

City Council Formal Meeting

Wednesday, August 30, 2017

2:30 PM

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CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Aug. 30, 2017 at 2:35 p.m. in the Council Chambers.

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

Councilman DiCiccio joined the voting body via telephone during testimony on Add-on Item 161.1. Councilman Nowakowski participated in the meeting via telephone; disconnected during discussion on Add-on Item 161.1; then arrived in the Chambers and joined the voting body during testimony on the same item. Councilman Valenzuela joined the voting body at the beginning of Citizen Comments. Councilman Waring joined the voting body following the announcement of the Spanish interpreter. Councilwoman Gallego left the Chambers but remained part of the voting body via telephone during discussion on Add-on Item 161.1.

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

Mayor Stanton congratulated the Council Members who all successfully ran for re-election in the election on Tuesday.

Note: Councilman Waring entered the Chambers and joined the voting body.

CITIZEN COMMENTS

Raymond Tang, President of the Chinese United Association of Phoenix, submitted a petition for Council to promptly consider a measure that ensured the long-term preservation of the Chinese Cultural Center.

Note: Councilman Valenzuela entered the Chambers and joined the voting body.

Leonard Clark submitted a petition with signatures requesting that Council create a Phoenix police civilian oversight/review board. Also, he asked Councilwoman Stark, who served on the Legislative Mall Commission, for her help on a measure to take down the Confederate monument at the State Capital. Further, he urged that Council not tear down the Chinese Cultural Center.

Heather Hamel expressed concern about the excessive use of police force on protestors following the Trump rally, and the Mayor and Council's response. She also disapproved of the independent investigation by OIR based on prior police reviews by the company. She urged that Council resolve this issue by banning the acquisition and use of military-grade weapons as well as drop all charges on the protestors arrested that night. Moreover, she wished to address the item regarding School Resource Officers.

Mayor Stanton interjected only testimony on non-agendized items could be heard at this time.

Dr. Angeles Maldonado denounced the police violence inflicted on the community. Moreover, she was disappointed with the Mayor's comments that the rally was a success because everyone got home safely when, in fact, the police used excessive force and infringed on the rights of protestors. She expressed the community did not feel safe and stressed Council needed to protect the public good.

Due to the disruption in the meeting by the audience, Vice Mayor Pastor requested to move an item forward.

SUSPENSION OF THE RULES

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, to suspend the rules and hear Add-on Item 161.1. The motion carried

by voice vote:

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

Absent: 1 - Councilman DiCiccio

161.1 ADD-ON - Request to Authorize Agreement with OIR Group, Inc., to Conduct Independent Review; Further Request to Authorize City Controller to Disburse Funds for Purposes of this Ordinance (Ordinance S-43870)

ADD-ON Item No. 161.1 - Request to authorize the City Manager, or person designated by him, to enter into an agreement with OIR Group, Inc., to conduct an independent review of the City of Phoenix Police Department engagement with protesters following President Trump's rally on August 22, 2017. Further request to authorize the City Controller to disburse the funds for purposes of this ordinance.

Summary

The OIR Group has conducted a number of independent reviews of critical incidents across the United States. Under the proposed agreement, OIR Group will conduct an independent assessment of the City of Phoenix Police Department engagement with protesters following President Trump's rally in the Phoenix Convention Center on August 22, 2017. The total amount of the agreement will not exceed \$45,000 for all services.

Contract Term

The agreement term begins on September 1, 2017, and expires on the first to occur of the following: (1) one year; or (2) completion of services. The City reserves the right to exercise two one-year options to extend the agreement if in the City's best interests.

Discussion

Vice Mayor Pastor asked if those present could provide testimony on Add-on Item 161.1.

City Attorney Brad Holm understood that item was taken out of order so Council could receive testimony on the item.

Again, due to the disruption in the meeting by the audience, Mayor Stanton recessed the meeting. He reconvened the meeting after a short break.

Note: Councilman DiCiccio joined the voting body via telephone.

Francisca Porchas expressed concern regarding the Phoenix Police Department's excessive use of force, including riot control agents such as chemical weapons which could cause those exposed to it to develop major medical problems. She applauded the Phoenix Police Department for maintaining peace during the first six hours of the protest; however, officers failed to protect everyone when deploying chemical weapons without warning into the crowd.

Mayor Stanton recessed the meeting so Council could discuss how to move forward. When he reconvened the meeting, the Council continued to take comments related to Add-on Item 161.1.

Jessica Adame expressed protestors were peaceful for hours at the rally until the Police Department opened fire without warning on them. In fact, she was shot by rubber bullets while helping people leave the scene. She did not want this to pass because the community evidenced what happened and asked that Council do the right thing.

Reverend Janessa Chastain stated she was disappointed with Mayor Stanton's initial media response to the protest. She was near the convention center and saw people running from the escalation of chemical weapons that were launched without warning. She wanted a true independent investigation to make sure this did not happen again so people could gather safely and protest.

Raymond Celaya remarked he was one of the victims at the protest, noting it was a peaceful crowd until the Police Department used chemical weapons on everyone. Also, he was opposed to the private investigation because he wanted a citizens investigation. He asked that chemical weapons be banned to better protect citizens.

James Eyler conveyed he initially praised the Police Department up until the point where officers used unreasonable force without warning on peaceful protestors. He thought the Police Department needed training on the procedures for proper escalation of force as that was not what happened that day.

Dianne Barker wondered, as a downtown resident, if people cared about the pollution they brought downtown to protest because everybody needed clean air to breathe before vocalizing their first amendment right.

Sarah Schweiger stated she witnessed conversations between Trump supporters, protestors and police officers on Washington Street and although there was anger everything was diffused without force. On the other hand, she was not happy with an officer's remark about the situation she saw on Second Street regarding the explosion. She was proud of everyone testifying today because they knew what happened which was different than what was said on the news.

Eduardo Pym thanked the members of PUHC, Phoenix Urban Health Collective, for helping people Tuesday night. He did not think there was any more trust between the community and the Phoenix Police Department, noting it would take a lot to rebuild that trust.

Ira Yedlin said he and his wife drove from Bisbee to the non-violent demonstration on Tuesday night where the Police Department executed an outrageous response toward protestors. He was hit with projectiles, including one to his face, so unlike what was reported people were injured and everyone did not return home safely.

Marinah Farrell noted she was a member of PUHC operating as a midwife in the Valley and a medic at protests where the potential for violence was high. In fact, their medic tent was overrun by people that night trying to get away from the chemical weapons. She also did not want children going to school with police on campus. She added protestors acted in self-defense and should not have charges brought up against them.

Jessica Mear stated she was at the rally and watched a peaceful protest

turn into a violent situation. She urged the Police Department to never use this type of force and tools again as people just wanted to be safe.

Darius Stokes wished to make a complaint because he was assaulted by officers the night of the rally and suffered injuries.

Reverend Jarrett Maupin spoke in opposition to City funds being spent for this company to conduct an investigation into the Police Department, especially when there were already citizen committees that could take public testimony. Moreover, he did not recall Council offering to spend money to investigate the department regarding previous incidents involving officers and wanted equal treatment.

Elvin Ezrre stated the day before the protest he brought high school students downtown to educate them on how to act. However, he did not expect such escalation from police officers. He emphasized only one side got home safely and only one side was able to express their freedom of speech.

Greta Rogers stressed the City did not need this \$45,000 investigation. Further, fire sprinkler inspections were conducted at the library, a valuable capital asset, where it was determined the pipe on the fifth floor was corroded. She pointed out nothing was done and now it could cost up to seven figures to fix it.

Gina Mendez expressed she was appalled by the Police Department's unacceptable reaction at the protest because she had brought 25 young leaders to express themselves.

Silverio Garcia, Jr., conveyed the City's website did not allow documents to be translated from English to Spanish. Therefore, on behalf of the CRC, he requested a meeting with the Mayor to discuss ending discrimination to language access.

Sumayyah Dawud said she was at the rally and did not see any violence occur except for a metal barrier knocked down. After that happened, projectiles were used on the crowd; however, there were more metal barriers that slowed people down from leaving the area. She thought it

was unacceptable for police to deploy chemical weapons on people. Moreover, she had filed a public records request with the Police Department asking for the nature of the chemicals used at a previous rally but was only provided with a police report about the arrests made.

Luis Avila stated he was at the protest with a group of students and families who started picking up trash after it got dark when they saw projectiles coming at them. He was shocked at the Police Department's over-reaction with people in wheelchairs, elderly and children in the crowd. He had a signed petition asking for a real investigation that included the community and urged that military operations and equipment be eliminated from the Police Department.

Sergeant Van Berry suggested people who wanted to attend protests bring gas masks to avoid medical issues. He also wanted to clarify that what the officers used was not chemical weapons as that was only used in combat. He appreciated these cops and did not think it was right to continually vilify them.

Joseph Larios expressed the Phoenix Police Department's racism and aggressive use of force had been topics of conversation for over a year, in some communities it had been talked about for years. He was appalled by the lack of actions and outrage from Council and the Mayor about these systemic issues.

Arrian Wissel thought this was an important opportunity to talk about these experiences from the community. Further, this discussion provided a chance to look at different oversight models of police officers that included the community.

Redeem Robinson stated he saw women, children, elderly and disabled people attacked by police at the rally. He wanted those who had testified to be a part of this investigation.

Patrick Seifter clarified he was opposed to this independent investigation though it was needed. He emphasized the peaceful demonstration was broken apart by excessive force from the Police Department, along with the assertion that officers acted properly. He understood the City

Manager, an unelected official, controlled day-to-day operations but thought it should be the Mayor who was elected by the people.

Pastor Crystal Lutton stated she arrived late to the rally to work at St. Mary's Basilica but did not make it to the church before people started running past her. At that point there were no helicopters overhead; however, 20 minutes later they arrived and warned everyone to leave the area or be subject to pepper spray. She did not support this investigation and asked Council to reconsider how to address this situation as there was video and news reports that showed what actually happened.

Todd Wiandt thought the chemical weapons used at the rally violated everyone's right to free speech and also against the Geneva Convention as they were used without warning.

Richard Bannow said he was at the peaceful protest but knew something had gone wrong when police started to put on riot gear. He learned from some protestors that officers told them to disperse prior to firing off tear gas and wanted to know why everyone was not afforded that same courtesy. So, whether this moved forward with an independent investigation or not, he requested an answer.

Raquel Denis conveyed she was at the rally with her family and faith community to express their concerns about legal status and safety. She pointed out interactions with police had been traumatic which deeply affected people and asked for Council's humility and leadership.

Janey Pearl Starks stated she was at the protest but went the day before with a group to do non-escalation training. She felt safe at the rally because law enforcement was there handling things and was given warning to leave by police but she returned to help the group. She did not want the same thing to happen to kids at school with SROs, so this was a pivotal moment for Council to do something.

Vinney Olivarria remarked she took her sister to the rally but was not prepared to be attacked by police and did not want that to become routine.

Ken Kenegos said he was a volunteer street medic at the demonstration, noting a lot of people succumbed to the heat. Then, without warning, he heard what sounded like bombs and saw smoke, then some time later a helicopter told everyone to disperse. He did not understand how a few unruly individuals could not be subdued without attacking everyone. He did not want the Police Department to purchase military weapons and did not want more police officers in schools. Also, he asked that the charges be dropped against the people arrested at the protest and clarified he did not favor this investigation.

Councilman Nowakowski stated he was at the rally and saw community organizations and individuals from opposite sides of the debate helping each other. Based on the testimony he wanted to re-examine how to include the community in the evaluation process and provide a full report to Council. He also wanted more information about the smoke bombs and chemicals released that night.

Note: Councilman Nowakowski temporarily left the voting body.

Maria Jose Lopez noted she was at the rally and was proud of how diversified it was but police killed that moment. Further, she did not want police placed in schools as her son would not feel safe. She wanted an investigation but one that involved the community and also wanted the protestors that were arrested released and their charges dismissed.

Michael Luttrell stated he attended the rally with his stepson and two medics, noting around 5:30 p.m. a group of police went through the crowd in riot gear. At that point people were thanking the officers but later as the crowd was leaving he heard screaming and saw people running past him. He went into the smoke and helped a few folks before he heard the first announcement from the helicopter to disperse. He watched the videos and found the Phoenix Police Department was ready to clear out protestors using unreasonable force.

Councilwoman Stark confirmed the Spanish interpreter, Ms. Garcia, did not need to take a break.

Dai Dawson emphasized she was at the protest and did not bring her

child as she expected this behavior from police. She watched a new line of police come in with riot gear prior to leaving the rally around 7:45 p.m., noting about an hour later officers launched tear gas and pepper balls into the crowd. She expressed concern regarding the Police Department receiving another \$16 million a year from the Transportation tax for more officers.

Angi Stamm said she was a Trump supporter and volunteer at the rally for eight hours. She had been to other Trump events as well as other protests and was never pepper sprayed or tear gassed by police. She believed everyone had a right to protest but should do so without committing acts of violence. She thanked the Phoenix Police Department for doing an excellent job at the rally.

Barb Heller stated she was at the rally and helped at the event before going in at 6:00 p.m., noting there were no incidents at that time. Afterwards, as she headed to her car she heard several warnings to disperse followed by bangs. She thanked all of law enforcement for the professionalism they show to all sides, especially the Phoenix Police Department.

State Representative Kelly Townsend believed in the first amendment and thanked the Mayor for his statement on TV about wanting to protect everyone's first amendment rights. She agreed an outside investigation should not be conducted with \$45,000 of taxpayer money and recommended a Council of Arizonans be created to look into this matter. Furthermore, she offered to help find a way to protect the Chinese Cultural Center.

Paula Blankenship said she attended the protest to be part of a diverse faith community. She remarked at first police officers were respectful but as she chanted peaceful protest she was shot by a projectile. She stressed the Council should get the necessary information to make a decision about how to censure the Phoenix Police Department for their actions.

Raquel Guerrero stated she was at the protest which was peaceful until she was leaving and an attack occurred. The situation needed to be

addressed by banning the use of all military weapons by the Phoenix Police Department, dropping all charges against protestors arrested at the rally, and rejecting this proposal for an independent investigation as well as the MOU for SROs.

Sean Duff relayed it was between 8:30 and 9:00 p.m. when everything started to quiet down and then he heard a pop followed by people running with some folks chanting peaceful protest who were gassed again. He heard the helicopter from several blocks away ordering the crowd to disperse. He wanted an investigation and also wanted to know who gave the order because it was a beautiful experience which was shattered in that half hour period.

An unidentified speaker expressed this was not something that just started at the protest but had been going on for years. Moreover, he did not think police knew the effects of the weapons they used. He emphasized President Trump was allowed to express his first amendment rights unlike everybody else.

Mayor Stanton recessed the meeting in order to give Ms. Garcia, the Spanish interpreter, a break. He reconvened the meeting after a short break and announced regular City business would be done after the conclusion of public testimony.

Note: Councilwoman Gallego left the Chambers during the short break but remained part of the voting body via telephone.

Shawn Severud stated thousands of people protested peacefully for hours without serious incident, then without warning police began shooting projectiles at the crowd. He witnessed chemical weapons used on elderly women, individuals in wheelchairs and children. He did not know what purpose the independent study served after all this testimony and videos that were available. He wanted the relationship between police and the public to fundamentally change because this was unacceptable.

Marie Cruz said she was at the protest with her daughters when all of a sudden she was told to run and lost her daughters but reconnected with

them. It was not until they left the area that she heard the helicopter announce to disperse. She was disappointed with the Phoenix Police Department as they were supposed to protect people, not attack them. She urged that Council save this money and conduct the investigation with the community.

Christina Green stated she arrived at the protest with friends at 5:30 p.m. but while there was taken to the medic tent for fluids as she got too hot. She believed police used such force to disperse the crowd before the Trump rally emptied as well as stop the march to the capitol. She did not believe a private company should do this independent investigation. Also, she wanted to keep the Chinese Cultural Center.

Ray Ybarra Maldonado expressed the Council should have scheduled a community forum the day after this protest so people could share their experiences. This was a systemic problem he had seen escalate over the years with police now showing up in riot gear. He did not support an investigation with the selected company but thought a community-based investigation should be created in order to prevent this from happening again.

Rebecca Evans said she was at the protest taking pictures and video, noting the crowd was peaceful, when all of a sudden she heard what sounded like bombs and was told to run. She believed the police needed to come up with non-violent procedures to deal with intense situations.

Scott Sefranka, a retired Phoenix police officer, did not think this investigation was the right move. He conveyed action taken without information from those affected at this protest would lead to more violence. Therefore, he suggested an independent review by the citizens to enhance transparency and accountability.

James Meza stated he arrived at the protest at 2:00 p.m. to support Puente, noting it was a peaceful protest and did not see anything bad happen. He started to leave about 8:30 p.m. when he heard explosions and saw people running from the tear gas but he stayed to help elderly people and children leave the area but he did eventually hear helicopters announce to disperse. He mentioned another incident that night where

someone was hit by a vehicle and wondered about that report. He supported an independent investigation within the community to set people at ease and restore trust.

Reverend Dr. Bill Lyons, Conference Minister for the Southwest Conference United Church of Christ, requested the presence of Police Chief Williams.

Mayor Stanton advised she was unavailable but the assistant police chief was present.

Reverend Dr. Lyons witnessed a peaceful protest but noticed the timing of police action coincided with Trump rally attendees leaving the convention center. He thought police use of force should reflect the level of threat demonstrated by the crowd, noting there was no riot to be controlled that night. Further, no verbal instructions were given to disperse prior to deploying the tear gas though he heard helicopters warning people to leave the area once he was blocks away. He requested a meeting with Police Chief Williams and Mayor Stanton and awaited their response. Moreover, he did not want to add to the incident by having this investigation.

James Deibler disagreed with President Trump regarding the immigration problem as people were looking for a better life in the United States.

State Representative Mark Cardenas agreed with the speakers in terms of an independent investigation with input from community members. He stressed military and police tactics were two very separate things that needed to be taken into account in a subsequent investigation. Finally, he opposed the executive order that allowed military surplus equipment to be given to law enforcement for free and asked Council to pass an ordinance rejecting such equipment.

Kelsie Urias thanked the Council for listening to everyone's experiences before making any decisions. She was at the protest and witnessed provocative language from people who were unable to get into the rally but there was no police push-back on them. She was opposed to this group doing an independent investigation but wanted repercussions as to

how this happened so citizens could feel safe exercising their first amendment rights.

Alex Erario said she was at the protest and stressed there were no water bottles or rocks thrown. She urged that officers be re-trained on de-escalation as they caused the situation.

Patrick Morales emphasized the most important goal that day was safety with many organizations focused on de-escalation trainings; however, the Phoenix Police Department escalated the situation when it used gas on the crowd without warning. He did not support this independent investigation but thought one was needed to hold people accountable. He also opposed SROs in schools and would be pushing that position statewide.

Adrienne Ingram stated she was at the protest and noticed around 8:30 p.m. that the amount of officers doubled in full gear. She expressed police created the riot and did not appreciate the Mayor siding with the police chief.

Antonio Sneed approached the podium with sign language assistance over the telephone but the interpreter was unable to provide translation.

Chimene Hawes said she was at the protest and brought a friend to express their First Amendment rights. She conveyed existing cops needed training instead of hiring additional officers.

Sandra Faham stated she was at the protest with her family from beginning to end. At 8:25 p.m. officers started to line the streets in riot gear then they attacked the community. She requested the people that were arrested be liberated as they were innocent.

Pastor Richard Tamayo commented he was part of a religious group that builds a bridge of trust between the community and police. He understood police officers knew penal laws but lacked knowledge of constitutional and civil rights laws which needed to be addressed nationwide. He talked about an incident that occurred two days after the protest where an officer profiled him while he videotaped downtown. He

urged Council to address these issues and teach police officers about civil rights and constitutional laws.

Note: Councilman Nowakowski entered the Chambers and joined the voting body.

Leonard Clark thought this would be an independent investigation but he did not know there was a history between the police chief and this company. He requested that Council approve the petition he submitted to create a citizens oversight review committee similar to other major metropolitan areas and to include these people on it.

Katie Resendiz expressed she did not want the Chinese Cultural Center to be torn down. She wanted Council to look through the social media clips to see what happened that night which would negate an independent investigation, especially with this company. She attended the protest with her children and wished that Council would admit a mistake was made when officers fired projectiles at peaceful protestors.

Stephanie Vidmosko stated she was at the protest with family and emphasized no warning was given when police gathered and used tear gas on the crowd.

Derrick Pacheco thought there should be a complete and thorough investigation into this matter as police seemed to be selective on who to protect that night.

Steve Helffrich said he was at the protest and witnessed what everyone mentioned previously. He did not want Phoenix to be on the wrong side of history and asked Council to come up with a plan on how to proceed as this was a critical point in time.

Mr. Sneed returned to the podium with sign language assistance from a member of the audience. He mentioned the U.N. Declaration on the Rights of Indigenous Peoples due to his interaction with two police officers that approached him at the protest. He expressed there was police violence that night.

An unidentified speaker agreed with everyone's testimony about what happened as she was at the protest and was tear gassed.

Jeremy Helfgot spoke on behalf of the Phoenix Human Relations Commission and announced an item regarding these concerns would be on their September 18 agenda. He added the public meeting would be at 6:00 p.m. in the Phoenix Fire Administration building. The intent was to continue this conversation in a different venue with an independent commission of private citizens to explore these issues and work to address them with the community. He requested Council to alert constituents who contacted their offices about the meeting.

In response to Councilman Nowakowski, Mr. Helfgot repeated the meeting body, date, time and location.

An unidentified speaker stated she was at the protest and noticed the Antifa group approach the barricades shortly before the Trump rally ended. Although the group did not initiate any violence that was when police fired shots onto the ground and then into the crowd. Also, her video showed the first water bottle was thrown after action was taken by police and encouraged Council to help tell the correct story.

Emrys Staton noted he brought a scroll to the Mayor's Office with 100-plus signatures on it asking the city not to rent the facility to President Trump. Then, while he was out of town he watched people under attack by the Phoenix Police Department. He ended his testimony with a prayer.

The following individuals submitted comment cards in opposition, but did not wish to speak:

Vince Ansel
David Schafranka
Bill Berry
Nick Voss
A.J. Edmondson
Dr. Darren Kalanj
Dr. David Warkentin
Bethany Warkentin

Uzma Jafri
Ken Crane
Darrell Kriplean
Michael London
Franklin Marino
Tim Baiardi
Russell Hixson

The following people submitted comment cards in favor, but did not wish to speak:

Mary Stephens
Rachelle Wayne
Carlos Garcia
Alejandro Larios
Luisa Hall Valdez
Julie Bufkin
Karen Olson
Mary Jo Forman Miller
Sarah Michelsen
Mullaney Hardesty
Danny Kuehn
Sara Matlin
Susan Peralta

The following individuals submitted comment cards with no position marked and did not wish to speak:

Rickie Knox
Will Gaona
Maximiliew Valente
Clementine Wanders
Carla Chavez

Jacklyn Link submitted a comment card with a neutral position, but did not wish to speak.

Mayor Stanton indicated public testimony was just taken on Add-on Item

161.1 and turned to Council for their questions or comments.

Councilwoman Williams clarified school resource officers were not assigned by the city but requested by school districts. She also confirmed the Phoenix Police Department did not accept military equipment. She was not supportive of this item as she did not think it was the right way to go. She knew that Police Chief Williams and the officers went through extensive planning on how to execute a plan with focus on how people could exercise their First Amendment rights. She took from the testimony that actions took place, reactions occurred and spillover happened which impacted a lot of people unintentionally. Again, she did not support going forward with hiring someone from the outside for further assessment.

