

Mayor Kate Gallego

Vice Mayor District 2 Jim Waring

District 1 Thelda Williams

> District 3 Debra Stark

District 4 Laura Pastor

District 5 Vania Guevara

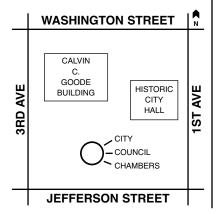
> District 6 Sal DiCiccio

District 7 Michael Nowakowski

District 8 Felicita Mendoza

Online agendas and results available at www.phoenix.gov

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



PHOENIX CITY COUNCIL FORMAL AGENDA

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 <u>https://</u>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 will be heard for up to 30 minutes (unless extended by the Chair) before adjournment or recess of the formal meeting provided a quorum of the Council is present. Additional time for Citizen Comments may be allowed at the discretion of the presiding officer. Any member of the public may address the Council to comment on issues of interest or concern to them. Citizen comments will be televised as part of the formal meeting. Members of the public will be given a maximum of three minutes each to address the Council. In compliance with the Arizona Open Meeting Law, the City Council cannot discuss or take formal action on any matter raised during citizen comments.

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.

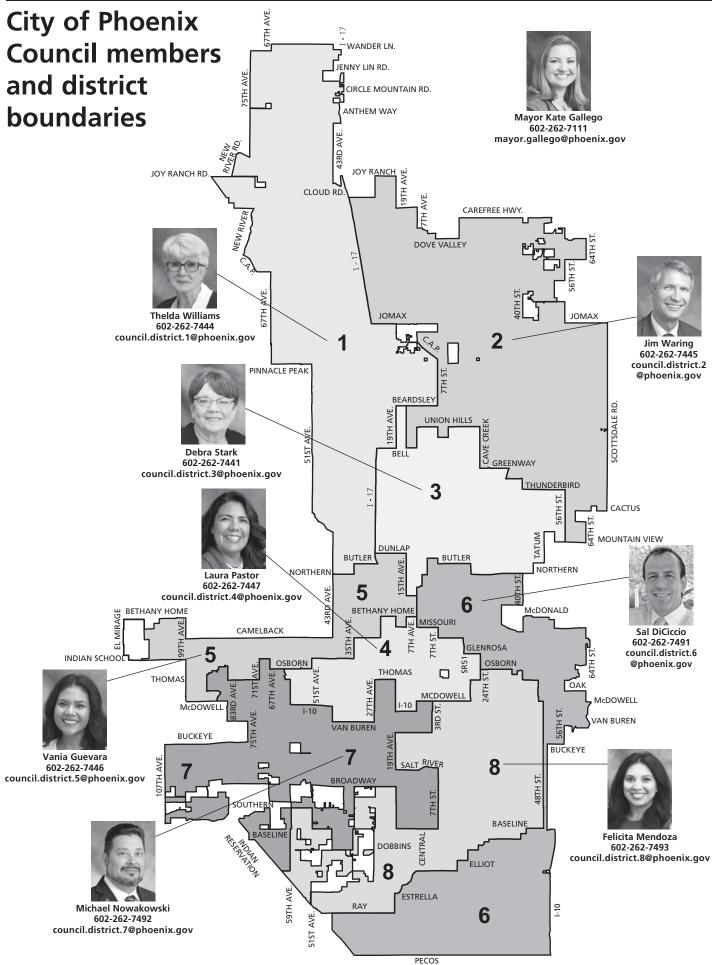
REGISTERED LOBBYISTS

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 <u>https://www.phoenix.gov/cityclerk/publicmeetings</u> 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.





Agenda

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

City Council Formal Meeting

Wee	dnesday, April 17, 2019	2:30 PM	phoenix.gov
CAI	Items with Additional Informatio	/ISED April 16, 2019*** n: 54, 106; Item Requeste sed: 70; Item Added: 111	d to be Withdrawn: 69;
MIN	UTES OF MEETINGS		
1	For Approval or Correction, the Meeting on Dec. 12, 2018	Minutes of the Formal	Page 13
	UOR LICENSES, BINGO, AND OFF PLICATIONS	-TRACK BETTING LICEN	<u>SE</u>
2	Liquor License - Mike's Smoke	Shop	District 1 - Page 14
3	Liquor License - Ocho Rios Jer	k Spot	District 1 - Page 19
4	Liquor License - Special Event Archangel Roman Catholic Par		District 2 - Page 23
5	Liquor License - West Coasts P	etroleum LLC	District 2 - Page 24
6	Liquor License - Safeway #2097	,	District 2 - Page 29
7	Liquor License - Special Event Club	- Club Futbolito Soccer	District 5 - Page 33
8	Liquor License - Special Event Transportation	- Veterans	District 5 - Page 34
9	Liquor License - Special Event Transportation	- Veterans	District 5 - Page 35
10	Liquor License - Special Event Organization	- Arizona Roller Derby	District 6 - Page 36
11	Liquor License - Special Event Organization	- Arizona Roller Derby	District 6 - Page 37

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13	Liquor License - Verdura		District 6 - Page 42
14	Liquor License - Special Event - Event	vans Churchill	District 7 - Page 46
15	Liquor License - Special Event - K	ids in Focus	District 7 - Page 47
16	Liquor License - Macayo Restaura	nt	District 7 - Page 48
17	Liquor License - The Lunchbox		District 7 - Page 52
18	Liquor License - Special Event - M	ission Create	District 8 - Page 56
19	Liquor License - Special Event - P	hoenix Day	District 8 - Page 57
20	Liquor License - Special Event - P Incorporated	hoenix Pride	District 8 - Page 58
21	Liquor License - Sabaca Beverage	Group-Arizona, Inc.	District 8 - Page 59
<u>PAY</u>	MENT ORDINANCE (Ordinance S-45	<u>539) (Items 22-38)</u>	Page 61
22	Applied Economics, LLC		
23	Med-Eng, LLC		
24	W.S. Darley & Co.		
25	Settlement of Claim(s) Mehra v. Ci	ty of Phoenix	
26	Settlement of Claim(s) G. Serpe v.	City of Phoenix	
27	Settlement of Claim(s) D. Serpe v.	City of Phoenix	
28	Settlement of Claim(s) Sherman v.	City of Phoenix	
29	Settlement Claim(s) Foster v. City	of Phoenix	

30	BC Graphics, Inc., doing business as Blank Canvas	
31	Mettler-Toledo International Inc., doing business as Mettler-Toledo Rainin, LLC	
32	Sollah Interactive, LLC	
33	Greater Phoenix Convention and Visitors Bureau, doing business as Visit Phoenix	
34	AGM Container Controls, Inc., doing business as Ascension	
35	UTC Fire & Security Americas Corporation	
36	Various Vendors for Public Information Services	
37	Combs Construction Company, Inc.	
38	AZ Locators, LLC	
<u>ADMI</u>	NISTRATION	
39	(CONTINUED FROM MARCH 6 AND APRIL 3, 2019) - Temporary Staffing Services - Requirements Contract (Ordinance S-45422)	Citywide - Page 67
40	Authorization to Amend Lease with CenturyLink Communications, LLC (Ordinance S-45543)	District 4 - Page 69
41	Telephone and Network System Support and Maintenance (Ordinance S-45547)	Citywide - Page 71
42	Specialized Sport Turf Maintenance Services - Requirements Contract - IFB 19-054 (Ordinance S-45552)	Citywide - Page 74
43	Acquisition of Real Property for the Lower Buckeye Road Improvement Project between 27th and 19th	District 7 - Page 76

44 **Communications Infrastructure Locating Services -** Citywide - Page 78

City	Council Formal Meeting Agenda	3	April 17, 2019
	Requirements Contract - IFB 19-066 (Or S-45555)	dinance	
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46	Acquisition of Temporary Construction a Sidewalk Improvement Project along E Between 12th Street and 13th Place (Ord S-45558)	Baseline Road,	District 8 - Page 82
47	Acceptance and Dedication of an Easen Utility Purposes (Ordinance S-45559)	nent for Public	District 8 - Page 84
48	Acceptance and Dedication of Easemen Utility and Sidewalk Purposes (Ordinand		District 4 - Page 85 District 8
49	Purchase of Builder's Risk Insurance fo Harbor International Airport Terminal 4 Construction Project (Ordinance S-4556	S-1 Concourse	District 8 - Page 86
50	Authorization to Apply for Grant Fundin Recovery Services (Ordinance S-45570)	g for Disaster	Citywide - Page 88
51	Security and Access Control Project Re RFP	quest to Issue	Citywide - Page 89
52	Authorization for Issuance of Excise Tax Obligations to Repair or Improve the Ph Convention Center and Security Manage Control Systems (Ordinance S-45548)	oenix	Citywide - Page 91
<u>COM</u>	MUNITY SERVICES		
53	Request for Proposals for Redevelopme Vista	nt of Deck Park	District 8 - Page 93
*54	Affordable Housing Financial Advisory (Ordinance S-45562) ***ADDITIONAL INF		Citywide - Page 95
55	Loan Federal HOME Funds for Mesquite	Terrace	District 4 - Page 97

City	Council Formal Meeting Ag	genda	April 17, 2019
	Affordable Housing Development (Ordinance S-45571)	
56	Loan Federal HOME Funds for Aval Housing Development (Ordinance S		District 7 - Page 100
57	Loan Federal HOME Funds for Trell Affordable Housing Development (District 3 - Page 103
58	Loan Federal HOME Funds for Red Apartments Affordable Housing De (Ordinance S-45577)		District 8 - Page 106
59	Loan Federal HOME Funds for Vera Apartments Affordable Housing De (Ordinance S-45578)		District 4 - Page 109
60	Loan Federal HOME Funds for Garf Affordable Housing Development (•	District 8 - Page 112
61	On-Call Environmental Review Serv Award (Ordinance S-45581)	vices - Contract	Citywide - Page 115
62	Amend Contract and Authorize Fun with Childhelp, Inc. (Ordinance S-4	•	Citywide - Page 117
63	2018-19 CDBG Neighborhood Revit Contract Award (Ordinance S-4556)		Citywide - Page 119
<u>ECO</u>	NOMIC DEVELOPMENT		
64	Lease and Development Agreemen Central Station at 300 N. Central Av S-45566)		District 7 - Page 121
65	Authorization to Enter Into a Develor with JAG Development, LLC and St Sale and Development of City-Owner Holly St. and 42 W. Holly St. (Ordina	udio Ma, Inc. for the ed Property at 36 W.	District 4 - Page 124
66	Amend Disposition and Developme Amstar McKinley, LLC (Ordinance S	-	District 7 - Page 126

City	Council Formal Meeting Agenda	April 17, 2019
67	Foreign-Trade Zone Application for Nikola Motor Corporation Coolidge Site (Resolution 21737)	Out of City - Page 128
68	Foreign-Trade Zone Application for Nikola Motor Corporation Phoenix Site (Resolution 21738)	District 8 - Page 130
*69	Phoenix Convention Center Ticketing Services - Requirements Contract - RCS 19-001 (Ordinance S-45569) ***REQUEST TO WITHDRAW***	District 7 - Page 132 District 8
<u>PUB</u>	LIC SAFETY	
*70	Request Up-Front Fee for Police Public Records Requests (Ordinance S-45574) ***REVISED***	Citywide - Page 134
71	Police Department Training System Upgrade and Extended Warranty - Requirements Contract - RFA 19-105 (Ordinance S-45561)	Citywide - Page 136
TRA	NSPORTATION AND INFRASTRUCTURE	
72	(CONTINUED FROM APRIL 3, 2019) - Water Services Department Small Valve Replacement Program - Job Order Contracting Services - 4108JOC168 - WS85500400 (Ordinance S-45495)	Citywide - Page 137
73	(CONTINUED FROM APRIL 3, 2019) - Remote Facilities General Construction - Job Order Contracting Services - 4108JOC173 (Ordinance S-45500) ***REQUEST TO WITHDRAW***	, 0
74	Request to Evaluate Advancing the Capitol / I-10 West Phase II Light Rail Extension	Citywide - Page 144
75	North/South Transit Facilities Fixed Route Services	Citywide - Page 146
76	Operations Control Center and Data Collection Services	Citywide - Page 149
77	Authorization to Apply for and Accept Federal Transit Administration Grant Funds and Enter Into Grant Agreement (Ordinance S-45567)	Citywide - Page 152

City	Council Formal Meeting Agenda	April 17, 2019	
78	One-Time Purchase of Skid Steer and Wheel Loaders (Ordinance S-45550)	Citywide - Page 153	
79	Fire Alarm & Suppression Systems Maintenance and Repairs (Ordinance S-45554)	Citywide - Page 155	
80	Authorization to Accept Funds for Recyclables Processed for the City of Avondale, City of Prescott and Maricopa County (Ordinance S-45572)	District 2 - Page 156 District 8	
81	Lift Station 40 Force Main Rehabilitation - Engineering Services - WS90501000 (Ordinance S-45540)	District 6 - Page 158	
82	Telecommunications Services and Interstate Telecommunications Services License with WANRack, LLC (Ordinance S-45542)	Citywide - Page 160	
83	Wastewater Facilities Process Control Improvements - Job Order Contracting Services - 4108JOC172 (Ordinance S-45549)	Citywide - Page 161	
84	Sub-Regional Operating Group (SROG) 91st Avenue Wastewater Treatment Plant Pipe/Equipment Coating - Engineering Services - WS90100093 (Ordinance S-45551)	District 7 - Page 163	
85	Salt River Project Property Use License for 27th Avenue and Olney Avenue Storm Drain Project (Ordinance S-45557)	District 8 - Page 165	
86	Authorization to Apply for and Accept Federal Funding for Transportation Projects in Federal Fiscal Years 2023 and 2024 (Ordinance S-45583)	Citywide - Page 167	
87	Water Services Department Miser Supervisory Control and Data Acquisition System Support Services (Ordinance S-45541)	Citywide - Page 169	
88	Testing and Monitoring Equipment Parts and Maintenance (Ordinance S-45545)	Citywide - Page 170	

89	HVAC Maintenance and Repair Services (Ordinance S-45546)	Citywide - Page 172
90	Modular Aluminum Panel System (MAPS) - Trench Safety (Ordinance S-45564)	Citywide - Page 174
91	Agreements for 2019 Lower Colorado Region Water Conservation Field Services Grant, in Conjunction with Arizona State University (Ordinance S-45568)	Citywide - Page 176
92	Purchase of Stormwater Push Camera - RFQ-1819-WES-154 (Ordinance S-45573)	District 7 - Page 178
<u>PLA</u>	NING AND ZONING MATTERS	
93	Modification of Stipulation Request for Ratification of March 20, 2019 Planning Hearing Officer Action - Z-95-02-8 (4)	District 4 - Page 180
94	Modification of Stipulation Request for Ratification of March 20, 2019 Planning Hearing Officer Action - Z-50-08-5	District 5 - Page 184
95	Modification of Stipulation Request for Ratification of March 20, 2019 Planning Hearing Officer Action - Z-111-98-7	District 7 - Page 189
96	Modification of Stipulation Request for Ratification of March 20, 2019 Planning Hearing Officer Action - Z-114-06-7	District 7 - Page 195
97	Final Plat - Master Plat for Sky Crossing Phase 2 - 180067 - West of Black Mountain Parkway and North of Deer Valley Drive	District 2 - Page 199
98	Final Plat - Sky Crossing - Parcel 12 - 180092 - West of Black Mountain Boulevard and North of Deer Valley Drive	District 2 - Page 200

City	Council Formal Meeting Age	nda	April 17, 2019
99	Final Plat - Sky Crossing - Parcel 17 - Black Mountain Boulevard and North Drive		District 2 - Page 201
100	Final Plat - Sky Crossing - Parcel 18 - Black Mountain Boulevard and North Drive		District 2 - Page 202
101	Final Plat - Palma Brisa - 180078 - So and West of Desert Foothills Parkway	-	District 6 - Page 203
102	Final Plat - Tract A, B, F, G, H, K, L, & Montana - Phase 1 Parcel 17 - 170103 Avenue and South of Carver Road		District 8 - Page 204
103	Abandonment of Easement - V18007 Avenue and South of Carver Road (R		District 8 - Page 205
104	Abandonment of Easement - V19000 ⁷ St. (Resolution 21739)	IA - 3325 N. 16th	District 4 - Page 206
105	Amend City Code - Ordinance Adopti Application Z-80-18-5 (Beatitudes Car Northeast Corner of 17th Drive and G (Ordinance G-6581)	mpus PUD)-	District 5 - Page 207
*106	Public Hearing - Amend City Code - C Adoption - Rezoning Application Z-87 Corner of Central Avenue and Indian (Ordinance G-6582) ***ADDITIONAL I	7-18-4 - Southeast ola Avenue	District 4 - Page 215
107	(CONTINUED FROM APRIL 3, 2019) - PCD Major Amendment - Rezoning A Z-66-C-96-1 - Northwest Corner of 41 Fortune Drive	pplication	District 1 - Page 249

City	Council Formal Meeting	Agenda	April 17, 2019
<u>CITIZ</u>	EN PETITIONS		
108	Consideration of Citizen Petition Homelessness and Personal Pro		Citywide - Page 270
109	Consideration of Citizen Petition Dedication Statement to Phoenix Critical Incident Transparency P	Police Department's	Citywide - Page 273
110	Consideration of Citizen Petition Transparency Through Body-We		Citywide - Page 278
ADD	-ON ITEMS		
*111	Mayor and Council Appointmen Commissions ***REQUEST TO		Page 280
REP	ORTS FROM CITY MANAGER, CO	MMITTEES OR CITY OFF	CIALS

CITIZEN COMMENTS

ADJOURN



Agenda Date: 4/17/2019, Item No. 1

For Approval or Correction, the Minutes of the Formal Meeting on Dec. 12, 2018

Summary

This item transmits the minutes of the Formal Meeting of Dec. 12, 2018, for review, correction and/or approval by the City Council.

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

Responsible Department



Agenda Date: 4/17/2019, Item No. 2

Liquor License - Mike's Smoke Shop

Request for a liquor license. Arizona State License Application 52338.

Summary

<u>Applicant</u> Cris Beffort, Agent

<u>License Type</u> Series 10 - Beer and Wine Store

Location 8021 N. 43rd Ave., Ste. 1A Zoning Classification: C-2 Council District: 1

This request is for a new liquor license for a beer and wine store. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow package liquor sales as an accessory to a convenience market when located within 300 feet of a residential zoning district. Zoning clearance for a tobacco oriented retailer is also required for this location.

The 60-day limit for processing this application is April 22, 2019.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "I have been a responsible trust worthy citizen all my life. I am a family man with children that understands that liquor needs to be consumed responsibly and should only be sold to adults and not to under aged individuals. I have never been arrested or charged with any crime beyond traffic violations and never a DUI of any sort."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "One could debate whether liquor substantially serves any community; however, responsible individuals selling these products to adults that are also acting responsibly provides jobs that support families."

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 - Mike's Smoke Shop Liquor License Map - Mike's Smoke Shop

Responsible Department

Liquor License Data: MIKE'S SMOKE SHOP

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	26.92	31.76	17.83
Violent Crimes	4.61	5.86	2.65

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

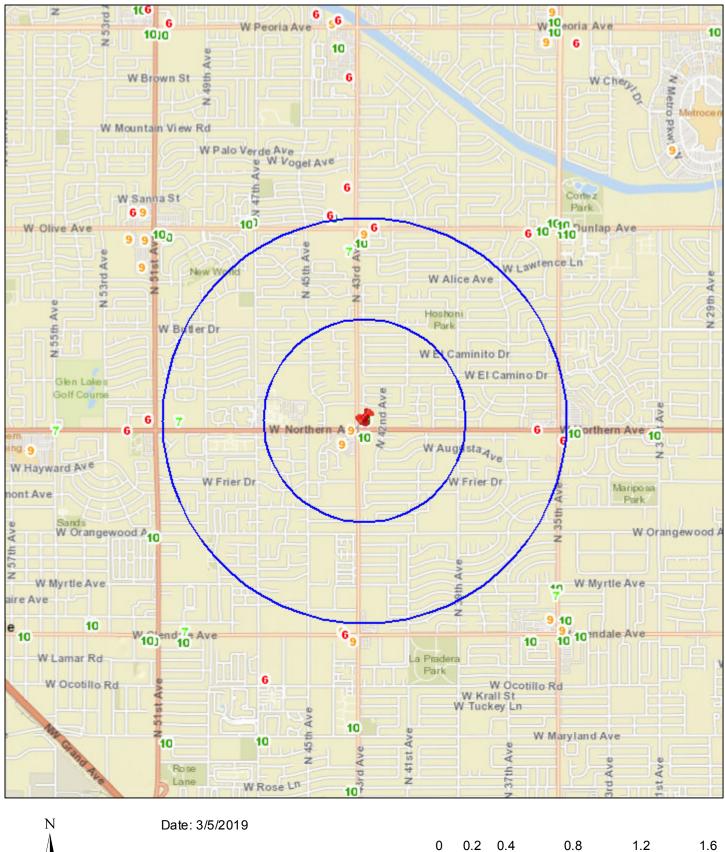
Description	Average	1/2 Mile Average
Parcels w/Violations	71	95
Total Violations	126	164

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
0923091	1517	72 %	0 %	6 %
0923094	666	94 %	0 %	10 %
0924021	1281	73 %	0 %	9 %
0924022	1194	32 %	12 %	17 %
1057011	1471	65 %	4 %	6 %
1057012	2012	87 %	15 %	6 %
1057022	1187	68 %	22 %	7 %
1058001	1575	74 %	8 %	13 %
1058004	2395	76 %	8 %	5 %
Average		61 %	13 %	19 %

Census 2010 Data 1/2 Mile Radius

Liquor License Map: MIKE'S SMOKE SHOP

8021 N 43RD AVE



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Agenda Date: 4/17/2019, Item No. 3

Liquor License - Ocho Rios Jerk Spot

Request for a liquor license. Arizona State License Application 52549.

Summary

<u>Applicant</u> Theressa Miller, Agent

<u>License Type</u> Series 12 - Restaurant

Location 4220 W. Northern Ave., Ste. 103 & 104 Zoning Classification: C-1 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. This location requires a Use Permit to allow sales of alcoholic beverages accessory to a restaurant.

The 60-day limit for processing this application is April 24, 2019.

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

Other Active Liquor License Interest in Arizona

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

Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "I am a responsible individual, college educated, who understands the risks and responsibilities associated with alcohol sales. I have educated myself on the liquor license laws and I am able and willing to abide by those laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The issuance of the liquor license will be in the best interest of the community because my restaurant will provide an outlet for the community to relax and enjoy delicious food while having a stress relieving drink."

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 - Ocho Rios Jerk Spot Liquor License Map - Ocho Rios Jerk Spot

Responsible Department

Liquor License Data: OCHO RIOS JERK SPOT

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	0
Beer and Wine Bar	7	2	0
Liquor Store	9	3	2
Beer and Wine Store	10	5	3
Restaurant	12	3	0
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	26.92	33.17	20.91
Violent Crimes	4.61	5.99	3.39

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

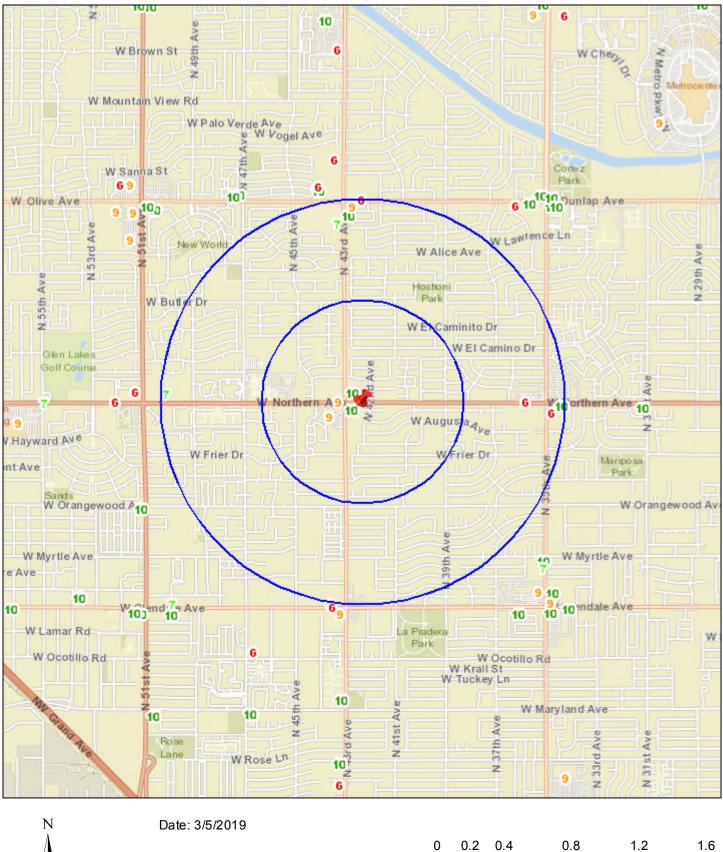
Description	Average	1/2 Mile Average
Parcels w/Violations	71	117
Total Violations	126	216

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
0923091	1517	72 %	0 %	6 %
0923094	666	94 %	0 %	10 %
0924021	1281	73 %	0 %	9 %
0924022	1194	32 %	12 %	17 %
1057012	2012	87 %	15 %	6 %
1057022	1187	68 %	22 %	7 %
1058001	1575	74 %	8 %	13 %
1058004	2395	76 %	8 %	5 %
Average		61 %	13 %	19 %

Liquor License Map: OCHO RIOS JERK SPOT

4220 W NORTHERN AVE



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Agenda Date: 4/17/2019, Item No. 4

Liquor License - Special Event - St. Gabriel the Archangel Roman Catholic Parish Cave Creek

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

Summary

<u>Applicant</u> Larry Hansen

<u>Location</u> 32648 N. Cave Creek Road Council District: 2

<u>Function</u> Dinner/Dance

Date(s) - Time(s) / Expected Attendance May 4, 2019 - 5:30 p.m. to 10 p.m. / 125 attendees

<u>Staff Recommendation</u> Staff recommends approval of this application.

Responsible Department



Agenda Date: 4/17/2019, Item No. 5

Liquor License - West Coasts Petroleum LLC

Request for a liquor license. Arizona State License Application 52542.

Summary

<u>Applicant</u> Felicity Heron, Agent

<u>License Type</u> 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 and may currently operate with an interim permit.

The 60-day limit for processing this application is April 24, 2019.

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

Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the

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

West Coast Petroleum LLC (Series 10) 825 E. Apache Blvd., Tempe Calls for police service: N/A - not in Phoenix Liquor license violations: None

West Coasts Petroleum LLC (Series 10) 8350 E. McDowell Road, Scottsdale Calls for police service: N/A - not in Phoenix Liquor license violations: None

West Coasts Petroleum LLC (Series 10) 1602 E. Bell Road, Phoenix Calls for police service: 16 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 intend to uphold and train all employees the responsibility and importance of following all the rules and guidelines required by law and the responsibility that we all have to ensure our customers and employees and public are safe and protect their well being by doing our part."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "I care about the community that the store exists. I care for public health, safety and well being. I know that by raising the standards of safety and health that the community will benefit."

Staff Recommendation

Staff recommends approval of this application.

<u>Attachments</u>

Liquor License Data - West Coasts Petroleum LLC Liquor License Map - West Coasts Petroleum LLC

Responsible Department

Liquor License Data: WEST COASTS PETROLEUM LLC

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	26.92	27.65	31.95
Violent Crimes	4.61	4.88	5.94

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

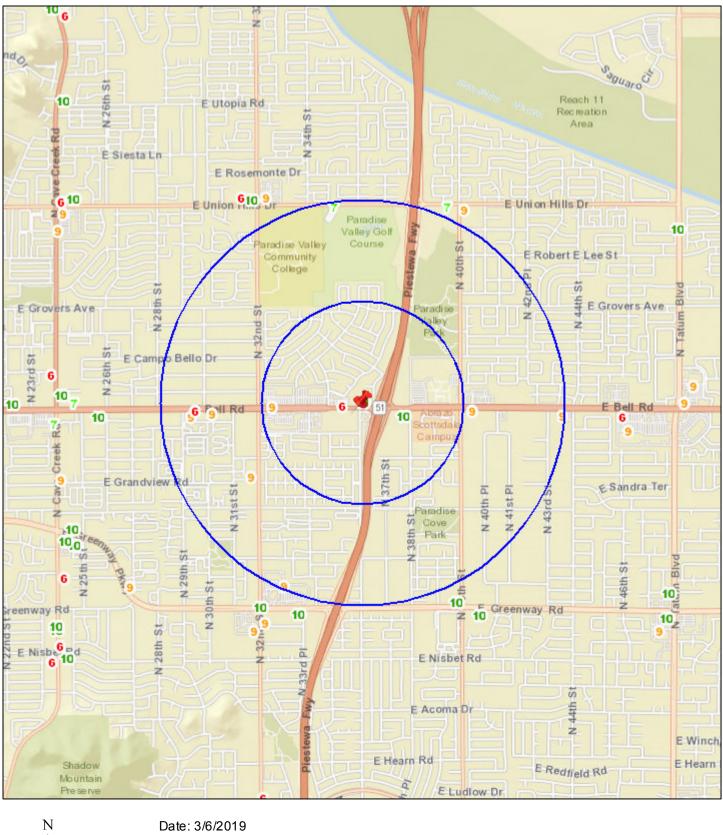
Description	Average	1/2 Mile Average
Parcels w/Violations	71	51
Total Violations	126	95

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032151	1421	86 %	0 %	2 %
1033031	1578	87 %	10 %	14 %
1033032	1103	78 %	9 %	18 %
6196001	2094	72 %	11 %	3 %
6198003	1556	82 %	0 %	5 %
Average		61 %	13 %	19 %

Liquor License Map: WEST COASTS PETROLEUM LLC

3610 E BELL RD



City Clerk Department

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Agenda Date: 4/17/2019, Item No. 6

Liquor License - Safeway #2097

Request for a liquor license. Arizona State License Application 09070368.

Summary

<u>Applicant</u> Nicholas Guttilla, Agent

<u>License Type</u> Series 9 & 9S - Liquor Store with Sampling Privileges

Location 4747 E. Greenway Road Zoning Classification: C-1 Council District: 2

This request is for a location transfer of a liquor license for a grocery store. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is April 24, 2019.

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

Other Active Liquor License Interest in Arizona

This 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: "Safeway is committed to upholding the highest standards for alcohol sales and service. Its managers and staff are trained in responsible liquor sales and service. Safeway is a national grocery store chain which takes its responsibility regarding liquor sales very seriously and it has a stellar compliance record in Arizona."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Safeway, Inc. is devoted to providing exceptional service, value and variety to its customers. Safeway stores are known as assets and good neighbors to the communities they serve. Safeway stores are full-service, one-stop shopping experiences where customers and neighbors have come to enjoy and expect the same offerings as can be obtained at each of the other Safeway stores in Arizona."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Safeway #2097 Liquor License Map - Safeway #2097

Responsible Department

Liquor License Data: SAFEWAY #2097

Liquor License

Description	Series	1 Mile	1/2 Mile
Liquor Store	9	3	1
Beer and Wine Store	10	4	2
Restaurant	12	12	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	26.92	21.07	21.65
Violent Crimes	4.61	1.75	2.01

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

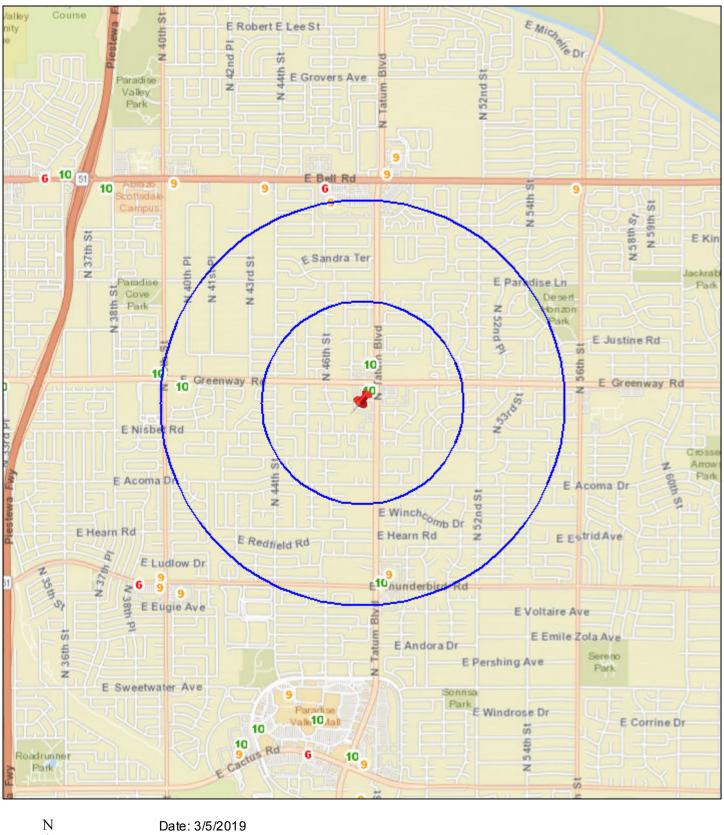
Description	Average	1/2 Mile Average
Parcels w/Violations	71	43
Total Violations	126	72

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032111	1273	95 %	6 %	9 %
1032112	1945	90 %	10 %	2 %
1032123	1092	97 %	13 %	7 %
1032152	1418	91 %	18 %	4 %
1032162	1982	84 %	0 %	4 %
1032163	1647	68 %	5 %	2 %
Average		61 %	13 %	19 %

Liquor License Map: SAFEWAY #2097

4747 E GREENWAY RD



City Clerk Department

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Agenda Date: 4/17/2019, Item No. 7

Liquor License - Special Event - Club Futbolito Soccer Club

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

Summary

<u>Applicant</u> Jesus Cadena

Location 2209 N. 99th Ave. Council District: 5

Function Sporting Event

Date(s) - Time(s) / Expected Attendance May 4, 2019 - 10 a.m. to 10 p.m. / 6,000 attendees May 5, 2019 - 10 a.m. to 10 p.m. / 5,000 attendees

<u>Staff Recommendation</u> Staff recommends approval of this application.

Responsible Department



Agenda Date: 4/17/2019, Item No. 8

Liquor License - Special Event - Veterans Transportation

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

Summary

<u>Applicant</u> Eric Morales

Location 4344 W. Indian School Road, Ste. 100 Council District: 5

Function Concert

Date(s) - Time(s) / Expected Attendance April 20, 2019 - 7 p.m. to 2 a.m. / 600 attendees

<u>Staff Recommendation</u> Staff recommends approval of this application.

Responsible Department



Agenda Date: 4/17/2019, Item No. 9

Liquor License - Special Event - Veterans Transportation

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

Summary

Applicant Eric Morales

Location 4344 W. Indian School Road, Ste. 100 Council District: 5

Function Concert

Date(s) - Time(s) / Expected Attendance April 26, 2019 - 7 p.m. to 2 a.m. / 600 attendees

<u>Staff Recommendation</u> Staff recommends approval of this application.

Responsible Department



Agenda Date: 4/17/2019, Item No. 10

Liquor License - Special Event - Arizona Roller Derby Organization

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

Summary

<u>Applicant</u> Stephanie Wilhelm

<u>Location</u> 5031 E. Washington St. Council District: 6

Function Sporting Event

Date(s) - Time(s) / Expected Attendance June 1, 2019 - 9 a.m. to 9 p.m. / 500 attendees June 2, 2019 - 9 a.m. to 9 p.m. / 500 attendees

<u>Staff Recommendation</u> Staff recommends approval of this application.

Responsible Department



Agenda Date: 4/17/2019, Item No. 11

Liquor License - Special Event - Arizona Roller Derby Organization

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

Summary

<u>Applicant</u> Stephanie Wilhelm

<u>Location</u> 5031 E. Washington St. Council District: 6

Function Sporting Event

Date(s) - Time(s) / Expected Attendance June 15, 2019 - 4 p.m. to 11 p.m. / 500 attendees

<u>Staff Recommendation</u> Staff recommends approval of this application.

Responsible Department



Agenda Date: 4/17/2019, Item No. 12

Liquor License - Macayo Restaurant

Request for a liquor license. Arizona State License Application 53858.

Summary

<u>Applicant</u> Navayogasingam Thuraisingam, Agent

<u>License Type</u> Series 12 - Restaurant with Growler Privileges

Location 12637 S. 48th St. Zoning Classification: C-2 Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow outdoor alcoholic beverage consumption within 500 feet of a residential zoning district.

The 60-day limit for processing this application is April 30, 2019.

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

Other Active Liquor License Interest in Arizona

This 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 have held multiple liquor licenses and never had any violations. I plan to serve liquor always following all rules and regulations set forth by the city and state. Further, I will ensure these same rules and regulations are followed by management and employees, who will also receive the necessary and required training to serve liquor."

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

"This is an established local restaurant that has been part of the community for many years. The community will continue to benefit from the services we provide. Additionally, we have and will continue to be involved with the community in may ways, including providing a safe and enjoyable environment to enjoy food and beverage."

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 - Macayo Restaurant Liquor License Map - Macayo Restaurant

Responsible Department

Liquor License Data: MACAYO RESTAURANT

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	4	2
Beer and Wine Bar	7	5	3
Liquor Store	9	8	2
Beer and Wine Store	10	3	1
Hotel	11	1	0
Restaurant	12	25	7

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	26.92	31.23	34.39
Violent Crimes	4.61	2.57	4.88

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

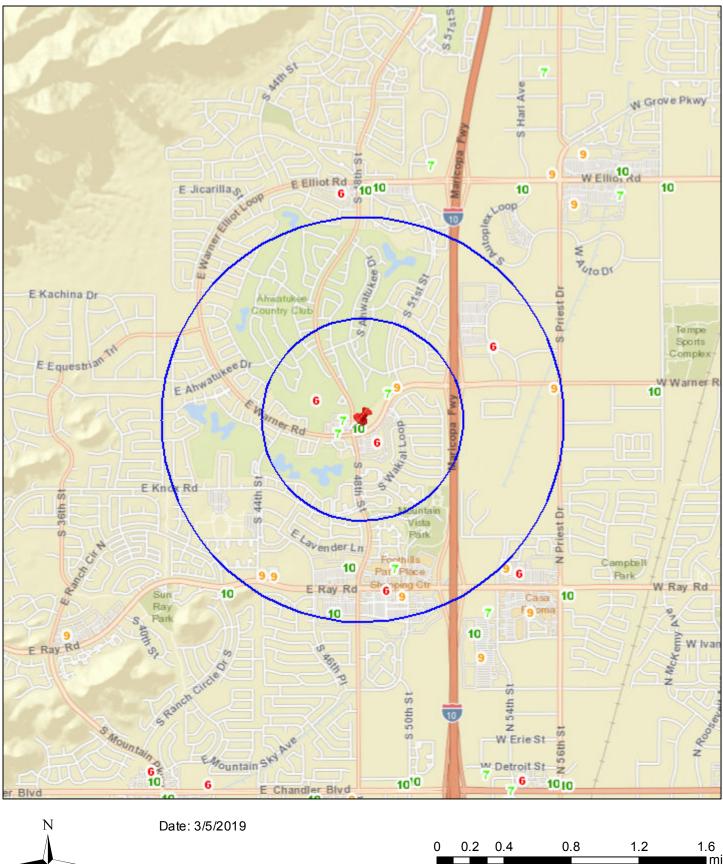
Description	Average	1/2 Mile Average
Parcels w/Violations	71	6
Total Violations	126	14

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167081	1516	88 %	0 %	2 %
1167082	1243	52 %	3 %	17 %
1167083	1314	34 %	0 %	7 %
1167084	1551	93 %	10 %	2 %
1167111	758	80 %	4 %	15 %
1167171	1769	0 %	25 %	11 %
1167172	1663	40 %	18 %	17 %
1167181	2685	40 %	10 %	9 %
3199101	2488	92 %	3 %	12 %
8100001	1870	83 %	10 %	0 %
Average		61 %	13 %	19 %

Liquor License Map: MACAYO RESTAURANT

12637 S 48TH ST



City Clerk Department



Agenda Date: 4/17/2019, Item No. 13

Liquor License - Verdura

Request for a liquor license. Arizona State License Application 52537.

Summary

<u>Applicant</u> Julia Chugerman, Agent

<u>License Type</u> Series 12 - Restaurant

Location 5555 N. 7th St., Ste. 108 Zoning Classification: C-2 Council District: 6

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

The 60-day limit for processing this application is April 24, 2019.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "I am a responsible, viable adult with no record of misconduct. I have dreamed of owning my own restaurant since I was a young girl and now that the opportunity is here, I believe that both the community and our guests would appreciate the option to have a beverage while dining at Verdura."

