



Mayor Greg Stanton

Vice Mayor
District 4
Laura Pastor

District 1
Thelda Williams

District 2
Jim Waring

District 3
Debra Stark

District 5
Daniel Valenzuela

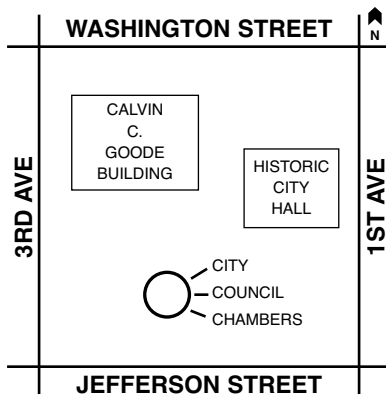
District 6
Sal DiCiccio

District 7
Michael Nowakowski

District 8
Kate Gallego

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

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



PHOENIX CITY COUNCIL FORMAL AGENDA

WELCOME!

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

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

FORMAL CITY COUNCIL MEETINGS

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

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

HOW CITIZENS CAN PARTICIPATE

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

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

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

REGISTERED LOBBYISTS

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

ACCESSIBILITY

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

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

City of Phoenix Council members and district boundaries



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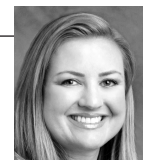
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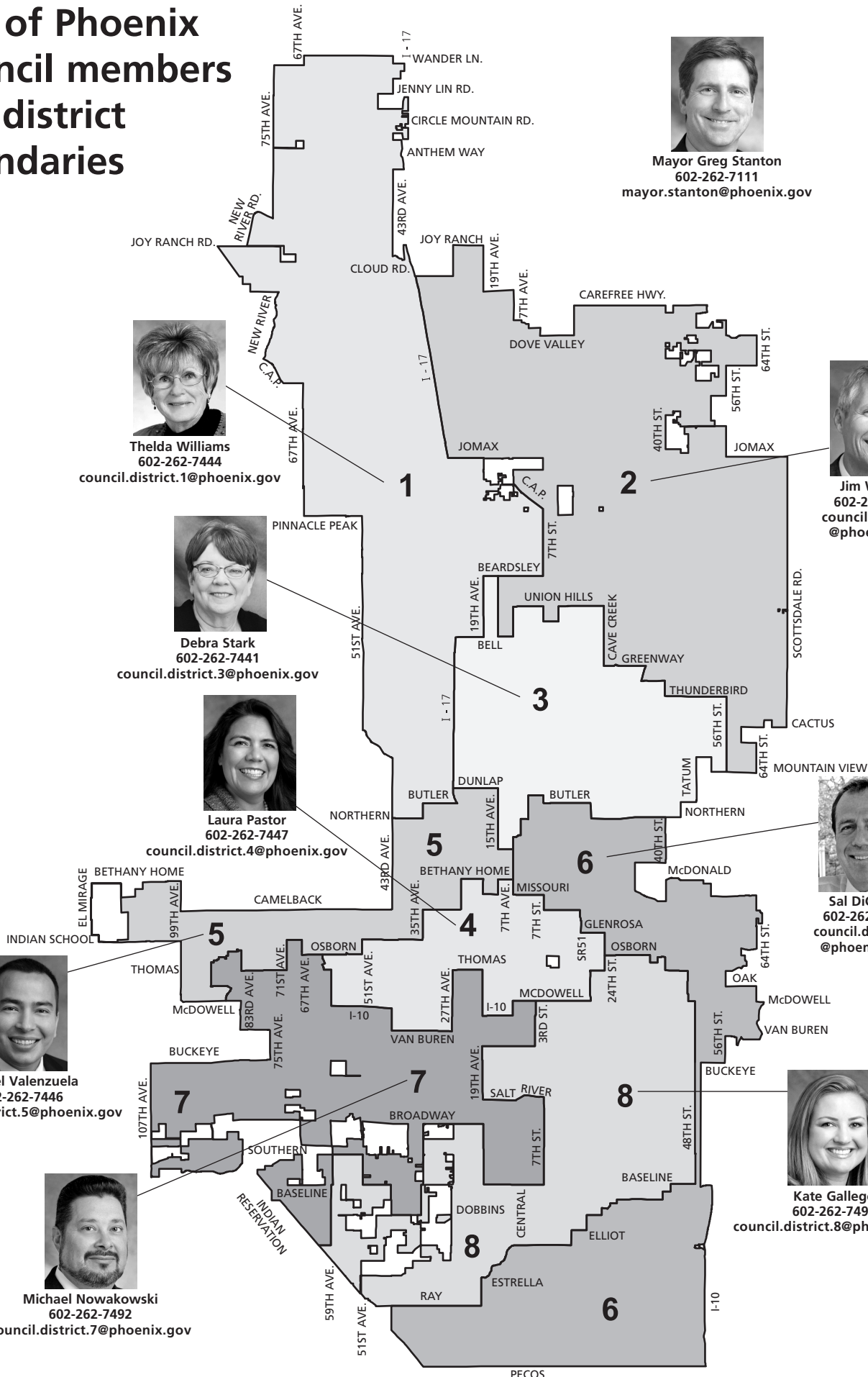
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Agenda

City Council Formal Meeting

Wednesday, September 20, 2017

2:30 PM

phoenix.gov

*****REVISED Sept. 19, 2017*****

Item to be Continued: 44; Items Added: 87.1, 87.2

CALL TO ORDER AND ROLL CALL

CITIZEN COMMENTS

MINUTES OF MEETINGS

- | | | |
|---|--|---------|
| 1 | For Approval or Correction, the Minutes of the Formal Meeting on April 5, 2017 | Page 11 |
| 2 | For Approval or Correction, the Minutes of the Formal Meeting on April 19, 2017 | Page 12 |
| 3 | For Approval or Correction, the Minutes of the Formal Meeting on May 10, 2017 | Page 13 |
| 4 | For Approval or Correction, the Minutes of the Formal Meeting on May 31, 2017 | Page 14 |
| 5 | For Approval or Correction, the Minutes of the Formal Meeting on June 7, 2017 | Page 15 |
| 6 | For Approval or Correction, the Minutes of the Formal Meeting on June 21, 2017 | Page 16 |
| 7 | For Approval or Correction, the Minutes of the Formal Meeting on June 28, 2017 | Page 17 |
| 8 | For Approval or Correction, the Minutes of the Formal | Page 18 |
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LIQUOR LICENSES, BINGO, AND OFF-TRACK BETTING LICENSE APPLICATIONS

9	Liquor License - Sardella's Pizza & Wings	District 1 - Page 19
10	Liquor License - Hampton Inn #166	District 1 - Page 21
11	Liquor License - Special Event - Horses Help Foundation	District 2 - Page 26
12	Liquor License - Special Event - St. George Antiochian Orthodox Church	District 3 - Page 27
13	Liquor License - Sardella's Pizza & Wings	District 3 - Page 28
14	Liquor License - Up N Smoke	District 4 - Page 30
15	Liquor License - Special Event - Ballet Folklorico Quetzalli-AZ, Inc.	District 5 - Page 35
16	Liquor License - In & Out Convenience	District 5 - Page 36
17	Liquor License - Special Event - St. Joseph Maronite Catholic Church	District 6 - Page 42
18	Liquor License - Special Event - St. Theresa Roman Catholic Parish Phoenix	District 6 - Page 43
19	Liquor License - Over Easy	District 6 - Page 44
20	Liquor License - Scramble A Breakfast Joint	District 6 - Page 49
21	Liquor License - Special Event - Downtown Phoenix Partnership, Inc.	District 7 - Page 55
22	Liquor License - Special Event - Local First Arizona	District 7 - Page 56
23	Liquor License - Special Event - Orgazac, Inc	District 7 - Page 57

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| 24 | Liquor License - The Van Buren | District 7 - Page 58 |
| 25 | Liquor License - Special Event - Children's Museum of Phoenix | District 8 - Page 64 |
| 26 | Liquor License - Special Event - Children's Museum of Phoenix | District 8 - Page 65 |
| 27 | Liquor License - Special Event - Greater Phoenix Economic Council | District 8 - Page 66 |
| 28 | Liquor License - Paz Taqueria Y Cantina | District 8 - Page 67 |
| 29 | Liquor License - Pink Rhino Cabaret | District 8 - Page 72 |

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| 30 | Professional Sky Climbing Service, Inc. |
| 31 | To Various Vendors for Fine Art Cleaning, Maintenance, Transportation and Conservation Services |
| 32 | CDW LLC, doing business as CDW Government, LLC |
| 33 | Cengage Learning, doing business as Gale Group |
| 34 | Skyline Productions, Inc. |
| 35 | Collaborative Testing Services, Inc. |
| 36 | Arizona Grocer's Publishing Company, doing business as Arizona Cart Services |
| 37 | Arcadis U.S., Inc. |
| 38 | Bentley Systems Incorporated |
| 39 | Korem Corporation |
| 40 | LabVantage Solution Inc. |
-

41 HDR Engineering, Inc.

42 Southwest Energy Systems LLC

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46 Automotive Maintenance for Original Equipment Manufacturers - Requirements Contract - Maricopa County 16030-S (Ordinance S-43898) Citywide - Page 90

47 Authorization to Enter into Escrow Agreement to Accept Tracts A and C of Gold Key Racquet Club Estates (Ordinance S-43900) District 3 - Page 92

48 Wildcat Fire Services, Inc. dba National Fire Control for Fire Extinguisher Inspection, Testing and Maintenance Services Contract - Requirements Contract - IFB 12-034A (Ordinance S-43905) Citywide - Page 93

49 Acceptance of Easements for Water and Public Utilities Purposes (Ordinance S-43911) District 2 - Page 94
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50 Acceptance and Dedication of Deeds and Easements for Roadway, Sidewalk and Drainage Purposes (Ordinance S-43912) District 1 - Page 96
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- 51 **Burton Barr Central Library Storm Incident Response and Remediation (Ordinance S-43913)** District 7 - Page 98
- 52 **Authorization to Enter Into a License with Hunter Contracting Co. for Use of City-Owned Property Located at 415 - 501 E. Puget Ave. (Ordinance S-43920)** District 3 - Page 100
- 53 **Request Authorization to Extend Federal Representation Contracts with Holland & Knight, LLP, and Murray, Montgomery & O'Donnell (Ordinance S-43929)** Citywide - Page 101

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- 54 **National Endowment for the Arts Our Town Grant Application for Choice Neighborhoods (Ordinance S-43927)** District 8 - Page 103
- 55 **Agreement with GMI Pump Systems for Maintenance and Operation of Pump and Ozone Systems at Japanese Friendship Garden (Ordinance S-43903)** District 7 - Page 105

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- 56 **Authorization to Enter into Agreement with Phoenix Sister Cities (Ordinance S-43897)** Citywide - Page 107
- 57 **Issuance of Education Facility Revenue Bonds (Legacy Traditional Schools - Phoenix Campus), Series 2017 (Resolution 21570)** District 5 - Page 109

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- 59 **Contract with Fireblast 451, Inc., for Service, Maintenance, and Training for Fire Department's Class B Burn Building (Fire Training Simulator) (Ordinance S-43923)** District 7 - Page 112

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| 60 | Authorization to Apply for, Accept and Enter into an Agreement for 2017 U.S. Department of Justice, Internet Crimes Against Children Grant (Ordinance S-43914) | Citywide - Page 114 |
| 61 | Authorization to Enter into Agreement with Bureau of Alcohol, Tobacco, Firearms and Explosives for Reimbursement of Police Services (Ordinance S-43915) | Citywide - Page 116 |
| 62 | Authorization to Amend Current Intergovernmental Agreement and Payment Ordinance (S-42506) with the Arizona Attorney General's Office for the Internet Crimes Against Children Task Force (Ordinance S-43916) | Citywide - Page 118 |
| 63 | Authorization to Enter into Agreement with Drug Enforcement Administration to Receive Reimbursement for Police Services (Ordinance S-43917) | Citywide - Page 120 |
| 64 | Authorization to Apply for, Accept and Enter into an Agreement for 2017 Edward Byrne Memorial Justice Assistance Grant Program (Ordinance S-43918) | Citywide - Page 121 |
| 65 | Authorization to Enter into Agreement with Arizona Peace Officer Standards and Training Board for Reimbursement of Basic Training Costs (Ordinance S-43924) | Citywide - Page 123 |

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| 66 | Phoenix Sky Harbor International Airport Terminal 4 North Apron Reconstruction - Construction Manager at Risk Construction Services Contract Amendments - AV08000072 FAA (Ordinance S-43901) | District 8 - Page 124 |
| 67 | Amend Lease with JMJ-LLC, dba Cafe on the Way, to Extend Lease Term (Ordinance S-43902) | District 8 - Page 127 |
| 68 | Lease Agreement with Ready Credit Corporation (Ordinance S-43919) | District 8 - Page 129 |
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| 71 | Request Authorization to Enter Into Agreement with
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| 72 | Grand Canal Multi-Use Path Connection at 16th Street
and Indian School Road, Design-Bid-Build -
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| 73 | Authorization to Enter into an Agreement with
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| 74 | Dam Safety - Emergency Action Plan Updates 2017 -
Engineering Services - ST83140089 (Ordinance
S-43926) | District 3 - Page 142
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| 75 | Support for the Formation of Madison Groves Irrigation
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| 76 | Oracle America, Inc., Licensing, Maintenance and
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for SROG-SRO CIPP-Liner Defect (Ordinance S-43925) | District 8 - Page 150 |
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| 80 | Final Plat - SWC 19th Avenue and Buckeye Road - 170017 - Southwest Corner of 19th Avenue and Buckeye Road | District 7 - Page 157 |
| 81 | Final Plat - Carver Mountain Estates - 160096 - East of 51st Avenue, North and South of Elliot Road | District 8 - Page 158 |
| 82 | Final Plat - Mulberry Park - 170016 - North of the Northwest Corner of 39th Street and Earll Drive | District 8 - Page 159 |
| 83 | Planning and Development Department Office and Equipment Relocation and Reconfiguration (Ordinance S-43904) | Citywide - Page 160 |
| 84 | Planning and Development Fee Study - RFP 17-122 (Ordinance S-43907) | Citywide - Page 163 |
| 85 | Amend City Code - Official Supplementary Zoning Map 1161 (Ordinance G-6364) | District 1 - Page 165
District 7 |
| 86 | Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-17--Z-146-07-6- Approximately 480 Feet East of the Southeast Corner of 32nd Street and Camelback Road (Ordinance G-6363) | District 6 - Page 168 |
| 87 | Public Hearing - State Statute Regarding Filing a Protest to Require a Three-Fourths Vote (HB 2116) Text Amendment - Z-TA-4-17 (Ordinance G-6362) | Citywide - Page 174 |

ADD-ON ITEMS

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| *87.1 | REQUEST TO ADD-ON - Contract Amendment with BCFS Health and Human Services for Consulting Services (Ordinance S-43931) | Citywide - Page 186 |
| *87.2 | REQUEST TO ADD-ON - Request to Change Start Time of Sept. 26, 2017 Executive Session from 1 p.m. to 12 p.m. (noon) | Citywide - Page 187 |

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS**CITIZEN COMMENTS****ADJOURN**



City of Phoenix

City Council Formal Meeting

City Council Report

Agenda Date: 9/20/2017, Item No. 1

For Approval or Correction, the Minutes of the Formal Meeting on April 5, 2017

Summary

This item transmits the minutes of the Formal Council meeting of April 5, 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.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



City of Phoenix

City Council Formal Meeting

City Council Report

Agenda Date: 9/20/2017, **Item No.** 2

For Approval or Correction, the Minutes of the Formal Meeting on April 19, 2017

Summary

This item transmits the minutes of the Formal Council meeting of April 19, 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.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



For Approval or Correction, the Minutes of the Formal Meeting on May 10, 2017

Summary

This item transmits the minutes of the Formal Council meeting of May 10, 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.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



City of Phoenix

City Council Formal Meeting

City Council Report

Agenda Date: 9/20/2017, **Item No.** 4

For Approval or Correction, the Minutes of the Formal Meeting on May 31, 2017

Summary

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

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

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



For Approval or Correction, the Minutes of the Formal Meeting on June 7, 2017

Summary

This item transmits the minutes of the Formal Council meeting of June 7, 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.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



For Approval or Correction, the Minutes of the Formal Meeting on June 21, 2017

Summary

This item transmits the minutes of the Formal Council meeting of June 21, 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.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



For Approval or Correction, the Minutes of the Formal Meeting on June 28, 2017

Summary

This item transmits the minutes of the Formal Council meeting of June 28, 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.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



City of Phoenix

City Council Formal Meeting

City Council Report

Agenda Date: 9/20/2017, **Item No.** 8

For Approval or Correction, the Minutes of the Formal Meeting on July 6, 2017

Summary

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

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

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Sardella's Pizza & Wings

Request for a liquor license. Arizona State License 07070785.

Summary

Applicant

David Sardella, Agent

License Type

Series 7 - Beer and Wine Bar

Location

4212 W. Cactus Road, Ste. 1102 & 1103

Zoning Classification: C-1

Council District: 1

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales. A beer and wine bar is not permitted in a C-1 zoning district.

The sixty-day limit for processing this application was Sept. 5, 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 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.

Sardella's Pizza & Wings (Series 12)

18631 N. 19th Ave., Ste. 140, Phoenix
Calls for police service: 126
Liquor license violations: None

Sardella's Pizza & Wings (Series 7)
8278 W. Lake Pleasant Pkwy., Ste. 100, Peoria
Calls for police service: N/A - not in Phoenix
Liquor license violations: In April 2012, a fine of \$200 was paid for not having a manager's agreement form on file.

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:
"Currently, Sardella's Pizza and Wings at 4212 W. Cactus Rd. in Phoenix, AZ hold a series 7 liquor license and sells and delivers alcohol. An AOC was required due to the passing of Gayle Sardella on December 13, 2016. Removing Gayle Sardella and adding Sardella Family Trust, dated December 6, 1995 are the only changes. No change to location, hours of operation, day-to-day procedures and operations and beer and wine menu."

Staff Recommendation

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

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Hampton Inn #166

Request for a liquor license. Arizona State License 07070178.

Summary

Applicant

Nicholas Guttilla, Agent

License Type

Series 7 - Beer and Wine Bar

Location

42415 N. 41st Drive

Zoning Classification: C-2 PCD

Council District: 1

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

The sixty-day limit for processing this application is Oct. 2, 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.

Hampton Inn #151 (Series 7)
245 London Bridge Road, Lake Havasu City
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Days Inn & Suites #147 Scottsdale North (Series 6)
7330 N. Pima Road, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Hampton Inn & Suites #162 (Series 7)
16620 N. Scottsdale Road, Scottsdale
Calls for police service: 13
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "ZMC Hospitality, LLC (Arizona FN for ZMC Hotels, Inc.) has been in existence since 1962 and it operates approximately 34 properties in approximately 16 states. The Hampton Inn #166 is a ZMC hotel property and it will be operated in the same responsible manner as all other ZMC properties."

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

"ZMC prides itself on providing a full-service hotel experience to its guests and the neighbors each property serves. ZMC employees are dedicated to superior performance in the hospitality industry and its management includes deep experience in hotel operations. ZMC properties are known good neighbors offering responsible alcohol service to provide the most complete service that the public has come to

expect at corporate and boutique hotels.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Hampton Inn #166

Liquor License Map - Hampton Inn #166

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: Hampton Inn #166

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	13.64	3.74	13.80
Violent Crimes	2.19	0.10	0.10

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

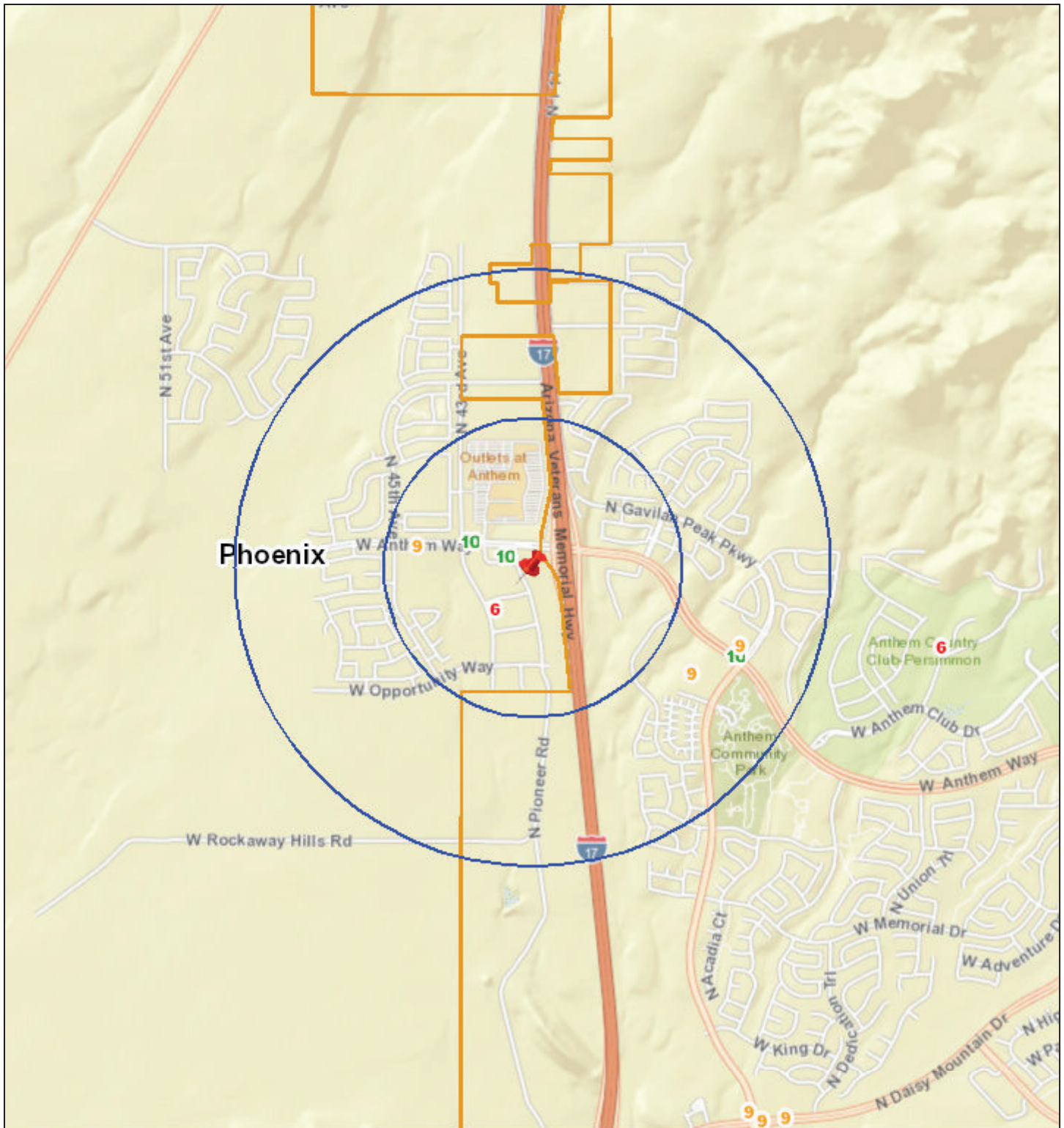
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	69	0
Total Violations	126	

Census 2010 Data 1/2 Mile Radius

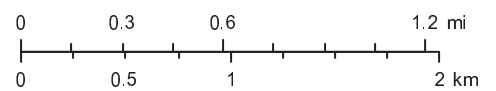
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6100003	1546	54 %	25 %	3 %
6100004	2234	70 %	6 %	4 %
6102003	1703	53 %	21 %	5 %
Average		61 %	13 %	19 %

Liquor License Map: Hampton Inn #166



August 30, 2017

1:36,112



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



Liquor License - Special Event - Horses Help Foundation

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

Summary

Applicant

Gregg Goodman

Location

2601 E. Rose Garden Lane
Council District: 2

Function

Live Music/Dinner

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

Nov. 4, 2017 - 5 p.m. to 10:30 p.m. / 500 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Special Event - St. George Antiochian Orthodox Church

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

Summary

Applicant

Layla Saikley

Location

4530 E. Gold Dust Ave.

Council District: 3

Function

Dinner/Dance

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

Oct. 20, 2017 - 7 p.m. to Midnight / 300 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Sardella's Pizza & Wings

Request for a liquor license. Arizona State License 12078417.

