

PHOENIX CITY COUNCIL FORMAL AGENDA



Mayor Greg Stanton

Vice Mayor
District 4
Laura Pastor

District 1
Thelda Williams

District 2
Jim Waring

District 3
Debra Stark

District 5
Daniel Valenzuela

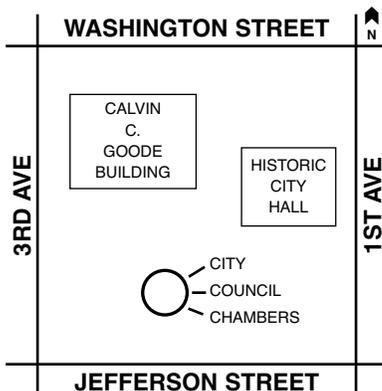
District 6
Sal DiCiccio

District 7
Michael Nowakowski

District 8
Kate Gallego

*Online agendas and
results available at
www.phoenix.gov*

City Council Chambers
200 W. Jefferson St.
Phoenix, AZ 85003



WELCOME!

Thank you for participating in the process of representative local government. We welcome your interest and hope you and your neighbors will often attend Phoenix City Council meetings. Democracy cannot endure without an informed and involved electorate.

Phoenix operates under a Council-Manager form of local government. Policy is set by the Mayor and Council, and the City Manager, who is appointed by the Council, directs staff to carry out the policies. This separation of policy-making and policy administration is considered the most economical and efficient form of city government.

FORMAL CITY COUNCIL MEETINGS

The Council generally holds formal meetings at 2:30 p.m. on Wednesdays to take official action on Ordinances, Resolutions, and other items on the agenda. Although the formal agenda is subject to change, all changes to the printed agenda will be available at least 24 hours prior to the meeting. Visit <https://www.phoenix.gov/cityclerk/publicmeetings> to view the agenda and meeting schedule.

The formal meeting may appear to proceed very quickly, with important decisions reached with little discussion. However, councilmembers receive the agenda the week prior to the meeting, giving them the opportunity to study every item and to ask questions of City staff members. If no additional information is presented at the meeting, action may be taken without discussion.

HOW CITIZENS CAN PARTICIPATE

The public may request to address the Council regarding an agenda item by submitting a yellow Request to Speak card at the meeting, or may submit a white card to state their support or opposition to an item for the record without speaking. Individuals should arrive and submit a card by the beginning of the meeting, before action is taken on the item. After action has been taken on an item, cards will not be accepted.

In addition, Citizen Comments are heard for up to 15 minutes at the start of the regular formal meeting and, if necessary, for up to 15 minutes (unless extended by the Chair) before adjournment or recess provided a quorum of the Council is present. Any member of the public will be given three minutes to address the Council on issues of interest or concern to them. Speakers will be called in the order in which requests to speak are received. As mandated by the Arizona Open Meeting Law, officials will not discuss matters raised during the Citizen Comment session, but may respond to personal criticism, and may direct staff to follow-up with the citizen.

If you have an individual concern involving the City, you are encouraged to contact your District councilmember at 602-262-7029 or the City Manager's Office at 602-262-4449. To reach the Mayor's Office, call 602-262-7111. We will do everything possible to be responsive to your individual requests.

REGISTERED LOBBYISTS

Individuals paid to lobby on behalf of persons or organizations other than themselves must register with the City Clerk prior to lobbying or within five business days thereafter and must re-register annually. If you have any questions about registration or whether or not you must register, visit <https://www.phoenix.gov/cityclerk/publicmeetings> or contact the City Clerk's Office at 602-256-3186.

ACCESSIBILITY

An assistive listening system is available in the Council Chambers for individuals with hearing loss. Obtain a headset unit at the entrance table in the Chambers. In addition, the City Clerk's Office will provide sign language interpreting services. Please call 602-256-3186 or Relay 7-1-1 as early as possible to coordinate needed arrangements.

Si necesita asistencia o traducción en español, favor de llamar lo mas pronto posible a la oficina de la Secretaría Municipal de Phoenix al 602-256-3186.

City of Phoenix Council members and district boundaries



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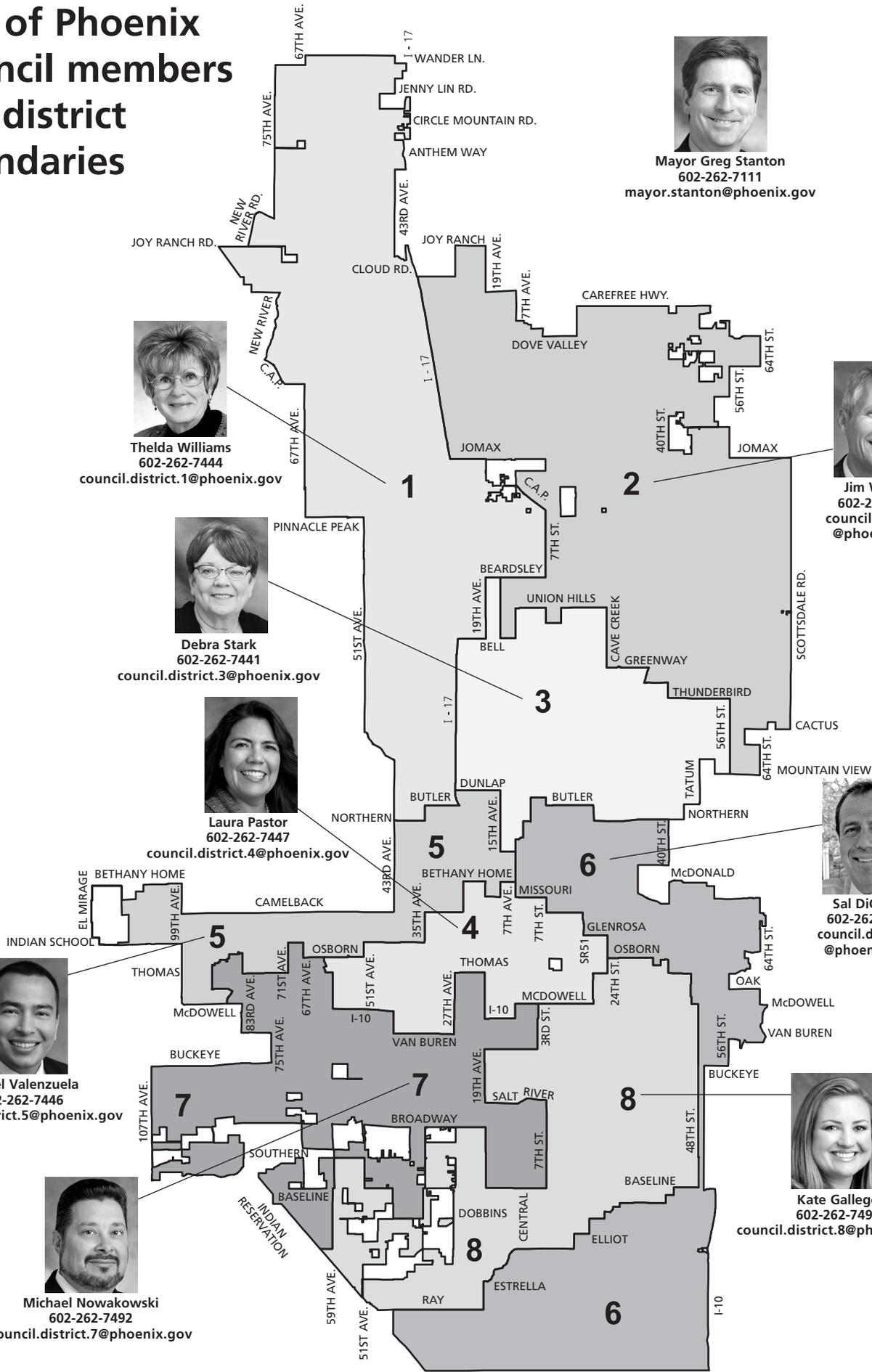
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Agenda

City Council Formal Meeting

Wednesday, May 10, 2017

2:30 PM

phoenix.gov

*****Revised May 9, 2017*****

Item Revised: 1; Item to be Continued: 121

CALL TO ORDER AND ROLL CALL

CITIZEN COMMENTS

BOARDS AND COMMISSIONS

- *1 Mayor's Appointments to Boards and Commissions *****REVISED***** Page 17
- 2 City Council Appointments to Boards and Commissions Page 20

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

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- 4 Liquor License - Arco Bell District 2 - Page 27
- 5 Liquor License - Hampton Inn & Suites #162 District 2 - Page 29
- 6 Liquor License - Kimmyz Tatum Point District 2 - Page 34
- 7 Liquor License - Sharks Market District 3 - Page 40
- 8 Liquor License - Rewined District 4 - Page 45
- 9 Liquor License - Albertson's #952 District 5 - Page 50
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- 13 Liquor License - The Porch District 6 - Page 63

- 34 DB Consulting of Phoenix, Inc.
- 35 Corbon Services, Inc., doing business as Sierra Fire & Communications
- 36 Control Services & Repair, LLC
- 37 Anderson Lock & Safe, LLC
- 38 The Hiller Companies, Inc., doing business as American Fire Equipment Sales & Service
- 39 PFM Financial Advisors, LLC
- 40 LCS Technologies, Inc.
- 41 S.R. Bray, LLC doing business as Power Plus
- 42 Super Vacuum Manufacturing Co., Inc.
- 43 Liberty Crane and Rigging Consultants, LLC
- 44 CEM Holdings Corporation, doing business as CEM Corporation

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- 45 Call for a Special Meeting and Notice of Legally Required Public Hearings on Proposed 2017-18 Budget for the City of Phoenix Citywide - Page 87
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 - 47 Establish Professional Services Agreement with Moss Adams for Application Implementation and Controls Audit (Ordinance S-43461) Citywide - Page 92
 - 48 Fiscal Year 2017 State of Arizona Clean Diesel Grant Program (Ordinance S-43462) Citywide - Page 93
 - 49 Issuance of Multifamily Housing Revenue Bonds (La District 5 - Page 95
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- Palmilla Apartments Project), Series 2017 (Resolution 21533)**
- 50 **Cave Creek Road Improvements Recommendation** District 2 - Page 96
- 51 **Amend City Code - Procurement (Ordinance G-6310)** Citywide - Page 108
- 52 **Authorization to Sell City-owned Property at 220 E. Roeser Road Identified as Excess Property Inventory (Ordinance S-43463)** District 7 - Page 113
- 53 **Contract with Streck to Provide Reagents, Consumables, and Equipment - Requirements Contract - RFA 17-085 (Ordinance S-43464)** Citywide - Page 114
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- 57 **Playground, Fitness and Related Equipment - MESC Contract 14X-BANG-0220 (Ordinance S-43468)** Citywide - Page 120
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- 65 **Request Authorization to Enter into Agreement with State of Arizona's Victims' Rights Program (Ordinance S-43476)** Citywide - Page 132
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- 69 **Authorization to Enter Into Contract and Accept Emergency Assistance Funding from Arizona Community Action Association (Ordinance S-43480)** Citywide - Page 141
- 70 **Authorization to Apply for and Accept VOCA Funds to Continue Victim Advocacy Services (Ordinance S-43481)** Citywide - Page 143
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- 72 **Purchase of Oracle Licenses for Neighborhood Services Department (Ordinance S-43483)** Citywide - Page 147
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- 101 **Toxicity Identification Evaluation Services for 91st Avenue and 23rd Avenue Wastewater Treatment Plants - WS90100103 and WS90200023 (Ordinance S-43508)** District 7 - Page 207
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| 111 | Salt River Project Land Use License for Grand Canalscape Phase II, Segment 2, Appropriator's Canal Drainage Project - ST87600114 (Ordinance S-43518) | District 8 - Page 233 |
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- 122 **Final Plat - Encanto Cactus Park - 160001 - North of 43rd Avenue and West of Cactus Road** District 1 - Page 254
- 123 **Final Plat - Spectrum Ridge South Two - 170008 - Southwest Corner of 9th Place and Covey Lane** District 2 - Page 255
- 124 **Final Plat - Alta Central - 160124 - Southeast of Indian School Road and Central Avenue** District 4 - Page 256
- 125 **Final Plat - Novella at the Biltmore - 160098 - Southeast Corner of 18th Street and Missouri Avenue** District 6 - Page 257
- 126 **Final Plat - Arosa Estates - 150081 - Southwest Corner of 39th and South Mountain Avenues** District 7 - Page 258
- 127 **Final Plat - JFN Mechanical - 160129 - East of 52nd Avenue and South of Roosevelt Street** District 7 - Page 259
- 128 **Final Plat - The Courtyards at Madison Ranch - 160131 - Northeast Corner of 19th Avenue and Baseline Road** District 7 - Page 260
- 129 **Final Plat - 837 North 7th Avenue - 170007 - 837 N. 7th Ave.** District 7 - Page 261
- 130 **Final Plat - 35th Ave & Southern - 150117 - Approximately 675 Feet South of the Southeast Corner of 35th and Southern Avenues** District 8 - Page 262
- 131 **Final Plat - City of Phoenix Genomics Campus Replat - 160002 - Northwest Corner of 7th and Van Buren Streets** District 8 - Page 263
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- 132 **Abandonment of Right-of-Way - V160071A - 3rd Street and Pierson Street (Resolution 21535)** District 4 - Page 264
- 133 **Abandonment of Right-of-Way - V120050A - 39th Avenue and South Mountain Avenue (Resolution 21536)** District 7 - Page 265
- 134 **Abandonment of Easement - V160041A - 77 E. Polk St. (Resolution 21537)** District 7 - Page 266
- 135 **Abandonment of Easement - V150005A - 35th Avenue and Southern Avenue (Resolution 21538)** District 8 - Page 267
- 136 **Abandonment of Right-of-Way - V160042A - 9th Way and Sherman Street (Resolution 21539)** District 8 - Page 268
- 137 **Abandonment of Easement - V170018A - 7th Avenue and Mohave Street (Resolution 21540)** District 8 - Page 269
- 138 **Acceptance and Dedication of Deed and Easements for Temporary Turn Around, Drainage, Sidewalk and Roadway Purposes (Ordinance S-43527)** District 1 - Page 270
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- 139 **Acceptance of Easements for Public Utilities, Water, Sewer and Ingress and Egress Purposes (Ordinance S-43528)** District 1 - Page 272
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- 140 **Demonstration Project Grant Application for Historic Dud R. Day Motor Company - Phoenix Motor Company Building, 401-447 W. Van Buren St. (Ordinance S-43529)** District 7 - Page 273
- 141 **Amend City Code - Ordinance Adoption - Rezoning Application Z-92-16-1 - Approximately 130 Feet South of the Southeast Corner of 41st Avenue and Rose Garden Lane (Ordinance G-6311)** District 1- Page 275
- 142 **Amend City Code - Ordinance Adoption - Rezoning Application Z-1-17-1 - Approximately 335 Feet East of the Northeast Corner of 15th Avenue and the Whispering Wind Drive Alignment (Ordinance G-6312)** District 1 - Page 281
- 143 **Amend City Code - Ordinance Adoption - Rezoning** District 2 - Page 287
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Boulevard and Scottsdale Road (Ordinance G-6313)**

- 144 **Amend City Code - Ordinance Adoption - Rezoning
Application Z-77-16-2 - Approximately 551 Feet West of
the Southwest Corner of Ashler Hills Drive and Cave
Creek Road (Ordinance G-6314)** District 2 - Page 293
- 145 **Amend City Code - Ordinance Adoption - Rezoning
Application PHO-1-16-Z-23-15-3 - Northeast Corner of
31st Street and Cheryl Drive (Ordinance G-6315)** District 3 - Page 299
- 146 **Amend City Code - Ordinance Adoption - Rezoning
Application Z-2-17-7 - Southwest Corner of 4th Avenue
and Van Buren Street (Ordinance G-6316)** District 7 - Page 305
- 147 **Amend City Code - Ordinance Adoption - Rezoning
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Southeast Corner of 91st Avenue and Thomas Road
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- 148 **Remove/Replace Zoning District - Annexation 484 - 47th
Street and Ashler Hills Drive (Ordinance G-6318)** District 2 - Page 316
- 149 **Remove/Replace Zoning District - Annexation 483 - 67th
Avenue and Fulton Street II (Ordinance G-6319)** District 7 - Page 322
- 150 **(CONTINUED FROM APRIL 5, 2017) - Amend City Code -
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Street Alignment and Dynamite Boulevard (Ordinance
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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

CITIZEN COMMENTS

ADJOURN



City of Phoenix

City Council Formal Meeting

City Council Report

Agenda Date: 5/10/2017, Item No. *1

*****REVISED ITEM (SEE REVISED ATTACHMENT)*****

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.

Responsible Department

This item is submitted by the Mayor's Office.



City of Phoenix

To: City Council
From: Greg Stanton
Mayor

Date: May 9, 2017

Subject: BOARDS AND COMMISSIONS

The purpose of this memo is to provide recommendations for appointments to the following Boards and Commissions:

Environmental Quality and Sustainability Commission

I recommend the following individuals for appointment:

Kelly Barr

Ms. Barr is the senior director, environmental management & chief sustainability & compliance executive for Salt River Project. She fills a vacancy on the Commission and will serve a full term which will expire on May 10, 2020.

Elyse Guidas

Ms. Guidas is the executive director for the Fresh Express by Discovery Triangle and a resident of District 3. She fills a vacancy on the Commission and will serve a full term which will expire on May 10, 2020.

Human Relations Commission

I recommend the following individual for appointment:

Jesse Ary

Mr. Ary is a retired realtor and a resident of District 6. He fills a vacancy on the Commission and will serve a full term which will expire on May 10, 2020.

Sister Cities Commission

I recommend the following individuals for appointment:

*Sam Gatton

Mr. Gatton is the manager at Niagara Water. He fills a vacancy on the Commission and will serve a full term which will expire on June 30, 2020.

Ralph Marchetta

Mr. Marchetta is the senior vice president and general manager for Talking Stick Resort Arena. He fills a vacancy on the Commission and will serve a full term which will expire on June 30, 2020.

Thank you for your consideration.



City of Phoenix

City Council Formal Meeting

City Council Report

Agenda Date: 5/10/2017, Item No. 2

City Council Appointments to Boards and Commissions

Summary

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

Responsible Department

This item is submitted by the City Council Office.



City of Phoenix

To: Mayor and City Council **Date:** May 1, 2017
From: Penny Parrella
Executive Assistant to the City Council
Subject: BOARDS AND COMMISSIONS - CITY COUNCIL APPOINTEES

The purpose of this memo is to provide recommendations for appointments to the following Committees:

Central City Village Planning Committee

Councilwoman Kate Gallego recommends the following individuals for appointment:

Tiffany Halperin

Ms. Halperin is an urban designer at Urban Culture Design and a resident of District 8. She fills a vacancy on the Committee and will serve a full term which will expire on Nov. 19, 2018.

Janey Pearl

Ms. Pearl is the director of marketing & engagement at Mountain Park Health Center. She fills a vacancy on the Committee and will serve a full term which will expire on Nov. 19, 2019.

Complete Streets Advisory Board

Councilman Daniel Valenzuela recommends the following individual for appointment:

Connor Descheemaker

Mr. Descheemaker is the community planning coordinator at Local First Arizona and will represent District 5 on the board. He will serve a full term which will expire on May 10, 2019.

Laveen Village Planning Committee

Councilwoman Kate Gallego recommends the following individual for appointment:

Stephanie Hurd

Ms. Hurd is an airline operations and IT for American Airlines, US Airways and America West Airlines. She is a resident of District 8, and will fill a vacancy on the Committee. She will serve a full term which will expire on Nov. 19, 2018.

Thank you for your consideration.



Liquor License - Filibertos Mexican Food

Request for a liquor license. Arizona State License 1207A944.

Summary

Applicant

Arturo Rubio Cervantes, Agent

License Type

Series 12 - Restaurant

Location

15602 N. 35th Ave.

Zoning Classification: C-2

Council District: 1

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

The sixty-day limit for processing this application is May 15, 2017.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

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 managed restaurants with and with out a liquor licenses for over 20 years. I have been trained and attended classes regaeding the liquor laws of 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:
“A liquor license at our restaurant will allow us to prvide a safe family oriented restaurant where families can eat together in a pleasant enviornment. We wish to provide alcholic beverages to our clients as a compliment to their meal.”

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 - Filibertos Mexican Food
- Liquor License Map - Filibertos Mexican Food

Responsible Department

This item is submitted by Special Assistant to the City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: Filibertos Mexican Food

Liquor License

Description	Series	1 Mile	1/2 Mile
Beer and Wine Bar	7	1	0
Liquor Store	9	3	2
Beer and Wine Store	10	3	2
Restaurant	12	5	3
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	11.37	15.81	22.82
Violent Crimes	1.74	2.28	4.03

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

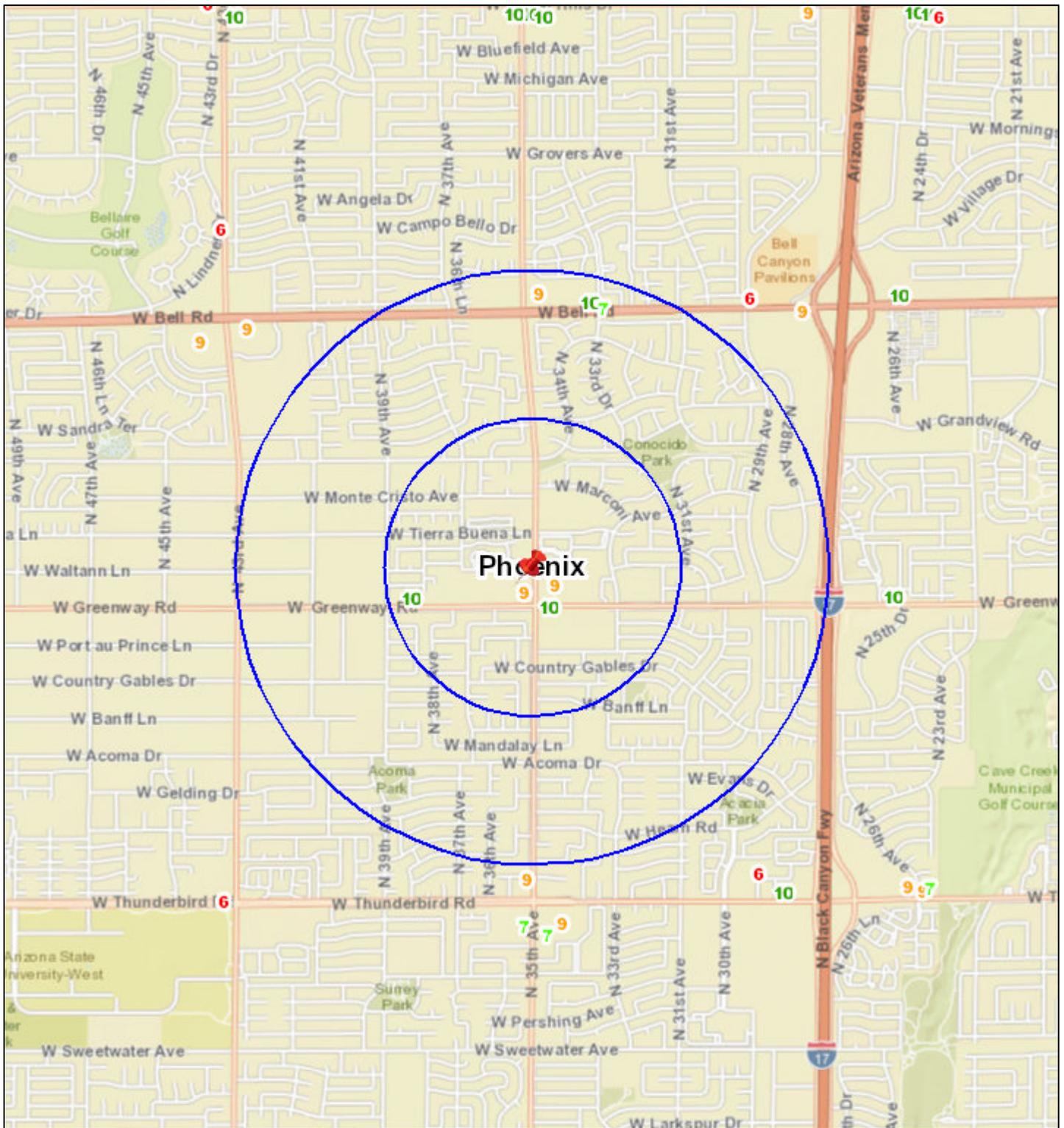
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	62	126
Total Violations	115	217

Census 2010 Data 1/2 Mile Radius

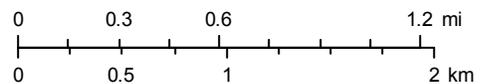
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1041004	1847	89 %	14 %	9 %
1042022	2649	87 %	0 %	15 %
1042071	1972	85 %	6 %	5 %
1042072	1463	95 %	11 %	5 %
1042073	1396	8 %	4 %	34 %
1042262	1244	92 %	0 %	4 %
1042263	658	27 %	17 %	37 %
1042264	1538	92 %	7 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: Filibertos Mexican Food



April 19, 2017

1:36,112



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Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community



Liquor License - Arco Bell

Request for a liquor license. Arizona State License 10076860.

Summary

Applicant

Ahmed Khan, Agent

License Type

Series 10 - Beer and Wine Store

Location

3610 E. Bell Road

Zoning Classification: C-2

Council District: 2

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

The sixty-day limit for processing this application is May 15, 2017.

Consideration should be given to the applicant's personal qualifications. In regard to the location, pursuant to A.R.S. 4-203, there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed.

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 grow up in liquor business my family have over 22 liquor business. I personally owned 2 liquor stores from 2009 through 2014."

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Special Assistant to the City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Hampton Inn & Suites #162

Request for a liquor license. Arizona State License 07070473.

Summary

Applicant

Nicholas Guttilla, Agent

License Type

Series 7 - Beer and Wine Bar

Location

16620 N. Scottsdale Road

Zoning Classification: C-2

Council District: 2

This request is for an ownership and location transfer of a 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 May 12, 2017.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

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.

Days Inn & Suites #147 Scottsdale North (Series 6)
7330 N. Pima Road, Scottsdale

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

Hampton Inn #151 (Series 7)
245 London Bridge Road, Lake Havasu City
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:
"ZMC Hotels (in Arizona FN ZMC Hospitality, LLC), manages approximately 34 hotels consisting of over 4,000 rooms. ZMC has experience operating hotels under multiple brand affiliations as well as independent, non-branded hotels. The company has a stellar record of liquor compliance and takes its responsibilities regarding liquor sales very seriously."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The best interest of any community depends on responsible alcohol management. ZMC takes pride in being a good neighbor in all of the communities it serves. The hotel is seeking to put a liquor license at its hotel to offer its traveling and neighborhood guests the best experience they can while staying at or visiting the hotel."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Hampton Inn & Suites #162
Liquor License Map - Hampton Inn & Suites #162

Responsible Department

This item is submitted by Special Assistant to the City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: Hampton Inn & Suites #162

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	0
Beer and Wine Bar	7	4	2
Liquor Store	9	1	1
Beer and Wine Store	10	5	3
Hotel	11	1	1
Restaurant	12	32	18

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	11.37	3.39	5.41
Violent Crimes	1.74	0.13	0.31

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

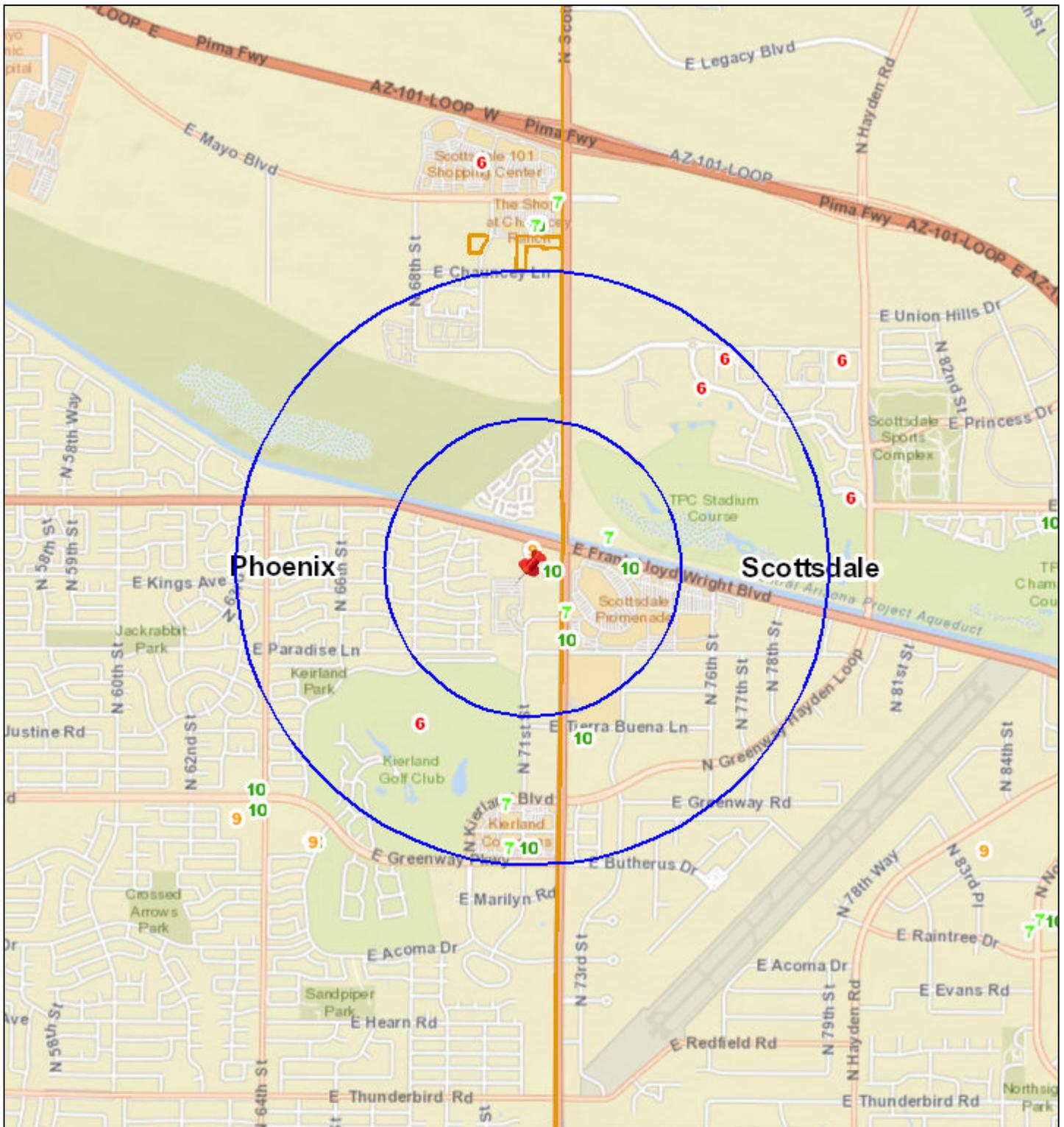
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	62	12
Total Violations	115	19

Census 2010 Data 1/2 Mile Radius

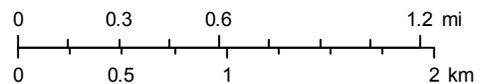
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032191	834	44 %	30 %	13 %
1032192	1054	84 %	16 %	2 %
1032193	1262	88 %	14 %	8 %
2168161	1812	95 %	0 %	4 %
2168452	694	23 %	38 %	8 %
6152001	1993	8 %	29 %	12 %
Average		61 %	13 %	19 %

Liquor License Map: Hampton Inn & Suites #162



April 19, 2017

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Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community



Liquor License - Kimmyz Tatum Point

Request for a liquor license. Arizona State License 06070377.

Summary

Applicant

Kimberly O'Donnell, Agent

License Type

Series 6 - Bar

Location

4601 E. Bell Road, Ste. 9
Zoning Classification: PSC
Council District: 2

This request is for an ownership and location transfer of a liquor license from Gilbert. This location is currently licensed for liquor sales with a Series 12 - Restaurant, liquor license. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption.

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

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

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.

Kimmyz Tatum Point (Series 12)

4601 E. Bell Road, Phoenix

Calls for police service: 15

Liquor license violations: In January 2017, a fine of \$2,000 was paid for failure to derive 40% of income from food.

Kimmyz Scottsdale Grill (Series 12)

9261 E. Via De Ventura #107-109, Scottsdale

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

Liquor license violations: None

Kimmyz on Greenway (Series 6)

5930 W. Greenway Road #27, Glendale

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

Liquor license violations: In May 2013, a fine of \$375 was paid for delinquent taxes. In January 2017, a fine of \$375 was paid for delinquent taxes.

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 all of the qualifications above due to being in this business for over 30 years. I own 2 other locations as well. Kimmyz on Greenway and Kimmyz Scottsdale Grill. Kimmyz Tatum Point has been in business as well for 24 years."

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

"I offer a family friendly restaurant and bar for the locals to come to. We serve great food and offer a bright, friendly place to come for sports and entertainment and also creates revenue for the State and City."

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 - Kimmyz Tatum Point

Liquor License Map - Kimmyz Tatum Point

Responsible Department

This item is submitted by Special Assistant to the City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: Kimmyz Tatum Point

Liquor License

Description	Series	1 Mile	1/2 Mile
Beer and Wine Bar	7	1	0
Liquor Store	9	5	4
Beer and Wine Store	10	2	0
Restaurant	12	11	7

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	11.37	13.34	27.81
Violent Crimes	1.74	1.38	1.48

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

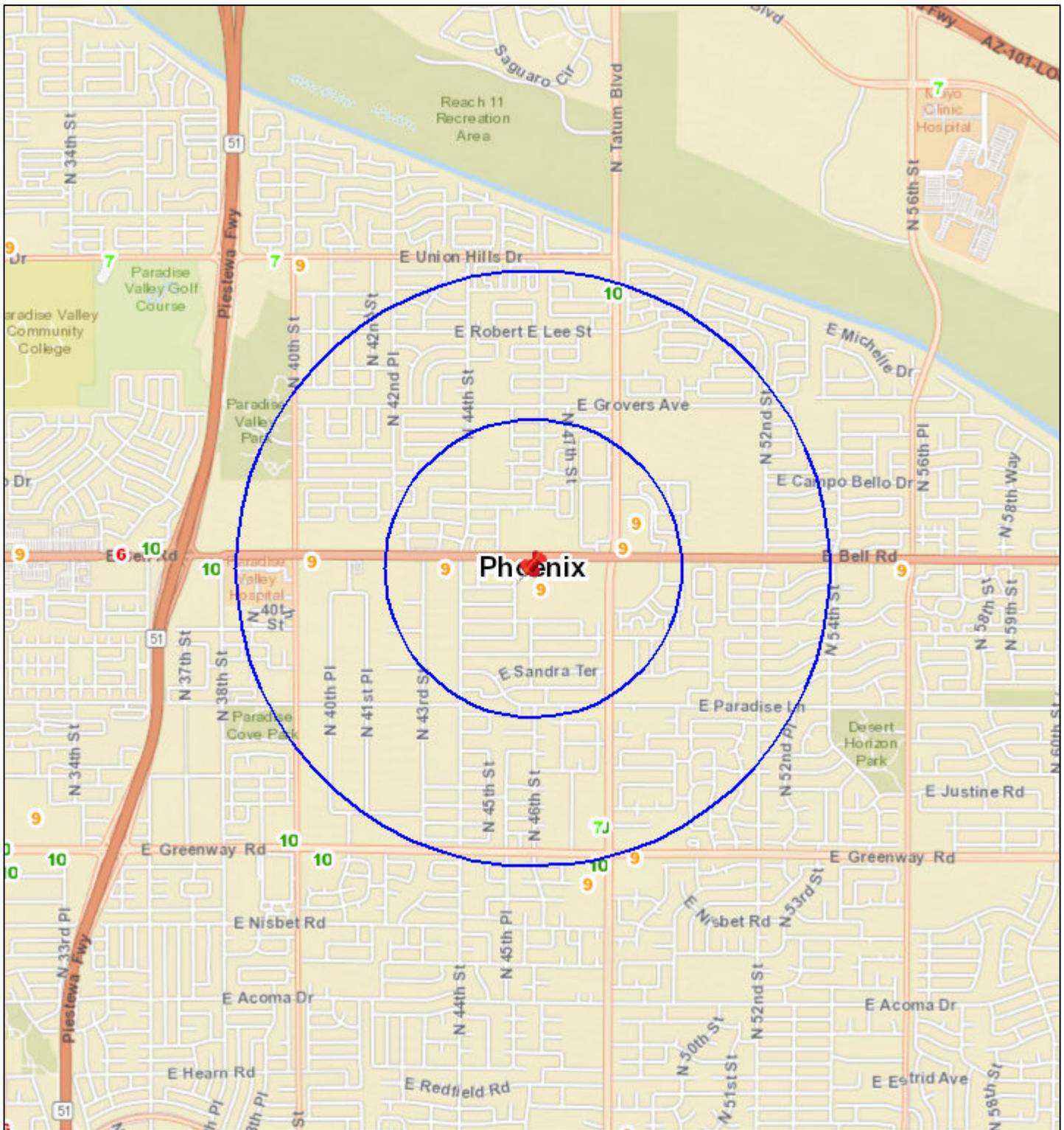
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	62	21
Total Violations	115	32

Census 2010 Data 1/2 Mile Radius

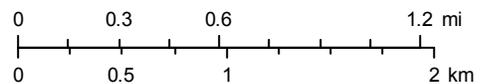
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032151	1421	86 %	0 %	2 %
1032152	1418	91 %	18 %	4 %
1032163	1647	68 %	5 %	2 %
1032164	996	57 %	0 %	0 %
6198001	1043	95 %	8 %	2 %
6198002	1789	5 %	13 %	9 %
6198003	1556	82 %	0 %	5 %
6199002	1589	43 %	4 %	7 %
Average		61 %	13 %	19 %

Liquor License Map: Kimmyz Tatum Point



April 19, 2017

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Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community



Liquor License - Sharks Market

Request for a liquor license. Arizona State License 09073624.

Summary

Applicant

Ahmad Elsaleh, Agent

License Type

Series 9 - Liquor Store

Location

15221 N. 32nd St.

Zoning Classification: C-2

Council District: 3

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

The sixty-day limit for processing this application is May 22, 2017.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

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.

Sharks Market (Series 10)
15221 N. 32nd St., Phoenix

Calls for police service: 6

Liquor license violations: In April 2012, a fine of \$500 was paid for failure to request ID from an underage buyer and for selling, giving or furnishing an underage person with alcohol.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have owned and managed two convenience stores for the past 23 years in two states and have always complied with the laws and regulations. I have completed both basic and management courses and I have all my employees trained with the proper skills of legal and responsible sales and services."

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

"At Sharks Market we strive to provide a clean and safe environment as well as accessible products to our surrounding neighborhoods. Most of our customers are within walking distance to our store and they frequently request that we make liquor purchases available so that will save them the drive to farther stores."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Sharks Market

Liquor License Map - Sharks Market

Responsible Department

This item is submitted by Special Assistant to the City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: Sharks Market

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	0
Liquor Store	9	4	2
Beer and Wine Store	10	6	3
Restaurant	12	3	1
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	11.37	15.52	16.34
Violent Crimes	1.74	2.73	3.07

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

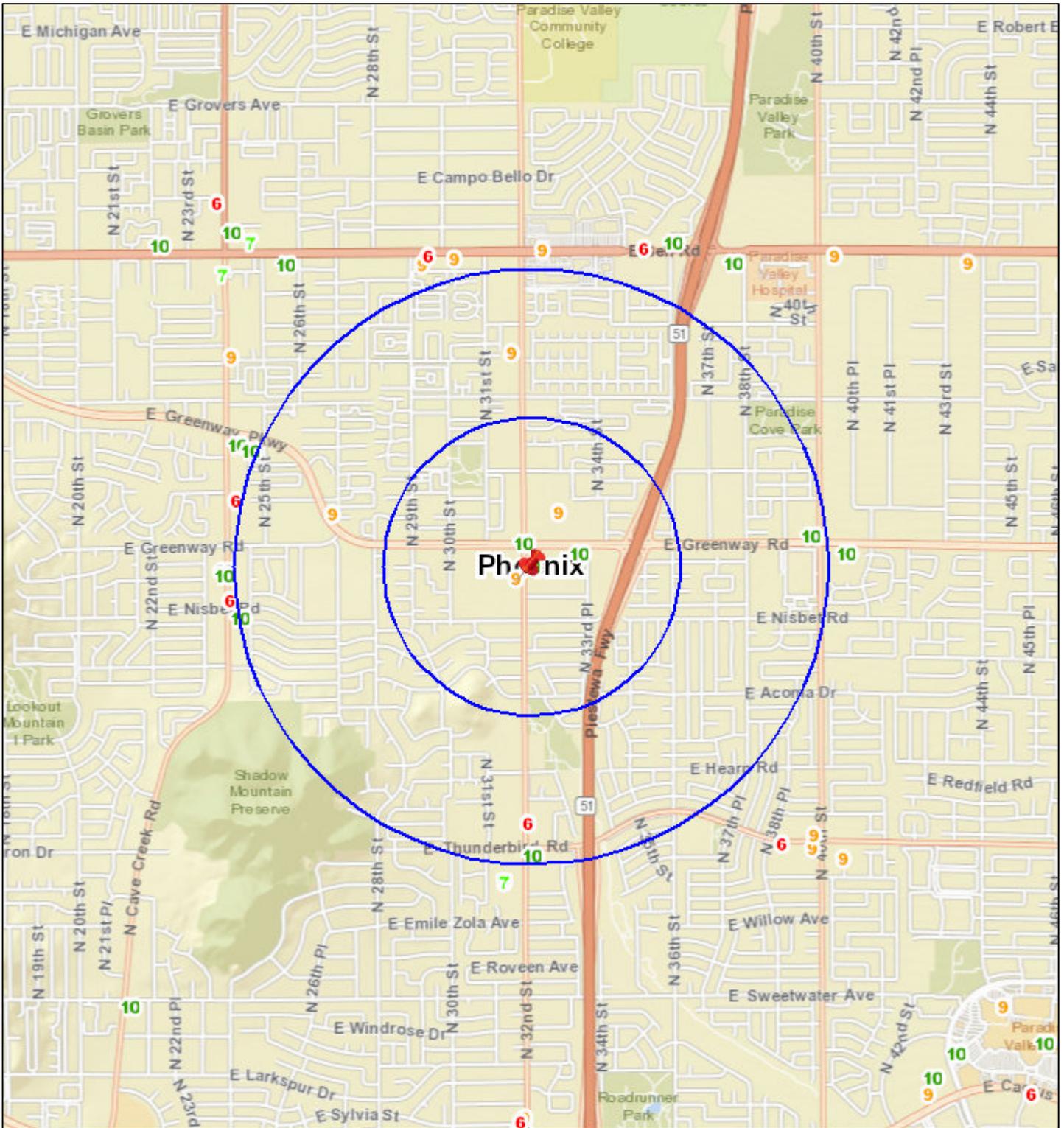
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	62	44
Total Violations	115	69

Census 2010 Data 1/2 Mile Radius

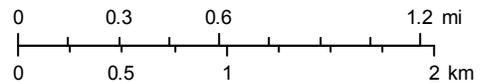
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1033021	1993	86 %	0 %	41 %
1033023	1946	82 %	2 %	19 %
1033031	1578	87 %	10 %	14 %
1033033	1037	75 %	23 %	0 %
1033042	1219	2 %	16 %	38 %
1033043	1952	26 %	28 %	48 %
1033062	2272	17 %	22 %	37 %
1035012	999	80 %	8 %	26 %
1035013	1038	66 %	0 %	40 %
Average		61 %	13 %	19 %

Liquor License Map: Sharks Market



April 19, 2017

1:36,112



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Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community



Liquor License - Rewined

Request for a liquor license. Arizona State License 07073607.

Summary

Applicant

John Vo, Agent

License Type

Series 7 - Beer and Wine Bar

Location

3308 N. 24th St.

Zoning Classification: C-2

Council District: 4

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 business is currently being remodeled with plans to open in September 2017.

The sixty-day limit for processing this application was May 5, 2017. However the applicant has submitted a written request for more time.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

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 completed the liquor law training courses and recognize the seriousness of all local and state regulations to keep the license up-to-date. I am committed to upholding the highest standards for the business. As an active licensed pharmacist, I am comfortable with seeking out resources and advice from the appropriate parties when necessary. My business partner and I participate in networking groups so that we can be connected with the community."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Rewined will offer craft beers and wines to its patrons in a clean, comfortable space with snacks and its selection of nostalgic games and decor. Rewined is a local business that is committed to being part of the growing local flavor of the City of Phoenix. As it grows, Rewined plans to contribute back to the community through donations to local charities and supporting local events."

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 - Rewined
Liquor License Map - Rewined

Responsible Department

This item is submitted by Special Assistant to the City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: Rewined

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	8	1
Beer and Wine Bar	7	1	0
Liquor Store	9	4	2
Beer and Wine Store	10	11	2
Restaurant	12	13	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	10.01	27.04	19.53
Violent Crimes	1.49	3.90	3.07

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

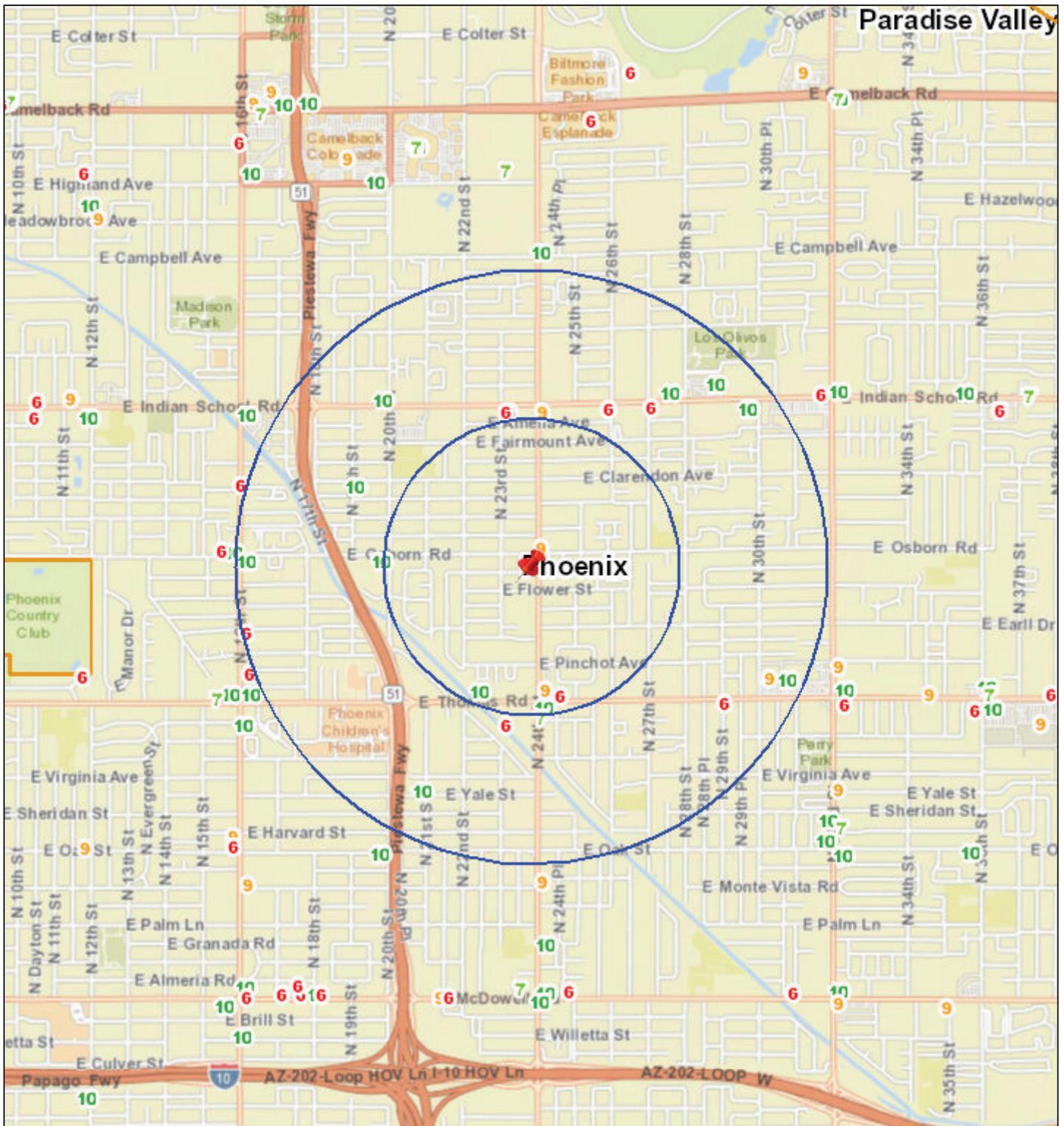
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	61	52
Total Violations	112	112

Census 2010 Data 1/2 Mile Radius

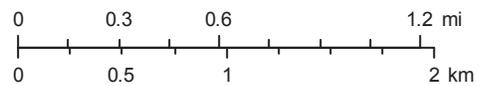
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1107012	1519	40 %	19 %	29 %
1107021	1972	58 %	0 %	30 %
1107022	2172	32 %	20 %	32 %
1108011	1736	56 %	27 %	40 %
1108022	1168	33 %	16 %	7 %
1115021	1414	46 %	21 %	34 %
1116011	1492	55 %	13 %	39 %
Average		61 %	13 %	19 %

Liquor License Map: Rewined



March 27, 2017

1:36,112



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 Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community



Liquor License - Albertson's #952

Request for a liquor license. Arizona State License 09070108.

Summary

Applicant

Nicholas Guttilla, Agent

License Type

Series 9 - Liquor Store

Location

8035 N. 19th Ave.

Zoning Classification: C-1

Council District: 5

This request is for an ownership and location transfer of a liquor license from Scottsdale for a grocery store. This location is currently licensed for liquor sales with a Series 9 - Liquor Store, liquor license.

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

Consideration should be given to the applicant's personal qualifications. In regard to the location, pursuant to A.R.S. 4-203, there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed.

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "Albertson's is a major food and drug retailer in the united states with stores in many states. It has a stellar compliance record and trains all of its employees who handle alcohol sales. The training program for its employees is a strict, comprehensive, successful, and proven program."

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Special Assistant to the City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Wingstop

Request for a liquor license. Arizona State License 1207A946.

Summary

Applicant

Thomas Aguilera, Agent

License Type

Series 12 - Restaurant

Location

1703 W. Bethany Home Road
Zoning Classification: C-1 TOD-1
Council District: 5

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

The sixty-day limit for processing this application is May 20, 2017.

Consideration should be given to the applicant's personal qualifications. In regard to the location, pursuant to A.R.S. 4-203, there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed.

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

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.

Responsible Department

This item is submitted by Special Assistant to the City Manager Toni Maccarone and the City Clerk Department.



Liquor License - JJ's

Request for a liquor license. Arizona State License 06070711.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 6 - Bar

Location

9611 W. Camelback Road, Ste. 101

Zoning Classification: C-2

Council District: 5

This request is for an ownership and location transfer of a liquor license for a bar. This location is currently licensed for liquor sales with a Series 12 - Restaurant, liquor license.

The sixty-day limit for processing this application was April 29, 2017. However, the applicant has submitted a written request for more time.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

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.

JJ's (Series 12)

9611 W. Camelback Road, Ste. 101, Phoenix

Calls for police service: 19

Liquor license violations: In June 2015, a violation letter was issued for having an employee intoxicated or disorderly on duty. In August 2016, a fine of \$1,000 was paid for failure to derive 40% of income from food.

Bull Shooters (Series 6)

3337 W. Peoria Ave., Phoenix

Calls for police service: 41

Liquor license violations: In December 2012, a fine of \$4,000 was paid for failure of notification of sale of license within 30 days, change in proprietary interest and false or misleading information on application or other documents.

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 ran a successful bar for nine years and a successful restaurant for two years. I am a law abiding citizen that complies with all regulations. I am aware of the responsibility as an owner/operator of the safety and well being of our customers."

