

PHOENIX CITY COUNCIL FORMAL AGENDA



Mayor
Kate Gallego

Vice Mayor
District 2
Jim Waring

District 1
Thelda Williams

District 3
Debra Stark

District 4
Laura Pastor

District 5
Betty Guardado

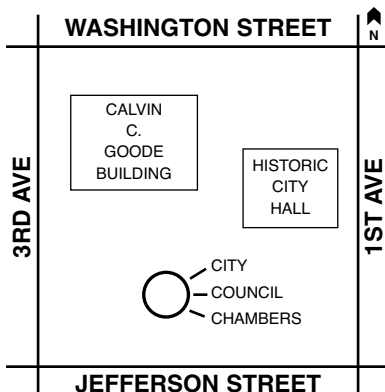
District 6
Sal DiCiccio

District 7
Michael Nowakowski

District 8
Carlos Garcia

Online agendas and
results available at
www.phoenix.gov

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



WELCOME!

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

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

FORMAL CITY COUNCIL MEETINGS

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

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

HOW CITIZENS CAN PARTICIPATE

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

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

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

REGISTERED LOBBYISTS

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

ACCESSIBILITY

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

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

City of Phoenix Council members and district boundaries



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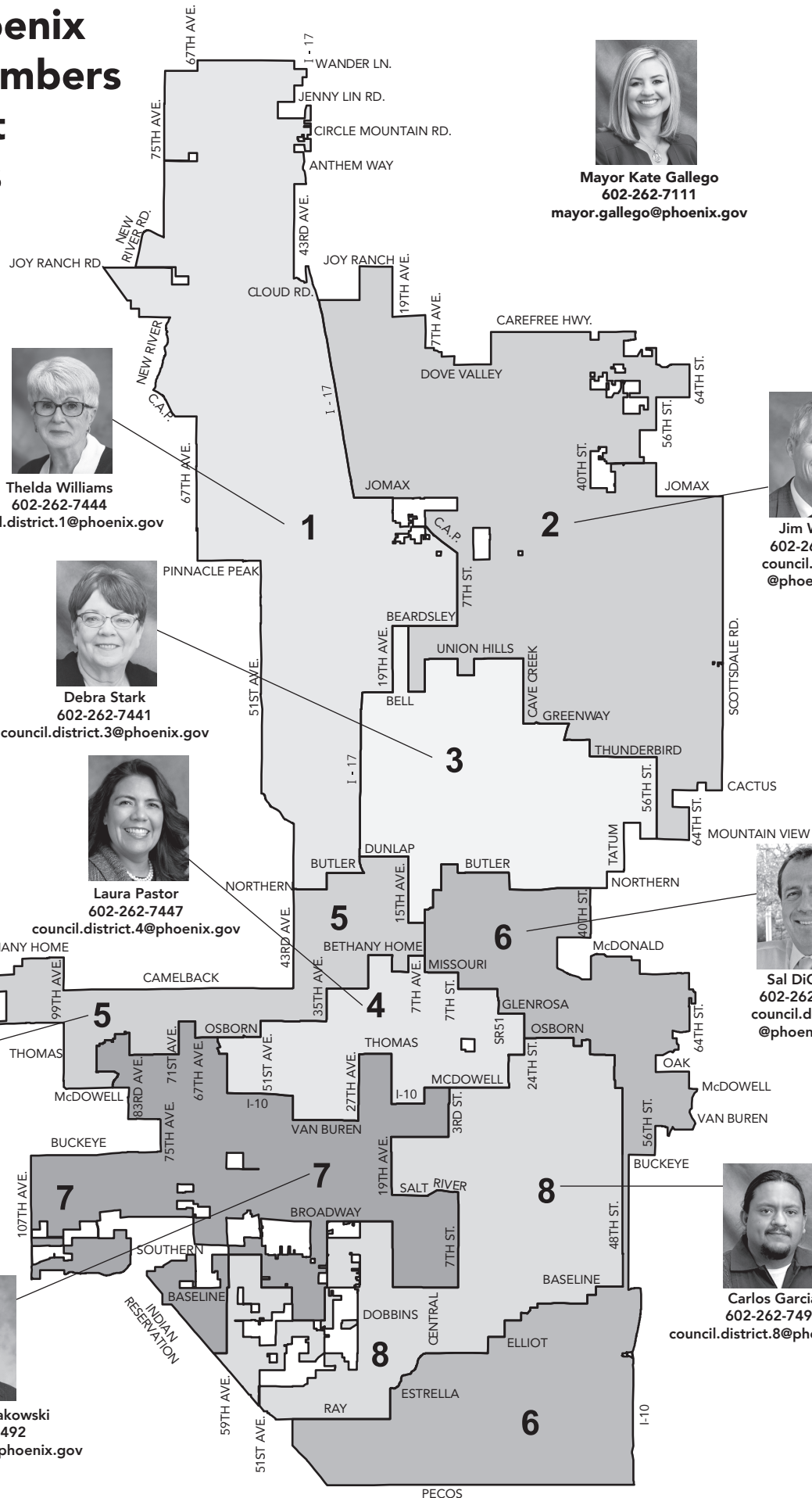
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Agenda

City Council Formal Meeting

Wednesday, October 16, 2019

2:30 PM

phoenix.gov

*****REVISED Oct. 15, 2019*****

Item with Additional Information: 52; Item Revised: 74

CALL TO ORDER AND ROLL CALL

MINUTES OF MEETINGS

- | | | |
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| 1 | For Approval or Correction, the Minutes of the Formal Meeting on Feb. 20, 2019 | Page 11 |
| 2 | For Approval or Correction, the Minutes of the Formal Meeting on March 6, 2019 | Page 12 |

BOARDS AND COMMISSIONS

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| 3 | Mayor and Council Appointments to Boards and Commissions | Page 13 |
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LIQUOR LICENSES, BINGO, AND OFF-TRACK BETTING LICENSE APPLICATIONS

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| 4 | (CONTINUED FROM OCT. 2, 2019) - Liquor License - Life Cafe and Bistro | District 2 - Page 16 |
| 5 | Liquor License - Tacos Tijuana | District 1 - Page 20 |
| 6 | Liquor License - Special Event - Cystic Fibrosis Foundation | District 2 - Page 25 |
| 7 | Liquor License - Special Event - Horses Help Foundation | District 2 - Page 26 |
| 8 | Liquor License - Special Event - Southern Arizona Arts and Cultural Alliance | District 2 - Page 27 |
| 9 | Liquor License - Sushi on Tatum | District 2 - Page 28 |
| 10 | Liquor License - Thirsty Lion Gastropub & Grill | District 2 - Page 33 |

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12	Liquor License - Elsiner Tacos and More	District 3 - Page 40
13	Liquor License - Circle K Store #142	District 4 - Page 45
14	Liquor License - Pit Stop	District 4 - Page 50
15	Liquor License - Solo's Cafe	District 4 - Page 55
16	Liquor License - Big B's Market	District 5 - Page 60
17	Liquor License - Special Event - Arizona Center for Disability Law	District 6 - Page 62
18	Liquor License - Biscuits Foothills	District 6 - Page 63
19	Liquor License - Circle K Store #3744	District 6 - Page 67
20	Liquor License - Cold Beers & Cheeseburgers	District 6 - Page 72
21	Liquor License - Uncle Bears Grill & Tap	District 6 - Page 77
22	Liquor License - Special Event - Be Causal	District 7 - Page 82
23	Liquor License - Special Event - Arizona Parks and Recreation Association	District 8 - Page 83
24	Liquor License - Special Event - Sun Devil Gymnastics	District 8 - Page 84
25	Liquor License - Huichos Market	District 8 - Page 85
26	Liquor License - MOD Pizza	District 8 - Page 90
27	Bingo License - BBrave	District 6 - Page 95
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29	American Society of Composers, Authors and	

Publishers doing business as ASCAP

- 30 **Paper Systems Incorporated, doing business as Patriot Printing Solutions**
- 31 **Strongwatch doing business as Freedom Surveillance, LLC.**
- 32 **Grayshift, LLC., doing business as Grayshift**
- 33 **Settlement of Claim(s) Currie v. City of Phoenix**
- 34 **Settlement of Claim(s) Telles v. City of Phoenix**
- 35 **Settlement of Claim(s) Beck v. City of Phoenix**
- 36 **Settlement of Claim(s) Scott v. City of Phoenix**
- 37 **Settlement of Claim(s) Stein v. City of Phoenix**
- 38 **The Hiller Companies, Inc., doing business as American Fire Equipment Sales and Service a Div. of the Hiller Companies, Inc.**
- 39 **Salt River Project Agricultural Improvement and Power District doing business as SRP**

ADMINISTRATION

- 40 **Acquisition of Real Property and Related Easements and Licenses for South Central Extension/Downtown Hub (SCE/DH) and Northwest Extension Phase II (NWEII) Light Rail Projects (Ordinance S-46087)**
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- 41 **Acquisition of Real Property for Street Improvement Project along Earll Drive from 50th Place to 52nd Street (Ordinance S-46088)**
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| 43 | Acquisition of Real Property for Roadway Improvements Along 43rd Avenue Between McDowell Road and the Grand Canal and Dedication of Public Use for Right-of-Way (Ordinance S-46095) | District 4 - Page 121 |
| 44 | Planning, Zoning, Plan Review, and Permitting Application - RFP 19-019 - Requirements Contract (Ordinance S-46102) | Citywide - Page 124 |
| 45 | Maintenance and Repair of Truck, Cylinder and Other Industrial Scales - Requirements Contract (Ordinance S-46106) | Citywide - Page 128 |
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| 51 | Request Authorization to Amend Contract with ISS Facility Services, Inc. (Ordinance S-46090) | Citywide - Page 139 |
| *52 | Unsolicited Development Proposal for City-Owned Property Located at 1515 E. Indian School Road
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| 53 | Recommendation to Rescind Bid Award to Cirilian, Inc. and Approve Contract with Active Network, LLC for Recreation Management System for Parks and Recreation Department | Citywide - Page 144 |
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| 55 | Development Agreement with Legacy Sports Arena, LLC for Public Infrastructure Reimbursements (Ordinance S-46109) | District 2 - Page 148 |
| 56 | Fiscal Year 2019-20 Bioscience Healthcare Strategic Initiative (Ordinance S-46111) | Citywide - Page 151 |
| 57 | WESTMARC Membership Dues for Fiscal Year 2019-20 (Ordinance S-46113) | District 1 - Page 154
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| 58 | 2020 Downtown Enhanced Municipal Services District Estimate of Expenses, Assessment of Expense and Set Public Hearing Date (Resolution 21787) | District 7 - Page 156
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| 62 | Counterterrorism Training - RFA 19-144 (Ordinance S-46091) | Citywide - Page 166 |
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- 64 **Authorization to Apply for, Accept and Enter into Agreements for 2019 Department of Homeland Security Securing the Cities Program Grant Funding (Ordinance S-46112)** Citywide - Page 169

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- 67 **Amendment Lease with Swissport Fueling, Inc. at Phoenix Sky Harbor Airport (Ordinance S-46098)** District 8 - Page 221
- 68 **Amendment Lease with Swissport Fueling, Inc. at Phoenix Sky Harbor Airport (Ordinance S-46099)** District 8 - Page 223
- 69 **Idemia Identity & Security USA, LLC Lease Agreement at Phoenix Sky Harbor International Airport (Ordinance S-46100)** District 8 - Page 225
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| 73 | South Central Extension/Downtown Hub Project
Funding Agreement Amendment (Ordinance S-46116) | District 7 - Page 233
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| *74 | Northwest Extension Phase II Funding, Design and
Construction Agreement Amendment (Ordinance
S-46117) ***REVISED*** | District 1 - Page 238
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| 75 | Salt River Project Land Use License for Commercial
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| 76 | Citywide Architectural On-Call Services for Calendar
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| 77 | Planning and Development Department Building Field
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| 78 | Request to Enter into Joint Funding Agreement with
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| 79 | Bearings, Oil Seals and Industrial Belts - Invitation for
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| 80 | Annual Licensure and Software Maintenance and
Support Services, Arcadis - Contract Direct Selection
(Ordinance S-46093) | Citywide - Page 253 |

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| 81 | Modification of Stipulation Request for Ratification of
Sept. 18, 2019 Planning Hearing Officer Action -
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| 82 | Modification of Stipulation Request for Ratification of
Sept. 18, 2019 Planning Hearing Officer Action -
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City Council Formal Meeting	Agenda	October 16, 2019
83	Amend City Code - Official Supplementary Zoning Map 1189 (Ordinance G-6630)	District 2 - Page 262
84	Final Plat - Southeast Corner of 43rd Avenue & Fillmore Street - 190038 - East of 43rd Avenue and South of Fillmore Street	District 4 - Page 266
85	Final Plat - 23 North - 190047 - Northeast Corner of Royal Palm Road and 23rd Avenue	District 5 - Page 267
86	Final Plat - Exeter Estates - 190049 - North of Exeter Boulevard and East of Rubicon Avenue	District 6 - Page 268
87	Final Plat - Teakwood Townhomes - 190050 - 915 E. Missouri Avenue	District 6 - Page 269
88	Abandonment of Right-of-Way - V180061A - 1105 E. Gibson Lane (Resolution 21788)	District 8 - Page 270
89	Abandonment of Right-of-Way - V190040A - Northwest Corner of 29th Avenue and Camelback Road (Resolution 21790)	District 5 - Page 271
90	Draft Infrastructure Financing Plan: 2020 Update	Citywide - Page 272

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

CITIZEN COMMENTS

ADJOURN



City of Phoenix

City Council Formal Meeting

City Council Report

Agenda Date: 10/16/2019, **Item No.** 1

For Approval or Correction, the Minutes of the Formal Meeting on Feb. 20, 2019

Summary

This item transmits the minutes of the Formal Meeting of Feb. 20, 2019, 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: 10/16/2019, **Item No.** 2

For Approval or Correction, the Minutes of the Formal Meeting on March 6, 2019

Summary

This item transmits the minutes of the Formal Meeting of March 6, 2019, 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: 10/16/2019, **Item No.** 3

Mayor and Council Appointments to Boards and Commissions

Summary

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

Responsible Department

This item is submitted by the Mayor's Office.

ATTACHMENT A



City of Phoenix

To: City Council
From: Mayor Kate Gallego

Date: October 16, 2019

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Desert View Village Planning Committee

Vice Mayor Jim Waring recommends the following individual for appointment:

David Kollar

Mr. Kollar is a Project Manager with Jones Lang Lasalle and a resident of District 2. He fills a vacancy on the committee for a term to expire November 19, 2020.

Environmental Quality and Sustainability Commission

I recommend the following individual for appointment:

Darren Chapman

Mr. Chapman is the Chief Executive Officer of TigerMountain Foundation and a resident of District 8. He fills a vacancy on the commission for a term to expire August 31, 2022.

Historic Preservation Commission and Heritage Commission

I recommend the following individual for appointment:

Tricia Amato

Ms. Amato is a self-employed realtor and a resident of District 7. She replaces Meghan Grabel on the commissions and will fulfill her terms to expire December 14, 2019.

North Mountain Village Planning Committee

Councilwoman Debra Stark recommends the following individual for appointment:

Paul Magallanez

Mr. Magallanez is the Director of Community Economic Development at HonorHealth. He replaces Kristen Shields on the committee and will fulfill her term to expire November 19, 2019.



(CONTINUED FROM OCT. 2, 2019) - Liquor License - Life Cafe and Bistro

Request for a liquor license. Arizona State License Application 71613.

Summary

Applicant

Sharon Kovar, Agent

License Type

Series 12 - Restaurant

Location

6850 E. Chauncey Lane

Zoning Classification: C-2

Council District: 2

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

The 60-day limit for processing this application was Oct. 1, 2019. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "Life Time currently holds liquor licenses in 60 of its 140 nationwide clubs. All restaurant team members complete local alcohol server training in addition to Life Time's own internal alcohol training. Team members are trained to monitor sales and alcohol behaviors at all times as well as 24/7 surveillance cameras. A full menu of food entrees will be available during all hours alcoholic beverages are offered."

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

"Life Time aims to offer a unique experience for its members through the service of alcohol in its newly built bar area, where members can meet after class to share a beverage or coffee. Members may also enjoy the poolside resort atmosphere by ordering a beverage from the outdoor poolside Bistro. Being an athletic club and not a sports bar, the tone and noise levels in the environment are kept moderate at all times."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Life Cafe and Bistro

Liquor License Map - Life Cafe and Bistro

Responsible Department

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

Liquor License Data: LIFE CAFE & BISTRO

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	2
Beer and Wine Bar	7	2	1
Liquor Store	9	1	1
Hotel	11	1	0
Restaurant	12	19	12

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	29.05	7.59	22.08
Violent Crimes	4.99	0.69	2.01

*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

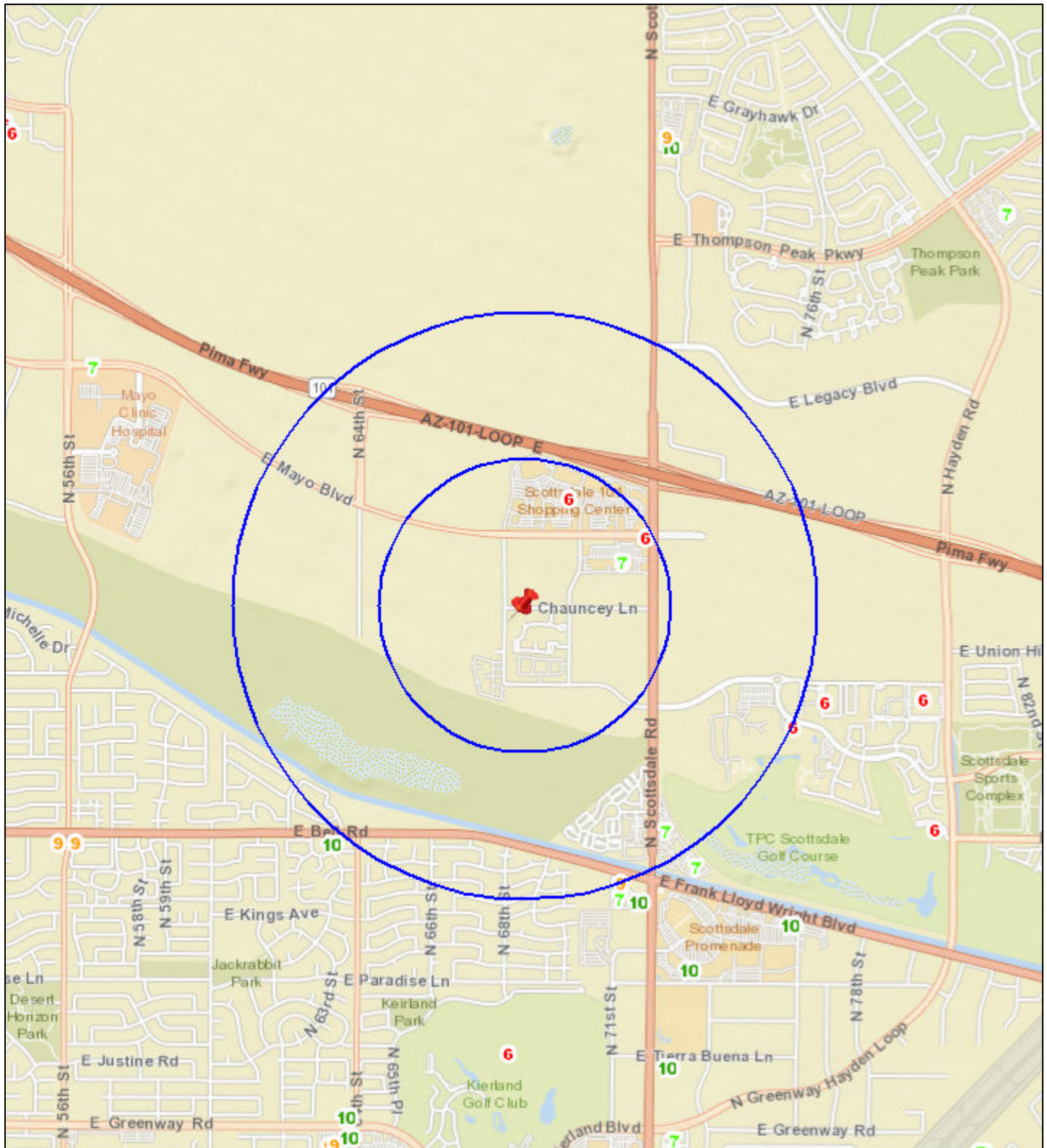
Description	Average	1/2 Mile Average
Parcels w/Violations	72	1
Total Violations	130	1

Census 2010 Data 1/2 Mile Radius

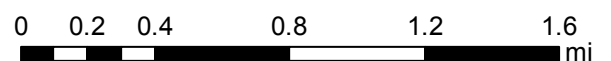
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
2168452	694	23 %	38 %	8 %
6152001	1993	8 %	29 %	12 %
Average		61 %	13 %	19 %

Liquor License Map: LIFE CAFE & BISTRO

6850 E CHAUNCEY LN



Date: 9/16/2019



City Clerk Department



Liquor License - Tacos Tijuana

Request for a liquor license. Arizona State License Application 73791.

Summary

Applicant

Julia Torres, Agent

License Type

Series 12 - Restaurant

Location

4925 W. Bell Road, Ste. D1

Zoning Classification: PSCOD

Council District: 1

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

The 60-day limit for processing this application is Oct. 21, 2019.

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

Other Active Liquor License Interest in Arizona

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

on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Tacos Calafia (Series 12)
8258 W. Thunderbird Road, #206, Peoria
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Tacos Calafia (Series 12)
17239 N. Litchfield Road, #68, Surprise
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Tacos Calafia (Series 12)
9897 W. McDowell Road, #755, Tolleson
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 hold the highest of standards in running this business with the quality & professionalism in being compliant to all laws. All staff including myself will ensure that we operate to comply to all liquor laws and receive training in this area. I have several years responsibility of running this family business with success and will continue to operate this business with integrity and hard work in staying compliant to all liquor laws.”

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

“Tacos Tijuana will provide a family friendly environment affordable menu prices at a great location. Our goal is that our customers have a great experience at Tacos Tijuana in having quality food and great customer service.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Tacos Tijuana

Liquor License Map - Tacos Tijuana

Responsible Department

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

Liquor License Data: TACOS TIJUANA

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	30.37	19.18	21.86
Violent Crimes	5.23	2.25	1.27

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

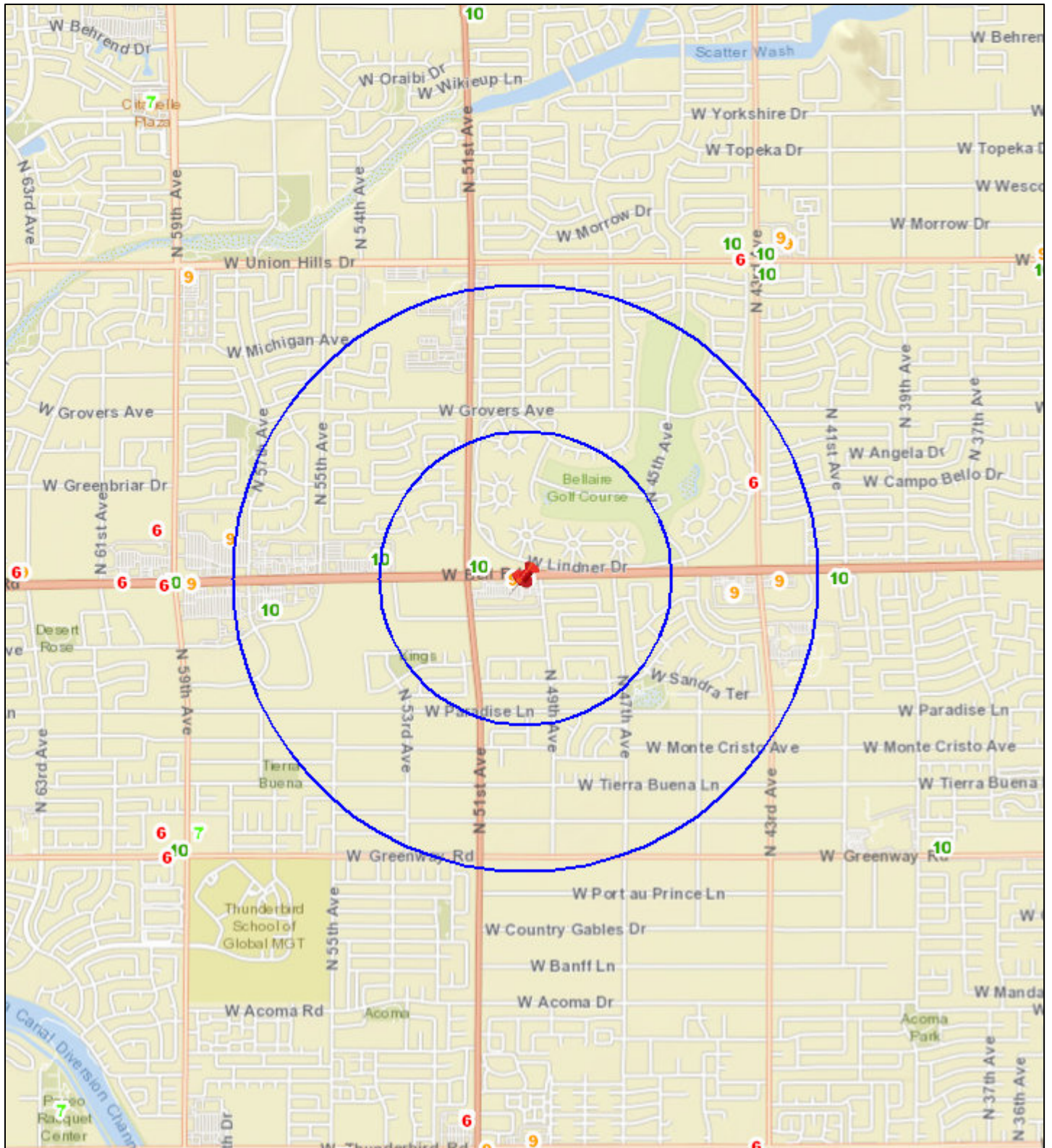
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	71	43
Total Violations	128	67

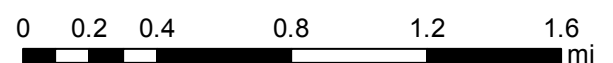
Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1042142	985	72 %	7 %	11 %
1042251	1242	53 %	8 %	9 %
1042252	1520	86 %	6 %	7 %
1042253	904	85 %	5 %	11 %
6180001	2499	85 %	2 %	12 %
6181001	1795	84 %	3 %	7 %
Average		61 %	13 %	19 %

4925 W BELL RD



Date: 9/27/2019



City Clerk Department



Liquor License - Special Event - Cystic Fibrosis Foundation

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

Summary

Applicant

Charles Colmark

Location

1175 E. Lone Cactus Drive
Council District: 2

Function

Dinner/Dance

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

Nov. 22, 2019 - 5 p.m. to 11 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 - 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

Community Event

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

Nov. 2, 2019 - 5 p.m. to 10 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 - Southern Arizona Arts and Cultural Alliance

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

Summary

Applicant

Caitlin Huble

Location

15205 N. Kierland Blvd., Ste. 150
Council District: 2

Function

Festival

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

Nov. 16, 2019 - 11 a.m. to 8:30 p.m. / 5,000 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 - Sushi on Tatum

Request for a liquor license. Arizona State License Application 73584.

Summary

Applicant

Mei Zhang, Agent

License Type

Series 12 - Restaurant

Location

20910 N. Tatum Blvd., # 150

Zoning Classification: C-2

Council District: 2

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

The 60-day limit for processing this application is Oct. 19, 2019.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I'm experieine in restaurant business for over 12 years, and also wholely train with liense."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Great location, restaurant, be able provide good overal services to our customers."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Sushi on Tatum

Liquor License Map - Sushi on Tatum

Responsible Department

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

Liquor License Data: SUSHI ON TATUM

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	11	5
Beer and Wine Bar	7	3	0
Liquor Store	9	3	3
Beer and Wine Store	10	4	3
Hotel	11	1	1
Restaurant	12	28	21

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	31.15	20.85	56.26
Violent Crimes	5.38	1.30	3.92

*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

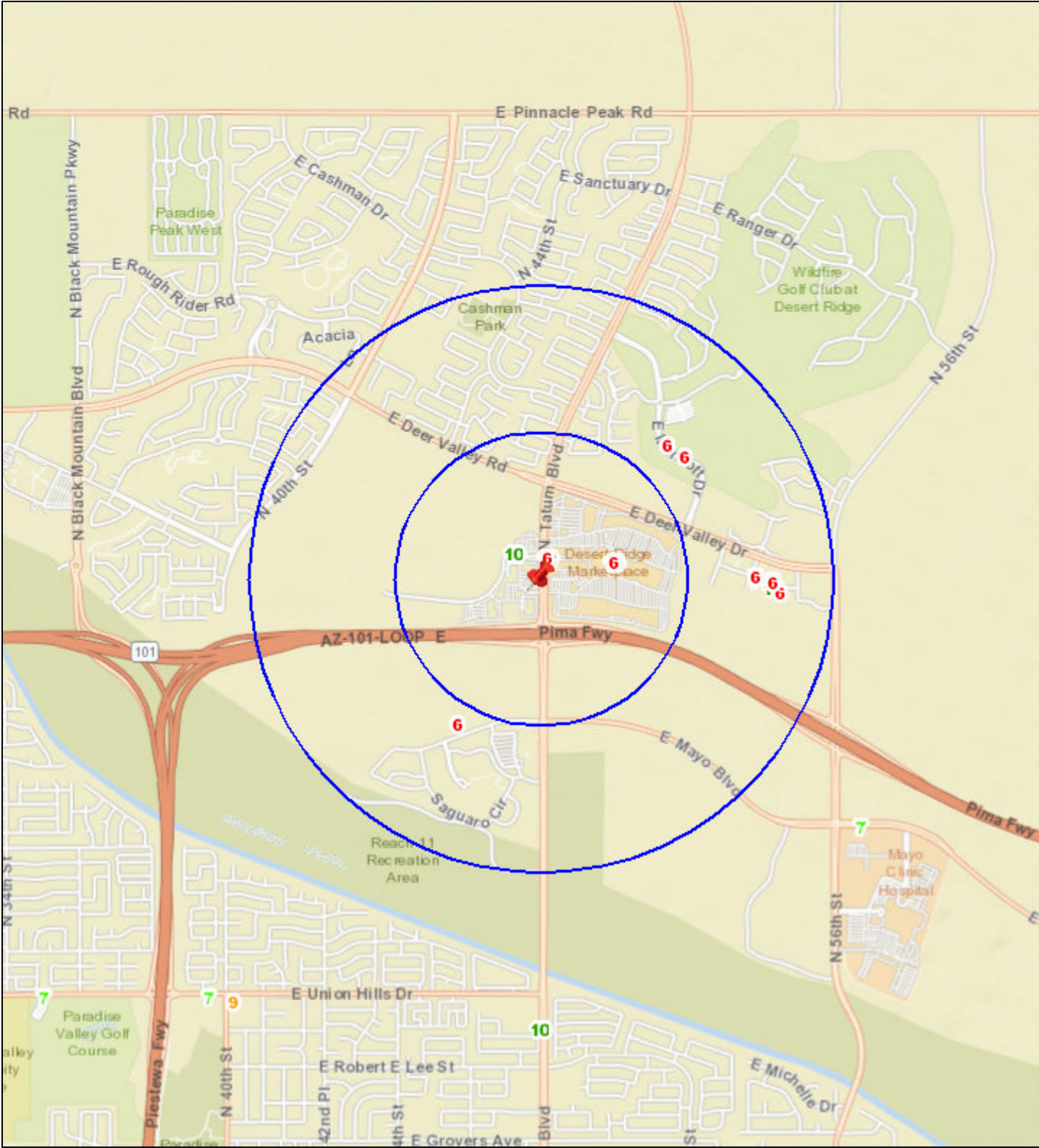
Description	Average	1/2 Mile Average
Parcels w/Violations	70	0
Total Violations	127	0

Census 2010 Data 1/2 Mile Radius

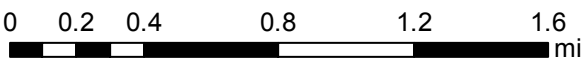
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6150003	344	8 %	38 %	5 %
6151001	1444	84 %	18 %	8 %
6152001	1993	8 %	29 %	12 %
6152002	2127	70 %	10 %	4 %
6152003	867	89 %	26 %	2 %
Average		61 %	13 %	19 %

Liquor License Map: SUSHI ON TATUM

20910 N TATUM BLVD



Date: 9/30/2019





Liquor License - Thirsty Lion Gastropub & Grill

Request for a liquor license. Arizona State License Application 74030.

Summary

Applicant

Wesley Curl, Agent

License Type

Series 12 - Restaurant

Location

21001 N. Tatum Blvd., Ste. 6

Zoning Classification: 2

Council District: C-2

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in November 2019.

The 60-day limit for processing this application is Oct. 26, 2019.