Summary

Applicant

David Sardella, Agent

License Type

Series 12 - Restaurant

Location

18631 N. 19th Ave., Ste. 140

Zoning Classification: C-2

Council District: 3

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

The sixty-day limit for processing this application was Sept. 5, 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 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.

Sardella's Pizza & Wings (Series 7)

4212 W. Cactus Road, Ste. 1102 & 1103, Phoenix

Calls for police service: 33
Liquor license violations: None

Sardella's Pizza & Wings (Series 7)
8278 W. Lake Pleasant Pkwy., Ste. 100, Peoria
Calls for police service: N/A - not in Phoenix
Liquor license violations: In April 2012, a fine of \$200 was paid for not having a manager's agreement form on file.

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:
"Currently, Sardella's Pizza and Wings at 18631 N. 19th Ave. in Phoenix, AZ holds a series 12 liquor license and sells alcohol. An AOC was required due to the passing of Gayle Sardella on December 13, 2016. Removing Gayle Sardella and adding Sardella Family Trust, dated December 6, 1995 are the only changes. No change to location, hours of operation, day-to-day procedures and operations and beer and wine menu."

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Up N Smoke

Request for a liquor license. Arizona State License 10076900.

Summary

Applicant

Omar Albayati, Agent

License Type

Series 10 - Beer and Wine Store

Location

1947 W. Indian School Road

Zoning Classification: C-2

Council District: 4

This request is for a new liquor license for a smoke shop. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Zoning Clearance for a tobacco oriented retailer.

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

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am 29 years old and legal resident of Arizona. I have no criminal record or State, City driver licesus valuation."

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

"Because I will abide by all the city, state and county laws and, requirement. I will serve the community with wholesome products at fare prices."

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 - Up N Smoke

Liquor License Map - Up N Smoke

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: Up N Smoke

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	13.64	51.30	64.75
Violent Crimes	2.19	13.77	16.13

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

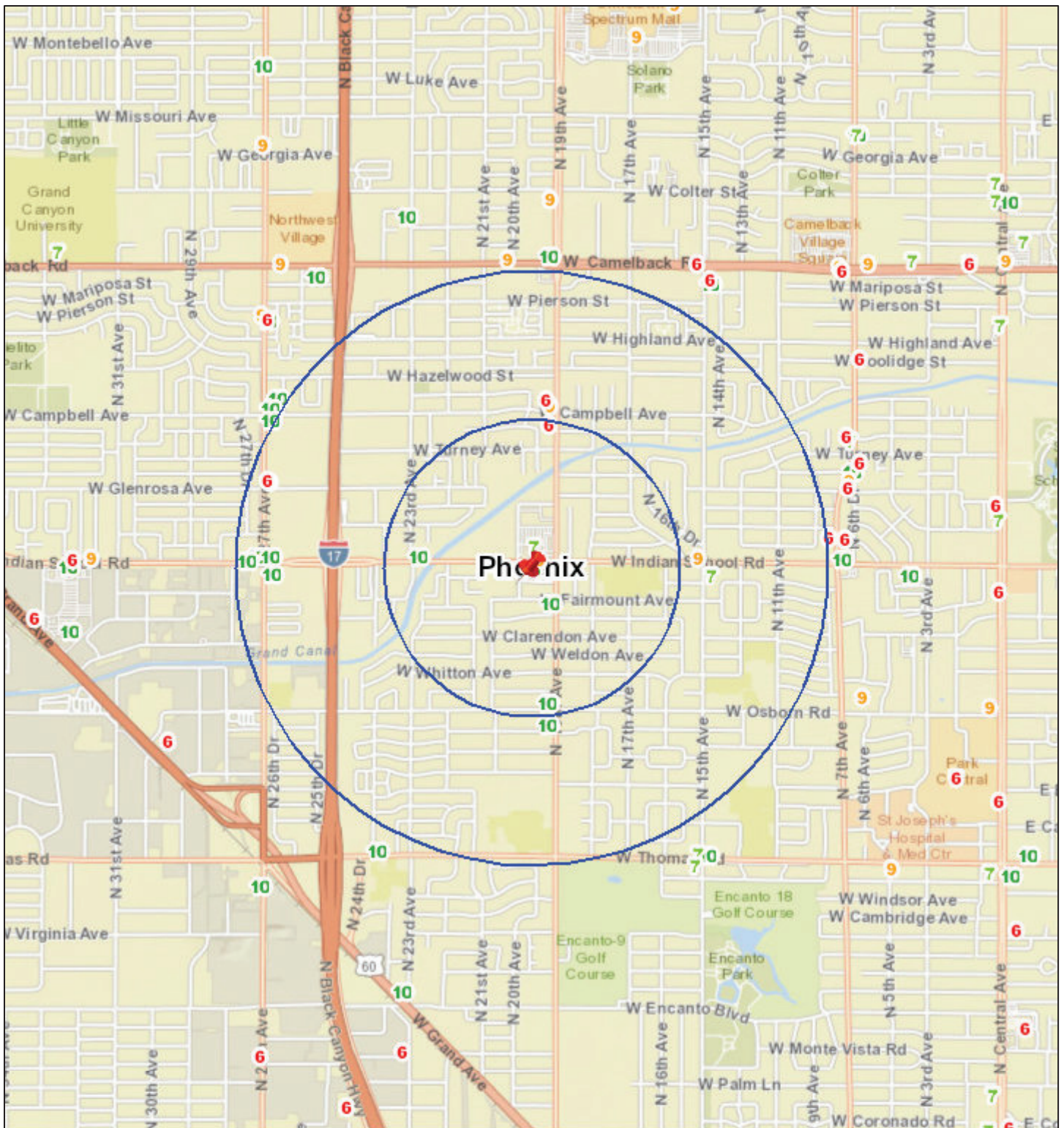
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	69	255
Total Violations	125	501

Census 2010 Data 1/2 Mile Radius

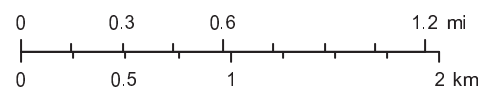
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1089013	956	82 %	4 %	8 %
1089022	1250	42 %	26 %	22 %
1090031	2380	23 %	26 %	52 %
1090032	1204	16 %	30 %	56 %
1090033	1600	22 %	13 %	68 %
1090034	583	5 %	26 %	49 %
1104003	1439	74 %	7 %	37 %
1104004	1344	49 %	16 %	20 %
1170001	2247	42 %	14 %	25 %
1170002	1845	32 %	9 %	34 %
Average		61 %	13 %	19 %

Liquor License Map: Up N Smoke



August 28, 2017

1:36,112



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



Liquor License - Special Event - Ballet Folklorico Quetzalli-AZ, Inc.

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

Summary

Applicant

Vanessa Ramirez

Location

2209 N. 99th Ave.

Council District: 5

Function

Soccer Tournament

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

Nov. 10, 2017 - 5 p.m. to 10 p.m. / 2,500 attendees

Nov. 11, 2017 - 10 a.m. to 10 p.m. / 5,000 attendees

Nov. 12, 2017 - 10 a.m. to 7 p.m. / 4,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



Liquor License - In & Out Convenience

Request for a liquor license. Arizona State License 10076901.

Summary

Applicant

H. J. Lewkowitz, Agent

License Type

Series 10 - Beer and Wine Store

Location

6024 N. 23rd Ave.

Zoning Classification: C-2

Council District: 5

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 is Sept. 30, 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.

Bell Tower Market & Liquors (Series 9)

6302 W. Bell Road, Glendale

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

Liquor license violations: In January 1997, a fine of \$1,250 was paid for failure to request ID from an underage buyer and for selling, giving, or furnishing an underage person with alcohol. In May 2003, a fine of \$2,250 was paid for failure to request ID from an underage buyer and for selling, giving, or furnishing an underage person with alcohol. In August 2008, a fine of \$750 was paid for failure to follow the identification procedure prescribed by statutes and for selling, giving, or furnishing an underage person with alcohol. In April 2010, a fine of \$2,000 was paid for failure to follow the identification procedure prescribed by statutes and for selling, giving, or furnishing an underage person with alcohol. In June 2012, a fine of \$750 was paid for failure to request ID from an underage buyer and for selling, giving, or furnishing an underage person with alcohol. In October 2013, a fine of \$1,500 was paid for accepting unauthorized forms of ID and for selling, giving, or furnishing an underage person with alcohol. It was also ordered that the licensee submit current records of Employee Liquor Law training to the Department of Liquor Licenses and Control.

Greenway Market (Series 9)

3502 W. Greenway Road, #17, 18, 19, Phoenix

Calls for police service: 28

Liquor license violations: In October 2009, a fine of \$750 was paid for failure to request ID from an underage buyer and for selling, giving or furnishing an underage person with alcohol. In June 2012, a fine of \$750 was paid for failure to request ID from an underage buyer and for selling, giving or furnishing an underage person with alcohol. In January 2015, a warning letter was issued for failure to protect the safety of patrons.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is committed to upholding the highest standards for alcohol sales and service. Managers and staff are trained, or will be, in the techniques of legal and responsible sales and service."

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

"Applicant would like to continue to serve the neighborhood and local visitors with the convenience of one-stop shopping. Customers 21 and over purchasing beer/wine also purchase convenience items; such as, snacks, drinks or household items. Applicant will offer a clean and safe environment for its customers and neighbors."

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 - In & Out Convenience

Liquor License Map - In & Out Convenience

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: In & Out Convenience

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	13.64	78.15	60.61
Violent Crimes	2.19	11.73	15.60

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

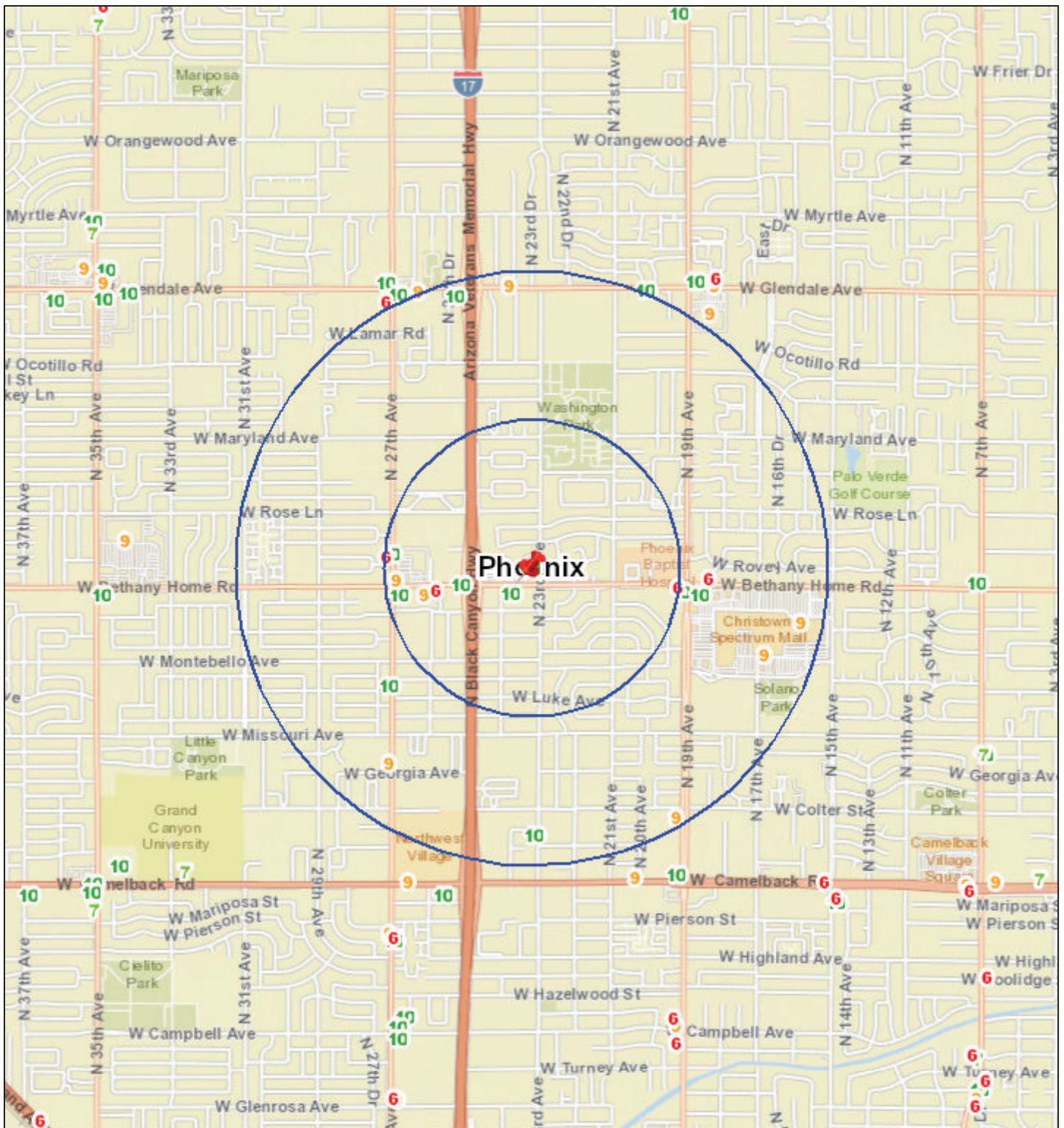
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	69	269
Total Violations	126	495

Census 2010 Data 1/2 Mile Radius

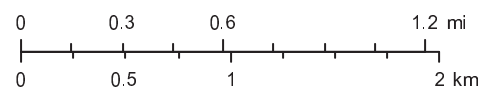
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1068012	1670	5 %	28 %	55 %
1068013	1083	30 %	20 %	33 %
1068021	1099	60 %	0 %	9 %
1068022	1105	85 %	21 %	1 %
1068023	1633	17 %	17 %	34 %
1069002	2629	71 %	5 %	22 %
1072022	2085	62 %	5 %	22 %
1073001	2203	79 %	3 %	6 %
1073004	2614	23 %	5 %	31 %
Average		61 %	13 %	19 %

Liquor License Map: In & Out Convenience



August 30, 2017

1:36,112



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



Liquor License - Special Event - St. Joseph Maronite Catholic Church

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

Summary

Applicant

Wissam Akiki

Location

5406 E. Virginia Ave.
Council District: 6

Function

Festival

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

Nov. 3, 2017 - 5 p.m. to 10 p.m. / 400 attendees

Nov. 4, 2017 - Noon to 10 p.m. / 500 attendees

Nov. 5, 2017 - Noon to 8 p.m. / 300 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



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

Sara Graf

Location

5045 E. Thomas Road

Council District: 6

Function

Festival

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

Nov. 12, 2017 - 12:30 p.m. to 5:30 p.m. / 750 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Over Easy

Request for a liquor license. Arizona State License 1207B129.

Summary

Applicant

Lauren Merrett, Agent

License Type

Series 12 - Restaurant

Location

2398 E. Camelback Road, Ste. #150 - #180

Zoning Classification: C-2 H-R CEPCSP

Council District: 6

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

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

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

Other Active Liquor License Interest in Arizona

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.

Over Easy (Series 12)
4730 E. Indian School Road #123, Phoenix
Calls for police service: 32
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:
“The owners meet all capability and qualifications requirements identified in ARS Title 4. They have been successful small business owners for several years. They are active members of their community.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“This is a restaurant serving breakfast lunch and dinner. Our customers will expect the convenience of having alcoholic beverages available.”

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 - Over Easy
Liquor License Map - Over Easy

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: Over Easy

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	2	0
Bar	6	3	2
Beer and Wine Bar	7	3	2
Liquor Store	9	5	1
Beer and Wine Store	10	6	2
Hotel	11	2	2
Restaurant	12	39	22

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	13.64	28.95	34.50
Violent Crimes	2.19	2.01	2.12

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

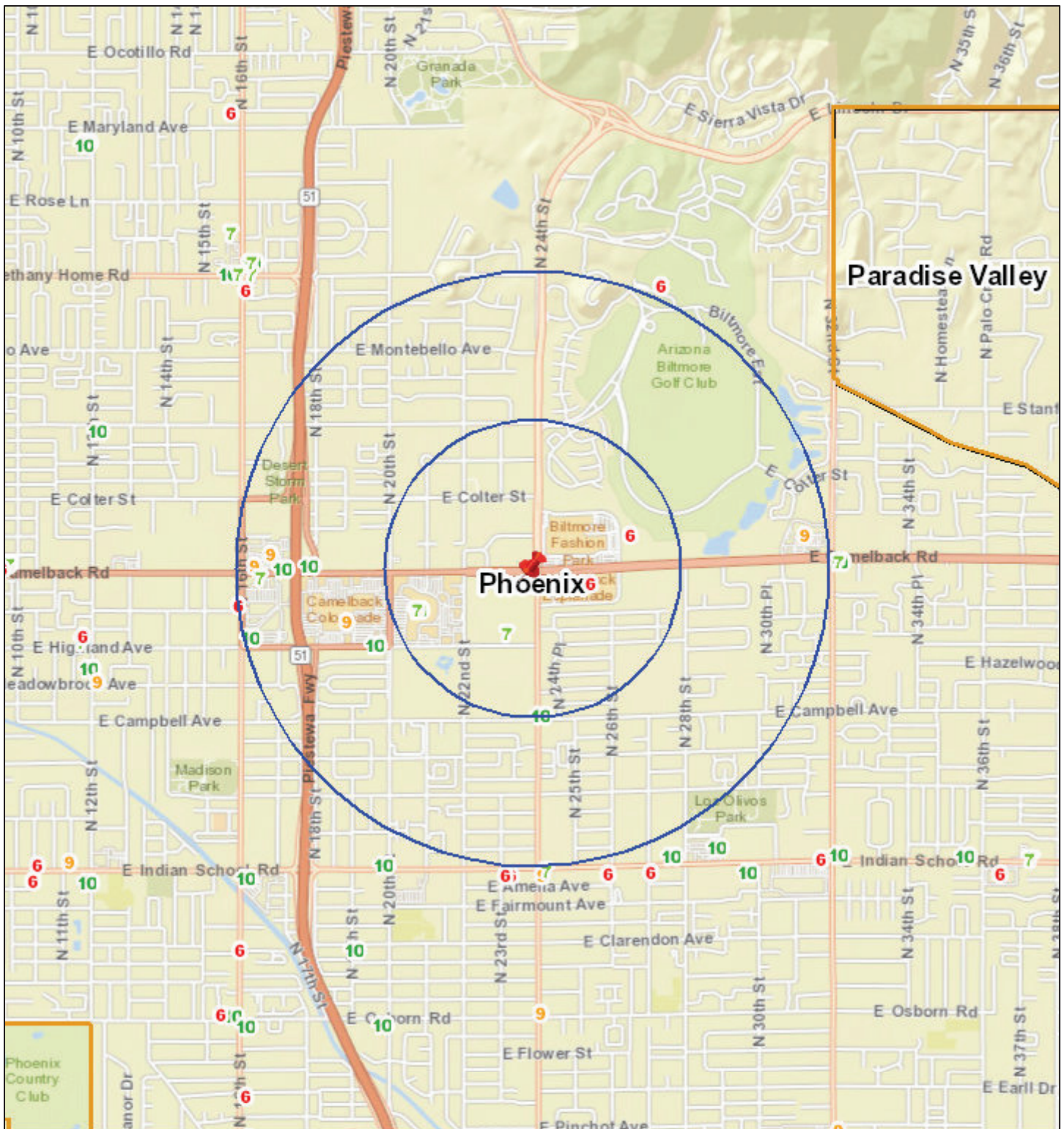
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	69	19
Total Violations	126	28

Census 2010 Data 1/2 Mile Radius

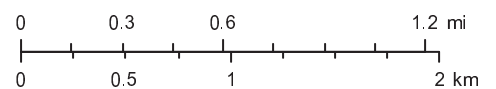
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1077001	1222	100 %	2 %	3 %
1077002	738	57 %	10 %	8 %
1077005	736	14 %	6 %	4 %
1078002	1477	63 %	28 %	5 %
1084004	1641	65 %	7 %	19 %
1085012	1416	74 %	21 %	4 %
1085022	732	23 %	28 %	12 %
1085024	549	43 %	31 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: Over Easy



August 31, 2017

1:36,112



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



Liquor License - Scramble A Breakfast Joint

Request for a liquor license. Arizona State License 1207B122.

Summary

Applicant

Amy Nations, Agent

License Type

Series 12 - Restaurant

Location

2375 E. Camelback Road, Ste. 115

Zoning Classification: C-2 CEPCSP

Council District: 6

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

The sixty-day limit for processing this application is Sept. 29, 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.

Gold Key Racquet Club (Series 7)

12826 N. 3rd St., Phoenix

Calls for police service: 2

Liquor license violations: None

Half Moon Windy City Sports Grill (Series 12)

2121 E. Highland Ave., Phoenix

Calls for police service: 9

Liquor license violations: None

Half Moon Sports Grill (Series 12)

288 E. Greenway Pkwy., #103, Phoenix

Calls for police service: 17

Liquor license violations: In March 2010, a fine of \$1,500 was paid for failure to derive 40% of income from food sales. In August 2011, a consent agreement was signed for failure to derive 40% of income from food sales.

Scramble A Breakfast Joint (Series 12)

6590 N. Scottsdale Road, #100, Scottsdale

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

Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

"We own and operate locations throughout the valley. We will continue to ensure our employees attend the Title 4 Basic 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:

“We would like to offer our patrons an alcoholic beverage with their meal if they choose to do so.”