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

"I would like to continue to offer my patrons an alcoholic beverage if they choose to do so."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - JJ's

Liquor License Map - JJ's

Responsible Department

This item is submitted by Special Assistant to the City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: JJ's

Liquor License

Description	Series	1 Mile	1/2 Mile
Beer and Wine Bar	7	1	1
Liquor Store	9	2	2
Beer and Wine Store	10	4	2
Restaurant	12	2	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	11.37	9.66	17.19
Violent Crimes	1.74	1.16	1.59

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

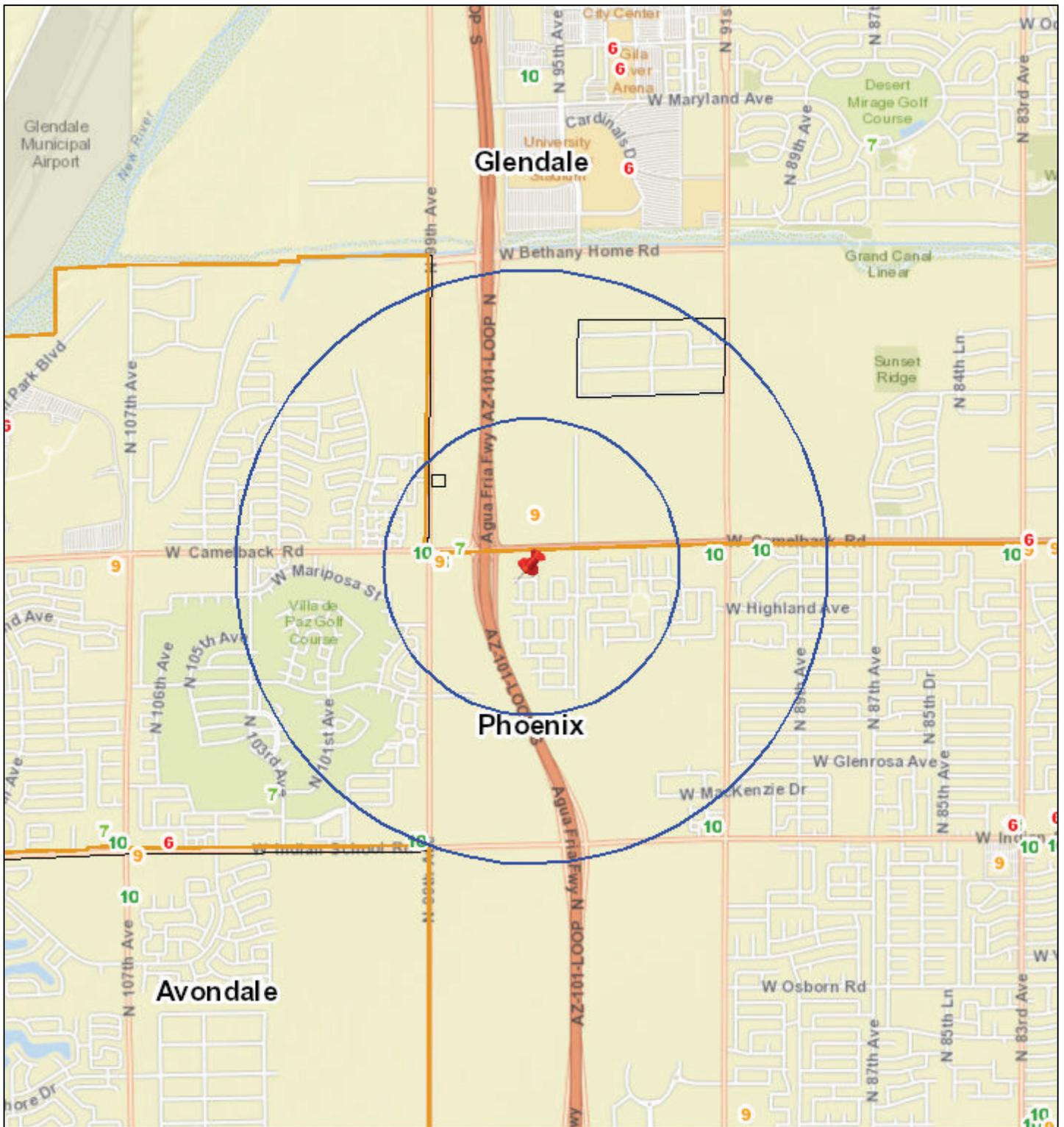
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	62	7
Total Violations	115	8

Census 2010 Data 1/2 Mile Radius

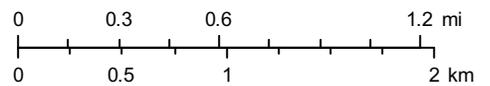
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
0820021	1857	80 %	4 %	8 %
0820161	2648	65 %	11 %	23 %
0927191	2513	19 %	15 %	5 %
0927203	756	31 %	27 %	8 %
Average		61 %	13 %	19 %

Liquor License Map:JJ's



April 19, 2017

1:36,112



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Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community



Liquor License - Lams Market

Request for a liquor license. Arizona State License 10076864.

Summary

Applicant

Max Lam, Agent

License Type

Series 10 - Beer and Wine Store

Location

3446 W. Camelback Road, Ste. 125

Zoning Classification: C-2

Council District: 5

This request is for a new liquor license for a grocery store. 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 May 23, 2017.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

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.

LF Market Oriental & Seafood (Series 10)

5350 W. Bell Road, Ste. 115, Glendale

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

Liquor license violations: In November 2013, a fine of \$375 was paid for delinquent taxes. In January 2016, a violation letter was issued for delinquent taxes.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I currently have one other location that is selling alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"There are no other grocery store near by."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Lams Market
Liquor License Map - Lams Market

Responsible Department

This item is submitted by Special Assistant to the City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: Lams Market

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	0
Beer and Wine Bar	7	3	2
Liquor Store	9	4	0
Beer and Wine Store	10	8	3
Restaurant	12	2	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	11.37	32.24	31.84
Violent Crimes	1.74	8.46	9.02

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

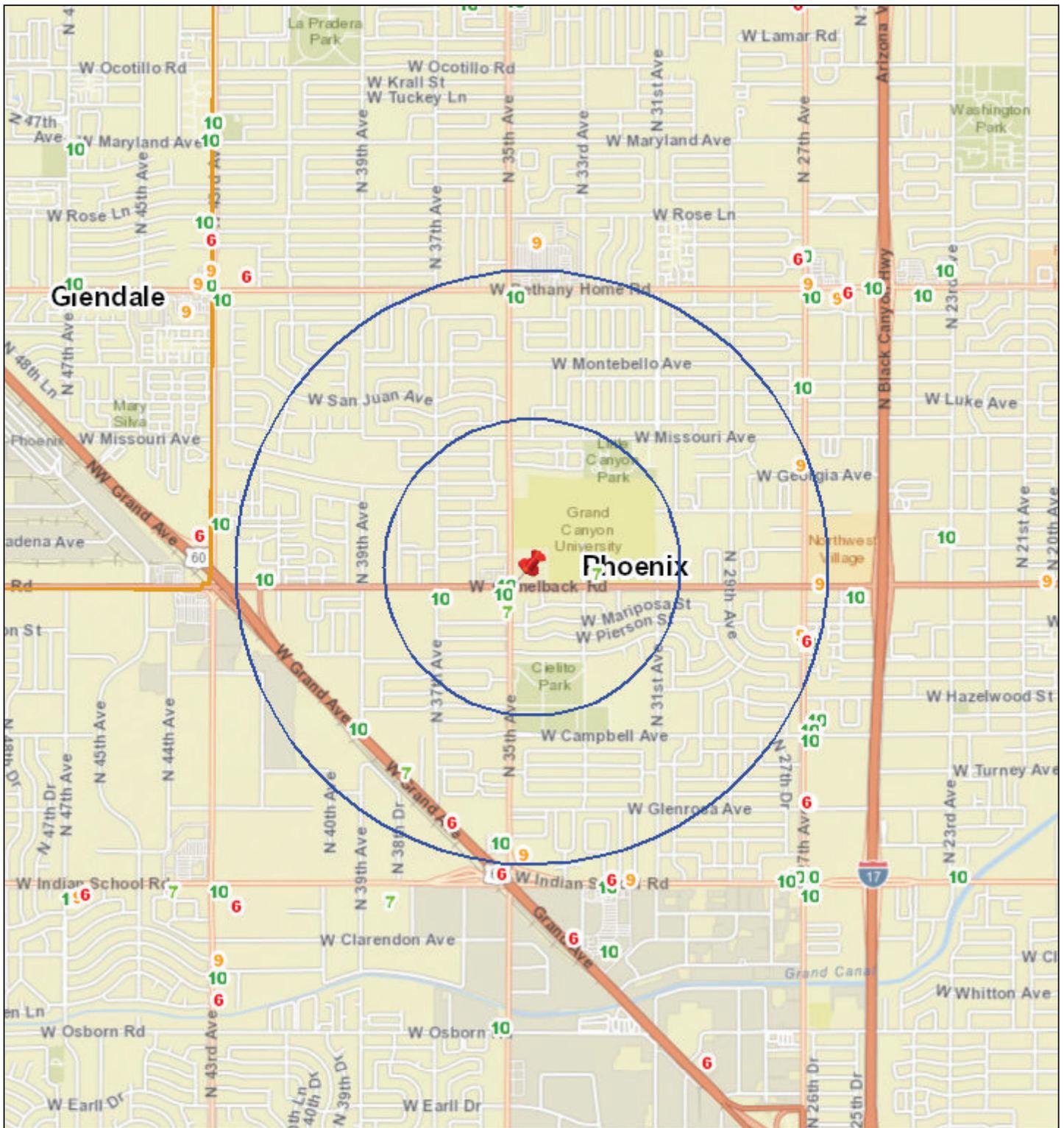
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	62	176
Total Violations	115	329

Census 2010 Data 1/2 Mile Radius

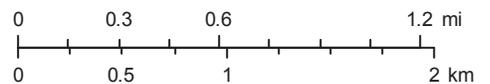
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1071012	2416	62 %	10 %	43 %
1071022	2275	45 %	20 %	45 %
1071023	2082	32 %	14 %	38 %
1072011	2335	21 %	25 %	49 %
1072021	3137	64 %	9 %	29 %
1091011	1722	69 %	0 %	34 %
1092001	1455	52 %	10 %	45 %
1092002	1665	36 %	30 %	46 %
Average		61 %	13 %	19 %

Liquor License Map: Lams Market



April 18, 2017

1:36,112



mapservices@phoenix.gov
 Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community



Liquor License - The Porch

Request for a liquor license. Arizona State License 1207A948.

Summary

Applicant

John Dolan, Agent

License Type

Series 12 - Restaurant

Location

4017 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 previously licensed for liquor sales as Little Shanghai Chinese Restaurant and may currently operate with an interim permit. This business is currently being remodeled with plans to open in May 2017.

The sixty-day limit for processing this application is May 21, 2017.

Consideration should be given to the applicant's personal qualifications. In regard to the location, pursuant to A.R.S. 4-203, there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed.

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.

Bevvy (Series 6)
4420 N. Saddlebag Trail, Ste. 100, 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 been in the restaurant and bar business for 25 years. I have owned and operated many businesses, but have held four liquor licenses in Arizona and three in Dallas. I am responsible and take this part of the business very seriously. I currently hold a liquor license in Scottsdale and would love an opportunity to hold in Phoenix."

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.

Responsible Department

This item is submitted by Special Assistant to the City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Muse & Market

Request for a liquor license. Arizona State License 1207A943.

Summary

Applicant

Laura Pich, Agent

License Type

Series 12 - Restaurant

Location

4602 E. Thomas Road

Zoning Classification: C-1

Council District: 6

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in September 2017.

The sixty-day limit for processing this application is May 15, 2017.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling,

grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: “I have been in the food and beverage industry for over 15 years and have the experience and skillsets needed to properly and reasonably hold a liquor license.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “We expect improved activity leading to a safer, more inviting locale. The outdoor space will generate interest along the Thomas corridor and can be regarded as a pedestrian traffic activator. Will generate 25+ local jobs ranging in skill level. Will create a new destination for nearby residents and visitors.”

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 - Muse & Market

Liquor License Map - Muse & Market

Responsible Department

This item is submitted by Special Assistant to the City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: Muse & Market

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	4	1
Liquor Store	9	3	2
Beer and Wine Store	10	7	4
Restaurant	12	14	4
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	11.37	26.80	44.47
Violent Crimes	1.74	2.73	4.03

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

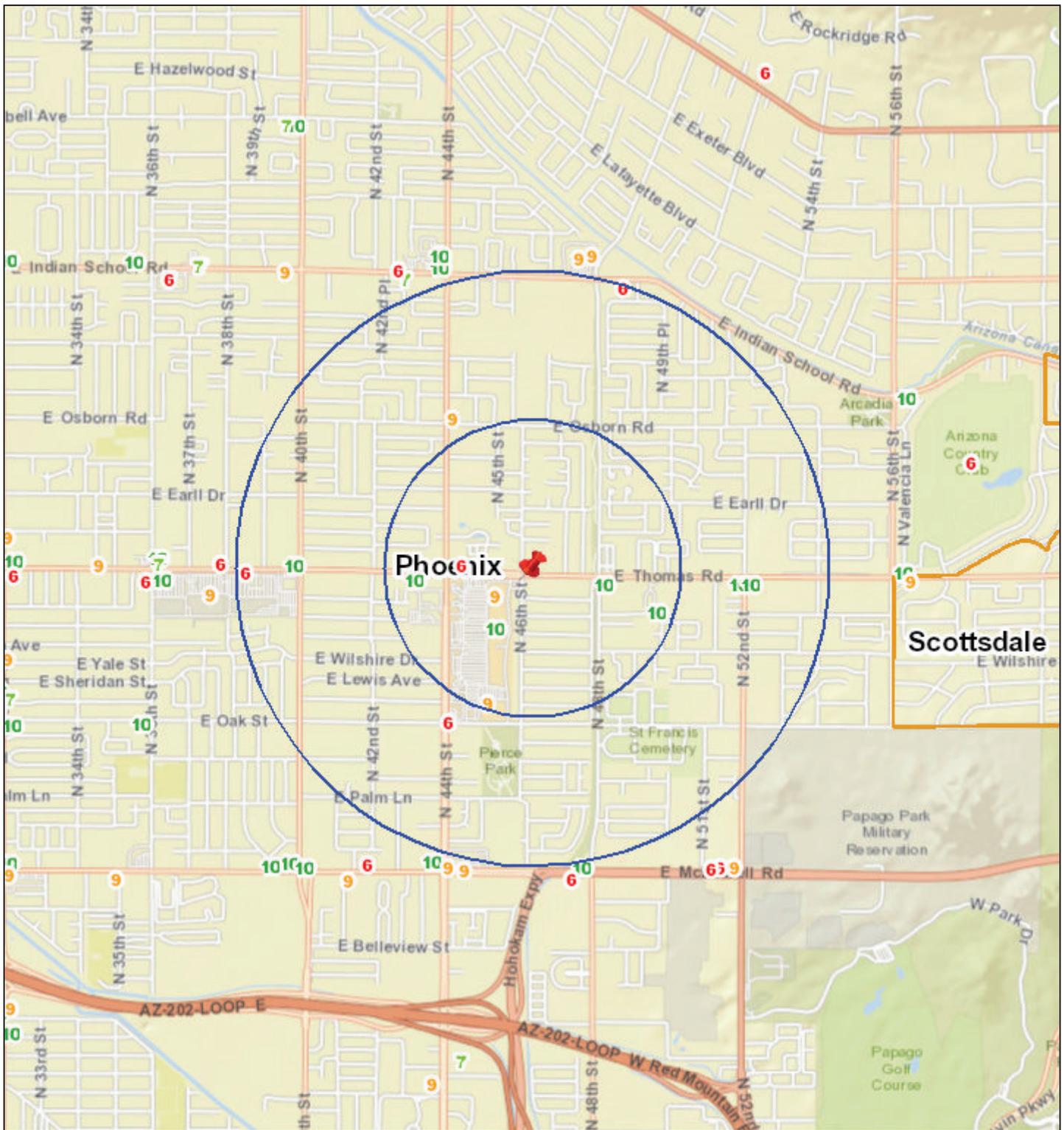
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	62	25
Total Violations	114	53

Census 2010 Data 1/2 Mile Radius

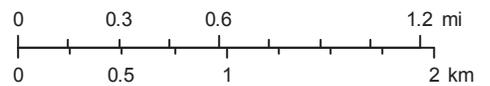
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1110003	1587	64 %	17 %	24 %
1110004	707	59 %	25 %	0 %
1110005	698	88 %	19 %	5 %
1111002	1188	43 %	27 %	26 %
1111003	2317	84 %	11 %	8 %
1112012	1138	48 %	13 %	4 %
1113001	960	42 %	9 %	7 %
1113002	930	52 %	7 %	20 %
1113004	703	87 %	31 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: Muse & Market



April 17, 2017

1:36,112



mapservices@phoenix.gov
 Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community



Liquor License - Knock Knead Lobster

Request for a liquor license. Arizona State License 12070547.

Summary

Applicant

L. Brooks Bennett-Crampton, Agent

License Type

Series 12 - Restaurant

Location

3202 E. Washington St.
Zoning Classification: A-1
Council District: 8

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

The sixty-day limit for processing this application is May 26, 2017.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

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 held a liquor license in this same location for appoximatley 30 years. The only change to liquor license is to stockholders of corporation that owns restaurant and liquor license. Stockholders changed from personal holding to a family trust with same trustees.”

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.

Responsible Department

This item is submitted by Special Assistant to the City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Centerfolds Cabaret

Request for a liquor license. Arizona State License 06070280.

Summary

Applicant

Patrick Zanzucchi, Agent

License Type

Series 6 - Bar

Location

2031 W. Peoria Ave.

Zoning Classification: A-1

Council District: 3

This request is for an ownership and location transfer of a liquor license for a topless bar. This location was previously licensed for liquor sales until January 2017 and does not have an interim permit.

The sixty-day limit for processing this application is May 22, 2017.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

Other Active Liquor License Interest in Arizona

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

Public Opinion

Three letters protesting the issuance of this license have been received and are on file in the Office of the City Clerk. The letters are from local businesses who are concerned with the location. They believe the issuance of a liquor license at this location will negatively impact the neighborhood and further contribute to ongoing challenges in the

area, including crime. They also feel that there are sufficient liquor licenses in the area and do not support the approval of this license application.

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The managers and members of the applicant limited liability company currently own liquor licenses that operate bars featuring erotic entertainers and therefore all have experience in the operation of such businesses. This business will operate in accordance with the Arizona liquor laws and all erotic entertainers will be licensed by the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The location is entitled to a rebuttable presumption of location qualification under Section 4-203.A, Arizona Revised Statutes, that the public convenience and the best interest of the community were established at the time the location was previously licensed with a Series 6 Bar License approximately 25 years ago which continued until January 2017."

Staff Recommendation

Staff recommends disapproval of this application based on neighborhood protests and a Police Department recommendation for disapproval. The Police Department disapproval is based on concerns with the applicant's capability, reliability and qualifications, as well as the location. The Police Department is concerned with the applicant's involvement with similar licensed establishments that have had numerous recent liquor law violations and prohibited sex acts. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license and has failed to prove that granting a liquor license at this location is in the best interest of the community.

Attachments

Liquor License Data - Centerfolds Cabaret

Liquor License Map - Centerfolds Cabaret

Police Department Recommendation - Centerfolds Cabaret

Responsible Department

This item is submitted by Special Assistant to the City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: Centerfolds Cabaret

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	1
Government	5	1	0
Bar	6	3	0
Beer and Wine Bar	7	1	0
Liquor Store	9	3	2
Beer and Wine Store	10	4	3
Hotel	11	4	0
Restaurant	12	13	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	11.37	28.42	19.85
Violent Crimes	1.74	5.41	3.50

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

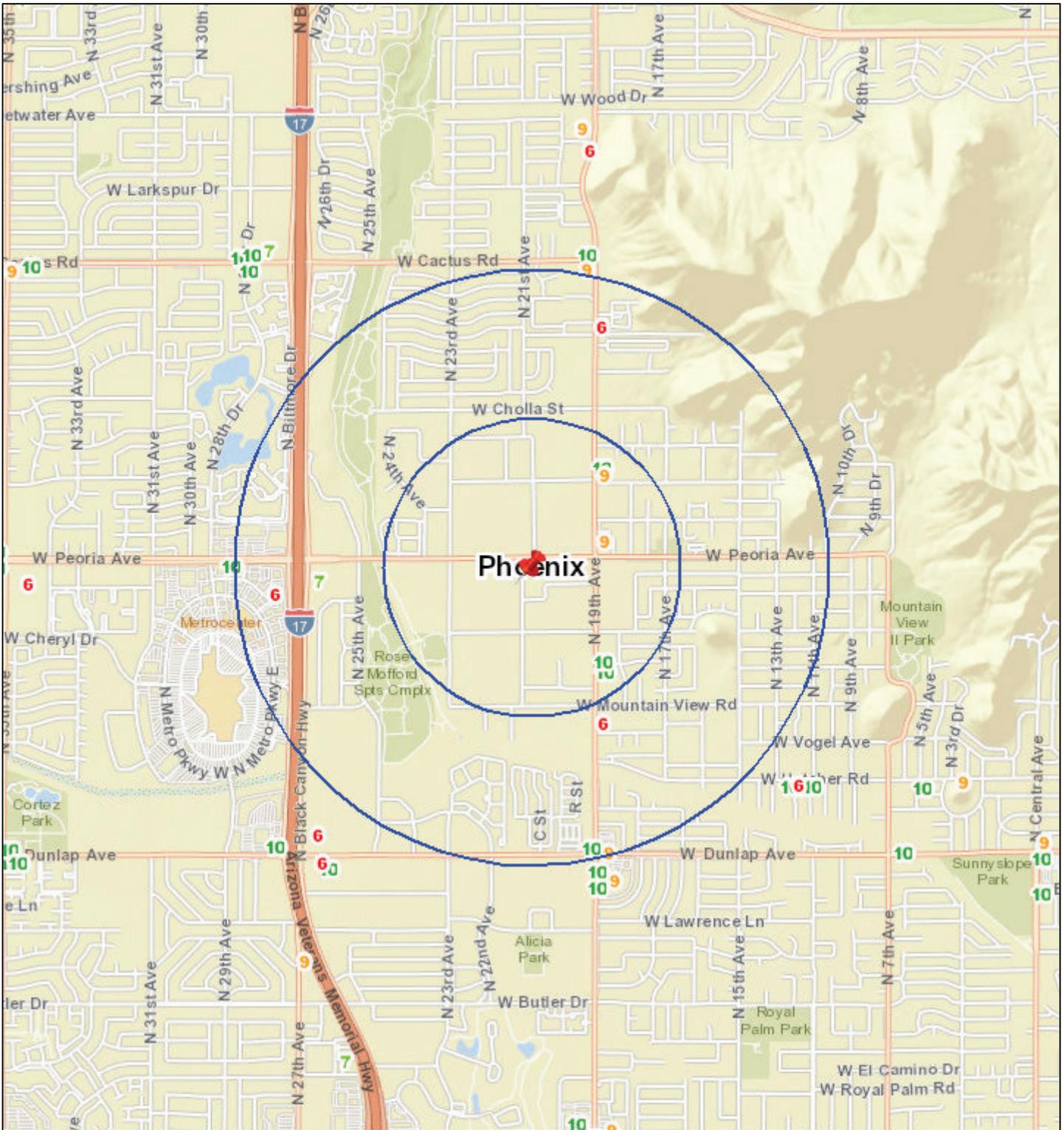
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	62	74
Total Violations	115	148

Census 2010 Data 1/2 Mile Radius

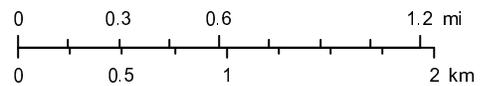
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036152	1546	25 %	22 %	32 %
1036153	2183	16 %	25 %	47 %
1044011	2363	68 %	12 %	12 %
1044012	1594	19 %	9 %	38 %
1044021	2555	24 %	18 %	15 %
1045023	1538	57 %	20 %	33 %
Average		61 %	13 %	19 %

Liquor License Map: Centerfolds Cabaret



April 20, 2017

1:36,112



mapservices@phoenix.gov
 Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	CENTERFOLDS CABARET	District	3
Business Location	2031 West Peoria Avenue		
Applicant Name	Patrick Zanzucchi – Agent for Peoria Ave, LLC	Series Type	6

Patrick Zanzucchi through Peoria Ave, LLC has applied for a person and location transfer of a Series #6 liquor license to the Centerfolds Cabaret located at 2031 West Peoria Avenue.

- **Peoria Ave, LLC Organizational Structure:**

“Peoria Ave, LLC” divides its ownership of the company amongst its “members”. The operating agreement shows the following: Arizona Entertainment Solutions, LLC (Jeffrey. Oursland - as a sole member) owns 41% of the LLC, 9% Fredmar1 Enterprises, LLC (Fred Martori, - as a sole member) and each of the following “members” owning 7.14%; Patrick Zanzucchi, Robert Zanzucchi, Timothy Zanzucchi, Frank Zanzucchi, James Zanzucchi, William Zanzucchi, and Michael Pavon.

The operating agreement further stipulates the affairs of the Peoria Ave, LLC shall be managed exclusively by its designated ‘manager’. The manager shall direct, manage, and control the business of Peoria Ave, LLC with full authority, power, and discretion to make any and all decisions on behalf of the Peoria Ave, LLC. The currently designated co-managers, each holding equal responsibility, have been identified as Patrick Zanzucchi and Jeffrey Oursland.

The Police Department recommends disapproval of this liquor license application for the following reasons:

A.R.S. 4-203.A states “*A spirituous liquor license shall be issued only after satisfactory showing of the capability, qualification and reliability of the applicant...*”

Currently, several of the Zanzucchi family members listed as having ownership interests in the Centerfolds Cabaret liquor application under Peoria Ave, LLC also hold ownership in one or more adult entertainment establishments in the State. Many of these locations have either past or pending violations of liquor laws which include repeated violations of prohibited sex acts.

In August 2015, the Hi Liter Gentlemen's Club (Hi Liter), owned by four Zanzucchi family members, each of which has ownership in the Peoria Ave, LLC was the focus of an undercover operation by Phoenix Police Department VICE Unit. In addition to the individual charges against the dancers filed by the Phoenix Police Department, the Department of Liquor Compliance Unit charged the business administratively with (13) counts of prohibited sex acts and (1) count of solicitation of prostitution on the premises. The result was a \$4000 fine.

In March 2016 and October 2016, due to ongoing complaints of misconduct, investigators from the Department of Liquor conducted separate undercover operations at the Hi Liter Gentlemen's Club. At the conclusion of the investigations, charges were submitted to the Department of Liquor Compliance Unit for (36) counts of prohibited sex acts and (1) count for the licensee's failure to maintain capability, qualification and reliability. These charges are currently pending administrative action from the Department of Liquor Compliance Unit.

Based on the multiple past and pending charges of prohibited sex acts occurring on the premises the owners, managers, and employees should have reasonably known this was happening. These continuing violations suggest the dancers have minimal supervision and/or oversight, both of which are the responsibility of the owner/s and speaks to their reliability, capability and qualifications.

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	CENTERFOLDS CABARET	District	3
Business Location	2031 West Peoria Avenue		
Applicant Name	Patrick Zanzucchi – Agent for Peoria Ave, LLC	Series Type	6

Patrick Zanzucchi has identified himself as a past and current consultant to a number of topless establishments owned by his family. Specifically, Patrick Zanzucchi consulted for his family who own the Hi Liter during the period when the repeated violations listed above occurred. When describing his role as consultant, Patrick Zanzucchi said he visits the businesses quite often, spends time there, observes the operations and handles matters the owners have no time to do. As a consultant doing all these things, Patrick Zanzucchi should have been reasonably aware of the repeated violations occurring at the Hi Liter and therefore advise the owners to take corrective action. His inability to do so calls into question his reliability, capability, and qualifications.

Patrick Zanzucchi, who is listed in this application as a designated co-manager in the Peoria Ave, LLC was granted a separate liquor license as a co-owner of the Pink Rhino Cabaret in December 2016. In January 2017, he provided false and misleading information to the Department of Liquor reference the current status of the Pink Rhino liquor license in the annual renewal documents. Charges are currently pending administrative action from the Department of Liquor Compliance Unit. This violation speaks to Patrick Zanzucchi's own reliability, capability, and qualifications.

- **Location concerns:**

Under A.R.S. 4-201..."The applicant bears the burden of proof showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license".

The Centerfolds Cabaret is located within a challenged community that is currently in transition. Historically, the surrounding neighborhood has been plagued by high crime rates, poverty, and transient issues. Currently, the rate of both violent crimes and property crimes for this area are nearly three times the city's average.

The previous liquor license held at this location was recently revoked by the Department of Liquor following a homicide which occurred at the Centerfolds Cabaret in January 2017.

Based on concerns of ownership, location, and repeated violations of prohibited sex acts at other establishments, the members of Peoria Ave, LLC have failed to demonstrate a satisfactory showing of reliability, capability and qualifications to responsibly hold another liquor license. Therefore, the granting of a liquor license for this establishment would not be in the best interest of the community.

This recommendation for disapproval is submitted by: Det. Eric Breindl #6135

SIGNATURES	
Investigating Detective	<i>E. Breindl #6135</i>
Administrative Licensing Investigator	I Alonge #A4289 <i>Ida E Alonge</i>
Liquor Enforcement Detail Supervisor	R Conrad #4925 <i>R Conrad</i>



City Council Formal Meeting City Council Report

Agenda Date: 5/10/2017, Item Nos.: 17-44

PAYMENT ORDINANCE (Items 17-44) (Ordinance S-43459)

Ordinance S-43459 is a request to authorize the City Controller to disburse funds, up to amounts indicated below, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requests 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.

17 Phoenix Sister Cities, Inc.

For \$35,000.00 in payment authority to purchase a membership to Phoenix Sister Cities (PSC) for the Aviation Department. This membership supports economic development, cultural and educational programs, and helps promote Phoenix and Arizona in the markets where there is interest in developing international economic and air service opportunities. The Downtown, Aviation, Economy and Innovation Subcommittee approved this item on April 26, 2017.

18 Anco Sanitation Systems, Inc.

For \$11,000.00 in payment authority to purchase a Marathon 60" Vertical Baler V-6030HD for the Aviation Department. The Vertical Baler will replace the manual process of breaking down cardboard boxes for recycling purposes.

19 Mech-Line Services, LLC

For \$120,000.00 in additional payment authority for Contract 140629 to provide variable frequency drives to help control heating, ventilation and air conditioning systems for the Aviation and Phoenix Convention Center departments.

20 FlightStats, Inc.

For \$36,000.00 in payment authority to pay for month-to-month flight data

services for the Aviation Department to allow for a new data solution to be procured prior to contract expiration on Oct. 31, 2017. These services provide real-time flight data feeds to communicate flight status to passengers and tenants at the airport using visual displays and overhead paging.

21 Arizona Public Service Company

For \$20,396.11 in payment authority to purchase engineering and removal of electric transformers, capacitors, switching cabinets, service conductors and metering equipment for the Aviation Department. This utility work enables the demolition of Phoenix Sky Harbor International Airport Terminal 3 South Concourse in support of the Terminal 3 Modernization Project, Project AV13000002.

22 Applied Concepts, Inc., doing business as Stalker Radar

For \$16,000.00 in payment authority to purchase Stalker II stationary police radars, parts and accessories for the Police Department. The Stalker II stationary radar is used by the Police Department to enforce traffic laws, reduce excessive speeding, and combat aggressive driving and distracted driving. Purchase of the radar devices is important to public safety as it allows the department to decrease traffic fatalities and related traffic injuries.

23 Avantpage, Inc.

For \$25,000.00 in additional payment authority for Contract 134217 to continue to provide translating services for Citywide departments. Services are needed to assist in translating a variety of City publications, flyers and announcements into other languages for the general public use.

24 L.N. Curtis & Sons

For \$24,000.00 in payment authority to purchase bomb ballistic vests for the Police Department. The Police Bomb Squad needs to replace their ballistic vests that expire on June 15, 2017. Vests are used to protect the squad when deactivating bombs.

25 Brady Industries of Arizona, LLC

For \$40,000.00 in payment authority for State of Arizona Cooperative Agreement ADSPO11-012618 to provide janitorial supplies for three

additional months, for the Police, Aviation, Street Transportation, Public Works, Parks and Recreation and other departments.

26 **L.N. Curtis & Sons**

For \$75,000.00 in additional payment authority for Contract 134109 for firefighter helmets for the Fire Department. The helmets are used to protect firefighters from head and neck injuries related to structural firefighting activities. This gear is a critical part of the Fire Department's efforts to provide life safety services to the public.

27 **Six Points Hardware, Inc. and Border Construction Specialties, LLC**

For \$225,000.00 in additional payment authority for building supplies for Citywide departments. This contract was established to support daily operations of City Departments by providing a comprehensive term contract for building supplies. This contract is available for Citywide use, but has been primarily used by the Fire, Public Works, and Parks and Recreation departments.

Six Points Hardware, Inc., Contract 136561

Border Construction Specialties, LLC, Contract 136548

28 **Arizona Service and Installation, Inc.**

For \$50,000.00 in additional payment authority for Contract 140617 to continue to provide labor, materials, and equipment necessary for inspections, repairs, and preventative maintenance of motorized, fixed, and retractable basketball backboard systems and breakaway rims for the Parks and Recreation Department.

29 **Phillips Law Group, P.C., in trust for Diana Barajas**

For \$35,000.00 to pay settlement of claim in *Barajas v. City of Phoenix*, Maricopa County Superior Court Case CV2014-013876, 13-0585-001 AU BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

30 **Miner Southwest, LLC**

For \$130,000.00 in additional payment authority for Contract 138804 to continue to provide labor, materials, tools, and equipment necessary to perform all operations needed to provide for preventative maintenance

and unplanned repairs of automatic doors at aging Citywide facilities, with the Parks and Recreation, Public Works, and Fire departments the majority users of the contract.

31 OCLC Online Computer Library Center, Inc., doing business as OCLC, Inc.

For \$100,000.00 in additional payment authority for Contract 133227 for online cataloging, technical support, and product information for the Phoenix Public Library Department. OCLC online cataloging and metadata services provides the tools necessary for Phoenix Public Library to effectively manage physical and electronic resources for library patrons.

32 International Association of Fire Fighters

For \$15,000.00 in payment authority for Peer Fitness Trainer Certification Program training for 15 firefighters for the Fire Department. This training/certification will assist with implementation of the department's wellness programs and recruit training process, consistent with North American fire service fitness standards.

33 PDQ Supply, Inc.

For \$25,000.00 in payment authority for a new contract, entered on or about July 1, 2017, for a term of five years to provide appliance parts for the Housing Department. This contract is necessary to provide appliance parts for the repair of Housing Department-owned appliances.

34 DB Consulting of Phoenix, Inc.

For \$150,000.00 in additional payment authority for Contract 140085 for professional consulting services for the Phoenix Municipal Court. Consulting services will include analysis, design, and testing for enhancing the Court Management System (CMS) and the Compliance Assistance Program (CAP) program, as well as restructuring the new referral collections module. No general fund dollars will be used as the Court will seek out Judicial Collection Enhancement Fund (JCEF) grant funding from the Arizona Supreme Court.

35 Corbon Services, Inc., doing business as Sierra Fire & Communications

For \$35,500.00 in payment authority to purchase three Edwards Systems Technologies Fire Works fire life safety command system workstations for the Phoenix Convention Center Department. The workstations are used by

building automation staff to monitor and control the fire alarm systems. The current systems are the oldest within the Convention Center Campus and maintenance and repair of the system is no longer supported by the manufacturer. The replacement system complies with the latest Underwriters Laboratories requirements for fire alarm systems.

36 Control Services & Repair, LLC

For \$16,290.00 in payment authority to purchase, install, test and implement a building network controller for the Phoenix Convention Center Department. The building network controller allows integrated control of the buildings' air handlers and chilled and hot water systems. This product will replace the existing building network controller because it is obsolete and the Phoenix Convention Center is in the process of standardizing systems.

37 Anderson Lock & Safe, LLC

For \$350,000.00 in additional payment authority for Contract 144200 for locksmith and related services for the Phoenix Convention Center Department. The Phoenix Convention Center Department requires ongoing maintenance of auto-opening ADA doors, general door and lock maintenance and to respond to event-related lock core changes for client offices and meeting rooms.

38 The Hiller Companies, Inc., doing business as American Fire Equipment Sales & Service

For \$30,000.00 in payment authority for a new requirements contract, entered on or about May 11, 2017, for a term of two years to provide testing and inspection of Fire Suppression Systems for the Phoenix Convention Center. Three quotes were received and American Fire Equipment Sales & Service offered the lowest hourly rates. The contract is for semi-annual, required testing and inspection of the fire sprinkler system, and is needed to maintain and keep systems functioning properly. The Phoenix Convention Center will also use the vendor for emergency and non-scheduled service calls.

39 PFM Financial Advisors, LLC

For \$48,000.00 in payment authority for a new contract, entered on or about May 10, 2017, for a term of eight months, to provide financial advisory services for the Public Transit Department. The vendor created a

financial model for the department in 2015 that it will now update for T2050 planning, forecasting and calculating.

40 LCS Technologies, Inc.

For \$30,000.00 in additional payment authority for Contract 137808 for Administrative Services for Business Analytics, for the Public Works Department. These services will provide the ability to continue development of Solid Waste Program dashboard components to enhance efficiencies in meeting strategic goals, such as routing changes, miles driven, and cost of fuel, and to identify potential billing exceptions.

41 S.R. Bray, LLC doing business as Power Plus

For \$600,000.00 in additional payment authority for Contract 142171 for emergency generator rental for locations serviced by the Public Works Department's Facilities Management Division. Generators will be used to supply temporary power to critical electrical equipment and keep the facility functioning at full capacity during power outages. Also, emergency systems need to keep functioning for the safety of personnel and the public. These systems include fire and security alarms, security cameras, server rooms and egress lighting. The Aviation Department has a contract that allows for emergency generator rentals and meets the needs that may arise for the Public Works Department.

42 Super Vacuum Manufacturing Co., Inc.

For \$35,000.00 in payment authority to purchase and install six Whelen LED lights on three fire trucks for the Public Works Department on behalf of the Fire Department. The LED lights provide additional visibility during emergency responses.

43 Liberty Crane and Rigging Consultants, LLC

For \$16,500.00 in payment authority to purchase Crane Operator Trainer training for the Water Services Department. The department's Safety Division requires two individuals to be certified crane operator trainers to train approximately 300 Water Services employees in crane operations. This training will enhance safety in the workplace and ensure compliance with OSHA Regulations.

44 **CEM Holdings Corporation, doing business as CEM Corporation**

For \$37,500.00 in additional payment authority for Contract 144635 for CEM Moisture Microwave and Analyzer equipment, repairs, and maintenance services for the Water Services Department. The additional payment authority will be used to add the Water Production Division to the contract currently used by the Wastewater Treatment Division. CEM Smart Moisture Microwave Analyzers are used to determine the solids percentage of various water treatment process samples. The results obtained from the analysis of these samples are used to monitor, optimize, and control the solids thickening and solids dewatering processes.



Call for a Special Meeting and Notice of Legally Required Public Hearings on Proposed 2017-18 Budget for the City of Phoenix

Request the City Council call for a special meeting of the City Council, as required by A.R.S. 42-17105, at 2:30 p.m., Wednesday, June 21, 2017 for the purpose of considering adoption of the final 2017-18 budget for the City of Phoenix, including Operating Funds, Capital Funds and Reappropriated Funds.

Request to authorize the City Manager to:

1. Set 2:30 p.m., Wednesday, June 7, 2017, as the time and date of the legally required public hearing on the adoption of the tentative budget ordinances for the City of Phoenix for the 2017-18 fiscal year, including Operating Funds, Capital Funds and Reappropriated Funds.
2. Set 2:30 p.m., Wednesday, June 7, 2017, as the time and date of the public hearing for purposes of receiving public comments on the proposed 2017-22 Capital Improvement Program.
3. Set 2:30 p.m., Wednesday, June 21, 2017, as the time and date of the legally required public hearing on the adoption of a Property Tax Levy and Truth in Taxation, if applicable, and the final adoption of the budget for the City of Phoenix for the 2017-18 fiscal year, including Operating Funds, Capital Funds, and Reappropriated Funds.
4. Set 9 a.m., Thursday, July 6, 2017, as the time and date of the legally required public hearing on the adoption of the Property Tax Levy for the 2017-18 fiscal year.

Summary

In addition to these legally required public hearings, from April 4 through April 20, 17 community budget hearings that were advertised in various city newspapers and publicized online were held for each Council District in locations throughout the city. These hearings also provided residents with several opportunities to comment on the proposed 2017-18 budget and were video recorded for viewing on the city's YouTube page and on PHXTV. All comments and messages were summarized and forwarded in weekly City Council reports.

Responsible Department

This item is submitted by the Budget and Research Department.



Extension to Software Maintenance Agreement 136025 - CGI Technologies and Solutions, Inc. (Ordinance S-43460)

Request to authorize the City Manager, or his designee, to exercise the fifth year of a five-year software license agreement No.136025 with CGI Technologies and Solutions, Inc. (CGI) for ongoing support of the City’s budget software, Budget Reporting and Analysis Support System (BRASS); further authorizing the City Controller to disburse funds. This extension is for the period July 1, 2017 through June 30, 2018.

Summary

The City has used BRASS for preparing the annual budget since 1997, including the projection of annual salary and benefit costs. At present, the City has approximately 250 BRASS users under a site license. Without the site license, staff would be limited in its ability to accurately and effectively address budgetary issues.

This licensing agreement includes the delivery of all future software upgrades throughout the life of the agreement. CGI periodically releases BRASS upgrades that further enhance reporting capabilities of the system and allow system users to more effectively utilize budget data. Extension of this agreement will ensure that the City continues to receive BRASS upgrades and subsequent technical support from CGI.

Financial Impact

The total cost for 2017-18 (including tax) is \$112,133. Funding is available in the Budget and Research Department’s operating budget.

Concurrence/Previous Council Action

This item for current contract no. 136025 was originally approved on April 17, 2013.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Budget and Research and Information Technology Services departments.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE S-

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO RENEW SOFTWARE LICENSE AGREEMENT NO. 136025 WITH CGI TECHNOLOGIES AND SOLUTIONS, INC.; AND FURTHER AUTHORIZING THE CITY CONTROLLER TO DISBURSE FUNDS FOR THE PURPOSES OF THIS ORDINANCE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. The City Manager, or his designee, is authorized to execute the fourth renewal option for Software License Agreement No. 136025 with CGI Technologies and Solutions, Inc. for the continued use and technical support of the Budget Reporting and Analysis Support System software utilized by the City's Budget and Research Department. The extension is for July 1, 2017 through June 30, 2018. The total cost for this period, including tax, is ONE HUNDRED TWELVE THOUSAND ONE HUNDRED THIRTY-THREE DOLLARS (\$112,133.00).

SECTION 2. The City Controller is authorized to disburse the necessary funds for purposes of this Ordinance.

PASSED by the Council of the City of Phoenix this 10th day of May, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____ Acting City Attorney

REVIEWED BY:

_____ City Manager



Establish Professional Services Agreement with Moss Adams for Application Implementation and Controls Audit (Ordinance S-43461)

Request to authorize the City Manager, or his designee, to establish a contract with Moss Adams for a total contract amount not to exceed \$44,600. Further request to authorize the City Controller to disburse the funds over the duration of the agreement.

Summary

The City Auditor Department requested proposals for a one-time evaluation of the City's implementation of the City's recently upgraded Aviation Parking Revenue Control System (PRCS), Entervo 3.0, as compared to the Payment Application Data Security Standard Implementation Guide (PA-DSS), applicable aspects of the Payment Card Industry Data Security Standard (PCI DSS), and the City's internal policies regarding application control and information security.

Procurement Information

The City Auditor received seven proposals. The selection panel recommended Moss Adams based on the overall quality of the proposal and the price proposed. This contractor was selected in accordance with Administrative Regulation 3.10 using a formal request for proposal process.

<u>Firm</u>	<u>Evaluation Score</u>
Moss Adams	867
Tevora	763
ENS/RiskSense	703

Contract Term

The audit engagement will be completed by Aug. 31, 2017.

Financial Impact

Allocation for the cost of this professional service will come from the City Auditor Department's budget, with an amount not to exceed \$44,600.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the City Auditor Department.



Fiscal Year 2017 State of Arizona Clean Diesel Grant Program (Ordinance S-43462)

This report requests City Council to authorize the City Manager, or his designee, to apply for and accept funds from the Maricopa County Air Quality Department and the United States Environmental Protection Agency for the Diesel Emission Reduction Act (DERA) grant program, and to authorize the City Treasurer to accept, and for the City Controller to disburse, any funds related to this item. This report further requests approval for the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Maricopa County Air Quality Department to administer the program.

Summary

The City fleet includes some older diesel vehicles with emissions that exceed those achieved by the most current emissions control technologies. The intent of the DERA grant program is to provide grant funding to assist in offsetting the cost of replacing higher polluting diesel emission engines with cleaner burning engines to reduce harmful emissions. Reducing vehicle emissions from the municipal fleet will demonstrate the City's commitment to lead by example toward the 2050 sustainability goal of clean air. Human health exposure to diesel exhaust can lead to health conditions like asthma and can worsen respiratory diseases. Emissions from diesel engines also contribute to production of ground level ozone, a pollutant for which the Maricopa County region is not currently meeting federal health standards.

The Maricopa County Air Quality Department will administer the state portion of the grant program. If awarded, funding will be provided to retrofit or re-power medium- to heavy-duty fleet vehicles with engine model year 1991-2010 with a 2013 or newer model, or purchase new low-emission fleet vehicles to replace old, high-polluting fleet vehicles, buses and equipment with 2013 models or newer. Staff anticipates obtaining grant funds for the following projects:

- * Installation of exhaust controls such as retrofit devices such as diesel oxidation catalysts, crankcase emission control devices, verified idle reduction technologies, and particulate matter filters up to 100%
- * Repower of engines up to 40%

* Replacement of older vehicles with 2013 or newer models up to 25%

The application to the Maricopa County Air Quality Department is due May 26, 2017. Grant funds are to be awarded for the period of October 2017 through September 2018 with all projects to be completed by September 2018. The Public Works and Aviation departments have expressed interest in the program.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Office of Environmental Programs.



Issuance of Multifamily Housing Revenue Bonds (La Palmilla Apartments Project), Series 2017 (Resolution 21533)

This report requests City Council approval for the issuance of Multifamily Housing Revenue Bonds (La Palmilla Apartments Project), Series 2017, to be issued in one or more tax-exempt and/or taxable senior and subordinate series in an aggregate principal amount not to exceed \$18,500,000.

Summary

Staff requests City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Ariz., (the "Phoenix IDA") has previously resolved to issue up to \$18,500,000 of Multifamily Housing Revenue Bonds (the "Revenue Bonds") for use by Reliant La Palmilla, LLC (the "Borrower"), a Delaware limited liability company, to:

- a) finance acquisition, rehabilitation, improvement, equipping, and operation of a multifamily housing complex (the "Project"), and
- b) pay certain costs related to the issuance of the Revenue Bonds.

Concurrence/Previous Council Action

The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on April 13, 2017.

Location

The facilities are located at 3838 W. Camelback Road.

Responsible Department

This item is submitted by Deputy City Manager Paul Blue.



Cave Creek Road Improvements Recommendation

Request to allocate Tatum Ranch Community Facilities District funds that were conveyed to the General Fund to:

- Improve Cave Creek Road from Tatum Boulevard southwest toward Loop 101; and
- Set aside in reserve for budget deficit reductions in 2018-19.

Summary

The Tatum Ranch Community Facilities District (the "District") was established for the purpose of financing public infrastructure including Desert Willow Parkway, Dixileta Drive, and related projects for water, sewer, drainage and landscaping.

Bonds were issued in April 1998 and fully matured on July 1, 2016. Beginning in fiscal year 2016-17, the annual levy of ad valorem taxes for debt service payments were discontinued and there are no other unpaid obligations.

In accordance with State Statutes, the District was dissolved by the District board (which is the City Council) through a resolution on May 10, 2017. As part of the authorization to dissolve the District, all real and personal property was conveyed to the City, including approximately \$1.5 million in case reserves held by the District.

To be consistent with the original plan to fund infrastructure within the Tatum Ranch community, staff proposes to use \$1,000,000 to improve the surface condition of Cave Creek Road from Tatum Boulevard southwest toward the Loop 101. The project will provide an important capital improvement for area residents.

The remaining funds of approximately \$500,000 is recommended to be set aside in a reserve to reduce potential budget deficits in future years.

Concurrence/Previous Council Action

In accordance with State Statutes, the District was dissolved by the District board through a resolution on May 10, 2017. As part of the authorization to dissolve the District, all real and personal property was conveyed to the City.

Location

Cave Creek Road and Tatum Boulevard.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation and Finance departments.



City of Phoenix

Street Transportation Department

Segment #1: Cave Creek Rd: SR101 to Deer Valley Rd (FY2018)



Cave Creek Rd North of Loop 101 Facing North

Construction Segments:

- Cave Creek Rd: N/O SR101-N/O Deer Valley Rd

Proposed Work Description:

The street is a major arterial that currently exhibits pavement deterioration. The project will apply a Micro Seal resurfacing treatment to the entire width of the roadway section. Specific improvements include the following: ADA improvements where required, crack sealing, Micro Seal resurfacing, and restoration of existing striping.

Estimated Schedule:

Spring 2018

Construction Work Phase: 2 Weeks

Total Project Costs: \$ 253,762

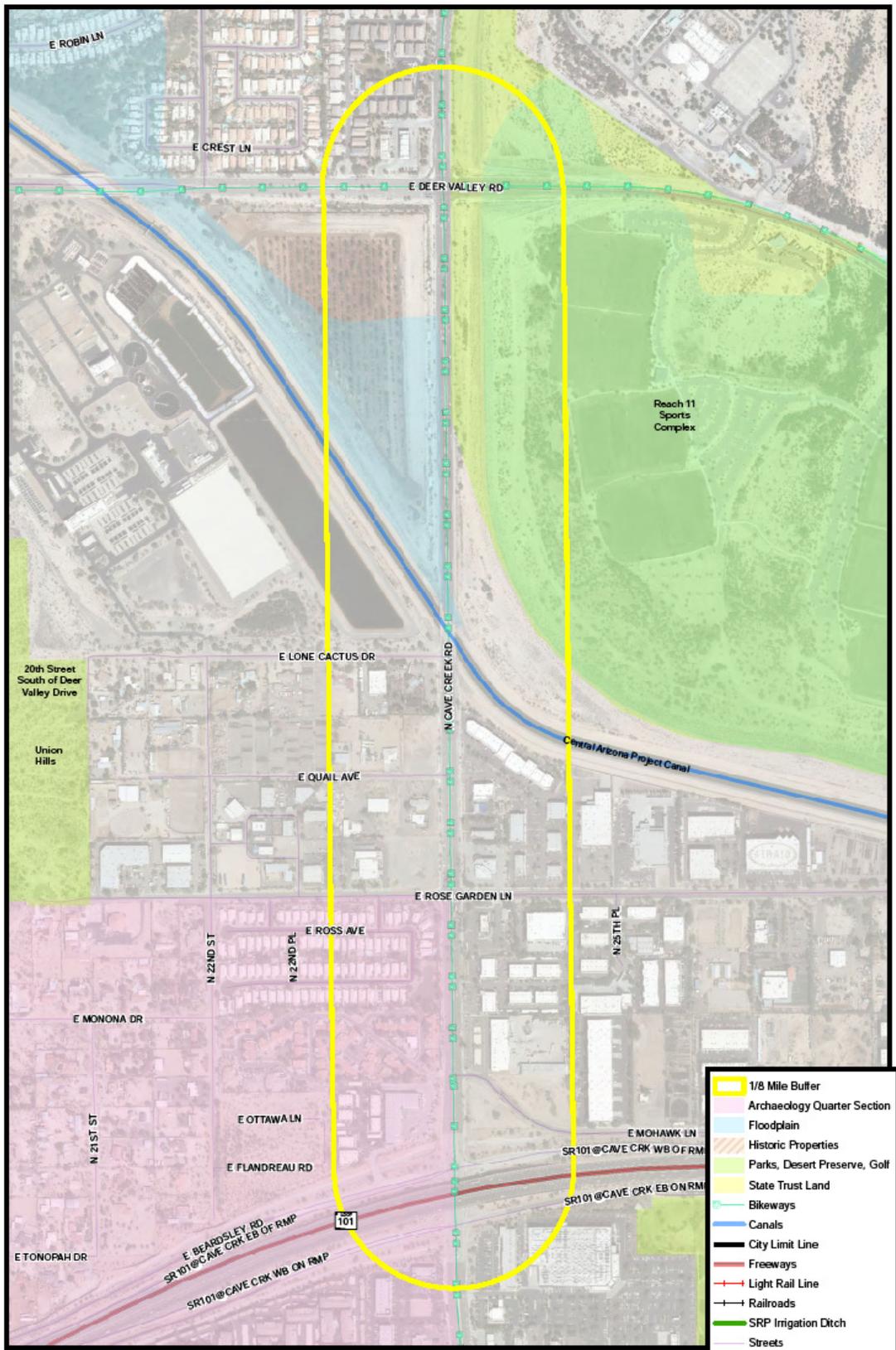
Design: \$ 0 ROW: \$ 0 Construction: \$ 228,386 Administration/ Inspection: \$ 25,376

Current Conditions:

Length: 1.02 Miles	Sidewalk: 1.5 Miles	Bike Facility: 2 miles non-buffered	Curb & Gutter Length: 1.5 Miles
Vehicle Lanes: Varies (3-0-3; 2-0-2 w/ medians)	Landscaping: Existing	# of Traffic Signals: 8	
# of ADA Ramps: 32	# of Transit Stops: 0		

Post Conditions:

Length: 1.02 Miles	Sidewalk: 1.15 Miles	Bike Facility: 2 miles non-buffered	Curb & Gutter Length: 1.5 Miles
Vehicle Lanes: Varies (3-0-3 w/ medians)	Landscaping: Existing	# of Traffic Signals: 8	# of Traffic Signal Upgrades: 0
# of Upgraded ADA Ramps: TBD	# of New ADA Ramps: 0	# of Transit Stops: 0	



**Segment 1: Cave Creek Road
SR101 to Deer Valley Road
2017 Arterial Crack Seal (Completed)
2018 Arterial Microseal**

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City of Phoenix

Street Transportation Department

Segment #2: Cave Creek Rd: Deer Valley Rd to Pinnacle Peak Rd (FY2019)



Cave Creek Rd North of Deer Valley Facing North

Construction Segments:

- Cave Creek Rd: N/O Deer Valley Rd to S/O Pinnacle Peak Rd

Proposed Work Description:

The street is a major arterial that currently exhibits advanced pavement deterioration. The project will consist of a Mill and Overlay resurfacing treatment to the entire width of the roadway section. Specific improvements include the following: ADA improvements where required, crack sealing, Mill and Overlay resurfacing, and restoration of existing striping.