Councilwoman Stark conveyed she was not supportive of this item prior to testimony and agreed a lot of preparation went into this event with focus on keeping everyone safe. She thought further discussion with the community was needed but did not think this investigation was necessary.

Councilman Waring also said he was against this investigation though the event was characterized a success by the City Manager and Mayor. He applauded the Phoenix Police Department, noting officers had a tough job with an impossible expectation to be perfect. However, given the volatility of the many interactions he was amazed how few complaints there were but he did not discount officers who made mistakes. He recalled there were several law enforcement agencies involved but there was a combustible mix at the rally with no property damage or loss of life though there were injuries but he still thought that was a success based on the situation. Also, he noticed there was freedom of speech for one side at this meeting and was pained to see such discourse. Again, he did not think this investigation was necessary but wanted to know how it came about.

City Manager Ed Zuercher responded this item was recommended by himself based on his review of what people witnessed. He thought it would be important to do an assessment through an objective party that was not associated with the city or other law enforcement agencies. Thus, he placed it on the agenda Monday afternoon, two days before this

meeting.

Councilman DiCiccio stated he respected everyone's First Amendment rights but was horrified by what was being said about police officers. He pointed out officers were put into a stressful situation and did an exemplary job, and even received national recognition for the way they handled the rally. He remarked this proposal was hastily put together and thought Council should wait until the Police Department finished their review.

Vice Mayor Pastor expressed what she heard was a city hurting but did not think the intent of police officers was to hurt people but rather protect everyone. She believed everybody had a right to speak but should be done with respect for one another. One thing she heard from this discussion was an investigation was not necessary but community trust was needed, noting there was a lot of distrust due to this event. She stressed Council had to figure out a way to bring all entities together to build that trust. Another thing she heard was everyone wanted Council to do something so she thought it was important to build a space for people to be heard. She thanked everybody for their patience and for serving their community.

Councilman Valenzuela thanked everyone for taking the time to come to this meeting. He emphasized all eyes were on Phoenix and he was proud of how the event turned out with people from both sides peacefully expressing their First Amendment rights. The way the event ended left some questions but he heard the community did not want this external review so he did not think it was appropriate to move forward with this item. He conveyed this should be looked at internally but did not know how that looked yet though the city continually strived for best practices. He thanked those that peacefully protested that night and the officers for doing a great job. He awaited the Police Department's internal review and reiterated he was not supportive of this item.

Councilwoman Gallego emphasized the Council had to make sure employees were able to discharge their responsibilities safely and effectively. At the same time, Council had to ensure residents had the ability to exercise their First Amendment right safely and freely. She

believed it was appropriate to continue a public review after any major undertaking to get as much information as possible to inform future decision making. She spent time reviewing video at the Police Department and also video from people protesting and had many questions about the City's best practices. She thought there was value in getting outside assistance and would pursue that on her own, but hoped this public conversation continued in order to create the best city possible.

Councilman Nowakowski supported this item because he was at the rally and saw people from all walks of life come together for a common cause. He was involved in other peaceful marches where groups met with police and organized it. He was unsure how this rally was organized but thought Council should look at the City's best practices. He received phone calls and texts right after this incident with people wanting some type of outside investigation. So, he encouraged the city manager to look for a neutral party outside the state to conduct a non-biased investigation. Also, he wanted a report on what was used that night including the type of chemicals used. He needed to find out what happened that night and wanted to make sure there was a fair process in place for the community, police officers and employees to be heard. Finally, he wished after all of this was settled that everyone came back together and respected one another.

Vice Mayor Pastor added for her it was more the testimony from the older population at the event as well as the priests located at St. Mary's Basilica. She wanted to know what was done right and where the City needed to improve in order to understand how to best move forward. She hoped a citizens group with different expertise came together to work on this matter.

Mayor Stanton conveyed he supported the city manager's recommendation for an independent assessment of the events that occurred at the rally. He believed Phoenix had one of the best trained and most professional police departments in the country and respected the officers who worked the streets. He also thanked the city manager for his leadership as well as the police chief for doing an outstanding job. He thought one hallmark of a great organization was a willingness to embrace better ways to serve and protect its residents and

expected to achieve that goal with an independent review by this firm or another mechanism. Further, he wanted that to be an objective tool to learn from this event and use any recommendations to improve the Police Department function for future events and enhance the city as a whole.

Mr. Zuercher noted the Phoenix Police Department was doing an after action assessment while his attempt was to respond to concerns for an independent fact gathering. However, his proposal was not viewed as objective so he respectfully withdrew his recommendation for this item. He added the police chief had scheduled 12 community listening sessions based on recommendations from the previous community police trust initiative. The first session was on the evening of September 5, noting the entire list of sessions was available on the police website. He pointed out the police chief along with staff would be at those sessions to listen to the community.

Mayor Stanton advised Add-on Item 161.1 was withdrawn.

This item was withdrawn.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6344 through G-6349, S-43817 through S-43870, and Resolutions 21561 through 21566 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

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 1 through 8 be continued to the September 6, 2017 City Council Formal Meeting. The motion carried by voice vote:

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

**1 For Approval or Correction, the Minutes of the Formal Meeting on
Jan. 11, 2017.**

Summary

This item transmits the minutes of the Formal Council meeting of Jan. 11, 2017 for review, correction and/or approval by the City Council.

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

This item was continued to the September 6, 2017 City Council Formal Meeting.

2 For Approval or Correction, the Minutes of the Formal Meeting on Jan. 25, 2017.

Summary

This item transmits the minutes of the Formal Council meeting of Jan. 25, 2017 for review, correction and/or approval by the City Council.

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

This item was continued to the September 6, 2017 City Council Formal Meeting.

3 For Approval or Correction, the Minutes of the Formal Meeting on Feb. 1, 2017.

Summary

This item transmits the minutes of the Formal Council meeting of Feb. 1, 2017 for review, correction and/or approval by the City Council.

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

This item was continued to the September 6, 2017 City Council Formal Meeting.

4 For Approval or Correction, the Minutes of the Formal Meeting on Feb. 15, 2017.

Summary

This item transmits the minutes of the Formal Council meeting of Feb. 15, 2017 for review, correction and/or approval by the City Council.

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

This item was continued to the September 6, 2017 City Council Formal Meeting.

5 For Approval or Correction, the Minutes of the Formal Meeting on March 1, 2017.

Summary

This item transmits the minutes of the Formal Council meeting of March 1, 2017 for review, correction and/or approval by the City Council.

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

This item was continued to the September 6, 2017 City Council Formal Meeting.

6 For Approval or Correction, the Minutes of the Formal Meeting on March 22, 2017.

Summary

This item transmits the minutes of the Formal Council meeting of March 22, 2017 for review, correction and/or approval by the City Council.

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

This item was continued to the September 6, 2017 City Council Formal Meeting.

BOARDS AND COMMISSIONS

7 Mayor's Appointments to Boards and Commissions

Summary

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

The following individuals were recommended for appointment by Mayor

Stanton:

Phoenix Youth and Education Commission

Appoint Rosslyn Knight, for a term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Tacy Ashby, for a third term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Geoff Balon, for a third term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Jeanine Bashir, for a second term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Luis Bleuze, for a third term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Deborah Burdick, for a third term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Hunter Freedman, for a second term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Michelle Gayles, for a second term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Michael Goldman, for a third term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Daniil Gunitskiy, for a second term to begin Aug. 31, 2107 and expire Aug. 31, 2019

Reappoint Jill Hicks, for a third term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Lily Matos DeBlieux, for a second term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Sara Miller, for a third term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Martin Perez, for a second term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Phyllis Schwartz, for a third term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Nedda Shafir, for a third term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Reappoint Michael Silver, for a third term to begin Aug. 31, 2017 and expire Aug. 31, 2019

Heritage Commission

Appoint Kenja Hassan, replacing Don Keuth, for a term to begin Aug. 31, 2017 and expire Aug. 31, 2020

This item was continued to the September 6, 2017 City Council Formal Meeting.

8 City Council Appointments to Boards and Commissions**Summary**

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

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

Encanto Village Planning Committee

Appoint Celina Brun, for a term to expire Nov. 19, 2017, as recommended by Vice Mayor Pastor

North Mountain Village Planning Committee

Appoint Eric Latto, for a term to expire Nov. 19, 2017, as recommended by Councilwoman Stark

South Mountain Village Planning Committee

Appoint Steve Glueck, replacing George Young, for a term to expire Nov. 19, 2018, as recommended by Councilwoman Gallego

Appoint Greg Brownell, replacing Peggy Morales, for a term to expire Nov. 19, 2017, as recommended by Councilwoman Gallego

This item was continued to the September 6, 2017 City Council Formal Meeting.

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:

Meghan Alfanzo - Applicant, Item 9

Raquel Rodriguez - Applicant, Item 12

Tommasina Mamola - Agent, Item 17
AP Patel, Item 18
Robert Younadim - Agent, Item 19
Raymond Sanchez - Agent, Item 20
Randall Herbison - Agent, Item 21
Domonic Salce, Item 23
Joe Scarnato - Agent, Item 33
Michael Lambert - Applicant, Item 37
Abdel Halim Ghannam - Applicant, Item 40
Juliana - Applicant, Item 42
Jowharah Hall - Agent, Item 43
Michael Hall, Item 43
Jason Root, Item 43

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that Items 9 through 45 be recommended for approval. The motion carried by voice vote:

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

9 Liquor License - Special Event - Pearce Family Foundation

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

Summary

Applicant

Meghan Alfonso

Location

5060 W. Skeet St.
Council District: 1

Function

Tournament

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

Oct. 14, 2017 - 11 a.m. to 2 p.m. / 100 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

**10 Liquor License - Special Event - American Legion Daisy Mountain
Post 128**

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

SummaryApplicant

Thomas Derryberry

Location

4250 W. Anthem Way, Ste. 360

Council District: 1

Function

Luncheon

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

Sept. 23, 2017 - 9 a.m. to 4 p.m. / 2,500 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Carlos Obrien's Mexican Restaurant

Request for a liquor license. Arizona State License 1207B095.

SummaryApplicant

Sean Obrien, Agent

License Type

Series 12 - Restaurant

Location

2501 W. Happy Valley Road, Bldg. 14

Zoning Classification: C-2 DVAO

Council District: 1

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

The sixty-day limit for processing this application is Sept. 1, 2017.

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

Other Active Liquor License Interest in Arizona

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

Carlos O'brien's (Series 12)

1133 E. Northern Ave., Phoenix

Calls for police service: 11

Liquor license violations: In August 1995, a fine of \$500 was paid for

selling liquor to an intoxicated or disorderly person. In May 2010, a fine of \$200 was paid for not maintaining an employee log and purchasing alcohol from other than a primary source.

Carlos Obrien's Mexican Restaurant (Series 12)

7000 E. Mayo Blvd., Bldg. 21, Phoenix

Calls for police service: 168

Liquor license violations: In September 2016, a warning letter was issued for failure to request ID from an underage buyer and for selling, giving, or furnishing an underage person with alcohol.

Carlos O'brien's Mexican Restaurant (Series 12)

765 N. 114th Ave., Avondale

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

Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

"I have owned and operated Carlos Obrien's Mexican Restaurants in the metropolitan area since the 1990's. Our primary purpose is to sell food. Alcoholic beverages are served to compliment our food service. All owners have attended liquor law training and our staff will attend liquor law training as well to be famiiar with checking valid forms of ID and able to identify when a cusotmer is intoxicated for the safety of our customers as well as the safety of the public. Liquor law training will be provided annually as laws change."

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

"The location was previously a restaurant selling food and alcohol. We would like to continue to meet the needs of the surrounding residents and potential traveling clientele as we are located in close proximity to Interstate 17. There are some restaurants in the immediate area however we have many years of experience providing quality service and are very much aware of the need to protect our customers by intervening if necessary."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Carlos Obrien's Mexican Restaurant

Liquor License Map - Carlos Obrien's Mexican Restaurant

This item was recommended for approval.

**12 Liquor License - Special Event - St. Luke Roman Catholic Parish
Phoenix**

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

Summary

Applicant

Raquel Rodriguez

Location

19644 N. 7th Ave.

Council District: 2

Function

Carnival

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

Oct. 13, 2017 - 4 p.m. to 11 p.m. / 750 attendees

Oct. 14, 2017 - 4 p.m. to 11 p.m. / 500 attendees

Oct. 15, 2017 - Noon to 6 p.m. / 250 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Special Event - Boys & Girls Clubs of Metropolitan Phoenix, Inc.

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

Summary

Applicant

Jennifer Ensley

Location

5415 E. High St.

Council District: 2

Function

Community Event

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

Oct. 22, 2017 - 4 p.m. to 8:30 p.m. / 3,000 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - Special Event - Pittie Me Rescue

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

Summary

Applicant

Chandra Hardenburg

Location

7077 E. Mayo Blvd., Ste. 150

Council District: 2

Function

Sporting Event

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

Sept. 7, 2017 - 5 p.m. to 8:30 p.m. / 250 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Special Event - Pittie Me Rescue

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

SummaryApplicant

Chandra Hardenburg

Location

7077 E. Mayo Blvd., Ste. 150

Council District: 2

Function

Sporting Event

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

Oct. 5, 2017 - 5 p.m. to 8:30 p.m. / 250 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

16 Liquor License - Barro's Pizza

Request for a liquor license. Arizona State License 1207B082.

SummaryApplicant

Michael Barro, Agent

License Type

Series 12 - Restaurant

Location

2750 W. Dove Valley Road, Ste. 140

Zoning Classification: C-2 PCD HGT/WVR NBCOD

Council District: 2

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

The sixty-day limit for processing this application was Aug. 15, 2017. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

This 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 owned and operated 16 pizza restaurants for the last 31 years. All store is mandated to complete basic and management liquor law training."

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

"Our new location provides the neighborhood with an established, community-based and locally owned pizza restaurant with incremental beer and wine sales."

Staff Recommendation

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

Attachments

Liquor License Data - Barro's Pizza

Liquor License Map - Barro's Pizza

This item was recommended for approval.

17 Liquor License - LIMoN Tacos * Tequila

Request for a liquor license. Arizona State License 1207B043.

Summary

Applicant

Tommasina Mamola, Agent

License Type

Series 12 - Restaurant

Location

2750 W. Dove Valley Road, Ste. 190

Zoning Classification: C-2 PCD HGT/WVR
Council District: 2

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption. This business is currently under construction with plans to open in September 2017.

The sixty-day limit for processing this application was July 24, 2017. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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.

Char Pizzeria Napoletana (Series 12)
25101 N. Lake Pleasant Pkwy #1320, Peoria
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

"I have been in the restaurant business since 1987. I have personally held an AZ liquor license in my name for 3 other successful restaurants since 2008 without incident. My business partner, Frank Mangieri, has also been in the industry since 1986. He opened his first restaurant in 2001 and maintained good standing with AZ DLLC ever since. We are both very proactive in our restaurants and fully aware of compliance and state laws and training."

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

"We will be providing a safe, clean, friendly environment in which guests can enjoy a healthy meal and alcoholic beverage, if so desired. Noise level and traffic will be moderate and housed within a commercial shopping center in substantial proximity of homes. Business hrs are within reason."

Staff Recommendation

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

Attachments

Liquor License Data - LIMoN Tacos * Tequila

Liquor License Map - LIMoN Tacos * Tequila

This item was recommended for approval.

18 Liquor License - Shell Cave Creek

Request for a liquor license. Arizona State License 10076886.

Summary

Applicant

Nirav Patel, Agent

License Type

Series 10 - Beer and Wine Store

Location

31414 N. Cave Creek Road

Zoning Classification: C-2

Council District: 2

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

The sixty-day limit for processing this application was Aug. 15, 2017. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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.

Herbal Nail & Spa (Series 7)

6590 N. Scottsdale Road, Ste. 150, Scottsdale

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

Liquor license violations: None

Pebblestone Market (Series 9)

3399 N. Scottsdale Road, 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 am currently operating a convenience store with liquor license for past 13 years without any issues or denial."

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

"It will provide a convenient location to purchase liquor right off Cave Creek road with easy access."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Shell Cave Creek

Liquor License Map - Shell Cave Creek

This item was recommended for approval.

19 Liquor License - Olives

Request for a liquor license. Arizona State License 1207B072.

SummaryApplicant

Robert Younadim, Agent

License Type

Series 12 - Restaurant

Location

4575 E. Cactus Road, Ste. 140

Zoning Classification: C-2 PCD

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 was Aug. 7, 2017. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

The applicant 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:

"Of my utmost respect and responsibility to follow and uphold the liquor license privileges."

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

"It would be a great way to complement fresh Mediterranean food with great wine or beer."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Olives

Liquor License Map - Olives

This item was recommended for approval.

20 Liquor License - Brigett's Last Laugh

Request for a liquor license. Arizona State License 06070019.

SummaryApplicant

Raymond Sanchez, Agent

License Type

Series 6 - Bar

Location

17222 N. Cave Creek Road

Zoning Classification: C-2

Council District: 3

This request is for an ownership transfer of a liquor license for a bar. This location was previously licensed for liquor sales and may currently operate with an interim permit.

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

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

because:

"I have a BsBa in Business Administration with an option in accounting, twenty years in the workforce as an accountant and I have also run my own property management company for 5 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The bar's management intends to keep out gang members and remodel the property over the next 6 months. Furthermore, we will not tolerate drug activity in any form."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Brigett's Last Laugh

Liquor License Map - Brigett's Last Laugh

This item was recommended for approval.

21 Liquor License - Finishline Bar & Billiards

Request for a liquor license. Arizona State License 06070438.

Summary

Applicant

Randall Herbison, Agent

License Type

Series 6 - Bar

Location

1724 W. Bell Road

Zoning Classification: C-2

Council District: 3

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

The sixty-day limit for processing this application was Aug. 27, 2017.

However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

The applicant acquiring control of this license 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've had in Arizona since 91 bar's & been very successful I have not been in trouble at all except one speeding ticket in Glendale. Some of my employees have been with me 16 years. I bartended for 20 years before I owned my first bar."

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

22 Liquor License - Special Event - St. Mary's Roman Catholic High School Phoenix

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

Summary

Applicant

Michelle Huntley

Location

2525 N. 3rd St.

Council District: 4

Function

Networking Event

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

Sept. 16, 2017 - 6 p.m. to 9:30 p.m. / 100 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.**23 Liquor License - Special Event - St. Francis Xavier Roman Catholic Parish Phoenix**

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

SummaryApplicant

Mary Musgrove

Location

4715 N. Central Ave.

Council District: 4

Function

Dinner

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

Oct. 7, 2017 - 6 p.m. to 10:30 p.m. / 400 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.**24 Liquor License - Special Event - The Roman Catholic Church of**

the Diocese of Phoenix

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

SummaryApplicant

Domonic Salce

Location

4710 N. 5th St.

Council District: 4

Function

Dinner

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

Nov. 4, 2017 - 5 p.m. to 11 p.m. / 850 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

25 Liquor License - First Draft

Request for a liquor license. Arizona State License 1207B073.

SummaryApplicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

300 W. Camelback Road, Ste. 1

Zoning Classification: C-2 TOD-1

Council District: 4

This request is for a new liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 7 - Beer and Wine Bar, liquor license.

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

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

Other Active Liquor License Interest in Arizona

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.

First Draft (Series 7)

300 W. Camelback Road, Ste. 1, Phoenix

Calls for police service: 21

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 are very strict with our liquor service policies. We train all of our employees in responsible liquor service and conduct regular audits to ensure they comply.”

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 serve our patrons drinks during events.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - First Draft

Liquor License Map - First Draft

This item was recommended for approval.

26 Liquor License - Tango Market

Request for a liquor license. Arizona State License 09070469.

Summary

Applicant

Sagar Amin, Agent

License Type

Series 9 - Liquor Store

Location

660 W. Camelback Road

Zoning Classification: C-2 TOD-1

Council District: 4

This request is for an ownership transfer of a liquor license for a liquor store. This location was previously licensed for liquor sales and may

currently operate with an interim permit. This location requires a Use Permit to allow spirituous liquor sales.

The sixty-day limit for processing this application was Aug. 22, 2017. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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.

Ron's Market (Series 9)

34360 S. Old Black Canyon Hwy., Black Canyon City

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

Liquor license violations: None

Public Opinion

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

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are

shown exactly as written by the applicant on the City Questionnaire.

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

"I make correct decisions while holding the responsibility of serving liquor. I have never made a mistake serving liquor under any circumstance within last 8 years that I have been in business. I am a conscious person when taking safety of person and neighborhood into account."

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

"I have been at this location for the last 8 year with proven care for the neighborhood and my customers. We have 0 violations or incidents related to liquor that we served to our patrons."

Staff Recommendation

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

Attachments

Liquor License Data - Tango Market

Liquor License Map - Tango Market

This item was recommended for approval.

27 Liquor License - Lams Market

Request for a liquor license. Arizona State License 10076864.

Summary

Applicant

Max Lam, Agent

License Type

Series 10 - Beer and Wine Store

Location

3446 W. Camelback Road, Ste. 125

Zoning Classification: C-2
Council District: 5

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

The sixty-day limit for processing this application was Aug. 27, 2017. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

The applicant acquiring control of this license 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 currently hold a liquor license at another location and train my managers and employees in legal and responsible liquor sales."

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

28 Liquor License - Special Event - Greek Orthodox Church-Holy Trinity

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

Summary

Applicant

Kalliopi Schneider

Location

1973 E. Maryland Ave.

Council District: 6

Function

Cultural Celebration

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

Oct. 13, 2017 - 5 p.m. to 10 p.m. / 3,000 attendees

Oct. 14, 2017 - 11 a.m. to 10 p.m. / 8,000 attendees

Oct. 15, 2017 - 11 a.m. to 8 p.m. / 4,000 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

29 Liquor License - Special Event - St. Theresa Roman Catholic Parish Phoenix

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

Summary

Applicant

Patrick Madigan

Location

5045 E. Thomas Road

Council District: 6

Function

Festival

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

Oct. 20, 2017 - 5 p.m. to 10 p.m. / 250 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

30 Liquor License - Special Event - Arizona Parks and Recreation Association

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

Summary

Applicant

Samantha Coffman

Location

10919 S. Central Ave.

Council District: 6

Function

Dinner/Sporting Event

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

Nov. 18, 2017 - 2 p.m. to 8 p.m. / 1,200 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

31 Liquor License - Whining Pig

Request for a liquor license. Arizona State License 07073502.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 7 - Beer and Wine Bar

Location

1612 E. Bethany Home Road

Zoning Classification: C-2

Council District: 6

This request is for a new liquor license for a beer and wine bar. This location is currently licensed for liquor sales with a Series 7 - Beer and Wine Bar, liquor license.

The sixty-day limit for processing this application was July 31, 2017. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona 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.

Whining Pig (Series 7)

1612 E. Bethany Home Road, Phoenix

Calls for police service: None

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

Whining Pig (Series 7)

201 E. Washington St., #104, Phoenix

Calls for police service: 63

Liquor license violations: None

Whining Pig (Series 7)

3730 E. Indian School Road, Phoenix

Calls for police service: 4

Liquor license violations: None

Whining Pig (Series 7)

2512 S. Val Vista Drive, Pad E #105, Gilbert

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 committed to upholding the highest standards for retail sales of alcohol. Managers and staff will be trained in Arizona liquor law and the techniques of responsible sales and service to guest 21 and over."

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

"The Whining Pig is a neighborhood beer & wine bar, popular among professionals and neighbors, which specializes in a constantly-changing menu of craft beers and unique wines served with light snacks. The bar is a fun, casual setting for guests to gather for drinks and classic games."

