

### City Council Formal Meeting

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Wednesday, January 11, 2017

2:30 PM

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#### **CALL TO ORDER AND ROLL CALL**

The Phoenix City Council convened in formal session on Wednesday, Jan. 11, 2017, at 2:32 p.m. in the Council Chambers.

**Present:** 8 - Councilman Sal DiCiccio, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilman Daniel Valenzuela, Councilman Jim Waring, Councilwoman Thelda Williams and Mayor Greg Stanton

**Absent:** 1 - Vice Mayor Kate Gallego

Note: Councilman DiCiccio joined the voting body during Citizen Comments. Councilwoman Pastor joined after Citizen Comments, and Councilman Nowakowski joined after the vote on items 4 through 26.

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

#### **CITIZEN COMMENTS**

Leonard Clark spoke about the importance of bipartisanism in government and raised concerns over the control of municipalities by the State Legislature.

Dianne Barker urged the community to participate in the Meet Me Downtown initiative on Mondays.

Pat Vint asked for a meeting with the City Manager.

John Rusinek expressed concerns related to zoning and the dust proofing of a property in his neighborhood.

James Deibler spoke about concerns of surrounding communities related to

zoning and their effects on plasma centers and asked if the City had codes in place to protect neighborhoods. He also expressed interest in bringing a Microsoft store to Phoenix in the hopes it would be economically beneficial.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6250 through G-6254, S-43073, and S-43124 through S-43158, and Resolution 21507 was/were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

### **MINUTES OF MEETINGS**

#### **1 For Approval or Correction, the Minutes of the Special Meeting on Dec. 7, 2016.**

##### **Summary**

This item transmits the minutes of the Special City Council meeting of Dec. 7, 2016 for review, correction and/or approval by the City Council.

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

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

**Absent:** 1 - Vice Mayor Gallego

### **BOARDS AND COMMISSIONS**

#### **2 Mayor's Appointments to Boards and Commissions**

##### **Summary**

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

The following are recommended appointments and reappointments as submitted by Mayor Stanton:

Age-Friendly Communities Ad Hoc Committee

Vice Mayor Kate Gallego, Co-Chair of the Ad Hoc Committee

Councilwoman Thelda Williams, Co-Chair of the Ad Hoc Committee

Rod Bailey, Senior Vice President, Beatitudes Campus

Jack Davis, Senior Center/Deer Valley, Community Advocate

Sherry Dudek, Senior Center/Helen Drake, Community Advocate

Tom Egan, President and CEO, FSL

Marisue Garganta, Director of Community Health Integration, Dignity Health

Richard H. Hansen, Private Citizen, Community Advocate

Val Iverson, Executive Director, AZ Housing Alliance

Mary Lynn Kasunic, President and CEO, Area Agency on Aging Region One, Inc.

Dana Kennedy, AZ State Director, AARP

Gail Knight, Engagement Advisor, Experience Matters

Dr. Richard Knopf, Professor, School of Community Resources & Development

Pam Koester, Chief Executive Officer, LeadingAge Arizona

Terri Leon, Program Officer, Virginia G. Piper Foundation Charitable Trust

Brande Mead, Human Services Manager, Maricopa Association of Governments

Melanie Mitros, Director of Strategic Community Partnerships, Vitalyst Health Foundation

Robert Orf, Private Citizen, Community Advocate

Oye Waddell, Executive Director, Hustle PHX

Phoenix Employment Relations Board

Joseph Diggs represents labor and is a resident of District 2. He will serve his fifth term which will expire on Dec. 15, 2019.

Fernando Ortega represents the public and is a resident of District 5. He will serve his fifth term which will expire on Dec. 15, 2019.

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

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

**Absent:** 1 - Vice Mayor Gallego

### **3 City Council Appointments to Boards and Commissions**

#### **Summary**

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

The following are recommended appointments and reappointments as submitted by City Council:

#### Ahwatukee Foothills Village Planning Committee

Councilman Sal DiCiccio recommended the following reappointment:

Pete Meier will serve his second term to expire Nov. 19, 2018.

#### Paradise Valley Village Planning Committee

Councilman Jim Waring recommended the following appointment:

Jason Weber was the homebuilder for Meritage Homes and a resident of District 2. He filled a vacancy on the committee and will serve a term to expire Nov. 19, 2019.

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

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

**Absent:** 1 - Vice Mayor Gallego

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

Rod Bailey

Jack Davis  
Sherry Dudek  
Tom Egan  
Marisue Garganta  
Richard H. Hansen  
Val Iverson  
Mary Lynn Kasunic  
Dana Kennedy  
Dr. Richard Knopf  
Terri Leon  
Oye Waddell  
Ron Bondy

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

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

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

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

David Miranda - Item 5  
Scott Weigele, Applicant - Item 11  
Kellye Manuel - Item 13  
Jessica Leitch - Item 14  
Richard Lustiger and Mr. Alex Verkruijsse, Applicants - Item 17  
Jorge Centeno - Item 21  
Hue Tran - Item 23  
Michael J. Darsow, Applicant - Item 25

**A motion was made by Councilman Valenzuela, seconded by Councilwoman Williams, that items 4 through 26 be recommended for approval. The motion carried by voice vote:**

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

**Absent:** 1 - Vice Mayor Gallego

**4 Liquor License Application - Special Event - Caledonian Society of Arizona**

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

**Summary**

Applicant

Paul Bell

Location

300 E. Indian School Road

Council District: 4

Function

Cultural Festival

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

March 4, 2017 - 9 a.m. to 7 p.m. / 6,000 attendees

March 5, 2017 - 9 a.m. to 5 p.m. / 4,000 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**5 Liquor License Application - Special Event - Willo Neighborhood Association**

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

**Summary**

Applicant

David Miranda

Location

301 W. Holly St.

Council District: 4

Function

Block Party

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

Feb. 11, 2017 - 6 p.m. to 10:30 p.m. / 220 attendees

Feb. 12, 2017 - 10 a.m. to 4:30 p.m. / 3,000 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**6 Liquor License Application - Special Event - Knights of Columbus  
SS. Simon & Jude Cathedral Council 12708**

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

**Summary**

Applicant

Keith Johnson

Location

6351 N. 27th Ave.

Council District: 5

Function

Dinner

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

Feb. 10, 2017 - 6 p.m. to 11 p.m. / 300 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**7 Liquor License Application - Special Event - Valley Dogs, Inc.**

Request for a Series 15 - Special Event liquor license for the temporary

sale of all liquors.

**Summary**

Applicant

Marci Miller

Location

4700 E. Warner Road

Council District: 6

Function

Charity Tournament

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

April 8, 2017 - Noon to 7:30 p.m. / 150 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**8 Liquor License Application - Special Event - Arizona Matsuri**

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

**Summary**

Applicant

Doris Asano

Location

115 N. 6th St.

Council District: 8

Function

Cultural Celebration

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

Feb. 25, 2017 - 11 a.m. to 5 p.m. / 20,000 attendees

Feb. 26, 2017 - 11 a.m. to 5 p.m. / 20,000 attendees



Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**9 Liquor License Application - The Mission**

Request for a liquor license. Arizona State License 1207A780.

**Summary**

Applicant

Brian Raab, Agent

License Type

Series 12 - Restaurant

Location

7122 E. Greenway Pkwy., Ste. 140

Zoning Classification: C-2 PCD

Council District: 2

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

The sixty-day limit for processing this application is Jan. 28, 2017.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I am the current agent on three liquor licenses. I make sure that I take all necessary precautions to keep my staff fully trained and practicing safe serve protocol as instructed and enforced by the AZ Dept. of Liquor."

Staff Recommendation

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

**This item was recommended for approval.**

**10     Liquor License Application - Dieci Italian-American Eatery and Cocktails**

Request for a liquor license. Arizona State License 1207A838.

**Summary**Applicant

Jeffrey Hostenske, Agent

License Type

Series 12 - Restaurant

Location

2501 E. Camelback Road, Ste. 24

Zoning Classification: C-2 HR SP

Council District: 6

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

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

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

#### Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes: information about any 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.

Ten Handcrafted American Fare & Spirits (Series 12)

2501 E. Camelback Road, Ste. 40, Phoenix

Calls for police service: 1

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:

"We train all of our employees in responsible liquor service. My business will be operated in compliance with all liquor laws and regulations."

#### Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**11 Liquor License Application - Draw 10**

Request for a liquor license. Arizona State License 06070653.

**Summary**Applicant

William Weigele, Agent

License Type

Series 6 - Bar

Location

5444 E. Washington St., Ste. A

Zoning Classification: A-1 HP-L

Council District: 6

This is a request is for an ownership transfer of a liquor license for a bar. This location was previously licensed for liquor sales as Draw 10 Bar & Grill and may currently operate with an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption.

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

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"My father and I originally opened this bar in 1980 He sold it 12 years ago in 2004 and I have just purchased it from him my father Bill Weigele Sr. is the president of the Arizona Lic. Bev. Assoc. and I was raised in the bar industry."

**This item was recommended for approval.**

**12 Liquor License Application - Carniceria el Rancho Grande**

Request for a liquor license. Arizona State License 10076830.

**Summary**

Applicant

Jose Briseno Lopez, Agent

License Type

Series 10 - Beer and Wine Store

Location

4227 S. Central Ave.

Zoning Classification: C-3 RSIOD

Council District: 7

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

The sixty-day limit for processing this application is Jan. 13, 2017.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I have been operating this type of establishments with the same type of liquor license for for then 20 yrs in Phoenix, AZ."

Staff Recommendation

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

**This item was recommended for approval.**

**13      Liquor License Application - Manuel Brothers Distributing**

Request for a liquor license. Arizona State License 04077104.

**Summary**Applicant

Lucas Manuel

License Type

Series 4 - Wholesaler

Location

2440 W. Lincoln St., Ste. 170

Zoning Classification: A-2

Council District: 7

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

The sixty day limit for processing this application was Jan. 3, 2017. However, the applicant has submitted a written request for more time.

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

#### Other Active Liquor License Interest in Arizona

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.

Manuel Brother's Distributing (Series 4)  
625 S. 27th Ave., 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:

"Since 2013 I have held a series 4 wholesale license and I plan to continue to operate in accordance with all state liquor law, rules and regulations."

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**14 Liquor License Application - Prime Bev, LLC**

Request for a liquor license. Arizona State License 04077105.

**Summary**Applicant

Jessica Leitch, Agent

License Type

Series 4 - Wholesaler

Location

2440 W. Lincoln St., Ste. 170A

Zoning Classification: A-2

Council District: 7

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

The sixty-day limit for processing this application is Jan. 13, 2017.

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

Other Active Liquor License Interest in Arizona

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.

Prime Bev LLC (Series 4)



4747 N. 16th St., #W52, Phoenix  
Calls for police service: 10  
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:

"Prime Bev, LLC has been in business since 2013. For the past three years, we have demonstrated professionalism, passion for the community, and feel we still have the skill set to run a successful enterprise."

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**15 Liquor License Application - Hilton Phoenix Airport**

Request for a liquor license. Arizona State License 11077085.

**Summary**

Applicant

Nicholas Guttilla, Agent

License Type

Series 11 - Hotel/Motel

Location

2435 S. 47th St.

Zoning Classification: A-1

Council District: 8

This request is for a new liquor license for a hotel. This location was previously licensed for liquor sales as Phoenix Airport Hilton Hotel and may currently operate with an interim permit.

The sixty day limit for processing this application was Jan. 3, 2017. However, the applicant has submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Hilton Tucson East Hotel (Series 11)  
7600 E. Broadway Blvd., Tucson  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

Crowne Plaza Phoenix Airport (Series 11)  
4300 E. Washington St., Phoenix  
Calls for police service: 63  
Liquor license violations: None

Holiday Inn & Suites Phoenix Airport North (Series 11)  
1515 N. 44th St., Phoenix  
Calls for police service: 60  
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:

"Heavlin Management Company, LLC has been in existence and has operated hotels and resort properties in Arizona since 2004. The Hilton Phoenix Airport property will be managed in the same responsible manner as other Heavlin properties are and have been operated."

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**16 Liquor License Application - Times 3 Sports Grille**

Request for a liquor license. Arizona State License 06070175.

**Summary**

Applicant

Peter Schelstraete, Agent

License Type

Series 6 - Bar

Location

6525 W. Happy Valley Road, Ste. C109

Zoning Classification: C-2

Council District: 1

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

The sixty day limit for processing this application was Jan. 7, 2017. However, the applicant has submitted a written request for more time.

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

#### Other Active Liquor License Interest in Arizona

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

Times 3 Sports Grille (Series 12)

6525 W. Happy Valley Road, Phoenix

Calls for police service: 14

Liquor license violations: In May 2013, a fine of \$750 was paid for accepting unauthorized forms of ID and for selling, giving or furnishing an underage person with alcohol. In May 2014, a fine of \$2,750 was paid for failure to derive 40% of income from food. In March 2016, a fine of \$2,750 was paid for allowing a disorderly person to remain on premises, for allowing an intoxicated person to remain on premises for thirty minutes and for failure to derive 40% of income from food.

#### Public Opinion

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

#### Applicant's Statement

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

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

"Will comply with all federal, state, county and city laws. Will ensure

business is operated competently and professionally.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
“Will ensure operations are done in a courtieous manner to all our neighbors and provide a safe, fun environment to our patrons.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Application Data: Times 3 Sports Grille

Liquor License Application Map: Times 3 Sports Grille

**This item was recommended for approval.**

**17      Liquor License Application - Harkins Theatres**

Request for a liquor license. Arizona State License 06070258.

**Summary**

Applicant

Andrea Lewkowitz, Agent

License Type

Series 6 - Bar

Location

7000 E. Mayo Blvd., Bldg. 18

Zoning Classification: C-2 HGT/WVR PCD

Council District: 2

This request is for an ownership and location transfer of a liquor license from Tempe for a bar/movie theatre. 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 which exceeds 5,000 square feet in gross floor area and is located on a lot or parcel within 300 feet of a residential zoning district.

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

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

Other Active Liquor License Interest in Arizona

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

Harkins Camelview at Fashion Square (Series 6)  
7014 E. Camelback Road, Ste. 3A, Scottsdale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

Harkins Theatres at Estrella Falls (Series 6)  
15010 W. McDowell Road, Goodyear  
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:

“Applicant is an experience licensee committed to upholding the highest standards to maintain compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Harkins Theatres would like to offer guests 21 and over the opportunity to enjoy alcoholic beverages as an incident to their theatre experience.”

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 Application Data: Harkins Theatres

Liquor License Application Map: Harkins Theatres

**This item was recommended for approval.**

**18 Liquor License Application - Krua Thai Cuisine**

Request for a liquor license. Arizona State License 1207A832.

**Summary**

Applicant

Robert Dawson, Agent

License Type

12 - Restaurant

Location

1510 E. Bell Road, Ste. A100

Zoning Classification: C-2

Council District: 3

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

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

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"My wife and I have owned our restaurant for over six years and we are committed to uphold the highest business standards, including employee training product quality and customer service. We will ensure our staff are trained in the proper techniques of legal and responsible alcohol sales and service."

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

"We have had numerous requests from customers asking us to add beer and wine to our menu. We would like to offer our patrons the experience of great Thai Cuisine while pairing specific alcoholic beverages with our meals."