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

"We are a team of responsible individuals that follow all rules and regulations in regards to liquor in the state of Arizona. We promise to ensure the safety of all patrons and ensure that underage guests or those above the alcohol limits will not be served at Verdura."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Verdura Liquor License Map - Verdura

Responsible Department

Liquor License Data: VERDURA

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Bar	6	6	2
Beer and Wine Bar	7	11	1
Liquor Store	9	5	2
Beer and Wine Store	10	6	2
Restaurant	12	44	19

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	26.92	53.02	55.73
Violent Crimes	4.61	6.05	6.05

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

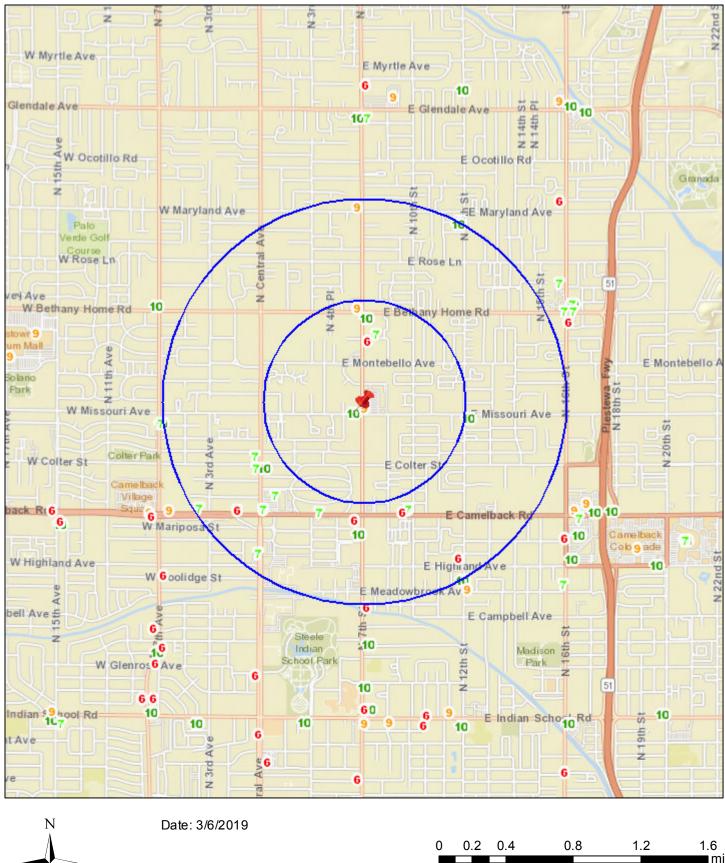
Description	Average	1/2 Mile Average
Parcels w/Violations	71	60
Total Violations	126	102

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1065012	1594	61 %	18 %	32 %
1066002	2064	83 %	7 %	5 %
1075001	758	80 %	2 %	3 %
1075002	1458	74 %	7 %	15 %
1076011	319	65 %	16 %	46 %
1076012	904	38 %	24 %	23 %
1076013	1748	38 %	8 %	17 %
1076021	1311	82 %	0 %	6 %
Average		61 %	13 %	19 %

Liquor License Map: VERDURA

5555 N 7TH ST



City Clerk Department



Agenda Date: 4/17/2019, Item No. 14

Liquor License - Special Event - Evans Churchill Community Association

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

Summary

<u>Applicant</u> Dorina Bustamante

<u>Location</u> 1025 N. 2nd St. Council District: 7

Function Dinner/Live Music

Date(s) - Time(s) / Expected Attendance April 28, 2019 - 6 p.m. to 10:30 p.m. / 150 attendees

<u>Staff Recommendation</u> Staff recommends approval of this application.

Responsible Department



Agenda Date: 4/17/2019, Item No. 15

Liquor License - Special Event - Kids in Focus

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

Summary

<u>Applicant</u> Karen Shell

Location 734 W. Polk St. Council District: 7

<u>Function</u> Live Music/Photo Exhibit

Date(s) - Time(s) / Expected Attendance May 3, 2019 - 8 p.m. to 2 a.m. / 250 attendees

<u>Staff Recommendation</u> Staff recommends approval of this application.

Responsible Department



Agenda Date: 4/17/2019, Item No. 16

Liquor License - Macayo Restaurant

Request for a liquor license. Arizona State License Application 53840.

Summary

<u>Applicant</u> Navayogasingam Thuraisingam, Agent

<u>License Type</u> Series 12 - Restaurant with Growler Privileges

Location 7829 W. Thomas Road Zoning Classification: RSC Council District: 7

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. This location requires a Use Permit to allow outdoor alcoholic beverage consumption within 500 feet of a residential zoning district.

The 60-day limit for processing this application is April 30, 2019.

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

Other Active Liquor License Interest in Arizona

This 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 have held multiple liquor licenses and never had any violations. I plan to serve liquor always following all rules and regulations set forth by the city and state. Further, I will ensure these same rules and regulations are followed by management and employees, who will also receive the necessary and required training to serve liquor."

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

"This is an established local restaurant that has been part of the community for many years. The community will continue to benefit from the services we provide. Additionally, we have and will continue to be involved with the community in may ways, including providing a safe and enjoyable environment to enjoy food and beverage."

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 - Macayo Restaurant Liquor License Map - Macayo Restaurant

Responsible Department

Liquor License Data: MACAYO RESTAURANT

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	0
Beer and Wine Bar	7	1	0
Liquor Store	9	4	2
Beer and Wine Store	10	5	1
Restaurant	12	16	13

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	26.92	107.43	136.09
Violent Crimes	4.61	14.25	15.71

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

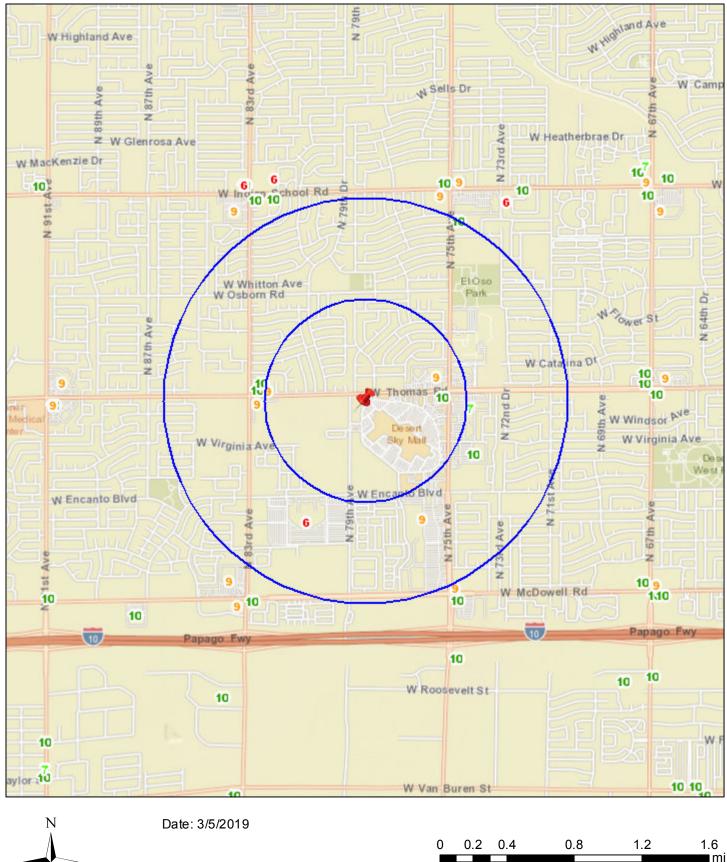
Description	Average	1/2 Mile Average
Parcels w/Violations	71	213
Total Violations	126	356

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1097022	1563	78 %	26 %	53 %
1097023	712	59 %	9 %	23 %
1097031	1232	68 %	0 %	29 %
1097051	892	73 %	4 %	1 %
1097052	1084	78 %	0 %	15 %
1125033	1448	67 %	6 %	8 %
1125091	1905	0 %	15 %	22 %
1125092	1564	47 %	23 %	9 %
Average		61 %	13 %	19 %

Liquor License Map: MACAYO RESTAURANT

7829 W THOMAS RD



City Clerk Department



Agenda Date: 4/17/2019, Item No. 17

Liquor License - The Lunchbox

Request for a liquor license. Arizona State License Application 07070071.

Summary

<u>Applicant</u> Daniel Levie, Agent

<u>License Type</u> Series 7 - Beer and Wine Bar

<u>Location</u> 802 W. Jefferson St. Zoning Classification: C-3 CMO Council District: 7

This request is for a location transfer of a liquor license for a bar and music venue. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow a bar in the Capitol Mall Overlay District. This business has plans to open in May 2019.

The 60-day limit for processing this application is April 28, 2019.

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

Other Active Liquor License Interest in Arizona

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

The Lunchbox (Series 7) 4132 E. McDowell Road, Ste. 7, Phoenix Calls for police service: 7 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 currently hold a series 7 license with Phoenix and have been in good standing. I will continue to uphold the strong values and safe practices to serve responsibly to Phoenix patrons."

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

"The location of the bar/music venue will help the growth and cultural diversity of the downtown area. The lunchbox brings a fun and safe environment for music lovers of all kind."

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.

<u>Attachments</u>

Liquor License Data - The Lunchbox Liquor License Map - The Lunchbox

Responsible Department

Liquor License Data: THE LUNCHBOX

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	2
Government	5	2	0
Bar	6	31	4
Beer and Wine Bar	7	7	0
Liquor Store	9	4	0
Beer and Wine Store	10	10	0
Hotel	11	4	0
Restaurant	12	64	1
Club	14	3	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	26.92	75.53	64.54
Violent Crimes	4.61	27.28	31.52

*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

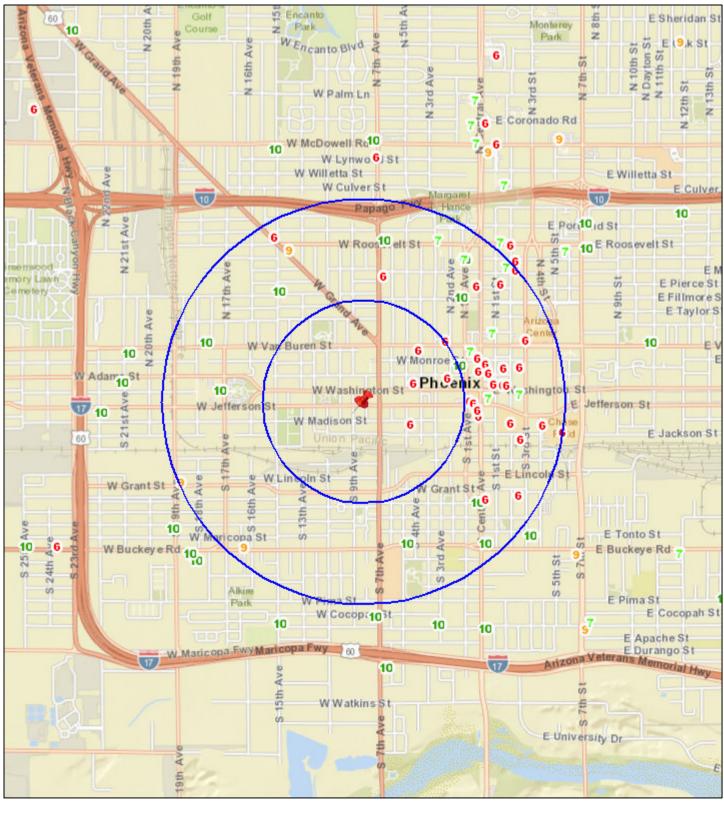
Description	Average	1/2 Mile Average
Parcels w/Violations	71	80
Total Violations	126	187

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1129002	815	37 %	22 %	24 %
1129003	1372	4 %	18 %	40 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
1143011	1389	22 %	15 %	57 %
1143021	788	20 %	17 %	66 %
1143022	1689	9 %	31 %	48 %
Average		61 %	13 %	19 %

Liquor License Map: THE LUNCHBOX

802 W JEFFERSON ST



Date: 3/5/2019

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Agenda Date: 4/17/2019, Item No. 18

Liquor License - Special Event - Mission Create

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

Summary

<u>Applicant</u> Bryan Kovalesky

Location 3419 E. University Drive Council District: 8

<u>Function</u> Gala

Date(s) - Time(s) / Expected Attendance May 4, 2019 - 7 p.m. to 10:30 p.m. / 200 attendees

<u>Staff Recommendation</u> Staff recommends approval of this application.

Responsible Department



Agenda Date: 4/17/2019, Item No. 19

Liquor License - Special Event - Phoenix Day

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

Summary

<u>Applicant</u> Jaclyn Boyes

Location 115 E. Tonto St. Council District: 8

Function Networking Event

Date(s) - Time(s) / Expected Attendance May 2, 2019 - 6 p.m. to 8:30 p.m. / 75 attendees

<u>Staff Recommendation</u> Staff recommends approval of this application.

Responsible Department



Agenda Date: 4/17/2019, Item No. 20

Liquor License - Special Event - Phoenix Pride Incorporated

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

Summary

<u>Applicant</u> Mark Leeper

<u>Location</u> 115 N. 6th St. Council District: 8

<u>Function</u> Cultural Celebration

<u>Date(s) - Time(s) / Expected Attendance</u> Nov. 2, 2019 - 10 a.m. to 6 p.m. / 10,000 attendees Nov. 3, 2019 - 10 a.m. to 6 p.m. / 10,000 attendees

<u>Staff Recommendation</u> Staff recommends approval of this application.

Responsible Department



Agenda Date: 4/17/2019, Item No. 21

Liquor License - Sabaca Beverage Group-Arizona, Inc.

Request for a liquor license. Arizona State License Application 52295.

Summary

<u>Applicant</u> Timothy Cocchia, Agent

<u>License Type</u> Series 4 - Wholesaler

Location 2820 S. 18th Place, Ste. 100 Zoning Classification: A-2 Council District: 8

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

The 60-day limit for processing this application is April 22, 2019.

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

Other Active Liquor License Interest in Arizona

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

Sabaca Beverage Group Arizona Inc (Series 4) 301 N. 45th Ave., Phoenix Calls for police service: 4 Liquor license violations: None

Sabaca Beverage Group Arizona (Series 4) 8990 W. Windsor Drive, Peoria Calls for police service: N/A - not in Phoenix Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "Will be able to offer customers a single source logistical solution for their supply chain netwo Experienced in the warehousing, wholesale and delivery of product."

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



PAYMENT ORDINANCE (Ordinance S-45539) (Items 22-38)

Ordinance S-45539 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.

22 Applied Economics, LLC

For \$75,000.00 in payment authority for a new contract, to be entered on or about May 1, 2019, for a term of one year, with four, one-year renewal options for economic impact study services for the City's Government Property Lease Excise Tax (GPLET) projects in downtown Phoenix for the Community and Economic Development Department. In compliance with Arizona Revised Statutes Title 42, Chapter 6, Article 5, and subject to City Council approval, GPLET agreements are used to facilitate economic development in key areas. Since the 1990's, the City has utilized the GPLET program to spur economic development in downtown Phoenix. Applied Economics will analyze, evaluate, and draft a written report summarizing the economic impacts of the City's GPLET projects in downtown Phoenix. The annual contract amount shall not exceed \$15,000.00. There is no impact to the General Fund. Funding is available in the Downtown Community Reinvestment Fund.

23 Med-Eng, LLC

For \$51,325.00 in payment authority for a one-time purchase of Explosive Ordnance Disposal (EOD) 9 bomb suits and one helmet for the Phoenix Police Department Homeland Defense Bureau. Currently, the department has two EOD 9 suits and one helmet which are reaching the end of their life cycles. The purchase of the suits and helmet will provide the critical equipment required to safely enter an area with an explosive device. The equipment is designed to provide superior protection while also being ergonomically designed to allow the bomb technicians to move, climb and bend to safely and swiftly approach explosive devices.

24 **W.S. Darley & Co.**

For \$87,500.00 in payment authority to purchase Revision Caiman Ballistic Helmets and Accessories for the Police Department. The Revision Caiman Ballistic Helmets are issued for each member of the Police Department's Special Assignment Unit (SAU) as a part of their personal protection equipment. The SAU routinely serves high-risk search warrants, assists with the apprehension of violent felons, and provides resolution of barricaded suspects.

25 Settlement of Claim(s) Mehra v. City of Phoenix

To make payment of \$170,000.00 in settlement of claim(s) in *Mehra v. City of Phoenix,* in Maricopa County Superior Court, Case CV2017-015488, 16-0877-003 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

26 Settlement of Claim(s) G. Serpe v. City of Phoenix

To make payment of \$40,000.00 in settlement of claim(s) in *Serpe v. City of Phoenix* in Maricopa County Superior Court, Case CV2017-013580, 16-1058-002 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

27 Settlement of Claim(s) D. Serpe v. City of Phoenix

To make payment of \$32,000.00 in settlement of claim(s) in *Serpe v. City of Phoenix* in Maricopa County Superior Court, Case CV2017-013580, 16-1058-001 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

28 Settlement of Claim(s) Sherman v. City of Phoenix

To make payment of \$450,000.00 in settlement of claim(s) in *Sherman v. City of Phoenix,* Maricopa County Superior Court, docket number CV2017-096329, 16-0917-001 GL BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

29 Settlement Claim(s) Foster v. City of Phoenix

To make payment up to \$96,331.00 in settlement of claim(s) in *Foster v*. *City of Phoenix*, 18-0672 , PD, for the Finance Department pursuant to Phoenix City Code chapter 42.

30 BC Graphics, Inc., doing business as Blank Canvas

For \$13,000.00 in payment authority for a new contract, to be entered on or about July 1, 2019 for a term of five years for resident parking permits for the Street Transportation Department. This contract will provide resident parking decals, visitor parking placards and year decals to residents who are eligible to participate in the City of Phoenix Resident Parking Permit Program.

31 Mettler-Toledo International Inc., doing business as Mettler-Toledo Rainin, LLC

For \$14,000.00 in additional payment authority for contract 149119 for additional repairs and calibration of the single channel pipettes for the Police Department's Laboratory Services Bureau. The pipettes draw up the correct amount of liquid needed for analysis and provide a safe method for transferring biohazardous material. They are necessary to complete forensic analysis on items of evidence from criminal investigations, critical incidents and complicated scenes. These services are vital for the Laboratory Services Bureau to repair, test and certify pipettes for Controlled Substances, Forensic DNA and Toxicology sections of the Crime Lab. The pipettes must be serviced and calibrated on a regular basis per ISO 17025 federal requirements.

32 Sollah Interactive, LLC

For \$94,000.00 in payment authority for a one-year agreement, to be entered into on or about May 1, 2019, to pilot an online respect and inclusion training resource for the Human Resources Department. The City is committed to building an inclusive culture that fosters respect and trust among all staff and customers. This training resource will replace the existing ELI Civil Treatment training program with a more modern, topic-focused video library and discussion modules. Sollah Interactive, Inc. was the lowest responsible bidder during the Request for Quotes procurement conducted by the Human Resources Department.

33 Greater Phoenix Convention and Visitors Bureau, doing business as Visit Phoenix

For \$2,170,000.00 in additional payment authority for Contract 141219 for marketing services for the Phoenix Convention Center Department (PCCD). The need for additional payment authority is due to an increase in the Hotel/Motel Excise Tax projection from the Budget and Research Department. In Fiscal Year 1998-99, City Council approved the funding formula for the Greater Phoenix Convention and Visitors Bureau, doing business as Visit Phoenix, contract. The current City Council-adopted formula is based on 60 percent of PCCD's portion of the Hotel/Motel Excise Tax collections, utilizing a three-year rolling average, of which five percent is dedicated to a Phoenix Convention Center Marketing Fund. Through this long-standing public/private partnership, Visit Phoenix has efficiently provided marketing services for the Phoenix Convention Center and its predecessor, Phoenix Civic Plaza since 1968.

34 AGM Container Controls, Inc., doing business as Ascension

For \$45,000.00 in payment authority to AGM Container Controls, Inc. for the one-time purchase of an Ascension vertical portable wheelchair lifting device for the Phoenix Convention Center Department (PCCD). The wheelchair lifting device will be utilized by individuals with disabilities to gain access to the performance riser stages during meetings and events. This lift matches other lifts used at PCCD and will maintain compliance with Federal and State ADA requirements.

35 UTC Fire & Security Americas Corporation

For \$11,179.00 in payment authority for MAStermind monitoring services using proprietary software Feb. 1, 2019 - Dec. 31, 2019 for the Public Works Department. MAStermind is currently installed in the Central Monitoring Station (CMS) in the Calvin C. Goode Building sub-basement and mezzanine. This monitoring software is used by Police to manage alarm services with support 24/7 throughout the Downtown Corridor. The software is required by CMS for monitoring alarms and emergency services in City-owned buildings.

36 Various Vendors for Public Information Services

For \$500,000.00 in additional payment authority to extend three contracts for public information services for major street design and construction projects for the Street Transportation Department. These additional services are needed due to the amount of new work that is to be completed based on the T2050 Pavement Overlay program. The Street Transportation Department is requesting to extend each of these contracts on a month-to-month basis, for up to nine months, until the procurement process for a new contract is complete.

Gunn Communications, Inc., Contract 138313 Inroads Info, Inc., Contract 138220 Central Creative, LLC, Contract 138221

37 **Combs Construction Company, Inc.**

For \$575,000.00 in additional payment authority for Agreement 144858, for Change Order 2 for Project ST85100371-1, Avenida Rio Salado and Broadway Road - Phase II for the Street Transportation Department. This request for additional payment authority includes on-going utility relocation efforts at the intersections of 7th Avenue and 7th Street on Broadway Road. Due to unexpected challenges, the anticipated utility relocations required to complete the project as originally scoped at these intersections could not be completed and caused delays in the construction. It was determined the bus bay on west bound Broadway at 7th Street could still be constructed, per plans, without completing the utility relocations. As a result, the Department decided to reduce the scope of work and continue efforts to construct the bus bay. Due to delays with the relocations, the remaining work to construct the bus bay is now materially different than originally bid by the contractor. Therefore, new bid item prices were established for the remainder of the work, resulting in additional costs.

38 AZ Locators, LLC

For \$33,000.00 in additional payment authority for Contract 143970 for locator equipment associated testing, calibration and repairs for the Water Services Department. The electric meters are used to locate water pipes, cables, and utilities for Water Services Department Divisions when Agenda

making repairs to water infrastructure. Additional payment authority is needed due to an increase in unanticipated repair services. The contract with AZ Locators, LLC is reaching its maximum term therefore, locator equipment associated testing, calibration and repairs services will be solicited during Fiscal Year 2019-20 utilizing a procurement process appropriate for the increased demand for testing and calibration repair work.



Agenda Date: 4/17/2019, Item No. 39

(CONTINUED FROM MARCH 6 AND APRIL 3, 2019) - Temporary Staffing Services - Requirements Contract (Ordinance S-45422)

Request to authorize the City Manager, or his designee, to enter into a contract with Accounting & Finance Professionals, Inc., Accurate Placement, L.C., All About People, Inc., Allstaff Services, Inc., RW Staffing Solutions, LLC, and Scott Business Group, LLC, to provide temporary staff on an as-needed basis in the amount not to exceed \$27,500,000 over five years, or approximately \$5,500,000 annually. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Contractors provide temporary staff to all City departments. The primary departments using the contracts are: Aviation, City Clerk, City Council Office and Office of the Mayor, Finance, Fire, Housing, Human Services, Information Technology Services, Neighborhood Services, Planning and Development, Parks and Recreation, Police, Public Transit, Public Works, Street Transportation and Water Services. Temporary staff are necessary to fulfill short-term or highly specialized staffing needs throughout the City. Departments use the most cost effective contract to hire qualified temporary staff.

Procurement Information

RFQu 19-060 Temporary Staffing Services was conducted as an SBE Reserve Contract in accordance with Administrative Regulation 1.89. The solicitation was emailed to 20 vendors. Six offers were received by the Procurement Division on Jan. 11, 2019.

The Deputy Finance Director recommends the offers from Accounting & Finance Professionals, Inc., Accurate Placement, L.C., All About People, Inc., Allstaff Services, Inc., RW Staffing Solutions, LLC, and Scott Business Group, LLC to be accepted for the Qualified Vendor List.

Contract Term

The five-year contract period for these vendors will begin June 1, 2019.

Financial Impact

The aggregate five-year contract value shall not exceed \$27,500,000, or approximately \$5,500,000 annually. The contract value is based on historical spend increased by 10 percent. Funds are available in all City of Phoenix departments' budgets. Approximately 30 percent of the aggregate contract amount is utilized by enterprise funded departments.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 40

Authorization to Amend Lease with CenturyLink Communications, LLC (Ordinance S-45543)

Request to authorize the City Manager, or his designee, to amend Contract 119540-OL with CenturyLink Communications, LLC to provide two parking lot stalls for installation of an enclosed backup power supply unit. Further request authorization for the City Treasurer to accept all funds related to this item. The rent for the parking lot stalls will be an additional \$1,885 per year, for a new total base rent of \$399,742.50, plus applicable taxes, for the remainder of the term.

Summary

CenturyLink Communications, LLC currently leases approximately 18,505 square feet of interior space at the Family Advocacy Center, located at 2120 N. Central Ave., Suites G10, G30, G31 and G32. The lease also provides for 233 square feet of common area for an air conditioning condenser. CenturyLink is a long-term tenant in good standing at this location and requested to rent two parking lot stalls for installation of an enclosed backup power supply unit. The unit is needed to house the backup power supply equipment for their operations.

Currently, CenturyLink's base rent is \$397,857.50 per year, plus applicable taxes. The rent for the parking lot stalls will be an additional \$1,885 per year, for a new total base rent of \$399,742.50, plus applicable taxes, for the remainder of the term. This rate is within the range of market rents as determined by the Finance Department's Real Estate Division.

Upon execution of this amendment, the new total base rent amount will be prorated and due monthly, and it will be in effect for the remainder of the current contract term, which ends June 30, 2023, with two five-year renewal options remaining. Rent at the beginning of each optional renewal period will be at the then-prevailing market rate, plus applicable taxes.

CenturyLink has provided a copy of the permit issued by the City's Planning and Zoning Department authorizing the installation of the unit. In addition, CenturyLink will comply with insurance and indemnity provisions in accordance with the current contract or other terms and conditions deemed necessary or appropriate by the City.

Financial Impact

Additional revenue will be \$1,885 per year, plus applicable taxes, through June 30, 2023, and adjusted to market rent at the beginning of each extension period.

Concurrence/Previous Council Action

This contract was authorized by Ordinance S-33028 adopted June 14, 2006, and was amended by Ordinance S-40732, adopted April 16, 2014, and Ordinance S-44169 adopted Jan. 10, 2018.

Location

Family Advocacy Center, 2120 N. Central Ave., Suites G10, G30, G31, G32 Council District: 4

Responsible Department

This item is submitted by Assistant City Manager Deanna Jonovich and the Human Services and Finance departments.



Agenda Date: 4/17/2019, Item No. 41

Telephone and Network System Support and Maintenance (Ordinance S-45547)

Request to authorize the City Manager, or his designee, to amend and add additional expenditures for Contract 144657 with World Wide Technology, Inc. (WWT) in an amount not to exceed \$9,727,806 through June 30, 2023, for ongoing support and maintenance of the system. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

In January 2017, the City Council approved a project to replace the City's 30-year-old telephone system and upgrade the City's network. The implementation portion of the project will be completed in June, after which a full support model and maintenance will begin.

Managed services for the system was part of the Request for Proposals and awarded to WWT to initially include a basic support model. This request is for payment authority for ongoing support and maintenance, and to amend the support model to align with the advanced capabilities of the new system that are now fully implemented. The managed services program will include a varying number of network and telecommunications contractors supporting the Citywide system, which includes a Network Operations Center and 24/7 support, including weekends and holidays.

This critical system currently includes call center capabilities within 14 departments that today average nearly 250,000 calls per month, or approximately 3 million calls per year. The existing 14 departments do not yet include the Fire, Aviation, and Planning and Development departments, which are scheduled to be completed by June 2019.

Many essential services to residents are provided through this new system that include the following:

Water Services Call Center

Approximately 167,000 calls per month in support of customer service for water and solid waste services and emergency dispatch services for water leaks, water quality issues and sanitary sewer emergencies.

Phoenix Police Department

Approximately 29,271 calls per month that support Central Booking, Code Enforcement, and the Strategic Information and the Information Technology Bureaus.

Phoenix Municipal Court

Approximately 22,603 calls per month that support information on criminal and traffic violations, non-traffic criminal misdemeanor cases, payment for parking tickets and contacting residents regarding delinquent accounts.

Neighborhood Services Department

Approximately 7,098 calls per month that support residential complaints to resolve property maintenance and violation issues, zoning problems and homeless encampments.

Other Departments

Approximately 22,619 calls per month that support Section 8, senior, disabled, scattered and conventional housing applications; financial assistance with mortgages, rent, utilities, food boxes, bus tickets and prescriptions; library cards; ticket sales for events at Phoenix Convention Center, Orpheum Theatre and Symphony Hall; and many others.

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

Contract Term

This contract amendment is for a term ending June 30, 2023. Provisions of the original contract term will remain, which includes an option to extend up to five years through Feb. 28, 2027.

Financial Impact

The original value of the contract was \$28,000,000 for the telephone and data network system replacement. With the \$9,727,806 in additional funds for maintenance and support through June 30, 2023, the contract's revised aggregate value is now \$37,727,806 (including applicable taxes). Funds are available in the Information Technology Services Department Operating and Capital Improvement Program budgets.

Concurrence/Previous Council Action

On March 6, 2019, the Water, Wastewater, Infrastructure and Sustainability Subcommittee recommended amending and adding additional funds to Contract 144657 by a vote of 4-0. On Jan. 25, 2017, City Council recommended awarding a contract to WWT.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the Information Technology Services Department.



Agenda Date: 4/17/2019, Item No. 42

Specialized Sport Turf Maintenance Services - Requirements Contract - IFB 19-054 (Ordinance S-45552)

Request to authorize the City Manager, or his designee, to enter into a contract with Sports Turf Services, Inc. to provide specialized sport turf maintenance services for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$850,000 over the life of the contract.

Summary

This contract will provide athletic field renovation and maintenance services for City of Phoenix, Parks and Recreation Department. The Parks and Recreation Department manages a variety of public parks, golf courses and athletic complexes throughout the City and these services will ensure athletic fields and sport turf fields are maintained and rejuvenated by the removal of old parts of the grass plant, as well as any weed seeds and thatch. This allows the plant to regrow from stolon, rhizome and roots, and contributes to the health of the turf.

Procurement Information

Invitation for Bid (IFB) 19-054 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Procurement Division on Dec. 14, 2018. The offer was evaluated on price, responsiveness to specifications and responsibility to provide the required goods and/or services. The notice of bid was sent to more than 68 registered vendors and was publicly posted and available for download on the City website. The price offered was determined to be fair and reasonable based on a comparison with previous purchases.

The Deputy Finance Director recommends that the offer from Sport Turf Services, Inc. be accepted.

Contract Term

The five-year contract term will begin on or about April 8, 2019.

Financial Impact

The aggregate contract value will not exceed \$850,000, with an estimated annual

expenditure of \$170,000. Funds are available in the Parks and Recreation Department's budget.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the Parks and Recreation and Finance departments.



Agenda Date: 4/17/2019, Item No. 43

Acquisition of Real Property for the Lower Buckeye Road Improvement Project between 27th and 19th Avenues (Ordinance S-45553)

Request to authorize the City Manager, or designee, to acquire all property rights required for the Lower Buckeye Road Improvement Project by donation, purchase within the City's appraised value, or by the power of eminent domain, and to dedicate land with roadway improvements to public use for right-of-way purposes via separate recording instrument. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Lower Buckeye Road Improvement Project will provide roadway improvements along the north and south sides of Lower Buckeye Road between 27th and 19th avenues. Acquisition of property rights are required to construct right-of-way improvements to enhance road and sidewalk conditions for vehicular and pedestrian traffic. Right-of-way improvements include paving, curb, gutter, Americans with Disabilities Act (ADA) compliant sidewalks, street lights, traffic signals and storm drain improvements.

The properties impacted by this project are identified in Attachment A.

Financial Impact

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

Location

Lower Buckeye Road, 27th Avenue to 19th Avenue Council District: 7

Responsible Department

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

Attachment A

PROPERTY IDENTIFICATION

City of Phoenix Street Improvement Project: ST85100411 - Lower Buckeye Road, 19th to 27th Avenues

Improved and/or unimproved parcels affected by acquisition are identified by the Maricopa County Assessor's parcel number (APN) and location.

<u>APN</u> :	LOCATION:
105-22-005A	NEC of 27 th Avenue and Lower Buckeye Road
105-25-021D	2250 W. Lower Buckeye Road
105-29-002D	2010 W. Lower Buckeye Road
105-29-006B	2050 W. Lower Buckeye Road
105-41-005A	SEC 27 th Avenue and Lower Buckeye Road
105-40-004J	2900 S. 19 th Ave.
105-40-002K	3000 S. 19 th Ave.
Unassigned	Burlington Northern Santa Fe (BNSF) Railway property rights within right-of-way



Agenda Date: 4/17/2019, Item No. 44

Communications Infrastructure Locating Services - Requirements Contract - IFB 19-066 (Ordinance S-45555)

Request to authorize the City Manager, or his designee, to enter into a contract with Pegasus Utility Locating Services, Inc. to provide locating services for various communications infrastructure types for the Information Technology Services Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$1,300,000 (including applicable taxes), with an estimated average annual expenditure of \$260,000.

Summary

This contract will provide services that allow for the locating and marking of underground communications infrastructure, such as empty conduit, fiber optic cabling, and copper cabling, prior to excavation. This infrastructure provides inter-connectivity for the City's voice, video, and data networks which supports critical systems for departments such as Fire, Police, Aviation, and Water Services. Locating services help to ensure that this underground communications infrastructure is not damaged or destroyed during construction and excavation projects.

Procurement Information

IFB 19-066 Communications Infrastructure Locating Services was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the Procurement Division on February 15, 2019. One offer was deemed non-responsive. The offer from Pegasus Utility Locating Services, Inc. was evaluated based on price, responsiveness, terms and conditions, and responsibility to provide required services. The offer submitted by Pegasus Utility Locating Services, Inc. is deemed fair and reasonable based on market and previous contract pricing.

The Deputy Finance Director recommends Pegasus Utility Locating Services, Inc. for award.

Contract Term

The five-year contract terms shall begin on or about May 1, 2019.

Financial Impact

The aggregate contract value will not exceed \$1,300,000 (including applicable taxes), with an estimated, average annual expenditure of \$260,000. Funds are available in Information Technology Services Department's budget.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the Information Technology Services Department.



Agenda Date: 4/17/2019, Item No. 45

Authorization to Amend License with Verizon Wireless to Extend the Term (Ordinance S-45556)

Request authorization for the City Manager, or his designee, to amend License 126578 between the City of Phoenix and Verizon Wireless (VAW) LLC, a Delaware limited liability company, d.b.a. Verizon Wireless, to extend the license term for a five-year period, with one, five-year option to renew. Further request authorization for the City Treasurer to accept funds related to this item.

Summary

Verizon Wireless currently licenses approximately 358 square feet of exterior rooftop and sidewall space on the Adams Street Garage, located at 310 W. Adams St., for wireless communications equipment. Verizon Wireless has been a licensee at this location since July 2009 and is in good standing. The current license term expires July 31, 2019. The license fee during the first year of the extended term will be \$4,291.69 per month, plus applicable taxes. The license fee will be increased 3 percent annually during the extended term and option period, on the anniversary of the term commencement date.

Contract Term

Five years with one, five-year option to extend.

Financial Impact

Annual revenue will be \$51,500.28, plus applicable taxes, during the first year.

Concurrence/Previous Council Action

This contract was approved by Ordinance S-35981, adopted April 1, 2009. It was amended by Ordinance S-38304, adopted Nov. 16, 2011; Ordinance S-39608, adopted Feb. 20, 2013; and Ordinance S-40188, adopted Sept. 4, 2013.

Location

310 W. Adams St. (also known as 324 W. Adams St.), identified by assessor parcel number 112-20-118. Council District: 7

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 46

Acquisition of Temporary Construction Easements for a Sidewalk Improvement Project along Baseline Road, Between 12th Street and 13th Place (Ordinance S-45558)

Request to authorize the City Manager, or designee, to acquire temporary construction easements for a Sidewalk Improvement Project by donation, purchase within the City's appraised value, or by the power of eminent domain. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The temporary construction easements are necessary to construct sidewalk improvements along the south side of Baseline Road between 12th Street and 13th Place. This portion of Baseline Road consists of some unimproved public right-of-way, and this project will provide pedestrians with a contiguous sidewalk connection and access to an existing bus stop. The properties impacted by this project are identified in **Attachment A**.

Financial Impact

Acquisition for this project will be funded with Highway User Revenue Funds (HURF), available in the Street Transportation Department's Capital Improvement Program budget.

Location

Baseline Road, between 12th Street and 13th Place Council District: 8

Responsible Department

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

ATTACHMENT A PROPERTY IDENTIFICATION

City of Phoenix Project ST87210016, Baseline Road – 12th Street to 13th Place

The following parcels are included on this request. Improved and/or unimproved parcel affected by acquisition identified by the Maricopa County Assessor's parcel number (APN), and the Site Address or Location.

APN:	LOCATION:
300-21-029B	1215 E. Baseline Road
300-21-027	1241 E. Baseline Road
300-21-025A	1301 E. Baseline Road



Agenda Date: 4/17/2019, Item No. 47

Acceptance and Dedication of an Easement for Public Utility Purposes (Ordinance S-45559)

Request for the City Council to accept and dedicate an easement for public utility purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)

Applicant: Jacinta C. Caballero, its successor and assigns Purpose: Public Utility Location: 4806 S. 12th St. File: FN 190007 Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development and Finance departments.



Agenda Date: 4/17/2019, Item No. 48

Acceptance and Dedication of Easements for Public Utility and Sidewalk Purposes (Ordinance S-45563)

Request for the City Council to accept and dedicate easements for public utility and sidewalk purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)

Applicant: The Reina Family Living Trust, its successor and assigns Purpose: Public Utility Location: 2315 N. 7th St. File: FN 180152 Council District: 4

Easement (b) Applicant: The Reina Family Living Trust, its successor and assigns Purpose: Sidewalk Location: 2315 N. 7th St. File: FN 180152 Council District: 4

Easement (c) Applicant: Express 29, LLC, its successor and assigns Purpose: Public Utility Location: 16th Street and Baseline Road File: FN 190017 Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development and Finance departments.



Agenda Date: 4/17/2019, Item No. 49

Purchase of Builder's Risk Insurance for Phoenix Sky Harbor International Airport Terminal 4 S-1 Concourse Construction Project (Ordinance S-45565)

Request to authorize the City Manager, or his designee, to purchase builder's risk insurance covering the Phoenix Sky Harbor International Airport (Airport) Terminal 4 S-1 Concourse Project (Project). Payment will be made to the City's insurance broker, Marsh USA, in an amount not to exceed \$400,000 for the builder's risk insurance premium. Further request authorization for the City Controller to disburse all funds related to this item.

The builder's risk insurance policy has a \$50,000 per occurrence deductible, which will be applied if there is a physical damage loss to the Project. Authorization is further requested for the City Controller to disburse all funds necessary to pay any required insurance deductible reimbursement payment in an amount not to exceed \$200,000.

Summary

The estimated cost of builder's risk insurance purchased by the construction manager at risk (CMAR) is significantly more expensive and the cost would be passed on to the City through the Project. Allowing the City to purchase the insurance will save the City approximately \$400,000.

If the City purchases the builder's risk insurance, the policy will include business interruption coverage, which will protect the City from an interruption of the Airport's revenue stream if a loss prevents operation of the terminal. The CMAR is unable to purchase business interruption coverage on behalf of the City.

Marsh USA has obtained quotes for comparison purposes related to the cost of builder's risk insurance, which includes the additional business interruption coverage. The Finance Risk Management Division has reviewed the quotes and evaluated the coverage, limits, and premium prices.

Financial Impact

Funds to purchase the builder's risk insurance and to pay any required insurance deductible reimbursement are available in the Aviation Capital Improvement Program budget.

Location

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

Responsible Department

This item is submitted by Assistant City Manager Deanna Jonovich and the Aviation and Finance departments.



Agenda Date: 4/17/2019, Item No. 50

Authorization to Apply for Grant Funding for Disaster Recovery Services (Ordinance S-45570)

Request to authorize the Phoenix Municipal Court to apply for \$250,000 from the Arizona Supreme Court administered Municipal Fill the Gap (MFTG) fund to continue funding disaster recovery services. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Court uses disaster recovery services to ensure that information technology systems supporting critical Court processes and services can be recovered within a short period of time in the event of a disaster. Current services include: alternate locations; reserved computer systems; planning; and communication tools in North America from which to recover the Court Management System (CMS) in the event that a disaster makes City and Court owned technology infrastructure inoperable.

Financial Impact

Funds will be made available in the Phoenix Municipal Court Municipal Fill the Gap Fund. 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 utilization of funds pursuant to A.R.S. §12-113. No General Fund dollars will be used.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 51

Security and Access Control Project Request to Issue RFP

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for the Security and Access Control Systems Citywide Replacement Project.

Summary

The Public Works Department manages the Security and Access Control Systems to maintain Citywide facilities and critical infrastructure sites using Lenel Diamond II, Andover Continuum, and Compass Windows Downloader. These systems are used as the platform to provide access control and intrusion detection hardware, software, and badge administration. Both systems are used Citywide to secure facilities and building assets in various locations throughout the City. These security systems are essential to administer service levels to the public, building tenants, contractors, elected officials, and employees.

The City uses multiple security systems to maintain badge access and security controls throughout the City. The current Access Control and Intrusion Detection systems managed by Public Works support approximately 2,224 card readers, 4,122 alarm panels, 15,000 badges, 400 access groups, and 100 time schedules. These systems also link to the parking garage database that is used to support access for employees, fleet vehicles, and a small group of non-City employees including contractors, and Boards and Commission members. These systems are now obsolete with limited system functionality to keep up with ever-growing security needs. In recent years, Public Works has experienced system performance issues and intermittent failures as a result of an aged security infrastructure. The hardware in the current system has been discontinued by the manufacturer and has limited parts availability which results in potential delays for maintenance and service repairs that are required.