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 - Scramble A Breakfast Joint

Liquor License Map - Scramble A Breakfast Joint

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: Scramble A Breakfast Joint

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Wholesaler	4	2	0
Bar	6	3	2
Beer and Wine Bar	7	3	2
Liquor Store	9	5	1
Beer and Wine Store	10	6	2
Hotel	11	2	2
Restaurant	12	42	23

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	13.64	31.18	35.03
Violent Crimes	2.19	2.38	1.91

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

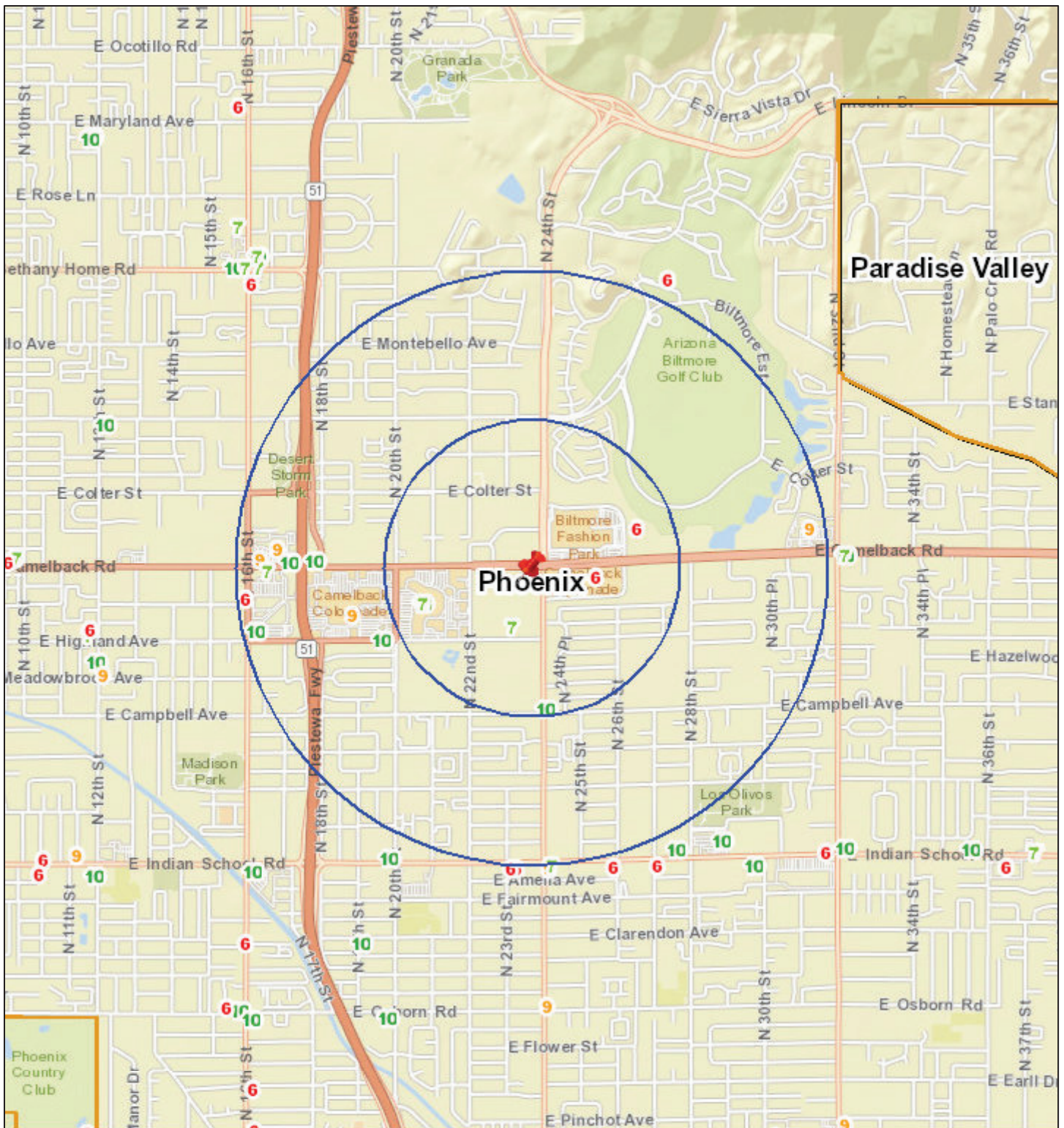
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	69	19
Total Violations	126	28

Census 2010 Data 1/2 Mile Radius

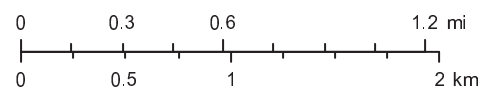
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1077002	738	57 %	10 %	8 %
1077005	736	14 %	6 %	4 %
1078002	1477	63 %	28 %	5 %
1084003	1071	34 %	8 %	40 %
1084004	1641	65 %	7 %	19 %
1085012	1416	74 %	21 %	4 %
1085022	732	23 %	28 %	12 %
1085023	1475	42 %	20 %	7 %
1085024	549	43 %	31 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: Scramble A Breakfast Joint



August 30, 2017

1:36,112



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



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

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

Summary

Applicant

Alison Sipes

Location

100 N. 1st St.

Council District: 7

Function

Festival

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

Nov. 11, 2017 - Noon to 5 p.m. / 3,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Special Event - Local First Arizona

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

Summary

Applicant

Thomas Barr

Location

1202 N. 3rd St.

Council District: 7

Function

Festival

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

Nov. 4, 2017 - 10 a.m. to 4:30 p.m. / 4,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Special Event - Orgazac, Inc

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

Summary

Applicant

Jesus Barraza Rodriguez

Location

4022 N. 67th Ave.
Council District: 7

Function

Dance

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

Oct. 28, 2017 - 8 p.m. to 2 a.m. / 550 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



Liquor License - The Van Buren

Request for a liquor license. Arizona State License 06070600.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 6 - Bar

Location

401 W. Van Buren St.

Zoning Classification: DTC-Van Buren HP

Council District: 7

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 is Sept. 26, 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.

Crescent Ballroom (Series 6)
308 N. 2nd Ave., Phoenix
Calls for police service: 52
Liquor license violations: None

Valley Bar (Series 6)
130 N. Central Ave., #B100, Phoenix
Calls for police service: 37
Liquor license violations: None

Fillmore Vig (Series 12)
606 N. 4th Ave., Phoenix
Calls for police service: 11
Liquor license violations: None

Deli (Series 12)
130 N. Central Ave., Phoenix
Calls for police service: 37
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 alcohol sales and service. Managers and staff are trained, or will be, in the techniques of legal and responsible sales and service."

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

"The Van Buren is a unique multi-use venue featuring live music productions. Applicant would like to continue to offer alcoholic beverages to guests 21 and over."

Staff Recommendation

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

Attachments

Liquor License Data - The Van Buren

Liquor License Map - The Van Buren

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: The Van Buren

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Wholesaler	4	1	0
Government	5	7	1
Bar	6	30	18
Beer and Wine Bar	7	7	2
Liquor Store	9	2	1
Beer and Wine Store	10	8	2
Hotel	11	5	3
Restaurant	12	74	29
Club	14	3	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	13.64	37.23	49.78
Violent Crimes	2.19	10.53	12.84

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

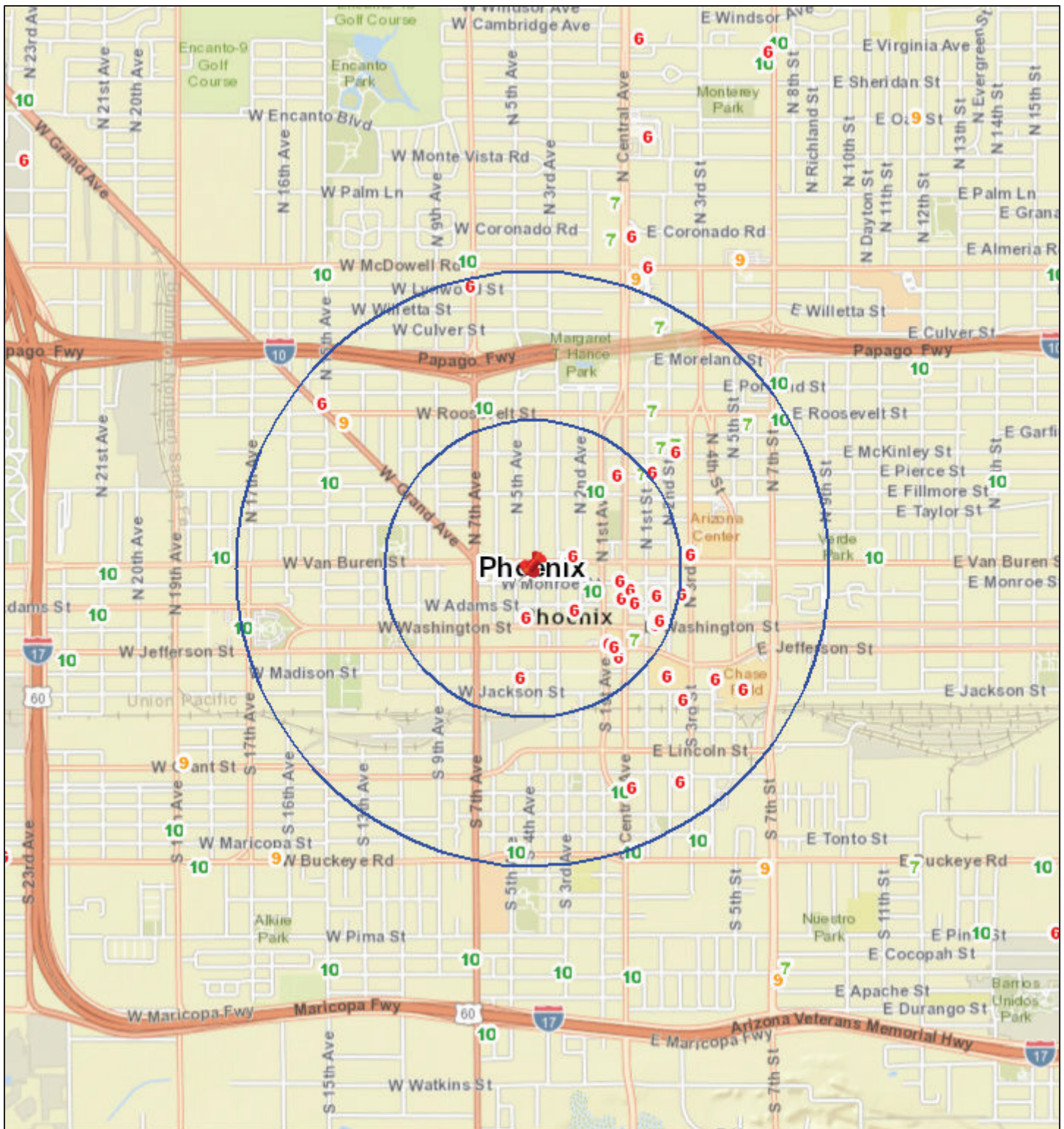
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	69	71
Total Violations	126	144

Census 2010 Data 1/2 Mile Radius

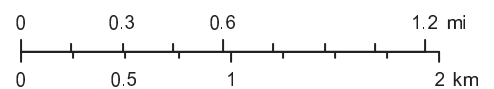
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1129002	815	37 %	22 %	24 %
1129003	1372	4 %	18 %	40 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
1143011	1389	22 %	15 %	57 %
Average		61 %	13 %	19 %

Liquor License Map: The Van Buren



August 29, 2017

1:36,112



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



Liquor License - Special Event - Children's Museum of Phoenix

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

Summary

Applicant

Alexander Wurth

Location

215 N. 7th St.

Council District: 8

Function

Community Event

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

Oct. 14, 2017 - 7 p.m. to 11 p.m. / 900 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Special Event - Children's Museum of Phoenix

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

Summary

Applicant

Alexander Wurth

Location

215 N. 7th St.

Council District: 8

Function

Community Event

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

Dec. 2, 2017 - 6 p.m. to 9 p.m. / 450 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Special Event - Greater Phoenix Economic Council

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

Summary

Applicant

Martha Miner

Location

22 E. Buchanan St.

Council District: 8

Function

Networking Event

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

Oct. 5, 2017 - 5 p.m. to 8:30 p.m. / 650 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.



Liquor License - Paz Taqueria Y Cantina

Request for a liquor license. Arizona State License 1207B125.

Summary

Applicant

Kevin Kramber, Agent

License Type

Series 12 - Restaurant

Location

330 E. Roosevelt St.

Zoning Classification: DTC-East Evans Churchill ACSBOD

Council District: 8

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor alcohol consumption and live entertainment. A Use Permit hearing has been scheduled. This business is currently being remodeled with plans to open in November 2017.

The sixty-day limit for processing this application is Oct. 3, 2017.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"1. As an agent for establishments for almost 17 years I have had no legal or law enforcement actions taken against me in over 15+ years. 2. I currently represent over 85+ licensee throughout Arizona. 3. The controlling person has been associated in 1 prior liquor license and I currently."

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

"We are applying for a series 12, Restaurant, Liquor License so our business plan is revolving around the sale of food as the primary business income with alcohol sales secondary to our primary food use. It will merely be an accessory item offer to compliment our food menu."

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 - Paz Taqueria Y Cantina

Liquor License Map - Paz Taqueria Y Cantina

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: Paz Taqueria Y Cantina

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Government	5	8	4
Bar	6	29	4
Beer and Wine Bar	7	9	6
Liquor Store	9	3	1
Beer and Wine Store	10	8	3
Hotel	11	5	2
Restaurant	12	78	28
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	13.64	43.55	71.54
Violent Crimes	2.19	9.20	13.48

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

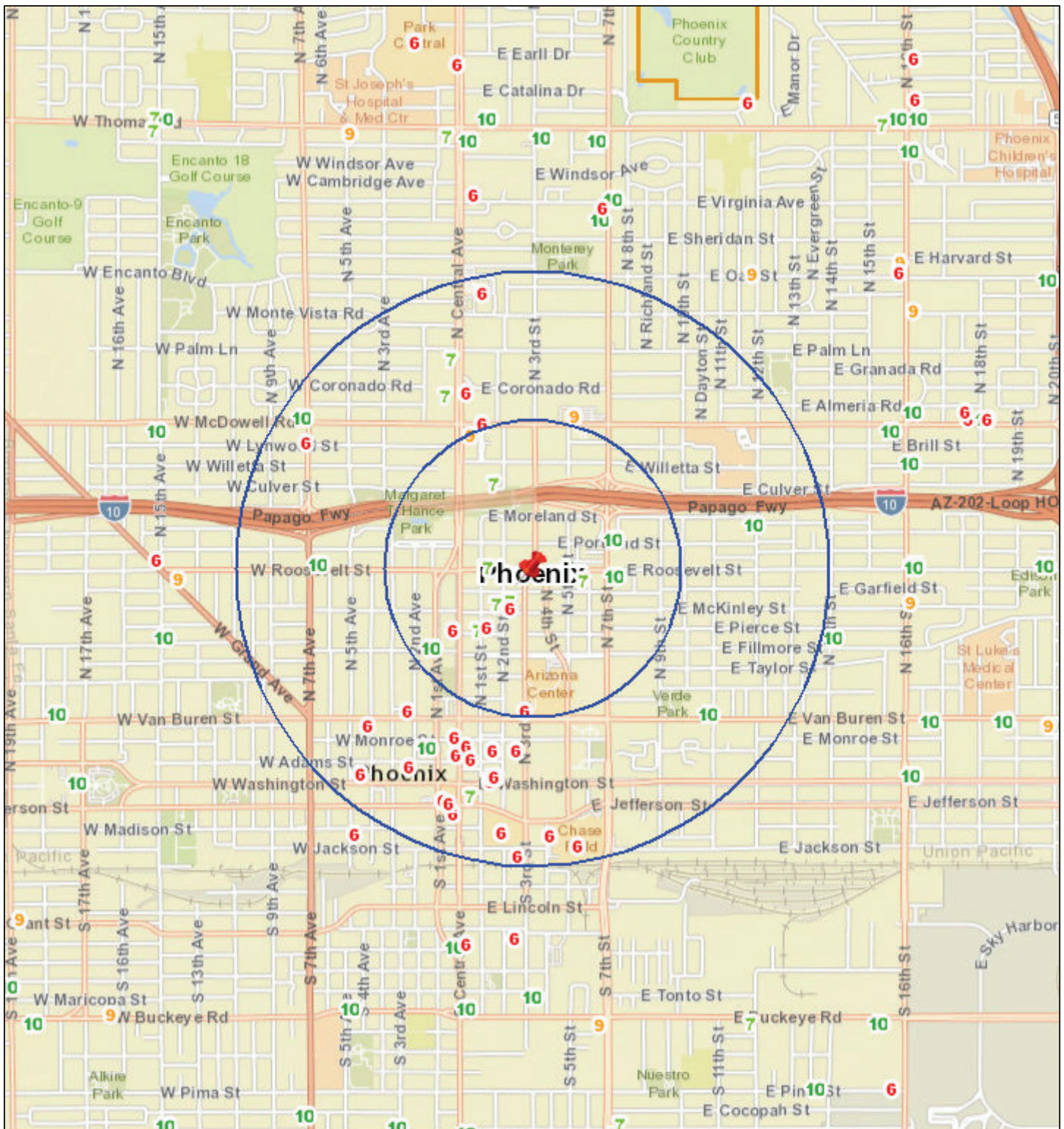
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	69	123
Total Violations	126	215

Census 2010 Data 1/2 Mile Radius

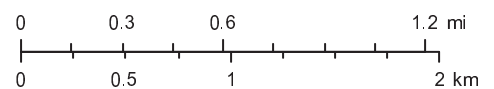
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118004	671	62 %	6 %	6 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
Average		61 %	13 %	19 %

Liquor License Map: Paz Taqueria Y Cantina



August 28, 2017

1:36,112



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



Liquor License - Pink Rhino Cabaret

Request for a liquor license. Arizona State License 06070397.

Summary

Applicant

Patrick Zanzucchi, Agent

License Type

Series 6 - Bar

Location

3613 E. Van Buren St.

Zoning Classification: C-3 TOD-2

Council District: 8

This request is for an ownership and location transfer of a liquor license for a topless bar. This location is currently licensed for liquor sales with a separate Series 6 - Bar, liquor license. In addition to alcohol sales, the applicant has indicated there will be adult live entertainment. That use is not currently permitted at this location.

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

Pink Rhino Cabaret (Series 6)
3613 E. Van Buren St., Phoenix
Calls for police service: 9
Liquor license violations: None

Bandaid's Show Lounge (Series 6)
2548 N. 7th St., Phoenix
Calls for police service: 40
Liquor license violations: In April 2010, a fine of \$1,750 was paid for a report of violence.

O Oracle 2000 (Series 6)
2000 N. Oracle Road, Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None during the time the applicant has held ownership.

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 was approved for a license for this location in November 2016 by the Arizona State Liquor Board. I have had no violations on any license in which I have an ownership interest."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location was approved for a liquor license in November 2016 by the Arizona State Liquor Board. This business is a destination site. The bar license will be an amenity to the business' patrons."

Staff Recommendation

Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police disapproval is based on concerns with the applicants' capability, qualifications and reliability to hold and control a liquor license. The applicants have a history of liquor law violations and have provided conflicting, false and misleading information in connection with liquor license applications. The Police Department believes that granting this liquor license would not be in the best interest of the community.

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

Attachments

Liquor License Data - Pink Rhino Cabaret

Liquor License Map - Pink Rhino Cabaret

Liquor License Police Department Recommendation - Pink Rhino Cabaret

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: Pink Rhino Cabaret

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	13.64	20.85	21.86
Violent Crimes	2.19	4.77	4.56

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

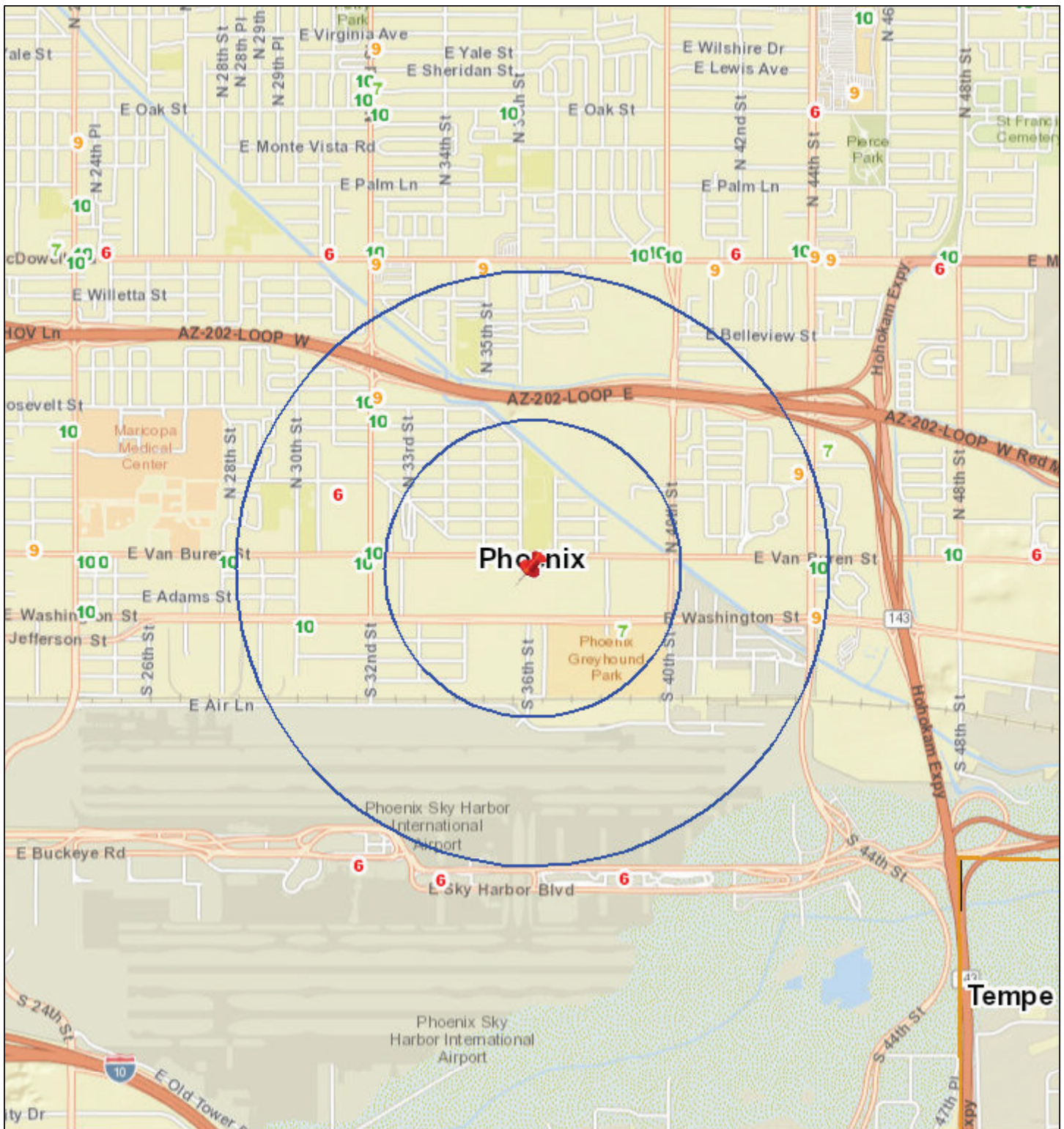
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	69	123
Total Violations	126	221

Census 2010 Data 1/2 Mile Radius

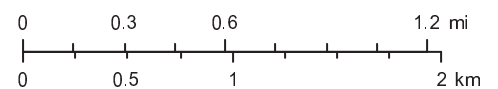
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1136011	1911	16 %	21 %	11 %
1136021	1061	49 %	11 %	53 %
1136022	1619	48 %	14 %	40 %
1137002	1578	21 %	11 %	59 %
1138011	1007	13 %	30 %	31 %
1138021	0	0 %	0 %	0 %
Average		61 %	13 %	19 %

Liquor License Map: Pink Rhino Cabaret



September 1, 2017

1:36,112



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

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	PINK RHINO CABARET	District	8
Business Location	3613 EAST VAN BUREN STREET		
Applicant Name	MARK CUMMING & PATRICK ZANZUCCHI	Series Type	6

Mark Cumming and Patrick Zanzucchi through PHZ-MS, LLC have applied for a person and location transfer of a second Series #6 liquor license to the Pink Rhino Cabaret located at 3613 East Van Buren Street.