Estimated Schedule:

Spring 2018

Construction Work Phase: 2 Weeks

Total Project Costs: \$ 707,014

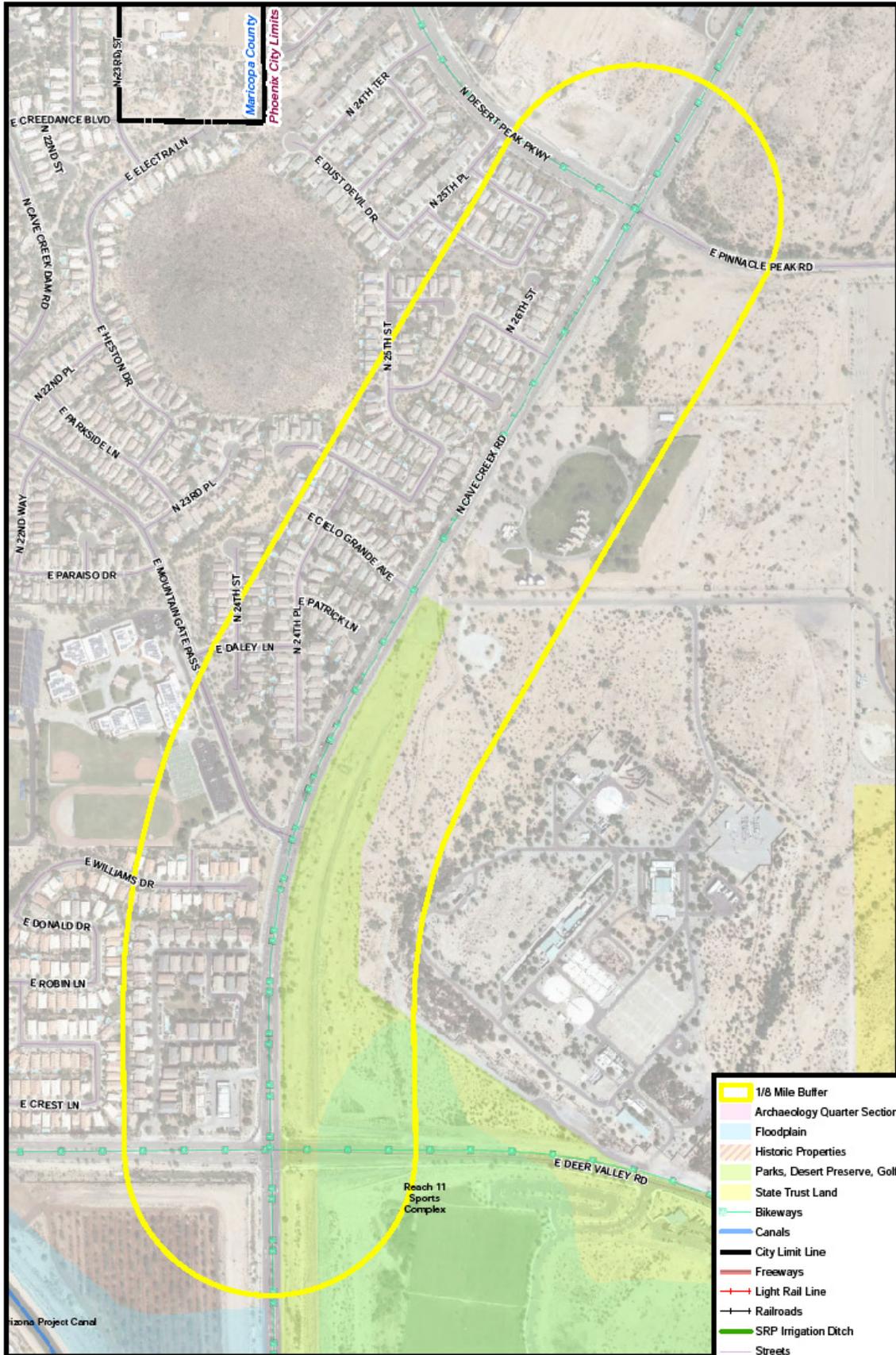
Design: \$ 0 ROW: \$ 0 Construction: \$ 636,313 Administration/ Inspection: \$ 70,701

Current Conditions:

Length: 0.89 Mile	Sidewalk: 0.89 Miles	Bike Facility: 1.78 miles non-buffered	Curb & Gutter Length: 0.89 Miles
Vehicle Lanes: Varies (2-0-2 w/ medians)	Landscaping: Existing	# of Traffic Signals: 0	
# of ADA Ramps: 6	# of Transit Stops: 0		

Post Conditions:

Length: 0.89 Miles	Sidewalk: 0.89 Miles	Bike Facility: 1.78 miles non-buffered	Curb & Gutter Length: 0.89 Miles
Vehicle Lanes: Varies (2-0-2 w/ medians)	Landscaping: Existing	# of Traffic Signals: 0	# of Traffic Signal Upgrades: 0
# of Upgraded ADA Ramps: TBD	# of New ADA Ramps: 0	# of Transit Stops: 0	



- 1/8 Mile Buffer
- Archaeology Quarter Section
- Floodplain
- Historic Properties
- Parks, Desert Preserve, Golf
- State Trust Land
- Bikeways
- Canals
- City Limit Line
- Freeways
- Light Rail Line
- Railroads
- SRP Irrigation Ditch
- Streets

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**Segment 2: Cave Creek Road
Deer Valley Road to Pinnacle Peak Road
2019 Arterial Overlay**





City of Phoenix

Street Transportation Department

Segment #3: Cave Creek Rd: Pinnacle Peak Rd to Jomax Rd (FY2018)



Cave Creek Rd North of Pinnacle Peak Facing North

Construction Segments:

- Cave Creek Rd: S/O Pinnacle Peak Rd to S/O Jomax Rd

Proposed Work Description:

The street is a major arterial that currently exhibits pavement deterioration. The project will apply a Tire Rubber Modified Surface Sealant surface treatment to the entire width of the roadway section.

Estimated Schedule:

Spring 2018

Construction Work Phase: 2 Weeks

Total Project Costs: \$ 82,048

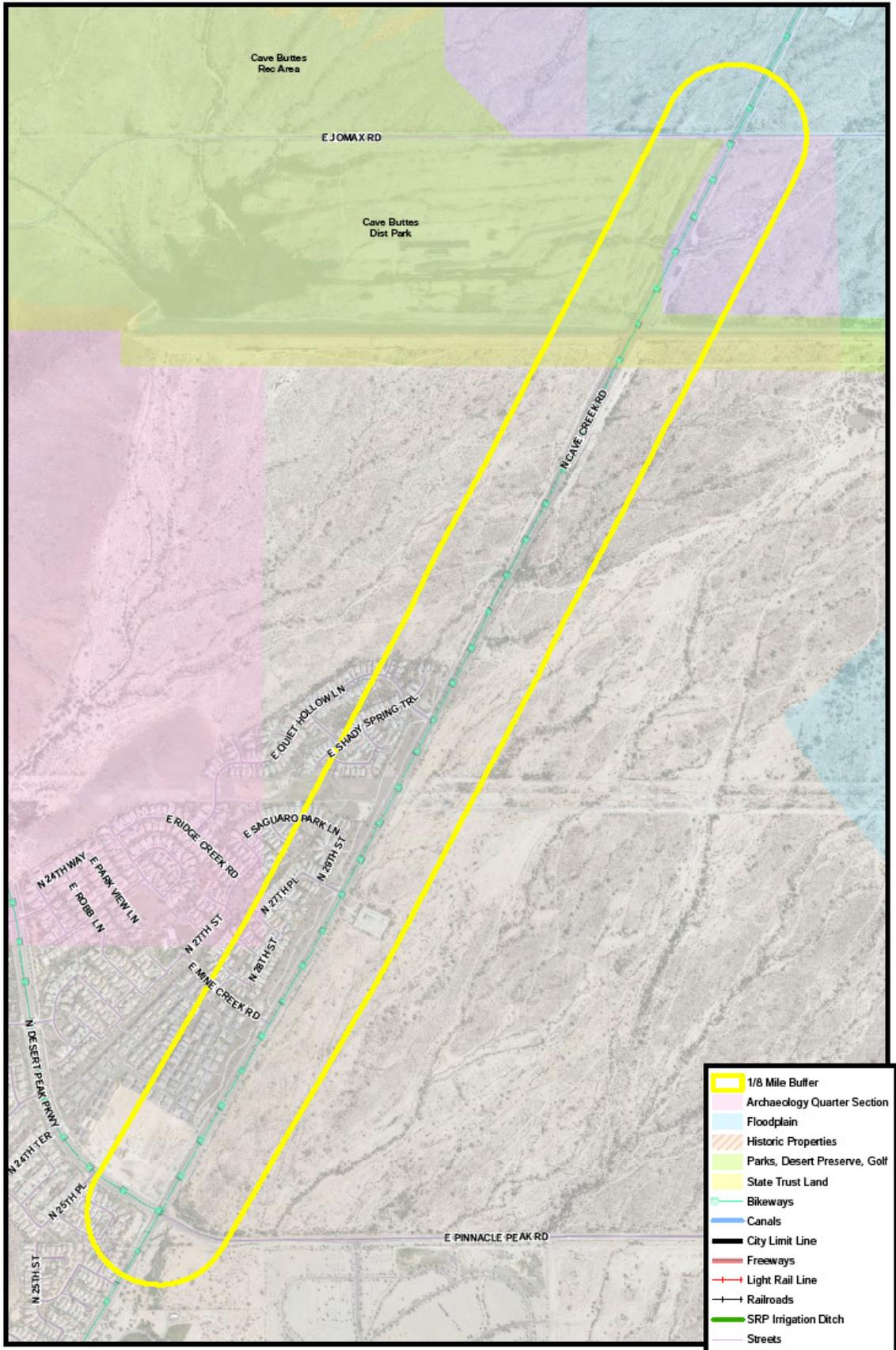
Design: \$ 0 ROW: \$ 0 Construction: \$ 73,843 Administration/ Inspection: \$ 8,205

Current Conditions:

Length: 2.12 Mile	Sidewalk: 1.07 Miles	Bike Facility: 2.24 miles non-buffered	Curb & Gutter Length: 1.07 Miles
Vehicle Lanes: Varies (2-0-2 w/ medians)	Landscaping: Existing	# of Traffic Signals: 4	
# of ADA Ramps: --	# of Transit Stops: 0		

Post Conditions:

Length: 2.12 Miles	Sidewalk: 1.07 Miles	Bike Facility: 2.24 miles non-buffered	Curb & Gutter Length: 1.07 Miles
Vehicle Lanes: Varies (2-0-2 w/ medians)	Landscaping: Existing	# of Traffic Signals: 4	
# of Upgraded ADA Ramps: TBD	# of New ADA Ramps: 0	# of Transit Stops: 0	



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**Segment 3: Cave Creek Road
Pinnacle Peak Road to Jomax Road
2018 Arterial Microseal**





City of Phoenix

Street Transportation Department

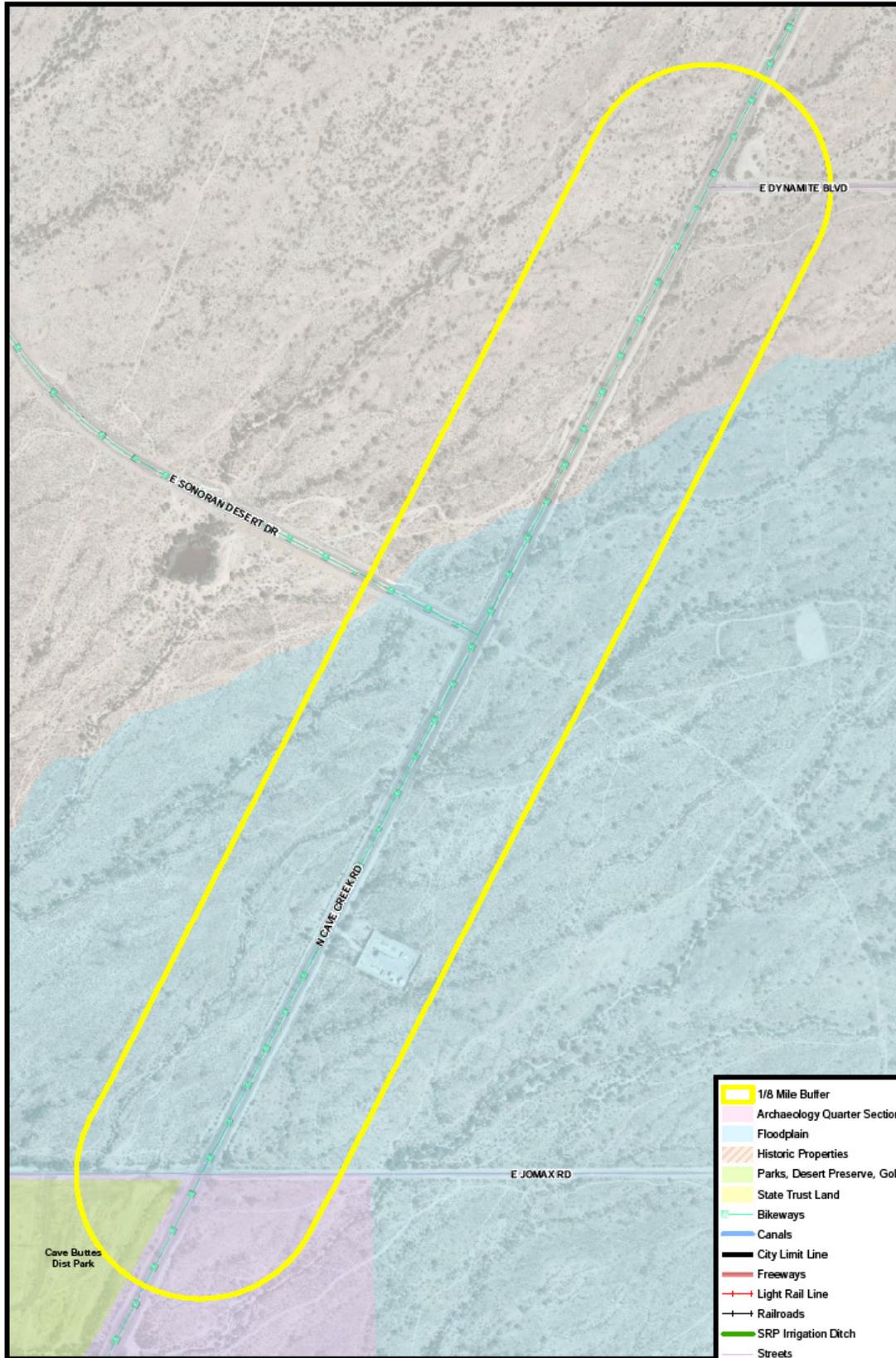
Segment #4: Cave Creek Rd: Jomax Rd to Dynamite Rd (FY2016)



Cave Creek Rd North of Jomax Road Facing North

Proposed Work Description:

This segment of roadway received an arterial asphalt overlay in 2016. No additional work is planned for this segment of roadway.



- 1/8 Mile Buffer
- Archaeology Quarter Section
- Floodplain
- Historic Properties
- Parks, Desert Preserve, Golf
- State Trust Land
- Bikeways
- Canals
- City Limit Line
- Freeways
- Light Rail Line
- Railroads
- SRP Irrigation Ditch
- Streets

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**Segment 4: Cave Creek Road
Jomax Road to Dynamite Boulevard
2016 Arterial Overlay (Completed)**





City of Phoenix

Street Transportation Department

Segment #5: Cave Creek Rd: Dynamite Blvd to Tatum Blvd (FY2018)



Cave Creek Rd North of Dynamite Facing North

Construction Segments:

- Cave Creek Rd: N/O Dynamite Blvd to S/O Tatum Blvd

Proposed Work Description:

The street is a major arterial that currently exhibits advanced pavement deterioration. The project will consist of a Mill and Overlay resurfacing treatment to the entire width of the roadway section. Specific improvements include the following: ADA improvements where required, crack sealing, Mill and Overlay resurfacing, and restoration of existing striping.

Estimated Schedule:

Spring 2018

Construction Work Phase: 2 Weeks

Total Project Costs: \$ 995,190

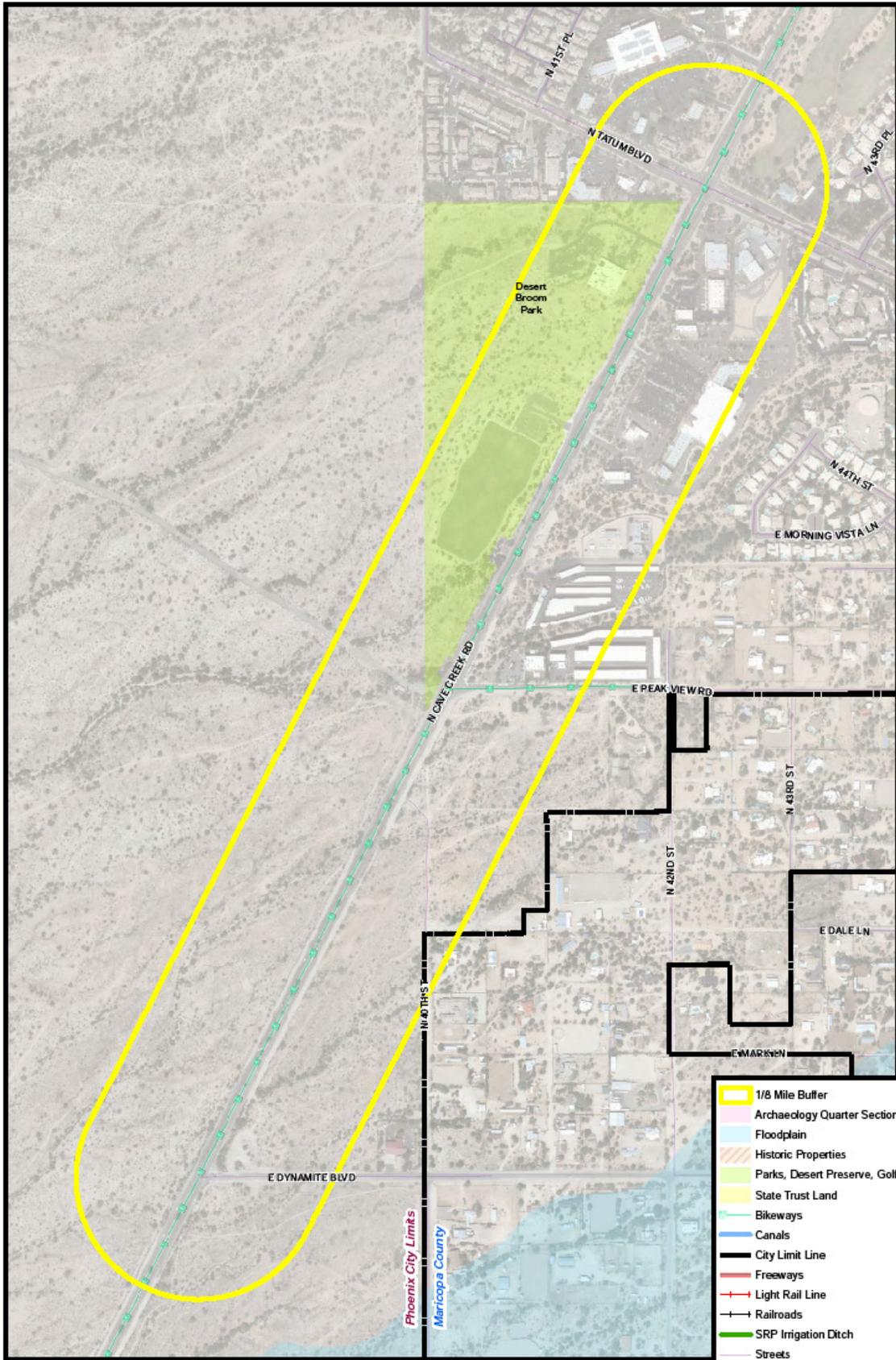
Design: \$ 0 ROW: \$ 0 Construction: \$ 895,671 Administration/ Inspection: \$ 99,519

Current Conditions:

Length: 1.37 Miles	Sidewalk: 0.67 Miles	Bike Facility: 2.74 miles non-buffered	Curb & Gutter Length: 0.67 Miles
Vehicle Lanes: Varies (2-0-2 w/ medians)	Landscaping: Existing	# of Traffic Signals: 0	
# of ADA Ramps: 2	# of Transit Stops: 0		

Post Conditions:

Length: 1.37 Miles	Sidewalk: 0.67 Miles	Bike Facility: 2.74 miles non-buffered	Curb & Gutter Length: 0.67 Miles
Vehicle Lanes: Varies (2-0-2 w/ medians)	Landscaping: Existing	# of Traffic Signals: 0	# of Traffic Signal Upgrades: 0
# of Upgraded ADA Ramps: 0	# of New ADA Ramps: 0	# of Transit Stops: 0	



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**Segment 5: Cave Creek Road
Dynamite Boulevard to Tatum Boulevard
2018 Arterial Overlay**





Amend City Code - Procurement (Ordinance G-6310)

An ordinance amending Phoenix City Code, Chapter 43, Article II, Section 43-10, Contract Authorizations and Article III, Section 43-11, Available Source Selection Methods, pertaining to procurement sourcing thresholds, effective July 1, 2017 (Attachment A).

Summary

Request City Council approval to amend Phoenix City Code Chapter 43, Procurement, to increase sourcing method thresholds as well as administrative changes to align with other jurisdictions and increase staff efficiencies. Specifically, formal procurement methods threshold would increase from \$50,000 to \$100,000 and small purchases would be increased from \$5,000 to \$8,600, which is equal to the Payment Ordinance.

City staff, utilizing Kaizen methods, evaluated procurement processes and determined increases in procurement methods thresholds would result in more procurements annually. City procurement staff must currently use formal competitive methods if the cost of goods and/or services is anticipated to exceed \$50,000. This threshold is much lower than the majority of neighboring communities, the State of Arizona and Arizona State University (Attachment B). Raising the formal competitive threshold to \$100,000 will align the City's sourcing methods with other jurisdictions, allow City staff to handle additional formal solicitations and benefit the business community by shifting solicitations under \$100,000 to informal competitive methods. Further, small dollar procurements of goods and/or services costing less than \$5,000 should equal the Payment Ordinance amount, as set forth in Chapter 4, Section 12 of the Phoenix City Charter. City Council authorization is still necessary for all purchases exceeding the Payment Ordinance amount of \$8,600.

Concurrence/Previous Council Action

This item was unanimously approved by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on March 21, 2017. City Council adopted Phoenix City Code Chapter 43 on Oct. 15, 2014 and amended the same on June 17, 2015 and July 1, 2015.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Finance Department.

Attachment A

43-10 Contract authorizations.

A. When determining which source selection method applies and what type of authorization is required, the Procurement Officer shall consider the likely aggregate price or cost of the goods or services to be procured.

B. The City Manager may authorize contracts and direct the City Controller to expend public monies to procure goods or services ~~when the price or cost does not exceed the payment ordinance threshold.~~

C. The City Manager may submit to City Council an annual ordinance to authorize contracts and contract payments, and to direct the City Controller to expend public monies to procure goods or services when the price or cost of a single contract is greater than the payment ordinance threshold but not more than ~~\$50,000.00~~ \$100,000.00.

D. All contracts for goods or services with a price or cost in excess of the payment ordinance threshold must be submitted to City Council for ~~contractual~~ and payment authorization.

43-11 Available source selection methods.

Except as otherwise required by law or permitted by this chapter, all contracts for goods or services will be awarded by one of the following source selection methods:

A. Procurements of goods or services where the price or cost is anticipated to exceed ~~\$50,000.00~~ \$100,000.00 will be solicited and awarded using one of the following formal competitive methods in accordance with this chapter:

1. Competitive sealed bidding;
2. Multi-step competitive sealed bidding;
3. Competitive sealed proposals; or
4. Qualifications based selection.

B. Procurements of goods or services where the price or cost anticipated will not exceed ~~\$50,000.00~~ \$100,000.00 may be solicited and awarded using informal competitive methods in accordance with regulations.

C. Procurements of goods or services where the price or cost is not anticipated to exceed ~~\$5,000.00~~ **THE PAYMENT ORDINANCE THRESHOLD** may be purchased in accordance with regulations.

D. Procurements of goods or services otherwise subject to competitive methods under this chapter may be procured without competition or using an alternative competitive method, in the following circumstances:

1. The procurement of goods or services without competition is authorized when there is only one source for the required goods or services if the Procurement Officer issues a determination describing the lack of other sources.
2. The procurement of goods or services without competition is authorized when there exists a threat to public health, welfare, safety, or other conditions, if the Procurement Officer issues a determination describing the emergency.
3. The procurement of goods or services without competition, or under an alternative method of competition, is authorized when special circumstances exist in accordance with the regulations. Any procurement under this subsection shall be made with as much competition as is practicable under the circumstances. The Procurement Officer will issue a determination describing the special circumstances that justify the alternative procurement.

Attachment B

Comparative Analysis of Sourcing Methods and Thresholds

Jurisdiction/Agency	Small Dollar Methods - Threshold (below this amount)	Informal Competitive Methods – Threshold (below this amount)	Formal Competitive Methods – Threshold (at and above this amount)	Council Authorization Threshold for Payment
City of Phoenix	\$5,000	\$50,000	\$50,000	\$8,600
State of Arizona	\$10,000	\$100,000	\$100,000	N/A
AZ State University	\$10,000	\$100,000	\$100,000	N/A
Maricopa County	\$5,000	\$100,000	\$100,000	N/A
City of Tucson	\$10,000	\$100,000	\$100,000	N/A
City of Mesa	\$5,000	\$25,000	\$25,000	N/A
City of Chandler	\$5,000	\$50,000	\$50,000	N/A
Town of Gilbert	\$10,000	\$100,000	\$100,000	N/A
City of Scottsdale	\$10,000	\$25,000	\$25,000	N/A
City of Tempe	\$5,000	\$100,000	\$100,000	N/A



Authorization to Sell City-owned Property at 220 E. Roeser Road Identified as Excess Property Inventory (Ordinance S-43463)

Request to authorize the City Manager, or designee, to sell City-owned property at 220 E. Roeser Road identified as excess real property inventory. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

The excess property to be sold is approximately 29,160 square feet of vacant land located within the northern portion of assessor parcel number 113-35-051A listed at 220 E. Roeser Road. The excess property to be sold will have access from East Cody Drive. Phoenix Fire Station 22 sits on the southern portion of the parcel and will continue to have access from East Roeser Road. The current parcel will be surveyed and subdivided to maintain the existing Fire Department location, then the excess property will be listed on the open market by a City-contracted broker at market value to be determined by an appraisal, broker's opinion of value, or other valuation method accepted by the City. Further requesting authorization to negotiate with the offeror[s] in order to yield the highest dollar return to the City, as deemed acceptable by the City Manager or designee. The City Manager, or designee, will select the highest responsive and responsible offer for the property based upon market value, and enter into an Agreement for the Purchase and Sale of City-owned property, containing terms and conditions deemed necessary and appropriate by the City. The subsequent fee simple conveyance will be by Special Warranty Deed.

Concurrence/Previous Council Action

The Sustainability, Housing, Efficiency and Neighborhoods Subcommittee recommended City Council approval of this item on Feb. 21, 2017, by a vote of 4-0.

Location

220 E. Roeser Road (northern portion with access from East Cody Drive)

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Fire and Finance departments.



Contract with Streck to Provide Reagents, Consumables, and Equipment - Requirements Contract - RFA 17-085 (Ordinance S-43464)

Request to authorize the City Manager, or his designee, to enter into a contract with Streck, Inc. to provide reagents, consumables, and equipment for the Phoenix Police Department Crime Laboratory, Forensic Biology Section. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Police Department Crime Laboratory, Forensic Biology Section, will utilize Streck reagents, consumables, and equipment for DNA analysis for high-priority criminal cases. The specialized products provided by Streck are able to reduce two key steps of the DNA processing time by several hours, enabling the laboratory to develop a DNA profile in a more timely manner for high-priority cases where time is critical in assisting with criminal investigations.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Sole Source Determination Memo citing Streck, Inc. is the sole manufacturer and distributor of these types of reagents, consumables, and equipment.

Contract Term

The five-year contract will begin on or about May 15, 2017 and end on or about May 14, 2022.

Financial Impact

The estimated aggregate contract value will not exceed \$135,000. The funds are available in the Police Department's budget.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.



**Water Coolers/Jugs and Ice Chests - Requirements Contract - IFB 17-164
(Ordinance S-43465)**

Request to authorize the City Manager, or his designee, to enter into a contract with Copper State Supply, Inc., to provide water coolers/jugs and ice chests for City of Phoenix departments. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will be utilized to purchase water coolers/jugs and ice chests for all City of Phoenix departments, including but not limited to, Parks and Recreation, Aviation, Street Transportation and Water Services. The water coolers/jugs and ice chests are needed to keep employees hydrated, which is critical for employees working out in the field so they do not experience heat stress disorders; such as heat cramps, heat exhaustion and heat stroke.

Procurement Information

An Invitation for Bid, IFB 17-164 Water Coolers/Jugs and Ice Chests was conducted in accordance with Administrative Regulation 3.10. Four offers were received by the Procurement Division on March 17, 2017.

Copper State Supply, Inc.:	\$17,360.50
Construction Tool & Supply:	\$19,780.55
Six Points Hardware:	\$20,542.15
Copperstate Industrial Supply:	\$27,408.00

The Deputy Finance Director recommends that the offer from Copper State Supply, Inc., be accepted as the lowest-priced, responsive and responsible offeror.

Contract Term

The five-year contract term will begin on or about June 1, 2017.

Financial Impact

The aggregate contract value will not exceed \$95,000 (including applicable taxes) with an annual estimated expenditure of \$19,000. Funds are available in City of Phoenix

departments' budgets.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Finance Department.



Paraclete Trifecta-X III+ Ballistic Shields - IFB 17-148 (Ordinance S-43466)

Request to authorize the City Manager, or his designee, to enter into a contract with FX Tactical to provide the Phoenix Police Department with Paraclete Trifecta-X III+ Ballistic Shields for the replacement of shields that are out of warranty and damaged. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Police Department utilizes Paraclete Trifecta-X III+ Ballistic Shields to provide a high level of protection for police officers in high-risk situations, such as search warrants, arrests of subjects with high violence potential and resolution of barricaded subjects.

Procurement Information

IFB 17-148, Paraclete Trifecta-X III+ Ballistic Shields, was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 55 vendors and was posted on the City's website. One offer was received by the Procurement Division on March 17, 2017. The price has been determined to be fair and reasonable based on online research and past purchases.

Contract Term

This is a one-time purchase to be issued on or about May 15, 2017.

Financial Impact

The amount of the one-time purchase will not exceed \$157,000. Funds are available in the Police Department's budget.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.



Concrete Tools - Requirements Contract - IFB 17-147 (Ordinance S-43467)

Request to authorize the City Manager, or his designee, to enter into a contract with Border Construction Specialties (Vendor 3050340) to purchase concrete tools for the Street Transportation Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Under the contract, Border Construction Specialties will provide various concrete tools to the Street Transportation Department which are used to maintain and/or repair various sidewalks, curbing, gutters, driveway approaches, concrete aprons, and concrete lined channels. The tools are important for the efficient repair of sidewalks that are utilized by citizens.

Procurement Information

Invitation for Bids (IFB) 17-147 was conducted in accordance with Administrative Regulation 3.10. The following offers were received by the Procurement Division on March 10, 2017:

Border Construction Specialties: \$10,810.62
Nina Construction Supply: \$10,831.80

The Deputy Finance Director recommends that the offer from Border Construction Specialties be accepted as the lowest-priced, responsive and responsible offer.

Contract Term

The term of the contract is five years, which will begin on or about June 1, 2017.

Financial Impact

The aggregate contract value will not exceed \$55,000 over the life of the contract. The estimated annual expenditure is \$11,000. Funds are available in the Street Transportation Department's budget.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.



Playground, Fitness and Related Equipment - MESC Contract 14X-BANG-0220 (Ordinance S-43468)

Request to authorize the City Manager, or his designee, to enter into an agreement for playground, fitness, and related equipment through the use of the Mohave Educational Services Cooperative Contract 14X-BANG-0220 with Dave Bang Associates, Inc. The total amount of the agreement will not exceed \$500,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The contract is for playground, fitness and related equipment and will be used in the Human Services Department Head Start Birth to Five Program. The program provides comprehensive educational and child/family development services to low-income families with children ages birth to five years old. The program requires age appropriate playground structures that meet health and safety licensing requirements. The contract will be used to replace playgrounds that the City of Phoenix has identified to be out of compliance with health and safety standards, but cannot be repaired.

Procurement Information

By utilizing the cooperative contract, the City benefits from the Mohave Educational Services Cooperative Contract pricing.

Contract Term

The Mohave Educational Services Cooperative Contract commenced on Feb. 20, 2015 and has a maximum end date of Feb. 19, 2020.

Financial Impact

The aggregate contract value including all option years will not exceed \$500,000, with an estimated annual expenditure of \$125,000. No general funds are required. Funding is available in the Head Start budget.

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Human Services Department.



Workforce Innovation and Opportunity Act (WIOA) Adult Development (Basic Career) Services - Requirements Contract - RFP 17-139 (Ordinance S-43469)

Request to authorize the City Manager, or his designee, to enter into contracts with Valley of the Sun YMCA (Vendor 3000055) and Arizona Women's Education and Employment, Inc. (Vendor 3034091), for adult development services for job placement, occupational training, and support services, for the Community and Economic Development Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Under WIOA, vendors will be responsible for providing adult workforce development (basic career) services to adults 18-years or older in high-need geographic communities in Phoenix, with employment readiness services and occupational training opportunities. Employment readiness includes services to ensure each adult being provided services has a career pathway leading to employment in high-growth occupations, has necessary soft-skills and emotional intelligence, and can access short-term training solutions and support services to enable success in gaining employment.

Procurement Information

RFP 17-139 was conducted in accordance with Administrative Regulation 3.10. There were four offers received by the Finance Department Procurement Division on Feb. 24, 2017. The three highest ranked proposers are:

1. Arizona Women's Education and Employment, Inc.: 775 Points
2. Valley of the Sun YMCA: 695 Points
3. Friendly House: 505 Points

The Finance Deputy Director recommends that the offers from Arizona Women's Education and Employment, Inc. and Valley of the Sun YMCA be accepted as the two highest-scored, responsive, and responsible offers that are most advantageous to the City.

Contract Term

The term will begin on or about July 1, 2017. Provisions of the contract include three, one-year options to extend the term, which may be exercised by the City Manager or designee.

Financial Impact

The aggregate contract value shall not exceed \$700,000, with an estimated annual expenditure of \$175,000. No General Funds are required. Funding for the contracts is provided by the WIOA Grant Funds for FY 2017-18.

Concurrence/Previous Council Action

The Phoenix Business and Workforce Development Board approved the funding of these contracts at its April 13, 2017 meeting.

Responsible Department

This item is submitted by Deputy City Manager Paul Blue and the Community and Economic Development Department.



Dedication of Right of Way for Street Improvement Project at 24th Street and Mobile Lane (Ordinance S-43470)

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

Summary

This dedication is required for street improvements constructed along the east side of 24th Street between Chipman Road and Roeser Road. The land to be dedicated is identified by address and assessor parcel number.

<u>Address</u>	<u>Assessor Parcel Number</u>
2401 E. Chipman Road	122-54-028
4805 S. 24th St.	122-54-029A
2409 E. Chipman Road	122-54-029B
2408 E. Mobile Lane	122-54-057
4845 S. 24th St.	122-54-058
2405 E. Mobile Lane	122-54-059A
2401 E. Mobile Lane	122-54-059B
5015 S. 24th St.	122-54-088
5031 S. 24th St.	122-54-089
5034 S. 24th St.	122-54-090

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation and Finance departments.



Dedication of Right of Way of Parcels with Existing Roadway or Right of Way Improvements (Ordinance S-43471)

Request that 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

This dedication is required for parcels with existing roadway improvements at various locations. Each parcel to be dedicated is identified by location and assessor parcel number (APN), and grouped by Council District.

Location

<u>District 1</u>	<u>APN</u>
North 32nd Lane roadway, north of west Cheryl Drive	149-16-078B
<u>District 3</u>	
North 21st Avenue roadway, south of west Larkspur Drive	149-04-004
North 23rd Avenue roadway, north of west Cheryl Drive	149-09-001Z
<u>District 4</u>	
North 1st Place roadway, south of east Lexington Avenue	118-34-073D
North 1st Place roadway, south of east Lexington Avenue	118-34-097A
North Central Avenue right of way improvements, south of west Thomas Road	118-43-121A
West Camelback Road roadway at north 19th Avenue	154-01-002
<u>District 5</u>	
West Campbell Avenue roadway, east of north 83rd Avenue	102-20-010C
North 39th Avenue roadway, north of west Colter Street	145-26-102
West Georgia Avenue right of way, west of north 27th Avenue	153-19-015C
<u>District 7</u>	
South 43rd Avenue cul-de-sac, south of Elwood Street	104-61-002D
South 38th Avenue roadway, south of west Wier Avenue	105-73-085

Northwest corner of south 15th Avenue and west Southern Avenue right of way improvements	105-78-006H
West Sunland Avenue right of way improvements, east of south 11th Avenue	105-82-014G
West Cody Drive roadway, east of south Central Avenue	113-31-040A
South Montezuma Street roadway, north of west Southern Avenue	113-40-022F
East Baseline Road roadway, west of south Jesse Owens Parkway	114-16-008B 114-16-009C

District 8

North 4th Street roadway, north of east Fillmore Avenue	111-46-077A
South 16th Place roadway, south of east Jefferson Street	115-05-060
South 16th Place roadway, south of east Madison Street	115-05-135
South 16th Place roadway, north of east Jackson Street	115-05-141
South 16th Place roadway, north of east Jackson Street	115-05-142
East Baseline Road roadway, east of south 20th Street	122-94-001P

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation and Finance departments.



**Amend Agreement with eGreen IT Solutions, LLC to Recycle Electronics
(Ordinance S-43472)**

Request to authorize the City Manager, or his designee, to enter into an amendment to increase the total amount of Contract 137334 with eGreen IT Solutions, LLC (Vendor 3073741), to recycle electronics on an as-needed basis. The additional requested funds will not exceed \$100,000 over the remaining contract term. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

eGreen IT Solutions, LLC processes electronics collected from the public at the City's transfer stations and Household Hazardous Waste events. The additional funds are needed to allow for a price adjustment due to increased disposal costs. Recently, there has been an increase in the number of cathode ray tube televisions and monitors collected from the public, as other agencies, including nonprofits that accept donations of household goods, will no longer accept these items. In addition, the component parts of these materials have lost resale value, and their disposal has become more costly for the vendor.

Financial Impact

The revised aggregate value of the contract will not exceed \$350,000 through the remainder of the contract term through Oct. 31, 2018. Funds are available in Public Works Department's budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.



**Workplace Readiness Skills Training - Requirements Contract - RFP 17-137
(Ordinance S-43473)**

Request to authorize the City Manager, or his designee, to enter into a contract with Avid Consulting, LLC (Vendor 3521442), for workplace readiness skills training for up to five years in an amount not to exceed \$288,000. Further request authorization for City Controller to disburse funds related to this item.

Summary

This contract will provide training services to develop and deliver behavioral training services to clients enrolled as an adult or dislocated worker to help build and refine soft-skills, increase workplace readiness, and increase opportunities for attaining employment in high-growth industry positions at family sustaining wages.

Procurement Information

Solicitation RFP 17-137, Workplace Readiness Skills Training, was conducted in accordance with Administrative Regulation 3.10. Nine offers were received by the Finance Department on Feb. 10, 2017. One response was deemed non-responsive.

The following is a summary of the highest scoring offers:

- Avid Consulting, LLC: 988 Points
- Maricopa Corporate College: 952 Points
- Dr. Tyrone A. Holmes: 682 Points

The Deputy Finance Director recommends that the offer from Avid Consulting, LLC, be accepted as the highest-scoring, responsive and responsible offer that is most advantageous to the City.

Contract Term

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

Financial Impact

The aggregate value of the contract shall not exceed \$288,000, with an annual expenditure of \$57,600. No General Funds are required. Funding for the contract is

provided by the WIOA Grant Funds for FY 2017-18.

Concurrence/Previous Council Action

The Phoenix Business and Workforce Development Board approved the funding of these contracts at its April 13, 2017 meeting.

Responsible Department

This item is submitted by Deputy City Manager Paul Blue and the Community and Economic Development Department.



**Transcription Services - Statewide Cooperative Contract ADSP016-135947
(Ordinance S-43474)**

Request to authorize the City Manager, or his designee, to allow the use of the State of Arizona Cooperative Contract ADSP016-135947 and enter into an agreement with Net Transcripts, Inc. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Police Department utilizes transcription services to obtain verbatim statements by investigators and all involved parties being interviewed. Transcription provides transparency and accuracy of information critical to an investigation. The transcriptions are included as part of the investigation material utilized by legal counsel representing the City at Civil Service and lawsuits filed against the City Disciplinary Review Boards and Use of Force Boards. If this process is conducted by administrative staff, it would take more than five times longer or more to complete, there is greater potential for errors, they would be unable to deliver within state-mandated time frames under public record law or legal counsel time frames, and it would cost more to have administrative staff conduct the process.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts. The State of Arizona contract covers transcription services statewide. The State of Arizona's contract was awarded on May 31, 2016. The local vendor is Net Transcripts, Inc.

Contract Term

The contract term shall begin on or about July 1, 2017 and end on June 30, 2022.

Financial Impact

The aggregate contract value will not exceed \$11,490. Funds are available in the

Police Department's budget.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.



Various Professional Executive Level Consulting Services - City of Maricopa Cooperative Contract 17-06 (RSOQ #17-CM09272016) (Ordinance S-43475)

Request to authorize the City Manager, or his designee, to allow the use of the City of Maricopa Cooperative Contract 17-06 and enter into an agreement with Interim Public Management, LLC. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will provide various professional executive level consulting services on an as-needed basis.

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 processes, as set forth in the Phoenix City Code, Chapter 43. The City of Maricopa contract covers various professional executive level consulting services required by the City. The City of Maricopa Cooperative Contract was awarded on Feb. 21, 2017.

Contract Term

The contract term shall begin on or about May 10, 2017.

Financial Impact

The contract value shall not exceed \$85,000.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Finance Department.



Request Authorization to Enter into Agreement with State of Arizona's Victims' Rights Program (Ordinance S-43476)

Request to authorize the City Manager, or his designee, to enter into an agreement with the State of Arizona's Victims' Rights Program (VRP) to accept an estimated \$207,000 in Crime Victim Assistance Funds. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

In 1991 and 1995, the Arizona Legislature passed statutes to address victims' rights. The Legislature also designated a portion of the Criminal Justice Enhancement Fund assessment and juvenile parental assessment monies to be deposited into a Victims' Rights Fund. Arizona Revised Statute Sec. 41-191.06(A) establishes a VRP in the Arizona Attorney General's Office. The VRP is tasked with assisting and monitoring state and local entities that are required to comply with Arizona's victims' rights laws. The Attorney General also is obligated to disburse Victims' Rights Fund monies to local and state agencies under Arizona Revised Statute Sec. 41-191.08. The City of Phoenix Prosecutor's Office is one such entity. The City of Phoenix Prosecutor's Office Victim Services Unit has received funding through VRP for more than 13 years. The State of Arizona has not yet released award amounts for the year 2017-18. Therefore, the amount requested is based on the three most recent awards (\$206,900 in 2017; \$206,795 in 2016; and \$207,000 in 2015).

In the City of Phoenix Prosecutor's Office, VRP funding partially funds duties performed by the Victim Services Secretary, Legal Clerk III, and Legal Clerk IIs, related to providing statutorily mandated services to victims. These services ensure that the Prosecutor's Office timely notifies victims, responds to victims' phone inquiries, provides victims conferences with a prosecutor, and processes victim restitution requests.

Contract Term

The funding period is 12 months and runs through June 30, 2018.

Financial Impact

The Prosecutor's Office anticipates receiving an estimated \$207,000 through VRP pass-through funding. If the amount awarded by VRP does not fully fund the positions, the Law Department will cover any deficit with a combination of salary savings, reduction of part-time hours and court-award funds, if received.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Law Department.



Authorization to Apply for Grant Funding to Replace Aging Hardware (Ordinance S-43477)

Request authorization for the Phoenix Municipal Court to apply, accept, and if awarded enter into an agreement for grant funding in an amount not to exceed \$200,000 from the Arizona Supreme Court-administered Judicial Collection Enhancement Fund (JCEF). Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

Funds will be used by the Phoenix Municipal Court to replace aging desktop computers, laptops and related hardware. Replacement of the hardware will help to ensure reliability of the Municipal Court business systems, and to minimize hardware failure, support requirements and maintenance costs. In seeking grant funding through JCEF, aging computers and printers can be replaced with current, supported models without using General Fund dollars. Additionally, leveraging these funds for this purpose has helped to stretch the City's hardware budget further, as the Court will make older hardware available to other City departments.

Financial Impact

Funds will be made available in the Phoenix Municipal Court local JCEF account. The Phoenix Municipal Court must submit a funding plan and application to the Arizona Supreme Court Administrative Office of the Courts to secure approval for use of JCEF funds pursuant to Arizona Revised Statutes (A.R.S.) Section 12-113. No General Fund dollars will be used.

Responsible Department

This item is submitted by Chief Presiding Judge B. Don Taylor and Deputy City Manager Karen Peters.



Award of Federal Housing Opportunities for Persons with AIDS (HOPWA) Funding (Ordinance S-43478)

Request authorization for the City Manager, or his designee, to enter into contracts for housing-related services to eligible non-profit agencies utilizing federal Housing Opportunities for Persons with AIDS (HOPWA) funds for an amount not to exceed \$1,296,810 annually. Also request authorization for the City Controller to disburse all funds over the life of the contracts.

Summary

On Feb. 3, 2017, the Housing Department issued a Request for Proposals (RFP) seeking proposals for HOPWA housing and supportive services programs. These programs include Housing Information Services; Housing Advocacy; Short-Term Rent, Mortgage, and Utility Assistance Program (STRMU); Permanent Housing Placement; Transitional Housing; Permanent Supportive Housing; Permanent Independent Housing; and Employment Services.

Nine proposals were received with eight proposals meeting the threshold criteria. The eight proposals were reviewed by an evaluation committee made up of City staff and community representatives. Program awards are contingent on availability of federal funds and City Council approval. The awards are for a two-year period commencing on or about July 1, 2017, with the City retaining the option to renew or extend the agreements for three additional periods of up to one year each. The contracted value may decrease or increase by up to 15 percent per year, at the sole discretion of the Housing Director, as long as the total of all budget amendments supported through the HOPWA program do not exceed the annual allocation.

The agencies recommended for funding are:

Southwest Behavioral and Health Services (SBH)

This agency has more than 30 years experience housing vulnerable populations. SBH has been providing HOPWA-funded housing and supportive services since 1995. Programs to be provided include:

*Transitional Housing with wrap-around services to support housing stability that

will allow the client to prepare for independent living in HOPWA-supported or other non-HOPWA supported housing.

*Permanent Supportive Housing with significant social and case management services as well as substance abuse and mental health counseling services.

*Permanent Independent Housing where wrap-around services are available to support housing stability.

*STRMU Assistance for clients at risk of losing their housing due to unforeseen financial crises.

*Permanent Housing Placement services for clients in need of assistance with move-in costs in order to obtain permanent safe and affordable housing.

*Employment Services that provide clients with services leading to permanent employment. Job readiness skills include budgeting, technical and soft skills to promote opportunities for employment and independence. Employment services include resume writing; job search techniques; interview preparation; basic computer skills; assistance with applications; and referrals to workshops or training. These services help clients to sustain housing stability through meaningful employment.

Phoenix Shanti Group

This agency was incorporated in 1987 with the mission of providing services to people with and at risk for HIV infection. Phoenix Shanti Group has been operating HOPWA Transitional Housing for 20 years. The agency is also an Arizona State licensed outpatient behavioral health clinic. Programs to be provided include:

*Transitional Housing with wrap-around services to support housing stability that will allow the client to prepare for independent living in HOPWA-supported or other non-HOPWA supported housing.

Area Agency on Aging/Care Directions

This agency has provided services to adults diagnosed with HIV/AIDS for 24 years. These services have included wellness education; advocacy; self-empowerment; and linkages to services. This agency has provided services through the HOPWA program since 1998. Programs to be provided include:

*Housing Information Services that include maintaining a wait list of clients seeking HOPWA supportive housing, assisting applicants in locating the best suited housing for their circumstance and providing links to other affordable housing

opportunities.

*Housing Advocacy Services will link clients with services and other resources that will support housing stability such as medical assistance; case managers; chemical dependency/behavioral health counselors; landlord/tenant counseling; fair housing information; job skills training and facilitation of problem solving.

Financial Impact

There is no impact to the General Fund. HOPWA is a federally funded program.

Location

HOPWA services are provided to residents in Maricopa and Pinal counties.

Concurrence/Previous Council Action

This item was considered at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on April 18, 2017, and approved by a vote of 4-0.

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Housing Department.



Authorization to Amend Agreement 140755 to Accept Additional DES Funding and Extend Agreement Term (Ordinance S-43479)

Request authorization for the City Manager, or designee, to amend intergovernmental agreement (IGA) 140755 with the Department of Economic Security to accept funding in the amount of \$7,703,672 for the period of July 1, 2017 through June 30, 2018. Further request authorization for the City Treasurer to accept and City Controller to disburse all funds related to this item.

Summary

Funding provided to the City of Phoenix through this contract will be used to assist low-income families and individuals in removing barriers to self-sufficiency in regards to employment and/or education, housing assistance, emergency assistance, and to provide ongoing supportive services through case management and community coordination.

This funding will allow the City to provide approximately 11,629 emergency financial assistance services and assist with case management and information and referral services.

Contract Term

The amendment extends the IGA term by one year from July 1, 2017 through June 30, 2018. This is the second of four annual amendments provided by the IGA.

Financial Impact

There are no matching fund requirements. Funding for fiscal year 2018 will be provided from the various fund sources below:

<u>Fund</u>	<u>Allocation</u>
Low Income Home Energy Assistance Program (LIHEAP)	\$4,500,051
Neighbors Helping Neighbors (NHN)	\$10,168
Social Services Block Grant (SSBG)	\$574,714
Temporary Assistance to Needy Families (TANF)	\$985,710
Community Services Block Grant (CSBG)	\$1,609,418
Community Services Block Grant Discretionary Funds (CSBG DIS)	\$23,611

Total \$7,703,672

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Human Services Department.

Attachment A - Fund Source Description DES Funding for FY 18

Fund	Allocation
Low Income Home Energy Assistance Program (LIHEAP)	\$ 4,500,051.00
Neighbors Helping Neighbors (NHN)	\$ 10,168.00
Social Services Block Grant (SSBG)	\$ 574,714.00
Temporary Assistance to Needy Families (TANF)	\$ 985,710.00
Community Services Block Grant (CSBG)	\$ 1,609,418.00
Community Services Block Grant Discretionary Funds (CSBG DIS)	\$ 23,611.00
Total	\$ 7,703,672.00



Authorization to Enter Into Contract and Accept Emergency Assistance Funding from Arizona Community Action Association (Ordinance S-43480)

Request authorization for the City Manager, or designee, to enter into a contract with the Arizona Community Action Association (ACAA) to accept funds in the amount not to exceed \$554,200 for the period of July 1, 2017 through June 30, 2018. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

Funding provided to the City of Phoenix through this contract will be used to assist low-income families and individuals in removing barriers to self-sufficiency in regards to employment and/or education, housing assistance, emergency utility assistance, and to provide on-going supportive services through case management and community coordination.

This funding will allow the City to provide approximately 1,873 emergency financial assistance services.

Contract Term

This will be a one-year contract term from July 1, 2017 through June 30, 2018.

Financial Impact

There are no matching fund requirements. Funding for fiscal year 2018 will be provided from the various funding sources listed below:

Fund

Allocation

Home Energy Assistance Fund (HEAF)

\$44,000

Utility, Repair, Replacement and Deposit (URRD) Program

\$97,200

Arizona Public Service (APS) Rate Case Bill Assistance

\$156,000

Southwest Gas (SWG) Low Income Energy Conservation (LIEC) Bill Assistance

\$70,000
Southwest Gas (SWG) Energy Share (E-Share) Bill Assistance
\$77,000
Salt River Project (SRP) Bill Assistance
\$110,000
Total
\$554,200

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Human Services Department.



Authorization to Apply for and Accept VOCA Funds to Continue Victim Advocacy Services (Ordinance S-43481)

Request authorization for the City Manager, or his designee, to apply for, accept, and if awarded, enter into an agreement for Victim of Crime Act (VOCA) grant funds from the Arizona Department of Public Safety (DPS). The VOCA grant funds will provide victim advocacy services in an aggregate amount not to exceed \$2.4 million for a two-year period beginning Oct. 1, 2017 and ending Sept. 30, 2019. Further request authorization for the City Treasurer to accept and the City Controller to disburse the funds over the life of the agreement.

Summary

The Human Services Department (HSD) Family Advocacy Center (FAC) uses a multidisciplinary approach to provide comprehensive services to victims of violent crime, including intimate partner violence, sexual assault and sex trafficking. Services include crisis intervention, forensic exams, safety planning and victim advocacy. Assistance obtaining emergency housing and protective orders is immediately available, as well as assistance navigating the criminal justice system, counseling, and long-term case management.

In October 2015, HSD received VOCA funds from DPS to enhance and expand victim services through Sept. 30, 2017. This application will be the second two-year request for the Human Services Department. The current grant funds five victim service positions, which expands FAC victim advocacy services to two satellite locations, and provides mobile victim advocacy services on-scene in the field.

If authorized, HSD will apply for up to \$1.2 million per year, for two years, to continue to support five victim services positions and operational costs. HSD also may apply for additional victim services positions and operational costs to further expand the capacity of the City to serve victims of interpersonal violence, sexual assault and sex trafficking.

Contract Term

If awarded, the two-year period will begin Oct. 1, 2017 and end Sept. 30, 2019.