Replacement of the existing security and access control systems is vital to safeguard City assets and comply with current industry security requirements. The new system will meet encryption levels set by the Department of Defense and includes the use of smart cards and interactive mapping to improve response times. Moving to a new security system will provide the City a more stable environment and system redundancy.

Procurement Information

A two-phased procurement process is being used to replace the obsolete Security and Access Control Systems as noted:

Phase I- Issuance of the Request for Information process in January 2018 to select product manufacturers for access control and the intrusion detection systems. The evaluation panel recommended Software House and Lenel-United Technologies for Access Control Systems and Honeywell International as the proposed manufacturers for the Intrusion Detection Systems to be used in the RFP.

Phase II- Issuance of the RFP for proposers to design, test, and implement a fully operable, turnkey badge access and security management system. The proposers will provide all professional, technical services including the labor necessary to implement a new replacement system to maintain badge access and security management throughout the City.

The proposal evaluation criteria are approximately 1,000 points and include the following: Preferred Experience, General Requirements, Project Team, Proposed Technical Design, Draft Project Management Plan, Preliminary Schedule, and Pricing Submittal.

Contract Term

The term of the contract is five years to be exercised at the sole discretion of the City.

Financial Impact

Funding for this project is anticipated to come from a variety of sources including but not limited to General funds, Enterprise funds, and other funding sources. Staff will work with the City Manager's Office, the Finance Department and Budget and Research to incorporate the project into a future Capital Improvement Program budget. The total estimated cost for the five-year contract is \$25,000,000.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 52

Authorization for Issuance of Excise Tax-Funded Obligations to Repair or Improve the Phoenix Convention Center and Security Management Access Control Systems (Ordinance S-45548)

An ordinance authorizing the City Manager to cause the issuance of obligations of or by a municipal property corporation, including execution and delivery of one or more ground leases, leases, purchase agreements or financing agreements and the taking of any and all actions necessary or appropriate to finance or reimburse a principal amount not exceeding \$50,000,000 of costs for repairing, renovating and improving a previously constructed City-owned Convention Center and security management access and control systems plus related financing costs. Further authorizing the City Manager to execute and deliver one or more leases, purchase agreements or loan agreements, or supplemental or amended leases, purchase agreements or loan agreements and, if necessary, supplemental or amended ground leases relating to the refunding of principal and interest on all or a portion of the outstanding excise tax revenue obligations; authorizing the issuance of one or more series of excise tax revenue refunding obligations of or by a municipal property corporation or by a private leasing company, in a principal amount sufficient to refund the obligations being refunded plus related financing costs; authorizing a pledge if deemed appropriate, of excise taxes or other lawfully available funds; authorizing the execution and delivery of other appropriate agreements in connection therewith, including but not limited to any official statements and bond purchase agreements and certificates necessary or appropriate for the financing and associated financing costs; authorizing the City Manager to take any and all other necessary or desirable actions in connection with such bonds; and authorizing the City Controller to expend all necessary funds therefor.

Summary

Shoring Wall

The Phoenix Convention Center expansion project was completed in December 2008. The expansion allowed for a future phase to be developed as a contiguous extension of the North Building beneath Washington Street, per the Phoenix Convention Center Master Plan. Accordingly, the lower level exhibition hall of the North Building was constructed with a temporary shoring wall to facilitate a future expansion project to the south. The temporary shoring wall is constructed of steel beams and wood planks and was not intended to remain indefinitely or as a permanent structure. The shoring wall was built in 2006 and is subject to annual inspections and maintenance. The most recent structural inspections indicate that the wall is approaching the end of its useful life and needs to be replaced by a permanent shoring wall solution. This ordinance provides funding to repair, renovate and improve the Convention Center and/or other City facilities, including but not limited to, a replacement for the temporary shoring wall.

Security Management and Access Control Systems

This ordinance may also provide funding for a replacement of the security management and access control systems. These systems provide access control, badge administration and intrusion detection for the downtown campus, Citywide facilities and critical infrastructure sites throughout the City.

Additionally, the ordinance permits the refunding of currently outstanding excise tax obligations.

Concurrence/Previous Council Action

The Phoenix Convention Center Shoring Wall Replacement Project was presented to the Planning and Economic Development Subcommittee on Feb. 5, 2019. Information for the Security Management and Access Control System is included on the April 17, 2019 formal agenda.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 53

Request for Proposals for Redevelopment of Deck Park Vista

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for the redevelopment of Deck Park Vista Apartments into a new mixed-use, mixed-income multifamily rental project, and authorization to begin negotiations with the recommended proposer. There is no impact to the General Fund.

Summary

The Housing Department is seeking approval to proceed with the redevelopment of Deck Park Vista Apartments to address a critical need for affordable and workforce housing in the downtown core. In January 2019, the Community and Economic Development Department presented a comprehensive analysis of multi-family housing in the Central City at the Planning and Economic Development Subcommittee (PED) meeting that revealed a critical need for affordable and workforce housing in the Downtown Core. In February 2019, the Housing Department provided PED with information regarding the opportunity to utilize the City-owned Deck Park Vista property in the Downtown Core to develop up to 436 units of affordable and workforce housing. During the discussion, the Housing Department was provided with direction and asked to return with a recommendation for an RFP.

Deck Park Vista is a 56-unit affordable rental property located on 2 acres at 1125 N. 3rd St. The property falls within the Downtown Core, and is currently zoned under the Downtown Code-Evans Churchill East Character Area, which allows 250 feet in height and a density of 218 dwellings per acre. The Housing Department proposes to demolish the existing structures and develop new multi-family housing that take full advantage of the properties' entitlements. Existing residents will be temporarily relocated, at the Housing Department's expense, and have first right of return to the new development.

Procurement Information

The RFP will be for a Co-Developer to partner with the Housing Department. The Housing Department will maintain ownership of the land to ensure long-term affordability. The RFP will also include the following parameters:

- Development of up to 436 new apartment units.
- Incorporation of 56, Section 8 subsidized units to replace the current senior

housing.

- Affordable units for households at or below 80 percent of Area Median Income.
- Workforce units that are affordable for households at 80 percent to 120 percent of Area Median Income.
- Mixed-use building(s) with commercial on the ground floor.
- Partnership with non-profit to deliver services to residents.
- Design appropriate for Roosevelt Row Arts District and consistent with Evans Churchill East character area.

Proposers will be required to provide detailed information such as unit square footage, number of affordable and workforce units, a mix of bedroom sizes, investment and construction costs, operating pro forma, financing details and project schedules. Staff will retain the ability to reject proposals that do not meet the minimum requirements. In addition, the RFP will require performance benchmarks to ensure timely development of the project. Proposals will be evaluated by a panel that includes City staff and community representatives. Below are the proposed evaluation criteria totaling 1,000 points:

Proposed Development: 0-325 Proposer Qualifications, Experience, and Financing Capacity: 0-250 Project Cost and Leverage Requirements: 0-250 Proposed Project Timeline: 0-175

Staff will negotiate business terms with the recommended proposer. The recommended proposal and business terms will be brought to the PED Subcommittee for review and recommendation, and then to the full City Council for consideration.

Financial Impact

There is no impact to the General Fund.

Concurrence/Previous Council Action

This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on April 2, 2019, by a vote of 4-0.

Location

1125 N. 3rd St. Council District: 8

Responsible Department

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



Agenda Date: 4/17/2019, Item No. *54

ADDITIONAL INFORMATION (SEE ATTACHED MEMO) Affordable Housing Financial Advisory Services (Ordinance S-45562)

Request to authorize the City Manager, or his designee, to enter into contracts with CSG Advisors Incorporated, Economic & Planning Systems, Inc., and Rounds Consulting Group, Inc. to provide financial advisory consulting in affordable housing development, redevelopment, and U.S. Department of Housing and Urban Development programs in various services related to the development of affordable housing and sustainability of housing programs for the Housing Department. Further request authorization for the City Controller to disburse all funds related to his item. There is no impact to the General Fund. Funds will come from federal grant resources.

Summary

The Housing Department will use financial advisory services to evaluate how cities successfully create affordable housing, analyze and assess market conditions, formulate development strategies/tools and implementation plans, affordable housing program strategies and implementation plans, propose and/or create possible financing options and mechanisms, underwriting guidelines, provide developer insights, and create/assist in the creation of additional affordable housing units and/or commercial and retail uses in Phoenix.

Procurement Information

RFP FY19-086-06 Financial Advisory Services was conducted in accordance with Administrative Regulation 3.10. The solicitation was e-mailed to 545 vendors and posted on the City of Phoenix website. Three offers were received by the Housing Department on Feb. 14, 2019.

The proposals were scored by a three-member evaluation committee based on the following criteria: Service Methodology, Organizational Capacity, and Price (1,000 total points possible). The proposers and their scores are as follows:

CSG Advisors Incorporated: 785 Economic & Planning Systems, Inc.: 785 Rounds Consulting Group, Inc.: 740 Staff recommends that the offers from CSG Advisors Incorporated, Economic & Planning Systems, Inc., and Rounds Consulting Group, Inc., be accepted as the highest scored, responsive and responsible offers that are most advantageous to the City. Each of the three contractors offers varying areas of financial and economic expertise and will be utilized based on the individual needs of specific projects.

Contract Term

The contract terms will be for five years, beginning on or about June 1, 2019 and end on May 31, 2024.

Financial Impact

The aggregate contract value will not exceed \$200,000 (including applicable taxes). There is no impact to the General Fund. Funds will come from federal grant resources.

Responsible Department

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



To: Mario Paniagua Deputy City Manager Date: April 16, 2019

Cindy Stotler (55 From: Housing Director

Subject: ITEM 54 ON THE APRIL 17, 2019 FORMAL AGENDA – AFFORDABLE HOUSING FINANCIAL ADVISORY SERVICES (S-45562)

This memo is to provide clarification and additional information on Item 54, Affordable Housing Financial Advisory Services, for the April 17, 2019 Formal Council Meeting.

The Housing Department uses Financial Advisory Services to assist with implementation of new projects and to provide financial sustainability analysis in its Public Housing, Affordable Housing, and Section 8 Housing Choice Voucher Programs. Housing requires professional financial analyses, assessments, and projections to assist with complex redevelopments utilizing federal programs such as Rental Assistance Demonstration (RAD), Choice Neighborhoods, Section 18 dispositions, and Low Income Housing Tax Credits. Housing also uses financial consultants to analyze market conditions and provide rent, cashflow projections, and capital improvement recommendations for its affordable housing portfolio.

The use of Financial Advisory Services ensures the Housing Department follows the latest rules and regulations for new U.S. Department of Housing and Urban Development (HUD) programs and is aware of best practices from across the nation.

Approved:

Mario Daniago

Mario Paniagua, Deputy City Manager

4/16/19

Date



Agenda Date: 4/17/2019, Item No. 55

Loan Federal HOME Funds for Mesquite Terrace Affordable Housing Development (Ordinance S-45571)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to \$950,000 in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Mesquite Terrace Associates, LLC, or a City-approved nominee, for the Mesquite Terrace affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 16, 2018, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 14, 2018. The priorities are: 1) acquisition, rehabilitation, and/or new construction of properties that focus on homeless or special needs populations and that provide appropriate services to assist and sustain these populations; and 2) acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of staff from the City of Phoenix Neighborhood Services and Housing departments, Maricopa County, and Downtown Phoenix, Inc. The proposals were evaluated on a 500-point scale and were scored based on the following evaluation criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

- Mesquite Terrace (Four Corners Development and Catholic Charities): 459 points.
- Avalon Villas (Atlantic Development): 450 points.
- Trellis at Mission (Trellis): 414 points.
- Red Mountain Place Apartments (G.A. Haan Development): 402 points.

- Verano Terrace Apartments (Bethel Development): 388 points.
- Garfield Senior Housing (McCormack Baron Salazar): 304 points.

Based on funding availability, all six projects were recommended for funding.

Mesquite Terrace, located at 5107 and 5045 N. 19th Ave. (District 4), includes the new construction of a 97-unit permanent housing community. Four Corners Development, a for-profit developer and Catholic Charities, a non-profit, through Mesquite Terrace Associates, LLC, requested \$950,000 to assist with this project. All units will serve households with incomes at or below 60 percent of the Area Median Income (AMI) with 10 units set aside for veterans. Supportive services will be provided by Catholic Charities Community Services, Inc. (CCCS) and will include counseling, resident support systems, individual service plans, benefits assistance, life skills classes, connections to childcare and resident referral services. Other proposed funding for this project includes permanent financing, Low Income Housing Tax Credit (LIHTC) equity, and a deferred developer fee.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Financial Impact

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2018 HOME funds, and a forward allocation of 2019 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from ADOH in the 2019 competitive round. Funding is budgeted in the Housing CIP. Loan execution is anticipated for FY 2019-20 and the loan will be paid to the developer over a two-year period.

Public Outreach

All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location

5107 and 5045 N. 19th Ave. Council District: 4

Concurrence/Previous Council Action

This item was recommended for approval at the Planning and Economic Development Subcommittee on April 2, 2019, by a vote of 4-0.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 56

Loan Federal HOME Funds for Avalon Villas Affordable Housing Development (Ordinance S-45575)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to \$1 million in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Corona Partners, LP, or a City-approved nominee, for Avalon Villas affordable housing development project, and to take all actions and execute all documents to complete the Ioan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 16, 2018, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 14, 2018. The priorities are: 1) acquisition, rehabilitation, and/or new construction of properties that focus on homeless or special needs populations and that provide appropriate services to assist and sustain these populations; and 2) acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of staff from the City of Phoenix Neighborhood Services and Housing Departments, Maricopa County, and Downtown Phoenix, Inc. The proposals were evaluated on a 500-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

- Mesquite Terrace (Four Corners Development and Catholic Charities): 459 points.
- Avalon Villas (Atlantic Development): 450 points.
- Trellis at Mission (Trellis): 414 points.
- Red Mountain Place Apartments (G.A. Haan Development): 402 points.

- Verano Terrace Apartments (Bethel Development): 388 points.
- Garfield Senior Housing (McCormack Baron Salazar): 304 points.

Based on funding availability, all six projects were recommended for funding.

Avalon Villas, located at 825 W. Broadway Road (District 7), includes the new construction of a 94-unit permanent housing community. Atlantic Development, a forprofit developer, through Corona Partners, LP, requested \$1 million to assist with this project. All units will serve households with incomes at or below 60 percent of the Area Median Income (AMI) with 11 units serving households at or below 40 percent AMI. Other proposed funding for this project includes permanent financing, Low Income Housing Tax Credit (LIHTC) equity, Federal Home Loan Bank Affordable Housing Program funds, Arizona Department of Housing (ADOH) gap financing, and a deferred developer fee. Supportive services will be provided by Greater Phoenix Urban League (GPUL) and will include housing counseling, financial literacy and counseling, job placement and search assistance, as well as the services of a Resident Services Coordinator who coordinates with outside service agencies to meet the specific needs of the residents.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Financial Impact

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2018 HOME funds, and a forward allocation of 2019 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from ADOH in the 2019 competitive round. Funding is budgeted in the Housing CIP. Loan execution is anticipated for FY 2019-2020 and the loan will be paid to the developer over a two year period.

Public Outreach

All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location

825 W. Broadway Road

Council District: 7

Concurrence/Previous Council Action

This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on April 2, 2019, by a vote of 4-0.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 57

Loan Federal HOME Funds for Trellis at Mission Affordable Housing Development (Ordinance S-45576)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to \$1 million in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Mission Housing, LP, or a City-approved nominee, for Trellis at Mission affordable housing development project, and to take all actions and execute all documents to complete the Ioan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 16, 2018, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 14, 2018. The priorities are: 1) acquisition, rehabilitation, and/or new construction of properties that focus on homeless or special needs populations and that provide appropriate services to assist and sustain these populations; and 2) acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of staff from the City of Phoenix Neighborhood Services and Housing Departments, Maricopa County, and Downtown Phoenix, Inc. The proposals were evaluated on a 500-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

- Mesquite Terrace (Four Corners Development and Catholic Charities): 459 points.
- Avalon Villas (Atlantic Development): 450 points.
- Trellis at Mission (Trellis): 414 points.
- Red Mountain Place Apartments (G.A. Haan Development): 402 points.

- Verano Terrace Apartments (Bethel Development): 388 points.
- Garfield Senior Housing (McCormack Baron Salazar): 304 points.

Based on funding availability, all six projects were recommended for funding.

Trellis at Mission, located at 619 W. Mission Lane (District 3), includes the new construction of a 40-unit permanent housing community. Trellis, a nonprofit CHDO, through Mission Housing, LP, requested \$1 million to assist with this project. All units will serve households with incomes at or below 60 percent of the Area Median Income (AMI) with 11 units serving households at or below 40 percent AMI. Supportive services will be provided by Trellis and Native American Connections and will include case management services, peer support groups, socialization opportunities, life skills classes, credit counseling, budgeting, and financial goal setting. Other proposed funding for this project includes permanent financing and Low Income Housing Tax Credit (LIHTC) equity.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Financial Impact

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2018 HOME funds, and a forward allocation of 2019 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from ADOH in the 2019 competitive round. Funding is budgeted in the Housing CIP. Loan execution is anticipated for FY 2019-2020 and the loan will be paid to the developer over a two-year period.

Public Outreach

All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location

619 W. Mission Lane Council District: 3

Concurrence/Previous Council Action

This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on April 2, 2019, by a vote of 4-0.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 58

Loan Federal HOME Funds for Red Mountain Place Apartments Affordable Housing Development (Ordinance S-45577)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to \$500,000 in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Red Mountain Place Apartments, LLC, or a City-approved nominee, for Red Mountain Place Apartments affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 16, 2018, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 14, 2018. The priorities are: 1) acquisition, rehabilitation, and/or new construction of properties that focus on homeless or special needs populations and that provide appropriate services to assist and sustain these populations; and 2) acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of staff from the City of Phoenix Neighborhood Services and Housing Departments, Maricopa County, and Downtown Phoenix, Inc. The proposals were evaluated on a 500-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

- Mesquite Terrace (Four Corners Development and Catholic Charities): 459 points.
- Avalon Villas (Atlantic Development): 450 points.
- Trellis at Mission (Trellis): 414 points.
- Red Mountain Place Apartments (G.A. Haan Development): 402 points.

- Verano Terrace Apartments (Bethel Development): 388 points.
- Garfield Senior Housing (McCormack Baron Salazar): 304 points.

Based on funding availability, all six projects were recommended for funding.

Red Mountain Place Apartments, located at 913 N. 32nd St. (District 8), includes the new construction of a 50-unit permanent housing community. G.A. Haan Development, LLC, a for-profit developer, through Red Mountain Place Apartments, LLC, requested \$500,000 to assist with this project. All units will serve persons with incomes at or below 60 percent of the Area Median Income (AMI) with four units serving households at or below 40 percent AMI. Supportive services will be provided by Who I am Foundation, an organization that provides employment services, financial management, tutoring, and computer training. Other proposed funding for this project includes permanent financing, Low Income Housing Tax Credit (LIHTC) equity, and a deferred developer fee.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Financial Impact

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2018 HOME funds, and a forward allocation of 2019 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from ADOH in the 2019 competitive round. Funding is budgeted in the Housing CIP. Loan execution is anticipated for FY 2019-2020 and the loan will be paid to the developer over a two-year period.

Public Outreach

All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location

913 N. 32nd St. Council District: 8

Concurrence/Previous Council Action

This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on April 2, 2019, by a vote of 4-0.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 59

Loan Federal HOME Funds for Verano Terrace Apartments Affordable Housing Development (Ordinance S-45578)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to \$1 million in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Verano Housing, LLC, or a City-approved nominee, for the Verano Terrace Apartments affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 16, 2018, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 14, 2018. The priorities are: 1) acquisition, rehabilitation, and/or new construction of properties that focus on homeless or special needs populations and that provide appropriate services to assist and sustain these populations; and 2) acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of staff from the City of Phoenix Neighborhood Services and Housing Departments, Maricopa County, and Downtown Phoenix, Inc. The proposals were evaluated on a 500-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

- Mesquite Terrace (Four Corners Development and Catholic Charities): 459 points.
- Avalon Villas (Atlantic Development): 450 points.
- Trellis at Mission (Trellis): 414 points.
- Red Mountain Place Apartments (G.A. Haan Development): 402 points.

- Verano Terrace Apartments (Bethel Development): 388 points.
- Garfield Senior Housing (McCormack Baron Salazar): 304 points.

Based on funding availability, all six projects were recommended for funding.

Verano Terrace Apartments, located at 1320 W. Indian School Road (District 4), includes the new construction of a 88-unit permanent housing community. Bethel Development, Inc., a for-profit developer, through Verano Housing, LLC, requested \$1 million to assist with this project. All units will serve households with incomes at or below 60 percent of the Area Median Income (AMI) with 11 units serving persons with disabilities. Supportive services will be provided to increase life skills, self-determination, and residential stability. Other proposed funding for this project includes permanent financing, developer equity, Low Income Housing Tax Credit (LIHTC) equity, and a deferred developer fee.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Financial Impact

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2018 HOME funds, and a forward allocation of 2019 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from ADOH in the 2019 competitive round. Funding is budgeted in the Housing CIP. Loan execution is anticipated for FY 2019-2020 and the loan will be paid to the developer over a two-year period.

Public Outreach

All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location

1320 W. Indian School Road Council District: 4

Concurrence/Previous Council Action

This item was recommended for approval at the Planning and Economic Development

Subcommittee meeting on April 2, 2019, by a vote of 4-0.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 60

Loan Federal HOME Funds for Garfield Senior Housing Affordable Housing Development (Ordinance S-45579)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to \$1 million in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with MBA Urban Development Company, or a City-approved nominee, for the Garfield Senior Housing affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 16, 2018, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 14, 2018. The priorities are: 1) acquisition, rehabilitation, and/or new construction of properties that focus on homeless or special needs populations and that provide appropriate services to assist and sustain these populations; and 2) acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of staff from the City of Phoenix Neighborhood Services and Housing Departments, Maricopa County, and Downtown Phoenix, Inc. The proposals were evaluated on a 500-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

- Mesquite Terrace (Four Corners Development and Catholic Charities): 459 points.
- Avalon Villas (Atlantic Development): 450 points.
- Trellis at Mission (Trellis): 414 points.
- Red Mountain Place Apartments (G.A. Haan Development): 402 points.

- Verano Terrace Apartments (Bethel Development): 388 points.
- Garfield Senior Housing (McCormack Baron Salazar): 304 points.

Based on funding availability, all six projects were recommended for funding.

Garfield Senior Housing, located at 1510 E. Portland St. (District 8), includes the new construction of a 90-unit senior housing community. McCormack Baron Salazar, a for-profit developer, through MBA Urban Development, Co., requested \$1 million to assist with this project. All units will serve persons with incomes at or below 60 percent of the Area Median Income (AMI) with six units serving households at or below 40 percent AMI. Supportive services were not indicated in this application. Other proposed funding for this project includes permanent financing, Arizona Department of Housing (ADOH) gap financing, seller carryback note, and Low Income Housing Tax Credit (LIHTC) equity.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Financial Impact

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2018 HOME funds and a forward allocation of 2019 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from ADOH in the 2019 competitive round. Funding is budgeted in the Housing CIP. Loan execution is anticipated for FY 2019-20 and the loan will be paid to the developer over a two-year period.

Public Outreach

All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location 1510 E. Portland St. Council District: 8

Concurrence/Previous Council Action

This item was recommended for approval at the Planning and Economic Development

Subcommittee meeting on April 2, 2019, by a vote of 4-0.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 61

On-Call Environmental Review Services - Contract Award (Ordinance S-45581)

Request to authorize the City Manager, or his designee, to enter into contracts with Archaeological Consulting Services, LTD., Environmental Compliance Group, Inc., SWCA, Incorporated, Transcon Environmental Inc., and Westland Resources, Inc., to provide on-call environmental assessment and review services for the Housing and Neighborhood Services departments. Further request authorization for the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

These contracts will provide environmental services mandated under a variety of environmental statutes, executive orders, and regulations under the U.S. Department of Housing and Urban Development (HUD) National Environmental Policy Act (NEPA) review guidelines. Duties would include completing environmental assessments and/or site-specific reviews of City-administered, HUD-funded projects to determine their impact on the environment and to document compliance with applicable authorities. HUD NEPA guidelines include, but are not limited to: historic properties, archaeological resources, air quality, endangered species, floodplain hazards, environmental justice, noise mitigation, above-ground explosion and flammability hazards, socioeconomic impacts, and other environmental criterion on projects.

Procurement Information

RFP FY19-086-04 was conducted in accordance with Administration Regulations 3.10. The solicitation was e-mailed to 1,112 vendors and posted on the City of Phoenix website. Five offers were received by the Housing Department on Jan. 30, 2019.

The proposals were scored by a four-member evaluation committee based on the following criteria: Organizational Experience and Capacity; Local and HUD NEPA Environmental Experience; Quality Control; Cost; and Overall Quality, Responsiveness, and References. The proposers were as follows:

Archaeological Consulting Services, LTD. Environmental Compliance Group, Inc. SWCA, Inc. Transcon Environmental, Inc. Westland Resources, Inc.

All offers were responsive and responsible, and staff recommends entering into agreements with all proposers.

Contract Term

The initial one-year contract term shall begin on or about May 1, 2019 and end on April 30, 2020. Provisions of the contract includes an option to extend the term up to four additional years (April 30, 2024) which may be exercised at the discretion of the City Manager or designee.

Financial Impact

The aggregate contract values including all option years will not exceed \$800,000 (including applicable taxes). The Housing Department will be using federal funds and the Neighborhood Services Department will be using federal, state and local grant funds, therefore there is no impact to the General Fund.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Housing and Neighborhood Services departments.



Agenda Date: 4/17/2019, Item No. 62

Amend Contract and Authorize Funding for Contract with Childhelp, Inc. (Ordinance S-45544)

Request to authorize the City Manager, or his designee, to amend the term of Contract 141124 with Childhelp, Inc. The contract term shall be amended to begin July 1, 2015 through June 30, 2021, with one five-year option to extend through June 30, 2026. Further request authorization to exercise the option to extend contract through June 30, 2026 for a total of 11 years and authorize funding in an amount not to exceed, \$200,000 annually or \$2.2 million in aggregate and for the City Controller to disburse all funds related to this item for the life of the contract.

Summary

The City of Phoenix Human Services Department provides and supports a continuum of services to assist vulnerable individuals and families who have been victimized by crime. Services for victims, such as emergency assistance, safety, and other critical services are important components in the comprehensive system of care. The partnership with Childhelp, Inc. is a fundamental part of this process. This funding supports the provision of multiple services for child victims, such as advocacy, forensic exams, forensic interviews, and therapy at the City of Phoenix Family Advocacy Center.

There have been two amendments since approval of the initial contract in June 2015. The first amendment in June 2016 (Ordinance S-42648) authorized exercising the three one-year extensions. The second amendment in September 2016 (Ordinance S-42850) authorized changing the contract terms to align with the lease agreement between Childhelp, Inc. and the City of Phoenix Family Advocacy Center. This report requests a technical amendment to correct the beginning contract date in Ordinance S -42850 and authorize additional funding through June 30, 2026.

Technical Amendment

The second amendment (Ordinance S-42850) amended the term of the agreement to a five-year term with one five-year option to extend for an initial term beginning July 1, 2016. The initial term beginning date should be July 1, 2015 and should be a six-year term with one five year option to extend through June 30, 2026.

Additional Funding

Authorize additional funding in the amount of \$1.4 million to fund the remainder of the approved contract term through June 30, 2026. The \$1.4 million is comprised of (a) \$1 million for the five-year contract extension option, (b) \$200,000 excluded in the first amendment (Ordinance S-42648) due to the incorrect contract aggregate amount of \$600,000 authorized. The aggregate amount should have reflected \$800,000 (c) \$200,000 to address the second (Ordinance S-42850) which reflected an incorrect contract term beginning date of July 1, 2016.

Contract Term

The initial term of the contract shall be six years with one five-year option if executed, beginning July 1, 2015 through June 30, 2026, for a total of 11 years.

Concurrence/Previous Council Action

The City Council previously authorized (Ordinance S-42648) funding through June 30, 2019 in the aggregate amount of \$600,000. The City Council (Ordinance S-42850) authorized a change in the contract term to begin July 1, 2016 through June 30, 2026 to align with the termination date of the lease with Childhelp, Inc.

Financial Impact

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

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 63

2018-19 CDBG Neighborhood Revitalization Program - Contract Award (Ordinance S-45560)

Request to authorize the City Manager, or his designee, to enter into contract with Ability360 to provide home accessibility modification services for low-income physically disabled residents of Phoenix through the Community Development Block Grant (CDBG) Neighborhood Revitalization program. Further request authorization for the City Controller to disburse up to \$75,000.

Summary

The Council-approved FY2018-19 Annual Action Plan, which outlined broad activity areas for CDBG funding across the City of Phoenix, included an allocation for the Neighborhood Revitalization program. The purpose of this program is to deliver grant funding to non-profit organizations that provide home accessibility modification services for low-income physically disabled residents of Phoenix. On Dec. 5, 2018, City Council approved the FY2018-19 Neighborhood Revitalization Program Request for Proposal (RFP) process.

Procurement Information

A RFP was advertised in the Arizona Business Gazette and available for download on Dec. 10, 2018. RFP respondents were required to be established non-profit Arizona corporations at the time proposals were submitted, and to provide programs and services that primarily benefit low- and moderate-income residents of Phoenix. One proposal was received from Ability360. A review committee comprised of City staff evaluated the proposal using the following criteria (40 total points possible):

- Work Plan: 10 points.
- Outcomes: 10 points.
- Budget: 10 points.
- Experience: 10 points.

Per the review committee, Ability360 met the RFP criteria of providing home accessibility modification services, including widening doors and installing ramps and grab bars, for low-income physically disabled Phoenix residents.

Contract Term

The contract term is for a 12-month period beginning June 1, 2019.

Financial Impact

This program is funded by Community Development Block Grant funds; no General Funds are required.

Concurrence

This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on March 13, 2019, by a vote of 4-0.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Neighborhood Services Department.



Agenda Date: 4/17/2019, Item No. 64

Lease and Development Agreements for Phoenix Central Station at 300 N. Central Ave. (Ordinance S-45566)

Request to authorize the City Manager, or his designee, to enter into a development agreement, ground lease, easements and other agreements as necessary (collectively, the Agreements) with Electric Red Ventures, LLC, a wholly owned subsidiary of Medistar Corporation or its City-approved designee (Developer), for a transit-oriented development project at the City-owned Public Transit Phoenix Central Station transit center, located at 300 N. Central Ave. (Site).

Summary

On April 18, 2018, City Council authorized release of the Central Station Request for Proposals (RFP) to lease and redevelop the Site. Staff worked with various City, transit and community stakeholders to seek input on this solicitation, and included their feedback in developing the RFP requirements and evaluation criteria.

The RFP was issued on June 25, 2018 with proposals due in September 2018. The City received four proposals, one of which was deemed non-responsive. The three responsive proposals were evaluated by a panel comprised of representatives from the City's Citizens Transportation Commission, Downtown Voices Coalition, the development community, and City staff from the Public Transit, Planning and Development, and Community and Economic Development departments on Oct. 8, 2018. Electric Red Ventures, LLC was the recommended proposer and the panel recommended proceeding with negotiations.

The proposed project submitted by the Developer includes two towers, replacement of the transit center, underground parking and amenities. The first tower is a 30-story high-rise tower with 300 apartments, a 150-room Intercontinental Hotel and 35,000 square feet (SF) of office space on the southeast portion of the Site. A second tower is an 18-story tower that includes student housing and 9,000 SF of space for the replacement of the current Public Transit Department office space on the west side of the Site. The project features 45,000 SF of ground floor restaurant, retail and grocery uses. Both towers sit on top of three floors of underground parking. The total project features approximately 1.1 million SF of development with an estimated investment of \$231 million (Project).

The Developer has agreed to retain features of the transit center, including the Polk Street alignment and the bus drive aisle through the Site from Van Buren Street to the Polk Street alignment. The Developer has also agreed to improve the pedestrian and transit user access throughout the Site by designing a porous ground floor with multiple access points and walkable, pedestrian-oriented corridors. The proposed design allows for all current bus and light rail routes, or any proposed changes approved by the Public Transit Department, to be retained on site after construction, and an interim construction plan is being negotiated with the Developer to minimize bus and light rail impacts.

Subject to City Council approval, the following major business terms have been negotiated with the Developer and will be implemented through the Agreements:

- Developer will enter into agreements with the City within eight months of City Council authorization.
- Developer will commence construction within 24 months of City Council authorization.
- Developer will complete construction within 42 months of the construction commencement.
- Developer will enter into a 99-year ground lease with the City and make annual rent payments to the City.
- Developer will provide a 9,000 SF Public Transit office with at least 3,000 SF on the ground floor.
- Developer will replace bus bays after construction and mitigate impacts to light rail operations during construction.

The Agreements will include other terms and conditions as the City Manager or his designee determine are necessary or appropriate to implement the contracts. All deadlines for performance benchmarks can be modified at the City's sole discretion.

In addition, due to the use of federal funds disbursed by the Federal Transit Administration (FTA) for the property and construction of Central Station, all Agreements are subject to the review and approval of the FTA.

Financial Impact

The Project will have no financial impact to the General Fund. The Project will generate annual lease revenue dedicated to transit operations per the FTA, beginning upon completion of construction.

Concurrence/Previous Council Action

This item was recommended for approval by the Citizens Transportation Commission on Dec. 13, 2018 by a vote of 12-0, and at the Aviation and Transportation Subcommittee meeting on March 26, 2019, by a vote of 3-0.

This item was heard for information and discussion at the Planning and Economic Development Subcommittee meeting on April 2, 2019.

Public Outreach

Staff presented details of the Project to several adjacent property owners, and to the Downtown Voices Coalition on Nov. 10, 2018, the Downtown Neighborhood Alliance on Nov. 13, 2018, the Evans Churchill Community Association on Nov. 14, 2018, the Roosevelt Action Association on Nov. 20, 2018, and the Phoenix Community Alliance Multi-Modal Subcommittee on Nov. 27, 2018.

Location

300 N. Central Ave. Council District: 7

Responsible Department

This item is submitted by Assistant City Manager Deanna Jonovich, Deputy City Manager Mario Paniagua, and the Community and Economic Development and Public Transit departments.



Agenda Date: 4/17/2019, Item No. 65

Authorization to Enter Into a Development Agreement with JAG Development, LLC and Studio Ma, Inc. for the Sale and Development of City-Owned Property at 36 W. Holly St. and 42 W. Holly St. (Ordinance S-45580)

Request to authorize City Manager, or his designee, to enter into a development agreement, and other agreements as necessary (Agreements), with JAG Development, LLC and Studio Ma, Inc., or its City-approved designee, (Developer) for the sale and development of City-owned property located at 36 W. Holly St. and 42 W. Holly St. (Site). The sale of the Site will generate a one-time \$250,000 sales proceed to the City. Further request authorization for the City Treasurer to accept funds related to this item.

Summary

In 2006, the Human Services Department purchased the approximately 24,000 square foot Site, located in Midtown Phoenix near the Willo Neighborhood, as part of the acquisition of the Central Avenue office building, home to the Family Advocacy Center and Childhelp, for the future development of parking. Parking is the only permitted use of the Site under the existing zoning. The need for parking has not materialized and, in April 2018, the Community and Economic Development Department (CEDD) issued the Holly Street Parcels Sale and Development Request for Proposals (RFP) seeking proposals to develop the Site.

Five proposals were received, all of which were responsive. On July 25, 2018, an evaluation panel interviewed all five proposers and selected the Developer as the recommended proposer.

The Developer has agreed to purchase the Site for \$250,000, which is above the \$242,000 minimum purchase price listed in the RFP, and redevelop the Site with eight, two-story, single family attached homes. This project, located on the north side of Holly Street between Central and 1st avenues, will activate a vacant lot that serves as a transition between the Historic Willo Neighborhood to the west and the intense commercial and multifamily uses along Central Avenue. The proposal will also bring new residents to Midtown and supports the goals of the Midtown Transit-Oriented Development (TOD) Policy Plan. Furthermore, this project will put the 0.55-acre Site back into private ownership, which will generate net new property tax revenues.

Rezoning will be required, and the Developer has agreed to comply with the recommendations of the Midtown TOD Policy Plan to rezone the property to the Walkable Urban Code. Title for the Site will transfer upon approval of zoning that allows the use, and issuance and receipt of payment for building permits.

Two unsuccessful proposers protested the award recommendation. In both cases, the CEDD Director upheld the award recommendation.

Financial Impact

The sale of the Site will generate a one-time \$250,000 sales proceed to the City.

Concurrence/Previous Council Action

This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on April 2, 2019, by a vote of 4-0.

Public Outreach

Staff presented this proposal to the Willo Neighborhood Association on Jan. 10, 2019 and the Midtown Neighborhood Association on Feb. 20, 2019.

Location

36 W. Holly St. and 42 W. Holly St. Council District: 4

Responsible Department

This item is submitted by Assistant City Manager Deanna Jonovich and the Community and Economic Development and Human Services departments.



Agenda Date: 4/17/2019, Item No. 66

Amend Disposition and Development Agreement with Amstar McKinley, LLC (Ordinance S-45582)

Request to authorize the City Manager, or his designee, to amend City Contract 143058 with Amstar/McKinley, LLC (Developer) to amend terms pertaining to the project completion date. There is no impact to the General Fund by this action.

Summary

Staff entered into a Disposition and Development Agreement (DDA), City Contract 143058, with the Developer for the construction of a 19-story, 211-unit micro-apartment tower called 'The Derby' (Project) at 800 N. 2nd St. The business terms of the DDA with the Developer include a 25-year lease with eight years of property tax abatement under GPLET. Developer started construction in April 2017, but stopped work due to litigation filed against it from a neighboring business. Developer has informed staff that it has resolved litigation pertinent to the Project and wishes to move forward with construction.

The DDA currently calls for construction completion in March 2020, which was 36 months from the original commencement of construction, which is not feasible. In order to facilitate completion of construction, the following amendment to the DDA will allow the project to restart the construction period:

1. Extend the Construction Completion date by 36 months.

All other terms and conditions of the DDA shall remain in full force and effect.

Financial Impact

There is no impact to the General Fund by this action.

Concurrence/Previous Council Action

City Council originally approved the project through Ordinance S-42353 on March 3, 2016.

Location

800 N. 2nd St. Council District: 7

Responsible Department

This item is submitted by Assistant City Manager Deanna Jonovich and the Community and Economic Development Department.



Agenda Date: 4/17/2019, Item No. 67

Foreign-Trade Zone Application for Nikola Motor Corporation Coolidge Site (Resolution 21737)

Request to authorize the City Manager, or his designee, to submit a Minor Boundary Modification application to the Foreign-Trade Zones Board of the U.S. Department of Commerce for Nikola Motor Corporation (Nikola), a Delaware corporation. Also, request authorization to enter into a Foreign-Trade Zone (FTZ) Operations Agreement (Agreement) and any other necessary documentation with Nikola or City-approved nominee, and to enter into an Intergovernmental Agreement (IGA) with the City of Coolidge. Further request authorization for the City Treasurer to accept funds related to this item.

Summary

The City of Phoenix, as Grantee of FTZ No. 75, has the right and authority to apply for FTZ site designations. Nikola Motor Corporation manufactures hydrogen fuel cell powered semi-trucks with long-haul capability. Nikola has requested an FTZ Subzone designation for property it owns at the northwest corner of Houser and Vail Roads in Coolidge, Ariz., where it plans to construct a one million square foot vehicle manufacturing facility. The proposed Subzone site includes approximately 400 acres.

The City of Coolidge has provided to the City of Phoenix a Resolution indicating their support of Nikola's FTZ application for the site in Coolidge. With Council authorization, the City of Phoenix will enter into an IGA with the City of Coolidge to evidence conditions of Coolidge's support of the subzone application and outline the cities' responsibilities to one another.

City staff will prepare an Operations Agreement with Nikola requiring the company to:

- Comply with U.S. Department of Commerce Foreign-Trade Zones Board standards.
- Maintain record keeping satisfactory to the U.S. Customs and Border Protection.
- Obtain business bonding and insurance satisfactory to the City and the U.S. Customs and Border Protection.
- Indemnify the City against claims arising from their FTZ operations.
- Pay to the City all fees pursuant to the current zone fee schedule.

The Agreements will contain other terms and conditions deemed necessary or appropriate.

Contract Term

The term of the agreement, if approved, will be for 20 years unless the FTZ designation terminates sooner. Provisions of the contract may include an option to extend for as long as the FTZ designation exists which may be exercised by the City Manager or his designee.

Financial Impact

The City will incur no costs associated with Nikola's application.

Location

Northwest corner of Houser and Vail Roads, Coolidge, Ariz. Council District: Out of City

Responsible Department

This item is submitted by Assistant City Manager Deanna Jonovich and the Community and Economic Development Department.