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 Application Data: Krua Thai Cuisine



## Liquor License Application Map: Krua Thai Cuisine

**This item was recommended for approval.**

### **19 Liquor License Application - Siu Wok**

Request for a liquor license. Arizona State License 1207A824.

#### **Summary**

##### Applicant

Tri Siu, Agent

##### License Type

Series 12 - Restaurant

##### Location

2801 N. Central Ave.

Zoning Classification: C-2 HRI

Council District: 4

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales as Sochu House until March 2015 and does not have an interim permit.

The sixty-day limit for processing this application was Jan. 2, 2017. However, the applicant has submitted a written request for more time.

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

##### Other Active Liquor License Interest in Arizona

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

##### Public Opinion

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

Applicant's Statement

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

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

"I have been the owner operator of Siu Wok at former address 3815 N Central Ave #A Phoenix since year 2005. I have good experience in running a restaurant and I will be trained and certified to be manager to run a restaurant with liquor service."

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

"My customer can enjoy a meal with alcoholic beverage."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Application Data: Siu Wok

Liquor License Application Map: Siu Wok

**This item was recommended for approval.**

**20 Liquor License Application - Restaurant La Botana**

Request for a liquor license. Arizona State License 1207A841.

**Summary**Applicant

Eduardo Gonzalez Romero, Agent

License Type

Series 12 - Restaurant

Location

4344 W. Indian School Road, Ste. 33

Zoning Classification: A-1

Council District: 5

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

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

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

Other Active Liquor License Interest in Arizona

This 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 working in the restaurant industry many years. I understand the liquor law's, and never had any problems operating."

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

"This will be a family oriented restaurant open for lunch & dinner."

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 Application Data: Restaurant La Botana

Liquor License Application Map: Restaurant La Botana

**This item was recommended for approval.**

**21 Liquor License Application - Mayan Mexican Grill**

Request for a liquor license. Arizona State License 1207A840.

**Summary**

Applicant

Jorge Centeno, Agent

License Type

Series 12 - Restaurant

Location

3633 W. Camelback Road, Ste. 7

Zoning Classification: C-2

Council District: 5

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

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

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I will uphold the highest standards of liquor control by ensuring all employees, that have direct contact with alcohol, have basic training certificates and Managers to have proper management training that comply with state laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"Applicant will offer a one of a kind dining experience that will offer guests unique Mexican culture from the Peninsula of Yucatan with unforgettable service."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Application Data: Mayan Mexican Grill

Liquor License Application Map: Mayan Mexican Grill

**This item was recommended for approval.**

**22     Liquor License Application - Hangar 7**

Request for a liquor license. Arizona State License 1207A833.

**Summary**Applicant

Peter Schelstraete, Agent

License Type

Series 12 - Restaurant

Location

6107 N. 7th St.  
Zoning Classification: C-2  
Council District: 6

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

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

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

#### Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes: information about any 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.

Old Town Gringos (Series 6)  
4209 N. Craftsman Court, Scottsdale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

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

"Will comply with all federal, state, county and municipal laws. My employees will be properly trained and supervised to ensure that the business is run competently, professionally and in a friendly manner."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"Will provide a fun, friendly and safe environment with great food. Will be a good neighbor by ensuring that my business only compliments surrounding businesses and in no way detracts or is a nuisance to my neighbors. Will always listen to my neighbor's concerns and will work with them to make the area we live, or work, better."

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 Application Data: Hangar 7

Liquor License Application Map: Hangar 7

**This item was recommended for approval.**

**23 Liquor License Application - Poki Bar Central**

Request for a liquor license. Arizona State License 1207A846.

**Summary**

Applicant

Tyrone Chu, Agent

License Type

12 - Restaurant

Location

2836 E. Indian School Road, Ste. A1

Zoning Classification: C-1

Council District: 6

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

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

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

#### Other Active Liquor License Interest in Arizona

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

Slanted Rice Vietnamese Bistro (Series 12)  
6149 N. Scottsdale Road, Ste. 105, Scottsdale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

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

"I have completed Alcohol Management certification."

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



“The liquor license will compliment our Hawaiiin style sushi bowls.”

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 Application Data: Poki Bar Central

Liquor License Application Map: Poki Bar Central

**This item was recommended for approval.**

**24 Liquor License Application - Tacos Tequila Whiskey**

Request for a liquor license. Arizona State License 1207A844.

**Summary**

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

3950 E. Indian School Road

Zoning Classification: C-2

Council District: 6

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

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

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

Other Active Liquor License Interest in Arizona

This 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:

"We are very strict with our liquor service policies. We will abide by all laws and regulations."

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

"We would like the ability to offer our patrons drinks with their meals if they choose to have one."

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 Application Data: Tacos Tequila Whiskey

Liquor License Application Map: Tacos Tequila Whiskey

**This item was recommended for approval.**

**25 Liquor License Application - Thai Delight**

Request for a liquor license. Arizona State License 1207A823.

**Summary**

Applicant

Michael Darsow, Agent

License Type

Series 12 - Restaurant

Location

4645 E. Chandler Blvd., Ste. 104 & 106

Zoning Classification: C-2

Council District: 6

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

The sixty day limit for processing this application was Jan. 1, 2017. However, the applicant has submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I have completed all the State required compliance courses for owning and operating an establishment that sells liquor. Over the last 20 years I

worked at Bench Mark Electronics and responsibly saved the money needed to launch my own restaurant. I will take this same conservative approach in securing the success of Thai Delight.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Thai Delight will provide an atmosphere where members of the community can gather to eat and drink. Thai Delight will provide a more diversified eating experience for this area. The issuance of a liquor license will allow customers a more immersive dining experience. Success of Thai Delight will generate additional tax revenue that can be used in community programs such as education.”

#### 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 Application Data: Thai Delight

Liquor License Application Map: Thai Delight

**This item was recommended for approval.**

### **26 Liquor License Application - Residence Inn & Courtyard by Marriott Downtown Phoenix**

Request for a liquor license. Arizona State License 11077086.

#### **Summary**

##### Applicant

Andrea Lewkowitz, Agent

##### License Type

Series 11 - Hotel/Motel

##### Location

132 S. Central Ave.

Zoning Classification: DTC - Business Core  
Council District: 7

This request is for a new liquor license for a hotel. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in March 2017.

The sixty-day limit for processing this application is Jan. 13, 2017.

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

#### Other Active Liquor License Interest in Arizona

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

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

Wyndham Garden Phoenix Midtown (Series 11)  
3600 N. 2nd Ave., Phoenix  
Calls for police service: 33  
Liquor license violations: In June 2016, a warning letter was issued for drinking contests and delivering more than the law allows.

#### Public Opinion

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

#### Applicant's Statement

The applicant submitted the following statement in support of this

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

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

“Applicant is committed to upholding the highest standards for alcohol sales and service. Managers and staff are trained, or will be, in the techniques of legal and responsible sales and service.”

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

“Applicant will manage the new 19-story Residence Inn/Courtyard by Marriott Downtown Phoenix, which will offer high-end amenities for guests as well as 320 guest rooms, dining venues, banquet/meeting spaces and restaurant/bar/lounge areas. Applicant would like to offer alcoholic beverages to guests 21 and over.”

#### 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 Application Data: Residence Inn & Courtyard by Marriott Downtown Phoenix

Liquor License Application Map: Residence Inn & Courtyard Marriott Downtown Phoenix

**This item was recommended for approval.**

### **ORDINANCES, RESOLUTIONS AND NEW BUSINESS**

The Mayor requested a motion on the remaining agenda items.

**A motion was made by Councilman Valenzuela, seconded by Councilwoman Williams, that items 27 through 98 be approved or adopted, except items 27, 28, 29, 34, 36, 38, 39, 47, 48, 51, 58, 60, 67, 68, 73, 74, 76, 97, & 98; and noting that items 63 & 96 were withdrawn. The motion carried by the following vote:**

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

**Absent:** 1 - Vice Mayor Gallego

Items 28 through 46, Ordinance S-43124, were requests to authorize the City Controller to disburse funds, up to the amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

**30 \$400,000.00 to Airbus Helicopters, Inc.**

For additional payment authority for Contract 133878, through May 31, 2017 for aircraft parts and services for the Police Department. The Phoenix Police Air Support Unit's helicopters are critical to the Police Department in order to support patrol officers, provide crime suppression, and mountain rescue service. The Federal Aviation Administration (FAA) mandates routine maintenance and overhauls be performed to ensure the safe operation of the aircraft.

**This item was adopted.**

**31 \$600,000.00 to Various Vendors**

For additional payment authority through Sept. 30, 2018, for the acquisition, repairing and/or rebuilding of Hale pumps for the Public Works Department. The Fleet Services Division of the Public Works Department is responsible for the maintenance of fire pumper and ladder trucks ensuring fire trucks remain in service to respond to emergency situations. The pumps are a critical part of the water pumping system on the fire pumper and ladder trucks.

Freightliner of Arizona, LLC, Contract 134464

Matlick Enterprises, Inc., doing business as United Fire Equipment Company, Contract 134463

The W.W. Williams Southwest, Inc., doing business as W.W. Williams Company, Contract 134465

**This item was adopted.**

**32     \$22,449.00 to Vision Business Products of Arizona, Inc.**

For payment authority for a new contract, through Dec. 31, 2020, to supply all materials, labor, and equipment needed to provide specialized data center cleaning services for Information Technology Services and Public Transit. Specialized cleaning services are required to ensure the data center runs properly and efficiently, avoiding network downtime, critical information loss, or costly equipment replacement.

**This item was adopted.**

**33     \$95,000.00 to Rent Grow, Inc., doing business as Yardi Residential Screening**

For additional payment authority for Contract 138805, through March 31, 2019, for tenant screening services for the Housing Department. This contract is necessary to provide tenant screening services for Public Housing and Section 8 program applicants in accordance with the Department of Housing and Urban Development (HUD) requirements. There is no impact to the General Fund; these services are paid for through Federal funding from the Department of Housing and Urban Development (HUD).

**This item was adopted.**

**35     \$49,000.00 to Desert Eagle Appraisals**

For payment authority for a new contract, through Jan. 31, 2020, for Home Appraisal Services for the Scattered Site Section 32 Home Ownership Program in accordance with the provision of the HUD-approved Section 32 Home Ownership Plan, for the Housing Department. This program helps low-income families purchase homes through an arrangement that benefits both the buyer and the City. The benefit to the City is reduced cost of maintenance and the ability to use the proceeds to reinvest in low-income housing needs. There is no impact to the General Fund; these necessary services are paid for from proceeds of the sale of houses in the Section 32 Program, which are Federal funds. This program was approved by the Council at the Dec.14,



2016 Formal Meeting.

**This item was adopted.**

**37     \$29,400.00 to Integrity Network Solutions, LLC**

For payment authority for new Contract 138483, through March 31, 2017, for professional information technology consulting services for the Information Technology Services Department. Services include redesign of specific network security architecture required to maintain Payment Card Industry (PCI) compliance.

**This item was adopted.**

**40     \$33,153.53 to Hyland Software, Inc.**

For payment authority for annual software license and maintenance agreement for the SIRE Technologies electronic document management system for the Planning and Development Department (PDD). SIRE document storage and access is a critical component of the KIVA application system which tracks PDD permitting, plan review, Land Information System (LIS), and inspections.

**This item was adopted.**

**41     \$24,478.73 to Citrix Systems, Inc.**

For payment authority for annual maintenance agreement for Citrix XenDesktop Enterprise Edition system for the Planning and Development Department (PDD). The system allows remote staff to efficiently connect to critical software applications for PDD permitting, plan review, and inspections including KIVA, Outlook, Windows, and GIS.

**This item was adopted.**

**42     \$34,500.00 to CliftonLarsonAllen LLC**

For payment authority for a new contract, through Jan. 31, 2022, for an annual audit of the City's renewable identification numbers for petroleum stores, for the Public Works Department. Required by the Environmental Protection Agency in accordance with the Code of Federal Regulations Title 40, Volume 17, Section 80.1464(b), the audit details the City's volume within each category of renewable fuel, the renewable identification numbers used, and overall volume of fuel products.

**This item was adopted.**

**43     \$31,000.00 to TY Cushion Tire, LLC**

For payment authority to purchase industrial tires for a front-end loader (Unit 233114) located at the 27th Avenue Transfer Station, for the Public Works Department. For safe and efficient operation at the Transfer Station, these tires must be replaced every three to four years, depending on damage due to weather conditions, as well as various types of debris that the vehicles drive over daily, including household and green waste, plastics, metals, glass and landscaping materials. These tires are manufactured to withstand this harsh environment.

**This item was adopted.**

**44     \$27,473.00 to Copperstate Industrial Supply, Inc.**

For payment authority to purchase one trailer-mounted air compressor for the Public Works Department. This item will replace an aging air compressor that has reached the end of its life cycle. The unit will be used at the 27th Avenue Transfer Station to keep equipment free of dust and debris.

**This item was adopted.**

**45     \$19,000.00 to Chemrite, Inc.**

For additional payment authority for Contract 137475, through Nov. 30, 2018, for Calcium Hypochlorite tablets, for the Water Services Department. Calcium Hypochlorite tablets are used in the distribution water system to disinfect and provide safe drinking water.

**This item was adopted.**

**46     \$10,400.00 to Electric Pump Inc., doing business as Quality Control Equipment Company**

For payment authority to purchase two CVE 16 Composite/Sequential Sampler Pumps through Capital Improvement Project funds for the Water Services Department. Auto Samplers are needed throughout the plant for water quality and storage of process/compliance samples taken on a composite basis. Samples are used to test for any type of unknown substance entering the plant, which will interfere with the treatment

process and have potential to harm the health, safety, and welfare of the public.

**This item was adopted.**

**49 Business to Government (B2GNow) Requirements Contract  
(Ordinance S-43126)**

Request to authorize the City Manager or his designee to enter into an agreement with B2GNow (Vendor number 3059246), for web-based data systems to enable the Equal Opportunity Department to administer the City's Certification Program and Contract Compliance Program and to ensure compliance with the U. S. Department of Transportation Title 49 Code of Federal Regulations (CFR) Parts 23 and 26. Further request authorization for the City Controller to disburse all funds related to this term.

**Summary**

The services provided by B2GNow are managed by the Equal Opportunity Department. B2GNow will be responsible for providing the proprietary software for City staff to review and process Small Business Enterprises (SBE), Disadvantaged Business Enterprise (DBE), and Airport Concession Disadvantaged Business Enterprise (ACDBE) certification applications, and to track, monitor, and report the participation of SBE, DBE, and ACDBE firms in City contracts and contracts of sub-recipients, which include the surrounding municipalities and Valley Metro.

**Procurement Information**

B2GNow has been the provider of proprietary software to the City since 2007. As a part of an intergovernmental agreement with the Arizona Unified Certification Program (AZUCP), B2GNow was selected as the vendor to provide a single platform from which AZUCP partners, which include the Arizona Department of Transportation (ADOT), the City of Tucson, and the City of Phoenix, use to handle all business processes. The system enables the entire AZUCP to readily track and report the participation of certified firms, as well as timely notate when a firm's certification status is changed.

**Contract Term**

The three-year contract term shall begin on or about Feb. 1, 2017, and end on Feb. 29, 2020. Provisions of the contract will include an option to extend the term of the contract up to two additional years, which may be exercised by the City Manager or his designee.