Financial Impact

VOCA funds require recipients to contribute 20 percent match. The Human Services Department will provide a match through victim services positions supported by the General Fund.

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Human Services Department.



Authorization to Enter into Contract for Emergency Shelter Services (Ordinance S-43482)

Request to authorize the City Manager, or his designee, to enter into a contract with UMOM New Day Centers, Inc. to provide emergency shelter services for homeless families and single women. Further request authorization for the City Controller to disburse all funds related to this item for the life of the contract.

Summary

Since November 2006 the Human Services Department (HSD) has operated the Watkins facility as a year-round overflow shelter for single women and families who are experiencing homelessness. The City-funded program currently serves up to 17 families and 120 women each night through a contracted service provider. The contracted provider conducts basic shelter operations and delivers client services. HSD maintains the building and pays for operational costs and repairs.

The Watkins facility has been in possession of the City since approximately 1993 and has become costly to repair and maintain. The building also is in an industrial area resulting in the need to transport clients to and from the building on a daily basis, disrupting continuity of services. The services currently provided at the facility can be provided more effectively at a non-City-owned facility or facilities without increasing costs or decreasing services.

Procurement Information

This Request for Proposals was conducted in accordance with A.R. 3.10. One proposal was received by the Human Services Department on Feb. 15, 2017. Following is the tabulation of the proposal scores:

UMOM - Emergency Shelter - Single Women	901
UMOM - Emergency Shelter - Families	855

Contract Term

The term of the contract is seven years, which will begin on or about July 1, 2017.

Financial Impact

The aggregate contract value will not exceed \$7.7 million over the life of the contract. The estimated annual expenditure is approximately \$1.1 million. Funds are available from a combination of federal and local fund sources, including Emergency Solutions Grant (ESG) and Community Development Block Grant (CDBG) from the United States Department of Housing and Urban Development, as well as City of Phoenix General Funds.

Concurrence/Previous Council Action

The release of a Request for Proposals was approved by the Neighborhoods, Housing and Development Subcommittee on March 1, 2016.

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Human Services Department.



Purchase of Oracle Licenses for Neighborhood Services Department (Ordinance S-43483)

Request authorization for the City Manager, or his designee, to purchase additional Oracle Webcenter Portal licenses from Oracle America, Inc. (Vendor 3013727) off of the City's Oracle Master Agreement (Contract 142562). Further request authorization for the City Controller to disburse all funds in an amount not to exceed \$302,400.

Summary

Currently the Neighborhood Services Department (NSD) Revitalization Division's case management system is a custom-built application that was designed in 1998 and has not had any available vendor support for more than 12 years. The current system relies on a number of antiquated software technologies that have not been supported by major vendors like Microsoft in more than 10 years, which results in a risk of failure and security. NSD staff is working with the Information Technology Services Department to utilize existing Oracle Business Process Management software to create a replacement Case Management system. The Oracle Webcenter Portal licenses are required to provide NSD users with proper visibility to case details, workflow tasks and embedded access to outside resources such as Maricopa County Assessor's Office web site. Additionally, the licenses will allow for NSD to leverage existing mobile technologies to enable staff to create, review and update cases in the field as appropriate. NSD plans to further leverage the Oracle Webcenter Portal and Business Process Management applications to replace many other applications that also rely on old technologies as well as tracking spreadsheets.

Financial Impact

The total purchase shall not exceed \$302,400. Funds are available in the Neighborhood Services Department budget using Community Development Block Grant and general funds.

Concurrence/Previous Council Action

City Council authorized Information Technology Services to establish the City's Oracle Master Agreement, Contract 142562, on Oct. 21, 2015 for a three-year term beginning Oct. 25, 2015, with two one-year extension options. This item has been reviewed and approved by the Information Technology Services Department.

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Neighborhood Services Department.



Artist Design Contract for Terminal Three Modernization East Atrium (Ordinance S-43484)

Request to authorize the City Manager, or his designee, to enter into a contract for an amount not to exceed \$225,000 with artist Donald Lipski (NY) or his City-approved designee to work with an Aviation Department design team to develop design, engineering and construction documentation for an artwork to be integrated into the East Atrium as part of the Phoenix Sky Harbor International Airport Terminal 3 Modernization Public Art Project. The artwork will serve as a major landmark for arriving passengers and visitors to the airport, and will be funded using percent-for-art funds. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The FY 2016-21 Public Art Project Plan includes a project to commission an artist to create a major artwork as part of the modernization of Terminal 3 East Atrium at Phoenix Sky Harbor International Airport. The East Atrium will be the terminal's main passenger arrival and greeting area.

Mr. Lipski was recommended through a competitive process in October 2016 to create a concept for a major artwork for the East Atrium as part of Terminal 3 modernization. City Council approved a concept development contract for Mr. Lipski on Dec. 14, 2016. Since then, Mr. Lipski has worked with the Terminal 3 Modernization project team to develop the concept for a sculptural installation that would occupy the 93-foot width of the atrium's eastern wall.

Procurement Information

On Aug. 23, 2016, a five-person artist selection panel recommended Donald Lipski and four other finalists after reviewing a pool of 177 artists who had applied to be considered for this public art project. In addition to Mr. Lipski, the finalists included Teresita Fernandez (NY), Ball-Nogues Studio (CA), Norie Sato (WA), and Amy Cheng (NY). On Oct. 28, 2016, the panel interviewed the finalists and reviewed their design proposals before recommending that Mr. Lipski be contracted for the project. The panel based its decision on Mr. Lipski's ability to create a memorable arrival landmark in the terminal; his exemplary ability to work with other design professionals; and his

expertise with the materials he proposed to consider in designing the enhancements.

The selection panel included Gary Martelli, Aviation Department; Marie Navarre, artist; Garth Johnson, curator; Gilbert Vicario, curator; and Debbie Zapatka, community representative. Mark Roddy and Rick Pfannenstiel, architect and project director, respectively, for the Terminal Three Modernization, served as advisors to the panel.

Financial Impact

The Terminal 3 Modernization East Atrium is one of 51 projects in the FY 2016-21 Public Art Project Plan approved by City Council on June 1, 2016. The Art Plan includes \$1,680,059 for this project. The proposed \$225,000 design contract will cover all costs related to development of a full design and corresponding construction documents. Funds for project construction will be requested when the design phase is complete. The percent-for-art funds for this project come from the Aviation Department Capital Improvement Program.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval at its Nov. 15, 2016, meeting.

The Parks, Arts, Education and Equality Subcommittee reviewed and recommended this item for approval at its April 26, 2017 meeting by a vote of 3-0.

Location

The project is located in the Terminal Three East Atrium at Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Phoenix Office of Arts and Culture.



**Creative Aging Pilot Grant Funds from Arizona Commission on the Arts
(Ordinance S-43485)**

Request to authorize the City Manager, or his designee, to accept and enter into an agreement for an honorarium in the amount of \$17,500 from the Arizona Commission on the Arts (ACA). The honorarium permits the ACA to partner with the Phoenix Office of Arts and Culture in support of the AZ Creative Aging initiative and distribution of Creative Aging pilot grants to City of Phoenix Senior Centers. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item.

Summary

The purpose of the Pilot Program is to equip Aging/Healthcare Service Organizations (in this case, City of Phoenix Senior Centers) with tools and knowledge to facilitate quality arts programming for the older adults they serve, to provide consultation to assess their ability to plan and implement arts programming, and to support development and implementation of one substantial new creative aging program or initiative. The six senior centers chosen for this pilot are Goelet A.C. Beuf, Devonshire, Pecos, Chinese, Adam Diaz, and Senior Opportunities West.

ACA will provide an honorarium to the Phoenix Office of Arts and Culture in the amount of \$17,500 to be disbursed as follows: \$15,000 for six Creative Aging Pilot Grants, in the amount of \$2,500 to each of the six senior centers; and \$2,500 to Phoenix Office of Arts and Culture to support administration of the partnership. The ACA also will provide full funding support for up to six City of Phoenix staff members to attend the Create/Change: AZ Institute, May 22 to 24, 2017.

In turn, the Phoenix Office of Arts and Culture will act as a liaison for the points of participation between the AZ Creative Aging initiative and City of Phoenix Human Services, Community and Senior Services Division staff; assist the six selected Senior Centers in the design, implementation, and evaluation of their Creative Aging Pilot grant projects; and complete a final report on use of the Creative Aging Pilot grant funds, to be submitted to the Arts Commission on or before Sept. 1, 2017.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and approved this item on April 18, 2017.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Phoenix Office of Arts and Culture.



**Shade Structure Repair and Replacement - Requirements Contract
Recommendation - IFB PKS-SOD16-002 (Ordinance S-43486)**

Request to authorize the City Manager, or his designee, to enter into contracts with Matrix Management, Inc. dba Sun City Awning & Patio (Vendor 3027363), Shade N Net of Arizona, Inc. (Vendor 3002646), Shade Structures, Inc. (Vendor 3074509), The House of Canvas and Fine Wrought Iron LLC (Vendor 3524546), Total Shade LLC (Vendor 3524495), and Ultimate Shade Alternatives, Inc. (Vendor 3524220) to provide shade structure repair and replacement services for up to five years in an amount not to exceed \$250,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Parks and Recreation Department requires repair, replacement, and installation services to maintain approximately 311 various manufactured shade structures previously installed throughout the Parks and Recreation Department. These services will be on an as-needed basis. The shade structures can become damaged due to storms or regular wear and tear over time. Funding for these services is available in the Parks and Recreation Department budget.

Procurement Information

Invitation for Bid (IFB) PKS-SOD16-002 was conducted in accordance with Administrative Regulations 3.10. The Parks and Recreation Department released (IFB) PKS-SOD16-002 on Jan. 26, 2017. Six offers were received by the Parks and Recreation Department, Management Services Division on Feb. 16, 2017.

The Management Services Deputy Director recommends contract offers to the following responsive and responsible bidders to encompass the various manufacturer types:

- * Matrix Management, Inc. dba Sun City Awning & Patio
- * Shade N Net of Arizona, Inc.
- * Shade Structures, Inc.
- * The House of Canvas and Fine Wrought Iron LLC
- * Total Shade LLC

* Ultimate Shade Alternatives, Inc.

Contract Term

The contract will begin on or about June 1, 2017 and the term is for three years with two one-year options to renew (for a total of five years).

Financial Impact

The aggregate contract value, including all option years, will not exceed \$250,000, with an estimated annual expenditure of \$50,000. Funds are available in the Parks and Recreation Department budget.

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Parks and Recreation Department.



Authorization to Enter into Development Agreement with IO Data Centers, LLC, for Construction of New Data Center Facility (Ordinance S-43487)

Request to authorize the City Manager, or his designee, to enter into a development agreement and other agreements as necessary (collectively called the "Agreements") with IO Data Centers, LLC ("IO") or its City-approved designee ("Developer") for the development of a new data center on privately owned property, and related public infrastructure improvements, at the northeast corner of 48th Street and Van Buren Street. Further request authorization for the City Controller to disburse City funds in an amount not to exceed \$359,000 and to accept and disburse funds received from the Developer for public infrastructure improvements as described below.

Summary

Since 2009, IO has made more than \$200 million in investments to its existing data center campus located at the southeast corner of Loop 202 and 48th Street, resulting in significant economic impacts to both the City and Region from these efforts. Growing as part of IO Data Centers nationally, this facility has now reached capacity with its occupancy of data center tenants and requires expansion to continue to grow this operation in Phoenix. To accommodate this growth, IO has acquired the approximately 11-acre parcel south of its existing facility, with plans to construct additional data center facilities in excess of 500,000 square feet. This additional growth will bring further investment of more than \$200 million to this campus.

To accommodate this growth, improvements need to be made to the City-owned public infrastructure in the area surrounding the IO Campus, regardless of any potential development of the new facility. These improvements will mitigate drainage issues and bring existing public infrastructure in the area up to current City standards.

Based on discussions with the Street Transportation and Planning and Development departments, proposed material business terms are as follows:

1. The City and Developer shall share responsibility for the design, engineering, construction, acquisition and dedication of the following Improvements as generally described below:

- a. Developer shall study drainage mitigation in the public right-of-way along 48th Street. Drainage mitigation may require additional construction in the area surrounding the IO Campus to allow for proper flows and drainage of water in the public area. Based on the Drainage Report, Developer may also choose (at its option) to mitigate drainage on the Expansion Parcel by raising the elevation of the Expansion Parcel in specified areas as well as the use of a retaining wall on site which construction on the Expansion Parcel shall be paid for by the Developer and is subject to the sole approval of the Planning and Development Department. Developer will complete the study for flows in the right-of-way along 48th Street as part of its on-site drainage study (the "Drainage Report"), utilizing consultants agreed upon by the City and Developer. The City shall reimburse Developer for the study costs associated with improvements in the public right-of-way, in an amount not to exceed \$25,000.
- b. The City shall design and construct the Improvements pursuant to City Code and state law, utilizing the "Drainage Report" and in coordination with the existing right-of-way improvements adjacent to the existing IO Building.
- c. The Expansion Project will provide for all on-site retention as required by City Code.
- d. The City shall widen and improve 48th Street between the northern boundary of the Expansion Parcel and Van Buren Street; improvements may also include, at the City's discretion, street lighting improvements, sidewalk and biking path improvements and landscaping improvements, and which improvements shall be at the City's sole cost and expense, except as otherwise set forth herein.
- e. Developer will dedicate all rights-of-way and easements on property Developer owns or controls necessary for the Improvements. City will obtain all other necessary rights-of-way and easements to construct the above Improvements.
- f. The City shall install or construct other Improvements as mutually agreed upon by Developer and the City.
- g. Developer will maintain a bond, letter of credit, or other security satisfactory to the Street Transportation Director, or will pay the City in advance for the design and construction of street improvements, which Developer is required to perform pursuant to existing City Codes through a normal development process, along the east side of 48th Street between the northern boundary of the Expansion Parcel and Van Buren Street, including utilities or utility relocations for the Expansion Project. The cost of drainage mitigation requirements in the public right-of-way shall be solely borne by the City.

2. Unless paid for in advance as discussed in 1(g), Developer will make progress payments to the City to reimburse the City for Developer's fair share of the design and street improvement costs along the east side of 48th Street and between the northern boundary of the Expansion Parcel and Van Buren Street in an amount to be agreed upon by the City and Developer, and not to exceed \$587,000; such progress payments shall be made on a quarterly basis, based on actual construction progress made during the prior calendar quarter. Final payment to the City shall be due upon the completion of construction of 48th Street.

3. Developer agrees to participate in the Strategic Economic Development Fund (SEDF) and that Developer will provide documentation necessary for the City to track the tax revenue generated by the Expansion Project. The SEDF will fund construction of the portion of the 48th Street improvements not paid for directly by Developer and for the surrounding area flood mitigation, in an amount not to exceed \$334,000.

4. The City's construction of the widening of 48th Street and flood mitigation improvements shall not commence until after issuance of construction permits to Developer for the construction of the Expansion Project, and receipt and acceptance of the Drainage Report as outlined below.

5. The City shall complete the design of the Improvements no later than nine months after its receipt and acceptance of the Drainage Report from Developer, which acceptance shall not unreasonably be withheld, conditioned or delayed. The City shall complete construction of the Improvements within one year of the completion of the design of the Improvements. In the event that any issue arises beyond the control of either Party, including but not limited to any unforeseen archaeological or environmental issue, that impacts the ability of the City to timely complete the design or construction of the Improvements, the foregoing time periods shall be extended, on a day-for-day basis, for any work stoppage caused by such unforeseen issue that is beyond the control of either Party. The City shall diligently pursue resolution of any unforeseen issues in a timely manner.

6. The Agreement shall contain other standard City terms and conditions, as mutually agreed to by the parties.

Contract Term

The contract term shall be for a period of five years from the date of the development agreement execution.

Financial Impact

The public improvements not paid by the Developer and costs related to the drainage

mitigation study attributable to the public right-of-way, will be paid from the Strategic Economic Development Fund in an amount not to exceed \$359,000. Remaining project costs will be paid or reimbursed by the developer. Funding is available in the Street Transportation Department and the Community and Economic Development Department Capital Improvement Program budgets.

Location

The project is located at the northeast corner of 48th Street and Van Buren Street.

Responsible Department

This item is submitted by Deputy City Managers Paul Blue and Mario Paniagua, and the Community and Economic Development, Street Transportation and Planning and Development departments.



Authorization to Amend Ordinance S-42761, Disposition and Purchase Agreement with Metrowest Development, LLC (Ordinance S-43488)

Request authorization for the City Manager, or his designee, to amend Ordinance S-42761, to modify performance benchmarks as needed to allow for the execution of the Purchase and Sale Agreement (PSA) of three City-owned parcels located between 2nd and 3rd avenues, on the north side of McKinley Street in downtown Phoenix.

Summary

In June 2015, the Community and Economic Development Department issued a Request for Proposals (RFP) for the disposition and redevelopment of three Neighborhood Services Department-owned parcels located between 2nd and 3rd avenues, on the north side of McKinley Street (Site). Metrowest Development, LLC (Developer) was the successful proposer and was awarded the contract.

On July 1, 2016, City Council authorized the City Manager to enter into agreements for the sale of the Site through Ordinance S-42761 (Ordinance). Staff has been in negotiations with the Developer and is prepared to execute the PSA; however, the time allowed for negotiations and execution of the PSA pursuant to Section 2 of the Ordinance has passed. This amendment request is to modify Section 2, first bullet, of the Ordinance to allow for execution of the PSA to occur within 12 months, replacing the prior time of six months.

The developer also has requested an extension for the commencement of development of the West Parcel, which is the second phase of the project. This amendment request also will modify the performance benchmark listed in Section 2, fourth bullet, of the Ordinance to allow a 12-month extension for starting development of the West Parcel, changing the benchmark from 18 to 30 months. Metrowest is an established local developer and has invested in and redeveloped several sites in downtown Phoenix, and the PSA is ready to be signed upon the approval of this amendment.

Concurrence/Previous Council Action

City Council approved Ordinance S-42761 on July 1, 2016.

Location

The Site is located at 808 N. 2nd Ave. and 801 N. 3rd Ave. in downtown Phoenix.

Responsible Department

This item is submitted by Deputy City Managers Deanna Jonovich and Paul Blue, and the Neighborhood Services and Community and Economic Development departments.



**Foreign-Trade Subzone Expansion Application for Conair Corporation
(Resolution 21534)**

Request a resolution to authorize the City Manager, or his designee, to submit a subzone expansion application to the Foreign-Trade Zones (FTZ) Board of the U.S. Department of Commerce for Conair Corporation. Also request authorization to amend the existing FTZ Operations Agreement with Conair Corporation, to enter into an intergovernmental agreement with the City of Glendale, and to enter into all necessary and appropriate agreements and other documents.

Summary

The City of Phoenix, as Grantee of FTZ No. 75, is authorized to apply for boundary modifications to its existing foreign-trade subzones. Conair Corporation has requested a minor boundary modification to expand their existing subzone in Glendale resulting in a net increase in total acreage from 100 acres to 144 acres.

The City of Glendale has provided to the City of Phoenix a resolution indicating their support of Conair's FTZ expansion application. The City of Phoenix will enter into an intergovernmental agreement with the City of Glendale to evidence conditions of Glendale's support of the subzone expansion application for the Glendale site and outline the cities' responsibilities to one another. An amendment to the FTZ Operations Agreement with Conair will be necessary to add the proposed additional acreage.

The activities to be performed in the expanded Subzone 75A are the same as those operations originally approved by the FTZ Board. Conair will be required to pay an application fee to the City of Phoenix.

Contract Term

The term of the current contract with Conair Corporation is through March 8, 2035.

Financial Impact

The City will incur no costs associated with this request.

Concurrence/Previous Council Action

City Council approved and adopted Ordinance S-41484 on March 4, 2015. This was

Council action to extend the term of the Conair agreement.

Location

Conair's proposed foreign-trade zone expansion site is located at 7311 N. Glen Harbor Blvd. in Glendale, Ariz.

Responsible Department

This item is submitted by Deputy City Manager Paul Blue and the Community and Economic Development Department.



Authorization to Enter into Intergovernmental Agreement for Parking Spaces with Arizona Board of Regents on Behalf of Arizona State University

This report requests City Council authorization to enter into an Intergovernmental Agreement (IGA) with Arizona State University (ASU) for parking spaces in the East and Heritage garages.

Summary

The Phoenix Convention Center Department currently has a contract with the Arizona Board of Regents to provide parking spaces for ASU students, faculty, downtown campus business tenants, and student residents and visitors. The agreement expires on June 30, 2017. Parking programs offered to ASU include: part-time and full-time student parking; non-reserved monthly parking; 24-hour, seven-day-per-week reserved monthly parking; and prepaid parking coupons. Existing rates will remain in place for the first two years of the new IGA and will escalate beginning in year three until prevailing public parking rates are reached in years seven to 10. Parking rates range from \$21.60 to \$90, including garage facility prevailing public hourly rates. The parking programs and proposed rates accompany this item (see Attachment A).

Contract Term

This is a five-year contract beginning July 1, 2017, through June 30, 2022. Provisions of the contract include an option to extend the term up to five additional years beginning July 1, 2022, through June 30, 2027, which may be exercised solely by the City Manager or designee.

Financial Impact

This is a revenue-generating contract estimated to result in \$1.6 million over the life of the contract.

Concurrence/Previous Council Action

The Downtown, Aviation, Economy and Innovation Subcommittee recommended this item for approval on April 26, 2017, by a vote of 3-0.

Location

The East garage is located at 601 E. Washington St., and the Heritage garage is located at 123 N. 5th St.

Responsible Department

This item is submitted by Deputy City Manager Paul Blue and the Phoenix Convention Center Department.

Attachment A
ASU INTERGOVERNMENTAL PARKING AGREEMENT
RATES (Effective: July 1, 2017)

Garage	Parking Program	Number of Spaces	Parking Rates
East	Faculty and Tenant Monthly Non-Reserved Parking	50	Years 1-2; \$36 Years 3-4; \$45 Years 5-6; \$60 Years 7-10; Prevailing Public Rate
	Student Non-Reserved Parking (Mon. to Fri.; 6 a.m. to 6 p.m. only)	750 up to 1500	Years 1-2; \$21.60 Years 3-4; \$36 Years 5-6; \$45 Years 7-10; \$55
	ASU downtown Phoenix Student Resident Parking; 24-hour, seven-day, Reserved (no signage)	50	Years 1-10; \$90
<hr/>			
Heritage	Faculty and Tenant Monthly Non-Reserved Parking	110	Years 1-2; \$36 Years 3-4; \$45 Years 5-6; \$70 Years 7-10; Prevailing Public Rate
	Student Non-Reserved Parking (Mon. to Fri.; 4 p.m. to 10 p.m.; Sat. and Sun.; 8 a.m. to 6 p.m.)	350 up to 700	Years 1-2; \$29.07 Years 3-4; \$36 Years 5-6; \$45 Years 7-10; \$55
	Visitor Prepaid Parking Coupons (sold in whole dollar increments)	Unlimited	Garage prevailing hourly rates.
	ASU downtown Phoenix Student Resident Parking; 24-hour, seven-day, Reserved (no signage)	50	Years 1-10; \$90



Exercise Contract Extension with Galloway Asset Management LLC for Financial Wellness Educational Services (Ordinance S-43489)

Request authorization for the City Manager, or his designee, to enter into an amendment to Contract #138481 with Galloway Asset Management LLC to exercise the remaining two option years of the contract. Galloway provides financial health and wellness educational consulting services, in partnership with the Employee Assistance Program and Firestrong. Authorization is also requested for the City Controller to disburse the funds for purposes of this ordinance.

Summary

Galloway Asset Management LLC provides financial education, consultation, and advice to firefighters. These services are provided to mitigate stress and support firefighter mental health.

Procurement Information

In March 2014, a Request For Proposals (RFP) for the above-described services was advertised. The successful proposal was submitted by Galloway Asset Management LLC.

Contract Term

The initial three-year term of the contract was from June 29, 2014 through June 30, 2017. This request is to exercise the remaining two years of the five-year overall contract, from July 1, 2017 through June 30, 2019.

Financial Impact

Per the contract terms, the aggregate five-year cost shall not exceed \$240,000. This request for the remaining two years, for approximately \$48,000 (FY 17-18: \$24,000; FY 18-19: \$24,000) will not exceed the \$240,000 total aggregate five-year amount. Funds for this service are included in the Fire Department's operating budget.

Concurrence/Previous Council Action

This item was approved by City Council on May 4, 2016.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Fire Department.



Request Payment Authority for TriTech Software Systems (Ordinance S-43490)

Request authorization for the City Manager, or his designee, to enter into an agreement with TriTech Software Systems for five years in an amount not to exceed an aggregate amount of \$325,000 to continue to provide ambulance billing software maintenance and support services for the Fire Department. Further request authorization for the City Controller to disburse the funds through the end of the contract term.

Summary

The City of Phoenix owns the TriTech software application. This request is for the renewal of proprietary TriTech software support and maintenance of the application that facilitates the collection of ambulance transportation fees. TriTech software updates have allowed the Fire Department to seamlessly implement changes to the Medicare electronic billing format, as well as changes to the Centers for Medicaid and Medicare Services form that is used to bill all non-Medicare payors. Failure to implement these changes will prevent the Fire Department from submitting viable bills to medical insurance companies, which will prevent the recovery of revenue owed to the City. During fiscal year 2016, the Fire Department posted more than \$35 million in collections. The Fire Department has verified that no other entity provides TriTech software maintenance and support for the proprietary TriTech application. Support for the application is only available directly from TriTech.

Contract Term

The term of the agreement will begin on or about June 1, 2017 for five years.

Financial Impact

The payment authority for all five years, aggregate, will not exceed \$325,000.

Concurrence/Previous Council Action

Payment authority for this item was approved by City Council on March 23, 2016.

Location

Citywide.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Fire Department.

DETERMINATION: SPECIAL CIRCUMSTANCE - WITHOUT COMPETITION

Requested By: William Hughes		Overall Status: Approved By all required approvers per A.R. 3.10	
Department: Fire		Division: Fire - Emergency Transportation Services	
Reason for Request:	Extension	Contract Needed:	Requirements Contract
Contract Period/Extension Period Requested:	Start Date: 4/14/2017	End Date: 4/13/2018	Number of Option Years:
Description of Goods or Services:	Software license/support/maintenance renewal for Tritech Respond Billing (Ambulance Billing A.R. System)		
Justification:	<p>In 2009 the Phoenix Fire Department's Emergency Transportation Section (ETS) selected Tritech Software's Sweet Billing (later rebranded to "Respond Billing") as the Accounts Receivable system that would be utilized for ambulance billing. The selection was made after an RFP was issued and vendor evaluations were evaluated and graded. After the selection was made, the City's Legal Department negotiated the terms of a Technical Support Agreement which was, once finalized, filed with the City Clerk's Office.</p> <p>The City of Phoenix owns the Respond Billing application. The current request is for the renewal of the software support and maintenance of the application.</p> <p>Respond Billing is a proprietary application which was developed and is maintained by Tritech Software systems. As a condition of their support agreement, system updates and patches are routinely deployed in order to ensure that the Phoenix Fire Department is able to keep current with current billing practices and comply with various Federal and State Billing Requirements. Among the terms of the Support Agreement, Tritech is required to maintain indemnity insurance and provides the City with the means to acquire the application source code in the event that Tritech ever becomes insolvent.</p> <p>Over the past three years, for example, Tritech updates have allowed the ETS to seamlessly implement changes to the Medicare electronic billing format, changes to the CMS 1500 form which is used to bill all non-Medicare payors and the new medical coding standard (ICD-10). Failure to implement any of these changes would have prevented ETS from submitting viable bills and would have prevented the recovery of millions of dollars in revenue owed to the City.</p> <p>During FY 2016, ETS posted over \$35 million in collections.</p> <p>Tritech Respond Billing is a NEMESIS compliant application, which means that it complies with accepted data standards which facilitates data integration between disparate systems. Over the next few years, the Fire Department plans to procure and deploy Electronic Patient Care Reporting and a new Records Management System, both of which would be expected to integrate with the Accounts Receivable System. Access to Technical Support will be required in order to ensure successful integration of these systems.</p> <p>Medical Billing requirements are changing rapidly and EMS providers are changing their service delivery models to include more field based services. At this time, it is imperative that ETS be able to keep the Respond Billing system up to date and to have access to Technical Support. Allowing the support agreement to lapse will undermine an otherwise successful and viable revenue recovery operation.</p>		
Efforts:	ETS has verified that no other entity provides software maintenance and support for the proprietary system. Support for Respond Billing is only available directly from Tritech and there is no third party vendor, through which, this service may be purchased.		
Prices & Pricing:			

Annual increases to the cost of Technical Support and Maintenance are based upon what the CPI (Consumer Price Index) at the time of renewal. During 2015, the CPI ranged from 0% to 3%.

Support for 4/14/2017-4/13/2018 is \$60,463.28 (actual).

Estimates for the remaining four years of the request:

4/14/18 - 4/13/2019: \$62,277.17

4/14/22 - 4/13/2020: \$64,145.49

4/14/20 - 4/13/2021: \$66,069.85

4/14/21 - 4/13/2022: \$68,051.95

The support total for the full five year period (given the current actual and four estimates noted above) is \$321,007.75.

Vendor Requested:	<input type="text" value="Tritech Software Systems"/>	Vendor Phone:	<input type="text" value="(563) 387-4833"/> <small>12345 or (123)123-1234</small>
Contact Person:	<input type="text" value="Brenda Taylor"/>	Email:	<input type="text" value="brenda.taylor@tritech...."/>
Previous Contract # if Applicable:	<input type="text" value="128704"/>	Expiration of Previous Contract:	<input type="text"/>
Department Cost Center:	<input type="text" value="5740700000"/>	GL Account:	<input type="text" value="510565"/>
Aggregate Value:	<input type="text" value="321,007.75"/> <small>Number only, no dollar sign, no commas, no periods, no decimals</small>	Monthly Value:	<input type="text"/> <small>Number only, no dollar sign, no commas, no periods, no decimals</small>
BIRF Approval Link for IT related items over \$1000:	<input type="text" value="http://insidephx/forms/birf/Pag..."/> <small>Leave blank if not applicable</small>		

Finance Approver Limits of Authorization/Notes to Requester:

DCM Limits of Authorization/Notes to Requester:

Required Attachments:

1. Completed Scope of Work.
2. Summary results from at least 3 reference checks or summary memo from department stating satisfactory performance on City contracts.
3. Quotes if applicable.

From: William Hughes
Sent: Wednesday, March 29, 2017 11:35 AM
To: Cheryl Griemsmann; Melissa Sweinhagen
Subject: Fw: Business Investment Request Status Update

FYI.... I will submit the determination later today.

From: Business Investment Request Form <no-reply@phoenix.gov>
Sent: Wednesday, March 29, 2017 11:23:57 AM
To: William Hughes; Ken C. Leake
Cc: Juanita Carver
Subject: Business Investment Request Status Update

Your Business Investment Request, Trittech Renewal, has been reviewed and approved. Please see notes, conditions, and unique URL for SAP, below.

CIO Notes:

BRM Notes:

Conditions? No

Consolidate into an existing system/environment within:

Decommission within:

Should be eliminated as a part of Shared Services within:

Include in existing project within: Project:

Initiate Business Investment Request for an alternative project within:

Please copy this unique URL for your approval and paste it into SAP.

<http://insidephx/forms/birf/Pages/Approved-Item.aspx?ID=1578>

Thank you.

Please do not reply to this system-generated email.



Fire Department Contract with Dignity Health for Mobile Stroke Unit Pilot Program (Ordinance S-43491)

Request authorization for the City Manager, or his designee, to enter into a contract with Dignity Health (Dignity), on behalf of Dignity's St. Joseph's Hospital and Medical Center and its Barrow Neurological Institute, for establishment and implementation of a Mobile Stroke Unit (MSU) Pilot Program. Authorization also is requested for the City Treasurer to accept funds from Dignity for associated Phoenix Fire Department (PFD) dispatch and communication services (dispatch through 911).

Summary

The objective of the MSU Pilot Program is pre-hospital, "ASAP" diagnosis and possible administration of the "clot-busting" drug tPa (tissue plasminogen activator) to stroke patients in the field prior to, or during, hospital transport. The objective is to treat stroke patients to potentially improve neurological recovery and outcomes.

Stroke is the fifth leading cause of death in the U.S. and the leading cause of adult disability. According to Barrow, more than 800,000 strokes occur annually in the United States. With approximately 8,000 patients in Maricopa County, 5,500 are within the MSU response map (20 minutes), and approximately 2,500 are estimated to be tPa-eligible stroke patients who could benefit from this revolutionary, life-saving treatment. Further, the probability of a "good outcome" is reduced by 10 percent every 30 minutes that treatment is not provided. The safe time frame to treat stroke patients with the "clot-buster" drug tPa is limited to less than 4.5 hours from the onset of symptoms. Currently, approximately five percent of stroke patients receive tPa at all, and less than one percent within one hour.

The MSU Pilot Program will logistically provide that calls for assistance would be received by Fire 911, and both PFD and the MSU would be dispatched according to the 20-minute response map within Phoenix. If the assessed patient is eligible, MSU would administer the tPa IV and the patient would be transported to the closest appropriate stroke patient treatment facility as determined by the treating physician in collaboration with PFD paramedic personnel.

Contract Term

This request is for an agreement with Dignity Health, on behalf of Dignity's St. Joseph's Hospital and Medical Center and its Barrow Neurological Institute. The initial three-year term would be from approximately June 1, 2017 through May 31, 2020, and two one-year options through May 31, 2022. This contract will be non-exclusive. It is intended that other medical entities will have the opportunity to contract with PFD in the future, in an effort to expand the Mobile Stroke Program to ensure more comprehensive citywide coverage.

Financial Impact

The City will be reimbursed by Dignity for all associated dispatch and communication services (911). Dignity will provide its own vehicle, staffing, and all other necessary equipment.

Location

Twenty-minute response map within Phoenix based on Dignity's location.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Fire Department.



Authorize Recommended Changes to 2017 Neighborhood Block Watch Grant Program Process

Request City Council approval of the Neighborhood Block Watch (NBW) Oversight Committee's recommended changes to the 2017 NBW grant program process as outlined below.

Summary

The Neighborhood Block Watch Oversight Committee reviewed and approved the following changes and updates to the grant program process. The Oversight Committee recommends the changes go into effect for the 2017 grant program beginning July 1, 2017.

The following changes are recommended:

1. Request that the total annual funding amount available for all grant applications be decreased from \$1,500,000.00 to \$1,400,000.00. On July 1, 2016, City Council authorized an increase to the annual funding amount from \$1,250,000.00 to \$1,500,000.00. After the July 1, 2016 City Council meeting, it was discovered there was a City Council item #4, dated Nov. 16, 1993, which stated that, "Monies awarded will not exceed revenues collected for this fund." Historically revenues collected average \$1,400,000.00 a year.
2. Set an annual deadline of Sept. 30 for all awarded grant contracts to be signed unless arrangements are made with police staff to sign the grant contract at a later date due to extenuating circumstances.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department on behalf of the Neighborhood Block Watch Oversight Committee.



Request Authorization for Sale of Canine Charlie for \$1.00 (Ordinance S-43492)

Request authorization for the City Manager, or his designee, to authorize the sale of canine Charlie to Officer Kenichi Doi for \$1.00. Officer Doi is assigned to the Police Department's Airport Bureau, Explosive Detection Canine Team at Phoenix Sky Harbor International Airport. Officer Doi has requested to retire and purchase his assigned canine, Charlie, in accordance with A.R. 4.2.1.

Summary

Canine Charlie is a five-year-old male Retriever and was partnered with Officer Doi in 2016. The request to purchase canine Charlie is being made by Officer Doi because canine Charlie is unable to function in his capacity as a police service dog due to his inconsistent odor recognition, low working drive and recent failure during his annual canine evaluation. The Transportation Security Administration (TSA) is the owner of canine Charlie. The TSA has agreed to retire Charlie and transfer ownership to the City of Phoenix. Officer Doi agrees to accept full responsibility and liability for canine Charlie until his death, upon which the death certificate will be forwarded to the TSA, as required per the cooperative agreement between the City of Phoenix and the TSA.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.



Authorization to Enter into Letter of Agreement with U.S. Department of Justice, Drug Enforcement Administration (Ordinance S-43493)

Request approval for the City Manager, or his designee, to authorize the Police Department to enter into a letter of agreement with the Drug Enforcement Administration (DEA) for the eradication of illegal marijuana. The current agreement is for \$10,000.00, however, the Police Department requests authorization to accept up to \$75,000.00 should additional funding become available during the funding period. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Police Department has entered into annual agreements with the DEA in support of this drug enforcement task force over the last several years. The letter of agreement was received March 21, 2017. The DEA will reimburse the Police Department for overtime, supplies and equipment expenses as a result of investigations targeting illegal marijuana cultivation, possession and distribution. The DEA will not reimburse for fringe benefits.

Contract Term

One year from Oct. 1, 2016 through Sept. 30, 2017.

Financial Impact

The current letter of agreement reimburses the Police Department up to \$10,000.00 for overtime, supplies and equipment. Request permission to accept up to \$75,000.00 should additional funding become available. Costs to the City are associated fringe benefits and in-kind costs.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.



Terminal 3 Concession Program Strategy and Request to Issue Revenue Contract Solicitation (Ordinance S-43494)

Request to authorize the City Manager, or his designee, to approve the specific terms associated with the issuance of the Terminal 3 Concessions Revenue Contract Solicitation (RCS) at Phoenix Sky Harbor International Airport, including contract packages, evaluation criteria, related business requirements, and airport contracting policy.

Summary

With the modernization of Terminal 3, Aviation Department staff developed a Concessions Leasing Strategy in preparation for the release of a Revenue Contract Solicitation to procure new Food and Beverage and Retail concession contracts.

This strategy is the foundation for Terminal 3's concession procurement. Staff has reviewed enplanement forecast and construction schedules, determined optimal concessions square footage, programmed concession space, identified contracting opportunities, created a timeline for the solicitation and anticipated tenant construction dates to coincide with the opening of Phase 2 and the new south concourse in late 2018. This timeline includes business information discussions with the industry. All existing services in the terminal will continue during this time.

The Phoenix Sky Harbor International Airport concession program goals include creating retail and food options for passengers that reflect our local community. Terminal 3's concession procurement will continue to include local, regional, and national concepts, consistent with the Terminal 4 procurement process. In order to deliver concession services in correlation with the construction timeline, the concession contract procurements for retail and food and beverage will occur simultaneously.

Multiple packages will allow contracting opportunities for companies of all sizes, including the opportunity for subleasing, joint ventures, and licensing agreements. These opportunities provide for the potential inclusion of small businesses.

Goals of the concessions program include: encouraging competition; reflect the region

and include national, regional, and local brands and concepts as well as current trends; optimize sales and revenues; increase opportunity for local and small business participation; raise quality and uniqueness of souvenir and gifts merchandise; and phase implementation to coincide with the Terminal 3 Modernization construction schedule.

The Revenue Contract Solicitation will reserve the right for potential City Council consideration of an Exclusive Beverage Pouring Rights agreement at Terminal 3, to coincide with the contractual mid-term capital investment occurring at five years into the term of the lease.

Procurement Information

Aviation recommends the following Revenue Contract Solicitation components, evaluation criteria, and related business requirements:

- * One contracting phase with four contract packages (two for Food & Beverage and two for Retail) ranging in size from four units to six units
- * Successful retail respondents can only be awarded one news and gift package
- * Successful food & beverage respondents can only be awarded one food & beverage package
- * Minimum Annual Guarantee (MAG) will be set dependent on the concession category using Phoenix Sky Harbor International Airport historical and market data
- * Percentage of gross sales for Retail will range from 12 percent to 16 percent, depending on the retail category
- * Percentage of gross sales for Food & Beverage will be 13 percent for food and 16 percent for alcohol
- * The Airport Street Plus Ten Percent Pricing policy will be in effect throughout the duration of the agreement

The proposals will be evaluated based on the following criteria:

Proposed concepts	250
Design/quality of tenant improvements	225
Management and operations plans	225
Experience and qualifications	200
Proposed Business Plan	100
Total	1,000

In accordance with the Employee Retention Policy, the successful proposers will be required to hire current Terminal 3 Food & Beverage and Retail concession employees

and retain those employees for at least 120 days in their current job classification. The successful proposers may only interview outside of this group of employees when there are no longer any current employees in the group that are available to hire. Aviation will secure a third-party facilitator to assure this process is successful.

Proposers will be asked to include the following information as part of the required proposal response to the Revenue Contract Solicitation. The information provided will not be considered as part of the panel deliberations or scoring criteria:

"Do you currently have an agreement in place that would prohibit a labor organization from engaging in a strike, picketing or conducting other economic actions at the proposed concessions operation? If yes, please list the labor organization(s) and the date the agreement was executed."

It is anticipated this solicitation will be issued in Spring of 2017, with estimated contract awards in early 2018.

The City's Transparency Policy will be in effect with the release of the Revenue Contract Solicitation and throughout the process.

Contract Term

10-year contract term commencing when all units have been constructed and open.

Financial Impact

Estimated \$400 million in gross sales resulting in \$51.6 million in revenue to the City over 10 years.

Concurrence/Previous Council Action

The Downtown, Aviation, Economy and Innovation Subcommittee recommended City Council approval of this item on May 3, 2017, by a vote of 4-0.

Location

Phoenix Sky Harbor International Airport, Terminal 3, 3400 E. Sky Harbor Blvd.

Responsible Department

This item is submitted by Deputy City Manager Paul Blue and the Aviation Department.



Terminal 4 Retail Concession Phase Two Revenue Contract Solicitation Award Recommendation (Ordinance S-43495)

Request to authorize the City Manager, or his designee, to enter into Terminal 4 Retail Concession Phase Two agreements (Leases) with the recommended retailers described and listed below.

Summary

On April 22, 2015, the Phoenix City Council authorized staff to issue a single Revenue Contract Solicitation (RCS) process with two contracting phases for new retail opportunities in Terminal 4. The Aviation Department issued the Terminal 4 Retail Concession RCS on July 1, 2015.

Each RCS contracting phase included multiple contract packages to achieve a diverse and balanced retail program. Successful respondents were allowed to be awarded only one news and gift package in each contracting phase. Phasing the award and construction of the contract packages minimizes disruption to customer service and enhances competition. Phase One submittals were required on Sept. 22, 2015, and Leases were awarded on June 15, 2016.

Procurement Information

Phase Two of the Terminal 4 Retail Concessions RCS included eight packages encompassing 20 retail locations. Submittals were received on Sept. 19, 2016. No responses were received for Contract 12 (news/souvenir/open) and Contract 16 (open concept). The Evaluation Panel for this process held interviews for packages with more than one response. Interviews were held on Feb. 6 and 7, 2017. Six contracts with 16 locations are being recommended for award.

The Panel members evaluated the responses based on the following criteria established in the RCS: Proposed Concept(s) (30 points), Qualifications and Experience (20 points), Proposed Business Plan (15 points), Design and Quality of Improvements (15 points), Management Team, Operations and Marketing Plans (10 points), and Employee Incentives (10 points). The Panel recommendations were reached by consensus of the panel in consideration of the above criteria.

The City Transparency policy is in effect until all Leases from Phase Two of this RCS are awarded.

After a local and national outreach effort and conducting a competitive Revenue Contract Solicitation (RCS) process, the following companies are recommended for award to enter into the Leases:

<u>Recommended Retailer</u>	<u>Contract Number</u>
Casa Unlimited Enterprises, Inc.	9
Paradies Lagardere @ PHX, LLC	10
Avila Retail Development and Management, LLC	11
Avila Retail Development and Management, LLC	13
In Motion Entertainment Group, LLC	14
Dufry Phoenix Retailers JV	15

Contract Term

Each contract will have a primary lease term of seven years with one, three-year option to be executed at the sole discretion of the Aviation Director. An Employee Retention Policy is in place requiring the successful respondents to hire current Terminal 4 retail concession employees and retain those employees for at least 90 days in a similar job classification.

Financial Impact

The minimum annual guarantee (MAG) rent for Phase Two for the seven-year initial term of the Leases is estimated to be \$18.9 million.

Concurrence/Previous Council Action

The Downtown, Aviation, Economy and Innovation Subcommittee recommended City Council approval of this item on April 26, 2017, by a vote of 3-0.

Location

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

Responsible Department

This item is submitted by Deputy City Manager Paul Blue and the Aviation Department.



FAA Reimbursable Agreement for Terminal 3 Radio Transmitter 2 Antenna Site Equipment Room Direct Current Bus System - AV13000002 (Ordinance S-43496)

Request to authorize the City Manager, or his designee, to enter into a Reimbursable Agreement (Agreement) with the Federal Aviation Administration (FAA) for the procurement and installation of a direct current (DC) bus system for the Phoenix Sky Harbor International Airport Terminal 3 radio transmitter 2 (RT2) antenna site equipment room. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Phoenix Sky Harbor International Airport Terminal 3 Modernization Project (Project) requires the removal of the Terminal 3 Northeast elevator bank. Presently, the FAA has an existing RT2 antenna platform on top of the Terminal 3 Northeast elevator bank on the roof of Terminal 3 and an emergency generator on the northeast roof of Terminal 3, both of which will be removed and replaced with the DC bus system. The Project involves FAA engineering support, design, and project management services during the construction of a new FAA platform and the procurement, installation, and commissioning of the DC bus system equipment. The Project includes preliminary work, such as technical consultations, engineering, environmental review, site visits and meetings, feasibility assessments, project planning, development of cost estimates, and development of design packages, if required. Under the Agreement, the FAA will perform the work and the City of Phoenix will reimburse the FAA for its costs, not to exceed \$325,000. The Agreement may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee.

Financial Impact

Reimbursement to the FAA under the Agreement shall not exceed \$325,000. Funds are available in the Aviation Department Capital Improvement Program budget.

Public Outreach

The Aviation Department conducted many information presentations about the Project to community groups and local professional associations over the past four years. The Project was last presented to the Phoenix Aviation Advisory Board on Sept. 15, 2016.

Location

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

Responsible Department

This item is submitted by Deputy City Manager Paul Blue and the Aviation Department.



Transportation Security Administration High-Speed Operational Connectivity Fiber Lease (Ordinance S-43497)

Request to authorize the City Manager, or his designee, to enter into a fiber lease (Lease) with the Transportation Security Administration (TSA) to accommodate its High-Speed Operational Connectivity (HISOC) Network.

Summary

The HISOC Network enhances communication between TSA personnel in various locations, enhances security, and enables the TSA to provide more effective and efficient passenger screening services. The TSA has leased fiber at Phoenix Sky Harbor International Airport since March 19, 2007 for its HISOC Network under a short-term agreement. That agreement expires May 31, 2017. The TSA currently leases 36 strands of single-mode fiber from the City of Phoenix at the current rate of \$994.66 per strand annually. Total rent under the current agreement for 36 strands of fiber is \$35,808 annually.

Contract Term

The term of the Lease will be one year with four one-year renewal options, which may be exercised at the sole discretion of the Aviation Director.

Financial Impact

Under the new agreement, the adjusted annual rent for 36 strands will be \$36,882 for the first year of the Lease. The rent will be increased by 3 percent annually. The total financial impact over the five-year term will be \$195,813, if all renewal options are exercised.

Location

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

Responsible Department

This item is submitted by Deputy City Manager Paul Blue and the Aviation Department.



Contract Change Orders for Jurisdictional Transit Service Revenue Agreements

Request to authorize the City Manager, or his designee, to enter into contract change orders with the City of Glendale (Agreement 138946), the City of Scottsdale (Agreement 138962) and the Regional Public Transportation Authority (RPTA) (Agreement 139285) for transit services these agencies purchase from the City of Phoenix. Further request to authorize the City Treasurer to accept the funds related to this item.

Summary

These change orders will be effective July 1, 2017 through June 30, 2018 and will establish that the City of Phoenix will provide weekday/weekend and holiday fixed route bus service for:

- City of Glendale: Routes 51, 59, 60, 67, 80, 90, 138, 170, and 186.
- City of Scottsdale: Routes 29, 41, 50, 80, 154, and 170.
- RPTA: Routes 3, 17, 29, 50, 59, 67, 70, 80, 106, and 138.

The RPTA also will disburse funds to Phoenix for Dial-A-Ride service for the City of Phoenix, Southwest Valley Region, and the Gila River Indian Community (GRIC).

Financial Impact

The other jurisdictions/agencies will pay Phoenix for the transit service not covered by farebox revenue, resulting in full cost recovery and no cost to the City of Phoenix. The new contract amounts for 2017-18 are as follows:

City of Glendale

Gross Cost of Service: \$5,140,085

Farebox Revenue: \$1,078,059

Net Glendale Cost (Revenue to Phoenix): \$4,062,026

City of Scottsdale

Gross Cost of Service: \$2,154,352

Farebox Revenue: \$253,092

Net Scottsdale Cost (Revenue to Phoenix): \$1,901,260

RPTA

Fixed Route Bus:

Gross Cost of Service: \$10,329,167

Farebox Revenue: \$1,623,341

Net RPTA Cost (Revenue to Phoenix): \$8,705,826

Phoenix Dial-A-Ride:

Net RPTA Cost (Revenue to Phoenix): \$16,449,229

Southwest Valley & GRIC Dial-A-Ride:

Net RPTA Cost (Revenue to Phoenix): \$251,559

Total RPTA Net Cost (Revenue to Phoenix): \$25,406,614

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.



Award of Contract for Bus Stop Enhancements - IFB PTD17-005 (Ordinance S-43498)

Request to authorize the City Manager, or his designee, to enter into a contract with Talis Construction Corporation (Vendor 3001351) for bus stop enhancements. Further request for the City Controller to disburse all funds in an amount not to exceed \$9,512,975 over the life of the contract.

Summary

Talis Construction Corporation will be responsible for bus stop furniture and concrete work at the City's approximately 4,000 bus stop locations. This work will include the manufacture, repair and refurbishment of transit furniture and installation and removal of transit pads designated by the City.

Procurement Information

IFB PTD17-005 was conducted in accordance with Administrative Regulation 3.10. There were two offers received on Dec. 29, 2016. Low bids were based on the Estimated Total for all five contract years. The two bids received were:

- *Southwest Fabrication, LLC: \$10,165,446
- *Talis Construction Corporation: \$9,512,975

A protest was received by the City from Southwest Fabrication, LLC on Jan. 25, 2017 and denied on Feb. 7, 2017. Subsequently, an appeal was filed on Feb. 13, 2017. Following a hearing and, upon recommendation of the hearing officer on April 13, 2017, the City Manager denied the appeal.

Contract Term

The initial contract term shall begin on or about May 31, 2017 and end on May 30, 2022.

Financial Impact

The aggregate contract value, including all option years, shall not exceed \$9,512,975 with an estimated annual expenditure of \$1,902,595. Funds are available in the Public Transit Department's capital budget using Transportation 2050 funds.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.



Enter Into Contract Change Order with Regional Public Transportation Authority for Purchase of Transit Services (Ordinance S-43499)

Request to authorize the City Manager, or his designee, to enter into a change order to Contract 143071 to reflect the increase in fixed route service to the City of Phoenix for fiscal year 2016-17 and to establish a new estimated budget for fiscal year 2017-18 for the purchase of transit services from the Regional Public Transportation Authority (RPTA) for routes 30, 45, 56, 61, 77, 108, 140 and 156, which partially operate within Phoenix borders. Further request authorization for the City Controller to disburse funds in an amount not to exceed \$8,033,442.

Summary

This Intergovernmental Agreement was originally approved by City Council on April 20, 2016, commenced on July 1, 2016 and will continue until contract termination by either party providing sufficient notice.

Transit services are customarily purchased and sold between regional entities, where adding service or continuing an existing bus route is most economical. Phoenix also sells service to the RPTA on various routes.

As part of the T2050 Transportation Plan, Phoenix expanded bus service hours and increased weekend frequency on all bus routes within the City in October 2016 and April 2017. In October 2016, service span on Routes 30, 45, 56, 61, 77 and 108 were extended on weekdays from 4 a.m. to midnight and Saturdays and Sundays from 5 a.m. to 10 p.m. Service frequency also was increased to a minimum of every 30 minutes. In April 2017, service span was further extended on Routes 45, 61 and 77 to 4 a.m. to 2 a.m. on Fridays and 5 a.m. to 2 a.m. on Saturdays. The net cost of these service changes is an increase of \$1,178,741 to the fiscal year 2016-17 contract amount.

Effective July 1, 2017, the RPTA will provide the following fixed route service for the City of Phoenix: Routes 30, 45, 56, 61, 77, 108, 140 and 156. The total estimated net cost to be billed by the RPTA to Phoenix is \$6,854,701. At the end of each fiscal year, Phoenix and the RPTA will reconcile the actual miles operated, gross costs, federal preventive maintenance funding credits, and the fare revenue collected. The difference

between the original estimates and the actuals will be communicated to the City through a credit memo from RPTA.

Financial Impact

Estimated gross costs will be reduced by fare revenues and federal preventive maintenance funding credits, which result in total estimated net increased cost for fiscal year 2016-17 of \$1,178,741 and total estimated net costs for fiscal year 2017-18 of \$6,854,701. Funds are available in the Public Transit Department operating budget in the Transportation 2050 fund.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.



Transforming Trash into Resources II: Carpeting and Carpet Foam, Latex Paint, and Urban Wood Diversion (Ordinance S-43500)

Request to authorize the City Manager, or his designee, to enter into separate agreements with GIS Consulting, Green Sheen Paint & Design, Inc., and Edgewood Lumber and Sawmill, LLC, to provide waste diversion services. Further request authorization for the City Controller to disburse all funds associated with this item.