Staff Recommendation

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

Attachments

Liquor License Data - Whining Pig

Liquor License Map - Whining Pig

This item was recommended for approval.

32 Liquor License - Whining Pig

Request for a liquor license. Arizona State License 07073504.

SummaryApplicant

Andrea Lewkowitz, Agent

License Type

Series 7 - Beer and Wine Bar

Location

3730 E. Indian School Road

Zoning Classification: C-2

Council District: 6

This request is for a new liquor license for a beer and wine bar. This location is currently licensed for liquor sales with a Series 7 - Beer and Wine Bar, liquor license.

The sixty-day limit for processing this application was July 31, 2017. However, the applicant submitted a written request for more time.

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

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

Other Active Liquor License Interest in Arizona

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.

Whining Pig (Series 7)

3730 E. Indian School Road, Phoenix

Calls for police service: 4

Liquor license violations: None

Whining Pig (Series 7)

201 E. Washington St., #104, Phoenix

Calls for police service: 63

Liquor license violations: None

Whining Pig (Series 7)

1612 E. Bethany Home Road, Phoenix

Calls for police service: None

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

Whining Pig (Series 7)

2512 S. Val Vista Drive, Pad E #105, Gilbert

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 committed to upholding the highest standards for retail sales of alcohol. Managers and staff will be trained in Arizona liquor law and the techniques of responsible sales and service to guest 21 and over."

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

"The Whining Pig is a neighborhood beer & wine bar, popular among professionals and neighbors, which specializes in a constantly-changing menu of craft beers and unique wines served with light snacks. The bar is a fun, casual setting for guests to gather for drinks and classic games."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Whining Pig

Liquor License Map - Whining Pig

This item was recommended for approval.

33 Liquor License - Buddyz a Chicago Pizzeria

Request for a liquor license. Arizona State License 1207B086.

SummaryApplicant

Joseph Scarnato, Agent

License Type

Series 12 - Restaurant

Location

1334 E. Chandler Blvd., Ste. 11
Zoning Classification: C-2 PCD
Council District: 6

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

The sixty-day limit for processing this application was Aug. 22, 2017. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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.

Buddyz a Chicago Pizzeria (Series 12)
18423 E. San Tan Blvd., Queen Creek
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

comment period.

Applicant's Statement

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

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

"I have been a business owner for 25 years and in the Phoenix area the last 4 years. I have held liquor licenses in Illinois for 10 years and now here at our location in Queen Creek the last 4 years. I hold that opportunity in the highest regard. Being married with 4 kids, all in the Arizona public college and elementary school systems, I hold my residency here in that same high standard."

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

"With that license carries an enormous responsibility to that community. It allows us to create a public gathering, that we want to share with our surrounding communities that they can use for social as well as events to enhance schools, club, charities, sports and other organized groups."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Buddyz a Chicago Pizzeria

Liquor License Map - Buddyz a Chicago Pizzeria

This item was recommended for approval.

34 Liquor License - Special Event - Downtown Phoenix, Inc.

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

Summary

Applicant

Alison Sipes

Location

1202 N. 3rd St.

Council District: 7

Function

Festival

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

Nov. 18, 2017 - 11 a.m. to 5 p.m. / 5,000 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

35 Liquor License - Special Event - One Mission, Inc.

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

Summary

Applicant

Katelyn Jensen

Location

1300 N. Central Ave.

Council District: 7

Function

Music Event

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

Dec. 9, 2017 - 6 p.m. to 11:30 p.m. / 900 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

36 Liquor License - Special Event - Consulado General de Mexico en

Phoenix

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

SummaryApplicant

Alicia Palacios Camacho

Location

200 W. Washington St.

Council District: 7

Function

Cultural Celebration

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

Sept. 15, 2017 - 7:30 p.m. to 10 p.m. / 400 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

37 Liquor License - Evan's on Van Buren

Request for a liquor license. Arizona State License 1207B056.

SummaryApplicant

Michael Lambert

License Type

Series 12 - Restaurant

Location

1714 W. Van Buren St.

Zoning Classification: C-3 HP CMOD

Council District: 7

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

The sixty-day limit for processing this application was Aug. 4, 2017. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I am a law abiding citizen who will follow all rules & regulations to hold & maintain a liquor license. I am capable of making sound decisions including but not limited to refusing to sell alcohol to an individual(s) that are obviously overly impaired."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Issuance of this license will allow the additional income to support community improvement such as donating a percentage of our net liquor sales income to charities that service the community where my business is located."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Evan's on Van Buren

Liquor License Map - Evan's on Van Buren

This item was recommended for approval.

38 Liquor License - Balloons & More

Request for a liquor license. Arizona State License 10076881.

Summary

Applicant

Eva Zion

License Type

Series 10 - Beer and Wine Store

Location

5035 W. Southern Ave., Ste. 112

Zoning Classification: C-1

Council District: 7

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

The sixty-day limit for processing this application was Aug. 1, 2017.

However, the applicant submitted a written request for more time.

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

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

The applicant 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:

"In my background, I have held careers in the past which have required me to use sound judgment & verify valid/valid documentation presented. I have many years verifying identifications due to working in the financial/banking industry (over 20 yrs). I am reliable as they come as I will follow correct protocol this license."

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

"My knowledge and integrity will assist me in making the best decision possible for the situation presented. The public will be in great hands as I have experience in certifying identification due to my background."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Balloons & More

Liquor License Map - Balloons & More

This item was recommended for approval.

39 Liquor License - Mariscos Camaron Pelao

Request for a liquor license. Arizona State License 1207B084.

SummaryApplicant

Carolina Fuentes, Agent

License Type

Series 12 - Restaurant

Location

1820 N. 75th Ave., Ste. 108

Zoning Classification: C-2

Council District: 7

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

The sixty-day limit for processing this application was Aug. 19, 2017. However, the applicant submitted a written request for more time.

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

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

Other Active Liquor License Interest in Arizona

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.

Mariscos Camaron Pelao (Series 12)

3275 E. McDowell Road, Phoenix

Calls for police service: None

Liquor license violations: None

Mariscos Camaron Pelao (Series 12)

350 N. Dysart Road, #201, 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:

"I have 2 other restaurants for over 2 years and I have follow all of the 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:

"The business is a profit business, which will be collecting sales tax that will benefit the entire community for the good of it. Also is a family restaurant that will enjoy great authentic Mexican seafood and grill."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Mariscos Camaron Pelao

Liquor License Map - Mariscos Camaron Pelao

This item was recommended for approval.

40 Liquor License - AB's Liquor

Request for a liquor license. Arizona State License 10076890.

Summary

Applicant

Abdel Ghannam

License Type

Series 10 - Beer and Wine Store

Location

1020 S. 19th Ave.

Zoning Classification: C-3 CCSIOD

Council District: 7

This request is for a new liquor license for a convenience store that does not sell gas. 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 Aug. 25, 2017. However, the applicant submitted a written request for more time.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

The applicant 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 the work ethic and trust to hold a liquor license because I have worked in the liquor industry for many years without any issues. I also don't drink, gamble, use drugs or any other addiction that would affect my ability to run my business. I am a very hard worker and everything I've accomplished has been done alone and without help."

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

"My liquor store is the only place of business in the area that offers drive-thru service to customers. With the extreme weather conditions in Phoenix, this is a great benefit to members of the community. It also saves a significant amount of time and can get them back to their respective work places quickly."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - AB's Liquor

Liquor License Map - AB's Liquor

This item was recommended for approval.

41 Liquor License - Black Bear Diner

Request for a liquor license. Arizona State License 1207B093.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

3530 W. Baseline Road

Zoning Classification: C-2

Council District: 7

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

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

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

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"Applicant is committed to upholding the highest standards for retail sales of alcohol. Managers and staff will be trained in Arizona liquor law and the techniques of responsible sales and service to guests 21 and over."

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

"Black Bear Diner offers home-style comfort food classics in a family fun, bear-themed one of a kind dining atmosphere. Applicant would like to offer its guests 21 and over alcoholic beverages as an incident to its menu items."

Staff Recommendation

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

Attachments

Liquor License Data - Black Bear Diner

Liquor License Map - Black Bear Diner

This item was recommended for approval.

42 Liquor License - Tacos Mi Ranchito Mexican Grill

Request for a liquor license. Arizona State License 1207B094.

Summary

Applicant

Benita Carbajal-Garcia, Agent

License Type

Series 12 - Restaurant

Location

6607 S. Central Ave.

Zoning Classification: C-2 BAOD

Council District: 7

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow outdoor alcohol sales.

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

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

Other Active Liquor License Interest in Arizona

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.

Tacos Mi Ranchito (Series 12)

2201 N. 83rd Ave., Ste. 106, Phoenix

Calls for police service: 45

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:

"My wife and I own another restaurant in Phx and we also have a liquor license. We are very responsible to check ID's and watch for intoxication. However, the alcohol service is to compliment the service of our food. We will use the same procedures at our new restaurant. Employees will also receive liquor law training to ensure compliance with all laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This restaurant has been serving the community for several years with a liquor license. Just as our other restaurant the alcohol is merely to complement the service of food. Our primary concern is for our customers and we will be responsible to our customers and the neighborhood. All licenses and permits will be obtained to be in compliance with the City, State and the County Health Department. This is

best for our customers."

Staff Recommendation

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

Attachments

Liquor License Data - Tacos Mi Ranchito Mexican Grill

Liquor License Map - Tacos Mi Ranchito Mexican Grill

This item was recommended for approval.

43 Liquor License - MJ's BBQ Chicken & Fish

Request for a liquor license. Arizona State License 1207B078.

Summary

Applicant

Jowharah Hall, Agent

License Type

Series 12 - Restaurant

Location

2426 E. Jefferson St.

Zoning Classification: C-3 TOD-2

Council District: 8

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

The sixty-day limit for processing this application was Aug. 13, 2017. However, the applicant submitted a written request for more time.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I have over 15 years management experience. I have completed preliminary training and my partners and I will continue to obtain education so that we are able to properly train our staff. I am a responsible business owner and have worked for myself for the past 3 years. We take responsibility of providing a safe space for our patrons to enjoy a good meal and will ensure we are following all laws and requirements accordingly."

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

"We will be able to provide a service that our patrons have requested and we believe might assist the community with having a busy restaurant for customers to come and enjoy time with friends and family. We are passionate about providing a safe environment for all of our patrons to enjoy."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - MJ's BBQ Chicken & Fish

Liquor License Map - MJ's BBQ Chicken & Fish

This item was recommended for approval.

44 Liquor License - Cheuvront Food & Wine Bar

Request for a liquor license. Arizona State License 06070251.

SummaryApplicant

Thomas Romig, Agent

License Type

Series 6 - Bar

Location

3800 E. Sky Harbor Blvd., T4 F33

Zoning Classification: A-1

Council District: 8

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

The sixty-day limit for processing this application was Aug. 13, 2017. However, the applicant submitted a written request for more time.

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

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

Other Active Liquor License Interest in Arizona

This 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 in the Food and Beverage Concession industry since 1972. I used to own a Wine Store Restaurant for eight (8) years. I have held different responsibilities in managing six (6) companies including SSP America in operating food and beverage concessions."

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

"Cheuvront Food & Wine Bar will be able to provide the general public demand for a wide variety of adult beverage selections to choose from to pair with their ordered meals. It will be a convenient service to the visitors, airport employees and passengers at the Phoenix International Airport comparable to other regional airports."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Cheuvront Food & Wine Bar

Liquor License Map - Cheuvront Food & Wine Bar

This item was recommended for approval.

45 Liquor License - Club at Phx

Request for a liquor license. Arizona State License 14073071.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 14 - Club

Location

3800 E. Sky Harbor Blvd., T4 N4 IC - Club Level

Zoning Classification: A-1

Council District: 8

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

The sixty-day limit for processing this application was Aug. 26, 2017. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

The applicant acquiring control of this license does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion

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

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are

shown exactly as written by the applicant on the City Questionnaire.

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

“Applicant is committed to the responsible sale of alcoholic beverages under Arizona liquor laws. Managers and staff have been, or will be, trained in the techniques of alcohol sales and service to assure proper service to their customers.”

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 46 through 161 be approved or adopted, except Items 65, 67, 74-75, 78-79, 94, 96, 99 and 102-104; to continue Item 96 to September 20, 2017, and to continue the other excepted items, except Item 99, to September 6, 2017; and noting Item 76 is withdrawn and Items 136, 138-139 and 154 are as corrected. The motion carried by the following vote:

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

Items 46 through 72, Ordinance S-43817 were requests to authorize the City Controller to disburse funds, up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

46 Phoenix Convention Center

For \$38,000.00 in payment authority for a new contract, entered on or about Aug. 30, 2017, for a one-time agreement for all labor, materials,

equipment, tools and operations necessary to provide food and venue services for an annual Navigator Appreciation luncheon event for the Aviation Department. The annual Navigator appreciation luncheon will recognize more than 400 volunteers who donate their time to provide customer service to Phoenix Sky Harbor International Airport. The Navigators have donated nearly 79,000 hours in the past year, saving the City of Phoenix an estimated \$1.9 million in staff costs.

This item was adopted.

47 Norcon Industries, Inc.

For \$40,000.00 in additional payment authority for Contract 134509 to provide carpeting, design services, removal and installation, on-site support and warranty services at Phoenix Sky Harbor International, Deer Valley and Goodyear airports for the Aviation Department.

This item was adopted.

48 FX Tactical, LLC

For \$17,000.00 in payment authority to purchase paraclete ballistic shields for the Aviation Department. The shields are for the protection of law enforcement officers in the event of an emergency situation at Phoenix Sky Harbor International Airport.

This item was adopted.

49 Viewmaker, LLC, doing business as Squeegee Squad

For \$66,000.00 in additional payment authority for Contract 140174 to continue to provide high-rise window cleaning services for citywide departments. Window cleaning services are beneficial for maintaining the long life support of city buildings. Without regular window cleaning services, corrosive buildup and debris can develop, which can cause irreversible damage to the windows or window frames.

This item was adopted.

50 UTAK Laboratories, Inc.

For \$25,000.00 in payment authority to enter into a new five-year contract to purchase toxicology quality control materials for the Police Department. These quality control materials ensure the toxicology section's ability to provide timely results to successfully support criminal investigations.

This item was adopted.

51 Helm

For \$44,000.00 in additional payment authority to purchase Ford Integrated Diagnostic Software (IDS) for the Public Works Department. The Ford IDS is used to diagnose all computerized systems in Ford vehicles. Without the software, Ford vehicles in the City's fleet would be sent to Ford dealerships for vehicle repairs at higher costs and increased downtime. The annual expenditures are \$11,000 and the IDS will be renewed on an annual basis through Sept. 30, 2021.

This item was adopted.

52 Cengage Learning, doing business as Gale Group

For \$40,000.00 in additional payment authority for Contract 141866 to continue to provide educational media materials citywide. This contract provides printed, audio and audiovisual materials and related items to promote learning experiences for citywide departments, including training resources.

This item was adopted.

53 LN Curtis and Sons

For \$60,000.00 in additional payment authority for Contract 134109 for firefighter helmets for the Fire Department. The helmets are used to protect firefighters from head and neck injuries related to structural firefighting activities. This gear is a critical part of the Fire Department's efforts to provide life safety services to the public.

This item was adopted.

54 Stryker Sales Corporation, doing business as Stryker Medical

For \$100,000.00 in additional payment authority for Contract 133093 for the purchase and preventive maintenance of powered gurneys for the Fire Department. The powered gurneys reduce the number of firefighter back injuries and are a critical part of the Fire Department's efforts to provide life safety transport services to the public.

This item was adopted.

55 Crafc0, Inc.

For \$100,000.00 in additional payment authority for Contract

ADSP013-035060 for asphalt rubber crack sealant for the Aviation Department. This contract provides fill material to seal cracks in asphalt concrete and portland cement concrete pavement surfaces at all City of Phoenix operated airports. This material assists in prolonging the useful life of these surfaces by preventing damage from water and other liquids seeping into the unsealed cracked pavement.

This item was adopted.

56 Jackson White, P.C., in trust for Romeo Merida

For \$90,697.74 to pay a court order entered against the City for judgement, plus statutory interest, in City of Phoenix v. Romeo Merida; Maricopa County Superior Court Case CV2014-008517, for land acquisition for the Avenida Rio Salado/Broadway Road Street Improvement Project for the Finance Department, pursuant to Phoenix City Code Chapter 42.

This item was adopted.

57 Morningstar, Inc.

For \$33,054.00 in payment authority for a new contract, entered on or about Sept. 1, 2017, for a term of three years for an online investment research database subscription for the Library Department. The subscription service is for the customers of the Phoenix Public Library to obtain internet-based investing references and research database access. The online database offers a variety of tools to research companies, such as funds and markets or portfolio analysis which helps customers make well-informed, smart investing decisions.

This item was adopted.

58 Jackson White, P.C., in trust for Phillip C. Hertel

For \$122,476.81 to pay a court order entered against the City for judgement, plus statutory interest, in City v. Phillip C. Hertel; Maricopa County Superior Court Case CV2014-008743, for Avenida Rio Salado/Broadway Road Street Improvement Project land acquisition for the Finance Department, pursuant to Phoenix City Code Chapter 42.

This item was adopted.

**59 Various Vendors for Emergency Medical Services (EMS)
Paramedic Textbooks**

For \$50,000.00 in payment authority for the purchase of EMS Paramedic Textbooks for the Phoenix Fire Department. The Paramedic training classes are scheduled for October 2017 and the books are critical to the curriculum.

Firefighters Bookstore, Inc.

Channing L Bete Co, Inc.

Jones & Bartlett Learning, LLC

This item was adopted.

60 State of Arizona, Arizona Department of Revenue

For \$3,300,000.00 in additional payment authority for Contract 143383 for the uniform administration, licensing, collection and auditing of transaction privilege tax, use tax, severance tax, jet fuel excise and use tax and rental occupancy taxes imposed by the State or cities or towns for the Finance Department. Local Transaction Privilege Tax administration is governed by the Arizona Revised Statute 42-6001. This statute was modified for the purpose of tax simplification with the passage of House Bill 2111 in 2013 and House Bill 2389 in 2014. This statute requires Arizona Department of Revenue (DOR) to administer the transaction privilege and use taxes imposed by all cities and towns and to enter into an intergovernmental agreement with each city and town to reflect these changes and to clearly define the working relationship between the DOR and Arizona cities and towns.

This item was adopted.

61 Cintas

For \$95,000.00 in payment authority for a new contract, entered on or about Sept. 6, 2017, for an initial term of three years with two one-year options to extend for a maximum term of five years, to provide fire life safety system services for the Housing Department. This contract is necessary to maintain compliance with the City of Phoenix Fire Code requirements for the inspection, testing, repairs, replacement parts, reports and alarm monitoring of nine Housing Department owned buildings. These services are federally funded with no impact to the general fund.

This item was adopted.

62 Clampett Industries, LLC, doing business as EMG

For \$45,000.00 in payment authority to purchase a Physical Condition Assessment for six properties approved for Rental Assistance Demonstration (RAD) conversions, for the Housing Department. This is a necessary requirement by the U.S. Department of Housing and Urban Development and the first step of moving forward with these RAD projects. RAD allows projects funded under public housing to convert to long term, project based Section 8 rental assistance contracts. The funding is federal money and no general funds will be used.

This item was adopted.

63 JaniServ, Inc.

For \$95,000.00 in payment authority for a new contract, entered on or about Sept. 6, 2017, for custodial services for the Housing Department's senior sites. This is federally funded with no impact to the general fund.

This item was adopted.

64 IO Phoenix One, LLC

For \$1,050,600.00 in additional payment authority for Contract 129031 for the continued lease of space and services at the Phoenix One Data Center Facility for the Information Technology Services Department for Fiscal Year 2017-2018. The City utilizes two primary data centers to house and maintain critical City systems, applications, data storage, and communications equipment. One of the data centers utilizes leased space at the Phoenix One Facility, which provides tier one data center space to house business-critical systems and to provide redundancy to the City-owned data center for business continuity and disaster recovery.

This item was adopted.

65 Maricopa County Sheriff's Office, Financial Services

For \$13,000,000.00 in additional payment authority for Contract 136836 from July 1, 2017 through June 30, 2018 to continue to provide jail services and facilities for inmate retention within the Phoenix Municipal Court System, for the Police Department.

This item was continued to the September 6, 2017 City Council Formal Meeting.

66 Levi, Ray & Shoup, Inc.

For \$76,500.00 in additional payment authority for Contract 103651 for yearly maintenance costs and additional services to complete the implementation of public safety pension reforms which took effect on July 1, 2017, for the Retirement Department. Levi, Ray & Shoup, Inc. is the vendor of the City's pension administration system and manages the pension benefit process for all public safety and general city employees for the City. These charges are for the public safety portion of the system only.

This item was adopted.

67 IPS Group, Inc.

For \$150,000.00 in additional payment authority for Contract 135354 for maintenance and supplies of the parking meter system and ongoing operational costs for the Street Transportation Department. In 2016, the City expanded the parking meter program, installing 200 additional meters in downtown Phoenix. The City also eliminated all parking pay stations and replaced them with 90 additional parking meters. This increased monthly maintenance and IPS software processing and wireless costs to this contract.

This item was continued to the September 6, 2017 City Council Formal Meeting.

68 Arizona Public Service Company

For \$39,242.24 in payment authority to install a 45' steel pole, replace two 45' steel poles with 55' poles, and re-install a 35KVA transformer at the intersection of Fillmore Street and 7th Street per City Project ST89340544, for the Street Transportation Department.

This item was adopted.

69 Salt River Project Agricultural Improvement and Power District doing business as SRP - I

For \$34,313.82 in payment authority to remove and relocate facilities in conjunction with 35th Avenue; Baseline Road to Southern Avenue Road improvements for City Project ST85100246 for the Street Transportation Department.

This item was adopted.

**70 Salt River Project Agricultural Improvement and Power District
doing business as SRP - II**

For \$311,232.68 in payment authority to remove and relocate existing facilities and to relocate and install new streetlights on Broadway Road between 35th and 43rd avenues and to install new streetlights on Broadway Road between 43rd and 51st avenues in conjunction with Avenida Rio Salado road improvements for City Project ST85100371, for the Street Transportation Department.

This item was adopted.

**71 Salt River Project Agricultural Improvement and Power District
doing business as SRP - III**

For \$11,358.91 in payment authority to remove and relocate facilities in conjunction with 35th Avenue and Baseline Road storm drain installation for City Project ST83140077, for the Street Transportation Department.

This item was adopted.

72 Pitney Bowes Software, Inc.

For \$11,000.00 in additional payment authority for Contract 60476 to provide software licensing and maintenance for the Water Services Department's Customer Information System during Fiscal Year 2017-2018. The software is used to ensure that the customer billing address on the City Services Bill meets U.S. Postal delivery requirements.

This item was adopted.

**73 Contract Award for Reprographic Services - IFB 17-180 (Ordinance
S-43833)**

Request to authorize the City Manager, or his designee, to enter into a contract with PRI Graphics, Inc. dba Perkinson Reprographics to provide reprographic services for all City of Phoenix departments in an aggregate amount not to exceed \$100,000.00 for a five-year period. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will be utilized to purchase reprographic services for all City

of Phoenix departments, including but not limited to, Street Transportation, Water Services, Public Works and Planning and Development. Reprographic services are necessary to reproduce documents that are outside of the City of Phoenix capabilities. These reprographic services include items such as printing and copying building and construction documents, blueprint copying, plotting services, general document/book binding, specialized document/book binding, general printing and copying, and other related miscellaneous items and services as required.

