1735 E. Rancho Drive to 1718 E. Rancho Drive.

Summary

The address for the property identified by assessor parcel number 164-50-058 was erroneously listed 1735 E. Rancho Drive. The correct address is 1718 E. Rancho Drive.

Concurrence/Previous Council Action

City Council adopted Ordinance S-43079 on Dec. 14, 2016 which authorized the sale of excess City-owned property.

Location

1718 E. Rancho Drive

Council District: 6

This item was adopted.

43 Authorization to Amend Lease with BAMCM, LLC, to Include One Additional Five-Year Option (Ordinance S-43941)

Request authorization for the City Manager, or his designee, to amend Contract 124338 with BAMCM, LLC (Crazy Jim's), to provide one additional five-year option period through Aug. 31, 2028. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

BAMCM, LLC, (tenant) currently leases approximately 4,000 square feet of interior, ground floor retail space at 305 W. Washington St. for the Crazy Jim's restaurant. The tenant is currently in the first option period of the lease term, through Aug. 31, 2018, with one remaining five-year option to extend through Aug. 31, 2023. The tenant plans to make tenant improvements at its sole expense, including new signage in accordance with Planning and Development Department requirements. The purpose of the additional five-year option period is for amortization of the improvements by the tenant over a total 10-year period. Base rent at the beginning of the five-year option period will be at the then-prevailing market rate, plus utility charges and applicable taxes. Base rent will be

adjusted annually based on CPI.

Financial Impact

Revenue to be reflective of market rent as determined by the Finance Department Real Estate Division.

Location

305 W. Washington St.
Council District: 7

Concurrence/Previous Council Action

Contract 124338 was approved by Ordinance S-34900, adopted April 2, 2008.

This item was adopted.

**44 Contracts for Purchase of New Vehicles - State of Arizona Contract
ADSP017-00006937 (Ordinance S-43943)**

Request to authorize the City Manager, or his designee, to access the State of Arizona Cooperative Contracts awarded as a result of solicitation ADSP017-00006937 and to enter into contracts with Courtesy Chevrolet, Larry Miller Toyota, LHM Ram Chrysler Jeep Dodge, and Sanderson Ford, Inc., for the purchase of new vehicles. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$5.6 million, but no City funds will be used because these vehicles are being purchased on behalf of the Federal Transit Administration.

Summary

The City of Phoenix, as the designated recipient of federal funds, will purchase new vehicles on behalf of grant subrecipients of the Federal Transit Administration's Enhanced Mobility of Seniors and Individuals with Disabilities Section 5310 program. The grant subrecipients (non-profit agencies who serve the elderly and people with disabilities) will be the owner of record for the vehicles and the City of Phoenix will be the lienholder of record during the time there is a federal interest in the asset.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from

another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. Cooperative agreements allow the City to benefit from national government pricing and volume discounts. The State of Arizona contracts cover the purchase of new vehicles and were awarded April 1, 2017.

Contract Term

The five-year contract term shall begin on or about Nov. 1, 2017.

Financial Impact

The aggregate contract value will not exceed \$5.6 million.

No City funds will be used for these contracts. The City of Phoenix, as designated recipient for FTA grants, will purchase vehicles on behalf of FTA Section 5310 grant subrecipients using the FTA funds allocated to those subrecipients and local matching funds provided by the subrecipients, and there is no financial impact to the City.

This item was adopted.

45 Dedicate Right of Way for Parcels with Existing Roadway or Right of Way Improvements (Ordinance S-43945)

Request the City Council dedicate to public use, for right of way purposes, land acquired for various street improvement projects, and further order the ordinance be recorded.

Summary

The dedication is required for parcels with existing roadway improvements at various locations. For a listing of each parcel by location, City Council District and assessor parcel number (APN), see Attachment A - Parcels to be Dedicated.

Location

Various locations listed in Attachment A.

Council Districts: 4, 6, 8

This item was adopted.

46 Purchase Legal Publications from Matthew Bender & Company, Incorporated - State of Arizona ADSPO 12-018934 (Ordinance

S-43946)

Request to authorize the City Manager, or his designee, to enter into a contract to purchase legal publications in print, DVD Media, CD-ROM and e-book format from Matthew Bender & Company, Incorporated (D.B.A. LexisNexis Matthew Bender) with an annual expenditure of \$30,000, and not to 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

This contract will allow City departments, including but not limited to, the Police and Law departments to purchase electronic books, printed materials, DVD Media, and CD-ROM; and those materials can include legal treatises, encyclopedia products and Matthew Bender publications as one-time purchases or annual subscriptions. Publications include a number of references and/or periodical materials such as: public laws, legislative materials, regulatory code, administrative rules, legal/professional journals, legal scholarly publications, trade reports, article services, etc. The legal publications will also help those performing legal research to streamline analysis with expert insights, checklists, forms and primary legal references.

In accordance with Administrative Regulation 3.10 and under the Intergovernmental Agreement with the State of Arizona, the City of Phoenix may adopt its agreements when it is beneficial for the City to do so. Using cooperative agreements allows the City to benefit from State of Arizona government pricing and volume discounts. The State of Arizona contract was awarded on May 21, 2012.

Contract Term

The five-year contract term shall begin on or about Sept. 1, 2017.

Financial Impact

The aggregate contract value will not exceed \$150,000 (including applicable taxes), with an estimated annual expenditure of \$30,000. This amount is based on historical use and projected need; actual usage of this contract may be higher or lower. Funds are available in various departments' budgets.

This item was adopted.

47 Acceptance and Dedication of a Deed and Easement for Roadway and Sidewalk Purposes (Ordinance S-43947)

Request for the City Council to accept and dedicate a deed and easement for roadway and sidewalk purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)

Applicant: 2011 West Morten Ave, LLC, its successor and assigns

Purpose: Sidewalk

Location: 2011 W. Morten Ave.

File: FN170080

Council District: 5

Deed (b)

Applicant: Habitat for Humanity Central Arizona, its successor and assigns

Purpose: Roadway

Location: 7035 W. Buckeye Road

File: FN170083

Council District: 7

This item was adopted.

48 Traffic Signal Poles - Additional Expenditures for Contracts 140172 and 140171 (Ordinance S-43948)

Request to authorize the City Manager, or his designee, to approve additional expenditures under Contracts 140172 and 140171 with Valmont Industries and Southwest Fabrication LLC, for the purchase of traffic signal poles for the Street Transportation Department. Further request authorization for the City Controller to disburse all funds related to this item. This request is for \$1.5 million in additional funds to be split between the two contracts.

Summary

The two contracts provide traffic signal poles for new and rebuilt intersections. There has been a large increase in the traffic signal poles needed as a result of new development, increased capital improvement program (CIP) road projects, and the number of poles damaged by vehicle accidents. Additionally, the Street Transportation Department has allocated additional funding resources towards traffic signal infrastructure replacement.

Procurement Information

IFB 15-087 was conducted in accordance with Administrative Regulation 3.10.

Financial Impact

Upon approval of \$1.5 million in additional funds for the two contracts, the revised aggregate value will increase from \$2 million to an amount not to exceed \$3.5 million. Funds are available in the Street Transportation Department's budget.

Concurrence/Previous Council Action

The contracts were awarded by City Council on Feb. 18, 2015 and go through Jan. 31, 2020.

This item was adopted.

49 Amend Ordinance S-43624 to Revise the Entity Name for Acceptance of a Public Utility Easement (Ordinance S-43949)

Request the City Council amend Ordinance S-43624 to revise the entity name for acceptance of public utility easement (a) due to a change in ownership; further ordering the ordinance be recorded.

Summary

Ordinance S-43624 authorized the City Council to accept easement (a), referenced as file FN 170030, for public utility purposes from SWC 28th and Peoria Investors, LLC. The property was conveyed to Adachi Property Management, LLC on May 25, 2017, prior to adoption of the ordinance on June 7, 2017.

All of the conditions and stipulations previously stated in the above-referenced ordinance will remain the same.

Location

10450 N. 28th Drive
Council District: 1

Concurrence/Previous Council Action

Ordinance S-43624 for the acceptance of easements for public utilities and refuse collection purposes was adopted on June 7, 2017.

This item was adopted.

50 Acceptance and Dedication of a Deed and Easements for Roadway and Sidewalk Purposes (Ordinance S-43950)

Request for the City Council to accept and dedicate a deed and easements for roadway and sidewalk purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)

Applicant: Nexmetro Camelback Ranch, LLC, its successor and assigns
Purpose: Sidewalk
Location: Southwest corner 107th Avenue and Highland Avenue
File: FN170026
Council District: 5

Easement (b)

Applicant: CMB111, LLC, its successor and assigns
Purpose: Sidewalk
Location: 3601 N. 44th St.
File: FN170085
Council District: 6

Easement (c)

Applicant: SRJ Ventures, LLC, its successor and assigns
Purpose: Sidewalk
Location: 3605 N. 44th St.
File: FN170085

Council District: 6

Deed (d)

Applicant: New Era Phoenix, LLC, its successor and assigns

Purpose: Roadway

Location: West of 95th Avenue between Broadway Road and Jones Avenue

File: FN170071

Council District: 7

This item was adopted.

51 Acceptance of Easements for Public Utilities, Refuse Collection, Emergency and Service Vehicle Access, and Water Main Purposes (Ordinance S-43951)

Request for the City Council to accept easements for public utilities, refuse collection, emergency and service vehicle access, and water purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)

Applicant: Nexmetro Camelback Ranch, LLC, its successor and assigns

Purpose: Refuse Collection and Emergency and Service Vehicle Access

Location: Northwest corner of 107th Avenue and Highland Avenue

File: FN170037

Council District: 5

Easement (b)

Applicant: Maricopa County Holdings, LLC, its successor and assigns

Purpose: Public Utilities

Location: 1415 S. 17th Ave.

File: FN170082

Council District: 8

Easement (c)

Applicant: Alan N Beaudoin and Marci J Beaudoin, its successor and

assigns

Purpose: Public Utilities

Location: 8818 S. 22nd St.

File: FN170073

Council District: 8

Easement (d)

Applicant: The Garrett Corporation, its successor and assigns

Purpose: Water Main

Location: 318 S. 36th St.

REN: 10227

Council District: 8

This item was adopted.

**52 Equipment, Installation, Testing and Warranty of Citywide Cabling
Communication Systems - ADSP017-00007125 (Ordinance
S-43955)**

Request to authorize the City Manager, or his designee, to access the State of Arizona Cooperative Contract ADSP017-00007125 and enter into contracts with Anixter, Inc., BPG Technologies, LLC, Cable Solutions, LLC, Corporate Technology Solutions, LLC, Fishel Company, Graybar Electric Company, Inc., IES Commercial, Inc., and Tel Tech Networks, Inc., for equipment, installation, testing, and warranty of cabling communications systems. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value shall not exceed \$17,500,000 (including applicable taxes) with an estimated annual expenditure of \$3,500,000.

Summary

Cabling communication systems are used citywide to connect City facilities to the data network and phone system through Internet access, phone lines, and data circuits, allowing City facilities to connect to email, instant messaging, and access to critical applications such as the City's financial accounting and reporting system and the human resources system. The City's cabling communication systems are critical to operations of City departments. Cabling communications systems enable access to emergency services provided by the Police and Fire departments, provide Internet access in public libraries, allow the Parks and Recreation Department to manage sprinkler systems in City parks,

allow the Street Transportation Department to manage traffic signals and lights throughout the City, and facilitate several other important city services. Without the cabling communication systems users and devices will not be able to connect to their network and/or back-end systems for operations.

Procurement Information

In accordance with ARS 41-2631, the City has entered into an intergovernmental agreement with the State of Arizona in order to access specified State cooperative contracts. The State's contract was awarded using a competitive process consistent with the City's procurement processes set forth in the Phoenix City Code, Chapter 43. The State of Arizona contract covers various cabling communications systems and services required by the City. The State of Arizona Cooperative Contract was awarded on May 5, 2017.

Contract Term

The five-year contract shall begin on or about Oct. 10, 2017.

Financial Impact

The aggregate contract value shall not exceed \$17,500,000 (including applicable taxes) with an estimated annual expenditure of \$3,500,000. Funds are available in the Information Technology Services Department's budget.

This item was adopted.

53 Intergovernmental Agreement (License) with the Arizona Department of Environmental Quality (Ordinance S-43961)

Request the City Manager, or his designee, to enter into an Intergovernmental Agreement (License) with the Arizona Department of Environmental Quality for continued location of air quality monitoring equipment at the City of Phoenix North Mountain communications site.

Summary

The Arizona Department of Environmental Quality (ADEQ) owns and maintains air quality monitoring equipment located at the City's communication site at the summit of North Mountain. The prior agreement is due to expire, and ADEQ has requested to continue to use the site for ADEQ's monitoring equipment. There is no financial impact to the City,

and ADEQ is responsible for all maintenance of the equipment.