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

Other Active Liquor License Interest in Arizona

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

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

Thirsty Lion Gastropub & Grill (Series 12)
2212 E. Williams Field Road, Ste. 112, Gilbert
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Thirsty Lion Gastropub & Grill (Series 12)
7014 E. Camelback Road, Ste. 1423, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Thirsty Lion Gastropub & Grill (Series 12)
2000 E. Rio Salado Pkwy., #1041, Tempe
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: "Thirsty Lion Operating Company, LLC is a large restaurant organization with multiple locations across the country, including AZ. This location in Phoenix will be the 4th location in the state of Arizona. As a licensee, we take the sale, service and consumption of alcohol very seriously; our staff undergoes extensive in-house training, including state required training. At all times the restaurant is open, there will be a full menu available for patrons to order from. Alcohol is secondary to the sale and consumption of food."

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 will serve the surrounding community and visiting public, and will be open 7 days a week. The public will find the restaurant desirable by the wide selection

of the menu options, including salads, pulled pork sandwiches, traditional Scotch eggs and gourmet hamburgers. Full menus will be available during all business hours. The service of alcoholic beverages will be secondary, and complementary, to food service. Hours of operation will be comparable to similar restaurants. We will not create a problem for the community.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Thirsty Lion Gastropub & Grill

Liquor License Map - Thirsty Lion Gastropub & Grill

Responsible Department

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

Liquor License Data: THIRSTY LION GASTROPUB & GRILL

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	10	8
Beer and Wine Bar	7	3	2
Liquor Store	9	3	3
Beer and Wine Store	10	4	3
Hotel	11	1	0
Restaurant	12	28	26

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	30.37	22.92	58.38
Violent Crimes	5.23	1.45	3.82

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

Property Violation Data

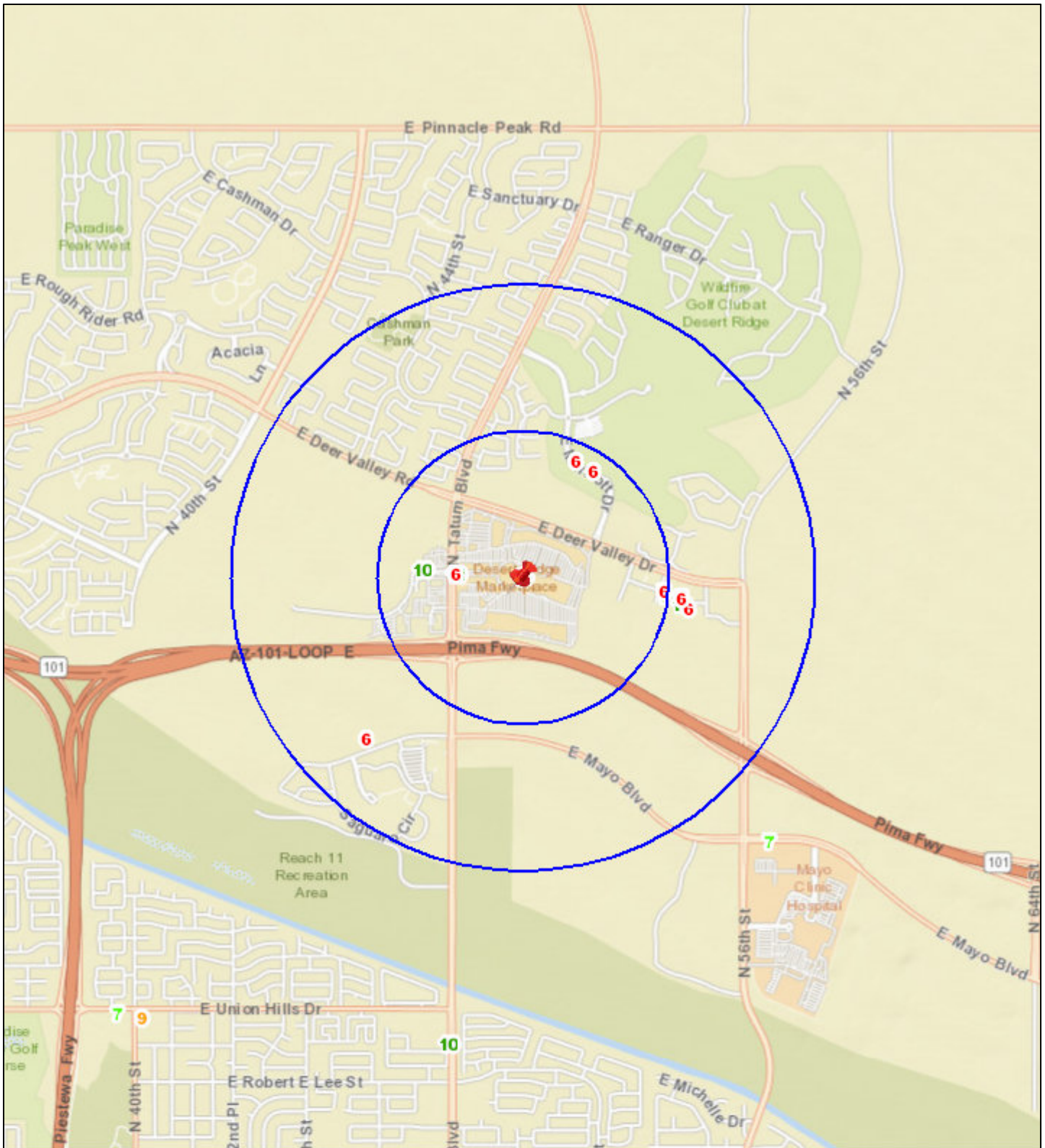
Description	Average	1/2 Mile Average
Parcels w/Violations	71	0
Total Violations	128	0

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6150003	344	8 %	38 %	5 %
6151001	1444	84 %	18 %	8 %
6152001	1993	8 %	29 %	12 %
6152002	2127	70 %	10 %	4 %
6152003	867	89 %	26 %	2 %
Average		61 %	13 %	19 %

Liquor License Map: THIRSTY LION GASTROPUB & GRILL

21001 N TATUM BLVD



Date: 9/27/2019

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



Liquor License - Special Event - Kid in the Corner, Inc.

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

Summary

Applicant

Francine Sumner

Location

12406 N. Paradise Village Pkwy., E.
Council District: 3

Function

Artistic Performance

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

Dec. 28, 2019 - 4 p.m. to 9:30 p.m. / 250 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 - Elsiner Tacos and More

Request for a liquor license. Arizona State License Application 73453.

Summary

Applicant

Florina Morales, Agent

License Type

Series 12 - Restaurant

Location

2510 W. Thunderbird Road, #9

Zoning Classification: C-1

Council District: 3

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow alcohol consumption in a C-1 zoning district.

The 60-day limit for processing this application is Oct. 18, 2019.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have taken all the training classes required to properly follow all the liquor laws of Arizona. I am willing and planning on hiring trained, skilled and knowledgeable staff to help me with my restaurant."

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

"A liquor license at our restaurant will allow us to provide a safe family friendly restaurant where families and friends can eat together in a pleasant environment. We wish to provide alcoholic beverages to our clients as a compliment to their meal."

Staff Recommendation

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

Attachments

Liquor License Data - Elsiner Tacos and More

Liquor License Map - Elsiner Tacos and More

Responsible Department

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

Liquor License Data: ELSINER TACOS AND MORE

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	30.37	65.10	70.16
Violent Crimes	5.23	8.81	7.96

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

Property Violation Data

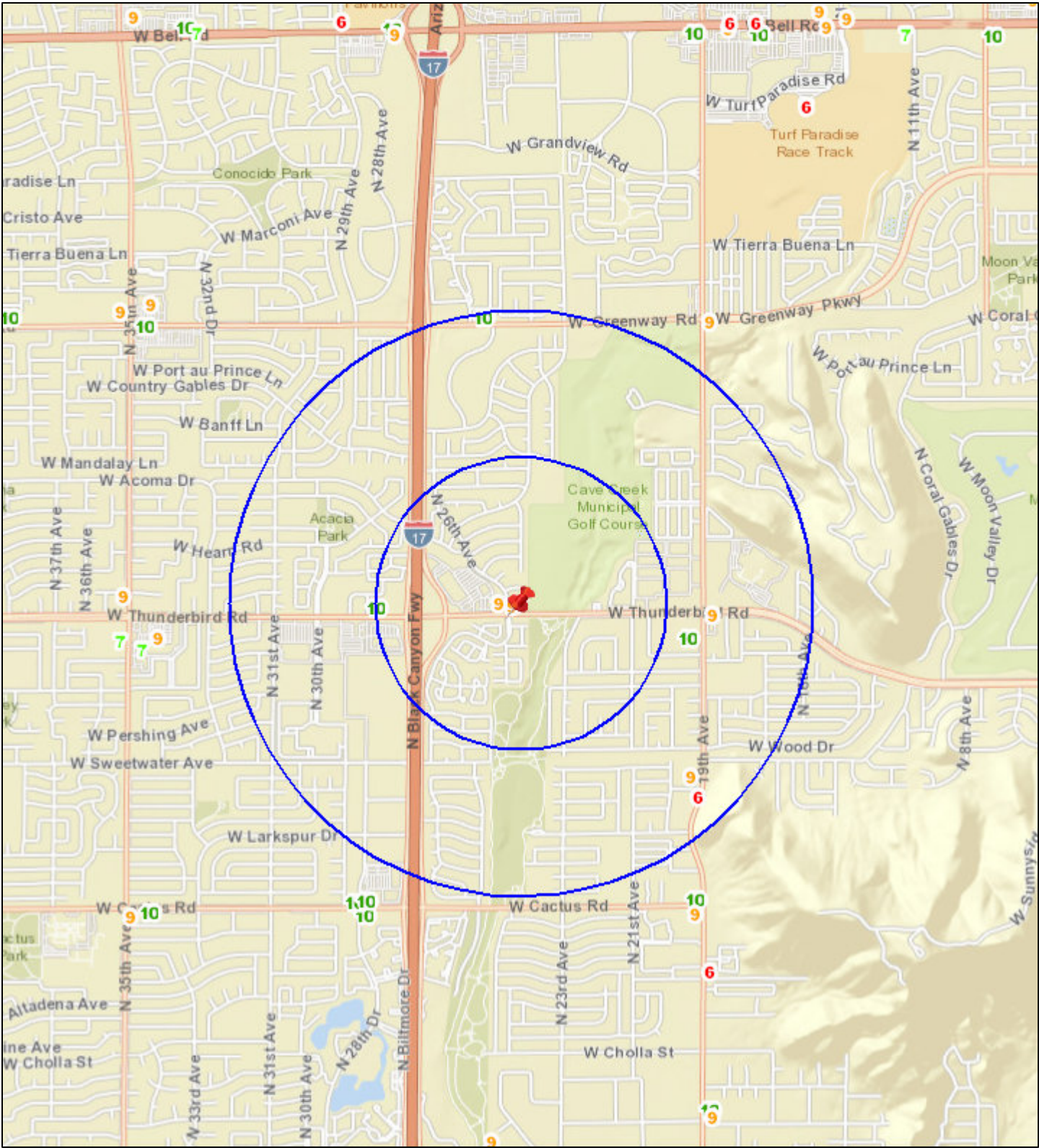
Description	Average	1/2 Mile Average
Parcels w/Violations	71	55
Total Violations	128	79

Census 2010 Data 1/2 Mile Radius

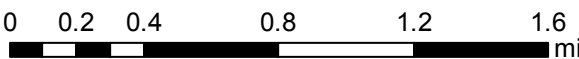
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036091	1106	80 %	9 %	2 %
1036092	982	83 %	3 %	14 %
1036093	1696	0 %	5 %	20 %
1036094	1550	0 %	21 %	50 %
1039001	1271	83 %	16 %	20 %
1039004	1522	83 %	0 %	5 %
1040002	1257	0 %	0 %	9 %
1041002	1507	51 %	10 %	14 %
Average		61 %	13 %	19 %

Liquor License Map: ELSINER TACOS AND MORE

2510 W THUNDERBIRD RD



Date: 9/27/2019





Liquor License - Circle K Store #142

Request for a liquor license. Arizona State License Application 73850.

Summary

Applicant

Kim Kwiatkowski, Agent

License Type

Series 10 - Beer and Wine Store

Location

4601 N. 12th St.

Zoning Classification: C-2

Council District: 4

This request is for a new liquor license for a convenience store that does not sell gas. This location is currently licensed for liquor sales with a Series 9 - Liquor Store license. The applicant plans to relocate the Series 9 license upon issuance of the Series 10 - Beer and Wine Store license.

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

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Circle K requires all store personnel to attend an in-house training program. This training is designed to provide a safe and positive customer service environment. As part of the Circle K training program, we provide an Alcohol Training Program that meets the requirements of the Arizona Department of Liquor License Control. Employees must pass a test on Techniques of Alcohol Management that becomes part of their employee file. Store managers are required to attend additional in-house manager training and obtain certification from the Arizona Department of Liquor License Control. This certification requires submission of fingerprints and includes a background investigation."

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

"It is Circle K's objective to provide a product, accessible in a convenient manner that meets the need of the surrounding community. Circle K's success depends on us being able to provide products that are in demand."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Circle K Store #142

Liquor License Map - Circle K Store #142

Responsible Department

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

Liquor License Data: CIRCLE K #142

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Wholesaler	4	2	0
Bar	6	8	1
Beer and Wine Bar	7	4	2
Liquor Store	9	8	2
Beer and Wine Store	10	12	1
Restaurant	12	26	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	31.15	99.84	93.73
Violent Crimes	5.38	15.10	17.72

*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

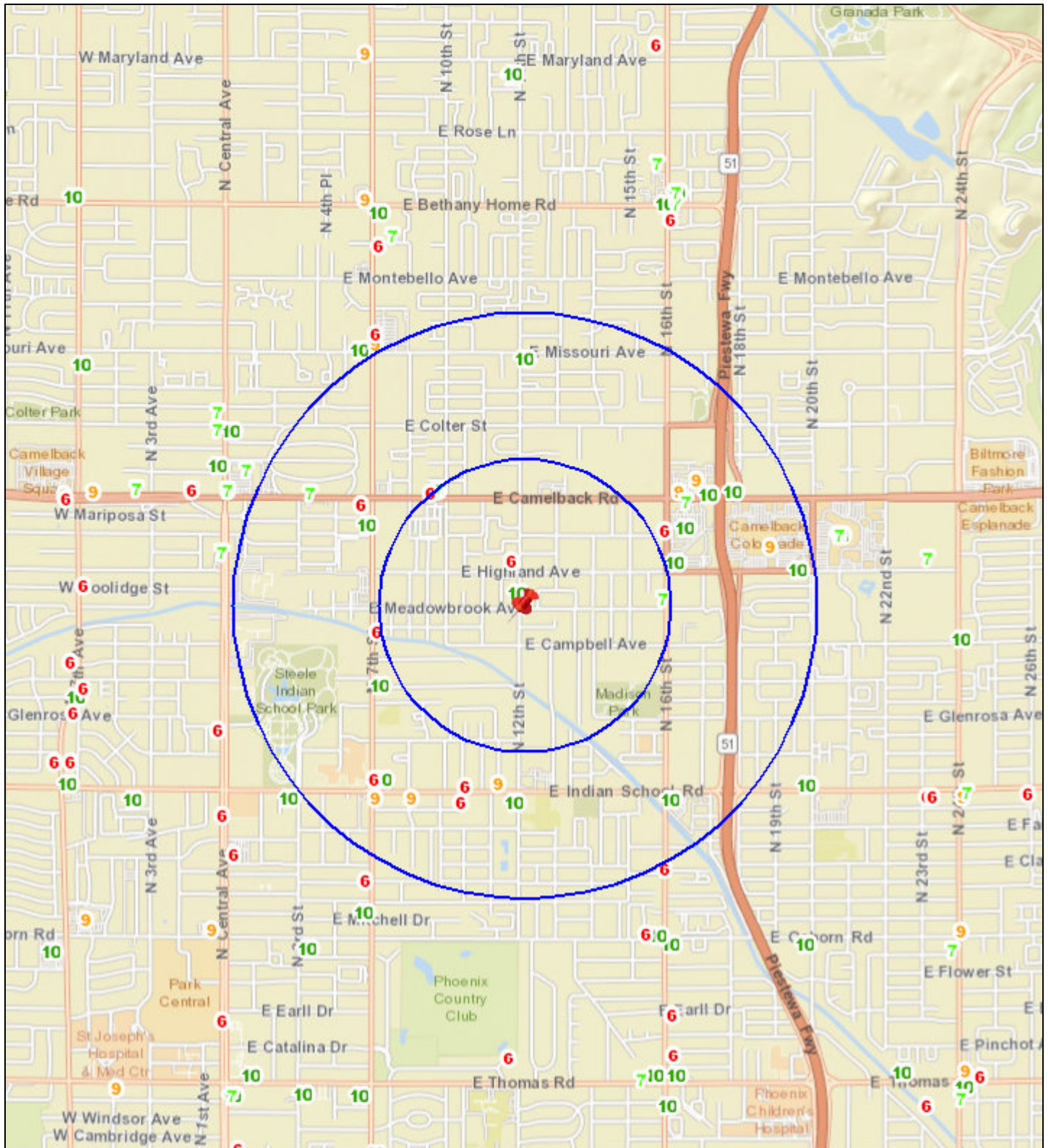
Description	Average	1/2 Mile Average
Parcels w/Violations	70	173
Total Violations	127	364

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1076013	1748	38 %	8 %	17 %
1076022	1734	54 %	18 %	3 %
1085011	1023	33 %	6 %	13 %
1086011	1374	18 %	29 %	41 %
1086012	1402	58 %	36 %	46 %
1086021	790	37 %	38 %	22 %
1086022	1187	11 %	25 %	52 %
1086023	650	23 %	34 %	15 %
1086024	1171	24 %	9 %	12 %
Average		61 %	13 %	19 %

Liquor License Map: CIRCLE K #142

4601 N 12TH ST



Date: 9/27/2019

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

Liquor License - Pit Stop

Request for a liquor license. Arizona State License Application 74125.

Summary

Applicant

Isabel Navarrete, Agent

License Type

Series 10 - Beer and Wine Store

Location

3345 N. 16th St.

Zoning Classification: C-2

Council District: 4

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

The 60-day limit for processing this application is Oct. 27, 2019.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I, Isabel and son Sergio have taken the required courses to handle the responsibilities and requirements to hold the liquor license for our business."

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

"I or we will be good citizens by selling alcohol to adults over 21 years of age, with valid Id's... This is how we will protect the community."

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 - Pit Stop

Liquor License Map - Pit Stop

Responsible Department

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

Liquor License Data: PIT STOP

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	31.15	66.61	85.66
Violent Crimes	5.38	12.28	12.52

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

Property Violation Data

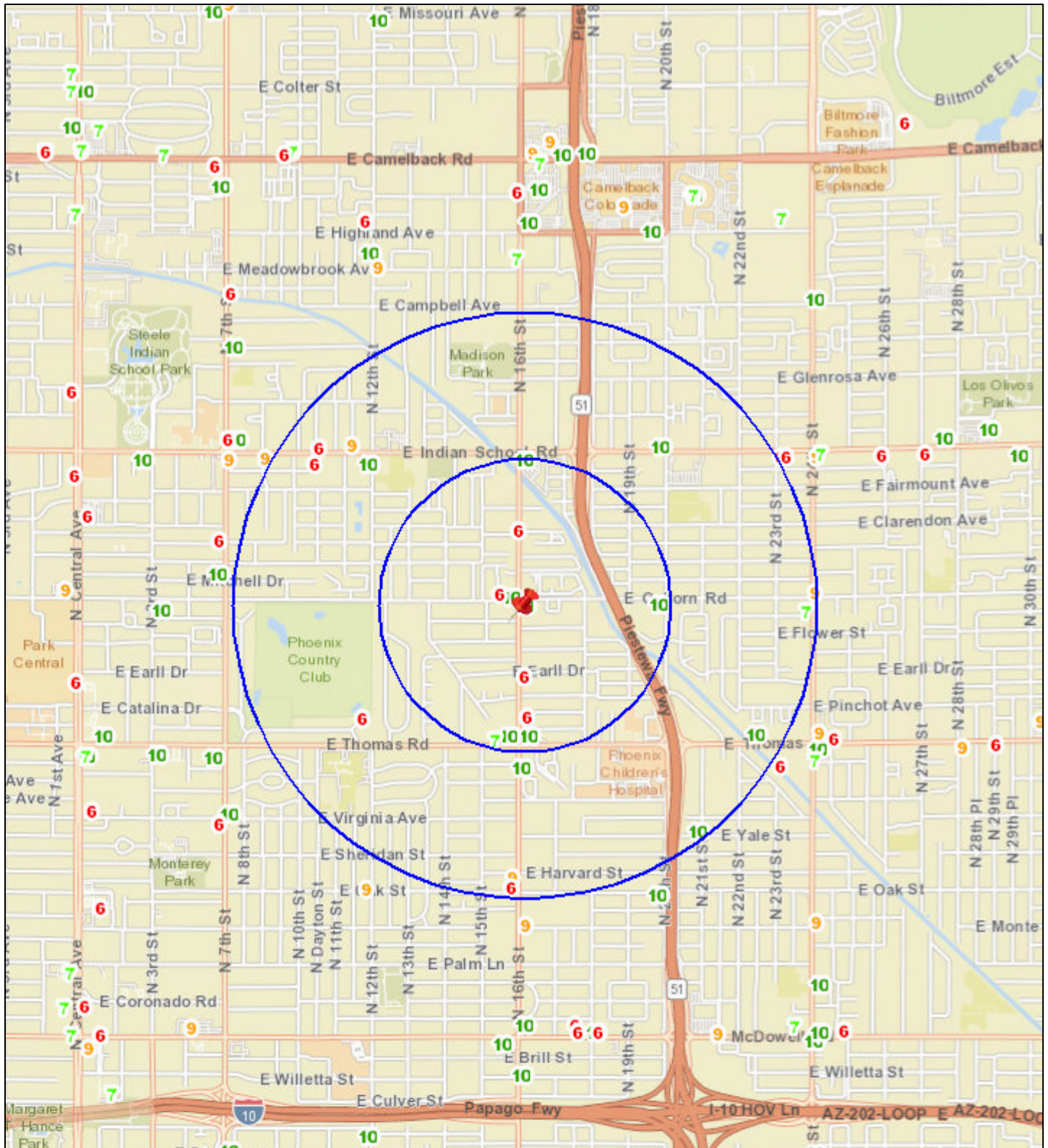
Description	Average	1/2 Mile Average
Parcels w/Violations	70	159
Total Violations	127	317

Census 2010 Data 1/2 Mile Radius

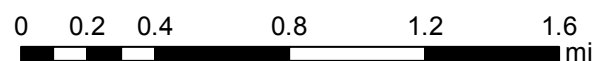
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1106002	1339	64 %	17 %	24 %
1106004	1456	47 %	27 %	3 %
1107011	887	13 %	17 %	33 %
1107012	1519	40 %	19 %	29 %
1107021	1972	58 %	0 %	30 %
1107022	2172	32 %	20 %	32 %
1116021	814	0 %	42 %	73 %
1117001	1792	45 %	32 %	41 %
Average		61 %	13 %	19 %

Liquor License Map: PIT STOP

3345 N 16TH ST



Date: 9/27/2019



City Clerk Department



Liquor License - Solo's Cafe

Request for a liquor license. Arizona State License Application 69983.

Summary

Applicant

Wilford Rhine, Agent

License Type

Series 12 - Restaurant

Location

5025 N. 7th Ave., #B

Zoning Classification: C-2 TOD-1

Council District: 4

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

The 60-day limit for processing this application was Sept. 10, 2019. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been in the business for over 18 yrs. With NO Problems I've had #6's + 12's before."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The food is Southern and there is not one in the area."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Solo's Cafe

Liquor License Map - Solo's Cafe

Responsible Department

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

Liquor License Data: SOLO'S CAFE

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Bar	6	12	3
Beer and Wine Bar	7	9	5
Liquor Store	9	3	3
Beer and Wine Store	10	6	1
Restaurant	12	32	8

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	29.05	87.89	109.87
Violent Crimes	4.99	15.31	18.25

*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

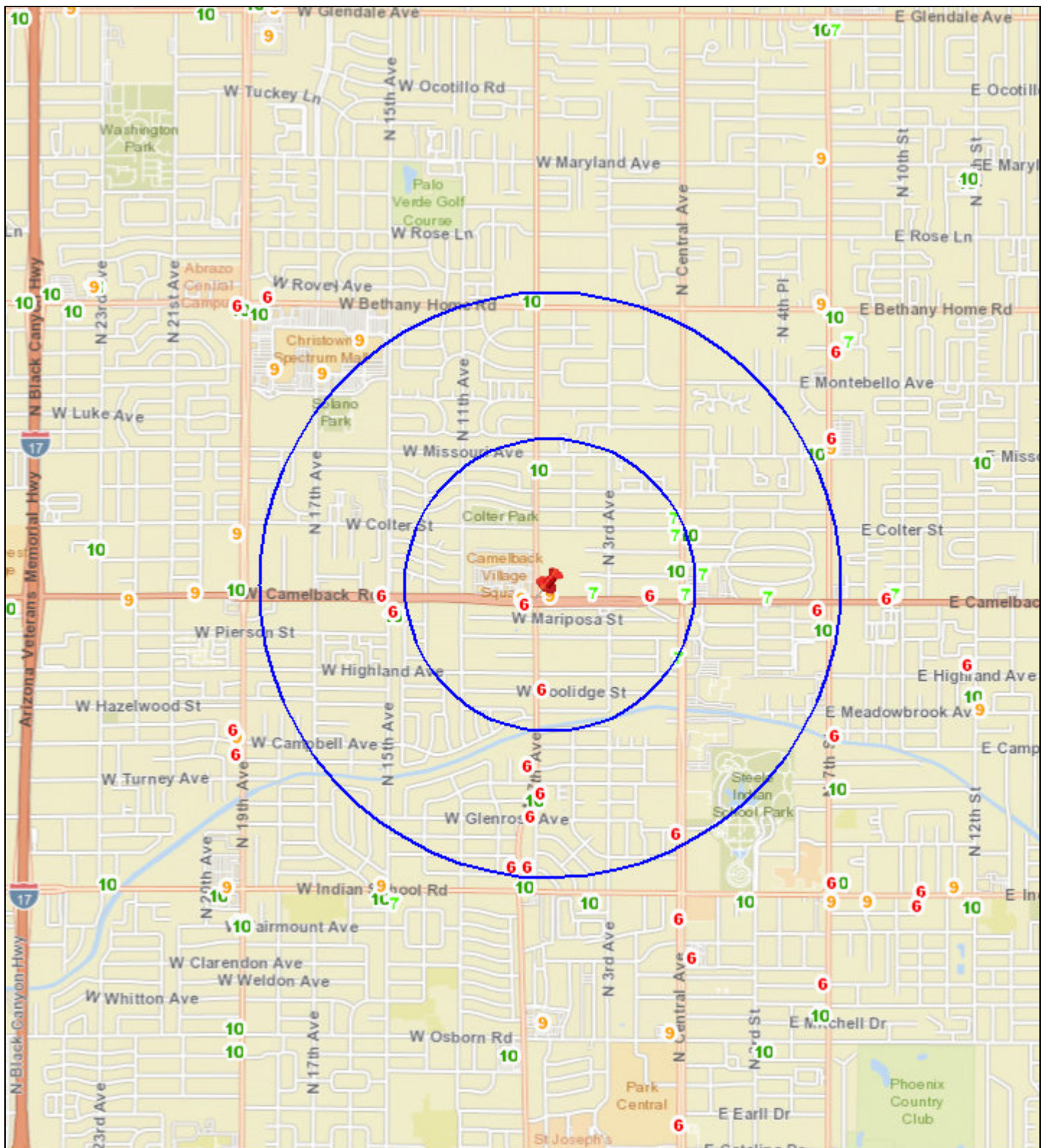
Description	Average	1/2 Mile Average
Parcels w/Violations	72	84
Total Violations	130	190

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1074001	1280	80 %	4 %	15 %
1074002	1009	62 %	7 %	16 %
1074005	661	0 %	30 %	77 %
1075001	758	80 %	2 %	3 %
1075002	1458	74 %	7 %	15 %
1075003	1599	46 %	15 %	14 %
1088021	1456	23 %	32 %	31 %
1088022	435	43 %	41 %	19 %
1089012	1297	31 %	23 %	54 %
1089023	1072	28 %	3 %	47 %
1089024	1278	46 %	9 %	21 %
1171001	2126	10 %	15 %	10 %
1171002	703	57 %	27 %	12 %
Average		61 %	13 %	19 %

Liquor License Map: SOLO'S CAFE

5025 N 7TH AVE



Date: 9/27/2019

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



Liquor License - Big B's Market

Request for a liquor license. Arizona State License Application 010070004677.

Summary

Applicant

Vijaya Shetty, Agent

License Type

Series 10 - Beer and Wine

Location

4835 N. 37th Ave.

Zoning Classification:C-1

Council District: 5

This request is for an acquisition of control of an existing liquor license for a convenience store that does not sell gas. This location is currently licensed for liquor sales.

The 60-day limit for processing this application was Sept. 28, 2019. 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

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 currently an owner of the business and will continue to own. Have brought on a new member to the business entity."

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 - Arizona Center for Disability Law

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

Summary

Applicant

Jose De Jesus Rico

Location

5025 W. Washington St.
Council District: 6

Function

Dinner and Awards Presentation

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

Nov. 1, 2019 - 4:30 p.m. to 7:30 p.m. / 200 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 - Biscuits Foothills

Request for a liquor license. Arizona State License Application 73497.

Summary

Applicant

Charles Stewart, Agent

License Type

Series 12 - Restaurant

Location

1241 E. Chandler Blvd., # 100 & 105

Zoning Classification: C-2 PCD

Council District: 6

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

The 60-day limit for processing this application is Oct. 18, 2019.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a responsible, reliable person dedicated to the well being and safety of others, as a father, husband, and grandfather I know to well the responsibilities and importants of maintaining a healthy and and positive energy for all."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It will add a relaxed ambience atmosphere that already exist in the community."

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 - Biscuits Foothills
Liquor License Map - Biscuits Foothills

Responsible Department

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

Liquor License Data: BISCUITS FOOTHILLS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	30.37	6.28	11.67
Violent Crimes	5.23	0.61	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

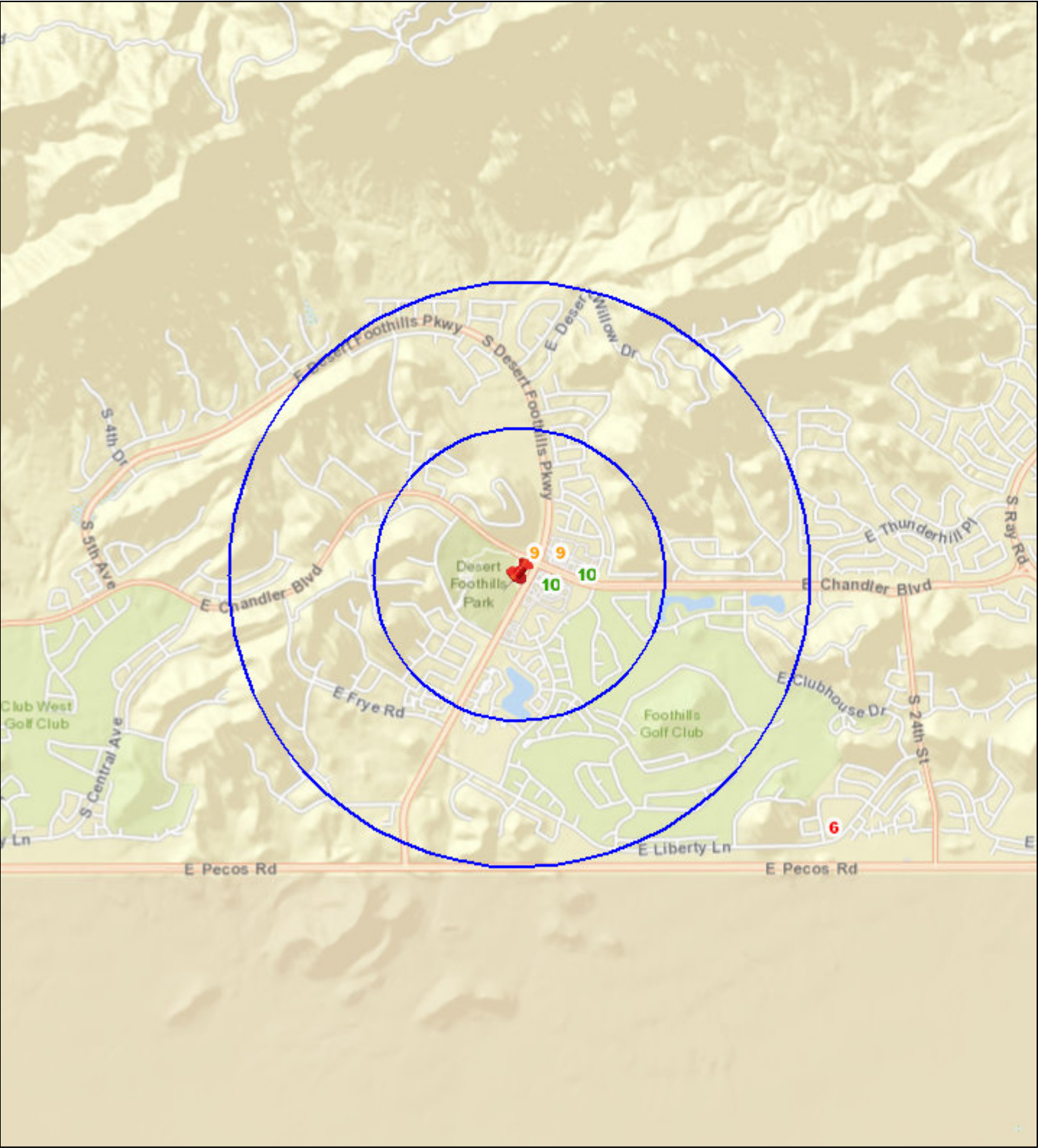
Description	Average	1/2 Mile Average
Parcels w/Violations	71	0
Total Violations	128	0

Census 2010 Data 1/2 Mile Radius

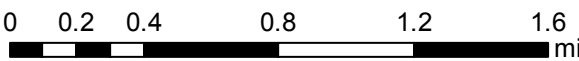
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167251	1132	95 %	7 %	10 %
1167252	728	29 %	39 %	0 %
1167253	1407	89 %	0 %	11 %
1167272	1344	95 %	15 %	0 %
1167281	1267	97 %	2 %	4 %
1167282	2500	92 %	5 %	1 %
1167283	1145	97 %	3 %	6 %
Average		61 %	13 %	19 %

Liquor License Map: BISCUITS FOOTHILLS

1241 E CHANDLER BLVD



Date: 9/30/2019





Liquor License - Circle K Store #3744

Request for a liquor license. Arizona State License Application 09070159.