Procurement Information

A competitive sealed bid procurement was conducted in accordance with Administrative Regulation 3.10, titled, Invitation for Bid (IFB) 17-180 Reprographic Services - Requirements Contract. Three offers were received by the Procurement Division on June 30, 2017. Award was made to the lowest responsive and responsible bidder, based on an estimated quantity.

PRI Graphics, Inc. dba Perkinson Reprographics	\$9,953.75
Techniprint Company	\$22,350.10
Dram Trading, Ltd. dba Graphic Ideals	\$17,158.85

Contract Term

The five-year contract term shall begin on Jan. 1, 2018.

Financial Impact

The aggregate amount for the five-year contract term will be \$100,000.00 (including applicable taxes). The estimated annual expenditures will not exceed \$20,000.00. Funds are available in all City of Phoenix departments' budgets.

This item was adopted.

74 Marketing Partnership Program - Service Line Protection Program (Ordinance S-43868)

This report requests authorization for the City Manager, or his designee, to extend revenue generating Contract 133068 with Service Line Warranties of America (SLWA) through Dec. 31, 2017, to allow sufficient time for the City to evaluate the program and procure a new contract. This

report further requests authorization for the City Treasurer to accept and the City Controller to disburse funds generated through the program. There is no cost to the City; this is a revenue contract.

Summary

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

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

The current contract, including extension options, expired Aug. 1, 2017. As this contract provides revenue to the City and an optional and beneficial resource to Phoenix residents, staff recommends extending the contract through Dec. 31, 2017, to allow staff time to evaluate the program and procure a new contract while avoiding a lapse in service.

Contract Term

If awarded, the term would commence immediately and expire on Dec. 31, 2017.

Financial Impact

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

This item was continued to the September 6, 2017 City Council Formal Meeting.

75 Grant of Public Utility Easements on City-Owned Property for Light Rail Northwest Extension Project (Ordinance S-43818)

Request the City Council to grant public utility easements, for consideration of one dollar and/or other valuable consideration, necessary to provide utilities and other services for Phase I of the

Northwest Extension of Light Rail on City-owned property in the SRP service area, and further ordering the Ordinance recorded.

Summary

This public utility easement will be for the area described in the legal descriptions to be sent directly to the Law Department ("Easement Premises") and will be granted to all public services corporations, agricultural improvement districts and telecommunication corporations providing utility service to the property identified by APNs 158-05-033G, 158-05-088, 158-05-089, 156-15-057, 157-05-077, and 156-15-069 (collectively "Grantee") for an indefinite period subject to the following terms and conditions:

A. Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate and maintain utility facilities together with appurtenant fixtures for use in connection therewith for the transmission and distribution of utility and communication facilities (collectively "Grantee Facilities") to, through, across, and beyond Grantor's property within the Easement Premises. Subject to the notice requirements provided in Paragraph "I," Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified. Grantee acknowledges and accepts that Grantee shall share the Easement Premises with other Grantees and shall use such Easement Premises with other Grantees in accordance with and consistent with industry standards and customs for such shared use. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in Paragraph "F."

B. Grantor shall not locate, erect or construct, or permit to be located or erected or constructed, any building or other structure or drill any well within the limits of the Easement Premises. However, Grantor reserves all other rights, interest, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities. Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface grade of Easement Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.

C. Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided however, that this prohibition shall not apply to any material, equipment or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for the storage of construction-related materials or to park or store construction-related vehicles or equipment except on a temporary basis to construct, reconstruct, replace, repair, operate or maintain the Grantee Facilities.

D. Grantor shall maintain a three-foot clear area around all edges of all equipment pads for Grantee Facilities, in addition to a clear operational area that extends 10 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstructions, trees, shrubs, fixtures, or permanent structures shall be place or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut and clear away trees, brush, shrubs, or other obstructions within said areas.

E. Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement, landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.

F. Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new easement area, Grantee shall abandon its rights to use the Easement

Premises granted in this easement without cost or consequence to Grantor.

G. Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other Grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location (whether or not) within the Easement Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.

H. Grantee shall not have the right to transfer, convey, or assign its interests in this easement to any individual, corporation, or other entity without the prior written consent of Grantor, which consent shall not be unreasonably withheld. Grantee shall notify Grantor of any proposed transfer, conveyance or assignment of any rights granted herein at the address listed below.

I. Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where such Easement Premises are located: (1) on a site that includes Aviation Department facilities, water and wastewater treatment facilities, the Police Department headquarters located at 620 W. Washington St., the Fire Department headquarters located 150 S. 12th St., City Hall located at 200 W. Washington St., City Court Building located at 300 W. Washington St., Calvin C. Goode Building located at 251 W. Washington St., Transit Operations Center located at 320 N. 1st Ave. or West Transit Facility located at 405 N. 79th Ave.; or (2) in a secured or fenced area.

Location

The properties are located at 6614 N. 19th Ave., 1825 W. Vista Ave., 7557 N. 19th Ave., and the park and ride facility at the southwest corner of 19th Avenue and Dunlap Avenue.

Council District: 5

This item was continued to the September 6, 2017 City Council Formal Meeting.

**76 Matthew Bender & Company, Incorporated - State of Arizona
ADSPO 12-018934 (Ordinance S-43819)**

Request to authorize the City Manager, or his designee, to enter into a contract to purchase legal publications in print, CD-ROM and e-book format from Matthew Bender & Company, Incorporated (D.B.A. LexisNexis Matthew Bender). Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will allow City departments, including but not limited to, the Police Department and Law Department to purchase legal publications for all content of legal treatises, encyclopedia products and other legal reference material. Publications include a number of references and/or periodical materials such as: public laws, legislative materials, regulatory code, administrative rules, legal/professional journals, legal scholarly publications, trade reports, article services, etc. The legal publications will also help those performing legal research to streamline analysis with expert insights, checklists, forms and primary legal references.

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

Contract Term

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

Financial Impact

The aggregate contract value will not exceed \$450,000 (including applicable taxes), with an estimate annual expenditure of \$90,000. This amount is based on historical use and projected need; actual usage of this contract may be higher or lower. Funds are available in all City of Phoenix departments' budgets.

This item was withdrawn.

77 Dedicate Right of Way over a Portion of City-Owned Land for the 15th Avenue and Rose Lane Improvement Project (Ordinance S-43820)

Request that the City Council dedicate to right of way, for roadway purposes, a portion of land owned by the City of Phoenix, and order that the ordinance be recorded.

Summary

This dedication is required as part of the 15th Avenue and Rose Lane Improvement project. The proposed roadway improvements will include curb, gutter, sidewalk, Americans with Disabilities Act (ADA) ramps and a traffic circle to control traffic. The land to be dedicated is approximately 1,954 square feet, and was transferred from the Parks and Recreation Department to the Street Transportation Department. The proposed right of way is located within assessor parcel number 156-27-002A, and is mostly encumbered with existing easements and roadway.

Location

Northeast corner of 15th Avenue and Rose Lane.

Council District: 5

This item was adopted.

78 Risk Management Information System and Ancillary Services - RFA 14-035 (Ordinance S-43822)

Request to authorize the City Manager, or his designee, to extend Contract 138020 with Marsh ClearSight, LLC and to add additional expenditures in an amount of \$700,000 for Risk Management Information System and Ancillary Services. Further request authorization for City Controller to disburse all funds related to this item.

Summary

Marsh ClearSight, LLC, provides a web-based risk management information system and ancillary services including secure data storage, client service, and system maintenance. The system is utilized by the Finance Department's Risk Management Division and includes a key bill-payment interface that is linked to the Law Department's information system and jointly-developed transaction interface with the City's financial system, SAP. A third customized interface is maintained to ensure compliance with Medicare secondary payer requirements. The services

are essential to ensure continuity, efficiency and stability in the management and processing of risk management/claims data.

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

Contract Term

The contract was awarded after a formal procurement process with an initial contract term through March 29, 2018. This request will extend the contract until March 29, 2022.

Financial Impact

With the \$700,000 in additional funds, the contract's revised aggregate value is now \$1,325,000 (including applicable taxes) with the new estimated annual expenditures of \$175,000. Funds are available in the Finance Department budget, using the Risk Management Self-Insurance Fund.

Concurrence/Previous Council Action

The Phoenix City Council approved Contract 138020 on March 19, 2014.

This item was continued to the September 6, 2017 City Council Formal Meeting.

79 Grant of Public Utility Easement Along 19th Avenue from Dunlap Avenue to Bethany Home Road to Accommodate Relocated Utilities Within Joint Trench for Light Rail Northwest Extension Project (Ordinance S-43823)

Request the City Council to grant a public utility easement, for consideration of one dollar and other valuable consideration, to provide utilities to the public and to light rail facilities, as part of Phase I of the Northwest Extension, and future phases of the Northwest Extension of Light Rail, and further order the Ordinance recorded.

Summary

For one dollar and other valuable consideration the City of Phoenix ("Grantor") grants a public utility easement for electric and other public utility purposes within that certain real property more particularly described in Exhibit "A" attached ("Easement Premises"), without any

warranty or representation of any kind, including warranties or representations regarding the condition or extent of the Grantor's title or the sufficiency or suitability of the Easement Premises for the purposes described herein, and subject to: (A) reservations or exceptions contained in the patent from the United States of America or in the act or acts authorizing the issuance thereof, unpatented mining claims, water rights, and claims or title to water; (B) all easements, rights of way, encumbrances, liens, covenants, conditions and restrictions as may appear of record; and (C) any state of facts which an accurate survey of said property would show.

This public utility easement will be for the area described in the legal description to be sent directly to the Law Department ("Easement Premises") and will be granted to all public service corporation, agricultural improvement districts, and telecommunication service corporations providing utilities or other services (collectively "Grantee"), in perpetuity so long as Grantee uses the Easement Premises for the purposes herein specified, subject to the following terms and conditions:

A. Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate and maintain electric and other utility facilities together with appurtenant fixtures for use in connection therewith (collectively "Grantee Facilities") across, on, above, or below the Easement Premises subject to Grantor's express approval, which approval Grantor shall not unreasonably withhold. Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified.

B. Grantor shall not, without the prior written consent of each Grantee then using the Easement Premises, locate, erect or construct, or permit to be located or erected or constructed any building or structure other than street improvements, pavement, sidewalks, curbs, gutters, and trails, or drill any well within the limits of the Easement Premises. However, Grantor reserves all other rights, interests, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities. Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface

grade of Easement Premises without the prior written consent of Grantee.

C. Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided however, that this prohibition shall not apply to any material, equipment or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for the storage of construction-related materials or to park or store construction-related vehicles or equipment except on a temporary basis to construct, reconstruct, replace, repair, operate, or maintain the Grantee Facilities.

D. Grantor shall maintain an appropriate three foot clear area around all edges of all equipment pads for Grantee Facilities and, where possible, a clear operational area that extends 12 feet immediately in front of all transformer and other equipment openings; provided, however, that such clear areas shall be confined to within the Easement Premises. No obstructions, trees, shrubs, fixtures, or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs, or other obstructions within said areas.

E. Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work our use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement, landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.

F. Grantor reserves the right to require the relocation of Grantee Facilities provided however, that: (1) Grantor pays the entire cost of redesigning and relocating Grantee Facilities; and (2) if Grantee's Facilities are relocated outside the Easement Premises, Grantor will

provide Grantee with a new public utility easement in the same form as this easement at no cost to Grantee. After relocation of Grantee Facilities to the new easement area, Grantee shall abandon its rights to use the Easement Premises granted in this easement.

G. Grantee agrees to coordinate and work with Grantor, other grantees and with the holders of existing and prior rights, titles and interests in and to the Easement Premises in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities, consistent with the provisions of Section 2(F). Pursuant to Section 2(A) Grantee must obtain Grantor's permissions before locating facilities across, on, above, or below the Easement Premises, which permission may not unreasonably be withheld; Grantor agrees to review all such requests within a four week time period. Grantor's refusal of permission will be deemed reasonable if the proposed placement of Grantee Facilities would interfere with Grantor's existing or planned use of the Easement Premises (as determined by, at a minimum, the Grantor documented GEO drawing showing the proposed scope of improvements) or would require relocation or redesign of Grantor's existing or planned improvements or facilities, and Grantor may reasonably condition its approval upon Grantee's payment of relocation costs. If Grantee installs new Grantee Facilities without Grantor's prior written permission and such Grantee Facilities would interfere with Grantor's existing or planned use of the Easement Premises (as determined by, at a minimum, the Grantor documented GEO drawing showing the proposed scope of improvements), then unless otherwise agreed to by Grantor and Grantee, any conflict created by Grantee in violation of the prior sentence shall be remedied at Grantee's cost. For purposes of this provision a GEO drawing is a plan view drawing (no elevation research is done above or below ground) prepared by Grantor's staff to show the proposed scope of a project to determine costs for budgeting purposes and any potential conflicts, and to create a scope of work to bid out a design contract for the project.

H. Grantee shall not have the right to transfer, convey or assign its interests in this easement to any individual, corporation, or other entity

without the prior written consent of Grantor, which consent shall not be unreasonably withheld. Grantee shall notify Grantor of any proposed transfer, conveyance or assignment of any rights granted herein at the following address: City of Phoenix Street Transportation Department, 200 W. Washington St., 5th Floor, Phoenix, AZ 85003, Attention: Director.

I. CAUTION: Facilities placed within the Easement Premises may contain high voltage electrical equipment. Notice is hereby given that the location of underground electrical conductors or facilities must be verified as required by Arizona Revised Statutes, sections 40-360.21, et seq., Arizona Blue Stake Law, prior to any excavation.

Location

The easements are located from 19th Avenue from Bethany Home Road to Dunlap Avenue, and 19th Avenue just north and west of Dunlap Avenue.

Council Districts: 3, 5

This item was continued to the September 6, 2017 City Council Formal Meeting.

80 Amend Ordinance S-38518 to Dedicate Property Interests to Public Use for Right-of-Way Purposes and Complete Relocation Process (Ordinance S-43826)

Request the City Council to amend Ordinance S-38518 to dedicate to public use for right-of-way purposes the fee title or lesser interest in all or portions of 178 improved or vacant parcels located along Broadway Road between 7th Street and 51st Avenue, and to complete the relocation process. Further authorize the City Controller to disburse funds related to relocation assistance as required under state and federal law. The dedication will be completed via a separate instrument and recorded with the Maricopa County Recorder.

Summary

The City acquired portions of private property along the north and south sides of Broadway Road between 7th Street and 51st Avenue as part of the Street Transportation Department's Avenida Rio Salado Broadway Road Improvement Project. Since the project is near completion and

improvements are in place, this dedication is necessary to ensure the right-of-way is accurately reflected through the Maricopa County Assessor's and Recorder's Offices. Amending the Ordinance to authorize disbursement for relocation assistance, as required under state and federal law, will allow payments to be made for remaining relocation cases. The budget for the remaining relocation payments is included in the overall project budget for acquisition approved under the prior Council actions. All of the conditions and stipulations previously stated in the above referenced Ordinance shall remain the same.

Concurrence/Previous Council Action

City Council adopted Ordinance S-38518 on Feb. 8, 2012 and amended the ordinance on Aug. 28, 2013 (Ordinance S-40159) and Dec. 18, 2013 (Ordinance S-40474) to increase the number of parcels acquired for the project.

Location

The properties are located along the north and south sides of Broadway Road between 7th Street and 51st Avenue.

Council Districts: 7, 8

This item was adopted.

**81 Grease Trap Services - Requirements Contract - IFB 17-174
(Ordinance S-43827)**

Request to authorize the City Manager, or his designee, to enter into a contract with American Pumping Services Inc. (3013878), to provide grease trap cleaning and repair services for the Fire, Human Services and Public Works departments. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Under the contract, American Pumping Services Inc., will service grease traps at various City locations within the Phoenix metropolitan area to ensure they meet industry safety and operating standards. Maintenance under the contract will protect grease traps from deterioration and provide constant peak performance of all equipment, resulting in a minimum of down time.

Procurement Information

Invitation for Bid (IFB) 17-174 was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the Procurement Division on May 5, 2017. Bid prices represent the cost of a single cleaning service for all City grease traps.

American Pumping Services Inc.: \$5,065.50

H2O Environmental Inc.: \$32,941.20

The Deputy Finance Director recommends the offer from American Pumping Services Inc., be accepted as the lowest-priced, responsive and responsible offer.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed \$95,105 over the life of the contract. This amount reflects the anticipated need to clean some grease traps on a more frequent monthly or quarterly basis, depending upon usage. Funds are available in Fire, Human Services and Public Works departments' budgets.

This item was adopted.

82 Fujitsu Maintenance and Support (Ordinance S-43828)

Request to authorize the City Manager, or his designee, to enter into a contract with Fujitsu Network Communications, Inc., to provide maintenance and support of Fujitsu equipment, components, and hardware used to support the public safety radio communications network. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City currently maintains 52 Fujitsu multiplexors throughout the radio communications network, which serves the Regional Wireless Cooperative (RWC) public safety radio communications partners. The equipment provides a fiber optic platform proven to perform for the wireless microwave network, integrating services for public safety agencies in the Phoenix region to ensure the delivery of communications

in the form of voice and data traffic. Fujitsu Network Communication, Inc., is the manufacturer of this hardware, and is the only provider for maintenance and support. The support includes technical engineering, firmware updates, product support, and repair/return of faulty components. By contracting directly with the manufacturer, the City will save about 30 percent as compared to the alternative of using a third party intermediary to broker the same support.

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

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo which cited that Fujitsu Network Communication, Inc., is the exclusive provider of the equipment maintenance and support, and that contracting directly with the manufacturer saves the City money.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed \$175,000 (including applicable taxes) with an estimated annual expenditure of \$35,000. Funds are available in the Information Technology Services Department's budget.

This item was adopted.

83 Wireless Intelligent Transportation System Hardware, Software and Services - RFA 12-013 (Ordinance S-43829)

Request to authorize the City Manager, or his designee, to add up to \$675,000 in additional expenditures under Contract 132635 with L4 Technologies, LLC for wireless hardware, software and services needed to replace aging equipment and expand the wireless transportation network, including the City's traffic signals. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

L4 Technologies, LLC provides the City of Phoenix with Tropos

hardware, software, related parts and services for the City's wireless Intelligent Transportation System (ITS). The ITS communications network is utilized to manage vehicle, pedestrian, and bike traffic. The purchase of additional wireless hardware, software and services are needed to replace aging equipment and expand of the wireless intelligent transportation network. The services are essential as the equipment supports the communications network to the City's Traffic Management system, which includes 1,100 signalized intersections throughout the City.

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

Financial Impact

With the \$675,000 in additional funds, the contract's revised aggregate value is now \$2,817,300 (including applicable taxes), with new estimated annual expenditures of \$469,550. Funds are available in the Street Transportation Department budget.

Concurrence/Previous Council Action

This contract is the result of RFA 12-013 awarded by Formal Council Action on Jan. 4, 2012, with an original aggregate value of \$810,000. The contract's value increased since its initial award and is now at an aggregate value of \$2,817,300 with the additional amount.

This item was adopted.

84 Contract Award for Relocation Services for Citywide Projects (Ordinance S-43830)

Request to authorize the City Manager, or his designee, to enter into contracts with Acquisition Sciences, Ltd. and Tierra Right of Way Services, Ltd. for relocation services. 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 with relocation services on an as-needed basis to assist in the relocation of citizens or businesses displaced by City projects.

Procurement Information

The Finance Department released a Request for Proposals (RFP) for Relocation Services for Citywide Projects on March 14, 2017. The RFP was conducted in accordance with Administrative Regulation 3.10. Six offers were received in response to the RFP, five of which were deemed responsive to the requirements of the RFP.

The evaluation panel reviewed proposals according to the following criteria set forth in the RFP: experience and knowledge of proposer in providing eminent domain relocation services to government agencies (30%); qualifications of proposer (30%); quality of the proposal (25%); and proposer's ability to provide services in a timely fashion (15%). The panel determined Acquisition Sciences, Ltd. and Tierra Right of Way Services, Ltd. to be the most qualified proposers.

<u>Proposer</u>	<u>Score</u>
Acquisition Sciences, Ltd.	979*
Tierra Right of Way Services, Ltd.	890*
Consultant Engineering, Inc.	795
Universal Field Services, Inc.	785
O.R. Colan Associates	738

Contract Term

The initial contract term will be two years, effective Sept. 1, 2017, with an option to extend the term up to three years, in one-year increments, which may be exercised by the City Manager or designee.

Financial Impact

The aggregate contract value including all option years shall not exceed \$350,000, with an annual estimated expenditure of \$70,000. Funds are available in various departments' budgets.

This item was adopted.

85 Purchase of Ambulances - Houston-Galveston Area Council Contracts (Ordinance S-43835)

Request to authorize the City Manager, or his designee, to access Houston-Galveston Area Council (H-GAC) contracts and enter into contracts with Demers Ambulance USA, Inc., and Professional Sales and Service L.C., to purchase ambulances for the Public Works Department,

on behalf of the Fire Department, in an amount not to exceed \$1,250,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fire Department has an aging ambulance fleet and these contracts will allow for purchase of replacement units. Adopting the multiple H-GAC contracts will allow the Fire Department to purchase ambulances at competitive prices and also decrease the lead time that is required for processing and ordering new units. The replacement units are critical to providing emergency response services to Phoenix residents.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. H-GAC is a regional council of governments operating under the laws of the State of Texas and the agreements cover capital-intensive products and services for ambulances, fire service apparatus, and heavy-duty trucks and truck bodies. The H-GAC contracts were awarded using a similar competitive process as set forth in Phoenix City Code, Chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts. The H-GAC contracts were awarded on Oct. 1, 2016, and will end on Sept. 30, 2018. This request seeks authorization to make purchases directly from the manufacturer or from the local/regional dealer.

Financial Impact

The purchases will not exceed \$1,250,000, including applicable taxes, in FY 2017-18. Funds are available in the Fire Department's budget.

Contract Term

The contract shall begin upon City Council approval, and will end on Sept. 30, 2018.

This item was adopted.

86 Dedicate Right of Way for Parcels with Existing Roadway or Right of Way Improvements (Ordinance S-43837)

Request the City Council dedicate to public use, for right of way purposes, land acquired for various street improvement projects, and

further order the ordinance be recorded.

Summary

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

This item was adopted.

87 Acceptance and Dedication of Deed and Easements for Temporary Drainage, Temporary Turn-Around, Sidewalk, and Roadway Purposes (Ordinance S-43839)

Request for the City Council to accept and dedicate a deed and easements for temporary drainage, temporary turn-around, sidewalk and roadway purposes. Furthermore, the temporary turn-around easement shall be automatically abandoned at such time as Libby Street is extended to the west improved, and accepted by the City of Phoenix and the temporary drainage easement shall be automatically abandoned at such time as the area is replatted and a permanent drainage easement is dedicated; 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: D.R. Horton, Inc., its successor and assigns

Purpose: Temporary Turn Around

Location: 64th Street and Mayo Boulevard

File: 170050

Council District: 2

Easement (b)

Applicant: Rosemead Properties, Inc., its successor and assigns

Purpose: Sidewalk

Location: 3839 N. Black Canyon Hwy.