Agenda Date: 4/17/2019, Item No. 68

Foreign-Trade Zone Application for Nikola Motor Corporation Phoenix Site (Resolution 21738)

Request to authorize the City Manager, or his designee, to submit a Minor Boundary Modification application to the Foreign-Trade Zones Board of the U.S. Department of Commerce for Nikola Motor Corporation (Nikola), a Delaware corporation, and to support property tax reclassification for activated Foreign-Trade Zones from property tax class one with a tax assessment ratio of 18 percent, to property tax class six with a tax assessment ratio of five percent pursuant to Arizona law (A.R.S. 42-12006). Also, request authorization to enter into a Foreign-Trade Zone (FTZ) Operations Agreement (Agreement) and any other necessary documentation with Nikola, or City-approved nominee. Further request authorization for the City Treasurer to accept funds related to this item.

Summary

The City of Phoenix, as Grantee of FTZ No. 75, has the right and authority to apply for FTZ site designations. Nikola Motor Corporation manufactures hydrogen fuel cell powered semi-trucks with long-haul capability. Nikola has requested an FTZ Subzone designation for property it leases and is currently improving located at 4141 E. Broadway Road, where it plans to conduct light manufacturing and assembly, research and development, engineering, and headquarters functions. The proposed FTZ site consists of approximately 10.55 acres with one building of approximately 150,000 square feet.

Property tax support letters have been provided to the City from the following applicable tax jurisdictions: Tempe Elementary School District, Maricopa Community Colleges, Central Arizona Project, and Maricopa County. Support letters are pending from the following applicable tax jurisdictions: Tempe Union High School, East Valley Institute of Technology, and Maricopa Integrated Health System.

City staff will prepare an Operations Agreement with Nikola requiring the company to:

- Comply with U.S. Department of Commerce Foreign-Trade Zones Board standards.
- Maintain record keeping satisfactory to the U.S. Customs and Border Protection.
- Obtain business bonding and insurance satisfactory to the City and the U.S. Customs and Border Protection.

- Indemnify the City against claims arising from their FTZ operations.
- Pay to the City all fees pursuant to the current zone fee schedule.

The Agreements will contain other terms and conditions deemed necessary or appropriate.

Contract Term

The term of the Agreement, if approved, will be for 20 years unless the FTZ designation terminates sooner. Provisions of the contract may include an option to extend for as long as the FTZ designation exists which may be exercised by the City Manager or his designee.

Financial Impact

The City will incur no costs associated with Nikola's application; however, the property may be reclassified to a lower tax rate once Nikola successfully activates the FTZ.

Location

4141 E. Broadway Road Council District: 8

Responsible Department

This item is submitted by Assistant City Manager Deanna Jonovich and the Community and Economic Development Department.



Agenda Date: 4/17/2019, Item No. *69

REQUEST TO WITHDRAW (SEE ATTACHED MEMO) Phoenix Convention Center Ticketing Services - Requirements Contract - RCS 19-001 (Ordinance S-45569)

Request to authorize the City Manager, or his designee, to enter into contract with TicketForce, LLC for Ticketing Services at the Phoenix Convention Center. The five-year aggregate value of the contract will not exceed \$650,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. This is a revenue contract anticipated to generate approximately \$1,250,000 over the life of the contract.

Summary

The Phoenix Convention Center Department's (PCCD) ticketing program is a key component of overall operations, with the Ticket Office selling approximately 125,000 tickets per year. Services under the contract include providing expertise and the latest ticketing technology, in addition to ticket distribution, management of automated ticket distribution services, software, installation of network computers and field devices, training, data conversion, support and implementation. The contractor provides ticketing services for events at the PCCD, Symphony Hall and Orpheum Theatre.

Procurement Information

The revenue contract solicitation (RCS) was issued Dec. 27, 2018, with responses due Feb. 8, 2019. The procurement was conducted in accordance with Administrative Regulation 3.10. Two firms attended the pre-proposal conference. Two responses were received and were reviewed for minimum qualifications, and all responses were found to be responsive and responsible. Panel members evaluated the responses based on the following criteria established in the RCS:

Proposed Plan for Ticketing Services (250 points)
Firm History and Experience (200 points)
Cost Proposal (Revenue Sharing and Equipment) (300 points)
Internal Control (150 points)
Customer Service (100 points)

The evaluation panel recommendations were reached by consensus in consideration

of the above criteria and the panel is recommending award to TicketForce, LLC. The results of the evaluation panel scoring are as follows:

#1 TicketForce, LLC: 830 points (out of a possible 1,000)#2 SquadUp, Inc: 309.40 points (out of a possible 1,000)

The City Transparency policy is in effect until the resultant Agreement from this RCS is awarded.

Contract Term

The contract term is for five years covering June 1, 2019, through June 30, 2024, with no extension options.

Financial Impact

This is a revenue-generating contract and is anticipated to result in approximately \$1,250,000 in revenue over the life of the contract. Expenses over the life of the contract for services associated with the ticket program are anticipated not to exceed \$650,000. Funds are available in the Phoenix Convention Center operating fund.

Public Outreach

The RCS was advertised on the City of Phoenix website, the Arizona Business Gazette and International Association of Venue Managers (IAVM) weekly electronic publication.

Responsible Department

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



Date: April 15, 2019

To: Milton Dohoney Jr. Assistant City Manager

From: John Chan Phoenix Convention Center Director

Subject: REQUEST TO WITHDRAW ITEM (69) FROM THE FORMAL COUNCIL MEETING FOR THE PHOENIX CONVENTION CENTER DEPARTMENT FROM THE 4/17/19 COUNCIL AGENDA

Item (69) is an ordinance requesting authorization to award an agreement to TicketForce, LLC to provide ticketing services to the Phoenix Convention Center Department.

Staff recommends withdrawing Item (69) from the April 17, 2019 from the formal council meeting as a discrepancy was discovered in the contract terms.

Approved: istant City Manager



Agenda Date: 4/17/2019, Item No. *70

REVISED ITEM (SEE ATTACHED MEMO) Request Up-Front Fee for Police Public Records Requests (Ordinance S-45574)

Request authorization for the City Manager, or his designee, to allow the Police Department's Code Enforcement Unit to implement a \$5 up-front fee for all public records requests that are received by the Police Department through the new web-based portal and in person at the public records facility.

Summary

In 2016, the Police Department's Code Enforcement Unit participated in an AdvancePhx Kaizen project that developed solutions to improve customer service, including streamlining processes and implementing new technology. Under the new process, all Police public records can be requested in person at the public records facility or via a web-based portal that is tentatively scheduled to be operational in May 2019. The web-based portal will be configured with forms designed specifically for each type of records request and will include a shopping cart experience that will require and accept payment for each item requested at the time of submittal. The requested \$5 up-front fee is to initiate the processing of a request. However, the current per-page fee of \$0.24 will remain in place for all requested reports. Therefore, if a processed request does not exceed 21 pages, the customer will receive a refund. Additional fees for audio/video/photo/911 CDs and photographs will require staff to route an invoice to the requester via the web-based portal or to collect when these items are requested in person.

When public records are requested in person at the public records facility, the \$5 upfront fee will apply except for the following:

1. A report that is readily available and can be immediately processed will be charged the per page fee.

2. A request submitted in person with a "view-only" option will not be charged unless a printed report is requested.

3. A request from a victim will result in the charge being waived in accordance with A.R.S. § 39-127.

The City Auditor Department completed a Public Records Fee review to assist the Police Department in determining a fair, up-front fee for Police public records that are

requested via the portal or in person. The City Auditor Department researched 14 other local agencies and identified up-front fees averaging \$6.42, with a median rate of \$5. The cities of Chandler, Mesa, Scottsdale and Tempe all advertise a \$5 up-front fee for police records based on a number of specified pages.

The benefits of a \$5 up-front fee will be to improve customer service with quicker turnaround times, establish a more efficient submission, reduce the number of citizen complaints, improve public record request specificity and reduce the number of unclaimed public records requests.

Financial Impact

There is no financial impact associated with this item.

Concurrence/Previous Council Action

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

Responsible Department

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



Date: April 15, 2019

To: Milton Dohoney, Jr. Assistant City Manager

From: For Jeri Williams JK. Police Chief

Subject: CORRECTION TO ITEM 70 – REQUEST UP-FRONT FEE FOR POLICE PUBLIC RECORDS REQUESTS (Ordinance S-45574)

This memo is to clarify that in the Concurrence/Previous Council Action portion of the report for Item 70, it states the item was unanimously approved by the Public Safety and Veterans Subcommittee at the March 13, 2019 meeting. The item was actually approved by a vote of 3 - 1 at the listed meeting.

Milton Dohoney Jr., Assistant City Manager



Agenda Date: 4/17/2019, Item No. 71

Police Department Training System Upgrade and Extended Warranty -Requirements Contract - RFA 19-105 (Ordinance S-45561)

Request to authorize the City Manager, or his designee, to enter into a contract with Table Mountain Group, LLC, dba TI Training LE, LLC to provide TI Training Upgrade and Extended Warranty to the Police Department in the amount not to exceed \$115,500. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Police Department Training Bureau, Firearms Training Detail utilizes TI Training's Use of Force Simulators for mandatory annual decision-making testing. The Arizona Peace Officer Standards and Training Board (POST) mandates all police recruits be required to complete the testing on this system in order to graduate from the Police Academy, as well as testing annually for all sworn personnel.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Special Circumstance Without Competition Determination Memo citing Table Mountain Group, LLC, dba TI Training LE, LLC as the vendor who can provide the upgrade and warranty for the system the Police Department is currently utilizing. A Special Circumstance Without Competition Determination Memo was completed and approved by the Deputy Finance Director recommending the procurement with Table Mountain Group, LLC, dba TI Training LE, LLC be accepted.

Contract Term

The five year contract will begin on or about May 1, 2019 and end on or about April 30, 2024.

Financial Impact

The expenditures against this contract shall not exceed the aggregate amount of \$115,500. 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.



Agenda Date: 4/17/2019, Item No. 72

(CONTINUED FROM APRIL 3, 2019) - Water Services Department Small Valve Replacement Program - Job Order Contracting Services - 4108JOC168 -WS85500400 (Ordinance S-45495)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors to provide Citywide Small Valve Replacement Job Order Contracting (JOC) services for the Water Services Department. Further request to authorize execution of amendments to the agreement(s) as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$22.5 million for each master agreement.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services 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 JOC contractors' services will be used on an as-needed basis to provide citywide valve replacement Job Order Contracting (JOC) services to remove and replace water valves 16 inches and smaller, assess repairs, prepare the site for repairs, backfill, compact, restore landscape and hardscape, perform temporary and/or final street pavement, inspect faulty mechanisms and secure the appropriate parts, and follow all Maricopa Association of Governments (MAG), City of Phoenix Supplement to MAG Specifications and Details, and Water Services Department Design Guidelines required to perform this work. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

Selections were made using a qualifications-based selection process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-604(H), the City may not publicly release information on proposals received

or the scoring results until an agreement is awarded. Four firms submitted proposals and are listed below:

<u>Selected Firms</u> Rank 1: Professional Piping Systems, LLC (DBA WaCo Contracting) Rank 2: Achen-Gardner Construction, LLC

Additional Proposers Rank 3: FPS Civil, LLC Rank 4: DCS Contracting, Inc.

Contract Term

The term of each master agreement is for up to five years, or up to \$22.5 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact

The master agreement values for each of the JOC contractors will not exceed \$22.5 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed \$45 million.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under these master agreements for up to \$4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department, and the City Engineer.



To: Karen Peters Deputy City Manager Date: March 29, 2019

- From: Kathryn Sorensen KS Water Services Department Director
- Subject: CONTINUANCE REQUEST- ITEM 75 Water Services Department Small Valve Replacement Program - Job Order Contracting Services - 4108JOC168 -WS85500400 (Ordinance S-45495) ON THE APRIL 3, 2019 FORMAL AGENDA

This memo requests the continuance of the following items on the April 3, 2019 Formal Agenda – Water Services Department Small Valve Replacement Program - Job Order Contracting Services - 4108JOC168 - WS85500400 (Ordinance S-45495).

Staff is requesting the continuance to April 17, 2019 to allow additional clarification on the capital improvement projects.

Approved:

Karen Peters, Deputy City Manager



Agenda Date: 4/17/2019, Item No. 73

REQUEST TO WITHDRAW (SEE ATTACHED MEMO) (CONTINUED FROM APRIL 3, 2019) - Remote Facilities General Construction - Job Order Contracting Services - 4108JOC173 (Ordinance S-45500)

Request to authorize the City Manager, or his designee, to enter into a master agreement with Felix Construction Company, to provide Remote Facilities General Construction Job Order Contracting (JOC) services for the Water Services Department. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$45 million.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services 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

Felix Construction Company's services will be used on an as-needed basis to provide remote facilities general construction services. Additionally, Felix Construction Company will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

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

Selected Firm

Rank 1: Felix Construction Company

Additional Proposers Rank 2: Hunter Contracting Co. Rank 3: J.R. Filanc Construction Company, Inc. Rank 4: MGC Contractors, Inc. Rank 5: Mortenson Construction Rank 6: Archer Western Construction, LLC

Contract Term

The term of the master agreement is for up to five years, or up to \$45 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact

The master agreement value for Felix Construction Company will not exceed \$45 million, including all subcontractor and reimbursable costs.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under this master agreement for up to \$4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department, and the City Engineer.



Date: April 11, 2019

To: Karen Peters Deputy City Manager

From: Kathryn Sorensen Water Services Department Director

Subject: REQUEST TO WITHDRAW ITEM 73 FROM THE APRIL 17, 2019 FORMAL AGENDA

Request to withdraw Item 73, (CONTINUED FROM APRIL 3, 2019) – Remote Facilities General Construction – Job Order Contracting Services – 4108JOC173 (Ordinance S-45500) from the April 17, 2019 Formal agenda in order to further research and review the contract.

Approved by:

Toni Maccarone



Date: March 29, 2019

To: Karen Peters Deputy City Manager

- From: Kathryn Sorensen
- Subject: CONTINUANCE REQUEST- ITEM 77 Water Remote Facilities General Construction - Job Order Contracting Services – 4108JOC173 ON THE APRIL 3, 2019 FORMAL AGENDA

This memo requests the continuance of the following items on the April 3, 2019 Formal Agenda – Water Remote Facilities General Construction - Job Order Contracting Services – 4108JOC173.

Staff is requesting the continuance to April 17, 2019 to allow additional clarification on the capital improvement projects.

Approved:

Karen Peters, Deputy City Manager

Date



Agenda Date: 4/17/2019, Item No. 74

Request to Evaluate Advancing the Capitol / I-10 West Phase II Light Rail Extension

Request City Council to direct staff to analyze the Transportation 2050 (T2050) Plan, evaluate funding and develop options to potentially advance the construction and opening of the Capitol / I-10 West Phase II light rail extension currently scheduled to open in 2030. Additionally, staff should review the options with the community for input at public meetings, present the options and public input to the Citizens Transportation Commission, and return to the Council in May 2019.

Summary

On April 4, 2019, Council members Felicita Mendoza, Michael Nowakowski and Thelda Williams sent a letter to the City Manager requesting an item be placed on the April 17, 2019 Council Formal agenda to direct staff to evaluate advancing the Capitol / I-10 West Phase II light rail extension based on analysis of the Transportation 2050 Plan, community input at public meetings, and discussion with the Citizens Transportation Commission. The letter also requests the analysis and public input/vetting process be conducted in time to return to the Council in May 2019 (**Attachment A**).

The Capitol / I-10 West light rail extension is a planned T2050 project approved by voters in Proposition 104 that extends the existing rail system approximately 10 miles from downtown Phoenix to 79th Avenue where there is an existing park-and-ride. The project is currently divided into two phases. The first phase extends the existing light rail line from downtown Phoenix to the State Capitol. Phase II extends light rail from the Capitol to 79th Avenue and is currently scheduled to be operational in 2030.

Responsible Department

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



OFFICE OF THE CITY COUNCIL

FELICITA MENDOZA COUNCILWOMAN DISTRICT 8 602-262-7493 Fax: 602-495-0587 council.district.8@phoenix.gov

April 4, 2019

Ed Zuercher City Manager City of Phoenix 200 West Washington St. 12th Floor Phoenix, AZ 85003

Dear Ed,

West Phoenix needs improved transit infrastructure that truly serves the needs of our communities. The opening of the planned I-10 West light rail extension to 79th Avenue will make a significant difference in meeting the transportation needs of West Phoenix residents. The current plan for that line to open in 2030 is far too long to wait to address those needs. Furthermore, the City already invested millions of dollars in that plan when it was delayed in 2016. It is essential that the City develop and implement a plan for that extension to be constructed and open sooner.

This letter requests an item be added to the April 17th, 2019 Formal Agenda to 1) direct staff to analyze the Transportation 2050 Plan and 2) develop options for the Council to consider regarding advancing the construction of the I-10 West Phase II light rail extension. Staff should review the options with the community in public meetings, present the options along with public input to the Citizen Transportation Commission, and return to Council for discussion and action in May 2019. Staff should look at all possible funding options including financing, repurposing local and regional funds, and any other changes that would help advance this project.

Sincerely,

MILA Mill Chelda Dilliame

Councilwoman Felicita Mendoza Councilman Michael Nowakowski Councilwoman Thelda Williams

200 W. Washington St., 11th Floor, Phoenix, Arizona 85003-1611 • phoenix.gov/district8

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Agenda Date: 4/17/2019, Item No. 75

North/South Transit Facilities Fixed Route Services

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for the fixed route (bus) transit services operated from the City-owned North and South transit facilities for a contract period beginning July 1, 2020.

Summary

Since July 1, 2015, Transdev Services, Inc. has provided the City with fixed route transit services operated from the North and South facilities under a fixed cost contract model. The contract, which is set to expire on June 30, 2020, comprises about 70 percent of Phoenix's bus service, and has a current estimated value of \$440 million. Public Transit Department staff is currently developing an RFP for a future contractor to be determined as the result of the competitive procurement process.

The North Transit Facility is located at 2010 W. Desert Cove Drive and houses transit fleet vehicles, as well as facilities for the contractor to utilize for administration and operations including: vehicle maintenance, facility maintenance, bus fueling, a bus wash and multiple vehicle maintenance bays. The recently refurbished South Transit Facility is located at 2225 W. Lower Buckeye Road and serves as the contractor's administrative offices, in addition to operations, and also includes safety and training rooms, facilities for vehicle maintenance, and bus and road supervisor dispatching.

There are currently 134 transit vehicles assigned to the North Transit Facility, and 211 transit vehicles assigned to the South Transit Facility. The joint fleet provides service on 36 routes throughout the region, comprising approximately 15.2 million revenue (service) miles per year. The routes operated from both facilities consist of 30 local and circulator routes and six RAPID routes. Currently, this contract provides service to an average of two million passengers per month.

Routes operated under the current contract include some of the region's busiest, including Route 19 (19th Avenue), Route 35 (35th Avenue), Route 50 (Camelback Road), and Route 70 (24th Street/Glendale Avenue). The current contractor employs approximately 980 local staff to operate, maintain and administer this contract on behalf of the City.

Procurement Information

The contract will be fixed price (cost per revenue mile) for a five-year term beginning July 1, 2020, with two additional one-year options to extend at the City's discretion. The total seven-year contract term provides known costs as Phoenix continues implementing the T2050 plan, and allows the contractor to spread fixed and capital costs over a longer period, which results in lower cost proposals to the City. The twoyear extension option will be exercised only if it is in the City's best interest to do so and the contractor has performed satisfactorily during the five-year base period.

The RFP will include performance standards and monetary assessments based on performance data from the past three calendar years. These contract provisions will be implemented in accordance with the Federal Transit Administration (FTA) guidelines.

The RFP will contain evaluation criteria and processes, as well as a transparency in lobbying clause. The RFP criteria will focus on the following areas, with a maximum of 1,000 possible points, mirroring the recent process utilized for procuring similar services operated from the City's West Transit Facility:

- Qualifications, expertise and experience (250 points)
- Proposed management and personnel (150 points)
- Understanding of work scope and transition plan (200 points)
- Cost (400 points)

A tentative procurement schedule is shown below:

- July 2019: RFP released
- August 2019: Proposals due
- September 2019: Panel evaluations
- October 2019: Best and final offers due
- October 2019: Award recommendation
- July 1, 2020: Contract start date

Financial Impact

The resultant contract will be funded with T2050 and federal funds.

Concurrence/Previous Council Action

• On Feb. 28, 2019, the Citizens Transportation Commission recommended approval of this item by a vote of 11-0.

• This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on March 26, 2019, by a vote of 3-0.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 76

Operations Control Center and Data Collection Services

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for Phoenix's bus Operations Control Center and data collection services for a contract period beginning July 1, 2020.

Summary

Since July 1, 2015, Transdev Services, Inc. has provided the City with OCC and data collection services under a fixed cost contract model. The primary function of the OCC is to manage Phoenix's fixed route (bus) transit fleet using the regional computer aided dispatch/automatic vehicle locator (CAD/AVL) system. In addition, the OCC provides several regional transit administrative and operational functions, including: transit data collection, transit system monitoring and reporting, creating public service and bus stop announcements, farebox collection reporting, providing CAD/AVL system training to regional agencies, and developing operational reports specific to regional transit providers' agreements with their respective transit service providers. The current contract is valued at approximately \$8 million and expires June 30, 2020.

The OCC's data collection function serves to collect operational data for route planning and National Transit Database (NTD) Program reporting. Ridership data gathered as a result of the OCC's data collection function is provided to the Federal Transit Administration's (FTA) NTD program for use in appropriating FTA funds. Other functions performed by the OCC include: providing notification of real-time incidents to transit stakeholders (City staff, service-provider staffs, in-field road supervisors); serving as the primary contact for requests from public safety departments; investigating incidents for City staff, local police departments, Valley Metro (VM) customer service and transit operations contractor personnel; and coordinating bus bridging for the light rail system during service outages.

The OCC manages Phoenix bus operations including 48 routes and over 22 million revenue service miles per year. On a monthly basis, the OCC responds to over 3,000 phone calls from bus operations and maintenance staffs, the Phoenix Police and Fire Departments, and VM customer service personnel; and over 65,000 radio calls and text messages directly from bus operators. There are currently 21 OCC employees.

Procurement Information

The contract will have a fixed price for a five-year term beginning July 1, 2020, with two additional one-year options to extend at the City's discretion. The total seven-year contract term provides known costs as Phoenix continues implementing the T2050 plan, and allows the contractor to spread fixed and capital costs over a longer period, resulting in lower cost proposals to the City. The two-year extension options will be exercised only if it is in the City's best interest to do so and the contractor has performed satisfactorily during the five-year base period.

PTD staff is currently developing an RFP for a future contractor to be determined as the result of the competitive procurement process. The RFP will include performance standards and monetary assessments based on performance data from the past three calendar years.

The RFP will contain evaluation criteria and processes, as well as a transparency in lobbying clause. The RFP criteria will focus on the following areas, with a maximum of 1,000 possible points:

- Qualifications, expertise and experience (250 points)
- Proposed management and personnel (150 points)
- Understanding of work scope and transition plan (200 points)
- Cost (400 points)

A tentative procurement schedule is shown below:

- July 2019: RFP released
- August 2019: Proposals due
- September 2019: Panel evaluations
- October 2019: Best and final offers due
- October 2019: Award recommendation
- July 1, 2020: Contract start date

Financial Impact

The contract will be funded with T2050 funds.

Concurrence/Previous Council Action

• On Feb. 28, 2019, the Citizens Transportation Commission recommended approval of this item by a vote of 11-0.

• This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on March 26, 2019, by a vote of 3-0.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 77

Authorization to Apply for and Accept Federal Transit Administration Grant Funds and Enter Into Grant Agreement (Ordinance S-45567)

Request to authorize the City Manager, or his designee, to: (1) submit applications for Federal Transit Administration (FTA) grant assistance; (2) enter into agreements with the FTA for the purpose of accepting awarded grants; and (3) enter into agreements with other agencies receiving a share of the FTA grant funds as pass-through monies from the City of Phoenix; and, authorizing the City Treasurer to receive and the City Controller to disburse grant funds in accordance with the terms of the aforementioned grants and agreements.

Summary

The City of Phoenix is the designated recipient of FTA grant funds for the Phoenix-Mesa Urbanized Area (UZA). As such, the City of Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region. All projects are in the MAG-approved Transportation Improvement Program and in the ADOTapproved State Transportation Improvement Program. The funds will be provided to Valley Metro Rail, Inc. for the Gilbert Road Light Rail Extension.

Financial Impact

There is no financial impact to the City as the funds will be passed through to Valley Metro Rail, Inc. The total grant funds in the application is \$51,007,760, and the total federal amount by fund type is:

- Federal Congestion Mitigation and Air Quality Improvement Program (CMAQ) transferred from the Federal Highway Administration to FTA for capital projects: \$9.5 million.
- Surface Transportation Block Grant Program (STBGP) funds transferred from the Federal Highway Administration to FTA for capital projects: \$41,507,760.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 78

One-Time Purchase of Skid Steer and Wheel Loaders (Ordinance S-45550)

Request to authorize the City Manager, or his designee, to enter into a contract with Bingham Equipment Company for the purchase of six Bobcat Skid Steer Loaders and two Kubota Articulated Wheel Loaders for the Aviation, Street Transportation, Water Services, and Public Works departments. This contract will have a one-time expenditure of \$462,906. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department seeks to purchase eight new loaders for various departments. The Aviation Department will receive one wheel loader for landscaping and cleaning outdoor areas at Phoenix Sky Harbor International Airport. The Street Transportation Department will receive four skid steer loaders for maintenance of asphalt, concrete, and street drainage. The Water Services Department will receive one skid steer loader to maintain, clean and service the Deer Valley Water Treatment Plant. The Public Works Department will receive one rear loader to collect and load refuse material, and one skid steer loader to move green waste and other materials at the 27th Avenue Transfer Station.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Determination Memo for alternative competition to use cooperative agreement ADSPO18-202735, Landscape & Utility Vehicles, Trailers & Equipment awarded by the State of Arizona that began on May 8, 2018.

Contract Term

This contract will begin upon City Council approval, for the one-time purchase of eight loaders.

Financial Impact

Expenditures will not exceed \$462,906 over the life of the contract. Funds are available in the Aviation, Street Transportation, Water Services, and Public Works departments' budgets.

Responsible Department

This item is submitted by Assistant City Manager Deanna Jonovich and Deputy City Managers Mario Paniagua and Karen Peters, and the Aviation, Street Transportation, Water Services, and Public Works departments.



Agenda Date: 4/17/2019, Item No. 79

Fire Alarm & Suppression Systems Maintenance and Repairs (Ordinance S-45554)

Request to authorize the City Manager, or his designee, to allow additional expenditures and agreement extension with American Fire Equipment Sales & Services, Desert Fire Services, Intelligrated Communications, Inc, RCI Systems, Inc., Summit Fire Protection Company for Fire Alarm and Suppression Systems Maintenance and Repair services for the Public Works and Water Services departments. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The agreements with American Fire Equipment Sales & Services, Desert Fire Services, Intelligrated Communications, Inc, RCI Systems, Inc., Summit Fire Protection Company are used for testing, inspecting and repairs of fire & life safety systems for Citywide buildings. The additional funds and contract extension will allow the Public Works Department sufficient time to solicit a new contract.

Contract Term

Each contract extension will begin May 1, 2019 and end April 30, 2020.

Financial Impact

The additional funds will not exceed \$900,000, and the aggregate of all contracts will not exceed \$3,400,000. Funds are available in the Public Works and Water Services departments' budgets.

Concurrence/Previous Council Action

This contract is the result of IFB 14-124 awarded by Formal Council Action on May 7, 2014. Contract 138282 American Fire Equipment Sales & Services, Contract 138284 Desert Fire Services, Contract 138281 Intelligrated Communications, Inc, Contract 138283 RCI Systems, Inc., Contract 138286 Summit Fire Protection Company.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 80

Authorization to Accept Funds for Recyclables Processed for the City of Avondale, City of Prescott and Maricopa County (Ordinance S-45572)

Request to authorize the City Manager, or his designee, to amend Intergovernmental Agreement (IGA) 143194 with the City of Avondale, 136240 with the City of Prescott and 138048 with Maricopa County to charge a processing fee for recyclables delivered to the City of Phoenix Material Recovery Facilities. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

Currently, the City of Phoenix contracts with ReCommunity Corporation to operate, process and sell all recyclables at two City-owned Material Recovery Facilities (MRFs). In addition to the recyclables delivered to these facilities from Phoenix residents, these facilities receive recycling materials from neighboring jurisdictions. With the changing market conditions, the Public Works Department requests to charge a processing fee for recyclables brought to City MRFs from other jurisdictions. This amendment will authorize the City of Phoenix to charge a processing fee to the City of Avondale, City of Prescott and Maricopa County for recycling tonnage brought to and processed at the two City MRFs. The processing fee will vary depending on market conditions and the weight of the recycling tonnage brought to the facilities.

Concurrence/Previous Council Action

• Authorization to enter into an IGA with the City of Avondale was approved by City Council on June 22, 2016.

• Authorization to enter into an IGA with the City of Prescott was approved by City Council on June 5, 2013.

• Authorization to enter into an IGA with Maricopa County was approved by City Council on Nov. 20, 2013.

Location

North Gateway Material Recovery Facility, 30205 N. Black Canyon Hwy. Council District: 2

27th Avenue Material Recovery Facility, 3060 S. 27th Ave. Council District: 8

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 81

Lift Station 40 Force Main Rehabilitation - Engineering Services - WS90501000 (Ordinance S-45540)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC to provide Engineering Services that include construction administration and inspection (CA&I) services for the Lift Station 40 Force Main Rehabilitation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$1.2 million.

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

Summary

The purpose of this project is to oversee replacement or rehabilitation of Barrel 1 force main and portions of Barrels 2 and 3 at Lift Station 40. These pipes are in poor condition and have significant deterioration.

Wilson Engineers, LLC's services include, but are not limited to: providing oversight of project construction activities, inspecting the site through various stages of construction, reviewing contractor work submittals, and performing field inspections where required for completed repairs.

Procurement Information

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

<u>Selected Firm</u> Rank 1: Wilson Engineers, LLC

<u>Additional Proposers</u> Rank 2: HDR Engineering, Inc. Rank 3: Consultant Engineering, Inc.

Contract Term

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

Financial Impact

The agreement value for Wilson Engineers, LLC will not exceed \$1.2 million, including all subconsultant and reimbursable costs.

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

Location

South side of Interstate 10 and Ray Road Council District: 6

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department, and the City Engineer.



Agenda Date: 4/17/2019, Item No. 82

Telecommunications Services and Interstate Telecommunications Services License with WANRack, LLC (Ordinance S-45542)

Request to authorize the City Manager, or his designee, to execute a nonexclusive, revocable license with WANRack, LLC to construct, install, operate, maintain, and use the Public Highways in the City of Phoenix in order to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of-way in the City subject to the terms and conditions contained in the license and Phoenix City Code. Also request that the Licensee sign the license within 60 days of Council action or this authorization will expire. There is no cost to the City for this license.

Summary

The license will be for a period of five years, contain appropriate insurance and indemnification provisions, require a performance bond and a security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

Contract Term

The request is for a five-year Telecommunications Services and Interstate Telecommunications Services License.

Financial Impact

There is no cost to the City. Licensee will pay an annual fee based on a formula using linear footage and the Consumer Price Index.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 83

Wastewater Facilities Process Control Improvements - Job Order Contracting Services - 4108JOC172 (Ordinance S-45549)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors to provide Wastewater Facilities Process Control Improvements Job Order Contracting (JOC) services for the Water Services Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$25 million for each master agreement.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services 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 JOC contractors' services will be used on an as-needed basis to provide Wastewater Facilities Process Control Improvement services for installation/replacement of instrumentation equipment, programming remote terminal units, other equipment as required, emergency repairs, pre/post construction services and engineering services as required. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

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

<u>Selected Firms</u> Rank 1: Felix Construction Company Rank 2: Ludvik Electric Co.

<u>Additional Proposers</u> Rank 3: K&F Electric, Inc. Rank 4: Hunter Contracting Co. Rank 5: Rosendin Electric

Contract Term

The term of each master agreement is for up to five years, or up to \$25 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact

The master agreement values for each of the JOC contractors will not exceed \$25 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed \$50 million.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under these master agreements for up to \$4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department, and the City Engineer.



Agenda Date: 4/17/2019, Item No. 84

Sub-Regional Operating Group (SROG) 91st Avenue Wastewater Treatment Plant Pipe/Equipment Coating - Engineering Services - WS90100093 (Ordinance S-45551)

Request to authorize the City Manager, or his designee, to enter into an agreement with RFI Consultants, LLC to provide Engineering Services for the 91st Avenue Wastewater Treatment Plant Pipe/Equipment Coating project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$500,000.

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

Summary

The purpose of this project is for rehabilitation and replacement of existing protective coatings on wastewater infrastructure at the 91st Avenue Wastewater Treatment Plant. Equipment, pipes, manholes, and various other process structures at the plant require coatings to help protect the infrastructure from the harsh wastewater environment. In order for these coatings to be effective they require routine maintenance. The continual upkeep of protective coatings enhances and extends the life of the infrastructure.

RFI Consultants, LLC's services include, but are not limited to: evaluation of coating systems; testing of existing coatings and substrates; coating failure analysis; specification review and document preparation for selected coating systems; cost estimates; train staff in coating applications; working in a confined space in conformance with OSHA; local laws and standards; construction administration; inspection and testing services.

The 91st Avenue Wastewater Treatment Plant is owned by the Sub-Regional Operating Group and operated by the City of Phoenix.

Procurement Information

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

<u>Selected Firm</u> Rank 1: RFI Consultants, LLC

Contract Term

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

Financial Impact

The agreement value for RFI Consultants, LLC will not exceed \$500,000, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action

The Sub-Regional Operating Group Advisors (SROG) authorized the project on Sept. 21, 2017 for funding in fiscal year 2018-2019.

Location

5615 S. 91st Ave. Council District: 7

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department, and the City Engineer.



Agenda Date: 4/17/2019, Item No. 85

Salt River Project Property Use License for 27th Avenue and Olney Avenue Storm Drain Project (Ordinance S-45557)

Request to authorize the City Manager, or his designee, to enter into a property use license with Salt River Project (SRP). The license will allow the City access across the Western (Telegraph) Canal for construction and maintenance of two proposed retention basins on the east side of 23rd Avenue north of Olney Avenue. There is no financial impact to the City of Phoenix.

Summary

The City, in partnership with the Flood Control District of Maricopa County (FCDMC) is undertaking the 27th Avenue and Olney Avenue Storm Drain Project to alleviate flooding problems within major washes north of Olney Avenue and east of 27th and 23rd Avenues. Construction and maintenance of two proposed retention basins for the project will require crossing the Western (Telegraph) Canal. The license will allow the City access to the sites.

Indemnification

The SRP license agreement includes authorization pursuant to Phoenix City Code section 42-20 to indemnify, release and hold harmless SRP for: (A) acts or omissions of the City, its agents, officers, directors or employees; (B) the City's use of occupancy of the licensed property for 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.

Contract Term

Term of the license is not to exceed 25 years (April 2044), once executed.

Financial Impact

There is no financial impact to the City of Phoenix.

Concurrence/Previous Council Action

An Intergovernmental Agreement with the FCDMC for the 27th Avenue and Olney Avenue Storm Drain Project (S-44314) was approved at the March 7, 2018 Formal Council Meeting, and amended by City Council on March 20, 2019 (S-45471).

Acquisition of real property for 27th Avenue and Olney Avenue Storm Drain Project (S-44898) was approved at the July 5, 2018 Formal Council Meeting.

Location

East side of 23rd Avenue north of Olney Avenue. Council District: 8

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Karen Peters, and the Street Transportation and Public Works departments.



Agenda Date: 4/17/2019, Item No. 86

Authorization to Apply for and Accept Federal Funding for Transportation Projects in Federal Fiscal Years 2023 and 2024 (Ordinance S-45583)

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into agreements for federal transportation funding through a statewide call for projects in coordination with the Maricopa Association of Governments (MAG) and the Arizona Department of Transportation (ADOT). The funding supports road and pedestrian safety improvement projects with the goal of reducing injury collisions and fatalities. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item. If the applications are approved, the City would be required to contribute \$2.06 million in local matching funds to receive and use \$5.5 million in federal funding.

Summary

ADOT is partnering with MAG to review Highway Safety Improvement Program (HSIP) Applications for Federal Fiscal Years 2023 and 2024. Recommended projects will be forwarded to ADOT in May to compete for statewide HSIP funds. Projects will be selected by ADOT based on criteria established in the Revised ADOT HSIP Manual. ADOT has \$39.6 million of HSIP funding available in each federal fiscal year to award. Through a statewide competitive review and scoring process, only the projects with the highest ranking will be approved.

The Street Transportation Department will submit three competitive applications under this call for projects. The applications include the following:

- Improving negative offsets at intersections with a goal of reducing left turn collisions.
- Installing HAWKS, also known as pedestrian crossing signals, at mid-block locations with a goal of improving pedestrian safety.
- Installing street lights along roadway corridors with a goal of improving nighttime visibility for pedestrians and vehicular traffic to address nighttime pedestrian/vehicle collisions.

The current statewide process for HSIP federal transportation funding allows the awarded dollars to be used for those elements of a project that directly impact safety

and can be used only for construction. The maximum federal participation rate is 94.3 percent of the total construction cost. Local agencies are required to provide 5.7 percent of local funding for construction.

Financial Impact

If all three HSIP applications are approved, the City would be required to contribute \$2.06 million in local matching funds to receive and use \$5.5 million in federal funding. Funding is available in the Street Transportation Capital Improvement Program.

Responsible Department

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



Agenda Date: 4/17/2019, Item No. 87

Water Services Department Miser Supervisory Control and Data Acquisition System Support Services (Ordinance S-45541)

Request to authorize the City Manager, or his designee, to add additional funding in the amount of \$16,276 through June 26, 2022, for Contract 145518 with HSQ Technology, for provision of maintenance and support services for the Water Services Department's (WSD) Miser Supervisory Control and Data Acquisition (SCADA) System. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The WSD requires additional funding to maintain support services via the telephone for the SCADA system. The SCADA system monitors and controls the process of water distribution at WSD remote facilities.

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

Contract Term

The contract term is effective through June 26, 2022.

Financial Impact

The additional funds will not exceed \$16,276. The aggregate contract value will not exceed \$64,676.

Concurrence/Previous Council Action

The City Council approved Ordinance S-42627 on June 15, 2016, in the amount of \$48,400, for maintenance and support services from HSQ.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



Agenda Date: 4/17/2019, Item No. 88

Testing and Monitoring Equipment Parts and Maintenance (Ordinance S-45545)

Request to authorize the City Manager, or his designee, to enter into a contract with Hach Company for testing and monitoring equipment parts and maintenance for the Water Services Department (WSD). The aggregate value will not exceed \$364,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The WSD's Environmental Services Division uses Hach Company instruments to perform a multitude of analytical tests and to gather online data to ensure compliance with Federal, State and Local regulations. This contract will provide for the necessary maintenance of this critical equipment.

Procurement Information

Under Phoenix City Code section 43-11(d) and the City's Administrative Regulation 3.10, the competitive procurement process was waived as a result of a Determination Memo citing Hach Company as the sole source provider for this equipment and services. Hach Company does not certify other vendors to supply or maintain its proprietary equipment.

WSD requests a waiver from the Phoenix City Code section 42-18(C) because Hach Company seeks to restrict the standard indemnification terms. Hach Company will only agree to defend and indemnify the City for liability arising out of Hach Company's sole negligent or willful acts. If the City Council approves this waiver, allegations of wrongdoing against the City or third party will require the City to defend and resolve any litigation itself.

Contract Term

The contract term is for three years and three months effective from April 1, 2019, through June 30, 2022.

Financial Impact

The aggregate value of the contract is not to exceed \$364,000. Funding for this contract is available in the WSD's operating budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



Agenda Date: 4/17/2019, Item No. 89

HVAC Maintenance and Repair Services (Ordinance S-45546)

Request to authorize the City Manager, or his designee, to add additional funds in the amount of \$2,000,000 for 10 contracts which supply HVAC maintenance and repairs for the Water Services Department (WSD) and Public Works Department (PWD). Further request authorization for the City Controller to disburse all funds related to this item.

Summary

In July 2018, the facilities management responsibility of WSD's assets transferred from the Public Works Department to the Water Services Department for self reporting and operations. WSD's assessment of the 2,000 HVAC units resulted in the proactive repair of approximately 70 percent of the units and replacement of 10 HVAC units that were subject to failure. Additional funding is needed to continue to maintain the units for the final four years of the HVAC contracts.

Contract Term

Each contract was awarded for a one-year term on July 1, 2018, with four one-year options to extend. The maximum term is five years, extending from July 1, 2018 through June 30, 2023.

Financial Impact

The additional funds will not exceed \$2,000,000, and the aggregate of all contracts will not exceed \$6,525,000.

Concurrence/Previous Council Action

The City Council approved the award of 10 contracts on March 7, 2018. The following Contractors are identified in Ordinance S-44312:

- 1. 147162 Adobe Insulation, Inc., d/b/a Adobe Energy Management Company.
- 2. 147161 United Technologies, Inc., d/b/a Unit-Tech.
- 3. 147165 Artic Air Heating and Cooling, Inc.
- 4. 147157 Service Pros Plumbing Heating and Cooling Inc.
- 5. 147155 Patriot Mechanical, LLC.
- 6. 147156 Pueblo Mechanical, LLC.