Summary

In February 2013, the Mayor and City Council established a citywide goal to divert 40 percent of solid waste from the landfill by the year 2020. Since 2013, the City's diversion rate has increased from 16 percent to 20 percent. In April 2016, this goal was expanded to achieve Zero Waste by 2050. In order to meet these goals and improve the City's diversion rate, the Public Works Department launched the Reimagine Phoenix initiative. The initiative has a three-pronged approach:

1. Offer new solid waste services;
2. Increase education and community outreach; and,
3. Create public-private partnerships, centered on developing waste diversion strategies and economic development opportunities.

In March 2015, the Public Works Department issued the Transforming Trash into Resources Request for Proposals (RFP), resulting in two contracts to divert mattresses and residential food waste, respectively, from the City's waste stream. To date, Goodwill of Central Arizona has diverted 5,449 mattresses from the City's landfill. During the past year, Recycled City has diverted from the landfill approximately 4,500 pounds of food scraps and other material and turned it into compost for use at a local farm.

Procurement

In October 2016, the Public Works Department issued the Transforming Trash into Resources II Request for Proposals to identify new partners for diversion of carpeting and carpet foam, latex paint, and urban wood. A diverse selection panel,

including representatives from the City and community stakeholders, evaluated the proposals based on business plan (450 points), community impact (350 points), and qualifications and experience (200 points). The results are listed below by type of material.

Carpeting and Carpet Foam

An estimated 900 tons of waste carpeting and carpet foam are disposed at the City's landfill each year.

GIS Consulting was the only proposer for this category and the panel unanimously recommends entering into a contract with the company. The contractor will implement a pilot program to repurpose approximately 100 tons of carpeting and carpet foam into blown insulation and concrete brick.

Latex Paint

Each year, the City receives an estimated 11,000 gallons of waste latex paint primarily through the City's Household Hazardous Waste (HHW) events. Currently, the City ships waste latex paint to a recycling facility in California at a cost of \$5 per gallon. Two proposals were received for this category:

- 3-R Exchange, LLC: 719 points
- Green Sheen Paint & Design, Inc.: 940 points

The panel unanimously recommends entering into a contract with Green Sheen Paint & Design, Inc. (Green Sheen). Green Sheen will collect usable latex paint from the City's transfer stations and at HHW events to be processed at its Phoenix facility for resale. Green Sheen expects to create 12 to 15 new jobs over the life of the contract.

Urban Wood

The City landfills approximately 130 tons of tree trunks and large stumps annually. Two proposals were received for this category:

- Wineglass Bar Sawmill, LLC: 831 points
- Edgewood Lumber & Sawmill, LLC: 880 points

The panel unanimously recommends entering into a contract with Edgewood Lumber and Sawmill, LLC (Edgewood). Edgewood will transport tree trunks from the City's transfer stations or other designated locations to its Gilbert facility for

processing, and will make a portion of the lumber available to high school wood shop classes in Phoenix.

Contract Term

The initial contract term for Green Sheen and Edgewood will be for three years, with two one-year renewal options, beginning on or about June 6, 2017.

The initial contract term for GIS Consulting will be for six months, with four one-year renewal options, beginning on or about June 6, 2017.

Financial Impact

There is no cost associated with the GIS Consulting and Edgewood contracts.

Green Sheen will charge the City \$3.50 per gallon processed, with costs not expected to exceed \$56,000 per year or \$280,000 over the life of the contract. Funds are available in the Public Works Department's budget.

Concurrence

This item was recommended for approval by the Transportation and Infrastructure Subcommittee on April 11, 2017, by a vote of 3-0.

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Paul Blue, and the Public Works and Community and Economic Development departments.



Komptech Equipment for Compost Facility - Parts and Service (Ordinance S-43501)

Request to authorize the City Manager, or his designee, to enter into a contract with Bejac Corporation (Vendor 3042964) in an amount not to exceed \$48,000 over the life of the contract for operation training and periodic monitoring of equipment at the City's new compost facility. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

In April 2017, the City opened a 30-acre Compost Facility at the Resource Innovation Campus at 27th Avenue and Lower Buckeye Road. The mulching and compost operations use a Hurrifex Mobile Stone and Plastic Separator in the production of approximately 55,000 tons per year of stable and cured compost. The contractor will provide operation training for staff and facility operator WeCare Organics, LLC, as well as periodic monitoring to ensure the equipment is being operated and maintained per the equipment manufacturer's guidelines.

Procurement Information

Bejac Corporation is the only authorized vendor in Arizona for equipment, parts, service, warranty and training for Komptech equipment. In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing that there is only one source for the necessary goods and services.

Contract Term

The initial one-year contract term shall begin on or about June 1, 2017, and end on May 31, 2018. Provisions of the contract include an option to extend the term of the contract for up to two additional years, in one-year increments, which may be exercised by the City Manager or his designee.

Financial Impact

Expenditures shall not exceed \$48,000 over the life of the contract, with an estimated annual expenditure of \$16,000. Funds are available in the Public Works Department's budget.

Location

The Compost Facility is located at the Resource Innovation Campus, 3060 S. 27th Ave.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.



**Vermeer Compost Turner and Horizontal Grinder - Maintenance and Repair
(Ordinance S-43502)**

Request to authorize the City Manager, or his designee, to enter into a contract with Vermeer Southwest (Vendor 3017926) in an amount not to exceed \$333,336 for equipment training and monitoring of a horizontal grinder and a compost turner. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department has purchased Vermeer specialized equipment for the 27th Avenue Mulching Area and Compost Facility. This equipment includes a horizontal grinder and a compost turner. This contract will assist the City in ensuring that the equipment is being properly operated and maintained by the contracted Compost Facility operator as required by the original equipment manufacturer's guidelines. This equipment is critical to daily mulching and composting operations.

Procurement Information

A determination has been made for this requirements contract because Vermeer Southwest is the only authorized vendor that provides equipment, parts, service, warranty and training. In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing that there is only one source vendor for this essential equipment and services.

Contract Term

The initial two-year contract term shall begin on or about June 1, 2017 and end on May 31, 2018. Provisions of the contract include options to extend the term of the contract for up to seven additional years, in one-year increments, which may be exercised by the City Manager or his designee.

Financial Impact

Expenditures shall not exceed \$333,336 for the life of the contract, with an annual expenditure amount of \$41,667. Funds are available in the Public Works Department's budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.



Solid Waste 35-65-95 Gallon Containers - IFB 13-073 (Ordinance S-43503)

Request to authorize the City Manager, or his designee, to add additional expenditures to Contract 4705000167 with Rehrig Pacific Company (Vendor 3023074), in an amount of \$2,000,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Rehrig Pacific Company provides 35, 65, and 95 liquid gallon containers to the Public Works Department that are used in the City's fully automated refuse and recycling collection programs. Order quantities are contingent upon the City's refuse, recycling and green organics collection programs, and includes replacement of existing containers as well as new containers for service area growth.

Financial Impact

The estimated expenditure for this contract through Dec. 31, 2017, is \$2,000,000; with a total aggregate value of \$12,225,200 over the life of the contract. Funds are available in the Public Works Department's budget.

Concurrence/Previous Council Action

This contract is the result of IFB 13-073 awarded by City Council on Dec. 19, 2012, with an original aggregate value of \$7,518,900 for the initial three-year period, through Dec. 31, 2015. The contract contains an option to extend the contract two additional years, which was exercised through Dec. 31, 2017. Funds in an amount of \$2,506,300 were approved on Oct. 21, 2015, for the option year through Dec. 31, 2016.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.



Packer Body and Articulated Loader Lubrication Services (Ordinance S-43504)

Request to authorize the City Manager, or his designee, to enter into a contract with Lincoln Constructors, Inc. (Vendor 3523568), in an amount not to exceed \$75,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department requires services to lubricate various equipment to comply with manufacturer specifications. Proper lubrication of refuse truck assemblies prevents breakdown of units and failure of fittings and bearings detrimental to the operation of the vehicles.

Procurement Information

In November 2016, the Public Works Department issued an Invitation for Bid for these services. No award was made as no responsive and responsible bids were received. Staff is currently revising the scope of work to issue a new solicitation. Lubrication services are needed, on an interim basis, to maintain operations and avoid interruption of service. In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing time restrictions for this essential service.

Contract Term

The requested contract term is six months, from June 1, 2017, through Nov. 30, 2017.

Financial Impact

Expenditures over the life of this contract will not exceed \$75,000. The funds are available in the Public Works Department budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.



**91st Avenue Wastewater Treatment Plant Facility Assessment - WS90100107
(Ordinance S-43505)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Arcadis U.S., Inc. (Phoenix) to conduct an assessment of the above- and below-ground facilities at the Sub-Regional Operating Group (SROG) 91st Avenue Wastewater Treatment Plant (WWTP). Further request authorization for the City Controller to disburse all funds related to this item.

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

Summary

The 91st Avenue WWTP is located on a 560-acre site just east of 91st Avenue, south of Broadway Road and north of Southern Avenue. Processes consist of screening, grit removal, primary sedimentation, activated sludge with nitrification-denitrification, disinfection, and dechlorination with a current design capacity of 230 million gallons per day.

Arcadis U.S., Inc. services include but are not limited to: provide an assessment to determine current physical and performance condition of the structural, mechanical, electrical, instrumentation and architectural components of both above- and below-ground facilities, the remaining useful life of the assets at the facility, whether assets should be repaired, rehabilitated, or abandoned, identify recommendations to improve operation efficiencies, provide a condition assessment, provide a prioritized 10-year plan for rehabilitation/replacement projects and project costs for long-term management.

The plant is owned by the SROG and operated by the City of Phoenix.

Procurement Information

Arcadis U.S., Inc. was chosen for this project using a qualifications-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 is not to release the scoring of proposers until a contract has been awarded. Top-three rankings are as follows:

Arcadis U.S., Inc.: Ranked #1
Brown and Caldwell, Inc.: Ranked #2
Hazen and Sawyer: Ranked #3

Contract Term

The services under this contract are expected to take approximately 540 calendar days to complete. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

Arcadis U.S., Inc.'s fee under this contract will not exceed \$1,383,349, including all subconsultant and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Location

5615 S. 91st Ave., Tolleson, Ariz.

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department and the City Engineer.



Electrical, Instrumentation, and Control Systems Inspection and Testing Services - Cave Creek Water Reclamation Plant - WS90300009 (Ordinance S-43506)

Request to authorize the City Manager, or his designee, to enter a contract with Arcadis US, Inc. (Phoenix) to provide professional services for design support, construction inspections, and commissioning testing in support of projects associated with electrical, instrumentation, and control systems at the Cave Creek Water Reclamation Plant, and to exercise contract options as necessary. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

To improve the functionality, efficiency, and maintenance of electrical, instrumentation, and control systems, the City uses Electrical, Instrumentation, and Control System Inspection and Testing Services to assist the engineer and contractor with projects related to the facilities and its various systems. The Water Services Department developed electrical, instrumentation, and control standards that are used to provide consistency throughout the department. Arcadis US, Inc.'s role will be to ensure adherence to these standards at the reclamation plant during design, construction, calibration, testing, and commissioning of the electrical, instrumentation, and control systems. In addition, Arcadis US, Inc. will provide operations and maintenance support when City staff are replacing existing equipment or installing new equipment, and may be required to provide arc flash hazardous testing services.

Procurement Information

Eleven firms submitted for this qualifications-based selection process. The City selected the top-four ranked firms identified below to perform the above services in various Water Services locations based on a single procurement according to Section 34-604 of the Arizona Revised Statutes (A.R.S.). The firm rankings are listed below.

- Black & Veatch Corporation: Ranked #1
- OZ Engineering: Ranked #2
- Brown and Caldwell, Inc.: Ranked #3
- Arcadis US, Inc.: Ranked #4
- Wilson Engineers, LLC: Ranked #5

Stanley Consultants, Inc.: Ranked #6
Greeley and Hansen, LLC: Ranked #7
Westin Engineering, Inc.: Ranked #8
Industrial Power Solutions, LLC: Ranked #9
Quantum: Ranked #10
Automation Controls Design Specialists, LLC: Ranked #11

Pursuant to A.R.S. Title 34, the City is not to release the scoring of proposers until a contract has been awarded.

Contract Term

The term of the contract for the Cave Creek Water Reclamation Plant will be two years with an option to extend for an additional two-year period, for a total of four consecutive 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 for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

Arcadis US, Inc.'s fee under the initial two-year contract will not exceed \$685,000, and will not exceed \$935,000 for the total four-year contract including all subconsultant and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Location

Cave Creek Water Reclamation Plant, 22841 N. Cave Creek Road

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department and the City Engineer.



Aquifer Storage and Recovery Well 303 Construction Manager at Risk Design Phase Services - WS85010051 (Ordinance S-43507)

Request to authorize the City Manager, or his designee, to enter into an agreement with MGC Contractors, Inc., (Phoenix) to provide Construction Manager at Risk (CMAR) Design Phase Services in support of the Aquifer Storage and Recovery (ASR) Well 303 project. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

ASR Well 303 is currently in design with drilling and construction scheduled for summer 2017. The expected production capacity is about 1,200 to 1,500 gallons per minute (gpm). Water pumped from the well will be used to supplement potable water deliveries in northeast Phoenix. During periods of low water demand, the City plans to store surplus potable water in the aquifer by injecting potable water down this well. The anticipated injection rate is 1,200 gpm with an objective of recharging 1,000 to 1,200 acre-feet per year (five to six months of recharge). The goal of recharge is to stabilize water levels in the northeast valley Phoenix aquifer.

This project will be to perform design services including the well pump and all associated piping necessary to connect it to the existing water distribution system, a de-chlorination system, the electrical components necessary for the well to operate, and the connection into the City's Supervisory Control and Data Acquisition (SCADA) system so that it is fully automated.

MGC Contractors, Inc., will be responsible for means and methods relating to construction of the project and participating with the City in the local and Small Business Enterprise (SBE) goal setting process and implementing the SBE process. MGC Contractors, Inc., will be required to solicit bids from prequalified subcontractors to perform work under the City's subcontractor selection process. MGC Contractors, Inc., also may compete to self-perform limited amounts of work for this project. MGC Contractors, Inc., will assume the risk of delivering the project through a Guaranteed Maximum Price contract.

Procurement Information

MGC Contractors, Inc., was chosen for this project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes (ARS). Pursuant to ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded. The top three rankings follow:

MGC Contractors, Inc.: Ranked #1
PCL Construction, Inc.: Ranked #2
Felix Construction Company: Ranked #3

Contract Term

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

Financial Impact

MGC Contractors, Inc.'s fee under this contract will not exceed \$42,178 including all subconsultant, subcontractor and reimbursable costs. Funding for these services is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action

The CMAR Construction Phase Services contract is being submitted for City Council approval simultaneously with this request for CMAR Design Phase Services.

Location

The well is near Cave Creek and Lone Mountain roads.

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department, and the City Engineer.



Toxicity Identification Evaluation Services for 91st Avenue and 23rd Avenue Wastewater Treatment Plants - WS90100103 and WS90200023 (Ordinance S-43508)

Request to authorize the City Manager, or his designee, to enter into an agreement with Hazen and Sawyer, P.C., (New York, N.Y.) to provide technical expertise and support related to toxicity identification evaluation at the 91st Avenue Wastewater Treatment Plant (WWTP) and 23rd Avenue WWTP, and to execute contract options as necessary. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Hazen and Sawyer, P.C., will provide support services and assistance related to the whole effluent toxicity testing and the toxicity identification evaluation for wastewater and water reclamation facilities to maintain compliance with conditions and requirements of the federal National Pollutant Discharge Elimination System and the Arizona Pollutant Discharge Elimination System permits for the 91st Avenue and 23rd Avenue WWTPs.

Procurement Information

Hazen and Sawyer, P.C., was chosen for this project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes (ARS). Pursuant to ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded. The top two rankings follow:

- Hazen and Sawyer, P.C.: Ranked #1
- Alan Plummer Associates, Inc.: Ranked #2

Contract Term

The initial term of this contract is for three years, with the option to extend for one additional two-year term. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

Hazen and Sawyer, P.C.'s fee under the contract will not exceed \$300,000, which includes all subconsultant and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend beyond contract termination.

Location

23rd Avenue Wastewater Treatment Plant, 2470 S. 22nd Ave.

91st Avenue Wastewater Treatment Plant, 5615 S. 91st Ave., Tolleson, Ariz.

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department and the City Engineer.



Deer Valley Aquifer Storage and Recovery Well Program Construction Manager at Risk Construction Phase Services Amendment 1 - WS85010052 (Ordinance S-43509)

Request to authorize the City Manager, or his designee, to execute Amendment No.1 to Contract 143212 with Felix Construction Company (Coolidge, Ariz.) to provide Construction Manager at Risk (CMAR) Construction Phase Services in support of the Deer Valley Water Treatment Plant (WTP) Aquifer Storage and Recovery (ASR) Well Program. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The project consists of construction of an Aquifer Storage and Recovery Well. This type of well can pump water up from the aquifer when water is needed for supply. It also can pump water down into the aquifer during low-demand periods to store water, which can then later be pumped back up during high-demand periods. The well has been drilled and the project is moving forward into the phase of constructing the well head and installing equipment necessary to operate the well.

The CMAR will assume the risk of delivering the project through a Guaranteed Maximum Price (GMP) contract. The CMAR will be responsible for constructing the infrastructure for the Deer Valley WTP ASR Well, procuring materials and equipment, scheduling and managing site operations, providing quality controls, and managing all construction-related contracts while meeting City bid requirements, including local and Small Business Enterprise (SBE) participation goals. An SBE goal of eight percent has been established for this contract.

Procurement Information

Felix Construction Company was chosen to provide CMAR services for this project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Design Phase Services procurement process.

Contract 143212 was executed in July 2016 for Felix Construction to provide initial

construction phase services to solicit pricing information from its subcontractors and suppliers, including self-performed work, and to submit its GMP proposal for the project. The incorporation of the GMP construction pricing through a contract amendment was anticipated as part of the project development process.

Contract Term

Services for this project are expected to be completed within 329 days from issuance of the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope may be executed after the end of the contract term.

Financial Impact

The initial contract value was established at a not-to-exceed amount of \$21,232 to provide GMP Preparation Services. The contract capacity will be increased by \$2,580,826.61, for a new contract value of \$2,602,058.61, including all subcontractors and reimburseable costs. Funding for these services is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action

City Council approved the CMAR Design Phase Services Contract 142335 on March 23, 2016, and the CMAR Construction Phase Services Contract 143212 on July 1, 2016. City Council approved the Design Services Contract on Oct. 1, 2014.

Location

31st and Dunlap avenues

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department and the City Engineer.



Sub-Regional Operating Group Salt River Outfall Interceptor Rehabilitation, Construction Manager At Risk Construction Phase Services Amendment 1 - WS90160093 (Ordinance S-43510)

Request to authorize the City Manager, or his designee, to execute Amendment 1 to Contract 144364 with Achen-Gardner Construction, LLC, (Chandler, Ariz.) to provide Construction Manager at Risk (CMAR) Construction Phase services for the Sub-Regional Operating Group (SROG) Salt River Outfall Interceptor Rehabilitation project. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City of Phoenix recently completed a condition assessment of the Salt River Outfall to determine the scope and need for rehabilitation of the interceptor sewer line. The final condition assessment recommendations are divided into five sections (A through E). Sections A and B were completed in Fiscal Year 2014-15. This current work for Section C involves rehabilitation of 48 manholes and repair of a short liner, and Section D involves rehabilitation of pipes and manholes at the Phoenix Sky Harbor International Airport and the Rental Car Center. Section E is scheduled to be completed in Fiscal Year 2017-18. The Water Services Department is coordinating with the Aviation Department on Section D to minimize operational impacts to the airport.

Achen-Gardner Construction, LLC, will assume the risk of delivering the project through a Guaranteed Maximum Price (GMP). The CMAR will be responsible for rehabilitation (construction) of the SROG Salt River Outfall interceptor sewer line, procurement of materials and equipment, scheduling and managing site operations, providing quality controls, and managing all construction-related contracts while meeting City procurement requirements, including local and small business enterprise (SBE) participation goals. A SBE goal of one percent has been established for this project.

Procurement Information

Achen-Gardner Construction, LLC, was chosen to provide CMAR services for this project using a qualifications-based selection process according to Section 34-603 of

the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Design Phase Services procurement process.

Contract Term

The term of this contract is approximately 240 calendar days. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

Achen-Gardner Construction, LLC's initial CMAR construction services contract value was established at a not-to-exceed amount of \$59,184.15 to provide GMP preparation services. The contract capacity will be increased by \$9,550,000 for a new contract value of \$9,609,184.15, including all subcontractor, supplier and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program budget. Funds for both Sections C and D are available for encumbrance in Fiscal Year 2016-17. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action

Council approved Design Contract 142406 with Brown and Caldwell, Inc., on April 6, 2016, and CMAR Design Phase Services Contract 142405 with Achen-Gardner Construction, LLC, on April 6, 2016.

Public Outreach

The Water Services Department will follow the Public Information Guidelines for this project. Public outreach flyers and notifications will be distributed to the affected stakeholders before and during construction. Currently, the Water Services Department is coordinating stakeholder involvement and outreach activities with Aviation Department's staff and public involvement consultants for tenants of Phoenix Sky Harbor International Airport.

Location

The project is located on the Salt River Outfall interceptor sewer from the convergence of the Indian Bend Wash and Tempe Town Lake to the 91st Avenue Wastewater Treatment Plant. However, the largest portion of the contracted funds will be spent on the interceptor alignment across Phoenix Sky Harbor International Airport.

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department and the City Engineer.



Booster Pump Station 3SE-B1 and 2S-B3 Replacement Program - Design Services - WS85100044 (Ordinance S-43511)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC (Phoenix) to provide design services to replace booster pump stations 3SE-B1 and 2S-B3. Further request authorization for the City Controller to disburse all funds related to this item.

Additional authorization is requested for the City Manager, or his designee, to take 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 the disbursement of funds. Utility services include: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to demolish and replace booster pump stations 3SE-B1 and 2S-B3 as the booster pump stations have reached the end of their useful life and are ready for rehabilitation or complete replacement. In order to design and rehabilitate the pump stations, a study and conceptual design was completed to determine how maintenance of the facility and service within the affected pressure zones will be achieved.

Wilson Engineers, LLC's services include, but are not limited to: providing design documents that will include demolition of the current booster pump stations, termination of existing water system connection, temporary facilities as needed, and construction of new 3SE-B1 and 2S-B3.

Procurement Information

Wilson Engineers, LLC, was chosen for this project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the Study and Conceptual Design Services procurement process.

Contract Term

The design services are expected to take approximately 365 calendar days to complete. The contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

Wilson Engineers, LLC's fee under this contract will not exceed \$1,400,000, including all subconsultants and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action

City Council approved the Study and Conceptual Design Services Contract 142637 with Wilson Engineers, LLC, on May 18, 2016.

Location

The project is located at 7615 S. 42nd Place.

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department and the City Engineer.



Annual Fire Hydrant Assessment, Preventative Maintenance, and Replacement and Water Service Line Replacement Program Job Order Contract - 4108JOC151 (Ordinance S-43512)

Request to authorize the City Manager, or his designee, to enter into separate agreements with Talis Construction Corporation (Tempe, Ariz.) and Professional Piping Systems, LLC, dba WACO Contracting (Phoenix) to provide annual Fire Hydrant Assessment, Preventative Maintenance, and Replacement and Water Service Line Replacement Program Job Order Contract (JOC) services and to execute contract options as necessary. Further request authorization for the City Controller to disburse all funds related to this item.

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

Summary

The JOCs will be utilized on an as-needed basis to assess, maintain, repair, and replace fire hydrants, and replace service lines located throughout the City.

The JOC contractors will be expected to successfully perform the following construction services, including but not limited to: assessment and preventative maintenance of hydrants; hydrant replacement construction; installation/testing of City supplied hydrants; water meter service relocation and connections; service terminations; restoration of existing landscaping/irrigation systems and removal/replacement of existing concrete curb and gutter, sidewalk and driveways; provision of information reflecting changes to the asset registry and geographical information system (GIS) data for new and replaced hydrants, valves and mains; minor design services as required; other services as required to support successful completion of the work and the City's interests.

A Small Business Enterprise goal of 4 percent has been established for these contracts.

Procurement Information

Talis Construction Corporation and Professional Piping Systems, LLC, dba WACO Contracting, were chosen for this project using a qualifications-based selection process according to Section 34-604 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. Title 34, the City is not to release the scoring of firms until a contract has been awarded. Top-three rankings follow:

Talis Construction Corporation: Ranked #1

Professional Piping Systems, LLC, dba WACO Contracting: Ranked #2

J. Wise Corporation: Ranked #3

Contract Term

Each JOC contract will be for three years with an option to renew for an additional two 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 changes may be executed after the end of the contract term.

Financial Impact

The contract value of each JOC will be \$8 million with an option to renew for an additional \$5 million, for a total contract value of \$13 million each, including all amendments. 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. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. Authorization is requested to execute job order agreements performed under this JOC for up to \$2 million each in construction costs. In no event will any Job Order Agreement exceed this limit without Council approval to increase the limit.

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department and the City Engineer.



48th Street: South Pointe Parkway to Baseline Road 1-Step Design-Build Amendment 1 - ST85100355 (Ordinance S-43513)

Request to authorize the City Manager, or his designee, to amend Contract 137514 with FNF Construction, Inc. (Tempe, Ariz.) to provide continuing 1-Step Design-Build services for the 48th Street: South Pointe Parkway to Baseline Road project. Further, request authorization for the City Controller to disburse all funds related to this item.

Summary

This project is to improve this segment of 48th Street for the purposes of accepting its dedication as public right of way. FNF Construction, Inc.'s additional services include design for roadway widening and pavement reconstruction, storm drainage facilities, updated street lighting, waterline re-alignment, as well as curb ramp and sidewalk improvements.

After design services are completed, FNF Construction, Inc. will assume the risk of delivering the project through a guaranteed maximum price (GMP) amendment to the design-build contract. FNF Construction, Inc. will be responsible for construction means and methods related to the project, participating with the City in the Small Business Enterprise (SBE) goal setting process, and implementing the SBE process. FNF Construction, Inc. also will be required to solicit bids from prequalified subcontractors to perform work under the City's subcontractor selection process. FNF Construction, Inc. also may compete to self-perform limited amounts of work.

Procurement Information

FNF Construction, Inc. was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (ARS). Scoring and selection were made in conjunction with the 1-Step Design-Build Services procurement process. The City and FNF Construction, Inc. entered into Contract 137514 on April 16, 2014.

Contract Term

The term of the additional design services is 16 months. Contract work scope

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

Financial Impact

FNF Construction, Inc.'s fee under this amendment will not exceed \$418,546.99, including all subconsultants, subcontractors and reimbursable costs for design services. Funding for these services is available in the Street Transportation Department's Capital Improvement Program budget. Contract payments may be made up to the contract limit for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action

City Council approved Contract 137514 on Dec. 18, 2013.

Location

48th Street from South Pointe Parkway to Baseline Road

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua, the Street Transportation Department and the City Engineer.



**Library Warehouse Elevator Modernization Design-Bid-Build - LS71200007
(Ordinance S-43514)**

Request to authorize the City Manager, or his designee, to accept Phoenix Elevator Company (Phoenix) as the lowest-priced, responsive, and responsible bidder and to enter into an agreement with Phoenix Elevator Company for construction services. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Phoenix Elevator Company will provide construction services in support of the Library Warehouse Elevator Modernization project. The work includes a complete modernization of a twin-post holeless type hydraulic two-stop elevator and other associated work required to complete this project.

Procurement Information

Two bids were received according to section 34-201 of the Arizona Revised Statutes (ARS) by the Street Transportation Department on March 21, 2017. Both bidders were deemed responsive.

The bids ranged from \$77,113 to \$83,022. The Engineer's Estimate and the two lowest-price responsive and responsible bidders are listed below:

- Engineer's Estimate: \$115,000
- Phoenix Elevator Company: \$77,113
- Otis Elevator Company: \$83,022

Contract Term

The term of the contract is 240 calendar days from the date of issuance of the Notice to Proceed. The contract work scope will be identified and incorporated into the contract prior to the end of the contract to be agreed upon by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

The bid award amount is within the total budget for this project. Funding is available in the Library Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Small Business Outreach

A small business enterprise goal was not established for this project due to the lack of SBE subcontractor availability.

Location

1330 N. 29th Drive

Responsible Department

This item is submitted by Deputy City Managers Deanna Jonovich and Mario Paniagua, the Library Department and the City Engineer.



Transportation 2050 Mobility Program Prioritization (Ordinance S-43515)

Request City Council approval to (1) conduct project assessments for sidewalk improvements on major streets to make transit bus stops Americans with Disabilities Act (ADA) accessible and (2) move forward with 11 areas for mobility assessments that will focus on safe pedestrian and bicycle facilities improvements funded by Transportation 2050 (T2050).

Summary

Due to the significant commitment for new bicycle and pedestrian facilities in the T2050 Plan, a separate T2050 program, Mobility Improvements, was established to implement additional projects that increase Americans with Disabilities Act (ADA) accessibility and mobility through new sidewalks and multi-modal connectivity through new bicycle facilities. Unlike other T2050 projects focused specifically on major streets (arterials and major collectors), the Mobility Improvements sub-program funding will be used for mobility projects on all streets (arterial, collector and local), with a particular emphasis on improving connectivity and access to major transportation and transit corridors.

To meet the T2050 bicycle and pedestrian facilities commitments, the Mobility Improvements Program is allocated 15 percent of the Street Transportation Department's T2050 funds.

Staff has identified and presented factors and data analysis to the Citizens Transportation Commission and Transportation and Infrastructure Subcommittee for consideration in the development of a prioritization process to evaluate system mobility needs that meet the goals of the T2050 program. This analysis includes data about: location of High Intensity Activated Crosswalk (HAWKS) and Rectangular Rapid Flash Beacon (RRFB); daily bus boardings; ADA non-accessible bus stops (the route to the bus stop does not meet ADA accessible provisions that can include: surface, slope, ramps, curb ramps, etc.); ADA non-compliant bus stops (the bus stop infrastructure does not meet ADA requirements); zero-car households; schools lacking infrastructure to support walk/bike trips; bikeway gaps; bus boardings with bicycles; households below the poverty threshold; population 0-

9 and 65+ years of age; and serious and fatal bicycle and pedestrian crashes.

Based on the analysis of the data sets, two primary areas of focus are proposed for Mobility Improvement projects:

A) Major Street Sidewalk Improvements - With T2050's emphasis on connectivity and accessibility to transportation options and street improvements that support transit service and operations, staff proposes an allocation of Mobility Improvements program funding towards ADA non-accessible bus stops in need of sidewalk improvements as reflected in Attachment A. The locations needing improvements are prioritized based on daily bus boardings at each bus stop location.

B) Mobility Improvement Areas for Further Study - Based on the data set scoring process, 39 distinct areas have been identified that have a high need for bicycle and pedestrian facilities projects, due to the amount of people walking and bicycling in these areas and the existing gaps in the transportation system. These areas are depicted in Attachment B. To better understand the specific needs of each area, staff proposes to complete area mobility assessments for the first 11 areas.

Financial Impact

The Mobility Improvements Program is allocated 15 percent of the Street Transportation Department's T2050 funds, which calculates to just over \$4.2 million in FY2017 and \$4.4 million in FY2018. It is estimated that about \$25,000 to \$75,000 will be used by staff to complete the assessment of sidewalks on major streets, and about \$750,000 to \$1,000,000 is needed to complete the mobility area assessments.

Concurrence/Previous Council Action

At its Feb. 23, 2017 meeting, the Citizens Transportation Commission unanimously recommended approval to conduct additional project assessments for major street sidewalk improvements for ADA non-accessible bus stops. At its March 30, 2017 meeting, the Citizens Transportation Commission unanimously recommended approval to move forward with 11 areas for mobility assessments that will focus on safe pedestrian and bicycle facilities improvements funded by T2050. On April 11, 2017, the Transportation and Infrastructure Subcommittee unanimously recommended Council approval of both items as well.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

Attachment A - ADA Non-Accessible Bus Stops (on Arterials) for Potential Sidewalk Improvements			
Rank	Location	Daily Boardings	Council District
1	27th Avenue and Durango Street, Jefferson Street, Pima Street	40	7
2	32nd Street and Belleview Street	26	8
3	49th Avenue and Thunderbird Road	26	1
4	Deer Valley Road and Marriott Drive	23	2
5	32nd Street and Oak Street	20	8
6	32nd Street and Roeser Road, Wier Avenue	20	8
7	<i>Southern Avenue:39th Avenue, 41st Avenue (to be completed by Major Street Project)</i>	18	7
8	Van Buren Street and 73rd Avenue, 75th Avenue, 79th Avenue	18	7
9	Buckeye Road and 4th Street, 7th Street, 10th Street, 11th Street, 14th Street	17	8
10	75th Avenue and Glenrosa Avenue, Weldon Avenue	15	5
11	Dobbins Road and 3rd Avenue, Montezuma Street, 10th Avenue, 15th Avenue	15	8
12	Cactus Road and 28th Drive	14	1
13	Camelback Road and 46th Street, 54th Street, 56th Street, Arcadia Drive, Arcadia Lane, Camino Allenada, Hilltop Road, Launfal Avenue, Rubicon Avenue	14	6
14	Roeser Road and 17th Avenue	14	7
15	Buckeye Road and 25th Avenue	12	7
16	<i>Indian School Road and 99th Avenue (to be completed by Major Street Project)</i>	12	5
17	Roosevelt Street and 27th Street	12	8
18	67th Avenue and Durango Street	11	7
19	Cave Creek Road and Contention Mine, Marco Polo Road, Utopia Road	10	2
20	Hilton Avenue and 19th Avenue	10	7
21	<i>Buckeye Road and 59th Avenue, 63rd Avenue, 65th Avenue (to be completed by Major Street Project)</i>	9	7
22	Scottsdale Road and Chauncey Lane, Dreyfus Avenue	9	2
23	44th Street and Stanford Drive	8	6
24	19th Avenue and Culver Street, Fillmore Street, Linden Road	7	7
25	16th Street and Euclid Street, Dobbins Road	6	8
26	Baseline Road and 10th Street, 12th Street	6	8
27	Metro Parkway and Cheryl Drive	6	1
28	7th Avenue and Roeser Road, Sunland Avenue, Tamarisk Street	5	7
29	Roeser Road and 32nd Street, 34th Street, 36th Street	5	8
40	32nd Street and Frye Road, Liberty Lane	5	6
30	10th Avenue and Dobbins Road	4	8
31	Atlanta Avenue and 11th Avenue	4	7
32	Buckeye Road and 29th Avenue, 33rd Avenue	4	7
33	29th Avenue and Happy Valley Road, Pinnacle Peak Road	3	1
34	59th Avenue and Washington Street	3	7
35	31st Avenue and Willow Avenue	2	1
36	48th Street and Minton Drive	2	8
37	Buckeye Road and 27th Street	2	8

38	48th Street and Frye Road	2	6
39	Tatum Boulevard & Berneil Drive	2	3
40	<i>91st Avenue and Cheery Lynn Road, Osborn Road (to be completed by Major Street Project)</i>	2	5
41	<i>22nd Avenue and Lower Buckeye Road (to be completed by Major Street Project)</i>	1	7
42	27th Avenue and Rose Garden Lane, Villa Maria Drive	1	1
43	Tatum Boulevard and Mayo Boulevard	1	2
44	Thunderbird Road and 36th Street	1	3
45	Washington Street and 28th Street	1	8
46	7th Street and Tapatío Cliffs Drive	0	3
47	Deer Valley Road and 15th Lane	0	1

Attachment B - Mobility Project Assessment Study Focus Areas

Area Rank	North Boundary Street Name / Landmark	South Boundary Street Name / Landmark	East Boundary Street Name / Landmark	West Boundary Street Name / Landmark	Council District
1	West Lincoln Street	West Watkins Street	South 3rd Street	South 7th Avenue	8
2	West Turney Avenue	West Clarendon Avenue	North 18th Avenue	North 23rd Avenue	4
3	West Lincoln Street	West Lower Buckeye Road	South 23rd Avenue	South 29th Avenue	7
4	West Encanto Boulevard	West Roosevelt Street	North 33rd Avenue	North 43rd Avenue	4
5	West Lincoln Street	West Durango Street	South 29th Avenue	South 35th Avenue	7
6	West Osborn Road	West Encanto Boulevard	North 35th Avenue	North 49th Avenue	4
7	West Roosevelt Street	West Madison Street	North 12th Avenue	North 20th Avenue	7
8	East Oak Street	East Jackson Street	North 32nd Street	North 20th Street	8
9	East Roosevelt Street	East Buchanan Street	North 9th Street	North 5th Avenue	8&7
10	East Wier Avenue	East Southern Avenue	South 12th Street	South 15th Avenue	8&7
11A*	Originally listed as #20 Interstate 10**	East Jackson Street**	Interstate 10**	North 9th Street**	8
11B					
12	West Polk Street East Mountain View Road	West Madison Street East Northern Avenue	North 25th Avenue North 14th Street	North 29th Avenue North 7th Avenue	4&7 3&6
13	West Bethany Home Road	West Colter Street	North 11th Avenue	North 19th Avenue	4&5
14	West Glenrosa Avenue	Grand Canal	Interstate 17	North 31st Avenue	4
15	West Desert Cove Avenue	West Cheryl Drive	North 15th Avenue	North 23rd Avenue	3
16	West Wier Avenue	West Southern Avenue	South 15th Avenue	South 19th Avenue	7
17	West Butler Drive	West Morten Avenue	North 31st Avenue	North 39th Avenue	5
18	West Madison Street	West Pima Street	South 7th Avenue	South 19th Avenue	8
19	East Bell Road	East Greenway Road	North 25th Street	North 21st Street	2&3
21	West Butler Drive	West Belmont Avenue	Interstate 17	North 29th Avenue	5
22	West Cactus Road	West Butler Drive	North 23rd Avenue	Arizona Canal	1
23	East Buchanan Street	Interstate 17	South 12th Street	South 3rd Street	8
24	Interstate 10	West Washington Street	North 31st Avenue	North 43rd Avenue	4&7
25	West Sweetwater Avenue	West Cactus Road	Interstate 17	North 31st Avenue	1
26	West Colter Street	West Hazelwood Street	North 15th Avenue	Interstate 17	5
27	East Flower Street	East Virginia Avenue	North 36th Street	North 29th Street	8
28	East Campbell Avenue	East Osborn Road	North 22nd Street	North 12th Street	4
29	Grand Canal	West Clarendon Avenue	Grand Canal	North 71st Drive	7
30	West Missouri Avenue	West Elm Street	North 33rd Avenue	North 37th Avenue	5
31	West Osborn Road	Grand Avenue	North 23rd Avenue	Grand Avenue	4&7
32	West Mountain View Road	West Dunlap Avenue	North 9th Avenue	North 21st Avenue	3
33	West Camelback Road	West Osborn Road	North 47th Avenue	North 59th Avenue	5

Area Rank	North Boundary Street Name / Landmark	South Boundary Street Name / Landmark	East Boundary Street Name / Landmark	West Boundary Street Name / Landmark	Council District
34	East Elwood Street	East Wier Avenue	South 7th Street	South Central Avenue	7
35	State Route 202	East Van Buren Street	North 32nd Street	North 28th Street	8
36	West Myrtle Avenue	West Ocotillo Road	North 33rd Avenue	North 39th Avenue	5
37A	West Rose Lane	West Montebello Avenue	Interstate 17	North 29th Avenue	5
37B	West Osborn Road	East Virginia Avenue	North 3rd Street	North 3rd Avenue	4
37C	East Jackson Street	East Buckeye Road	Interstate 10	South 12th Street	8

Note: Three focus areas tied for rank #37 (39 total focus areas).

* Item 11 A was originally ranked as #20. As approved by the Citizens Transportation Commission and the Transportation and Infrastructure Subcommittee, it was moved up in priority to maximize the current work effort underway in the Edison Eastlake Community. The City of Phoenix Department of Housing received \$1.5 million award through the Choice Neighborhood Initiative from the U.S. Department of Housing and Urban Development (HUD). The Choice Neighborhood Planning and Action Grant includes analysis of current conditions, including transportation; a robust community involvement effort including focus groups, interviews, public meetings; identification of needs, challenges and gaps; and development of an implementation plan.



Grand Canal Multi-Use Path Connection at Thomas Road and 22nd Street - Design-Bid-Build - ST87600081 (Ordinance S-43516)

Request to authorize the City Manager, or his designee, to accept AJP Electric, Inc. (Phoenix) as the lowest-priced responsive and responsible bidder and to enter into an agreement with AJP Electric, Inc. for construction services. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

AJP Electric, Inc. will provide construction services in support of the Grand Canal Multi-Use Path Connection at Thomas Road and 22nd Street project. The work includes construction of concrete multi-use path connections from the existing canal paths to the signalized intersection crossing at 22nd Street and Thomas Road, widening of the pedestrian sidewalk along the south side of Thomas Road, installation of four decorative pavement node areas, asphalt pavement replacement, an upgraded traffic signal at the roadway intersection, relocation of a drainage catch basin, ADA ramp improvements, removal and replacement of existing concrete driveways, placement of a new decorative pilaster and steel gate and associated landscaping and irrigation improvements, and other associated work required to complete this project.

Procurement Information

Four bids were received according to section 34-201 of the Arizona Revised Statutes by the Street Transportation Department on Feb. 22, 2017. The bids were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and general contractor responsiveness in demonstrating compliance with the project's Disadvantaged Business Enterprise (DBE) goal of 4.42 percent. All bidders were deemed responsive.

The bids ranged from a low of \$397,590.75 to a high of \$570,616. The Engineer's Estimate and the three lowest responsive, responsible bidders are listed below:

- Engineer's Estimate: \$390,822.45
- AJP Electric, Inc.: \$397,590.75
- Benchmark Construction: \$404,933.32
- Combs Construction Company, Inc.: \$508,106.15

Contract Term

The term of the contract is 180 calendar days from the date of issuance of the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

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

Location

22nd Street and Thomas Road

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua, the Street Transportation Department and the City Engineer.



Salt River Project Land Use License for City of Phoenix Project, Grand Canalscape Phase II, Segments 1, 2 and 3 - ST87600114 (Ordinance S-43517)

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project (SRP) for a City of Phoenix Canalscape project on the Grand Canal bank from I-17 south of Indian School Road to 56th Street south of Washington Street, Project ST87600114, Phase II, Segments 1, 2 and 3.

Summary

The purpose of the license is to allow for landscaping, irrigation, lighting, pathway surface improvements and pedestrian amenities on the Grand Canal bank from I-17 south of Indian School Road to 56th Street south of Washington Street that is consistent with and shall not interfere with USA Fee Property.

Indemnification

The SRP license agreement includes authorization pursuant to Phoenix City Code Section 42-20 (B) to indemnify, release and hold harmless SRP for: (A) acts of omissions of the City, its agents, officers, directors or employees; (B) the City's use of occupancy of the licensed property for the purposes contemplated by the license, including but not limited to claims by third parties who are invited or permitted onto the licensed property, either expressed or implied by the City or by nature of the City's improvement or other use of the licensed property pursuant to this license; and (C) the City's failure to comply with or fulfill its obligations established by the license or by laws. Per City of Phoenix Code, indemnification of another public entity requires approval from the City Council.

Location

Segment 1, Grand Canal from I-17 south of Indian School Road to 15th Avenue south of Campbell Avenue.

Segment 2, Grand Canal from 16th Street and Indian School Road east to 36th Street south of Roosevelt Street.

Segment 3, Grand Canal from Van Buren Street and 40th Street east to 56th Street south of Washington Street.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.



Salt River Project Land Use License for Grand Canalscape Phase II, Segment 2, Appropriator's Canal Drainage Project - ST87600114 (Ordinance S-43518)

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project (SRP) for a City of Phoenix Canalscape Drainage Project on the north side of the Grand Canal from 24th Street and Cambridge Avenue to 31st Street and McDowell Road.

Summary

The purpose of the license is to allow for drainage improvements along the north side of the Grand Canal from 24th Street and Cambridge Avenue to 31st Street and McDowell Road. The drainage improvements are in support of the proposed pedestrian pathway improvements on the Grand Canal bank and will be consistent with and shall not interfere with USA Fee Property.

Indemnification

The SRP license agreement includes authorization pursuant to Phoenix City Code Section 42-20 (B) to indemnify, release and hold harmless SRP for: (A) acts of omissions of the City, its agents, officers, directors or employees; (B) the City's use of occupancy of the licensed property for the purposes contemplated by the license, including but not limited to claims by third parties who are invited or permitted onto the licensed property, either expressed or implied by the City or by nature of the City's improvement or other use of the licensed property pursuant to this license; and (C) the City's failure to comply with or fulfill its obligations established by the license or by laws. Per City of Phoenix Code, indemnification of another public entity requires approval from the City Council.

Location

North side of the Grand Canal, 24th Street and Cambridge Avenue to 31st Street and McDowell Road.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.



35th Avenue and Indian School Road BNSF Railroad Crossing - Federal Aid - Design-Bid-Build - ST85100289 (Ordinance S-43519)

Request to authorize the City Manager, or his designee, to accept Combs Construction Company, Inc. (Phoenix) as the lowest-priced, responsive and responsible bidder and enter into an agreement with Combs Construction Company, Inc. for construction services. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Combs Construction Company, Inc.'s services will include removal and replacement of concrete sidewalk, ramps and curbs, and perform minor asphalt pavement replacement against the new concrete curbs and railroad tracks. Work also includes concrete adjustments for manholes and water valves and installation of minor traffic signal items including PVC conduit, loop detectors, traffic controller cabinets and traffic signal poles and foundations.

Procurement Information

Three bids were received in compliance with section 34-201 of the Arizona Revised Statutes by the Street Transportation Department on Feb. 28, 2017. The three bids were sent to the Equal Opportunity Department (EOD) for review to determine subcontractor eligibility and general contractor responsiveness with the project's Disadvantaged Business Enterprise (DBE) goal of 10.03 percent. EOD found all bidders responsive.

Bids ranged from a low of \$576,948.75 to a high of \$987,787.00. The Engineer's estimate and the three lowest-priced responsive and responsible bidders are listed below:

- Engineer's Estimate: \$405,789.50
- Combs Construction Company, Inc.: \$576,948.75
- Lincoln Constructors, Inc.: \$672,269.25
- J. Banicki Construction, Inc.: \$987,787.00

Contract Term

Work is expected to be completed within 60 calendar days from the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

The bid award amount is within the total budget for this project. Funding is available in the Street Transportation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Disadvantage Business Outreach

A Disadvantaged Business Enterprise goal of 10.03 percent has been established for this project.

Location

35th Avenue and Indian School Road.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua, the Street Transportation Department and the City Engineer.



Purchase of Modular Storage and Dosing Ferrous Chloride (Ordinance S-43520)

Request to authorize the City Manager, or his designee, to add additional expenditures for Contract 136253 with USP Technologies/US Peroxide, LLC, in the amount of \$1,256,450. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department maintains an odor and corrosion control program in the wastewater collection system that includes the use of ferrous chloride, which is used to control hydrogen sulfide in the collection system. A new odor and corrosion control facility was developed near 46th Avenue and Pinnacle Peak Road for which additional ferrous chloride must be purchased.

Financial Impact

With \$1,256,450 in additional funds, the contract's revised aggregate value is \$4,487,700 (including applicable taxes) with an estimated annual expenditure of \$956,450. Funds are available in the Water Services Department budget.

Concurrence/Previous Council Action

This contract is the result of RFP13-027 awarded by the City Council on June 5, 2013, with an original aggregate value of \$3,231,250.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



Itron Automated Meter Reading (AMR) Equipment Contract Extension (Ordinance S-43521)

Request to authorize the City Manager, or his designee, to extend the contract with Itron, Inc., for purchase of Automated Meter Reading (AMR) hardware only, on a month-to-month basis, expiring Oct. 31, 2017, until a new combined hardware, hardware maintenance, software, and software maintenance contract is finalized and awarded. Further request to authorize the City Controller to disburse the funds for purposes of this ordinance.

Summary

Itron, Inc., was selected and contracted after the City initiated the Citywide AMR retrofit program. Itron, Inc., equipment, software, and maintenance are proprietary and not available to the City of Phoenix from any other supplier.

Current contract No. 131987 was extended to April 30, 2017, in anticipation of concluding negotiations for a new combined contract award. The Water Services Department and Itron, Inc., are currently negotiating considerations for the new combined contract. To avoid a lapse in coverage for the current hardware contract, approval of this request will provide the time necessary to resolve contract considerations. The equipment included in the current contract includes mobile laptop devices, hand-held reading devices, encoder radio transmitters and associated components.

Contract Term

The original contract began Sept. 15, 2011, with provisions of the contract including options to extend the term up to five years. The last contract extension was approved Nov. 30, 2016, and effective to April 30, 2017.

Financial Impact

The estimated six-month cost, based on historical trends and upcoming requirements, will be approximately \$750,000. Funds are available in the Water Services Department's operating budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



Purchase of Accurpress Edge "S" Model 45012-250 and Accurshear Model 637510 for Water Services Department Machine Shop (Ordinance S-43522)

Request to authorize the City Manager, or his designee, to allow for the one-time purchase of an Accurpress Edge "S" Model 45012-250 and an Accurshear Model 637510 from North South Machinery, Inc. (3071709) for the Water Services Department's Water Production Division. Further request the City Controller to disburse all funds related to this item.

Summary

The purchase of this equipment allows Water Services Department machinists to bend and shear metal for pump station rehabilitation projects on-site at the South Yard machine shop. The current process is costly and time-consuming as the metal has to be loaded and transported to the North Yard machine shop where it is bent and sheared then returned to the South Yard machine shop.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, a Special Circumstance Determination was processed and approved for this purchase citing the goods require a specific vendor for safety, consistency and training. Water Services Department staff are currently using and trained on the Accurpress machines at the North Yard machine shop. For safety, efficiency and effectiveness, this type of machinery should be standardized across the machine shops.

Contract Term

A Request for Agreement has been created to ensure that the City's terms and conditions are agreed to for this purchase. The term will be from May 10, 2017, through May 9, 2018.

Financial Impact

Anticipated expenditures are not to exceed \$235,300. Funding is available in the Water Services Department's operating budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



Commercial, Industrial, and Institutional Sectors Water Demand Study (Ordinance S-43523)

Request to authorize the City Manager, or his designee, to enter into a contract with Smart Use, LLC, to provide water demand studies for local commercial, industrial, and institutional sectors. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This project is a continuation of a research project that examined specific water use components of local commercial, industrial, and institutional sectors and will build on the information previously collected and analyzed. Past studies were preliminary investigations into water use and wastewater generation by general office, retail, warehouse, health care facilities (primary hospitals), hospitality (primary hotels and motels), and schools. These preliminary studies helped identify the specific end uses of water or "building blocks" that can be used to disaggregate water use amounts in several sectors. The building blocks identified exist among various sectors, and additional research is needed in these sectors as well as new research in sectors such as colleges, universities, high-tech manufacturing (microchips, aerospace, etc.), government facilities, data warehouses, commercial laundries, and high-intensity water users (primary bottling plants, food processors).

Smart Use, LLC, will facilitate water use studies with local non-residential organizations and businesses. The data will be used to improve water demand forecasts based on user type, general usage, and fixture age in order to effectively allocate for water consumption and wastewater production. The data will further allow the Water Services Department to plan for potential future severe drought and associated strategies.

Procurement Information

Request for Proposals 84-17-005-RFP-8416 was conducted in accordance with City of Phoenix Administrative Regulation 3.10. There were four offers received by the Water Services Department on Feb. 15, 2017.

The proposals were scored by a three-member evaluation committee based on the

following criteria: qualifications of analytical research (200), qualifications of auditing/analyzing structures (200), proposal approach (150), qualifications of managers/personnel (150), accessibility/proximity to City of Phoenix (100), references (100), and payment schedule (100).

Smart Use, LLC: 977

Burton Energy Group: 837

Montgomery & Associates: 767

Rounds Consulting Group, Inc.: 548

The Water Services Department recommends that the offer from Smart Use, LLC, be accepted as the highest scored, responsive, and responsible offer that is most advantageous to the City.

Contract Term

The initial five-year contract term shall begin on or about June 15, 2017, and end on June 14, 2022.

Financial Impact

The aggregate contract value will not exceed \$125,000 (including applicable taxes). Funds are available in the Water Services Department operating budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



Additional Support for Replacement of Flow Meter Sensors (Ordinance S-43524)

Request to authorize the City Manager, or his designee, to add expenditures for Contract 4701000830 with Western Environmental Equipment Company, Inc., in the amount of \$150,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The contract allows Western Environmental Equipment Company, Inc., to provide Teledyne Isco, Inc., samplers and flow meters with parts, supplies, repair and maintenance for the Water Services Department. This purchase is to replace existing flow meter sensors for the acoustic Doppler Flow Meters, which have failed due to equipment age. The flow meters are a component of the metering system used for wastewater billing for the Subregional Operating Group (SROG) cities. Accurate flow measurement is critical to accuracy of allocation of costs to SROG partner cities.

Financial Impact

With the \$150,000 in additional funds, the contract's revised aggregate value will be \$479,500.00. Funds are available in the Water Services Department Capital Improvement Program budget.

Concurrence/Previous Council Action

This five-year contract was awarded on May 13, 2015, with an original aggregate value of \$329,500.00, with an estimated annual expenditure of \$65,900.00.

Location

Subregional Operating Group (SROG), 91st Avenue Wastewater Treatment Plant

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



Security Access Controls Requirements Contract (Ordinance S-43525)

Request to authorize the City Manager, or his designee, to enter into contracts with Westover Corporation and Wilson Electric Services Corporation to provide parts, installation, upgrades, maintenance, and repairs for the security access control system for the Water Services Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The security systems are used to physically control and provide secure access to water, wastewater, and remote facilities. The security access control system includes software and equipment such as badging workstations, card readers, and access controllers used to secure facilities including key sensitive areas and assets.