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

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

In May of 2016 the Phoenix City Council recommended denial on an application for the Pink Rhino from applicant John Boyd based on information this application had hidden ownership. Mr. Boyd was asked if he was working with the owners of Bandaid's Show Lounge, he stated he had no idea who the owners of Bandaid's Show Lounge were and was not working with them. During the review of the application from Mr. Boyd, on the last page of the operating agreement submitted for Barton Holloway LLC (Mr. Boyds LLC) is the handwritten email address mscumming@gmail.com which belongs to Mark S. Cumming 50% owner of Bandaid's. Mr. Boyd vehemently denied in a letter to City Council and in testimony in front of council he had no idea how it got there and did not know Mr. Cumming.

In Section #8 of the City of Phoenix liquor license questionnaire for Mr. Boyd's application, the applicant was asked to "list all persons having any ownership interest in the business or in the profits of the business. This includes persons with less than a 10% interest". This section was left blank. This was found later to be untrue because Mark Cumming did have an interest. City council recommended denial on this application and Mr. Boyd withdrew the application before it could be heard before the Arizona State Liquor Board.

This current application for license #06070397 contains sale agreements from Mr. Boyd to Mr. Cumming once again showing they do in fact have a business relationship. Cumming and Zanzucchi are buying the license from AZIZ Holdings LLC, Mr. Boyd is the sole owner of this entity.

In June of 2016 the Phoenix City Council recommended denial on an application for license #06070614 for the Pink Rhino from applicants Marc Cumming and Patrick Zanzucchi based on the hidden ownership in the prior application by John Boyd, liquor license violations at Bandaid's Show Lounge (owned by Marc Cumming) and Patrick Zanzucchi's history as a felon.

In November of 2016 Marc Cumming and Patrick Zanzucchi appealed the city council recommendation of denial to the Arizona State Liquor Board and were successful in obtaining approval of a person to person and location transfer of liquor license #06070614.

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	PINK RHINO CABARET	District	8
Business Location	3613 EAST VAN BUREN STREET		
Applicant Name	MARK CUMMING & PATRICK ZANZUCCHI	Series Type	6

In January 2017 Patrick Zanzucchi provided false and misleading information to the Department of Liquor reference the current status of the Pink Rhino liquor license in the annual renewal documents. Mr. Zanzucchi stated the business was open and the license was active. The Arizona Department of Liquor opened a compliance investigation into the Pink Rhino.

The violations listed were:

- 4-210.A.3 False or misleading information on application or other documents
- 4-210.A.2 The license fails to maintain capability, qualification and reliability
- R19-1-405 Notice Change in Status

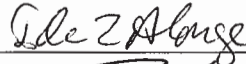

Investigator Williams with DLLC conducted the investigation. The alleged time of inactivity is from November 2016 through March 2017. In May 2017 Inv. Williams met with Mr. Zanzucchi and Mr. Cumming at the Pink Rhino. Mr. Cumming and Mr. Zanzucchi provided pictures of dancers holding up newspapers and sales receipts to claim the business was open. There were several inconsistencies with the sales receipts, the bar was covered in a thick layer of dust and according to City of Phoenix water records there were zero units of water used between November 2016 and March 2017. All licenses to operate were expired. During the interview Mr. Cumming made the statement "we are not even open yet what do you want from us?"

Mr. Cumming and Mr. Zanzucchi have repeatedly stated the Pink Rhino is open for business despite significant information and facts to show the business remains closed. This investigation is currently with the Arizona Attorney General's Office and is awaiting an Administrative Law Judge hearing in September for disposition.

Currently, Mr. Cumming and Mr. Zanzucchi also hold ownership in one or more adult entertainment establishments in the State. Many of these locations have either past or pending violations of liquor laws which include repeated violations of prohibited sex acts.

Based on the aforementioned reasons the applicants have failed to show that they are reliable, capable or qualified and transfer of the liquor license for this establishment would not be in the best interest of the community.

This recommendation for disapproval is submitted by: Det. G. Westfall #7011

SIGNATURES	
Administrative Licensing Investigator	I. Alonge A4289 
Liquor Enforcement Detail Supervisor	Sgt. M. Doty 5785 



City Council Formal Meeting

Agenda Date: 9/20/2017, Item Nos. 30-42

PAYMENT ORDINANCE (Items 30-42) (Ordinance S-43930)

Ordinance S-43930 is a request to authorize the City Controller to disburse funds, up to amounts indicated below, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requests continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

30 Professional Sky Climbing Service, Inc.

For \$275,000.00 in additional payment authority for Contract 136263 for window/glass cleaning and high dusting services for the Aviation Department and Phoenix Convention Center. Services are provided at the Phoenix Convention Center, Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, Phoenix Goodyear Airport, Rental Car Center, Sky Train Stations and other Aviation facilities on an as-needed basis.

31 To Various Vendors for Fine Art Cleaning, Maintenance, Transportation and Conservation Services

For \$48,000.00 in payment authority for a new contract, entered on or about May 1, 2017, for a term of three years, to provide fine art cleaning, maintenance, transportation and conservation services for over 900 art pieces for the Aviation Department. The art pieces require periodic cleaning, maintenance or repair services during their lifetime, including architecturally integrated works and large-scale installations for both indoors and outdoors.

Displays, LLC, doing business as Displays FAS
Rosa Lowinger and Associates

Paul Mardikian, doing business as Terra Mare Conservation, LLC
Past Matters, LLC

32 CDW LLC, doing business as CDW Government, LLC

For \$39,000.00 in payment authority to purchase various computing items for the Police Department. The items are needed for lab use in investigations, evidence storage, evidence recording, interview transcription, printing in the tactical vehicle and other investigations conducted by Phoenix Police, Arizona Internet Crimes Against Children affiliates, and Arizona Counter Terrorism Information Center affiliates.

33 Cengage Learning, doing business as Gale Group

For \$112,500.00 in additional payment authority for Contract 145865 to continue to provide career online learning services for the Library Department. The contract will link to Maricopa County's contract to continue to allow Phoenix Public Library's College Depot to provide adults, age 21 and older, the opportunity to earn an accredited high school diploma. The career online learning platform's unique and comprehensive course-work provides the resources to facilitate the high school diploma program for participants. Funding is available in the Library Department's budget.

34 Skyline Productions, Inc.

For \$20,000.00 in additional payment authority for Contract 135031 to continue to operate the multi-camera robotics system used to broadcast City Council Subcommittee Meetings, Policy Meetings and Formal Meetings on air and online, for the Communications Office.

35 Collaborative Testing Services, Inc.

For \$10,000.00 in additional payment authority for Contract 134255 for proficiency testing for the Police Department's Laboratory Bureau. The laboratory accreditations require mandatory administration of a proficiency testing program using external test providers for analysis of all disciplines of the laboratory.

36 Arizona Grocer's Publishing Company, doing business as Arizona Cart Services

For \$12,000.00 in additional payment authority for Contract 134555 for

citywide shopping cart retrieval services for the Neighborhood Services Department. Payment authority is requested to extend the current contract through Dec. 31, 2017, on a month-to-month basis. The current contract expires Sept. 28, 2017 and a contract extension is needed to complete a cooperative agreement with the City of Tucson and ensure that services are not interrupted.

37 Arcadis U.S., Inc.

For \$120,000.00 in additional payment authority for Contract 134763 for Environmental Permit Compliance Database and Electronic Drinking Water Regulatory Database software applications maintenance for the Water Services Department. The applications provide staff with dashboard display information showing the status of drinking water compliance monitoring throughout the water system to maintain compliance the software creates compliance reports that are submitted to the various regulatory agencies.

38 Bentley Systems Incorporated

For \$34,802.00 in additional payment authority for Contract 130188, for the WaterGems software program for the Water Services Department. The program is used for modeling water and sewer systems and helps optimize the design of the infrastructure.

39 Korem Corporation

For \$15,000.00 in additional payment authority for Contract 136029 for the Korem NT End User License Agreement for the Water Services Department. The software provides mapping data that is integrated with Oracle software applications to efficiently route drivers in the course of business.

40 LabVantage Solution Inc.

For \$78,714.00 in additional payment authority for Contract 105428 for the Laboratory Information Management Systems (LIMS) Master Software License Agreement for the Water Services Department. The software handles the tracking and management of laboratory samples and provides important reporting data to water regulatory agencies regarding water quality.

41 HDR Engineering, Inc.

For \$671,421.00 in additional payment authority for Change Order 2, Contract 142744 (Project WS85500379-1) with HDR Engineering, Inc., for the inspection and assessment of approximately three miles of Pre-Stressed Concrete Cylinder Pipe (PCCP) water transmission mains prior to commencement of nearby rock blasting, removal, and construction activities, which began in August 2017, for the on-going Arizona Department of Transportation (ADOT) Loop 202 Freeway extension project. This proactive inspection and assessment will provide important baseline condition information prior to commencement of ADOT activities. The existing baseline condition information provides reference in the event this PCCP main is damaged by adjacent ADOT rock blasting and construction activities associated with the Loop 202 Freeway work in the Pecos Road alignment.

42 Southwest Energy Systems LLC

For \$150,000.00 in additional payment authority for Contract 134510 for low/medium voltage electrical equipment testing, calibration and repair services for the Phoenix Convention Center. The Water Services, Public Works, and Aviation departments share this agreement until Aug. 31, 2018. The Phoenix Convention Center has requested to be added to this contract.



(CONTINUED FROM AUG. 30, 2017) - 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

Responsible Department

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

Attachment A

Proposed Residential Permit Parking Area 29 Boundary Map





*****REQUEST TO CONTINUE (SEE ATTACHED CONTINUANCE MEMO)***
(CONTINUED FROM AUG. 30, AND SEPT. 6, 2017) - Marketing Partnership
Program - Service Line Protection Program (Ordinance S-43868) - REQUEST TO
CONTINUE**

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.

Responsible Department

This item is submitted by Acting Deputy City Manager Toni Maccarone.

ATTACHMENT A



City of Phoenix

To: Ed Zuercher
City Manager

Date: September 19, 2017

From: Toni Maccarone 
Acting Deputy City Manager

Subject: REQUEST TO CONTINUE ITEM 44 ON THE SEPTEMBER 20, 2017, COUNCIL AGENDA

Request to continue Item 44 on the Sept. 20, 2017, Formal agenda. Item 44 requests action to extend revenue generating Contract 133068 with Service Line Warranties of America (SLWA) through Dec. 31, 2017. The continuance request is to allow staff time to provide more thorough briefings to and answer any additional questions from the City Council.



Ed Zuercher, City Manager



**Federal Express Corporation - State of Arizona Contract ADSPO 17-153699
(Ordinance S-43896)**

Request to authorize the City Manager, or his designee, to enter into a contract for small package delivery services with Federal Express Corporation (FedEx), not to exceed \$100,000 per year. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will allow all City departments to purchase US domestic and international door-to-door express small package air and ground services covering interstate, intrastate and international through FedEx Express and FedEx Ground Service on an as-needed basis.

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement and the Intergovernmental Agreement with the State of Arizona allows the City of Phoenix to adopt its agreements when it is beneficial for the City to do so. Using the State of Arizona cooperative agreement allows the City to benefit from State pricing and volume discounts. The State of Arizona contract [ADSPO 17-153699] was awarded on Nov. 28, 2016.

Contract Term

The four-year contract term shall begin on or about Oct. 1, 2017.

Financial Impact

The aggregate contract value will not exceed \$400,000 (including applicable taxes), with an estimated annual expenditure of \$100,000. This amount is based on historical use and projected need. Funds are available in all City of Phoenix departments' budgets.

Responsible Department

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



Automotive Maintenance for Original Equipment Manufacturers - Requirements Contract - Maricopa County 16030-S (Ordinance S-43898)

Request to authorize the City Manager, or his designee, to access Maricopa County Contract 16030-S and to enter into a contract with Sands Motor Company for an amount not to exceed \$2,000,000 over the life of the contract to maintain and repair Police patrol vehicles. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department maintains the City's fleet of 1,500 Police patrol vehicles. Approximately 300 of these vehicles, due to age and high mileage, will need transmission and engine replacement to extend their useful lives. Through the County's contract, the City will utilize Sands Motor Company to meet the heavy need for repair work and avoid excessive down time for the vehicles.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded using a similar competitive process consistent with the City's procurement processes, 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 Maricopa County contract covers automotive repair services and was awarded on Dec. 17, 2015.

Contract Term

The three-year contract term shall begin on or about Oct. 1, 2017.

Financial Impact

The aggregate contract value will not exceed \$2,000,000 over the life of the contract, with annual expenditures estimated at \$600,000. Funds are available in the Public Works Department's budget.

Responsible Department

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



Authorization to Enter into Escrow Agreement to Accept Tracts A and C of Gold Key Racquet Club Estates (Ordinance S-43900)

Request authorization to enter into escrow agreements and to accept conveyances for Tracts A and C from Gold Key Racquet Club Estates owners subject to terms and conditions set forth in the agreements. Further request authorization to dedicate Tracts A and C to public right-of-way upon recording of the conveyance instruments.

Summary

A significant majority of Gold Key Racket Club Estates owners recently agreed to move forward and work with the City of Phoenix to form an improvement district to fund street improvements and other related public infrastructure to convert the private residential streets to public right-of-way. As part of forming the improvement district, Gold Key owners must first conditionally convey their interests in Tracts A and C to the City. The City will enter into escrow agreements with the owners of record of Tracts A and C, and the conveyance instruments will be held in escrow. The conveyance instruments will not be recorded until all requirements are met to convey clear title to the City and the City Council passes a resolution to order the construction of public improvements. Under the terms of the escrow agreements, the conveyance instruments will be returned to the respective owner if the escrow conditions are not met. If all escrow conditions are met and upon the recording of the conveyance instruments, Tracts A and C will be dedicated as public right-of-way.

Location

Aster Drive, 1st Street, 2nd Street, 2nd Place and Dahlia Drive; located between Central Avenue and 3rd Street, also identified as assessor parcel numbers 159-02-330 and 159-02-332A.

Council District: 3

Responsible Department

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



Wildcat Fire Services, Inc. dba National Fire Control for Fire Extinguisher Inspection, Testing and Maintenance Services Contract - Requirements Contract - IFB 12-034A (Ordinance S-43905)

Request to authorize the City Manager, or his designee, to amend Contract 132066 with Wildcat Fire Services dba National Fire Control, for fire extinguisher inspections, testing and maintenance services as needed in accordance with state and local fire codes and the National Fire Protection Association (NFPA), to extend the term for one year to allow time for a new solicitation. Further request authorization for the City Controller to disburse all funds related to this item, not to exceed \$200,000.

Contract Term

The contract term will be on a month-to-month basis from Jan. 1, 2018 through Dec. 31, 2018.

Financial Impact

The total additional payment will not exceed \$200,000. Funds are available in various departments' budgets.

Concurrence/Previous Council Action

The current contract was approved by City Council on Oct. 5, 2011.

Responsible Department

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



Acceptance of Easements for Water and Public Utilities Purposes (Ordinance S-43911)

Request for the City Council to accept easements for water and public utilities 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: Chamberlain Development, LLC, its successor and assigns

Purpose: Water

Location: 2538 E. Mohawk Lane

File: FN170075

Council District: 2

Easement (b)

Applicant: DLR Properties, LLC, its successor and assigns

Purpose: Public Utilities

Location: 19214 N. 29th Place

File: FN170058

Council District: 2

Easement (c)

Applicant: Louis A Debiasio and Mary Jane Debiasio, its successor and assigns

Purpose: Public Utilities

Location: 16650 N. 43rd St.

File: FN170081

Council District: 2

Easement (d)

Applicant: WPC Cave Creek Storage, LLC, its successor and assigns

Purpose: Public Utilities

Location: 1208 E. Mountain View Road
File: FN170079
Council District: 3

Easement (e)

Applicant: PWG, LLC, its successor and assigns
Purpose: Public Utilities
Location: 15400 W. Greenway Parkway
File: FN170068
Council District: 3

Easement (f)

Applicant: Michael L Martinez and Aaryn Green, its successor and assigns
Purpose: Public Utilities
Location: 5049 E. Osborn Road
File: FN170074
Council District: 6

Easement (g)

Applicant: Rafterhouse-Sonata, LLC, its successor and assigns
Purpose: Public Utilities
Location: 4203 N. 44th St.
File: FN170067
Council District: 6

Easement (h)

Applicant: Road Machinery, LLC, its successor and assigns
Purpose: Water
Location: 926 S. 7th St.
File: FN170065
Council District: 8

Responsible Department

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



Acceptance and Dedication of Deeds and Easements for Roadway, Sidewalk and Drainage Purposes (Ordinance S-43912)

Request for the City Council to accept and dedicate deeds and easements for roadway, sidewalk and drainage purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)

Applicant: Happy Valley Self Storage, L.P., its successor and assigns

Purpose: Drainage

Location: 1740 W. Happy Valley Road

File: FN170069

Council District: 1

Deed (b)

Applicant: CFT NV Developments, LLC, its successor and assigns

Purpose: Roadway

Location: 3448 W. Peoria Ave.

File: FN170052

Council District: 1

Easement (c)

Applicant: Chamberlain Development, LLC, its successor and assigns

Purpose: Sidewalk

Location: 2538 E. Mohawk Lane

File: FN170075

Council District: 2

Easement (d)

Applicant: Chamberlain Development, LLC, its successor and assigns

Purpose: Drainage

Location: 2538 E. Mohawk Lane
File: FN170075
Council District: 2

Easement (e)

Applicant: PWG, LLC, its successor and assigns
Purpose: Sidewalk
Location: north side of W. Greenway Parkway, east of W. Beck Lane
File: FN170068
Council District: 3

Deed (f)

Applicant: Rafterhouse-Sonata, LLC, its successor and assigns
Purpose: Roadway
Location: 4203 N. 44th St.
File: FN170067
Council District: 6

Easement (g)

Applicant: Diocesan Council for the Society of St. Vincent De Paul Diocese of Phoenix, its successor and assigns
Purpose: Sidewalk and Drainage
Location: 320 W. Watkins St.
File: FN170061
Council District: 8

Responsible Department

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



Burton Barr Central Library Storm Incident Response and Remediation (Ordinance S-43913)

Request to ratify contracts executed by the City Manager, or his designee, necessary to acquire emergency services from specialized vendors necessary to mitigate further damage to the Burton Barr Central Library (BBCL) caused by the storm and water damage up to \$2.3 million, and further requesting authorization for the City Controller to expend all funds related to this item.

Summary

BBCL suffered storm and water damage after a strong monsoon storm swept through Central Phoenix on July 15, 2017. The City was in need to engage specialized vendors to deal with incident response and recovery. Further, immediate actions were necessary to mitigate further damage to the library. Chapter 43 (Procurement) of the Phoenix City Code provides for exceptions to contract sourcing methods when dealing with an emergency situation. The goods and services utilized during the response period are listed below along with their estimated values:

- Water extraction, drying, treatment, demolition and disposal services: \$1,700,000
- Architectural, engineering and emergency repair services: \$350,000
- Content moving, inspection and evaluation services: \$100,000
- Equipment, fencing, traffic barriers and portable sanitation rentals: \$75,000
- Security, fire watch and air monitoring services: \$75,000

City staff is working closely with the insurance carrier on reimbursement of these expenses. This request is to ratify all contracts executed under the emergency provisions of Phoenix City Code Chapter 43 and approve expenses related to incident response and initial remediation. Separate City Council action(s) will be brought forward when seeking to execute contracts and expend funds to bring BBCL back to full service.

Financial Impact

City staff is tracking all expenses separately related to the BBCL incident. Once the data is available, the City will provide a report identifying all City expenses including expenses that will be offset by a reimbursement from the insurance company.

Location

1221 N. Central Ave.
Council District: 7

Responsible Department

This item is submitted by City Manager Ed Zuercher, Deputy City Manager Deanna Jonovich, and the Library and Finance departments.



Authorization to Enter Into a License with Hunter Contracting Co. for Use of City-Owned Property Located at 415 - 501 E. Puget Ave. (Ordinance S-43920)

Request to authorize the City Manager, or his designee, to enter into a license with Hunter Contracting Co. for temporary use of vacant City-owned property located at 415 - 501 E. Puget Ave. for construction staging and storage.

Summary

Hunter Contracting Co. has been contracted by the City to provide design and construction services for the North Mountain Tower project at 12950 N. 7th St. The vacant City-owned property which is approximately 64,103 square feet will be used for construction staging, parking, and a construction trailer, to facilitate the City's project. All costs related to the license are included in the North Mountain Tower project cost, with funding authorized by ordinance S-43540.

Contract Term

The term of the license will be 12 months.

Location

415 - 501 E. Puget Ave.
Council District: 3

Responsible Department

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



Request Authorization to Extend Federal Representation Contracts with Holland & Knight, LLP, and Murray, Montgomery & O'Donnell (Ordinance S-43929)

Request authorization for the City Manager, or his designee, to extend Contract 134689 with Holland & Knight, LLP, for a monthly amount of \$20,000, and Contract 134579 with HROD, Inc., doing business as Murray, Montgomery & O'Donnell, for a monthly amount of \$6,666, for federal representation and consulting services under the guidance of the Office of Government Relations. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Both Holland & Knight, LLP, and Murray, Montgomery & O'Donnell assist City departments to identify grant opportunities and successfully pursue funding that supports important City services and projects. The firms also represent the City face-to-face with elected officials and agencies that make decisions about federal funding that directly affects crucial City programs and services.

Holland & Knight, LLP, represents the City on water, environment, transportation and public safety issues, and Murray, Montgomery & O'Donnell represents the City on community development issues. Both firms were selected to represent the City in 2012 after a competitive procurement process.

The City is currently undergoing a competitive procurement process for new federal representation. The current contracts in place are scheduled to expire on Sept. 30, 2017. A procurement process is underway to select and award new contracts, and a month-to-month extension of the current contracts is needed to avoid a lapse in service and to continue federal representation.

Contract Term

These contract extensions are for a month-to-month term, beginning on Oct. 1, 2017.

Financial Impact

Continued monthly payments under the Holland & Knight, LLP, contract of \$20,000 for up to six months. This includes all expenses and funds are available in the Aviation, Water Services, and Public Transit department budgets.

Continued monthly payments under the Murray, Montgomery & O'Donnell contract of \$6,666 for up to six months. This includes all expenses and funds are available in the Office of Government Relations budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Office of Government Relations.