7. 147163 HACI Services, LLC.
 8. 147164 Chiller Services, Inc., FN.
 9. 147158 Sysko Services, LLC.
 10.147159 Trane U.S., Inc.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



Agenda Date: 4/17/2019, Item No. 90

Modular Aluminum Panel System (MAPS) - Trench Safety (Ordinance S-45564)

Request to authorize the City Manager, or his designee, to purchase a Modular Aluminum Panel System (MAPS) for the Water Services Department (WSD) to be used for protective trenching, from Trench Shore Rentals, in the amount of \$12,901.84. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Modular Aluminum Panel System (MAPS) is an adjustable, personnel protection device specifically designed and engineered to provide excavation safety protection for utility workers. This engineered system will allow the personnel to adequately respond to routine, emergency and critical excavations while providing safe working conditions for staff during repairs and maintenance of sanitary sewer systems. These systems are manufactured in full compliance with all applicable Occupational Safety and Health (OSHA) regulations which require this equipment for protection and safety of workers performing labor during excavations.

Procurement Information

A Request for Quotes was conducted in accordance with Phoenix City Code 43-11.D and 43-40. The Request for Quotes was sent to three vendors and three responses were received.

#1 United Rentals Trench Safety:	\$23,758.64
#2 National Trench Safety:	\$15,049.56
#3 Trench Shore Rentals:	\$12,901.84

The WSD Director recommends the offer from Trench Shore Rentals be accepted as the best value and most advantageous to the City.

Contract Term

This is a one-time purchase.

Financial Impact

One-time purchase in the amount of \$12,901.84.

Location

The MAPS excavation protective system will be used as needed throughout the City's 540 square miles service territory covered by the Water Services Department.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Service Department.



Agenda Date: 4/17/2019, Item No. 91

Agreements for 2019 Lower Colorado Region Water Conservation Field Services Grant, in Conjunction with Arizona State University (Ordinance S-45568)

Request to authorize the City Manager, or his designee, to apply for and, if awarded, accept and enter into agreements for the 2019 Lower Colorado Region Water Conservation Field Services Program in an amount up to \$100,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, any grant monies awarded.

Summary

Water Services Department (WSD) staff are seeking City Council authorization to submit an application to the "Lower Colorado Region Water Conservation Field Services Program (WCFSP) Financial Assistance for Fiscal Year 2019" funding opportunity.

The WCFSP grant, which is funded through the United States Interior Department Bureau of Reclamation (USBR), could provide up to \$100,000 and requires a dollar-for -dollar match from a non-federal source. The application deadline is April 26, 2019. Staff's intention is to use the funds for a pilot project to determine the efficacy of waterabsorbing polymers (known as "hydrogel") in conserving potable water used for irrigation and in reducing turf watering costs.

Manufactured and installed by a Fresno, CA firm known as Aqua Cents Water Management, LLC, (ACWM) the emulsified polymers are injected underground and one study reported a roughly 45 percent water savings (Bennett, G. & Downs, J. [2015]. Quantifying water savings and sustained results using Aqua Cents® hydrogels injected below the root zone of existing turf).

WSD would conduct the \$200,000 pilot by obtaining a \$100,000 USBR grant (federal portion) and sourcing the remainder (non-federal match) from \$50,000 in department CIP funds and \$50,000 from partner Arizona State University (ASU). The total project cost is based upon an installation cost of 38 cents/square foot for 522,720 square feet (12 acres) of turf.

The pilot will be performed on 12 acres of existing soccer fields near ASU-West in Phoenix. The City owns almost seven of these acres while ASU owns the rest; combined, they currently consume roughly 11 million gallons (34 acre-feet) of water/year at a cost of approximately \$63,500. At a 40 percent reduction, 4.4 million gallons (13.5 acre-feet) of water and \$25,400, per year, will be saved. Moreover, the hydrogel lasts for five to seven years based on a conservative 5-year life cycle, which can result in saving 22 million gallons (67.5 acre-feet) of water at a value of \$127,000.

To date, the polymers have primarily been studied at several public universities in California. WSD and ASU seek to understand the benefits of deploying the hydrogel in the context of our local ambient temperatures, soil conditions and water quality. If the pilot produces positive results, WSD and ASU will encourage additional water conservation though the use of this technology. Watering of large turf areas in Phoenix consumes a significant portion of our water supplies each year: savings in this water-use sector has the potential to increase stored water volumes and reduce operating costs.

Contract Term

The grant application is due on April 26, 2019 and awards are anticipated in September of this year. The grant allows two years to complete the installation. A contract with ACWM will be for two years and an agreement with ASU will be for five years. This authorization is only for the grant application. WSD staff will seek Council authorization for any subsequent contracts if the grant application is successful.

Financial Impact

If awarded the grant, a one-time expense of \$50,000 would be incurred in FY 2019-20. Funding is available in the Water Services Department's Capital Improvement Program budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



Agenda Date: 4/17/2019, Item No. 92

Purchase of Stormwater Push Camera - RFQ-1819-WES-154 (Ordinance S-45573)

Request to authorize the City Manager, or his designee, to enter into a contract with Haaker Equipment Company to provide a stormwater push camera including a twoyear warranty (labor, parts and shipping) for the Water Services Department -Stormwater Division effective May 1, 2019. The total requested amount for approval is \$32,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City is seeking a five-year contract for a stormwater push camera, which includes labor, parts and shipping. A push camera is one of the tools used to inspect storm drains and identify illegal flows and connections. The City of Phoenix has a Municipal Separate Storm Sewer System (MS4) Permit issued by the Arizona Department of Environmental Quality (ADEQ), which authorizes discharge of stormwater to receiving waters. One of the permit requirements is to manage an Illicit Discharge Detention and Elimination (IDDE) program, to find and eliminate sources of illegal discharges to the MS4. The Water Services Department's current push camera has reached its life expectancy and needs to be replaced.

Procurement Information

Solicitation RFQ-1819-WES-154 was conducted in accordance with Administrative Regulation 3.10. Two quotes were received. One was from Haaker Equipment Company and the other from All Safe Industries, Inc. All Safe's push camera was found to be unable to withstand extension/retraction forces and is only intended to maneuver through small horizontal pipes.

Haaker's quote met the needs of the City and matched the Scope of Work requirements. Reference checks were conducted and the vendor received high praise from other government agencies that have used its services. The quote price for Haaker Equipment Co. is as follows:

Stormwater Push Camera: \$23,936.47 Two-Year Warranty: \$2,393.64 Future Parts: \$5,669.89

Contract Term

The five-year contract shall begin on or about May 1, 2019, with an end date of April 30, 2024.

Financial Impact

The total cost will not exceed \$32,000. Funds are available in the Water Services Department's operating budget.

Location

City of Phoenix 23rd Avenue Wastewater Treatment Plant Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Service Department.



Agenda Date: 4/17/2019, Item No. 93

Modification of Stipulation Request for Ratification of March 20, 2019 Planning Hearing Officer Action - Z-95-02-8 (4)

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 20, 2019. This ratification requires formal action only.

Summary

Application: PHO-3-19--Z-95-02-8 (4) Existing Zoning: R-4 RI Acreage: 0.71 Applicant: John Labahn - Windsor Owner: John Labahn - Windsor Representative: Jacob Zonn - Tiffany & Bosco, PA

Proposal:

- 1. Modification of Stipulation 1 regarding general conformance to site plan and elevations date stamped Oct. 19, 2005.
- 2. Modification of Stipulation 3 regarding a limit of 17 units.
- 3. Deletion of Stipulation 7 regarding development to be completed within 60 months from City Council approval of the time extension.
- 4. Modification of Stipulation 10 regarding units not rented for one year after close of escrow.
- 5. Modification of Stipulation 11 regarding the location of perimeter landscaping.
- 6. Technical correction to Stipulation 11.

Location

General Location: Approximately 150 feet east of the northeast corner of 3rd Street and Windsor Avenue.

Council District: 4 Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Encanto Village Planning

Committee heard this case on March 4, 2019 and recommended approval by a 13-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on March 20, 2019 and recommended approval with a modification and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Responsible Department

Attachment A- Stipulations- PHO-3-19_Z-95-02-8 (4)

Location: Approximately 150 feet east of the northeast corner of 3rd Street and Windsor Avenue

Stipulations:

1.	That d THE Development shall be in general conformance with the site plan and elevations date stamped October 19, 2005 JANUARY 8, 2019 and as approved or modified by the PLANNING AND Development Services Department.
2.	That sShade trees SHALL be planted within the setback prescribed along the eastern boundary of the property. Said trees shall have a minimum caliper size of two inches at the time of planting, shall be placed a minimum of twenty (20) feet on center, and shall be equipped with an appropriate underground automatic watering system.
3.	That tThe project shall be limited to 17-20 units.
4.	That tThere shall be no penthouse on the east side of the project.
5.	That tThe project shall include adequate buffering from the adjacent single-family homes through the use of appropriate landscaping in excess of that required by the City.
6.	That tThe project shall restrict the views in the adjacent single-family homes through the use of frosted glass (opaque).
7.	That the development be completed within 60 months from City Council approval of this time extension in accordance with Section 506 13 of the Zoning Ordinance.
7. 8.	That tThe developer shall provide appropriate traffic control/street improvements on their property and shall pay the cost of speed humps for the street. This must be in coordination with and approved by the Neighborhood Traffic Management Team of the Street Transportation Department.
8. 9.	That tThe project shall include the provision for proper lighting on the premises as well as along the street in order to protect neighborhood children and pedestrians.
10.	Agreements between the applicant and the residents to the south and east. 1. That the units not be rented for one year after close of escrow. 2. That residents will not be allowed to park on Windsor Avenue.
9. 11.	That perimeter ILandscaping ON THE EASTERN PERIMETER shall be a minimum of 3 inch caliper trees placed 20 feet on center as approved by the PLANNING AND Development Services 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.	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.



Agenda Date: 4/17/2019, Item No. 94

Modification of Stipulation Request for Ratification of March 20, 2019 Planning Hearing Officer Action - Z-50-08-5

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 20, 2019. This ratification requires formal action only.

Summary

Application: PHO-5-19--Z-50-08-5 Existing Zoning: R-3A Acreage: 19.35 Applicant: Taylor C. Earl - Earl, Curley and Lagarde, P.C. Owner: West Royal Development III LLC Representative: Taylor C. Earl - Earl, Curley and Lagarde, P.C.

Proposal:

1. Modification of Stipulation 1 regarding elevations for the residential portions of the site.

2. Modification of Stipulation 1a regarding orientation of building entries.

3. Modification of Stipulation 2b regarding residential building design and a Tree Preservation Plan.

4. Technical corrections to Stipulations 2, 3, 5, 6, 7 and 8.

Location

General Location: Northeast corner of 23rd Avenue and Royal Palm Road. Council District: 5 Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The North Mountain Village Planning Committee heard this case on Feb. 20, 2019 and recommended approval by a 11-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on March 20, 2019 and recommended approval with modifications and an

additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer recommended stipulations.

Responsible Department

Attachment A- Stipulations- PHO-5-19_Z-50-08-5

Location: Northeast corner of 23rd Avenue and Royal Palm Road

Stipulations:

That the elevations for the residential portions of the site shall be approved by the Planning Hearing Officer through the public hearing process prior to Development Services Department preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Development Services Department. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED JANUARY 4, 2019, WITH SPECIFIC REGARD TO THE FOLLOWING AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:		
а.	Building entries shall be oriented towards common areas, pathways, OR SIDEWALKS THAT PROVIDE ACCESS TO COMMON OR ACTIVE OPEN SPACE AREAS.	
b.	Where possible, garage servicing driveways shall be configured in an east/west grid to minimize east/west surface exposure, unless tree preservation requires an alternative.	
That tThe residential portion of the site shall develop in general conformance to the site plan date stamped August 29, 2008, as approved by the PLANNING AND Development Services Department, with specific regard to:		
a.	Provision of a major shaded pedestrian route (8'- 10' wide) that conveniently and directly connects open space areas to Butler Drive, 23rd Avenue and the southeast portion of the site, as shown on Exhibit A, Conceptual Pedestrian Connection Plan. The pedestrian plan shall adhere to the identified cross sections A-A, B-B and C-C.	
b.	The residential buildings shall be designed so that the mature trees identified on Exhibit B, THE Tree Preservation Plan DATED AUGUST 29, 2008, will remain in place as an integral part of the site design, AS MODIFIED BY THE PROPOSED TREE RELOCATIONS DEPICTED ON THE TREE PRESERVATION EXHIBIT DATE STAMPED JANUARY 4, 2019, AND AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. ALL TREE RELOCATIONS AND REPLACEMENTS SHALL PROVIDE AT A MINIMUM A TREE OR TREES OF AN EQUAL CALIPER SIZE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
C.	The number of units shall be a maximum of 11.12 dwellings per acre.	
d.	That tThe developer shall provide a par exercise course as an amenity within the designated major pedestrian route.	
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3.	That tThe commercial portion of the site shall develop in general conformance to the elevations date stamped August 1, 2008 and site plan date stamped August 29, 2008 as may be approved by the PLANNING AND Development Services Department, with specific regard to the following for the portion of the site east of 21st Avenue (Definitions in the following stipulations are as noted in Section 662 of the Phoenix Zoning Ordinance.):			
	a.	Placement of buildings close to Northern Avenue, providing parking on the interior and between buildings.		
	b.	That bBuildings along Northern Avenue shall be no greater than 180 feet of frontage without provision of a walkway/passageway to the interior of the commercial site.		
	C.	Provision of walkways/passageways between buildings from Northern Avenue to the interior of the commercial site.		
	d.	A minimum of 50% of the lot frontage on Northern Avenue shall contain building frontage.		
	e.	All structures except where residential uses are on the ground floor, shall utilize clear windows. A clear window is a window that will allow a minimum of 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window. Clear windows shall encompass, at a minimum, 60% of the building façade length fronting onto a street within the area from 3 feet to 6 feet-8 inches above adjacent interior finished floor and adjacent sidewalk grade. Blank walls without doors and windows shall not occupy over 30% of the principal frontage for non-residential buildings and 50% for residential buildings, and a section of blank wall shall not exceed 20 linear feet without being interrupted by a window or entry.		
	f.	The frontage shall include shading along its entire right-of-way frontage, excluding driveways, loading and service berths.		
	g.	The frontage shall include a minimum of one (1) or a combination of the following shading methods. A minimum of 75% of the sidewalk or pedestrian way shall be shaded.		
		(1) Arcades, awnings, trellises or covered walkways attached to the primary building shall be a minimum of 12 feet in depth, measured from any point of ground floor façade to the exterior column or vertical plane of the overhang. The maximum head clearance shall not exceed 20 feet, measured from finish grade. Landscaping shall include a row of trees (a minimum of 50% 2-inch caliper and 50% 3-inch caliper) placed 20 feet on center and run parallel with the arcade or awning.		
		 (2) Detached shade structures shall be a minimum of 12 feet in depth and 15 feet in height and should incorporate architectural elements and design of the primary structure. Landscaping shall include a row of trees (a minimum of 50% 2-inch caliper and 50% 3-inch caliper) located or spaced 20 feet on center and run parallel with the arcade or awning. 		

		(3)	A double row of trees a minimum of 50% 2-inch caliper and 50% 3-inch caliper spaced 20 feet on center shall be provided. The rows shall be placed parallel on either side of the sidewalk as required in section 662.i.1 of the Zoning Ordinance. The rows shall be staggered to provide maximum shading.
	h.	com	en space shall be a minimum of five percent (5%) of the gross imercial site area. A combination of types of areas is allowed. Areas may ude the following:
		(1)	Courtyards (limited access/semi-private and common)
		(2)	Outdoor seating areas (plazas, ramadas, landscaped areas with turf, etc.)
	i.		ccle parking shall be provided at 1 space per 2,000 square feet of tenant able floor area, with a maximum of 50 spaces.
4.	cor dev	ntinuo velopi	e mature trees identified on Exhibit B, Tree Preservation Plan, shall be busly maintained (e.g. watering, trimming) by the owner prior to ment of the property and that maintenance shall be a requirement of the sidential development.
5.	No		10 foot sidewalk easement shall be dedicated along the north side of Avenue, as approved by the PLANNING AND Development Services nent.
6.	dev Ian AN	/elopi dscap D De	e developer shall construct all streets within and adjacent to the ment with paving, curb, gutter, sidewalk, curb ramps, streetlights, bing and other incidentals as per plans approved by the PLANNING velopment Services Department. All improvements shall comply with all cessibility standards.
7.	The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of site plans shall be granted until the study is reviewed and approved by the City. Contact Ms. Sara Elco, (602) 495-0575, to set up a meeting to discuss the requirements of the study. The applicant shall be responsible for any dedications and required improvements as recommended by the approved traffic study, as approved by THE PLANNING AND Development Services Department and the Street Transportation Department.		
8.	of t Apa	he Gi artme	e applicant shall construct a view fence along the shared eastern border reens Apartment complex no closer than 15 feet to the Greens ent complex buildings as approved by the PLANNING AND Development Department.
9.	EX AP RE DE	ECU PRO COR LIVE	TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL TE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM VED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE DED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND RED TO THE CITY TO BE INCLUDED IN THE REZONING ATION FILE FOR RECORD.



Agenda Date: 4/17/2019, Item No. 95

Modification of Stipulation Request for Ratification of March 20, 2019 Planning Hearing Officer Action - Z-111-98-7

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 20, 2019. This ratification requires formal action only.

Summary

Application: PHO-4-19--Z-111-98-7 Existing Zoning: C-1 Acreage: 3.18 Applicant: Esencia, LLC Owner: Carioca Company Representative: Bret Ryan/Esencia, LLC

Proposal:

1. Modification of Stipulation 20 regarding a far side bus bay on Lower Buckeye Road and 67th Avenue.

2. Deletion of Stipulation 27b regarding administrative approval of site plan and elevations by the PHO and return to the Estrella Village Planning Committee for further review.

3. Deletion of Stipulation 27c regarding shade awnings on building elevations.

4. Deletion of Stipulation 27d regarding stone and/or brick detailing on exterior walls.

5. Deletion of Stipulation 27e regarding wood detailing around all windows, doors and attached signage.

6. Deletion of Stipulation 27g regarding alternative materials on all exterior structures that have metal surfaces.

7. Deletion of Stipulation 27h regarding minimum 300 square feet of shaded outdoor eating area.

8. Modification of Stipulation 30 regarding a multi-purpose trail within the right of way area along 67th Avenue.

9. Deletion of Stipulation 31 regarding contacting the city archaeologist.

10. Technical corrections to Stipulations 1, 3, 21, 27, 28 and 29.

Location

General Location: Approximately 238 feet east of the southeast corner of 67th Avenue and Lower Buckeye Road. Council District: 7 Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on March 19, 2019 and recommended approval with modifications by a 6-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on March 20, 2019 and recommended denial as filed and approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Responsible Department

Attachment A- Stipulations- PHO-4-19_Z-111-98-7

Location: Approximately 238 feet east of the southeast corner of 67th Avenue and Lower Buckeye Road

Stipulations:

1.	That tThe development of the R1-8 SHALL be in general conformance to the site plan dated October 6, 1998, and that the development SHALL include the open space elements, landscape tracts, and perimeter setbacks as described in the submitted Riverside Heights Rezoning Request and Plan of Development document dated October 9, 1998. If the commercial portion of this request is denied, stub street access shall be provided to accommodate residential development as approved by THE PLANNING AND Development-Services Department.
2.	That dDevelopment SHALL be under the Planned Residential Development option.
3.	That tThe open space area SHALL provide active amenities for recreation activities such as tennis courts, volleyball, playgrounds and picnic areas, as approved by the PLANNING AND Development Services Department.
4.	That tThe minimum residential lot depth SHALL be 110 feet.
5.	That tThe housing elevations SHALL provide pop-outs or other window detailing on the front elevations and on those side and rear elevations adjacent to streets.
6.	That gGarage door windows should be an option on any available model.
7.	That tThe living space of a house and/or the entry shall be set back no more than 10-14 feet from the garage for 75% of those properties that have lot widths of less than 55 feet.
8.	That sStaggered from yard setbacks SHALL occur for every third lot for those properties with less than 55 feet in lot width.
9.	That tThere shall be floor plans that have front porches as an optional element.
10.	That tThe project fencing shall consist of block, which shall be finished with a smooth texture or decorative design on the outside surface (no unfinished block) or may be of wrought iron, steel, or aluminum.
11.	That wWherever properties face out into the common open space areas, the viewing fencing SHALL be provided.
12.	That aAt least three distinctive elevations shall be provided for each standard plan.
13.	That aAccent materials including brick or stone SHALL be options available for all models.
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14.	That aAll subdivision entrances located at 63rd Avenue and Lower Buckeye Road and the local streets extending from the entrances to the open space tracts shall include detached sidewalks behind a landscaped strip and the curb. The landscape shall include trees and live ground cover.
15.	That tThe applicant shall utilize dual pane windows, solid core doors, and additional insulation which is higher than R-19 on the east exterior walls of those residential units adjacent to 63rd Avenue.
16.	That rRight-of-way totaling 40 feet and a 10-foot sidewalk easement shall be dedicated for the south half of Lower Buckeye Road.
17.	That rRight-of-way totaling 40 feet and a 10-foot sidewalk easement shall be dedicated for the east half of 67th Avenue.
18.	That rRight-of-way totaling 30 feet shall be dedicated for the west half of 63rd Avenue.
19.	An 18-foot by 18-foot right-of-way triangle shall be dedicated at the southwest corner of 63rd Avenue and Lower Buckeye Road.
20.	Sufficient right-of-way shall be dedicated to accommodate a far side busbay (detail P-1257) on Lower Buckeye Road at 67th Avenue.
20. 21.	That rRight-of-way dedication and street alignments for local streets within the subdivision will be determined by the PLANNING AND Development Services Department at the time of Preliminary Subdivision Plat Review.
21. 22.	That tThe developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.
22. 23.	That ilf the City Council adopts an infrastructure financing program for the Estrella Village, the developer of this property agrees to participate in the program. The Estrella Village boundaries are from Interstate 17/19th Avenue to 107th Avenue and from Interstate 10 to the Rio Salado.
23. 22.	That tThe developer of this property will participate in any future Estrella Village Major Street Landscape Program prior to final site plan/plat approval if such a program is adopted by the City Council. The landscape program will impact the major streets abutting this property.
24. 25.	That tThe developer agrees to participate in a Master Drainage/Open Space Study for the Estrella Village prior to preliminary site plan/plat approval to ensure linkage between developments and the Rio Salado.
25. 26.	That tThe developer agrees to work with the local school district in acquiring and providing infrastructure services for a new school location.

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27.	That the developer, as approved by the PLANNING AND Development Services Department:			
	a.	Shall develop the sites as one cohesive development with no more than (2) phase;		
	b.	Shall a site plan and elevation for administrative approval by the PHO and return to the Estrella Village Planning Committee for further review;		
	6.	Shall provide building elevations that include shade awnings that are no less than ten (10) feet in width over 50 percent of the façade of the buildings (Exhibit A);		
	d.	Shall include stone and/or brick detailing at the top and base of all exterior walls, to equal no less than 20 percent of the total wall area (Exhibit A);		
	e.	Shall provide wood detailing around all doors, windows and attached signage that is designed for quick copy change (Exhibit A);		
	f.	Shall utilize no less than three colors for the exterior paint scheme (Exhibit A);		
	g.	Shall finish all exterior structures that have metal surfaces with an alternative material, such as stucco (Exhibit A);		
	h.	Shall provide all restaurants spaces with a minimum of 300 square feet of shaded outdoor eating area, visible to the public right-of-way, which may include the above described shade awnings.		
26. 28.	SIT	E PLAN AND ELEVATIONS		
	Α.	THE PHASE I DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED JANUARY 18, 2019, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.		
	B.	THE DEVELOPER SHALL PRESENT PHASE I ELEVATIONS TO THE ESTRELLA VILLAGE PLANNING COMMITTEE FOR REVIEW AND COMMENT PRIOR TO FINAL SITE PLAN APPROVAL.		
	C.	CONCEPTUAL SITE PLAN AND ELEVATIONS FOR THE PHASE II DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.		

27. 28.	That aAccess SHALL be limited to two driveways onto 67th Avenue and two driveways onto Lower Buckeye Road as approved by the PLANNING AND Development Services Department.
28. 29.	That tThe site SHALL be developed with a similar architectural and landscape theme to include minimum 24-inch box size shade trees (spaced 20 feet on center) along the south and east property lines, together with a minimum 50' x 50' landscaped entryway feature at the southeast corner of 67th Avenue and Lower Buckeye Road as approved by THE PLANNING AND Development Services Department.
29. 30.	That a multi-purpose trail be provided within the right-of-way area along 67th Avenue. The trail width will be 8 feet separated by a 2-foot wide landscaped area and a five-foot-wide sidewalk. The trail shall consist of between 2-3 inches of decomposed granite. If necessary, the applicants shall dedicate a portion of the landscape tract along 67th Avenue as part of the City right-of-way to accommodate the trail and sidewalk easement for a total dedication of 55 feet. Improvement of the trail is based on the approval of a trails plan for this area. THE DEVELOPER SHALL DEDICATE A 30-FOOT WIDE MULTI-USE TRAIL EASEMENT (MUTE) ALONG THE SOUTH SIDE OF LOWER BUCKEYE ROAD AND CONSTRUCT A 10' WIDE MULTI-USE TRAIL (MUT) WITHIN THE EASEMENT IN ACCORDANCE WITH THE MAG SUPPLEMENTAL DETAIL, AS APPROVED OR MODIFIED BY THE PARKS AND RECREATION DEPARTMENT.
31.	That the applicant shall contact the city archaeologist (602-495-0901) to verify the request for a survey.
30. 32.	A pedestrian circulation pathway shall be provided across and through the site by utilizing concrete sidewalks, or similar. Where said path crosses a drive-aisle or parking surface, a material that contrasts any asphalt surface shall be used, such as stamped concrete or brick pavers. Said path shall connect with the northeast, northwest, and southwest corners of the site to allow easy pedestrian access to the structure and through the site, as approved or modified by the PLANNING AND Development Services Department.
31.	If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and 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.
32.	If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
33.	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.



Agenda Date: 4/17/2019, Item No. 96

Modification of Stipulation Request for Ratification of March 20, 2019 Planning Hearing Officer Action - Z-114-06-7

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 20, 2019. This ratification requires formal action only.

Summary

Application: PHO-1-19--Z-114-06-7 Existing Zoning: C-1 (Approved C-2) Acreage: 2.01 Applicant: Esencia, LLC Owner: Carioca Company Representative: Bret Ryan/Esencia, LLC

Proposal:

- 1. Deletion of Stipulation 1 regarding general conformance to site plan date stamped Oct. 20, 2006.
- 2. Deletion of Stipulation 2 regarding general conformance to elevations date stamped Aug. 29, 2006.
- 3. Deletion of Stipulation 3 regarding a landscaped pedestrian entryway feature at the southeast corner of 67th Avenue and Lower Buckeye Road.
- 4. Modification of Stipulation 5 regarding a 30-foot easement for a multi-use trail along Lower Buckeye Road.
- 5. Deletion of Stipulation 6 regarding a minimum 200 square feet of shaded outdoor eating area.
- 6. Deletion of Stipulation 7 regarding a landscape buffer between the carwash and the surrounding planned commercial parcel.
- 7. Modification of Stipulation 10 regarding a transit pad at eastbound Lower Buckeye Road.
- 8. Technical corrections to Stipulations 4, 8 and 9.

Location

General Location: Southeast corner of 67th Avenue and Lower Buckeye Road.

Council District: 7 Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on March 19, 2019 and recommended approval with modifications and an additional stipulation by a 6-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on March 20, 2019 and recommended denial as filed, and approval with modifications and additional stipulations.

Responsible Department

Attachment A- Stipulations- PHO-1-19_Z-114-06-7

Location: Southeast corner of 67th Avenue and Lower Buckeye Road

Stipulations:

1.	That tThe development shall be in general conformance with the site plan date stamped October 20, 2006 JANUARY 18, 2019, as approved or modified by the PLANNING AND Development Services Department.
2.	That the development shall be in general conformance with the elevations date stamped August 29, 2006, as approved or modified by the Development Services Department.
	THE DEVELOPER SHALL PRESENT BUILDING ELEVATIONS TO THE ESTRELLA VILLAGE PLANNING COMMITTEE FOR REVIEW AND COMMENT PRIOR TO FINAL SITE PLAN APPROVAL.
3.	That tThe site shall be developed with a minimum 50 foot x 50 foot landscaped pedestrian entryway feature at the southeast corner of 67th Avenue and Lower Buckeye Road as approved by the PLANNING AND Development Services Department.
4.	That a A pedestrian pathway shall be provided that connects the 67 th Avenue sidewalk to the proposed building on the subject site, and to the east and south property lines. Pedestrian walkways that cross carwash and restaurant drive through lanes, as well as the parking lot shall utilize brick or stamped concrete pavers to differentiate the path from the surrounding asphalt in the lanes and through the landscaped medians. Ground level stop signs shall be placed to accommodate walkways from the front of the restaurant/convenience store to the development on the east. As approved or modified by the PLANNING AND Development Services Department.
5.	That tThe developer shall dedicate a 30 foot easement and construct a WIDE multi-use trail EASEMENT (MUTE) per the adopted standard trail detail along THE SOUTH SIDE OF Lower Buckeye Road AND CONSTRUCT A 10 FOOT WIDE MULTI-USE TRAIL WITHIN THE EASEMENT IN ACCORDANCE WITH THE MAG SUPPLEMENTAL DETAIL, as approved OR MODIFIED by the Parks and Recreation Department.
6.	That the developer shall provide a minimum 200 square feet of shaded outdoor eating area to include a fountain, decorative pavers and landscaping as approved by Development Services Department.
7.	That a landscape buffer shall be provided between the carwash and the surrounding planned commercial parcel as approved by Development Services Department.
STRE	ETS AND TRANSIT
6.	RIGHT-OF-WAY TOTALING 55 FEET SHALL BE DEDICATED FOR THE SOUTH HALF OF LOWER BUCKEYE ROAD, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

7.	RIGHT-OF-WAY TOTALING 55 FEET SHALL BE DEDICATED FOR THE EAST HALF OF 67TH AVENUE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
8.	That tThe developer shall construct all-streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the PLANNING AND Development Services Department. All improvements shall comply with all ADA accessibility standards.
9.	That dDevelopment of 67th Avenue and Lower Buckeye Road shall conform to the Estrella Village Arterial Street Landscape Program as approved by the PLANNING AND Development Services Department.
10.	That right-of-way shall, be dedicated for bus bay (Detail P1256-2) and a transit pad constructed (Detail P1261) at eastbound Lower Buckeye Road as approved by the Public Transit Department.
	THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY AND CONSTRUCT A BUS STOP PAD ALONG EASTBOUND LOWER BUCKEYE ROAD EAST OF 67TH AVENUE. THE BUS STOP PAD SHALL BE COMPLIANT WITH CITY OF PHOENIX STANDARD DETAIL P1260 WITH A MINIMUM DEPTH OF 10 FEET. THE BUS STOP PAD SHALL BE SPACED FROM THE INTERSECTION OF 67TH AVENUE AND LOWER BUCKEYE ROAD AS PER CITY OF PHOENIX STANDARD DETAIL P1258.
OTHE	R
11.	IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND 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.
12.	IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
13. 11.	That if any previously unidentified archeological materials are encountered during construction, all ground-disturbing activities shall cease within a 33 foot radius of the discovery and the City Archaeologist shall be notified immediately and allowed time to properly assess the materials as approved by the City Archaeologist.



Agenda Date: 4/17/2019, Item No. 97

Final Plat - Master Plat for Sky Crossing Phase 2 - 180067 - West of Black Mountain Parkway and North of Deer Valley Drive

Plat: 180067 Project: 16-1029 Name of Plat: Sky Crossing Phase 2 Owner(s): Cave Buttes Development Partners, LLC Engineer(s): Hilgart Wilson Request: A Residential Subdivision Master Plat Reviewed by Staff: March 21, 2019 Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This subdivision plat must be recorded <u>prior</u> to recordation of the following separate plats, currently included on the same Council agenda: Plat 180076, "Sky Crossing Parcel 17"; Plat 180109, "Sky Crossing Parcel 18;" and Plat 180092, "Sky Crossing Parcel 12." Additionally, the recordation information (Book and Page number) for this plat must be handwritten in the title and dedication statements provided on the other three plats listed above prior to recordation of those plats.

Location

Generally located west of Black Mountain Parkway and north of Deer Valley Drive. Council District: 2

Responsible Department



Agenda Date: 4/17/2019, Item No. 98

Final Plat - Sky Crossing - Parcel 12 - 180092 - West of Black Mountain Boulevard and North of Deer Valley Drive

Plat: 180092 Project: 16-1029 Name of Plat: Sky Crossing - Parcel 12 Owner(s): Cave Buttes Development Partners, LLC Engineer(s): Hilgart Wilson, LLC Request: A 31 Lot Residential Subdivision Plat Reviewed by Staff: March 25, 2019 Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This subdivision plat must be recorded after recordation of the following separate plat, currently included on the same Council agenda: Plat 180067, "Master Plat for Sky Crossing Phase 2." Additionally, the recordation information (Book and Page number) for Plat 180067 must be handwritten in the title and dedication statements provided on this plat prior to recordation of this plat.

Location

Generally located west of Black Mountain Boulevard and north of Deer Valley Drive. Council District: 2

Responsible Department



Agenda Date: 4/17/2019, Item No. 99

Final Plat - Sky Crossing - Parcel 17 - 180076 - West of Black Mountain Boulevard and North of Deer Valley Drive

Plat: 180076 Project: 16-1029 Name of Plat: Sky Crossing - Parcel 17 Owner(s): Cave Buttes Development Partners, LLC Engineer(s): Hilgart Wilson, LLC Request: A 91 Lot Residential Subdivision Plat Reviewed by Staff: March 22, 2019 Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This subdivision plat must be recorded after recordation of the following separate plat, currently included on the same Council agenda: Plat 180067, "Master Plat for Sky Crossing Phase 2." Additionally, the recordation information (Book and Page number) for Plat 180067 must be handwritten in the title and dedication statements provided on this plat prior to recordation of this plat.

Location

Generally located west of Black Mountain Boulevard and north of Deer Valley Drive. Council District: 2

Responsible Department



Agenda Date: 4/17/2019, Item No. 100

Final Plat - Sky Crossing - Parcel 18 - 180109 - West of Black Mountain Boulevard and North of Deer Valley Drive

Plat: 180109 Project: 16-1029 Name of Plat: Sky Crossing - Parcel 18 Owner(s): Cave Buttes Development Partners, LLC Engineer(s): Hilgart Wilson, LLC Request: A 54 Lot Residential Subdivision Plat Reviewed by Staff: March 22, 2019 Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This subdivision plat must be recorded <u>after</u> recordation of the following separate plat, currently included on the same Council agenda: Plat 180067, "Master Plat for Sky Crossing Phase 2." Additionally, the recordation information (Book and Page number) for Plat 180067 must be handwritten in the title and dedication statements provided on this plat prior to recordation of this plat.

Location

Generally located west of Black Mountain Boulevard and north of Deer Valley Drive. Council District: 2

Responsible Department



Agenda Date: 4/17/2019, Item No. 101

Final Plat - Palma Brisa - 180078 - South of Frye Road and West of Desert Foothills Parkway

Plat: 180078 Project: 17-2763 Name of Plat: Palma Brisa Owner(s): Desert Vista 100, LLC Engineer(s): Wood, Patel & Associates, Inc. Request: A 197 Lot Single Family Residential Subdivision Plat Reviewed by Staff: March 14, 2019 Final Plat requires Formal Action Only

Summary

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

Location

Generally located south of Frye Road west of Desert Foothills Parkway. Council District: 6

Responsible Department



Agenda Date: 4/17/2019, Item No. 102

Final Plat - Tract A, B, F, G, H, K, L, & 90-117 Tierra Montana - Phase 1 Parcel 17 - 170103 - East of 55th Avenue and South of Carver Road

Plat: 170103 Project: 05-4228 Name of Plat: Tract A, B, F, G, H, K, L, & 90-117 Tierra Montana - Phase 1 Parcel 17 Owner(s): Taylor Morrison/Arizona, Inc. Engineer(s): Hubbard Engineering Request: A 28 Lot Residential Subdivision Plat Reviewed by Staff: Oct. 3, 2018 Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V180075A.

Location

Generally located east of 55th Avenue and south of Carver Road. Council District: 8

Responsible Department



Agenda Date: 4/17/2019, Item No. 103

Abandonment of Easement - V180075A - East of 55th Avenue and South of Carver Road (Resolution 21736)

Abandonment: V180075A Project: 05-4228 Applicant(s): Zach Hill: Kimley-Horn Request: To abandon 1-foot vehicle non-access easement on the rear side of lots 107-118; Tierra Montana Parcel 17. Date of Decision: Feb. 11, 2019

Summary

The resolution of the abandonment and the subdivision plat, "Final Plat-Tract A, B, F, G, H, K, L & 91-117 Tierra Montana-Phase 1 Parcel 17, Plat 170103" 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

East of 55th Avenue and South of Carver Road 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



Agenda Date: 4/17/2019, Item No. 104

Abandonment of Easement - V190001A - 3325 N. 16th St. (Resolution 21739)

Abandonment: V190001A Project: 17-819 Applicant: Nazario Prieto - City of Phoenix Water Services Department Request: To abandon 25-foot water easement located on the east of property, running north-south, addressed 3325 N.16th St., APN 11932-108D; Book 015 Page 40. Date of Decision: Feb. 28, 2019.

Location

3325 N.16th St. Council District: 4

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



Agenda Date: 4/17/2019, Item No. 105

Amend City Code - Ordinance Adoption - Rezoning Application Z-80-18-5 (Beatitudes Campus PUD)- Northeast Corner of 17th Drive and Glendale Avenue (Ordinance G-6581)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-80-18-5 (Beatitudes Campus PUD) and rezone the site from C-1, R-5, R-5 SP, R-4 SP and R1-6 to PUD for a continuing care retirement community.

Summary

Current Zoning: C-1, R-5, R-5 SP, R-4 SP and R1-6 Proposed Zoning: PUD Acreage: 30.17 Proposed Use: Continuing care retirement community

Owner: Beatitudes Campus - c/o Allen Bloch Applicant: Jason Morris - Withey Morris, PLC Representative: Jason Morris - Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations. VPC Action: The Alhambra Village Planning Committee heard this case on March 26, 2019, and recommended approval by a 10-0 vote. PC Action: The Planning Commission heard this case on April 4, 2019, and recommended approval per the Alhambra Village Planning Committee recommendation by a 9-0 vote.

Location

Northeast corner of 17th Drive and Glendale Avenue Council District: 5 Parcel Addresses: 1610 W. Glendale Ave.

Responsible Department

ATTACHMENT A

THIS IS A DRAFT COPY <u>ONLY</u> 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 (Z-80-18-5) FROM C-1(NEIGHBORHOOD RETAIL), R-5 (MULTIFAMILY RESIDENCE DISTRICT), R-5 SP (MULTIFAMILY RESIDENCE DISTRICT, SPECIAL PERMIT), R-4 SP (MULTIFAMILY RESIDENCE DISTRICT, SPECIAL PERMIT) AND R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as

follows:

SECTION 1. The zoning of a 30.17-acre property located at the northeast

corner of 17th Drive and Glendale Avenue in a portion of Section 6, Township 2 North,

Range 3 East, as described more specifically in Exhibit "A", is hereby changed from

1.86-acres of "C-1" (Neighborhood Retail), 17.55-acres of "R-5" (Multifamily Residence

District), 1.63-acres of "R-5 SP" (Multifamily Residence District, Special Permit), 1.12-

acres of "R-4 SP" (Multifamily Residence District, Special Permit) and 8.01 acres of "R1-

6" (Single-Family Residence District) to 30.17-acres of "PUD" (Planned Unit

Development) to allow a continuing care retirement community.

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,

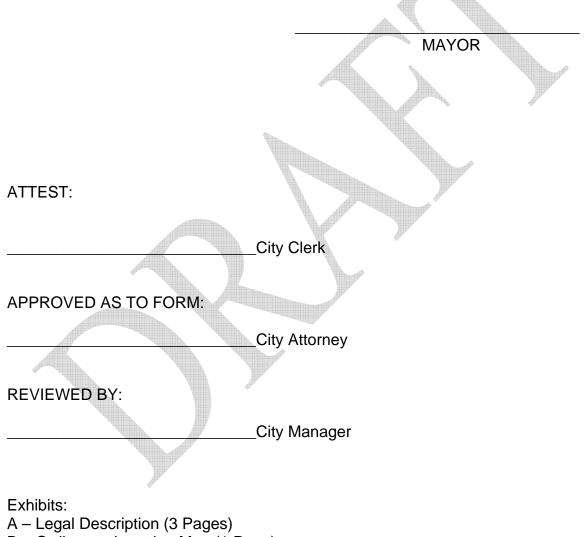
violation of which shall be treated in the same manner as a violation of the City of

Phoenix Zoning Ordinance:

- 1. An updated Development Narrative for the Beatitudes Campus 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 the Development Narrative date stamped March 12, 2019, as modified by the following stipulations:
 - a. Front Cover: Remove "Submittal" dates and revise to add the following: City Council adopted: [Add adoption date].
 - b. Include development standards tables in Section F of the development narrative. Remove comparative zoning district from the table included in Section F, and include only proposed development standards. Comparison tables should remain in their current location within the development narrative.
 - c. Development standards tables reference density and number of dwelling units, but does not include number of units or a dwelling units per acre label. Revise to include both.
 - d. Proposed perimeter and setback standards for "Character Area C" do not include a label for the 20' requirement. Revise to include appropriate setback label.
- 2. 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.