Summary

Applicant

Kim Kwiatkowski, Agent

License Type

Series 9 - Liquor Store

Location

630 E. Missouri Ave.

Zoning Classification: C-2

Council District: 6

This request is for a location transfer of a liquor license for a convenience store that sells gas. This location is currently licensed for liquor sales with a Series 10 - Beer and Wine Store license.

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

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "Circle K requires all store personnel to attend an in-house training program. This training is designed to provide a safe and positive customer service environment. As part of the Circle K training program, we provide an Alcohol Training Program that meets the requirements of the Arizona Department of Liquor License Control. Employees must pass a test on Techniques of Alcohol Management that becomes part of their employee file. Store managers are required to attend additional in-house manager training and obtain certification from the Arizona Department of Liquor License Control. This certification requires submission of fingerprints and includes a background investigation."

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

"It is Circle K's objective to provide a product, accessible in a convenient manner that meets the need of the surrounding community. Circle K's success depends on us being able to provide products that are in demand."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Circle K Store #3744

Liquor License Map - Circle K Store #3744

Responsible Department

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

Liquor License Data: CIRCLE K STORE #3744

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Bar	6	7	2
Beer and Wine Bar	7	11	1
Liquor Store	9	4	1
Beer and Wine Store	10	8	2
Restaurant	12	43	18

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	31.15	56.39	52.54
Violent Crimes	5.38	6.31	4.35

*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

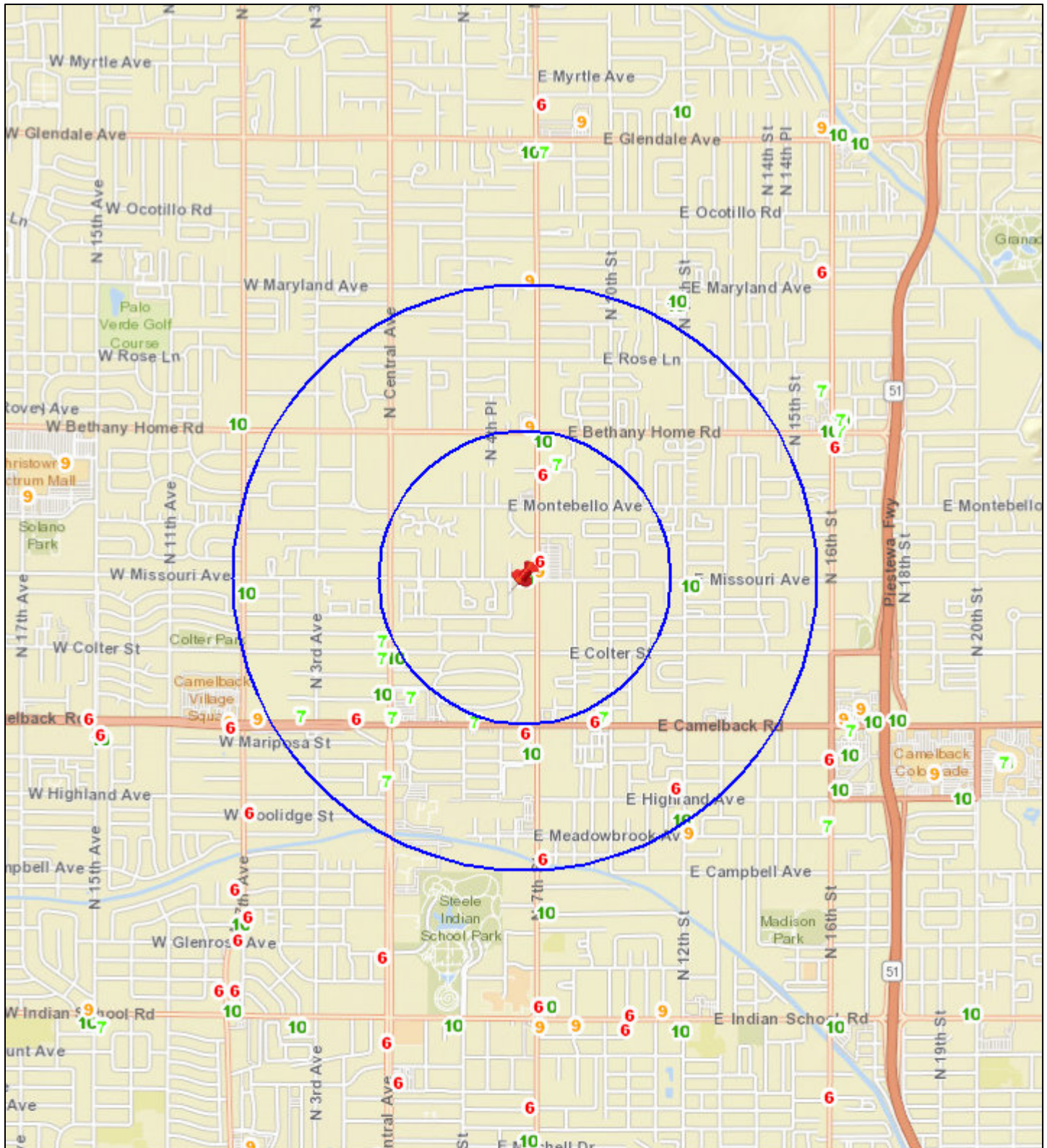
Description	Average	1/2 Mile Average
Parcels w/Violations	70	45
Total Violations	127	75

Census 2010 Data 1/2 Mile Radius

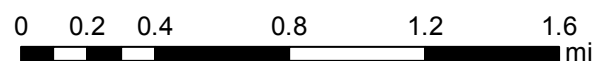
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1065012	1594	61 %	18 %	32 %
1066002	2064	83 %	7 %	5 %
1075001	758	80 %	2 %	3 %
1075002	1458	74 %	7 %	15 %
1075003	1599	46 %	15 %	14 %
1076011	319	65 %	16 %	46 %
1076012	904	38 %	24 %	23 %
1076013	1748	38 %	8 %	17 %
Average		61 %	13 %	19 %

Liquor License Map: CIRCLE K STORE #3744

630 E MISSOURI AVE



Date: 9/17/2019



City Clerk Department



Liquor License - Cold Beers & Cheeseburgers

Request for a liquor license. Arizona State License Application 74812.

Summary

Applicant

Amy Nations, Agent

License Type

Series 12 - Restaurant

Location

5005 E. Chandler Blvd.

Zoning Classification: C-2 M-R

Council District: 6

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

The 60-day limit for processing this application is Nov. 3, 2019.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
“The management team for Cold Beers & Cheeseburgers has over 100 years combined experience operating restaurants and bars with liquor licenses. Our employees go through title 4 law training regularly and are held to the highest standards in our strict liquor service policies.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Cold Beers & Cheeseburgers has become the city's hottest place to be. We are committed to excellence in our standards and strive to maintain an unrivaled consistency in the quality of our products. We will ensure great service, amazing food, a high energy atmosphere, and a neighborhood sports bar feel. Our restaurant has something for everyone and our customers will enjoy a memorable experience. Cold Beers & Cheeseburgers will be a great addition to the neighborhood.”

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 - Cold Beers & Cheeseburgers

Liquor License Map - Cold Beers & Cheeseburgers

Responsible Department

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

Liquor License Data: COLD BEERS & CHEESEBURGERS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	31.15	17.30	25.37
Violent Crimes	5.38	1.85	3.71

*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

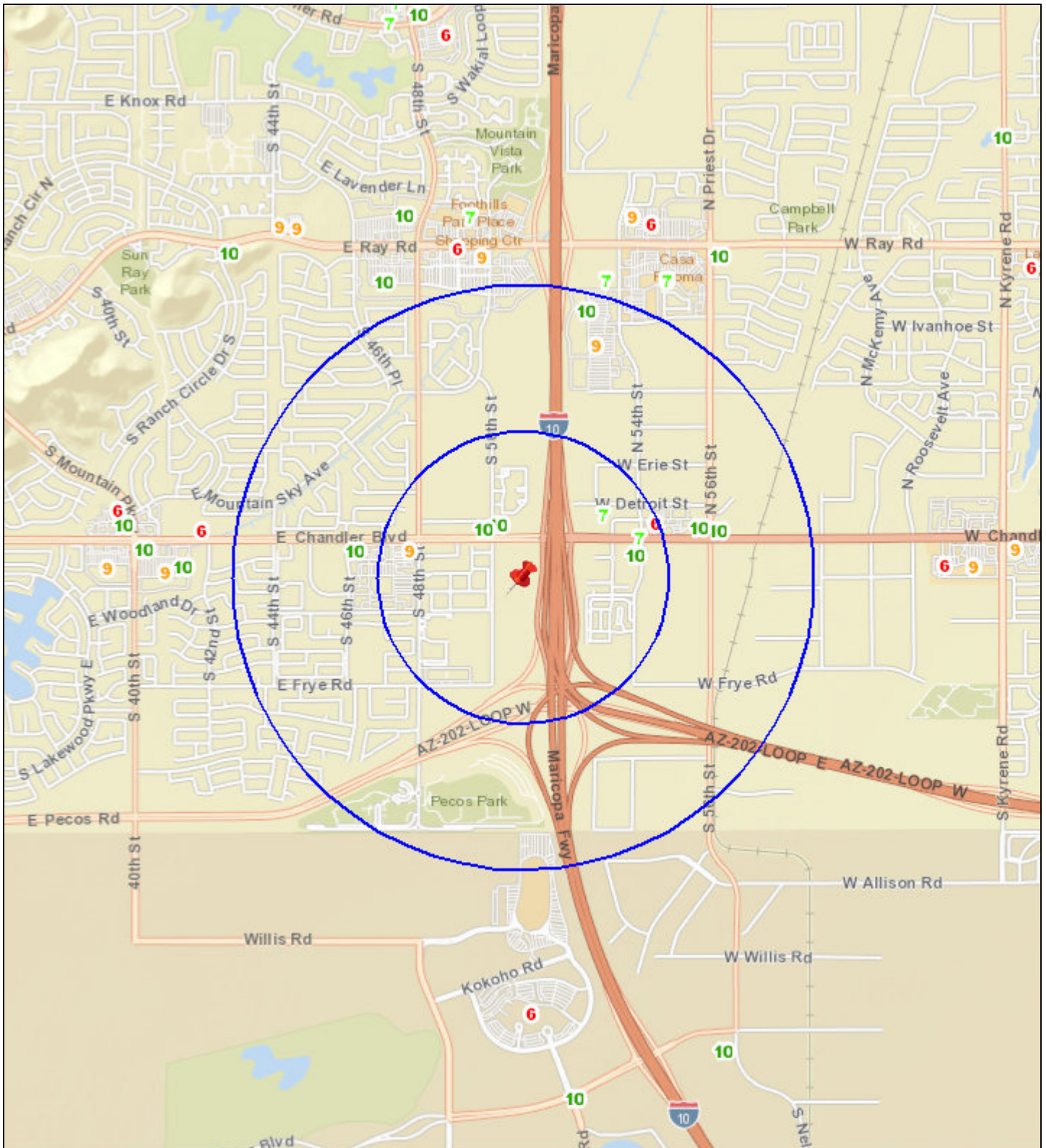
Description	Average	1/2 Mile Average
Parcels w/Violations	70	5
Total Violations	127	9

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167121	2721	19 %	15 %	9 %
1167191	1679	87 %	3 %	2 %
1167192	1023	3 %	7 %	22 %
8104002	314	3 %	25 %	12 %
9804001	13	0 %	0 %	82 %
Average		61 %	13 %	19 %

Liquor License Map: COLD BEERS & CHEESEBURGERS

5005 E CHANDLER BLVD



Date: 9/9/2019

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



Liquor License - Uncle Bears Grill & Tap

Request for a liquor license. Arizona State License Application 73315.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

4921 E. Ray Road #B3

Zoning Classification: C-2

Council District: 6

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

The 60-day limit for processing this application was Oct. 15, 2019. However, the applicant has submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We will ensure our employees attend the title 4 liquor law class. We will abide by Arizona liquor laws."

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 continue to offer our patrons a variety of drinks to chose from if they decide to have an adult beverage."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Uncle Bears Grill & Tap

Liquor License Map - Uncle Bears Grill & Tap

Responsible Department

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

Liquor License Data: UNCLE BEARS GRILL & TAP

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	1
Beer and Wine Bar	7	7	2
Liquor Store	9	10	1
Beer and Wine Store	10	9	4
Hotel	11	1	1
Restaurant	12	43	16

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	31.15	40.63	87.68
Violent Crimes	5.38	4.03	5.41

*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

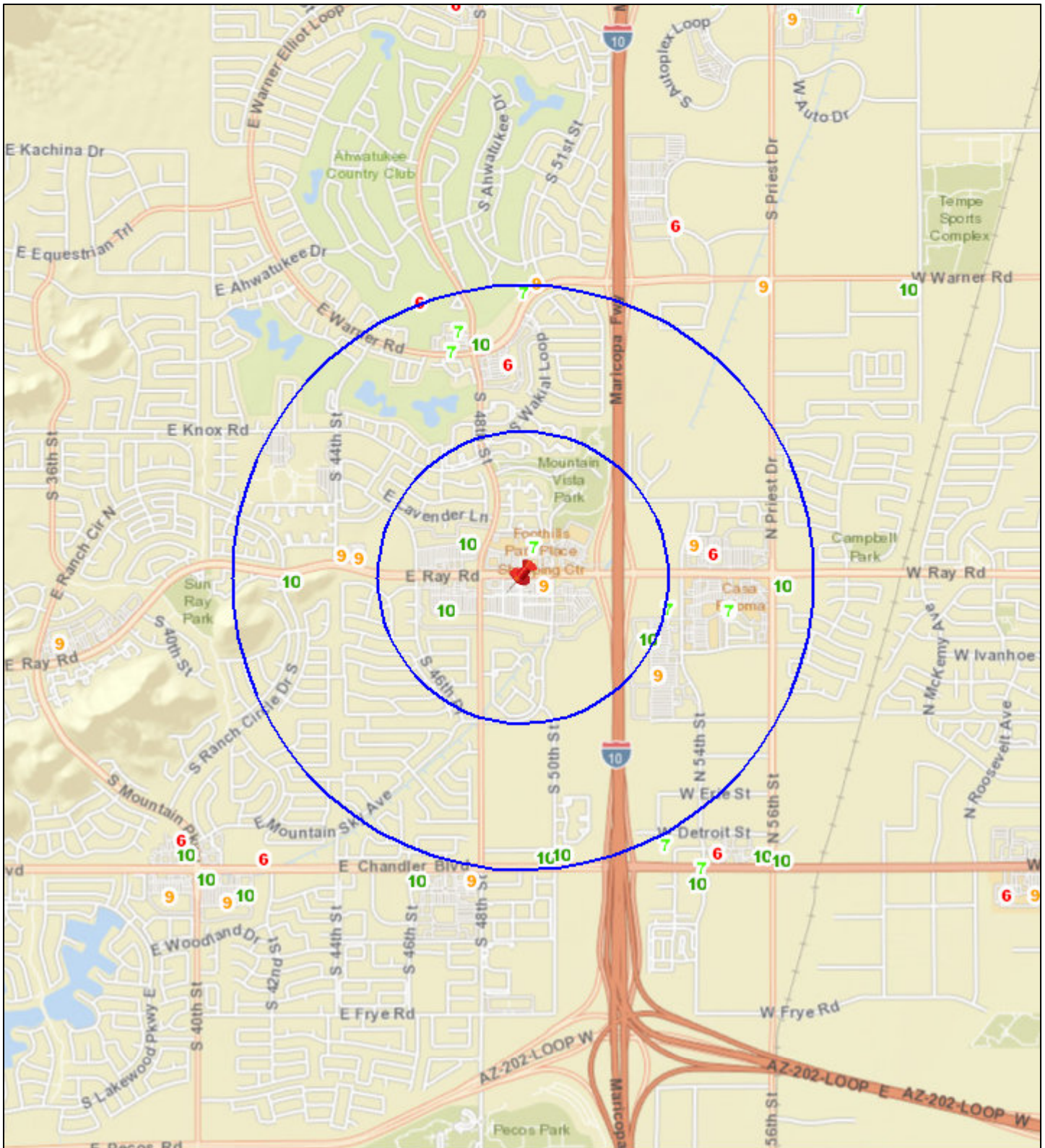
Description	Average	1/2 Mile Average
Parcels w/Violations	70	4
Total Violations	126	5

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167171	1769	0 %	25 %	11 %
1167172	1663	40 %	18 %	17 %
1167181	2685	40 %	10 %	9 %
1167192	1023	3 %	7 %	22 %
1167193	1688	72 %	17 %	14 %
8104002	314	3 %	25 %	12 %
Average		61 %	13 %	19 %

Liquor License Map: UNCLE BEARS GRILL & TAP

4921 E RAY RD



Date: 9/25/2019

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



Liquor License - Special Event - Be Causal

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

Summary

Applicant

Julie Jennings

Location

734 W. Polk St.

Council District: 7

Function

Community Event

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

Oct. 26, 2019 - 4 p.m. to 2 a.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 - Arizona Parks and Recreation Association

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

Summary

Applicant

Samantha Coffman

Location

10919 S. Central Ave.

Council District: 8

Function

Dinner

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

Nov. 16, 2019 - 12:30 p.m. to 6:30 p.m. / 1,200 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 - Sun Devil Gymnastics

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

Summary

Applicant

Scott Barclay

Location

1520 E. Washington St.
Council District: 8

Function

Community Event

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

Dec. 31, 2019 - 4:30 p.m. to 12:30 a.m. / 250 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.



Agenda Date: 10/16/2019, Item No. 25

Liquor License - Huichos Market

Request for a liquor license. Arizona State License Application 74722.

Summary

Applicant

Theresa Morse, Agent

License Type

Series 10 - Beer and Wine Store

Location

1042 N. 26th St.

Zoning Classification: R-3

Council District: 8

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

The 60-day limit for processing this application is Nov. 2, 2019.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been working in the off sale liquor industry for over five years. Throughout this time I have learned how to determine if a customer is intoxicated or under the legal drinking age. I am aware of young customers asking older persons to purchase alcohol and have refused the sale. I will be attending alcohol training Basic and Management on 9/27/19."

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

"A convenience store has been at this location for many years. Due to some research there also was a Series 10 Beer & Wine license at this location. I want to be involved with the surrounding neighborhood to assist in keeping the neighborhood safe and clean. I have a family of my own and know how important it is to live in a safe community and also offer the convenience of shopping close by."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Huichos Market

Liquor License Map - Huichos Market

Responsible Department

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

Liquor License Data: HUICHOS MARKET

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Wholesaler	4	1	0
Bar	6	4	1
Beer and Wine Bar	7	1	0
Liquor Store	9	6	0
Beer and Wine Store	10	15	2
Restaurant	12	10	2
Craft Distiller	18	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	31.15	76.75	80.46
Violent Crimes	5.38	26.48	26.64

*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

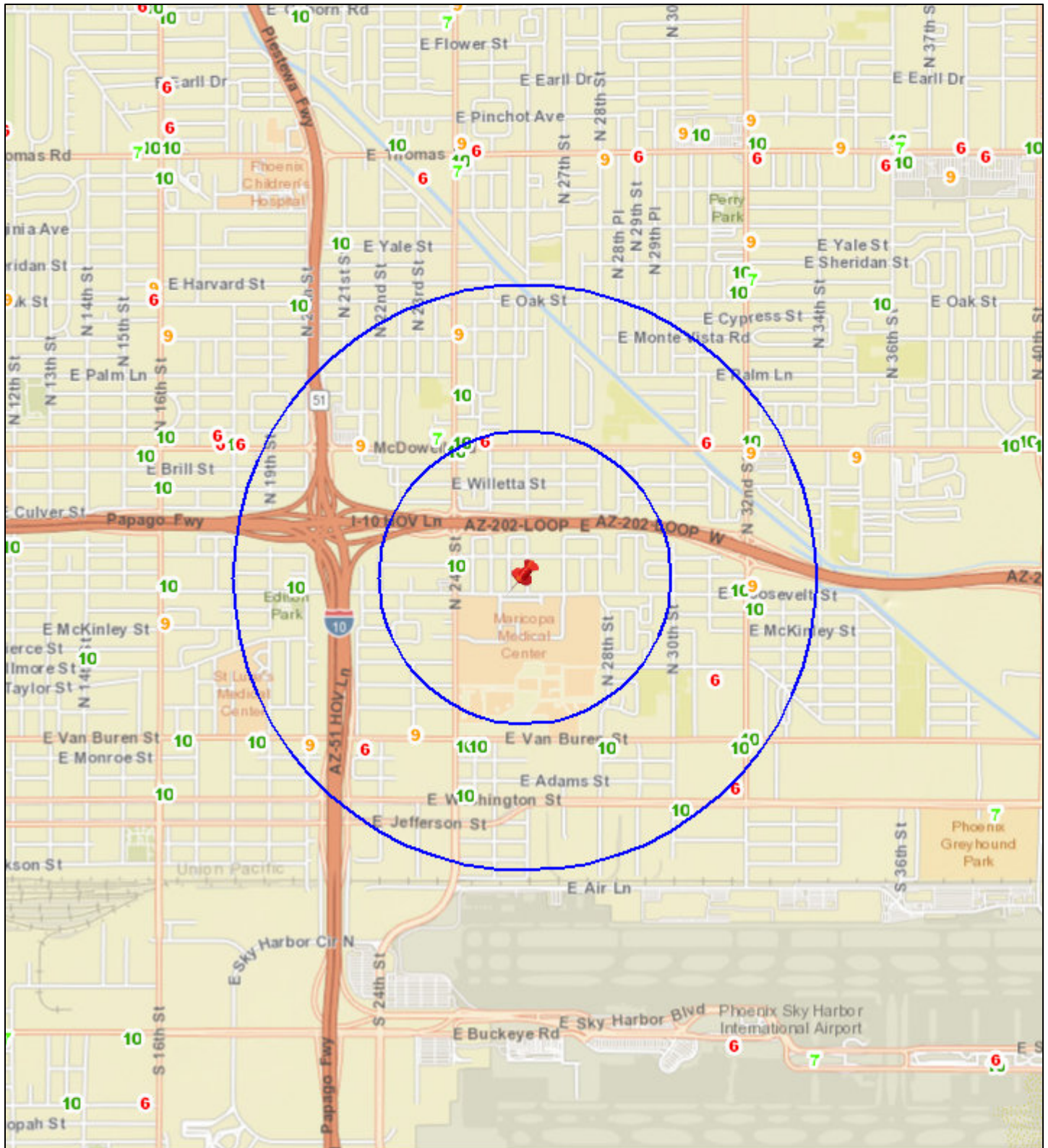
Description	Average	1/2 Mile Average
Parcels w/Violations	70	245
Total Violations	127	513

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1115011	2020	44 %	16 %	43 %
1133001	2490	40 %	12 %	49 %
1133003	901	22 %	23 %	72 %
1134001	589	0 %	0 %	100 %
1135011	2332	25 %	12 %	55 %
1135012	1738	41 %	26 %	36 %
1135021	2383	35 %	21 %	39 %
Average		61 %	13 %	19 %

Liquor License Map: HUICHOS MARKET

1042 N 26TH ST



Date: 9/9/2019

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



City Council Formal Meeting

City Council Report

Agenda Date: 10/16/2019, **Item No.** 26

Liquor License - MOD Pizza

Request for a liquor license. Arizona State License Application 73524.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

7620 S. 59th Ave., Ste. 101

Zoning Classification: S-1 (Approved C-2)

Council District: 8

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in December 2019.

The 60-day limit for processing this application is Oct. 19, 2019.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is an experienced licensee committed to upholding the highest standards to maintain compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"MOD Pizza offers a wide variety of options for customized pizzas, salads and more. Applicant would like to offer alcoholic beverages to its guests 21 and over as an incident to the delicious meals served."

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 - MOD Pizza

Liquor License Map - MOD Pizza

Responsible Department

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

Liquor License Data: MOD PIZZA

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	30.37	26.80	10.72
Violent Crimes	5.23	4.51	3.07

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

Property Violation Data

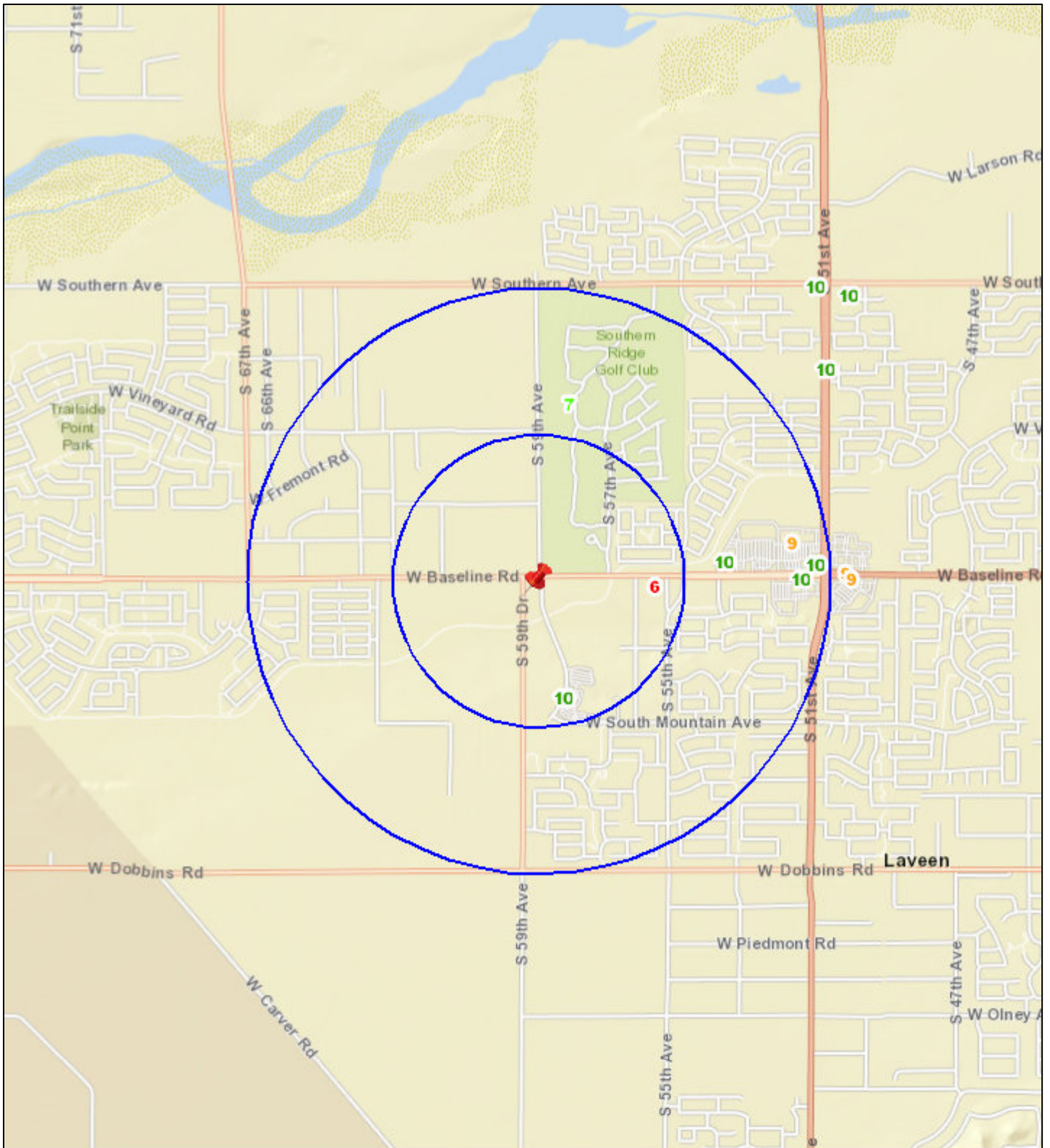
Description	Average	1/2 Mile Average
Parcels w/Violations	71	5
Total Violations	128	5

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1166032	3206	79 %	16 %	9 %
1166041	2095	60 %	28 %	0 %
1166042	1043	40 %	18 %	33 %
1166082	2287	89 %	2 %	2 %
1166091	1542	72 %	9 %	7 %
1166092	1243	95 %	19 %	3 %
Average		61 %	13 %	19 %

Liquor License Map: MOD PIZZA

7620 S 59TH AVE



Date: 9/27/2019

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



Bingo License - BBrave

Request for a Class B Bingo License. Staff recommends approval of this application.

Summary

State law requires City Council approval before a State Bingo License can be issued.

Bingo License Types

Class A - gross receipts shall not exceed \$15,600 per year

Class B - gross receipts shall not exceed \$300,000 per year

Class C - anticipated gross receipts may exceed \$300,000 per year

Applicant

Natalia Mihilli

Location

4031 N. 24th St., Ste. B

Zoning Classification: C-2

Council District: 6

Applicant's projected use of net proceeds: "To continue to enhance lives of Arizonans through BBrave and their mission."

Responsible Department

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



PAYMENT ORDINANCE (Ordinance S-46083) (Items 28-39)

Ordinance S-46083 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.

28 L3Harris Technologies, Inc.

For \$25,000.00 in payment authority for a new contract, to be entered on or about Oct. 1, 2019, for a five-year aggregate contract term for continuous compliance monitoring and full maintenance service on the five units of L3Harris Symphony Vehicle Movement Area Transponders in Operation's supervisor vehicles at Phoenix Sky Harbor International Airport. The vehicles are used to perform required daily inspection on the airfield to ensure the safety of aircraft operations.

29 American Society of Composers, Authors and Publishers doing business as ASCAP

For \$35,000.00 in payment authority to purchase an annual music license to comply with public performances of copyrighted works when music is played at Parks and Recreation venues for the Parks and Recreation Department. Payment authority is for three years and the license will be renewed annually.

30 Paper Systems Incorporated, doing business as Patriot Printing Solutions

For \$85,000.00 in additional payment authority for Contract 144894 for e-ticket paper that is used by the Phoenix Police Department officers and civilian staff to issue citations as needed during everyday operations. The

paper ensures legible print for clarity when delivered to the court. The increase is necessary due to significant market volatility for thermal paper, due in part to supply shortages of the primary chemical used in the thermal paper coating, which has led to unprecedented price increases. The additional funds will cover the remaining three years of the contract term.

31 Strongwatch doing business as Freedom Surveillance, LLC.

For \$57,000.00 in payment authority to purchase an upgrade to the portable, vehicle-mounted camera system used by the Police Department's Homeland Defense Bureau. The equipment is used to provide live video of events for the command post, allowing decision makers to make critical decisions using real-time information. The system can also record imagery, providing evidence that can be used to help further investigations of incidents. The camera system was purchased by the Phoenix Homeland Defense Bureau with Urban Areas Security Initiative grant funds in 2010. Technology has changed significantly since then and the vendor can no longer support the existing system in its current outdated configuration. The upgrade will supply new hardware components and installation and training services to ensure fully functional operation of the camera system. This critical tool is used by the Phoenix Police Department to provide life safety services to the public and used during critical incidents and complicated scenes.

32 Grayshift, LLC., doing business as Grayshift

For \$15,000.00 in payment authority to purchase the renewal of GrayKey online annual software license. The software is used by the Police Department's Violent Crimes Bureau to assist in identifying and locating suspects and victims in sexual exploitation cases. In addition, the software assists with the timely gathering of information and forensic analysis to lead to the fastest possible response to safeguard children against predators and cyber bullying.

33 Settlement of Claim(s) Currie v. City of Phoenix

To make payment of \$75,000.00 in settlement of claim(s) in *Currie v. City of Phoenix*, 18-0749-001, BI PD, for the Finance Department pursuant to Phoenix City Code chapter 42.