National Endowment for the Arts Our Town Grant Application for Choice Neighborhoods (Ordinance S-43927)

This report requests authorization for the City Manager, or his designee, to apply and enter into agreement(s) for up to \$200,000 in grant funds from the National Endowment for the Arts (NEA) under the Our Town grant for arts engagement, cultural planning, and design of creative placemaking work in the Edison-Eastlake Choice Neighborhoods Community. Authorization is also requested for the City Treasurer to accept and the City Controller to disburse the grant funds over the life of the grant.

Summary

The Housing Department is seeking to apply for a \$200,000 National Endowment for the Arts (NEA) Our Town grant. If awarded, the Housing Department, in partnership with the Office of Arts and Culture and Xico, Inc., will utilize these grant funds to incorporate arts engagement, cultural planning, and creative placemaking to improve existing and/or new spaces that strategically reflect or shape the physical and social character of the Edison-Eastlake Choice Neighborhoods (CN) Community. In June 2016, the City was awarded a U.S. Department of Housing and Urban Development (HUD) CN Planning and Action Grant to conduct a comprehensive neighborhood planning and community engagement process. Within the CN boundaries lie three public housing sites: Frank Luke Homes, A.L. Krohn Homes, and Sidney P. Osborn. The CN Grant focuses on creating a redevelopment plan for these three sites as well as a plan to catalyze critical neighborhood improvements, provide services for individuals and families, and improve outcomes for youth.

As learned through the Edison-Eastlake CN Community Resident Leadership Council and over 300 public housing resident surveys, neighborhood beautification was cited as a quality of life issue that is a priority to address. Integrating arts and cultural activities into comprehensive strategies will advance the goal of making the Edison-Eastlake CN Community a desirable place to live. Edison-Eastlake residents, businesses and community stakeholders will be invited to participate in the planning and design process to ensure the placemaking project and/or art implemented fully represents those that live in the community. If awarded, the NEA Our Town grant program will reach an underserved population, leveraging concurrent CN efforts with much needed neighborhood amenities.

The Office of Arts and Culture will provide technical assistance throughout the application process and future implementation of the grant project, if awarded. Xico, Inc. is a local non-profit, multi-disciplinary arts organization, created in 1975, with a vision to promote indigenous arts and culture through community-based arts programs.

Proposals are due no later than Sept. 25, 2017, with notification of final grant award in April 2018. The allowable project time period is up to two years, with a starting date no earlier than Aug. 1, 2018.

Financial Impact

There is no impact to the General Fund. A one-for-one match is required. The match will be comprised of in-kind services from partner agencies, the Housing Department, and other City departments. Match may also be available from funds designated for CN Planning and Action activities.

Concurrence/Previous Council Action

This item was heard at the Sustainability, Housing, Efficiency, and Neighborhoods Subcommittee on Sept. 19, 2017.

Location

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

Council District: 8

Responsible Department

This item is submitted by Deputy City Managers Deanna Jonovich and Karen Peters, the Housing Department and the Office of Arts and Culture.



Agreement with GMI Pump Systems for Maintenance and Operation of Pump and Ozone Systems at Japanese Friendship Garden (Ordinance S-43903)

Request authorization for the City Manager, or his designee, to enter into a five-year agreement with GMI Pump Systems for maintenance and operation of the pump and ozone systems at the Japanese Friendship Garden. Expenditures shall not exceed \$232,000 over the life of the contract, with an estimated annual expenditure of \$46,400. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Parks and Recreation Department recently invested more than \$1 million to replace the pump system and to refurbish and improve the ozone system at the Japanese Friendship Garden. The Japanese Friendship Garden has a one-acre koi pond that is a replica of the Japanese Friendship Garden in Himeji, Japan, Phoenix's sister city. The previous system was approximately 15 years old and was failing, causing loss of revenue to the non-profit operators and environmental concern for the health of the 1,200 koi that live in the pond. Both the pumps and the ozone need to work in tandem to keep the water aerated and clear and provide a healthy environment for the koi.

It is necessary to have contracted maintenance by experts that can keep this system running efficiently for the enjoyment of the thousands of visitors to the Japanese Friendship Garden.

Procurement Information

The computer system to coordinate the pumps, ozone, cooling systems and alarms is a proprietary system installed by GMI Pump Systems on a job order contract. GMI Pump Systems, a local company, installed the proprietary system along with most of the equipment. It is critical that these complex, proprietary systems are maintained and operated by the same company that installed the overall system. In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Determination Memo citing the unusual nature of the goods and services that require a specific vendor.

Contract Term

The contract term shall begin on or about Sept. 20, 2017.

Financial Impact

Expenditures shall not exceed \$232,000 over the life of the contract, with an estimated annual expenditure of \$46,400. This will include labor, materials and weekly maintenance on the ozone system, motors, pump station, controls and filters at the Japanese Friendship Garden. Funds are available in the Parks and Recreation Department's budget.

Location

1125 N. 3rd Ave.

Council District: 7

Responsible Department

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



Authorization to Enter into Agreement with Phoenix Sister Cities (Ordinance S-43897)

Request to authorize the City Manager, or his designee, to enter into a one-year agreement with Phoenix Sister Cities, Inc. (PSC) beginning upon execution through June 30, 2018, with an expenditure of \$33,513 and reimbursement of insurance-related expenses not to exceed \$7,500 per year. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

PSC is an established 501(c)(3) and has been in existence since 1975. It is responsible for coordinating exchange programs in youth and education, municipal and technical cooperation, business, arts and culture with ten Sister Cities. In fiscal year (FY) 2016-17, staff coordinated protocol visits of 70 international delegations, representing approximately 20 countries, with the Mayor, City Council, and/or City departments and conducted 80 events, exchanges and activities. This was accomplished by outsourcing the coordination of the events/exchanges/activities through a large number of PSC volunteers, totaling 154,767 hours and valued at \$3,533,330 and leveraging a total of \$48,500 of in-kind contributions.

The City of Phoenix has contracted with PSC since the mid-1980s. The organization is administered by a Board of Directors composed of PSC Commission members, appointed by the Mayor and approved by the City Council, and the chairpersons of the Sister Cities and program committees.

The PSC program has been recognized by Sister Cities International for its excellence having received the award for Best Overall Program in the United States, with a population over 500,001, nine times in the last 21 years. Most recently, PSC received the Best Overall Program and Innovation in Youth and Education awards for 2015.

Financial Impact

Funds are available in the Community and Economic Development Department's 2017-18 operating budget. The operating budget includes City of Phoenix funding for staff salaries and benefits. All PSC programs, exchanges, events, and travel are privately funded.

Responsible Department

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



Issuance of Education Facility Revenue Bonds (Legacy Traditional Schools - Phoenix Campus), Series 2017 (Resolution 21570)

Requests City Council approval for the issuance of Education Facility Revenue Bonds (Legacy Traditional Schools - Phoenix Campus), Series 2017, to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed \$30,000,000.

Summary

Request 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 \$30,000,000 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. 23, 2017.

Location

The Project will be located at the northeast corner of North 99th Avenue and West Campbell Avenue in Phoenix, Arizona.

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.

Council District: 5

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr.



Request to Apply for and Accept Victims of Crime Act (VOCA) Grant Funding (Ordinance S-43910)

Request to retroactively authorize the City Manager, or his designee, to apply, accept, and if awarded enter into an agreement for up to \$5,100,000 in Victim of Crime Act (VOCA) grant funds from the Arizona Department of Public Safety. Further request authorization for the City Treasurer to accept and the City Controller to disburse funds associated with this item. This retroactive request seeks to ratify prior action because the grant application deadline occurred on Aug. 7, 2017, during summer break.

Summary

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

If awarded, the funding will be used to finance the salary and fringe benefits for the 15 Full Time Employee (FTE) positions (in FY 17/18 and FY 18/19), purchase two vehicles for use by the Community Assistance Program, and finance the salary and fringe benefits for 19.5 FTE positions (in FY 19/20).

Contract Term

The grant period will begin on or about Oct. 1, 2017 and end on or about Sept. 30, 2020.

Financial Impact

VOCA funds require recipients to contribute a 20% match of the total project cost. The Fire Department will provide the following match through in-kind volunteer and intern services:

-FY 17/18: 10,812 volunteer hours, with a value of \$297,763

- FY 18/19: 10,497 volunteer hours, with a value of \$289,106
- FY 19/20: 15,152 volunteer hours, with a value of \$417,311

Total hours: 36,461 for a total value of \$1,004,180, which satisfies the 20% project cost match requirement.

Concurrence/Previous Council Action

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

Responsible Department

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



Contract with Fireblast 451, Inc., for Service, Maintenance, and Training for Fire Department's Class B Burn Building (Fire Training Simulator) (Ordinance S-43923)

Request authorization for the City Manager, or his designee, to enter into a contract with Fireblast 451, Inc. for service, maintenance, and training for the Fire Department's Class B Burn Building (fire training simulator) for \$111,400 over a five-year period. Authorization is also requested for the City Controller to disburse funds.

Summary

The Fire Department's "live fire" training takes place at the Fire Training Academy in the Department's Class B Burn Building. Several years ago, Fireblast 451, Inc. installed the propane/smoke piping system inside the building that simulates real fire during training exercises. The equipment and maintenance is proprietary.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo, which stated that Fireblast 451, Inc. is the sole provider of the equipment and associated maintenance and training, and must be utilized for all related services in order to prevent cancellation of warranty.

Contract Term

This request is to contract with Fireblast 451, Inc. for a maximum of five years, with the initial three-year term of the contract from approximately Sept. 30, 2017 through Sept. 29, 2020. In addition, there are two one-year options which could extend the contract through Sept. 29, 2022.

Financial Impact

The aggregate five-year cost shall not exceed \$111,400. Funds for this contract are included in the Fire Department's operating budget.

Location

The fire training simulator is located at the Fire Training Academy, 2425 W. Lower Buckeye Road.

Council District: 7

Responsible Department

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



Authorization to Apply for, Accept and Enter into an Agreement for 2017 U.S. Department of Justice, Internet Crimes Against Children Grant (Ordinance S-43914)

Request authorization for the City Manager, or his designee, to authorize the Police Department to apply for, accept and enter into an agreement with the Office of Juvenile Justice and Delinquency Prevention for the 2017 Internet Crimes Against Children (ICAC) Task Force Program in the amount of \$399,477. Also request to accept additional funds, should they become available, up to a maximum of \$600,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

Retroactive approval to apply for this grant is requested because the grant application was announced on June 16, 2017, and the grant application was due on June 30, 2017.

The Police Department commands the Arizona ICAC Task Force and has received funding through this source annually for the last several years. The goal of the task force is to improve effectiveness to prevent, interdict, investigate and prosecute internet crimes against children and child exploitation. The Arizona ICAC Task Force is partnered with 58 law enforcement agencies statewide. Since 2006, the Arizona ICAC Task Force has conducted more than 21,856 investigations resulting in the incarceration of hundreds of offenders and provided training presentations to children, parents and community groups to educate them on how to protect children from internet crimes.

If awarded, grant funds will be used to continue paying the salary and fringe benefits for one sergeant position, overtime and related fringe benefits for various task force personnel, supplies, travel, training and contracts/consultants to support the task force investigations. Funds are also shared statewide through a sub-grant program that assists agencies throughout Arizona to purchase equipment and attend training.

Contract Term

If awarded, the funding period would be 15 months from July 1, 2017 through Sept. 30, 2018.

Financial Impact

No matching funds are required. Cost to the City would be in-kind resources only.

Concurrence/Previous Council Action

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

Responsible Department

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



Authorization to Enter into Agreement with Bureau of Alcohol, Tobacco, Firearms and Explosives for Reimbursement of Police Services (Ordinance S-43915)

Request authorization for the City Manager, or his designee, to authorize the Police Department to enter into an agreement with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to accept funds for police services in an amount not to exceed \$875,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The purpose of this agreement is to support the Police Department's involvement in ATF task forces. Officers will be assigned to assist ATF in investigations of federal, state, and local laws. To the maximum extent possible, the officers will be assigned on a dedicated basis, rather than rotational. In return, ATF will reimburse the City for approved overtime expenses and other costs including, but not limited to, travel, fuel, training and equipment costs incurred by the Police Department while providing resources to assist in ATF task force-related investigations.

The Police Department has partnered with ATF under similar agreements over the past six years. An exact amount of reimburseable funds is not indicated in the agreement; however, the City has received on average \$175,000 per year from ATF over the past two years.

Contract Term

Five years from Oct. 1, 2017 through Sept. 30, 2022.

Financial Impact

The cost to the City are related fringe benefits and in-kind resources.

Concurrence/Previous Council Action

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

Responsible Department

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



Authorization to Amend Current Intergovernmental Agreement and Payment Ordinance (S-42506) with the Arizona Attorney General's Office for the Internet Crimes Against Children Task Force (Ordinance S-43916)

Request authorization for the City Manager, or his designee, to authorize the Police Department to amend the current agreement with the Arizona Attorney General's Office for the Internet Crimes Against Children (ICAC) Task Force to accept additional funds and extend the agreement period. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

In 2016, the Police Department entered into an agreement to receive reimbursement from the Arizona Attorney General's Office for \$1,800,000 to support ICAC Task Force investigations. The agreement supports the ICAC task force by providing funding for personnel, technology, equipment and supplies. The goal of this task force is to identify, investigate and prosecute individuals who exploit children.

Recently, the Police Department was advised by the Arizona Attorney General's Office the Department would receive two amendments to the current agreement. The amendments would add an additional \$1,800,000 in reimbursement to the City and extend the agreement by one year.

Contract Term

The initial contract period was May 12, 2016 through June 30, 2017. These amendments would extend the contract period to June 30, 2018.

Financial Impact

No matching funds are required. Cost to the City is in-kind resources only.

Concurrence/Previous Council Action

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

Responsible Department

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



Authorization to Enter into Agreement with Drug Enforcement Administration to Receive Reimbursement for Police Services (Ordinance S-43917)

Request authorization for the City Manager, or his designee, to authorize the Police Department to enter into an agreement with the Drug Enforcement Administration (DEA) to accept funds in the amount of \$18,042 per year, per officer, not to exceed \$100,000, for approved overtime. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Police Department has participated in DEA task forces through similar agreements for the past several years. The purpose of these task force groups is to disrupt the illegal trafficking of drugs in the State of Arizona by immobilizing targeted violators and trafficking organizations. The task force groups conduct undercover operations where appropriate and engage in other traditional methods of investigation in an effort to effectively prosecute offenders in federal and state courts. Through this agreement, three experienced Phoenix police officers will continue to be assigned to the DEA Phoenix Task Force for a period of not less than two years. This agreement provides the City with reimbursement for the officers' overtime related to task force investigations.

Contract Term

One year from Oct. 1, 2017 through Sept. 30, 2018.

Financial Impact

The costs to the City are related fringe benefits and in-kind resources.

Concurrence/Previous Council Action

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

Responsible Department

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



Authorization to Apply for, Accept and Enter into an Agreement for 2017 Edward Byrne Memorial Justice Assistance Grant Program (Ordinance S-43918)

Request authorization for the City Manager, or his designee, to authorize the Police Department to apply for, accept and enter into an agreement for the 2017 Edward Byrne Memorial Justice Assistance Grant (JAG), through Maricopa County. Authorization is also requested to accept additional funds, should they become available during the funding period, not to exceed \$800,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The City has received funding through this grant program over the last several years. The Police Department was informed of the availability of these funds on Aug. 3, 2017. Upon agreement, Maricopa County administers the funding to local agencies and initiates the agreement. Maricopa County submits the 2017 JAG Program grant application on behalf of the partnering cities including Phoenix and Mesa. The federal grant program proposes that Maricopa County will receive \$1,001,144 in funding, which is \$63,465 less than last year's allocation of \$1,064,609. It is anticipated the City of Phoenix will receive \$600,000, which is \$75,000 less than last year's allocation of \$675,000.

The proposed budgetary allocations are approximately \$165,000 to the Parks and Recreation Department's, Project BRAVE (Bringing Reality About Violence Education) program. Project BRAVE is a violence prevention and education program that was created with the goal of decreasing violence in our community through awareness and leadership training activities. The project provides comprehensive workshops held at various sites, non-profit agencies and after school programs.

The Police Department proposes to use the remaining \$435,000 to enhance our current on-officer video camera program, which is one of seven priority areas in the grant solicitation. These funds can be used to purchase additional cameras, augment video storage systems and policy development with the intent of building community trust and increased transparency.

Contract Term

The project funding period is Oct. 1, 2017 through Sept. 30, 2020.

Financial Impact

No matching funds are required. Cost to the City is in-kind resources only.

Concurrence/Previous Council Action

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

Responsible Department

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



Authorization to Enter into Agreement with Arizona Peace Officer Standards and Training Board for Reimbursement of Basic Training Costs (Ordinance S-43924)

Request authorization for the City Manager, or his designee, to authorize the Police Department to enter into an agreement with the Arizona Peace Officer Standards and Training Board (AZ POST) to accept funds for basic training costs in an amount not to exceed \$200,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The purpose of this agreement is to provide continuity of basic training for a transition period after the closing of the former Arizona Law Enforcement Academy (ALEA).

Contract Term

This agreement is effective when ratified by all signatories, and terminates on Dec. 31, 2017, at which time all unspent or unencumbered funds must be returned to the Police Officer Training Fund.

Financial Impact

AZ POST shall allocate \$75,000 for equipment, capital improvement and other expenditures. AZ POST shall pay \$125,000 to the Phoenix Police Department to reimburse the cost for training recruits at the facility located at 10001 S. 15th Ave.

Responsible Department

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



Phoenix Sky Harbor International Airport Terminal 4 North Apron Reconstruction - Construction Manager at Risk Construction Services Contract Amendments - AV08000072 FAA (Ordinance S-43901)

Request to authorize the City Manager, or his designee, to amend Contract 141401 with J. Banicki Construction, Inc. (J. Banicki) (Phoenix) to provide continued Construction Manager At Risk (CMAR) construction phase services for the Phoenix Sky Harbor International Airport Terminal 4 North Apron Reconstruction project.

J. Banicki's fee for the additional construction services will not exceed \$55 million, including all subcontractor and reimbursable costs, for a revised construction services total of \$78 million for this project.

Staff will immediately execute a \$12 million contract amendment for Guaranteed Maximum Price (GMP) No. 3, and future GMP contract amendments totaling an amount not-to-exceed the remaining \$43 million will be reviewed and approved separately by the Budget and Research Department. The amendments 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

This project includes the removal and replacement of concrete pavement panels in the Terminal 4 North Apron area that are displaying 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.

J. Banicki's construction services for this phase of construction may include scheduling, managing site operations, preparing a guaranteed maximum price proposal, fielding verification of site conditions, arranging for procurement of materials

and equipment, and providing quality controls.

Procurement Information

J. Banicki 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 the CMAR design phase services.

Contract Term

The term of the amended contract is expected to expire by Dec. 31, 2021. 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

J. Banicki's fee for the additional construction services will not exceed \$55 million, including all subcontractor and reimbursable costs, for a revised construction services total of \$78 million for this project.

Staff will immediately execute a \$12 million contract amendment for Guaranteed Maximum Price (GMP) No. 3, and future GMP contract amendments totaling an amount not-to-exceed the remaining \$43 million will be reviewed and approved separately by the Budget and Research Department.

Staff anticipates partial reimbursement from the FAA. 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.

Previous Council Action

City Council approved CMAR Construction Services Contract 141401 on Sept. 9, 2015 for a not-to-exceed amount of \$23 million.

City Council approved CMAR Design Phase Services Contract 139591 on Nov. 5, 2014.

Location

Phoenix Sky Harbor International Airport is located at 3400 E. Sky Harbor Blvd.
Council District: 8

Responsible Department

This item is submitted by Deputy City Managers Deanna Jonovich and Mario Paniagua, the Aviation Department, and the City Engineer.



Amend Lease with JMJ-LLC, dba Cafe on the Way, to Extend Lease Term (Ordinance S-43902)

Request to authorize the City Manager, or his designee, to enter into Amendment 3 to Food & Beverage Lease 123391 (Lease) with JMJ-LLC, dba Cafe on the Way, to extend the term for one year. The Lease requires JMJ-LLC to pay the greater of seven percent of gross sales or a minimum annual guarantee rent. The amendment may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee.

Summary

The Phoenix Sky Harbor International Airport Rental Car Center (RCC) is in the process of a reconfiguration and tenant relocation project (Project). The Project includes the lobby area where the food and beverage concession is located. The project will include demolition and new construction in the lobby, which may impact this concession.

JMJ-LLC began operating at the RCC after the Lease was assigned to it on March 1, 2012. JMJ-LLC replaced the original operator through a limited solicitation process. The concession occupies 1,094 square feet and provides a quick-serve menu and vending machines to serve RCC customers. Over the next year, Aviation staff will conduct a revenue contract solicitation for this location. The successful respondent will be able to complete its tenant improvements on schedule with the completion of the Project. A one-year extension of the term of the Lease will avoid an interruption of services to RCC customers.

Contract Term

The term of the Lease will be extended from Jan. 1, 2018 to Dec. 31, 2018.

Financial Impact

The Lease requires JMJ-LLC to pay the greater of seven percent of gross sales or a minimum annual guarantee rent. In 2016, JMJ-LLC generated \$740,679 in gross sales and paid \$51,848 in rent. Rent collected from JMJ-LLC is used to offset operation and maintenance costs for the RCC.

Location

Phoenix Sky Harbor International Airport is located at 3400 E. Sky Harbor Blvd.
Council District: 8

Responsible Department

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



Lease Agreement with Ready Credit Corporation (Ordinance S-43919)

Request to authorize the City Manager, or his designee, to enter into a lease with Ready Credit Corporation for approximately 42 square feet of terminal space at Phoenix Sky Harbor International Airport, for a total estimated revenue amount of \$41,400. Ready Credit Corporation will install and operate six cashless kiosks in the space. The lease may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee.

Summary

Over the past few years, American Airlines, Delta Air Lines, JetBlue Airways, and United Airlines have implemented cashless transaction policies at Phoenix Sky Harbor International Airport. Cashless transactions include ticket sales, baggage charges, inflight upgrades, and miscellaneous fees. In order to provide continuous service to members of the travelling public that have no access to a credit or debit card, the City will lease space to Ready Credit Corporation to install kiosks, which will provide a prepaid debit card in exchange for cash. In addition to the lease, Ready Credit Corporation will enter into a commercial use permit (CUP), under which it will pay eight percent of its gross sales to the Aviation Department each month.

Procurement Information

A sole source determination memo was completed and approved by the Deputy City Manager in accordance with Administrative Regulation 3.10.

Contract Term

The term is three years. The lease will contain a two-year option to extend the term that may be exercised at the discretion of the Aviation Director.

Financial Impact

The Aviation Department will receive approximately \$5,040 per year in rent. In addition, the Aviation Department will receive eight percent of total gross receipts under the CUP, which is estimated to be \$8,760 per year. The total estimated revenue over the term of the lease is \$41,400.

Location

Phoenix Sky Harbor International Airport is located at 3400 E. Sky Harbor Blvd.
Council District: 8

Responsible Department

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



Rental Car Center Independent Operator Premises (Tier 2) Revenue Contract Solicitation Award Recommendation (Ordinance S-43921)

Request to authorize the City Manager, or his designee, to enter into concession agreements and lease agreements (Contracts) with Sixt Rent A Car, LLC; Advantage Opco, LLC; and Fox Rent A Car, Inc. for the independent operator premises (IOP) at the Rental Car Center (RCC) at Phoenix Sky Harbor International Airport. The Contracts may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee.