File: 170063

Council District: 4

Easement (c)

Applicant: Copper Developments, LLC, its successor and assigns

Purpose: Sidewalk

Location: 1320 W. Indian School Road

File: 170064

Council District: 4

Easement (d)

Applicant: Grand Canyon Education, Inc., its successor and assigns

Purpose: Sidewalk

Location: Northeast Corner 35th Avenue and Camelback Road

File: 170055

Council District: 5

Easement (e)

Applicant: Grand Canyon Education, Inc., its successor and assigns

Purpose: Sidewalk

Location: Northeast Corner 35th Avenue and Camelback Road

File: 170055

Council District: 5

Easement (f)

Applicant: Grand Canyon Education, Inc., its successor and assigns

Purpose: Sidewalk

Location: Northeast Corner 35th Avenue and Camelback Road

File: 170055

Council District: 5

Easement (g)

Applicant: West Royal Development III, LLC, its successor and assigns

Purpose: Temporary Drainage

Location: Northern Avenue and 19th Drive

File: 170036

Council District: 5

Easement (h)

Applicant: Spirit Camelback, LLC, its successor and assigns

Purpose: Sidewalk

Location: 4730 N. 44th St.

File: 170041

Council District: 6

Deed (i)

Applicant: Gas Properties, LLC, its successor and assigns

Purpose: Roadway

Location: 2434 S. 19th Place

File: 170057

Council District: 8

This item was adopted.

88 Acceptance of Easements for Public Utility Purposes (Ordinance S-43841)

Request for the City Council to accept easements for public utility 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: Admiral Development, LLC, its successor and assigns

Purpose: Public Utilities

Location: 2810 E. Hartford Ave.

File: FN170062

Council District: 2

Easement (b)

Applicant: Bill and Linda Burrows Trust, its successor and assigns

Purpose: Public Utilities

Location: 15640 N. 38th St.

File: FN170054

Council District: 2

Easement (c)

Applicant: Vieras Renting, LLC, its successor and assigns

Purpose: Public Utilities

Location: 5050 S. 11th Ave.
File: FN170047
Council District: 7

Easement (d)

Applicant: Tsalm Services LLC, its successor and assigns
Purpose: Public Utilities
Location: 2519 N. 29th St.
File: FN170059
Council District: 8

This item was adopted.

89 Mobility Vehicles and Vehicle Conversion Services, State of Arizona ADSP016-102778 (Ordinance S-43853)

Request to authorize the City Manager, or his designee, to allow additional expenditures for the contract with Creative Bus Sales, Inc. in the amount of \$5 million. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Transit Department uses cutaway vans for transit operations including Dial-A-Ride (DAR) service for persons with a disability that are unable to use the bus and train system and Circulators that provide transportation within neighborhoods in Sunnyslope, Maryvale, and Ahwatukee, as well as the downtown DASH service. The additional funds are necessary to replace vehicles that have reached the end of their useful life. The department will be replacing 75 DAR narrow body cutaway vans and 12 circulator wide body cutaway vans over the life of the contract.

Financial Impact

The additional expenditures of \$5 million, including applicable taxes, are being requested upon Council approval through the contract term of Aug. 11, 2020. Funds are available in the Public Transit Department's Capital Improvement Program budget.

Concurrence/Previous Council Action

Use of the State of Arizona contract with Creative Bus Sales, Inc. was approved by formal Council action on Dec. 2, 2015.

This item was adopted.

90 Authorization to Sell City-Owned Property Located at 1009, 1013 and 1017 W. Buckeye Road (Ordinance S-43856)

Request to authorize the City Manager, or his designee, to sell City-owned property located at 1009, 1013 and 1017 W. Buckeye Road identified as excess real property inventory. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

The excess property to be sold is approximately 20,840 square feet, zoned C-3, and is improved with a vacant building containing approximately 1,200 square feet. The property was originally acquired for the City's HOPE VI project pursuant to a U.S. Department of Housing and Urban Development (HUD) grant agreement. The property will be advertised on the open market by a City-contracted broker at market value to be determined by an appraisal, broker's opinion of value, or other valuation method accepted by the City. Further requesting authorization to negotiate with the offeror[s] in order to yield the highest dollar return to the City, as deemed acceptable by the City Manager or designee. The City Manager, or designee, will select the highest responsive and responsible offer for the property based upon market value, and enter into an Agreement for the Purchase and Sale of City-owned property, containing terms and conditions deemed necessary and appropriate by the City. The subsequent fee simple conveyance will be by Special Warranty Deed. The proceeds are restricted for uses consistent with the HOPE VI grant.

Concurrence/Previous Council Action

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

Location

1009, 1013 and 1017 W. Buckeye Road, identified by assessor parcel numbers 105-01-059A, 105-01-060A and 105-01-061A.

Council District: 8

This item was adopted.

91 Automatic Gate Maintenance and Repair - IFB 12-078 (Ordinance S-43860)

Request to authorize the City Manager, or his designee, to extend Contract 4701000598 with Phoenix Fence Company until June 30, 2018 to allow time for a new solicitation. Further request authorization for the City Controller to disburse all funds in amount not to exceed \$450,000, related to this item.

Summary

Phoenix Fence Company provides the City of Phoenix with preventative maintenance and repair of automatic gates on an as-needed basis for citywide facility operations. The preventative maintenance and repair of automatic gates is critical to citywide operations to protect buildings. The additional funds are necessary to cover unforeseen automatic gate repairs and to extend the contract until June 30, 2018. The contract is utilized citywide with primary usage by the Public Works, Fire, and Water Services departments.

Financial Impact

With the \$450,000 in additional funds, the contract's revised aggregate value through June 30, 2018 is now \$2,155,000 and the revised estimated annual expenditure is \$331,538. The Public Works, Fire, and Water Services departments are the majority users, and funds are available in each department's budget. The contract is available to all City departments.

Concurrence/Previous Council Action

This contract is the result of IFB 12-078 awarded by Formal Council Action on Jan. 4, 2012 Council agenda, with an initial three-year estimated contract expenditure of \$715,000. Contract extensions have been exercised through Jan. 31, 2018 and the aggregate amount revised to \$1,705,000 through Jan. 31, 2018.

This item was adopted.

92 Human Resources Benefits Analyst Professional Services (Ordinance S-43858)

Request authorization for the City Manager, or his designee, to enter into an agreement with Envision, LLC to provide Benefits Analyst

Professional Services to the Information Technology Services (ITS) and Human Resources departments, in an amount not to exceed \$100,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City is currently upgrading its PeopleSoft Human Capital Management system, eCHRIS. As part of this upgrade, Open Enrollment for benefits and Life Event processes and configurations have changed, requiring one-time additional development and administration services from a benefits analyst. The benefits analyst will provide both functional and technical support to the Human Resources and ITS departments. Professional services will include benefits administration support for the 2018 Benefits Open Enrollment processes, coding of an interface for support of the Dependent Eligibility Verification Audit (DEVA), and development of the necessary changes to implement the 2018 Benefits Wellness Incentive program. These services are critical to ensure systems and processes are in place for the 2018 Open Enrollment for City employees.

Procurement Information

In July 2017, ITS solicited vendors from the Information Technology Professional Services Qualified Vendors List for technical professionals to assist the 2018 Benefits Open Enrollment, DEVA integration, and 2018 Benefits Wellness Incentive program. Ten vendors responded with 28 potential candidates, with four candidates being selected as the most qualified. The four candidates were interviewed by staff from ITS and the Human Resources Department. The candidate from Envision, LLC was selected by the panel as the most qualified to provide the necessary services.

Contract Term

The contract will begin on Aug. 31, 2017 and in effect through Feb. 28, 2018.

Financial Impact

The total expenditure will not exceed \$100,000. Funds will be provided from the Health Care Benefits Trust.

Concurrence/Previous Council Action

The expenditure was approved by the City's Health Care Benefits Trust Board at its public meeting on July 17, 2017.

This item was adopted.

93 Master Communications System Agreement 124391 Statement of Work for SUA II Upgrade and Amendment Between City of Phoenix and Motorola Solutions, Inc. (Ordinance S-43857)

Request to authorize the City Manager, or his designee, to amend Motorola Contract 124391 to provide professional services and equipment in support of the Regional Wireless Cooperative (RWC) for the ASTRO 25 System Upgrade SUA II Statement of Work (SOW) and to extend the term of Contract 124391 through Aug. 9, 2028. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Motorola will provide the RWC the hardware, software and implementation of services required to execute up to one system infrastructure upgrade every two-year period over the course of the 10-year ASTRO 25 System Upgrade SUA II. The term of SOW 16 will begin on July 1, 2018, and terminate on June 30, 2028.

Contract Term

The term of Contract 124391 is set to expire on Aug. 10, 2021. Amendment 6 will extend the term of the contract such that it will expire on Aug. 9, 2028. All other terms and conditions of Contract 124391 will remain unchanged.

Financial Impact

The aggregate expenditures against this SOW shall not exceed \$26,380,000, with the estimated annual expenditures of \$2,542,547 (FY18/19), \$2,561,957 (FY19/20), and \$2,581,950 (FY20/21), excluding applicable taxes. Funds will be available in the Regional Wireless Cooperative budget with all members sharing the total cost proportionately.

This item was adopted.

94 Salt River Pima-Maricopa Indian Community Gaming Grants

(Ordinance S-43861)

The Office of Government Relations requests authorization for the City Manager, or his designee, to accept, and if awarded, enter into related agreements for up to \$225,000 in new funding from the Salt River Pima-Maricopa Indian Community (SRPMIC). Authorization is requested for the City Treasurer to accept and the City Controller to disburse funds as directed by SRPMIC in connection with these grants.

Summary

SRPMIC's application process is by invitation only. Applications were due July 15, 2017. These monies would be applied, as directed by SRPMIC towards the following:

Non-Profit Applications

* St. Mary's Food Bank Alliance: \$200,000 to help fund the capital renovation of its main distribution center. The renovations include replacing coolers and freezers, reconfiguring dry storage racking, expanding and improving Hope Central, St. Mary's volunteer area, and converting seven of twelve receiving docks into refrigerated docks.

* U.S. VETS-Phoenix: \$25,000 to provide meals to veterans.

The gaming compact entered into by the State of Arizona and various tribes calls for 12% of gaming revenue to be contributed to cities, towns, and counties for government services that benefit the general public including public safety, mitigation of impacts of gaming, and promotion of commerce and economic development. The SRPMIC will notify the City, by resolution of the Tribal Council, if it desires to convey to the City a portion of its annual 12% local revenue-sharing contribution.

Financial Impact

There is no budgetary impact to the City of Phoenix and no general purpose funds are required. Entities that receive gaming grants are responsible for the management of those funds.

This item was continued to the September 6, 2017 City Council Formal Meeting.

**95 Transfer of Retirement Funds to Arizona State Retirement System
(Ordinance S-43840)**

Request authorization for the City Manager, or his designee, to transfer retirement funds to the Arizona State Retirement System. Request to authorize the City Controller to disburse funds.

Summary

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

Lindsey, Joni \$43,747.56

Concurrence/Previous Council Action

The COPERS Board approved this item at its Aug. 3, 2017 meeting.
This item was adopted.

**96 Amend Phoenix City Code Section 36-157.3 to Add Area 29 to
Residential Parking Permit Ordinance (Ordinance G-6348)**

Request to authorize the City Manager, or his designee, to amend Section 36-157.3 of the Phoenix City Code to add Area 29 to the Residential Parking Permit Ordinance. Area 29 is generally bounded by 7th Street to the east, 3rd Street to the west, Weldon Avenue to the north, and Osborn Road to the south.

Summary

Residents in this proposed area reported that parking by non-resident vehicles is negatively impacting their neighborhood and requested relief in accordance with residential parking permit provisions outlined in Chapter 36 of the City Code. The neighborhood is adjacent to businesses and restaurants along 7th Street near Osborn Road. A parking study was conducted and confirmed non-resident (intruder) parking to be an issue in this neighborhood.

Subsequently, the Street Transportation Department received separate

requests and a petition from residents in the area to install Residential Parking Permit signs on their streets. Designation of Area 29 as a Residential Parking Permit area will restrict parking on weekdays, Monday through Friday, at all times.

Financial Impact

The cost to implement Area 29 as a residential parking permit area is approximately \$500 which includes the cost to fabricate and install signs. Funds are available in the Street Transportation Department's Operating Budget. The cost is expected to be offset over the duration of the program by the permit fees collected from residents in the newly designated area. Annual costs of resident and visitor permits are \$10 and \$5 per vehicle, respectively.

Public Outreach

The Street Transportation, Police, and Neighborhood Services departments conducted a meeting on March 11, 2017 to provide residents with options related to parking restrictions. Approximately 200 households were notified of the meeting and representatives from area businesses were invited to attend. More than 30 residents attended the meeting. Street Transportation staff also met with local businesses to notify them of the residents' requests to establish a Residential Permit Parking Area.

If Area 29 is approved by City Council, all affected households will be notified by mail and with door hanger fliers prior to installing Residential Parking Permit signs. Residents will be advised on how to obtain resident and visitor parking permits.

Location

Area 29 is generally bounded by 7th Street to the east, 3rd Street to the west, Weldon Avenue to the north, and Osborn Road to the south (Attachment A).

Council District: 4

This item was continued to the September 20, 2017 City Council Formal Meeting.

97 Retroactive Authorization to Apply for, Accept and Enter into

**Agreement for VOCA Funds to Continue Victim Advocacy Services
(Ordinance S-43867)**

Request retroactive authorization for the City Manager, or his designee, to apply for, accept, and if awarded, enter into an agreement for Victim of Crime Act (VOCA) funds from the Arizona Department of Public Safety (DPS) in an aggregate amount not to exceed \$2.5 million over a three-year period beginning Oct. 1, 2017 and ending Sept. 30, 2020. Four temporary full-time positions will be created to support the delivery of victim services. Authorization is also requested for the City Treasurer to accept and City Controller to disburse the funds over the life of the agreement.

Summary

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

In October 2015, the HSD received VOCA funds from DPS to enhance and expand victim services through Sept. 30, 2017. With the 2015 award, the FAC opened two satellite offices to increase access to victim services. The FAC also implemented mobile advocacy services to serve victims of domestic and sexual violence, and sex trafficking on-scene alongside Phoenix Police. This grant application request is for continued funding for services established in the 2015 expansion, two additional satellite offices, as well as capacity to increase services to victims of teen dating violence and victims of sexual assault.

In May 2017, HSD requested and received authorization to apply for, accept, and enter into an agreement for VOCA grant funds in an amount up to \$1.2 million per year for two years. HSD made its request based on its previous experience in anticipation of the Request for Grant Application's release. In June 2017, DPS released the Request for Grant Application with a grant period of three years, ending Sept. 30, 2020.

Grant applications were due Aug. 7, 2017. In August 2017, HSD submitted a grant application for an amount of up to \$2.5 million over the three-year grant period. If awarded as proposed, the grant will support nine positions and related programmatic and operational costs for comprehensive victim services throughout the City of Phoenix.

Contract Term

If awarded, the three-year grant period will begin Oct. 1, 2017 and end Sept. 30, 2020.

Financial Impact

The VOCA requires grant recipients to contribute a 20-percent match. HSD will provide match through victim services positions supported by the General Fund.

This item was adopted.

98 Request for Qualifications Recreational Services Qualified Vendor List - HSDPKS05102017 (Ordinance S-43838)

Request authorization for the City Manager, or his designee, to award and enter into contracts with responders to the Request for Qualifications (RFQ) for Recreational Services, and further authorize the City Controller to add the responders to existing Ordinance S-43569. The disbursed funds related to this item are not to exceed a total of \$450,000 for the Human Services Department and a total of \$1,845,000 for the Parks and Recreation Department over the three-year life of the Qualified Vendor List (QVL).

Summary

The Parks and Recreation and Human Services departments concluded a Recreation Entertainers and Instructors QVL (HSDPKS02012017) on Feb. 1, 2017. The opportunity was awarded to 123 service providers and was a joint venture between the Human Services and Parks and Recreation departments. Both Human Services and Parks and Recreation staff expressed that more qualified instructors would help to continue increasing attendance and revenue at City of Phoenix community centers, senior centers and other facilities. As a result, the QVL opportunity was re-opened.

Procurement Information

45 additional submittals were deemed responsive.

Contract Term

The Recreational Services QVL will be in effect for three years, ending Aug. 31, 2020.

Financial Impact

The approval of this request will not change the financial impact of Ordinance S-43569. The total cost of the Human Services Department contract will not exceed \$450,000 over the three-year life of the QVL (\$150,000 per fiscal year). The Parks and Recreation Department contract will not exceed \$1,845,000 over the three-year life of the QVL (\$615,000 per fiscal year). Funds are available in the Human Services Department's General Fund operating budget and the Parks and Recreation Department's Recreation Fund operating budget, which is supported by recreation fees.

Concurrence/Previous Council Action

Ordinance S-43569 was adopted on May 31, 2017 to award entertainers and instructors the opportunity to provide a multitude of classes, programs and other services to the community. Some of the classes, programs, and services include, but are not limited to, sports, dance, fitness, music, art, theater and language instruction.

This item was adopted.

100 Request to Expand Scope of 2016 Assistance to Firefighters Grant

Request retroactive approval to expand the scope of the 2016 Assistance to Firefighters Grant (AFG) to include the International Association of Fire Fighters (IAFF) Peer Support Training Program (PST). The grant funding will provide one year of training for 100 Phoenix firefighters to identify the warning signs of suicide, acute stress, trauma, substance and depression in their peers. The PST will also provide support, guidance and referrals for firefighters and their families to prevent long-term effects of stress and trauma incurred while on duty. No additional funding is being awarded, only the scope of the grant is being increased.

Summary

The Fire Department received approval from the City Council on Nov. 9,

2016, to apply for and accept up to \$500,000 in grant funding from the Federal Emergency Management Agency (FEMA) 2016 Assistance to Firefighters Grant Program. After that time and shortly before the grant application deadline, the Fire Department was informed of the option to include the Peer Support Training in the same funding request for Automatic Chest Compression Devices. Due to timing constraints, the Fire Department submitted a singular grant request for both Peer Support Training and Automatic Chest Compression Devices. The award notification for that request was received in June 2017. This request is to expand the scope of the grant; no additional time or funding approval is being requested.

This Assistance to Firefighters Grant program is intended to help the nation's fire service by providing vital funds to local fire departments across the country. The primary goal of the AFG Program is to meet the firefighting and emergency response needs of fire departments, nonaffiliated emergency medical service organizations, and State Fire Training Academies. Since 2001, AFG has helped firefighters and other first responders to obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources needed to protect the public and emergency personnel from fire and related hazards.

Procurement

The Fire Department will administer the grant in accordance with Administrative Regulation 3.10.

Contract Term

The period of performance for this grant is one year, from June 12, 2017 through June 11, 2018.

Financial Impact

The Fire Department has received \$474,826 in grant funding, which includes a federal share of \$412,893 and a 15 percent Phoenix cost share of \$61,933. The grant funding is for both 18 Automatic Chest Compression Devices and one year of the Peer Support Training Program.

This item was approved.

101 Request to Apply for and Accept 4th Quarter 2017 Firehouse Subs Public Safety Foundation Grant (Ordinance S-43851)

Request authorization for the City Manager, or his designee, to apply for and accept up to \$30,000 in a grant award from the Firehouse Subs Public Safety Foundation Program for a replacement Utility Vehicle. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all related funds.

Summary

The purpose of the Firehouse Subs Public Safety Foundation grant program is to provide life-saving equipment and other needed resources to first responder and public safety organizations. The Fire Department is applying for up to \$30,000 to purchase a replacement Utility (e.g. all-terrain) Vehicle for the Driver's Training Academy.

Utility Vehicles are essential components of the Department's Driver Training Program. The vehicles transport equipment and personnel across the 17 acres of driving track and skid pad. Additionally, the vehicle will be shared with the Training Academy's Firefighter Training Programs when necessary. It will also support large-scale incidents and planned events within Phoenix. If awarded, the Firehouse Subs Foundation could purchase or donate the vehicle to the City of Phoenix Fire Department, or the Foundation could provide funding for the purchase of the vehicle. The grant program does not require a matching contribution from awardees.

Contract Term

There is no contract term or grant period of performance. If the grant award is received, it will be in the form of funding or the utility vehicle itself.

Financial Impact

If awarded, the City of Phoenix Fire Department will receive either funding, or the utility vehicle itself, which would be appropriately added to the City's asset/fleet tracking system.

Location

The Driver's Training Program takes place at the Driver's Training Academy, located at 2425 W. Lower Buckeye Road in Council District 7,

and the vehicle would be used Citywide.

This item was adopted.

102 Contract with Banner -- University Medical Center Phoenix for FEMA Pharmaceutical Cache (Ordinance S-43862)

Request authorization for the City Manager, or his designee, to enter into a contract with Banner -- University Medical Center Phoenix, to purchase, maintain, supply, and store medical supplies and pharmaceuticals that allow Phoenix to be nationally deployable through the Federal Emergency Management Agency (FEMA). Authorization is also requested for the City Controller to disburse funds.

Summary

FEMA was established in 1991 to respond to national disasters. In 1992, FEMA selected the Phoenix Fire Department to participate as one of the seven initial task force response teams by establishing Arizona Task Force One (AZ-TF1). The City of Phoenix Fire Department is the sponsoring agency for AZ-TF1, one of 28 FEMA National Urban Search & Rescue (US&R) Response System task forces. AZ-TF1 has rapidly deployed skilled personnel and state-of-the-art equipment to sites of natural disasters, terrorist attacks, and building collapses such as Oklahoma City, 9/11, Hurricanes Rita, Katrina, Ike and Gustav. In addition to search and rescue, task force members provide immediate medical treatment to survivors, Hazardous Materials (HazMat) monitoring, and stabilization capabilities. Each US&R task force is deployable 24 hours a day/seven days per week, and is required to maintain a condition of continued preparedness and operational readiness - which includes a pharmaceutical cache.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo, which stated that, per a Cooperative Agreement with FEMA, the Fire Department agrees to maintain standardized equipment (determined by FEMA). When deployed, AZ-TF1 brings medications to treat task force members and victims. In accordance with federal guidelines, the pharmaceutical cache must be in a constant state of readiness; soon-to-expire medications must be replaced with fresh ones and the cache must be accessible to AS-TF1 24 hours per day. The pharmaceutical cache must also be

stored in an environment with controlled access and Banner -- University Medical Center (BUMC) is the closest hospital to the AZ-TF1 deployment site. The secured cache is stored at BUMC at no cost to AZ-TF1 and the only charge is for the replacement of expiring medication. AZ-TF1 is required to deploy within four hours (via road), or six hours (via air), as soon as a FEMA activation notification is received. The BUMC location has been approved by FEMA and tested to comply with this process. In addition, the facility meets the Federal requirements for secure pharmaceutical storage.

Contract Term

The five-year contract will begin on or about Sept. 30, 2017 and end on Sept. 29, 2022.

Financial Impact

The aggregate five-year cost shall not exceed \$100,000. Funds for this service are included in the Fire Department's operating budget.

Location

Banner -- University Medical Center Phoenix is located at 1111 E. McDowell Road, in Council District 4, however, the pharmaceutical cache could be deployed citywide or nationally.

This item was continued to the September 6, 2017 City Council Formal Meeting.

103 Contract with Ground Control Systems, Inc. for Phoenix Fire Department Mobile Satellite Internet Service for National Emergency Deployments (Ordinance S-43864)

Request authorization for the City Manager, or his designee, to enter into a contract with Ground Control Systems, Inc. for annual hosting of Phoenix's mobile satellite internet service that allows Phoenix to be deployable through the Federal Emergency Management Agency (FEMA). Authorization is also requested for the City Controller to disburse funds.