**Financial Impact**

The aggregate contract value including all option years will not exceed \$125,000 (including applicable taxes) with an estimated annual expenditure of \$25,000. Funds are available in the Equal Opportunity and Public Transit department's operating budgets.

**This item was adopted.**

**50 Authorization to Amend and Restate Revocable License Agreement P-50189 with Maricopa County (Ordinance S-43127)**

Request authorization for the City Manager, or designee, to amend and restate Revocable License Agreement P-50189 with Maricopa County, a political subdivision of the State of Arizona (County), to extend the term for a one-year period and to incorporate the original contract terms into the City contract. Further request authorization to amend the contract to allow an option to extend the term for an additional four-year period. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The City has occupied space on various County facilities within the downtown area from Aug. 31, 2011 through Dec. 31, 2016 under Revocable License Agreement P-50189. The license is for access and placement of portable security camera systems in support of the Police Department's Homeland Defense Bureau as a component of an overall public safety effort to maintain the personal safety and security of the public. The system gives public safety managers more complete and timely situational awareness, helps monitor and protect key locations as part of an overall security plan, and more effectively monitors a significant area. The original term of the license was for a one-year period and included five additional one-year options to extend. The license was extended for four of the five one-year periods through Dec. 31, 2016. The license will be amended to extend the term for the final one-year option period from Jan. 1, 2017 through Dec. 31, 2017 and will incorporate the original contract terms into the City contract. Additionally,

the contract may be amended prior to Dec. 31, 2017 to extend the term for one additional four-year period upon mutual agreement of the City and County. All other terms and conditions will remain the same.

**Contract Term**

The term is a one-year period with one four-year option to extend.

**Financial Impact**

The license fee is \$10.00 annually.

**Location**

Various County facilities within downtown.

**This item was adopted.**

**52 Contract Award for Appraisal Services (Ordinance S-43129)**

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

**Summary**

These contracts will provide the Finance Department Real Estate Division a Qualified Vendor List (QVL) for appraisal services for Citywide projects on an as-needed basis for the contract period beginning Feb. 1, 2016 through Jan. 31, 2018. The Real Estate Division contracts with appraisers for appraisal services of real and personal property, as requested by City departments.

**Procurement Information**

The Finance Department released a Request for Qualifications (RFQ) for Appraisal Services on Oct. 13, 2016. The RFQ was conducted in accordance with Administrative Regulation 3.10. Twenty-one proposals were received in response to the RFQ, all of which were deemed responsive to the requirements of the RFQ.

The evaluation panel reviewed submittals according to the following criteria set forth in the RFQ: experience and knowledge of proposer in providing eminent domain appraisal services to government agencies (30%); qualifications of proposer (30%); quality of the submittal (25%); and proposer's ability to provide services in a timely fashion (15%). The

panel determined that all proposers met the established criteria to provide appraisal services.

1. Richard Beals
2. Linda Beatty
3. Richard Biers
4. James Bradley
5. Roger Dunlap
6. J. Douglas Estes
7. John Harney
8. Tim Haskins
9. Richard Hodges
10. John Horton
11. Richard Kloc
12. Michael Lacey
13. John Loper
14. Dennis Lopez
15. Steve Nagy
16. Albert Nava
17. Jan Sell
18. Duane Thoms
19. Jeff Windle
20. Paul Wright
21. Gerald Zaddack

#### **Contract Term**

The contract term will be two years with an option to extend the term up to three years, which may be exercised by the City Manager or designee.

#### **Financial Impact**

The aggregate contract value including all option years shall not exceed \$1 million, with an annual estimated expenditure of \$200,000. Funds are available in various departments budgets.

**This item was adopted.**

#### **53 Property Management Services for Affordable Housing Portfolio - Requirements Contract - RFP No. 17-004 (Ordinance S-43130)**

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

contract with Dunlap and Magee to provide property management services for the City of Phoenix Housing Department's Affordable Housing Portfolio (Portfolio). Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The City's Portfolio consists of 18 multifamily residential housing properties with 1,282 rental units that provide affordable housing to low-to moderate-income residents. This contract will provide third party property management services in connection with the continued operations of the Portfolio based on three groups: Group A - Senior and Affordable Housing, Group B - Deed Restricted and Affordable Housing, and Group C - Section 8 and Affordable Housing. Dunlap and Magee will receive a management fee directly from the rental revenue generated by the Portfolio. However, during the term of the contract the City will disburse funds to Dunlap and Magee to fund capital improvements throughout the Portfolio.

**Procurement Information**

RFP 17-004 Property Management Services for Affordable Housing Portfolio was conducted in accordance with Administrative Regulation 3.10. There were four offers received by the Procurement Division on Aug. 5, 2016.

The proposals were scored by a five-member evaluation committee based on the following criteria: Method of Approach (0-300 points), Experience and Qualifications of Firm and Key Personnel (0-250 points), Price Proposal (0-200 points), Resident Services and Support (0-150 points), and References (0-100 points). The proposers and their scores are as follows:

Group A

Dunlap and Magee: 846  
Celtic: 627  
MEB: 420  
NLR Sunrise: 401

Group B

Dunlap and Magee: 846

NLR Sunrise: 364

Group C

Dunlap and Magee: 846

NLR Sunrise: 364

**Contract Term**

The initial three-year contract terms shall begin on or about Jan. 11, 2017 and end Dec. 31, 2019. Provisions of the contract may include an option to extend the term of the contract up to two additional years, which may be exercised by the City Manager or designee.

**Financial Impact**

The aggregate contract value including all option years will not exceed \$4.5 million (including applicable taxes) with an estimated annual expenditure of \$900,000. Funds are available in the Housing Department budget.

**Concurrence/Previous Council Action**

The Sustainability, Housing, Efficiency and Neighborhoods Subcommittee recommended approval of this item on Dec. 6, 2016.

**This item was adopted.**

**54 Telephone System Support and Maintenance (Ordinance S-43131)**

Request to authorize the City Manager, or his designee, to exercise the option to extend contract 132665 with Black Box Network Services through June 30, 2019 for continued support and maintenance of the City's telephone system, in an additional amount not to exceed \$4,050,000. Further request authorization for the City Controller to disburse the funds for purposes of this ordinance.

**Summary**

Blackbox Network Services currently provides support and maintenance for the City's telephone system. The City is in the final stages of a procurement to replace the telephone system. This contract extension will ensure the continued support and maintenance of the current telephone system during the implementation of its replacement. This maintenance contract is essential, as the current system is long past vendor support, and parts are increasingly difficult to obtain. Lack of a



maintenance contract will result in the failure of some or all of the telephone system, affecting the ability of residents to contact the City for services, and for staff to efficiently perform their jobs.

**Procurement Information**

This contract was originally procured through a competitive Request for Proposal (RFP) process in accordance with City policy.

**Contract Term**

This contract was approved for an initial term of five years, with the option for five additional one-year extensions to be exercised if in the best interest of the City. The original five-year term began Jan. 1, 2012. This request is to exercise options to extend the contract until June 30, 2019.

**Financial Impact**

The initial contract was approved for \$12,105,000. The total amount of this extension is \$4,050,000, for a total contract amount not to exceed \$16,155,000. Funds are available in the Information Technology Services and Water Services Departments' Operating Budgets.

**This item was adopted.**

**55 Authorization to Apply For and Accept Early Head Start Expansion and Early Head Start-Child Care Partnership Grant (Ordinance S-43132)**

Request retroactive authorization for the City Manager, or his designee, to apply for the Early Head Start Expansion and Early Head Start-Child Care Partnership Grant for an amount not to exceed \$3,293,281 from the U.S. Department of Health and Human Services (HHS) for the Head Start Birth to Five program. Further request authorization for the City Treasurer to accept all funds related to this item if awarded.

**Summary**

The Early Head Start Expansion and Early Head Start-Child Care Partnership funding opportunity provides grant funds to expand access to high-quality, center-based comprehensive early learning services for low-income infants and toddlers and their families. The purpose is to improve early learning quality via full-day, full-year models. The program has made available \$135 million to be competitively awarded nationally for grantees to partner with local child care providers to provide services

to infants and toddlers. The grant also supports a non-partnership model in which the grantee could directly operate classrooms in areas where a qualified child care partner is not identified.

The City of Phoenix Early Head Start program currently partners with local child care partners to provide quality services to infants and toddlers. If awarded funds from the grant, the City would expand these child care partnerships in designated federal poverty areas and other zip codes within the City of Phoenix Early Head Start service area. The resulting expansion would provide an additional 112 full-day, full-year slots within the City of Phoenix Early Head Start service area. If awarded, the Human Services Department will conduct a competitive process to select child care partners and will return to Council for authority to enter into contracts and disburse funds.

**Financial Impact**

A 25 percent match required by the grant will be generated by community partners, contractors, volunteers, and City in-kind services. No additional General Funds are needed to operate programs as a result of this grant opportunity.

**Concurrence/Previous Council Action**

On Sept. 28, 2016, the Parks, Arts, Education and Equality Subcommittee recommended approval to apply for and accept Early Head Start Expansion and Early Head Start-Child Care Partnership grant funds by a vote of 3-0.

**Location**

Multiple locations in Districts 1, 3, 4, 5 and 7.

**This item was adopted.**

**56      Lead-Based Paint Hazard Control Grant Application (Ordinance S-43133)**

Request to authorize the City Manager, or his designee, to apply for and accept a Lead-Based Paint Hazard Control Grant for \$2.9 million from the U.S. Department of Housing and Urban Development (HUD) for the Neighborhood Services Department (NSD) Lead Hazard Control Program.

Further request approval to enter into an Intergovernmental Agreement with the Maricopa County Department of Public Health upon successful award of the grant to test children for lead poisoning and provide community education; for a payment ordinance to pay a City procured contractor to assist with the Lead-Based Paint Hazard Control Grant application process; and to authorize the City Treasurer to accept and the City Controller to disburse all funds related to this item if awarded.

**Summary**

Per the Notice of Funding Availability (NOFA) issued by HUD on Nov. 21, 2016, the grant application is due Feb. 21, 2017. Through this grant, NSD will be able to continue to provide lead testing and lead hazard control services in privately-owned housing occupied by low-income families with children under six years of age.

**Contract Term**

The contract term will be for 36 months from the effective date of the grant contract.

**Financial Impact**

There is no impact to the General Fund; this program is funded through the HUD Office of Lead Hazard Control and Healthy Homes. Community Development Block Grant (CDBG) funds will be used to meet the grant's 10 percent matching funds requirement and indirect costs will be recoverable up to five percent under this grant.

**This item was adopted.**

**57 Request to Approve IGA with Cartwright School District for Fencing Along 55th Avenue Parkway (Ordinance S-43134)**

Request authorization for the City Manager, or his designee, to execute an Intergovernmental Agreement (IGA) between the Parks and Recreation Department and the Cartwright School District for the installation of chain link fence by the school district in the granite area of the 55th Avenue Parkway.

**Summary**

The City of Phoenix Parks and Recreation Department and Cartwright School District will work together to install fencing in the granite area of the 55th Avenue Parkway. Cartwright School District will pay to install the

fence, and the Parks and Recreation Department will be responsible for maintaining the fence.

The fencing will run from Glenrosa Avenue north to the existing sidewalk at approximately Turney Avenue, to control students' ability to cross the turf area of the 55th Avenue Parkway, except at the established crossing area. Currently the area creates a safety issue for the students, as parents are able to drop students off on the west side of the parkway and they are crossing at uncontrolled access points.

**Contract Term**

This Agreement will have an initial term of 10 years.

**Financial Impact**

The Cartwright School District will pay to install the fence; no City General Funds will be used.

**Location**

55th Avenue and Glenrosa Avenue

**This item was adopted.**

**59     2017 Arizona State Parks Recreational Trails Program Grant  
(Ordinance S-43136)**

The purpose of this report is to request City Council approval to apply for the 2017 Arizona State Parks Recreational Trails Program (RTP) Grant for Non-Motorized Trails. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

**Summary**

The Pueblo Grande Museum and Archaeological Park includes a trail that allows access for visitors to climb to the top of the prehistoric platform mound at the Museum, and also allows visitors to walk to the outdoor exhibit areas that were originally installed in 1990. The trail is composed of dyed asphalt. Over the years, the asphalt has cracked and deteriorated along the edges. Staff has been patching and repairing the trail as best as possible.

During the summers of 2014 and 2015, two major monsoon events

caused a portion of the asphalt trail to collapse. As part of the repair work, the asphalt was removed and replaced with concrete pavers. The pavers have provided a firm, accessible surface with the added ability to replace individual pieces if cracking occurs. No patching has been required after using concrete pavers.

The Parks and Recreation Department would like to resurface the entire trail with pavers. Since the trail impacts the archaeological resources of the site, removal of the asphalt and laying of the pavers must be monitored by an archaeologist. Both the cost of laying the trail and the cost of monitoring are beyond the scope of the Parks and Recreation Department budget.

In order to ensure visitor safety and to continue to provide a quality, accessible pedestrian trail experience, the Parks and Recreation Department would like to apply for the 2017 RTP Non-Motorized Trail Funds Grant. The Federal Highway Administration manages these funds through Arizona State Parks.

#### **Financial Impact**

If awarded, the grant will provide up to \$60,000 to remove and replace the current trail. In addition, staff will request funding to update the educational signage along the trail. RTP Non-Motorized grants require a 5.7 percent match either in-kind or cash. Staff and volunteer time will be used towards the match. In addition, Pueblo Grande Museum's Auxiliary partner has pledged to support cash match if needed.

#### **Concurrence/Previous Council Action**

The Parks, Arts, Education and Equality Subcommittee recommended this item for approval on Nov. 30, 2016, by a vote of 4-0.

#### **Location**

Pueblo Grande Museum, 4619 E. Washington St.

**This item was adopted.**

- 61 Authorization to Enter into Contract with Ironline Partners, LLC, for the Sale and Redevelopment of the Former Human Resources Building (Ordinance S-43138)**

Request to authorize the City Manager, or his designee, to enter into a disposition and redevelopment agreement, and other contracts as necessary ("Agreements"), with Ironline Partners, LLC, or its City-approved designee ("Developer"), to sell and redevelop the City-owned property located at 135 N. 2nd Ave. ("HR Building"); and, for the City Controller to accept funds related to this item.

**Summary**

The 58,382-square-foot HR Building became vacant in June 2016 once the Human Resources Department moved to the Calvin Goode Building. The HR Building is now vacant surplus City property with no future intended City use. The issuance of the Request for Qualifications (RFQ)/Request for Proposals (RFP) in May 2016 focused on disposing and redeveloping the property.

Developer proposes to purchase and then redevelop the HR Building into an office building with two retail tenants on the ground floor and creative office space on the upper floors. Developer estimates investing a total of \$7 million into the project. Staff and the Developer have negotiated the following business terms:

1. Developer shall enter into a Disposition and Redevelopment Agreement (DRA) within 30 days of City Council Authorization.
2. Developer shall have a 120-day Due Diligence Period.
3. Developer shall pay a \$2,315,000 purchase price.
4. Escrow shall open once Developer has received sufficient permits to commence the project and shall close by June 30, 2017. Developer shall pay all closing costs.
5. City will work with Developer to provide up to 200 parking spaces, at the prevailing market rate, for a term of 10 years at a mutually agreeable nearby parking facility. Should such parking not be located by the conclusion of the Due Diligence Period, Developer may terminate the DRA and receive a refund of its performance deposit.
6. Developer will complete construction of the project by June 20, 2019.