Procurement Information

Solicitation 84-17-016-IFB-8435 was conducted in accordance with the City of Phoenix Administrative Regulation 3.10. To meet the high volume and wide variety of security needs, multiple awards are recommended. A total of two offers were received by the Water Services Department on March 22, 2017. Offers were evaluated and the award recommendations are for the lowest bid of each of the 14 line items. Staff will select the most cost effective supplies and services available at the time of purchase. The results of the solicitation are detailed on Attachment A.

The Water Services Director recommends Westover Corporation and Wilson Electric Services Corporation be accepted as the lowest-priced, responsive, and responsible offerors.

Contract Term

The initial contract term shall begin on or about July 1, 2017, and end on June 30, 2020. Provisions of the contract may include an option to extend the term of the contract up to two additional years, which may be exercised by the City Manager or designee.

Financial Impact

The aggregate contract value, including all option years, will not exceed \$700,000

(including applicable taxes), with an estimated annual expenditure of \$140,000. Funds are available in the Water Services Department operating budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

		Wilson Electric Services Corporation	Westover Corporation
General Technician	Business Hours After Hours	\$46.78/hour \$70.17/hour	\$54.67/hour \$82.00/hour
Engineering	Business Hours After Hours	\$62.66/hour \$94.00/hour	\$68.00/hour \$102.00/hour
CAD	Business Hours After Hours	\$62.66/hour \$94.00/hour	\$53.33/hour \$80.00/hour
Programming	Business Hours After Hours	\$86.89/hour \$130.35/hour	\$89.33/hour \$134.00/hour
Andover Parts	Discounts	.304%	68%
Andover Equipment	Discounts	.304%	68%
Milestone Parts	Discounts	23%	16%
Milestone Equipment	Discounts	23%	16%
HID Parts	Discounts	.304%	68%
HID Equipment	Discounts	.304%	68%



Protocol Converters Requirements Contract (Ordinance S-43526)

Request to authorize the City Manager, or his designee, to enter into a contract with MSI Tec, Inc., and ExpoTech Engineering, Inc., to provide Moxa brand protocol converters for the Water Services Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Within water and wastewater facilities, field control units are programmable automation controllers used to supervise processes such as chemical treatment and filter management. The field control units directly scan and control field equipment and execute event-driven logic programs. Protocol converters facilitate better communication between different electronic devices at the facilities. The field control units and protocol converters are an integral part of the highly automated and complex control system for treatment of water and wastewater. The software and related hardware allows the department to meet regulatory performance requirements while increasing efficiencies in manpower, chemicals, and energy management.

Procurement Information

Invitation for Bids 84-17-003-IFB-8435 was conducted in accordance with City of Phoenix Administrative Regulation 3.10. Four offers were received by the Water Services Department on March 22, 2017. Offers were evaluated and award recommendation is for lowest cost of the 45 line items. Multiple awards are recommended to meet high volume and wide variety of needs outlined in the solicitation. Staff will select the most cost-effective supplies available at the time of purchase. One offer was non-responsive due to incomplete submittal pricing. Offers may be viewed on Attachment A.

The Water Services Director recommends the offers of MSI Tec, Inc., and ExpoTech Engineering, Inc., be accepted as the lowest-priced, responsive and responsible offers.

Contract Term

The initial three-year contract term will begin on or about May 15, 2017, and end on May 14, 2020. Provision of the contract includes an option to extend the term of the

contract up to two additional years, which may be exercised by the City Manager or designee.

Aggregate Impact

The aggregate contract value including all option years will not exceed \$500,000 (including applicable taxes) with an estimated annual expenditure of \$100,000. Funds are available in the Water Services Department's operating and capital improvement budgets.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

Attachment A: Protocol Converters Offers

	Quantity 1	Quantity 2 - 10	Quantity 11 - 20	Quantity 21+
ExpoTech Engineering, Inc.	\$16,227.00	\$145,990.00	\$262,760.00	\$248,241.00
MSI Tec, Inc.	\$13,504.24	\$135,042.40	\$270,084.80	\$283,589.04
Westover Corporation	\$23,421.16	\$234,211.60	\$462,260.40	\$479,073.63



Modification of Stipulation Request for Ratification of Feb. 15, 2017 Planning Hearing Officer Action

Application: PHO-1-16 - Z-109-89-8

Existing Zoning: C-2 HGT WVR

Acreage: 2.70

Applicant: Mountain Park Health Center

Owner: Mountain Park Health Center

Representative: Craig Passey

Proposal:

1. Modification of Stipulation 2 regarding general conformance to a site plan.
2. Technical Corrections to Stipulations 1, 3, 5 and 7.

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Thursday, March 16, 2017.

Location

Approximately 725 feet east of the southeast corner of Central Avenue and Baseline Road.

Council District: 8

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee chose not to hear this case.

Planning Hearing Officer Recommendation: The Planning Hearing Officer took this case under advisement on Feb. 15, 2017. The Planning Hearing Officer took this case out from under advisement on March 16, 2017 and approved this request with modifications and additional stipulations.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.

Attachment A

Application #: PHO-1-16-Z-109-89-8

Location: Approximately 725 feet east of the southeast corner of Central Avenue and Baseline Road

Approved Stipulations:

1. That development be subject to ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT site plan review as per Section 544507 of the Zoning Ordinance.
2. That development be in general conformance with the site plan dated ~~STAMPED July 5, 1989~~ DECEMBER 2, 2016, as may be modified by the ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT.
3. That all structures be integrated with similar or harmonious materials, surface textures, and color as approved by the ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT.
4. That the façade, and roofline treatment, including texture, coloration and building materials shall be consistent around each entire structure.
5. That the Baseline Road landscape setback shall include two rows of mature trees planted 20 feet on center or in equivalent groupings approved by the ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT.
6. That signage shall be of low profile, monument style design.
7. That cross access be provided between the subject site and C-2 zoned property adjacent to the east as approved by the ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT unless written evidence is provided to the ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT that the property owner to the east does not wish to pursue such access.
8. That an eight-foot solid masonry wall be provided along the south property line.
9. ON SITE BICYCLE PARKING AND STRIPED PEDESTRIAN ACCESS FROM BASELINE ROAD TO THE BUILDING SHALL BE PROVIDED AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
10. THE DEVELOPER SHALL RECORD A NOTICE TO PROSPECTIVE PURCHASERS OF PROXIMITY TO AIRPORT IN ORDER TO DISCLOSE

THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF PHOENIX SKY HARBOR INTERNATIONAL AIRPORT (PHX) TO FUTURE OWNERS OR TENANTS OF THE PROPERTY.

11. THE DEVELOPER SHALL PROVIDE AN 18-FOOT WIDE MULTI-USE TRAIL EASEMENT AND DEVELOP A 10-FOOT WIDE MULTI-USE TRAIL AS APPROVED BY THE PARKS AND RECREATION DEPARTMENT.

City Council Formal Meeting



City of Phoenix

City Council Report

Agenda Date: 5/10/2017, Item No. *121

*****REQUEST TO CONTINUE (SEE ATTACHED CONTINUANCE MEMO)***
(CONTINUED FROM MARCH 22, APRIL 5, AND APRIL 19, 2017) - Final Plat - Lazy Day Manor - 160110 - West of 15th Avenue South of Orangewood Avenue**

Plat: 160110
Project: 15-3216
Name of Plat: Lazy Day Manor
Owner(s): Plhaz Lazy Day, LLC
Engineer(s): Wood, Patel & Associates, Inc.
Request: A 24 Lot Conventional Subdivision Plat
Reviewed by Staff: Feb. 15, 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 west of 15th Avenue, south of Orangewood Avenue.
Council District: 5

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Mario Paniagua
Deputy City Manager

Date: May 9, 2017

From: ^{for} Alan Stephenson 
Planning and Development Director

Subject: REQUEST FOR CONTINUANCE ON ITEM 121 – FINAL PLAT – LAZY DAY
MANOR – 160110 – WEST OF 15TH AVENUE SOUTH OF ORANGEWOOD
AVENUE ON THE MAY 10, 2017 FORMAL AGENDA

The Planning and Development Department requests to continue Item 121 – Final Plat – Lazy Day Manor – 160110 – West of 15th Avenue South of Orangewood Avenue on the May 10, 2017 Formal Agenda. The applicant has requested the continuance to further work with residents on design solutions for rerouting flood irrigation supply lines.

Staff recommends continuing this item to May 31, 2017 to allow for additional discussions with the residents.

Approved:



Mario Paniagua, Deputy City Manager



Final Plat - Encanto Cactus Park - 160001 - North of 43rd Avenue and West of Cactus Road

Plat: 160001

Project: 06-2775

Name of Plat: Encanto Cactus Park

Owner(s): Berkana at Charter Oak, LLC

Engineer(s): Engineering and Environmental Consultants, Inc.

Request: A 53 Lot Residential Subdivision Plat

Reviewed by Staff: March 24, 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 north of 43rd Avenue and west of Cactus Road.

Council District: 1

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



Final Plat - Spectrum Ridge South Two - 170008 - Southwest Corner of 9th Place and Covey Lane

Plat: 170008

Project: 07-3688

Name of Plat: Spectrum Ridge South Two

Owner(s): Spectrum Ridge Can Flex Phase II, LLLP

Engineer(s): Hunter Engineering

Request: A 3 Lot Commercial Subdivision Plat

Reviewed by Staff: April 13, 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 southwest corner of 9th Place and Covey Lane.

Council District: 2

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



Final Plat - Alta Central - 160124 - Southeast of Indian School Road and Central Avenue

Plat: 160124

Project: 16-419

Name of Plat: Alta Central

Owner(s): WDF-4 Wood 4001 Central Owner, LLC

Engineer(s): Hubbard Engineering

Request: A 1 Lot Commercial Subdivision Plat

Reviewed by Staff: April 14, 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 southeast of Indian School Road and Central Avenue.

Council District: 4

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



Final Plat - Novella at the Biltmore - 160098 - Southeast Corner of 18th Street and Missouri Avenue

Plat: 160098
Project: 15-2605
Name of Plat: Novella at the Biltmore
Owner(s): Novella at Biltmore, LLC
Engineer(s): Survey Innovation Group, Inc.
Request: A 51 Lot Residential Subdivision Plat
Reviewed by Staff: April 12, 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 18th Street and Missouri Avenue.
Council District: 6

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



Final Plat - Arosa Estates - 150081 - Southwest Corner of 39th and South Mountain Avenues

Plat: 150081
Project: 04-894
Name of Plat: Arosa Estates
Owner(s): Gehan Homes of AZ, LLC
Engineer(s): EPS Group, Inc.
Request: A 53 Lot Residential Plat
Reviewed by Staff: April 14, 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 V120050.

Location

Generally located at the southwest corner of 39th Avenue (alignment) and South Mountain Avenue.
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



Final Plat - JFN Mechanical - 160129 - East of 52nd Avenue and South of Roosevelt Street

Plat: 160129
Project: 16-3549
Name of Plat: JFN Mechanical
Owner(s): JFN Real Estate Holdings, LLC
Engineer(s): CEG Applied Sciences
Request: A 1 Lot Commercial Plat
Reviewed by Staff: April 3, 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 east of 52nd Avenue south of Roosevelt Street.
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



Final Plat - The Courtyards at Madison Ranch - 160131 - Northeast Corner of 19th Avenue and Baseline Road

Plat: 160131
Project: 06-1529
Name of Plat: The Courtyards at Madison Ranch
Owner(s): Madison VIII, LLC
Engineer(s): Babbitt Nelson Engineering
Request: A 149 Lot Residential Subdivision Plat
Reviewed by Staff: April 14, 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 19th Avenue and Baseline Road.
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



Final Plat - 837 North 7th Avenue - 170007 - 837 N. 7th Ave.

Plat: 170007

Project: 15-2769

Name of Plat: 837 North 7th Avenue

Owner(s): William Rodriguez

Engineer(s): Survey Innovation Group, Inc.

Request: A 1 Lot Commercial Subdivision Plat

Reviewed by Staff: April 14, 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 837 N. 7th Ave.

Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



Final Plat - 35th Ave & Southern - 150117 - Approximately 675 Feet South of the Southeast Corner of 35th and Southern Avenues

Plat: 150117

Project: 05-2165

Name of Plat: 35th Ave & Southern

Owner(s): Renaissance Development, LLC

Engineer(s): Kinetix Engineering

Request: A 49 Lot Residential Plat

Reviewed by Staff: April 13, 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 V150005.

Location

Generally located approximately 675 feet south of the southeast corner of 35th and Southern Avenues.

Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



Final Plat - City of Phoenix Genomics Campus Replat - 160002 - Northwest Corner of 7th and Van Buren Streets

Plat: 160002

Project: 09-20

Name of Plat: City of Phoenix Genomics Campus Replat

Owner(s): City of Phoenix

Engineer(s): Dibble Engineering

Request: A 1 Lot Commercial Plat

Reviewed by Staff: April 14, 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 7th and Van Buren Streets.

Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



**Abandonment of Right-of-Way - V160071A - 3rd Street and Pierson Street
(Resolution 21535)**

Abandonment: V160071A

Project: 04-2446

Applicant(s): Michael Rabara, et al.

Request: To abandon the 8 foot alley Right-of-Way bounded by 1st and 3rd Streets, Pierson Street, and the parcel addressed 4715 N. Central Ave., APN 155-26-001B.

Date of Hearing: Feb. 21, 2017

Location

3rd Street and Pierson Street.

Council District: 4

Financial Impact

A fee was also collected as part of this abandonment in the amount of \$1,181.89.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



Abandonment of Right-of-Way - V120050A - 39th Avenue and South Mountain Avenue (Resolution 21536)

Abandonment: V120050A

Project: 04-894

Applicant: Gehan Homes of Arizona, LLC

Request: To abandon the 39th Avenue Right-of-Way from South Mountain Avenue to Ardmore Road, along with the adjacent 8 foot Public Utility Easement that continues adjacent to Ardmore Road and 40th Drive; and to abandon the Ardmore Road Right-of-Way located between the parcel identified as APN 300-14-719 and the parcel addressed 8615 S. 40th Drive.

Date of Hearing: Jan. 23, 2013

Summary

The resolution of the abandonment and the subdivision plat Arosa Estates, Plat 150081, 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

39th Avenue and South Mountain Avenue.

Council District: 7

Financial Impact

A fee was also collected as part of this abandonment in the amount of \$3,948.78.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



Abandonment of Easement - V160041A - 77 E. Polk St. (Resolution 21537)

Abandonment: V160041A

Project: 06-1166

Applicant: Mortenson Development, Inc.

Request: To abandon the west 11.79 feet of the Sidewalk Easement adjacent to north 1st Street on the parcel addressed 77 E. Polk St., APN 111-45-188.

Date of Decision: July 26, 2016

Location

77 E. Polk St.

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.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



**Abandonment of Easement - V150005A - 35th Avenue and Southern Avenue
(Resolution 21538)**

Abandonment: V150005A

Project: 05-2165

Applicant: Renaissance Development, LLC

Request: To abandon all the public easements dedicated in the plat "SEC 35th AVE & SOUTHERN", Book 944 Page 03, MCR, and any public easements on the parcel identified as APN 105-88-005P, located east of 35th Avenue and south of the parcel addressed 6175 S. 35th Ave.

Date of Decision: March 5, 2015

Summary

The resolution of the abandonment and the subdivision plat "35th AVE & SOUTHERN", PLAT 150117, 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

35th Avenue and Southern Avenue.

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.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



**Abandonment of Right-of-Way - V160042A - 9th Way and Sherman Street
(Resolution 21539)**

Abandonment: V160042A

Project: 00-1081

Applicant: Don Ross

Request: To abandon the 30 foot Sherman Street Right-of-Way between the parcels addressed 719 and 801 S. 9th Way, APN 116-37-027 and 116-37-028.

Date of Hearing: Sept. 28, 2016

Location

9th Way and Sherman Street.

Council District: 8

Financial Impact

A fee was also collected as part of this abandonment in the amount of \$1,914.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



**Abandonment of Easement - V170018A - 7th Avenue and Mohave Street
(Resolution 21540)**

Abandonment: V170018A

Project: 14-1495

Applicant: James Brucci of Hunter Engineering

Request: To abandon the Public Utility Easement located on the south 8 feet of the parcels addressed 1840 and 1880 S. 7th Ave., APN 105-34-110 and 105-34-111, except the west 8 feet adjacent to South 11th Avenue; and the adjoining Public Utility Easement on the west 8 feet of the parcel addressed 1800 S. 7th Ave., APN 105-34-109, except the south 8 feet.

Date of Decision: April 12, 2017

Location

7th Avenue and Mohave Street

Council District: 8

Financial Impact

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

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



Acceptance and Dedication of Deed and Easements for Temporary Turn Around, Drainage, Sidewalk and Roadway Purposes (Ordinance S-43527)

Request for the City Council to accept and dedicate deeds and easements for temporary turn around, drainage, sidewalk and roadway purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)

Applicant: US Real Estate Limited Partnership
Purpose: Temporary Turn Around
Location: 1 Norterra Drive
File: FN 170002
Council District: 1

Easement (b)

Applicant: US Real Estate Limited Partnership
Purpose: Drainage
Location: 1 Norterra Drive
File: FN 170002
Council District: 1

Easement (c)

Applicant: Duke Go PP, LLC
Purpose: Drainage
Location: 747 W. Pinnacle Peak Road
File: FN 170021
Council District: 1

Easement (d)

Applicant: US Real Estate Limited Partnership

Purpose: Sidewalk
Location: 2000 W. Happy Valley Road
File: FN 170003
Council District: 1

Easement (e)

Applicant: Madison School District No. 38
Purpose: Sidewalk
Location: 5611 N. 16th St.
File: FN 170024
Council District: 6

Deed (f)

Applicant: Westland Development, LLC
Purpose: Roadway
Location: 54 W. Fulton St.
File: FN 170028
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development and Finance departments.



Acceptance of Easements for Public Utilities, Water, Sewer and Ingress and Egress Purposes (Ordinance S-43528)

Request for the City Council to accept easements for public utilities, water, sewer and ingress and egress 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: US Real Estate Limited Partnership
Purpose: Public Utilities
Location: 2000 W. Happy Valley Road
File: FN 170003
Council District: 1

Easement (b)

Applicant: US Real Estate Limited Partnership
Purpose: Water and Sewer
Location: 1 Norterra Drive
File: FN 170001
Council District: 1

Easement (c)

Applicant: Westland Development, LLC
Purpose: Ingress, Egress and Public Utilities
Location: 54 W. Fulton St.
File: FN 170028
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development and Finance departments.



Demonstration Project Grant Application for Historic Dud R. Day Motor Company - Phoenix Motor Company Building, 401-447 W. Van Buren St. (Ordinance S-43529)

Request to authorize the City Manager, or his designee, to enter into necessary agreements and conveyances related to a Historic Preservation Demonstration Project grant in the amount of \$250,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The request is to provide the ownership of SoHo on Van Buren, LLC, with a Historic Preservation Demonstration Project grant in the amount of \$250,000 to assist with rehabilitation of the historic building. The total cost of the proposed work is \$506,319 and the applicant will be responsible for the matching funds. The grant amount would be split between Historic Preservation Bond Funds (\$75,000) and Community and Economic Development Downtown Community Reinvestment Funds (\$175,000). Once completed, the former automobile dealership, constructed in 1930, will be converted to an 1,800-seat entertainment venue.

Contract Term

In exchange for the grant funds, the City will receive a 30-year conservation easement on the property. The conservation easement will require that the historic character of the property be preserved and that the property be insured and maintained in good condition. The contract also requires that 10 percent of the total grant be withheld as contingency until the grant-funded work is 100 percent completed.

Financial Impact

The City's funding for this agreement is available in the Historic Preservation and Community and Economic Development CIP budgets. The applicant intends to match the \$250,000 in City grant funds with approximately \$3.5 million in private funds to complete the rehabilitation of the property.

Location

401-447 W. Van Buren St.

Concurrence/Previous Council Action

The Historic Preservation Commission recommended approval of this item on March 20, 2017. The Downtown, Aviation, Economy and Innovation Subcommittee recommended approval of this item on April 26, 2017, as a consent item by a vote of 3 -0.

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Paul Blue, and the Planning and Development and Community and Economic Development departments.



Amend City Code - Ordinance Adoption - Rezoning Application Z-92-16-1 - Approximately 130 Feet South of the Southeast Corner of 41st Avenue and Rose Garden Lane (Ordinance G-6311)

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-92-16-1 for the R1-8 (Single-family Residential) (10.07 acres) to allow a single-family residential subdivision.

Location

Approximately 130 feet south of the Southeast Corner of 41st Avenue and Rose Garden Lane.

Council District: 1

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-92-16-1) FROM R1-8 (SINGLE-FAMILY RESIDENTIAL) TO R1-8 (SINGLE-FAMILY RESIDENTIAL).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of an approximately 10.07-acre property located approximately 130 feet south of the southeast corner of 41st Avenue and Rose Garden Lane in a portion of Section 22, Township 4 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "R1-8" (Single-family Residential) to "R1-8" (Single-family Residential).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B".

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The perimeter lots on the east side of the site shall be one story and a maximum of 20 feet in height.
2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
3. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
4. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
5. The landscape setback along 41st Avenue shall be planted with desert landscaping, similar to that of the Subdivision to the west, "Arroyo Springs Parcel A," as approved by the Planning and Development Department.
6. The developer shall construct speed humps on the streets internal to the subdivision per the Speed Hump and Striping Specifications from the Street Transportation Department, as approved by the Planning and Development Department.
7. The development shall not exceed 47 lots.
8. The lot width shall be in compliance with the Lot Width Exhibit date stamped April 6, 2017, as approved by the Planning and Development Department.

SECTION 4: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 10th day of May, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A
LEGAL DESCRIPTION FOR Z-92-16-1

All of Lot 11 and Lot 12 of Section 22, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona being more particularly described as follows:

Commencing at the West quarter corner of said Section 22, being a Maricopa County Aluminum Cap LS# 33307, from which the Center of Section 22, being a City of Phoenix Brass Cap Flush, bears North 89 degrees 36 minutes 17 seconds East, a distance of 2644.15 feet;

Thence North 89 degrees 36 minutes 17 seconds East along the North line of the Southwest quarter of said Section 22, a distance of 1322.07 feet to the Northwest corner of said Lot 11 and the **Point of Beginning** for the herein described parcel;

Thence continuing North 89 degrees 36 minutes 17 seconds East along the North line of Lot 11, a distance of 661.04 feet;

Thence South 00 degrees 14 minutes 09 seconds East along the East line of Lot 11 and Lot 12, a distance of 662.52 feet to the Southeast corner of Lot 12;

Thence South 89 degrees 36 minutes 00 seconds West along the South line of Lot 12, a distance of 661.07 feet to a City of Phoenix Brass Cap Flush and the Southwest corner of Lot 12;

Thence North 00 degrees 13 minutes 59 seconds West along the West line of Lot 11 and Lot 12, a distance of 662.57 feet to the **Point of Beginning**.

Subject parcel containing 437,974 square feet or 10.05 acres more or less

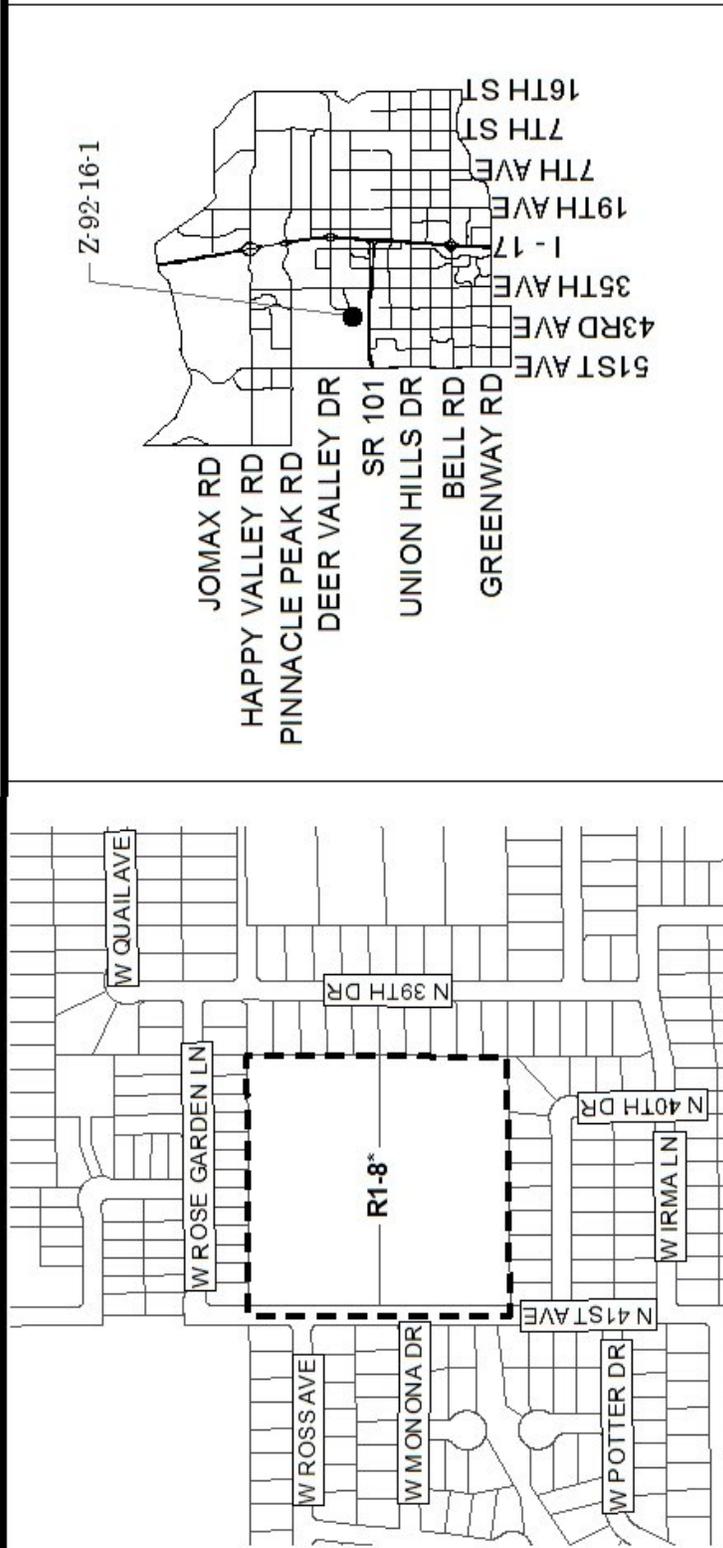
Except all coal, oil, gas and other mineral deposits, as reserved in the patent.

ORDINANCE LOCATION MAP

EXHIBIT B

Zoning Case Number: Z-92-16-1
Zoning Overlay: N/A
Planning Village: Deer Valley

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 4/14/2017

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Amend City Code - Ordinance Adoption - Rezoning Application Z-1-17-1 - Approximately 335 Feet East of the Northeast Corner of 15th Avenue and the Whispering Wind Drive Alignment (Ordinance G-6312)

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-1-17-1 for the CP/GCP DVAO (Commerce Park, General Commerce Park Option, Deer Valley Airport Overlay) (3.18 acres) to allow a warehouse/office.

Location

Approximately 335 feet east of the Northeast Corner of 15th Avenue and the Whispering Wind Drive Alignment.

Council District: 1

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-1-17-1) FROM S-1 DVAO (RANCH OR FARM RESIDENCE, DEER VALLEY AIRPORT OVERLAY) TO CP/GCP DVAO (COMMERCE PARK, GENERAL COMMERCE PARK OPTION, DEER VALLEY AIRPORT OVERLAY).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of an approximately 3.18-acre property located approximately 335 feet east of the northeast corner of 15th Avenue and the Whispering Wind Drive alignment in a portion of Section 7, Township 4 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "S-1 DVAO" (Ranch or Farm Residence, Deer Valley Airport Overlay) to "CP/GCP DVAO" (Commerce Park, General Commerce Park Option, Deer Valley Airport Overlay).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B".

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. Trees within the required landscape setback along Whispering Wind Drive shall be placed 20 feet on center or in equivalent groupings, consisting of 60% of trees with a minimum 2-inch caliper and 40% with a minimum 1 inch caliper, as approved by the Planning and Development Department.
2. Landscape planters shall be provided at the ends of each row of parking within the required parking areas, as approved by the Planning and Development Department. The planters shall be a minimum of 5 feet wide, measured from inside face of curbs. Planters shall include at minimum a 1 inch caliper tree.
3. Right-of-way totaling 25 feet shall be dedicated for the south half of Whispering Wind Drive (north boundary of property) for the entire length of the property and the remaining Federal Patent Easement shall be abandoned, as approved by the Planning and Development Department.
4. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

SECTION 4: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 10th day of May, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

- Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-1-17-1

THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THE SOUTH 230 FEET THEREOF.

EXCEPT ALL COAL, OIL, GAS AND OTHER MINERALS AND EXCEPT ALL URANIUM, THORIUM OR ANY OTHER MATERIAL WHICH IS OR MAY BE DETERMINED TO BE PECULIARLY ESSENTIAL TO THE PRODUCTION OF FISSIONABLE MATERIALS, WHETHER OR NOT OF COMMERCIAL VALUE, AS RESERVED IN PATENT FORM THE UNITED STATES OF AMERICA.

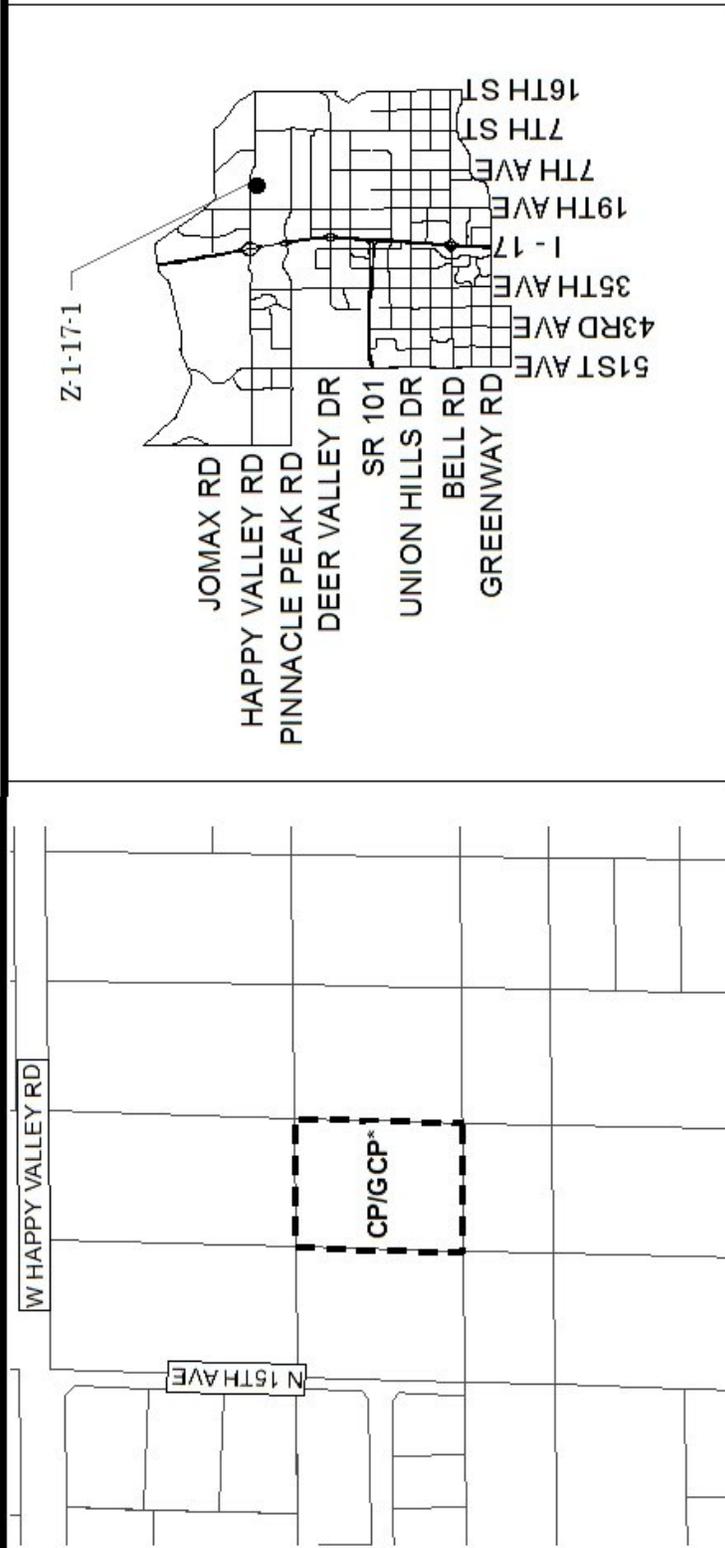
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ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-1-17-1
Zoning Overlay: Deer Valley Airport
Planning Village: Deer Valley



NOT TO SCALE



Drawn Date: 3/15/2017

R:\IS_Team\Core_Functions\Zoning\SupplMaps_OrdMaps\2017_Ord\5_10_17\Z-1-17-1.mxd



Amend City Code - Ordinance Adoption - Rezoning Application Z-75-A-94-2 - Northwest Corner of Mayo Boulevard and Scottsdale Road (Ordinance G-6313)

Summary

Request to authorize City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-75-A-94-2 for the PUD PCD (74.44 acres) to allow a major amendment to the Paradise Ridge PCD to allow a Planned Unit Development for a mix of uses, including an indoor shooting gallery.

Location

Northwest corner of Mayo Boulevard and Scottsdale Road.
Council District: 2

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-75-A-94-2) FROM C-2 HGT/WVR PCD (INTERMEDIATE COMMERCIAL DISTRICT, HEIGHT WAIVER, PLANNED COMMUNITY DISTRICT) TO PUD PCD (PLANNED UNIT DEVELOPMENT, PLANNED COMMUNITY DISTRICT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of an approximately 74.44-acre property located at the northwest corner of Mayo Boulevard and Scottsdale Road in a portion of Section 27, Township 4 North, Range 4 East, as described more specifically in Exhibit "A", is hereby changed from "C-2 HGT/WVR PCD" (Intermediate Commercial District, Height Waiver, Planned Community District), to "PUD PCD" (Planned Unit Development, Planned Community District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B".

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Suite B-09 PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped January 19, 2017.
2. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of the Scottsdale Airport (SDL) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 10th day of May, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____ City Attorney

REVIEWED BY:

_____ City Manager

Exhibits:

A – Legal Description (1 Pages)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-75-A-94-2

TRACT 2.03 OF STATE PLAT NO. 34, PARADISE RIDGE, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 416 of Maps, page 12 and Affidavit recorded November 12, 1996 in Document No. 96-0797420, records of Maricopa County, Arizona, said Tract situated in Section 27, Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

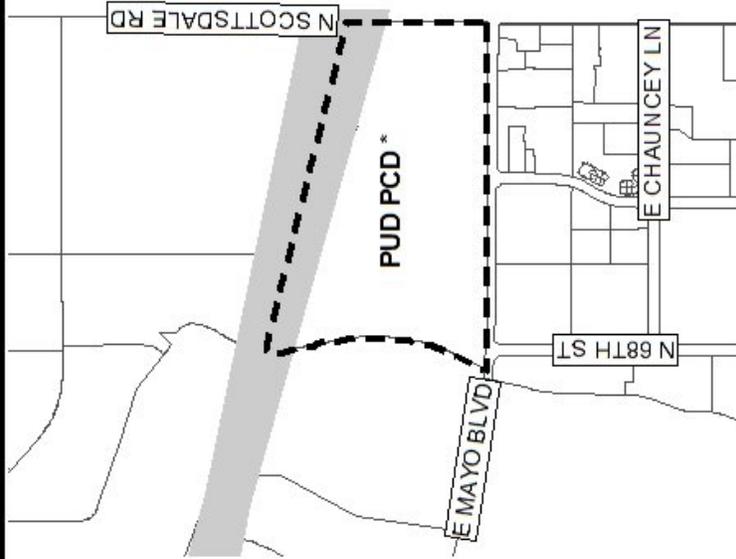
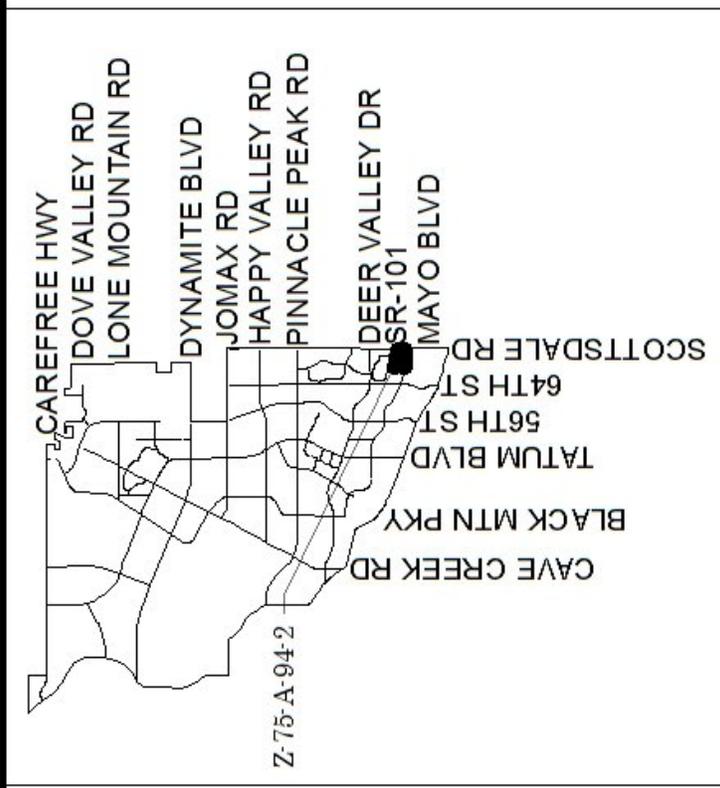
DRAFT

ORDINANCE LOCATION MAP

EXHIBIT B

Zoning Case Number: Z-75-A-94-2
 Zoning Overlay: N/A
 Planning Village: Desert View

ZONING SUBJECT TO STIPULATIONS: *
 SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 3/15/2017



Amend City Code - Ordinance Adoption - Rezoning Application Z-77-16-2 - Approximately 551 Feet West of the Southwest Corner of Ashler Hills Drive and Cave Creek Road (Ordinance G-6314)

Summary

Request to authorize City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-77-16-2 for the S-2 (5.04 acres) to allow the expansion of the existing Chaparral Animal Hospital.

Location

Approximately 551 feet west of the southwest corner of Ashler Hills Drive and Cave Creek Road.

Council District: 2

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-77-16-2) FROM COUNTY RU-43 (PENDING S-1) (FARM RESIDENCE DISTRICT) TO S-2 (RANCH OR FARM COMMERCIAL DISTRICT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of an approximately 5.04-acre property located approximately 551 feet west of the southwest corner of Ashler Hills Drive and Cave Creek Road in a portion of Section 18, Township 5 North, Range 4 East, as described more specifically in Exhibit "A", is hereby changed from "COUNTY RU-43" (Pending S-1) (Farm Residence District), to "S-2" (Ranch or Farm Commercial District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B".

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped October 11, 2016, as modified by the following stipulations and approved by the Planning and Development Department.

STREETS

2. Right-of-way totaling 30 feet shall be dedicated for the south half of Ashler Hills Drive, as approved by the Planning and Development Department.
3. The developer shall update all existing off-site street improvements (sidewalk, curb ramps, and driveways) to current ADA guidelines, as approved by Planning and Development Department.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
5. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 10th day of May, 2017.

MAYOR

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ City Attorney

REVIEWED BY:

_____ City Manager

Exhibits:

A – Legal Description (1 Pages)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-77-16-2

The North half of the West half of the East half of the Northeast quarter of the Southeast quarter of Section 18, Township 5 North, Range 4 East, of the Gila Salt River Base and Meridian, Maricopa County, Arizona.

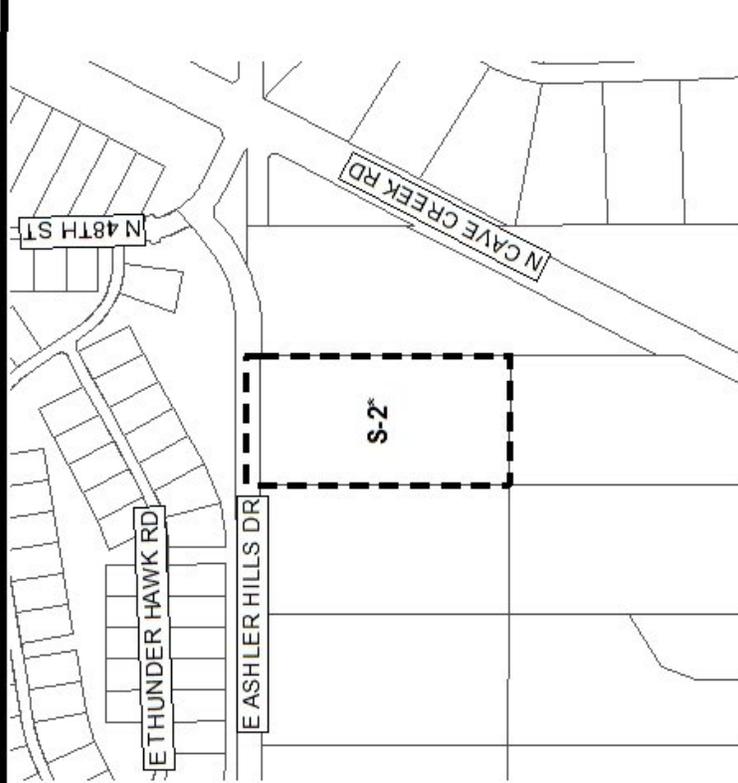
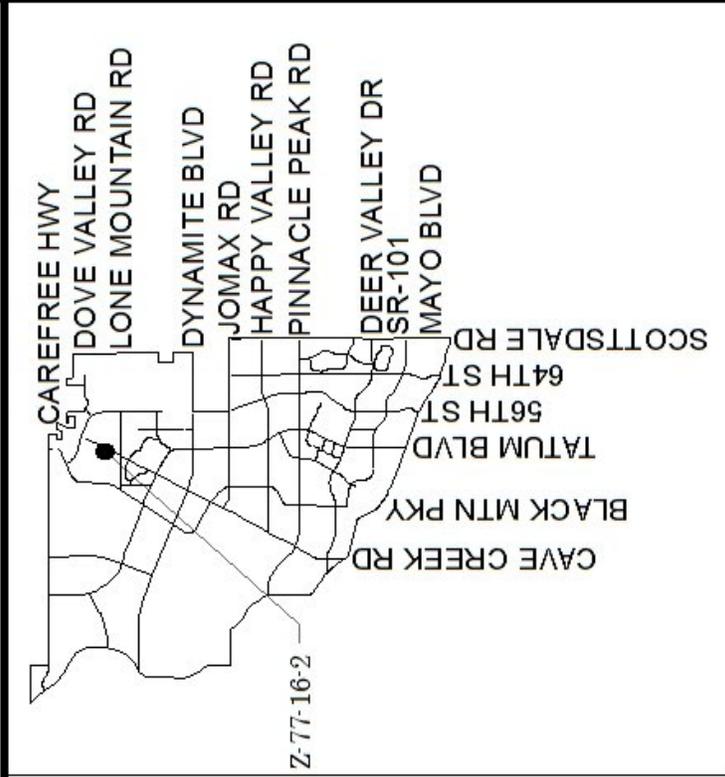
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ORDINANCE LOCATION MAP

EXHIBIT B

Zoning Case Number: Z-77-16-2
 Zoning Overlay: N/A
 Planning Village: Central City

ZONING SUBJECT TO STIPULATIONS: *
 SUBJECT AREA: - - - - -



NOT TO SCALE

Drawn Date: 3/15/2017



City of Phoenix

City Council Formal Meeting

City Council Report

Agenda Date: 5/10/2017, Item No. 145

Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-16-Z-23-15-3 - Northeast Corner of 31st Street and Cheryl Drive (Ordinance G-6315)

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 16, 2017.

Location

Northeast corner of 31st Street and Cheryl Drive
Council District: 3

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-23-15-3 PREVIOUSLY APPROVED BY
ORDINANCE G-6070.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as
follows:

SECTION 1. The zoning stipulations applicable to the northeast corner of
31st Street and Cheryl Drive in a portion of Section 26, Township 3 North, Range 3 East,
as described more specifically in Attachment "A", are hereby modified to read as set forth
below.

STIPULATIONS:

1. The development shall be in general conformance with the site plan date stamped ~~July 24, 2015~~ JANUARY 20, 2017 and landscape plan date stamped ~~July 27, 2015~~ MARCH 8, 2017, as approved by the Planning and Development Department, with specific regard to the following:
 - a. A minimum of nine (9) guest parking spaces shall be ~~located along the east property line of the subject parcel~~ PROVIDED.
 - b. The development shall not exceed 22 lots/dwelling units.
 - c. AT A MINIMUM, 1 2-INCH CALIPER TREE SHALL BE INSTALLED IN EACH LANDSCAPE PLANTER ADJACENT TO THE DRIVEWAYS ALONG 31ST STREET AND CHERYL DRIVE.

2. All elevations of the building shall contain architectural embellishments and detailing such as pop-outs and/or recesses; stone, brick or decorative block accent materials; and shade features, as approved by the Planning and Development Department.
3. Lots 1-6 shall front on 31st Street and Lots 15-22 shall front on Cheryl Drive, as depicted on the site plan date stamped ~~July 2, 2015~~ JANUARY 20, 2017, ~~and provide a pedestrian entryway that is either elevated, depressed or includes a feature such as a low wall or covered porch to accentuate the primary entrance,~~ as approved by the Planning and Development Department.
4. The developer shall update all existing off-site street improvements adjacent to the project (sidewalks, curb ramps and driveways) to current ADA guidelines as approved by the Planning and Development Department.
5. There shall be no occupiable rooftop decks.
6. LOTS THAT FRONT ONTO 31ST STREET AND CHERYL DRIVE SHALL HAVE GARAGE DOORS THAT HAVE A VARIETY OF DECORATIVE EMBELLISHMENT SUCH AS WINDOW PANELS, COLOR AND ADDED MATERIALS FOR THE PILLARS SURROUNDING THE DOOR, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6070, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6070 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 10th day of May, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Attachments:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-16--Z-23-15-3

TRACT 13, VALLEY VIEW VILLAS, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE MARICOPA COUNTY RECORDER, IN BOOK 58 OF MAPS, PAGE 11, LOCATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26, BEING MARKED BY A CITY OF PHOENIX BRASS CAP FLUSH, FROM WHICH POINT THE EAST QUARTER CORNER OF SAID SECTION 26, BEING MARKED BY AN ARIZONA DEPARTMENT OF TRANSPORTATION BRASS CAP IN HAND HOLE, BEARS SOUTH 00 01'55" WEST, A DISTANCE OF 2677.76 FEET;

THENCE SOUTH 00 01'55" WEST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 1314.03 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 26, BEING MARKED BY AN ARIZONA DEPARTMENT OF TRANSPORTATION BRASS CAP IN HAND HOLE;

THENCE SOUTH 89 33'00" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 26, BEING THE MONUMENT LINE OF CHERYL DRIVE ACCORDING TO SAID PLAT, A DISTANCE OF 339.80 FEET TO POINT;

THENCE NORTH 00 27'00" WEST, DEPARTING SAID SOUTH LINE, A DISTANCE OF 25.00 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 13 AND THE POINT OF BEGINNING;

THENCE SOUTH 89 33'00" WEST, ALONG THE SOUTH LINE OF SAID TRACT 13, A DISTANCE OF 293.55 FEET TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTH 00 05'49" WEST, ALONG THE WEST LINE OF SAID TRACT 13, A DISTANCE OF 317.50 FEET TO THE NORTHWEST CORNER THEREOF;

THENCE NORTH 89 41'09" EAST, ALONG THE NORTH LINE OF SAID TRACT 13, A DISTANCE OF 294.26 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 00 01'55" WEST, ALONG THE EAST LINE OF SAID TRACT 13, A DISTANCE OF 316.81 FEET TO THE **POINT OF BEGINNING**.

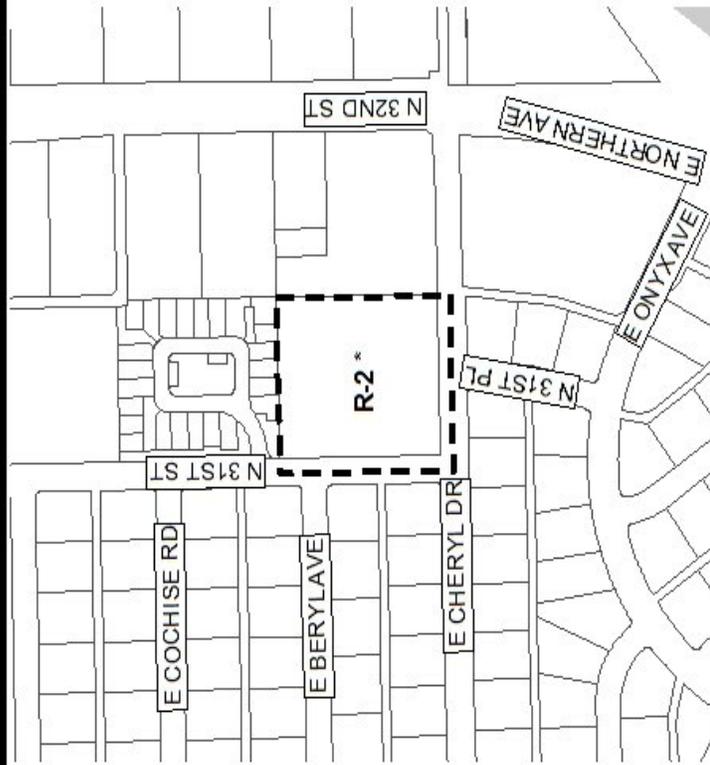
CONTAINING 93,211 SQUARE FEET OR 2.1398 ACRES, MORE OR LESS.

ORDINANCE LOCATION MAP

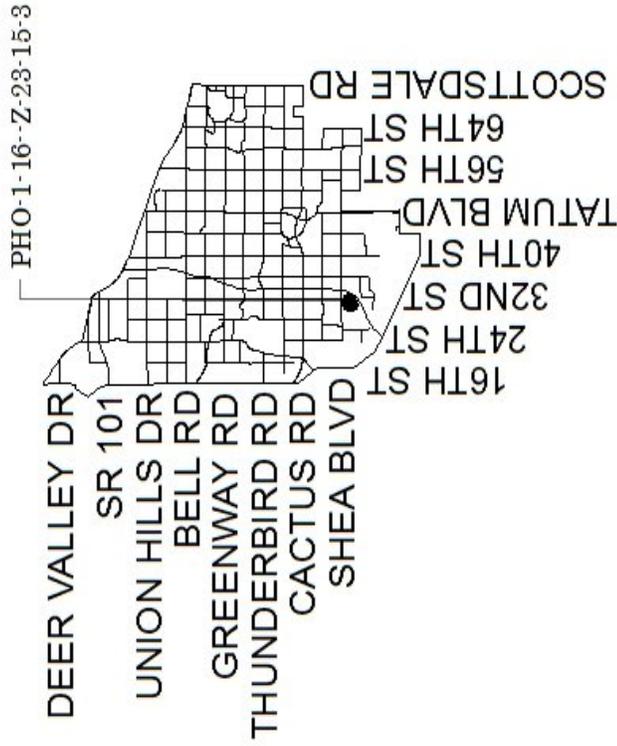
EXHIBIT B

Zoning Case Number: PHO-1-16-Z-23-15-3
Zoning Overlay: N/A
Planning Village: Paradise Valley

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 4/13/2017

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Amend City Code - Ordinance Adoption - Rezoning Application Z-2-17-7 - Southwest Corner of 4th Avenue and Van Buren Street (Ordinance G-6316)

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-2-17-7 for the DTC-Van Buren HP (Downtown Code - Van Buren Historic Preservation) to allow Historic Preservation Zoning Overlay for Dud R. Day Motor Company/Phoenix Motor Company.

Location

Southwest corner of 4th Avenue and Van Buren Street.
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-2-17-7) FROM DTC-VAN BUREN (DOWNTOWN CODE - VAN BUREN) TO DTC-VAN BUREN HP (DOWNTOWN CODE-VAN BUREN HISTORIC PRESERVATION)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of an approximately 1.68-acre property located at the southwest corner of 4th Avenue and Van Buren Street in a portion of Section 8, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "DTC-Van Buren" (Downtown Code-Van Buren), to "DTC-Van Buren HP" (Downtown Code-Van Buren Historic Preservation).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B".

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

There are no stipulations.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 10th day of May, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A
LEGAL DESCRIPTION FOR Z-2-17-7

PARCEL NO. 1:

LOTS 1, 3, 5, 7, 9 AND 11, BLOCK 96, OF ORIGINAL TOWNSITE OF PHOENIX,
ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY

RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 2 OF
MAPS, PAGE 51;

EXCEPT THE NORTH 7 FEET THEREOF;

EXCEPT NO TITLE SHALL BE ACQUIRED TO ANY MINE OF GOLD, SILVER,
CINNABAR OR COPPER OR TO ANY VALID CLAIM OR POSSESSION HELD
UNDER THE EXISTING LAWS OF CONGRESS.

PARCEL NO. 2:

THAT PORTION OF ABANDONED ALLEY LYING SOUTHERLY AND ADJACENT TO
LOTS 1, 3, 5, 7, 9 AND 11, BLOCK 96, OF ORIGINAL TOWNSITE OF PHOENIX,
ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF COUNTY RECORDER
OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 2 OF MAPS, PAGE 51,
AS DISCLOSED BY RESOLUTION 20252 RECORDED IN DOCUMENT NO. 2005-
0762767 OF OFFICIAL RECORDS.