34 Settlement of Claim(s) Telles v. City of Phoenix

To make payment of \$75,000.00 in settlement of claim(s) in *Telles v. City of Phoenix*, 19-9002-001 PI, for the Finance Department pursuant to Phoenix City Code chapter 42.

35 Settlement of Claim(s) Beck v. City of Phoenix

To make payment of \$75,000.00 in settlement of claim(s) in *Beck v. City of Phoenix*, 19-9002-002 PI, for the Finance Department pursuant to Phoenix City Code chapter 42.

36 Settlement of Claim(s) Scott v. City of Phoenix

To make payment of up to \$120,000.00 in settlement of claim(s) in *Scott v. City of Phoenix*, Maricopa County Superior Court, case number CV2017-007839, 16-0792-001 BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

37 Settlement of Claim(s) Stein v. City of Phoenix

To make payment of \$27,100.00 in settlement of claim(s) in *Stein v. City of Phoenix*, 18-0704-001 AU PD, for the Finance Department pursuant to Phoenix City Code chapter 42.

38 The Hiller Companies, Inc., doing business as American Fire Equipment Sales and Service a Div. of the Hiller Companies, Inc.

For \$75,000.00 in payment authority for a new contract, entered on or about Nov. 1, 2019 for a term of five years for the testing, inspection, and repair of fire suppression and pre-action systems for the Phoenix Convention Center Department (PCCD). PCCD will utilize services under this contract for three IT data room suppression systems located in the Convention Center. Testing and inspection of the systems is required by code semi-annually.

39 Salt River Project Agricultural Improvement and Power District doing business as SRP

For \$69,814.00 in payment authority for the installation of underground conduit and circuits for streetlights for the Street Transportation

Department. SRP will install 1,320 feet of conductor wire to transition above ground circuits to below ground circuits to energize eight street lights at the intersection of 24th Street and Broadway Road for City project ST85160001-1.



Acquisition of Real Property and Related Easements and Licenses for South Central Extension/Downtown Hub (SCE/DH) and Northwest Extension Phase II (NWEII) Light Rail Projects (Ordinance S-46087)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests through either: (1) donation, (2) purchase within the City's appraised value, (3) purchase at a settlement amount arrived at through mediation (and determined by the City Manager or his designee to be reasonable under the circumstances), or (4) eminent domain, for SCE/DH and NWEII, and to provide relocation assistance and benefits as federally mandated. Further request authorization to dedicate land with roadway and/or public improvements to public use for right-of-way or utility purposes via separate recording instruments, accept and grant all easements along the alignments, and execute all necessary licenses and agreements in furtherance of this ordinance. Further request authorization for the City Controller to disburse, and for the City Treasurer to accept, all funds related to this item.

Further request the City Council to grant an exception pursuant to Phoenix City Code § 42-20 to authorize inclusion of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code § 42-18 within the documents for those transactions between the City and other government agencies.

Summary

The City will acquire real property; dedicate rights-of-way; accept, dedicate, and grant easements; and execute real property licenses and agreements necessary for the construction of public improvements based on design plans for each project. Improvements include: rail, stations, curbing, gutter, sidewalks, landscape, and other infrastructure required to accommodate the projects. The City will also provide relocation assistance and benefits as mandated for federal and federally-assisted programs under the Uniform Relocation Assistance and Real Property Acquisition Act (Uniform Act).

The improvements for SCE/DH will provide transit users with connections from a transit hub in downtown Phoenix to Baseline Road, the proposed new Metrocenter transit center, and the East Valley. This project includes the downtown hub, a

reconfigured park and ride at the Ed Pastor Transit Center, a park-and-ride at Central Avenue and Baseline Road, five and one-half miles of track, nine stations, two roundabouts, four traction power substations, two signal buildings, and public art elements. The properties impacted by SCE/DH are identified in **Attachment A**.

The improvements for NWEI will provide transit users with connections from the proposed Metrocenter park-and-ride and transit center to SCE/DH and the East Valley. This project includes a park-and-ride and transit center at Metrocenter, shared parking at Rose Mofford Park, one and one-half miles of track, three stations, two traction power substations, one signal building, and public art elements. The Metrocenter transit center and park-and-ride will include manned security, closed-circuit cameras, transit center ticket vending machines, and berths for local and rapid routes. The properties impacted by SCE/DH are identified in **Attachment B**.

Financial Impact

SCE/DH and NWEI are funded with Federal, Regional and T2050 funding. Funds are available in the Public Transit Department's Capital Improvement Program budget.

Concurrence/Previous Council Action

This item was recommended for approval at the Citizens Transportation Commission Meeting on Oct. 1, 2019, by a vote of 6-2-1 (one abstention).

This item was recommended for approval at the Transportation, Infrastructure and Innovation Subcommittee meeting on Oct. 2, 2019, by a vote of 3-0.

Location

SCE/DH is located on Central and 1st avenues, Washington and Jefferson streets, and 1st Avenue and McKinley Street in the downtown area then extends from downtown, south along Central Avenue to Baseline Road

Council District: 7, 8

NWEI is located along Dunlap Avenue at 19th Avenue then extends west along 25th Avenue to Mountain View Road, over Interstate-17 to Metrocenter

Council District: 1, 3, 5

Responsible Department

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

Attachment A
Property Identification - SCE / DH

City of Phoenix Light Rail Extension Project - PT00320999

South Central Extension / Downtown Hub (SCE / DH)

The following improved and/or unimproved parcels affected by acquisition, easement, license, dedication and/or agreement and included in this request are identified by the Project Parcel #, Maricopa County Assessor's parcel number (APN) and the address or location.

Project Parcel #	APN	Address / Location
SCE-1100	111-43-128A	817 N. Central Ave.
SCE-1102B	111-45-043A	622 N. 1st St.
SCE-2001	112-21-086	2 N. Central Ave.
SCE-2002	112-22-107A	1 W. Washington St.
SCE-2003, SCE-9101	112-22-105A	11 W. Jefferson St. / 125 S. 1st Ave.
SCE-2003, SCE-9101	112-24-216A	11 W. Jefferson St. / 125 S. 1st Ave.
SCE-2004	112-24-217A	132 S. Central Ave.
SCE-2005	112-22-036	1 W. Madison St.
SCE-2006	112-22-037A	10 W. Jackson St.
SCE-2007	112-22-970A	1 W. Jackson St.
SCE-2008, SCE-9104	112-23-082A	401 S. 1st Ave.
SCE-2008, SCE-9104	112-23-082B	NWC of S. Central Avenue and W. Buchanan Street
SCE-2009, SCE-9105	112-23-002	501 S. 1st Ave.
SCE-2009, SCE-9105	112-23-003A	45 W. Buchanan St.
SCE-2009, SCE-9105	112-23-004	505 S. 1st Ave.
SCE-2010	112-23-007	514 / 522 S. Central Ave.
SCE-2011	112-23-016	SWC of S. Central Avenue and W. Lincoln Street

Project Parcel #	APN	Address / Location
SCE-2011	112-23-018	adjacent to the SWC of S. Central Avenue and W. Lincoln Street
SCE-2011	112-23-020	adjacent to the SWC of S. Central Avenue and W. Lincoln Street
SCE-2011	112-23-022	adjacent to the SWC of S. Central Avenue and W. Lincoln Street
SCE-2011	112-23-024	adjacent to the SWC of S. Central Avenue and W. Lincoln Street
SCE-2011	112-23-026A	NWC of S. Central Avenue and E. Grant Street
SCE-2011	112-23-026B	NWC of S. Central Avenue and E. Grant Street
SCE-2013, SCE 9111A	112-23-052A	SEC of Grant Street and 1st Avenue
SCE-2013, SCE 9111A	112-23-061	714 S. Central Ave.
SCE-2013, SCE 9111A	112-23-062	706 / 714 S. Central Ave.
SCE-2013, SCE 9111A	112-23-063	706 S. Central Ave.
SCE-2015	112-23-059	718 S. Central Ave.
SCE-2015	112-23-060	150' south of W. Grant Street
SCE-2016	112-23-058	722 S. Central Ave.
SCE-2017	112-24-008B	810 S. Central Ave.
SCE-2018	112-24-062B	901 S. 1st Ave.
SCE-2018	112-24-062C	901 S. 1st Ave.
SCE-2019	112-24-113	1004 S. Central Ave.
SCE-2019	112-24-114	1004 S. Central Ave.
SCE-2020, SCE-2021	112-24-110	1010 S. Central Ave.
SCE-2020, SCE-2021	112-24-111	1010 S. Central Ave.
SCE-2020, SCE-2021	112-24-112	1010 S. Central Ave.
SCE-2022	112-24-108	1020 S. Central Ave.
SCE-2022	112-24-109	1020 S. Central Ave.
SCE-2100	112-28-132	1 N. Central Ave

Project Parcel #	APN	Address / Location
SCE-2101	112-27-975	1 E. Washington St.
SCE-2102, SCE-2103	112-27-059A	10 E. Madison St.
SCE-2102, SCE-2103	112-27-060A	101 S. Central Ave.
SCE-2104	112-27-071	201 S. Central Ave.
SCE-2113	112-26-054	501 S. Central Ave.
SCE-2115	112-26-073A	90 E. Grant St.
SCE-2115	112-26-074A	90 E. Grant St.
SCE-2116	112-26-162	609 / 613 S. Central Ave.
SCE-2117	112-26-077A	617 S. Central Ave.
SCE-2117	112-26-078A	621 S. Central Ave.
SCE-2118	112-26-163	711 S. Central Ave.
SCE-2119	112-25-001	725 S. Central Ave.
SCE-2120	112-25-003	729 S. Central Ave.
SCE-2120	112-25-005	801 S. Central Ave.
SCE-2120	112-25-007	805 S. Central Ave.
SCE-2120	112-25-009	809 S. Central Ave.
SCE-2120	112-25-011	813 S. Central Ave.
SCE-2120	112-25-013	813 S. Central Ave.
SCE-2123	112-25-015	823 S. Central Ave.
SCE-2124	112-25-054C	901 S. Central Ave.
SCE-2124	112-25-058	905 S. Central Ave.
SCE-2125	112-25-060	909 S. Central Ave.
SCE-2125	112-25-062	913 S. Central Ave.
SCE-2125	112-25-064	915 S. Central Ave.
SCE-2126	112-25-066	921 S. Central Ave.
SCE-2127	112-25-084	1001 S. Central Ave.
SCE-2128	112-25-086	1005 S. Central Ave.
SCE-2129	112-25-088	1009 S. Central Ave.
SCE-2130	112-25-090	1013 S. Central Ave.
SCE-2130	112-25-092	1017 S. Central Ave.
SCE-2131	112-25-094	10 E. Buckeye Road
SCE-2131	112-25-096	10 E. Buckeye Road
SCE-2131	112-25-098	10 E. Buckeye Road
SCE-3000	112-24-163B	1112, 1114, 1118 and 1122 S. Central Ave.

Project Parcel #	APN	Address / Location
SCE-3000	112-24-163C	1112, 1114, 1118 and 1122 S. Central Ave.
SCE-3000	112-24-163D	1112, 1114, 1118 and 1122 S. Central Ave.
SCE-3000	112-24-164B	1112, 1114, 1118 and 1122 S. Central Ave.
SCE-3001	112-35-012	1202 S. Central Ave.
SCE-3001	112-35-013	1202 S. Central Ave.
SCE-3002	112-35-011A	along the west side of S. Central Avenue, 155' north of W. Yuma Street
SCE-3003	112-35-079	1220 / 1222 S. Central Ave.
SCE-3004	112-35-023	1310 S. Central
SCE-3004	112-35-024	1306 S. Central Ave.
SCE-3004	112-35-025	1302 S. Central Ave.
SCE-3005	112-35-020	1314 / 1322 S. Central Ave.
SCE-3005	112-35-021	1314 / 1322 S. Central Ave.
SCE-3005	112-35-022	1314 / 1322 S. Central Ave.
SCE-3006	112-35-078	1402 S. Central Ave.
SCE-3007	112-38-049	49 W. Pima St.
SCE-3008	112-38-050	1524 S. Central Ave.
SCE-3009	112-38-077	1600 S. Central Ave.
SCE-3010	112-38-061	1722 S. Central Ave.
SCE-3010	112-38-062	1720 S. Central Ave.
SCE-3010	112-38-063	1716 S. Central Ave.
SCE-3010	112-38-064	1712 S. Central Ave.
SCE-3010	112-38-065	1706 S. Central Ave.
SCE-3011	112-38-066	1801 S. 1st Ave.
SCE-3012	112-43-034A	1830 S. Central Ave.
SCE-3013	112-43-029B	2025 S. 1st Ave.
SCE-3013	112-43-035A	2032 S. Central Ave.
SCE-3013A	112-43-029C	2029 S. 1st Ave.
SCE-3013B	112-43-027A	102 W. Maricopa Freeway
SCE-3014	112-43-089	2202 S. Central Ave.
SCE-3015	112-43-041A	2254 S. Central Ave.
SCE-3016	112-46-009A	2410 S. Central Ave.
SCE-3100	112-34-017A	1111 S. Central Ave.

Project Parcel #	APN	Address / Location
SCE-3101	112-34-016C	111 E. Buckeye Road
SCE-3102	112-34-018D	1315 S. Central Ave.
SCE-3103	112-34-019D	1401 S. Central Ave.
SCE-3103	112-34-019G	1401 S. Central Ave.
SCE-3104	112-39-093	1637 S. Central Ave.
SCE-3104	112-39-094	1625 S. Central Ave.
SCE-3104	112-39-096B	1625 S. Central Ave.
SCE-3104	112-39-971	1613 S. Central Ave.
SCE-3105	112-39-074	1701 S. Central Ave.
SCE-3105	112-39-076	1707 S. Central Ave.
SCE-3105	112-39-078	1709 S. Central Ave.
SCE-3106	112-39-087A	1713 S. Central Ave.
SCE-3107	112-39-086	1755 S. Central Ave.
SCE-3108	112-42-001D	1831 S. Central Ave.
SCE-3109	112-42-002A	1835 S. Central Ave.
SCE-3110	112-42-005D	2125 / 2235 S. Central Ave.
SCE-3111	112-42-047A	115 E. Watkins St.
SCE-3112	112-47-002D	2439 S. Central Ave.
SCE-3112	112-47-002M	2439 S. Central Ave.
SCE-3112	112-47-002N	2439 S. Central Ave.
SCE-4000	113-01-003B	along west side of S. Central Avenue, approximately .25 mile south of W. Watkins Street
SCE-4000	113-01-005C	along west side of S. Central Avenue, approximately .40 mile south of W. Watkins Street
SCE-4000	113-01-006B	along west side of S. Central Avenue, approximately .30 mile south of W. Watkins Street
SCE-4001	113-01-008C	3209 S. 7th Ave.
SCE-4001	113-01-008D	3205 S. 7th Ave.
SCE-4002	113-03-081D	3242 S. Central Ave.
SCE-4003	113-03-081E	Along west side of Central Avenue, at E. Victory Street alignment
SCE-4003	113-03-081G	3402 S. Central Ave.
SCE-4003	113-03-082	3412 / 3418 S. Central Ave.
SCE-4003	113-03-083	3404 S. Central Ave.

Project Parcel #	APN	Address / Location
SCE-4003	113-03-087	3412 S. Central Ave.
SCE-4004	113-03-086	3418 S. Central Ave.
SCE-4005	113-03-001B	18 W. Forest Grove Ave.
SCE-4005	113-03-084A	3422 S. Central Ave.
SCE-4007	113-03-001A	3428 S. Central Ave.
SCE-4008	113-03-061	3502 S. Central Ave.
SCE-4009	113-03-062	3510 S. Central Ave.
SCE-4010	113-03-063	3512 S. Central Ave.
SCE-4011	113-03-064	3514 S. Central Ave.
SCE-4011	113-03-065	3520 S. Central Ave.
SCE-4013	113-06-074	3602 S. Central Ave.
SCE-4014	113-06-075E	3620 S. Central Ave.
SCE-4015	113-06-001A	3626 S Central Ave.
SCE-4016	113-06-017	3716 S. Central Ave.
SCE-4017	113-06-035	3802 S. Central Ave.
SCE-4018	113-06-036	3812 S. Central Ave.
SCE-4019	113-06-037	3820 S. Central Ave.
SCE-4020	113-06-038	3902 S. Central Ave.
SCE-4021	113-06-040	3906 S. Central Ave.
SCE-4022, SCE-4023	113-06-039	3906 / 3910 S. Central Ave.
SCE-4022, SCE-4023	113-06-057	3910 S. Central Ave.
SCE-4024	113-06-058	3920 S. Central Ave.
SCE-4025	113-07-086	4002 S. Central Ave.
SCE-4025	113-07-088	4006 S. Central Ave.
SCE-4026	113-07-089	4016 S. Central Ave.
SCE-4027	113-07-118	4108 S. Central Ave.
SCE-4027	113-07-119	4108 S. Central Ave.
SCE-4028	113-07-018	4118 S. Central Ave.
SCE-4029	113-07-019	10 W. Riverside St.
SCE-4030, SCE-4031	113-07-020	4122 S. Central Ave.
SCE-4030, SCE-4031	113-07-021	4208 S. Central Ave.
SCE-4030, SCE-4031	113-07-022	along west side of Central Avenue, 110' south of W. Riverside Street

Project Parcel #	APN	Address / Location
SCE-4032	113-07-122	4216 S. Central Ave.
SCE-4033	113-07-121A	4302 S. Central Ave.
SCE-4034	113-07-056C	10 W. Broadway Road
SCE-4034	113-07-123	10 W. Broadway Road
SCE-4100	113-08-002B	along east side of Central Avenue, approximately .30 mile south of W. Watkins Street
SCE-4100	113-08-002E	along east side of Central Avenue, approximately .30 mile south of W. Watkins Street
SCE-4100	113-08-002F	along east side of Central Avenue, approximately .40 mile south of W. Watkins Street
SCE-4101A	113-08-001J	along east side of Central Avenue, 165' north of E. Pioneer Street
SCE-4102	113-09-001	24 E. Pioneer St.
SCE-4103	113-09-007B	3225 S. Central Ave.
SCE-4104	113-09-008	3333 S. Central Ave.
SCE-4105	113-09-082A	5 E. Victory St.
SCE-4106	113-09-020	3411 S. Central Ave.
SCE-4107	113-09-080A	3443 S. Central Ave.
SCE-4108	113-09-079G	3443 S. Central Ave.
SCE-4109	113-09-079L	3501 S. Central Ave.
SCE-4110	113-09-079C	3443 S. Central Ave.
SCE-4110	113-09-079H	3443 S. Central Ave.
SCE-4110	113-09-079K	3443 S. Central Ave.
SCE-4111, SCE-4112	113-11-057	3601 / 3605 S. Central Ave.
SCE-4111, SCE-4112	113-11-058	3605 S. Central Ave.
SCE-4113	113-11-059	3615 S. Central Ave.
SCE-4113	113-11-060	3615 S. Central Ave.
SCE-4114	113-11-093	3701 S. Central Ave.
SCE-4115	113-11-094	3705 S. Central Ave.
SCE-4115	113-11-095	3709 S. Central Ave.
SCE-4116	113-11-096	3713 S. Central Ave.
SCE-4116	113-11-097	3713 S. Central Ave.

Project Parcel #	APN	Address / Location
SCE-4117	113-11-021	3713 / 3801 S. Central Ave.
SCE-4118	113-11-022	3901 S. Central Ave.
SCE-4119	113-11-023	3909 S. Central Ave.
SCE-4120	113-11-024	3917 S. Central Ave.
SCE-4121	113-11-001	3919 S. Central Ave.
SCE-4121	113-11-002	3923 S. Central Ave.
SCE-4121	113-11-003	3927 S. Central Ave.
SCE-4122	113-13-026	4001 S. Central Ave.
SCE-4122	113-13-027	4007 S. Central Ave.
SCE-4123	113-13-028	4009 S. Central Ave.
SCE-4124	113-13-029	4013 S. Central Ave.
SCE-4124	113-13-030	4019 S. Central Ave.
SCE-4124	113-13-031	4021 S. Central Ave.
SCE-4125	113-13-066	4101 S. Central Ave.
SCE-4126	113-13-067	4105 S. Central Ave.
SCE-4127	113-13-024	4115 S. Central Ave.
SCE-4127	113-13-068	4109 S. Central Ave.
SCE-4128	113-13-025A	4121 S. Central Ave.
SCE-4129	113-13-003	4201 S. Central Ave.
SCE-4129	113-13-004	4201 S. Central Ave.
SCE-4130	113-13-085F	4221 S. Central Ave.
SCE-4131	113-13-085H	4245 S. Central Ave.
SCE-5000	113-30-002D	4402 S. Central Ave.
SCE-5001	113-30-003A	4410 S. Central Ave.
SCE-5001	113-30-006A	4422 S. Central Ave.
SCE-5002	113-30-024	4502 S. Central Ave.
SCE-5002	113-30-025	4504 S. Central Ave.
SCE-5002	113-30-026	4506 S. Central Ave.
SCE-5003	113-30-027	4516 S. Central Ave.
SCE-5003	113-30-028	4520 S. Central Ave.
SCE-5004	113-30-056	4602 S. Central Ave.
SCE-5005	113-30-060	4616 S. Central Ave.
SCE-5006	113-30-061	4626 S. Central Ave.
SCE-5007	113-30-065	4732 S. Central Ave.
SCE-5008	113-31-044A	4810 S. Central Ave.
SCE-5009	113-31-042	4832 S. Central Ave.
SCE-5010	113-31-049A	4834 S. Central Ave.

Project Parcel #	APN	Address / Location
SCE-5011	113-31-050	4848 S. Central Ave.
SCE-5012, SCE-5014	113-31-040B	5024 S. Central Ave.
SCE-5012, SCE-5014	113-31-048	5004 S. Central Ave.
SCE-5013	113-31-046	5010 S. Central Ave.
SCE-5016	113-31-015	5040 S. Central Ave.
SCE-5017	113-31-014	5044 S. Central Ave.
SCE-5018, SCE-5109	113-31-012	5050 S. Central Ave.
SCE-5018, SCE-5109	113-31-013	5046 S. Central Ave.
SCE-5020	113-41-135A	5202 S. Central Ave.
SCE-5020	113-41-136A	5202 S. Central Ave.
SCE-5020	113-41-137	5202 S. Central Ave.
SCE-5021	113-41-139A	5220 / 5222 S. Central Ave.
SCE-5022	113-41-141	5236 S. Central Ave.
SCE-5022	113-41-142	5403 S. 1st Ave.
SCE-5022	113-41-143	5240 S. Central Ave.
SCE-5022	113-41-144	5250 S. Central Ave.
SCE-5023	113-41-028	5406 S. Central Ave.
SCE-5023	113-41-029	5402 S. Central Ave.
SCE-5024	113-41-026	5416 S. Central Ave.
SCE-5024	113-41-027	5410 S. Central Ave.
SCE-5025	113-41-024	5424 S. Central Ave.
SCE-5025	113-41-025	5420 S. Central Ave.
SCE-5026	113-41-023	5430 S. Central Ave.
SCE-5027	113-41-022	5436 S. Central Ave.
SCE-5028	113-41-021	5442 S. Central Ave.
SCE-5029	113-41-020	5448 S. Central Ave.
SCE-5030	113-40-014A	5602 S. Central Ave.
SCE-5030A	113-40-015	105 W. Sunland Ave.
SCE-5031	113-40-011B	5610 S. Central Ave.
SCE-5032	113-40-009	5644 S. Central Ave.
SCE-5032	113-40-010	5630 S. Central Ave.
SCE-5033	113-40-008	5644 S. Central Ave.
SCE-5034	113-40-029	5800 S. Central Ave.

Project Parcel #	APN	Address / Location
SCE-5035	113-40-005A	5812 S. Central Ave.
SCE-5036	113-40-006A	5814 S. Central Ave.
SCE-5037	113-40-003B	5818 S. Central Ave.
SCE-5038	113-40-004A	5818 S. Central Ave.
SCE-5039	113-40-002A	5834 S. Central Ave.
SCE-5040	113-40-001A	5850 S. Central Ave.
SCE-5100	113-33-001A	4401 S. Central Ave.
SCE-5100	113-33-002	4409 S. Central Ave.
SCE-5100	113-33-006A	4409 S. Central Ave.
SCE-5101	113-33-015D	4501 S. Central Ave.
SCE-5102	113-33-095C	4615 S. Central Ave.
SCE-5103	113-33-088A	4621 S. Central Ave.
SCE-5104	113-33-089E	4635 S. Central Ave.
SCE-5104	113-33-091	4635 S. Central Ave.
SCE-5104	113-33-096	4635 S. Central Ave.
SCE-5104	113-33-098A	4635 S. Central Ave.
SCE-5107	113-34-008	4801 S. Central Ave.
SCE-5108	113-34-018	4813 S. Central Ave.
SCE-5108	113-34-026	4624 S. 2nd St.
SCE-5109	113-34-025	4823 S. Central Ave.
SCE-5110	113-34-013	5001 S. Central Ave.
SCE-5110	113-34-015D	5001 S. Central Ave.
SCE-5111	113-34-001	5017 S. Central Ave.
SCE-5111	113-34-003	5015 S. Central Ave.
SCE-5111	113-34-004	5025 S. Central Ave.
SCE-5112	113-34-017	NEC of S. Central Avenue and E. Roeser Road
SCE-5113	113-42-032	5207 S. Central Ave.
SCE-5113	113-42-035	5207 S. Central Ave.
SCE-5114	113-42-047L	5233 S. Central Ave.
SCE-5115	113-42-034B	5239 S. Central Ave.
SCE-5116	113-42-043	5255 S. Central Ave.
SCE-5117	113-42-049A	5403 S. Central Ave.
SCE-5118	113-42-049B	5409 S. Central Ave.
SCE-5119	113-42-041R	5419 S. Central Ave.
SCE-5120	113-42-041D	5419 S. Central Ave.
SCE-5121	113-42-041S	5425 S. Central Ave.

Project Parcel #	APN	Address / Location
SCE-5122	113-42-077D	5433 S. Central Ave.
SCE-5123	113-43-037A	5609 S. Central Ave.
SCE-5123	113-43-037B	5609 S. Central Ave.
SCE-5124	113-43-043A	5615 S. Central Ave.
SCE-5125	113-43-044	5621 S. Central Ave.
SCE-5126, SCE-5127A	113-43-038	5639 S. Central Ave.
SCE-5126, SCE-5127A	113-43-040B	12 E. Hidalgo Ave.
SCE-5126, SCE-5127A	113-43-055G	5625 S. Central Ave.
SCE-5127	113-43-051	5647 S. Central Ave.
SCE-5127	113-43-052	5647 S. Central Ave.
SCE-5127	113-43-061	5647 S. Central Ave.
SCE-5127B	113-43-060	40 E. Hildago Ave.
SCE-5128	113-43-056H	5829 / 5837 S. Central Ave.
SCE-5128	113-43-056J	5817 S. Central Ave.
SCE-5128	113-43-056K	5835 S. Central Ave.
SCE-5128B	113-43-045	43 E. Hidalgo Ave.
SCE-5129	113-43-056B	5847 S. Central Ave.
SCE-6000	114-03-002E	6034 / 6060 S. Central Ave.
SCE-6001	114-03-120A	6200 S. Central Ave.
SCE-6002	114-03-120C	6240 S. Central Ave.
SCE-6003	114-06-049	6402 S. Central Ave.
SCE-6004	114-06-058	6412 S. Central Ave.
SCE-6004	114-06-062	6410 S. Central Ave.
SCE-6005	114-06-066	6416 S. Central Ave.
SCE-6006	114-06-050	6420 S. Central Ave.
SCE-6007	114-06-044	6520 S. Central Ave.
SCE-6008	114-06-043M	6600 S. Central Ave.
SCE-6009	114-06-063B	6622 S. Central Ave.
SCE-6010	114-06-063J	6648 / 6650 S. Central Ave.
SCE-6011	114-11-019	6808 S. Central Ave.
SCE-6011	114-11-020C	6810 S. Central Ave.
SCE-6013	114-11-004	6826 S. Central Ave.
SCE-6013	114-11-005	6832 / 6834 S. Central Ave.
SCE-6014	114-11-036	6840 S. Central Ave.

Project Parcel #	APN	Address / Location
SCE-6015	114-11-021D	7004 S. Central Ave.
SCE-6015	114-11-022	7014 S. Central Ave.
SCE-6016	114-11-032	7026 S. Central Ave.
SCE-6017	114-11-035	7050 S. Central Ave.
SCE-6018	114-14-001A	29 W. Fremont Road
SCE-6019	114-14-002B	7216 S. Central Ave.
SCE-6020	114-14-003	7236 S. Central Ave.
SCE-6021	114-14-004	7246 S. Central Ave.
SCE-6021	114-14-012C	7246 S. Central Ave.
SCE-6022	114-14-012B	7252 S. Central Ave.
SCE-6023	114-14-006	7424 S. Central Ave.
SCE-6023	114-14-007B	7428 S. Central Ave.
SCE-6024	114-14-008C	7436 S. Central Ave.
SCE-6025	114-14-005C	7444 S. Central Ave.
SCE-6025A	114-14-008B	14 W. Baseline Road
SCE-6025B	114-14-014C	44 W. Baseline Road
SCE-6025C, SCE-6025D	114-14-014A	48 W. Baseline Road
SCE-6025C, SCE-6025D	114-14-014D	48 W. Baseline Road
SCE-6100	114-02-077A	6005 S. Central Ave.
SCE-6101	114-02-078	6021 S. Central Ave.
SCE-6102	114-02-018A	6045 S. Central Ave.
SCE-6103	114-02-037E	6049 S. Central Ave.
SCE-6104	114-02-037F	6207 S. Central Ave.
SCE-6105	114-02-052	6217 S. Central Ave.
SCE-6106	114-02-053	6219 S. Central Ave.
SCE-6106	114-02-054A	6219 S. Central Ave.
SCE-6107	114-02-054B	6231 S. Central Ave.
SCE-6107	114-02-055	6233 S. Central Ave.
SCE-6108	114-02-056	6237 S. Central Ave.
SCE-6108	114-02-057	6241 S. Central Ave.
SCE-6108	114-02-058	6245 S. Central Ave.
SCE-6108	114-02-059	6249 S. Central Ave.
SCE-6109	114-07-102	6413 S. Central Ave.
SCE-6110	114-07-001	7 E. St. Catherine Ave.
SCE-6111	114-07-002	6427 S. Central Ave.

Project Parcel #	APN	Address / Location
SCE-6112	114-07-015B	6437 S. Central Ave.
SCE-6113	114-07-016B	6443 S. Central Ave.
SCE-6114	114-07-031	6601 S. Central Ave.
SCE-6114	114-07-032	6607 S. Central Ave.
SCE-6115	114-07-045	6611 S. Central Ave.
SCE-6115	114-07-046	6617 S. Central Ave.
SCE-6116	114-07-061	6629 S. Central Ave.
SCE-6117	114-07-062	6645 S. Central Ave.
SCE-6118	114-07-110	6651 S. Central Ave.
SCE-6119	114-10-001F	6801 S. Central Ave.
SCE-6120	114-10-001G	6807 S. Central Ave.
SCE-6121	114-10-003A	6811 S. Central Ave.
SCE-6122	114-10-006	6831 S. Central Ave.
SCE-6123	114-10-010A	6845 S. Central Ave.
SCE-6124	114-10-010B	6851 S. Central Ave.
SCE-6125	114-10-011	6901 S. Central Ave.
SCE-6126	114-10-014A	7009 S. Central Ave.
SCE-6127	114-10-015	7027 S. Central Ave.
SCE-6128	114-10-018	7035 S. Central Ave.
SCE-6130	114-16-002D	7217 S. Central Ave.
SCE-6131	114-16-002F	7227 S. Central Ave.
SCE-6132	114-16-010C	26 E. Baseline Road
SCE-6133	114-16-011G	20 E. Baseline Road
SCE-7000	300-41-100C	7602 S. Central Ave.
SCE-7001	300-41-100E	1 W. Baseline Road
SCE-7100	300-42-001	7601 S. Central Ave.
SCE-7101	300-42-014	7617 S. Central Ave.
SCE-8101	111-40-052	801 N. 1st Ave.
SCE-9000	112-21-014D	100 W. Washington St.
SCE-9001	112-22-075A	125 W. Washington St.
SCE-9002	112-22-049B	101 W. Jefferson St.
SCE-9004	112-22-002	330 S. 1st Ave.
SCE-9004A	112-22-005A	305 S. 2nd Ave.
SCE-9005	112-22-088	241 S. 2nd Ave.
SCE-9007	112-23-936A	SWC of S. 1st Avenue and W. Lincoln Street
SCE-9007	112-23-938A	502 S. 2nd Ave.