Contract Term

The term of the license will be for five years, commencing on or about Oct. 18, 2017, and ending on or about Oct. 17, 2022.

This item was adopted.

54 Authorization for Phoenix Municipal Court to Enter into Contract for Legal Resources Services (Ordinance S-43957)

Request to authorize the Phoenix Municipal Court to enter into a five-year contract with West Publishing Corporation, doing business as Thomson Reuters West, to provide access to online and print legal research resources for judges and judicial support staff. The total value of the five-year contract will not exceed \$220,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Thomson Reuters West services provide an important tool for judges and judicial support staff to conduct legal research. Thomson Reuters West, through Westlaw, provides expansive access to online legal resources which facilitate legal research for court cases. Westlaw is currently used by all Superior Courts, Courts of Appeal, and the Supreme Court in Arizona, as well as other City departments.

Procurement Information

In accordance with Administrative Regulation 3.10 normal competition was waived due to the unique requirements of the Court. West Publishing Corporation, doing business as Thomson Reuters West, provides exclusive content, utilizes a proprietary key numbering system and is used by Arizona Courts and other City departments.

Contract Term

The five-year contract term will begin on or about Dec. 1, 2017, and end on Nov. 30, 2022. There are no provisions to extend the contract beyond the initial five-year term.

Financial Impact

Funds are available in the Phoenix Municipal Court's operating budget. The total value of the five-year contract will not exceed \$220,000, and the

annual expenditure is estimated at \$44,000.

This item was adopted.

56 NFL Foundation Grassroots Grant Application for Choice Neighborhoods (Ordinance S-43956)

Request authorization for the City Manager, or his designee, to apply for, accept, and enter into agreements for up to \$250,000 in grant funds from the National Football League (NFL) Foundation Grassroots Program to add new athletic playing fields at, or near, Edison Park located within the Edison-Eastlake Choice Neighborhoods Community. Authorization is also requested for the City Treasurer to accept, and the City Controller to disburse funds for the life of the grant.

Summary

The Housing Department is seeking to apply for a \$250,000 grant from the NFL Foundation Grassroots Program. If awarded, the funds will be used to build new, quality, safe, and accessible athletic playing fields at, or near, Edison Park located within the Edison-Eastlake Choice Neighborhoods (CN) Community.

In June 2016, the City was awarded a U.S. Department of Housing and Urban Development (HUD) CN Planning and Action Grant to conduct a comprehensive neighborhood planning and community engagement process. Within the CN boundaries lie three Public Housing sites: Frank Luke Homes, A.L. Krohn Homes, and Sidney P. Osborn. The CN Grant focuses on creating a redevelopment plan for these three sites as well as a plan to catalyze critical neighborhood improvements, provide services for individuals and families, and improve outcomes for youth. As learned through the Edison-Eastlake CN Community Resident Leadership Council and over 300 Public Housing resident surveys, access to recreational spaces for physical activity are among the top needs of the community. New athletic playing fields would provide new physical fitness options and sports programming for kids in a high poverty community.

As part of the CN effort, the City's Parks and Recreation Department committed \$250,000 from its Fiscal Year 2017-18 Capital Improvement Program Funds to make park improvements at Edison Park. These improvements will be implemented in 2018 based on resident input from a Park Charrette held in April 2017. The Housing Department has also

secured a one-for-one \$250,000 match from the Phoenix Residential Investment Development Effort (PRIDE), to assist with this grant opportunity. Together, these funds will provide leverage for the NFL Foundation Grassroots Program grant. The grant application is due on Oct. 16, 2017.

If awarded, the Housing Department, in partnership with the Parks and Recreation Department, the Phoenix Parks Foundation, and PRIDE, will utilize the NFL Foundation Grassroots Program grant funds to build new, quality, safe, and accessible athletic playing fields at, or near, Edison Park. By leveraging concurrent CN efforts, this grant opportunity will reach an underserved population and provide much needed sports amenities, in addition to promoting youth sports safety and community programming on the fields.

Financial Impact

There is no impact to the General Fund. The Parks and Recreation Department committed \$250,000 from its Fiscal Year 2017-18 Capital Improvement Program Funds. In addition, PRIDE, a 501(c)3 nonprofit organization, will provide up to \$250,000 in one-for-one matching funds as required by the grant.

Concurrence/Previous Council Action

This item was heard at the Sustainability, Housing, Efficiency, and Neighborhoods Subcommittee on Sept. 19, 2017, and approval was recommended by a vote of 4-0.

Location

The Edison-Eastlake CN Community is bounded by 16th Street on the west, Interstate 10 freeway on the north and east, and the Union Pacific Railroad on the south.

Council District: 8

This item was adopted.

57 Significant Amendment to the Housing Department's Annual Agency Plan (Ordinance S-43958)

This report requests City Council approval for the adoption of a Significant Amendment to the Housing Department's 2017-2018 Annual

Agency Plan by adding the U.S. Department of Housing and Urban Development's Rental Assistance Demonstration (RAD) Award and implementing RAD program requirements.

Summary

On Feb. 3, 2016, City Council authorized the Housing Department to apply for the U.S. Department of Housing and Urban Development's (HUD) RAD Program for 815 units across five multi-family rental properties in the City's public housing portfolio, to execute all related agreements, and to fully implement the RAD Program, if approved by HUD.

The RAD Program converts public housing units from a public housing operating subsidy to a long-term, sustainable, project-based Section 8 rental assistance contract. This conversion allows Public Housing Authorities, such as the Phoenix Housing Department, to revitalize aging public housing properties, address the backlog of deferred maintenance and capital improvements, and provide for future financial sustainability and continued affordability.

In February 2017, HUD notified the Housing Department that it was selected to participate in the RAD Program for five multi-family properties totaling 815 units. On March 22, 2017, via Ordinance S-43326, City Council approved the adoption of the Housing Department's 2017-2018 Annual Agency Plan (AAP), which provides a comprehensive guide to the policies, programs, operations, and strategies for meeting local housing needs and goals. Due to the timing of the RAD award, and other HUD requirements, including a 45-day notice period to provide comments and a public hearing, RAD could not be included in the AAP, as it would have delayed the Housing Department's submittal.

In order to fulfill RAD milestones associated with the conversion from public housing to project-based Section 8 rental assistance, HUD regulations and related RAD guidance require a Significant Amendment to the AAP. The Amendment includes information regarding the type of Section 8 rental assistance anticipated to be utilized at each property, and details revised resident rights and participation, waiting list establishment, and grievance procedure requirements. The Amendment also states the Housing Department will apply for the RAD program for

some, or all, of its remaining public housing properties, including: Maryvale Parkway Terrace Apartments (108 units), Pine Tower Apartments (156 units), Washington Manor Apartments (112 units), Summit Apartments (50 units), McCarty on Monroe (34 units), and Aeroterra Senior Village (60 units), which City Council approved via Formal Action on May 31, 2017. Additional changes include updates to the following sections: Site Selection and Neighborhood Standards Review; Relocation Plans; and Significant Amendment Definition.

A copy of the Amendment is available at www.phoenix.gov/housing

Financial Impact

There is no impact to the General Fund. The Significant Amendment to the Annual Agency Plan is an administrative change only.

Concurrence/Previous Council Action

On Feb. 3, 2016, City Council authorized the Housing Department to apply for the RAD Program, through Ordinance S-42281. On March 22, 2017, City Council approved the adoption of the Housing Department's 2017-2018 Annual Agency Plan through Ordinance S-43326. This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on Sept. 19, 2017, and approval was recommended by a vote of 4-0.

Public Outreach

The 13-member Resident Advisory Board (representing the Conventional, Senior, Scattered Sites and Section 8 Housing Choice Voucher programs) met and approved the Significant Amendment on July 6, 2017. As required by federal regulation, the public was given a 45-day notice to provide comments. A public hearing was held on Sept. 6, 2017, to obtain input and comments. All comments and input are addressed in the resulting Significant Amendment.

Locations

- 1) Foothills Village (200 units): 920 W. Alta Vista Road
- 2) A.L. Krohn (202 units): 1940 ½ E. Villa St.
- 3) A.L. Krohn East (38 units): 14th and Monroe streets (multiple addresses)

- 4) Frank Luke Homes (230 units): 500 N. 20th St.
 - 5) Sidney P Osborn (145 units): 1720 E. Adams St.
- Council Districts: 7,8

This item was adopted.

58 Choice Neighborhoods Implementation Grant (Ordinance S-43959)

This report requests authorization for the City Manager, or his designee, to apply for the U.S. Department of Housing and Urban Development's (HUD) Choice Neighborhoods Implementation Grant Program for up to \$30 million or the maximum award, for the Edison-Eastlake Community (EEC), and to implement the grant with the Housing Department and Gorman and Company serving as co-development partners. Authorization is also requested for the City Treasurer to accept and the City Controller to disburse all funds for the life of the grant.

Summary

The HUD Choice Neighborhoods (CN) Program is designed to support locally-driven solutions for transforming distressed neighborhoods, using place-based strategies to address the interconnected challenges of poor quality housing, access to quality educational programs, poor health, high crime, and lack of capital. Since being awarded a \$1.5 million CN Planning and Action Grant in June 2016 to create a comprehensive Neighborhood Transformation Plan for the EEC, the Housing Department has conducted comprehensive community engagement in this effort, including working with public housing and community residents, non-profit and private sector partners, and local stakeholders.

The EEC is the CN target area, bounded by the I-10 Freeway on the north and east, 16th Street on the west, and the Union Pacific Railroad on the south. The neighborhood includes the A.L. Krohn, Frank Luke Homes, and Sidney P. Osborn public housing communities, St. Luke's Medical Center, light rail, Edison Park, Edison Elementary School and various businesses. The public housing within the EEC is aged, obsolete and beyond its useful life. Upon redevelopment of the public housing communities, the Housing Department will utilize the HUD Rental Assistance Demonstration (RAD) Program to convert public housing units from a public housing operating subsidy to a long-term, sustainable, project-based Section 8 contract.

The City is seeking to apply for a HUD CN Implementation Grant through a Notice of Funding Availability (NOFA) that was released on Aug. 24, 2017. Through the NOFA, HUD is making up to \$30 million available per applicant in Implementation Grant funds to support communities, like Phoenix's EEC, that have undergone a local, community-driven planning process and are ready to implement the resulting plan to redevelop public housing sites into new, energy-efficient mixed-income housing, revitalize and improve conditions in the surrounding neighborhood, and provide supportive services to individuals, families and youth in the area. Applications for the CN Implementation Grant are due by Nov. 22, 2017. The estimated grant term is six years, from July 2018 through July 2024.

Gorman and Company (Gorman), a Wisconsin-based affordable and mixed-income housing developer, was previously procured to provide co-development services for the Choice Neighborhoods Program. Gorman and their team of national and local consultants have extensive experience successfully securing various national and local financing, including CN grants, and utilizing RAD to develop and redevelop affordable and mixed-income housing communities in Arizona and nationwide. This partnership will leverage the City's resources and expedite the completion of the work through the CN Implementation Grant.

The Housing Department, working with its co-development partner, Gorman, seeks authorization to proceed with all actions necessary or appropriate to apply for, accept, disburse, and implement the CN Implementation Grant including the following:

- 1) Pursue rezoning of existing public housing sites and affected offsite property to the City of Phoenix Walkable Urban Code.
- 2) Appropriate, expend and disburse up to \$15 million in Housing Department Public Housing and/or Affordable Housing Funds to provide for application expenses, predevelopment, gap funding, and/or other activities to serve as required leverage for the CN Implementation Grant.
- 3) Appropriate, expend and disburse up to \$1.5 million in federal Community Development Block Grant (CDBG) funds to provide for

neighborhood and/or housing improvements, or other activities to serve as required leverage for the CN Implementation Grant.

4) Appropriate, expend and disburse up to \$5.4 million in federal HOME Investment Partnerships Program funds to provide for predevelopment, gap funding for housing redevelopment, and/or other activities to serve as required leverage for the CN Implementation Grant.

5) Acquire land in strategic locations to further the goals of the CN Planning, Action and Implementation Grant Programs.

6) Allocate up to 200 Section 8 Project-Based Vouchers, and/or RAD-converted units, amend HUD Annual Plans, and enter into or execute associated contracts, documents, and agreements, as necessary to facilitate activities for the application and implementation of the CN Implementation Grant.

7) Enter into or execute all contracts, documents, and agreements necessary to apply for and implement the CN Implementation Grant, including development and other agreements with Gorman.

8) Apply for, use, expend, and/or disburse the proceeds of any grants, match funds, in-kind and cash donations, leverage funds, loans, and other financing and funding sources to facilitate activities for the application and implementation of the CN Implementation Grant.

9) Partner with public and private agencies, non-profit and for-profit organizations, and individuals to leverage the financial, human capital, and in-kind resources needed to support the application and implementation of the CN Implementation Grant.

10) Take other action necessary or appropriate to apply for, accept, disburse, and implement all funding and activities associated with the CN Implementation Grant.