The Agreements will include other terms and conditions as required by the City. Should Developer identify a significant defect during the Due Diligence Period that will make the project not feasible, the performance deposit will be refunded and the Agreements terminated.

**Procurement Information**

In December 2015, staff received Council authorization to issue a two-step RFQ/RFP to sell and redevelop the HR Building. Through the RFQ portion of the process, there were three prospective buyers who were deemed responsive and qualified to bid via the RFP. The RFP (RFP-CED16-HRB) was issued on May 27, 2016, and closed on July 12, 2016. Two responsive proposals were received for this RFP. An evaluation panel determined Ironline Partners, LLC, as the top proposal, and upon concurrence from the Community and Economic Development Director, staff negotiated business terms.

**Contract Term**

The Agreement will terminate 24 months following the close of escrow.

**Financial Impact**

The proceeds of the sale, \$2,315,000, will be utilized to pay for existing debt on the building.

**Concurrence/Previous Council Action**

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

**Location**

The City-owned property is located at 135 N. 2nd Ave. and is Assessor's Parcel Number (APN) 112-21-050F.

**This item was adopted.**

**62 Authorization to Accept and Disburse Additional Victim of Crime Act (VOCA) Grant Funds (Ordinance S-43139)**

Request to authorize the City Manager, or his designee, to accept \$1,905 in additional grant funding from the Arizona Department of Public Safety for the Victim of Crime Act (VOCA) grant. Further request authorization for the City Treasurer to accept and the City Controller to disburse the funds associated with this item.

**Summary**

On July 1, 2016, City Council approved Item 48 (RCA number 76739) - a

request from the Fire Department to apply for and accept \$809,919 in VOCA grant funding. The Council approval created Ordinance S-42768. The Fire Department has since been awarded an additional \$1,905, for a total VOCA grant award of \$811,824. This request is to accept the additional \$1,905 in grant funding, which was received after July 1, 2016.

The Fire Department supports VOCA's mission of providing victim services, and has received VOCA grant funding for many years. VOCA funds allow the Fire Department to continue to fund staff positions which provide direct services to victims of crime, including domestic and sexual violence, human trafficking, elder abuse and secondary victims of homicide. Services are designed to help victims address immediate emotional and physical needs, stabilize their lives following victimization, navigate the criminal justice system, and increase their measure of safety and security in alignment with the City's Domestic Violence Roadmap and Human Trafficking Compass Plan.

**Contract Term**

The contract term remains unchanged, Oct. 1, 2016 - Sept. 30, 2017.

**Financial Impact**

VOCA funds require recipients to contribute a 20 percent match of the total project cost. The value match of the Fire Department's in-kind volunteer service hours have increased an additional \$476, from \$202,480 to \$202,956 to satisfy the 20 percent new project cost match requirement.

**This item was adopted.**

**63 Vendor Selection for Aircraft Rescue Firefighter Mobile Prop Training (Ordinance S-43140)**

Request to authorize the City Manager, or his designee, to enter into a contract with 139Fire, LLC for an amount not to exceed \$150,000 for Aircraft Rescue Firefighter Training at the Phoenix Fire Department Training Academy. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

Phoenix Sky Harbor International Airport has Aircraft Rescue Firefighting (ARFF) capabilities, which means the airport has extensive apparatus and



personnel to provide fire and medical response to an aircraft emergency. In order to maintain these capabilities, Phoenix Fire Department (PFD) firefighters stationed at Phoenix Sky Harbor International Airport must train in accordance with Federal Aviation Administration (FAA) standards. These standards mandate that PFD firefighters train with live burn exercises each year in a three-year cycle. For the first two years, a mobile prop may be utilized for the training. During the third year, a more extensive training requires use of staged full-scale, simultaneous burning aircraft. This contract serves only for the mobile prop exercises.

### **Procurement Information**

A competitive procurement process was conducted for Aircraft Rescue Firefighting Mobile Prop Training, and two bidders responded to the Request For Proposals (RFP). The RFP was issued on Nov. 16, 2016 and closed on Dec. 2, 2016. One bidder, Kellogg Community College, was deemed non-responsive. The second bidder, 139Fire LLC, received an average of 775 out of 1,000 points from an evaluation committee comprised of five subject matter experts.

### **Contract Term**

The initial period of this agreement will be for two years (Feb. 1, 2017 through March 30, 2018) with two, one-year options, that will be exercised if in the best interest of the City (Feb. 1, 2020 through March 30, 2021). The aggregate total shall not exceed \$150,000.

**This item was withdrawn.**

## **64 Authorization to Enter into Agreement to Implement a Regional Public Safety Common Operating Platform**

Request authorization for the City Manager, or his designee, to enter into an agreement with the Maricopa County Office of Enterprise Technology through the Maricopa County Sheriff's Office for the purpose of developing and implementing an electronic common operating platform. The agreement would formalize the nature of the relationship, define the data feeds that would be shared by each entity, and ensure access to the system.

### **Summary**

The City of Phoenix Homeland Defense Bureau (HDB) is comprised of

four distinct disciplines: emergency management, fire service, law enforcement, and public health. The Homeland Defense Team is responsible for coordinating the City's efforts to detect, prevent, and respond to emergency incidents and to plan for and manage large scale events in Phoenix. Previous efforts have included monsoon floods, power outages, and large public gatherings, such as the MLB All Star event, the College Football Playoff, and the Super Bowl.

Large events/incidents are complex by nature, and the more complete, accurate and timely information available to public safety officials, the more effective they can be managing the situation. In an effort to be as effective and efficient as possible, the technical capabilities of the City's Emergency Operations Center have been developed and refined over the past few years. One of the components under development has been a common operating platform that creates a unified operational picture for all four HDB disciplines. The electronic platform is to consume, and then display, data from a multitude of different feeds so the information can be viewed simultaneously in a geographic context. Being able to visualize the situation on the ground in real-time is critical for the management team.

Maricopa County officials are pursuing a similar capability and are also investigating the same geospatial system. Over the past several months, officials from Phoenix and Maricopa County have been in discussions on how to build a shared capability that can benefit both organizations. The platform would be used by public safety managers to track and manage assets in the field to enhance their efficiency, and thereby increase the safety of all involved.

In the current plan, the Esri ArcGIS data platform belonging to Maricopa County would be further developed by the Maricopa County Office of Enterprise Technology. In the initial phase, Computer Aided Dispatch and Automatic Vehicle Locator data from Phoenix Fire, Phoenix Police and the Maricopa County Sheriff's Office would be consumed and displayed by the new platform. Over time, incremental improvements could bring in additional data sets, as well as feeds from other regional public safety partners, increasing the information available to all participants.

**Contract Term**

From date of execution through June 30, 2026.

**Financial Impact**

None

**Location**

Citywide

**This item was approved.**

**65 Authorization to Apply for, Accept, and Enter into an Agreement with the National Association of Drug Diversion Investigators for Police Services (Ordinance S-43141)**

Request authorization for the City Manager, or his designee, to authorize the Police Department to apply for, accept, and enter into an agreement with the National Association of Drug Diversion Investigators (NADDI) for police 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 purpose of this program is to address the complex problem of prescription drug abuse and diversion through the provision of resources to local law enforcement agencies engaged in combating the abuse and diversion of prescribed drugs. The Police Department intends to request these funds to assist with purchasing computer supplies, upgrades to the current website, and for travel to the annual NADDI conference.

**Contract Term**

If awarded, the contract term is expected to be one year starting approximately Aug. 1, 2017, through July 31, 2018. Provisions of the contract may include an option to extend the term up to one additional year, which may be exercised by the City Manager or his designee.

**Financial Impact**

Maximum award is \$5,000.00. No matching funds are required; cost to the City is in-kind resources only.

**Concurrence/Previous Council Action**

This item was unanimously approved by the Public Safety and Veterans Subcommittee on Dec. 14, 2016.

**This item was adopted.**

**66 IGA with Arizona Department of Public Safety to Provide Law Enforcement and Security Services**

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Arizona Department of Public Safety, authorizing Phoenix police officers to work off-duty providing security during large events that will occur at the University of Phoenix Stadium in Glendale, Arizona.

**Summary**

The Arizona Department of Public Safety recently assumed responsibility for providing interior security for the stadium from the Glendale Police Department. Prior to this occurring, the Phoenix Police Department maintained an IGA with the Glendale Police Department to provide these same services. The Arizona Department of Public Safety has requested assistance from a number of law enforcement agencies to provide security at events occurring at the University of Phoenix Stadium. Phoenix officers will be hired by the Arizona Department of Public Safety as temporary employees. Each officer's home agency will assume all workers compensation coverage and liability.

**Contract Term**

This agreement will be effective upon approval and execution by the Arizona Department of Public Safety and Phoenix and shall remain in effect until June 30, 2017. The agreement may be executed in counterparts and may be renewed for successive additional one-year periods for up to five years upon mutual consent of the parties.

**Financial Impact**

There are no costs to the City.

**Location**

Out of City.

**This item was approved.**

**69      Trash and Recycling Plastic Collection Tippers - Requirements  
Contract Recommendation (Ordinance S-43143)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Rehrig Pacific Company (Vendor No. 3023074) to provide trash and recycling plastic collection bins for neighborhood residential disposal in an amount not to exceed \$933,230 over the life of the contract. Further request the City Controller to disburse all funds related to this item.

**Summary**

This contract will provide trash and recycling plastic collection bins for neighborhood residential trash disposal.

**Procurement Information**

Invitation for Bids (IFB) 17-SW-057 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Public Works Department on Oct. 26, 2016. The bid was evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required goods and/or services. The bid received by Rehrig Pacific Company is deemed to be fair and reasonable based on the market.

**Contract Term**

The initial one-year contract term will begin on or about Jan. 15, 2017, and end on Jan. 14, 2018. Provisions of the contract include an option to extend the term of the contract for up to four additional years, in one-year increments, which may be exercised by the City Manager or his designee.

**Financial Impact**

The aggregate contract value, including all option years, will not exceed \$933,230, with annual expenditures estimated to be \$186,646. Funds are available in the Public Works Department budget.

**This item was adopted.**

**70      Small Diameter Sewer Rehabilitation Fiscal Year 2016-17 -  
Design-Bid-Build - WS90500118-4 (Ordinance S-43144)**

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

Insituform Technologies, LLC, (Chesterfield, Mo.) as the lowest-priced, responsive and responsible bidder and to enter into a contract with Insituform Technologies, LLC for construction services. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

Insituform Technologies, LLC, will provide construction services in support of the Small Diameter Sanitary Sewer Rehabilitation Fiscal Year 2016-17 project. This work includes, but is not limited to: rehabilitation of approximately 163,876 linear feet of 8-inch to 15-inch diameter, primarily vitrified clay (VCP) sanitary sewer pipe within the City of Phoenix wastewater collection system. The rehabilitation process will include installing cured-in-place-pipe (CIPP) lining, performing cleanout removal/replacement, manhole repairs, lateral reinstatement, odor control, public notifications and other work as it relates to rehabilitation of the sanitary sewer system.

**Procurement Information**

Insituform Technologies, LLC, was selected for this project using an invitation for bids (IFB) procurement process in accordance with Section 34-201 of the Arizona Revised Statutes. Three bids were received by the Street Transportation Department on Nov. 22, 2016. The bids ranged from a low of \$4,442,780.70 to a high of \$6,583,313.00. The Engineer's Estimate and the three lowest responsive, responsible bidders are listed below:

Engineer's Estimate: \$4,989,583.00

Insituform Technologies, LLC: \$4,442,780.70

Layne Inliner, LLC: \$6,583,313.00

SAK Construction, LLC: \$6,065,351.00

**Contract Term**

The term of the contract is 600 calendar days. The contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**

The bid award amount is within the total budget for this project. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**Small Business Outreach**

A request to waive the small business enterprise (SBE) goal was approved due to the lack of availability of SBE contractors for this type of specialty work.

**Location**

Numerous locations as listed on the attached Quarter Section maps.

**This item was adopted.**

**71     99th Avenue Interceptor Rehabilitation 2016 - Construction  
Administration and Inspection Services - WS90160097-1  
(Ordinance S-43145)**

Request to authorize the City Manager, or his designee, to enter into a contract with Dibble Engineering, Inc. (Phoenix) to provide Construction Administration and Inspection (CA&I) services in support of the 99th Avenue Interceptor Rehabilitation 2016 project. Further, request authorization for the City Controller to disburse all funds related to this item.

**Summary**

This project consists of rehabilitating 2,557 linear feet of PVC-lined concrete reinforced pipe ranging from 54 to 60 inches in diameter, including 109 access manholes along 99th Avenue from Olive Avenue to the 91st Avenue Wastewater Treatment Plant. The pipe rehabilitation is located between two areas: Indian School Road to Thomas Road consisting of 60-inch diameter pipe, and Missouri Avenue to Camelback Road consisting of 54-inch diameter pipe. The manholes of various depths and sizes are found within the entire project alignment.

Dibble Engineering, Inc. will perform construction administration and inspection services for installation and removal of bypass systems and rehabilitation of pipe and manhole structures, including but not limited to:

review shop drawings and test results, issue interpretations and clarifications, and prepare record drawings and confined space inspections of the pipe and manhole interiors pre- and post rehabilitation.

### **Procurement Information**

Dibble Engineering, Inc. was chosen for this project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the Design Services selection.

### **Contract Term**

The term of this contract is expected to coincide with the duration of construction, which is expected to be 10 months. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

### **Financial Impact**

Dibble Engineering, Inc.'s fee for these services will not exceed \$277,812 including all subconsultant and reimbursable costs. Funding for these services is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

### **Public Outreach**

Dibble Engineering, Inc. will provide public notification and a project hotline to respond to public inquiries.

### **Location**

The project is located along 99th Avenue from Olive Avenue to the 91st Avenue Wastewater Treatment Plant.

**This item was adopted.**

- 72 South Mountain Freeway (SR202L) Water and Sewer Design Review and Construction Inspection Oversight Services - WS85500445 / WS90500294 (Ordinance S-43146)**



Request to authorize the City Manager, or his designee, to enter into contracts with Wilson Engineers, LLC (Phoenix) and Brown and Caldwell, Inc. (Phoenix) to provide design review and independent construction inspection oversight services on behalf of the City for work associated with the South Mountain Freeway project. Further request authorization for the City Controller to disburse all funds related to this item.

Additionally, request authorization for the City Manager, or his designee, to take 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 Arizona Department of Transportation South Mountain Freeway project will relocate approximately 23,000 linear feet of various size water mains and 9,000 linear feet of various size sewer mains. Existing City water and sewer facilities will require relocation as part of the South Mountain Freeway construction. The project covers relocation and installation of water distribution and transmission mains with associated appurtenances and portions of the sewer collection system.