Project Parcel #	APN	Address / Location
SCE-9008	112-23-039D	610 S. 1st Ave.
SCE-9106	112-23-008A	513 S. 1st Ave.
SCE-9107, SCE-9108	112-23-009	517 S. 1st Ave.
SCE-9107, SCE-9108	112-23-010	521 S. 1st Ave.
SCE-9109	112-23-017	601 S. 1st Ave.
SCE-9109	112-23-019	adjacent to 601 S. 1st Ave.
SCE-9109	112-23-021	adjacent to 601 S. 1st Ave.
SCE-9110	112-23-023	adjacent to the NEC of S. Central Avenue and E. Grant Street
SCE-9110	112-23-025	adjacent to the NEC of S. Central Avenue and E. Grant Street
SCE-9110	112-23-027	NEC of S. Central Avenue and E. Grant Street
SCE-9112	112-23-053B	723 S. 1st Ave.
SCE-9112	112-23-054B	723 S. 1st Ave.
SCE-9112	112-23-055B	723 S. 1st Ave.
SCE-9112	112-23-056	723 S. 1st Ave.
SCE-9112	112-23-057	723 S. 1st Ave.
SCE-D001	112-30-123	95 S. 3rd St.
SCE-D002	112-30-128E	401 E. Jefferson St.
SCE-D100	112-29-090	501 E. Monroe St.
SCE-D101	112-30-127	601 E. Washington St.
SCE-E000	112-20-115	300 W. Washington St
SCE-E001	112-19-113	305 W. Washington St.
SCE-E100	112-21-087	200 W. Washington St.
SCE-E101	112-22-074A	251 W. Washington St.

Attachment B
Property Identification - NWII

City of Phoenix Light Rail Extension Project: PT00260999

Northwest Extension Phase II

The following improved and/or unimproved parcels affected by acquisition, easement, license, dedication and/or agreement and included in this request are identified by the Project Parcel #, Maricopa County Assessor's parcel number (APN) and the address or location.

Project Parcel #	APN	Address / Location
NW.2000	149-11-011C	2050 W. Dunlap Ave.
NW.2001	158-05-033G	1961 W. Dunlap Ave.
NW.2001	158-05-088	1923 W. Dunlap Ave.
NW.2001	158-05-089	1939 W. Dunlap Ave.
NW.2002	149-11-008K	2102 W. Dunlap Ave.
NW.2003	158-05-029	2149 W. Dunlap Ave.
NW.2004	149-11-043	2220 W. Mission Lane
NW.2005	158-05-037	2233 W. Dunlap Ave.
NW.2006	149-11-034C	2222 W. Dunlap Ave.
NW.2007	158-02-006A	2301 W. Dunlap Ave.
NW.2007	158-02-006D	8920 N. 23rd Ave.
NW.2008	149-12-009	9013 N. 24th Ave.
NW.2009	158-02-004	2415 W. Dunlap Ave.
NW.2009	158-02-005	2323 W. Dunlap Ave.
NW.2010	149-12-008	2440 W. Dunlap Ave.
NW.2011	158-02-014	2423 W. Dunlap Ave.
NW.2012	149-12-007B	9201 N. 25th Ave.
NW.2013	158-01-009E	2501 W. Dunlap Ave.
NW.2014	149-12-007A	2440 W. Mission Lane
NW.2015	149-12-022A	2506 W. Dunlap Ave.
NW.2016	149-09-007E	10425 N. 25th Ave.
NW.2016	149-12-004T	9625 N. 25th Ave.
NW.2017	149-12-022B	2510 W. Dunlap Ave.
NW.2018	149-09-001R	9802 N. 25th Ave.
NW.2019	Unassessed	9412 N. 25th Ave.
NW.2020	149-09-005D	9801 N. Black Canyon Highway

Project Parcel #	APN	Address / Location
NW.2021	149-12-004K	9414 N. 25th Ave.
NW.2022	149-16-083D	9825 N. Metro Parkway
NW.2023	149-12-004Q	9414 N. 25th Ave.
NW.2025	149-12-004H	9424 N. 25th Ave.
NW.2027	149-12-004G	9440 N. 25th Ave.
NW.2029	149-09-001U	9849 N. Black Canyon Highway
NW.2029	149-12-004P	9630 N. 25th Ave.
NW.2030	149-16-005A	9817 N. Metro Parkway
NW.2031	149-12-004S	9631 N. Black Canyon Highway
NW.2032	149-16-001E	9813 N. Metro Parkway
NW.2033	149-12-004R	9645 N. Black Canyon Highway
NW.2035	149-16-083C	9801 N. Metro Parkway
NW.2039	149-16-001A	9801 N. Metro Parkway



Acquisition of Real Property for Street Improvement Project along Earll Drive from 50th Place to 52nd Street (Ordinance S-46088)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain required for a street improvement project located along Earll Drive from 50th Place to 52nd Street. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Acquisition is required for construction of improvements including new Americans with Disabilities Act (ADA) accessible sidewalks, curbing, gutter and pavement. The improvements will provide pedestrian access along the south side of Earll Drive.

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

Financial Impact

Acquisition will be funded with Arizona Highway User Revenue (AHUR) funds available in the Street Transportation Department's Capital Improvement Program budget.

Location

Earll Drive from 50th Place to 52nd Street.

Council District: 6

Responsible Department

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

Attachment A
Property Identification

City of Phoenix Street Improvement Project: Acquisition of Real Property for a Street Improvement Project Along E. Earll Drive from N. 50th Place to N. 52nd Street

The following improved and/or unimproved parcels affected by acquisition and included in this request are identified by the Maricopa County Assessor's parcel number (APN) and the address or location.

APN	Address / Location
128-16-008B	5147 E. Earll Drive
128-16-008C	5137 E. Earll Drive
128-16-009A	5101 E. Earll Drive
128-16-011B	5045 E. Earll Drive
128-16-067A	5127 E. Earll Drive
128-16-068	5055 E. Earll Drive



Acquisition of Real Property Located at 1937 E. Indian School Road for Fire Station 61 (Ordinance S-46118)

Request to authorize the City Manager, or his designee, to acquire real property and related property interests at 1937 E. Indian School Road by donation, purchase within the City's appraised value, or by the power of eminent domain for Fire Station 61. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City acquired land through condemnation in 2006 for construction of Fire Station 61 located at 1935 E. Indian School Road. The acquisition excluded a 21 x 49-foot billboard site located adjacent to the existing driveway and in front of the fire station, just south of the northern property line. The billboard was relocated away from the driveway to remove the billboard obstruction to a location near the western property line. Acquisition of the original billboard site is necessary to complete the fire station site and to avoid any future improvements within this area which would interfere with operations.

The parcel affected by acquisition and included in this request is identified by Maricopa County Assessor's parcel number 119-28-135A located at 1937 E. Indian School Road.

Financial Impact

Funding for this transaction is available in the Fire Department's Operating Budget.

Location

1937 E. Indian School Road
Council District: 4

Responsible Department

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



Acquisition of Real Property for Roadway Improvements Along 43rd Avenue Between McDowell Road and the Grand Canal and Dedication of Public Use for Right-of-Way (Ordinance S-46095)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests by donation or purchase within the City's appraised value, or by the power of eminent domain, for roadway improvements along 43rd Avenue between McDowell Road and the Grand Canal. Further request authorization to dedicate land with roadway and public improvements to public use for right-of-way purposes via separate recording instrument. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Acquisition is required to construct improvements to enhance the roadway and pedestrian conditions. The improvements include new sidewalks to meet Americans with Disability Act (ADA) requirements, curbs, gutters, bike lanes, traffic signals, street lights, and pavement. A High-Intensity Activated Crosswalk (HAWK) signal will be installed at the Grand Canal. The roadway improvements are part of two smaller projects, McDowell Road to Virginia Avenue, identified by ST85100408-1, and Virginia Avenue to the Grand Canal, identified by ST85100410-1.

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

Financial Impact

T2050 funding is available in the Street Transportation Department's Capital Improvement Program budget.

Location

43rd Avenue between McDowell Road and the Grand Canal.
Council District: 4

Responsible Department

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

Attachment A Property Identification

City of Phoenix Street Improvement Project: Acquisition of Real Property for Roadway Improvements Along 43rd Avenue, Between McDowell Road and the Grand Canal

The following improved and/or unimproved parcels affected by acquisition and included in this request are identified by the Project WBS #, Maricopa County Assessor's parcel number (APN) and the address or location.

Project WBS #	APN	Address / Location
ST85100408-1	103-22-005H	2627 N. 45th Ave.
ST85100408-1	103-22-007Q	2830 N. 43rd Ave.
ST85100408-1	103-22-007R	2840 N. 43rd Ave.
ST85100408-1	103-22-007S	4343 W. Thomas Road
ST85100408-1	103-22-007T	4301 W. Thomas Road
ST85100408-1	103-22-007U	2848 N. 43rd Ave.
ST85100408-1	103-22-485	2750 N. 43rd Ave.
ST85100408-1	107-38-127B	4286 W. Thomas Road
ST85100408-1	107-38-127M	2911 N. 43rd Ave.
ST85100408-1	107-38-128	4296 W. Thomas Road
ST85100408-1	107-43-110A	4302 W. Thomas Road
ST85100408-1	107-43-110L	4326 W. Thomas Road
ST85100408-1	108-12-005	4275 W. Thomas Road
ST85100408-1	108-12-006	4245 W. Thomas Road
ST85100410-1	103-21-001P	4326 W. McDowell Rd.
ST85100410-1	103-21-001T	1844 N. 43rd Ave.
ST85100410-1	103-21-001V	1616 N. 43rd Ave.
ST85100410-1	103-21-001W	1702 N. 43rd Ave.
ST85100410-1	103-21-278	4302 W. McDowell Rd.
ST85100410-1	103-21-279	4314 W. McDowell Rd.
ST85100410-1	103-34-001E	4315 W. McDowell Rd.
ST85100410-1	103-34-001F	along the west side of N. 43rd Avenue, approximately 200' south of W. McDowell Road
ST85100410-1	103-34-001J	1520 N. 43rd Ave.
ST85100410-1	103-34-001K	4301 W. McDowell Rd.

Project WBS #	APN	Address / Location
ST85100410-1	103-34-035	1450 N. 43rd Ave.
ST85100410-1	103-34-037	1350 N. 43rd Ave.
ST85100410-1	106-27-001S	4401 W. McDowell Rd.
ST85100410-1	106-27-001W	4239 W. McDowell Rd.
ST85100410-1	106-27-001X	1501 N. 43rd Ave.
ST85100410-1	106-27-003	1525 N. 43rd Ave.
ST85100410-1	106-29-080	4259 W. McDowell Rd.
ST85100410-1	108-21-002R	4230 W. McDowell Rd.
ST85100410-1	108-21-002S	northeast corner of N. 43rd Avenue and W. McDowell Road



Planning, Zoning, Plan Review, and Permitting Application - RFP 19-019 - Requirements Contract (Ordinance S-46102)

Request to authorize the City Manager, or his designee, to enter into a contract with Accenture, LLP (or its City-approved designee) to provide new planning, zoning, plan review, permitting and inspections application software; and to enter into a contract to purchase software licenses from Carahsoft Technology Corporation (or its City-approved designee) through the State of Utah's National Association of State Procurement Officials (NASPO) Master Agreement AR2472 along with State of Arizona Participating Addendum CTR046098 for the Planning and Development Department (PDD). The aggregate contract value shall not exceed \$31.6 million. Further request the City Controller to disburse all funds related to this item.

Summary

The Kiva application tracks development citywide, including Plan Review, Inspections, Permitting and Historic Preservation activity. Planweb is a separate application that tracks planning, rezoning and zoning adjustment activity. Kiva and Planweb support over 400 PDD staff responsible for all zoning and permitting in the City of Phoenix. Activity supported last fiscal year included nearly 118,000 visitors to the Development Center, over 44,000 permits, 260,000 inspections, and \$4.7 billion in total construction permit valuation last fiscal year. Kiva is also used by other City departments including Fire, Water Services and Street Transportation. There are approximately 800 City staff who use or access Kiva as part of their work activities.

Kiva is more than 25 years old, while Planweb is over 15 years old and both have no vendor support and have been highly customized over time. Additional applications have been developed to compliment the core applications. Support for Kiva and Planweb is provided in-house by PDD staff. There is no integration between Kiva and Planweb, requiring dual entries and resulting in inefficiencies in business processes. Ensuring availability and security of these old customized applications has become more difficult over time. In addition, it is challenging to modify old applications to implement process improvements and respond to changes in customer and constituent demands.

These contracts will support the SHAPE PHX Project and will replace the PDD land management applications, including Kiva, PlanWeb, and other supporting applications. This multi-year project will consolidate existing applications into one modern enterprise system that provides a single source for land management information. The new system will result in improved data quality, a better performing, fully supported and secure business application, opportunities to streamline processes and ability to quickly adapt to changes. In addition, the proposed system offers scalability to potentially support business processes in other City departments (i.e. business licensing, zoning code enforcement), integrates with existing City systems (financials, Geographic Information Systems), and reduces the number of independent systems PDD currently supports. Modern systems also provide more transparent and timely access to information to residents, development professionals, and other external customers. The project includes a significantly improved easy to use self-service portal, enhanced Electronic Plan Review, and supports availability of more information through My Community Map and other internet applications not possible under the current system.

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

Procurement Information

RFP 19-019 was conducted in accordance with Administrative Regulation 3.10. PDD also secured the services of Gartner Consulting, to provide ongoing professional services throughout the procurement process, including but not limited to: assistance with scope of work, business and technical requirements development; high level analysis of vendor proposals; support during vendor evaluation and selection process; assistance with negotiation strategy; and implementation of project deliverables. The procurement allowed offers the option to propose either an on-premise solution or Software as a Service (SaaS) deployment model as a response to the solicitation. Eleven offers were received by the Procurement Division on Dec. 14, 2018.

An evaluation committee comprised of five voting members and eleven subject matter experts who participated in two eight-hour moderated review sessions to determine a consensus score for each criterion. The offers were evaluated based on the following criteria: Requirements - Functional and Technical (300 points), Implementation Services (250 points), Infrastructure, Support and Maintenance (200 points), Experience and Qualifications (150 points), and Price (100 points). The evaluation committee determined that three firms were within the competitive range and those firms were invited to participate in demonstrations. After demonstrations, the evaluation committee reached consensus to move forward with the Best and Final Offer (BAFO) process. The offerors and their final scores are as follows:

Accenture LLP (SaaS): 729.9 points
Computronix (SaaS): 653.7 points
Computronix (On-Premise): 642.5 points
GCOM (SaaS): 421.6 points
GCOM (On-Premise): 407.9 points

The evaluation committee recommended awarding a contract to Accenture, LLP; which includes an option to purchase the following required software licenses from Carahsoft Technology Corporation:

- BasicGov: Application will manage all licensing, permitting, planning and inspection functions.
- F-Secure: Application will provide virus and malware scanning application for files/documents/attachments that users upload into Salesforce.
- Glance: Application which allows for co-browsing so support personnel can troubleshoot/provide guidance with customers.
- Skedulo: Application will provide mobile scheduling and workload management application for inspectors, works inside Salesforce.
- Whatfix: Application will provide interactive and guided help application for customer portal users.

The Planning and Development Director and Deputy Finance Director recommend the offer from Accenture, LLP be accepted as the highest scored, responsive and responsible offeror that is most advantageous to the City. It is also recommended that City Council approve an exception to the limitation of liability provision in City Code 42-18 (A) and (B) to reflect the liability will be no more than three times the contract value.

The Deputy Finance Director further recommends the purchase of the software licenses required for implementation and ongoing maintenance activities from Carahsoft Technology Corporation, through the State of Utah/ NASPO Master Agreement, along with State of Arizona Participating Addendum. In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, chapter 43. The State of Utah contract was awarded on Oct. 13, 2016. It is also recommended that City Council approve an exception to the limitation of liability provision in City Code 42-18 (A) and (B) to reflect the liability will be no more than three times the contract value.

Contract Term

The seven-year contract term shall begin on or about Nov. 1, 2019.

Financial Impact

Expenditures for these contracts shall not exceed \$31.6 million (including applicable taxes), which includes one-time costs of \$109,150, implementation and hosting costs of \$19,890,850, and software licensing fees of \$11.6 million. The contracts will be funded through the Development Services Fund.

Concurrence/Previous Council Action

On Jan. 24, 2018, Council action authorized the creation of 5.5 additional full-time equivalent (FTE) positions within the Planning and Development Department to establish a team dedicated to the SHAPE Phoenix project; which included the replacement of the planning, zoning, plan review, and permitting application.

This item was recommended for approval at the Transportation, Infrastructure and Innovation Subcommittee meeting on Oct. 2, 2019, by a vote of 3-0.

Responsible Department

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



Maintenance and Repair of Truck, Cylinder and Other Industrial Scales - Requirements Contract (Ordinance S-46106)

Request to authorize the City Manager, or his designee, to enter into a contract with Southwestern Scale Company, Inc., to provide maintenance and repair of truck, cylinder and other industrial scales used by the Public Works and Water Services departments, in an amount not to exceed \$936,000 over five years, or approximately \$187,200 annually. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department Solid Waste Diversion and Disposal Division uses this service to replace and repair the scales used at two City-owned transfer stations and open landfill as needed to ensure operations does not face impacts. Working scales are imperative to operations, as all transactions inbound must be weighed to ensure proper billing is conducted. The Water Services Department Wastewater Treatment Division and Water Production Division requires a contractor to repair and calibrate truck scales for regulatory compliance at several Wastewater Treatment Plants and several Water Treatment Plants. The vendor is paid by the weight of the haul, so it is extremely important the truck scales at every location are accurate and in good repair.

Procurement Information

IFB 19-115 was conducted in accordance with Administrative Regulation 3.10. There was one offer received by the Procurement Division on Aug. 30, 2019. The bid was evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required goods and/or services. The bid received by Southwestern Scale Company, Inc. is deemed to be fair and reasonable based on the market.

Contract Term

The five-year contract period for this vendor will begin Nov. 1, 2019.

Financial Impact

The aggregate five-year contract value shall not exceed \$936,000, or approximately \$187,200 annually. The contract value is based on historical spend. Funds are

available in the Public Works and Water Services department's budgets.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Finance, Public Works and Water Services departments.



Ordinance Authorizing the Issuance of Obligations to Finance Airport Improvements (Ordinance S-46107)

An ordinance authorizing the City Manager, or his designee, to cause the issuance no more than \$180 million of obligations of or by a municipal property corporation or by a private leasing company as short-term and/or long-term obligations and to issue long-term obligations to refund short-term obligations, including execution and delivery of all leases and other agreements necessary or appropriate for the financing of costs of expanding and improving airport facilities of the City and to refund currently outstanding obligations issued for such purposes and in each case, related financing costs; and authorizing the City Controller to expend all necessary funds therefor.

The issuance of the bonds to finance Aviation projects will free up cash that was allocated for such projects in order to pay down nearly all of Aviation's City of Phoenix Employee Retirement System (COPERS) net pension liability, thus reducing the airport's operating expenditures.

Summary

The City plans to issue obligations this fall to fund various airport improvements related to the Comprehensive Asset Management Plan as presented at the City Council Policy Meeting on June 11, 2019. As part of the financial planning process, the Finance and Aviation departments evaluated the possibility of issuing an additional amount, not to exceed \$180 million, to fund aviation projects that were originally budgeted to use pay-as-you-go funds. By issuing an additional \$180 million in obligations, the City would be able to use the pay-as-you-go funds to pay down Aviation's portion of the COPERS net pension liability of approximately \$184 million. This trades one type of debt obligation for another and will only be implemented if there are no negative financial or operational impacts to the enterprise funds. This would help the City's overall financial position and will reduce expenses to the airport.

This methodology is part of the pension strategy approved by City Council on May 15, 2019 and demonstrates the City is resolute in solving pension liability issues. The City needs to continue to find ways to decrease the liability while still providing budget flexibility allowing the City to provide necessary services to its citizens. The City has always and will continue to pay 100% of the annual required contribution for the

pension systems, has established a Pension Reserve Fund, and is actively monitoring changes in the financial stability of the system. As with all pension systems, this is a long-term issue and solutions from pension reform will take time to eventually ease financial burdens.

Financial Impact

It is estimated that this could save the Aviation Enterprise Fund approximately \$700,000 to \$1 million per year depending on the financial markets and will increase the funded percentage of COPERS from 60.82 percent to 63.84 percent.

Responsible Department

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



Occupational Medical Services Contract (Ordinance S-46114)

Request to authorize the City Manager, or his designee, to enter into a contract with Occupational Health Centers of the Southwest, P.A. dba Concentra Medical Centers, to provide occupational medical services. Further request authorization for the City Controller to disburse all funds related to this item over the life of the contract, as necessary. The annual projected cost for Occupational Medical Services per year will not exceed \$1.7 million.

Summary

A Request for Proposals (RFP) for occupational medical services was conducted in accordance with Administrative Regulation 3.10. Occupational medical services, the majority of which are legally mandated, are necessary to continue providing medical treatment to City employees who are injured in the performance of their duties. Other services include medical examinations and tests to evaluate the physiological ability of employees to perform the essential functions of their positions safely.

Procurement Results

An RFP for Occupational Medical Services was issued on Aug. 26, 2019, with a deadline of Sept. 16, 2019, to submit responses. In addition to the solicitation post on the City of Phoenix website, the RFP was advertised in the Record Reporter and Arizona Business Gazette publications, and direct email notifications were sent to vendors who submitted in the past, vendors who stated their interest, and vendors who requested information from the Human Resources Department.

Two proposals were received, Occupational Health Centers of the Southwest, P.A. dba Concentra Medical Centers and Banner Occupational Health Clinics; however, Banner Occupational Health Clinics was found non-responsive for submitting an incomplete offer. Therefore, only Concentra Medical Centers was evaluated by the RFP selection committee which comprised of one Human Resources Department employee, one Street Transportation Department - HR employee, one representative of LIUNA 777, and one representative of PLEA.

The RFP selection committee met on Sept. 24, 2019, to review and evaluate the proposal. To ensure RFP responsiveness, the committee participated in consensus

scoring of the written proposal based on the following criteria as outlined in the RFP: overall cost, staffing, experience with public employers, qualifications and availability, number of locations (including a 24-hour facility), and longevity and commitment to local market. Concentra Medical Centers received a consensus score of 950 out of 1000 possible points.

Contract Term

The initial contract term will be three years, effective on about Oct. 26, 2019, with the option to renew for two additional years in one-year increments, which may be exercised by the City Manager or his designee.

Financial Impact

Funding for this contract is available in the Operating Budget for occupational physicals/testing and the Workers' Compensation Program Trust Account for workers' compensation claims medical expenses. The annual projected cost for Occupational Medical Services per year will not exceed \$1.7 million.

Responsible Department

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



Authorization to Apply for Grant Funding to Purchase Security Cameras (Ordinance S-46108)

Request authorization for the Phoenix Municipal Court to apply for grant funding in an amount not to exceed \$150,000 from the Arizona Supreme Court administered Judicial Collection Enhancement Fund (JCEF) to purchase security cameras for the Phoenix Municipal Court. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Phoenix Municipal Court is seeking grant funding to purchase 98 cameras to upgrade current analog cameras to digital. This will ensure the Court's security camera system, which monitors our courtrooms, customer service and in-custody transport areas, can meet industry standards. The upgrade will improve overall video quality which will benefit both the Court and the City of Phoenix's Central Monitoring Unit who monitor our access control and alarm systems when the Court is not open for business.

Financial Impact

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

Responsible Department

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



Residential Moving Services Contract for Housing Department (Ordinance S-46094)

Request to authorize the City Manager, or his designee, to enter into a contract with Dose Moving Delivery Staging, LLC to provide residential relocation moving services at City-owned properties on an as-needed basis for the Housing Department. Further request authorization for the City Controller to disburse all funds related to this item. This contract is funded with U.S. Department of Housing and Urban Development (HUD) funds. There is no impact to the General Fund. The aggregate contract value will not exceed \$300,000.

Summary

The contractor will provide relocation moving services for our Public Housing, Rental Assistance Demonstration, Choice Neighborhoods and Scattered Sites. The contractor will work with the individual resident to provide packing, transportation, unloading services, and attend City's community meeting(s) about their scheduling. The contractor shall maintain equipment, communication and labor to efficiently perform these services.

Procurement Information

Solicitation was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Housing Management Services Division on Aug. 27, 2019. The offer was evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offer submitted by Dose Moving Delivery Staging, LLC is deemed to be fair and reasonable based on the market and previous contract pricing.

The Housing Department Director recommends Dose Moving Delivery Staging, LLC for award.

Contract Term

The five-year contract term will begin on Jan. 1, 2020 and end on Dec. 31, 2024, with no options to extend.

Financial Impact

The aggregate contract value will not exceed \$300,000. This contract is funded with U.S. Department of Housing and Urban Development (HUD) funds. There is no impact to the General Fund.

Responsible Department

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



Housing Department Plumbing and Rooter Services Contracts (Commercial and Residential) - Federally Funded (Ordinance S-46096)

Request to authorize the City Manager, or his designee, to enter into contracts with Adobe Energy Management, Hernandez Companies and Nu Flow Services of Phoenix to provide plumbing services at the Housing Department's scattered sites and public housing properties. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$1,237,700. There is no impact to the General Fund.

Summary

Contractors will provide various water lines, natural gas lines, and ancillary services that include rooters and drains, vent systems, cameras, leak detectors and locators. Contractors will install and service all fixtures, materials and fittings in their final position in accordance with manufacturer specifications and as directed by City personnel. All plumbing, natural gas, and camera work will comply with all Phoenix Building Code, permits, regulations and statutes.

Procurement Information

Invitation for Bid FY20-086-01 was conducted in accordance with Administrative Regulation 3.10. Three offers were received by Housing Management Services Division on Aug. 27, 2019. Offers were evaluated and the award recommendation are for the lowest cost to the 35 line items. Multiple awards are recommended to meet volume requirements and the wide variety of needs outlined in the solicitation. City personnel will select the most cost effective services available at the time of purchase.

Nu Flow Services of Phoenix: \$46,453.25

Hernandez Companies: \$135,403

Adobe Energy Management: \$137,656

The Housing Department Director recommends that the offers of Adobe Energy Management, Hernandez Companies and Nu Flow Services of Phoenix, be accepted as the lowest priced, responsive and responsible offers.

Contract Term

The five-year contract term will begin on Jan. 1, 2020 and end on Dec. 31, 2024, with no options to extend.

Financial Impact

The aggregate contract value will not exceed \$1,237,700 (including applicable taxes). This contract is funded with U.S. Department of Housing and Urban Development (HUD) funds. There is no impact to the General Fund.

Responsible Department

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



**Request Authorization to Amend Contract with ISS Facility Services, Inc.
(Ordinance S-46090)**

Request to authorize the City Manager, or his designee, to amend Contract 144490 with ISS Facility Services, Inc. to increase annual funding from \$219,864 to \$238,772.30 for an aggregate amount not to exceed \$1,156,044.90 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item for the remaining contract period.

Summary

The City executed a contract with ISS Facility Services, Inc. on Jan. 25, 2017, to provide custodial services to 13 Human Services Department locations. The amendment is necessary because ISS Facility Services, Inc. has requested an 8.6 percent cost of living increase which was evaluated by staff and deemed appropriate.

Additional funds in the amount of \$18,908.30 annually are being added as a cost of living increase for the remaining three years of the contract for an increase in the aggregate amount of \$56,724.90.

Procurement Information

A formal Invitation for Bid was conducted and ISS Facility Services, Inc. was awarded the contract.

Contract Term

The contract began March 1, 2017 and terminates on Feb. 28, 2022, with no options to renew.

Financial Impact

The annual expenditure will be \$238,772.30, with an aggregate amount not to exceed \$1,156,044.90 over the life of the contract. Funds are available in the Human Services Department's budget.

Concurrence/Previous Council Action

City Council approved the contract with ISS Facility Services Inc. on Jan. 25, 2017 (Ordinance S-43168).

Responsible Department

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



*****ADDITIONAL INFORMATION (SEE ATTACHED MEMO)*** Unsolicited Development Proposal for City-Owned Property Located at 1515 E. Indian School Road**

Request to authorize the City Manager, or his designee, to deny an unsolicited development proposal for the City-owned property located at 1515 E. Indian School Road, and request staff to explore the potential of an annual lease option for 1515 E. Indian School Road.

Summary

On Dec. 13, 2017, the City Council authorized the City Manager to implement a policy to allow developers to submit unsolicited proposals for City-owned parcels for which the City had not announced its intention to issue a solicitation. The City's Unsolicited Development Proposal Policy, Procedure, and Submittal Instructions have been posted on the City's website at <https://www.phoenix.gov/econdev/unsolicited-proposal>.

When an unsolicited development proposal is received, City staff conduct due diligence research and present the proposal concept and research before the applicable City Council Subcommittee and Formal Council. If directed by City Council to compete an unsolicited development proposal, staff follow the Unsolicited Development Proposal Procedure to conduct a competitive and transparent process.

The City's Solicitation Transparency Policy was triggered when a proposal, along with the required non-refundable review fee of \$7,500, was submitted on July 16, 2018 by CSDCPC Self-Development, LLC, a wholly owned subsidiary of Charter Schools Development Corporation, and applies to all its partners, representatives and affiliates.

Property Information

This City-owned property is located between 16th Street and the Longview Neighborhood Recreation Center, adjacent to the Grand Canal Trail with Arizona State Route 51 (SR 51) in close proximity. The site was previously improved into a parking lot and utilized by students and faculty of the former High-Tech Institute. The development of this site was permitted pursuant to Contract 52380, authorized by Ordinance S-19339 and amended by Ordinance S-18376.

Overview of Proposal

The unsolicited development proposal seeks to utilize the property in its current condition for additional parent and staff parking, and a second recreational area.

Due Diligence Research

Per the Unsolicited Development Proposal Policy, staff reviewed the unsolicited development proposal submitted by CSDCPC Self-Development, LLC to determine compliance with the Unsolicited Development Proposal Submittal Instructions, ordered an appraisal, and researched possible restrictions that may limit the City's options for disposing of and or developing the property.

Appraisal

The subject property had an appraisal completed on Dec. 6, 2018, which was certified on Dec. 27, 2018 with a value of \$672,000.

Economic Development Information

Community and Economic Development staff provided information about renewal occurring along the Indian School corridor. This corridor has experienced significant investment, including the expansion and remodel of the VA Healthcare System, improvements to Longview Park, the Grand Canalscape, and a major project located at the northeast corner of Central Avenue and Indian School Road, known as Central Park. Additionally, the close access to the SR 51 puts this site one stop away from the Phoenix Children's Hospital to the south and the Biltmore area to the north. Staff recommends not moving forward with a solicitation at this time but waiting until projects underway are closer to completion before identifying the property's potential highest and best use.

Financial Impact

The review fees received with this proposal were used to conduct the necessary due diligence, including appraisal and environmental reviews.

Public Outreach

Staff held two community meetings on March 12 and May 9, 2019 at the Longview Recreation Center where residents and businesses located within the Longview Neighborhood Initiative Area were invited to attend. Both community meetings were held to explain the unsolicited development proposal process, provide information about the City-owned property, and solicit general feedback regarding a potential solicitation of this property. The community expressed an interest in development that would increase property values, provide the City with appropriate return on value, reduce blight around the vacant parcel, and maintain the character of the area.

Concurrence/Previous Council Action

This item was recommended for approval as amended by the Land Use and Livability Subcommittee at the Sept. 24, 2019 meeting by a vote of 4-0.

Location

1515 E. Indian School Road
Council District: 4

Responsible Department

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



City of Phoenix

NEIGHBORHOOD SERVICES
DEPARTMENT

To: Mario Paniagua
Deputy City Manager

Date: October 14, 2019

From: Spencer J. Self
Neighborhood Services Director

Subject: CLARIFICATION TO ITEM 52 ON THE OCTOBER 16, 2019 FORMAL
AGENDA – UNSOLICITED DEVELOPMENT PROPOSAL FOR CITY-OWNED
PROPERTY LOCATED AT 1515 E. INDIAN SCHOOL ROAD

The purpose of this memo is to provide clarification of the September 24, 2019 Land Use and Livability Subcommittee recommendation to approve Item 52, Unsolicited Development Proposal for City Owned Property Located at 1515 E. Indian School Road, as amended.

The Land Use and Livability Subcommittee approved staff's recommendation, to recommend City Council deny the unsolicited development proposal, with an amendment to direct staff to explore whether there was interest in a year-to-year lease, which would include the responsibility of maintaining the parcel. Additionally, the subcommittee requested staff consider parking lot lighting in that process.

Approved: Mario Paniagua
Mario Paniagua, Deputy City Manager



Recommendation to Rescind Bid Award to Cirilian, Inc. and Approve Contract with Active Network, LLC for Recreation Management System for Parks and Recreation Department

Request to authorize the City Manager, or his designee, to rescind the bid award RFP PKS16-10116(SS) to Cirilian, Inc. dba Rec1; and approve a contract with Active Network, LLC, to provide technology products and services for a parks and recreation management system for the Parks and Recreation Department. There is no General Fund expenditure, as the software operates on a transaction fee model.

Summary

The City Council awarded RFP PKS16-10116(SS) to Cirilian, Inc. dba Rec1 (Rec1) on March 1, 2017, for the purpose of providing recreation management software that would allow the public to register for programs, reserve facilities and manage user memberships.

Between April and June 2017, staff engaged in discussions with Rec1 to gain a full understanding of their system's functionality and to negotiate and structure the contract scope of work and deliverables. After four months of discussions, the parties determined Rec1 could not meet the City's technical and business needs. On July 10, 2017, Rec1 sent a letter to the City withdrawing from the process.