Financial Impact

There is no impact to the General Fund. The City's required leverage funds of up to \$21.9 million are available in the Housing Department's

Affordable Housing, Public Housing, and other Federal Programs. CN Implementation Grant funds and leverage funds will be incorporated in future Housing Department Capital Improvement Program and operating budgets.

Concurrence/Previous Council Action

This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on Sept. 19, 2017, and approval was recommended by a vote of 4-0.

Location

Edison-Eastlake CN Community is bounded by the I-10 Freeway on the north and east, 16th Street on the west, and the Union Pacific Railroad on the south. The public housing properties within the Edison-Eastlake CN Community are:

- 1) A.L. Krohn Homes, 1940 1/2 E. Villa Street, 202 units
 - 2) Frank Luke Homes, 500 N. 20th Street, 230 units
 - 3) Sidney P. Osborn, 1720 E. Adams Street, 145 units
- Council District: 8

This item was adopted.

61 Authorization to Enter Into Agreement for Phoenix Convention Center Advertising and Marketing Services (Ordinance S-43954)

Request to authorize the City Manager, or his designee, to enter into a contract with Owens Harkey & Associates (DBA OH Partners) for advertising and marketing services for the Phoenix Convention Center Department (PCCD). Further request authorization for the City Controller to disburse all funds related to this item. The estimated cost of the contract is \$400,000 per year; not to exceed \$2,035,938 over the life of the contract.

Summary

PCCD operates the largest meeting and exhibition venue in the state of Arizona. The department contracts with a private agency to market and promote the Convention Center venues for local meetings, public shows, banquets and receptions, theatrical performances and social functions. The advertising and marketing firm provides consultation and creative services for print and digital advertising campaigns and programs

targeting meeting, convention and tradeshow planners; promoters; and attendees. The previous contract expired on June 30, 2017.

Procurement Information

On March 10, 2017, PCCD issued Request for Proposals (RFP) 17-009 for Advertising and Marketing Services. The procurement was conducted in accordance with Administrative Regulation 3.10. An optional pre-proposal conference was held, with nine firms attending. PCCD received proposals from the following six firms: On Advertising, Davidson/Belluso, Off Madison Ave, Prime Time Marketing, Lane Terralever, and Owens Harkey & Associates. All proposers were deemed responsive. The evaluation panel consisted of PCCD staff along with panel members from the Equal Opportunity and Community and Economic Development departments.

The technical evaluation was based on criteria in the RFP. Points assigned to each criteria totaled 1,000 and included: Method of Approach (300 points), Company and Staff Qualifications (300 points), Financial Strength (200 points), Cost of Services (150 points), and Overall Responsiveness to RFP (50 points).

The interview portion of the evaluation was worth 350 points, making a grand total of 1,350 possible points.

The panel awarded the following scores:

1. Owens Harkey & Associates - 1,159.50 points
2. Off Madison Ave. - 1,079.50 points
3. Lane Terralever - 1,007.40 points
4. Davidson/Belluso - 700 points
5. On Advertising - 689.80 points
6. Prime Time Marketing - 317.60 points

Contract Term

The initial contract term is for a three-year period from Nov. 1, 2017 through Oct. 31, 2020, with the option to extend the term up to two years, which may be exercised by the City at its sole discretion.

Financial Impact

The contract's estimated cost is \$400,000 per year, not to exceed \$2,035,938 over the total length of the contract. The majority of expenditures for this contract, about 60 percent, are funded with Convention and Visitors Bureau Marketing Funds, with approximately 40 percent funded through the PCCD operating budget.

Concurrence/Previous Council Action

The Downtown, Aviation, Economy and Innovation Subcommittee recommended City Council approval by a 3-0 vote at its Sept. 6, 2017 meeting.

Location

The services will be provided to the Phoenix Convention Center and theatre venues at 100 N. 3rd St.

Council District: 7

This item was adopted.

63 Authorize Recommended Changes to 2018 Neighborhood Block Watch Grant Application and Program Process

This report requests City Council approval of changes to the 2018 Neighborhood Block Watch (NBW) grant application and program process as recommended by the Neighborhood Block Watch Oversight Committee.

Summary

The NBW Oversight Committee was established to solicit, evaluate and recommend to the Mayor and City Council appropriate proposals to expend funds for the expansion of the Block Watch programs within the limits of the Neighborhood Protection Ordinance. This ordinance, known as Proposition 301, was adopted at a special election on Oct. 5, 1993. The City Council adopted the format and guidelines for this process on April 26, 1994.

The NBW Oversight Committee reviewed and approved requests to change the NBW grant application and program process during its meetings in May, June and August 2017. The NBW Oversight Committee is recommending the following changes become effective for the 2018 grant application process, which opens on Nov. 1, 2017.

The following is an outline of the NBW Oversight Committee recommended changes:

1. Change the restricted items list to increase the cap from \$500 to \$750 for the combined total of website hosting/maintenance/domain name, and add "email server" to the list.
2. Change the restricted items list for neighborhood event items to combine face painters and balloon artists, add disc jockeys, and cap each artist at \$150 per neighborhood event.
3. Change the restricted items list regarding "regular copy printers" to say "regular copy printers, including maintenance" capped at \$500.
4. For clarification purposes to assist grantees in successfully completing the grant application, add the following language to the grant application guide:
 - a. If the grant application includes a co-applicant, the co-applicant must provide the same grant application documents as required by the primary applicant.
 - b. Grant applications scoring below the City Council approved minimum score of 5.25 points will be disqualified and will not be eligible to appeal or receive funding.
 - c. Grant funds may not be used to pay for the administration of the grant itself, including payment to an accountant or individual to complete quarterly reports, or to pay Block Watch members for any services.
 - d. If applicants are eligible to appeal denied grant application funding, only the application contact and/or grant signers are allowed to present the appeal.
 - e. Failure to answer all questions and/or provide all required information may result in the application being disqualified, scored lower or items may be vetoed or capped.

f. If a narrative is not included with a budget category, the application may be disqualified, scored lower or items may be vetoed or capped.

g. When requesting Lawful Traffic Mitigation Devices, if the budget supplement document is not included with the application, the application may be disqualified, scored lower or items may be vetoed or capped.

~~h. Under allowable equipment purchases change fencing/gates and remove the word gates.~~ (see Concurrence/Previous Council Action section)

Contract Term

The funding period for the 2018 NBW grants is July 1, 2018 through June 30, 2019.

Financial Impact

No matching funds are required.

Concurrence/Previous Council Action

This item was unanimously approved by the Public Safety and Veterans Subcommittee on Sept. 13, 2017, with one change reference the strikethrough on h above. Subcommittee requested to add back in the word gates, and include installation of fences and gates as an allowable expense.

Location

Citywide

This item was approved.

64 Authorization to Accept Donation of Explosive Detection Canine from Phoenix Police Foundation (Ordinance S-43960)

Request authorization for the City Manager, or his designee, to accept a donation of an explosive detection canine from the Phoenix Police Foundation valued at \$14,750.

Summary

The Explosive Detection Canine (EDC) will be utilized by the Phoenix Police Department, Homeland Defense Bureau's Bomb Squad on calls

for service and incidents. EDCs are deployed weekly to support public safety operations across the City to include venues like Phoenix Sky Harbor Airport, City Hall, sports arenas and bomb-related incidents. The EDCs are an operational necessity and a force multiplier in venue searches during the preparation for and response to incidents and special events.

This EDC is replacing an EDC who has to be medically retired due to a sudden illness diagnosis. After hearing of this unexpected expense to the City, the Phoenix Police Foundation approved a \$14,750 expenditure to purchase a fully-trained replacement explosive detection canine and donate it to the Phoenix Police Department's Bomb Squad. The Phoenix Police Foundation is a 501(c)3 nonprofit organization.

Included with the donation will be a handler training course and the canine's one-year health guarantee against any genetic health defects and hip x-rays and shot records. The canine will also have a one-year working ability guarantee.

Financial Impact

There will be minimal annual maintenance costs for food and veterinarian visits. Funds for these expenses are available in the Police Department's budget.

Concurrence/Previous Council Action

This item was approved at the Public Safety and Veterans Subcommittee meeting on Sept. 13, 2017 by vote of 4-0.

This item was adopted.

**65 Phoenix Sky Harbor International Airport Rental Car Center
Reconfiguration and Tenant Relocation Construction
Administration and Inspection Services - AV15000071 (Ordinance
S-43944)**

Request to authorize the City Manager, or his designee, to enter into a contract with Pierce Goodwin Alexander & Linville, Inc. (Las Vegas, Nev.) (PGAL) to provide construction administration and inspection services for

the Rental Car Center (RCC) reconfiguration and tenant relocation project at Phoenix Sky Harbor International Airport. The contract may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item. PGAL's fee will not exceed \$600,000, including all subconsultants and reimbursable costs.

Summary

The RCC opened in 2006 and is presently home to 14 rental car brands owned by six rental car companies. Due to business consolidations across the rental car industry and the need to increase operation areas for small rental car operators, changes must be made to the current layout of the RCC in order to better accommodate rental car operations. The existing facilities at the RCC will undergo a series of reconfigurations, which will include demolition, new construction, relocating exiting equipment, and renovating existing facilities.

PGAL's services may include construction administration and inspection services for all phases of the project during construction, such as providing consultation and advice to the City, reviewing all contractor submittals, responding to requests for information, reviewing alternate construction methods proposed by the contractor, conducting pre-final and final inspections of the completed project, issuing certificates of construction completion, performing an orderly closeout of the project, and conducting post-construction services, such as producing record drawings and a final construction report and attending a one-year warranty inspection of the project.

Procurement Information

PGAL was chosen for this project using a qualifications-based selection process according to section 34-603, Arizona Revised Statutes. Scoring and selection were made in conjunction with Design Services.

Contract Term

The term of the contract is 10 months. Contract work scope identified and incorporated into the contract prior to the end of the term of the contract may be agreed to by the parties, and work may extend past the end of the term of the contract. No additional contract work scope changes may be executed after the end of the term of the contract.

Financial Impact

PGAL's fee will not exceed \$600,000, including all subconsultants and reimbursable costs. Funds are available in the Aviation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the end of the term of the contract.

Concurrence/Previous Council Action

City Council approved Design Services Contract 143974 on Nov. 30, 2016.

Location

The RCC is located on the southeast corner of 16th Street and Buckeye Road.

Council District: 8

This item was adopted.

67 Enter Into Agreement with Maricopa County for Purchase of Transit Fare Media (Ordinance S-43952)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with Maricopa County for the purchase of transit fare media. Request to authorize the City Treasurer to accept the funds for purposes of this ordinance.

Summary

The Public Transit Department purchases fare media from a third party and distributes it to, among others, transit partners for the regional transit system. Bus and light rail passes are sold at transit ticket vending machines and retail locations as well as bus fareboxes and light rail stations. This IGA is for the purchase of fare media from the City of Phoenix by the Maricopa County Human Services Department for various programs.

Contract Term

The 10-year contract term shall begin on Nov. 15, 2017 and expire on Nov. 14, 2027.

Financial Impact

During the period of this agreement, Maricopa County will pay the City the face value of the fare media. There is no cost to the City.

This item was adopted.

68 Request Authorization to Enter into an Intergovernmental Agreement with Town of Paradise Valley for Drainage Improvement Project at 52nd Street and Turquoise Avenue (Ordinance S-43933)

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Town of Paradise Valley for a local drainage project at 52nd Street and Turquoise Avenue. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item. The total estimated project cost is approximately \$390,000, which will be shared between multiple sources.

Summary

The Flood Control District of Maricopa County (FCDMC) Small Project Assistance Program (SPAP) provides an opportunity for cities to cost share flood hazard mitigation projects through local drainage solutions, with emphasis on projects that mitigate historical flooding issues. The City of Phoenix submitted five local drainage projects for the FY 2018 SPAP, which were all approved. The 52nd Street and Turquoise Avenue local drainage improvement project is one of the approved projects under the 2018 SPAP program by FCDMC.

The FY 2018 program provides cost share opportunities for project-related construction costs to be completed between July 1, 2017 and June 30, 2018. According to the 2018 SPAP program, the City of Phoenix will receive up to \$250,000, or 75 percent of construction costs, whichever is less, for the construction costs of the project only. The remaining costs will be shared between the City of Phoenix and the Town of Paradise Valley. The City of Phoenix will be the lead for design and construction of the project, while both agencies will operate and maintain specific components of the completed project.

Financial Impact

The total estimated project cost is approximately \$390,000. The amount of financial assistance from the FCDMC is limited to 75 percent of the

project construction cost or \$190,000. The remaining cost of approximately \$200,000 will be shared 50/50 between the City of Phoenix and the Town of Paradise Valley. The City's share of the estimated project costs will be funded from the Local Drainage Solutions Program, which is in the Street Transportation Department's Capital Improvement Program for FY 2018. The design related project costs are covered under the FY 2017 Local Drainage Solutions Program.