Summary

FEMA was established in 1991 to respond to national disasters. In 1992, FEMA selected the Phoenix Fire Department to participate as one of the

seven initial task force response teams by establishing Arizona Task Force One (AZ-TF1). The City of Phoenix Fire Department is the sponsoring agency for AZ-TF1, one of 28 FEMA National Urban Search & Rescue (US&R) Response System task forces. AZ-TF1 has rapidly deployed skilled personnel and state-of-the-art equipment to sites of natural disasters, terrorist attacks, and building collapses - such as Oklahoma City, 9/11, Hurricanes Rita, Katrina, Ike and Gustav. In addition to search and rescue, task force members provide immediate medical treatment to survivors, Hazardous Materials (HazMat) monitoring, and stabilization capabilities. Each US&R task force is deployable 24 hours a day/seven days per week, and is required to maintain a condition of continued preparedness and operational readiness, which includes mobile internet satellite service for communications equipment.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo, which stated that, per a Cooperative Agreement with FEMA, the Fire Department agrees to maintain standardized equipment (determined by FEMA). The satellite internet equipment and associated annual service agreement, hosted by Ground Control Systems, Inc., is included on the FEMA cache list. Ground Control Systems, Inc. is the listed equipment and service provider, and no substitutions are permitted. Ground Control Systems is the manufacturer of the mobile satellite internet system, the warranty and 24/7 technical support utilized by the FEMA task forces. All 28 of the FEMA task forces are required to purchase the satellite system(s) specified in the cache list, and maintain the uninterrupted associated service. The equipment and associated service is a Federal requirement; the Fire Department would be in non-compliance with the FEMA US&R cooperative agreement if the satellite is de-activated.

Contract Term

This request is to contract with Ground Control Systems, Inc. for a maximum of five years, beginning on or about Nov. 1, 2017 and ending on or about Oct. 30, 2022.

Financial Impact

The aggregate five-year cost shall not exceed \$40,000. Funds for this

service are included in the Fire Department's operating budget.

Location

The location is citywide; however, the mobile satellite internet service could be deployed nationally.

This item was continued to the September 6, 2017 City Council Formal Meeting.

104 Authorization to Enter into Agreements with Various School Districts for School Resource Officers (Ordinance S-43863)

Request authorization for the City Manager, or his designee, to authorize the Police Department to enter into Memorandums of Understanding and Intergovernmental Agreements with various school districts for the placement of School Resource Officers (SROs). These agreements are for the 2017-2018 school year. These agreements can be renewed annually with the option of up to two renewals. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item.

Summary

In 2015, the Police Department was awarded a Community Oriented Policing Services (COPS) Hiring grant to hire 15 officers in order for 15 veteran officers to be deployed as School Resource Officers. One of the grant requirements was for the City to enter into Memorandums of Understanding with the school districts where the 15 officers would be deployed. The grant requires a 25-percent cash match from the City.

Additionally, the Police Department has entered into Intergovernmental Agreements with various school districts in the past to assist with the cost of SROs deployed in additional schools. Funding for these 68 positions is provided through partnerships with the Arizona Department of Education and individual school districts. Through this partnership, grant funds or school district funds pay 75 percent of the SRO's salary, while the remaining 25 percent is paid by the City.

The total deployment for the 2017-2018 school year will include agreements with 22 school districts, at 94 schools, for a total deployment of 83 SROs.

2017-18 SRO School Districts:

Alhambra Elementary SD	Osborn SD
Cartwright SD	Paradise Valley Unified SD
Cave Creek Unified SD	Phoenix Elementary SD
Creighton SD	Phoenix Union HSD
Deer Valley Unified SD	Premier Charter HSD
Fowler Elementary SD	Scottsdale SD
Glendale Union HSD	Tempe Union HSD
Isaac SD	Tolleson Elementary SD
Kyrene SD	Tolleson HSD
Laveen Union HSD	Washington Elementary SD
Madison Elementary SD	Wilson SD

Contract Term

The terms of these agreements is one year, with varying start and ends dates to coincide with each school's 2017-2018 school year.

Financial Impact

The average cost for 83 School Resource Officers is approximately \$2.8 million to the City. Cost to the City is the 25-percent match for the SRO salary and fringe benefits.

This item was continued to the September 6, 2017 City Council Formal Meeting.

105 Phoenix Sky Harbor International Airport Terminal 4 North Apron Reconstruction Construction Administration and Inspection Services Amendment 1 - AV08000072 FAA (Ordinance S-43834)

Request to authorize the City Manager, or his designee, to execute Amendment 1 to Contract 142187 with AECOM Technical Services Inc. (Phoenix) to provide continued construction administration and inspection services in support of the Phoenix Sky Harbor International Airport (Airport) Terminal 4 North Apron Reconstruction project. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This project includes the removal and replacement of concrete pavement

panels in the Terminal 4 North Apron area that are displaying degradation from a chemical alkali-silica reaction (ASR). ASR occurs in Portland Cement Concrete Pavement when a certain type of silica sand is used in the rock material as part of the concrete mix. The concrete panels were placed in 1989 and ASR has resulted in accelerated deterioration of the pavement, as evidenced by surface cracking and spalling. Airport staff has been actively and systematically replacing the impacted concrete panels based on funding availability. This is a multi-phased project that will span several years consistent with Federal Aviation Administration (FAA) grant funding.

Consultant services for this phase may include, but are not limited to: provide consultation and advice to the City, modify/revise drawings during construction as requested by the City, review all contractor submittals, and prepare as-builts. Once construction is complete, AECOM will produce record drawings and a final construction report, and assist the City with the closeout process.

Procurement Information

AECOM 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 Design Services.

Contract Term

This phase of services is expected to take approximately two years to complete.

Financial Impact

AECOM's fee for this phase of the project shall not exceed \$282,000, including all subconsultants and reimbursable costs. Staff anticipates reimbursement from the Federal Aviation Administration. Funding is available in the Aviation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action

AECOM provided design services for the project under Contract 139592, which was approved by City Council on Nov. 5, 2014. City Council approved the Construction Administration Services Contract 142187 on March 2, 2016.

Location

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

Council District: 8

This item was adopted.

106 Phoenix Deer Valley Airport Run-Up Areas to Taxiway C Construction Administration and Inspection Services - AV31000082 (Ordinance S-43836)

Request to authorize the City Manager, or his designee, to enter into an agreement with Dibble & Associates Consulting Engineers, Inc. (Phoenix) to provide construction administration and inspection services for the new aircraft run-up areas at both ends of Runway 7R/25L and connection to Taxiway C at Phoenix Deer Valley Airport. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Existing aircraft run-up areas are within the Runway Safety Areas (RSA), and the new Phoenix Deer Valley Airport Master Plan Update recommends that new run-up areas at the east and west ends of Taxiway C be provided to accommodate six Aircraft Design Group I (ADG-I) aircraft positions outside the RSA. The run-up areas must accommodate alignment of a future Taxiway D and connector taxiways. Consultant services may include, but are not limited to: construction administration and inspection services for all phases of the project during construction, such as providing consultation and advice to the City, reviewing all contractor submittals, responding to requests for information, reviewing alternate construction methods proposed by the contractor, pre-final and final inspections of the completed project, issuing certificates of construction completion, performing an orderly closeout of the project, and post-construction services, such as producing record drawings and a final construction report, assisting the City with any grant close-out process, and attending a one-year warranty inspection of the project.

Procurement Information

Dibble & Associates Consulting Engineers, Inc. (Dibble) 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 Design Services.

Contract Term

The term of the contract is for 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 of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

Dibble's fee will not exceed \$195,500, including all subconsultants and reimbursable costs. Funding is available in the Aviation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action

City Council approved Design Services Contract 144363 on Jan. 25, 2017.

Location

702 W. Deer Valley Road, Phoenix Deer Valley Airport
Council District: 1

This item was adopted.

107 FuelMaster Fuel Management System - Maintenance and Support Contract (Ordinance S-43842)

Request to authorize the City Manager, or his designee, to enter into a contract with Syn-Tech Systems, Inc. to provide maintenance and support for the FuelMaster Fuel Management System supporting the fueling sites at Phoenix Sky Harbor International Airport, Goodyear Airport, and Deer Valley Airport. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The contract will allow Syn-Tech Systems, Inc. to provide emergency phone and technical support for hardware and software issues remotely, 24 hours per day, 365 days per year. Maintenance and support services will entitle the City of Phoenix Aviation Department to receive software bug fixes, updates, and new version releases.

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

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Sole Source Determination Memo citing Syn-Tech Systems, Inc. as the only vendor certified to maintain and repair fuel management hardware manufactured by Syn-Tech Systems and is the only authorized reseller of FuelMaster software.

Contract Term

The contract term is for a five-year period commencing on or about Aug. 30, 2017.

Financial Impact

Expenditures against this contract shall not exceed \$250,000 (including applicable taxes).

Location

Phoenix Sky Harbor International Airport at 3400 E. Sky Harbor Blvd.;
Phoenix Deer Valley Airport at 702 W. Deer Valley Road; Phoenix
Goodyear Airport at 1658 S. Litchfield Road, Goodyear.
Council Districts: 1, 8, Out of City.

This item was adopted.

**108 Purchase Common Use Paper for Boarding Pass and Bag Tags -
IFB 17-027 (Ordinance S-43843)**

Request to authorize the City Manager, or his designee, to enter into contracts with Print-O-Tape, Inc., and Magnetic Ticket & Label Corporation to provide paper stock for baggage tags and boarding passes at Phoenix Sky Harbor International Airport. The contract may

contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The contracts will require Print-O-Tape, Inc., and Magnetic Ticket & Label Corporation to provide paper stock for airlines to print baggage tags and boarding passes on common use terminal equipment, including printers and kiosks at Phoenix Sky Harbor International Airport. The handling of self-service baggage tags and boarding passes will help reduce the overall processing time for passengers and speed up the travel process.

Procurement Information

Invitation for Bid (IFB) 17-027 was conducted in accordance with Administrative Regulation 3.10. Three offers were received by the Contracts & Services Division on July 20, 2017, and one offer was deemed non-responsive. The offers were evaluated and two awards are recommended to ensure that the availability and delivery requirements for the paper stock are met as outlined in the IFB. Aviation Department staff will select the most cost effective paper supplies available at the time of purchase.

Print-O-Tape, Inc.: \$368,232

Magnetic Ticket & Label Corporation: \$376,194

Contract Term

The terms of the contracts are five years commencing on or about Oct. 1, 2017.

Financial Impact

The aggregate contract value will not exceed \$3 million, including applicable taxes, with an estimated annual expenditure of \$600,000.

Location

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

Council District: 8

This item was adopted.

109 Phoenix Sky Harbor International Airport Runway 8-26 Keel Reconstruction Construction Administration and Inspection Services Amendment 1 - AV08000078 (Ordinance S-43844)

Request to authorize the City Manager, or his designee, to enter into Amendment 1 to Contract 143565 with AECOM Technical Services Inc. (AECOM) (Phoenix) to provide continued construction administration and inspection services in support of the Runway 8-26 Keel Reconstruction (center section) project at Phoenix Sky Harbor International Airport. The Amendment may contain other terms and condition deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This project will replace approximately 256 concrete panels on the keel section of Runway 8-26. The affected section of the runway keel (the aircraft touch-down zone) measures approximately 2,260 feet long by 40 feet wide.

Consultant services for this phase may include providing consultation and advice to the City, modifying and revising drawings during construction as requested by the City, reviewing all contractor submittals, and preparing as-builds. After construction is complete, AECOM will produce record drawings and a final construction report, and will assist the City with the closeout process.

Procurement Information

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

Contract Term

This phase of services is expected to take approximately six months to complete.

Financial Impact

AECOM's fee for this phase of the project will not exceed \$290,000,

including all subconsultants and reimbursable costs. Funds are available in the Aviation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the end of the term of the contract.

Concurrence/Previous Council Action

The City Council approved Design Services Contract 142338 on March 23, 2016, and approved the Construction Administration Services Contract 143565 on Sept. 7, 2016.

Location

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

Council District: 8

This item was adopted.

110 Internal Vending Services for the City of Phoenix Aviation Department - AVN RCS 17-006 (Ordinance S-43852)

Request to authorize the City Manager, or his designee, to enter into a concession agreement with Carpe Dulce, LLC for internal (employee) vending services at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, Phoenix Goodyear Airport, and other Aviation Department locations. The City Treasurer is authorized to accept and the City Controller is authorized to disburse any funds for purposes of this ordinance.

Summary

Phoenix Sky Harbor International Airport is a 24-hour-a-day, seven-day-a-week operation with employees stationed throughout the airport and in several off-site buildings. These employees have limited access to food and beverage services that are offered in the terminal. The purpose of this internal vending services concession agreement is to provide employees access to packaged food and non-alcoholic beverages, snacks, and convenience meals at an initial 13 locations in non-public-facing areas, such as employee breakrooms. Vending services will be provided through vending machines and a micro-market located at the Aviation Corporate Office Building. Locations and services may be adjusted as necessary to meet the purpose of the agreement at

the discretion of the Aviation Director. This will be a new concession agreement for the Aviation Department.

Procurement Information

Solicitation AVN RCS 17-006, Vending Services, was conducted in accordance with Administrative Regulation 3.10. Two responses were received on June 8, 2017; one from Carpe Dulce, LLC and one from Southern Energy Solutions Group, LLC. The responses were scored by an evaluation panel using the following criteria, along with a scoring range from 0 to 1,000 points:

- A. Experience and Qualifications - 250 points
- B. Concepts - 250 points
- C. Management/Operations Plan - 250 points
- D. Marketing Plan - 150 points
- E. References - 100 points

The following is the result of the consensus scoring:

Carpe Dulce, LLC 953

Southern Energy Solutions Group, LLC 755

Contract Term

The initial term of the agreement is three years starting on or about Oct. 1, 2017, with two one-year options to extend the term at the discretion of the Aviation Director.

Financial Impact

The Aviation Department will receive 20 percent of the sales of pre-packaged snacks and bottled and canned beverages from vending units and 13 percent of the sales of food and beverage in the micro-market. Projected gross sales during the initial three-year term is \$64,800 and an additional \$43,200 if the options to extend are exercised.

Public Outreach

The business opportunity was advertised in the following publications or newsletters: The Airport Minority Advisory Council, Phoenix Sky Harbor website, Arizona Business Gazette, Arizona Informant, and Prensa Hispana. The announcement was also sent to more than 45 individuals

from the Aviation Department's interest list and the City's Small Business Directory. A pre-response meeting was held on May 11, 2017 with representatives of four companies.

Location

Phoenix Sky Harbor International Airport is located at 3400 E. Sky Harbor Blvd.; Phoenix Deer Valley Airport is located at 702 W. Deer Valley Road; Phoenix Goodyear Airport is located at 1658 S. Litchfield Road, Goodyear; and other Aviation Department locations.

Council Districts: 1, 8, Out of City

This item was adopted.

111 Phoenix Sky Harbor International Airport Terminal 3 South Transition Apron Reconstruction Construction Administration and Inspection Services - AV08000079 (Ordinance S-43854)

Request to authorize the City Manager, or his designee, to enter into a contract with Stantec Consulting Services Inc. (Phoenix) (Stantec) to provide construction administration and inspection services for the Terminal 3 Southeast Transition Apron and Taxiway D Reconstruction project. The contract may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The project will reconstruct the Terminal 3 south transition apron and the segment of Taxiway D between D8 and D9. The transition apron area is used as a hold apron and remain overnight apron for aircraft. The segment of Taxiway D is used to taxi aircraft on the airfield. The life of the pavement has expired and reconstruction is required.

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

the City with any grant close-out process, and attending a one-year warranty inspection of the project.

Procurement Information

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

Contract Term

The term of the contract will expire on Dec. 31, 2018. Contract work scope identified and incorporated into the contract prior to the end of the term of the contract may be agreed to by the parties, and work may extend past the end of the term of the contract. No additional contract work scope changes may be executed after the end of the term of the contract.

Financial Impact

Stantec's fee will not exceed \$350,000, including all subconsultants and reimbursable costs. Funds are available in the Aviation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the end of the term of the contract.

Concurrence/Previous Council Action

City Council approved Design Services Contract 144365 on Jan. 25, 2017.

Location

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

Council District: 8

This item was adopted.

112 Goodyear Airport South T-Hangar Apron Reconstruction & Connector to Taxiway A, Design-Bid-Build - AV41000073-1 (Ordinance S-43855)

Request to authorize the City Manager, or his designee, to accept Combs Construction Company, Inc. (Glendale, Ariz.) as the

lowest-priced, responsive and responsible bidder and enter into a contract with Combs Construction Company, Inc. for construction services for the Phoenix Goodyear Airport South T-Hangar Apron Reconstruction and Connector to Taxiway A project. The contract may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Combs Construction Company, Inc.'s construction services will include reconstructing approximately 40,000 square yards of pavement of the South T-Hangar Apron to repair significant cracking and deterioration of the existing asphalt pavement structural section, demolishing the existing connector taxiway between the South T-Hangar Apron and Taxiway A to eliminate the direct access from the apron to the runway, constructing a new connector taxiway from the northeast side of the south apron that extends to the northeast before making a ninety-degree turn north and tying into Taxiway A, and other associated work required to complete this project.

Procurement Information

Three bids were received according to section 34-201, Arizona Revised Statutes, by the Street Transportation Department on July 25, 2017. Bids were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and general contractor responsiveness in demonstrating compliance with the projects Disadvantaged Business Enterprise (DBE) requirements. All bids were deemed responsive.

Bids ranged from a low of \$2,216,038.80 to a high of \$2,740,625. The Engineers Estimate and the two lowest priced responsive and responsible bidders are listed below:

Engineers Estimate: \$2,828,860.50

Combs Construction Company, Inc.: \$2,216,038.80

J. Banicki Construction, Inc.: \$2,508,538.25

Contract Term

The term of the contract is expected to be completed within 141 calendar days from the notice to proceed. Contract work scope identified and

incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination date of the contract. No additional contract work scope changes may be executed after the end of the term of the contract.

Financial Impact

This project will utilize federal funds and is subject to the requirements of 49 Code of Federal Regulations (CFR) Part 26 and the U.S. Department of Transportation DBE Program. The bid award amount is within the total budget for this project. Funding is available in the Aviation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the end of the term of the contract.

Small Business Outreach

The funding agency has determined that no DBE goal will be established for this project.

Location

Phoenix Goodyear Airport is located at 1658 S. Litchfield Road, Goodyear, Arizona.

Council District: Out of City

This item was adopted.

113 Enter Into Agreement with City of Peoria for Transit Service

Request authorization for the City Manager, or his designee, to enter into an Agreement with the City of Peoria for transit service this agency purchases from the City of Phoenix.

Summary

Effective Oct. 23, 2017, the City of Phoenix will provide fixed route bus service on 83rd Avenue (Route 83) for the City of Peoria. The fixed route service will operate on the weekdays, Saturdays and Sundays, and holidays. The City of Phoenix also operates Route 67, 106, 138 and 170 in Peoria; however, these services are either funded by Regional Public Transportation Authority or by another city.

Contract Term

The Agreement will be effective Oct. 23, 2017 through June 30, 2037.

Financial Impact

There is no cost to the City of Phoenix. The City of Peoria will pay Phoenix for this service. The estimated number of annual fixed route miles for Fiscal Year 2017-2018 is 135,044 at a cost of \$994,953. The estimated cost per mile for the service (contractual costs plus city overhead) is \$7.37 for Fiscal Year 2017-2018. The total estimated fare box revenue is \$149,243 and the estimated net cost to be billed by Phoenix to the City of Peoria is \$845,710 for Fiscal Year 2017-2018.

This item was approved.

114 October 2017 Bus Service Changes

Request authorization for the City Manager, or his designee, to implement bus service changes effective Oct. 23, 2017. The recommended changes are provided through the Transportation 2050 Plan and are expected to have an annual net cost increase of \$1,372,000.

Summary

For implementation in October 2017, staff identified the following service improvements:

Increased Frequencies

- Route 29 (Thomas Road) - increase the midday and early evening frequency from 20 minutes to 15 minutes during weekdays in the higher ridership segment of the route and extend the higher frequency segment further west, from Desert Sky Transit Center to 44th Street. The overall impact is reduced wait times between bus connections in the off-peak period for the region's busiest route.

- Route 50 (Camelback Road) - increase the midday and early evening frequency from 30 minutes to 15 minutes during weekdays in the higher ridership segment of the route. The overall impact is reduced wait times between bus connections in the off-peak period.

Route Extensions/Eliminations

- Route 19 (19th Avenue) - extend the north end of the route from Pinnacle Peak Road and 23rd Avenue to Happy Valley Road and 23rd Avenue. The one-mile extension will provide a direct connection to the

Happy Valley Towne Center, create a new connection with Route 35 (35th Avenue), and provide new service to residential and commercial areas along 23rd Avenue.

- Route 60 (Bethany Home) - extend the east end of the route from 16th Street and Bethany Home Road to Camelback Road and 24th Street via 16th Street, Missouri Avenue, 20th Street, and Camelback Road. Extending the route will reinstate Route 60 service that was eliminated in July 2012 due to budgetary constraints at the time.

New Route

- Route 140 (Ray Road) - Valley Metro is proposing to implement a new route on Ray Road between 48th Street in Phoenix and Gilbert Road in Gilbert. Route 140 will service Phoenix, Tempe, Chandler, and Gilbert on Ray Road and connect to nine local routes in the region. Phoenix's portion of the new route is one-half mile on Ray Road between 48th Street and Interstate 10.

Financial Impact

Route 19 (19th Avenue): Extension to Happy Valley Road - \$242,000

Route 29 (Thomas Road): Improve mid-day service frequency - \$362,000

Route 50 (Camelback Road): Improve mid-day service frequency - \$345,000

Route 60 (Bethany Home Road): Extension to 24th Street & Camelback Road - \$375,000

Route 140 (Ray Road): New Route on Ray Road from 48th Street to Gilbert road - \$48,000

The estimated annual cost increase of the October 2017 bus service changes is \$1,372,000, net of bus fares collected. Funds are available in the Public Transit Department's operating budget Transportation 2050 funds. Staff will develop and request contract changes for City Council approval for the relevant bus service operating agreements to ensure adequate funding through the term of the contracts.

Concurrence/Previous Council Action

The Transportation and Infrastructure Subcommittee recommended this

item by a vote of 4-0 on June 13, 2017. The Citizens Transportation Commission recommended approval of the October 2017 bus service changes to the Transportation and Infrastructure Subcommittee on May 25, 2017 by a vote of 9-1.

Public Outreach

These changes were discussed with the community through a formal public outreach process from April 17, 2017 through May 19, 2017, including a public hearing in downtown Phoenix. Approximately 91 comments were received from the public regarding bus service changes proposed for October 2017. The majority of the comments were supportive of the changes, as additional service and connectivity will result.

This item was approved.

115 Enter Into Agreement with City of Tempe for Purchase of Transit Fare Media (Ordinance S-43859)

Request to authorize the City Manager, or his designee, to enter into an intergovernmental agreement (IGA) with the City of Tempe for the purchase of transit fare media.

Summary

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

Contract Term

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

Financial Impact

During the period of this agreement, the City of Tempe will pay the City of Phoenix the face value of the fare media less a discount equal to the discount provided to other retail outlets. There is no cost to the City of Phoenix.

This item was adopted.

116 Request Authorization to Submit Annual Federal Transit Administration Grant Application and Enter Into Grant Agreements (Ordinance S-43865)

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

Summary

The City of Phoenix is the designated recipient of FTA grant funds for the Phoenix-Mesa Urbanized Area (UZA) and the direct recipient for the Avondale-Goodyear Urbanized Area (UZA). As such, the City of Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region.

All projects are in the MAG-approved Transportation Improvement Program and in the ADOT-approved State Transportation Improvement Program.