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 17th day of April, 2019.



B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION – Z-80-18-5

A PORTION OF LOTS 1 & 2, WEST ORANGEWOOD, ACCORDING TO BOOK 6 OF MAPS, PAGE 37, RECORDS OF MARICOPA COUNTY, ARIZONA; LOTS 1 AND 2, THE BEATITUDES, ACCORDING TO BOOK 899 OF MAPS, PAGE 24, RECORDS OF MARICOPA COUNTY, ARIZONA; THAT PORTION OF THE ABANDONED ALLEY AS SET FORTH IN RESOLUTION RECORDED IN DOCUMENT NO. 2009-0804182, RECORDS OF MARICOPA COUNTY, ARIZONA; LOTS 205, 206, 207, 208 AND 209, WESTWOOD HEIGHTS UNIT THREE, ACCORDING TO BOOK 90 OF MAPS, PAGE 39, RECORDS OF MARICOPA COUNTY, ARIZONA; AND THAT PORTION OF THE ABANDONED ALLEY AS SET FORTH IN RESOLUTION RECORDED IN DOCUMENT NO. 2009-0801642, RECORDS OF MARICOPA COUNTY, ARIZONA; SITUATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CITY OF PHOENIX THREE-INCH BRASS CAP IN HANDHOLE AT THE SOUTH QUARTER CORNER OF SAID SECTION SIX, FROM WHICH A CITY OF PHOENIX THREE-INCH BRASS CAP FLUSH MARKED AS "WC", BEING A WITNESS CORNER TO THE SOUTHWEST CORNER OF SAID SECTION SIX, BEARS NORTH 88 DEGREES 27 MINUTES 00 SECONDS WEST, 2521.21FEET, ALSO BEING THE MONUMENT LINE AT GLENDALE AVENUE BETWEEN THE INTERSECTION OF NORTH 15TH AVENUE AND SAID BRASS CAP FLUSH, 54.63 FEET EAST OF NORTH 19TH AVENUE;

THENCE NORTH 88 DEGREES 27 MINUTES 00 SECONDS WEST, 527.00 FEET, ALONG SAID MONUMENT LINE TO THE **POINT OF BEGINNING**;

THENCE CONTINUING NORTH 88 DEGREES 27 MINUTES 00 SECONDS WEST, 1066.18 FEET, ALONG SAID MONUMENT LINE TO A THREE-INCH CITY OF PHOENIX BRASS CAP FLUSH AT THE INTERSECTION OF NORTH 17TH DRIVE;

THENCE THE FOLLOWING SIX COURSES ARE ALONG THE CENTERLINE ROAD OF SAID NORTH 17TH DRIVE:

THENCE NORTH 0 DEGREES 01 MINUTES 27 SECONDS WEST, 423.27 FEET TO A CITY OF PHOENIX THREE-INCH BRASS CAP FLUSH ALSO BEING THE BEGINNING OF A CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 100.00 FEET;

THENCE NORTHEASTERLY 115.36 FEET ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 66 DEGREES 05 MINUTES 38 SECONDS; THENCE NORTH 66 DEGREES 04 MINUTES 12 SECONDS EAST, 63.00 FEET TO A CITY OF PHOENIX THREE-INCH BRASS CAP FLUSH ALSO BEING THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 100.00 FEET;

THENCE NORTHEASTERLY 115.28 FEET ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 66 DEGREES 02 MINUTES 52 SECONDS TO A CITY OF PHOENIX THREE-INCH BRASS CAP FLUSH;

THENCE NORTH 0 DEGREES 01 MINUTES 20 SECONDS EAST, 142.61 FEET TO A CITY OF PHOENIX THREE-INCH BRASS CAP IN HANDHOLE ALSO BEING THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 132.70 FEET;

THENCE NORTHWESTERLY 160.84 FEET ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 69 DEGREES 26 MINUTES 40 SECONDS A CITY OF PHOENIX THREE-INCH BRASS CAP IN HANDHOLE;

THENCE LEAVING SAID CENTERLINE ALONG A NON-TANGENT LINE NORTH 20 DEGREES 34 MINUTES 40 SECONDS EAST, 25.00 FEET TO A REBAR WITH CAP "RLS 15573" ALSO BEING A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE PER BOOK 90, PAGE 39, MARICOPA COUNTY RECORDER;

THENCE NORTH 16 DEGREES 23 MINUTES 45 SECONDS EAST, 106.91 FEET ALONG THE EASTERLY LINE OF "WESTWOOD HEIGHTS, UNIT 3, BOOK 90, PAGE 39, MARICOPA COUNTY RECORDER" TO A MARKED "RLS 15573" EPOXY DISC;

THENCE NORTH 46 DEGREES 04 MINUTES 23 SECONDS EAST, 11.23 FEET ALONG SAID EASTERLY LINE;

THENCE SOUTH 88 DEGREES 30 MINUTES 26 SECONDS EAST, 171.93 FEET ALONG THE SOUTHERLY LINE OF "WEISHEIT REVOCABLE LIVING TRUST DEED 10-0062884, MARICOPA COUNTY RECORDER" TO A REBAR WITH CAP "MATTINGLY RLS 36888";

THENCE NORTH 0 DEGREES 01 MINUTES 21 SECONDS EAST, 278.99 FEET ALONG THE EASTERLY LINE OF SAID WEISHEIT REVOCABLE LIVING TRUST TO A CITY OF PHOENIX THREE-INCH BRASS CAP FLUSH AT THE CENTERLINE OF MYRTLE AVENUE;

THENCE SOUTH 88 DEGREES 31 MINUTES 00 SECONDS EAST, 1039.06 FEET ALONG SAID CENTERLINE;

THENCE LEAVING SAID CENTERLINE SOUTH 0 DEGREES 06 MINUTES 42 SECONDS EAST, 292.11 FEET ALONG THE WESTERLY LINE OF "MYRTLE ESTATES ON FIFTEENTH, BOOK 1274, PAGE 48, MARICOPA COUNTY RECORDER" AND "GLENN WEST, BOOK 127, PAGE 17, MARICOPA COUNTY RECORDER" TO A REBAR WITH CAP "RLS 15573";

THENCE NORTH 88 DEGREES 31 MINUTES 00 SECONDS WEST, 411.24 FEET ALONG THE NORTHERLY LINE OF SAID "GLENN WEST";

THENCE SOUTH 0 DEGREES 02 MINUTES 41 SECONDS EAST, 374.82 FEET ALONG THE WESTERLY LINE OF SAID "GLENN WEST" TO A REBAR WITH CAP "RLS 15573";

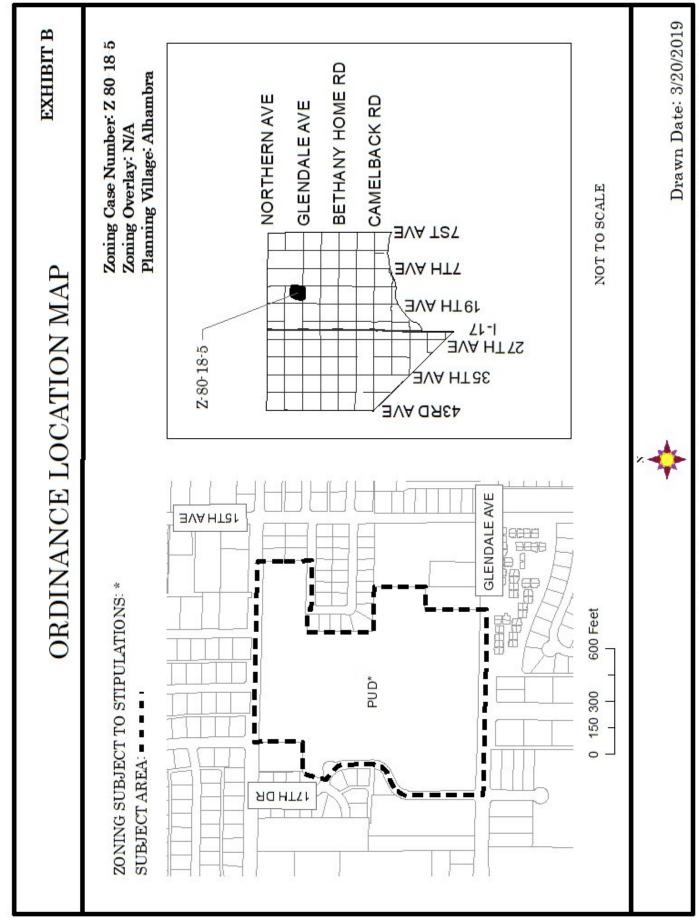
THENCE SOUTH 88 DEGREES 26 MINUTES 39 SECONDS EAST, 255.10 FEET ALONG THE SOUTHERLY LINE OF SAID "GLENN WEST" TO A REBAR WITH CAP "RLS 15573";

THENCE SOUTH 0 DEGREES 02 MINUTES 41 SECONDS EAST, 299.46 FEET ALONG THE WESTERLY LINE OF "LWH CASCADA LP, DEED 12-0310813, MARICOPA COUNTY RECORDER";

THENCE NORTH 88 DEGREES 26 MINUTES 39 SECONDS WEST, 127.55 FEET ALONG THE NORTHERLY LINE OF "CHRIST FAMILY TRUST, DEED 15-0861348, MARICOPA COUNTY RECORDER" TO A DISC MARKED "RLS 15573";

THENCE SOUTH 0 DEGREES 02 MINUTES 41 SECONDS EAST, 349.53 FEET ALONG THE WESTERLY LINE OF SAID "CHRIST FAMILY TRUST" TO THE **POINT OF BEGINNING**.

CONTAINS 1,310,546 SQUARE FEET OR 30.0860 ACRES, MORE OR LESS.



Vone/pdd/Shared/Department Share/Information Systems/PL GISVS_Team/Core_Functions/Zoning/SuppMaps_OrdMaps/2019_Ord/4-17-19/Z-80-18-5.mxd



City Council Report

Agenda Date: 4/17/2019, Item No. *106

ADDITIONAL INFORMATION (SEE ATTACHED MEMO) Public Hearing -Amend City Code - Ordinance Adoption - Rezoning Application Z-87-18-4 -Southeast Corner of Central Avenue and Indianola Avenue (Ordinance G-6582)

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-87-18-4 and rezone the site from C-2 TOD-1 and C-3 TOD-1 to WU Code T5:6 MT to allow multifamily residential.

Summary

Current Zoning: C-2 TOD-1 and C-3 TOD-1 Proposed Zoning: WU Code T5:6 MT Acreage: 3.70 Proposed Use: Multifamily residential

Owner: MAC Property, LTD Applicant: Jason Morris - Withey Morris, PLC Representative: Jason Morris - Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations. VPC Action: The Encanto Village Planning Committee heard this case on Feb. 4, 2019 and recommended approval, per the staff recommendation with an additional stipulation by an 8-1 vote.

PC Action: The Planning Commission heard this case on March 7, 2019 and recommended approval, per the Encanto Village Planning Committee recommendation and the staff memo dated March 7, 2019 by a 7-0 vote.

Location

Southeast corner of Central Avenue and Indianola Avenue Council District: 4 Parcel Address: 5, 7, 9, 11, 15, 17, and 18 E. Indianola Ave.; and 3815, 3825, and 3833 N. Central Ave.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



To:	Mario Paniagua	
	Deputy City Manager	

Date: April 15, 2019

From: Alan Stephenson JA for Planning and Development Director

Subject: ITEM 106 ON THE APRIL 17, 2019 FORMAL AGENDA – PUBLIC HEARING / ORDINANCE ADOPTION OF Z-87-18-4 (G-6582) - SOUTHEAST CORNER OF CENTRAL AVENUE AND INDIANOLA AVENUE

This memo is to provide clarification and updated information regarding the site plan associated with Rezoning Case No. Z-87-18-4.

The Encanto Village Planning Committee heard the request on February 4, 2019 and recommended approval subject to staff stipulations and an additional stipulation that required general conformance to the site plan date stamped December 4, 2018. The Planning Commission heard the request on March 7, 2019 and recommended approval per the staff memo dated March 7, 2019. The memo addressed the removal of Stipulation No. 5. Stipulation No. 5 was recommended by the Historic Preservation office and requested that the applicant complete documentation of the eligible historic property, the Greater Arizona Savings building, consistent with Part IV of the Arizona Reporting Standards for Cultural Resources prior to demolition of the building. The applicant submitted the required documentation and the Historic Preservation Office confirmed that Stipulation No. 5 was met. Therefore, staff recommended that Stipulation No. 5 be removed.

This case was originally scheduled for the April 3, 2019 City Council meeting as an ordinance adoption item. However, the applicant requested withdrawal of the item in order to re-advertise the case for the April 17, 2019 City Council meeting as a public hearing item to propose an updated site plan for the stipulation that requires general conformance to a site plan. On April 5, 2019, the applicant submitted the revised site plan and is requesting that City Council update Stipulation No. 9 to require general conformance to the revised site plan. The site plan was updated in response to an unanticipated amount of space required for the transformers as requested by APS. Staff is supportive of the updated site plan proposed by the applicant. The revised site plan illustrates the following changes:

- Addition of transformers and the southeast end of the site.
- Relocation of refuse to the garage.
- Reduction of open space from 11% to 9%.
- An additional story for the garage parking lot at the eastern end of the site.

Staff recommends approval with the following stipulations. The updated stipulation is captured in bold text (Stipulation No. 9).

Backup Memo April 15, 2019 Page 2

RECOMMENDED STIPULATIONS:

- 1. The developer shall (re)construct sidewalk and landscape improvements to comply with Section 1312.C.1.c of the Zoning Ordinance, as approved by the Planning and Development Department.
- 2. The development shall comply with the Central Avenue Development Standards, as approved by the Planning and Development Department.
- 3. The development shall provide a minimum 75% shaded pedestrian connection minimum 5 feet in width across the site to connect from Central Avenue to Clarendon Avenue, as approved by the Planning and Development Department. Shade calculations shall be based on the summer solstice at 12:00 p.m.
- 4. The development shall install, as approved by the Planning and Development Department:
 - a. All required bicycle parking spaces for the multifamily use, per Section 1307.H.6.d of the Zoning Ordinance, as secured bicycle parking.
 - b. A minimum of 5 inverted-U style bicycle racks for guests, placed near entrances to the building and installed per the requirements of Section 1307.H.4. of the Zoning Ordinance.
- 5. The applicant shall complete documentation of the eligible historic property (former Greater Arizona Savings & Loan Association building, 3825 N. Central Avenue), prior to the approval of any demolition or building permits for the new development. Documentation shall be completed consistent with Part IV of the Arizona Reporting Standards for Cultural Resources and as approved by the Historic Preservation Office.
- 5. 6. A 15-foot by 15-foot right-of-way triangle shall be dedicated at the southeast corner of Central Avenue and Indianola Avenue, as approved by the Planning and Development Department.
- 6. 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.
- 7. 8. 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.
- 8. 9. 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.

Backup Memo April 15, 2019 Page 3

9. 10. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE TO THE SITE PLAN DATE STAMPED **DECEMBER 4, 2018**, APRIL 5, 2019, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

Approved:

Mario Paniagua, Deputy City Manager

ATTACHMENT A

THIS IS A DRAFT COPY <u>ONLY</u> 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-87-18-4) FROM C-2 TOD-1 (INTERMEDIATE COMMERCIAL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) AND C-3 TOD-1 (GENERAL COMMERCIAL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO WU CODE T5:6 MT (WALKABLE URBAN CODE, TRANSECT 5:6 DISTRICT, TRANSIT MIDTOWN CHARACTER AREA).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as

follows:

SECTION 1. The zoning of a 3.70-acre property located at the southeast corner of Central Avenue and Indianola Avenue in a portion of Section 29, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-2 TOD-1" (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) and "C-3 TOD-1" (General Commercial, Interim Transit-Oriented Zoning Overlay District One) to "WU Code T5:6 MT" (Walkable Urban Code, Transect 5:6 District, Transit Midtown Character Area). 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 developer shall (re)construct sidewalk and landscape improvements to comply with Section 1312.C.1.c. of the Zoning Ordinance, as approved by the Planning and Development Department.
- 2. The development shall comply with the Central Avenue Development Standards, as approved by the Planning and Development Department.
- 3. The development shall provide a minimum 75% shaded pedestrian connection minimum 5-feet in width across the site to connect from Central Avenue to Clarendon Avenue, as approved by the Planning and Development Department. Shade calculations shall be based on the summer solstice at 12:00 p.m.
- 4. The development shall install, as approved by the Planning and Development Department:
 - a. All required bicycle parking spaces for the multifamily use, per Section 1307.H.6.d. of the Zoning Ordinance, as secured bicycle parking.
 - b. A minimum of 5 inverted-U style bicycle racks for guests, placed near entrances to the building and installed per the requirements of Section 1307.H.4. of the Zoning Ordinance.
- 5. A 15-foot by 15-foot right-of-way triangle shall be dedicated at the southeast corner of Central Avenue and Indianola Avenue, as approved by the Planning and Development Department.
- 6. 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.

- 7. 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.
- 8. 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.
- 9. The development shall be in general conformance to the site plan date stamped December 4, 2018, 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 17th day of April, 2019.

		MAYOR
		MATOR
ATTEST:		
	City Clerk	
APPROVED AS TO FORM:		
(City Attorney	
REVIEWED BY:		
0	City Manager	
Exhibits:		
A – Legal Description (2 Pages)		

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-87-18-4

EXHIBIT "A" AURA MIDTOWN GROSS ACREAGE

A PORTION OF LOT 6 AND THE ADJACENT RIGHT-OF-WAY OF CENTRAL AVENUE AS SHOWN ON THE FINAL PLAT FOR "T.M. EARNHART'S SUBDIVISION" RECORDED IN BOOK 3 OF MAPS, PAGE 43, MARICOPA COUNTY RECORDS (M.C.R.); LOTS 7-10 AND THE ADJACENT HALF STREET RIGHT-OF-WAY OF INDIANOLA STREET AND CENTRAL AVENUE, AS SHOWN ON THE FINAL PLAT FOR "INDIANOLA PLACE" RECORDED IN BOOK 3, PAGE 69, M.C.R.; LOT 1 AND THE ADJACENT RIGHT-OF WAY OF INDIANOLA AVENUE AND CLARENDON AVENUE AS SHOWN ON THE FINAL PLAT FOR "MAC PHOENIX" RECORDED IN BOOK 456, PAGE 19 AND LOCATED IN THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 29, ESTABLISHED FROM REFERENCE MONUMENTS PER DOCUMUNER NUMBER 2009-0003295, M.C.R. FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 29, BEING MARKED BY A BRASS CAP IN HANDHOLE, BEARS SOUTH 89 DEGREES 20 MINUTES 31 SECONDS EAST, 2673.53 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 50 SECONDS EAST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER AND ALSO THE CENTERLINE OF CENTRAL AVENUE, 882.19 FEET TO THE CENTERLINE OF INDIANOLA AVENUE AND THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID WEST LINE, SOUTH 89 DEGREES 21 MINUTES 07 SECONDS EAST, ALONG SAID CENTERLINE, 464.77 FEET TO AN INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE WEST LINE OF LOT 1 AS SHOWN ON SAID "MAC PHOENIX" FINAL PLAT;

THENCE DEPARTING SAID CENTERLINE, SOUTH 00 DEGREES 01 MINUTES 47 SECONDS WEST, ALONG SAID PROLONGATION AND ALSO THE EAST LINE OF SAID LOT 1, 220.15 FEET;

THENCE CONTINUING ALONG SAID EAST LINE, NORTH 89 DEGREES 21 MINUTES 23 SECONDS WEST, 2.20 FEET;

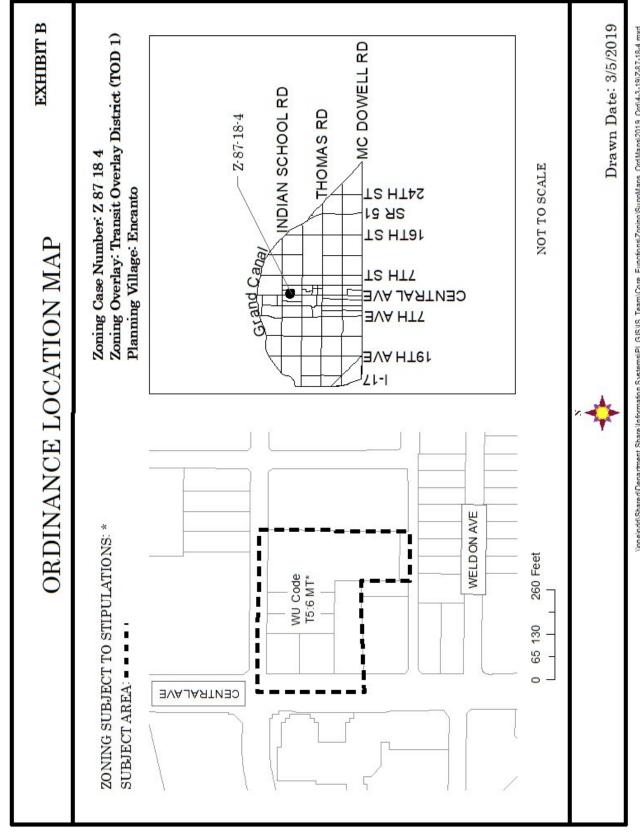
THENCE CONTINUING ALONG SAID EAST LINE AND THE SOUTHERLY PROLONGATION THEREOF, SOUTH 00 DEGREES 03 MINUTES 44 SECONDS WEST, 219.98 FEET TO THE CENTERLINE OF CLARENDONE AVENUE AS SHOWN ON SAID FINAL PLAT; THENCE DEPARTING SAID SOUTHERLY PROLONGATION, NORTH 89 DEGREES 23 MINUTES 03 SECONDS WEST, ALONG SAID CENTERLINE, 140.96 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 00 DEGREES 03 MINUTES 39 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 1 AND ITS SOUTHERLY PROLONGATION, 142.55 FEET;

THENCE DEPARTING SAID WEST LINE, SOUTH 88 DEGREES 25 MINUTES 29 SECONDS WEST, 321.13 FEET TO SAID WEST LINE AND SAID CENTERLINE OF SAID CENTRAL AVENUE;

THENCE NORTH 00 DEGREES 00 MINUTES 50 SECONDS WEST, ALONG SAID WEST LINE AND SAID CENTERLINE, 310.13 FEET TO THE **POINT OF BEGINNING.**

SAID PARCEL CONTAINS 160,242 SQUARE FEET, OR 3.6787 ACRES, MORE OR LESS.



\one bddiShared/Department Share\nformation S ystems/PL GISVS_Team\Core_Functions/Zoning\SuppMaps_OrdMaps/2019_Ord+3-19\Z-87-18-4.mxd

Attachment B



LANNING AND DEVELOPMENT DEPARTMEN

Staff Report Z-87-18-4

January 25, 2019

Encanto <u>Village Planning Committee</u> Hearing Date	February 4, 2019
Planning Commission Hearing Date	March 7, 2019
Request From:	<u>C-2</u> <u>TOD-1</u> (2.45 acres) and <u>C-3</u> <u>TOD-1</u> (1.25 acres)
Request To:	WU <u>T5:6 MT</u> (Walkable Urban Code, Transect 5:6 District, Transit Midtown Character Area) (3.70 acres)
Proposed Use:	Multifamily Residential
Location:	Southeast corner of Central Avenue and Indianola Avenue
Owner:	MAC Property, LTD
Applicant/Representative:	Jason Morris, Withey Morris, PLC
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Commercia	al
Street Map Classification	Central Avenue	Arterial	50-foot east half
	Indianola Avenue	Local	25-foot south half
	Clarendon Avenue	Local	30-foot north half

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.

The proposed development will provide a new housing options in the village. The site is adjacent to an arterial street with light rail transit. The Central Avenue and Indian School light rail transit station is approximately 950 feet to the north.

CONNECT PEOPLE AND PLACES CORE VALUE; TRANSIT ORIENTED DEVELOPMENT; LAND USE PRINCIPLE: Encourage high-density housing and high intensity employment uses to locate adjacent or close to transit stations per adopted transit district plans.

The site is located within the Midtown Transit Oriented Development (TOD) District on Central Avenue, near a light rail station and adjacent to numerous bus routes on Central Avenue. In addition, the Midtown TOD Policy Plan indicates that the area will have a housing shortage by 2035, the proposal will add to the housing stock in the area.

CONNECT PEOPLE AND PLACES CORE VALUE; INFILL DEVELOPMENT; LAND USE PRINCIPLE: Promote and encourage compatible infill development with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.

This proposal provides compatible infill development on a property that is currently underutilized. The proposal will be compatible with nearby uses. This housing type contributes to the mix of housing types in the area and in close proximity to employment centers and commercial areas.

Applicable Plans, Overlays and Initiatives

Transit Oriented Development Strategic Policy Framework – see item No. 6 below.

Midtown Transit Oriented Development Policy Plan – see item No. 7 below.

Tree and Shade Master Plan – see item No. 8 below.

Complete Streets Guiding Principles – see item No. 9 below.

Comprehensive Bicycle Master Plan – see item No. 10 below.

Reimagine Phoenix – see item No. 20 below.

Surrounding Land Uses/Zoning		
	Land Use	Zoning
On Site	Auto Repair, Restaurant and Surface Parking	C-3 TOD-1 and C-2 TOD-1
North	Multifamily Residential and Medical Facility	WU T6:7 MT, R-5 SP TOD-1
South	Commercial Business, Restaurant, Surface Parking, Multifamily Residence and Vacant Lot	C-2 TOD-1 and R-4 TOD-1 and P-1 TOD-1

East	Vacant	C-2 HR TOD-1
West	Across Central Avenue, Office Complex	C-3 TOD-1

Walkable Urban Code *if variance required T5:6		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the</u> Proposed site Plan
Gross Acreage	N/A	3.70
Total Number of Units	N/A	252
Density	No Maximum	68 dwellings per acre
Building Height	80-foot maximum	57 feet (Met)
Parking Structure	Cannot exceed building height	
Parking	389 required – 25% = 234 required (25% reduction permitted for properties within 1,320 feet of light rail station)	360 provided (Met)
Bicycle Parking (1307.H.6.d.)	50 spaces minimum	See background item No. 10 (50 secured spaces and 5 guest parking spaces)
Public Open Space	5% of gross area over one	11% (Met)
(Section 1310)	acre	
Central Avenue Streetscape	Per adopted plans	Per adopted plans, see background item No. 5
Streetscape Standards	Sidewalk width – minimum	See background item
Indianola Avenue and	5 feet	Nos. 5,8 and 9
Clarendon (Section 1312.C.1.c)	Landscape width – minimum 5 feet	(Minimum 5-foot wide landscape strip and Minimum 5-foot wide sidewalk)
Section 1303.2 TRANSECT T5		
Main Building Setbacks		
Light Rail Frontage (Central Avenue)	12-foot maximum	12 feet (Met)
Secondary Frontage	10-foot maximum	Indianola Avenue: 10
(Indianola Avenue and		feet (Met)
Clarendon Avenue)		Clarendon Avenue: 7 feet (Met)
Side Lot Line	0-foot minimum	Not provided
Rear Lot Line	0-foot minimum	0-foot (Met)

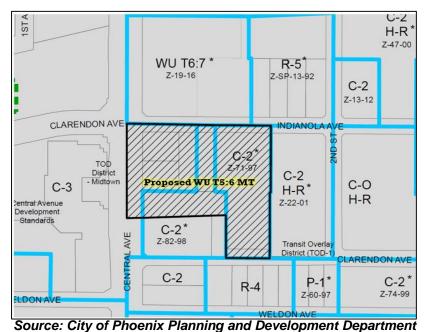
Staff Report: Z-87-18-4 January 25, 2019 Page 4 of 13

Parking Setbacks		
Primary Frontage (Central Avenue)	30-foot minimum or behind building	Met
Secondary Frontage	20-foot minimum	Met
Side Lot Line	0-foot minimum	Met
Rear Lot Line	0-foot minimum	Met
Lot Requirements		
Lot Coverage	80% maximum	68% (Met)
Primary Building Frontage (Central Avenue)	70% minimum	Met
Secondary Building Frontage (Indianola Avenue and Clarendon Avenue)	50% minimum	Indianola Avenue: 70% (Met) Clarendon Avenue: 50% (Met)
Frontage Types Allowed		
Light Rail Frontage (Central Avenue)	All frontages permitted or alternative frontages	Storefront
Secondary Frontage (Indianola Avenue and Clarendon Avenue)	All frontages permitted or alternative frontages	Indianola Avenue: stoop and door well Clarendon Avenue: Stoop and door well
Entry Requirements	One per 50 feet of primary building frontage and one per 80 feet of secondary frontage	Two entrances shown on Central Avenue (Not met)
Glazing Standards (per T4)		
Ground Floor	25%	25% (Met)
Second Floor	25%, 10% east and west	25% and 10% (Met)

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Background/Issues/Analysis

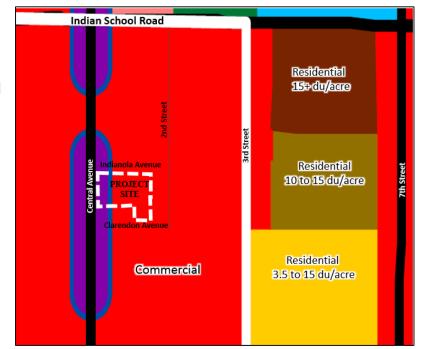
1. This request is to rezone a 3.70-acre site located at the southeast corner of Central Avenue and Indianola Avenue from C-3 TOD-1 (General Commercial, Interim Transit-**Oriented Zoning** Overlay District One) and C-2 TOD-1 (Intermediate Commercial, Interim **Transit-Oriented** Zoning Overlay District One) to WU T5:6 MT



(Walkable Urban Code, Transect 5:6 District, Transit Midtown Character Area) to allow development of approximately 252 multifamily apartments. The subject site consists of 6 parcels under the ownership of MAC Property, LTD.

 The General Plan Land Use Map designation is Commercial. Although the proposal is not consistent with the General Plan designation, an amendment is not required as the subject parcel is less than 10 acres.

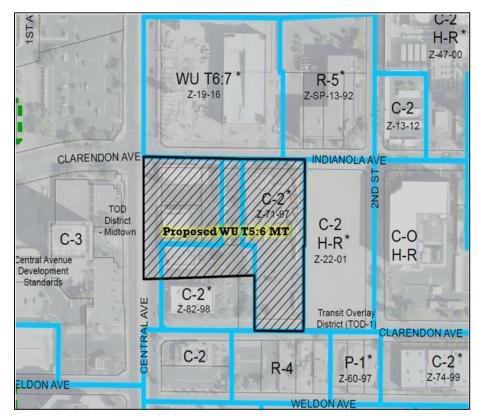
> The surrounding General Plan Land Use Map designations are Commercial.



Source: City of Phoenix Planning and Development Department

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3. There is an existing auto repair business on the northwestern portion of the site, restaurant on the southwestern portion of the site and surface parking on the eastern portion of the site.



Source: City of Phoenix Planning and Development Department

<u>NORTH</u>

North of the subject site is a multifamily development zoned WU T6:7 (Walkable Urban Code, Transect District T6:7) and a medical care facility zoned R-5 SP (Multifamily Residence District, Special Permit)

<u>SOUTH</u>

South of the subject site is a FedEx office and shipping center zoned C-2 TOD-1 (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) and a parking lot, vacant lot and multifamily residence zoned R-4 TOD-1 (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One).

<u>EAST</u>

East of the subject site is a vacant lot zoned C-2 HR TOD-1 (Intermediate Commercial, High-Rise, Interim Transit-Oriented Zoning Overlay District One).

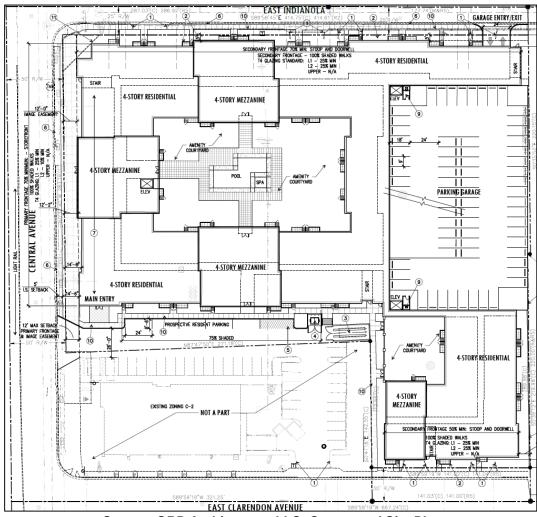
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<u>WEST</u>

West of the subject site, across Central Avenue is an office complex zoned C-3 (General Commercial, Interim Transit-Oriented Zoning Overlay District One).

PROPOSAL

4. The conceptual proposal shows units with ground floor entrances to the building with stoop and door well frontages along Indianola Avenue and Clarendon Avenue. The primary frontage proposed along Central Avenue is storefront and the main entry is at the southwest corner of the site. A vehicular entrance is shown on Indianola Avenue. A 4-story parking garage is being proposed on the eastern end of the site and six tandem parking spaces are being proposed along the southern end of the site. Two amenity areas are internal to the project for resident use at the center of the site and at the southern end of the site.



Source: ORB Architecture, LLC; Conceptual Site Plan

5. In 1989 the Central Avenue Beautification Project was adopted by the City Council. In recognition of Central Avenue development as an ongoing process,

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> the Central Avenue Development (image-design) standards were created and are applicable to all construction and new modification on properties bordering Central Avenue from Culver Street to Camelback Road. The subject site falls under the purview of these standards for the Central Avenue frontage. Staff has requested that the applicant comply the Central Avenue Development Standards. This is addressed in Stipulation No. 2.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

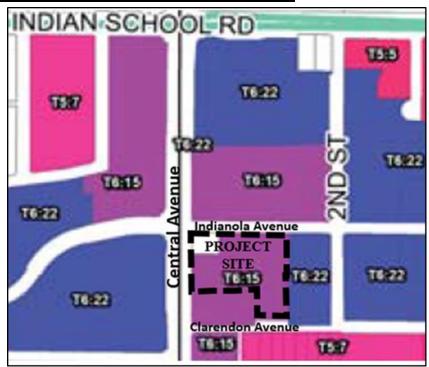
6. Transit Oriented Development Strategic Policy Framework

The Transit Oriented Development Strategic Policy Framework is part of the city's General Plan which identified planning typologies to describe urban environments. The identified environment for the Central Avenue and Indian School Road light rail station area is Major Urban Center. Major Urban Center is a place type characterized by medium to high intensity with building heights typically from four to eight stories with incentive heights of up to 15 stories. Land uses may include entertainment, retail, mid-rise living and office employment. The proposed project falls within the parameters of the Major Urban Center place type.

7. Midtown Transit Oriented Development District Policy Plan

The site is located within the Midtown TOD (Transit Oriented Development) District. the boundaries for which are McDowell Road on the south. Indian School Road on the north 7th Street on the east and 7th Avenue on the west. The policy plan adopted for the Midtown TOD District provides a blueprint for fully achieving the transformative

potential of light rail in



Source: City of Phoenix Planning and Development Department

a sustainable manner. Changes advocated in the plan can lower transportation costs for residents, create new business opportunities, encourage active, healthy lifestyles, ensure Phoenix increases its competitive advantage in the global marketplace, and improve prosperity by growing the economy in locations with existing infrastructure and public services. In order to realize the implementation of the Vision and Master Plan for the Midtown TOD District, one key recommendation is the implementation of a form-based zoning code. The proposal to Walkable Urban Code furthers that vision.

The Midtown TOD Policy Plan utilized the Major Urban Center place type to determine the recommended scale and character of the area around the Central Avenue and Indian School Road light rail station and this scale and character was illustrated in both the conceptual master plan and the conceptual zoning plan. The subject site has a suggested zoning designation of T6:15 with a maximum building height of 180 feet. The applicant has proposed a transect of T5:6 which allows a maximum height of 80 feet. The proposed project is 4-stories and 57 feet in height.

8. Tree and Shade Master Plan

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. Toward that end, development of this site will contribute to the urban forest infrastructure through the provision of trees along the rights-of-way. Further, the sidewalks along Indianola Avenue are encouraged to be detached from the curbs, allowing trees to be planted to shade and separate pedestrians from vehicles on the street. If utility conflicts in the right-of-way, the applicant may consider structural shade elements, trellesis or covered walkways. This is addressed in Stipulation No. 1.

9. Complete Streets Guiding Principles

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. To this end, devlopments should offer connected and shaded pedestrain walking paths. Staff has requested that a pedestrian connection be made from Central Avenue to Clarendon Avenue that is shaded at a minimum of 75%. This requirement is adressed in Stipulation No. 3.

10. Comprehensive Bicycle Master Plan

The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. It is recommended that two types of parking be provided on the property: secured parking for residents, and short-term rack parking for guests located near entrances to the building. The property is adjacent to a light rail transit station, several major bus routes and the Sonoran Bike Boulevard on 3rd Avenue. Providing secure bicycle parking for residents and parking for guests of the development is supportive of multimodal travel options. Secured bicycle parking can be provided in bicycle lockers or in locked bicycle rooms. The applicant will work with Planning and Development staff through the site development review process to determine locations for both types of bicycle parking as well as the manner in which the secured parking will be provided. The short-term bicycle racks should be an inverted-u design where both ends of the "U" are affixed to the ground and installed per the requirements of WU Code. These provisions are addressed in Stipulation No. 4.

COMMUNITY INPUT SUMMARY

11. At the time this staff report was written, staff had not received any public correspondence regarding the request.

HISTORIC PRESERVATION OFFICE COMMENTS

12. The proposal calls for removing the existing buildings on site one of which is eligible for historic designation. The Greater Arizona Savings and Loan building is located along Central Avenue at the southwest corner of the subject site. The property was built in 1965 and encompasses mid-century modern architectural features.

The Historic Preservation Office has reviewed the application and the demolition application for the Greater Arizona Savings and Loan Association building located on the site. The Historic Preservation Department has requested that the applicant complete documentation of the building as required by Arizona Reporting Standards of Cultural Resources prior to the demolition of the building. This is addressed in Stipulation No. 5.



Source: Google Maps; Great Arizona Savings and Loan Association building

INTERDEPARTMENTAL COMMENTS

13. The City of Phoenix Water Services Department has noted the property has existing water and sewer mains that can potentially serve the proposed development. However, there is a 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.

- 14. The Aviation Department has noted that the developer shall provide notice to prospective purchasers of the existence and operational characteristics of the Phoenix Sky Harbor International Airport (PHX). This is addressed in Stipulation No. 8.
- 15. The Fire Department does not anticipate any problems with this case. However, they noted that the site and/or buildings shall comply with the Phoenix Fire Code.
- 16. The Street Transportation Department has noted that the development shall provide a 15-foot by 15-foot right-of-way triangle at the southeast corner of Central Avenue and Indianola Avenue, shall abide by the Central Avenue Beautification standards and shall update all off-site street improvements to current ADA guidelines. This is addresses in Stipulation Nos. 2, 6 and 7.
- 17. The City of Phoenix Floodplain Management division of the Public Works Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2205 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.

OTHER

- 18. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 9.
- Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Zoning adjustments, abandonments or other formal actions may also be required.
- 20. As part of the Reimagine Phoenix Initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The proposal does not address recycling as part of the proposal.

Findings

- 1. The proposal is consistent with the surrounding land use pattern.
- 2. This infill proposal provides a new housing option to contribute to the mix of housing types in the area, and addresses the Midtown TOD Policy Plan's goals for more housing in the district.

- 3. Utilization of the Walkable Urban Code will facilitate the development of another pedestrian oriented project along the light rail corridor.
- 4. Proposal will provide additional housing options for the significant number of employers/employees in the Midtown TOD District.

Stipulations

- 1. The developer shall (re)construct sidewalk and landscape improvements to comply with Section 1312.C.1.c of the Zoning Ordinance, as approved by the Planning and Development Department.
- 2. The development shall comply with the Central Avenue Development Standards, as approved by the Planning and Development Department.
- The development shall provide a minimum 75% shaded pedestrian connection minimum 5-feet in width across the site to connect from Central Avenue to Clarendon Avenue, as approved by the Planning and Development Department. Shade calculations shall be based on the summer solstice at 12:00 p.m.
- 4. The development shall install, as approved by the Planning and Development Department:
 - a. All required bicycle parking spaces for the multifamily use, per Section 1307.H.6.d of the Zoning Ordinance, as secured bicycle parking.
 - b. A minimum of 5 inverted-U style bicycle racks for guests, placed near entrances to the building and installed per the requirements of Section 1307.H.4. of the Zoning Ordinance.
- 5. The applicant shall complete documentation of the eligible historic property (former Greater Arizona Savings & Loan Association building, 3825 N. Central Avenue), prior to the approval of any demolition or building permits for the new development. Documentation shall be completed consistent with Part IV of the Arizona Reporting Standards for Cultural Resources and as approved by the Historic Preservation Office.
- 6. A 15 foot by 15 foot right-of-way triangle shall be dedicated at the southeast corner of Central Avenue and Indianola Avenue, 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 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.
- 9. 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.