Concurrence/Previous Council Action

On Oct. 5, 2016, the Phoenix City Council approved the authorization to apply for and accept funding from the FCDMC for local drainage projects, which includes 52nd Street and Turquoise Avenue Project. On Sept. 12, 2017, the Transportation and Infrastructure Subcommittee recommended City Council Approval to enter into an IGA with the Town of Paradise Valley for the 52nd Street and Turquoise Avenue Drainage Project by a vote of 3-0.

Location

The project is located along and adjacent to 52nd Street between Mountain View Road and Turquoise Avenue.

Council District: 3

This item was adopted.

69 Electrical, Instrumentation and Control Systems Inspection and Testing Services for Water Remote Facilities (Ordinance S-43934)

Request to authorize the City Manager, or his designee, to enter into an agreement with Clements Inspection Services to provide Electrical, Instrumentation, and Control (EIC) Systems Inspection and Testing Services for Water Remote Facilities throughout the City. Clements Inspection Services' fee under this contract will not exceed \$1,275,000, including all subconsultant and reimbursable costs, with annual expenditures estimated at \$425,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department has developed EIC standards which are used to provide consistency in control systems. To improve the functionality, efficiency, and maintenance of EIC systems the Water Services Department uses EIC system inspection and testing services to

assist during upgrades or expansions of the water distribution systems. Clements Inspection Services will be enforcing these standards throughout the design phase, construction installation inspections, and commissioning testing and calibrations of the EIC systems.

Clements Inspection Services', services include, but are not limited to: provide design, construction, and commissioning support services that consist of technical consultations on installation techniques and procedures; equipment submittal review and installation; assistance on computer control strategy checkout; tuning of control loops; perform loop tests; troubleshooting computer control system programmers; maintain designated instruments through final acceptance; educate plant staff on systems; support maintenance staff on developing maintenance procedures for designated equipment and reviews of accuracy of as-built documentation for electrical drawings and process and instrumentation diagrams.

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

Procurement Information

Clements Inspection Services was selected for this project using a qualification-based selection process according to Section 34-603 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. Title 34, the City may not release the scoring of proposers until a contract has been awarded. The top-three rankings follow:

Clements Inspection Services: Ranked #1
Industrial Power Solutions: Ranked #2
OZ Engineering: Ranked #3

Contract Term

The term of the contract is three years. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties and work may extend past the termination of the contract. No additional contract work scope charges may be executed after the end of the contract term.

Financial Impact

Clements Inspection Services' fee under this contract will not exceed \$1,275,000, including all subconsultant and reimbursable costs. It is anticipated that the consultant's fee will not exceed \$425,000 per year. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

This item was adopted.

70 Request Authorization to Amend Intergovernmental Agreement with Flood Control District of Maricopa County for Durango Regional Conveyance Channel Project (Ordinance S-43935)

Request authorization for the City Manager, or his designee, to amend the Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa County (FCDMC) for the Durango Regional Conveyance Channel (DRCC) project, between 75th Avenue and 107th Avenue. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item. The estimated DRCC project cost is \$14 million, of which the City's contribution will be \$5.5 million.

Summary

The Durango Area Drainage Master Plan (ADMP) was developed by the FCDMC and the City in June 2001 to identify solutions to flooding problems within the Durango Area Watershed. The City and the FCDMC entered into IGA FCD2010A029, dated Aug. 31, 2011. The IGA outlined the channel rights-of-way acquisition, utility relocations, construction, construction management and operation, and maintenance of the second phase of the Durango Regional Conveyance Channel (DRCC) Project. Due to budgetary restrictions on both the City and the District, the original IGA FCD2010A029 has not taken effect. Amendment 1 modifies the

project funding responsibilities outlined in the original IGA in order to move the project towards implementation.

The City of Phoenix and the FCDMC have committed to work together to design and construct three priority flood control projects that are either located within or benefit properties within City of Phoenix jurisdiction by providing mitigation to flooding and flood related hazards.

The following drainage areas/watersheds have been identified as priorities, and are of high importance to the City: (1) the Durango Regional Conveyance Channel Project, (2) South Mountain Area Projects, and (3) the Rawhide Wash Project. The City of Phoenix and the FCDMC are working on developing IGAs or negotiating amendments to existing IGAs in order to define funding, construction and construction management responsibilities for the three projects. Approval of Amendment 1 to the existing DRCC project IGA is the first of these actions, but approval for IGAs for the other two projects will be requested in the near future.

Financial Impact

The estimated DRCC project cost is \$14 million, which includes channel rights-of-way, utility relocations, construction, construction management, post design, and materials testing costs. Under the terms of Amendment 1, the FCDMC will fund \$8.5 million of the estimated project cost, and the City's contribution will be \$5.5 million. The City's contribution is available in the Street Transportation Department's five-year Capital Improvement Program (CIP) budget.

Concurrence/Previous Council Action

City Council approved Ordinance S-38154 on Aug. 31, 2011, authorizing the City Manager and/or his designee to enter into IGA FCD2010A029. On Sept. 12, 2017, the Transportation and Infrastructure Subcommittee recommended City Council Approval to enter into Amendment 1 of the IGA with the Flood Control District of Maricopa County for the Durango Regional Conveyance Channel (DRCC) between 75th Avenue and 107th Avenue by a vote of 3-0.

Location

The project is generally located along the Elwood Street alignment between 75th Avenue and 107th Avenue.

Council District: 7

This item was adopted.

71 Request Authorization to Apply for and Accept Funding and Enter into Intergovernmental Agreements with the Flood Control District of Maricopa County for the Fiscal Year (FY) 2019 Small Project Assistance Program (Ordinance S-43942)

Request authorization for the City Manager, or his designee, to apply for and accept funding and enter into Intergovernmental Agreements (IGA) with the Flood Control District of Maricopa County (FCDMC) for the fiscal year (FY) 2019 Small Project Assistance Program (SPAP). Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item. The amount of financial assistance from the FCDMC is limited to 75 percent of the project construction costs or up to \$250,000 per project. The City must cover the remaining construction costs and all design and pre-construction costs.

Summary

The FCDMC SPAP provides an opportunity for cities to cost share flood hazard mitigation projects through local drainage solutions, with emphasis on projects that mitigate historical flooding issues. The application submittal period for FY 2019 SPAP funding opened on Aug. 15, 2017. Project submittals are due by Oct. 6, 2017. The FY 2019 FCDMC SPAP program provides cost share opportunities for project-related construction costs to be completed between July 1, 2018 and June 30, 2019.

Street Transportation Department staff maintains a local drainage database of more than 800 flood hazard mitigation locations. After evaluation of the City's Local Drainage database for prioritized projects, a review of the application criteria, and analysis of available local funds in the Department's Capital Improvement Program (CIP); Floodplain Management staff prepared a list of three high priority local drainage projects for submittal on Oct. 6, 2017. The three projects are: (1) Grovers Avenue - 53rd Place to 55th Place Storm Drain Project, (2) 2201 E. Monterosa Street Flood Mitigation Project, and (3) Vista Avenue Storm

Drain (27th Avenue to Black Canyon Highway).

Financial Impact

The amount of financial assistance from the FCDMC is limited to 75 percent of the project construction costs or up to \$250,000 per project. The City must cover the remaining construction costs and all design and pre-construction costs. For any projects accepted by the FCDMC for SPAP FY2019 funding, the City's cost share will be funded from the Local Drainage Solutions Program, which totals \$2 million dollars annually in the Street Transportation Department's Capital Improvement Program.

Concurrence/Previous Council Action

On Sept. 12, 2017, the Transportation and Infrastructure Subcommittee unanimously recommended City Council approval to apply for, accept funding and enter into IGAs with the Flood Control District of Maricopa County (FCDMC) for the fiscal year (FY) 2019 Small Project Assistance Program (SPAP) by a vote of 3-0.

Location

- (1) Grovers Avenue from 53rd Place to 55th Place
 - (2) 2201 E. Monterosa Street Flood Mitigation Project
 - (3) Vista Avenue Storm Drain (27th Avenue to Black Canyon Highway)
- Council Districts: 2, 4, 5

This item was adopted.

**72 Programming Consulting Services for Budget Database
(Ordinance S-43937)**

Request to authorize the City Manager, or his designee, to enter into Amendment 3 to Contract 145728 with David Dredger & Associates Inc. to add expenditures in the amount of \$150,000. The amendment may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Aviation and Water Services departments need additional technical support and maintenance services for their financial databases. David Dredger & Associates Inc. provides on-call programming services to the budget databases, including understanding the necessary requirements

to maintain the links with Budget Reporting and Analysis Support System (BRASS) and Systems Applications and Products (SAP). Databases allow efficient management of budgets, which are maintained in different cost centers and funds.

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

Financial Impact

Including the \$150,000 in additional expenditures, the Contract's revised aggregate value will be \$187,500, including applicable taxes. Funds are available in the Aviation Capital Improvement Program and Water Services Departments' operating budgets.

Concurrence/Previous Council Action

The Contract was authorized by a Formal Action of the City Council on May 31, 2017, with an original aggregate value of \$37,500 requested by the Public Works Department.

This item was adopted.

73 Amend Ordinance S-42786 to Accept Any Real Property Interests and Execute Any and All Agreements Necessary to Fulfill Terms of the Development Agreement 144549 with Cave Buttes Development Partners, LLC (Ordinance S-43963)

Request authorization to amend Ordinance S-42786 to authorize the City Manager, or his designee, to accept any real property interests and execute any and all agreements in connection with or related to the development agreement with Cave Buttes Redevelopment Partners, LLC for the construction of roadway infrastructure for Deer Valley Road between Cave Creek Road and Black Mountain Boulevard; and further approve an exception pursuant to Phoenix City Code 42-20 authorizing indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

The City entered into a Development Agreement, City Contract 144549, with Cave Buttes Development Partners, LLC for the construction of roadway infrastructure for Deer Valley Road between Cave Creek Road and Black Mountain Boulevard. The development agreement contains

provisions requiring acquisition of property for public right of way purposes. Inclusion of indemnification and assumption of liability provisions is a necessary condition to the City's acquisition affecting properties owned and/or operated by Arizona State Land Department (ASLD), the Central Arizona Water Conservation District (CAWCD) and Bureau of Reclamation (BOR). Funding for all agreements in connection with the development agreement was included in the previous Council action.

Concurrence/Previous Council Action

Ordinance S-42786 was adopted on July 1, 2016.

Location

Deer Valley Road, between Cave Creek Road and Black Mountain Boulevard.

Council District: 2

This item was adopted.

74 Final Plat - Parc Pinnacle - 170040 - Northwest Corner of Central Avenue and Pinnacle Peak Road

Plat: 170040

Project: 06-495

Name of Plat: Parc Pinnacle

Owner(s): LaPour D.C. One, LLC and Jackson-Shaw Parc Pinnacle, LLC

Engineer(s): Hunter Engineering, Inc.

Request: A 1-Lot Commercial Subdivision

Reviewed by Staff: Sept. 7, 2017

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V170012.

Location

Generally located at the northwest corner of Central Avenue and Pinnacle Peak Road.

Council District: 1

This item was approved.

75 Final Plat - Master Plat For Sky Crossing - 160111 - Northwest Corner of Deer Valley Road and Black Mountain Parkway

Plat: 160111

Project: 16-1029

Name of Plat: Master Plat for Sky Crossing

Owner(s): Cave Buttes Development Partners, LLC

Engineer(s): HilgartWilson, LLC

Request: A Master Infrastructure Subdivision Plat

Reviewed by Staff: Sept. 8, 2017

Summary

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

Location

Generally located at the northwest corner of Deer Valley Road and Black Mountain Parkway.

Council District: 2

This item was approved.

76 Final Plat - Broadstone Mid-Town - 170031 - Northeast Corner of Osborn Road and 3rd Avenue

Plat: 170031

Project: 15-222

Name of Plat: Broadstone Mid-Town

Owner(s): Broadstone Midtown, LLC

Engineer(s): Kland Civil Engineers

Request: A 1-Lot Multi-Family Residential Development Plat

Reviewed by Staff: Sept. 1, 2017

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 northeast corner of Osborn Road and 3rd Avenue.

Council District: 4

This item was approved.

77 Final Plat - Lazy Day Manor Amended - 170070 - West of 15th Avenue, South of Orangewood Avenue

Plat: 170070

Project: 15-3216

Name of Plat: Lazy Day Manor Amended

Owner(s): PLHAZ Lazy Day, LLC

Engineer(s): Wood, Patel & Associates, Inc.

Request: A 24-Lot Conventional (Residential) Subdivision Plat

Reviewed by Staff: Sept. 1, 2017

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V170028.

Location

Generally located west of 15th Avenue, south of Orangewood Avenue.

Council District: 5

This item was approved.

78 Final Plat - Sunset Farms Unit 8 (Parcel 9A) - 150109 - Southeast Corner of 103rd Avenue and Jones Avenue

Plat: 150109

Project: 02-2183

Name of Plat: Sunset Farms Unit 8 (Parcel 9A)

Owner(s): Meritage Homes of Arizona, Inc.