Revenue to the Aviation Department from the Contracts is estimated to be a minimum of \$22,885,560 over the initial five-year term of the Contracts based on the minimum annual guarantee bids submitted by the successful respondents. In addition, recommended operators will be responsible for collecting and remitting a \$6 per-day customer facility charge.

Summary

On May 31, 2017, the City Council authorized the Aviation Department to issue a revenue contract solicitation (RCS) for three rental car operators to occupy space in the IOP. The RCS was issued on June 7, 2017. The RCS process was designed to provide qualified independent rental car operators (i.e., Tier 2 operators) not affiliated with the three Tier 1 rental car operators (i.e., Avis Budget Car Rental, LLC; Enterprise Leasing Company of Phoenix, LLC; and The Hertz Corporation) an opportunity to rent cars at the RCC.

Procurement Information

After a local and national outreach effort and a competitive RCS process, the following companies are recommended for award to enter in Contracts for the IOP. Successful respondents were selected based on compliance with minimum qualifications and ranked based on the amount of minimum annual guarantee submitted by each respondent:

Recommended Operator and MAG

Sixt Rent A Car, LLC: \$1,701,111

Advantage Opco, LLC: \$1,576,001

Fox Rent A Car, Inc.: \$1,300,000

Contract Term

The term of each Contract will be five years. The Contracts will contain a five-year option to extend the term that may be exercised at the discretion of the Aviation Director.

Financial Impact

The Aviation Department will receive 10 percent of gross sales for rental car services from each recommended operator or the minimum annual guarantee.

Concurrence/Previous Council Action

This item was recommended by the Downtown, Aviation, Economy and Innovation Subcommittee on Sept. 6, 2017 by a vote of 3-0.

Location

The Rental Car Center is located at 1805 E. Sky Harbor Circle S.
Council District: 8

Responsible Department

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



Lot Cleaning and Maintenance Services for 810 Aviation-Owned Land Parcels (Ordinance S-43922)

Request to authorize the City Manager, or his designee, to enter into Amendment 8 to Contract 132095 with Berry Realty & Associates, Inc. to extend the term on a month-to-month basis not to exceed six months. The aggregate value of the six-month extension will not exceed \$226,550, with an estimated monthly expenditure of \$37,758. The amendment may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Berry Realty & Associates, Inc. currently provides lot cleaning and maintenance services for 810 Aviation-owned parcels of land. The parcels were obtained through the Community Noise Reduction Program and are vacant, undeveloped lots located in residential and industrial areas around the west end of Phoenix Sky Harbor International Airport. The services provided under the Contract include vegetation control, trash pickup, removal of illegally dumped materials, rock harrowing, fence repair, tree maintenance and removal, sign installation and repair, pest control, and other work associated with property maintenance.

Upkeep of the parcels, which total approximately 150 acres, is imperative to the communities that live and work on neighboring parcels. Extending the term of the Contract will ensure continuity of services during completion of a competitive request for proposals.

Procurement Information

A determination memo to extend the term of the Contract was completed and approved by the Deputy City Manager in accordance with Administrative Regulation 3.10.

Contract Term

The term will be extended on a month-to-month basis not to exceed six months. The decision to terminate the month-to-month term will be exercised at the discretion of the Aviation Director.

Financial Impact

The aggregate value of the six-month extension will not exceed \$226,550, with an estimated monthly expenditure of \$37,758. Funds are available in the Aviation Department's budget.

Concurrence/Previous Council Action

Contract 132095 was approved by City Council on Sept. 14, 2011.

Location

The parcels are located west of Phoenix Sky Harbor International Airport.
Council District: 8

Responsible Department

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



Request Authorization to Enter Into Agreement with New Flyer of America for Transit Buses (Ordinance S-43908)

Request an ordinance authorizing the City Manager, or his designee, to enter into a contract with New Flyer of America Inc. for the manufacture and delivery of 40' and 60' heavy duty transit buses for the Public Transit Department. Further request authorization for the City Controller to disburse the necessary funds in the amount not to exceed \$98,703,419 over the five-year contract term.

Summary

The City of Phoenix Public Transit Department (City) and the Regional Public Transportation Authority/Valley Metro (RPTA) combined efforts on a joint procurement to award a five-year contract for the purchase of 30', 40', 60' and Bus Rapid Transit (BRT) buses, and minimal spare parts. A single procurement on behalf of the City and the RPTA provides a strategic regional procurement to maximize economies of scale through a bulk purchase commitment. Each agency will execute their own contracts with the manufacturers. The City will be purchasing 40' and 60' buses, fueled with diesel (either ultra-low sulfur or biodiesel) or compressed natural gas (CNG).

These buses will be used to replace aging buses that have exceeded their useful life, as well as augment fleet needs due to increased service levels resulting from implementation of the Transportation 2050 program.

Procurement Information

In September 2016, the RPTA issued a Request for Proposals (RFP) for the manufacture and delivery of heavy duty transit buses. Four proposals were received in January 2017 from the following proposers: El Dorado National Inc., Gillig LLC, New Flyer of America Inc., and Nova Bus. An evaluation committee consisting of qualified staff from the City of Phoenix, City of Tempe and the RPTA was appointed to conduct evaluations of the proposals, establish a competitive range, and select the proposer(s) to receive the contract award.

The RFP included the following evaluation criteria: proposer's technical specifications (0-200 points); proposer's product support (0-200 points); proposer's schedule (0-200 points); and proposer's total price (0-400 points). The committee developed questions

and requests for clarification specific to each firm's proposal and to assumptions made in each firm's pricing structure. Based on these responses, the evaluation committee determined that El Dorado, Gillig, and New Flyer were within the competitive range and each firm was allowed an opportunity to submit a best and final offer (BAFO) before completing the evaluation and reaching a final award recommendation.

The evaluation committee evaluated the BAFOs based on the same requirements and criteria applicable to initial proposals. As a result, the committee recommends awarding the contract for 40' buses to New Flyer. The final scoring is as follows:

New Flyer of America Inc.: 936

Gillig LLC: 932

El Dorado National Inc.: 898

New Flyer submitted the only proposal for 60' buses. Staff conducted a price analysis and has determined that New Flyer's price for the 60' bus is fair and reasonable when compared to the independent cost estimate and recent comparable bus purchases. As such, staff recommends awarding the 60' bus contract to New Flyer.

The cost for the 40' bus is \$517,829 for diesel and \$554,866 for CNG. The cost for the 60' bus is \$837,489 for diesel and \$889,159 for CNG. The prices are firm and fixed for the first two years of the contract but will be adjusted in subsequent years based on the Producer Price Index (PPI).

Staff concurs with the evaluation committee's decision and recommends awarding the five-year contract for the manufacture and delivery of heavy duty transit buses to New Flyer of America Inc. as the best overall proposal. The RPTA Board approved the contract award on June 22, 2017.

Contract Term

The five-year contract period shall begin on or about Oct. 1, 2017.

Financial Impact

Based on planned quantities of each bus type to be purchased, reflecting the year in which buses are to be purchased and including any on-board equipment required to place the vehicle into service, the estimated five-year cost is \$98,703,419. The estimated cost for fiscal year 2018-2019 is \$3,330,000, based on the planned purchase of six 40' CNG buses.

Funds are available in the Public Transit Department CIP budget using Federal Transit Administration (FTA) funds (85 percent) and regional Proposition 400 funds (15 percent).

Responsible Department

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



Grand Canal Multi-Use Path Connection at 16th Street and Indian School Road, Design-Bid-Build - ST87600066 (Ordinance S-43906)

Request to authorize the City Manager, or his designee, to accept Stratton Restoration, LLC dba Stratton Builders (Chandler, Ariz.) as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Stratton Restoration, LLC dba Stratton Builders for construction services for the Grand Canal Multi-Use Path Connection at 16th Street and Indian School Road project for \$372,413. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Stratton Restoration, LLC dba Stratton Builders services include, but are not limited to: construction of a new pathway connection from the northeast corner of the Grand Canal and 16th Street intersection to the northeast corner of the Grand Canal and Indian School Road intersection. The project will include a 10-foot-wide paved multi-use pathway and a two-phase mid-block crossing across 16th Street. The project also includes wayfinding signage and site furnishings, and other associated work required to complete this project.

Procurement Information

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

The bids ranged from a low of \$372,413.00 to a high of \$440,676.93. The Engineer's estimate and the three lowest responsive, responsible bidders are listed below:

Engineer's Estimate: \$322,550.65

Stratton Restoration, LLC dba Stratton Builders: \$372,413.00

AJP Electric, Inc.: \$393,000.80

Lincoln Constructors, Inc.: \$397,315.00

Contract Term

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

Financial Impact

This project will utilize federal funds and is subject to the requirements of 49 Code of Federal Regulations Part 26 and the U.S. Department of Transportation's DBE Program. Although the bid award amount exceeds the engineer's estimate, the amount is within the total budget for this project. It has been determined there was adequate competition and the bid award amount represents a fair and reasonable price for the work. Funding is available in the Street Transportation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Small Business Outreach

A Disadvantaged Business Enterprise goal of nine percent has been established for this project.

Location

16th Street and Indian School Road
Council District: 4

Responsible Department

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



Authorization to Enter into an Agreement with Parkmobile for Parking Pay-by-Phone Services (Ordinance S-43909)

Request to authorize City Manager, or his designee, to enter into a contract with Parkmobile, LLC., for Parking Pay-by-Phone services and to exercise contract options as necessary. The estimated annual income is approximately \$36,000; there is no financial cost impact to the City. Further request authorization for the City Controller to accept funds related to this contract.

Summary

The Street Transportation currently has a contract to provide pay-by-phone services to individuals who wish to pay for parking meters in the downtown areas using a smart phone. The existing contract will expire Nov. 30, 2017.

Procurement Information

In accordance with Administrative Regulation 3.10, the Street Transportation Department conducted a Request for Proposal (RFP) procurement process. On June 7, proposals were received and accepted from five firms. The technical evaluation process was conducted by a selection committee made up of staff from the Street Transportation, Aviation and Police Departments as well as a panel member from Arizona State University. The selection committee thoroughly reviewed and scored all proposals and reached consensus in recommending award of the contract to Parkmobile, LLC. as the successful proposer. The top three proposers and their scores (out of total 1,000 points maximum) are listed below:

Parkmobile, LLC.: 934 points
PassportParking Inc.: 913 points
Pay-by-Phone Technologies: 510 points

Contract Term

The contract term will be for a three-year period starting Dec. 1, 2017 and ending Nov. 30, 2020, with options to extend the contract up to two additional years. The contract options may be exercised by the City Manager or designee.

Financial Impact

This is a revenue-generating contract. The estimated annual income is approximately \$36,000 from credit card-based parking meter transactions via smart phone, over the life of the contract. There is no financial cost impact to the City. Convenience fees are paid by the end user directly to the Pay-by-Phone services contractor.

Concurrence/Previous Council Action

The Transportation and Infrastructure Subcommittee recommended approval for the contract award at its Sept. 12, 2017 meeting by a vote of 3-0.

Responsible Department

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



Dam Safety - Emergency Action Plan Updates 2017 - Engineering Services - ST83140089 (Ordinance S-43926)

Request to authorize the City Manager, or his designee, to enter into an agreement with HDR Engineering, Inc. (Phoenix) to provide engineering services in support of the Dam Safety Emergency Action Plan Updates (EAP) project - Engineering Services - ST83140089. HDR Engineering, Inc.'s fee for Engineering Services will not exceed \$300,000, including all subconsultants and reimbursable costs. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This project is for conducting a review of and providing updates to the existing Dam Safety EAP for eight dams, which reflect four jurisdictional and four non-jurisdictional dams (local earth embankment dams). Previous EAP updates were issued at various times between February 2005 and June 2008. Under new regulations and enforcement, the Federal Emergency Management Agency (FEMA) and Arizona Department of Water Resources (ADWR) mandate agency EAP updates every five years.

HDR Engineering, Inc. is very familiar with the requirements and procedures of the City's Dam Safety Program, and is uniquely qualified to provide the services needed.

HDR Engineering, Inc.'s services will include, but are not limited to: review of existing conditions, regulatory criteria, update pertinent components, conduct aerial mapping and topographic surveys, establish and install benchmarks, perform breach analyses, develop digital line work to support quick access and route planning procedures associated with emergency evacuation procedures, and other various tasks to accomplish the requirements mandated.

Procurement Information

HDR Engineering, Inc. was chosen for this project using a direct-select process according to section 34-103 of the Arizona Revised Statutes.

Contract Term

The term of the contract is for two years. Contract work scope identified and

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

Financial Impact

HDR Engineering, Inc.'s fee for Engineering Services will not exceed \$300,000, including all subconsultants and reimbursable costs. Funding is available in the Street Transportation Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Location

North Mountain Flood Detention Dam 3 - Cave Creek Road
North Mountain Flood Detention Dam 7 - Central Avenue south of Thunderbird Road
West Park Flood Detention Dam - 7th Avenue north of Peoria Avenue
East Park Flood Detention Dam - 7th Avenue east of Mountain View Park
North Mountain Flood Detention Dam 2A - 7th Street south of Thunderbird Road
North Mountain Flood Detention Dam 2B - Thunderbird Road east of 7th Street
Mountain View Road & 32nd Street - South of SR51
Little Dreamy Draw - Northwest of Northern Avenue and SR51

Council Districts: 3, 6

Responsible Department

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



Support for the Formation of Madison Groves Irrigation Water Delivery District (Resolution 21569)

Request to adopt a resolution to support formation of the Madison Groves Irrigation Water Delivery District (IWDD) through Maricopa County. The proposed IWDD includes the single-family residential properties bounded by Ocotillo Road to the south, Glendale Avenue to the north, 12th Street to the west, and the east side of 13th Place to the east. This action has no financial impact to the City of Phoenix.

Summary

Under the provisions of (A.R.S.) Chapter 20, Title 48 - Special Taxing Districts, when the majority of lot or parcel owners entitled to or capable of receiving irrigation water from the same system want irrigation water delivered to their lands, they may propose the organization of an Irrigation Water Delivery District (IWDD). The County requires that applicants for an IWDD within City of Phoenix boundaries obtain City Council support before the County will start the process of forming or re-establishing a district.

If approved by the City Council, landowning neighbors seeking an IWDD complete a special taxation impact statement and submit this document to the Maricopa County Board of Supervisors. The Board of Supervisors, along with Salt River Project, will decide if a petition to organize an IWDD may be circulated.

This request has been reviewed and approved by the Water Services Department.

Financial Impact

This action has no financial impact to the City of Phoenix.

Public Outreach

On Aug. 4, 2017, the City received a formal written request from City of Phoenix resident Daniel Trozzi, president of the Squaw Peak Heights Neighborhood Association, to pursue Council approval to form an IWDD (Attachment A). The association is in the process of changing its name to Madison Groves Neighborhood Association.

Location

The proposed IWDD includes the single-family residential properties bounded by Ocotillo Road to the south, Glendale Avenue to the north, 12th Street to the west, and the east side of 13th Place to the east (Attachment B).

Council District: 6

Responsible Department

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

To: Chris Casey
City of Phoenix

ATTACHMENT A

August 4, 2017

From: Squaw Peak Heights Neighborhood Association

Daniel V. Trozzi, President

Subject: Request for Approval to Form Irrigation District

Dear Mr. Casey,

We at the Squaw Peak Heights Neighborhood Association respectfully request to form the Madison Groves Irrigation District for the purposes of upkeep and fair use by property tax assignments for our homeowners. We ask City Council to pass a resolution authorizing this district.

Page 146

Enclosed is the map of the proposed district and the homeowner list. Greg Peterson of the Urban Farm will be the spokesperson for the district and will submit a letter to the County Water Board once consent from the city and SRP is obtained.

Sincerely,



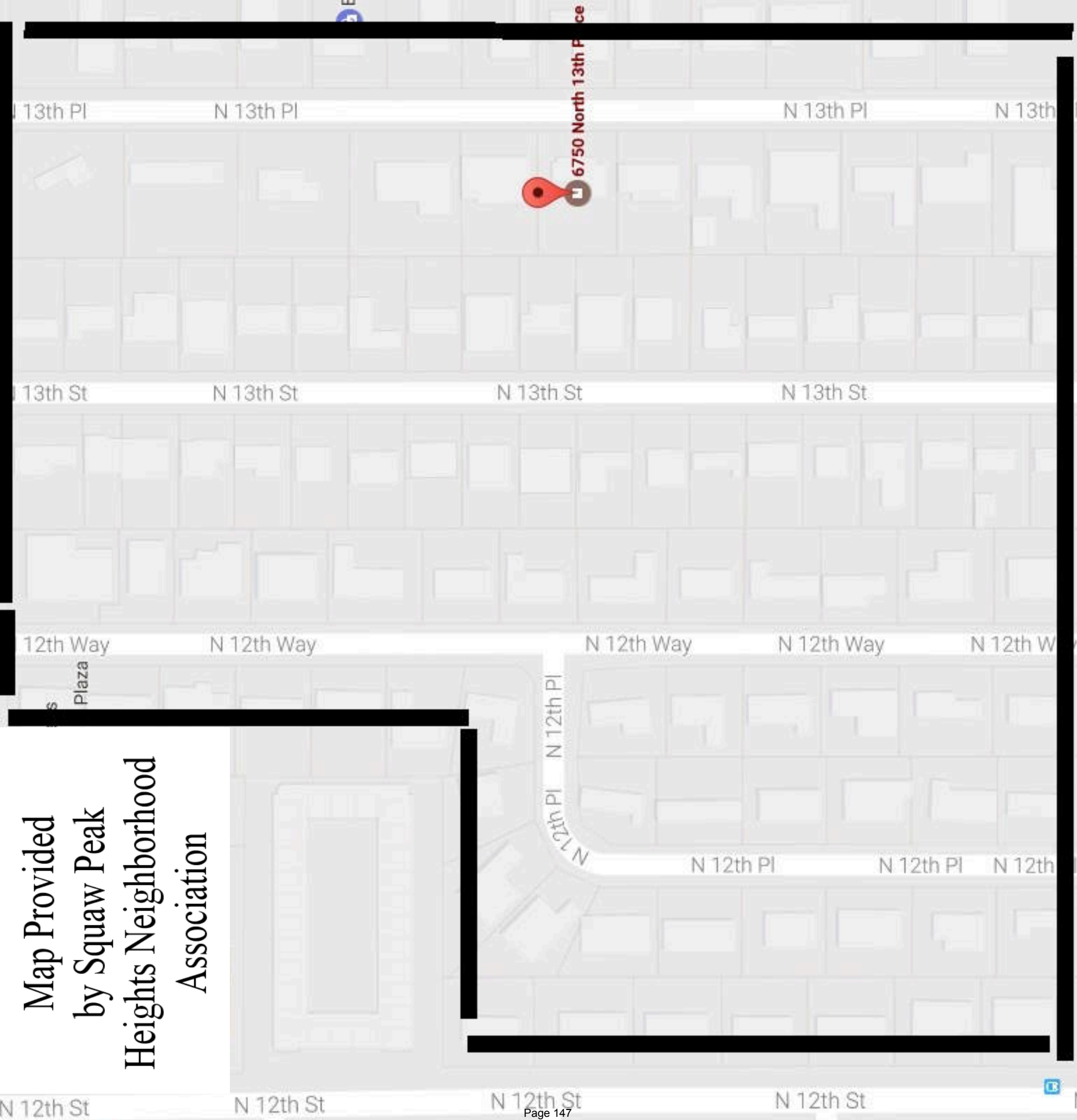
Daniel V. Trozzi

President Squaw Peak Heights Neighborhood Association

6746 N12th Way

Phoenix, AZ 85014

Map Provided
by Squaw Peak
Heights Neighborhood
Association





Attachment B

Proposed Madison Groves

Irrigation Water Delivery District

City Of Phoenix
Street Transportation Department
602-262-6284



Parcels in Proposed Madison Groves District



Oracle America, Inc., Licensing, Maintenance and Support (Ordinance S-43899)

Request to authorize the City Manager, or his designee, to add funds to Contract 142562 with Oracle America, Inc., in the amount of \$825,000 for the Water Services Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department uses Oracle America, Inc., to support core functions such as asset management, mobile work-order management, and utility billing. The additional funds will be used to purchase licenses to maintain compliance with Oracle licensing requirements.

Financial Impact

The additional value shall not exceed \$825,000. Funds are available in the Water Services Department operating budget.

Concurrence/Previous Council Action

The Oracle Master Agreement US-GMA-554520 is the result of Formal Council Action on Oct. 25, 2015, supported by the Information Technology Services Department.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



Construction Administration and Inspection Services for SROG-SRO CIPP-Liner Defect (Ordinance S-43925)

Request to authorize the City Manager, or his designee, to enter into an amendment to contract 137750 with Brown and Caldwell, Inc., to provide Construction Administration and Inspection (CA&I) services not to exceed \$300,000 in support of the Sub-Regional Operating Group (SROG) Salt River Outfall (SRO) Interceptor CIPP-Liner Defect - 2nd Place & Watkins project. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The SRO was installed in the 1960s. It was an unlined reinforced concrete pipe. Chemical processes in the wastewater caused deterioration of the pipe, requiring it to be rehabilitated with a structural cured-in-place-pipe (CIPP) liner in the early 2000s.

Recent CCTV inspection of the pipe segment from upstream manhole 7-28-214 to downstream manhole 7-28-216, indicated a potentially significant defect in the liner. Several objects are stuck (including a CCTV camera, a mini pontoon boat and other debris), and the defect appears to have exposed the deteriorated original 69" diameter Reinforced Concrete Pipe that it was supposed to replace.

This defect needs to be evaluated to verify whether it is impacting the structural integrity or hydraulics of the SRO at this point; and the debris needs to be removed to ensure it does not cause surcharge or sanitary sewer overflow of the SRO during a major storm.

Brown and Caldwell, Inc., CA&I services include, but are not limited to: condition assessment, administering the construction schedule; reviewing shop drawings and test results; issuing interpretations and clarifications; certifying contractor progress payments; conducting inspections; and providing post-construction services.

Contract Term

Work under this change order is anticipated to be performed from approval until approximately Feb. 28, 2018.

Financial Impact

Brown and Caldwell, Inc.'s charges for work under this change order will not exceed \$300,000, for a new total valuation of the contract not to exceed \$909,981, including all sub-consultants and reimbursable costs. Funds are available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action

City Council approved contract 137750 in the "not to exceed" amount of \$359,987, on Jan. 29, 2014. City Council approved an amendment to contract 137750 by an additional amount of \$249,994, on Feb. 1, 2017. This "not to exceed" change order will increase the contract amount further by an additional amount of \$300,000, and will be paid under project WS90160102.

Public Outreach

Informational flyers have been distributed to nearby businesses and industries, and face-to-face meetings have also been conducted. There are no residential areas in the immediate vicinity.