### **Procurement Results**

Wilson Engineers, LLC, and Brown and Caldwell, Inc., were chosen for this project using a qualifications-based selection process according to Section 34-604 of the Arizona Revised Statutes (ARS). Per ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded. The top three rankings follow:

Wilson Engineers, LLC: Ranked #1

Brown and Caldwell, Inc.: Ranked #2

Consultant Engineering, Inc.: Ranked #3

### **Contract Term**

The term of the contract is for three years from the issuance of the Notice

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

**Financial Impact**

Wilson Engineers, LLC's and Brown and Caldwell, Inc.'s fee will not exceed \$900,000 each, including all subconsultant and reimbursable costs. Funding is available in Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**Location**

State Route 202 South Mountain Freeway: Interstate 10 (I-10) - 59th Avenue to South Pecos Road

**This item was adopted.**

**75      Scenario 16A Water Transmission Main Rehabilitation  
Construction Administration and Inspection Services -  
Amendment No. 1 - WS85500423 (Ordinance S-43149)**

Request to authorize the City Manager, or his designee, to execute Amendment No. 1 to Contract No. 140323 with Wilson Engineers, LLC (Phoenix) to provide additional construction administration and inspection services for the Scenario 16A Water Transmission Main Rehabilitation project. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

This project is in response to the Large Transmission Main Assessment Program, which determined the need to rehabilitate a portion of the City's 60-inch water transmission main. The portion of transmission main requiring rehabilitation is approximately 3,400 linear feet aligned between University Drive and 44th Street intersection and the booster pump station located at 48th Street and the Salt River. This rehabilitation project has been identified as the second highest priority of the on-going transmission main assessment program.

Wilson Engineers, LLC's services include, but are not limited to: reviewing shop drawings and test results, certifying contractor's progress payments, surveying coordination, review of manufacturer operation and maintenance manuals, special welding inspections, on-site inspection and review of the work and commissioning and updating the asset management system.

**Procurement Results**

Wilson Engineers, LLC was chosen for this project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the Design Services selection.

**Contract Term**

The term of the contract amendment will be approximately one year. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**

Wilson Engineers, LLC's fee will not exceed \$290,972.65 for this amendment, including all subconsultant and reimbursable expenses. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**Concurrence/Previous Council Action**

Council approved Design Contract No. 138407 on May 28, 2014, and approved Construction Administration and Inspection Services Contract No.140323 on March 25, 2015.

**Location**

The project is located between University Drive and 44th Street intersection and the booster pump station located at 48th Street and the Salt River.

**This item was adopted.**

**77      Water Remote Facilities General Construction - Job Order Contract  
- 4108JOC146 (Ordinance S-43151)**

Request to authorize the City Manager, or his designee, to enter into separate contracts with Felix Construction Company (Coolidge, Ariz.) and MGC Contractors, Inc. (Phoenix) to provide Water Remote Facilities General Construction Job Order Contracting (JOC) services and to execute contract options as necessary. Further, request authorization for the City Controller to disburse all funds related to this item.

**This item was adopted.**

**78      Maricopa County 12137 S - Loop Detector Installation Services  
(Ordinance S-43152)**

Request to authorize the City Manager, or his designee, to enter into a contract with Kimbrell Electric, Inc. (Vendor 3000555) for installation of vehicle and bicycle detection loops at signalized intersections citywide. Further request authorization for the City Controller to disburse all funds related to this item over the life of the contract.

**Summary**

This authorization will allow the City to contract with a secondary qualified vendor to install and re-install traffic signal detection loops in a timely manner throughout the City. This contract is necessary due to additional traffic signal detection work required for ongoing maintenance, new traffic signal installations, and the re-installation of vehicle and bicycle detection loops associated with the City's pavement maintenance projects.

**Procurement Information**

In accordance with Administrative Regulation 3.10, a linking agreement is required when the City wishes to participate in a cooperative procurement contract with another public procurement agency.

The contract awarded by Maricopa County, a public procurement agency, was solicited with the same or similar steps as the City would have under its own procurement code. The Maricopa County contract pricing is fair and reasonable and comparable to other City contracts for similar products and services. The Maricopa County contract was originally awarded on Nov. 8, 2012 and expires on Nov. 30, 2018.

**Contract Term**

This two-year contract term shall begin on or about Feb. 1, 2017 and end Nov. 30, 2018.

**Financial Impact**

The aggregate contract value shall not exceed \$1.2 million with estimated annual expenditures of \$600,000. Funds are available in the Street Transportation Department's budget.

**Concurrence/Previous Council Action**

On Feb. 19, 2014, Council authorized the City use of the Maricopa County contract with CPC Construction Inc., for these same services. This request will allow the City to utilize a second contractor.

**This item was adopted.**

**79 Sweetwater Avenue Water Main Extension from 39th Avenue to 51st Avenue - Design-Bid-Build - WS85110001 (Ordinance S-43153)**

Request to authorize the City Manager, or his designee, to accept Markham Contracting Co., Inc. (Phoenix) as the lowest-priced, responsive, and responsible bidder and to enter into a contract with Markham Contracting Co., Inc., for construction services. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

Markham Contracting Co., Inc., will provide construction services in support of the Sweetwater Avenue Water Main Extension project from 39th Avenue to 51st Avenue. The work includes: installation of 16-inch ductile iron water mains along Sweetwater Avenue between 39th and 51st avenues; installation of fire hydrants blow-off assemblies; adjusting existing storm drains and installation of manholes; encasing concrete sewer mains at certain areas; connections to existing water services at 39th and 51st avenues; connection to a new pressure-reducing valve station at the southwest corner of 43rd and Sweetwater avenues; installation of cathodic protection system along the pipeline; removal and replacement of concrete curb, gutter, asphalt, and landscaping, as needed, to complete new main work, including application of micro seal in the right of way; and all other work as it relates to this project.

**Procurement Information**

Nine bids were received according to Section 34-201 of the Arizona Revised Statutes by the Street Transportation Department on Nov. 15, 2016. The nine bids were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and general contractor responsiveness in demonstrating compliance with the project's Small Business Enterprise (SBE) goal of 8 percent. All bidders were deemed responsive, with the exception of the low bidder, whose bid was withdrawn due to a mathematical error.

The bids ranged from a low of \$1,459,015 to a high of \$2,499,307. The Engineer's estimate and the three lowest responsive, responsible bidders are listed below:

Engineer's Estimate: \$2,099,661.20

Markham Contracting Co, Inc.: \$1,459,015.40

T&T Construction, Inc.: \$1,561,509.60

Kincaid Civil Construction, LLC: \$1,569,821.25

**Contract Term**

The term of the contract is 180 calendar days from the date of issuance of the Notice to Proceed. The contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**

The bid award amount is within the total budget for this project. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**Location**

Sweetwater Avenue from 39th Avenue to 51st Avenue.

**This item was adopted.**

**80      Water Facilities General Construction - Job Order Contract -  
4108JOC147 (Ordinance S-43154)**

Request to authorize the City Manager, or his designee, to enter into separate contracts with J.R. Filanc Construction Company, Inc. (Peoria, Ariz.) and PCL Construction, Inc. (Tempe, Ariz.) to provide Water Facilities General Construction Job Order Contracting (JOC) services and to execute contract options as necessary. Further, request authorization for the City Controller to disburse all funds related to this item.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary or appropriate 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. Such 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 will be used on an as-needed basis to provide general construction for rehabilitation and/or replacement of equipment, structures and instrumentation at Water Treatment Plants located at Deer Valley, 24th Street, Union Hills, and Val Vista. The scope of work may include but not be limited to: installation and/or replacement of mechanical equipment, such as well and booster pumps, chemical feed equipment, valves and/or actuators; installation of instrumentation and electrical equipment, such as analyzers, meters, sensors, variable frequency drives and Supervisory Control and Data Acquisition (SCADA) system components; Program Remote Terminal Units (RTUs), Programmable Logic Controllers (PLCs), and drilling of water supply wells; building modifications, specialized maintenance, and concrete masonry or structural steel work; emergency repair services; pre-construction and post-construction services; and engineering design services as required.

**Procurement Information**

J.R. Filanc Construction Company, Inc., and PCL Construction, Inc., were chosen for this project using a qualifications-based selection process in accordance with Section 34-604 of the Arizona Revised Statutes (ARS). Per ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded. Top-three rankings follow:

J.R. Filanc Construction Company, Inc.: Ranked #1

PCL Construction, Inc.: Ranked #2

Hunter Contracting Company: Ranked #3

### **Contract Term**

Each JOC contract will be for a three-year term with an option to renew for an additional two-year term or maximum funding capacity, whichever occurs first. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed by both parties, and work may extend past the termination for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

### **Financial Impact**

The initial contract value of each JOC will be \$7,500,000 with an option to renew for an additional \$5,000,000, for a total contract value of \$12,500,000 each, including all amendments. Authorization is requested to execute job order agreements performed under this JOC for up to \$2,000,000 each in construction costs. In no event will any job order agreement exceed this limit without Council approval to increase the limit. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination. Funding is available in the Water Services Department Capital Improvement Program budget. The Budget and Research Department will renew and approve funding availability prior to the issuance of any job order agreement.

### **Location**

Deer Valley Water Treatment Plant is located at 3030 W. Dunlap Ave.

24th Street Water Treatment Plant is located at 6202 N. 24th St.

Union Hills Water Treatment Plant is located at 2001 E. Deer Valley Road.



Val Vista Water Treatment Plant is located at 3200 E. McDowell Road, Mesa.

**This item was adopted.**

**81 Concrete Reservoir Rehabilitation Program, 64th Street Reservoir #3 (1-ES1-3) - Design Services - WS85050050 (Ordinance S-43155)**

Request to authorize the City Manager, or his designee, to enter into a contract with Wilson Engineers, LLC (Phoenix) to provide design services for the rehabilitation of the 64th Street Reservoir #3 (Reservoir). Further request authorization for the City Controller to disburse all funds related to this item.

Additionally, request authorization for the City Manager, or his designee, to take 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 Reservoir is a 20 million gallon concrete reservoir located at the 64th Street Reservoir Facility at 6307 E. Thomas Road, Scottsdale, Ariz. According to an assessment conducted in April 2013, the reservoir is in need of rehabilitation. Rehabilitation will include, but is not limited to: new standing seam aluminum roof deck replacement, column and roof framing repair, new membrane liner, replacement of roof drainage channel curbs, and installation of a mixer system within the reservoir.

**Procurement Results**

Wilson Engineers, LLC, was chosen for this project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes (ARS). Per ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded. The top three rankings follow:

Wilson Engineers, LLC: Ranked #1

HDR Engineers, Inc.: Ranked #2  
NCS Engineers, LLC: Ranked #3

**Contract Term**

The term of the contract is for one year from the date of the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**

Wilson Engineers, LLC's fee under the contract shall not exceed \$400,000, including all subconsultant and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**Location**

6307 E. Thomas Road, Scottsdale, Ariz.

**This item was adopted.**

**82 Map of Dedication - 24777 N. 15th Ave. - 160005 - East side of 15th Avenue, south of Happy Valley Road**

Map of Dedication No. 160005

Project No. 14-3022

Name of Map of Dedication: 24777 N. 15th Ave.

Owner(s): Shybaru LLC, an Arizona Limited Liability Company

Engineer(s): Superior Surveying Services Inc.

Request: A 1-Lot Commercial Plat

Reviewed by Staff: Nov. 29, 2016

**Summary**

Staff requests that the above map of dedication be approved by the City Council and certified by the City Clerk. Recording of the map of dedication dedicates the streets and easements as shown to the public. This map of dedication needs to record concurrently with Abandonment ABND 150067.

**Location**

Generally located at the east side of 15th Avenue, south of Happy Valley Road.

**This item was adopted.**

**83 Final Plat - Arizona Sunrays Gymnastics - 160092 - East Side of 32nd Street North of Tierra Buena Lane**

Plat No. 160092

Project No. 15-2466

Name of Plat: Arizona Sunrays Gymnastics

Owner(s): Gymbums, LLC

Engineer(s): DRW Engineering, Inc.

Request: A 1-lot Commercial Plat

Reviewed by Staff: Nov. 29, 2016

**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 Abandonments ABND 100021 and 100022.

**Location**

Generally located at the east side of 32nd Street, north of Tierra Buena Lane.

**This item was adopted.**

**84 Final Plat - Reliance Broadway Building B - 160069 - Northwest Corner of 38th Street and Broadway Road**

Plat No. 160069

Project No. 14-2539

Name of Plat: Reliance Broadway Building B

Owner(s): Presson Broadway, LLC

Engineer(s): James A. Brucci, R.L.S.

Request: A 3-Lot Commercial Plat

Reviewed by Staff: Dec. 2, 2016

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and

easements as shown to the public.

**Location**

Generally located at the northwest corner of 38th Street and Broadway Road.

**This item was adopted.**

**85 Final Plat - Lot 17, Jennings Tract - 160066 - Northeast Corner of 10th Street and Chipman Road**

Plat No. 160066

Project No. 16-1643

Name of Plat: Lot 17, Jennings Tract

Owner(s): Alan Guritzky

Engineer(s): Starlink Surveying, Inc.

Request: A 2-lot Residential Subdivision Plat

Reviewed by Staff: Dec. 6, 2016

**Summary**

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

**Location**

Generally located at the northeast corner of 10th Street and Chipman Road.

**This item was adopted.**

**86 Final Plat - Turner Spectrum Ridge Lots 20 & 21 - 160093 - 199 Feet East of 8th Way on the North Side of Lone Cactus Drive**

Plat No. 160093

Project No. 07-3688

Name of Plat: Turner Spectrum Ridge Lots 20 & 21

Owner(s): TOF DV BIXBY, LLC

Engineer(s): Jerry Heath Jr., Hunter Engineering, Inc.

Request: A 1-Lot Commercial Plat

Reviewed by Staff: Dec. 8, 2016

**Summary**

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

**Location**

Generally located at 199 feet east of 8th Way on the North side of Lone Cactus Drive.

**This item was adopted.**

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

Plat No. 150109

Project No. 02-2183

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

Owner(s): New Era Sunset, LLC

Engineer(s): Coe Van Loo Consultants

Request: A 55-Lot Residential Plat

Reviewed by Staff: Dec. 13, 2016

**Summary**

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

**Location**

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

**This item was adopted.**

**88 Final Plat - Circle K @ 99th Ave and Camelback - 160027 - Southeast Corner of Camelback Road and 99th Avenue**

Plat No. 160027

Project No. 00-7543

Name of Plat: Circle K @ 99th Ave and Camelback

Owner(s): Circle K Stores, Inc.

Engineer(s): Bauer Land Surveying, LLC

Request: A 1-Lot Commercial Plat

Reviewed by Staff: Dec. 2, 2016

**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 ABND 150068.

**Location**

Generally located at the southeast corner of Camelback Road and 99th Avenue.

**This item was adopted.**

**89 Abandonment of Right-of-Way - V150068A - 9875 W. Camelback Road (Resolution 21507)**

Abandonment No. V150068A

Project No. 00-7543

Applicant(s): Circle K Stores, Inc.

Request: To abandon the east 55 feet of 99th Avenue Right-of-Way adjacent to the parcel addressed 9875 W. Camelback Road, APN 102-18-009H.

Date of Decision/Hearing: Jan. 27, 2016

**Summary**

The resolution of the abandonment and final Plat 160027, "Circle K @ 99th Ave and Camelback", 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**

9875 W. Camelback Road

**Financial Impact**

A fee was also collected as part of this abandonment in the amount of \$153,641.