Engineer(s): Coe & Van Loo Consultants, Inc.

Request: A 55-Lot Residential Subdivision Plat

Reviewed by Staff: Sept. 7, 2017

Summary

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

Location

Generally located at the southeast corner of 103rd Avenue and Jones Avenue.

Council District: 7

This item was approved.

79 Final Plat - Sunset Farms Unit 12A - 160101 - Northeast Corner of 99th Avenue and Broadway Road

Plat: 160101

Project: 02-2183

Name of Plat: Sunset Farms Unit 12A

Owner(s): Meritage Homes of Arizona

Engineer(s): Coe & Van Loo Consultants, Inc.

Request: A 42-Lot Residential Subdivision Plat

Reviewed by Staff: Sept. 7, 2017

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 northeast corner of 99th Avenue and Broadway Road.

Council District: 7

This item was approved.

80 Abandonment of Easement - V170012A - Northwest Corner of Central Avenue and Pinnacle Peak Road (Resolution 21577)

Abandonment: V170012A

Project: 06-495

Applicant: LaPour D.C. One, LLC

Request: To abandon all of the Public Utility Easement dedicated as a 120-foot Sewer/Public Utility Easement per the Map of Dedication recorded as Docket 1037 Page 21, Maricopa County Recorder, and portions of the same Sewer Easement, leaving 40-feet in the center, all located on the parcel identified as APN 210-16-002V on the northwest corner of Central Avenue and Pinnacle Peak Road.

Date of Decision: May 1, 2017

Summary

The resolution of the abandonment and the subdivision plat Parc Pinnacle, Plat 170040, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location

Northwest corner of Central Avenue and Pinnacle Peak Road

Council District: 1

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.

81 Abandonment of Easement - V170036A - 926 S. 7th St. (Resolution 21575)

Abandonment: V170036A

Project: 05-3793

Applicant: Road Machinery, LLC

Request: To abandon the 8-foot by 8-foot Water Easement on the southeast corner of the parcel addressed 926 S. 7th St., APN 112-32-977.

Date of Decision: Aug. 1, 2017

Location

926 S. 7th St.
Council District: 8

Financial Impact

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

This item was adopted.

82 Abandonment of Right-of-Way - V160033A - 1107 E. Hatcher Road (Resolution 21574)

Abandonment: V160033A

Project: 00-2642

Applicant: Noe Arroyo and Inglesia Del Dios Vivo

Request: To abandon the 8-foot alley right-of-way located between the parcel addressed 1107 E. Hatcher Road, APN 159-35-006, and the parcel identified as APN 159-35-040.

Date of Hearing: July 13, 2016

Location

1107 E. Hatcher Road

Council District: 3

Financial Impact

A fee was also collected as part of this abandonment in the amount of \$554.

This item was adopted.

83 Abandonment of Right-of-Way - V170028A - West of 15th Avenue, South of Orangewood Avenue (Resolution 21573)

Abandonment: V170028A

Project: 15-3216

Applicant: Ryan Larsen

Request: To abandon the west 10-feet of the 15th Avenue Right-of-Way adjacent to the parcels addressed 7336 and 7340 N. 15th Ave., APN

157-13-012R and 157-13-012S, as Quit Claimed in Docket 4603 Page 211, Maricopa County Recorder, along with any portion from this dedication that may be adjacent to the parcel identified as APN 157-13-001H.

Date of Hearing: June 27, 2017

Summary

The resolution of the abandonment and the subdivision plat Lazy Day Manor Amended, Plat 170070, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location

West of 15th Avenue, south of Orangewood Avenue
Council District: 5

Financial Impact

A fee was also collected as part of this abandonment in the amount of \$593.08.

This item was adopted.

84 Closure of Public Right-of-Way - V170027C - Jefferson Street East of 1st Street (Resolution 21576)

Abandonment: V170027C

Project: 16-2834

Applicant: Block 23 Commercial, LLC

Request: To close to public use a portion of the Jefferson Street Right-of-Way adjacent to the parcel addressed 125 E. Washington St., APN 112-27-119, beginning 19.93 feet east of the southwest corner of the parcel, then east for 34.64 feet, south 4.6 feet, west 32.85 feet, then north 4.9 feet.

Date of Hearing: June 27, 2017

Location

Jefferson Street east of 1st Street
Council District: 7

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.

**85 Amend City Code - Ordinance Adoption - Rezoning Application
Z-SP-9-17-3 - Southeast Corner of 17th Avenue and Bell Road
(Ordinance G-6367)**

Application Z-SP-9-17-3

Current Zoning: C-2 SP

Proposed Zoning: C-2 SP

Acreage: 8.95

Proposed Use: Special permit for automobile and travel trailer/camper (recreational vehicle) retail sales and rental, and all underlying C-2 uses

Owner: 1645 Bell Road, LLC

Applicant: William F. Allison, Withey Morris, PLC

Representative: William F. Allison, Withey Morris, PLC

Summary

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-9-17-3 and rezone the site.

Location

Southeast corner of 17th Avenue and Bell Road

Council District: 3

Parcel Address: N/A

This item was adopted.

**86 Amend City Code - Ordinance Adoption - Rezoning Application
Z-34-17-4 - Northwest Corner of 43rd Avenue and Thomas Road
(Ordinance G-6365)**

Current Zoning: PSC

Proposed Zoning: C-2

Acreage: 6.26

Proposed Use: Retail and Commercial

Owner: Arrowhead Plaza Enterprises, LLC

Applicant: William Allison, Withey Morris, PLC

Representative: William Allison, Withey Morris, PLC

Summary

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-34-17-4 and rezone the site.

Location

Northwest corner of 43rd Avenue and Thomas Road

Council District: 4

Parcel Addresses:

2910 N. 43rd Ave., 2920 N. 43rd Ave., 2922 N. 43rd Ave., 2932 N. 43rd Ave., 2934 N. 43rd Ave., 2936 N. 43rd Ave., 2938 N. 43rd Ave., 4302 W. Thomas Road, 4304 W. Thomas Road, 4306 W. Thomas Road, 4308 W. Thomas Road, 4310 W. Thomas Road, 4312 W. Thomas Road, 4316 W. Thomas Road, 4320 W. Thomas Road, and 4326 W. Thomas Road.

This item was adopted.

**87 Amend City Code - Ordinance Adoption - Rezoning Application
Z-36-17-7 - Southwest Corner of 103rd Avenue and Buckeye Road
(Ordinance G-6366)**

Current Zoning: S-1, R1-8, and C-3

Proposed Zoning: CP/GCP

Acreage: 20.13

Proposed Use: Light Industrial/Logistics

Owner: Virtua Buckeye 103, LLC

Applicant: Jack Gilmore, Gilmore Planning & Landscape Arch.

Representative: Jack Gilmore, Gilmore Planning & Landscape Arch.

Summary

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-36-17-7 and rezone the site.

Location

Southwest corner of 103rd Avenue and Buckeye Road.

Parcel Address: N/A

Council District: 7

This item was adopted.

91 Software Maintenance and Technical Support for User Configurable Open System (Ordinance S-43965)

Request to authorize the City Manager or his designee, to add funds for contract 132552 with Technip FMC / Control Systems International, Inc., in an amount of \$635,000 per year for five years, not to exceed \$3,175,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract is for additional software maintenance and technical support for the User Configurable Open System (UCOS). This system monitors and controls water and wastewater treatment processes for the Water Services Department.

Financial Impact

This contract has previously been funded in the amount of \$1,844,720. This request, for five years of funding from Sept. 1, 2017, through Aug. 31, 2022, totals \$3,175,000. The new aggregate value of the contract, including this request, will be \$5,019,720.

Concurrence/Previous Council Action

This contract was awarded by Formal Council Action on June 22, 2011.

This item was adopted.

Note: Councilmen Nowakowski and Valenzuela left the voting body following their votes on the omnibus items.

Items 32 and 33, Ordinance S-43932, 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.

32 Interim Public Management, LLC

For \$10,000.00 in additional payment authority for Contract 144971, for executive consulting services for the Human Resources Department. The City used the services of an executive from Interim Public Management to serve as the interim Human Resources Director while a national search was conducted to fill this critical position. The position was filled as of Sept. 18 and this finishes the contract.

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

Yes: 5 - Councilwoman Stark, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 1 - Councilman DiCiccio

Absent: 3 - Councilman Nowakowski, Councilman Valenzuela and Councilman Waring

Note: Councilman Waring rejoined the voting body.

33 Ellen MacArthur Foundation Trading LTD

For \$50,000.00 in additional payment authority for Contract 141574 for membership to Circular Economy 100 on behalf of the Public Works Department. Membership provides access to industry best practices on a global scale to implement business plans to attract key industry leaders and capital investment in waste diversion projects at the Phoenix Resource Innovation Campus. This item was approved by the Transportation and Infrastructure Subcommittee on Sept. 12, 2017.

Note: Councilman Waring rejoined the voting body prior to the vote on this item.

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

Yes: 5 - Councilwoman Stark, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 2 - Councilman DiCiccio and Councilman Waring

Absent: 2 - Councilman Nowakowski and Councilman Valenzuela

35 (CONTINUED FROM AUG. 30, SEPT. 6 AND 20, 2017) - Marketing Partnership Program - Service Line Protection Program (Ordinance S-43868)

This report requests authorization for the City Manager, or his designee, to enter into an agreement that extends revenue generating Contract 133068 with Service Line Warranties of America (SLWA) through Dec. 31, 2017. The new agreement, which will include the same terms and conditions as Contract 133068, will allow sufficient time for the City to evaluate the program and procure a new contract. This report further requests authorization for the City Treasurer to accept and the City Controller to disburse funds generated through the program. There is no cost to the City; this is a revenue contract.

Summary

On Aug. 1, 2012, the City entered into a two-year marketing agreement with SLWA with three one-year options. SLWA is an optional warranty program for residential sewer and/or water lines, with participating residents billed directly by the company. The program is completely outsourced and generates General Fund revenue for City programs and services, with no cost to the City.

The City currently receives 12 percent of revenue from warranty subscriptions. Since its inception, the program has produced a savings of more than \$2 million for Phoenix residents who have filed claims. Additionally, the program has generated approximately \$1.4 million in revenue for the City through royalties and other one-time payments.

The original contract, including extension options, expired Aug. 1, 2017. Because these services provide revenue to the City and an optional and beneficial resource to Phoenix residents, staff recommends extending these services through Dec. 31, 2017, to allow staff time to evaluate the program and procure a new contract while avoiding a lapse in services.

Contract Term

If approved, the agreement term runs from August 1, 2017, through Dec.

31, 2017.

Financial Impact

There is no cost to the City; this is a revenue contract.

Discussion

Councilman Waring stated he had received a number of calls and letters of complaint since the item had been continued so he did not feel comfortable supporting it.

Councilman DiCiccio stated enough of his concerns related to the item had been addressed so he was going to support it.

Councilman Waring clarified he had told constituents he would not support the item so he felt obligated to vote no.

Mayor Stanton asked City Manager Ed Zuercher to explain the item. City Manager Zuercher provided background on the agreement and explained that the partnership allowed Service Line Warranties of America to use the City of Phoenix name and logo with the City's endorsement.

Mayor Stanton stated he planned to vote against the item because the use of the Phoenix bird left confusion in the marketplace and noted that Councilman DiCiccio previously had concerns but felt the language that would be sent to residents would provide enough clarification.

Note: Councilman Valenzuela rejoined the voting body.

Councilwoman Williams stated she had many constituents who utilized the service, and noted she did as well. She also asked if she would still be covered for the upcoming year, if the item was not approved, since she had just recently paid her bill for the upcoming year.

Mayor Stanton restated his opposition was only due to the confusion in the marketplace and added that if the item were to fail the company could continue providing the service without the use of the Phoenix bird logo.

Vice Mayor Pastor asked what would happen if Council were to vote to

remove the use of the logo. City Manager Ed Zuercher responded if the City were to remove the logo from the agreement, the company would likely not pay the City for its use any longer.

Vice Mayor Pastor stated she supported the partnership with the company as herself and many of her neighbors utilized the service with the peace of mind the City had vetted the program.

Councilman Waring stated his opposition to the item was due to the confusion created by the logo and not from the service of the company itself.

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

Yes: 5 - Councilman DiCiccio, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams and Vice Mayor Pastor

No: 3 - Councilman Waring, Councilwoman Gallego and Mayor Stanton

Absent: 1 - Councilman Nowakowski

36 Proposed Telles Annexation - Public Hearing

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

Summary

This annexation was requested by David Telles for the purpose of building a residential subdivision development. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes Section 9-471.

Location

The proposed annexation area includes parcels 202-22-003F, 202-22-003K and 202-22-003J and is located east of the Black Canyon

Highway and north of Circle Mountain Road, in Council District 1. The annexation area is approximately 9.095 acres (0.0142 sq. mi.) and the population is estimated to be zero individuals.