<u>Writer</u>

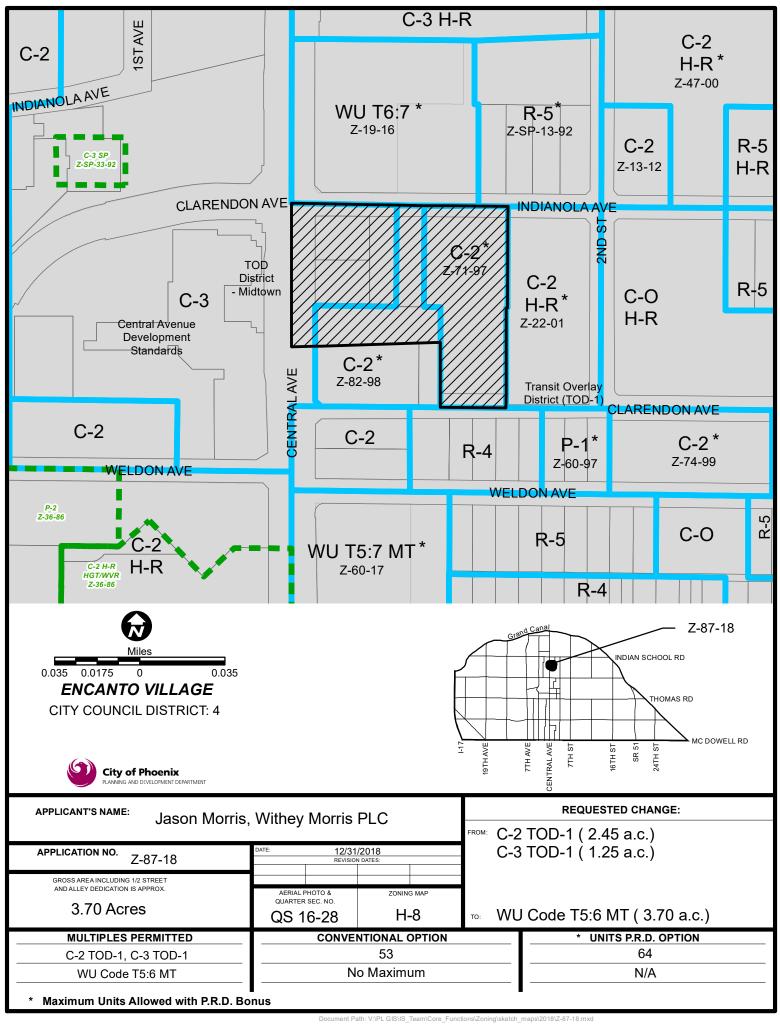
Maja Brkovic January 25, 2019

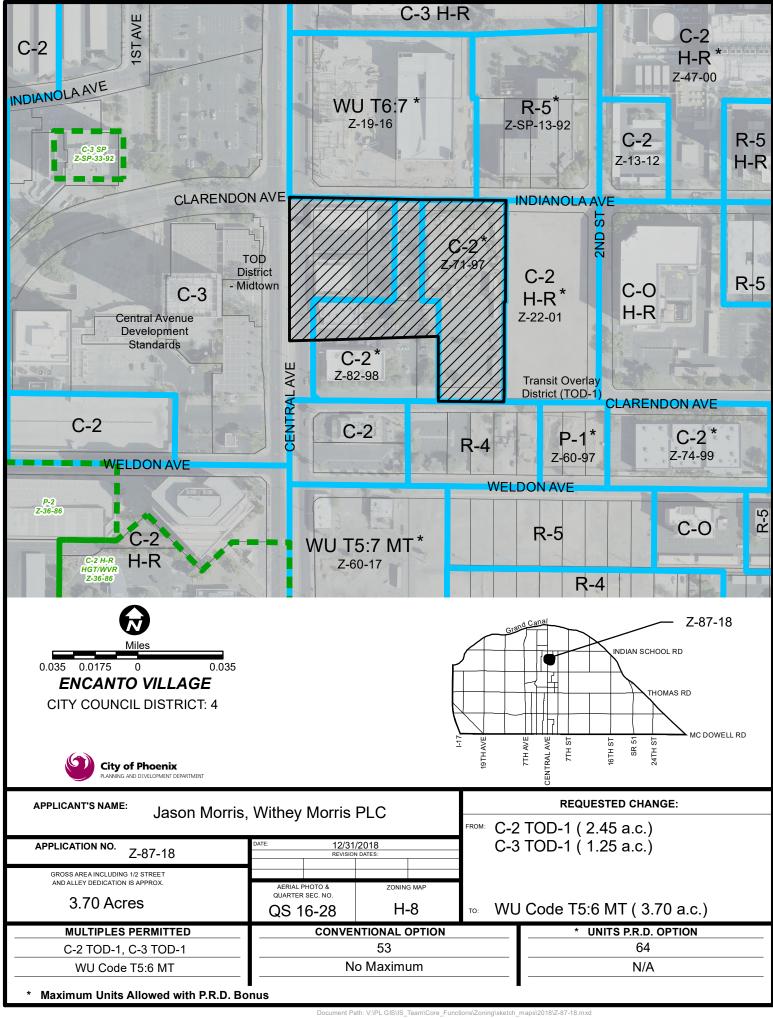
<u>Team Leader</u>

Samantha Keating

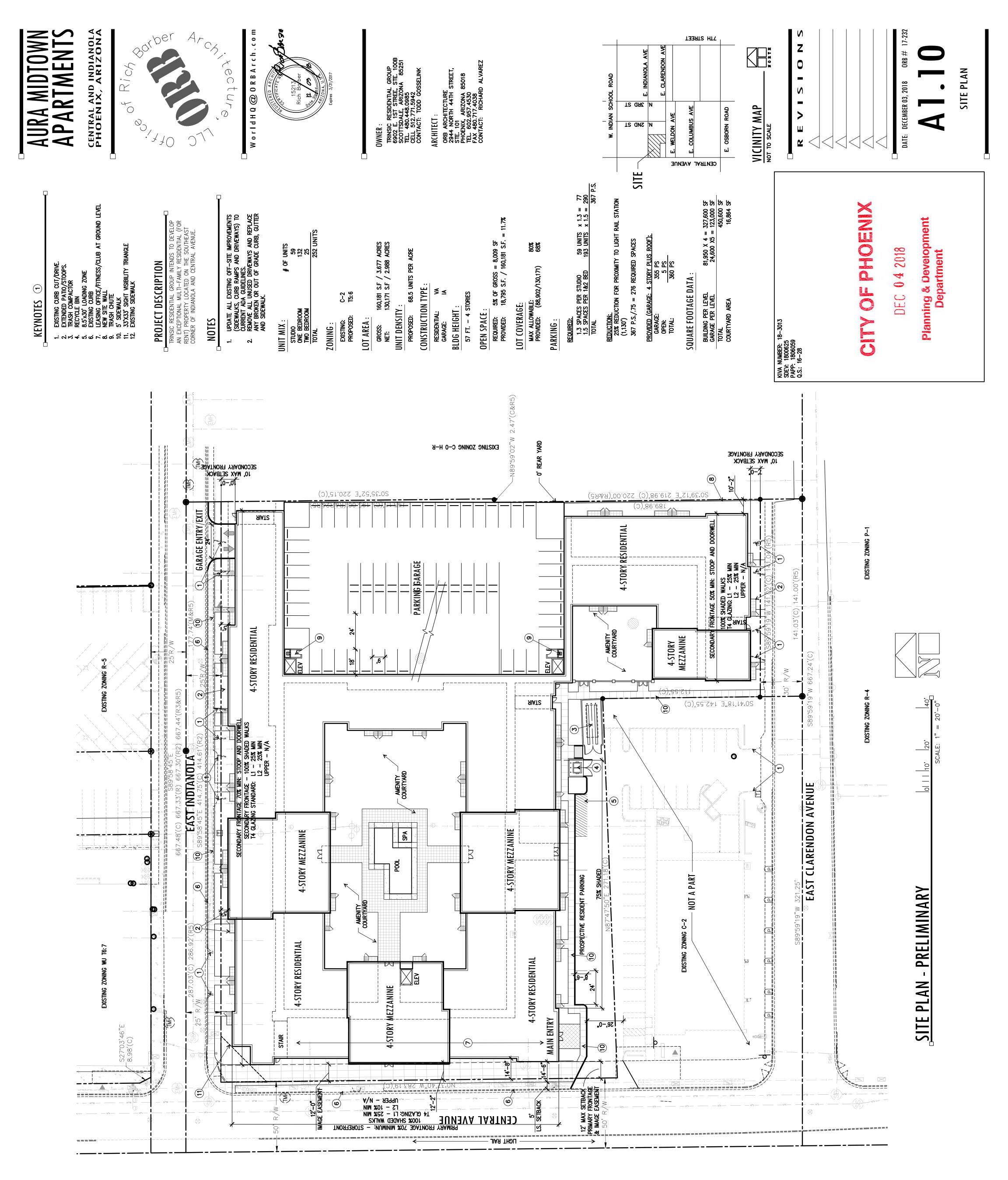
Exhibits

Sketch Map Aerial Map Site Plan date stamped December 4, 2018 (1 page) Elevations date stamped December 4, 2018 (1 page)





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LEGAL DESCRIPTION

HE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1: LOT 7, BLOCK 5, INDIANOLA PLACE, ACCORDING TO BOOK 3 OF MAPS, PAGE 69, ACCORDING TO RECORDS OF MARICOPA COUNTY, ARIZONA

VARCEL NO. 2: ALL THAT PORTION OF THE WESTERLY 271 FEET OF LOT 6, T.M. EARNHART'S SUBDIVISION, A ACCORDING TO BOOK 3 OF MAPS, PAGE 43 RECORDS OF MARICOPA COUNTY,ARIZONA, LYNG VORTHERLY OF THE FOLLOWNG DESCRIBED LINE;

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE SOUTHERLY 88 FEET UPON THE WEST LINE OF SAID LOT 6 TO THE POINT OF BEGINNI THENCE EASTERLY 271 FEET TO A POINT WHICH IS 77.5 FEET SOUTHERLY OF A POINT IN THE NORTH LINE OF SAID LOT 6, WHICH IS 271 FFET FASTERY OF SAID NORTHWEST CORNER (POIN

PARCEL NO. 3: LOT 8 AND THE SOUTH 100.00 FEET OF LOTS 9 AND 10, INDIANOLA PLACE, ACCORDING TO BOOK 3 OF MAPS, PAGE 69, ACCORDING TO RECORDS OF MARICOPA COUNTY, ARIZONA

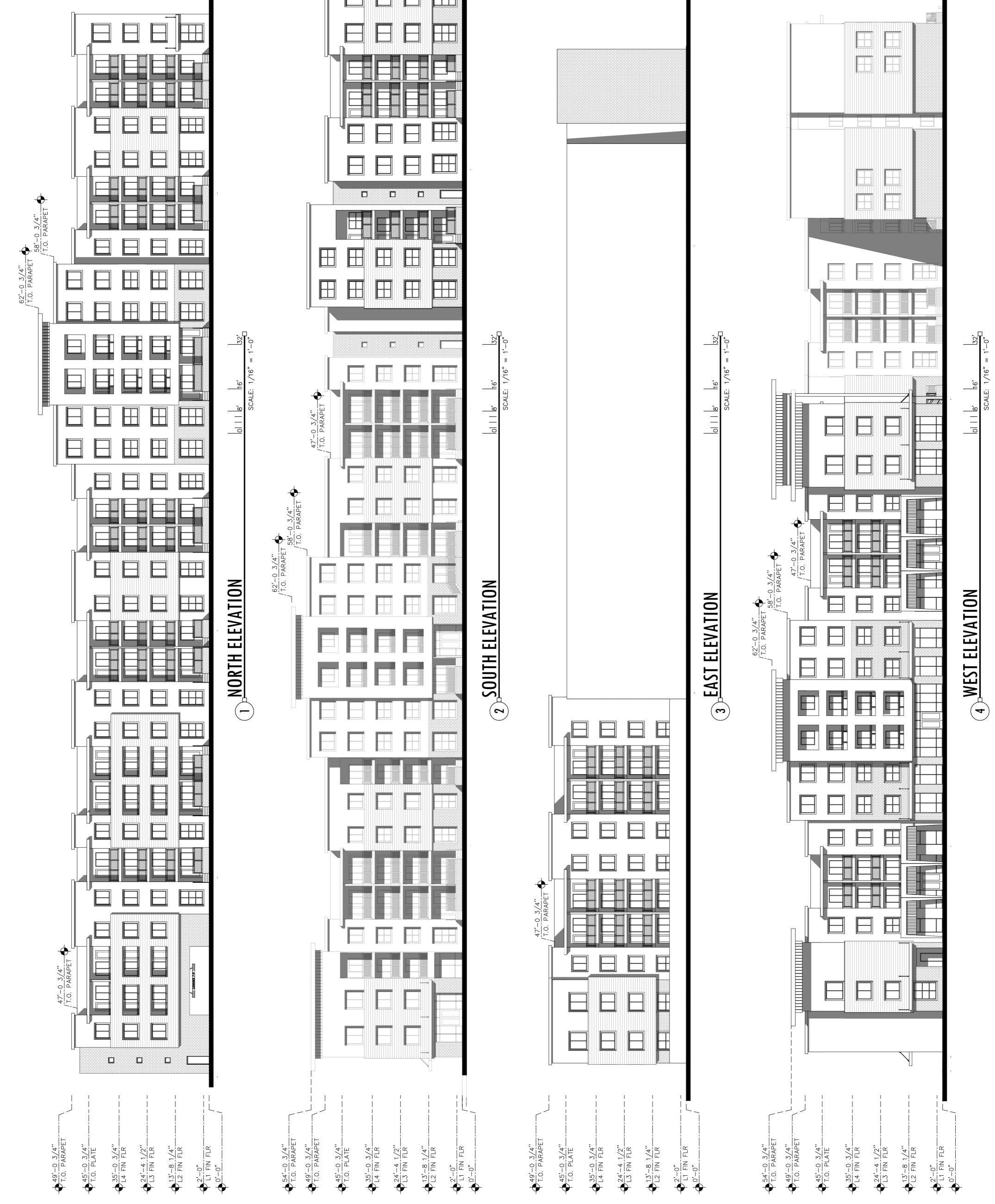
PARCEL NO. 4: THE NORTH 95 FEET OF LOTS 9 AND 10, BLOCK 5, INDIANOLA PLACE, ACCORDING TO BOOK 3 OF MAPS, PAGE 69, ACCORDING TO RECORDS OF MARICOPA COUNTY, ARIZONA

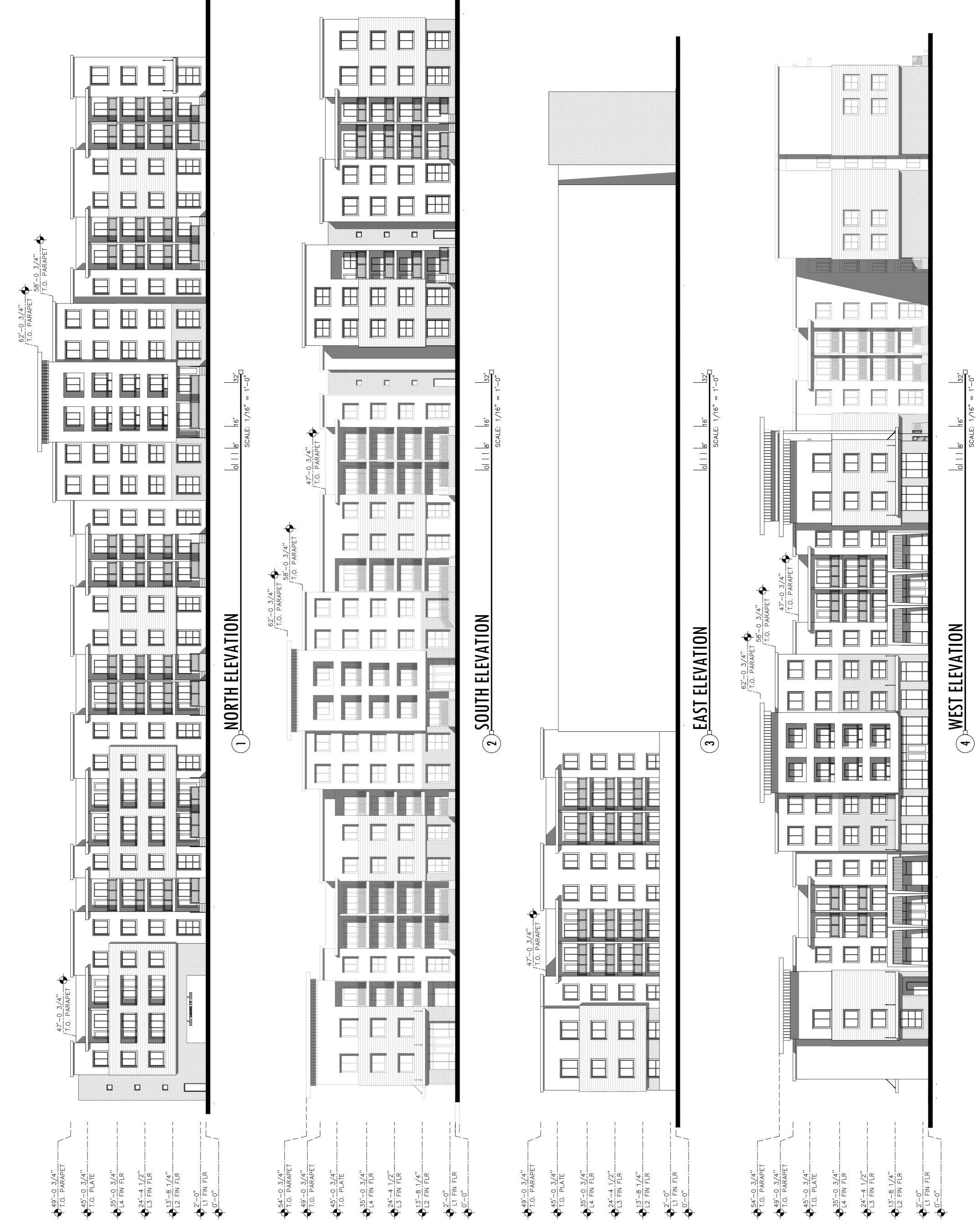
PARCEL NO. 3: LOT 1, MAC PHOENIX, ACCORDING TO BOOK 456 OF MAPS, PAGE 19, RECORDS OF MARICOPA COUNTY, ARIZONA

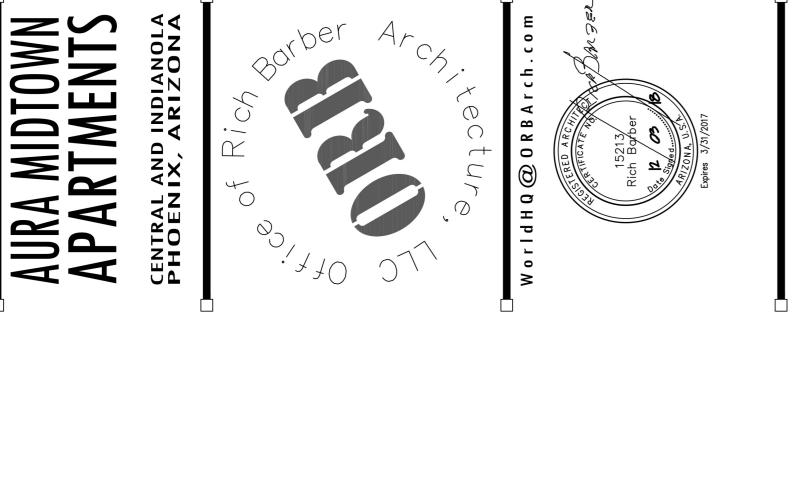
118-25-039A, 118-25-040A, 118-25-006, 118-25-041B, 118-25-042A, 118-25-979

EXISTING ZONING C3

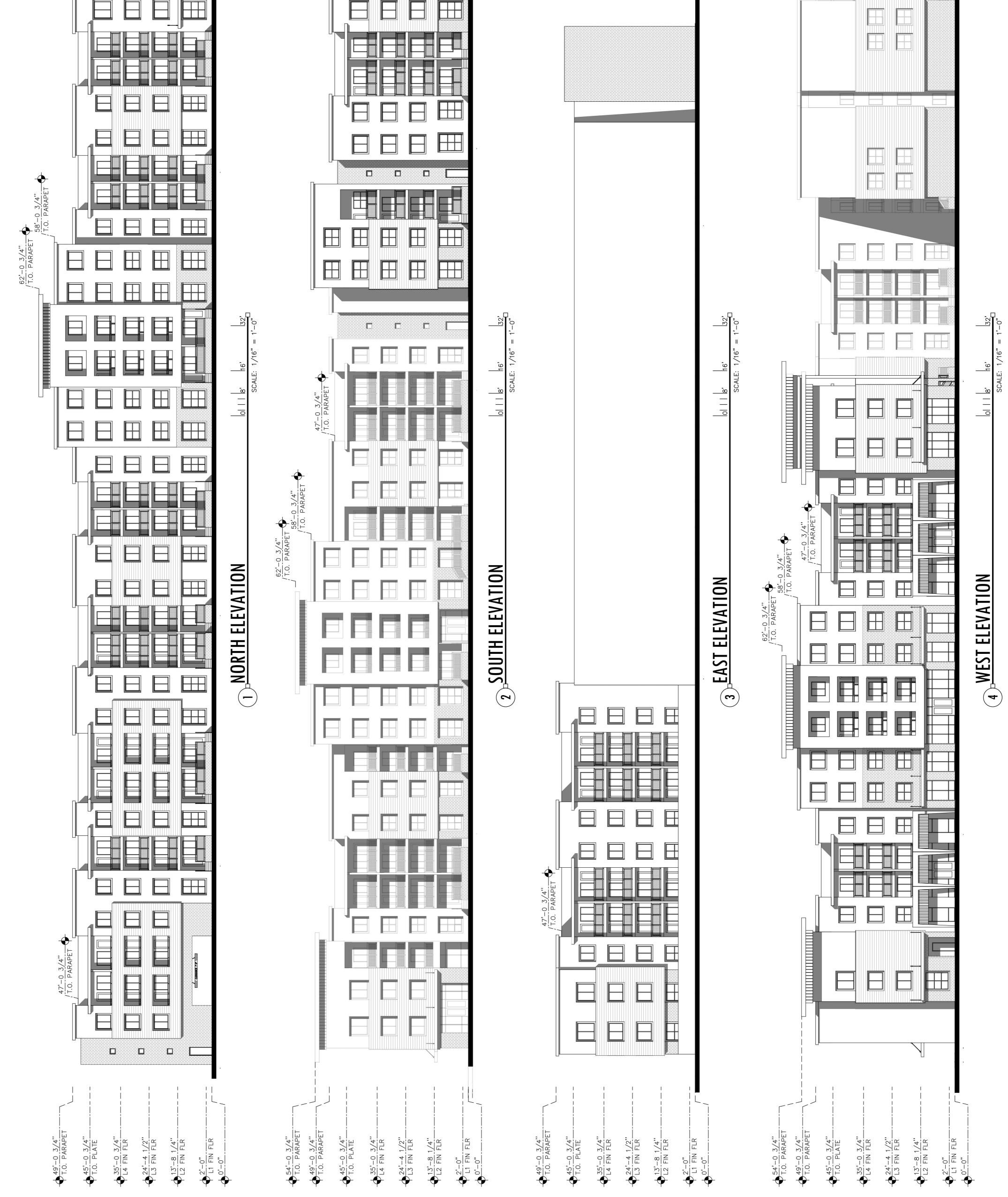


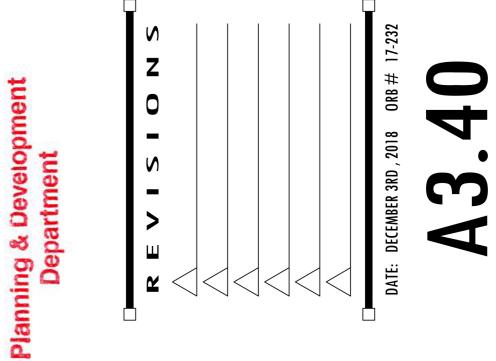












BUILDING ELEVATIONS

DEC 04 2018

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FILE: //jcf-server/JCF JOB Files/ORB Drive T/ORB/ORB Job Files/IR _232_TRG_Aura Midtown/CAD Files/Preliminary/17232 A340 Bldg Elevations.dwg USER: Admin



Village Planning Committee Meeting Summary Z-87-18-4

Date of VPC Meeting	February 4, 2019
Request From	C-3 TOD-1 and C-2 TOD-1
Request To	WU T5:6 MT
Proposed Use	Multifamily residential
Location	Southeast corner of Central Avenue and Indianola Avenue
VPC Recommendation	Approval per staff's recommendation with an additional stipulation
VPC Vote	8-1

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Ms. Brkovic provided an overview of the request noting the surrounding uses, zoning, general plan land use designation, overview of the site plan and elevations and staffs findings and stipulations.

Mr. Steve Procaccini asked for clarification in regard to the location of the pedestrian connection from Central Avenue. **Ms. Brkovic** provided clarification of the location.

Mr. Jason Morris, Withey Morris, PLC, representing the applicant provided an overview of the request noting that the applicant was Trinsic Residential, who is largely owned and financed by the Texas Teachers Retirement Fund. He indicated that this meant that Trinsic builds for their own portfolio instead of leasing or selling to large pension or insurance companies. He indicated that due to the fact that the development was funded by a retirement system meant that there was motivation to hold on to the asset on a long term basis.

Mr. Morris noted that the development was for 252 dwelling units consisting of a mix of studio, 1 bedroom and 2 bedroom apartments. He indicated that the site was located within the Midtown TOD Policy Plan area which indicated that additional housing units were needed. He noted that the site was adjacent to a vacant lot to the east which would be a future substation and buffered by a parking garage on their site. He noted that there would be a stoop and door well on the northern and southern edge of the site with direct access to the street. In addition, he provided an overview of the sustainability measures taken for the project.

Ms. Cothron asked the applicant to specifically list some of the sustainability measures being taken. **Mr. Morris** noted the following among some others:

- Project would meet the national green building standard.
- Project would meet the current bronze standard for construction practices.
- Project would contain a solar array as a grange top carport. He noted that the solar array would not be on the other structures as there was not a large enough area to do a cohesive solar array on top of those buildings.
- LED lighting throughout.
- Recycling program for the residence as well as the office component.
- Electric vehicle charging stations.

Ms. del Galdo asked if the Texas Teachers Retirement program also funded the Tempe Town Lake project. **Mr. Morris** noted that they did and that they owned it as well. **Ms. del Galdo** asked how long the retirement fund typically held onto projects. **Mr. Morris** noted that it differs from project to project and indicated that it depends on the type of funding. **Todd Gosselink**, developer for the project, noted that the proposed project was identified as a core asset which anticipated a minimum 10 year hold. **Ms. del Galdo** asked about the exterior materials planned for the project. **Mr. Gosselink** noted that it would be a mix of siding, brick, stucco and glass.

Ms. Cothron commended the applicant for mimicking the Savings and Loan building's exterior. She asked that the applicant consider building the project at a silver versus Bronze LEED standard. **Mr. Morris** noted that the solar array component was not considered when they identified that the site would be build per the Bronze standard and noted that the site might in fact meet the silver standard inclusive of the solar array.

Mr. Aaron Searles asked for clarification regarding whether or not the Macayo's restaurant would be demolished. **Mr. Morris** noted that it would be demolished and explained that the Macayo's family was the seller for the project.

Mr. Abraham James asked how many projects Trinsic had worked on around the country. **Mr. Gosselink** noted that they have done around 30 projects with another 10 underway. He indicated that their major markets were in Houston, Dallas, San Antonio, Seattle, Portland, Phoenix, Flagstaff, Miami, Fort Lauderdale and Boca Raton. **Mr. James** asked if they held onto those projects for 10 years. **Mr. Gosselink** noted that their company was only 6 years old while the pension system has been around for much longer. He indicated that some of the assets have been sold and noted that it depended on which bucket of capital was allocated for that project. He indicated that the pension system had an opportunistic and core fund, he noted that the core funds typically build within infill locations because they were safer from market risk and were more comfortable holding onto them long-term. He indicated that Trinsic had developed more suburban, garden style apartments that have been sold.

Ms. del Galdo asked if Texas Teachers was the only pension fund Trinsic worked with. **Mr. Gosselink** noted that it was.

Mr. Paul Benjamin noted that the applicant proposed a lower intensity transect district otherwise planned by the Midtown TOD Policy Plan. He asked if staff had concerns regarding the transect district chosen and if it would cause issues pertaining to the projected housing units needed in the area. **Ms. Brkovic** noted that the TOD Policy Plan transect district identification was conceptual. She indicated that there are some

areas where we may see higher intensity than planned which would result in attaining the project number of units identified.

Mr. Benjamin noted that the project seemed great specifically in regard to all of the sustainability measures being taken but hand concerns in regard to lack to certainty that the site would be developed as depicted by the applicant. **Mr. Morris** noted that the sustainability features are incorporated as part of their application and the public hearing process. He indicated that the sustainability features would not have been presented to the committee if it was something this his client was not able to provide. **Mr. Benjamin** noted that the committee should consider adding a stipulation of general conformance to the site plan to ensure that the project is build as stated by the applicant.

Mr. Steve Procaccini noted that adaptive refuse was also a sustainability measure and noted that he would have liked to see the Savings and Loan building incorporated into the development versus demoing the building. He also noted concern with removing the Macayo's sign and asked that the applicant consider saving it or donating it to the vintage sign coalition. Ms. Wininger noted that previous stipulations related to donating signs to the vintage sign coalition were not upheld by the Planning Commission because it was found that stipulations that require transactions between two separate parties could no be done through a rezoning action. She noted that the committee could recommend or request that the applicant contact the vintage sign coalition but indicated that it cannot be stipulated. Mr. Morris, in regard to the historic structure, noted that historic eligibility for the Savings and Loan site was a large part of their application and was not overlooked. He indicated that before filing for the rezoning application his team worked with the Historic Preservation Office to discuss the significance of the building. He noted that although it was an older building it was not found to have the same architectural significance as some of the other buildings that have been incorporated into new developments. Instead, the developer has decided to pay a homage to the old building as seem in the elevation provided. In addition, the Historic Preservation Office has asked that we document the buildings existence before pulling any permits for demolition as stipulated in the staff report. He noted that if the building had a greater historic significance that there would have been more outreach from the public because he and his client asked that the Historic Preservation Department send out notice regarding the building before filing for the rezoning.

Ms. del Galdo asked if the building density was set due to site limitations. **Mr. Morris** noted that it was a combination of site limitations and the building type. **Ms. del Galdo** asked if the units would be rental properties and if they would all be market rate. **Mr. Morris** noted that they were rental units and that the development was not part of a program that would require affordable units.

Mr. Procaccini indicated that only 276 parking spaces were needed for the development but that 84 additional parking spaces were provided, he asked why the development was over parked. **Mr. Morris** noted that some of the reason for that was due to the surface parking along the FedEx building and because there happened to be extra space due to the design and size of the parking structure.

Chairman Adams expressed that he was excited that the development was utilizing solar for their project.

Margaret Deidrick, a resident in the area and in support of the rezoning, asked if there would be resident access along the north and south of the site for light rail access. **Mr. Gosselink** noted that the units fronting the street would have direct access while the units above would also have a main exit to the street, near the station.

Motion

Jayson Matthews made a motion to approve Z-87-18-4 per staff's stipulations.

G.G. George seconded the motion.

Paul Benjamin made a friendly amendment to approve per staff's stipulations and add an additional stipulation that the site be in general conformance to the site plan date stamped December 4, 2018.

G.G. George accepted the friendly amendment.

<u>Vote</u>

The motion was approved, Vote: 8-1 (Procaccini).

Roll Call:

Yes – Jake Adams, Ann Cothron, Paul Benjamin, Andrea del Galdo, G.G. George, Abraham James, Jayson Matthews and Rebecca Wininger.

No – Steve Procaccini.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff has no comments.

Attachment D



To: City of Phoenix Planning Commission

Date: March 7, 2019

- From: Racelle Escolar Planner III
- Subject: BACK UP TO ITEM NO. 13 (Z-87-18-4) SOUTHEAST CORNER OF CENTRAL AVENUE AND INDIANOLA AVENUE

This memo is to provide a revised staff recommendation that addresses a stipulation recommended by the Historic Preservation Office. The Historic Preservation Office reviewed the rezoning application and the demolition application for the former Greater Arizona Savings and Loan Association building (3825 N. Central Avenue) located on the site. Based on their review of these applications, the Historic Preservation Office requested that the applicant complete documentation of the eligible historic property prior to the demolition of the building, as detailed in Stipulation No. 5 in the staff report.

Subsequent to the Encanto Village Planning Committee meeting on February 4, 2019, the applicant submitted the abovementioned documentation. The Historic Preservation Office has confirmed that the documentation was provided as detailed in Stipulation No. 5 in the staff report and is considered complete. Because the historic documentation has been completed, staff is recommending that the stipulation requiring the documentation be removed.

REVISED STAFF STIPULATIONS:

- 1. The developer shall (re)construct sidewalk and landscape improvements to comply with Section 1312.C.1.c of the Zoning Ordinance, as approved by the Planning and Development Department.
- 2. The development shall comply with the Central Avenue Development Standards, as approved by the Planning and Development Department.
- 3. The development shall provide a minimum 75% shaded pedestrian connection minimum 5-feet in width across the site to connect from Central Avenue to Clarendon Avenue, as approved by the Planning and Development Department. Shade calculations shall be based on the summer solstice at 12:00 p.m.

- 4. The development shall install, as approved by the Planning and Development Department:
 - a. All required bicycle parking spaces for the multifamily use, per Section 1307.H.6.d of the Zoning Ordinance, as secured bicycle parking.
 - b. A minimum of 5 inverted-U style bicycle racks for guests, placed near entrances to the building and installed per the requirements of Section 1307.H.4. of the Zoning Ordinance.
- 5. The applicant shall complete documentation of the eligible historic property (former Greater Arizona Savings & Loan Association building, 3825 N. Central Avenue), prior to the approval of any demolition or building permits for the new development. Documentation shall be completed consistent with Part IV of the Arizona Reporting Standards for Cultural Resources and as approved by the Historic Preservation Office.
- 5. 6. A 15 foot by 15 foot right-of-way triangle shall be dedicated at the southeast corner of Central Avenue and Indianola Avenue, as approved by the Planning and Development Department.
- 6. 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.
- 7. 8. 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.
- 8. 9. 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.
- 9. 10. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE TO THE SITE PLAN DATE STAMPED DECEMBER 4, 2018, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

EXHIBITS

Historic Preservation Office email dated March 6, 2019

Samantha Keating

From:	Kevin Weight
Sent:	Wednesday, March 6, 2019 12:49 PM
То:	Samantha Keating
Cc:	jessi@witheymorris.com
Subject:	3825 N. Central Ave Historic Property Documentation

Samantha,

This is to confirm that our office has received the completed documentation for the Greater Arizona Savings & Loan Association Uptown Branch at 3825 N. Central Ave. from the consultant, Motley Design Group.

The documentation appears to be complete. Therefore, our office considers the stipulation in the rezoning case regarding historic documentation to now be met.

Thanks,

Kevin Weight Principal Planner City of Phoenix Historic Preservation Office 200 W. Washington St. 3rd Floor Phoenix, AZ 85003 (602) 495-7610 phone / (602) 732-2086 fax http://phoenix.gov/pdd/historic

Attachment E

REPORT OF PLANNING COMMISSION ACTION March 7, 2019

ITEM NO: 13	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-87-18-4
Location:	Southeast corner of Central Avenue and Indianola Avenue
From:	C-2 TOD-1 and C-3 TOD-1
To:	WU Code T5:6 MT
Acreage:	3.70
Proposal:	Multifamily residential
Applicant:	Jason Morris, Withey Morris, PLC
Owner:	MAC Property, LTD
Representative:	Jason Morris, Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Encanto 2/4/2019 Approval, per the staff recommendation, with an additional stipulation. Vote: 8-1.

<u>Planning Commission Recommendation</u>: Approval, per the staff memo dated March 7, 2019.

Motion Discussion: N/A

Motion details: Commissioner Heck made a MOTION to approve Z-87-18-4, per the staff memo dated March 7, 2019.

Maker: Heck Second: Montalvo Vote: 7-0 Absent: Shank, Gorraiz Opposition Present: No

Findings:

- 1. The proposal is consistent with the surrounding land use pattern.
- 2. This infill proposal provides a new housing option to contribute to the mix of housing types in the area, and addresses the Midtown TOD Policy Plan's goals for more housing in the district.
- 3. Utilization of the Walkable Urban Code will facilitate the development of another pedestrian oriented project along the light rail corridor.

4. Proposal will provide additional housing options for the significant number of employers/employees in the Midtown TOD District.

Stipulations:

- 1. The developer shall (re)construct sidewalk and landscape improvements to comply with Section 1312.C.1.c of the Zoning Ordinance, as approved by the Planning and Development Department.
- 2. The development shall comply with the Central Avenue Development Standards, as approved by the Planning and Development Department.
- 3. The development shall provide a minimum 75% shaded pedestrian connection minimum 5 feet in width across the site to connect from Central Avenue to Clarendon Avenue, as approved by the Planning and Development Department. Shade calculations shall be based on the summer solstice at 12:00 p.m.
- 4. The development shall install, as approved by the Planning and Development Department:
 - a. All required bicycle parking spaces for the multifamily use, per Section 1307.H.6.d of the Zoning Ordinance, as secured bicycle parking.
 - b. A minimum of 5 inverted-U style bicycle racks for guests, placed near entrances to the building and installed per the requirements of Section 1307.H.4. of the Zoning Ordinance.
- 5. The applicant shall complete documentation of the eligible historic property (former Greater Arizona Savings & Loan Association building, 3825 N. Central Avenue), prior to the approval of any demolition or building permits for the new development. Documentation shall be completed consistent with Part IV of the Arizona Reporting Standards for Cultural Resources and as approved by the Historic Preservation Office.
- 5. 6. A 15-foot by 15-foot right-of-way triangle shall be dedicated at the southeast corner of Central Avenue and Indianola Avenue, as approved by the Planning and Development Department.
- 6. 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.
- 7. 8. 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.
- 8. 9. 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.

- 9. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE TO THE SITE
- 10. PLAN DATE STAMPED DECEMBER 4, 2018, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.



City Council Report

Agenda Date: 4/17/2019, Item No. 107

(CONTINUED FROM APRIL 3, 2019) - Public Hearing - PCD Major Amendment -Rezoning Application Z-66-C-96-1 - Northwest Corner of 41st Drive and Fortune Drive

Request to hold a public hearing and approve Rezoning Application Z-66-C-96-1 to allow a height waiver for up to 40 feet in height for a hotel in the existing PCD at the northwest corner of 41st Drive and Fortune Drive. This item requires formal action.

Summary

Current Zoning: C-2 or CP/GCP PCD (1.48 acres) and C-2 PCD (1.59 acres) Proposed Zoning: C-2 HGT/WVR PCD Acreage: 3.07 Proposed Use: Height waiver for up to 40 feet in height

Owner: Tim Rutjes Applicant: Nathan Anderson, LJA Representative: Nathan Anderson, LJA

Staff Recommendation: Approval, subject to stipulations. VPC Action: The Rio Vista Village Planning Committee heard this case on Feb. 12, 2019 and recommended approval, per the staff recommendation by a 4-1 vote. PC Action: The Planning Commission heard this case on March 7, 2019 and recommended approval, per the Rio Vista Village Planning Committee recommendation with an additional stipulation by a 7-0 vote.

Location

Northwest corner of 41st Drive and Fortune Drive. Council District: 1 Parcel Address: 4114 and 4121 W. Fortune Drive

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.



To: Mario Paniagua Deputy City Manager Date: April 2, 2019

From: Alan Stephenson /// Planning and Development Director

Subject: CONTINUANCE OF ITEM 107 ON THE APRIL 3, 2019 FORMAL AGENDA -PUBLIC HEARING OF Z-66-C-96-1

Item 107, Rezoning Application Z-66-C-96-1, is a request to rezone 3.07 acres located at the northwest corner of 41st Drive and Fortune Drive from C-2 or CP/GCP PCD, C-2 PCD to C-2 HGT/WVR PCD to allow height waiver for up to 40 feet in height.

Staff has received correspondence from Councilwoman Williams to continue this item to April 17, 2019, as she will not be able to attend the meeting.

Approved:

Mario Paniagua, Deputy City Manager

ATTACHMENT A Anthem Planned Community District

Z-66-C-96-1

Planning Commission Approved Stipulations from March 7, 2019

- 1. The development shall be in general conformance with the site plan and elevations date stamped June 19, 2018, as modified by the following stipulations and approved by the Planning and Development Department.
- 2. Compliance with all applicable stipulations from the Anthem PCD (Z-66-96), as approved by the Planning and Development Department.
- 3. The color and material palette for the buildings shall be determined at site plan review and shall be muted and blend with, rather than contrast strongly, with the surrounding desert environment, as approved by the Planning and Development Department.
- 4. The maximum building height shall be 40 feet.
- 5. All retention areas shall be natural and organic in shape, as approved by the Planning and Development Department.
- 6. The glazing on all building windows shall have a maximum reflectivity of 20%, as approved by the Planning and Development Department.
- 7. Any external climate mechanical equipment shall be flush with wall plane and screened through decorative embellishment or the system shall be internalized, as approved by the Planning and Development Department.
- 8. 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.
- 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.

Exhibits:

A – Legal Description (1 Pages)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-66-C-96-1

A portion of Section 15, Township 6 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows: Lot 24: A.P.N. 203-03-034, Lot 25: A.P.N. 203-03-035

Lots 24 and 25, Anthem Commerce Park 33.2, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 537 of Maps, Page 26.