In August 2017, a letter was sent to the second highest bidder, USeDirect, requesting a revised cost proposal. Over the ensuing two months during meetings and communication with USeDirect, it was determined the USeDirect system, as proposed, could not meet the City's business needs.

In November 2017, discussions commenced with the third highest bidder: Active Network, LLC.

In August 2018, the City executed a Technology Products and Services Agreement with Active Network, LLC, to provide the recreation management system.

Procurement Information

RFP PKS16-10116(SS) was conducted in accordance with Administrative Regulation

3.10 requirements. However, because of the difficulties in obtaining the services that would comply with the City's needs from the responsive bidders, the original award was never rescinded by the City Council; nor was the eventual successful bidder formally awarded the contract by the City Council.

Contract Term

The contract term is for five years, retroactively effective on Aug. 21, 2018, with a five-year renewal option.

Financial Impact

There is no General Fund expenditure, as the software operates on a transaction fee model. The cost to operate the system is paid for by the transaction fees generated from activities, program registration, field allocations, point of sale and facility rentals.

Responsible Department

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



Phoenix Business and Workforce Development Board Consulting Services Contract Award (RFP-CED19-LBC) (Ordinance S-46097)

Request to authorize the City Manager, or his designee, to enter into a contract with Sheila Murphy, LLC, or its City-approved designee, to prepare the Phoenix Business and Workforce Development Board's 2020-23 Strategic Plan and the 2020-24 Local Workforce Development Area Plan (Local Plan). Further request for the City Controller to disburse up to \$106,750 associated with this contract. There is no impact to the General Fund.

Summary

The Phoenix Business and Workforce Development Board (PBWDB or Board) is a local workforce development board established by federal law in the Workforce Innovation and Opportunity Act (WIOA). The Board, in partnership with the Mayor's Office, is a collaboration of local business, education, and community-based partners working to address and solve workforce and economic development issues in the greater Phoenix community by actively engaging the local workforce development system and stakeholders. The successful proposer will lead the Board through a long-range planning process for both the Strategic Plan and the Local Plan, which are required by WIOA and the State of Arizona, respectively.

Procurement Information

RFP-CED19-LBC, Local Board Consulting Services, was issued on July 1, 2019 and conducted in compliance with Administrative Regulation 3.10. Three proposals were received, one of which was deemed non-responsive. A panel evaluated the responsive proposals based on:

- Primary Consultant's Qualifications and Experience (0-275 points)
- Approach to Scope of Work (0-250 points)
- Proposer's Qualifications and Experience (0-250 points)
- Fees (0-225 points)

The evaluation results are listed below:

- Sheila Murphy, LLC: 875 points
- Thomas P. Miller & Associates, LLC: 700 points

Staff recommends the Sheila Murphy, LLC proposal as the highest-scored, responsive, and responsible proposal that is most advantageous to the City.

Contract Term

The two-year contract will begin on or about Nov. 1, 2019, with two one-year renewal options.

Financial Impact

The aggregate value of the contract, including renewal options, shall not exceed \$106,750. There is no impact to the General Fund; WIOA grant funds will be used to pay for these services.

Concurrence/Previous Council Action

This item was approved by the PBWDB at its Oct. 10, 2019 meeting.

Responsible Department

This item is submitted by Assistant City Manager Deanna Jonovich and the



Development Agreement with Legacy Sports Arena, LLC for Public Infrastructure Reimbursements (Ordinance S-46109)

Request to authorize the City Manager, or his designee, to enter into a development agreement, and to execute any other instruments or documents as necessary, with Legacy Sports Arena, LLC (Developer), or its City-approved designee, to reimburse certain public infrastructure improvements related to the development of a privately-funded amateur sports arena and hotel. Also request authorization for the City Controller to disburse up to \$800,000 as reimbursement to the Developer for public infrastructure improvements. Funding is available in the Strategic Economic Development Fund.

Summary

Legacy Sports Arena, LLC (Developer) proposes to develop an approximately 171,000-square-foot amateur sports arena and 58,700-square-foot hotel on a vacant 20-acre parcel where Bronco Butte Trail presently ends, just west of North Valley Parkway. The arena will accommodate approximately 1,500 spectators (but in no event more than 6,000 spectators sitting/standing combined) with two regulation-sized ice rinks, five each volleyball and basketball courts, as well as retail and restaurant amenities. The hotel is expected to have 88 rooms.

The arena is planned to accommodate other activities as well, from soccer to pickleball, and will provide a variety of amenities to both athletes and spectators. The hotel is planned to cater to local visitors, business travelers, and athletes and their families participating in tournaments, sports camps and other special events at the arena.

This project will create hundreds of jobs and attract thousands of visitors while generating new public revenues and providing amenities for Phoenixians. To accommodate these new jobs and visitors, new public infrastructure improvements will be required, including extending Bronco Butte Trail through the site.

Under the proposed development agreement, the Developer will be required to design and construct the arena, hotel and public infrastructure improvements to the City's standards and in compliance with all applicable laws, including Arizona Revised

Statutes Title 34 for the public infrastructure improvements. After the public infrastructure improvements are completed by the Developer, and the City approves and accepts such improvements, then the City would reimburse the developer up to \$80,000 annually for up to 10 years. The total reimbursement will not exceed the actual costs of the public infrastructure improvements or \$800,000, whichever is less. The development agreement shall contain other terms and conditions as determined by City staff.

Public infrastructure improvements eligible for reimbursement include street and roundabout improvements along Bronco Butte Trail in existing or future rights-of-way granted to, and owned by the City relating to the project, which may include street lighting, landscaping, sidewalks and similar improvements. These public improvements will not only serve the project, but will also benefit the surrounding area, including both existing development and developable land, resulting in enhanced opportunities for economic development and efficient traffic flow meeting current City standards.

The project will have a significant economic impact including an estimated direct tax revenue to the City of approximately \$5.2 million over the first 10 years, and \$20.5 million for all taxing jurisdictions.

Contract Term

The term of the agreement will be for up to 10 years, with no extension options.

Financial Impact

The City will reimburse the Developer for the construction of eligible public infrastructure improvements in an amount not to exceed \$80,000 annually for up to 10 years, not to exceed \$800,000 total. City reimbursements would only occur after the City approves and accepts such public infrastructure improvements. Funding is available in the Strategic Economic Development Fund.

Concurrence/Previous Council Action

This item was recommended for approval by the Workforce and Economic Development Subcommittee at the Sept. 25, 2019 meeting by a vote of 4-0.

Location

Bronco Butte Trail from North Valley Parkway west to and through the project site at 2727 W. Bronco Butte Trail.

Council District: 2

Responsible Department

This item is submitted by Assistant City Manager Deanna Jonovich, Deputy City

Manager Mario Paniagua, and the Street Transportation and Community and Economic Development departments.



Fiscal Year 2019-20 Bioscience Healthcare Strategic Initiative (Ordinance S-46111)

Request to authorize the City Manager, or his designee, to implement the Bioscience Healthcare Strategic Initiative, including authorization of an Arizona Bioindustry Association (AZBio) membership and participation at the BIO International Convention in 2020. Also, request authorization for the City Treasurer to accept funds from the City's BIO Convention partners to help offset costs associated with the 2020 Convention expenses, and for the City Controller to disburse funds associated with this request. There is no impact to the General Fund. Funding to participate with AZBio and BIO International is available in the Genomics Facilities and Operations Fund, with the request not to exceed \$90,000 total for the membership and convention efforts.

Summary

Phoenix has grown to be a hub of bioscience activity in the Southwestern United States. Much of this success is due to Phoenix's world-class medical centers, innovative research institutions, pro-business environment, a growing educated population, dedicated universities and spirit of entrepreneurship. In order to build upon those strengths, staff is continuing to implement a strategic plan introduced in 2018 designed to grow, strengthen and sustain a healthy bioscience industry. Since the launch of this effort, there has been an acceleration of investment and growth in the industry in Phoenix. Over the next two years, more than \$3 billion will be invested in new and expanded bioscience and healthcare facilities, and more than four million square feet of space will be added for discovery, development and care delivery creating more than 7,000 jobs for Phoenix residents.

Staff has focused its economic development efforts in the areas of research, development, precision medicine, healthcare delivery, health-tech and education. Focusing on these areas strengthens and solidifies Phoenix as a leader in the nation's bioscience healthcare industry. The Community and Economic Development Department (CEDD) will continue to ensure that there is a world-class real estate inventory that meets the unique needs of bioscience companies. This commitment includes support of the downtown Phoenix Biomedical Campus (PBC) and the Arizona Biomedical Corridor in North Phoenix, in addition to other submarkets within the City. Specifically, CEDD has been working closely with Arizona State University (ASU) and

its development partner, Wexford Science & Technology, to bring prospective tenants to the planned first phase development on the PBC north of Fillmore. ASU will be a major tenant in the building along with the expansion of the Center for Entrepreneurial Innovation with its new LabForce program to train individuals with the skills needed to work in a lab setting. Other potential tenants within the Wexford Science & Technology building include bioscience companies and a co-working accelerator lab that would generate new companies and jobs in Phoenix.

An additional investment is the request to continue the City's annual membership with the Arizona Bioindustry Association (AZBio), the only statewide organization exclusively focused on building Arizona's bioindustry. AZBio is committed to building a top-tier life science industry in Arizona and is a critical partner for Phoenix. As specialists, AZBio is in the unique position to provide industry insight, programs specifically designed for life science organizations, visibility into investment opportunities, and a voice for the industry in the media, across the community, and with elected leaders and government agencies at the local, state, and federal levels. The AZBio annual membership cost is \$15,000 for Fiscal Year 2019-20.

Another key effort is the promotion of Phoenix's bioscience efforts nationally and internationally by attending the 2020 BIO International Convention in San Diego. At the 2019 BIO Convention, over 17,000 attendees from 49 states and 65 countries attended. As a sponsor of Start-Up Stadium, the City of Phoenix was able to nominate three Phoenix-based companies that were selected as finalists. These three early-stage companies were able to engage with key members of the investment community, venture philanthropy groups, and BIO attendees. Along with CEDD, representatives from the University of Arizona (UA), AZBio, Wexford Science & Technology, the Flinn Foundation and four early-stage Phoenix-based biomedical companies joined the delegation. The delegation held more than 200 meetings and fielded hundreds of inquiries about Phoenix's dynamic bio industry. Attendance at this unique gathering provides valuable networking and partnership opportunities and provides synergy with the City's attending partners looking to promote their research and products to an international audience. The knowledge and contacts generated by attending this convention will be used in communicating the City's competitive advantage, existing ecosystem and resources in Phoenix to attract and grow companies in this industry to thrive and generate quality jobs for the community.

Planning is currently underway, subject to City Council authorization of funding, for the 2020 BIO Convention. Preliminary estimates for participation such as booth, sponsorships, advertising, equipment, and shipping costs are approximately \$75,000. If approved, staff will work with industry partners, such as the University of Arizona, Arizona State University, and the Translational Genomics Research Institute (TGen) to

co-locate at the convention. This shared effort may allow the City to reduce its costs while assisting its partners in promoting Phoenix.

These efforts enable CEDD staff to showcase Phoenix's citywide assets and ensure success of future projects. CEDD and its partners such as the Greater Phoenix Economic Council continue to generate qualified prospects to create a pipeline of businesses considering expansions and/or relocations to Phoenix through a multi-faceted marketing approach targeted at this industry. Phoenix's involvement and partnership with AZBio and the BIO International Convention elevates the City's visibility as a hub for bioscience, building a critical mass of bioscience and healthcare-related companies and attracting and developing top talent vital to sustain the long-term growth of this thriving industry.

Financial Impact

There is no impact to the General Fund. Funding for a membership with AZBio and participate in BIO International 2020 is available in the Genomic Facilities and Operations Fund, with the request not to exceed \$90,000 total for both efforts. Funding received from City BIO Convention partners shall reimburse the Genomic Facilities and Operations Fund.

Concurrence/Previous Council Action

This item was recommended for approval at the Workforce and Economic Development Subcommittee meeting on Sept. 25, 2019, by a vote of 4-0.

Responsible Department

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



WESTMARC Membership Dues for Fiscal Year 2019-20 (Ordinance S-46113)

Request to authorize the City Manager, or his designee, to authorize membership dues to Western Maricopa Coalition (WESTMARC) for Fiscal Year 2019-20 in the amount of \$15,000. Further request authorization for the City Controller to disburse funds related to this item.

Summary

WESTMARC was formed in 1990 to address important issues facing the West Valley's economic prosperity. WESTMARC, a public-private partnership, actively promotes the West Valley region of Greater Phoenix (area west of I-17) and represents 15 cities, the West Valley business community and educational sector. In partnership with Community and Economic Development Department (CEDD), WESTMARC gives specific focus to the Maryvale, Estrella and Laveen villages.

Membership fees are based on population, and communities with greater than 100,000 residents are asked to contribute \$15,000. CEDD participates on WESTMARC's Economic Development Committee and other strategic initiatives such as a recent workforce study which highlighted the size of the labor pool and diverse skill sets of West Valley workers. CEDD has also promoted West Phoenix Opportunity Zones and feature sites for restaurant and retail development at pitch events. Additionally, the membership provides a table of 10 to each of the WESTMARC Signature Events including the Annual Meeting, Governor's State of the State Luncheon and Economic Development Summit.

In previous years, the WESTMARC membership request was managed via the City's Government Relations Office, however CEDD finds great value in the membership and can participate in a variety of capacities.

Financial Impact

Memberships dues for July 1, 2019 through June 30, 2020 are \$15,000. Funding is available in the Community and Economic Development Department budget.

Concurrence/Previous Council Action

This item was recommended for approval at the Workforce and Economic Development Subcommittee meeting on Sept. 25, 2019, by a vote of 4-0.

Location

West Phoenix

Council District(s): 1, 4, 5, 7, 8

Responsible Department

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



2020 Downtown Enhanced Municipal Services District Estimate of Expenses, Assessment of Expense and Set Public Hearing Date (Resolution 21787)

Request the City Council approve the 2020 Downtown Enhanced Municipal Services District (Downtown EMSD) estimate of expenses, assess this total on the Downtown EMSD, and set the date of Nov. 6, 2019 for the public hearing on the estimated assessments, pursuant to Arizona Revised Statutes (A.R.S.) 48-575. The City of Phoenix estimated annual expenditure for this program is \$1,329,856.

Summary

The City Council authorized formation of the Downtown EMSD in 1990 to provide enhanced public services, above and beyond the level of services provided in the remainder of the City. The costs for the Downtown EMSD's services are paid through assessments on property owners within the Downtown EMSD boundaries. The City contracts directly with Downtown Phoenix, Inc. (DPI) to implement the work program, as described in **Attachment A**, of the Downtown EMSD. The Downtown EMSD is generally bounded by Fillmore Street, 7th Street, 3rd Avenue and the railroad tracks south of Jackson Street.

2020 Downtown EMSD Estimate of Expenses

The work plan and budget for 2020 provides a variety of enhanced services in the downtown core, including the Ambassadors program, streetscape improvements and maintenance, the Clean Team program, marketing, event promotion, business assistance and transportation services.

In June 2019, the Downtown EMSD Board of Directors, which includes representatives of the City and other Downtown EMSD property owners, approved a proposed 2020 Downtown EMSD budget of \$4,069,672. This includes \$156,315 for streetscape maintenance expenses, which are paid only by property owners and tenants adjacent to the Streetscape Improvement District. The Streetscape Improvement District includes certain portions of Monroe Street from 3rd Avenue to 7th Street; Adams Street from 2nd Avenue to 2nd Street; 2nd Street from Jefferson Street to Van Buren Street; and 3rd Street from Monroe Street to Van Buren Street.

This proposed budget represents a 3.74 percent increase over the 2019 budget. The

total increase is approximately \$146,892, and is distributed among the approximately 785 parcels in the Downtown EMSD. The increase is driven by fixed costs (utilities, liability insurance and health insurance) and does not add new full-time employees. DPI continues to increase services including improving walkability by adding and maintaining trees, trash pickup, graffiti removal and assistance with conventions. These expenses are outlined below.

Estimated District Expenses: \$3,913,357

Estimated Streetscape Maintenance Expenses: \$156,315

Total estimated of District Expenses: \$4,069,672

Assessment of Expenses

The annual assessments for the Downtown EMSD will be levied for the 2020 calendar year after the required Downtown EMSD approval process has been completed. Assessments are determined in proportion to the benefits received by each parcel.

The proposed 2020 Downtown EMSD assessment diagram indicates the properties to be assessed for enhanced municipal services. This proposed diagram is on file in the Office of the Director of the City of Phoenix Street Transportation Department. The proposed assessments and diagram are based on the estimate of expenses and property data available as of May 7, 2019. The proposed 2020 Downtown EMSD assessment diagram was completed on June 10, 2019.

Public Hearing Date

It is requested that the City Council set the date of Nov. 6, 2019 as the date for the public hearing on the 2020 Downtown EMSD assessments.

Financial Impact

The City's estimated annual expenditure for this program is \$1,329,856, which includes: \$377,169 from the General Fund (which represents an approximately \$9,053 increase from 2019); \$559,892 from the Convention Center; \$133,738 from the Sports Facilities Fund; \$9,342 from the Genomics Facilities Operations and Maintenance Fund; and \$249,715 from collections from tenants on City-owned properties.

Concurrence/Previous Council Action

This item was recommended for approval at the Workforce and Economic Development Subcommittee meeting on Sept. 25, 2019, by a vote of 3-0.

Public Outreach

A public hearing will be held for property owners to discuss the proposed assessments, costs, and services for the 2020 calendar year provided in connection

with the Downtown EMSD. If approved, the public hearing would be set for Nov. 6, 2019 at 2:30 p.m., in the Phoenix City Council Chambers. All property owners are notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development Departments 20 days prior to the public hearing. Notice of the public hearing also will be published in the Record Reporter as specified below. No further notification is required after the public hearing.

Published:
The Record Reporter
Oct. 23, 2019.
Oct. 25, 2019.

Location

The Downtown EMSD is generally bounded by Fillmore Street, 7th Street, 3rd Avenue and the railroad tracks south of Jackson Street.
Council Districts: 7 and 8

Responsible Department

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

Attachment A

Downtown Phoenix, Inc. 2020 Proposed Work Program

Key Areas of Focus

- Continue focus on issues related to homelessness in conjunction with the city, neighborhood and community groups, homeless advocates and human service providers.
- DTPHX is repopulating at a rapid pace. New residents and employees need to be connected to our Downtown community and become advocates for the continued development of a vibrant urban center.
- DTPHX needs a transportation system that accommodates the increased density in Downtown. The construction associated with light rail expansion and the implementation of a complete streets program that accommodates pedestrians, vehicles and bicycles needs attention.
- The Downtown amenity package of restaurants, bars and entertainment is enhancing the quality of life in DTPHX and driving our revitalized hospitality industry.

2020 Work Program

Administration, Finance, and Information Technology

- Create streamlined workflows for streetscape improvements to track work performed in the field
- Support the ongoing development of neighboring organizations (Warehouse District/RRCF)
- Develop additional revenue streams via SELLAs (Special Event Liquor Licenses) and banners
- Support community outreach efforts by DPP and affiliates

Marketing & Events

- Through our sustaining partnership with Artlink Phoenix, expand our arts programming and grow our public arts initiative
- Continue to diversify DTPHX's event portfolio by adding niche and startup events
- Take an instructional role with our hotel and convention center partners—hosting “Downtown 101” workshops—to keep them abreast on everything that’s happening in our rapidly evolving Downtown; the more they know the better positioned they are to have a positive impact on the visitor experience

Business Development

- Continue enhancing walkability of Downtown and promote the area as a neighborhood-art, great schools, etc.
- Continue promoting Downtown as a home to creative and technology companies as well as to higher education and biomedical partnerships.
- Promote unique buildings that aren't commonly known about as potential gems for redevelopment as modern office space
- Continue to attract high quality bars and restaurants with a focus on core sites near the Convention Center, hotels, Van Buren, Monroe Street
- Continue outreach to broker community to keep them up to date on the rapidly changing Downtown

Operations/Business Improvement District

- Increase the efficacy and efficiency of the Field Services team
 - Staff = Needs of the community
- Continue to impact the public realm
 - Explore the feasibility of increasing public amenities such as new public art pieces and murals
- Stakeholder Support
 - Support stakeholders during light rail and other construction impacts
- Outreach & Public Safety
 - Continue supporting public safety efforts
- Launch a bike commuter space at Cityscape to support and grow bike commuting



2020 Downtown Enhanced Municipal Services District Assessment Diagram (Resolution 21789)

Request City Council approval of the Downtown Enhanced Municipal Services District (EMSD) Assessment Diagram. There is no financial impact as a result of this request.

Summary

The City Council authorized formation of the Downtown EMSD in 1990 to provide enhanced municipal services, above and beyond the level of services provided in the remainder of the City. The Downtown EMSD is generally bounded by Fillmore Street, 7th Street, 3rd Avenue and the railroad tracks south of Jackson Street. The costs for the Downtown EMSD's services are paid through assessments on property owners within the Downtown EMSD boundaries.

The proposed 2020 Downtown EMSD Assessment Diagram (2020 EMSD Diagram), indicates the properties to be assessed and is on file in the office of the Director of the City of Phoenix Street Transportation Department, and may also be viewed at phoenix.gov/econdev/Reports-Maps. The proposed assessments and 2020 EMSD Diagram are based on the estimate of expenses and property data available as of May 7, 2019. The proposed diagram was completed on June 10, 2019. Per Arizona Revised Statutes (A.R.S.) 48-575(d) the 2020 EMSD Diagram shows each separate lot numbered consecutively, the area in square feet of each lot, and the area in square feet of any building or buildings located on each lot.

Public streets, alleys, and property utilized for residential purposes that do not benefit by the enhanced municipal services are excluded from this proposed 2020 EMSD Diagram.

This request for Council action includes a Resolution approving the 2020 EMSD Diagram.

Financial Impact

There is no financial impact for approving the 2020 EMSD Diagram.

Concurrence/Previous Council Action

This item was recommended for approval at the Workforce and Economic Development Subcommittee meeting on Sept. 25, 2019, by a vote of 3-0.

Public Outreach

A public hearing will be held for property owners to discuss the proposed assessments, costs, and services provided in connection with the Downtown EMSD. The public hearing is set for Nov. 6, 2019, at 2:30 p.m., in the Phoenix City Council Chambers. All property owners are notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development Departments 20 days prior to the public hearing. Notice of the public hearing also will be published in the Record Reporter as specified below. No further notification is required after the public hearing.

Published:
The Record Reporter
Oct. 23, 2019
Oct. 25, 2019

Location

The Downtown EMSD is generally bounded by Fillmore Street, 7th Street, 3rd Avenue and the railroad tracks south of Jackson Street.
Council Districts: 7 and 8

Responsible Department

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



Issuance of Student Housing Revenue Bonds (Downtown Phoenix Student Housing II LLC - Arizona State University Project), Series 2019 (Resolution 21791)

Requests City Council approval for the issuance of Student Housing Revenue Bonds (Downtown Phoenix Student Housing II LLC - Arizona State University Project), Series 2019, to be issued in one or more tax-exempt and or taxable series in an aggregate principal amount not to exceed \$75,000,000.

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 \$75,000,000 of Student Housing Revenue Bonds (the "Revenue Bonds") for use by Downtown Phoenix Student Housing II LLC (the "Borrower"), an Arizona limited liability company, to:

- a) finance acquisition, construction, and equipping of land and a building to be operated by Arizona State University primarily as residential space for use as student housing in Phoenix, Arizona, 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 Sept. 25, 2019.

Location

The Project is located at the southwest corner of Fillmore Street and First Avenue in Phoenix, Arizona, Council District 7.

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.

Responsible Department

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



Body Worn Cameras - Requirements Contract - RFP 18-056A (Ordinance S-46104)

Request the City Manager, or his designee, to authorize additional expenditures for Contract 149316 with Axon Enterprise, Inc. for the acceleration of the body worn camera deployment schedule for the Phoenix Police Department (PPD), originally awarded on Feb. 6, 2019. Further request authorization for the City Controller to disburse all funds related to this item. Upon approval of the additional expenditures of \$450,000, the revised aggregate value will be \$6,179,284.

Summary

The Police Department's body worn camera rollout began with the Maryvale-Estrella Mountain Precinct, along with two Crisis Intervention Squads assigned to the Community Relations Bureau. The remaining six precincts: Mountain View, South Mountain, Cactus Park, Central City, Desert Horizon and Black Mountain were then deployed. The deployment schedule corresponds with the distribution of officer-involved shootings throughout the City in 2018. Upon approval of the additional funds, the deployment schedule will be accelerated allowing for the Special Assignments Unit (SWAT), Traffic Unit and Transit Unit to be equipped with body worn cameras this fiscal year. The accelerated deployment schedule will allow the Police Department to continue to demonstrate their commitment to transparency, ensure the accountability of its members and increase the public's trust in police officers.

Financial Impact

Upon approval of the additional expenditures of \$450,000, the revised aggregate value will be \$6,179,284. Funds are available in the Police Department's Operating Budget.

Concurrence/Previous Council Action

This item was originally approved by Formal Council Action on Feb. 6, 2019.

Responsible Department

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



Counterterrorism Training - RFA 19-144 (Ordinance S-46091)

Request to authorize the City Manager or his designee, to enter into a contract with Lion Global Foundation, dba Counterterrorism Education Learning Lab (CELL), to provide the Police Department with counterterrorism training in an amount not to exceed \$100,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Police Department's Homeland Defense Bureau is a contributing partner at the Arizona Counterterrorism Information Center (ACTIC), the federally recognized fusion center for the State of Arizona. The stated mission of the ACTIC is to protect the people and the critical infrastructure of the state. Many of the nation's critical infrastructure assets are privately owned. ACTIC has a dedicated public engagement effort known as the Community Liaison Program, designed to foster and maintain strong working relationships with private sector partners. The CELL has developed a Community Awareness Program (CAP) in partnership with the U.S. Department of Homeland Security (USDHS) and the Federal Bureau of Investigation's Joint Terrorism Task Force. The CAP educates citizens on how to recognize and report suspicious activity in order to prevent terrorism and criminal acts. Since its inception, the CAP has become an effective community policing tool that enhances the safety and security of the public. The Homeland Defense Bureau's Threat Mitigation Unit (TMU) is responsible for creating and implementing the plan to protect critical infrastructure, not only in the Phoenix metropolitan area, but around the state as well. The TMU would like to take advantage of the effort and expertise already in existence to develop the CELL's Community Awareness Program for the ACTIC and implement this certified program locally for the Arizona public safety community to use.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Special Circumstance Without Competition determination memo citing Lion Global Foundation, dba CELL, as the proprietary community awareness training program created in partnership with the USDHS and the FBI's Joint Terrorism Task Force. A Special Circumstance Without Competition determination memo was completed and approved by the Deputy Finance Director recommending the procurement with Lion Global Foundation, dba CELL be accepted.

Contract Term

The three-year contract term will begin on or about Oct. 17, 2019 and end on or about Oct. 16, 2022, with the option to extend the contract term up to two (2) years, in one (1) year increments.

Financial Impact

The expenditures against this contract shall not exceed the aggregate amount of \$100,000. Funds are available in the Police Department's budget.

Responsible Department

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



Amend Ordinance with Northrop Grumman Systems Corporation to Authorize Exceptions to Liability Provisions (Ordinance S-46105)

Request the City Council amend ordinance S-44609 to enter into contract with Northrop Grumman for Regional Computer Aided Dispatch maintenance and support services subject to assumption of liability, and waiver of claims provisions prohibited by Phoenix Code §42-18.

Summary

Ordinance S-44609, adopted on May 16, 2018, authorized the City Manager, or his designee, to enter into contract with Northrop Grumman Systems Corporation for Regional Computer Aided Dispatch (CAD) maintenance and support services for the Phoenix Fire Department (PFD). Northrop Grumman Systems Corporation has taken exception to the nonwaiver of liability, specifically unlimited liability. PFD is seeking an exception to Phoenix Code §42-18 in allowing a limitation of damages to three times the Agreement value; and a waiver of indirect damages.

All other provisions of Ordinance No. S-44609 will remain the same. The Law Department has reviewed and approved this language.

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 Agreements for 2019
Department of Homeland Security Securing the Cities Program Grant Funding
(Ordinance S-46112)**

This report requests City Council approval of the authorization for the City Manager, or his designee, to approve an application from the Office of Homeland Security and Emergency Management to apply for, accept and enter into agreements with the U.S. Department of Homeland Security for the 2019 Securing the Cities Program grant in the amount of \$2,000,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Phoenix Urban Area Security Initiative is one of six regions selected as eligible under this cooperative grant. The purpose of this grant is to improve the ability of local, state, tribal, and territorial jurisdictions to prepare for, prevent, and respond to radiological and nuclear detection. The grant provides funding for the development and integration of a comprehensive detection structure to ensure trained and equipped personnel are proficient in the use of the detection and interdiction of radiological and nuclear materials.

Funding would be used to support personnel, overtime, supplies, technology, and office related equipment to develop and update current plans, build capabilities, provide a common information sharing environment, train personnel, and conduct exercises to establish success.

Contract Term

If awarded, the overall period of performance is Nov. 1, 2019 through Oct. 30, 2029. Funding for the first budget period is provided under this application. Should further funding become available for additional budget periods the City would need to submit additional applications.

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 Oct. 9, 2019 Public Safety and Justice Subcommittee by a vote of 3-0.

Responsible Department

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



Amend Phoenix City Code Related to Commercial Ground Transportation Trip Fees, Parking Rate Cap, and Unattended Vehicle Civil Penalties (Ordinance G-6631)

Request to amend Phoenix City Code to increase commercial ground transportation trip fees, establish a process for adjusting trip fees, remove parking-rate caps, and increase civil penalties for unattended vehicles left along the curb of any terminal and to make conforming, clarifying, and renumbering changes as necessary.

Summary

Commercial ground transportation trip fees and annual increases

City Code requires that, by Jan. 1, 2020, staff must conduct a study of peer airports' commercial ground transportation (GT) trip fees and that GT stakeholders may participate in selecting the consultant in this review. Beginning fall of 2018, staff and GT stakeholders started the process of scoping and studying peer airport trip fees. Through summer 2019, staff conducted monthly meetings with GT stakeholders, totaling over 15 large and small group GT stakeholder meetings held. The completed study reviewed peer airport GT revenue collection compared to Phoenix Sky Harbor International Airport (PHX) revenue. PHX consistently collects less GT revenue compared to its peers. The proposal seeks to increase trip fees for permitted GT providers, establish drop-off trip fees for providers, and provide for predictable, administrative annual trip-fee rate increases.

Parking-rate caps, short-term rate clarification, and future amendment process

City Code sets rate caps that establish the maximum charges for public, employee, and special-event parking. These caps have not been modified in over 10 years. The original proposal approved by the Phoenix Aviation Advisory Board was to increase parking-rate caps in accordance with CPI growth since the last rate-cap increase in 2008. To prevent this problem from recurring in the future, the original proposal also included an automatic annual rate-cap increase of 3 percent or the annual CPI change, whichever is less. At the Transportation, Infrastructure, and Innovation Subcommittee on Oct. 2, 2019, Chairwoman Williams proposed to eliminate the parking-rate caps entirely. The rationale is that the Airport must compete in the marketplace with several private companies that offer similar or comparable alternative products and services, and this competition will effectively "cap" what the Airport can

charge for parking. Consequently, the Aviation Director should possess discretion to assess market conditions and set competitive parking rates. For these reasons, the Subcommittee voted to eliminate parking-rate caps.

Unattended vehicle civil penalties

City Code regulates vehicle parking at an airport and imposes a civil penalty for parking violations. The proposal is to amend City Code to regulate leaving a vehicle unattended in violation of posted signs along terminal curbsides. The civil penalty will be the maximum allowed by State law. In addition, the City Code provides that an unattended vehicle in violation of posted signs adjacent to or near a terminal is a threat to public health, safety, and welfare and constitutes a public nuisance. The City Code will also now provide a civil penalty for this public nuisance.

Attachments

- Attachment A - Summary Sheet
- Attachment B - Draft Ordinance

Financial Impact

The City Code changes will have a positive financial impact.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Innovation Subcommittee recommended approval of this item on Oct. 2, 2019 by a 4-0 vote.

Public Outreach

Extensive stakeholder outreach was conducted during the peer-review of commercial ground transportation fees as well as stakeholder review of the proposed City Code amendment.

Location

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

Responsible Department

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

Attachment A

Airport Parking Rate Caps, Parking Fines, and Ground Transportation Fees

The proposed ordinance, as amended in the October 2, 2019 Transportation, Infrastructure and Innovation Subcommittee, will affect the following *three* rate caps, fines, and fees.

1. **Parking Rate Caps.** The ordinance does not raise current rates. It *removes* existing rate caps (which have not been raised since 2008).

Parking Facility	2008 Cap	Proposed
Economy Surface	\$14	*
Economy Garage	\$16	*
Terminal Garage	\$35	*
Hourly	\$4 (15 min. increments)	*

*Aviation Director to set future rates based on market conditions.

Rate Area	2008 Cap	Proposed
Passenger Vehicles, Employee-Assigned Areas	\$60	*
Passenger Vehicles, South Air Cargo Area	\$80	*
Motorcycles, All Areas	\$30	*
Access Card Fee	\$25	*

*Aviation Director to set future rates based on market conditions.