Location

2nd Place and Watkins Street
Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



Ferric Chloride Contract (Ordinance S-43928)

Request to authorize the City Manager, or his designee, to ratify a contract entered with Thatcher Company of Arizona, Inc. (Thatcher), to supply ferric chloride needed for water and wastewater treatment. Further request making funds approved under Ordinance S-43121 also available to pay Thatcher for this product. Request authorization for the City Controller to disburse all funds related to this item. The total contract will not exceed \$5,573,568.

Summary

Pencco, Inc., an existing supplier of ferric chloride, has informed the City that Pencco is unable to perform as required under Contract No. 144223 because of the flooding in Houston. Pencco's main raw material supplier is located in Houston and is currently closed because of severe flooding of the material supplier's facility. As a result, Pencco is unable to supply ferric chloride to the Water Services Department (WSD) for an indefinite period of time. Ferric chloride is a crucial chemical required in the City's wastewater and water treatment plants. In addition to Thatcher, WSD requested quotes from the other two vendors that participated in the original solicitation. Thatcher is the sole vendor who is able to supply ferric chloride at this time. WSD entered into a contract with Thatcher to supply ferric chloride and prevent a disruption of water/wastewater treatment operations.

Contract Term

The contract term is for 6 months, effective Aug. 31, 2017, through Feb. 28, 2017, with one six-month extension.

Financial Impact

The total contract will not exceed \$5,573,568. Funds are available on Ordinance S-43121.

Concurrence/Previous Council Action

The City Council approved Ordinance S-43121 on Dec. 14, 2016, in the amount of \$44,000,000. The Ordinance also authorized the City Manager to execute two separate contracts with Pencco, Inc., and Kemira Water Solutions, Inc., to provide ferric chloride.

Location

91st Avenue Wastewater Plant, 23rd Avenue Wastewater Plant, 24th Street Water Treatment Plant, Union Hills Water Treatment Plant
Council Districts: 2, 6, and 7

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



Modification of Stipulation Request for Ratification of Aug. 16, 2017 Planning Hearing Officer Action - Z-130-88-6

Application: PHO-1-17- Z-130-88-6

Current Zoning: C-2

Acreage: 1.59

Applicant: Jared Calhoun, R.A.

Owner: Apax Holdings, Inc.

Representative: Bradley Pitsch c/o Diamondback Carport Repair

Proposal:

1. Modification of Stipulation 1 regarding development limited to that presently existing on site.
2. Addition of Stipulation 2 regarding Proposition 207.
3. Addition of Stipulation 3 regarding archaeological monitoring.

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 Aug. 16, 2017.

Location

Approximately 173 feet west of the southwest corner of 24th Street and Yale Street.

Council District: 6

Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Encanto East Village Planning Committee recommended approval by a 13-0 vote on Aug. 7, 2017.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with modifications on Aug. 16, 2017.

Responsible Department

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

Attachment A- Stipulations- PHO-1-17_Z-130-88-6

Location: Approximately 173 feet west of the southwest corner of 24th Street and Yale Street

Stipulations:

1. ~~That development~~ THE CONDITIONED SPACE SHALL be limited to that already existing on the site.
2. PROR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.
3. THE DEVELOPER SHALL CONDUCT ARCHAEOLOGICAL MONITORING AND/OR TESTING WITHIN ALL AREAS OF THE DEVELOPMENT THAT LIE WITHIN 250 FEET OF THE PLOTTED BOUNDARY OF AZ T:12:36 (ASM) PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING, AS APPROVED OR MODIFIED BY THE CITY ARCHAEOLOGIST.



Final Plat - SWC 19th Avenue and Buckeye Road - 170017 - Southwest Corner of 19th Avenue and Buckeye Road

Plat: 170017

Project: 16-3110

Name of Plat: SWC 19th Avenue and Buckeye Road

Owner(s): Kraf, Inc., an Arizona Corporation

Engineer(s): AW Land Surveying, LLC

Request: A 1 Lot Commercial Plat

Reviewed by Staff: Aug. 22, 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 19th Avenue and Buckeye Road.

Council District: 7

Responsible Department

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



Final Plat - Carver Mountain Estates - 160096 - East of 51st Avenue, North and South of Elliot Road

Plat: 160096

Project: 06-1843

Name of Plat: Carver Mountain Estates

Owner(s): RJT Homes Carver Mountain, LLC

Engineer(s): Hilgart Wilson, LLC

Request: A 91-Lot Residential Plat

Reviewed by Staff: Aug. 25, 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 51st Avenue, north and south of Elliot Road.

Council District: 8

Responsible Department

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



Final Plat - Mulberry Park - 170016 - North of the Northwest Corner of 39th Street and Earll Drive

Plat: 170016

Project: 14-2574

Name of Plat: Mulberry Park

Owner(s): Domain FD Mulberry, LLC

Engineer(s): Strategic Surveying, LLC

Request: A 35-Lot Residential Plat

Reviewed by Staff: Aug. 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 the northwest corner of 39th Street and Earll Drive.

Council District: 8

Responsible Department

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



Planning and Development Department Office and Equipment Relocation and Reconfiguration (Ordinance S-43904)

Request to authorize the City Manager, or his designee, to add additional expenditures to Contract 4705000080 with Goodmans, Inc., dba Goodmans Interior Structures, in an amount of \$927,000 for reconfiguration of Planning and Development office space to enhance customer service, accommodate growth due to increased development activity, and enable more efficient communication between counter and technical staff. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The contractor will provide services to assist the Planning and Development Department (PDD) with a major reconfiguration project to restack the 2nd and 3rd floors of Phoenix City Hall and the 438 Adams Building. Previously, when the Planning and Development Services Departments were consolidated, staff were placed where space allowed and the department was unable to optimize counter locations and locate working teams in close proximity to the customers they served or to supporting team members. The reconfiguration project is necessary to improve customer service, accommodate staff growth, ensure compliance with ADA accessibility requirements and address identified safety and security measures. The reconfiguration will include strategically relocating the counters in the development center and associated back office space to best fit the customer needs. It will also foster improved and more efficient communication and collaboration between employees working at the counters and technical staff called to the counters. In addition to the primary consideration of customer service, the reconfiguration will ensure flexibility to address operational changes and to accommodate incorporation of new technology (i.e. larger screens to view plans electronically).

The rate of construction growth in Phoenix has increased substantially in the last few years. Customer visits to the development center have increased to over 110,000 per year, which has resulted in longer wait times at some of the counters. Initial site plans, an indicator of future development, have steadily increased over the last five years with preapplication submittals up significantly in the last two years. Single-family residential construction continues to increase and in response, PDD has focused on

innovation, efficiency and utilizing contract staff to meet increased customer service and workload demands. PDD will continue over the next few years to propose increases to base level of staffing and contractors as warranted to meet higher workloads and increased customer service demands. The fiscal year (FY) 2017-18 budget added 34 new positions focused on areas where workload has increased most significantly in the last year. This is on top of the 28 positions that were added the prior year to ensure PDD could continue to meet expected customer turnaround times and address rising infill development issues.

An alternative approach to the reconfiguration of current space to accommodate growth would be to lease separate space in the downtown area outside of City Hall. For planning purposes, \$28/per square foot is used to calculate rent for downtown office spaces based upon the current market. Public Works Facilities Planning staff indicates that approximately 20,000 square feet would be needed, which would cost approximately \$560,000/year in rent. This would be in addition to the costs to configure the new office space. In total, the leasing alternative would be expected to cost significantly more than the proposed reconfiguration while also diminishing customer service. Under the alternative (leased-space) approach, a portion of the staff currently in City Hall would need to be located elsewhere, and some services would need to be moved off site. Customers would no longer experience the benefits of a "one-stop-shop" development center, where they can receive assistance with all aspects of the development process.

Staff recommends increasing the contract authorization amount so that development counter services can be optimized, staff can be located closer to their customers, and space for new positions can be accommodated to continue as a one-stop-shop for development within the City of Phoenix.

Financial Impact

Funding is available in the Development Services Fund. No General Funds are requested to support this request.

Concurrence/Previous Council Action

The State of Arizona contract ADSPO 13-040689 with Goodmans and contracts ADSPO 13-040686, ADSPO 13-040687, ADSPO 13-040690, ADSPO 13-040688, ADSPO 13-040691, ADSPO 13-040683, and ADSPO 13-040692 were adopted by Formal Council Action on the Oct. 30, 2013, Council agenda with an estimated annual amount of \$900,000 and an aggregate amount of \$4.5 million. The contracts are available to all City departments.

Responsible Department

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



Planning and Development Fee Study - RFP 17-122 (Ordinance S-43907)

Request to authorize the City Manager, or his designee, to enter into a contract with MGT of America, LLC to provide consulting services to review and evaluate fee schedules and methodologies used to assess fee structures for the Planning and Development Department. The aggregate value of the contract will not exceed \$390,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The contract will allow the City to utilize fee study services, which include development, zoning, historic preservation and annexation fees. This will include a review of accepted industry practices and comparable jurisdictions, identification of common fees for services not being charged, and existing fees that are unusual or obsolete. The study will include a full cost of services analysis and development of activity based on costing procedures. The consultant will recommend a cost recovery fee model that ensures the Planning and Development Department has sufficient funds to cover continuity of services through normal economic and development activity cycles, future capital needs, and staff to fulfill prior commitments for services paid but not rendered. The consultant will also recommend revisions, additions, and deletions to the fee schedule/structures and the targeted funding on hand. Part of the services will include a cost recovery goal, a fee policy that provides for periodic reviews and adjustments, and improvements and efficiencies to cost recovery reporting.

Procurement Information

Request for Proposals (RFP) 17-122 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Finance Department's Procurement Division on July 7, 2017. The proposals were scored by a five-member evaluation panel based on the following criteria: Understanding and Project Approach (250 points); Experience and Qualifications (250 points); Project Schedule (200 points); Staff Capabilities and Assignments (200 points); and Cost (100 points). The offers were scored as follows:

MGT of America, LLC: 822 Points

Berry Dunn McNeil & Parker, LLC: 590 Points

Raftelis Consultants, Inc: 585 Points

The Deputy Finance Director recommends that the offer from MGT of America, LLC, be accepted as the highest-scored, responsive and responsible offer that is most advantageous to the City.

Contract Term

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

Financial Impact

The aggregate value of the contract will not exceed \$390,000, with an estimated expenditure of \$190,000 for the initial year, and will not exceed \$200,000 for the remaining four years. Funds are available in the Planning and Development Department's operating budget.

Responsible Department

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



Amend City Code - Official Supplementary Zoning Map 1161 (Ordinance G-6364)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1161. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-157-97-1 and Z-166-61-7 and the entitlements are fully vested.

Summary

To rezone a parcel located at the southwest corner of Mohawk Lane and 41st Avenue.

District 1

Z-157-97-1

Zoning: R1-8

Owner: Robert Gritas

Acres: Approximately 4.99

To rezone a parcel located at the southeast corner of Fillmore Street and 19th Avenue.

District 7

Z-166-61-7

Zoning: C-3

Owner: Thomas J Bradley, Sr.

Acres: Approximately 3.25

Responsible Department

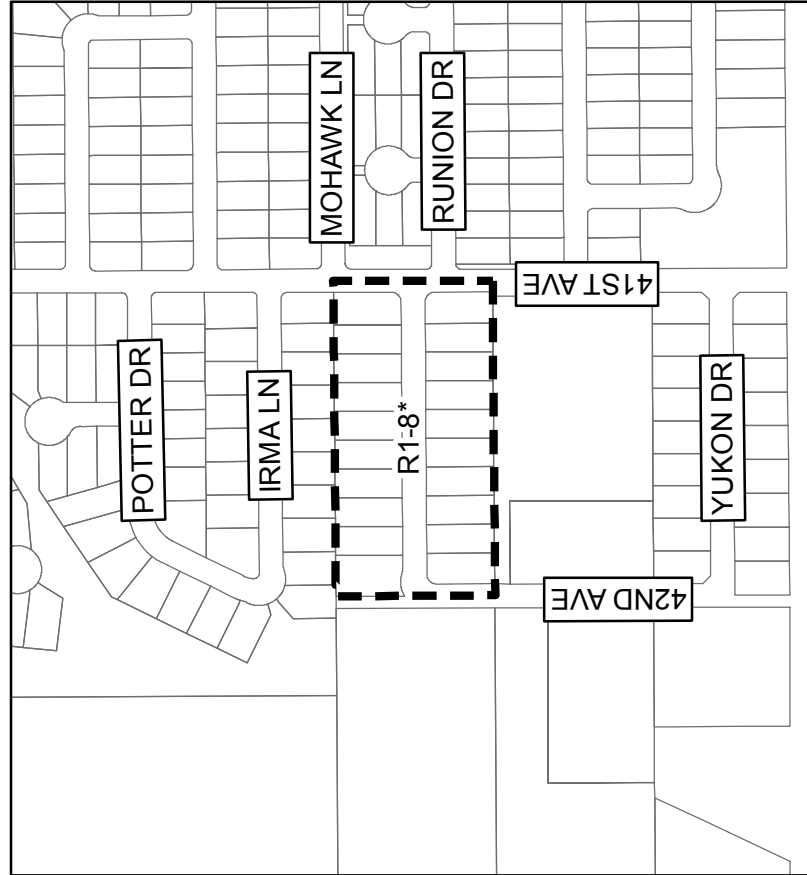
This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department.

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1161

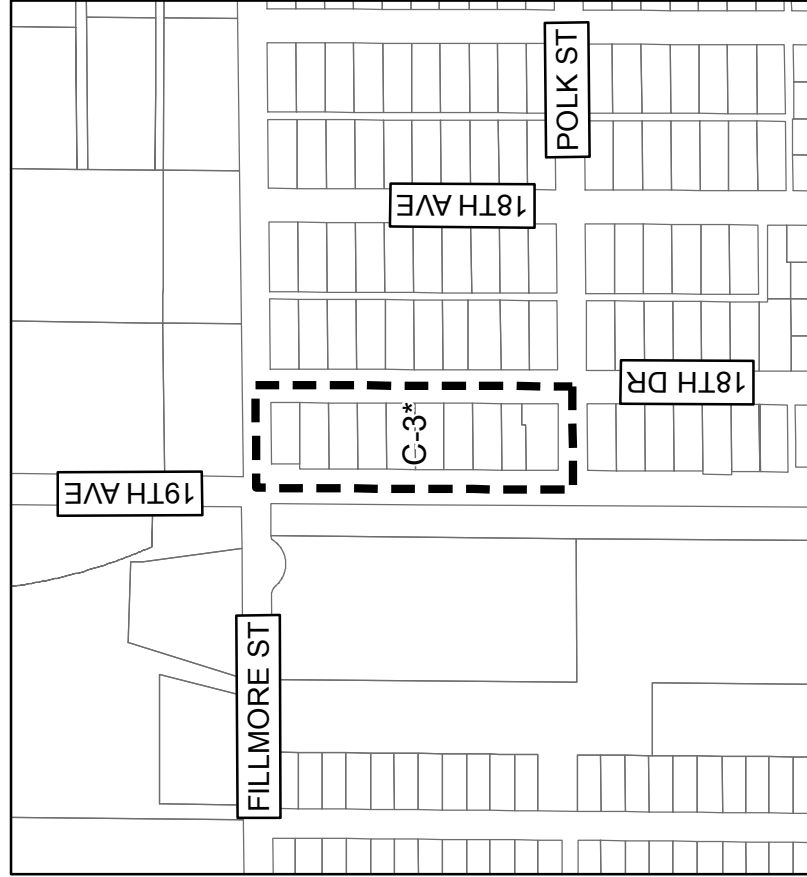
Sheet 1 of 1

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 20th day of September 2017.



Z-157-97-1
(Supp Map Correction)



Z-166-61-7
(Supp Map Correction)



ZONING SUBJECT TO STIPULATIONS: *
AREA INVOLVED BOUNDED THUS: ■■■■■

Drawn by: DJM

ATTACHMENT B

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

ORDINANCE G-

AN ORDINANCE AMENDING SECTION 601 OF THE CITY
OF PHOENIX ZONING ORDINANCE BY ADOPTING
OFFICIAL SUPPLMENTARY ZONING MAP 1161.

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

SECTION 1. That Section 601 of the city of Phoenix Zoning Ordinance is
hereby amended by adopting Official Supplementary Zoning Map 1161 signed by the
Mayor and City Clerk, which is accompanys and is annexed to this ordinance and
declared a part hereof.

PASSED by the Council of the City of Phoenix this 20th day of September,
2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager



Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-17--Z-146-07-6- Approximately 480 Feet East of the Southeast Corner of 32nd Street and Camelback Road (Ordinance G-6363)

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 Aug. 16, 2017.

Summary

Application: PHO-1-17--Z-146-07-6

Current Zoning: Approved R-O

Acreage: .46

Applicant: Empire Residential Arbitrage Fund LLC

Owner: Empire Residential Arbitrage Fund LLC

Representative: Empire Residential Arbitrage Fund LLC

Proposal:

- 1) Deletion of Stipulation 2 regarding development commencing in 36 months.
- 2) Technical correction to Stipulations 1 and 3.

Location

Approximately 480 feet east of the southeast corner of 32nd Street and Camelback Road.

Council District: 6

Parcel Address: N/A

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Camelback East Village Planning Committee chose not to hear this case.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval on Aug. 16, 2017.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-146-07-6 PREVIOUSLY APPROVED BY
ORDINANCE G-5141.

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

SECTION 1. The zoning stipulations applicable located approximately 480
feet east of the southeast corner of 32nd Street and Camelback Road in a portion of
Section 24, Township 2 North, Range 3 East, as described more specifically in
Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. That the elevations and site plan be subject to administrative review and approval
by the Planning AND DEVELOPMENT Director. At a minimum the following
issues shall be addressed. Others may be necessary as determined by the
Planning AND DEVELOPMENT Director:
 - a. building placement against Camelback Road
 - b. building square footage
 - c. building articulation and materials
- ~~2. That the approval shall be conditional upon development commencing within 36
months of the City Council approval of this change of zoning in accordance with
Section 506.B1 of the Phoenix Zoning Ordinance. For purposes of this stipulation,
development shall commence with the issuance of building permits, and erection
of building walls on site.~~

32. That the developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plan approved by the PLANNING AND Development Services Department. All improvements shall comply with all ADA accessibility standards.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5141, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5141 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 20th day of September , 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

_____ City Manager

Attachments:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-17--Z-146-07-6

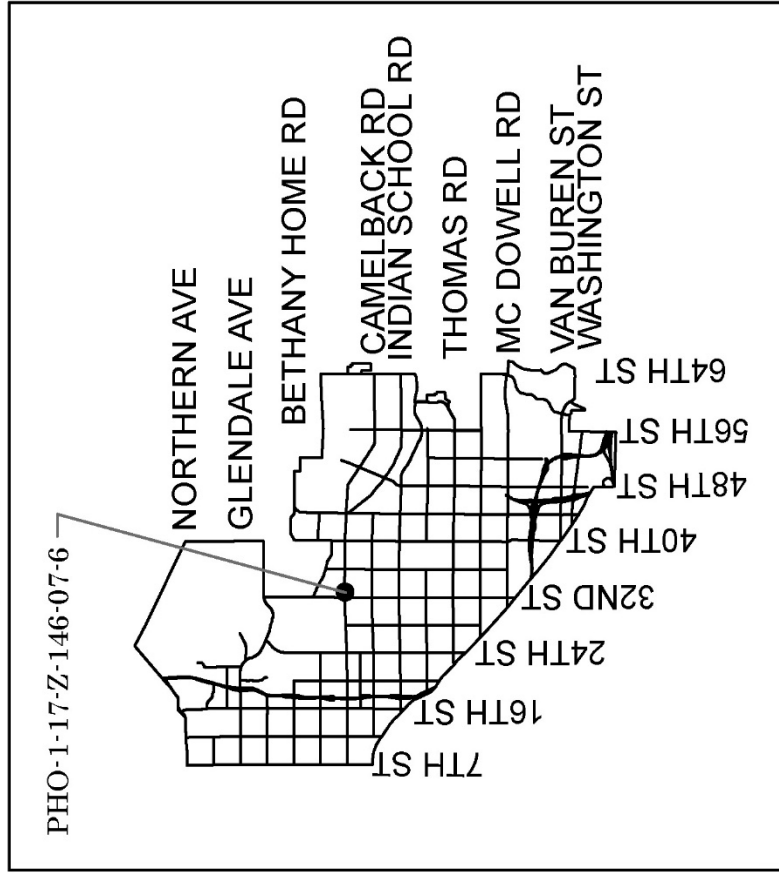
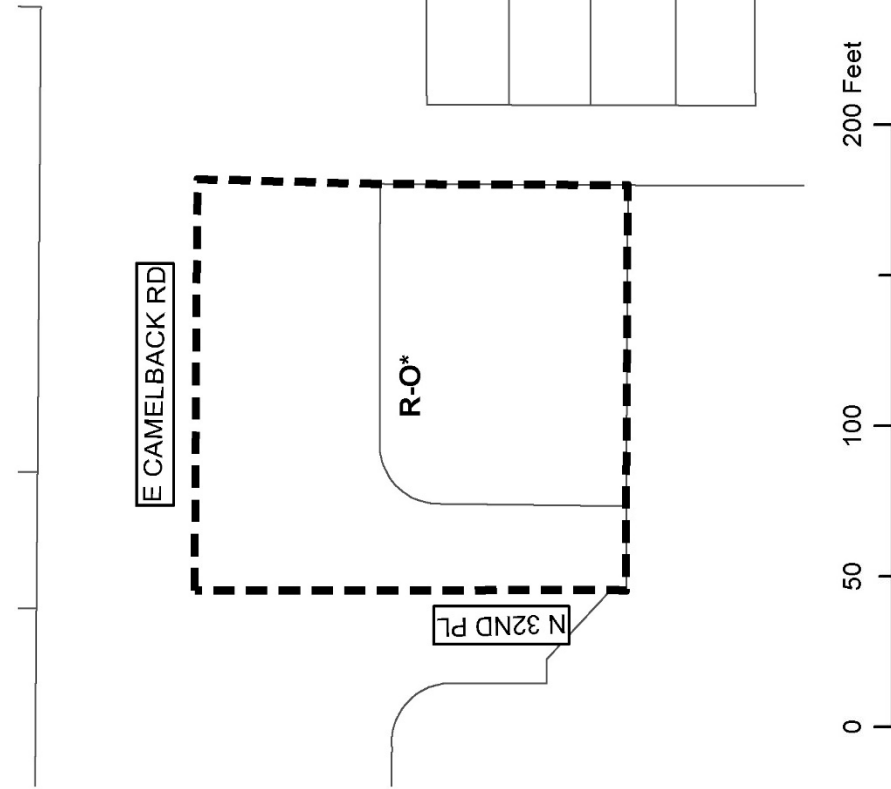
Lot 10, of CHESTLEY VILLA, according to Book 61 of Maps, page 42, records of Maricopa County, Arizona; and also that portion of the abandoned alley lying East of and adjacent to Lot 10 as set forth in Resolution recorded in Document No. 88-083484.