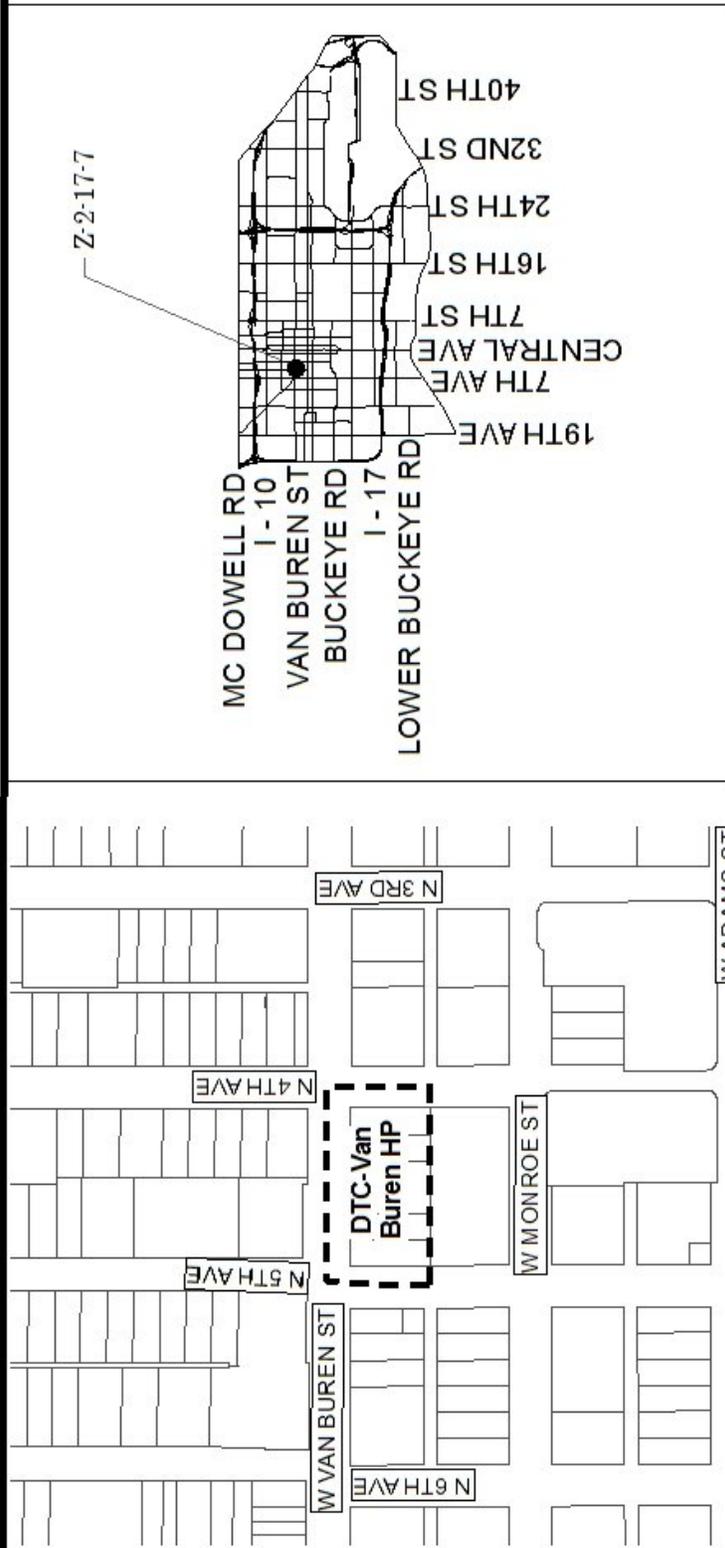
EXCEPT NO TITLE SHALL BE ACQUIRED TO ANY MINE OF GOLD, SILVER,
CINNABAR OR COPPER OR TO ANY VALID CLAIM OR POSSESSION HELD
UNDER THE EXISTING LAWS OF CONGRESS.

ORDINANCE LOCATION MAP

EXHIBIT B

Zoning Case Number: Z-2-17-7
Zoning Overlay: N/A
Planning Village: Central City

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 3/15/2017



Amend City Code - Ordinance Adoption - Rezoning Application Z-3-17-7 - Approximately 260 Feet East of the Southeast Corner of 91st Avenue and Thomas Road (Ordinance G-6317)

Summary

Request to authorize City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-3-17-7 for the C-2 (9.00 acres) zoning district to allow office, retail and related uses.

Location

Approximately 260 feet east of the Southeast Corner of 91st Avenue and Thomas Road.

Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-3-17-7) FROM PSC (PLANNED SHOPPING CENTER) TO C-2 (INTERMEDIATE COMMERCIAL DISTRICT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of an approximately 9.00-acre property located approximately 260 feet east of the southeast corner of 91st Avenue and Thomas Road in a portion of Section 34, Township 2 North, Range 1 East, as described more specifically in Exhibit "A", is hereby changed from "PSC" (Planned Shopping Center), to "C-2" (Intermediate Commercial District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B".

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped January 13, 2017, as approved by the Planning and Development Department.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 10th day of May, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

- A – Legal Description (2 Pages)
- B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-3-17-7

A PART OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 34, BEING THE INTERSECTION OF 91ST AVENUE AND THOMAS ROAD

THENCE NORTH 89 DEGREES 21 MINUTES 22 SECONDS EAST (BASIS OF BEARING) ALONG THE NORTH LINE OF SAID SECTION 34, 265.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 21 MINUTES 22 SECONDS EAST, A DISTANCE OF 389.91 FEET;

THENCE SOUTH 00 DEGREES 38 MINUTES 38 SECONDS EAST, A DISTANCE OF 107.32 FEET TO THE BEGINNING OF A TANGENTIAL CURVE;

SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 45 DEGREES 21 MINUTES 59 SECONDS, HAVING A RADIUS OF 115.00 FEET FOR AN ARC DISTANCE OF 91.06 FEET;

THENCE SOUTH 44 DEGREES 43 MINUTES 21 SECONDS WEST, A DISTANCE OF 15.09 FEET TO THE BEGINNING OF A TANGENTIAL CURVE;

SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 47 DEGREES 58 MINUTES 31 SECONDS, HAVING A RADIUS OF 35.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 20 DEGREES 44 MINUTES 06 SECONDS WEST, 28.46 FEET, FOR AN ARC DISTANCE OF 29.31 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE;

THENCE SOUTH 45 DEGREES 16 MINUTES 39 SECONDS EAST, A DISTANCE OF 131.73 FEET;

THENCE NORTH 89 DEGREES 21 MINUTES 22 SECONDS EAST, A DISTANCE OF 108.27 FEET;

THENCE SOUTH 00 DEGREES 38 MINUTES 38 SECONDS EAST, A DISTANCE OF 91.77 FEET;

THENCE SOUTH 44 DEGREES 43 MINUTES 21 SECONDS WEST, A DISTANCE OF 419.46 FEET;

THENCE NORTH 89 DEGREES 54 MINUTES 39 SECONDS WEST, A DISTANCE OF 510.93 FEET TO A POINT ON THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 34;

THENCE NORTH 00 DEGREES 05 MINUTES 21 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 394.99 FEET;

THENCE NORTH 89 DEGREES 21 MINUTES 22 SECONDS EAST, A DISTANCE OF 265.01 FEET;

THENCE NORTH 00 DEGREES 05 MINUTES 21 SECONDS EAST, A DISTANCE OF 305.00 FEET TO THE POINT OF BEGINNING.

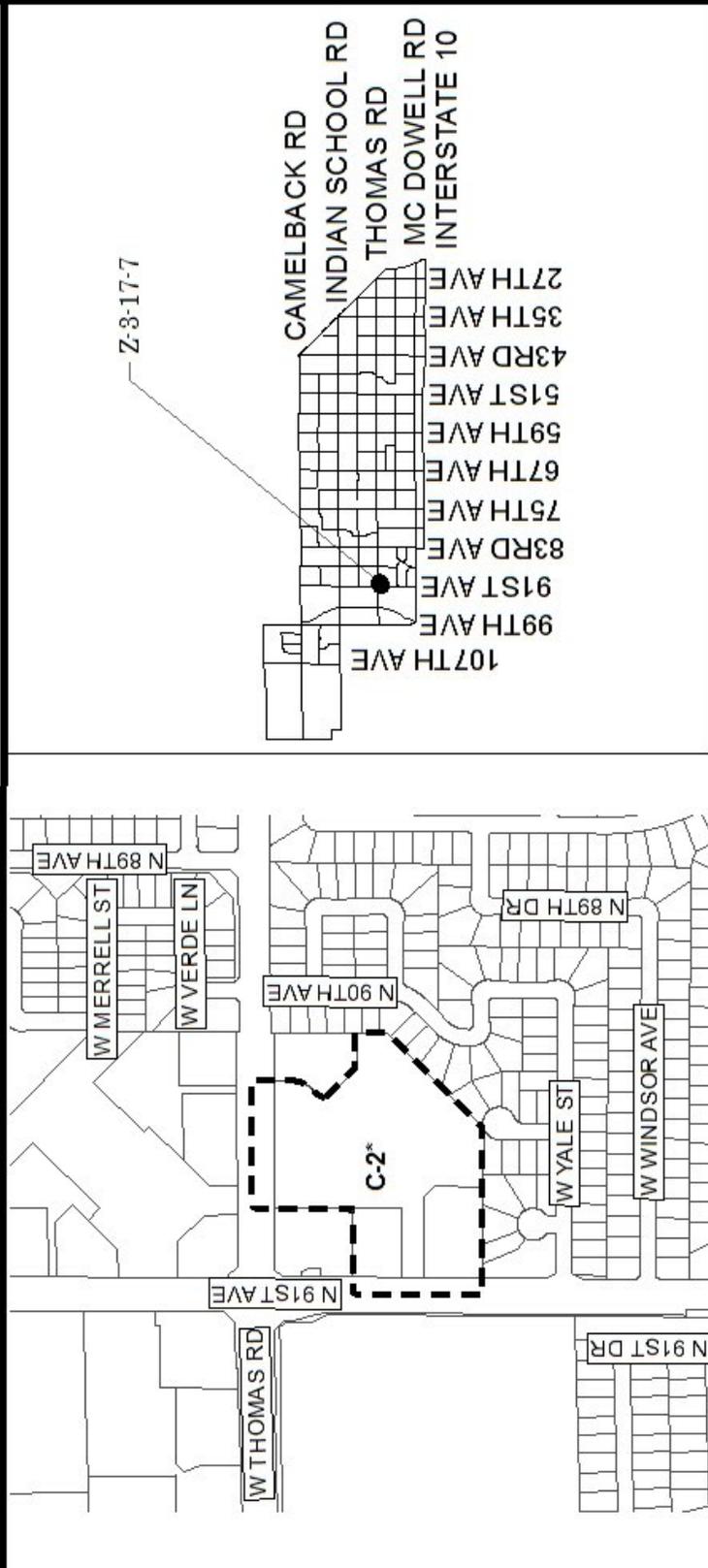
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ORDINANCE LOCATION MAP

EXHIBIT B

Zoning Case Number: Z-3-17-7
 Zoning Overlay: N/A
 Planning Village: Maryvale

ZONING SUBJECT TO STIPULATIONS: *
 SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 3/15/2017

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Remove/Replace Zoning District - Annexation 484 - 47th Street and Ashler Hills Drive (Ordinance G-6318)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County RU-43 zoning district and replacing it with the City of Phoenix S-1 (Ranch or Farm Residence) zoning district on property at the location described below, which was annexed into the City of Phoenix on April 19, 2017 by Ordinance S-43401.

Location

West of 47th Street and south of Ashler Hills Drive
Council District: 2

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.

Attachment A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE ANNEXED PARCEL DESCRIBED HEREIN (47TH STREET AND ASHLER HILLS DRIVE ANNEXATION, NO. 484) FROM COUNTY RU-43 TO CITY'S S-1 (RANCH OR FARM RESIDENCE).

WHEREAS, on April 19, 2017, via Ordinance S-43401, the City of Phoenix annexed an approximately 4.75 acre property located west of 47th Street and south of Ashler Hills Drive, in a portion of Section 18, Township 5 North, Range 4 East, as described more specifically in Attachment "A" and incorporated herein by this reference; and,

WHEREAS, as required by A.R.S. § 9-471.L, the city of Phoenix is required to adopt zoning districts on the subject parcel to permit uses and densities no greater than those allowed by the prior County zoning district; and,

WHEREAS, immediately prior to annexation the zoning applicable to this territory was Maricopa County's RU-43 zoning district; and

WHEREAS, the City's S-1 (Ranch or Farm Residence) zoning district is equivalent to Maricopa County's Rural-43 zoning district;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The approximately 4.75 acre property located west of 47th Street and south of Ashler Hills Drive, in that part of Section 18, Township 5 North, Range 4 East, of the Gila and Salt River Base and Meridian of Maricopa County, Arizona, which is described in Exhibit A and depicted in Exhibit B has been annexed to the City of Phoenix, and the present corporate limits of the City have been extended and increased to include such property.

SECTION 2. Pursuant to A.R.S. §9-471(L), the property depicted in Exhibit B is hereby removed from Maricopa County's Rural-43 zoning district and placed into the City's S-1 (Ranch or Farm Residence) zoning district. This zoning designation shall take effect thirty days after this Ordinance is adopted, without further action by the City Council, and

SECTION 3. The City Clerk shall cause a copy of this Ordinance, together with Exhibits A and B to be filed and recorded in the Records of the Office of the Maricopa County Recorder, and

SECTION 4. The Planning and Development Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B".

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 10th day of May, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

- Attachments:
- A – Legal Description (1 Page)
 - B – Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR
ANNEXATION 484

47TH STREET AND ASHLER HILLS DRIVE ANNEXATION
Appendix A

That part of the Northeast quarter of the Southeast quarter of Section 18, Township 5 North, Range 4 East, G&SRB&M, described as follows:

BEGINNING at the intersection of the South line of the North 30 feet of the North half of the West half of the East half of said Northeast quarter of the Southeast quarter of Section 18 and the East line of said North half of the West half of the East half of the Northeast quarter of the Southeast quarter of Section 18, being also a point in the boundary of the area annexed to the City of Phoenix by its Ordinance No. G-4856, recorded in Document No. 2007-0017630, records of Maricopa County, Arizona;

thence Southerly along said East line of the North half of the West half of the East half of the Northeast quarter of the Southeast quarter of Section 18, to the Southeast corner of said North half of the West half of the East half of the Northeast quarter of the Southeast quarter of Section 18;

thence Westerly along the South line of said North half of the West half of the East half of the Northeast quarter of the Southeast quarter of Section 18, to the Southwest corner of said North half of the West half of the East half of the Northeast quarter of the Southeast quarter of Section 18;

thence Northerly along the West line of said North half of the West half of the East half of the Northeast quarter of the Southeast quarter of Section 18, to a point in said South line of the North 30 feet;

thence Easterly along said South line of the North 30 feet to a point in the East line of said North half of the West half of the East half of the Northeast quarter of the Southeast quarter of Section 18, being also the boundary line of said area annexed to the City of Phoenix, and the POINT OF BEGINNING.



Remove/Replace Zoning District - Annexation 483 - 67th Avenue and Fulton Street II (Ordinance G-6319)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County RU-43 zoning district and replacing it with the City of Phoenix S-1 (Ranch or Farm Residence) zoning district on property at the location described below, which was annexed into the City of Phoenix on April 19, 2017 by Ordinance S-43402.

Location

East of 67th Avenue and south of Fulton Street
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.

Attachment A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE ANNEXED PARCEL DESCRIBED HEREIN (67TH AVENUE AND FULTON STREET II, ANNEXATION NO. 483 FROM COUNTY RU-43 TO CITY'S S-1 (RANCH OR FARM RESIDENCE)).

WHEREAS, on April 19, 2017, via Ordinance S-43402, the City of Phoenix annexed an approximately 10.56 acre property located east of 67th Avenue and south of Fulton Street, Section 19, Township 1 North, Range 2 East, as described more specifically in Attachment "A" and incorporated herein by this reference; and,

WHEREAS, as required by A.R.S. § 9-471.L, the city of Phoenix is required to adopt zoning districts on the subject parcel to permit uses and densities no greater than those allowed by the prior County zoning district; and,

WHEREAS, immediately prior to annexation the zoning applicable to this territory was Maricopa County's RU-43 zoning district; and

WHEREAS, the City's S-1 (Ranch or Farm Residence) zoning district is equivalent to Maricopa County's Rural-43 zoning district;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The approximately 10.56 acre property located east of 67th Avenue and south of Fulton Street, in that part of Section 19, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian of Maricopa County, Arizona, which is described in Exhibit A and depicted in Exhibit B has been annexed to the City of Phoenix, and the present corporate limits of the City have been extended and increased to include such property.

SECTION 2. Pursuant to A.R.S. §9-471(L), the property depicted in Exhibit B is hereby removed from Maricopa County's Rural-43 zoning district and placed into the City's S-1 (Ranch or Farm Residence) zoning district. This zoning designation shall take effect thirty days after this Ordinance is adopted, without further action by the City Council, and

SECTION 3. The City Clerk shall cause a copy of this Ordinance, together with Exhibits A and B to be filed and recorded in the Records of the Office of the Maricopa County Recorder, and

SECTION 4. The Planning and Development Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B".

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 10th day of May, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Attachments:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR
ANNEXATION 483

67TH AVENUE AND FULTON STREET II ANNEXATION
Appendix A

That part of the Southwest quarter of Section 19, Township 1 North, Range 2 East, G&SRB&M, described as follows:

COMMENCING at a point in the East-West mid-section line of said Section 19 which bears East (assumed) a distance of 1,947.81 feet from the West quarter corner thereof, being a point in common of the areas annexed to the City of Phoenix, Arizona, by its Ordinance No. G-4463, recorded in Document No. 2002-1061529, records of Maricopa County, Arizona;

thence South $01^{\circ} 38' 03''$ East along a line in common of said annexed areas, a distance of 454.98 feet;

thence North $88^{\circ} 59' 16''$ West, along a line parallel with said East-West mid-section line, a distance of 385.30 feet to a point in common of the areas annexed to the City of Phoenix, Arizona, by its Ordinance No. G-4875, recorded in Document No. 2007-0345561, records of Maricopa County, Arizona;

thence South $89^{\circ} 45' 32''$ West along a line in common of said annexed areas, a distance of 779.58 feet to the POINT OF BEGINNING;

thence South along a line in common of said annexed areas, a distance of 458.37 feet to the South line of the North 923.00 feet of said Southwest quarter of Section 19;

thence Westerly along said South line of the North 923.00 feet to the East line of the West 620.19 feet of said Southwest quarter of Section 19;

thence Southerly along said East line of the West 620.19 feet to the South line of the North 1,405.00 feet of said Southwest quarter of Section 19;

thence Westerly along said South line of the North 1,405.00 feet to the East line of the West 45.00 feet of said Southwest quarter of Section 19;

thence Northerly along said East line of the West 45.00 feet to the South line of the North 923.00 feet of said Southwest quarter of Section 19;

thence Easterly along said South line of the North 923.00 feet to the East line of the West 393.50 feet of said Southwest quarter of Section 19;

thence Northerly along said East line of the West 393.50 feet to the South line of the North 464.63 feet of said Southwest quarter of Section 19, being a line in common of said annexed areas;

thence Easterly along said South line of the North 464.63 feet, being a line in common of said annexed areas to the POINT OF BEGINNING.

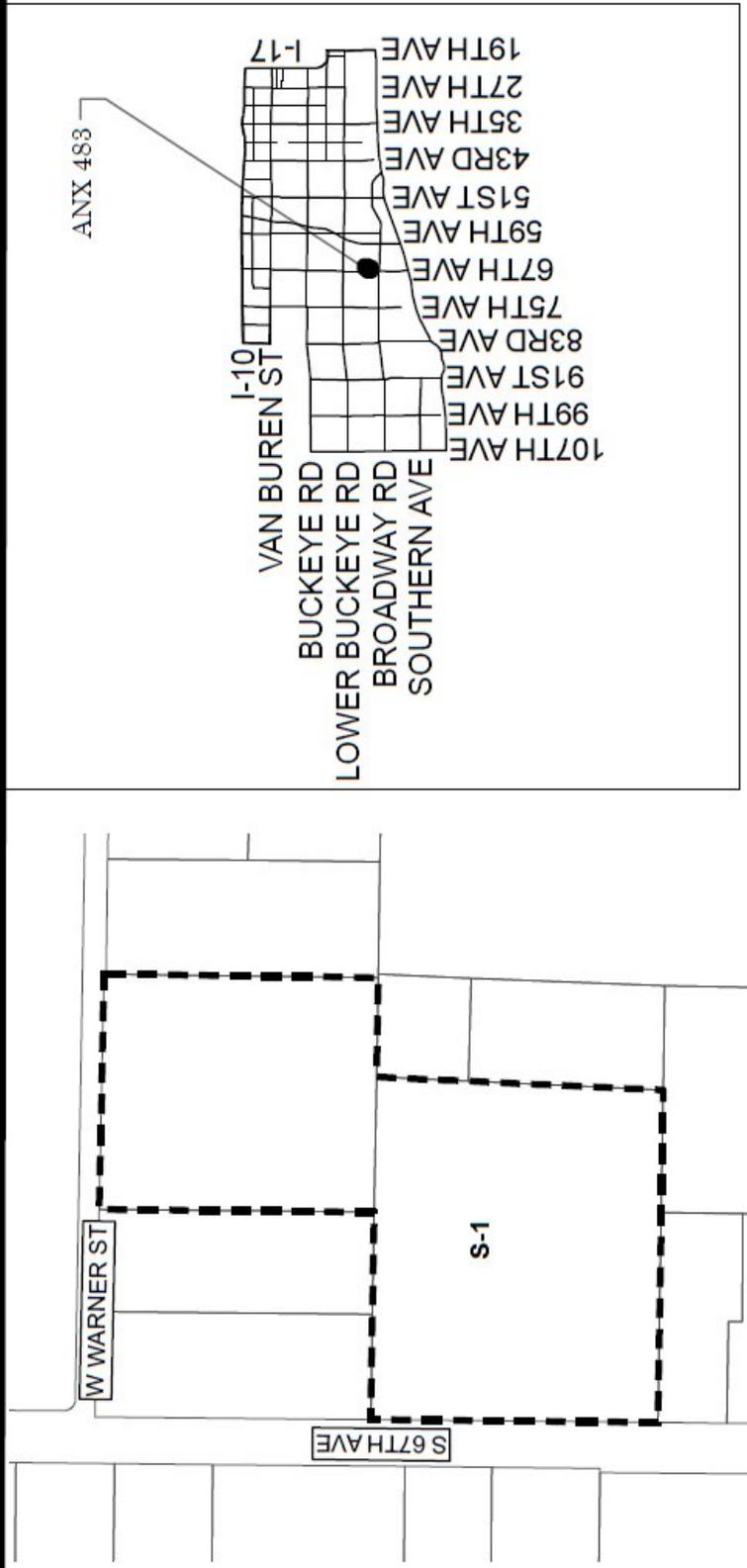
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ORDINANCE LOCATION MAP

EXHIBIT B

Zoning Case Number: ANX 483
Zoning Overlay: N/A
Planning Village: Estrella

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■



NOT TO SCALE



Drawn Date: 4/17/2017

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(CONTINUED FROM APRIL 5, 2017) - Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-73-16-2 - Northeast Corner of the 42nd Street Alignment and Dynamite Boulevard (Ordinance G-6306)

Summary

Request to hold a public hearing to authorize the City Manager to approve the Planning Commission's recommendation of denial to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix for the R1-18 (Single Family Residence District) zoning district to allow single family residential development as request with application Z-73-16-2.

Application No. Z-73-16-2

Current Zoning: County RU-43 (Pending S-1)

Proposed Zoning: R1-18

Acreage: 12.49

Proposal: Single Family Residential

Applicant: EcoVista Development LLC

Owner: J & M Aronica Revocable Trust

Representative: Wendy Riddell, Berry Riddell LLC

Staff Recommendation: Approved with stipulations

VPC Action: Denied by a vote of 4-3

PC Action: Denied by a vote of 3-3-1

3/4 Vote Required: Yes

Location

Northeast corner of the 42nd Street alignment and Dynamite Boulevard.

Council District: 2

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.

Attachment A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-73-16-2) FROM COUNTY RU-43 (PENDING S-1) (FARM RESIDENCE DISTRICT) TO R1-18 (SINGLE FAMILY RESIDENCE DISTRICT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of an approximately 12.49-acre property located at the northeast corner of the 42nd Street alignment and Dynamite Boulevard in a portion of Section 30, Township 5 North, Range 4 East, as described more specifically in Exhibit "A", is hereby changed from "County RU-43 (Pending S-1)" (Farm Residence District) to "R1-18" (Single Family Residence District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B".

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of

Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped January 26, 2017, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:
 - A. The development shall not exceed 28 lots.
 - B. A minimum 20% open space shall be provided.
 - C. The minimum residential lot width shall be 55 feet.
2. The development shall utilize view fencing for homes that side on common open space tracts, as approved by the Planning and Development Department.
3. A minimum 50-foot landscape setback shall be graded and planted to mimic natural desert landscape along the south property line, as approved by the Planning and Development Department.

ARCHAEOLOGY

4. The applicant shall submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

STREETS

5. Right-of-way totaling 70 feet shall be dedicated for the north half of Dynamite Boulevard, as approved by the Planning and Development Department.
6. Right-of-way totaling 25 feet shall be dedicated for the east half of 42nd Street, as approved by the Planning and Development Department.
7. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 5th day of April, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

- Exhibits:
- A – Legal Description (1 Page)
 - B – Ordinance Location Map (1 Page)

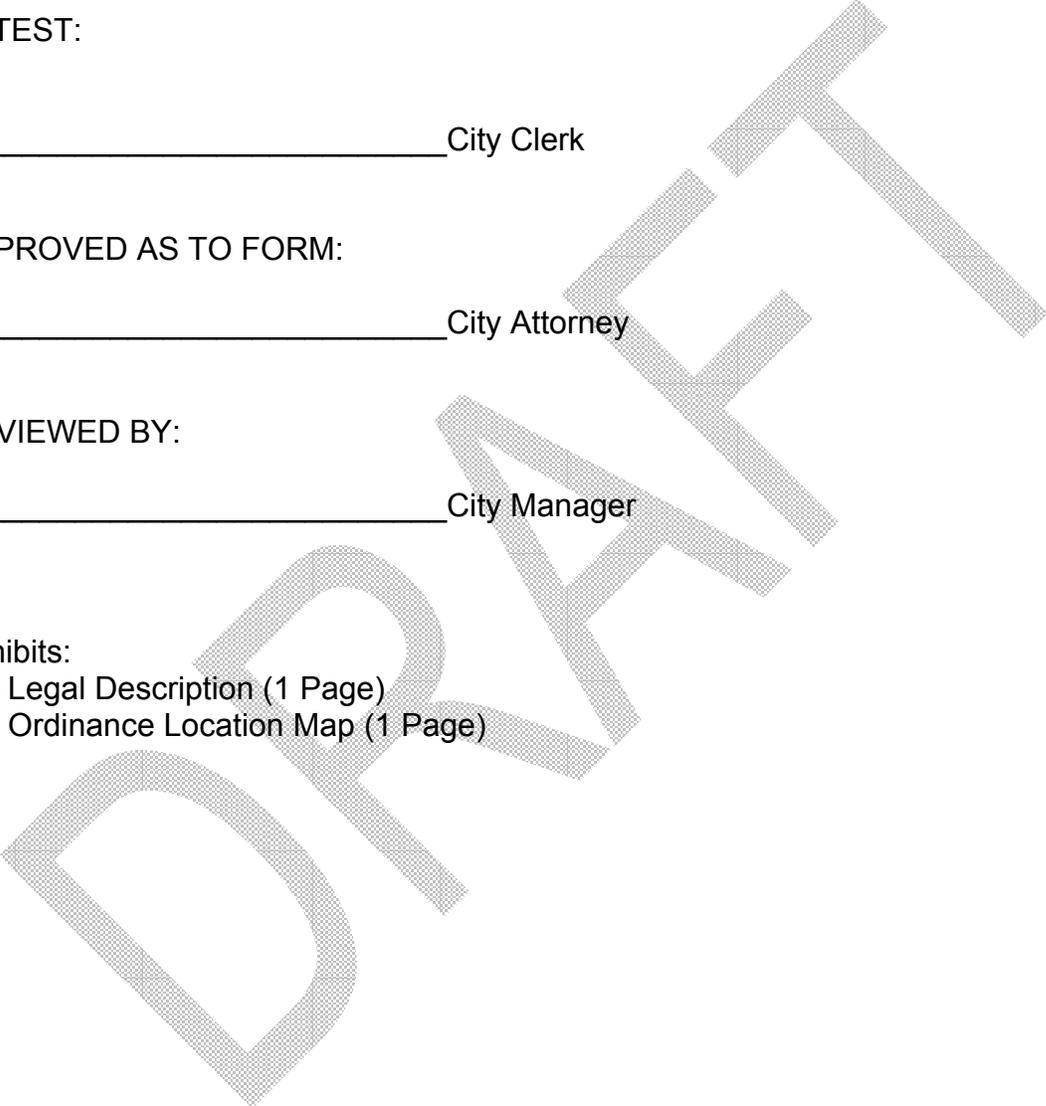


EXHIBIT A

LEGAL DESCRIPTION FOR Z-73-16-2

The Southwest Quarter of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 30, Township 5 North, Range 4 East of the Gila and Salt River Meridian, Maricopa County, Arizona

Except the South 40 feet thereof.

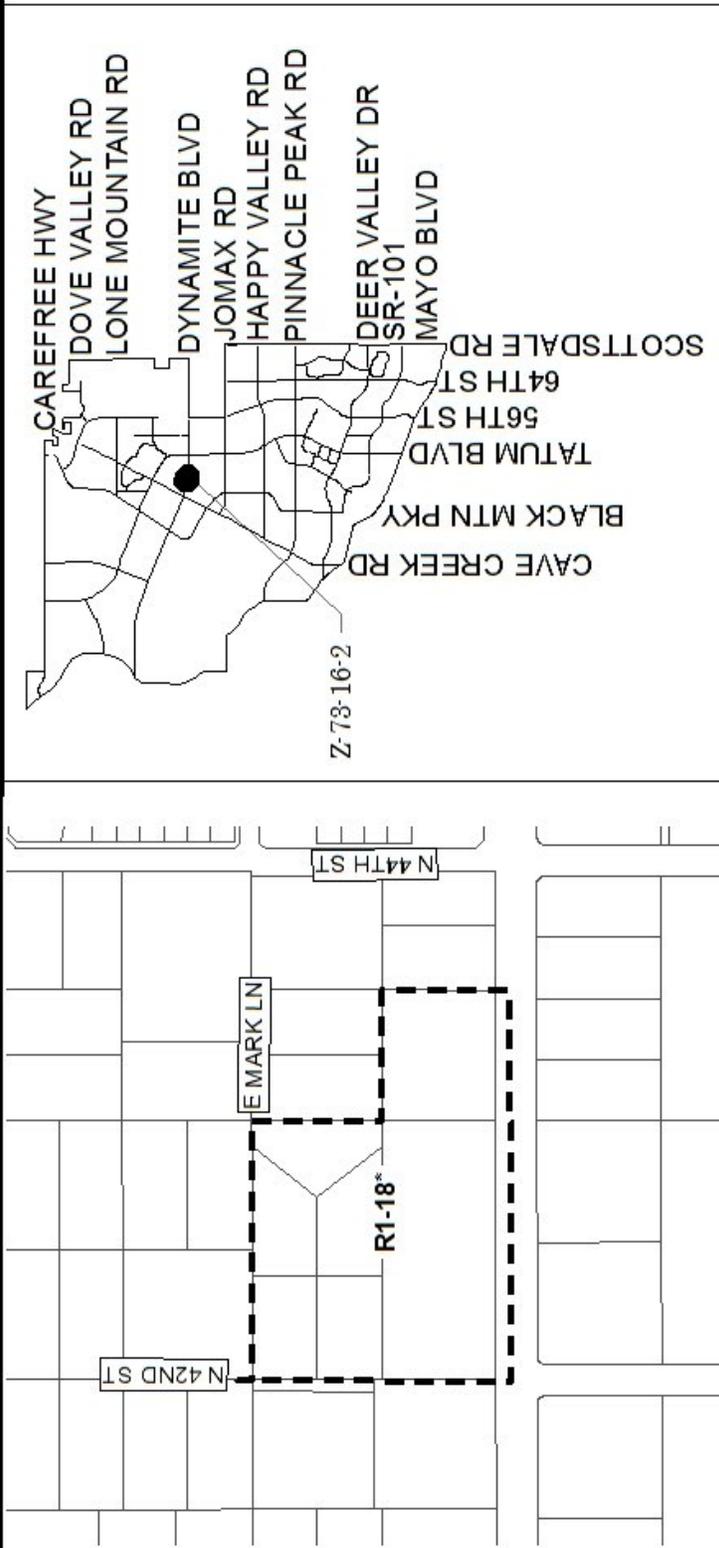
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ORDINANCE LOCATION MAP

EXHIBIT B

Zoning Case Number: Z-73-16-2
 Zoning Overlay: N/A
 Planning Village: Desert View

ZONING SUBJECT TO STIPULATIONS: *
 SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 2/23/2017

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**BACKUP INFORMATION - PUBLIC HEARING/ORDINANCE ADOPTION –
(Z-73-16-2) ON THE APRIL 5, 2017, FORMAL AGENDA – NORTHEAST CORNER
OF THE 42ND STREET ALIGNMENT AND DYNAMITE BOULEVARD**

TO: Mario Paniagua
Deputy City Manager

FROM: Alan Stephenson
Planning & Development Director

SUBJECT: BACKUP INFORMATION - PUBLIC HEARING/
ORDINANCE ADOPTION – (Z-73-16-2) ON THE APRIL 5, 2017, FORMAL
AGENDA – NORTHEAST CORNER OF THE 42ND STREET ALIGNMENT
AND DYNAMITE BOULEVARD

This report provides backup information - Public Hearing/Ordinance Adoption to Z-73-16-2 located at the northeast corner of the 42nd Street alignment and Dynamite Boulevard on the April 5, 2017 Formal Agenda.

THE ISSUE

A rezoning application has been submitted for requesting approval by the City Council for a parcel located at the northeast corner of the 42nd Street alignment and Dynamite Boulevard. The application is being made by the EcoVista Development LLC.

OTHER INFORMATION

Rezoning case Z-73-16-2 is a request to rezone 12.49 acres from County RU-43 (Pending S-1) to R1-18 to allow single family residential.

The Desert View Village Planning Committee heard the request on Feb. 7, 2017, and it was denied. Vote: 4-3.

The Planning Commission heard the request on Mar. 2, 2017, and it was denied. Vote: 3-3.

The request was appealed by the applicant to hold a public hearing at the Apr. 5, 2017 City Council meeting.

The application was appealed by the applicant as there was a tie vote of the Planning Commission. A tie vote is treated as a denial. A three-fourths vote of the City Council is required for approval of this rezoning request due to adjacent property owner concerns with the proposal.

Exhibits:

1. – Staff Report Z-73-16-2
2. – Village Planning Committee Meeting Summary
3. – Planning Commission Minutes
4. – Appeal
5. – Three Quarters vote



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-73-16-2
January 23, 2017

Desert View Village Planning Committee Meeting Date: February 7, 2017
Planning Commission Hearing Date: March 2, 2017
Request From: County RU-43 (Pending S-1) (12.49 acres)
Request To: R1-18 (12.49 acres)
Proposed Use: Single Family Residential
Location: Northeast corner of the 42nd Street alignment and Dynamite Boulevard
Owner: J & M Aronica Revocable Trust
Applicant/Representative: EcoVista Development LLC; Wendy Riddell, Berry Riddell LLC
Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Residential 0-2 du/acre	
Street Map Classification	42 nd Street	Local	25-foot east half street
	Dynamite Boulevard	Major Arterial	70-foot east half street
<p><i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance.</i></p> <p>As stipulated, the proposed development is consistent with the scale, design, and appearance of the surrounding area. The proposal provides a high percentage of open space, integration of natural washes, and an increased setback along Dynamite Boulevard.</p>			

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; RIVERS, WASHES AND WATERWAYS; LAND USE PRINCIPLE: Preserve natural washes coming from the preserves and promote access and views of the preserves by the public.

The applicant has configured the lot layout to integrate the natural wash that currently runs through the subject property.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; RIVERS, WASHES AND WATERWAYS; DESIGN PRINCIPLE: Propose new design standards that address drainage, use of native plants, edge treatment, and access – both visual and physical – for private and public development adjacent to public preserves, parks, washes and open spaces.

The proposed development is integrating natural washes into the site design. As stipulated, the proposal also provides an increased landscape setback along the south property line with grading and landscaping to mimic the natural desert environment.

Area Plan

The North Land Use Plan designates this area as Residential 0-2 du/ac. The plan recognizes the importance that the rural character and lifestyle play in determining appropriate land use densities. The proposed 2.24 du/acre project exceeds the North Land Use Plan density cap of 2 du/acre however the proposal meets the intent of the North Land Use Plan by integrating the naturally occurring wash, providing a large amount of open space, and reestablishing a natural desert landscape within the development constraints of the subject site.

Surrounding Land Uses/Zoning

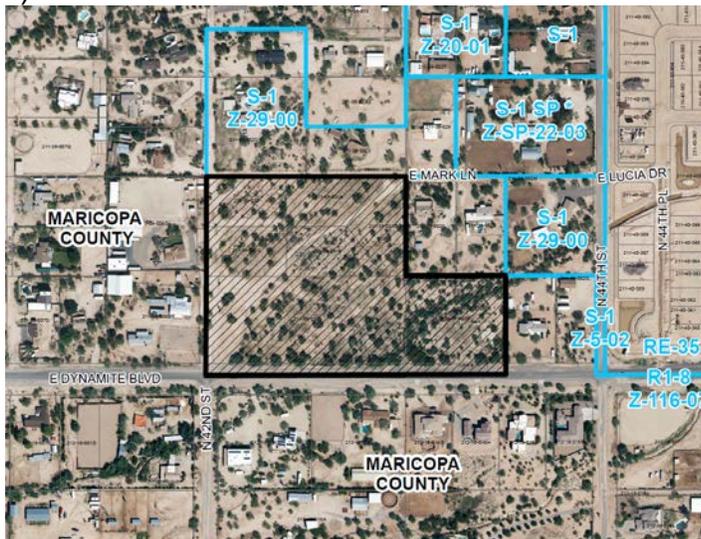
	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant	County RU-43 (Pending S-1)
North	Large Lot Single Family Residential	S-1
South	Large Lot Single Family Residential	County RU-43
East	Large Lot Single Family Residential	County RU-43
West	Large Lot Single Family Residential	County RU-43

R1-18 Single Family		<i>*if variance required</i>
<u>Standards</u>	<u>Requirements</u>	<u>Proposed site Plan</u>
Development Option	PRD	PRD
Gross Acreage	-	12.49 acres
Total Number of Units	-	28 units
Density	2.05, 2.34 with bonus	Met - 2.24 du/acre
Typical Lot Size	None	Met – 55 feet x 120 feet
Subject to Single Family Design Review	Yes	Yes
Open Space	Minimum 5% gross	Met – 32.7% (4.08 acres)
Perimeter Setbacks		
Street (Dynamite Boulevard)	20' adjacent to public street	Met – Varies between 56 feet and 111 feet
Street (42 nd Street alignment)	20' adjacent to public street	Met – 20 feet
Property Line (rear)	15'	Met – 23 feet 9 inches
Property Line (side)	15'	Met – 25 feet
Lot Coverage	Primary Structure 25%, Total 30%	Met – 25%; 30%
Building Height	2 stories and 30'	Not Shown

Background/Issues/Analysis

SUBJECT SITE (REQUEST)

1. This request is to rezone 12.49 acres located at the northeast corner of the 42nd Street alignment and Dynamite Boulevard from County RU-43 (Pending S-1) (Farm Residence) to R1-18 (Single Family Residential) to allow single family residential.



SURROUNDING ZONING AND LAND USE

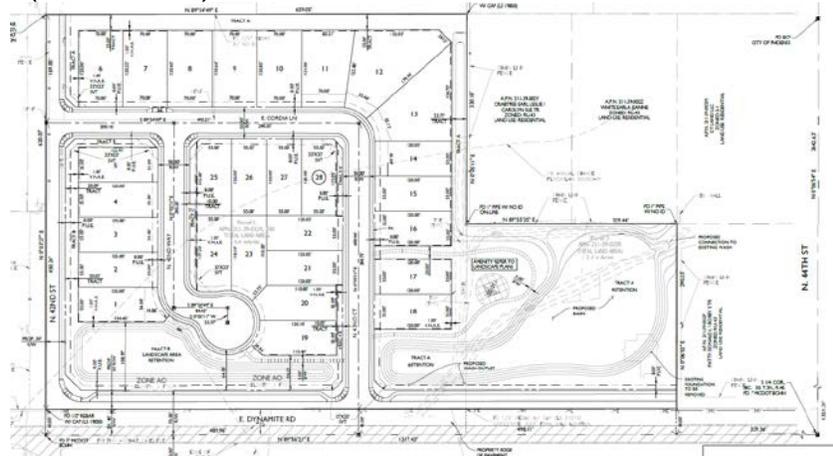
- The subject site is currently vacant, undeveloped land. To the north is large lot single family residential uses. To the south, east, and west are large lot single family residential uses located outside of the city limits.

GENERAL PLAN

- The General Plan Land Use Map designation for the subject site is Residential 0-2 du/acre. The request is not in conformance with the General Plan designation of 0-2 du/acre, however the request is for the R1-18 zoning district which is defined as a Large Lot Residential product type. Residential requests that do not change from one type of residential product to another do not require a General Plan Amendment.

ANALYSIS OF PROPOSAL (SITE PLAN)

- The site plan depicts a 28 lot subdivision with the integration of an existing wash along the southeast portion of site. The typical lot sizes are 6,600 square feet (55-foot x 120-foot) with approximately 32.7% common area provided.



Ingress and egress will be provided from 42nd Street and Dynamite Boulevard. Staff is recommending stipulations regarding the number of lots, percentage of open space, and minimum lot widths to ensure compatibility with the existing character of the area.

- View fencing provides visual access to open spaces to allow passive enjoyment and visual monitoring in order to discourage undesirable activity. To improve safety of existing washes and proposed open space, staff is recommending a stipulation that the development utilize view fencing for homes that side common open space tracts.
- The site plan depicts a large retention area along the southern portion of the subject site (Tract A and B) directly adjacent to Dynamite Boulevard. Staff is recommending a stipulation to ensure these two tracts are to be graded and planted to mimic the natural desert landscape.

STREETS

7. The Street Transportation Department has indicated that the developer shall dedicate 70 feet of right-of-way for the north half of Dynamite Boulevard. Staff is recommending a stipulation to address this request.
8. The Street Transportation Department has indicated that the developer shall dedicate 25 feet of right-of-way for the east half of 42nd Street. Staff is recommending a stipulation to address this request.
9. The Street Transportation Department has indicated that the developer shall update all existing off-street improvements to current ADA guidelines. A stipulation has been recommended to address this request.

WATER

10. The City of Phoenix Water Services Department has noted the potential need to up size existing water and sewer infrastructure mains so that any remodels or new buildings will be able to meet domestic and fire code requirements.

ARCHAEOLOGY

11. The City of Phoenix Archaeology Office recommends that this project area undergo an archaeological survey. A stipulation has been recommended to address this request.

OTHER

12. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposed site plan, as stipulated, is compatible with the surrounding land use patterns in the area.
2. The development character respects the natural topography of the area and incorporates existing washes into the overall design.
3. The proposal will provide an additional housing option within the Desert View Village.

Stipulations

1. The development shall be in general conformance with the site plan date stamped January 26, 2017, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:
 - A. The development shall not exceed 28 lots.
 - B. A minimum 20% open space shall be provided.
 - C. The minimum residential lot width shall be 55 feet.
2. The development shall utilize view fencing for homes that side on common open space tracts, as approved by the Planning and Development Department.
3. A minimum 50-foot landscape setback shall be graded and planted to mimic natural desert landscape along the south property line, as approved by the Planning and Development Department.

ARCHAEOLOGY

4. The applicant shall submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

STREETS

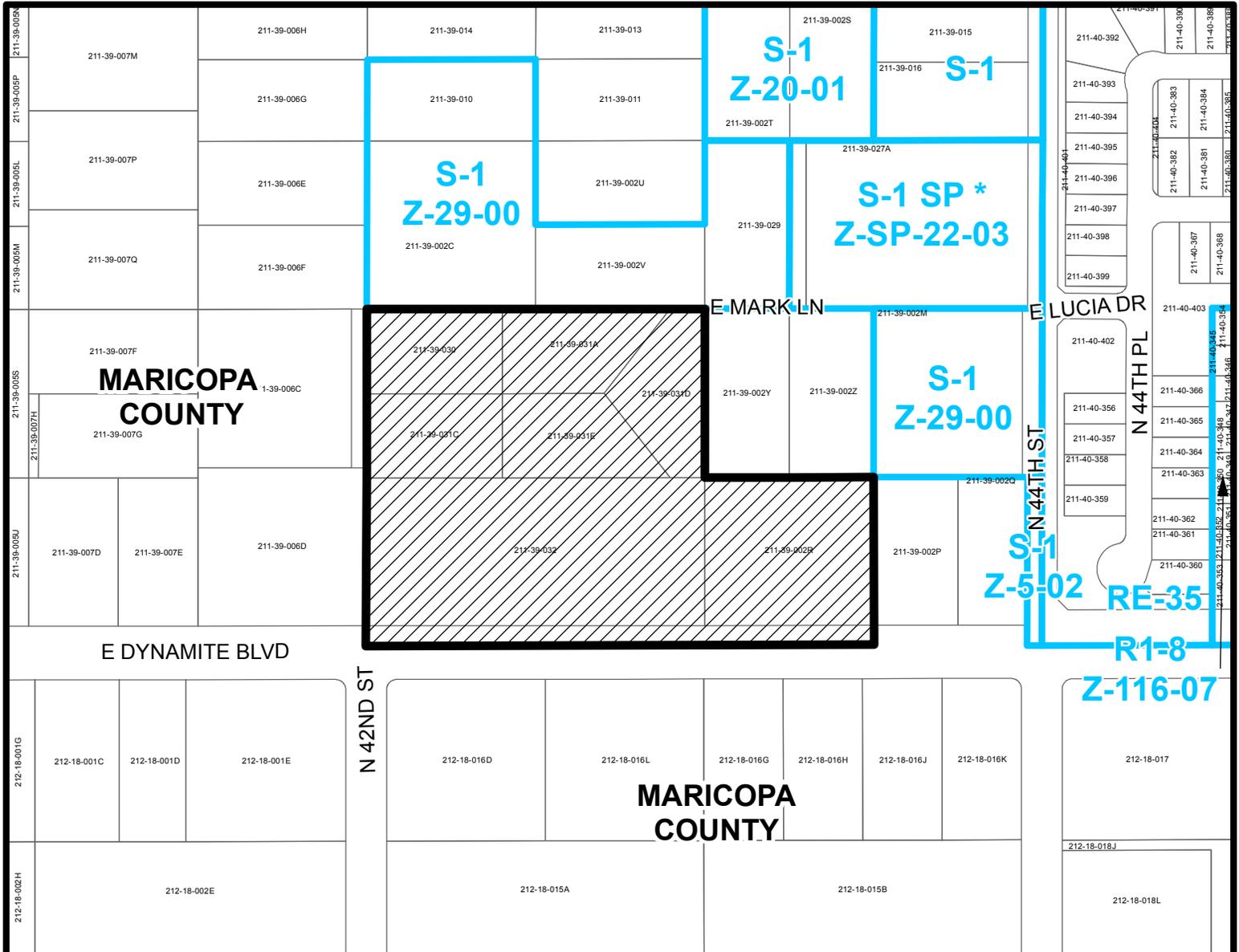
5. Right-of-way totaling 70 feet shall be dedicated for the north half of Dynamite Boulevard, as approved by the Planning and Development Department.
6. Right-of-way totaling 25 feet shall be dedicated for the east half of 42nd Street, as approved by the Planning and Development Department.
7. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

Writer

Joél Carrasco
January 23, 2017
Joshua Bednarek

Exhibits

Zoning sketch
Aerial
Site plan dated January 26, 2017 (2 pages)
Illustrative Master Plan dated January 26, 2017 (1
page)

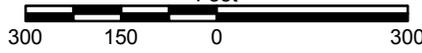


MARICOPA COUNTY

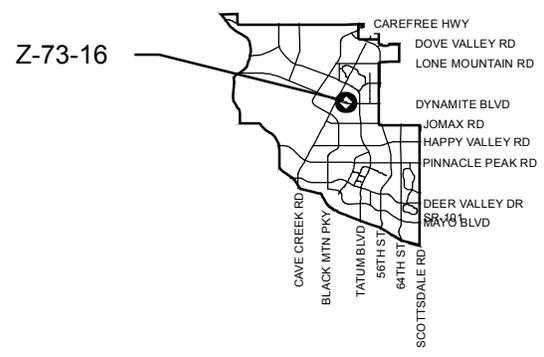
MARICOPA COUNTY



Feet

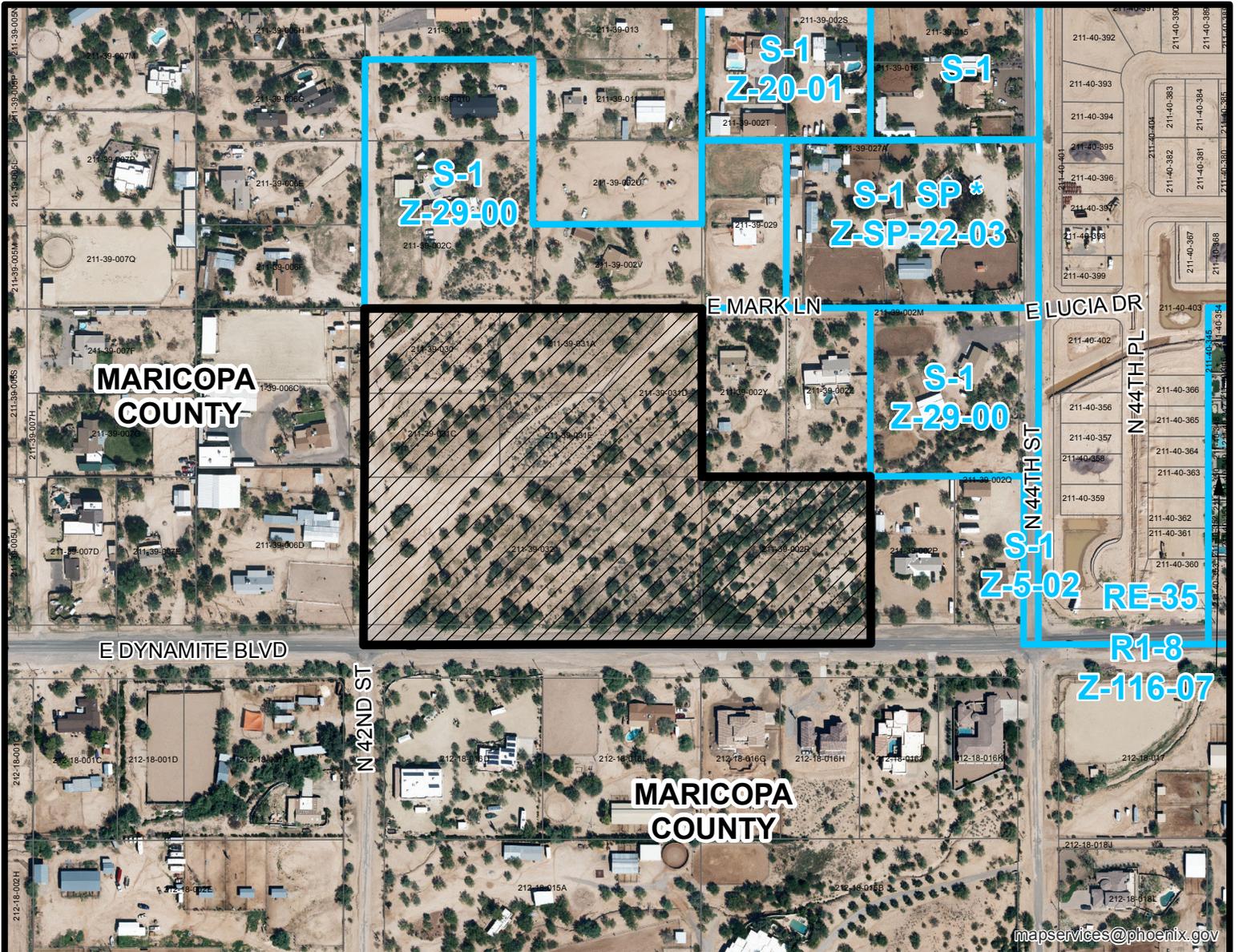


DESERT VIEW VILLAGE
CITY COUNCIL DISTRICT: 2



APPLICANT'S NAME: EcoVista Development LLC/ Seth		REQUESTED CHANGE: FROM: County RU-43 (pending S-1), (12.49 a.c.) TO: R1-18, (12.49 a.c.)	
APPLICATION NO. Z-73-16	DATE: 10/17/2016 REVISION DATES: 01/20/2017		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 12.49 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 51-37	ZONING MAP P-10	
MULTIPLES PERMITTED County RU-43 (pending S-1) R1-18	CONVENTIONAL OPTION 12 (12) 24	* UNITS P.R.D. OPTION N/A 29	

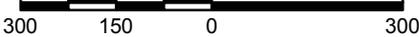
* Maximum Units Allowed with P.R.D. Bonus



mapservices@phoenix.gov



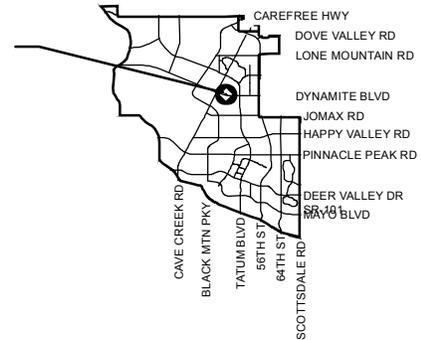
Feet



DESERT VIEW VILLAGE
CITY COUNCIL DISTRICT: 2



Z-73-16



APPLICANT'S NAME: EcoVista Development LLC/ Seth

REQUESTED CHANGE:

FROM: County RU-43 (pending S-1), (12.49 a.c.)