2. **Parking Fines for Unattended Vehicles.** The ordinance raises the fine for an unattended vehicle on the curb and imposes a public-nuisance penalty as follows.

Offence	Existing Fine/Penalty	Proposed Fine/Penalty
Unattended vehicle on curb	\$31	\$250
Public nuisance (for unattended vehicle at curb)	\$0	\$500

3. **Ground Transportation Trip Fees.** The ordinance raises trip fees in an attempt to recover the Airport's actual costs to operate the ground transportation program.

GT Mode	Current (pick-up only)	Proposed 2020 fees (pick-up & drop-off)
TNC	\$2.66	\$4.00 ¹
1-8 Seats (Taxi)	\$2.66	\$1.75 ²
9-23 Seats (Shuttle)	\$3.48	\$2.25 ²
24+ Seats (Charter Bus)	\$7.38	\$5.00 ²

¹ Rates increase to \$4.25 in 2021, \$4.50 in 2022, \$4.75 in 2023, \$5.00 in 2024, and in 2025, by greater of CPI or 3% annually

² Rates increase at the greater of CPI or 3% annually

Attachment B
THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE
ORDINANCE G-XXXXX

AN ORDINANCE RELATING TO COMMERCIAL GROUND TRANSPORTATION, PARKING AND UNATTENDED VEHICLES AT PHOENIX AIRPORTS; AMENDING PHOENIX CITY CODE CHAPTER 4, ARTICLE I, SECTION 4-4; ARTICLE III, SECTION 4-49, SECTION 4-51, SECTION 4-54 AND SECTION 4-58; ARTICLE IV SECTION 4-67, SECTION 4-68, SECTION 4-75, SECTION 4-77, AND SECTION 4-78; AND CHAPTER 36, ARTICLE XI, SECTION 36-156.02, AND CONFORMING AND RENUMBERING CHAPTER 4 AND CHAPTER 36 OF THE PHOENIX CITY CODE AS NECESSARY.

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

SECTION 1. The Phoenix City Code, Chapter 4, Article 1, Section 4-4 is amended to read:

Sec. 4-4. Written permission required for commercial activities and solicitation at the airport.

The use of any portion of the airport for revenue-producing commercial activities or to solicit business or funds is prohibited unless authorized by the Aviation Director by lease, permit or license agreement under such terms and conditions that may be required by the Aviation Director for the safe, efficient and orderly use of the airport. EXCEPT WHERE OTHERWISE SPECIFICALLY PROVIDED IN THIS CHAPTER OR SECTION 36-156.02, A VIOLATION OF THE REQUIREMENTS OF THIS ARTICLE SHALL BE DEEMED A CLASS 1 MISDEMEANOR.

SECTION 2. The Phoenix City Code Chapter 4, Article III, Section 4-49 is amended to read:

Sec. 4-49. Restriction as to operation of vehicles; PUBLIC NUISANCE PENALTIES.

- A. ~~Motor Vehicles shall~~ MAY be operated only in those areas of an airport authorized by the Aviation Director, and then, ~~with~~ ONLY IN strict compliance with such rules as are promulgated to regulate traffic.
- B. ~~Motor Vehicles shall~~ MUST be operated on an airport in a manner to avoid hindering or obstructing traffic flow.
- C. AN OPERATOR ~~driver~~ of a ~~motor~~ vehicle on an airport shall exercise due care to avoid colliding with any pedestrian, vehicle in a parking area, or other property.
- D. When required by the rules of an airport, a person operating a ~~motor~~ vehicle on the AIRPORT'S airside ~~portion~~ AREA of the airport shall HAVE first ~~have~~ obtained a valid airfield driver's permit for that airport.
- E. No person shall intentionally or negligently operate a ~~motor~~ vehicle within any aircraft movement area, aircraft parking and storage area, fuel storage area, cargo facility or vehicle parking area in careless disregard of the rights and safety of others.
- F. Within an aircraft movement area, ~~motor~~ vehicles ~~shall~~ MUST be operated in strict compliance with speed limits and other vehicle traffic management regulations promulgated by the Aviation Director.
- G. Every ~~driver~~ OPERATOR of a ~~motor~~ vehicle operated within an aircraft movement area shall ~~so~~ control the vehicle as to avoid colliding with any aircraft, and THE OPERATOR shall yield the right-of-way to any aircraft within five hundred feet of the vehicle.
- H. IT IS A CIVIL VIOLATION AND A PUBLIC NUISANCE AS PROVIDED IN SECTION 4-54 FOR A VEHICLE OPERATOR TO LEAVE AN UNATTENDED VEHICLE ADJACENT TO OR NEAR THE CURB AREAS OF ANY AIR TERMINAL IN VIOLATION OF POSTED SIGNS. THE OPERATOR OF THE UNATTENDED VEHICLE IS LIABLE FOR AN ASSESSED CIVIL PENALTY OF FIVE HUNDRED DOLLARS. THE CIVIL PENALTY HEREIN IS CUMULATIVE, AND IN ADDITION, THE CITY MAY ASSESS ANY OTHER SANCTION, PENALTY OR FINE PROVIDED BY THE CODE.
- I. IN A PROCEEDING ALLEGING A PUBLIC NUISANCE UNDER SECTION 4-54, THE PERSON OR PERSONS IN WHOSE NAME THE VEHICLE IS REGISTERED ARE PRIMA FACIE RESPONSIBLE FOR THE VIOLATION AND SUBJECT TO A CIVIL PENALTY. THESE PERSONS ARE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE VIOLATION AND FOR THE CIVIL PENALTY.

SECTION 3. The Phoenix City Code, Chapter 4, Article III, Section 4-51,

is amended to read:

Sec. 4-51. Vehicle parking restrictions.

A. A person may not park any vehicle on the airport except within an area designated for vehicle parking.

B. A PERSON MAY NOT LEAVE UNATTENDED ANY VEHICLE IN A POSTED NO-PARKING SPACE OR AREA ALONG THE CURB OF ANY AIR TERMINAL.

CB. No person may park, stop, or leave a vehicle, or cause or permit a vehicle to remain halted within a vehicle parking area, aircraft movement area, fuel storage area or cargo facility, except at ~~such~~ THE places and for ~~such~~ THE periods of time as are designated by the Aviation Director.

DC. No aircraft refueling, defueling, or servicing equipment or apparatus may be parked on the airport except in areas designated by the Aviation Director for ~~such~~ THESE purposeS.

ED. At night, or when visibility is impaired due to weather conditions, no unlighted vehicles or equipment may be staged in an aircraft movement area, or otherwise operated or parked in such manner that blocks or impedes aircraft movement.

FE. No person may park a vehicle in a posted reserved parking space or area on the airport unless the vehicle displays an appropriate PARKING authorization ~~parking~~-decal issued by the Aviation Department for that space or area.

GF. No person may park a vehicle in a posted disabled services vehicle space or area or in a posted over-height vehicle parking space or area on the airport unless the vehicle is a disabled services vehicle or an over-height vehicle.

SECTION 4. The Phoenix City Code, Chapter 4, Article III, Section 4-54,

is amended to read:

Sec. 4-54. Authority to remove vehicles.

A. The Aviation Director may cause to be removed from any area of an airport any vehicle that appears to be disabled, abandoned, parked, OR

UNATTENDED in violation of airport rules, or THAT IS parked WITHOUT AUTHORIZATION in a reserved parking space, or THAT otherwise interferes with airport operations, to another place designated by the Aviation Director.

B. An operator of a motor vehicle who parks, abandons, LEAVES UNATTENDED, or otherwise leaves a disabled vehicle in violation of airport rules shall be deemed to have consented to the removal of such THE vehicle by the Aviation Director, and said THE operator and the registered owner of said THE vehicle shall be jointly and severally liable for the cost of removal of said TO REMOVE THE vehicle as provided in subsection A.

C. UNATTENDED VEHICLES LEFT ADJACENT TO OR NEAR THE CURB AREAS OF THE AIR TERMINALS IN VIOLATION OF POSTED SIGNS CONSTITUTE AN AIRPORT HAZARD AND ARE PROHIBITED. UNATTENDED VEHICLES LEFT ADJACENT TO OR NEAR THE CURB AREAS OF THE AIR TERMINALS IN VIOLATION OF POSTED SIGNS ARE DEEMED TO BE A SECURITY THREAT TO PUBLIC HEALTH, SAFETY, AND WELFARE AND ARE DECLARED TO BE A PUBLIC NUISANCE. IN ADDITION TO ANY OTHER CIVIL SANCTION OR PENALTY OR TO ANY CRIMINAL FINE PROVIDED BY THIS CODE, THE AVIATION DIRECTOR MAY IMMEDIATELY ABATE THE PUBLIC NUISANCE BY, AMONG OTHER ACTIONS, RELOCATING THESE VEHICLES TO ANY AREA DESIGNATED BY THE AVIATION DIRECTOR. THE AVIATION DIRECTOR MAY DESIGNATE SPECIFIC AVIATION DEPARTMENT PERSONNEL WHO ARE AUTHORIZED TO ACT ON THE AVIATION DIRECTOR'S BEHALF TO ABATE THE PUBLIC NUISANCE.

~~G.~~ D. Notwithstanding any other provision of this section, or any other provision of the City Code, the following procedures shall apply to the towing REMOVAL, relocation, and recovery of all motor vehicles THAT found to be in violation of VIOLATE statutes, ordinances, and posted signs which are, or may be, in effect to regulate the REGULATING THE STOPPING, standing, and OR parking of motor vehicles in areas adjacent to or near the AIR terminals' curbside areas at Phoenix Sky Harbor International Airport.

~~1. In addition to any other civil SANCTION, PENALTY or criminal FINE penalty provided for by this Code, unattended motor vehicles standing or parked in violation of official posted signs adjacent to or near the curbside areas of the AIR terminals of the airport are deemed to be a threat to the public health, safety, and welfare, and are declared to be a public nuisance. THE AVIATION DIRECTOR~~

~~MAY IMMEDIATELY ABATE THIS PUBLIC NUISANCE which may be abated by relocating such THE vehicles to areas within or without INSIDE OR OUTSIDE the airport designated by the Aviation Director as impound lots. The Aviation Director may designate specific Aviation Department personnel who shall be ARE authorized to order and direct the relocation of vehicles under this subsection.~~

21. The registered owner or other person entitled to possession of a vehicle impounded pursuant to this subsection may:

a. Recover possession of the vehicle by paying to the tow contractor ~~having IN custody of the vehicle the ALL towing and storage fees that may have accrued.~~

b. Recover possession of the vehicle by posting with the tow contractor a bond in cash or alternate form approved by the Aviation Director in the amount of ~~the ALL ACCRUED towing and storage fees that have accrued.~~ Within thirty days of the posting of such THE bond, a hearing before a hearing officer appointed by the Aviation Director ~~shall~~ WILL be conducted at the airport at a time and place designated by the Aviation Director to determine the propriety of the tow. If the hearing officer determines that there were sufficient factual and legal grounds for the tow, the bond or other undertaking shall be forfeited as payment ~~thereof; FOR TOWING AND STORAGE FEES.~~ If the hearing officer determines that there were insufficient grounds for the tow, the bond or other undertaking shall be exonerated, and the City shall be responsible for the tow charges.

c. ~~In the event that~~ IF the owner or other person entitled to possession of a vehicle cannot obtain immediate release of the vehicle, ~~such person~~ HE OR SHE may demand on a form provided by the Aviation Department an immediate hearing as to whether there ~~was a~~ WERE sufficient factual or legal grounds for impounding the vehicle. The hearing may take place before a hearing officer appointed by the Aviation Director. To be entitled to a hearing under this subsection, a written demand must be filed in the manner specified by the Aviation Director ~~within either~~ BY THE EARLIER OF (i) five days after petitioner learned that the vehicle was impounded or was missing, or (ii) ~~within~~ fourteen days after the City sent notice by certified mail, returned receipt requested, to the vehicle's registered owner at the address of ~~the person~~

provided to the Arizona Department of Transportation, that the vehicle was impounded, . ~~whichever first occurs.~~
~~Said~~THE hearing shall ~~MUST~~ be held within forty-eight hours after the ~~receipt by the City of~~ RECEIVES the written demand. If the hearing officer determines that there was insufficient factual or legal grounds for the tow, then the tow contractor shall release the vehicle without the payment of the towing and storage fees, and, ~~in that event,~~ the City shall be responsible for payment of ~~TO PAY~~ the towing and storage fees.

d. The payment of towing and storage fees or the release of the vehicle pursuant to ~~ON~~ a finding of insufficient factual or legal grounds shall ~~DOES~~ not release the owner or driver OPERATOR of such THE vehicle from any other CIVIL SANCTION OR PENALTY OR ANY CRIMINAL FINE ~~penalty~~ imposed for the A violation of this Code, INCLUDING SUBSECTION (C) ABOVE, or the A VIOLATION OF laws of the State LAW of Arizona regulating STOPPED, the-standing or parking PARKED of vehicles.

32. The Aviation Director shall establish and maintain a procedure by which a person may demand and receive, at the airport, a post-tow hearing in accordance with this subsection. The Aviation Director shall designate sufficient AVIATION DEPARTMENT personnel of the Aviation Department to act as hearing officers, and such A hearings shall ~~MUST~~ be available within forty-eight hours of the demand ~~therefor~~ FOR ONE if the towing and storage fees have not been paid, or no bond or other undertaking is posted, and the vehicle is not released. The sole issue to be determined shall be ~~IS~~ whether ~~there existed~~ sufficient factual and legal grounds for ~~EXISTED TO ORDER~~ the relocation to have been ordered. Members of the Police Department and Aviation Department personnel directly involved in ordering vehicle relocations shall ~~MAY~~ not be designated as hearing officers.

43. The Aviation Director shall establish, by invitation for bids or otherwise, the maximum relocation charges to be assessed, commensurate with recovery of the actual costs incurred in relocating vehicles, and storage charges commensurate with garage parking fees established at the airport, ~~and~~ THE DIRECTOR may promulgate such rules and regulations deemed convenient to provide for the release of impounded vehicles, the setting of hearings, and the posting, exoneration, forfeiture and disposition of bonds in accordance with ~~the~~ THIS SECTION'S requirements of this section.

SECTION 5. The Phoenix City Code, Chapter 4, Article III, Section 4-58, is amended to read:

Sec. 4-58. Parking fees-RATES.

A. A person who drives a vehicle from an Airport public parking area shall pay, or make arrangements to pay, all prescribed fees before taking the vehicle from the area. The term *drives* includes causing a vehicle, including a disabled vehicle, to be moved from a public parking area.

B. ~~Public p~~Parking fees RATES. The Aviation Director shall set the AND PERIODICALLY ADJUST public parking feesRATES FOR DAILY, MONTHLY, AND EMPLOYEE PARKING. as follows:

1. ~~Hourly rates.~~ The hourly rate shall not exceed four dollars (\$4.00) per hour prorated per fifteen minutes.

2. ~~Daily rates.~~

Location	Not to Exceed
Economy Surface Lots	\$14.00
Economy Garages	\$16.00
Terminal Garages	\$35.00

13. ~~The ALL~~ parking feesRATES will be posted at each parking facility.

24. Parking fees RATES are based on the number of stalls used.

a. Vehicles less than 20 feet require one stall and shall pay the posted feeRATE.

b. Vehicles between 20 feet to 40 feet in length require two stalls and shall pay twice the posted feeRATE.

c. Vehicles between 41 feet to 60 feet in length require three stalls and shall pay three times the posted feeRATE.

d. Vehicles over 60 feet in length require more than three stalls and shall pay more than three times the posted feeRATE not to exceed the number used.

e. Notwithstanding anything else in this section, ~~fees~~ RATES shall be based on the actual number of stalls used. If only a portion of the stall is used, the fee RATE will be charged for the entire stall.

~~35. Fees not paid shall be deemed delinquent and assessed a delinquent account fee in accordance with Section 4-7 of the Phoenix City Code.~~

C. *Other parking rates.*

~~1. The Aviation Director is authorized to enter into monthly parking agreements for parking at the Airport at a rate lower than public parking rates, subject to space availability, compliance with the parking rules and regulations, and payment of fees.~~

12. To maximize revenues and to enhance customer service, the Aviation Director may offer discounted parking fees RATES up to 50 percent off the daily public parking rates (rounded to the nearest whole dollar) as follows: to individuals through periodic and seasonal coupons (directly or through financial institutions), prepaid online discounted parking, enrolled frequent parker program, and reservation parking; and to corporations with ten or more employees with WHOSE combined travel of CONSISTS OF at least seven flights per month through corporate DISCOUNT and reservation parking.

~~3. Monthly nonpublic parking agreement fees shall be set by the Aviation Director and are not to exceed:~~

<i>Rate Area</i>	<i>Maximum Amount:</i>
Passenger Vehicles—Employee- Assigned Areas	\$60.00 Per Month
Passenger Vehicles—Non Phoenix Based South Air Cargo	\$80.00 Per Month
Motorcycle—Only	\$30.00 Per Month
Card or Permit Fee	\$25.00
Card or Permit Replacement Fee	First Calendar Year Event: \$25.00
Second Calendar Year Event:	\$50.00
Third Calendar Year Event:	\$75.00
Subsequent Events During Calendar Year:	\$100.00

24. The Aviation Director may waive these MONTHLY NONPUBLIC parking fees RATES for government agencies. or

~~persons or entities that provide services to the City of Phoenix Aviation Department.~~ In addition, if a business that has a nonpublic parking agreement with the City ~~has a need to~~ MUST be located physically near the AN AIR terminal, the Aviation Director may allow that business to park in the terminal garage for a REDUCED fee RATE. ~~not to exceed \$125.00 per month.~~

D5. The City of Phoenix reserves the right to suspend or ~~rescind~~ TERMINATE parking privileges ~~from~~ FOR any person or company ~~for violation of~~ THAT VIOLATES any of the Aviation Department parking rules and OR regulations, including nonpayment of parking fees. The City of Phoenix ~~further~~ ALSO reserves the right at any time to move the parking locations or TERMINATE ~~rescind~~ the parking privileges if ~~it~~ TO DO SO is in the CITY'S best interest. ~~of the City.~~

E6. Fees not paid shall be deemed delinquent and assessed a delinquent account fee in accordance with Section 4-7.

SECTION 6. The Phoenix City Code, Chapter 4, Article IV, Section 4-67, is amended to read:

Sec. 4-67. Definitions.

In this article, unless the context otherwise requires:

Airport terminal zone means those parts of Phoenix Sky Harbor International Airport that are within 500 feet of any passenger terminal, including the Lincoln J. Ragsdale Executive Terminal.

Alternative fuel means the energy source, other than gasoline or diesel, used to power a motor vehicle, as prescribed in airport rules and regulations.

Authorized provider means a person, authorized by the Aviation Director under permit or contract, to engage in commercial ground transportation.

Authorized signer means a designated representative of an authorized provider, who is authorized to act on behalf of the provider, including requesting or certifying identification media for a driver, and including accepting service of a notice of violation and civil citation.

Automated vehicle identification (AVI) means radio frequency identification used to track a ground transportation motor vehicle while on an airport.

Automated vehicle identification tag (AVI Tag) means a radio frequency identification transponder placed on a ground transportation motor vehicle for the purpose of tracking ground transportation operations on an airport.

Bus means a motor vehicle designed for carrying 16 or more passengers, including the driver.

Commercial ground transportation means the use of a ground transportation motor vehicle for commercial activity.

Commercial ground transportation permit or permit means written permission issued by the Aviation Director to authorize a person to engage in commercial ground transportation.

Commercial ground transportation provider or provider means a person that engages in commercial ground transportation. FOR PURPOSES OF THIS ARTICLE, ANY PERSON ENGAGING IN COMMERCIAL PICK-UPS AND DROP-OFFS AT THE AIRPORT OR COMMERCIAL PICK-UPS ONLY IS DEEMED TO BE A COMMERCIAL GROUND TRANSPORTATION PROVIDER. ANY PERSON WHO ENGAGES IN COMMERCIAL DROP-OFFS ONLY AT THE AIRPORT IS DEEMED NOT TO BE A COMMERCIAL GROUND TRANSPORTATION PROVIDER.

Courtesy vehicle means a motor vehicle operated by an authorized provider for the purpose of picking up OR DROPPING OFF a passenger at an airport and transporting the passenger to an off-airport location, including a hotel, motel or commercial parking lot, where the authorized provider or driver does not directly charge or receive a fee from the passenger for the transportation service.

Designated local point of contact means a representative of an authorized provider, who is authorized to act as an authorized signer in all ways except for signing the permit.

Designated waiting area means an area on an airport designated by the Aviation Director where an authorized provider or driver operating under an authorized provider's permit or contract may stop, stand, or park a ground transportation motor vehicle.

Digital network or software application means any online-enabled application, software, website, or system that is offered or used by an authorized provider and that enables a potential passenger to arrange a ride with a transportation network driver.

Disabled services vehicle means a van or any other motor vehicle that is designated by the Aviation Director as a disabled services vehicle authorized to operate on an airport in accordance with this article.

Driver means any PERSON ~~individual~~ who drives, ~~is driving,~~ or ~~is in actual physical control~~ of, a ground transportation motor vehicle.

Geofence means an electronic perimeter, designated by the Aviation Director, of airport property and sub-perimeters within airport property.

Global positioning satellite (GPS) means any global positioning satellite technology, approved by the Aviation Director, used to track a ground transportation motor vehicle while on an airport.

Ground transportation motor vehicle means a motor vehicle used for commercial activity, including a bus, courtesy vehicle, disabled services vehicle, motorcycle, off-airport rental car company vehicle, shared ride van, taxicab, other designated vehicle, prearranged vehicle, transportation network company vehicle, or intercity provider vehicle.

Identification media means a physical identification or digital identification that identifies a driver as required in this article, issued or approved by the Aviation Director.

Include or including means including, but not limited to; and, including, without limitation.

Intercity provider means an authorized provider that uses an intercity provider vehicle.

Intercity provider vehicle means a motor vehicle used to transport passengers and baggage from Phoenix Sky Harbor International Airport to cities or towns located farther than a 35-mile radius from Phoenix Sky Harbor International Airport, and that are otherwise outside of the service areas of other authorized providers under contract with the City to operate at Phoenix Sky Harbor International Airport.

Motor vehicle means a device IN OR ON ~~upon~~ which any individual PERSON is or may be transported ~~upon~~ a public highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.

Motorcycle means a motor vehicle that has a seat or saddle for the use of the rider and that is designed to travel on not more than three wheels in contact with the ground.

Notice of violation (NOV) means a violation of this article that resulted in the Aviation Director issuing a notice to the authorized provider.

Off-airport rental car company vehicle means a motor vehicle operated by or on behalf of an off-airport rental car company for the purpose of transporting customers and baggage between the Rental Car Center (RCC) and an off-airport rental car company facility located off the airport, where no direct fee is paid by the person or baggage transporter for the service so rendered.

Other designated vehicle means a motor vehicle of a type not otherwise defined herein that may be designated by the Aviation Director as a ground transportation motor vehicle authorized to operate on an airport in accordance with this article.

Permittee means any person to whom the Aviation Director has issued a commercial ground transportation permit as provided in this article.

Person means an individual, association, company, corporation, joint venture, limited liability company, organization, partnership, two or more individuals acting as a unit, and any other entity.

Prearranged provider means an authorized provider that uses a prearranged vehicle.

Prearranged vehicle means a ground transportation motor vehicle used to pick up a passengerS(s) on an airport, where the authorized provider has scheduled the pick-up OR DROP-OFF prior to BEFORE entering an airport, or while parked in a designated waiting area.

Safety regulations means those parts of Title 49 C.F.R. adopted by the Arizona Department of Transportation—Motor Vehicle Division, as published in the Arizona Administrative Code as R17-5-202, as the same are amended from time to time.

Shared ride means nonexclusive use of a ground transportation motor vehicle by two or more unrelated passengers, to predetermined destinations or destinations agreed upon by the passengers and driver.

Shared ride van service means operation of a fleet of multi-passenger vans, under contract with the City of Phoenix, to conduct shared ride commercial ground transportation.

Small operator parcel means the area in the rental car center that provides shared space for up to five rental car companies, each of whom has a

market share of the total Phoenix area rental car market of approximately one percent or less.

Taxicab means a motor vehicle authorized under a contract with the City of Phoenix, with a designated seating capacity of less than seven passengers, excluding the driver, having four doors for passenger ingress and egress, furnished for hire on an exclusive basis.

Taxicab meter means a meter device that conforms to the standards established by the City Manager pursuant to Section 36-202, and that otherwise measures the distance driven and/or time upon which the fare is based, and numerically displays in dollars and cents the fare in a manner readily visible to the passengers.

Trade dress means a distinct logo, insignia or emblem attached to, and visible from 50 feet in front of, a ground transportation motor vehicle, as approved by the Aviation Director.

Transportation network company means an entity that has been issued a permit by the State of Arizona, that operates in the State of Arizona, that uses a digital network or software application to connect passenger(s) to transportation network services provided by transportation network company drivers, and that may but is not deemed to own, operate or control a personal motor vehicle of a transportation network driver.

TRANSPORTATION NETWORK COMPANY CURB SHARE (OR "TNC CURB SHARE") MEANS THE MINIMUM PERCENTAGE OF TERMINAL CURB LINEAR FEET ALLOCATED FOR TRANSPORTATION NETWORK COMPANIES, COMPARED TO THE TOTAL TERMINAL CURB LINEAR FEET ALLOCATED FOR ALL AUTHORIZED PROVIDERS.

Transportation network company vehicle means a motor vehicle with a seating capacity not exceeding eight passenger(s), including the driver, that is authorized by a transportation network company, and that is used by a transportation network driver to provide transportation network services.

Transportation network driver means an individual PERSON who receives connections to potential passenger(s) and related services from a transportation network company in exchange for payment of a fee to the transportation network company and who operates a transportation network company vehicle.

Transportation network services means the transportation of a passenger between points chosen by the passenger and arranged with a

transportation network driver through the use of a transportation network company's digital network or software application.

Trip means an authorized provider picking up OR DROPPING OFF a passenger on an airport.

Trip fee means a fee imposed pursuant to Section 4-78.

Virtual waybill means a digital identification of the authorized provider's company, the driver's name, the vehicle make, model, and license plate number, the passenger's name, and the date and time of the transaction.

Waybill means a physical document identifying a passenger pick-up including the date, time, company, terminal, license plate number, driver, airline, flight number, and passenger name.

SECTION 7. The Phoenix City Code, Chapter 4, Article IV, Section 4-68 is amended to read:

Sec. 4-68. Commercial ground transportation; permit required; application; requirements; expiration.

A. No person may engage in commercial ground transportation, including the commercial activity of picking up OR DROPPING OFF passengerS(-s) on an airport, without a valid commercial ground transportation permit, EXCEPT ANY PERSON WHO ENGAGES IN COMMERCIAL DROP-OFFS ONLY AT AN AIRPORT, OR except as specified in Sections 4-82 and 4-84.

B. Commercial ground transportation permit application. An applicant for a commercial ground transportation permit or renewal shall complete or update an application form provided by the Aviation Director and shall provide information and certifications deemed necessary by the Aviation Director, including:

1. The name, address, and billing address of the applicant.
2. A list of authorized signers and designated local points of contact.
3. An acceptable certificate of automobile liability insurance with at least the minimum amounts of coverage required by Arizona law and airport rules and regulations.

4. An indemnification agreement in favor of the City of Phoenix.
5. A statement of whether the applicant will operate on a prearranged or courtesy basis.
6. A certification that all statements of the applicant are true and complete, and an acknowledgment that any falsification or material omission will void the permit.
7. A statement that the applicant complies with all applicable Federal, State, and local laws, including the Americans with Disabilities Act, 42 U.S.C. Secs. 12101 et seq., and Section 504 of the Rehabilitation Act, and that the applicant will provide accessible ground transportation to customers protected by these laws or, if unable to do so, make alternative arrangement for accessible transportation within 30 minutes after learning of the customer's needs.
8. A statement indicating whether the applicant will use automated vehicle identification (AVI), global positioning satellite (GPS) technology, or other technology approved by the Aviation Director to track the motor vehicle(s) to be used for commercial activity on an airport.
9. A statement indicating which of the background check options in subsection (C)(1) of this section the applicant will require drivers operating under the applicant's permit to complete.
10. A statement that the applicant will require all authorized signers and designated local points of contact to undergo background checks as prescribed in airport rules and regulations.
11. A statement that all vehicles operated on behalf of the applicant will undergo and pass an industry standard inspection, as designated by the Aviation Director, at a minimum of once every 12 months.
12. A statement indicating whether the applicant will use a vehicle decal, issued by the Aviation Director, or a valid trade dress, approved by the Aviation Director, for vehicles operated under the applicant's permit.
13. An applicant applying to operate using trade dress for vehicle identification shall provide a sample of its trade dress to the Aviation Director with the permit application.

14. A statement indicating which driver identification method, as described in Section 4-69, the applicant will require drivers operating under the applicant's permit to use.

15. A statement verifying applicant and all drivers operating under the applicant's permit have been informed of and will comply with airport rules and regulations.

C. Permittee requirements.

1. Permittee may only use one of the following options for all drivers operating under that permittee's permit:

a. A permittee that uses the Aviation Department criminal history records check with security threat assessment background check for all drivers and authorized signers operating under that permittee's permit shall do so in accordance with the following:

(1) Applicant shall have each driver and authorized signer operating under permittee's permit go to the Aviation Department offices to submit one full set of fingerprints;

(2) Applicant shall submit documents that establish identity, employment eligibility, and citizenship status in accordance with 49 C.F.R. Part 1542 and other Department of Homeland Security Transportation Security Administration (TSA) requirements, including security directives, and shall be required to obtain authorization from the TSA in compliance with the requirements of the security threat assessment;

(3) The criminal history records check shall be designed to identify, at a minimum, the crimes identified in 49 C.F.R. 1542.209(d); and

(4) The Aviation Department will submit or electronically transmit all completed fingerprint cards to the Department of Public Safety, appropriate Federal agency, or other authorized agency or contractor to conduct a criminal history records check. Criminal history records checks conducted by the Department of Public Safety will be conducted pursuant to Section 41-1750, Arizona Revised Statutes, and Public Law 92-544, as amended. The

Department of Public Safety is authorized to exchange the submitted fingerprint card information with the Federal Bureau of Investigation for a national criminal history records check.

b. A permittee that uses the enhanced third-party name-based background check for all drivers and authorized signers operating under that permittee's permit shall do so in accordance with the following:

- (1) The background check shall include a local and national criminal background check that includes a search of a multijurisdictional criminal records locator or similar, validated commercial nationwide database and a national sex offender registry database;
- (2) The background check shall be conducted at least once every two years by a consumer reporting agency accredited by the National Association of Professional Background Screeners;
- (3) Data point identifiers shall include, at a minimum, the name, date of birth, address, and social security number of the applicant;
- (4) The background check shall include an adjudication process;
- (5) The background check shall be designed to identify any criminal history for a minimum of the past ten years;
- (6) The background check shall be designed to identify, at a minimum, the crimes identified in 49 C.F.R. 1542.209(d);
- (7) The permittee shall obtain authorization from the TSA in compliance with the requirements of the security threat assessment for anyone operating under permittee's permit; and
- (8) The permittee shall permit the Aviation Director to conduct a random monthly background check audit, at any time throughout the term of the commercial ground transportation permit, of up to ten percent of the pool of drivers operating under that

permittee's permit, who have made a pick-up OR DROP OFF AT an airport in the month preceding the audit request date. The audit will be conducted as follows:

(A) The audit will be performed by a third party accredited by the National Association of Professional Background Screeners and selected by the Aviation Director;

(B) The Aviation Director will provide permittee with a list of driver names or unique driver identification numbers. Any driver declining to consent to a background check will be ineligible to conduct pick-ups on an airport until the consent is granted;

(C) Permittee shall provide identifying information, which shall include, at a minimum, the name, date of birth, address, and social security number, for the drivers selected by the Aviation Director to the third party background check provider;

(D) Permittee shall certify to the Aviation Director, in a manner approved by the Aviation Director, the results of the audit; and

(E) In the event that an audited driver fails the background check according to the criteria in subsection (C)(3) of this section, the permittee shall remove the driver's authority to operate on an airport within 24 hours.

c. A permittee that uses the name-based background check for all drivers operating under permittee's permit shall do so in accordance with the following:

(1) The background check shall include a local and national criminal background check that includes a search of a multijurisdictional criminal records locator or similar, validated commercial nationwide database and a national sex offender registry database;

(2) Data point identifiers shall include, at a minimum, the name, address, age, and driver's license number;

(3) The background check shall include an adjudication process; and

(4) The permittee shall permit the Aviation Director to conduct a random monthly background check audit, at any time throughout the term of the commercial ground transportation permit, of up to ten percent of the pool of drivers operating under that permittee's permit, who have made a pick-up on an airport in the month preceding the audit request date. The audit will be conducted as follows:

(A) The audit will be performed by a third party accredited by the National Association of Professional Background Screeners and selected by the Aviation Director;

(B) The Aviation Director will provide permittee with a list of driver names or unique driver identification numbers. Any driver declining to consent to a background check will be ineligible to conduct pick-ups OR DROP OFFS AT an airport until the consent is granted;

(C) Permittee shall provide identifying information, which shall include, at a minimum, the name, address, age, and driver's license number, for the drivers selected by the Aviation Director to the third party background check provider;

(D) Permittee shall certify to the Aviation Director, in a manner approved by the Aviation Director, the results of the audit; and

(E) In the event that an audited driver fails the background check according to the criteria in subsection (C)(4) of this section, the permittee shall remove the driver's authority to operate on an airport within 24 hours.