DRAFT

ORDINANCE LOCATION MAP

Zoning Case Number: PHO-1-17-Z-146-07-6
Zoning Overlay: N/A
Planning Village: Camelback East

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■ ■ ■ ■ ■



NOT TO SCALE



Drawn Date: 8/23/2017



Public Hearing - State Statute Regarding Filing a Protest to Require a Three-Fourths Vote (HB 2116) Text Amendment - Z-TA-4-17 (Ordinance G-6362)

This report requests City Council approval of a proposed text amendment to the Zoning Ordinance, Z-TA-4-17, to address changes to the Arizona Revised Statutes regarding filing a written protest to require a three-fourths vote for rezoning applications (House Bill 2116).

Summary

The intent of this proposed text amendment is to modify the Zoning Ordinance to be consistent with the Arizona Revised Statutes regarding filing a written protest to require a three-fourths vote (House Bill 2116). The new state statute, effective Aug. 9, 2017, modifies the method to determine when a three-fourths vote of the City Council is required. Provisions of the new regulation include: 1) Requiring a three-fourths vote by the City Council to approve a zoning amendment if 20 percent of the owners of the property by area and numbers of lots, tracts and condominium units within the zoning area file a protest against the change; 2) Defining zoning area as the area of the proposed change or within 150-feet of the proposed change, including all rights-of-way; 3) Specifying the three-fourths vote of the governing body is to be rounded to the nearest whole number as outlined in Attachment B.

Concurrence/Previous Council Action

The Downtown, Aviation, Economy and Innovation Subcommittee recommended approval by a vote of 3-0 on Sept. 6, 2017. The Planning Commission heard this case on Aug. 3, 2017 and recommended approval per the memo from Racelle Escobar dated Aug. 3, 2017 (Attachment C) by a 6-0 vote as summarized in Attachment D.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING PORTIONS OF THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING SECTION 506 (TEXT AMENDMENTS AND REZONINGS), OF THE PHOENIX ZONING ORDINANCE TO ADDRESS CHANGES TO A STATE STATUE REGARDING FILING A WRITTEN PROTEST TO REQUIRE A THREE-FOURTHS VOTE (HOUSE BILL 2116).

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

Amend Chapter 5, Section 506 (Text Amendments and rezonings) to read as follows:

A. Amendments.

9. In the event that a written protest against a proposed amendment is filed in the office of the ~~Planning and Development Department~~ or with the City Clerk, OR THE CITY CLERK'S DESIGNEE, no later than seven days following Planning Commission action by the owners of twenty percent or more, ~~either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending one hundred fifty feet therefrom, or of those adjacent to any one side and extending one hundred fifty feet therefrom, or of those directly opposite thereto extending one hundred fifty feet from the street frontage of such opposite lots,~~ OF THE PROPERTY BY AREA AND NUMBER OF LOTS, TRACTS AND CONDOMINIUM UNITS WITHIN THE ZONING PETITION AREA, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the City Council of the City of Phoenix. If any members of the City Council are unable to vote on any such amendment because of a conflict of interest, then the required number of votes for passage of such amendment shall be three-fourths of the remaining membership of the City Council, provided that such required number of votes shall not be less than a majority of the full membership of

the City Council. FOR THE PURPOSES OF THIS SECTION, THE PERCENTAGE OF THE FAVORABLE VOTE SHALL BE ROUNDED TO THE NEAREST WHOLE NUMBER.

A. FOR THE PURPOSES OF THIS SECTION, THE ZONING PETITION AREA INCLUDES BOTH OF THE FOLLOWING:

- 1) THE AREA OF THE PROPOSED AMENDMENT, AND
- 2) THE AREA WITHIN 150 FEET OF THE PROPOSED AMENDMENT, INCLUDING ALL RIGHTS-OF-WAY.

PASSED by the Council of the City of Phoenix this 20th day of September, 2017

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report
Zoning Ordinance Text Amendment
Z-TA-4-17 (Legal Protest)
July 25, 2017

Application No Z-TA-4-17 Amend Chapter 5, Section 506 (Text Amendments and Rezoning) of the Phoenix Zoning Ordinance to address changes to the Arizona Revised Statutes regarding filing a written protest to require a three-fourths vote (House Bill 2116).

Staff recommendation: Staff recommends approval of Z-TA-4-17 as shown in Exhibit A.

Purpose and Summary

The intent of these changes is to modify the Zoning Ordinance to be consistent with the Arizona Revised Statutes regarding filing a written protest (ARS Section 9-462.04). This clean-up text amendment will make the following changes:

- Changes the provision that requires a three-fourths vote by the City Council to approve a proposed amendment if 20% of the owners of the property by area **and** number of lots, tracts and condominium units within the *zoning petition area* file a protest against the change.
- Clarifies the *zoning petition area* as the area of the proposed amendment and the area within 150 feet of the proposed amendment, including all rights-of-way.
- Clarifies the three-fourths vote of the governing body is to be rounded to the nearest whole number.

Background

Under the current state statute, if the owners of 20% or more of either the area of the lots included in a proposed change, **or** those immediately adjacent in the rear or any side within 150 feet of the proposed change, **or** those directly opposite, extending 150 feet from the street frontage opposite the lots of the proposed change file a petition against a proposed zoning amendment, the change requires a favorable vote of three-fourths of all members of the City Council. Exhibit B depicts the current method to determine the zoning petition area and if a three-fourths vote is required.

On May 10, 2017, House Bill 2116 was signed by the Governor to amend ARS Section 9-462.04; relating to municipal zoning. The new state statute, effective August 9, 2017, requires a three-fourths vote of the City Council to approve a proposed amendment if 20% of property owners by area **and** number of lots, tracts and condominium units within the *zoning area* file a protest against the change. Exhibit C depicts the new method to determine the petition area and if a three-fourths vote is required.

The approved statute defines the “zoning area” as both the area of the proposed amendment and the area within 150 feet of the proposed amendment, including all rights-of-way. For clarity, staff is proposing to use the term “zoning petition area.”

Conclusion

This text amendment will amend Chapter 5, Section 506 (Text Amendments and Rezonings) to be consistent with the Arizona Revised Statutes regarding filing a written protest to require a three-fourths vote (House Bill 2116, ARS § 9-462.04).

Staff recommends approval of Z-TA-4-17 as proposed in Exhibit A.

Writer

E. Morales
R. Escolar
7/25/2017

Team Leader

Tricia Gomes

Exhibits

- A. Proposed Language
- B. Map depicting the current method to determine if three-fourths vote required
- C. Map depicting the new method to determine if three-fourths vote required

EXHIBIT A
Text Amendment Z-TA-4-17: Legal Protest

Proposed Language:

Amend Chapter 5, Section 506 (Text Amendments and rezonings) to read as follows:

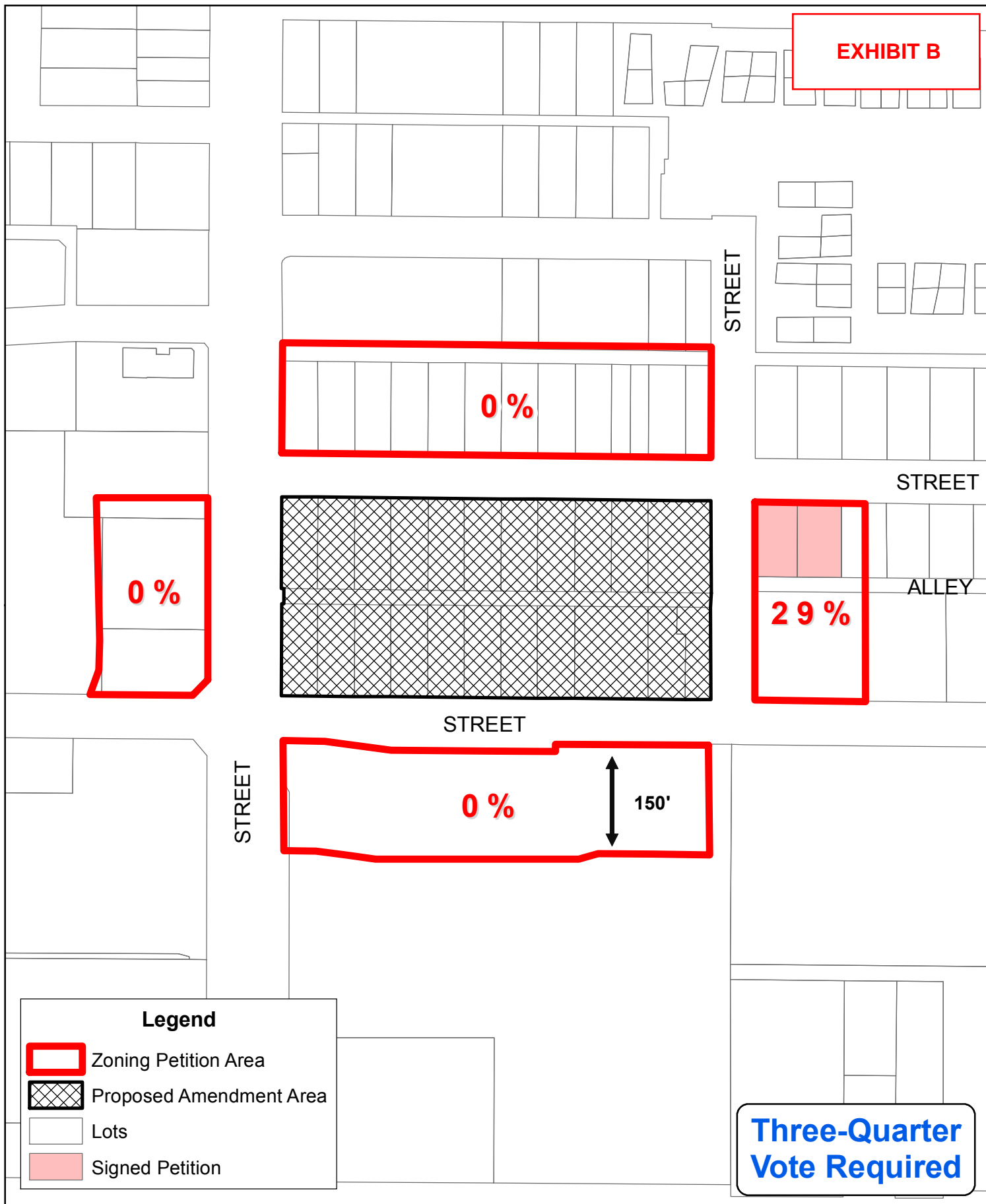
A. Amendments.

9. In the event that a written protest against a proposed amendment is filed in the office of the Planning and Development Department ~~or with the City Clerk~~ no later than seven days following Planning Commission action by the owners of twenty percent or more, ~~either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending one hundred fifty feet therefrom, or of those adjacent to any one side and extending one hundred fifty feet therefrom, or of those directly opposite thereto extending one hundred fifty feet from the street frontage of such opposite lots,~~ OF THE PROPERTY BY AREA AND NUMBER OF LOTS, TRACTS AND CONDOMINIUM UNITS WITHIN THE ZONING PETITION AREA, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the City Council of the City of Phoenix. If any members of the City Council are unable to vote on any such amendment because of a conflict of interest, then the required number of votes for passage of such amendment shall be three-fourths of the remaining membership of the City Council, provided that such required number of votes shall not be less than a majority of the full membership of the City Council. FOR THE PURPOSES OF THIS SECTION, THE PERCENTAGE OF THE FAVORABLE VOTE SHALL BE ROUNDED TO THE NEAREST WHOLE NUMBER.

A. FOR THE PURPOSES OF THIS SECTION, THE ZONING PETITION AREA INCLUDES BOTH OF THE FOLLOWING:

- 1) THE AREA OF THE PROPOSED AMENDMENT, AND
- 2) THE AREA WITHIN 150 FEET OF THE PROPOSED AMENDMENT, INCLUDING ALL RIGHTS-OF-WAY.

EXHIBIT B

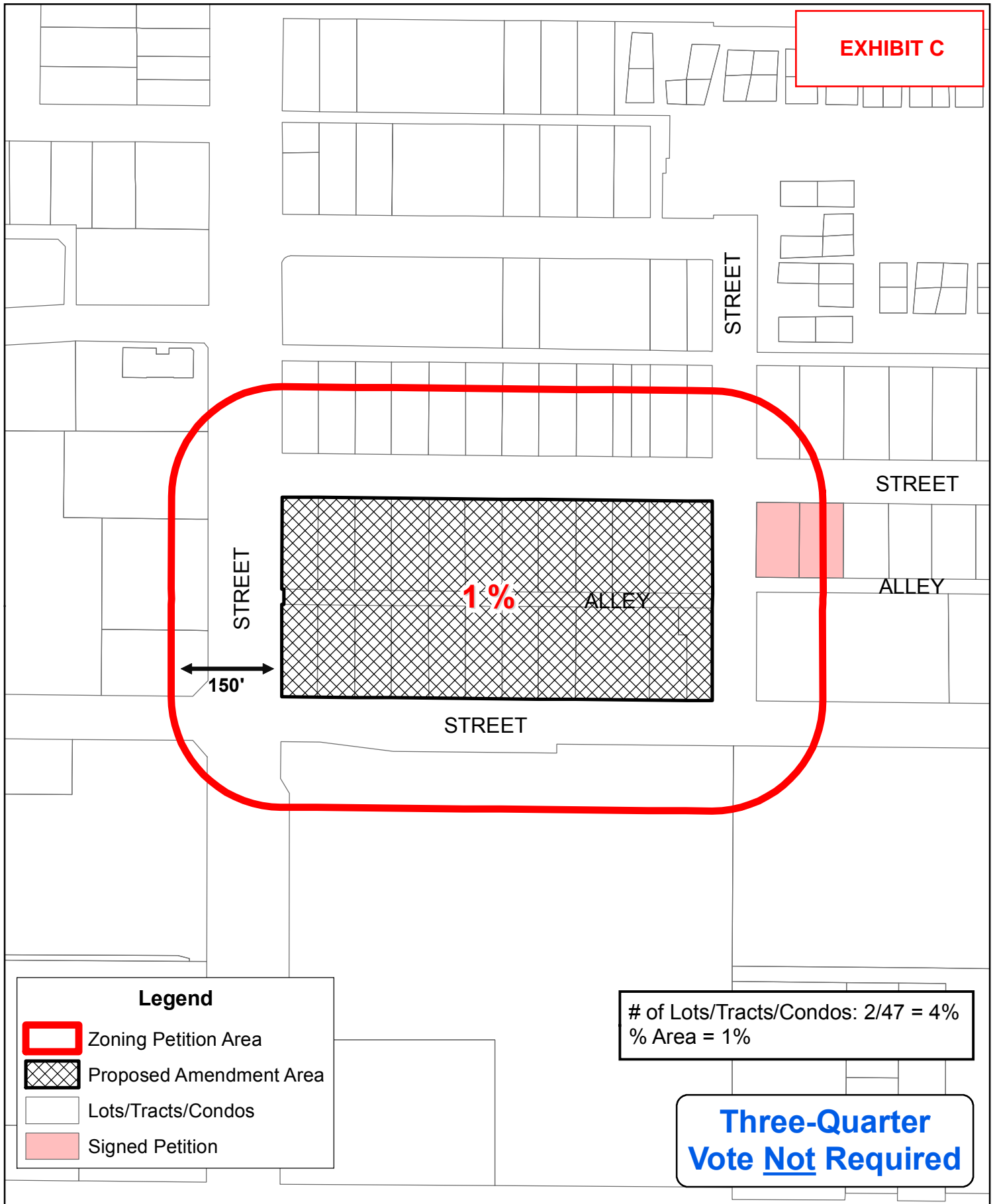


0 100 200 Feet

Petition Map for Z-XX-XX

Map prepared by City of Phoenix, Planning and Development Services Dept. Date

EXHIBIT C



0 100 200 Feet

Petition Map for Z-XX-XX

Map prepared by City of Phoenix, Planning and Development Services Dept. Date



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: City of Phoenix Planning Commission **Date:** August 3, 2017

From: Racelle Escolar
Planner III

Subject: BACK UP TO ITEM 4, Z-TA-4-17 (LEGAL PROTEST)

This memo is to address a minor correction to the proposed language. The state regulation requires that the written protest against a proposed amendment is filed in the office of the Clerk of the municipality, rather than the Planning and Development Department, as outlined in the existing ordinance language. The language in Exhibit A has been revised to comply with the state statute and add a designee. The changes are indicated in bold text.

Staff recommends approval of Z-TA-4-17 as shown in Exhibit A attached to this memo.

Exhibit:

A. Proposed Language

EXHIBIT A
Text Amendment Z-TA-4-17: Legal Protest

Proposed Language:

Amend Chapter 5, Section 506 (Text Amendments and rezonings) to read as follows:

A. Amendments.

9. In the event that a written protest against a proposed amendment is filed in the office of ~~the Planning and Development Department~~ or with ~~the City Clerk,~~ **OR THE CITY CLERK'S DESIGNEE**, no later than seven days following Planning Commission action by the owners of twenty percent or more, ~~either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending one hundred fifty feet therefrom, or of those adjacent to any one side and extending one hundred fifty feet therefrom, or of those directly opposite thereto extending one hundred fifty feet from the street frontage of such opposite lots,~~ **OF THE PROPERTY BY AREA AND NUMBER OF LOTS, TRACTS AND CONDOMINIUM UNITS WITHIN THE ZONING PETITION AREA**, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the City Council of the City of Phoenix. If any members of the City Council are unable to vote on any such amendment because of a conflict of interest, then the required number of votes for passage of such amendment shall be three-fourths of the remaining membership of the City Council, provided that such required number of votes shall not be less than a majority of the full membership of the City Council. **FOR THE PURPOSES OF THIS SECTION, THE PERCENTAGE OF THE FAVORABLE VOTE SHALL BE ROUNDED TO THE NEAREST WHOLE NUMBER.**

A. **FOR THE PURPOSES OF THIS SECTION, THE ZONING PETITION AREA INCLUDES BOTH OF THE FOLLOWING:**

- 1) **THE AREA OF THE PROPOSED AMENDMENT, AND**
- 2) **THE AREA WITHIN 150 FEET OF THE PROPOSED AMENDMENT, INCLUDING ALL RIGHTS-OF-WAY.**

REPORT OF PLANNING COMMISSION ACTION
August 3, 2017

ITEM NO: 4	
	DISTRICT NO.:
SUBJECT:	
Application #:	Z-TA-4-17
Request:	Legal Protest
Proposal:	Amend Chapter 5, Section 506 (Text Amendments and rezonings) of the Phoenix Zoning Ordinance to address changes to state statute regarding filing a written protest to require a three-fourths vote (House Bill 2116)
Applicant:	City of Phoenix Planning Commission
Representative:	Planning and Development Department

ACTIONS:

Staff Recommendation: Approval, as shown in Exhibit A.

Village Planning Committee (VPC) Recommendation:
N/A

Planning Commission Recommendation: Approved, per Exhibit A attached to the memo from Racelle Escobar dated August 3, 2017.

Motion discussion: N/A

Motion details – Commissioner Glenn made a MOTION to approve Z-TA-4-17 per Exhibit A attached to the memo from Racelle Escobar dated August 3, 2017.

Maker: Glenn
Second: Heck
Vote: 6-0
Absent: Katsenes and Montalvo
Opposition Present: No

Findings:

1. The proposal will modify the Zoning Ordinance to be consistent with Arizona Revised Statutes regarding filing a written protest.

Proposed Language:

Amend Chapter 5, Section 506 (Text Amendments and rezonings) to read as follows:

A. Amendments.

9. In the event that a written protest against a proposed amendment is filed in the office of ~~the Planning and Development Department~~ or with ~~the City Clerk~~, **OR**

THE CITY CLERK'S DESIGNEE, no later than seven days following Planning Commission action by the owners of twenty percent or more, ~~either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending one hundred fifty feet therefrom, or of those adjacent to any one side and extending one hundred fifty feet therefrom, or of those directly opposite thereto extending one hundred fifty feet from the street frontage of such opposite lots,~~ OF THE PROPERTY BY AREA AND NUMBER OF LOTS, TRACTS AND CONDOMINIUM UNITS WITHIN THE ZONING PETITION AREA, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the City Council of the City of Phoenix. If any members of the City Council are unable to vote on any such amendment because of a conflict of interest, then the required number of votes for passage of such amendment shall be three-fourths of the remaining membership of the City Council, provided that such required number of votes shall not be less than a majority of the full membership of the City Council. FOR THE PURPOSES OF THIS SECTION, THE PERCENTAGE OF THE FAVORABLE VOTE SHALL BE ROUNDED TO THE NEAREST WHOLE NUMBER.

A. FOR THE PURPOSES OF THIS SECTION, THE ZONING PETITION AREA INCLUDES BOTH OF THE FOLLOWING:

- 1) THE AREA OF THE PROPOSED AMENDMENT, AND
- 2) THE AREA WITHIN 150 FEET OF THE PROPOSED AMENDMENT, INCLUDING ALL RIGHTS-OF-WAY.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.



REQUEST TO ADD-ON - Contract Amendment with BCFS Health and Human Services for Consulting Services (Ordinance S-43931)

Request the City Manager, or his designee, to enter into a contract extension until Oct. 31, 2017 with BCFS Health and Human Services for consulting services.

Summary

This contract extension will briefly extend the contract term from Sept. 30, 2017 to Oct. 31, 2017. This contract was originally extended through Sept. 30, 2017; however, due to Hurricane Harvey, BCFS Health and Human Services was required to activate and respond to the disaster, which prevented them from leaving Texas. This extension will allow BCFS Health and Human Services to meet with the City of Phoenix and administratively close out the contract.

Contract Term

The current contract expires Sept. 30, 2017; an extension is being requested until Oct. 31, 2017.

Financial Impact

There are no additional funds required for the contract extension.

Location

Citywide

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Office of Homeland Security and Emergency Management.



Agenda Date: 9/20/2017, Item No. *87.2

**REQUEST TO ADD-ON - Request to Change Start Time of Sept. 26, 2017
Executive Session from 1 p.m. to 12 p.m. (noon)**

Request City Council authorization to change the start time of the Sept. 26, 2017 Executive Session from 1 p.m. to 12 p.m. (noon).

The Sept. 26, 2017 Executive Session will be held in the East Conference Room, 12th Floor of Phoenix City Hall, 200 W. Washington St., Phoenix, Arizona. It is anticipated that the agenda will have a number of items for discussion, and the additional hour will allow sufficient time to hear all of the items.

Public Outreach

The Notice and Agenda for the Sept. 26, 2017 Executive Session will be posted no later than 12 p.m. on Sept. 25, 2017.

Responsible Department

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



City of Phoenix
OFFICE OF THE CITY ATTORNEY

To: Milton Dohoney, Jr.
Assistant City Manager


Date: September 19, 2017

From: Brad Holm 
City Attorney

Subject: REQUEST FOR ADD-ON FOR THE SEPT. 20, 2017 FORMAL AGENDA
– REQUEST TO CHANGE START TIME OF SEPT. 26, 2017
EXECUTIVE SESSION FROM 1:00 P.M. TO 12:00 P.M. (NOON)

This memo requests to add an item to the Sept. 20, 2017 Formal agenda to change the start time of the Sept. 26, 2017 Executive Session from 1:00 p.m. to 12:00 p.m. (noon). It is anticipated that the agenda will have a number of items for discussion, and the additional hour will allow sufficient time to hear all of the items.

Approved by:


Milton Dohoney, Jr.
Assistant City Manager

BH/dh: 1329352