**This item was adopted.**

**90 Acceptance and Dedication of Easements for Drainage and Sidewalk Purposes (Ordinance S-43156)**

Request the City Council to accept and dedicate easements to public

use for drainage 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: Edge Development, LLC

Purpose: Drainage

Location: 4355 E. Kings Ave.

File No.: FN 160074

Council District No.: 2

Easement (b)

Applicant: Edge Development, LLC

Purpose: Drainage

Location: 4350 E. Kings Ave.

File No.: FN 160073

Council District No.: 2

Easement (c)

Applicant: Howard Eigsti and Jayme Eigsti

Purpose: Sidewalk

Location: 719 E. Bethany Home Road

File No.: FN 160069

Council District No.: 6

Easement (d)

Applicant: Eclectic Property, LLC

Purpose: Sidewalk

Location: 1437 E. Town and Country Lane

File No.: FN 160081

Council District No.: 6

Easement (e)

Applicant: Provident Merit Arizona Development, LLC

Purpose: Sidewalk

Location: 2200 S. 43rd Ave.

File No.: FN 160082

Council District No.: 7

Easement (f)

Applicant: KBP Realty Advisors, LLC

Purpose: Sidewalk

Location: 246 E. Watkins St.

File No.: FN 160084

Council District No.: 8

**This item was adopted.**

**91 Acceptance of Easements for Public Utility and Sewer Purposes  
(Ordinance S-43157)**

Request for the City Council to accept easements for public utility and sewer purposes, further ordering the ordinance recorded.

**Summary**

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

Easement (a)

Applicant: Steven Buteski

Purpose: Public Utility

Location: 4525 E. Gelding Drive

File No.: FN 160080

Council District No.: 2

Easement (b)

Applicant: Eclectic Property, LLC

Purpose: Public Utility

Location: 1437 E. Town and Country Lane

File No.: FN 160081

Council District No.: 6

Easement (c)

Applicant: Laveen Village Homeowners Association

Purpose: Sewer



Location: 7207 S. 29th Lane

File No.: FN 160089

Council District No.: 8

**This item was adopted.**

**92 Dedication of a Roadway Easement Across City-Owned Land  
Located at the Southeast Corner of the Intersection of 103rd  
Avenue and Jones Avenue (Ordinance S-43158)**

Request that the City Council dedicate to public use an easement for roadway purposes across land owned by the City of Phoenix, further ordering the ordinance recorded.

**Summary**

This dedication will meet the Planning and Development Department's dedication process. This vacant parcel is owned by the City of Phoenix Parks and Recreation Department and will be impacted by the development of Sunset Farms. However, the Parks and Recreation Department has consented to the dedication of the easement per the concurrence memo attached.

**Location**

Southeast corner of the intersection of 103rd Avenue and Jones Avenue

**This item was adopted.**

**93 Amend City Code - Remove/Replace Zoning District for 13th  
Avenue and Jomax Road - Annexation 480 (Ordinance G-6250)**

**Summary**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County Rural 43 zoning district and replacing it with the City of Phoenix S-1 (Ranch or Farm Residence) zoning district on property located east of 13th Avenue and south of Jomax Road, parcel 210-12-005K, which was annexed into the City of Phoenix on Nov. 30, 2016 by Ordinance S-43007 (13th Avenue and Jomax Road Annexation 480).

**Location**

Located south of Peak View Road along the east side of of 13th Avenue and south of Jomax Road.

**This item was adopted.**

**94 Amend City Code - Remove/Replace Zoning District for 42nd Street and Peak View Road - Annexation 482 (Ordinance G-6251)**

**Summary**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County Rural 43 zoning district and replacing it with the City of Phoenix S-1 (Ranch or Farm Residence) zoning district on property located on 42nd Street and south of Peak View Road, parcels 211-39-026A and 211-39-026B, which were annexed into the City of Phoenix on Dec. 7, 2016, by Ordinance S-43059 (south of Peak View Road along the east side of 42nd Street - Annexation 482).

**Location**

Located south of Peak View Road along the east side of 42nd Street.

**This item was adopted.**

**95 Amend City Code - Ordinance Adoption - Rezoning Application Z-49-16-3 - Northwest corner of 19th Avenue and Tierra Buena Lane (Ordinance G-6252)**

**Summary**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-49-16-3 for the R-3 (Multifamily Residence District) zoning district located at the northwest corner of 19th Avenue and Tierra Buena Lane to allow multifamily residential.

**Location**

Northwest corner of 19th Avenue and Tierra Buena Lane

**This item was adopted.**

**96 Amend City Code - Ordinance Adoption - Rezoning Application Z-67-16-5 - Approximately 316 feet east of the southeast corner of 21st Avenue and Morten Avenue (Ordinance G-6253)**

**Summary**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-67-16-5 for the R-4A (Multifamily Residence District) zoning district to allow multifamily residential.

**Location**

Approximately 316 feet east of the southeast corner of 21st Avenue and Morten Avenue

**This item was withdrawn.**

Item 27, Ordinance S-43073, was a request to authorize the City Controller to disburse funds, up to the amount indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

**27     \$139,770.00 to League of Arizona Cities and Towns (Ordinance S-43073)**

(Continued from Dec. 7 and 14, 2016) - For payment authority to purchase FY 2016-17 membership for the Office of Government Relations. The League provides services that benefit cities and towns in the state, focusing primarily on representation and advocacy at the state legislature and providing educational classes, legal work, research, inquiry services, pooled programs and meetings and conferences.

**Discussion**

Leonard Clark stated that the item should be passed because the League serves to advocate on behalf of cities and represent local government at the state level.

Councilwoman Stark expressed concerns regarding the League of Arizona Cities and Towns, specifically relating to sober living facilities, and questioned how they were helping the City of Phoenix and whether they were effectively doing their job.

Deputy City Manager Karen L. Peters introduced Government Relations Director Frank McCune who worked closely with the League of Arizona Cities and Towns.

Government Relations Director Frank McCune stated that he met regularly with the League and that they were working closely with the City to ensure the concerns expressed by Council were addressed.

Councilwoman Pastor asserted that the League needed to increase their efforts to advocate on behalf of the City and desired more consultation with Phoenix regarding their concerns to make sure the City is getting its money's worth.

Councilman DiCiccio stated he felt the League had become more reasonable and more pro-taxpayer and as a result he would vote in favor of the item.

Councilwoman Pastor desired more help working with the state regarding pensions and asked how the League would accomplish this.

Government Relations Director Frank McCune stated the League works with the cities collectively and noted that he believed that this collaboration was their strength.

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

**Yes:** 6 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Pastor, Councilman Valenzuela, Councilwoman Williams and Mayor Stanton

**No:** 2 - Councilwoman Stark and Councilman Waring

**Absent:** 1 - Vice Mayor Gallego

Items 28 through 46, Ordinance S-43124, were requests to authorize the City Controller to disburse funds, up to the amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

**28 \$3,668,564.00 to Downtown Phoenix, Inc.**

For payment authority for Contract 141594, through Dec. 31, 2017, for the Community and Economic Development Department, to provide

services for the Downtown Enhanced Municipal Services District (EMSD), which include streetscape enhancements, event management, economic development and the ambassador program. The Community and Economic Development Department works closely with Downtown Phoenix, Inc. to manage the Enhanced Municipal Services District. This is the annual budget to manage the District and provide enhanced municipal services. The calendar year 2017 budget was approved by the Enhanced Municipal Board in July 2016 and by Phoenix City Council on Nov. 2, 2016.

### **Discussion**

Speaker comment cards were submitted in favor of item 28, with no one wishing to speak:

Daniel Klocke, Downtown Phoenix Partnership  
DD Barker

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

**Yes:** 5 - Councilman Nowakowski, Councilwoman Pastor, Councilman Valenzuela, Councilwoman Williams and Mayor Stanton

**No:** 3 - Councilman DiCiccio, Councilwoman Stark and Councilman Waring

**Absent:** 1 - Vice Mayor Gallego

### **29 \$110,000.00 to FLIR Surveillance, Inc.**

For additional payment authority for Contract 135152, through Dec. 31, 2018, to purchase thermal imaging camera systems, parts, and repair services to maintain the imaging equipment used in Police aircrafts, for the Police Department.

### **Discussion**

Leonard Clark spoke on the item but noted that he was not against it. He expressed concerns over the use of technology and said he would speak with staff and wanted to make sure that only air units are using FLIR and

not ground units.

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

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

**Absent:** 1 - Vice Mayor Gallego

**34 \$16,000.00 to National Association of Housing and Redevelopment Officials (NAHRO)**

For payment authority for National Association of Housing and Redevelopment Officials (NAHRO) annual membership, for the Housing Department. NAHRO provides important support through advocacy, connections, publications, training and outreach. Membership also ensures the City is informed about proposed regulatory changes that may impact the financial and operational sustainability of the City's Housing Department, as well as legislative updates to keep staff informed in advance of action being taken. This item was approved by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on Dec. 6, 2016, and will be paid by federal funds with no impact to the General Fund.

**Discussion**

Leonard Clark submitted a speaker comment card in favor of item 34, but did not wish to speak.

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

**Yes:** 6 - Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams and Mayor Stanton

**No:** 2 - Councilman DiCiccio and Councilman Waring

**Absent:** 1 - Vice Mayor Gallego

**36 \$60,000.00 to Laborers' International Union of North America**

**(LIUNA) Local 777**

For payment authority for Contract 142935, through June 30, 2019, for the newly created City of Phoenix Apprenticeship Programs, to purchase training materials, uniforms, promotional outreach materials, instructional activities such as schools and workshops, and any other activity related to LIUNA Local 777-City of Phoenix Apprenticeship Programs for Unit 1 members approved to participate in apprenticeship programs, for the Human Resources Department. LIUNA Local 777 represents Unit 1 City of Phoenix employees, which includes gardeners and solid waste equipment operators. This program was part of the Council-approved 2016-19 MOU with Unit 1.

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

**Yes:** 6 - Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams and Mayor Stanton

**No:** 2 - Councilman DiCiccio and Councilman Waring

**Absent:** 1 - Vice Mayor Gallego

**38     \$25,000.00 to Kevin S. Berry**

For payment authority for new Contract No. 144054, through March 24, 2018, for design improvements to an inactive wellsite located at 5466 W. Edgemont Ave., for the Office of Arts and Culture. The Community Water Facilities Public Art Project is one of 51 projects in the FY 2016-21 Public Art Project Plan approved by City Council on June 1, 2016. The proposed design contract will cover all costs related to the artist's work with City staff and the landscape architect to develop full design and construction documents for this project.

**Discussion**

Councilman Waring asked for clarification that the item was not only art but was also a security measure as well.

Deputy City Manager Karen L. Peters responded that it served both functions and introduced Water Services Director Kathryn Sorenson to explain further.

Water Services Director Kathryn Sorenson stated that the primary function is beautification of the well-site but the design did improve fencing as well.

Councilman Waring stated that was necessary to protect that public and the facility.

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

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

**Absent:** 1 - Vice Mayor Gallego

**39 \$13,500.00 to AZ Opportunities Industrialization Center (AZ OIC) Fiscal Agent for AZ Martin Luther King Jr. Celebration Committee**

For payment authority for sponsorship of the 2017 Dr. Martin Luther King Jr. annual event for the Parks and Recreation Department on behalf of the City of Phoenix. Community educational events will be held at the Phoenix Convention Center, 100 N. Third St., and Margaret T. Hance Park, 1202 N. Third St.

**Discussion**

Leonard Clark shared his belief that Councilman Nowakowski was a nice person. He stated strong support for remembering the legacy of Dr. Martin Luther King, jr. and asked that someone repair the Martin Luther King, jr. monument at the state capital.

DD Barker submitted a speaker comment card in favor of item 39, but did not wish to speak.

**A motion was made by Councilman Valenzuela, seconded by Councilwoman Pastor, that this item be adopted. The motion carried**



**by the following vote:**

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

**Absent:** 1 - Vice Mayor Gallego

**47 Request for Reconsideration of a Portion of Item 23 from the Dec. 14, 2016 Formal Council Meeting**

Request for reconsideration of a portion of Item 23 (Ordinance S-43076) from the Dec. 14, 2016 City Council Formal Meeting pertaining to amendment of Agreement No. 135082 with Ballard Spahr, LLP for state legislative representation and consulting services for the issue areas of criminal justice and public safety.

**Summary**

At the Dec. 14 meeting, the City Council adopted a portion of Ordinance S-43076, the contract amendments for The Aarons Company, LLC (Agreement No. 135121) and Axiom Public Affairs, LLC (Agreement No. 137444). However, the vote of the City Council on Agreement No. 135082 with Ballard Spahr, LLP was 3-6, with Councilmembers DiCiccio, Nowakowski, Pastor, Stark, Waring, and Vice Mayor Gallego dissenting. Therefore, the motion relating to Ballard Spahr, LLP failed to pass because it did not receive sufficient affirmative votes.

This reconsideration is being placed on the next available agenda in accordance with a written request filed in the City Clerk Department by Councilwoman Pastor and Councilman Nowakowski on Dec. 23, 2016.

Pursuant to the Rules of Council Proceedings, the portion of Item 23 from the Dec. 14, 2016 Formal Council Meeting regarding Ballard Spahr, LLP has been placed on the agenda immediately following this request for reconsideration. If this request is approved, the City Council will reconsider the item. If this request is not approved, the City Council will not reconsider the item and the original action on the item will stand.

**A motion was made by Councilwoman Pastor, seconded by Councilman Nowakowski, that this item be approved. The motion carried by the following vote:**

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

**Absent:** 1 - Vice Mayor Gallego

**48 Amendment to State Representation Contracts with Ballard Spahr, LLP; The Aarons Company, LLC; and Axiom Public Affairs, LLC (Ballard Spahr, LLP Contract Only) (Ordinance S-43125)**

Request to authorize the City Manager, or his designee, to amend Agreement No. 135082, with Ballard Spahr, LLP, for state legislative representation and consulting services for the issue areas of criminal justice and public safety, under the guidance of the Office of Government Relations. Further request to authorize the City Controller to disburse the necessary funds in an amount not to exceed \$108,000 for the purpose of this contract.

**Summary**

The proposed amendment will extend the term of the contract with Ballard Spahr, LLP for one year, from Jan. 1, 2017, through Dec. 31, 2017. Ballard Spahr, LLP would have no additional contract extensions. The amendment may contain other terms and conditions deemed necessary or appropriate by the City Manager, or his designee.

**Financial Impact**

Annual compensation to Ballard Spahr, LLP (Vendor No. 3065582) will not exceed \$108,000, including all expenses, and will be paid by the Police Department (\$72,000) and the Office of Government Relations (\$36,000).

**Previous Council Action**

On Oct. 17, 2012, the Mayor and City Council approved the agreement with Ballard Spahr, LLP, and subcontractor MWL Consulting, LLC. On Dec. 3, 2014, the Mayor and City Council approved exercising a two-year extension with Ballard Spahr, LLP.