Attachment B



Staff Report Z-66-C-96-1

October 29, 2018

Rio Vista <u>Village Planning Committee</u> Meeting Date:	November 13, 2018
Planning Commission Hearing Date:	December 6, 2018
Request From:	<u>C-2</u> or <u>CP/GCP</u> PCD (1.48 acres), <u>C-2</u> <u>PCD</u> (1.59 acres)
Request To:	C-2 HGT/WVR PCD (3.07) acres
Proposed Use:	Height waiver to allow 3 stories and 40 feet
Proposed Use: Location:	Height waiver to allow 3 stories and 40 feet Northwest corner of 41st Drive and Fortune Drive
•	Northwest corner of 41st Drive and Fortune
Location:	Northwest corner of 41st Drive and Fortune Drive

General Plan Conformity				
General Plan L	and Use Map Designation Mixed Use (Commercial / Commercial / Commercia		rcial / Commerce Park)	
Street Map Classification	41st Drive	Minor Collector	30-foot west half	
	Fortune Drive	Local	30-foot north half	
CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods. As stipulated, the scale and design will be respectful and compliment the surrounding commercial uses.				
CORE, CENTERS AND CORRIDORS; LAND USE PRINCIPLE: Plan cores, centers and corridors to include a variety of land uses: office, retail shopping, entertainment and cultural, housing, hotel and resort, and where appropriate, some types of industry.				
The subject site is located within a business park in the Anthem PCD. The addition of a				

The subject site is located within a business park in the Anthem PCD. The addition of a hotel use will aide in providing a mixture of businesses and tenants within the Rio Vista Village and along the Interstate 17 freeway.

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.

The subject site is currently vacant and underutilized. Development of the site will provide property improvements and will be an added benefit to the area.

Applicable Plans, Overlays and Initiatives

Reimagine Phoenix See Background Item No. 12.

Surrounding Land Uses/Zoning				
	Land Use	Zoning		
On Site	Vacant Land	C-2 or CP/GCP PCD, C-2 PCD		
North	Motorcycle sales and auto repair	C-2 PCD		
South	Commercial park and warehouse	CP/GCP PCD		
East	Vacant land, hotel and self-storage and truck rental	PCD		
West	Commercial retail and services	C-2 PCD		

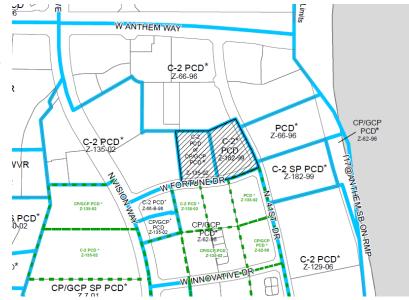
Intermediate Commercial (C-2) with a height waiver					
<u>Standards</u>	Requirements	Proposed			
Landscaped Setbacks					
Street	Average 30 feet	Met- 30 feet			
Interior	0 feet adjacent to C-2	Met- Approx. 10 feet			
Building Setbacks					
Street	Average 30 feet	Met- 30 feet			
Interior	0 feet	Exceeds – Approx. 70 feet			
Lot Coverage	50% maximum	Met-16 %			
Building Height	30 feet maximum,56 feet maximum with height waiver	Met- 38 feet			

Staff Report: Z-66-C-96-1 October 29, 2018 Page 3 of 7

Background/Issues/Analysis

SUBJECT SITE

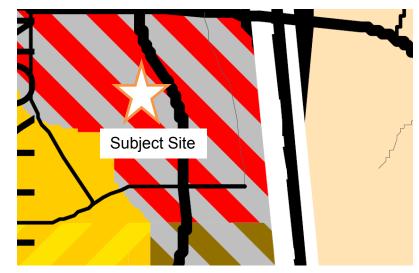
1. This is a request to rezone a 3.07-acre site located at the northwest corner of 41st Drive and Fortune Drive. The request is to rezone from 1.48 acres of C-2 or CP/GCP PCD (Intermediate Commercial or Commerce Park/General Commerce Park, Planned Community District) and 1.59 acres of C-2 PCD (Intermediate Commercial, Planned Community District) to 3.07 acres C-2 HGT/WVR PCD (Intermediate Commercial, Height Waiver) to allow commercial uses with a height waiver for up to 3 stories and 40 feet, as stipulated. The proposed use is a hotel.



Source: City of Phoenix Planning and Development Department

 The General Plan Land Use Map designation for the subject site is Mixed Use (Commercial/Commerce Park). The proposed use is consistent with the General Plan Land Use Map designation.





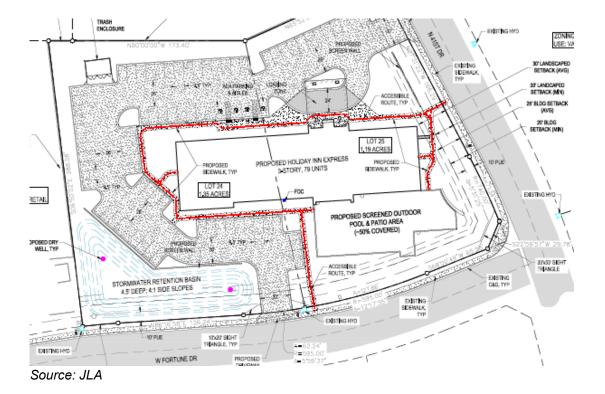
Source: City of Phoenix Planning and Development Department

PROPOSAL

3. The subject site is within the Anthem PCD (Z-66-96). To ensure the proposed development complies with the standards that are part of the Anthem PCD, Stipulation No. 2 is recommended.

Staff Report: Z-66-C-96-1 October 29, 2018 Page 4 of 7

4. The proposed site plan depicts the main entry of the hotel facing north with the outdoor pool area fronting onto Fortune Drive. Staff has recommended general conformance to the site plan submitted. This is addressed in Stipulation No. 1.



- 5. Although the site is not located within the North Black Canyon Overlay District, staff has recommended several stipulations that would ensure the development is compatible to the natural desert envorinment. Development standards from the North Black Canyon Overlay District this is addressed in Stipulation Nos. 3, 5 and 6.
- 6. General Conformance to the elevations has been recommended given the varation in massing and articulation of the wall planes. This is addressed in Stipulation No. 1. As shown on the elevations, there are window mechanical units. To achieve a high level of architectural quality, staff has recommended that those units be internalized or be flush with the wall plane and screened with a decorative embellishment. This is addressed in Stipulation No. 7.

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Staff Report: Z-66-C-96-1 October 29, 2018 Page 5 of 7

Source: JLA

7. The C-2 zoning district regulations indicate that a maximum height of two stories and 30 feet is permitted, but not to exceed the height of 4 stories and 56 feet upon finding that such additional height is not detrimental to adjacent properties or the public welfare in general. The height being proposed is 3 stories and 36 feet. Staff is recommending a stipulation to limit the maximum building height to 3 stories and 40 feet. This is adressed in Stipulation No. 4.

COMMUNITY INPUT SUMMARY

8. At the time this staff report was written, staff has received one letter of opposition and a call of opposition. The neighbor that submitted a letter of opposition has concerns about the proposed height. The phone call that was received was regarding the deed restrictions on the property that preclude a hotel use.

INTERDEPARTMENTAL COMMENTS

- 9. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.
- The City of Phoenix Floodplain Management division of the Street Transportation Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 0835 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
- 11. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 8.

OTHER

- 12. As part of the Reimagine Phoenix Initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittals.
- 13. 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.

Staff Report: Z-66-C-96-1 October 29, 2018 Page 6 of 7

Findings

- 1. The proposal will allow for the development of a lot that has been vacant since annexation and the development will contribute to the enhancement in the area.
- 2. The proposal is compatible with the surrounding commercial uses.
- 3. The additional height will not have negative impacts to the surrounding properties.

Stipulations

- 1. The development shall be in general conformance with the site plan and elevations date stamped June 19, 2018, as modified by the following stipulations and approved by the Planning and Development Department.
- 2. Compliance with all applicable stipulations from the Anthem PCD (Z-66-96), as approved by the Planning and Development Department.
- 3. The color and material palette for the buildings shall be determined at site plan review and shall be muted and blend with, rather than contrast strongly, with the surrounding desert environment, as approved by the Planning and Development Department.
- 4. The maximum building height shall be 40 feet.
- 5. All retention areas shall be natural and organic in shape, as approved by the Planning and Development Department.
- 6. The glazing on all building windows shall have a maximum reflectivity of 20%, as approved by the Planning and Development Department.
- 7. Any external climate mechanical equipment shall be flush with wall plane and screened through decorative embellishment or the system shall be internalized, as approved by the Planning and Development Department.
- 8. 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.

Staff Report: Z-66-C-96-1 October 29, 2018 Page 7 of 7

<u>Writer</u>

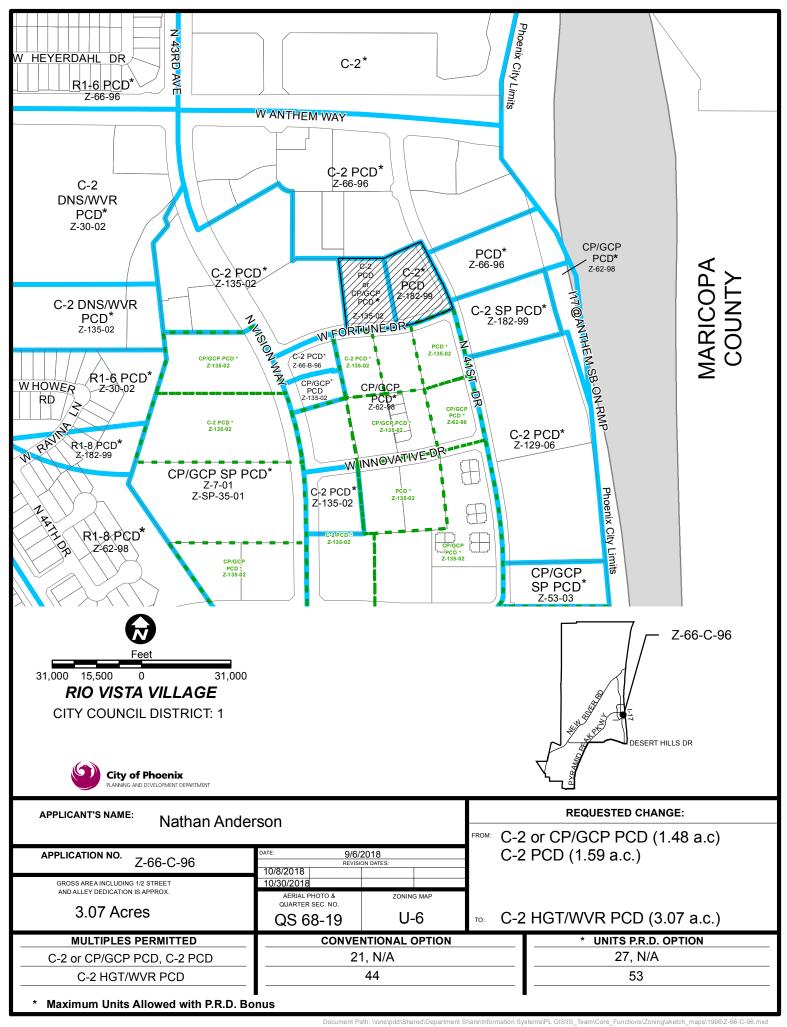
Kaelee Wilson October 29, 2018

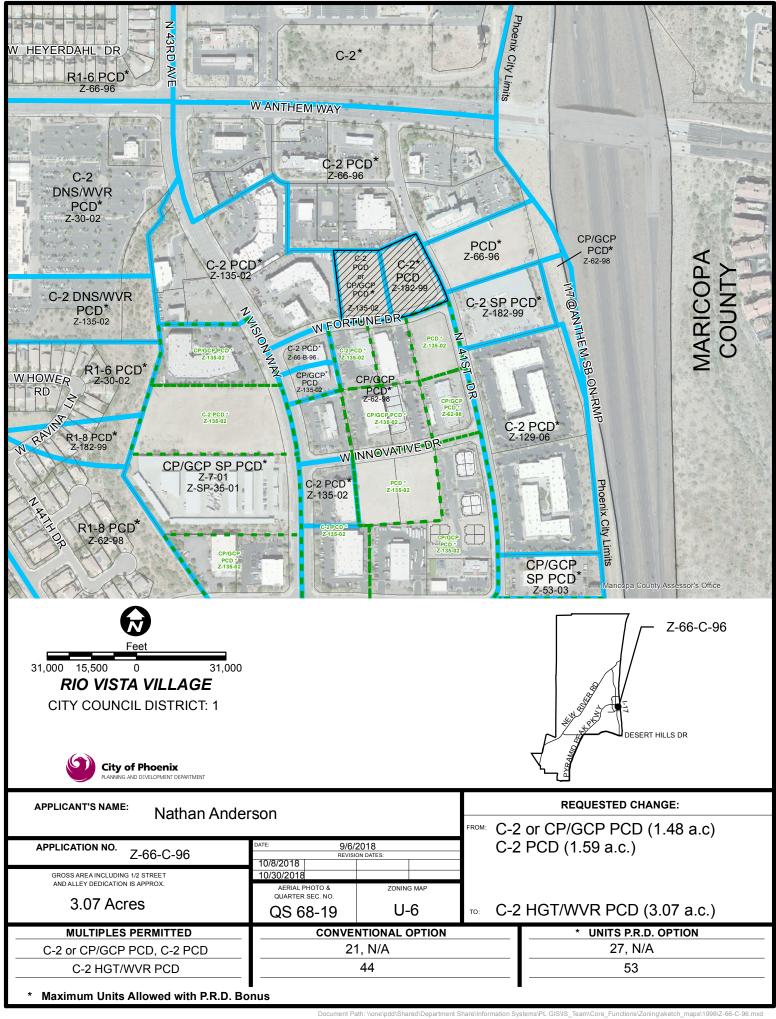
Team Leader

Samantha Keating

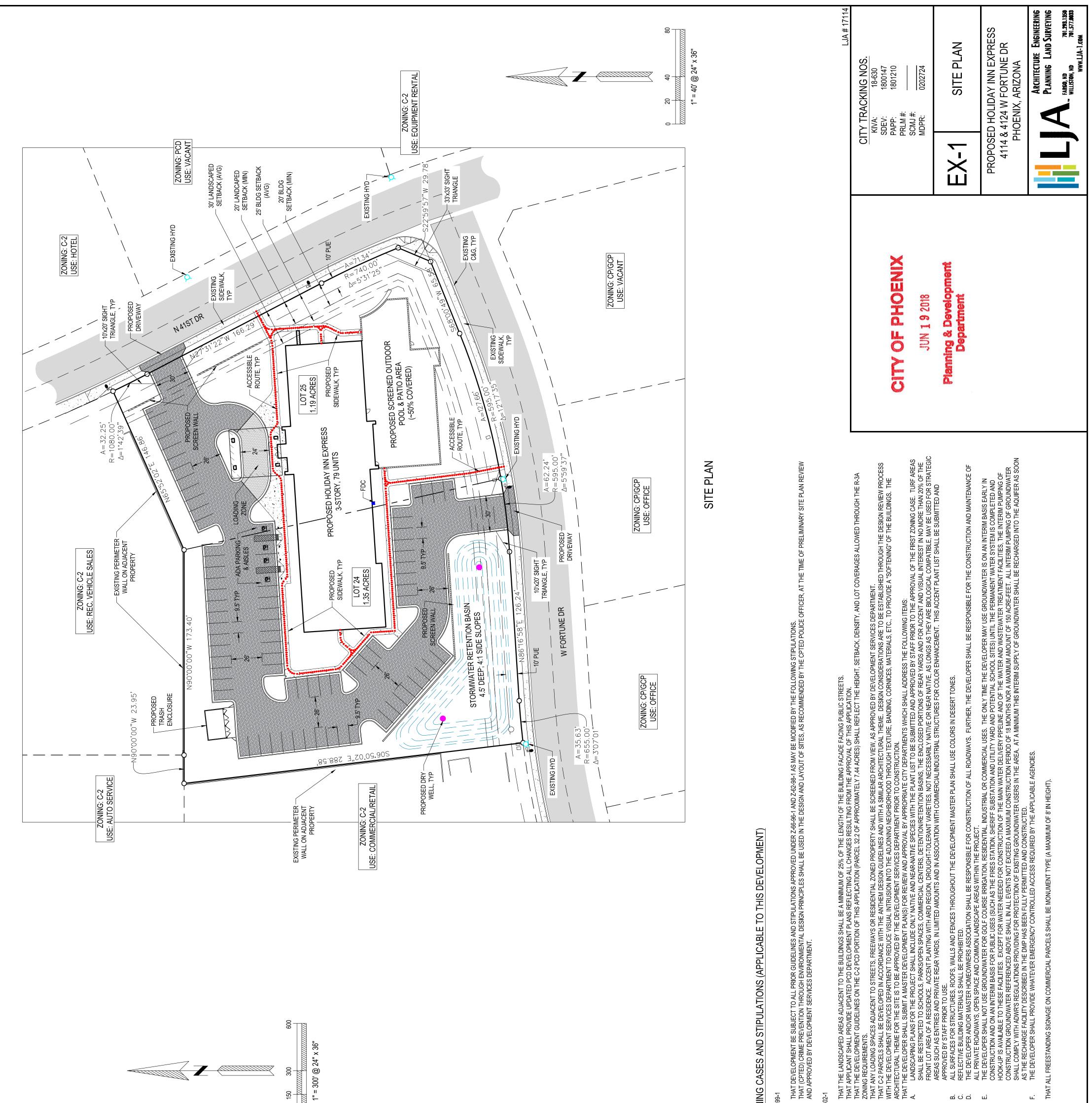
Exhibits

Sketch Map Aerial Map Conceptual Site Plan, date stamped June 19, 2018 (1 page) Conceptual Elevations, date stamped June 19, 2018 (1 page) Community Correspondence (3 pages)





Page 261



ZONING CASES AND STIPULATIONS (APPLICABLE TO THIS DEVELOPMENT)

Z-182-99-1

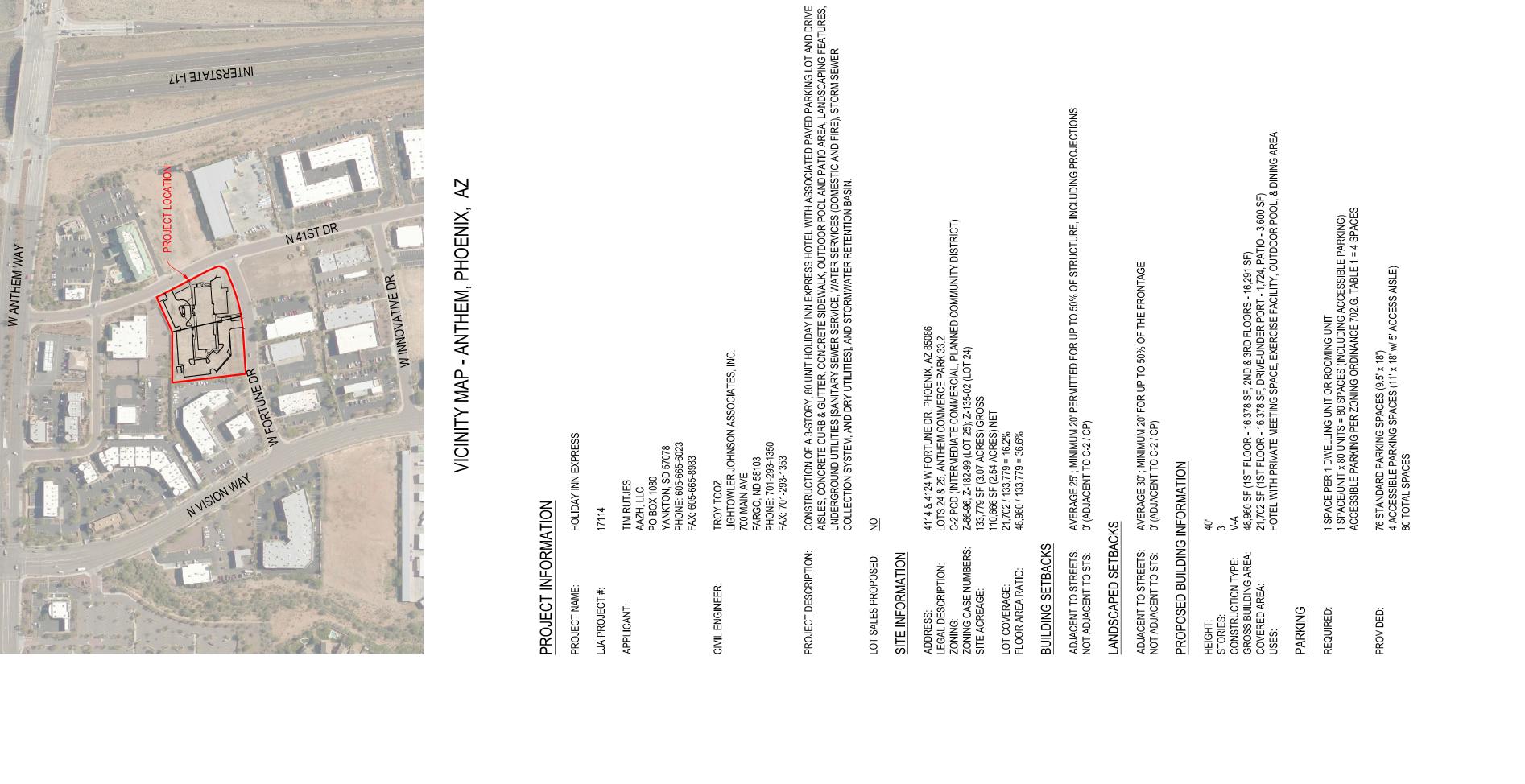
THAT DEVELOPMENT BE SUBJECT TO ALL PRIOR GUIDELINES AND STIPULATIONS APPROVED UNDER Z-66-96-1 AND Z-62-98-1 AS MAY BE MODIFIED BY THE FOLLOWING STIPULATIONS. THAT (CPTED) CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN PRINCIPLES SHALL BE USED IN THE DESIGN AND LAYOUT OF SITES, AS RECOMMENDED BY THE CPTED POLICE OFFICER, AT THE AND APPROVED BY DEVELOPMENT SERVICES DEPARTMENT. - 7

Z-135-02-1

- N Ω

- 10. 4 0

- THAT ALL FREESTANDING SIGNAGE ON COMMERCIAL PARCELS SHALL BE MONUMENT TYPE (A MAXIMUM OF 8' IN HEIGHT).
- 12.



= 300' @ 24" x 36'

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To whom it may concern,

I would like to state my opposition to the proposed zoning changes to the property 4114 – 4124 W Fortune Drive which is being developed for the construction of a Holiday Inn Express (HIE)

I own Shelves That Slide INC which is located at 4125 W Fortune Drive. Our property is directly across Fortune Drive from the proposed site and will be at the rear of the proposed hotel. We were the only property owner represented at the Sept 24th meeting with the developer. We have several issues with the proposed change that we would like to state here

The proposed change in height will have a negative impact on our business as well as the other businesses in the area. The change is needed by the developer in order to get the number of rooms desired on to the lot. If the property is not large enough to build the desired structure another location should be found rather than changing the standards that the City of Phoenix has set for this and surrounding properties. It is not equitable to the other businesses in the area to make a change in the zoning after our buildings have been built. I am also concerned what a positive ruling on this case would mean for other vacant lots in the area including the lot directly east of our location. With the increased use of solar energy having structures of unequal height can mean the effectiveness of solar systems on surrounding buildings will be diminished

Anthem is a master planned community and as such there is a general use plan set for each property in the commerce park. There are two lots that have been designated for hotel / motel use. The first is the lot where the Hampton Inn is now located and the second is the vacant lot just south of the Hampton inn, that lot is currently for sale. If there is a need for another hotel in Anthem the lot that is designated for this use should be developed before another property's originally intended use is changed. I would like to point out errors in the paperwork filed by LJA for AAZH LLC. The map provided shows that our property (4125 W Fortune) and the property to the west of us (4215 W Fortune) are both listed with a current use of office space and that is not correct. The use for our property is manufacturing. Our building is 14,000 sq feet with 11,000 of that being a production wood shop with a large dust collection system, two CNC machines and two spray booths. We have trucks coming in and out of our location throughout the day. The proposed hotel has a rear entrance / exit located directly across from our drive which could affect or be affected by our deliveries. The property next to us was originally a tire shop and now houses a service business that does HVAC, plumbing and electrical. That property is being leased and can change uses in the future. The office is only a small part of that building. The lot to the east of us which is the only other property directly across from the proposed site is currently vacant. That property is zoned cp/ccp as is ours and the property to our west so a use similar to ours is expected

There are no accommodations for large vehicle parking designated within the Holliday Inn Express property. It is quite probable that trucks or RV's with no place to park on property will end up parking on the street and this will cause traffic flow issues. The water retention also does not appear to be adequate. One water retention area with one dry well does not seem to be sufficient for over 2 ½ acres. We have 3 retention areas and one dry well on our 1 acre property. Currently the lot where HIE is proposed is below grade level of the surrounding area and much of the property floods during rains. If the property is filled in before construction begins it could easily cause flooding to the businesses in the area and could overwhelm existing water retention abilities

Anthem is a bedroom community with a master design. I ask that the original design intent and current zoning restrictions be followed

Thank you Steve Edling President Shelves That Slide INC 4125 W Fortune Drive Phoenix, AZ 85086



Village Planning Committee Meeting Summary Z-66-C-96-1

Date of VPC Meeting	February 12, 2019
Request From	C-2 or CP/GCP PCD (1.48 acres), C-2 PCD (1.59 acres)
Request To	C-2 HGT/WVR PCD (3.07) acres
Proposed Use	Height waiver to allow 3 stories and 40 feet
Location	Northwest corner of 41st Drive and Fortune Drive
VPC Recommendation	Approval, subject to stipulations
VPC Vote	4-1

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Kaelee Wilson, staff, gave a brief presentation regarding the height waiver request. She stated the hotel use is allowed in the underlying zoning districts and that the request is just for the proposed height. Ms. Wilson explained the proposed height is 40-feet, 3- stories.

Nate Anderson, applicant, gave a presentation regarding the request. He showed graphics of the outdoor amenity areas and explained the height won't have a negative impact on the surrounding properties. He explained they have support from the Anthem Community Council.

Loyd Nygaard asked about the access points to the hotel.

Max Sommacampagna asked if the Anthem Community Council issued the support letter at three stories in height.

There was some discussion about why a height waiver is warranted versus a height variance.

Ozzie Virgil asked about the CC&Rs on the property. Ms. Wilson explained the City does not enforce or review CC&RS.

The floor was open for public comment.

Steve Edling, resident, stated he owns the building across the street. He states that he didn't receive notification and that there are already two lots approved for a hotel use down the road. He said he is concerned about the traffic on 41st Avenue. He also states that the developer is going to have to change the CC&Rs.

Michael Storing, resident, had questions about how the height of the building will be measured given the property is currently a retention basin.

Judy Lorch asked the applicant if the other hotel site was considered.

<u>MOTION</u>: Loyd Nygaard made the motion to approve case Z-66-C-96-1, as recommended by staff

The motion was seconded by Mr. Max Sommacampagna.

<u>VOTE</u>: The motion was approved, 4-1 to approve Z-66-C-96-1. Yes- Loyd Nygaard, Judy Lorch, Max Sommacampagna, Steven Scharboneau. Nay- Ozzie Virgil.

Attachment D

CITY OF PHOENIX PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION NO/ Z-66-C-96-1 NWC		of SIGNATURE ON ORIGINAL IN FIL			
LOCATION 41 Drive and Fortune Drive	opposition	X	applicant		
APPEALED FROM:	PC 03/07/19	Stephen Edling 623-780-2555			
	PC/CC DATE	NAME / PHONE			
TO PC/CC HEARING	CC 04/03/19	4125 West Fort Phoenix, AZ 85		Drive	
the design of the second states in	DATE	STREET ADDRESS/CITY/STATE/ZIP			
REASON FOR REQU	DJ / AM				
		RECEIVED ON	A STATEMENT OF STATEMENT	03/13/19	

5

Alan Stephenson Joshua Bednarek Tricia Gomes Christina Encinas Stephanie Vasquez Leah Swanton Amanda Murrietta Mark Newman Applicant

-



CITY OF PHOENIX

MAR 1 3 2019

The PLANNING COMMISSION agenda for March 7, 2019 is attached.

The CITY COUNCIL may approve the recommendation of the Planning Commission without further opment 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 14, 2019.

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 14, 2019.

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 property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. 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. <u>March 14, 2019</u>.

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. <u>March 21, 2019</u>.

FO	RM TO REQUEST CIT	TY COUNCIL HEARING			
I HEARBY REQUEST THAT THE CITY	COUNCIL HOLD A PU				
Z - 66-C-96-1 APPLICATION NO. 3/7/2019 DATE APPEALED FROM		NW CONHER LOCATION OF APPL HAELEE PLANNER (PLANNER TAKING	WILSON	+ FORTUNC	Ph
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APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER



City Council Report

Agenda Date: 4/17/2019, Item No. 108

Consideration of Citizen Petition Related to Homelessness and Personal Property

This report provides the City Council with information in response to a citizen petition submitted by Ms. Elizabeth Venable at the April 3, 2019 Formal City Council meeting regarding requesting the City not seize or destroy property of individuals experiencing homelessness, clarify urban camping laws, and not enforce trespassing laws for legal sleeping and camping (**Attachment A**).

Summary

The petitioner requests the City not seize or destroy property of individuals experiencing homelessness, clarify urban camping laws, and not enforce trespassing laws for legal sleeping and camping. The City responded to a similar request by Ms. Venable at the April 3, 2019, City Council Formal meeting.

In the current petition, Ms. Venable states that "Even under Phoenix CARES, you are only offering mental health and substance abuse treatment." Services offered to individuals experiencing homelessness include but are not limited to: low barrier shelters, transportation to reconnect with family out of state, inpatient/outpatient substance abuse treatment, rapid rehousing, permanent supportive housing, connection to benefits (Medicare, social security, etc.), assistance with and transportation to obtain state identification, and workforce development.

The current petition also requests "officers to desist from seizing and destroying the property of homeless individuals." If individuals are contacted by Phoenix Police, and subsequently arrested, and have property in their possession, the property will be impounded as either prisoner property or impounded as evidence. Individuals are given an opportunity to have someone take control of their property if they choose, such as a friend, family member or anyone else they decide. Police also will ask if they want to take everything or discard it. Whatever is left behind will be removed by either the Street Transportation or Public Works departments, which is their standard procedure.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr., Assistant City

Manager Deanna Jonovich, and the Human Services, Police, and Law departments.

Attachment A

2019 APR -3 PM 4:04 CITY CLERK DEPT.

W THE

CITIZEN PETITION

Submitted to the Phoenix City Council on 4/3/2019

Elizabeth Venable

1950 E Cortez St., Phoenix, AZ 85020

elziav@gmail.com

602-872-3465

The ruling, Martin v. Boise, from September 2018, was just reaffirmed by the courts. Based on the ruling (Martin v. Boise) it is appropriate that the city consider where and how the homeless may camp in accordance with the constitution. Please clarify this for the homeless. Under the ruling, the only way you can move someone by law enforcement when they are legally sleeping or camping is to offer them shelter. This is currently not occurring. Even under Phoenix CARES, you are only offering mental health and substance abuse treatment. This is not appropriate for many people who simply need shelter as a gateway to services. You are still trying to arrest or use diversion programs to address the issue. In addition, please instruct your officers to desist from seizing and destroying the property of homeless individuals. This is also unconstitutional. Please respect the basic civil rights of people experiencing homelessness in Phoenix. Please clarify the law, and desist enforcing trespassing law for legal sleeping and camping, as well as the destruction of personal property by police. We are asking for this to be done through municipal policy.



City Council Report

Agenda Date: 4/17/2019, Item No. 109

Consideration of Citizen Petition Related to Addition of Dedication Statement to Phoenix Police Department's Critical Incident Transparency Protocol

This report provides the City Council with information in response to a citizen petition submitted by Ms. Joanne Scott Woods at the April 3, 2019, Formal City Council meeting regarding the addition of a dedication statement to the Phoenix Police Department's Critical Incident Transparency Protocol (Attachment A).

Summary

The petitioner requests the City Council add a dedication statement to the Phoenix Police Department's Critical Incident Transparency Protocol, in honor of families of officers involved in line-of-duty deaths, to those in the community who have been seriously injured during a critical incident, and for families and community members who have lost loved ones through wrongful acts of law enforcement.

Staff appreciates Ms. Woods compassion. However, every situation is unique and because of that, a dedication statement such as the one the petitioner is suggesting would not be practical from a legal standpoint. Instead, during the critical days following such an incident, the Police Department's focus is best spent on its core missions, which include investigating the facts, learning from the incident and improving our service to the community.

Responsible Department

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

Attachment A

2019 APR - 3 PM 4: 04

CITY CLERK DEPT.

CITIZEN PETITION

City of Phoenix Formal City Council Meeting April 3, 2019

Request for an Addition of a Dedication Statement to the "Phoenix Police Department Critical Incident Transparency Protocol"

This is a request for addition of a dedication statement to the "Phoenix Police Department Critical Incident Transparency Protocol ("ATTACHMENT A"), to police and citizenry, such as the following:

IN HONOR of families and officers who have lost men and women on the force to on-the job violence, To those on the force and in our community who have been seriously injured during a critical incident, and For families and community members who have lost loved ones through wrongful acts of law enforcement"

[Stamper, Norm, (2016). "To protect & serve." New York, NY: Nathan Books]

(See "ATTACHMENT B" for the dedication page, the title page and the flaps of the book-jacket cover of "To protect & serve.")

Joanne Scott Woods, M.A., M.Ed., 15449 N. 25th Ave., Phoenix, AZ 85023

ATTACHMENT A



Phoenix Police Department Critical Incident Transparency Protocol

This protocol contains guidelines for timely and standardized release of existing video, records, and information following a police critical incident. The protocol is intended to provide a template for consistent, timely and systematic dissemination of accurate, available records and information following a critical incident. Public Information Officers will continue to provide initial, immediate information on all critical incidents.

Critical Incidents:

- Officer involved shootings
- Exceptional use of force
- Death or injury of an officer
- In-custody deaths
- Incidents generating significant community concern

Timeline goals for dissemination of information and records following a critical incident:

3-7 Days: Name(s) of involved officer(s) will be released to the public

7-14 Days: Information and records will be shared with:

- Involved officer(s)
- Valley community leaders
- Union representative
- Community Relations Bureau
- Command staff

14 - 30 Days: Information and records will be shared with:

- Involved person's family
- Police department Internal
- Media

30 Days: Police report and related records

Every incident will involve unique circumstances and therefore release timelines may vary.

ATTACHMENT B

To the survivors:

Those who have lost loved ones through wrongful acts of law enforcement Those who have lost police officers to on-the-job violence

TO PROTECT AND SERVE

How to Fix America's Police

Norm Stamper

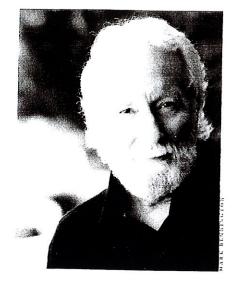


\$27.99/\$36.50 CAN

The police in America belong to the people—not the other way around. Yet millions of Americans experience their cops as racist, brutal, and triggerhappy: an overly aggressive, militarized enemy of the people. For their part, today's officers feel they are under siege—misunderstood, unfairly criticized, and scapegoated for society's ills. Is there a fix? Former Seattle Police Chief Norm Stamper believes there is.

POLICING IS IN CRISIS. The last decade has witnessed a vast increase in police aggression, misconduct, and militarization, along with a corresponding reduction in transparency and accountability. It is not just noticeable in African American and other minority communities—where there have been a series of high-profile tragedies—but in towns and cities across the country. Racism—from raw, individualized versions to insidious systemic examples—appears to be on the rise in our police departments. Overall, our police officers have grown more and more alienated from the people they've been hired to serve.

In To Protect and Serve, Stamper delivers a revolutionary new model for American law enforcement: the communitybased police department. It calls for fundamental changes in the federal government's role in local policing as well as citizen participation in *all* aspects of police operations: policymaking, program development, crime fighting and service delivery; entry-level and ongoing education and training, oversight of police conduct, and—especially relevant to today's challenges—joint community-police crisis management. Nothing will ever change until the system itself is radically restructured, and here Stamper shows us how.



NORM STAMPER began his law enforcement career in San Diego in 1966 as a beat cop. In 1994, he was named chief of the Seattle Police Department. Retired in 2000, he now lives in the San Juan Islands in Washington State. He is the author of *Breaking Rank* and is at work on a novel.

JACKET DESIGN BY PETE GARCEAU Jacket Phdtograph 🏾 istock/getty images



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City Council Report

Agenda Date: 4/17/2019, Item No. 110

Consideration of Citizen Petition Related to Transparency Through Body-Worn Cameras

This report provides the City Council with information in response to a citizen petition submitted by Ms. Joanne Scott Woods at the April 3, 2019 Formal City Council meeting regarding law enforcement transparency through body-worn camera footage with officer articulation of 10 citizen rights during the arrest process (Attachment A).

Summary

The petitioner requests the City Council approve a set of 10 factors, referred to in the petition as citizen rights for officers to adhere to during an arrest process while donning their body-worn cameras.

The 10 factors requested by the petitioner do not equate to legal rights and are more in line with policy decisions. The Police Department has a time-tested, robust body-worn camera policy that has been in place since the first body-worn cameras were deployed as part of a pilot program in 2011. This policy, known as Operations Order 4.49, is based on best practices outlined by the U.S. Department of Justice, Bureau of Justice Assistance. It is designed to balance police efficiency and work-related needs with legal compliance and respect for the community.

The Police Department has been transparent with the community regarding this policy. It has been available online since the inception of the pilot program and it has been presented to numerous community forums, including all 12 Police Chief Citizen Advisory Boards, as well as the police labor organizations, for review and input.

The Police Department is currently in the process of updating this policy to incorporate recent input from both the community and the police labor organizations to further enhance this policy, and will consider Ms. Woods' input during this process, as well.

Responsible Department

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

Attachment A **CITIZEN PETITION** City of Phoenix Formal City Council Meeting 2019 APR - 3 PM 4: 04

CITY CLERK DEPT.

Request for Law Enforcement Transparency, Through Body-Worn Camera Footage, **Of Officer Articulation of 10 Citizen Rights During the Arrest Process**

- 1. Articulation of the Right of a Citizen to Film the Police,
- 2. Articulation as to Why the Officer is Stopping a Citizen,
- 3. Articulation of Why the Officer Wants to Conduct a Search,
- 4. Articulation of the Right of a Citizen to Refuse a Search of Self, Vehicle, or Property,
- 5. Reading of the Miranda Rights,
- 6. Documentation of the Citizen's Consent or Refusal with Guarantee of No Negative Consequences if a Citizen Refuses a Search with Reprimands for Officer or Departments Who Do Not Obtain Such Objective Proof of Consent or Refusal to Search and Who Omit the Reading of the Miranda Rights,
- 7. Recording of All Citizen Reponses to Officer Verification of Alibis Through Naming of Witnesses, Cell Phone Triangulation, Public Surveillance Video Footage and Other Admissible Evidence,
- 8. Videotaping of All Confessions,
- 9. Right to Confront Racial Profiling by Law Enforcement with Allegations of Bias Part of an Officer's Evaluation Process, Having the Term "Bias" Cover Categories, Such as Race, Religion, Gender, Age, Immigration Status, Disability and HIV Status, and
- 10. Articulation that Mugshot Photos and Arrest Booking Information Will Not Be Released Until It is Determined that a Lawful Arrest Has Been Made.

Training in these ten citizen rights can prevent an unlawful arrest and imprisonment of a citizen, protect careers of officers, and prevent a multi-million dollar expense of successful claims and civil lawsuits against our city (Joanne Scott Woods, M.A., M.Ed., Contributor and Coordinator, People Demanding Justice Community Coalition, Phoenix, Arizona, "BODY-WORN CAMERAS - Full deployment on Uniformed Officers," April 20, 2015, "Ten Solutions to Build Trust in Our City").

Thank you for continuing to protect citizens and developing additional procedures and/or ordinances that ensure respect for citizen rights and dignity for all in Phoenix.

Joanne Scott Woods, M.A., M.Ed., 15449 N. 25th Avenue, Phoenix, AZ 85023



City Council Report

Agenda Date: 4/17/2019, Item No. *111

REQUEST TO ADD-ON Mayor and Council Appointments to Boards and Commissions

Summary

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

Responsible Department

This item is submitted by the Mayor's Office.

ATTACHMENT A



To: City Council

Date: April 17, 2019

From: Kate Gallego Mayor

Subject: ADD-ON BOARDS AND COMMISSIONS – APPOINTEES

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

Central City Village Planning Committee

Councilwoman Felicita Mendoza recommends the following individual for appointment:

Darlene Martinez

Ms. Martinez is a Constable of Maricopa County serving in the Downtown Precinct. She is a District 4 resident and replaces Tiffany Halperin on the board for a term to expire November 19, 2020.

South Mountain Village Planning Committee

Councilwoman Felicita Mendoza recommends the following individual for appointment:

Patti Trites

Ms. Trites is a resident of District 8 and replaces David Vera on the committee for a term to expire November 19, 2020.