Public Outreach

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

Discussion

Mayor Stanton opened the Public Hearing.

Mayor Stanton noted a speaker comment card was submitted in favor of the item by David Telles, not wishing to speak.

Mayor Stanton closed the Public Hearing, noting no one else wishing to speak.

The hearing was held.

37 Authorize the Sale of the Sheraton Grand Phoenix Hotel; Further Authorize Lease Agreement and Any Additional Agreements to Facilitate the Lease and Hotel Sale (Ordinance S-43964)

Request to authorize the Downtown Phoenix Hotel Corporation and the City Manager, or his designee, to sell the Sheraton Grand Phoenix Hotel and the hotel's personal property to TLG Phoenix (or other City-approved nominee) (Buyer); and to enter into a 20-year Government Property Lease Excise Tax (GPLET) and other agreements as necessary and appropriate to facilitate the lease and hotel sale. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item, pursuant to the agreements, and for the Chief Financial Officer to liquidate, pay down, restructure, refinance or renegotiate the City's hotel debt.

Summary

The City of Phoenix created the Downtown Phoenix Hotel Corporation in 2005 to develop a convention headquarters hotel to support the expanding Phoenix Convention Center. The hotel opened in 2008, in time to serve the first guests of the expanded Convention Center, and to

benefit the tourism industry, downtown revitalization, and the local economy. At the Dec. 2, 2015 Formal City Council meeting, the City Council authorized the Downtown Phoenix Hotel Corporation to market the hotel for sale and present recommended purchase offers to the City Council.

Pursuant to the Letter of Intent from TLG Phoenix dated July 7, 2017, TLG Phoenix has deposited \$100,000 in escrow. Within five business days after executing the Purchase Contract, TLG Phoenix will deposit an additional \$4.9 million, with the remainder of the purchase price due on closing. The hotel sale price will be no less than \$255 million inclusive of all lease payments. The term of the lease will not exceed 20 years, at which time the land and improvements convey to the Buyer. The property may only be used for hotel and related uses, consistent with current uses, unless otherwise approved by the City. Buyer will honor all existing convention, meeting and event contracts, as well as labor agreements, at the hotel. Buyer will have a 45-day due diligence period upon execution of the Purchase Contract, with a one-time 30-day extension contingent upon an additional \$100,000 deposit. Closing is anticipated around Jan. 5, 2018. The City will pay for title insurance, and each party will pay its share of transaction costs.

The hotel's capital replacement fund of approximately \$13 million will remain with the property to facilitate required renovations. TLG Phoenix anticipates making \$30 million to \$40 million in hotel renovations and property improvements.

Financial Impact

Staff estimates the net expense to the City to complete this transaction and close out the City's financial obligations related to the hotel will be approximately \$40 million, significantly reducing the obligation of the Sports Facilities Fund. An independent economic impact analysis concluded that the direct public benefit as a result of this transaction would exceed \$391 million over the life of the 20-year GPLET, including the generation of more than \$2 million annually in net new lease excise and personal property taxes, which would primarily benefit local schools.

Location

340 N. 3rd St.

Council District: 7

Discussion

City Manager Ed Zuercher provided an introduction and an overview of the item before allowing Chief Financial Officer Denise Olson an opportunity to present the financial information related to the item. Ms. Olson stated the City had received a \$255 million offer, which she believed was above its current market value. She also added the sale of the hotel would result in the generation of tax revenue and would allow the City to avoid spending upwards of \$20 million on renovations that would be necessary to keep the hotel viable. Ms. Olson then described the City's, voter approved, \$300 million investment and the source of funds used for the \$33 million dollar debt service on the property.

Mr. Zuercher then stated it was staff's recommendation to proceed with the sale of the hotel and offered to answer further questions.

Clif Freedman spoke in opposition to the item because it was a violation of the gift clause and the value of the hotel should be reconsidered since it had become profitable. He asked Council to vote no on sale of the hotel, re-examine its value, and issue a nationwide RFP [Request for Proposal] to attract additional buyers.

Mayor Stanton noted speaker comment cards were submitted in favor of the item by the following individuals, not wishing to speak:

Dave Krietor - DPI

Dianne Barker

Jeff Moloznik

Councilwoman Gallego stated this was the right decision to transition the hotel to the private sector.

A motion was made by Councilwoman Gallego, seconded by Councilwoman Williams, that this item be adopted.

Councilwoman Williams stated she felt it was time to stop the bleeding.

Councilwoman DiCiccio stated it cost \$350 million or more to buildout the hotel, then asked staff what the total cost was.

Chief Financial Officer Denise Olson replied the City had committed \$350 million in debt plus \$3.6 million for land and \$10.3 million for the reserve fund.

Councilwoman DiCiccio asked what the total amount was and City Manager Ed Zuercher replied the total was \$363 million.

Councilman DiCiccio asked what the net loss to the City would be after the sale of the hotel. City Manager Ed Zuercher and Chief Financial Officer Denise Olson responded that bonds were refinanced, and cash inside the hotel was used to pay down the principal to \$306 million, which would be the starting point instead of \$363 million.

Councilman DiCiccio stated he disagreed with the financial numbers presented by staff.

Vice Mayor Pastor stated she believed Councilman DiCiccio wanted the financial expenses and revenues listed line by line.

Councilman DiCiccio stated he wanted numbers presented factually with the total loss on the hotel included.

City Manager Ed Zuercher repeated the numbers were being shown factually and stated the total investment by the City was \$47 million which when including the \$40 million difference in sale price came to a total loss of \$87 million.

Councilman DiCiccio asked how much money would be given away through the GPLET [Government Property Lease Excise Tax].

Special Projects Manager Jeremy Legg stated, under City ownership, the hotel paid \$0 in property or lease excise taxes but if the item were approved, the GPLET would generate millions of dollars a year in taxes with the majority of them going to local schools.

Councilman DiCiccio stated his question had not been answered.

City Manager Ed Zuercher stated that there were currently zero dollars paid in taxes because the property was City owned and the GPLET would generate \$53 million in property taxes over 20 years. Mr. Legg added that a study showed if a transaction occurred selling the hotel without a GPLET the property would generate \$97 million in property taxes over 20 years.

Vice Mayor Pastor asked how it was sold to the public that the City would not pay taxes for the hotel.

Assistant City Manager Milton Dohoney, Jr. replied the item was sold to the public as an investment that was required to support the Convention Center. He explained the industry said they could not provide support of the Convention Center without the construction of the hotel, which was the basis for City going forward with the construction of the hotel.

City Manager Ed Zuercher stated he was not involved in the process but he believed there was not much discussion about taxes because, like all City-owned facilities, it was not subject to property tax.

Councilman DiCiccio wanted to know how much the hotel made in the last couple of years.

Mr. Legg replied the gross revenues of the hotel were \$61 million, which resulted in \$15 million available for debt service. He then added that when principal kicks in this amount would barely meet debt service payments.

Councilman DiCiccio asked what the profit had been over the past few years and Chief Financial Officer Denise Olson replied she would estimate a total of \$16 million would be the profit in recent years.

Councilman DiCiccio stated it was a bad idea to sell the hotel and a one year wait would not hurt, given the hotel was making a profit.

Vice Mayor Pastor requested explanation of events over the last three

years that resulted in the hotel's growth in revenues.

Assistant City Manager Milton Dohoney, Jr. stated continued growth in Comic Con coupled with the hosting of cyclical events such as the Super Bowl, NCAA Football Championship, and the NCAA Final Four resulted in record revenues but would not occur every year. He added there was \$13 million earmarked for renovation of the hotel but the costs to retain its four star status and remain competitive would exceed that amount.

Councilman DiCiccio stated next year's projections were stronger without an event the size of the Super Bowl or Final Four. He reiterated his request to present numbers right.

City Manager Ed Zuercher stated 2016-2018 bookings were strong whereas 2019 were not and noted bookings happen two or three years in advance.

Vice Mayor Pastor asked why bookings had fallen off for 2019.

City Manager Ed Zuercher replied that increased competition and new hotels and convention centers around the world resulted in people trying out other locations.

Assistant City Manager Milton Dohoney, Jr. added bookings typically occurred three years out in advance and other cities had convention properties coming online which increased competition.

Vice Mayor Pastor questioned if she had heard correctly that the City should get out of the hotel business because it should not be in the business, the future was unknown, and the hotel would be in debt by 2020. She stated she agreed the City should not be in the hotel business because it did not understand the nuances and she did not want to see the City fail in the future from debt. She added she appreciated all the work that had been done but stated she felt the debt would be more than \$40 million if the City did not sell the hotel.

Chief Financial Officer Denise Olson responded Vice Mayor Pastor's understanding was correct.

Councilman Waring stated this sale was a bad idea and noted it was nothing against the person buying the hotel but he took issue with the City patting itself on the back for generating taxes on the property when it had not before. He added the hotel had been a distraction from other City endeavors but understand why staff wanted to sell the hotel now and he supported shedding excess properties. He believed there was room to wait for an even better deal on the property, because the buyer was likely getting the better of the proposed sale. He also stated he did not support giving tax breaks to businesses.

Mayor Stanton asked where the funding for debt service on the hotel had come from up to that point.

Chief Financial Officer Denise Olson replied the revenue used to make debt service payments had come from the sports facilities fund in addition to revenues from hotel operations.

Councilwoman Gallego requested information regarding the negotiating team for the sale of the hotel.

Special Projects Manager Jeremy Legg stated CHM [CHMWarnick], an asset management firm with expertise in the hospitality business, negotiated the sale and City staff worked tirelessly to maximize profits over the last year and a half. He stated this was undoubtedly the best offer.

Councilman Waring asked if the \$33 million from the sports facilities fund did not have to be spent on sports and could be used to fund other City services.

City Manager Ed Zuercher stated it had been used to support debt service on Talking Stick Resort Arena, TGen, and the hotel. He added if the funds had not been spent on the hotel it generally would have gone toward downtown activity but by direction of Council could have been spent on any general fund activity.

Councilman Waring asked if the fund had been in place since 1989 and

Chief Financial Officer Denise Olson stated she believed that was correct.

Councilman Waring then stated it had been a source of frustration with him that the money generated from the fund could have been used for something else.

Councilman Valenzuela stated it was a tough situation to be in and added the entire Council had said the City should not be in the hotel business. He added the hotel was making money at the time but noted banking on the economy not going into another recession was a gamble. He then stated the hotel needed to be renovated, with costs ranging from \$20-40 million. He concluded by stating governing was problem solving, the hotel had been an issue for some time, and he would be voting to get out of the hotel business even though it was not the perfect scenario.

Mayor Stanton noted he supported motion. He stated after the City built the hotel, it required holding onto the property for a period of time but it was now time to sell. He added it was a good move for the City's credit rating by removing the volatility of the hotel market, which minimized the City's risk during a financial downturn.

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

Yes: 6 - Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 2 - Councilman DiCiccio and Councilman Waring

Absent: 1 - Councilman Nowakowski

55 Sustainability of Section 8 Voucher Program

Request authorization for the City Manager, or his designee, to issue a Request for Proposals (RFP) to contract out management of the Section 8 Voucher program to a private firm experienced in U.S. Department of Housing and Urban Development (HUD) regulations and program requirements.

Summary

Section 8 is HUD's largest program providing housing assistance to very low income individuals and families, the elderly, and disabled. The Housing Department, which serves as the Public Housing Authority for the City of Phoenix, has been administering the Section 8 program since 1978. The Section 8 program is a rental subsidy; Section 8 voucher holders pay thirty percent of their adjusted gross income toward rent, and the Housing Department directly pays private landlords the balance of the rent. In addition, HUD provides Section 8 Administrative fees to fund the operating costs of administering the program including staff salaries and administrative costs.

HUD calculates Administrative fees based on a formula intended to provide enough funds to cover all operating costs. In the past, this formula has provided sufficient funding to cover all administrative costs for the Phoenix Section 8 program and allow the Housing Department to establish a reserve account. As a budget reduction and a method to reduce these reserves, the federal government has been reducing Administrative fees since 2011. This funding reduction is called "proration" and the reduction in the Administrative fee has ranged from sixty-nine percent to eight-two percent of the funding formula. This loss in Administrative fees has had a significant impact. For the past five fiscal years, Housing Department annual deficits have ranged between \$438,800 and \$759,400. The Housing Department has used its Section 8 reserves to cover these losses and continue operations. However, the reserves are now depleted, and there is no other funding or HUD strategy to offset the losses and sustain the program.