APPLICATION NO. Z-73-16

DATE: 10/17/2016
REVISION DATES:

01/20/2017

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

12.49 Acres

AERIAL PHOTO & QUARTER SEC. NO.
QS 51-37

ZONING MAP
P-10

TO: R1-18, (12.49 a.c.)

MULTIPLES PERMITTED

CONVENTIONAL OPTION

* UNITS P.R.D. OPTION

County RU-43 (pending S-1)

12 (12)

N/A

R1-18

24

29

* Maximum Units Allowed with P.R.D. Bonus

Page 343

PRELIMINARY SITE PLAN

FOR
SAGURO TRAILS

NEC DYNAMITE ROAD & 42ND STREET, CAVE CREEK, ARIZONA
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 30, T.15 N., R.4 E.,
OF THE GILA AND SALT TOWER BUREAU MERIDIAN, MARICOPA COUNTY, ARIZONA

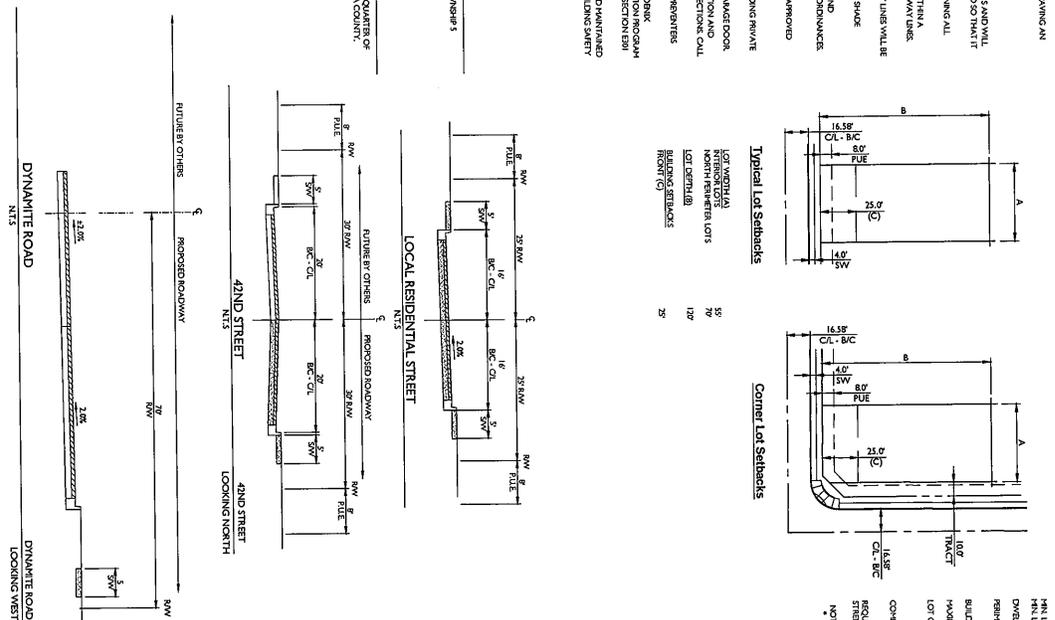
R1-18 PLANNED RESIDENTIAL DEVELOPMENT STANDARDS

VICINITY MAP

- ### GENERAL NOTES
1. EMPLOYMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES.
 2. THIS PROJECT IS LOCATED IN THE CITY OF PHOENIX WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSIGNED WATER SHED.
 3. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
 4. ALL SERVICES REQUIRING SEPARATE PERMITS AND FEES SHALL BE OBTAINED FROM THE APPLICABLE AGENCIES AND WILL BE THE RESPONSIBILITY OF THE DEVELOPER.
 5. NOT EXCEED ONE FOOT OF GROUND COVER AT ANY POINT ON THE PROJECT SITE. NO MORE GROUND COVER SHALL BE PLACED EXCEPT THE GENERAL LEVEL OF HOUSE GROUND ON VARIATION SET BY USES OUTSIDE OF THE SITE.
 6. OWNERS OF PROPERTY ADJACENT TO THIS PROJECT SHALL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL EXISTING UTILITIES WITHIN THE BOUNDARIES OF THEIR PROPERTY.
 7. STRUCTURE FOOTINGS SHALL BE ACCORDANT WITH ALL APPLICABLE CODES AND ORDINANCES WITHIN A 10' DISTANCE OF THE STRUCTURE.
 8. STRUCTURES AND LANDSCAPING WITHIN A TRIANGULAR HEADLAND SHALL BE SET ALONG THE PROPERTY LINES WITHIN THE PROPERTY LINE (PTL).
 9. THE STRUCTURE SHALL BE SET AS FOLLOWS: 5' FROM THE FRONT STRUCTURE LINE, 5' FROM ATTACHED SHADE.
 10. EACH OF THE STRUCTURES SHALL BE SET AS FOLLOWS: 5' FROM THE FRONT STRUCTURE LINE, 5' FROM ATTACHED SHADE AND ACCESSORY STRUCTURES ARE PERMITTED EXCEPT AS OTHERWISE REGULATED BY OTHER CITY CODES AND ORDINANCES.
 11. EACH LOT IN THIS SUBDIVISION IS PERMITTED ONE DWELLING UNIT.
 12. ADDITIONAL INDIVIDUAL LOT REQUIREMENTS (SEE STAPLED WALL ATTACHMENT) ARE LOCATED ON THE APPROVED PLANS.
 13. THE DEVELOPER, INCLUDING ALL PROPERTY OWNERS IN THE DEVELOPMENT, WILL BE REQUIRED AND HAVE RESPONSIBILITY FOR MAINTAINING ALL COMMON AREAS TO BE NOTED AS TRACT OR SUBTRACT INCLUDING PRIVATE STREETS, LANDSCAPED AREAS, AND DRAINAGE FACILITIES IN ACCORDANCE WITH APPROVED PLANS.
 14. A MINIMUM 18" FOOT SETBACK SHALL BE MAINTAINED FROM THE BACK OF DRIVEWAY TO THE FACE OF THE GARAGE DOOR.
 15. AFTER FINAL APPROVAL, THE PROJECT WILL BE INSPECTED FOR ZONING COMPLIANCE CONSTRUCTION PERMITS AND PERMITS FOR THE PROJECT SHALL BE OBTAINED FROM THE CITY OF PHOENIX AND THE MARICOPA COUNTY HEALTH DEPARTMENT. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FEES.
 16. ALL SERVICES AREAS SHALL BE ESCROWED TO CONVEY TO THE CITY OF PHOENIX, TRANSFEROR, TRANSFEREE, BACDOR PERMITTERS AND OTHER HEAVY ELECTRICAL EQUIPMENT RIGHT OF WAY ADJACENT TO ALL PUBLIC STREETS.
 17. ALL NEW WATER SERVICE LINES WITHIN THE SITE SHALL BE PRIVATE WATER LINES SUBJECT TO THE PHOENIX WATER DEPARTMENT'S REQUIREMENTS AND SHALL BE INSTALLED IN ACCORDANCE WITH THE PHOENIX WATER DEPARTMENT'S (MWD) GENERAL REPORT #01 IN ACCORDANCE WITH ARIZONA ADMINISTRATIVE CODE TITLE 18, CHAPTER 3, SECTION 01 (MWD R18-0301) WHICH EVER IS APPLICABLE.
 18. THE EXISTING SEWER COLLECTION SYSTEM WITHIN THE PROJECT WILL BE A PRIVATE SEWER SYSTEM OWNED AND MAINTAINED BY THE CITY OF PHOENIX. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FEES FROM THE CITY OF PHOENIX AND THE MARICOPA COUNTY HEALTH DEPARTMENT.
 19. ALL ONSET WATER LINES SHALL BE PRIVATE TUBING LINES SUBJECT TO THE PHOENIX TUBING CODE.
 20. THIS PROJECT IS LOCATED IN THE NORTHWEST DEVELOPMENT IMPACT FEE AREA.

- ### PARCEL 1 - LEGAL DESCRIPTION:
- THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2A, TOWNSHIP 1 NORTH, RANGE 18 EAST OF THE GILA AND SALT TOWER BUREAU MERIDIAN, MARICOPA COUNTY, ARIZONA, EXCEPT THE SOUTH 40 FEET THEREOF.
- ### PARCEL 2 - LEGAL DESCRIPTION:
- THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2A, TOWNSHIP 1 NORTH, RANGE 18 EAST OF THE GILA AND SALT TOWER BUREAU MERIDIAN, MARICOPA COUNTY, ARIZONA, EXCEPT THE SOUTH 40 FEET THEREOF.

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
A	LANDSCAPE (OPEN SPACE) / RECREATION / AMENITY	131.61	3.01
B	LANDSCAPE (OPEN SPACE) / RECREATION	42.23	0.97
C	LANDSCAPE (OPEN SPACE)	22.23	0.51
D	LANDSCAPE (OPEN SPACE)	11.56	0.26
TOTAL TRACT USE		177.63	4.75



No.	Lot Area (sq ft)	Lot Coverage w/ Shade Structure (ft ² , 50%)	Lot Coverage w/ Shade Structure (ft ² , 50%)	Lot Coverage w/ Shade Structure (ft ² , 50%)
1	776.13	3,693.67	4,355.83	
2	697.50	3,477.50	4,175.00	
3	697.50	3,477.50	4,175.00	
4	697.50	3,477.50	4,175.00	
5	697.50	3,477.50	4,175.00	
6	697.50	3,477.50	4,175.00	
7	860.73	3,583.69	4,338.87	
8	817.29	3,574.92	4,211.35	
9	817.29	3,574.92	4,211.35	
10	817.29	3,574.92	4,211.35	
11	817.29	3,574.92	4,211.35	
12	1389.26	4,864.35	4,864.35	
13	1389.26	4,864.35	4,864.35	
14	660.00	3,300.00	3,867.00	
15	660.00	3,300.00	3,867.00	
16	660.00	3,300.00	3,867.00	
17	660.00	3,300.00	3,867.00	
18	660.00	3,300.00	3,867.00	
19	660.00	3,300.00	3,867.00	
20	660.00	3,300.00	3,867.00	
21	660.00	3,300.00	3,867.00	
22	660.00	3,300.00	3,867.00	
23	660.00	3,300.00	3,867.00	
24	660.00	3,300.00	3,867.00	
25	660.00	3,300.00	3,867.00	
26	660.00	3,300.00	3,867.00	
27	660.00	3,300.00	3,867.00	
28	660.00	3,300.00	3,867.00	
TOTALS:	211,812.33	964,038.33	1,125,299.73	

PROJECT TEAM

PLANNING ENGINEER AND DESIGNER:
EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
TEL: (480) 503-2250
WWW.EPSGROUP.COM

PROJECT DATA

PROJECT NAME: SAGURO TRAILS
PROJECT ADDRESS: 1133000 DYNAMITE ROAD & 42ND STREET
CITY OF PHOENIX
SUBDIVISION: R1-18 PLANNED RESIDENTIAL DEVELOPMENT STANDARDS
PROJECT ZONING: R1-18
PROJECT AREA: 177.63 ACRES
TOTAL LOT AREA: 1,125,299.73 SQ FT
TOTAL LOT COVERAGE: 1,125,299.73 SQ FT
TOTAL LOT COVERAGE PERCENT: 100%

UTILITIES

WATER: CITY OF PHOENIX
SEWER: CITY OF PHOENIX
GAS: CITY OF PHOENIX
ELECTRIC: CENTRAL ARIZONA ELECTRIC COOPERATIVE
CABLE TV: CENTRAL ARIZONA ELECTRIC COOPERATIVE
POLICE: CITY OF PHOENIX

BASE OF BEARING

THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 2A, TOWNSHIP 1 NORTH, RANGE 18 EAST OF THE GILA AND SALT TOWER BUREAU MERIDIAN, MARICOPA COUNTY, ARIZONA, IS THE BASE OF BEARING FOR THIS PROJECT. THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 2A, TOWNSHIP 1 NORTH, RANGE 18 EAST OF THE GILA AND SALT TOWER BUREAU MERIDIAN, MARICOPA COUNTY, ARIZONA, IS THE BASE OF BEARING FOR THIS PROJECT.

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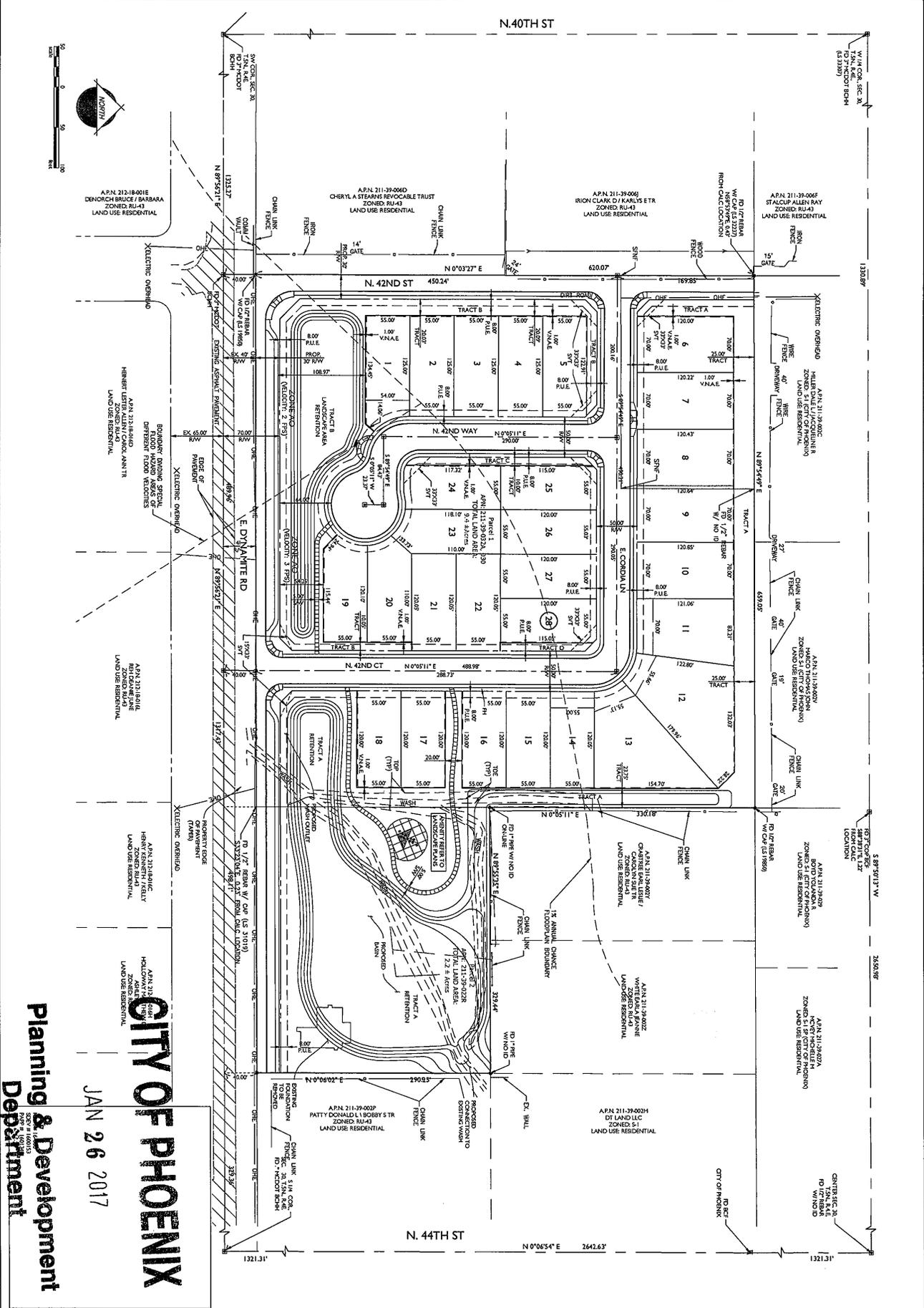
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CITY OF PHOENIX

JAN 26 2017

Planning & Development Department



CITY OF PHOENIX

Planning & Development Department

JAN 26 2017

Stamp: OCTOBER 06, 2016 - SITE PLAN SUBMITTAL
 DECEMBER 21, 2016 - SITE PLAN REVISIONS
 JANUARY 25, 2017 - SITE PLAN REVISIONS

Project: Saguaro Trails
 City of Phoenix

Stamp: 16-084
 SP02
 Sheet No. 2 of 2

Project: Saguaro Trails
 City of Phoenix

Stamp: OCTOBER 06, 2016 - SITE PLAN SUBMITTAL
 DECEMBER 21, 2016 - SITE PLAN REVISIONS
 JANUARY 25, 2017 - SITE PLAN REVISIONS

EPS GROUP

2045 S. Vineyard Ave, Suite 101
 Mesa, AZ 85210
 T: 480.503.2250 | F: 480.503.2258
 www.epsgroupinc.com



Village Planning Committee Meeting Summary Z-73-16-2

Date of VPC Meeting	February 7, 2017
Request From	County RU-43 (Pending S-1) (12.49 acres)
Request To	R1-18 (12.49 acres)
Proposed Use	Single family residential
Location	Northeast corner of the 42nd Street alignment and Dynamite Boulevard
VPC Recommendation	Denied
VPC Vote	4-3 (Bowser, Kruczek, Lagrave)

VPC DISCUSSION & RECOMMENDATION:

Staff provided an overview of the request and summarized the staff report regarding the proposal, findings, and recommended stipulations. Staff further discussed the existing context, zoning and entitlements, as well as how the proposal, as stipulated, is consistent with the surrounding land use pattern in the area.

Committee members requested clarification on the height from staff. Staff clarified that the maximum height allowed with R1-18 is 2 stories or 30 feet.

Ms. Wendy Riddell, Berry Riddell LLC, presented additional details about the request. Ms. Riddell highlighted the multiple revisions of the site plan in working with staff, the fact that Dynamite is designated as a Major Arterial, and that the applicant has helped to connect the city and county regarding the larger area flooding issues that impact the site and the adjacent properties. The applicant also proposed two additional stipulations: one would limit the height on lot 13 to single story and the second would require full cut off light fixtures to prevent light spillage onto adjacent properties.

Committee members had the following questions and concerns:

1. What street improvements are being made?
2. What flooding improvements are being made?
3. Is the east portion of the site developable?
4. The setbacks along Dynamite are appreciated.
5. The extra area dedicated for retention/drainage is appreciated.
6. Lot 23 shares property lines with 5 adjacent lots, this is undesirable.
7. View fencing may not be appropriate for properties that are adjacent to Dynamite Boulevard.
8. What is the flood zone at this location?

9. How much higher in elevation is the Crabtree property (property to the east)?
10. Clarify what full cut off lighting is?
11. Did the applicant consider assembling adjacent properties?

Ms. Riddell responded with the following:

1. The city requires 70 feet of right of way dedication for the north half of Dynamite Boulevard.
2. Larger than required retention areas will help slow and dissipate flood waters.
3. Yes, the east portion of the site can be developed however staff has directed the applicant to preserve the wash in its natural state as much as possible.
4. Noted.
5. Noted.
6. Noted.
7. The applicant agrees and is supportive of the removal of the view fencing stipulation from staff.
8. The applicant called upon the project engineer to provide clarity to the flood zone designation.
9. The exact elevation change was not available; however, it was suggested to be approximately 4 feet.
10. Full Cut off doesn't allow you to see the bulb.
11. The applicant did consider assembling other parcels.

Chairman Bowser opened the floor to public comment.

Ms. Mary Markey, area resident, opposed the project and chose not to speak.

Ms. Lana Cullen, area resident, commented that she opposes the request due to flooding and density concerns.

Ms. Kelly Henry, opposed the project and wished to donate her time to her husband.

Mr. Corky Irion, area resident, raised concerns about area flooding and that the right of way dedication for 42nd Street is not equivalent to what he is dedication on the west side of 42nd Street.

Mr. Tom Marco, area resident, raised concerns about not being notified about this proposal and had additional concerns regarding height and density. Mr. Marco requested that no construction start prior to 6am and that the lighting be restricted to 16 foot light poles.

Mr. KC Henry, area resident, raised concerns regarding the flooding and suggested that the east portion of the property where the wash occurs should not contribute towards the gross acreage and density calculation. Mr. Henry commented that more outreach should have occurred and that this land use is not needed in the area.

Mr. Matt Holloway, area resident, raised concerns regarding the proposed lot sizes which are approximately 15% smaller than those surrounding the property and that the proposal does not fit the character of the area.

Ms. Earla White, area resident, raised concerns about mosquitos in the newly proposed retention areas and reiterated concerns regarding the larger area flooding issues, lighting and impact to wildlife.

Ms. Carlyn Crabtree, area resident, raised concerns regarding the larger area flooding issues.

Ms. Jackie Miller, area resident raised concerns regarding the larger area flooding issues. Ms. Miller also stated that she was not notified of this proposal.

Ms. Mary Markey, area resident, decided to speak and raised concerns regarding development trends in this area.

Ms. Riddell, in rebuttal, responded to some of the public concerns. Ms. Riddell commented that the applicant is happy to restrict the light poles to 16 feet in height. Ms. Riddell commented that the City and County are aware of the larger flooding issues and the applicant has helped to initiate this conversation.

Committee members had the following questions and concerns:

1. What is the depth of the retention basins?
2. Are there any other washes/areas of stormwater runoff on the property?

Ms. Riddell responded with the following:

1. The retention basins are approximately 3 to 4 feet in depth.
2. Yes, other areas of storm water runoff come from the north east and will be guided down a swale along the east portion as well as along the perimeter landscaping on the west portion of the site.

Vice Chair Kruczek commented that there are four issues he is concerned about:

1. We need more expertise from city or county staff regarding the larger area flooding.
2. All the adjacent property owners/neighbors have concerns.
3. The request is not consistent with the General Plan designation of 0-2 du/acre.
4. It appears the proposal is “gaming the system” as the lot sizes are not “large lots” as described by the General Plan.

Mr. Lagrave commented that no one is less in favor than he is however the area already has a flood problem, the property owner has rights as well, and similar cases in the past have encountered similar issues and constraints.

Committee member continued deliberation regarding the market for large lots vs. traditional lots, density, clustering, open space, and integration of the wash.

Motion

Vice Chair Kruczek motioned to approve as recommended by staff with modification and additional stipulations as follows:

1. The development shall be in general conformance with the site plan date stamped January 26, 2017, as modified by the following stipulations and approved by the Planning and Development

Department with specific regard to the following:

- A. The development shall not exceed 28 lots.
 - B. A minimum 20% open space shall be provided.
 - C. The minimum residential lot width shall be 55 feet.
2. The development shall utilize view fencing for homes that side on common open space tracts, as approved by the Planning and Development Department.
 3. A minimum 50-foot landscape setback shall be graded and planted to mimic natural desert landscape along the south property line, as approved by the Planning and Development Department.

ARCHAEOLOGY

4. The applicant shall submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

STREETS

5. Right-of-way totaling 70 feet shall be dedicated for the north half of Dynamite Boulevard, as approved by the Planning and Development Department.
6. Right-of-way totaling 25 feet shall be dedicated for the east half of 42nd Street, as approved by the Planning and Development Department.
7. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
8. THE DEVELOPMENT SHALL USE FULL CUT OFF AND FULLY SHIELDED EXTERIOR LIGHT FIXTURES, AND ANY STREET LIGHTS WITHIN THE PARCEL SHALL BE MINIMIZED AND USE THE LEAST LUMENS POSSIBLE TO REDUCE LIGHT SPILLAGE FROM THE PROPERTY LINES TO ADJACENT PROPERTIES AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENT.
9. STREET LIGHTS WITHIN THE PARCEL SHALL BE LIMITED TO A MAXIMUM OF 16 FEET IN HEIGHT.
10. THE MINIMUM RESIDENTIAL LOT WIDTH SHALL BE 70 FEET.
11. LOTS 1 THROUGH 19 SHALL BE LIMITED TO SINGLE STORY.

Committee member Mr. Barto seconded.

Friendly Amendment

Committee member Mr. Lagrave requested a friendly amendment to have the motion be for all perimeter lots be limited to single story and that the minimum lot width shall be 70 feet or the minimum lot size shall be 8,400 square feet.

1. The development shall be in general conformance with the site plan date stamped January 26, 2017, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:
 - A. The development shall not exceed 28 lots.
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3. A minimum 50-foot landscape setback shall be graded and planted to mimic natural desert landscape along the south property line, as approved by the Planning and Development Department.

ARCHAEOLOGY

4. The applicant shall submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

STREETS

5. Right-of-way totaling 70 feet shall be dedicated for the north half of Dynamite Boulevard, as approved by the Planning and Development Department.
6. Right-of-way totaling 25 feet shall be dedicated for the east half of 42nd Street, as approved by the Planning and Development Department.
7. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
8. **THE DEVELOPMENT SHALL USE FULL CUT OFF AND FULLY SHIELDED EXTERIOR LIGHT FIXTURES, AND ANY STREET LIGHTS WITHIN THE PARCEL SHALL BE MINIMIZED AND USE THE LEAST LUMENS POSSIBLE TO REDUCE LIGHT SPILLAGE FROM THE PROPERTY LINES TO ADJACENT PROPERTIES AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENT.**

9. STREET LIGHTS WITHIN THE PARCEL SHALL BE LIMITED TO A MAXIMUM OF 16 FEET IN HEIGHT.
10. THE MINIMUM RESIDENTIAL LOT WIDTH SHALL BE 70 FEET **OR MINIMUM LOT SIZE SHALL BE 8,400 SQUARE FEET.**
11. **ALL PERIMETER** LOTS 1 THROUGH 19 SHALL BE LIMITED TO SINGLE STORY.

Vote: 3-4 (Bowser, Chew, Nowell, Powell), Motion to approve failed

Staff shared with the committee that a recommendation is still needed for this item. Committee member continued discussion regarding the larger area flooding issue. Staff clarified that the committee may recommend to approve with modifications or additions to the stipulations, recommend to deny, or even recommend to continue, however suggested that the applicant be given an opportunity to respond to any remaining questions or concerns as well as voice their positions on the possibility of a continuation.

Chairman Bowser requested the applicant provide a brief explanation of the proposed flooding mitigation for the site.

Mr. Brian Nicholls, EPS Group, the project engineer provided clarification on the proposals flooding mitigation strategy. Ms. Riddell provided additional information regarding the public outreach strategy and suggested that a continuation would be a hardship for the applicant.

Motion

Vice Chair Kruczek motioned to deny the request. Committee member Mr. Powell seconded.

Vote: 4-3 (Bowser, Kruczek, Lagrave), Motion to deny passed.

Vice Chair Kruczek noted that he voted against the motion to deny as he proposed the motion only because he felt that the committee's discussion had reached its conclusion and that an up-or-down motion was appropriate to move the discussion forward.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff has no comments.

REPORT OF PLANNING COMMISSION ACTION
March 2, 2017

ITEM NO: 11	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-73-16-2
Location:	Northeast corner of the 42nd Street alignment and Dynamite Boulevard
Request:	County RU-43 (Pending S-1) To: R1-18 Acreage: 12.49
Proposal:	Single-family Residential
Applicant:	EcoVista Development LLC/ Seth
Owner:	J & M Aronica Revocable Trust
Representative:	Berry Riddell LLC/ Wendy Riddell esq.

ACTIONS:

Staff Recommendation: Approval, subject to stipulations

Village Planning Committee (VPC) Recommendation:
Desert View 2/7/2017 Denied. Vote: 4-3

Planning Commission Recommendation: Denied

Motion discussion: Commissioner Katsenes made a MOTION to approve Z-73-16-2 as recommended by staff with an additional stipulation that Lots 7, 11 and 13 be limited to one story.

Commissioner Glenn made a friendly amendment to add an additional stipulation that reads as follows:

PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT(S) THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF NEARBY EXISTING RANCHETTES AND ANIMAL PRIVILEGE PRIVATE PROPERTIES THAT MAY CAUSE ADVERSE NOISE, ODORS, DUST, AND OTHER EXTERNALITIES. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE ACCORDING TO THE TEMPLATES AND INSTRUCTIONS PROVIDED WHICH HAVE BEEN REVIEWED AND APPROVED BY THE CITY ATTORNEY.

Commissioner Katsenes accepted the friendly amendment.

Commissioner Glenn Second the motion.

Ms. Gomes asked for clarification regarding the building height stipulation and suggested that the stipulation be added under 1.D and read as follows:

BUILDING HEIGHTS ON LOTS 7, 11 AND 13 SHALL BE LIMITED TO A SINGLE STORY.

Ms. Gomes also asked if staff could get clarification as to what the maximum height of the one story will be because single story means different things to different people.

Commissioner Johnson stated it would be a maximum of 22 feet.

Ms. Gomes then stated that Stipulation 1.D would read as follows:

BUILDING HEIGHTS ON LOTS 7, 11 AND 13 SHALL BE LIMITED TO A SINGLE STORY WITH A MAXIMUM HEIGHT OF 22 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

Commissioner Glenn stated that he had struggled as of late regarding this area. He noted that he could not speak for his fellow commissioners but from his perspective he looked for solutions regarding this project. He noted that the applicant had gone a long way to try to solve a lot of non-self-inflicted problems regarding the drainage issues and stated that the solutions provided may not appease everyone. He noted that density was also an issue and had taken guidance from a previous case in the area that approved R1-18 zoning. He believed that this specific zoning district is a good compromise as he could not support R1-10 or R1-6 in the area which had been approved to the east of the subject site. He noted that for those reasons he would be in support of the case tonight as he believed that R1-18 was a good and healthy compromise.

Commissioner Heck commented that the washes scare her because they are everywhere. However, she noted that it sounded as though the applicants worked hard to try to work around mother nature which was a hard thing to do. She stated that while this seemed like a good development she would have to respect the Village Planning Committee on this one and therefore was unable to support the case for that reason.

Commissioner Wininger asked if the motion could be read back before there was a vote made.

Ms. Gomes stated that the motion on the floor was as follows:

Approve Z-73-16-2 as recommended by staff with an additional stipulation that Lots 7, 11 and 13 be limited to one-story and 22 feet, as approved by the Planning and Development Department and an additional stipulation to read as follows:

PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT(S) THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF NEARBY EXISTING RANCHETTES AND ANIMAL PRIVILEGE PRIVATE PROPERTIES THAT MAY CAUSE ADVERSE NOISE, ODORS, DUST, AND OTHER EXTERNALITIES. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE ACCORDING TO THE TEMPLATES AND INSTRUCTIONS PROVIDED WHICH HAVE BEEN REVIEWED AND APPROVED BY THE CITY ATTORNEY.

Commissioner Shank stated that she believed the project was nice and that she would really like to see this built somewhere and believed that the density was not terrible for this neighborhood. She noted that she had a property on 42nd Street and would be siding with the neighborhood and what she heard from the Village. She stated that her neighbors here tonight were not thrilled with this development and that they were not happy with what they were seeing. She noted that she respected the horses and that we have encroached on the horse community and the people really like that lifestyle. She then noted that while she did not live

here full time she was there four days a week riding; therefore, she felt the need to support the neighborhood. She also stated that even though this was not her village she would be voting no on this item.

Commissioner Katsenes stated that she would like to echo the comment make by Commissioner Glenn that all of the commissioners struggled on this item. She noted that the Planning Commission had heard several cases in this area, some that have had additional density compared to what this project had. She also noted that nearly all of the speakers were not opposed to the density of the development but rather the drainage issues. She then stated that she read the Village report and found that drainage seemed to be the topic of most concern. She commented that the applicant and the developer worked hard to address those concerns and that they would not be able to solve all of the issues regarding drainage simply because one small project cannot address all of those concerns and that it was not their responsibility to do so. She further commented that the drainage problem seemed to exist on the property before this project was proposed. She stated that she felt confident that this development will not add to drainage issues and that those questions have been very well addressed which is why she would be in support of this case.

Commissioner Johnson stated that the commission members live throughout Phoenix and that they have made decisions that are part of their neighborhoods and not part of their neighborhoods. He then noted that the commission looked at planning issues and at times these are hard decisions. He stated that it was important to keep in mind that the Planning Commission recommendation was just a recommendation and that City Council would make the final decision. He noted that he hoped the applicant and neighborhood would have time to work together over the next thirty days and find a solution that worked for both parties.

Commissioner Winger stated that she would need to abstain from voting on this item as she could not often hear the discussions over the phone.

Motion details – Commissioner Katsenes made a MOTION to approve Z-73-16-2 as recommended by staff with an additional stipulation that Lots 7, 11 and 13 be limited to one-story and 22 feet and an additional stipulation to read as follows:

PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT(S) THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF NEARBY EXISTING RANCHETTES AND ANIMAL PRIVILEGE PRIVATE PROPERTIES THAT MAY CAUSE ADVERSE NOISE, ODORS, DUST, AND OTHER EXTERNALITIES. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE ACCORDING TO THE TEMPLATES AND INSTRUCTIONS PROVIDED WHICH HAVE BEEN REVIEWED AND APPROVED BY THE CITY ATTORNEY.

Maker: Katsenes

Second: Glenn

Vote: 3-3 (Shank, Montalvo and Heck) (Winger: Abstained)

Absent: Whitaker

Opposition Present: Yes

Note: *There was a quorum of seven members; however, Commissioner Winger abstained from voting on this item, leaving six Commissioners. The vote was split 3-3, therefore the motion did not obtain a majority vote resulting in a denial decision by the Planning Commission.*

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape or computer diskette. Please contact Nici Wade at Voice (602) 495-0256 or the City TTY Relay at (602) 534-5500.

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC			
I HEREBY REQUEST THAT THE PC / CC HOLD A PUBLIC HEARING ON:			
APPLICATION NO/ LOCATION	Z-73-16-2 Northeast corner of the 42 nd Street alignment and Dynamite Boulevard	<i>(SIGNATURE ON ORIGINAL IN FILE)</i>	
		opposition	applicant X
APPEALED FROM:	PC 3/2/17	Wendy Riddell 480-682-3902	
	<i>PC/CC DATE</i>	<i>NAME / PHONE</i>	
TO PC/CC HEARING	CC 4/5/17	6750 E Camelback Rd, #100 Scottsdale, AZ 85251	
	<i>DATE</i>	<i>STREET ADDRESS/CITY/STATE/ZIP</i>	
REASON FOR REQUEST:			
<p>The applicant's representative respectfully requests that the City Council hear rezoning case Z-73-16 at the hearing scheduled for April 5, 2017. The Planning Commission hearing resulted in a tie vote for a variety of reasons that were out of our control, but included the absence of one member and the inability of one Commissioner to hear the discussion due to a faulty telephone connection. Additionally, the applicant is continuing to work with the neighbors.</p>			
RECEIVED BY:	MM / mb for LO	RECEIVED ON:	03/09/17

Alan Stephenson
Sandra Hoffman
Tricia Gomes
Christina Encinas
Stephanie Saenz
Lilia Olivarez, PC Secretary
PLN All



MAR 09 2017

Planning & Development
Department

The **PLANNING COMMISSION** agenda for March 2, 2017 is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

- 1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. March 9, 2017.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m., March 9, 2017.

- 2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the land included in the proposed change or of the land within 150 feet (not including the width of the street) of the front; back or any side of the property sought to be rezoned signed the petition. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. March 9, 2017.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

- 3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. March 16, 2017.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING: *42nd St alignment*

Z-73-16 APPLICATION NO. NEC 44th Street & Dynamite Blvd. LOCATION OF APPLICATION SITE

March 7, 2017 DATE APPEALED FROM OPPOSITION APPLICANT *Matthew M...* PLANNER (PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Wendy Riddell PRINTED NAME OF PERSON APPEALING *[Signature]* SIGNATURE

6750 E Camelback Road, Suite 100 STREET ADDRESS March 8, 2017 DATE OF SIGNATURE

Scottsdale, Arizona 85251 CITY, STATE & ZIP CODE 480-682-3902 TELEPHONE NO.

REASON FOR REQUEST See attached

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Reason for Request:

The applicant's representative respectfully requests that the City Council hear rezoning case Z-73-16 at the hearing scheduled for April 5, 2017. The Planning Commission hearing resulted in a tie vote for a variety of reasons that were out of our control, but included the absence of one member and the inability of one Commissioner to hear the discussion due to a faulty telephone connection. Additionally, the applicant is continuing to work with the neighbors.

CITY OF PHOENIX

MAR 09 2017

**Planning & Development
Department**

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC			
I HEREBY REQUEST THAT THE PC / CC HOLD A PUBLIC HEARING ON:			
APPLICATION NO/ LOCATION	Z-73-16-2 Northeast corner of the 42 nd Street alignment and Dynamite Boulevard	(SIGNATURE ON ORIGINAL IN FILE)	
		opposition	x
		applicant	
APPEALED FROM:	PC 3/2/17	Ken C Henry 602-723-4752	
	<small>PC/CC DATE</small>	<small>NAME / PHONE</small>	
TO PC/CC HEARING	CC 4/5/17	4307 E Dynamite Boulevard Cave Creek AZ 85331	
	<small>DATE</small>	<small>STREET ADDRESS/CITY/STATE/ZIP</small>	
REASON FOR REQUEST: To require a 3/4 vote by City Council at pending meeting on the application dated 4/5/17			
RECEIVED BY:	MM / LO	RECEIVED ON:	03/08/17

Alan Stephenson
Sandra Hoffman
Tricia Gomes
Christina Encinas
Stephanie Saenz
Lilia Olivarez, PC Secretary
PLN All



MAR 8 2017

The **PLANNING COMMISSION** agenda for March 2, 2017 is attached.

**Planning & Development
Department**

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. March 9, 2017.

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To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. March 9, 2017.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. March 16, 2017.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

2-73-16-2
APPLICATION NO.

N.E. CORNER of 42nd St. ALIGNMENT AND DYNAMITE BLVD,
LOCATION OF APPLICATION SITE

3/2/17
DATE APPEALED FROM

OPPOSITION
 APPLICANT

Mattie Allen
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

KEI C. HENRY
PRINTED NAME OF PERSON APPEALING

[Signature]
SIGNATURE

4307 E. DYNAMITE BLVD.
STREET ADDRESS

3/6/17
DATE OF SIGNATURE

CAVE CREEK AZ 85331
CITY, STATE & ZIP CODE

602-723-4752
TELEPHONE NO.

REASON FOR REQUEST TO REQUIRE A 3/4 VOTE BY CITY COUNCIL AT PENDING MEETING ON THE APPLICATION DATED 3/4/17

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

MAR 8 2017

Petition for THREE QUARTERS Vote by City Council

For

Planning & Development
Department

REZONING APPLICATION #Z-73-16-2

Request: RU-43 to R1-18

Location: Northeast corner of the 42nd Street alignment and Dynamite Boulevard

We the undersigned are OWNERS of property within 150 feet of the property requesting the rezoning action. We request that the City Council be required to pass this rezoning application by a three quarters (3/4) vote.

Date	SIGNATURE	Print Name	ADDRESS	APN
3/7/17		Ken C. Henry	4307 E. DYNAMITE BLVD	212-18-016G
3/7/17		Kelly Henry	4307 E. Dynamite Blvd	212-18-016G
3/7/17		ASHLEY HOLLOWAY	4323 E. DYNAMITE BLVD	212-18-016H
3/8/17		Matt Holloway	4323 E. Dynamite Blvd	212-18-016H
3/7/17		YOLANDA BOYD	4308 E. MARK LANE	211-39-029
3/7/17		Earla White	4319 E. Mark Lane	211-39-002Z
3/7/17		Cardyn Sue Crabtree	4315 E Mark Lane	211-39-002Y
3/7/17		Earl L. Crabtree	4315 E Mark Lane	211-39-002Y
3/7/17		SUSAN GARVEY	4335 E. DYNAMITE BLVD	212-18-016J
3/7/17		JERRY PITTMAN	4335 E DYNAMITE BLVD	212-18-016J
3/7/17		JACOBS MILLER	28411 N. 42 nd ST	211-39-002C
3/7/17		LES HEINERT	4209 E. DYNAMITE BLVD	212-18-016D
3/7/17		CAROL HEINERT	4209 E Dynamite Blvd	212-18-016D
3/7/17		CORKY IRION	28232 N. 42 nd ST	211-39-006J
3/7/17		KARLYS IRION	28232 N. 42 nd ST.	211-39-006J
3/7/17		ALLEN STALCUP	28404 N. 42 nd ST.	211-39-006F
3/8/17		TOM MARCO	4234 E. MARK LN	212-39-002V



**Amend City Code - Public Hearing and Ordinance Adoption - Rezoning
Application Z-85-16-8 - Northeast Corner of 35th Avenue and Baseline Road
(Ordinance G-6320)**

Summary

Request to hold a public hearing to authorize the City Manager to approve the Planning Commission's recommendation of approval to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix for the R1-10 (Single Family Residence District) zoning district to allow single family residential development as request with application Z-85-16-8.

Application No. Z-85-16-8

Current Zoning: S-1

Proposed Zoning: R1-8

Acreage: 79.58

Proposal: Single Family Residential

Applicant: Woodside Homes Heather Davenport

Owner: Silva Farming Enterprises LTD Partnership

Representative: Norris Design Hillary Turby

Staff Recommendation: Approval, subject to stipulations.

VPC Action: Denied as filed, approved as R1-10 per staff stipulations with a modification to Stipulation 1 and two additional stipulations by a vote of 8-0.

PC Action: Approved, per the staff Addendum B dated March 23, 2017 with an additional stipulation by a vote of 7-1.

Location

Northeast corner of 35th Avenue and Baseline Road.

Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE 85-16-8) FROM S-1 (RANCH OR FARM RESIDENCE) TO R1-10 (SINGLE-FAMILY RESIDENCE DISTRICT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of an approximately 79.58-acre property located at the northeast corner of 35th Avenue and Baseline Road in a portion of Section 35, Township 1 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "S-1" (Ranch or Farm Residence) to "R1-10" (Single-Family Residential District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B".

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped March 20, 2017, with specific regarding to the following, as approved by the Planning and Development Department.
 - a. A minimum 50-foot landscape setback along Baseline Road
 - b. Maximum of 295 lots
 - c. The location of the 45-foot-wide lots as shown on the site plan
 - d. A minimum of 15% open space shall be provided
 - e. Lots along the northern boundary shall be a maximum of one-story with the exception of the pie-shaped lots
 - f. No consecutive two-story homes along Baseline Road and 35th Avenue
 - g. The perimeter lots along Baseline Road and 35th Avenue shall be a minimum of 55-foot-wide as shown on the site plan
 - h. A pedestrian gate shall be provided near the Baseline Road and 35th Avenue intersection
2. Right-of-way totaling 70 feet (60 feet of ROW, plus a 10-foot sidewalk easement) shall be dedicated for the north half of Baseline Road, as approved by the Planning and Development Department.
3. Right-of-way totaling 55 feet shall be dedicated for the east half of 35th Avenue, as approved by the Planning and Development Department.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.
5. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the north side of Baseline Road and a multi-use trail (MUT) shall be constructed within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement.
6. The developer shall record a Notice to Perspective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

7. The applicant shall pursue traffic mitigation options with the City of Phoenix and the Salt River Project along 35th Avenue and Baseline Road.
8. The developer shall present detailed elevations, landscape, wall and lighting plans to the Laveen Village Planning Committee for review and comment prior to preliminary site plan approval through the Planning and Development Department.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 10th day of May, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-85-16-8

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 35, BEING A P.K. NAIL, WITH NO IDENTIFICATION, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 35, BEING A 3 INCH, CITY OF PHOENIX, BRASS CAP IN A HANDHOLE, BEARS SOUTH 89 DEGREES 54 MINUTES 28 SECONDS WEST, A DISTANCE OF 2,643.11 FEET;

THENCE NORTH 00 DEGREES 46 MINUTES 42 SECONDS EAST, ALONG THE WEST LINE OF SAID SECTION 35, A DISTANCE OF 1,749.12 FEET;

THENCE DEPARTING SAID WEST LINE, NORTH 89 DEGREES 50 MINUTES 30 SECONDS EAST, ALONG THE SOUTH LINE OF THE FINAL PLAT OF "SILVERSTONE ESTATES", AS RECORDED IN BOOK 589, PAGE 16, RECORDS OF MARICOPA COUNTY, A DISTANCE OF 1,978.38 FEET TO A POINT ON THE WEST LINE OF THE FINAL PLAT OF "LAVEEN VILLAGE - AMENDED", AS RECORDED IN BOOK 606, PAGE 19, RECORDS OF MARICOPA COUNTY;

THENCE SOUTH 00 DEGREES 37 MINUTES 26 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 1,751.33 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35;

THENCE SOUTH 89 DEGREES 54 MINUTES 28 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1,983.07 FEET TO THE POINT OF BEGINNING;

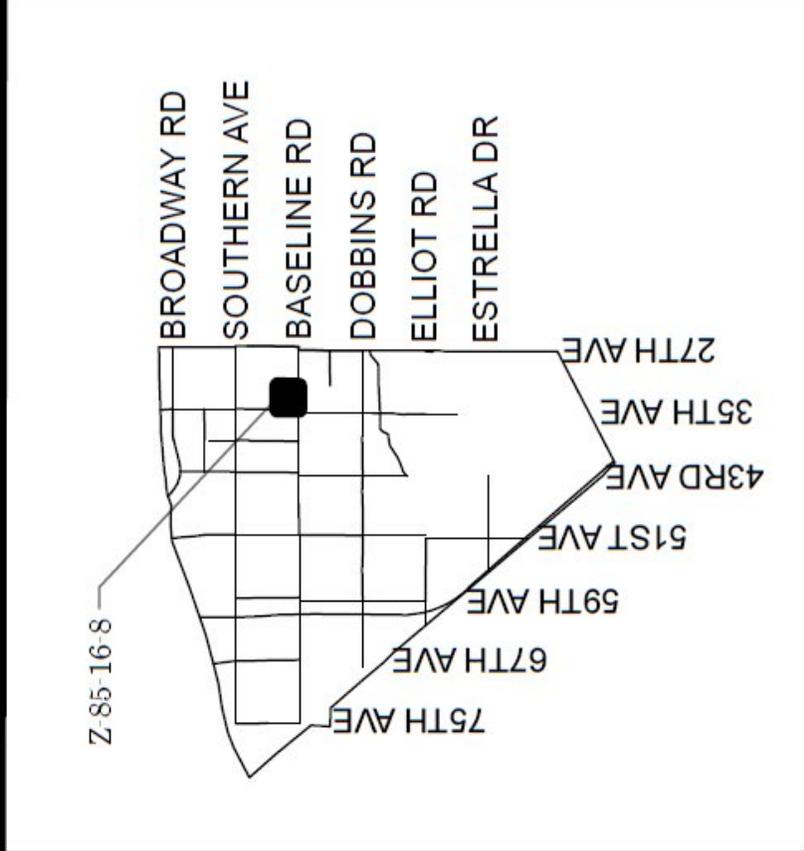
Contains: 3,466,343 Square Feet or 79.5763 Acres, More or Less

ORDINANCE LOCATION MAP

EXHIBIT B

Zoning Case Number: Z-85-16-8
 Zoning Overlay: N/A
 Planning Village: Laveen

ZONING SUBJECT TO STIPULATIONS: *
 SUBJECT AREA: ■■■■■



NOT TO SCALE



Drawn Date: 4/13/2017

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC			
I HEREBY REQUEST THAT THE PC / CC HOLD A PUBLIC HEARING ON:			
APPLICATION NO/ LOCATION	Z-85-16-8 Northeast corner of 35 th Avenue and Baseline Road	<i>(SIGNATURE ON ORIGINAL IN FILE)</i>	
		opposition	<input checked="" type="checkbox"/> x <input type="checkbox"/> applicant
APPEALED FROM:	PC 4/6/17	Phil Hertel 602-276-3200	
	<small>PC/CC DATE</small>	<small>NAME / PHONE</small>	
TO PC/CC HEARING	CC 5/10/17	2845 W Broadway Road Phoenix AZ 85041	
	<small>DATE</small>	<small>STREET ADDRESS/CITY/STATE/ZIP</small>	
REASON FOR REQUEST: To add turn in lane to Baseline Rd site entrance.			
RECEIVED BY:	EM / LO	RECEIVED ON:	04/12/17

Alan Stephenson
Sandra Hoffman
Tricia Gomes
Christina Encinas
Stephanie Saenz
Lilia Olivarez, PC Secretary
PLN All



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for April 6, 2017 is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. April 13, 2017.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m., April 13, 2017.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the land included in the proposed change or of the land within 150 feet (not including the width of the street) of the front, back or any side of the property sought to be rezoned signed the petition. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. April 13, 2017.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. April 20, 2017.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-85-16-8
APPLICATION NO.

NEC 350 AVE & BASELINE
LOCATION OF APPLICATION SITE

APRIL 6 2017
DATE APPEALED FROM

OPPOSITION
 APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

PHIL HERTEL
PRINTED NAME OF PERSON APPEALING

Phil Hertel
SIGNATURE

2845 W Broadway
STREET ADDRESS

4-11-17
DATE OF SIGNATURE

Phoenix AZ 85041
CITY, STATE & ZIP CODE

602-276-3200
TELEPHONE NO.

REASON FOR REQUEST TO ADD TURN IN LANE TO BASELINE RD
SITE ENTRANCE

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Mario Paniagua
Deputy City Manager

Date: April 20, 2017

From: Alan Stephenson 
Planning and Development Director

Subject: ITEM XX ON THE MAY 10, 2017 FORMAL AGENDA – PUBLIC HEARING/ORDINANCE ADOPTION OF Z-85-16-8 (G-XXX) – NORTHEAST CORNER OF 35TH AVENUE AND BASELINE ROAD

Item XX rezoning application Z-85-16-8 and Ordinance G-XXXX, is a request to rezone a 79.58-acre property located at the northeast corner of 35th Avenue and Baseline Road from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residence District) to allow a single family residential subdivision.

The case was appealed on April 11 by a citizen requesting a stipulation requiring the developer to provide a deceleration lane from Baseline Road into the proposed residential subdivision. The applicant worked with the Street Transportation Department to provide a deceleration lane along Baseline Road and has proposed an amendment to a proposed stipulation. Stipulation 7 was modified to require the developer to provide a deceleration lane from Baseline Road. Staff recommends approval per the stipulations of this memo and adoption of the related ordinance.

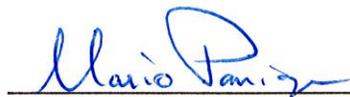
The proposed language and modified stipulation is as follows:

Revised Stipulations

1. The development shall be in general conformance with the site plan date stamped ~~January 19, 2017~~ ~~MARCH 6, 2017~~ MARCH 20, 2017, with specific regard to the following ~~50-foot landscape setback along Baseline Road~~, as approved by the Planning and Development Department.
 - a. A MINIMUM 50-FOOT LANDSCAPE SETBACK ALONG BASELINE ROAD
 - b. MAXIMUM OF 295 LOTS
 - c. THE LOCATION OF THE 45-FOOT-WIDE LOTS AS SHOWN ON THE SITE PLAN
 - d. A MINIMUM OF 15% OPEN SPACE SHALL BE PROVIDED
 - e. LOTS ALONG THE NORTHERN BOUNDARY SHALL BE A MAXIMUM OF ONE-STORY WITH THE EXCEPTION OF THE PIE-SHAPED LOTS
 - f. NO CONSECUTIVE TWO-STORY HOMES ALONG BASELINE ROAD OR 35TH AVENUE
 - g. THE PERIMETER LOTS ALONG BASELINE ROAD AND 35TH AVENUE SHALL BE A MINIMUM OF 55-FEET-WIDE AS SHOWN ON THE SITE PLAN
 - h. A PEDESTRIAN GATE SHALL BE PROVIDED NEAR THE BASELINE ROAD AND 35TH AVENUE INTERSECTION

2. Right-of-way totaling 70 feet (60 feet of right-of-way plus a 10-foot sidewalk easement) shall be dedicated for the north half of Baseline Road, as approved by the Planning and Development Department.
3. Right-of-way totaling 55 feet shall be dedicated for the east half of 35th Avenue, as approved by the Planning and Development Department.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.
5. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the north side of Baseline Road and a multi-use trail (MUT) shall be constructed within the easement as indicated in section 429 of the City of Phoenix MAG Supplement.
6. The developer shall record a Notice to Perspective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.
7. ~~THE APPLICANT SHALL PURSUE TRAFFIC MITIGATION OPTIONS WITH THE CITY OF PHOENIX AND THE SALT RIVER PROJECT ALONG 35TH AVENUE AND BASELINE ROAD.~~ THE DEVELOPER SHALL PROVIDE A RIGHT-TURN DECELERATION LANE ALONG BASELINE ROAD INTO THE DEVELOPMENT ENTRANCE AT THE 32ND DRIVE ALIGNMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
8. THE DEVELOPER SHALL PRESENT DETAILED ELEVATIONS, LANDSAPE, WALL AND LIGHTING PLANS TO THE LAVEEN VILLAGE PLANNING COMMITTEE FOR REVIEW AND COMMENT PRIOR TO PRELIMINARY SITE PLAN APPROVAL THROUGH THE PLANNING AND DEVELOPMENT DEPARTMENT.

Approved:



Mario Paniagua, Deputy City Manager