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

**Yes:** 5 - Councilman Nowakowski, Councilwoman Pastor, Councilman Valenzuela, Councilwoman Williams and Mayor Stanton

**No:** 3 - Councilman DiCiccio, Councilwoman Stark and Councilman Waring

**Absent:** 1 - Vice Mayor Gallego

**51 Amend Contract 137801 with Jones Lang LaSalle for Real Estate Brokerage Services (Ordinance S-43128)**

Request to authorize the City Manager, or designee, to extend the term of Contract 137801 with Jones Lang LaSalle America, Inc. (JLL) for a six-month period followed by a month to month term, until terminated upon 30-day written notification for real estate brokerage services. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The City Council approved the Excess Property policy at the Sept. 24, 2013 Policy meeting as part of the Council approved plan to assess and dispose of unused and underserved property. On Jan. 15, 2014, City Council approved a non-exclusive contract with JLL for real estate brokerage services for a three-year period from Feb. 1, 2014 through Jan. 31, 2017, as a result of a competitive procurement process. The contract is primarily for disposal of excess property with optional professional services for leasing, purchasing and consulting on an as needed basis. JLL listings have generated approximately \$4 million in sales revenue with the City incurring approximately \$205,000 in brokerage fees funded from the sale proceeds. There have been no additional expenses incurred by the City for other transactional and consulting fees related to this contract during the initial term. The purpose of extending the contract to JLL is to allow time for a procurement process reflecting city requirements while continuing to market City-owned property that will generate revenue and return real property to the tax rolls.

**Contract Term**

The contract amendment will extend the term for a six-month period from Feb. 1, 2017 through July 31, 2017. The contract may continue month to

month beginning Aug. 1, 2017, as needed, until terminated upon 30-day written notification. The full term of the extended contract shall not exceed one year.

**Financial Impact**

The annual contract amount shall not exceed \$50,000 for consulting services. Funds are available in the Finance Capital budget and various operating funds. Costs will be allocated to the General, Special Revenue and Enterprise Funds as appropriate. All other fees will be funded from sale proceeds.

**Concurrence/Previous Council Action**

Contract 137801 was approved by Ordinance S-40506 on Jan. 15, 2014. The City Council authorizes disposal of individual properties on an ongoing basis.

**Discussion**

Councilman Nowakowski requested clarification on what consultant fees are used for and asked if more than one realtor was used for City properties.

City Manager Ed Zuercher referred the question to Chief Financial Officer Denise Olson.

Chief Financial Officer Denise Olson stated that, to date, no money from this contract had been spent on consulting fees and that at most \$200,000 had been spent on commissions and added that the \$50,000 for this item allowed more time for procurement.

City Manager Ed Zuercher requested further clarification as to what the \$50,000 covered in the future.

Chief Financial Officer Denise Olson responded that the \$50,000 would be made available for consulting fees, if needed, but that it had not been used for that to date.

Councilman Nowakowski asked if there was more than one realtor brokering the City property.

Chief Financial Officer Denise Olson responded that currently there was not more than one realtor but this contract would allow the City to obtain another realtor if necessary.

City Manager Ed Zuercher added that this item was an extension of a current contract that requested time to extend the procurement and would allow Council direction to seek another realtor, if desired.

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

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

**Absent:** 1 - Vice Mayor Gallego

**58 Native American Grave Protection and Repatriation Program Consultation/Documentation Grant (Ordinance S-43135)**

The purpose of this report is to request City Council approval for staff to apply for the 2017 National Native American Grave Protection and Repatriation Program Consultation/Documentation Grant. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

**Summary**

The Native American Grave Protection and Repatriation Act (NAGPRA) is a Federal law which requires museums that receive Federal funds to complete both inventories and summaries of Native American cultural items in their collections. It is intended to facilitate the repatriation of Native American human remains, funerary objects, sacred objects and objects of cultural patrimony. The law also requires museums to consult with culturally affiliated Indian tribes.

In order to be in compliance with NAGPRA, the Pueblo Grande Museum (PGM) must submit a complete inventory of its collection. To begin, the human remains in PGM's collection need full examination and documentation by a trained bio-archaeologist. The faunal remains from areas excavated before 1990 should also be reviewed by a

bio-archaeologist. This project will require the documentation of more than 300 sets of human remains and review of more than 1,000 specimens of faunal bone. The large amount of time and specialized skill required by this project necessitates that the documentation be conducted by a contract individual with bio-archaeological credentials. The cost of this contracted position is beyond the scope of Parks and Recreation Department budget; therefore, the Parks and Recreation Department would like to apply for the National NAGPRA Program Consultation/Documentation Grant. The United States Department of the Interior administers these funds through the National Parks Service.

Furthermore, PGM is committed to working cooperatively with native groups concerning the care and disposition of human remains, associated funerary objects, sacred and ceremonial objects and items of cultural patrimony.

#### **Financial Impact**

If awarded, the grant will provide up to \$65,000 to document the NAGPRA collection at PGM. NAGPRA Consultation/Documentation Grants do not require a match. However, they do require an educational component or product. Funds for an educational component have been included in the total request amount.

#### **Concurrence/Previous Council Action**

The Parks, Arts, Education and Equality Subcommittee recommended this item for approval on Nov. 30, 2016, by a vote of 4-0.

#### **Location**

Pueblo Grande Museum, 4619 E. Washington St.

#### **Discussion**

Leonard Clark spoke in favor of the item and believed that the burial sites of indigenous people should be protected.

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

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

**Absent:** 1 - Vice Mayor Gallego

**60 Request to Amend City Contract 117186-UDL-002 with Central Park East Associates II, LLC (Ordinance S-43137)**

Request to authorize the City Manager, or his designee, to amend the Unsubordinated Development Lease ("UDL") for Lot 2 of the Central Park East Subdivision, located at the southeast corner of Central Avenue and Polk Street and between Central Avenue and First Street, and execute any other agreements necessary to (1) modify the development rights for the removal of the east half of the lot from the UDL; (2) modify the development terms of the UDL to allow for the development of a residential tower on the west half of the lot; and (3) to assign the UDL to MA Mortenson Company or its City-approved designee ("Developer").

**Summary**

The City entered into an Amended and Restated Development Agreement with Central Park East Associates ("CPEA"), who is also known as National Real Estate Advisors, for the Central Park East project in 2006. While the project was originally conceived to be a joint development between the developer, Arizona State University ("ASU") and the City, due to changes by both the developer and ASU, the project was developed as a single high-rise office tower on the south half of the block ("Lot 1") and parking lot/future development pad on the north half ("Lot 2"). The first phase on Lot 1 was completed in January of 2008 and entered into its approved lease term.

In 2010, due to changing market conditions and leasing challenges, the Agreement was amended to allow for Lot 2 to be placed into a lease with the City for a future office tower project. In April of 2010, the Lot 2 lease was executed.

CPEA has been working to select a development partner for Lot 2 and has reached agreement on terms with Mortenson. The proposed terms include:

- A. Terminate the lease with the City for the east half of Lot 2. This new parcel will be fully subject to property tax.
- B. Modify the lease to allow the construction of rental residential units.
- C. Reduce the annual payment to the City, from \$72,620 to \$36,310, for the half of the lot remaining under lease with the City.

If approved by Council, CPEA will sell the east parcel to Mortenson for development of the 11-story hotel, with approximately 210 guest rooms. CPEA would then assign the rights for the lease for the west half of Lot 2 to Mortenson who would develop the high-rise rental residential building 17 stories tall with 168 units.

### **Contract Term**

The contract has a lease term of 55 years and is currently in the seventh year of the lease. The proposed amendment will not change the term.

### **Financial Impact**

There is no cost to the General Fund from this action. As authorized by Ordinances S-34405 and S-36760, all proceeds from the lease, repurchase and sale of the leasehold will continue to be deposited into the Downtown Community Reinvestment Fund. Furthermore, as a result of the eastern half of Lot 2 being removed from the lease, that parcel will begin paying full ad valorem property taxes that result from the development of the hotel in addition to the higher than typical Privilege License Tax revenues generated by a hotel use.

### **Concurrence/Previous Council Action**

The City Council approved the Amended and Restated Development Agreement on Oct. 18, 2006, Ordinance S-33440, as further amended by Ordinances S-34405 on Sept. 19, 2007, and S-36760 on Dec. 16, 2009. This request was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on Jan. 4, 2017, by a vote of 4-0.

### **Public Outreach**

Mortenson Development has notified the downtown Community of their intentions for the requested amendment through community



presentations and communication with neighborhood leaders. Throughout the outreach process, Mortenson has gained support of the amendment and project from the following downtown neighborhood associations: Phoenix Community Alliance, Downtown Voices Coalition, Phoenix Downtown Neighborhood Alliance, Downtown Phoenix Inc. and The Urban Phoenix Project (formally known as the Thunderdome Neighborhood Association for Non-Auto Mobility). Additionally, the amendment and project are supported by the Phoenix Elementary School District.

**Location**

The project site is located at the southeast corner of Central Avenue and Polk Street in downtown Phoenix, also known as Central Park East Lot 2.

**Discussion**

Councilman Waring asked for clarification that the item was creating a new GPLET, that was about half of the size of the previous one, and asked if the new GPLET would provide an unfair advantage versus other apartments.

Deputy City Manager Paul Blue responded the item was decreasing the GPLET and it was originally approved in 2006, consistent with a similar agreement in 2010, and the amendment allowed for residential instead of just office use, while cutting the rental payment in half.

Councilman Nowakowski asked if there had been similar GPLETs for residential projects in the past.

Deputy City Manager Paul Blue stated that there had been.

Councilman Nowakowski stated it was a great project, complimented, and thanked the developers who opted to use less of the original GPLET agreement.

Councilman Waring explained his vote by stating he opposed the funding mechanism and not the project itself, but like Councilman Nowakowski appreciated the efforts of the developer to work with the City and thanked staff for working through the item with him.

Speaker comment cards were submitted in favor of the item, noting they were available to speak if necessary, by the applicants: George Forristall; Nate Gundrum; and Nick Wood.

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

**Yes:** 6 - Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams and Mayor Stanton

**No:** 2 - Councilman DiCiccio and Councilman Waring

**Absent:** 1 - Vice Mayor Gallego

**67 Proposal to Implement April 2017 Bus Service Efficiency Changes**

Request authorization for the City Manager, or his designee, to implement bus service efficiency changes effective April 24, 2017. The recommended changes are part of "Moving Phoenix Forward" provided through the Transportation 2050 Plan and are expected to have an annual net cost of \$10,270,000.

**Summary**

Bus service enhancements for implementation in April 2017 were developed based on public input and an analysis of current and projected future service demands, connections/destinations, and population and employment densities. Phoenix Dial-a-Ride (DAR) service increases will mirror any bus service increases.

Bus service changes are coordinated regionally and occur in April and October of each year. The Public Transit Department looked at the elements that could be addressed within the initial year of T2050 without additional studies or additional fleet. Based on this analysis, staff determined that extending bus and DAR service to match light rail service hours and adding frequency to the majority of bus routes could be accomplished.

The bus service changes for fiscal year 2017 were proposed for implementation over two service change periods - October 2016 and April 2017. On Oct. 24, 2016, step one of the T2050 bus and DAR improvements were implemented. Step two, April 2017 proposed

service changes, will achieve an efficient system that mirrors light rail's operating hours. The proposed April 2017 bus service changes are as follows:

A. Further expand bus and Dial-a-Ride service hours:

- \* Friday: 4 a.m. to 2 a.m. (additional 2 hours from October)
- \* Saturday: 5 a.m. to 2 a.m. (additional 4 hours from October)
- \* Sunday: 5 a.m. to 11 p.m. (additional 1 hour from October)

B. Route 39 (40th Street):

- \* Option 1: Connect with Route 16 (16th Street) at Shea Boulevard and SR-51 Park-and-Ride.
- \* Option 2: Connect to Paradise Valley Mall Transit Center.
- \* Staff is recommending Option 1 but not Option 2 at this time due to additional fleet needed.

C. Route 70 (Glendale Avenue/24th Street):

- \* Terminate south end of route at new 24th Street and Baseline Road Park-and-Ride.

D. Route 122 (Cactus Road):

- \* Create light rail connection from 19th Avenue and Cactus Road to 19th Avenue and Dunlap Road.
- \* Extend route from 51st Avenue and Cactus to ASU West Campus at 51st Avenue and Thunderbird Avenue.

### **Financial Impact**

#### Bus Service Description and Annual Cost

A. Proposed April 2017 hours of operation expansion: \$9,500,000

B. Route 39 (40th Street): \$179,500

C. Route 70 (Glendale Avenue/24th Street): (\$73,000)

D. Route 122 (Cactus Road): \$663,500

*Annual Net Bus Investment for April 2017: \$10,270,000*

The estimated annual cost of these changes is \$10,270,000, and the estimated implementation cost in the current fiscal year is approximately \$1.9 million. Funds are available in the Public Transit Operating Budget using Transportation 2050 funds.

**Concurrence/Previous Council Action**

The Citizens Transportation Commission unanimously recommended this item on Nov. 17, 2016 and the Transportation and Infrastructure Subcommittee unanimously recommended this item on Dec. 13, 2016.

**Public Outreach**

The Public Transit Department used the locally adopted process for public outreach for the April 2017 proposed bus service changes. Staff coordinated closely with Valley Metro staff in communicating and conducting public outreach on the proposed service changes which included regional proposed bus service changes. From Oct. 3 through Nov. 4, 2016, Public Transit and Valley Metro staff provided multiple opportunities for public comment on service changes, including a public hearing in downtown Phoenix on Nov. 1, 2016. Staff received 33 comments from the public via email regarding April 2017 Phoenix bus service changes. The following summarizes the feedback by route:

Route 39 (40th Street): 10 for, 2 opposed.

Route 70 (Glendale Avenue/24th Street): 10 for, 2 opposed.

Route 122 (Cactus Road): 8 for, 1 opposed.

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

**Yes:** 6 - Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams and Mayor Stanton

**No:** 2 - Councilman DiCiccio and Councilman Waring

**Absent:** 1 - Vice Mayor Gallego

**68 Extension and Funding for IGA with ASU for Sustainability Partnership Agreement (Ordinance S-43142)**

Request to authorize the City Manager, or designee, to extend

Intergovernmental Agreement (IGA) No. 138901 with Arizona State University Global Institute of Sustainability (ASU) from July 3, 2018, through Dec. 31, 2019, in an amount not to exceed \$750,000. Further request authorization for the City Controller to disburse all funds associated with this item.

**Summary**

The Public Works and Community and Economic Development departments are collaborating with ASU to attract, support and incubate new businesses to be located at the Resource Innovation Campus (RIC), adjacent to the 27th Avenue Transfer Station, developing products by diverting solid waste to create economic value. ASU has been awarded a \$500,000 Regional Innovation Strategies Program i6 Challenge grant by the U.S. Economic Development Administration Office of Innovation and Entrepreneurship to assist in creating a Technology Solutions Incubator at the RIC and related efforts to realize a local circular economy. In addition to focusing on innovations and solutions to resource efficiency and effectiveness challenges, ASU will continue to provide administrative and staffing support throughout the life of the agreement. The three-year grant period is through through Dec. 31, 2019. The request to extend this IGA will cover the life of the grant.

**Contract Term**

The current term of the IGA is through July 2, 2018, if all options are exercised. This item requests extension of the IGA for an additional 18 months to Dec. 31, 2019.

**Financial Impact**

The cost of this extension will not exceed \$750,000, with an estimated annual expenditure not to exceed \$500,000. Funds are available in the Public Works Department Solid Waste Fund.