Projects included for Phoenix are: 13 articulated replacement buses, 30 replacement dial-a-ride vans, upgrade on communications systems, pre-design park-and-ride facilities, preventive maintenance, support services and program administration.

Financial Impact

The total of all grant funds in the applications is \$141,869,578. The total federal funds allocated to Phoenix projects is \$31,201,957, for which the required matching funds of \$6,400,602 are available from Transportation 2050 sales taxes and the Proposition 400 Public Transportation Fund in the Public Transit Department's 2017-2018 Operating Budget and five-year 2018-22 Capital Improvement Program. The applications and total federal amounts by fund type are:

1. FTA Section 5307 Phoenix-Mesa Urbanized Area Formula funding for capital, planning and operating assistance projects to benefit the entire Phoenix-Mesa Urbanized Area - \$51,364,405.
2. FTA Section 5307 Avondale-Goodyear Urbanized Area Formula funds apportioned and allocated to the Avondale-Goodyear urbanized area - \$5,599,456.
3. Federal Congestion Mitigation and Air Quality Improvement Program (CMAQ) and Surface Transportation Program (STP) funds transferred from the Federal Highway Administration (FHWA) to FTA for capital projects - \$16,999,808 and \$3,005,310, respectively.
4. FTA Section 5339 Bus and Bus Facilities Formula funding to include capital projects to benefit the entire Phoenix-Mesa urbanized area - \$4,808,584.
5. FTA Section 5337 State of Good Repair - High Intensity Fixed Guideway Program funding for capital projects to benefit the entire Phoenix-Mesa urbanized area - \$3,607,438.
6. FTA Section 5337 State of Good Repair - High Intensity Motorbus Program funding for capital projects to benefit the entire Phoenix-Mesa urbanized area - \$3,423,303.
7. FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funding for capital projects and operating assistance to benefit the entire Phoenix-Mesa urbanized area - \$3,061,274.
8. FTA Section 5309 Fixed Guideway Capital Investment Grants funding for capital new starts projects - \$50,000,000.

This item was adopted.

117 Authorization to Apply for and Accept Federal Transit Administration Grant Funds and Enter Into Grant Agreement (Ordinance S-43866)

Request an ordinance authorizing the City Manager, or his designee, to:
(1) apply for the Federal Transit Administration (FTA) Section 5339 Bus

and Bus Facilities discretionary grant for an amount not to exceed \$9,052,500; and (2) enter into an agreement with the FTA for the purpose of accepting the awarded grant; and, authorizing the City Treasurer to accept, and the City Controller to disburse, grant funds in accordance with the terms of the aforementioned grants and agreements.

Summary

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

The Public Transit Department will seek to utilize a combination of Section 5339 grant and local matching funds to purchase up to 15 buses to replace aging buses which have been utilized beyond the end of their useful life. The buses will replace aging buses used to operate daily transit service, providing transportation for a large number of passengers to reach employment and employment-related services. The service has increased by 25 percent as a result of the implementation of the Transportation 2050 program.

Financial Impact

Applications for the FTA Section 5339 grant requires a minimum 15 percent non-federal cost share. The project's total cost is estimated to be \$10,620,000 with the Phoenix portion not to exceed \$1,567,500. The local match will come from regional Public Transportation Funds (Proposition 400) for the non-federal share.

This item was adopted.

118 Computer Aided Earthmoving System Maintenance Support Contract Recommendation (Ordinance S-43821)

Request to authorize the City Manager, or his designee, to enter into a contract with Empire Southwest (3017819) to provide computer-aided earthmoving system equipment, maintenance, and support for an amount

not to exceed \$155,465.10 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department uses heavy duty off-road equipment manufactured by Caterpillar Incorporated in its landfill operations. The heavy duty equipment is armed with a Global Positioning System (GPS) that operates simultaneously with the manufacturer's Computer Aided Earthmoving System (CAES). The CAES is designed specifically for landfill operations to measure the compaction rate, landfill life projection, and management of landfill space. The CAES also measures and records data for use in cost analysis, reporting performance metrics, and maximizing the life of the landfill.

One of the existing GPS radio receivers, installed in 2008, is no longer functional. As the technology has become obsolete, it can no longer be repaired and must be replaced. Staff anticipates the remaining four units, also installed in 2008, will need to be replaced during the life of the contract. The contract includes maintenance, configuration and support for the system over the life of the contract.

Procurement Information

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

Contract Term

The initial two-year contract term shall begin on or about April 1, 2018, and end on March 31, 2020. Provisions of the contract include an option to extend the term of the contract for up to three additional years, in one-year increments, which may be exercised by the City Manager or his designee.

Financial Impact

Expenditures shall not exceed \$155,465.10 over the life of the contract, with an estimated annual expenditure of \$31,093.02. Funds are available in the Public Works Department's budget.

Location

The equipment is used at the SR85 Landfill located at 28633 W. Patterson Road, Buckeye, Ariz.

This item was adopted.

119 GEM Gas Analyzer Purchase, Calibration and Maintenance Recommendation (Ordinance S-43825)

Request to authorize the City Manager, or his designee, to enter into a contract with QED Environmental Systems, Inc. (3522116) in an amount not to exceed \$115,000 over the life of the contract for purchase, calibration and maintenance of GEM gas analyzers. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

In compliance with state, county and local regulations, the City samples and analyzes the methane, carbon dioxide and oxygen content of gas produced at five closed and one open landfills. The information is recorded and reported to regulatory agencies at required intervals.

The City currently utilizes seven GEM 2000 gas analyzers for this purpose. The analyzers require calibration and regular maintenance to assure the integrity and validity of the recording instruments and readings. The calibration is manufacturer-specific and must be documented. The vendor will provide the required calibration and maintenance of the existing analyzers. Additionally, the vendor maintains the condition and useful life of equipment and is scheduled to replace two of the analyzers in FY17/18 and the remaining analyzers within the initial three years of the contract.

Procurement Information

QED Environmental Systems, Inc. is the only authorized vendor for purchase of equipment, parts, service, warranty and training for GEM equipment. In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing that

there is only one source for the necessary goods and services.

Contract Term

The initial three-year contract term shall begin on or about Sept. 1, 2017, and end on Aug. 31, 2020. Provisions of the contract include an option to extend the term of the contract for up to two additional years, in one-year increments, which may be exercised by the City Manager or his designee.

Financial Impact

Expenditures shall not exceed \$115,000 over the life of the contract, with an estimated annual expenditure of \$23,000. Funds are available in the Public Works Department's budget.

This item was adopted.

**120 Solid Waste Equipment Lubrication - Requirements Contract
Recommendation - IFB 17-FSD-114 (Ordinance S-43831)**

Request to authorize the City Manager, or his designee, to enter into separate contracts with Lincoln Constructors, Inc. (3523568), Truck Repair Phoenix, LLC (3074167), and NAEquipment (3523722) to provide lubrication services for solid waste refuse equipment for an amount not to exceed \$2,200,000 over the life of the contracts. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department requires lubrication services for refuse equipment, including side loaders, rear loaders and articulating loaders. Proper lubrication of refuse truck assemblies, in accordance with manufacturer specifications, prevents vehicle breakdown and failure of fittings and bearings and is vital to achieving the full useful life of the equipment. More than 320 refuse vehicles are serviced each week: unit arms are lubricated twice per week, and bodies once per week.

Procurement Information

Invitation for Bid (IFB) 17-FSD-114 was conducted in accordance with Administrative Regulation 3.10. Three bids were received on May 17, 2017. The bids were evaluated based on responsiveness and lowest bid. All three vendors have been recommended for award to ensure that the

refuse equipment receives lubrication in accordance with manufacturers' specifications.

Contract Term

The term of each contract will begin on or about Sept. 1, 2017, and end on Aug. 30, 2018. Each contract will include an option to extend the term up to four years, in increments of up to one year, which may be exercised by the City Manager or his designee.

Financial Impact

The aggregate value of the contracts will not exceed \$2,200,000, with an estimated annual expenditure of \$440,000. Funds are available in the Public Works department budget.

This item was adopted.

**121 Accurain Compost Facility Equipment - Maintenance and Repair
Contract Recommendation (Ordinance S-43832)**

Request to authorize the City Manager, or his designee, to enter into a contract with DariTech, Inc., (3520899) in an amount not to exceed \$48,000 over the life of the contract for equipment training and monitoring of a customized irrigation system. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department purchased DariTech, Inc., equipment for the 27th Avenue Compost Facility, including the 2016 Accurain Self Propelled Irrigation Traveler, a customized irrigation system. This contract will assist the City in ensuring that the equipment is being properly operated and maintained by the contracted Compost Facility operator in compliance with the original equipment manufacturer's guidelines. This equipment enables the City to comply with regulatory requirements for dust control by infusing moisture into the compost while connected to the compost turner.

Procurement Information

A determination has been made for this requirements contract because DariTech, Inc., is the only authorized vendor that provides equipment, parts, service, warranty and training for this irrigation system. In

accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing that there is only one source vendor for this essential equipment and services.

Contract Term

The initial one-year contract term shall begin on or about Sept. 7, 2017, and end on Sept. 6, 2018. Provisions of the contract include options to extend the term of the contract for up to two additional years, in one-year increments, which may be exercised by the City Manager or his designee.

Financial Impact

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

Location

The 27th Avenue Compost Facility is located at 3060 S. 27th Ave.
Council District: 7

This item was adopted.

122 Intergovernmental Agreement for Waste Collection and Transportation Mutual Aid (Ordinance S-43848)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) for Waste Collection and Transportation Mutual Aid with the cities of Mesa, Avondale, Glendale, Tempe, Scottsdale, Peoria, and the Town of Queen Creek.

Summary

The purpose of this IGA is to define procedures for participating jurisdictions to request emergency assistance and supply resources for waste collection and transportation or other assistance in emergencies, identify available resources and inventory, and provide a mechanism for maintenance and repair of these resources. Resources include, but are not limited to, automated side loaders, bin/barrel delivery vehicles, front loaders, rear loaders, backhoes, front-end load tractors, pick-up trucks, mobile equipment, trailers, and dump trucks.

Contract Term

This agreement will be effective upon approval and execution and shall remain in effect until Dec. 31, 2018. The agreement 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 associated with this IGA.

This item was adopted.

**123 Vehicle Graphics Supply and Installation Contract
Recommendation - IFB 18-FSD-009 (Ordinance S-43850)**

Request to authorize the City Manager, or his designee, to enter into a contract with Pride Group, LLC (3514989) to provide various decals and graphics for the City of Phoenix fleet as needed for an amount not to exceed \$500,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is seeking the supply and installation of various decals and graphics for City-owned vehicles, including Police decals, safety decals and vehicle wraps. The decals display vehicle unit numbers, the City of Phoenix logo and "For Official Use Only"; proper identification is required on City vehicles to comply with AR 6.11.

Procurement Information

Invitation for Bid (IFB) 18-FSD-009 was conducted in accordance with Administrative Regulation 3.10. Three bids were received on July 21, 2017. The bids were evaluated based on responsiveness and lowest bid. One offer was deemed non-responsive for not providing complete pricing. The two responsive bids were:

Pride Group, LLC: \$17,439.76

RR Donnelley: \$24,343.05

Pride Group was determined to be the lowest responsive offer.

Contract Term

The initial term of the contract will begin on or about Sept. 1, 2017, and

end on Aug. 31, 2018. The contract will include an option to extend the term up to four years, in increments of up to one year, which may be exercised by the City Manager or his designee.

Financial Impact

The aggregate value of the contract will not exceed \$500,000, with an estimated annual expenditure of \$100,000. Funds are available in the Public Works Department's budget.

This item was adopted.

**124 Water Facilities General Construction Job Order Contracts
Amendment No. 1 - 4108JOC147, WS85400001 and WS85400002
(Ordinance S-43824)**

Request to authorize the City Manager, or his designee, to execute Amendment No. 1 to Contract 144300 with J.R. Filanc Construction Company, Inc. (Peoria, Ariz.) and Amendment No. 1 to Contract 144301 with PCL Construction, Inc. (Tempe, Ariz.) to provide continued Water Facilities General Construction Job Order Contracting (JOC) services. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The scope of work may include but is not 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 system components; program remote terminal units, programmable logic controllers, 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.

The Contractors will be used on an as-needed basis to provide general construction for rehabilitation and/or replacement of equipment, structures and instrumentation at the Deer Valley, 24th Street, Union Hills, and Val Vista Water Treatment Plants.

Procurement Information

J.R. Filanc Construction Company, Inc., and PCL Construction, Inc., were selected for this project using a qualifications-based selection process in accordance with Title 34 of the Arizona Revised Statutes. The City entered into Contract 144300 with J.R. Filanc Construction Company, Inc., on March 3, 2017, and 144301 with PCL Construction, Inc., on Feb. 22, 2017.

Contract Term

Each contract has a three-year term with an option to renew for an additional two-year term or maximum funding capacity, whichever occurs first.

Location

Deer Valley Water Treatment Plant, 3030 W. Dunlap Ave. (Council District 1)

Union Hills Water Treatment Plant 2001 E. Deer Valley Road (Council District 2)

24th Street Water Treatment Plant, 6202 N. 24th St. (Council District 6)

Val Vista Water Treatment Plant 3200 E. McDowell Road, Mesa, Ariz. (Out of City)

Financial Impact

The initial contract value of each JOC was established at a not-to-exceed amount of \$12,500,000, including all optional renewals. Amendment 1 increases each JOC by \$12,500,000, for a total contract of \$25,000,000 each. 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 review and approve funding availability prior to the issuance of any job order agreement.

Previous Council Action

City Council approved the Water Facilities General Construction Contracts 144300 and 144301 on Jan. 11, 2017.

This item was adopted.

125 Authorization to License City-Owned Property within Laveen Area Conveyance Channel to Kitchell Development Company (Ordinance S-43846)

Request to authorize the City Manager, or his designee, to enter into a license agreement with Kitchell Development Company to use City-owned property within the Laveen Area Conveyance Channel (LACC) to construct private irrigation facilities and outfall to the LACC.

Summary

The purpose of this license is to allow access to City property to construct a private irrigation system and outfall in the LACC for work related to the construction of the South Mountain Freeway. Licensee shall provide insurance and indemnification acceptable to the City's Risk Management Division and the Law Department. The license may be canceled pursuant to Arizona Revised Statutes 38-511, or upon 60 days prior written notice from either party. The license may contain other terms and conditions deemed necessary by the City.

Contract Term

The license term shall not exceed six months.

Financial Impacts

There are no fees related to this license.

Location

The project is within the LACC located south of Baseline Road on the east side of State Route Loop 202 right-of-way at 59th Avenue.

Council Districts: 7, 8

This item was adopted.

126 Intergovernmental Agreements with Eagle College Preparatory, Creighton School District, and the Laveen School District to Allocate Safe Routes to School Grant Funds (Ordinance S-43849)

Request authorization for the City Manager, or his designee, to enter into Intergovernmental Agreements (IGAs) with Eagle College Preparatory Schools, Creighton School District, and the Laveen School District to allocate funds awarded by the Federal Highway Administration (FHWA)

through the Safe Routes to School Grant Program. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Maricopa Association of Governments (MAG) sent a formal call for Safe Route to School grant applications to all school districts and charter schools in Maricopa County. As part of this year's process, applicants submitted grant applications through the city or town where the school is located. Street Transportation Department staff worked with the schools that expressed interest in applying for the grant funds to complete the applications. Applications were then submitted by the City to MAG on behalf of the schools and school districts.

The FHWA awarded a total of \$144,703 in Transportation Alternatives Program Non-Infrastructure Safe Routes to School Grants to the Phoenix schools that applied. Of this amount, \$52,750 was awarded for requests from the 2016-2017 school year and carried over to the 2017-18 school year. The remaining \$91,953 was awarded for 2017-18 school year requests. The grants will be used by these schools to purchase educational items, cover salaries for Safe Routes to School Coordinators, and to hire a consultant to evaluate traffic and pedestrian routes.

As part of the Moving Ahead for Progress in the 21st Century Act, the City is required to receive FHWA grant monies on behalf of participating schools. In prior years under the Safe, Accountable, Flexible, Efficient Transportation Equity Act, grant monies were distributed by the Arizona Department of Transportation, and schools received reimbursement as projects were completed.

The IGAs between the City and each school or school district will detail the requirements to use the grant funds in order to receive reimbursement from the City.

School Districts/Schools

Eagle College Preparatory Schools / South Mountain, Harmony, and Maryvale: (FY 2016-17) \$30,750 and (FY 2017-18) \$50,000
Creighton School District / Creighton Elementary and Biltmore

Preparatory: (FY 2016-17) \$22,000 and (FY 2017-18) \$21,452
Laveen School District / Vista Sur Elementary: (FY 2017-18) \$20,501

Financial Impact

The City will accept \$144,703 in grant funds from the FHWA on behalf of the schools and school districts. Once the requirements of the IGA and grant are met, the City will disburse the funds. The local match of 5.7 percent will be covered by the individual schools and school districts.

LocationEagle College Preparatory Schools

South Mountain School located at 2450 W. South Mountain Ave.

Harmony School located at 2435 E. Pecan Road

Maryvale School located at 3950 N. 53rd Ave.

Creighton School District

Creighton Elementary School located at 2802 E. McDowell Road

Biltmore Preparatory Academy located at 4601 N. 34th St.

Laveen School District

Vista Del Sur Elementary School located at 3908 W. South Mountain Ave.

Council Districts: 5, 6, 7, 8

This item was adopted.

127 Burton Barr Library Restoration (Floors One Through Four) Job Order Contract Construction Services - LS71200089 (Ordinance S-43869)

Request to authorize the City Manager, or his designee, to issue a job order agreement to Brycon Construction in excess of the City Council-authorized \$2 million per job order/project agreement limit and to authorize a \$2.5 million job order agreement limit to provide construction services for the Burton Barr Library Restoration (Floors One Through Four) project. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

On July 15, 2017 the Burton Barr Library sustained significant water damage. Emergency services were immediately provided to mitigate further damage to the library.

The City is moving expeditiously to restore and re-open the library to the public. As part of that effort, the City is engaging one of its job order contractors, Brycon Construction, to perform restoration work for floors one through four. Brycon Construction's construction services include, but are not limited to, replacement of carpet and flooring materials, drywall and wood paneling, doors and door hardware, and interior ceilings, including painting. Brycon Construction will conduct competitive pricing and subcontractor prequalification, and involvement and participation of small businesses in the process.

Procurement Information

Brycon Construction was chosen for this project utilizing its current Citywide General Construction Job Order Contract, which was procured according to title 34 of the Arizona Revised Statutes. The City and Brycon Construction entered into Contract 138903 on July 18, 2014.

Contract Term

The term of this project is expected to take eight months to complete. Brycon Construction Contract 138903 with the City is for a 60-month period through July 17, 2019.

Financial Impact

Brycon Construction's fee for this job order agreement will not exceed \$2.5 million, including all subcontractor and reimbursable costs. The Budget and Research Department will review and approve funding availability prior to the issuance of the job order agreement.

Concurrence/Previous Council Action

City Council approved Contract 138903 on July 2, 2014 for a 60-month period and a maximum contract amount of \$20 million, with approval to execute job order agreements performed under the Job Order Contract for up to \$2 million per project.

Public Outreach

Regular media updates and additional public outreach will be provided throughout the duration of the Burton Barr Library Restoration project.

Location

1221 N. Central Ave.
Council District: 7

This item was adopted.

**128 Customer-Owned Substation Facilities Service Agreement
(Ordinance S-43845)**

Request to authorize the City Manager, or his designee, to add additional funds for Contract 139425 with Salt River Project (SRP) in an amount of \$570,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

SRP has been involved with the design, construction and ongoing maintenance of the substation equipment at Val Vista and Deer Valley Water Treatment Plants, as well as the 91st Avenue Wastewater Treatment Plant. Accordingly, SRP has the expertise to provide Water Services the most responsive and cost-effective maintenance, repair and emergency services in a timely matter. SRP assumes all responsibility of power supply reliability to these facilities with minimal interruptions should an electrical outage occur. The increase is needed to cover the additional maintenance and upgrades to these substations.

Financial Impact

With the \$570,000 in additional funds, the contract's revised aggregate value is now \$845,000 (including applicable taxes). Funds are available in the Water Services Department operating budget.

Concurrence/Previous Council Action

This contract is the result Formal Council Action on June 19, 2013 with an original aggregate value of \$275,000.

This item was adopted.

129 Intergovernmental Agreement - Weather Station Operation for Turf Irrigation Management, University of Arizona (Ordinance S-43847)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Arizona Board of Regents, University of Arizona, for the maintenance and operation of the Phoenix Encanto, Phoenix Greenway, and Desert Ridge weather stations, which

are owned by the City of Phoenix. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The University of Arizona operates the Arizona Meteorological Network (AZMET), a statewide network that measures local weather conditions to provide real-time information about suggested landscape watering levels for residences and businesses in Phoenix and throughout Arizona. Included in the IGA are the following services: operate, calibrate, and maintain weather station instrumentation at the three above-listed sites; collect daily weather data; and generate climate information for posting to the internet, for business and residential use.

Contract Term

The agreement term shall be for five years. The term shall begin on or about Sept. 1, 2017, with an end date of Aug. 31, 2022.

Financial Impact

The aggregate value of this IGA will not exceed \$88,672 (including applicable taxes). Funds are available in the Water Services Department Operating Budget.

This item was adopted.

130 Modification of Stipulation Request for Ratification of June 21, 2017 Planning Hearing Officer Action - Z-91-01-2

Application: PHO-1-17- Z-91-01-2

Current Zoning: CP/BP

Acreage: 3.01

Applicant: Stan J. Connick

Owner: Shirdi Saibaba Temple

Representative: Stan J. Connick

Proposal:

1. Modification of Stipulation 1 regarding general conformance to site plan and elevations.
2. Deletion of Stipulation 2 regarding landscape islands.
3. Deletion of Stipulation 3 regarding landscaped areas.
4. Deletion of Stipulation 9 regarding liquor licenses.
5. Addition of notification of proximity to airport.

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on June 21, 2017.

Location

Approximately 270 feet north of the northwest corner of 17th Avenue and Bell Road.

Council District: 2

Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee chose not to hear this case.

Planning Hearing Officer Recommendation: The Planning Hearing Officer denied as filed and recommended approval with additional stipulations on June 21, 2017.

This item was approved.

131 Modification of Stipulation Request for Ratification of June 21, 2017 Planning Hearing Officer Action - Z-197-86-3(5)

Application: PHO-1-17- Z-197-86-3(5)

Current Zoning: C-2

Acreage: 0.90

Applicant: Gabriel Gonzales

Owner: Gabriel Gonzales

Representative: Philip Reina

Proposal:

1. Modification of Stipulation 3 regarding general conformance to site plan and elevations date stamped Sept. 25, 1986.

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on June

21, 2017.

Location

Approximately 265 feet south of the southwest corner of 27th Avenue and Glendale Avenue.

Council District: 5

Concurrence

Village Planning Committee (VPC) Recommendation: The Alhambra Village Planning Committee chose not to hear this case.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with modifications on June 21, 2017.

This item was approved.

132 Modification of Stipulation Request for Ratification of June 21, 2017 Planning Hearing Officer Action - Z-69-94-7

Application: PHO-2-17- Z-69-94-7

Current Zoning: A-1

Acreage: 18.60

Applicant: Berry Riddell LLC; Wendy Riddell, Esq.

Owner: Penske Truck Leasing Co., LP c/o Lewis K

Representative: Berry Riddell LLC; Wendy Riddell, Esq.