During these years of reduced Administrative fees, HUD awarded an additional 408 vouchers to the Housing Department, resulting in current caseloads of 400 to 500 cases per employee. To keep costs as low as possible, the Phoenix Section 8 program operates with fewer management staff than other similarly-sized Public Housing Authorities. Additional reductions in staff would be detrimental to the performance and management of this program. At this time, a significant change or additional source of funding is required to continue administering the Section 8 program. The following three options were considered to address the long term sustainability of this program:

- 1) Seek Council approval for up to \$1 million in City General Funds annually to subsidize the program.
- 2) Move to Private Contract Management: utilize a vendor to administer all operations and accounting while maintaining minimal City staff to manage contract and financial compliance. Remaining positions would be shifted to other Housing Department programs or placed in other City departments. This is a cost-neutral option with no losses projected.
- 3) Relinquish the Program to HUD (Housing Department would discontinue managing the Phoenix Section 8 program): HUD could contract the program out, give it to another local Public Housing Authority to administer, or discontinue it altogether. Relinquishing the program would cause the City to lose local control of voucher priorities such as set asides for homeless veterans, victims of domestic violence and human trafficking, chronically homeless, senior and disabled, and other special needs populations. In addition the City would no longer be able to designate Project-Based Vouchers to provide incentives for new affordable housing construction.

To continue this critical service and retain control over the special population priority vouchers, staff recommends issuing a RFP for the private contract management of the Housing Department's Section 8 program. This is a cost-neutral solution as contract vendors can manage the Program for a percentage of the Administrative fee, even with proration reductions. Contracting this program will provide a sustainable way forward, allowing for efficiencies to be introduced that are not available under the current structure such as technology, process, and systems improvements that would potentially house more low-income Phoenix residents.

HUD's reduction in Administrative fees paid to Public Housing Authorities has not solely impacted the Phoenix Housing Department. In the last few years, six major Public Housing Authorities including the Buffalo Municipal Housing Authority, Chicago Housing Authority, Memphis Housing Authority, Newark Housing Authority, Miami-Dade County, and Westchester County Housing Authority have contracted this program, which has led to the successful management and sustainability of their

Section 8 programs.

The Housing Department's Section 8 program has 34 authorized full-time employees (FTE's), seven of which are vacant. Temporary agency staff are currently utilized to offset the vacant positions. The Housing Department will work closely with the Human Resources Department and the respective bargaining units to reassign and place existing staff. The Housing Department will also work with the successful proposer to interview and offer jobs to staff who are interested in employment with the private company.

Procurement Information

If authorized, the RFP is expected to be issued in late Fall 2017. Staff will negotiate business terms with the recommended proposer, which will be brought to the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee for review and recommendation, and then to the full City Council for approval.

Financial Impact

There is no impact to the General Fund. Funding is provided by HUD through Section 8 Voucher program Administrative fees.

Concurrence/Previous Council Action

This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on Sept. 19, 2017, and approval was recommended by a vote of 4-0.

Discussion

Frank Piccioli, President of AFSCME 2960, expressed hope that Council would look at the consequences its actions would have on veterans and stated private companies were in the business of making money, not servicing those in need. He asked that Section 8 remain under City control, not private sector control, to ensure citizens and employees were not done a disservice.

Councilman Waring asked if this was a Federal program the City administered. Housing Director Cindy Stotler replied it was a Federally-funded program and this item would be outsourcing the day to

day issuance of vouchers and rent payments but the City would retain full control over the program.

Councilman Waring asked if the Federal government stopped funding the program, would it go away, and whether the City needed to find a better way to administer the program due to financial costs.

Ms. Stotler stated it was expected the program would continue for years to come, because it was the premier program of HUD but noted the City could no longer afford to staff the administration of the program due to funding expenses.

Councilman Waring requested clarification the item was intended to better manage a Federally funded program for Phoenix residents and Ms. Stotler replied that was correct.

Vice Mayor Pastor asked how the City managed HUD vouchers and Ms. Stotler replied staff handled the day-to-day management of the voucher program, which was managed well, but funding had continually been reduced by HUD. She stated the City had been covering the increased costs with reserves from times when the program had been overfunded by HUD but the reserves were now depleted and the City was looking at annual losses of \$700,000 to \$1 million going forward.

Vice Mayor Pastor asked what would happen if HUD stopped funding vouchers. Ms. Stotler replied the program would go away.

Vice Mayor Pastor asked what would happen to existing City staff if the program privatized. Ms. Stotler replied the City's Human Resources Department would work to place these employees in other City positions between then and July of 2018.

City Manager Ed Zuercher reiterated no City staff would lose their City employment and would be placed in vacancies elsewhere within the City.

Vice Mayor Pastor questioned the sustainability of Section 8 and stated it would be a big future conversation.

Councilman DiCiccio stated the program could be turned back over to HUD today and added the costs would be incurred by the Department or somewhere else if the program were continued as was. Ms. Stotler replied funds for her Department were specific and could not be moved around. She added she could cut staff from one area and try to place them in already budgeted positions in another area.

Councilman DiCiccio stated he was working with the Governor's office on a way to allow individuals in these types of programs to buy property and accumulate wealth, rather than them being relegated to renting.

City Manager Ed Zuercher provided further clarification the City would look for vacancies for impacted employees within the Housing Department before broadening the search for vacancies to other departments.

Councilwoman Gallego stated the City already had a program that utilized scattered site housing which had been successful in transitioning individuals in need of affordable housing to homeownership.

Councilman Valenzuela stated he had heard the item at subcommittee and disagreed with turning the program over to the Federal government. He stated he wanted to see direction from the local level but the City did not have the funds and he added he hoped to see the City absorb impacted employees into other areas of the organization. He finished by stating he believed this was the right thing to do under the circumstances.

Vice Mayor Pastor asked how much money HUD provided for the administrative fee that funded the 27 positions, if the money used to pay for the 27 positions would be used to pay for the private contract, and if the RFP would be written for the amount of the administrative fee.

Ms. Stotler stated the administrative fee received from HUD to fund the 27 positions was \$4.5 million. This money would instead be used to fund the private contract and the RFP would only be written for a percentage of the overall administrative fee the City received.

Vice Mayor Pastor asked about the cost to the City for one employee

needed for the administration of the contract. Ms. Stotler replied it cost between \$60,000-80,000, depending on the level of the employee, including benefits.

Vice Mayor Pastor stated disagreement with Ms. Stotler's estimates and City Manager Ed Zuercher replied Ms. Stotler knew her positions best but the overall cost, including benefits, for civilian employees Citywide averaged \$90,000.

Ms. Stotler clarified the positions within the program were lower level compared with the rest of the City.

Councilman Waring requested clarification the item would not cost Phoenix taxpayers extra money to administer and would retain local control as proposed. Ms. Stotler confirmed this was true.

Councilman Waring asked if Arizona would receive the money if the program were turned back over to HUD and Ms. Stotler stated it could go elsewhere.

Councilman Waring stated he believed that if the Federal government was willing to provide funding for the program to the City, we should ensure it is spent in Arizona by retaining control of the program.

Note: Vice Mayor Pastor left the voting body, after making the motion on the item and participating in its discussion but prior to the vote.

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

Yes: 7 - Councilman DiCiccio, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

Absent: 2 - Councilman Nowakowski and Vice Mayor Pastor

Note: Items 59 and 60 were heard together.

A motion was made by Councilman Valenzuela, seconded by Councilwoman Williams, that items 59 and 60 be adopted. The motion carried by the

following vote:

- Yes:** 5 - Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton
- No:** 1 - Councilman Waring
- Absent:** 3 - Councilman DiCiccio, Councilman Nowakowski and Vice Mayor Pastor

59 2018 Downtown Enhanced Municipal Services District Estimate of Expenses, Assessment of Expenses and Hearing Date (Resolution 21571)

Requests City Council approval of the 2018 Downtown Enhanced Municipal Services District (EMSD) estimate of expenses, assess this total on the EMSD, and set the date of Nov. 1, 2017 for the public hearing on the estimated assessments pursuant to A.R.S. 48-575. The EMSD is generally bounded by Fillmore Street, 7th Street, 3rd Avenue and the railroad tracks south of Jackson Street. The City of Phoenix estimated annual expenditure for this program is \$1,255,074.

Summary

The City Council authorized formation of the EMSD in 1990 to provide enhanced public services above and beyond the level of services provided in the remainder of the City. The City contracts directly with Downtown Phoenix, Inc. (DPI) to implement the work plan of the downtown EMSD.

2018 Downtown EMSD Estimate of Expenses

The work plan and budget for 2018 provides a variety of enhanced services in the downtown core, including the Ambassadors, streetscape improvements and maintenance, a Clean Team, marketing, events, economic and community development and transportation services.

In June of 2017, the EMSD Board of Directors (EMSD Board), which includes representatives of the City and other EMSD property owners, approved a 2018 proposed EMSD budget of \$3,844,287. This includes \$153,250 for streetscape maintenance expenses, which are paid only by property owners and tenants adjacent to the Streetscape Improvement District.

This proposed budget represents a 4.79 percent increase over the 2017 budget. The total increase is approximately \$175,724, and is distributed among the approximately 768 parcels in the EMSD. The slight increase is driven by fixed costs (utilities, liability insurance and health insurance) and does not add new full-time employees. DPI continues to increase services including improving walkability by adding and maintaining trees, trash pickup, graffiti removal and assistance with conventions. These expenses are outlined below:

Estimated EMSD Expenses: \$3,691,037

Estimated Streetscape Maintenance Expenses: \$153,250

Total estimated of EMSD Expenses: \$3,844,287

Assessment of Expenses

The annual assessments for the downtown EMSD will be levied for the 2018 calendar year after the required EMSD approval process has been completed. Assessments are determined in proportion to the benefits received by each parcel.

The proposed EMSD assessment diagram indicates the properties to be assessed for enhanced municipal services. This proposed diagram is on file in the office of the Director of the Street Transportation Department in the City of Phoenix. The proposed assessments and diagram are based on the estimate of expenses and property data available as of May 18, 2017. The proposed diagram was completed on June 2, 2017.

Public Hearing Date

It is requested that the City Council set the date of Nov. 1, 2017, as the date for the public hearing on the EMSD assessments.

Financial Impact

The City of Phoenix estimated annual expenditure for this program is \$1,255,074, which includes \$371,309 from the General Fund, \$524,459 from the Convention Center, \$124,871 from the Sports Facilities Fund, \$8,501 from the Genomics Facilities Operations and Maintenance Fund, and \$225,934 from collections from tenants on City-owned properties.

Concurrence/Previous Council Action

The Downtown, Aviation, Economy and Innovation Subcommittee heard this item on Sept. 6, 2017 and recommended the approval by a vote of 3-0.

Public Outreach

A public hearing will be held for property owners to discuss the proposed assessments, costs, and services provided in connection with the EMSD. If approved, the public hearing would be set for Nov. 1, 2017, at 2:30 p.m., in the Phoenix City Council Chambers. All property owners will be notified by mail of their annual assessment cost by the Street Transportation and Community & Economic Development departments 20 days prior to the public hearing. Notice of the public hearing also will be published in the Record Reporter as specified below. No further notification is required after the public hearing.

Published:

The Record Reporter

Oct. 11, 2017

Oct. 13, 2017

Location

The EMSD is generally bounded by Jackson Street to Fillmore Street from 3rd Avenue to 7th Street.

Council Districts: 7, 8

Discussion

Mayor Stanton requested a motion on items 59 and 60 and noted there was a speaker comment card submitted by Dan Klocke of Downtown Phoenix Partnership in favor of items 59 and 60, who did not wish to speak.

Note: Speaker comment cards were submitted in favor of the item(s) by the following individuals, with no one wishing to speak.

Nickie Casciaro - Item 59

William Halper - Item 59

Brett Barendrick - Items 59 and 60

Courtney Nush - Items 59 and 60

Michael L. Meidici, SmithGroup - Items 59 and 62

Dorina Bustamante - Items 59 and 60

Sara Anderson - Items 59 and 60

Maria Baier - Items 59 and 60

Jeff Moloznik - Items 59 and 60

Billy Shields - Items 59 and 60

Graham Rossini, Arizona Diamondbacks - Items 59 and 60

This item was adopted.

**60 2018 Downtown Enhanced Municipal Services District
Assessment Diagram (Resolution 21572)**

Request City Council approval of the 2018 Downtown Enhanced Municipal Services District (EMSD) assessment diagram.

Summary

The City Council authorized formation of the Downtown EMSD in 1990 to provide enhanced public services above and beyond the level of services provided in the remainder of the City. The costs for EMSD services are paid through assessments on property owners within the EMSD.

The proposed 2018 Downtown EMSD Diagram (2018 Diagram) indicates the properties to be assessed and is on file in the office of the Director of the Street Transportation Department in the City of Phoenix. The proposed assessments and 2018 Diagram are based on the estimate of expenses and property data available as of May 18, 2017. The proposed 2018 Diagram was completed on June 2, 2017. Per A.R.S. 48-575(d) the 2018 Diagram shows each separate lot numbered consecutively, the area in square feet of each lot and the area in square feet of any building or buildings located on each lot.

Public streets, alleys, and property utilized for residential purposes that do not benefit by the enhanced public services are excluded from this proposed 2018 Diagram.

This Request for Council Action includes a Resolution approving the 2018 Downtown EMSD Diagram.