**Concurrence/Previous Council Action**

The City Council approved entering into an IGA with ASU at its Jan. 7, 2014, Policy Meeting, by a vote of 8-1. The item had been previously recommended for approval by the Finance, Efficiency, and Economy Subcommittee on Dec. 18, 2013.

**Location**

The RIC is adjacent to the 27th Avenue Transfer Station, located at 3060 S. 27th Ave.

**A motion was made by Councilman Valenzuela, seconded by Councilman Nowakowski, that this item be adopted. The motion carried by the following vote:**

**Yes:** 5 - Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela and Mayor Stanton

**No:** 3 - Councilman DiCiccio, Councilman Waring and Councilwoman Williams

**Absent:** 1 - Vice Mayor Gallego

**A motion was made by Councilman Valenzuela, seconded by Councilwoman Williams, that items 73 through 74 be adopted. The motion carried by the following vote:**

**Yes:** 7 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams and Mayor Stanton

**No:** 1 - Councilman Waring

**Absent:** 1 - Vice Mayor Gallego

**73 PHX Sky Train Stage 2 System Designer Technical Consultant Services - Amendment No. 2 - AV10000011 (Ordinance S-43147)**

Request to authorize the City Manager, or his designee, to execute Amendment No. 2 to Contract 124053 with Lea + Elliott, Inc., to provide additional system designer technical consultant services for the Phoenix (PHX) Sky Train Stage 2 project. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The City Council approved Lea + Elliott, Inc.'s initial contract and several contract amendments for the PHX Sky Train project. To date, Lea + Elliott, Inc. has overseen the design, installation and testing of the PHX Sky Train system for both of the completed stages (Stage 1 and Stage 1A). Lea + Elliott, Inc. has also provided technical consulting services for the procurement of the train system provider Bombardier Transportation USA, Inc., Lea + Elliott, Inc.'s services under this amendment will include

providing initial train system technical consultant services for the Stage 2 extension of the PHX Sky Train by coordinating the system design with the fixed facilities designer and assisting with procurement negotiations with Bombardier Transportation USA, Inc.

The PHX Sky Train Stage 2 project will extend from Terminal 3 to the Phoenix Sky Harbor International Airport Rental Car Facility. The PHX Sky Train system is composed of the guide beams, running surfaces, electrical propulsion systems, train control systems, train cars and other improvements. The technical consultant develops the train system design criteria and specifications, assists in negotiating system costs, reviews the system design, inspects the construction, and observes the performance testing of the system.

**Procurement Information**

Lea + Elliott, Inc., was chosen to provide system designer technical consulting services for the entire PHX Sky Train project using a qualifications-based selection according to Section 34-603 of the Arizona Revised Statutes.

**Contract Term**

The contract term for Amendment No. 2 will be completed by July 31, 2017. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**

Lea + Elliott, Inc.'s fee will not exceed \$1 million including all subconsultants and reimbursable costs. Funds are available in the Aviation Department's Capital Improvement Program budget using Passenger Facility Charge revenues. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**Concurrence/Previous Council Action**

This item was approved by the Downtown, Aviation, Economy and

Innovation Subcommittee on Oct. 5, 2016, and presented to the Phoenix Aviation Advisory Board on Oct. 20, 2016. The Phoenix City Council approved and authorized the Aviation Department to proceed with development of the Aviation Capital Investment Plan, including Sky Train Stage 2, on Oct. 25, 2016.

Council approved Contract No. 124053 for PHX Sky Train System Design Technical Consulting Services for Stage 1 on June 18, 2008, and Amendment No. 1 on Oct. 19, 2011, for PHX Sky Train System Design Technical Consulting Services for Stage 1A.

### **Location**

The project is located at 3400 E. Sky Harbor Blvd.

**This item was adopted.**

#### **74 PHX Sky Train Stage 2 Facilities - Design Services Amendment No. 3 - AV10000011 (Ordinance S-43148)**

Request to authorize the City Manager, or his designee, to execute Amendment No. 3 to Contract No. 123410 with Gannett Fleming, Inc. (Phoenix) to provide additional design services for the PHX Sky Train Stage 2 Facilities project. Further request authorization for the City Controller to disburse all funds related to this item.

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

### **Summary**

Council approved Gannett Fleming, Inc.'s initial contract and several contract amendments for the PHX Sky Train project. To date, Gannett Fleming, Inc. has provided phased fixed facilities design services for Stage 1 from 44th Street to Terminal 4, design of the Stage 1A extension to Terminal 3, and planning of the Stage 2 extension to the Phoenix Sky



Harbor International Airport (PSHIA) Rental Car Center. Gannett Fleming, Inc.'s services under this amendment will include providing 30-percent facilities design for the PHX Sky Train Stage 2 extension project from Terminal 3 to the PSHIA Rental Car Center. The Stage 2 extension design includes guideways, train stations, roadway improvements, parking lots, other train-related facilities and primary power.

**Procurement Information**

Gannett Fleming, Inc. was chosen to provide phased facilities design services for the entire PHX Sky Train project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes.

**Contract Term**

The contract term for Amendment No. 3 will be completed by July 31, 2017. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**

Gannett Fleming, Inc.'s fee under this amendment shall not exceed \$8,800,000, including all subconsultants and reimbursable costs. Funds are available in the Aviation Department's Capital Improvement Program budget using Passenger Facility Charge and Customer Facility Charge revenues. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**Concurrence/Previous Council Action**

This item was approved by the Downtown, Aviation, Economy and Innovation Subcommittee on Oct. 5, 2016, and presented to the Phoenix Aviation Advisory Board on Oct. 20, 2016. The Phoenix City Council approved and authorized the Aviation Department to proceed with development of the Aviation Capital Investment Plan, including Sky Train Stage 2, on Oct. 25, 2016.

Council approved Contract No. 123410 for final Facility Design for Stage 1 on April 9, 2008, Amendment No. 1 on Nov. 4, 2009, and Amendment No. 2 on April 7, 2010.

**Location**

The project is located at 3400 E. Sky Harbor Blvd.

**76     305 Parking Garage Elevator Modernization - Design-Bid-Build  
Contract Award Request - WO70214977 (Ordinance S-43150)**

Request to authorize the City Manager, or his designee, to accept Thyssenkrupp Elevator Corporation (Kennesaw, Ga.) as the lowest-priced, responsive and responsible bidder and to enter into a contract with Thyssenkrupp Elevator Corporation for construction services. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

Thyssenkrupp Elevator Corporation will provide construction services in support of the 305 Parking Garage Elevator Modernization project. This work includes, but is not limited to: modernization of four geared basement traction passenger elevators (i.e., replacement of all control, dispatch, landing and power conversion systems, motor drives, governor and rope, hoist machines and ropes, guide assemblies, wiring, hoistway door closers and interlocks, interior emergency lighting and hands-free emergency communication devices). Thyssenkrupp Elevator Corporation will also provide interim periodic maintenance of all the elevators during the course of construction.

**Procurement Results**

Thyssenkrupp Elevator Corporation was chosen for this project using an invitation for bids (IFB) selection process in accordance with Section 34-201 of the Arizona Revised Statutes (ARS). Two bids were received by the Street Transportation Department on Nov. 8, 2016. The bids ranged from a low of \$1,153,180 to a high of \$1,250,000. The Engineer's Estimate and the two lowest responsive, responsible bidders are listed below:

Engineer's Estimate: \$1,000,000

Thyssenkrupp Elevator Corporation: \$1,153,180  
Centric Elevator Corporation of Arizona: \$1,250,000

**Contract Term**

The term of the contract is 395 calendar days. The contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**

The bid award amount is within the total budget for this project. Funding is available in the Public Works Department's Parking Trust Fund. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**Small Business Outreach**

A request to waive the Small Business Enterprise goal was approved due to the nature of the work. Subcontracting is not feasible for this project.

**Location**

The garage is located at 305 W. Washington St.

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

**Yes:** 7 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams and Mayor Stanton

**No:** 1 - Councilman Waring

**Absent:** 1 - Vice Mayor Gallego

**97 New Demolition Process Fee for Historic Properties (Ordinance G-6254)**

Request approval of an ordinance to establish a new permit application fee to cover costs related to the Council-approved amendment to the 2012 Phoenix Building Construction Code, Section 105.3.1.1, which enacted a new process for demolition permits for potentially eligible

historic properties and went into effect on Dec. 2, 2016.

**Summary**

The recently approved process for demolition permits was initiated due to recent demolition of known and potentially eligible historic properties. The amendment requires a 30-day waiting period and a public notice prior to the issuance of a demolition permit for commercial buildings that are 50 years or older and for all buildings that have been identified as individually eligible for historic designation. The public notice requirement includes posting a notice of properties that meet the criteria on the city's website, posting a sign on the subject property, and contacting preservation community leaders with any known information about the property via electronic mail. A database of properties identified as eligible for historic designation has been developed and will be maintained as future surveys are conducted.

**Financial Impact**

A new \$300 application fee is required to recover the costs associated with this new process.

**Concurrence/Previous Council Action**

The Historic Preservation (HP) Commission recommended approval of the amendment including the new fee on Aug. 15, 2016. The Development Advisory Board (DAB) recommended approval at its meeting on Sept. 15, 2016. The Downtown, Aviation, Economy and Innovation Subcommittee recommended approval at its meeting on Oct. 5, 2016. City Council approved the amendment and the concept of the fee on Nov. 2, 2016. The required 60-day notification of the proposed fee was posted on Nov. 4, 2016, in accordance with State law.

**Discussion**

The acting City Clerk read the title of the ordinance for this item.

Leonard Clark spoke about the success of Tucson's preservation efforts and hoped that Phoenix would look to follow suit in the preservation of its history.

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

**Yes:** 5 - Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela and Mayor Stanton

**No:** 3 - Councilman DiCiccio, Councilman Waring and Councilwoman Williams

**Absent:** 1 - Vice Mayor Gallego

**98 Public Hearing - PHO-1-16-Z-114-04-7 (8)**

Application No.: PHO-1-16-Z-114-04-7 (8)

Existing Zoning: S-1 (approved R-3A)

Acreage: 10.38

Applicant: Visiquet Properties LLC c/o Joel Broder

Owner: Laveen Gardens LLC c/o Allen Marsh

Representative: BMA Architecture c/o Brian Anderson

**Proposal:**

1. Modification of Stipulation 1a regarding general conformance to a site plan.
2. Deletion of Stipulation 1b regarding general conformance to elevations.
3. Deletion of Stipulation 2 regarding additional passive and active recreational amenities.
4. Modification of Stipulation 8 regarding the colors and textures used on the exteriors.
5. Technical Corrections to Stipulations 4 and 10.

**Summary**

Request to hold a public hearing for Rezoning application PHO-1-16-Z-114-04-7 (8). Request to approve a recommendation made on the following Planning Hearing Officer request to modify stipulations of a previously approved zoning case that was heard by the Planning Commission on Thursday, Nov. 3, 2016. This request was pulled off the ratification agenda from the Dec. 7, 2016 City Council hearing because of community concerns regarding stipulations.

**Location**

Approximately 360 feet north of the northwest corner of 27th Avenue and Vineyard Drive alignment.

**Concurrence**

On July 1, 2016 the Laveen Village Planning Committee recommended denial by a vote of 9-0.

On July 20, 2016 the Planning Hearing Officer recommended denial.

On Nov. 3, 2016 the Planning Commission denied the Planning Hearing Officer recommendation, and approved per the memo from Xandon Keating dated Nov. 1, 2016 with a deletion of Stipulation 14 by a vote of 6-0.

**Discussion**

Mayor Greg Stanton introduced the item, stated that there would be a brief staff report by the Planning and Development Director, followed by a public hearing on the item, which would be followed by a motion.

Planning and Development Director Alan Stephenson introduced and provided background information regarding the item.

Mayor Stanton opened the item for public hearing.

Grady Gammage, Jr. spoke on behalf of the applicant and property owner, explained the request was to modify existing stipulations, decreasing density and building heights.

James Deibler spoke in favor of the item, stating he liked that people could work and play in one place and believed the item would benefit the community.

Carlos Ortega, a member of the Laveen Village Planning Committee, spoke in opposition to the item. He stated he was against the changes allowing modular buildings in place of the previously proposed apartment buildings. He believed the neighbors left the initial meeting where the committee voted down the item with the understanding that the discussion was over.

Mayor Stanton closed the public hearing on the item, noting there were no other speakers.

Councilwoman Williams asked if notifications were sent to neighbors for the second meeting where the changes to stipulations were discussed.

Mr. Gammage replied he did not believe so. He added the second meeting was not a formal referral that was backed by the Planning Commission.

Mayor Stanton noted Vice Mayor Gallego was not in attendance but in a normal circumstance she would make a motion on the item.

Councilman Nowakowski expressed concerns for the feelings of the neighbors and indicated his understanding that Laveen residents were not supportive of housing that does not fit the surrounding character or provide individual yards. He stated he could not support the item.

A motion was made by Councilman Nowakowski, seconded by Councilwoman Williams, that this item be denied.

Councilwoman Pastor spoke on previous recommendations for denial and asked if the item had gone back to the Planning Commission after those previous recommendations.

Mr. Stephenson stated the Laveen Village Planning Commission, and the Planning Commission initially recommended that the item be denied, the applicant then met with Councilwoman Gallego and went back to the Village Planning Commission with a new proposal.

Mr. Gammage stated the Planning Commission meeting was fully advertised and had full attendance from both sides.

Councilman Nowakowski stated the residents put stipulations in at the Laveen Village Planning Commission meeting which were later denied as not enforceable but the application progressed and residents and commissioners felt their concerns were not addressed.

Mr. Gammage stated the applicant sat down and tried to meet with the Laveen Village Planning Commissioners, after the modifications, to

obtain stipulations that were enforceable and received a thank you from one of the Village members.

Mayor Stanton called for a roll call vote on Councilman Nowakowski's motion.

The motion failed, 5-2, with Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, and Councilwoman Williams opposed. Councilman DiCiccio was absent during the vote.

Councilwoman Pastor requested clarification on the previous motion.

Mayor Stanton provided clarification regarding the previous motion and its vote. After consulting with City Attorney Brad Holm, Mayor Stanton re-heard the vote on the previous motion to deny after explaining what a yes or no vote indicated for the motion.

**A motion was made by Councilman Nowakowski, seconded by Councilwoman Williams, that this item be denied. The motion carried by the following vote:**

**Yes:** 5 - Councilman Nowakowski, Councilwoman Pastor, Councilman Valenzuela, Councilwoman Williams and Mayor Stanton

**No:** 2 - Councilwoman Stark and Councilman Waring

**Absent:** 2 - Councilman DiCiccio and Vice Mayor Gallego

#### **REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS**

None.

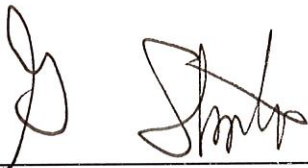
#### **CITIZEN COMMENTS**

There were no additional speakers for citizen comment.

#### **ADJOURN**

There being no further business to come before the Council, Mayor Stanton declared the meeting adjourned at 3:55 p.m.





MAYOR

ATTEST:




CITY CLERK

LWS

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 11th day of January, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 1st day of September, 2017.



CITY CLERK