Proposal:

1. Request to modify Stipulation 2 regarding conformance to site plan date stamped Dec. 23, 2005.
2. Add Stipulation to limit access on 43rd Avenue.
3. Add Stipulation regarding Proposition 207 waiver.
4. Technical correction to Stipulations 9 and 10.

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on June 21, 2017.

Location

Northwest corner of 43rd Avenue and Roosevelt Street.

Council District: 7

Concurrence

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee recommended approval with an additional stipulation by an 8-0 vote on June 20, 2017.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with additional stipulations on June 21, 2017.

This item was approved.

133 Modification of Stipulation Request for Ratification of June 21, 2017 Planning Hearing Officer Action - Z-149-05-7

Application: PHO-2-17- Z-149-05-7

Current Zoning: S-1, Approved R1-8

Acreage: 15.88

Applicant: David Bohn - Westwood Professional Service

Owner: 83rd Avenue Partners, LLC

Representative: Rick Jellies

Proposal:

1. Modification of Stipulation 1 regarding number of lots.
2. Deletion of Stipulation 2 regarding detached sidewalks.
3. Deletion of Stipulation 3 regarding Planning Hearing Officer approval of elevations prior to preliminary site plan approval.
4. Deletion of Stipulation 4 regarding entryway turning circle.
5. Deletion of Stipulation 5 regarding cross access and construction easement.
6. Addition of Stipulation restricting height of development.
7. Technical correction to Stipulations 6, 7 and 10.

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on June 21, 2017.

Location

Approximately 622 feet north of the northwest corner of 83rd Avenue and Broadway Road.

Council District: 7

Concurrence

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee recommended approval with an additional stipulation to allow no more than 50 percent of the lots to be two-stories in height by an 8-0 vote on June 20, 2017.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with an additional stipulation on June 21, 2017.

This item was approved.

134 Modification of Stipulation Request for Ratification of June 21, 2017 Planning Hearing Officer Action - Z-163-06-7

Application: PHO-1-17- Z-163-06-7

Current Zoning: R1-6 PRD

Acreage: 25.84

Applicant: David Bohn - Westwood Professional Service

Owner: 63rd Avenue Partners, LLC

Representative: Rick Jellies, Lead Group

Proposal:

1. Modification of Stipulation 1 regarding general conformance to site plan date stamped April 13, 2007.
2. Deletion of Stipulation 2 regarding general conformance with Architectural Concepts date stamped Dec. 20, 2006.
3. Modification of Stipulation 3 regarding the caliper trees and appropriate shrubs required in Tract A.
4. Modification of Stipulation 4 regarding width of trail easement.
5. Modification of Stipulation 5 regarding the height of lots on the western boundary.
6. Deletion of Stipulation 7 regarding the right-of-way.
7. Technical correction to Stipulations 6, 8 and 10.

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on June 21, 2017.

Location

Southwest corner of 63rd Avenue and Elwood Street alignment.
Council District: 7

Concurrence

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee recommended approval with an additional stipulation to require a roundabout at the 4-way stop on Fulton Street and 64th Avenue by an 8-0 vote on June 20, 2017.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with modifications on June 21, 2017.

This item was approved.

135 Modification of Stipulation Request for Ratification of June 21, 2017 Planning Hearing Officer Action - Z-108-05-7(8)

Application: PHO-1-17- Z-108-05-7(8)

Current Zoning: R1-10 HP

Acreage: 8.56

Applicant: Dos Palmas LLC/Fretz Realty

Owner: Dos Palmas LLC/Fretz Realty

Representative: John Svechovsky/Echo Engineering, Inc.

Proposal:

1. Modification of Stipulation 1 regarding general conformance with plans.
2. Technical correction to Stipulation 2 and 7.
3. Modification of Stipulation 5 regarding external and internal sidewalks.
4. Deletion of Stipulation 8 regarding lots 1 and 24.
5. Modification of Stipulation 9 regarding retention basins.
6. Modification of Stipulation 10 regarding a flood irrigation system.
7. Add Stipulation regarding developer recording notice of proximity to airport.

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on June 21, 2017.

Location

Approximately 730 feet west of the southwest corner of 7th Avenue and South Mountain Avenue.

Council District: 8

Concurrence

Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee recommended approval, subject to a modification to retain the original language of Stipulation 10 regarding flood irrigation by a 13-0 vote on June 13, 2017.

Planning Hearing Officer Recommendation: The Planning Hearing Officer took this case under advisement on June 21, 2017. The Planning Hearing Officer took the case out from under advisement and approved with modifications on June 23, 2017.

This item was approved.

**136 Modification of Stipulation Request for Ratification of July 19, 2017
Planning Hearing Officer Action - Z-145-80-6**

Application: PHO-3-17- Z-145-80-6

Current Zoning: C-O

Acreage: 1.79

Applicant: William F. Allison - Withey, Morris, PLC

Owner: Olympus Properties II, LLC

Representative: William F. Allison - Withey, Morris, PLC

Proposal:

1. Deletion of Stipulation 1 regarding development of proposed use.
2. ~~Deletion of Stipulation 2 regarding building height. ***REVISED***~~
3. Modification of Stipulation 3 regarding landscaped area.
4. Modification of Stipulation 4 regarding screen walls.

5. Deletion of Stipulation 5 regarding lot division approval.
6. Modification of Stipulation 6 regarding development conformance.

REVISED

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on July 19, 2017.

Location

Northeast corner of 32nd Street and Highland Avenue.

Council District: 6

Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Camelback East Village Planning Committee recommended approval with modifications by a 14-0 vote on July 11, 2017.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with modifications on July 19, 2017.

This item was approved as corrected.

137 Final Plat - Desert Hills Anthem Addition - 170023 - 43240 N. Black Canyon Highway

Plat: 170023

Project: 07-1243

Name of Plat: Desert Hills Anthem Addition

Owner(s): Desert Hills Unlimited, LLC

Engineer(s): Bauer Land Surveying, LLC

Request: A 4 Lot Commercial Subdivision Plat

Reviewed by Staff: July 19, 2017

Summary

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

Location

Generally located at 43240 N. Black Canyon Highway.
Council District: 1

This item was approved.

138 Final Plat - Peak View 2 - 170009 - East of 40th Street and South of Hoot Owl Trail

Plat: 170009

Project: 15-2224

Name of Plat: Peak View 2

Owner(s): Lennar Arizona, Inc.

Engineer(s): Hoskin Ryan Consultants, Inc.

Request: A 39-Lot Residential Subdivision Plat

Reviewed by Staff: Aug. 4, 2017

Summary

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

Location

Generally located east of 40th Street and south of Hoot Owl Trail.
Council District: 2

This item was approved as corrected.

139 Final Plat - Lots 7, 8, 9 and Tract "D" A Re-Plat of Cave Creek and Peak View - 170011 - North of Hoot Owl Trail and East of 40th Street

Plat: 170011

Project: 13-3228

Name of Plat: Lots 7, 8, 9 and Tract "D" A Re-Plat of Cave Creek and Peak View

Owner(s): Lennar Arizona, Inc.

Engineer(s): Hoskin Ryan Consultants, Inc.

Request: A 3-Lot Residential Subdivision Plat

Reviewed by Staff: Aug. 4, 2017

Summary

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

Location

Generally located north of Hoot Owl Trail and east of 40th Street.

Council District: 2

This item was approved as corrected.

140 Final Plat - 40th Street & Lone Mountain - 170026 - 331 Feet East of 40th Street North of Lone Mountain Road

Plat: 170026

Project: 16-1575

Name of Plat: 40th Street & Lone Mountain

Owner(s): LM Communities, LLC

Engineer(s): 3 Engineering, LLC

Request: A 30 Lot Residential Development Plat

Reviewed by Staff: July 19, 2017

Summary

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

Location

Generally located 331 feet east of 40th Street north of Lone Mountain Road.

Council District: 2

This item was approved.

141 Final Plat - The Osborn - 170043 - Southwest Corner of 7th Avenue and Osborn Road

Plat: 170043

Project: 16-2089

Name of Plat: The Osborn

Owner(s): High Street Seventh and Osborn Apartments LLC (Lot 1),
Seventh and Osborn Retail, LLC (Lot 2 and 3)

Engineer(s): Survey Innovation Group, Inc.

Request: A 3-Lot Commercial Subdivision Plat

Reviewed by Staff: Aug. 2, 2017

Summary

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

Location

Generally located at the southwest corner of 7th Avenue and Osborn Road.

Council District: 4

This item was approved.

142 Final Plat - El Caro Senior Residences - 170028 - North of the Northeast Corner of 21st Avenue and Northern Avenue

Plat: 170028

Project: 13-516

Name of Plat: El Caro Senior Residences

Owner(s): Metro El Caro Senior Residences, LLC

Engineer(s): Hunter Engineering, INC. Contact: Jerry D. Heath Jr., R.L.S.

Request: A 1 Lot Commercial Plat

Reviewed by Staff: July 26, 2017

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V170015A.

Location

Generally located north of the Northeast Corner of 21st Avenue and Northern Avenue.

Council District: 5

This item was approved.

143 Final Plat - Cholla Heights Re-Plat - 160022 - North of Camelback

Road/Chaparral Road Alignment and West of Invergordon Road

Plat: 160022

Project: 15-2375

Name of Plat: Cholla Heights Re-Plat

Owner(s): Lots at Cholla Heights, LLC (Lots 1,2,5,6,7 and Tract A, B, and C), Cholla Residence LP (Lot 3), and Scott A. Grigg (Lot 4)

Engineer(s): Hilgart Wilson

Request: 7-Lot Residential Subdivision Plat

Reviewed by Staff: Aug. 3, 2017

Summary

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

Location

Generally located north of Camelback Road/Chaparral Road Alignment and west of Invergordon Road.

Council District: 6

This item was approved.

**144 Final Plat - 202 & Van Buren - 170006 - East of State Route 202
South of Van Buren Street**

Plat: 170006

Project: 16-262

Name of Plat: 202 & Van Buren

Owner(s): CPEC 41139 202 Self-Storage

Engineer(s): CEG Applied Sciences

Request: A 1 Lot Commercial Plat

Reviewed by Staff: July 14, 2017

Summary

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

Location

Generally located east of State Route 202 south of Van Buren Street.

Council District: 6

This item was approved.

145 Final Plat - One 30 - A Conventional R1-10 Subdivision - 170033 - 130 E. Missouri Ave.

Plat: 170033

Project: 16-1532

Name of Plat: One 30 - A Conventional R1-10 Subdivision

Owner(s): White Sand Properties, LLC

Engineer(s): D.N.A., Inc.

Request: An 8 Lot Residential Subdivision Plat

Reviewed by Staff: Aug. 3, 2017

Summary

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

Location

Generally located at 130 E. Missouri Ave.

Council District: 6

This item was approved.

146 Final Plat - 905 Grand Avenue - 170035 - North of Polk Avenue and Southwest Corner of Grand Avenue

Plat: 170035

Project: 16-3650

Name of Plat: 905 Grand Avenue

Owner(s): Lorenzo & Margaret De La Cruz

Engineer(s): Hunter Engineering, Inc.

Request: A 1 Lot Commercial Subdivision Plat

Reviewed by Staff: July 31, 2017

Summary

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

Location

Generally located north of Polk Avenue and southwest corner of Grand Avenue

Council District: 7

This item was approved.

147 Final Plat - A Replat of a Portion of "Montana Vista" - 170055 - Southeast Corner of 41st Avenue and South Mountain Avenue

Plat: 170055

Project: 04-894

Name of Plat: A Replat of a Portion of "Montana Vista"

Owner(s): DQMontana Vista, LLC

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

Request: A 72 Lot Residential Plat

Reviewed by Staff: Aug. 3, 2017

Summary

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

Location

Generally located at the southeast corner of 41st Avenue and South Mountain Avenue.

Council District: 7

This item was approved.

148 Final Plat - Hohokam Towers - 160053 - 4605 E. Elwood Street

Plat: 160053

Project: 13-2253

Name of Plat: Hohokam Towers

Owner(s): HM Sky Harbor, LLC

Engineer(s): United Engineering Group

Request: A 1 Lot Commercial Subdivision Plat

Reviewed by Staff: July 5, 2017

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to be recorded concurrently with Abandonment V160020.

Location

Generally located at 4605 E. Elwood Street.
Council District: 8

This item was approved.

149 Final Plat - The Arbors - 160097 - Northeast Corner of 24th Street and Vineyard Road

Plat: 160097

Project: 13-1568

Name of Plat: The Arbors

Owner(s): Pulte Home Company, LLC and WWK Waldron, LLC

Engineer(s): Sunrise Engineering, Inc.

Request: A 149 Lot Residential Plat

Reviewed by Staff: Aug. 10, 2017

Summary

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

Location

Generally located at the northeast corner of 24th Street and Vineyard Road.
Council District: 8

This item was approved.

150 Final Plat - 16th Street Enclave - 160107 - Southwest Corner of 16th Street and Alta Vista Road

Plat: 160107

Project: 15-1258

Name of Plat: 16th Street Enclave

Owner(s): Truvista Development, LLC
Engineer(s): Westwood Professional Services, Inc.
Request: A 25-Lot Residential Subdivision Plat
Reviewed by Staff: Aug. 4, 2017

Summary

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

Location

Generally located at the southwest corner of 16th Street and Alta Vista Road.
Council District: 8

This item was approved.

151 Final Plat - Village at Meridian Hills - 170029 - Southeast Corner of 13th Street and Carson Road

Plat: 170029
Project: 16-3256
Name of Plat: Village at Meridian Hills
Owner(s): Monarch Investors, LLC
Engineer(s): Westwood Professional Services, Inc.
Request: A 31-Lot Residential Subdivision Plat
Reviewed by Staff: Aug. 4, 2017

Summary

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

Location

Generally located at the southeast corner of 13th Street and Carson Road.
Council District: 8

This item was approved.

152 Abandonment of Easement - V170024A - 8610 N. Skyline Drive (Resolution 21562)

Abandonment: V170024A

Project: 00-7834

Applicants: Dan Curtis and Debbie Waller

Request: To abandon a portion of the Drainage/Public Utility Easement located on the west 8 feet of the parcel addressed 8610 N. Skyline Drive, APN 168-82-015.

Date of Decision: June 13, 2017

Location

8610 N. Skyline Drive

Council District: 3

Financial Impact

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

This item was adopted.

153 Abandonment of Easement - V170015A - Northwest of Northern Avenue and 19th Drive (Resolution 21564)

Abandonment: V170015A

Project: 13-516

Applicant: Jeff Norman of Hunter Engineering

Request: To abandon the Drainage Easement dedicated per Ordinance S-37827, located on the parcel identified as APN 158-06-021D, adjacent to the parcel addressed 1922 W. Las Palmaritas Drive.

Date of Decision: April 24, 2017

Summary

The resolution of the abandonment and the subdivision plat El Caro Senior Residences, Plat 170028, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location

Northwest of Northern Avenue and 19th Drive
Council District: 5

Financial Impact

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

This item was adopted.

154 Abandonment of Easement - V160020A - 4575 and 4635 E. Elwood St. (Resolution 21565)

Abandonment: V160020A

Project: 13-2253

Applicant: Richard Fragapane of The Muller Company

Request: The 12-foot Water Easement located on the parcel addressed 4575 E. Elwood St., APN 124-55-646A, dedicated per Ordinance S-23512; the triangular piece of Water Easement located on the parcel addressed 4635 E. Elwood St., APN 124-55-647A, according to the plat of record in Book 466 Page 4, Maricopa County Recorder; and the Wastewater Easement on the same parcel, adjacent to Elwood Street, per document recording number 87-0325165, Maricopa County Recorder.

Date of Decision: April 19, 2016

Summary

The resolution of the abandonment and the subdivision plat Hohokam Towers, Plat 160053, 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

4575 and 4635 E. Elwood St.
Council District: 8

Financial Impact

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

This item was adopted as corrected.

155 Abandonment of Right-of-Way - V160039A - Northeast of 22nd Street and Adams Street (Resolution 21561)

Abandonment: V160039A

Project: 03-2974

Applicant: F and G Investments, LLC

Request: To abandon the alley Right-of-Way between the parcels addressed 2203 E. Monroe St. (APN 115-01-010A) 2202 and 2206 E. Adams St. (APN 115-01-014 and 115-01-013A).

Date of Hearing: July 27, 2016

Location

Northeast of 22nd Street and Adams Street

Council District: 8

Financial Impact

A fee was also collected as part of this abandonment in the amount of \$2,740.

This item was adopted.

156 Abandonment of Easement - V170025A - 39th Street and Flower Street (Resolution 21563)

Abandonment: V170025A

Project: 14-2574

Applicant: Roger Theis of the Slater Hanifan Group

Request: To abandon the Public Utility Easement and Emergency and Service Vehicle Easement dedicated on Tract A, Phase II, in the plat "El Morada Del Sol Condominiums," Book 217 Page 41, Maricopa County Recorder, located west of 39th Street at the Flower Street alignment.

Date of Decision: June 2, 2017

Location

West of 39th Street at the Flower Street alignment
Council District: 8

Financial Impact

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

This item was adopted.

**157 Amend City Code - Ordinance Adoption - Rezoning Application
PHO-1-17--Z-SP-3-16-2 - Approximately 276 feet north of the
northeast corner of Cave Creek Road and Union Hills Drive
(Ordinance G-6346)**

Application: PHO-1-17-Z-SP-3-16-2

Current Zoning: C-2 SP

Acreage: 1.99

Applicant: FNA Ventures LLC

Owner: JTF Development Partners LLC

Representative: John Reddell Architects

Proposal:

- 1) Modification of Stipulation 2 regarding specific conformance to the site plan date stamped May 13, 2016.
- 2) Modification of Stipulation 4 regarding the design/color of the development.

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on July 19, 2017.

Location

Approximately 276 feet north of the northeast corner of Cave Creek

Road and Union Hills Drive.

Council District: 2

Parcel Address: N/A

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Paradise Valley Village Planning Committee recommended approval by a 9-2 vote on July 10, 2017.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval on July 19, 2017.

This item was adopted.

**158 Amend City Code - Ordinance Adoption - Rezoning Application
PHO-1-17--Z-28-16-2 - Approximately 580 Feet East of the Northeast
Corner of Cave Creek Road and Union Hills Drive (Ordinance
G-6344)**

Application: PHO-1-17-Z-28-16-2

Current Zoning: C-2 SP

Acreage: 1.99

Applicant: FNA Ventures LLC

Owner: JTF Development Partners, LLC

Representative: John Reddell

Proposal:

1) Modification of Stipulation 2 regarding conformance to site plan date stamped May 13, 2016.

2) Modification of Stipulation 4 regarding the design/color of the development.

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on July 19, 2017.

Location

Approximately 580 feet east of the northeast corner of Cave Creek Road and Union Hills Drive.

Council District: 2

Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Paradise Valley Village Planning Committee recommended approval by a 9-2 vote on July 10, 2017.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval on July 19, 2017.

This item was adopted.

**159 Amend City Code - Ordinance Adoption - Rezoning Application
PHO-1-17--Z-24-14-6 - Approximately 365 Feet North of the
Northeast Corner of 32nd Street and Highland Avenue (Ordinance
G-6347)**

Application: PHO-1-17-Z-24-14-6

Current Zoning: PUD

Acreage: 2.00

Applicant: William F. Allison - Withey Morris, PLC

Owner: Olympus Properties I, LLC

Representative: William F. Allison - Withey Morris, PLC

Proposal:

- 1) Deletion of Stipulation 1 regarding fencing of a site.
- 2) Deletion of Stipulation 2 regarding existing landscape.
- 3) Technical correction to Stipulation 4.
- 4) Modification of Stipulation 5 regarding site plan.

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on July 19, 2017.

Location

Approximately 365 feet north of the northeast corner of 32nd Street and Highland Avenue.

Council District: 6

Parcel Address: N/A

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Camelback East Village Planning Committee recommended approval with modifications by a 14-0 vote on July 11, 2017.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with modifications on July 19, 2017.

This item was adopted.

**160 Amend City Code - Ordinance Adoption - Rezoning Application
PHO-1-17--Z-49-13-8 - Approximately 1,000 Feet South of the
Southeast Corner of 35th Avenue and Baseline Road (Ordinance
G-6345)**

Application: PHO-1-17- Z-49-13-8

Current Zoning: R1-10

Acreage: 18.96

Applicant: Laveen Meadows Partners LLC

Owner: Laveen Meadows Partners LLC

Representative: Ed Smith

Proposal:

1. Modification of Stipulation 4 regarding perimeter walls with view fencing.

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on July 19, 2017.

Location

Approximately 1,000 feet south of the southeast corner of 35th Avenue and Baseline Road.

Council District: 8

Parcel Address: N/A

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Laveen

Village Planning Committee chose not to hear this case.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval on July 19, 2017.

This item was adopted.

**161 Amend City Code - Official Supplementary Zoning Map 1160
(Ordinance G-6349)**

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1160. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-275-C-80-6, Z-114-04-8 and Z-42-02-8 and the entitlements are fully vested.

Summary

To rezone a parcel located at the southeast corner of Ray Road and Mountain Parkway.

District 6

Z-275-C-80-6

Zoning: R-4 PCD

Owner: San Paulo Condominium Partners LLC

Acres: Approximately 10.16

To rezone a parcel located 330' north of the northwest corner of Vineyard Road and 27th Avenue.

District 8

Z-114-04-8

Zoning: S-1

Owner: Laveen Gardens LLC

Acres: Approximately 4.99

To rezone a parcel located at the northeast corner of 32nd Street and old Southern Avenue.

District 8

Z-42-02-8

Zoning: R-3A

Owner: Carlibach LP

Acres: Approximately 10.67

Location

Southeast corner of Ray Road and Mountain Parkway, parcel located 330' north of the northwest corner of Vineyard Road and 27th Avenue, and parcel located at the northeast corner of 32nd Street and old Southern Avenue.

Council Districts: 6, 8

This item was adopted.

99 Issuance of Education Facility Revenue Bonds (Legacy Traditional Schools Projects), Series 2017 (Resolution 21566)

Requests City Council approval for the issuance of Education Facility Revenue Bonds (Legacy Traditional Schools Projects), Series 2017, to be issued in one or more tax-exempt and/or taxable senior and/or subordinate series in an aggregate principal amount not to exceed \$45,000,000.

Summary

Request the City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Ariz., (the "Phoenix IDA") has previously resolved to issue up to \$45,000,000 of Education Facility Revenue Bonds (the "Revenue Bonds") for use by Legacy Traditional School - East Mesa (the "Borrower"), an Arizona nonprofit corporation to:

- a) finance acquisition, design, construction, improvement, and equipping of land and buildings for charter school facilities (the "Project"), and
- b) pay certain costs related to the issuance of the Revenue Bonds.

Concurrence/Previous Council Action

The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on Aug. 10, 2017.

Location

There are two project sites: 1) the southwest corner of South Signal Butte Road and East Guadalupe Road in Mesa, Arizona, and 2) near the northwest corner of East Lake Mead Parkway and Pawnee Lane in Henderson, Nevada.

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

Discussion

Leonard Clark spoke in opposition to giving tax-free municipal bond money to corporate charter schools.

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

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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

The following individuals submitted comment cards, but no one wished to speak:

George Sanchez
John Rusinek
Elizabeth Mann
Frank Zhang
Flora Fung
Yiwei Huang
Sam Huang
Catherine Carter
Andy Zhang
Sam Huang
Yiwei Huang
Kim Blake

ADJOURN

There being no further business to come before the Council, Mayor Stanton

declared the meeting adjourned at 8:36 p.m.

MAYOR

ATTEST:

CITY CLERK

SC

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 30th day of August, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 1st day of November, 2017.

CITY CLERK