Financial Impact

No financial impact for approving the 2018 Diagram.

Public Outreach

A public hearing will be held for property owners to discuss the proposed assessments, costs, and services provided in connection with the EMSD. The Public Hearing is set for Nov. 1, 2017, at 2:30 p.m., in the Phoenix City Council Chambers. All property owners will be notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments 20 days prior to the public hearing. Notice of the public hearing also will be published in the Record Reporter as specified below. No further notification is required after the public hearing.

Published:

The Record Reporter

Oct. 11, 2017

Oct. 13, 2017

Location

The EMSD is generally bounded by Jackson Street to Fillmore Street from 3rd Avenue to 7th Street.

Council Districts: 7, 8

Note: Items 59 and 60 were heard together.

See item 59 for discussion.

This item was adopted.

**62 Authorization to Enter into FY 2017-18 Tourism and Hospitality
Advisory Board Agreement (Ordinance S-43953)**

Request to authorize the City Manager, or his designee, to enter into an agreement to provide up to \$500,000 in Tourism and Hospitality Advisory Board (THAB) funding to the Greater Phoenix Convention and Visitors Bureau (GPCVB). GPCVB will utilize the funding to seek projects and/or programs that enhance the City's convention, tourism and hospitality industry. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

THAB is the City board that on an annual basis seeks and reviews

proposals for projects and/or programs that enhance the City's tourism and hospitality industry. The 14-member board is comprised of eight hoteliers (one from each council district), two at-large members from hospitality-related industries, two citywide representatives, one non-voting representative from City staff, and one non-voting member from the GPCVB (known as Visit Phoenix).

Procurement Information

On July 7, 2017, the Phoenix Convention Center Department (PCCD) issued Request for Proposals (RFP) 18-001 for the FY 2017-18 THAB process. The procurement was conducted in accordance with Administrative Regulation 3.10. The RFP was posted on the City of Phoenix website and advertised in the Arizona Business Gazette, Arizona Informant, Prensa Hispana, and the Record Reporter.

The THAB board recommended awarding the contract to GPCVB, which was the sole proposer and received 930 points out of a possible 1,000 points.

Contract Term

The contract term is for five years, Nov. 1, 2018, through Oct. 31, 2023.

Financial Impact

The budget will not exceed \$500,000 over the life of the contract. THAB is funded through the Sports Facilities Fund, which is the hospitality industry's share of special excise taxes on hotel/motel lodging and rental cars.

Concurrence/Previous Council Action

The Downtown, Aviation, Economy and Innovation Subcommittee recommended approval of this item by a vote of 3-0 at its Sept. 6, 2017 meeting.

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

Yes: 6 - Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

Absent: 3 - Councilman DiCiccio, Councilman Nowakowski and Vice Mayor Pastor

66 Initiating the T2050 Bus Rapid Transit Program

This report requests City Council approval to issue a Request for Qualifications (RFQ) to solicit firms to assess supporting data for specified corridors, conduct an initial study, begin public involvement, and initiate planning, capital system development, conceptual design and preliminary engineering on the T2050 Bus Rapid Transit (BRT) Program, as outlined on the Proposition 104 ballot approved by voters in August 2015.

Summary

On Aug. 25, 2015, City of Phoenix voters approved passage of Proposition 104, providing a 0.3 percent increase and extension of the transaction privilege and use tax rate to fund Transportation 2050 (T2050). The T2050 plan includes implementing five arterial BRT lines. The proposed corridors are shown in Attachment A and include:

Baseline Road, between 59th Avenue and Interstate 10
19th Avenue or 35th Avenue, between Baseline Road and Happy Valley Road
24th Street, between Baseline Road and Biltmore Fashion Park
Bell Road, between 51st Avenue and Scottsdale Road
Thomas Road, between 91st Avenue and 44th Street

The objectives of the BRT program are to:

Provide a premier transit experience on high ridership corridors.

Provide a safe, secure, and comfortable customer experience.

Connect Phoenix's major activity centers.

Operate seamlessly, complementing light rail and local bus services.

Increase transit reliability.

Reliably deliver riders faster than driving during the peak periods.

Improve quality of life by reducing time not spent commuting.

The T2050 BRT Service will be different than the existing RAPID commuter service. RAPID operates solely during morning and evening peak travel times and primarily runs in freeway corridors with direct connections between point A and B. The new BRT corridors will operate on arterial roadways with stop spacing ranging from one-third to one mile. Branding will distinguish this new BRT service from the existing RAPID service.

While there is not a strict definition of what constitutes a BRT line or system, the following elements are major characteristics of bus rapid transit:

- Smart traffic signals and transit signal priority that improves travel in the corridor for all modes and specifically extends green lights to support transit system efficiency.

- Where necessary, dedicated running ways for transit vehicles, increasing speed and reliability of service and efficient movement in general purpose lanes.

- Time of day lane management addressing congestion hot spots and utilizing excess street capacity.

- Enhanced stations that provide level or near-level boarding, off-board payment and all door boarding, real-time arrival information, shade and passenger amenities.

- System branding, colors, naming, and specialized vehicles that provide a strong visual recognition and marketing of the system.

Program Approach

At key milestones throughout the life of the BRT program development, staff will seek approval from the Citizens Transportation Commission and City Council on fundamental direction and decisions to advance the program in alignment with the objectives of T2050. Anticipated milestones in the next year and a half include:

- Consultant selection and notice to proceed (early 2018).

- BRT network development progress (mid-2018).

- Funding and finance strategy (winter 2018).

- Implementation plan and initiation of preliminary engineering (early 2019).

In addition to the key milestones, the BRT team will provide regular updates on community education and engagement work that will occur for

all stages of the BRT program. The community education and engagement tasks include meeting with neighborhoods, businesses, and community-based organizations on their turf, at their venues and presenting information clearly. These efforts are in order to provide direction to develop and deliver a strong outreach effort to educate and inform residents about what BRT is, as many are not aware of this technology and service type, which will be new for Phoenix. Staff will offer translation and Spanish-language communications and will include website updates and media requests.

The initial step in the program approach will include a review of the conditions used to determine the initial BRT corridor selection, as included in the Citizens Transportation Commission's and Transportation and Infrastructure Subcommittee's recommendations for approval. Program and implementation planning will define the BRT Program and provide direction for the successful implementation of the corridors. Each of the corridors have different engineering challenges, community opportunities and needs. This work will set a strong foundation and establish an efficient approach to carry out the long-term program. Key elements include review of conditions used to determine the initial selection of BRT corridors and validation for future implementation, network planning and project management, refinement of a work plan and implementation schedule, establishment of program goals and objectives, development of operating standards and guidelines for investment and advancement of a funding and finance plan.

Capital system development is a focused work element that identifies the significant infrastructure components that constitute the BRT investments. Key components are:

A system branding and identity plan.

Vehicle selection and specification support.

Station prototype and definition of station amenities.

Signal technology.

Fare collection and capital system integration with Valley Metro.

Street elements (lane treatments, bus bays, median and lane modifications).

Corridor conceptual design and preliminary engineering initiates corridor

design and concept of operation planning. Preliminary engineering includes civil design up to 15 percent. Key outcomes of this work are: Development of corridor conceptual design to support BRT network development and phasing, operation and financial plans, and corridor designs for community and stakeholder reviews and coordination. Development of preliminary engineering to advance the design and engineering to identify engineering constraints and constructability, utility coordination, refined project costs and schedules, and delivery methods.

Following preliminary engineering, staff will prepare a project delivery recommendation to advance final design, construction, and operation of the new BRT routes and services.

Financial Impact

The current T2050 Plan identifies approximately \$100 million of capital investment (fleet, stations, signals, and infrastructure) for the BRT program and \$577 million for operations through 2050. The T2050 programs anticipated leveraging the local funds with federal grants, and other state and local funds, as well as potential partnerships. The BRT implementation planning will include competitive federal and regional grant sources and define how agency and private partners can uniquely support the program. It will also discuss bundling of complementary city or private-sector projects that could improve grant competitiveness.

The BRT Program will introduce transit efficiency, service reliability, and improved travel times. Introducing transit signal progression and transit signal priority in the BRT corridors can decrease transit travel times from 20 to 25 percent. Faster bus run times equates to fewer buses and operators needed to provide the same level and frequency of service.

The request before the City Council is to release the initial RFQ to initiate the supporting data evaluation, and conduct community education and engagement, planning, capital development, preliminary engineering, followed by separate solicitations for final design. Staff will conduct the consultant selection process and bring negotiated scopes, schedules, and budget back to the Transportation and Infrastructure Subcommittee and City Council for approval.

Concurrence/Previous Council Action

The Citizens Transportation Commission recommended approval of this item on Aug. 31, 2017, adding that the work should also include an assessment of the information used to identify specified BRT corridors to ensure previous conditions considered are still valid for current and future system needs. The CTC addition is included in staff's recommendation.

The Transportation and Infrastructure Subcommittee recommended approval of this item on Sept. 12, 2017, including the CTC recommendation to include an assessment of BRT corridors to ensure they remain valid for future system needs by a vote of 3-0.

Note: Vice Mayor Pastor returned to the voting body during the discussion of Item 66.

Discussion

Vice Mayor Pastor asked where BRT corridors or locations would begin or start.

Deputy City Manager Mario Paniagua described the location of the five corridors that were identified in Proposition 104.

Vice Mayor Pastor stated a desire to ensure another assessment would be performed verifying the corridors that were previously identified were still valid.

Note: Speaker comment cards were submitted in favor of Item 66 by the following individual, not wishing to speak.

Dianne Barker

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

Yes: 6 - Councilwoman Stark, Councilman Valenzuela,
 Councilwoman Williams, Councilwoman Gallego, Vice
 Mayor Pastor and Mayor Stanton

No: 1 - Councilman Waring

Absent: 2 - Councilman DiCiccio and Councilman Nowakowski

**88 Amend City Code - Public Hearing and Resolution Adoption -
General Plan Amendment GPA-RV-1-17-1 - Approximately 1,500
Feet North of the Northeast Corner of I-17 and Circle Mountain
Road (Resolution 21579)**

Request to hold a public hearing on the General Plan Amendment request for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved.

Summary

Application: GPA-RV-1-17-1

Current General Plan Land Use Map Designation: Commercial

Proposed General Plan Land Use Map Designation: Residential 3.5 to 5 dwelling units per acre

Acreage: 68.94

Proposal: Single-Family Residential

Owner: Various

Applicant: David Telles, New Hamburg Land Company, LLC

Representative: David Telles, New Hamburg Land Company, LLC

Staff Recommendation: Approval

VPC Action: The Rio Vista Village Planning Committee heard the request on Aug. 8, 2017 and recommended approval by a 3-0 vote.

PC Action: The Planning Commission heard the request on Sept. 7, 2017 and recommended approval by a 6-0 vote.

Location

Approximately 1,500 feet north of the northeast corner of I-17 and Circle Mountain Road

Council District: 1

Parcel Address: N/A

Discussion

Planning & Development Director Alan Stephenson provided a presentation introducing the item.

Mayor Stanton opened the public hearing for the item.

Barbara S. White spoke in opposition to the item and stated the project was unfair to neighbors who did not anticipate higher density because the property was zoned as commercial when it was annexed by the City and she suggested a quiet project such as a cemetery. She added the surrounding area had a density of one home per acre, the owner of the property was asking for much higher density, and the frontage road was the only access to the property. She then requested Council vote no on the item.

David Tolleson, the applicant, stated the reason they were requesting to down-zone from commercial to residential was due to the cost of bringing infrastructure under the freeway and added the development was commensurate with the developments across the street.

Mayor Stanton closed the public hearing, noting there were no other individuals wishing to speak.

Councilwoman Williams stated the property had a lot of discussion over the past ten years, commercial development had not worked and noted the proposed development was consistent with what was being developed on the west side of I-17.

The public hearing was held and a motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that this item be adopted per Planning Commission recommendation. The motion carried by the following vote:

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

Absent: 2 - Councilman DiCiccio and Councilman Nowakowski

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Pasquale Labate spoke in opposition to an application filed by a neighboring property due to concerns with the potential impact on traffic ingress and egress. He requested Council reject the application placed by the property owner.

George Papa spoke in favor of the preservation of the Chinese Cultural Center and proposed Council recommend True North meet with the Chinese community, who was willing to purchase the property for \$4 million above the price True North paid for it, to seek a amicable resolution to the issue.

James Deibler mentioned the recent mass shooting in Las Vegas, Nevada by a shooter using an automatic weapon and expressed support for a discussion on the issue of gun control. He also expressed support for a reduced price bus pass for individuals with disabilities to use while commuting to Arizona State University.

ADJOURN

There being no further business to come before the Council, Mayor Stanton declared the meeting adjourned at 6:56 p.m.

MAYOR

ATTEST:

CITY CLERK

LWS

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the

minutes of the formal session of the City Council of the City of Phoenix held on the 4th day of October, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 13th day of December, 2017.

CITY CLERK