2. Any permittee that uses the background check option identified in subsection (C)(1)(a) of this section shall not allow anyone to operate under that permittee's permit who:

a. Is identified as a disqualified individual as set forth in 49 C.F.R. Part 1542; or

b. Is identified as a disqualified individual as set forth in Department of Homeland Security Transportation Security Administration requirements, including security directives.

3. Any permittee that uses the background check option identified in subsection (C)(1)(b) of this section shall not allow anyone to operate under its permit who:

a. Has had more than three moving violations, or one major violation, pursuant to Title 28, Arizona Revised Statutes, in the preceding three years. Major violations include attempting to evade the police, reckless driving or driving on a suspended or revoked license; or

b. Has been convicted within the preceding ten years of violation of Section 13-706, 28-1381, 28-1382 or 28-1383 or Title 13, Chapter 14, 19, 22, 23, 34 or 35.1, Arizona Revised Statutes, or a violation of any crime identified in 49 C.F.R. 1542.209(d); or

c. Is listed in a national sex offender registry database.

4. Any permittee that uses the background check option identified in subsection (C)(1)(c) of this section shall not allow anyone to operate under its permit who:

a. Has had more than three moving violations, or one major violation, pursuant to Title 28, Arizona Revised Statutes, in the preceding three years. Major violations include attempting to evade the police, reckless driving or driving on a suspended or revoked license; or

b. Has been convicted within the preceding seven years of violation of Section 13-706, 28-1381, 28-1382 or 28-1383 or Title 13, Chapter 14, 19, 22, 23, 34 or 35.1, Arizona Revised Statutes; or

c. Is listed in a national sex offender registry database.

5. Any permittee that uses the background check option identified in subsection (C)(1)(a) of this section shall remove a driver's authority to operate under that permittee's permit within 24 hours of discovering that the driver's background check no longer complies with subsection (C)(1)(a) or (C)(2) of this section.
6. Any permittee that uses the background check option identified in subsection (C)(1)(b) of this section shall remove a driver's authority to operate under permittee's permit within 24 hours of discovering that the driver's background check no longer complies with subsection (C)(1)(b) or (C)(3) of this section.
7. Any permittee that uses the background check option identified in subsection (C)(1)(c) of this section shall remove a driver's authority to operate under that permittee's permit within 24 hours of discovering that the driver's background check no longer complies with subsection (C)(1)(c) or (C)(4) of this section.
8. Permittee shall require authorized signers and designated local points of contact to undergo background checks as prescribed in airport rules and regulations.
9. Permittee shall ensure that each driver operating under that permittee's permit obtains a driver's identification media as provided in Section 4-69 and has a physical or virtual waybill for each pick-up. Permittee shall require that drivers make that identification media and waybill available to airport representatives upon request.
10. A permittee that uses trade dress shall require each driver operating under that permittee's permit to display the permittee's trade dress, approved by the Aviation Director, at all times while on an airport and that the driver will make available to airport representatives, upon request, a waybill indicating a transaction that matches the permittee's trade dress.
11. Permittee shall ensure each vehicle operated under that permittee's permit has undergone and passed an industry standard inspection, as designated by the Aviation Director, within the previous 12 months. Permittee shall allow the Aviation Director to conduct an audit, at any time throughout the term of the commercial ground transportation permit, of the vehicle inspection records.
12. Any permittee that uses GPS trip tracking shall electronically notify airport representatives of the tracking information required by the Aviation Director, including the driver's unique identifier,

immediately upon the driver entering on an airport. Permittees using GPS trip tracking shall make available to the City upon request the name of the driver associated with the driver's unique identifier.

13. Except as approved by the Aviation Director, any permittee that uses GPS trip tracking shall disable its mobile application's functionality and ability for a driver operating under that permittee's permit to accept a reservation while that driver is on an airport within the geofence established by the Aviation Director, unless the driver is in a designated waiting area.

14. Any permittee that uses GPS trip tracking shall provide clear wayfinding directions to passengers who are being picked up on an airport, through the permittee's mobile application, to direct them to the proper pick-up location. Upon written notice from the Aviation Director of any nonconformity with this section, the permittee shall take all steps necessary to remedy the condition, conduct, and/or violation immediately.

15. Unless permittee demonstrates that exigent circumstances exist that prevent compliance, permittee shall provide accessible ground transportation to customers protected by all applicable Federal, State, and local laws, including the Americans with Disabilities Act, 42 U.S.C. Secs. 12101 et seq., and Section 504 of the Rehabilitation Act, or, if unable to do so, make alternative arrangement for accessible transportation within 30 minutes after learning of the customer's needs.

16. Permittee shall require all authorized signers and designated local points of contact to accept service of all notices of violation and citations issued to that permittee.

17. Permittee shall immediately terminate a driver's authorization to operate under that permittee's permit if the driver's identification media is revoked under Section 4-75.

a. Permittee shall retrieve any placard issued to the driver under Section 4-69(B) and return the placard to the Aviation Director within five days of notification.

b. Permittee shall retrieve any placard issued to the driver under Section 4-69(C)(1) within five days of notification.

18. Permittee shall notify the Aviation Director of any addition or removal of a name to the permittee's list of authorized signers or

designated local points of contact authorized to operate under that permittee's permit within five days of the change.

19. Permittee and all authorized signers, designated local points of contact and drivers operating under that permittee's permit shall comply with all airport rules and regulations.

D. A permit will expire, unless terminated sooner, two years from the date the permit was issued.

E. The Aviation Director will not issue a permit to, or renew a permit for, an applicant that is not in good financial standing with the City.

F. The Aviation Director may issue a temporary or daily use permit as the Aviation Director deems necessary for the safe, efficient and orderly operation on an airport.

G. To ensure the safe, orderly, and efficient use of an airport, the Aviation Director may regulate and restrict the number of ground transportation motor vehicles on an airport.

H. A commercial ground transportation permit shall not be construed to be a contract, agreement or grant of a franchise or any property right to engage in commercial activity on an airport and is revocable.

I. A permit applicant requesting reconsideration of the Aviation Director's decision to deny its permit shall have five calendar days after date of service of notice if personally served, or 14 calendar days from the date of mailing by certified mail at the last address submitted to the Aviation Department, to request reconsideration by the Aviation Director. The request for reconsideration of the denial of a permit shall be in writing and shall state the specific allegations in the Aviation Director's decision with which the permit applicant disagrees. The request for reconsideration shall either be personally delivered to the Aviation Director or deposited in the United States mail, certified, return receipt requested, postage prepaid, addressed to the Office of the Aviation Director, within the above-stated time. Unless the Aviation Director requires additional information, or in the event of exigent circumstances, the Aviation Director will notify the permit applicant in writing of the Aviation Director's final decision within ten business days after the request for reconsideration is received.

J. If a permittee violates any provisions of this article, the permittee is subject to Sections 4-75, 4-77, and 4-80, and the Aviation Director may deny the renewal of the permittee's permit.

SECTION 8. The Phoenix City Code, Chapter 4, Article IV, Section 4-75,

is amended to read:

Sec. 4-75. Notices of violation; suspension of operating privileges; revocation of operating privileges; effect of revocation.

A. When reasonable grounds exist to believe that an authorized provider, or a driver, has by act or omission violated a provision of this article, or any rules and regulations promulgated in connection therewith, the Aviation Director may issue a notice of violation, which may include suspension or revocation of a permit, and suspension or revocation of identification media.

B. An authorized provider may request a review of a notice of violation by an airport representative as prescribed by the rules and regulations promulgated by the Aviation Director. The request for review shall be filed with the Aviation Director within five calendar days after date of service of the notice of violation if personally served or served to the last e-mail address the authorized provider submitted to the Aviation Department, or within seven calendar days from the date of mailing by certified mail at the last address submitted to the Aviation Department. As part of the request, if the authorized provider submits evidence to demonstrate that the authorized provider has promptly remedied the violation and that remedy is deemed sufficient by the airport representative, then a suspension or revocation of the permit, or the suspension or revocation of identification media, will be voided.

C. If a review by an airport representative is not requested or the suspension or revocation is not voided by the reviewing airport representative, the suspension or revocation will take effect immediately. Suspensions in excess of five days will automatically be stayed upon the filing of an appeal.

D. An authorized provider that has completed a review of a notice of violation by an airport representative, and is aggrieved by the airport representative's determination, may file a notice of appeal with the hearing officer so designated by the Aviation Director within:

1. Ten calendar days after date of service of the ~~notice of violation~~ AIRPORT REPRESENTATIVE DETERMINATION if personally served or served to the last e-mail address the authorized provider submitted to the Aviation Department; or

2. Fifteen calendar days from the date of mailing by certified mail at the last address submitted to the Aviation Department.

E. The notice of appeal shall set forth the specific objections to the notice of violation. The objections form the basis of the appeal.

F. The hearing officer shall set a time and place for the hearing as soon as practicable, but no later than 15 business days after receipt of the notice of appeal.

G. The hearing shall be conducted in an informal manner to determine whether there is a sufficient factual and legal basis to support the notice of violation. The hearing officer shall not be bound by the technical rules of evidence in the conduct of the hearing; provided, that the decision of the hearing officer shall in all cases be based upon substantial and reliable evidence. All parties to the hearing shall have the right to present evidence. The burden of proof shall be at all times upon the party or parties appealing the notice of violation.

H. The decision of the hearing officer shall be rendered within 15 business days after close of the record and shall be based upon the evidence presented. The hearing officer's decision may include one of the following:

1. Affirm the notice of violation;
2. Modify the notice of violation; or
3. Reverse the notice of violation.

I. The decision of the hearing officer is final.

J. The Aviation Director may serve a notice of violation on an authorized provider through its authorized signer or designated local point of contact.

K. A person whose conduct by act or omission was responsible for the revocation of a permit or driver identification media, may not apply for a commercial ground transportation permit or driver identification media.

L. A person whose conduct was responsible for the suspension or revocation of a permit or driver identification media may not operate under any authorized provider's permit or contract on an airport during the term of the suspension or revocation.

M. It is unlawful to continue to operate on an airport during the period of time a suspension or revocation of a permit or driver identification media is in place.

SECTION 9. The Phoenix City Code, Chapter 4, Article IV, Section 4-77,

is amended to read:

Sec. 4-77. Prohibited acts.

A. It is unlawful for a driver to violate, through act or omission, any of the following:

1. A driver shall not stop, stand, or park a ground transportation motor vehicle except in areas designated for its category of passenger pick-up OR DROP-OFF as posted by the Aviation Director.
2. A driver shall not pick up OR DROP-OFF passengers except in parking garages, or in designated loading zones posted by the Aviation Director for that activity.
3. A driver shall not leave a motor vehicle unattended while in a posted loading zone on an airport. For purposes of this subsection, a vehicle is "unattended" when the driver is not within 15 feet from the vehicle.
4. A driver shall not stop, stand, or park a motor vehicle on an airport without displaying the following information in a manner prescribed in rules and regulations:
 - a. The fare to be charged;
 - b. The name of the driver;
 - c. The name of the provider;
 - d. How and where to lodge a complaint; and
 - e. A valid vehicle decal or trade dress.
5. Except in designated waiting areas, a driver operating under a permit for a prearranged provider shall not stop or park a ground transportation motor vehicle on an airport without having a prearranged customer.
6. A driver shall not stop, stand or park a ground transportation motor vehicle at Phoenix Sky Harbor International Airport unless the vehicle is properly equipped with an automated vehicle identification (AVI) tag or the driver is using global positioning

satellite (GPS) trip tracking as required in Section 4-72 and airport rules and regulations.

7. A driver shall not take a route that is not the most direct and rapid route to the passenger's destination unless agreed upon by the passenger.

8. A driver shall not engage in any physical fighting or loud, boisterous verbal disputes while on an airport or while transporting passengers from an airport.

9. A driver shall not solicit passengers for hire on an airport, except as authorized by the Aviation Director by written agreement designating specific locations and conditions for that activity. Except as authorized by the Aviation Director, fare negotiations with passengers shall take place outside of the AIR terminals and only in areas designated by the Aviation Director.

10. A driver shall meet a passenger(s) in the AIR terminals only in areas designated by the Aviation Director. The driver shall have in physical possession, at all times while in AN AIR terminal for the purpose of meeting a passenger, the driver's identification placard and a waybill for the passenger pick-up.

11. A driver shall not pick up OR DROP-OFF passengers except as authorized by a permittee under Section 4-68 or contracted taxicab provider under Section 4-82 or shared ride van service under Section 4-84.

12. A driver operating under the permit of a prearranged provider shall not charge more than the rate agreed upon with the passenger in that specific prearranged transaction.

13. A driver shall not alter, deface, tamper with, or damage an AVI tag or GPS trip tracking device. A driver shall not attempt to circumvent a trip tracking system.

14. A driver operating under the permit or contract of an authorized provider authorized to operate using GPS trip tracking shall maintain that authorized provider's mobile application open at all times while on an airport.

15. A driver shall not alter, tamper with, deface, or damage an identification media, a vehicle decal, or vehicle trade dress.

16. A driver shall:

- a. Obtain and maintain a valid vehicle decal or trade dress as required in Section 4-71;
- b. Obtain, maintain and make available to airport representatives upon request a valid driver identification media as required in Section 4-69;
- c. Have proof of valid insurance meeting requirements set forth in Section 4-68(B)(3);
- d. Make the driver identification media, and physical or virtual waybill, or copy of the written agreement with the prearranged passenger, available to airport representatives upon request; and
- e. Leave the passenger pick-up area immediately after pick-up, if the passenger cancels the reservation, or as otherwise directed by the Aviation Department.

17. A taxicab driver shall not park in a posted loading zone on an airport without having a properly installed, approved and sealed taxicab meter that is correctly set to calculate the fare or rate displayed on the outside of the vehicle; and without having a roof or top sign mounted on the taxicab that readily identifies the vehicle as a taxicab.

18. A taxicab driver shall not charge more than the fare prescribed in Section 4-83.

B. It is unlawful for a commercial ground transportation provider to violate, through act or omission, any of the following:

1. A provider may only stop, stand, or park a motor vehicle, or allow a motor vehicle to stop, stand, or park, in parking garages or areas designated for its category of passenger pick-up OR DROP-OFF as posted by the Aviation Director.

2. A provider shall not stop, stand, or park a motor vehicle, or allow a vehicle to stop, stand, or park on an airport without displaying the following information in a manner prescribed in rules and regulations:

- a. The fare to be charged;
- b. The name of the driver;

- c. The name of the provider;
- d. How and where to lodge a complaint; and
- e. A valid vehicle decal or trade dress.

3. A provider shall not solicit passengers for hire on an airport, except as authorized by the Aviation Director by written agreement designating specific locations and conditions for that activity. Except as authorized by the Aviation Director, fare negotiations with passengers shall take place outside of the terminals and only in areas designated by the Aviation Director.

4. Prearranged providers shall not charge more than the rate agreed upon with the passenger in that specific prearranged transaction.

5. A taxicab provider shall not charge more than the fare prescribed in Section 4-83, and displayed on the vehicle, or the amount visibly shown on the meter.

6. A permittee shall not fail to comply with the requirements of Section 4-68.

7. A provider shall not misrepresent the nature, scope, or quality of its driver background checks.

8. A taxicab provider shall not fail to have a properly installed, approved and sealed taxicab meter that is correctly set to calculate the fare or rate displayed on the outside of the taxicab; and shall not fail to have a roof or top sign mounted on the taxicab that readily identifies the vehicle as a taxicab.

9. Rental car companies shall use only the common transportation system, provided by the City, as the exclusive means to transport customers to and from the airport terminal zone.

Off-airport rental car companies shall pick up and drop off passengers only at the curb position at the RCC designated for off-airport rental car companies.

The requirements in this subsection (B)(9) do not apply to disabled services vehicles picking up OR DROPPING OFF customers with special needs or to rental car customers renting from a facility located in space subleased from a fixed base operator.

10. Loading and unloading at the curb position at the RCC designated for off-airport rental car companies and at the curb positions for the common transportation system are governed by airport rules and regulations posted on the airport's website.

11. A provider shall not alter, deface, tamper with, or damage an AVI tag or GPS trip tracking device. A provider shall not attempt to circumvent a trip tracking system.

12. A provider shall not alter, tamper with, deface, or damage an identification media, a vehicle decal, or vehicle trade dress.

13. A provider shall not stop, stand or park a ground transportation motor vehicle at Phoenix Sky Harbor International Airport unless the vehicle is properly equipped with an automated vehicle identification (AVI) tag or the provider is using global positioning satellite (GPS) trip tracking as required in Section 4-72 and airport rules and regulations.

C. It is unlawful for an authorized signer or designated local point of contact to violate any of the following:

1. An authorized signer or designated local point of contact shall not authorize any driver that has not passed a background check or is prohibited to operate pursuant to Section 4-68.

2. An authorized signer or designated local point of contact shall not authorize any vehicle that has not passed the inspection required in Section 4-68.

D. The FOLLOWING REMEDIES ARE CUMULATIVE. THE City may proceed under one or more of theSE following remedies:

1. *Civil ~~traffic~~ violations; PENALTIES.*

a. A violation under subsections (A)(1) through (6) and (B)(1) and THROUGH (2) of this section ARE shall constitute a civil traffic violationS, subject to a civil sanction PENALTY as provided in Section 36-156.02.

b. A VIOLATION UNDER SUBSECTION (A)(7) THROUGH (18), (B)(3) THROUGH (13), AND C OF THIS SECTION ARE CIVIL VIOLATION SUBJECT TO A PENALTY OF:

1. FOR THE FIRST VIOLATION, NOT LESS THAN \$100.00;

2. FOR THE SECOND VIOLATION WITHIN 36 MONTHS OF THE COMMISSION OF A PRIOR VIOLATION, NOT LESS THAN \$250.00;
 3. FOR THE THIRD OR ANY SUBSEQUENT VIOLATION WITHIN 36 MONTHS OF THE COMMISSION OF A PRIOR VIOLATION, NOT LESS THAN \$500.00.
- c. FOR THIS SECTION, THE 36-MONTH PERIOD, WILL BE DETERMINED BY THE DATES THE VIOLATIONS WERE COMMITTED. A PERSON SHALL BE ASSESSED THE ENHANCED CIVIL PENALTY UPON A FINDING OF RESPONSIBILITY FOR ANY VIOLATION COMMITTED WITHIN 36 MONTHS OF THE COMMISSION OF ANOTHER VIOLATION FOR WHICH THAT PERSON WAS CONVICTED OR FOUND RESPONSIBLE, IRRESPECTIVE OF THE ORDER IN WHICH THE VIOLATIONS OCCURRED OR WHETHER THE PRIOR VIOLATION WAS CIVIL OR CRIMINAL.

~~2. Civil sanctions.~~

~~a. A violation under subsection (A)(7) through (18), (B)(3) through (13), or C of this section is subject to a civil sanction of:~~

~~(1) For the first violation, not less than \$100.00;~~

~~(2) For the second violation within 36 months of the commission of a prior violation shall be subject to a civil sanction of not less than \$250.00;~~

~~(3) For the third violation within 36 months of the commission of a violation shall be subject to a civil sanction of not less than \$500.00.~~

~~b. The 36-month period, for this section, shall be calculated by the dates the violations were committed. Any person shall receive the enhanced civil sanction upon a finding of responsibility for any violation which was committed within 36 months of the commission of another violation for which that person was convicted or found responsible, irrespective of the order in which the violations occurred or whether the prior violation was civil or criminal.~~

23.—~~Criminal VIOLATIONSsanctions.~~ A violation of subsections (A)(9) through (18), (B)(3) through (13), and OR C of this section shall IS A CLASS 1 MISDEMEANOR be a criminal violation subject to the provisions of Section 4-80.

3. THE OWNER OF RECORD, ACCORDING TO THE ARIZONA DEPARTMENT OF TRANSPORTATION MOTOR VEHICLE DIVISION, FOR A VEHICLE OBSERVED COMMITTING ANY OF THE ABOVE VIOLATIONS IS PRESUMED TO CONTROL THE VEHICLE AT THE TIME OF THE VIOLATION. IF MORE THAN ONE PERSON IS LISTED AS THE OWNER OF THE VEHICLE, THOSE PERSONS ARE JOINTLY AND SEVERALLY PRESUMED TO CONTROL THE VEHICLE.

E. Each day any violation of any provision of this article, or the failure to perform any act or duty required by this article, exists shall constitute a separate violation or offense.

SECTION 10. The Phoenix City Code, Chapter 4, Article IV, Section 4-78, is amended to read:

Sec. 4-78. Fees.

A. *Trip fees.* Except for off-airport rental car companies, EFFECTIVE JANUARY 1, 2020, all authorized providers shall WILL pay the trip fees set forth below.

1. TRANSPORTATION NETWORK COMPANIES (TNC), ALL VEHICLE SIZES

EFFECTIVE DATE	DROP-OFF	PICK-UP
JANUARY 1, 2020	\$4.00	\$4.00
JANUARY 1, 2021	\$4.25	\$4.25
JANUARY 1, 2022	\$4.50	\$4.50
JANUARY 1, 2023	\$4.75	\$4.75
JANUARY 1, 2024	\$5.00	\$5.00

BEGINNING JANUARY 1, 2025, TRANSPORTATION NETWORK COMPANY TRIP FEES WILL AUTOMATICALLY INCREASE ANNUALLY AT THE GREATER RATE OF THREE PERCENT OR THE PERCENTAGE CHANGE IN THE MOST CURRENT CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U), PHOENIX-MESA-SCOTTSDALE, PUBLISHED BY THE U.S. DEPARTMENT OF LABOR,

BUREAU OF LABOR STATISTICS (OR SIMILAR REVISED INDEX PUBLISHED BY THE BUREAU).

2. NON-TNC AUTHORIZED PROVIDERS

VEHICLE SIZE	DROP-OFF	PICK-UP
1-8 SEATS	\$1.75	\$1.75
9-23 SEATS	\$2.25	\$2.25
24+ SEATS	\$5.00	\$5.00

BEGINNING JANUARY 1, 2021, NON-TNC AUTHORIZED PROVIDER TRIP FEES WILL AUTOMATICALLY INCREASE ANNUALLY AT THE GREATER RATE OF THREE PERCENT OR THE PERCENTAGE CHANGE IN THE MOST CURRENT CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U), PHOENIX-MESA-SCOTTSDALE, PUBLISHED BY THE U.S. DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS (OR SIMILAR REVISED INDEX PUBLISHED BY THE BUREAU).

~~1. All authorized providers permitted prior to June 18, 2016, shall pay trip fees as follows:~~

Vehicle Size	Beginning January 1, 2017	Beginning January 1, 2018	Beginning January 1, 2019
1-8 Seats	\$2.25	\$2.75	\$3.25
9-23 Seats	\$2.75	\$3.20	\$4.25
24+ Seats	\$6.50	\$7.50	\$9.00

~~2. *Saving clause.* From June 18, 2016, through December 31, 2016, all authorized providers permitted prior to June 18, 2016, shall pay all fees as existed in this section immediately prior to June 18, 2016.~~

~~3. All authorized providers permitted on or after June 18, 2016, shall pay trip fees as follows:~~

Vehicle Size	Beginning June 18, 2016
1-8 Seats	\$3.25
9-23 Seats	\$4.25
24+ Seats	\$9.00

~~4. The Aviation Department's estimated annual revenues pursuant to this subsection A are as follows:~~

~~2017—\$7,012,687.00~~

~~2018—\$7,842,608.00~~

~~2019—\$8,678,004.00~~

~~In January of calendar years 2018 and 2019, the Aviation Department will conduct a review of estimated revenue versus actual revenue. Based on the results of each calendar year review: (a) if total revenue in the preceding calendar year reviewed is less than or equal to total estimated revenue for that same calendar year reviewed, then the current calendar year fees will be as set forth in subsections (A)(1) and (3) of this section; or (b) if total revenue in the preceding calendar year reviewed exceeds total estimated revenue for that same calendar year, then the current year's rates will be proportionately adjusted to achieve the current year's estimated revenue using the preceding calendar year's actual trips.~~

~~5. The Aviation Department will conduct a study by January 1, 2020, of comparable airports' trip fees. The Aviation Department will seek industry participation in the selection of the consultant and participation in the study.~~

~~6. Beginning January 1, 2020, fees will increase annually at the lesser of three percent or the percent of change in the most current Consumer Price Index for Los Angeles-Riverside-Orange County, CA, All Urban Consumers, published by the U.S. Department of Labor, Bureau of Labor Statistics, or such revised index that may be subsequently published by the Bureau.~~

73. For authorized providers using global positioning system (GPS) trip tracking, trip fees apply once each time a driver enters a geofence, makes one or more stops, and completes a pick-up OR DROP-OFF of one or more passengers. For all other authorized providers, trip fees apply once each time a driver enters OR EXITS an airport and stops at one or more designated passenger pick-up OR DROP-OFF locations.

84. For authorized providers using GPS trip tracking, IF in the event that authorized provider's GPS trip tracking system fails (downtime), and the authorized provider is unable to account for

trips during THE such downtime in the subsequent monthly report, the Aviation Director will determine that authorized provider's monthly fee for THE such downtime based upon the PROVIDER'S highest monthly number of passenger pick-ups OR DROP-OFFS in the last 12 months for the same amount of time, taking into account the time of day and day of week.

95. Authorized providers using GPS trip tracking, and all authorized providers using designated pick-up OR DROP-OFF locations where there is no automated vehicle identification (AVI) reader, shall report all trips for that month to the City no later than 15 calendar days after the last day of the month.

406. The Aviation Director may provide a discount AN AUTHORIZED PROVIDER'S MONTHLY TRIP FEE INVOICE of BY up to ten percent (10%) of an authorized provider's monthly trip fee invoice for EACH trips MADE conducted by alternative-fuel-powered ground transportation motor vehicles. THE AVIATION DIRECTOR MAY ALSO DISCOUNT THE INVOICE UP TO THIRTY PERCENT (30%) FOR EACH TRIP THAT INITIATES OR TERMINATES AT THE 44TH STREET HOLD LOT OR 24TH STREET HOLD LOT, AS THOSE AREAS ARE FORMALLY IDENTIFIED BY THE AVIATION DIRECTOR.

447. All fees assessed pursuant to this section shall be paid on a monthly basis on or before the thirtieth day from the billing date, and payment shall be made with forms prescribed by the Aviation Director for reporting, computing and remitting said fees.

428. An authorized provider may dispute the calculation of trip fees as provided in airport rules and regulations.

439. An authorized provider may request specific documents provided to the City be treated as confidential or proprietary (collectively confidential); provided, that the authorized provider clearly labels the documents "confidential." The City will notify the authorized provider in writing of any public records request to view the documents or any portion of the documents marked "confidential." Authorized provider will have seven calendar days from the date such notice is received to obtain a court order enjoining the release of the documents marked confidential. If the authorized provider does not provide the City with a court order enjoining release of the documents, the City will make the documents requested available for inspection as required under the public records law seven calendar days after the written notice to the authorized provider is received.

10. THE TNC CURB SHARE WILL BE 30% BEGINNING JANUARY 1, 2020; 40% BEGINNING JANUARY 1, 2021; AND, 50% BEGINNING JANUARY 1, 2022. BEGINNING JANUARY 1, 2023, AND ADJUSTED ANNUALLY THEREAFTER, THE TNC CURB SHARE WILL BE EQUIVALENT TO THE PERCENTAGE OF ALL TNC TERMINAL TRIPS COMPARED TO ALL AUTHORIZED PROVIDER TERMINAL TRIPS DURING THE PRECEDING YEAR.

B. The Aviation Director may establish such other fees for temporary or daily use permits as the Aviation Director deems necessary for the safe, efficient and orderly operation of an airport.

C. *Books and records.*

1. Authorized provider agrees to maintain and make available to the Aviation Department during regular business hours accurate books and accounting records relating to its operations under this article. Authorized provider shall make available all records within Maricopa County. If authorized provider fails to make available all records within Maricopa County, authorized provider agrees to reimburse the Aviation Department for reasonable expenses involved in traveling to the records storage site. Authorized provider shall cooperate with the inspection and/or audit. In the event an inspection or audit shows that authorized provider has underpaid its monthly fees by more than three percent, the Aviation Department may require authorized provider to reimburse the Aviation Department for the costs of the inspection and/or audit. Authorized provider shall promptly remedy any noncompliance found through the inspection and/or audit. Authorized provider shall maintain the data and records in an accessible location and condition for a period of not less than five years from the expiration of its contract or permit, or the last date of operations on an airport, whichever is later.

2. The Aviation Director reserves the right to request any and all reports deemed necessary from authorized provider in its performance under this article, or for auditing purposes, at no cost to the Aviation Department. These reports shall be submitted within ten business days from the date the request was made unless instructed otherwise in writing by the Aviation Director.

D. Off-airport rental car companies and vehicle rental companies subleasing space from a fixed base operator shall pay, for the use of off-airport rental car company vehicles at the RCC, a fee of seven percent of

the gross receipts received from that portion of the vehicle rental company's vehicle rental receipts derived from persons transported between the airport and such vehicle rental facility. The fees to be imposed at Phoenix Deer Valley Airport and Phoenix Goodyear Airport shall be commensurate in amount and application to identical fees imposed at Phoenix Sky Harbor International Airport as set forth in subsection E of this section.

E. For purposes of computing gross receipts in this section Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport and Phoenix Goodyear Airport shall each be considered an independent operation, and the rental receipts derived from each airport shall be reported in accordance with the following:

1. Gross receipts includes all amounts received, billed (whether collected or not), delivered or realized by the off-airport rental car company, without deduction or offset, whether by cash, credit or otherwise related to the off-airport rental car company's vehicle rental concession as authorized by this article. All amounts are included in the definition of gross receipts unless specifically excluded as provided in subsection (E)(2) of this section. In determining whether an amount is or is not included in gross receipts the burden of proof is on the off-airport rental car company and all exclusions in subsection (E)(2) of this section will be construed narrowly.

2. Gross receipts shall not include:

- (A) Taxes—Any fee or other charge levied by Federal, State, County or municipal government that is explicitly identified by the taxing authority as a tax levied on the customer and required by law to be separately stated.

- (B) Customer facility charge—As defined in Section 4-79 when collected and remitted to the City.

- (C) Sums received for loss, conversion, disposal or abandonment of the off-airport rental car company's vehicles; provided, that the off-airport rental car company retains documentation from a third party that establishes to the City's satisfaction that the loss, conversion, disposal or abandonment occurred, and that the sums received do not exceed the amount necessary to repair or replace the vehicle that was subject to the loss, conversion, disposal or abandonment.

F. No deductions shall be allowed from gross receipts for the payment of franchise fees or taxes levied on the off-airport rental car company's activities, facilities, equipment or real or personal property of the off-airport rental car company.

G. Each off-airport rental car company acknowledges that its payments to the City under this article are for the company use of the airport, and that those payments do not reflect a fee that is imposed by the City upon customers renting cars from the company. Each off-airport rental car company understands that the City does not support the practice of transferring the company obligation for payment of the fees due under this article to its customers. Except as provided under Section 4-79, each off-airport rental car company is prohibited from stating or implying, in writing or orally, that the City or airport imposes or approves of any direct charge to its customers, including any surcharge that the company passes on to its customers to recoup airport use fees. Each off-airport rental car company is prohibited from misrepresenting to the public its prices or the terms and provisions of its rental agreement or those of its competitors, either orally or in writing. If an off-airport rental car company separately states and imposes a fee recoupment charge, recovery fee, or surcharge on its customers, that charge shall be immediately adjacent to time and mileage charges on the customer's invoice and shall not be described as a tax.

H. Each off-airport rental car company shall report all income, both cash and credit, in its monthly gross receipts statement to the City.

I. All off-airport rental car companies shall keep true and accurate account records, books and data which shall, among other things, show all sales made and services performed for cash or credit or otherwise, without regard to whether paid or not, and also the gross sales of said business and the aggregate amount of all sales and services and orders, and of all of the off-airport rental car company's business conducted from the airport.

J. The City and its agents shall have the right, at all reasonable times and during all business hours, to inspect and examine such records, cash registers, books and other data as required to confirm the gross receipts as defined above.

K. Within 90 days after the end of each calendar year, the off-airport rental car company, at its sole expense, shall submit to the City a certified annual statement of gross receipts, prepared by an independent certified public accountant in accordance with the statement on auditing standards issued by the Standards Board of The American Institute of Certified

Public Accountants ("AICPA Standards"), as the same may from time to time be amended or superseded:

Annual Gross Receipts	Annual Audit Statement
\$0.00—\$999,999.00	File a written audit statement based on a review which indicates that nothing in the inquiries or analytical testing has caused the reviewer to determine that the off-airport rental car company's payment of the concession privilege fee was inaccurate.
\$1,000,000.00—Up	File a written audit statement based upon an examination which contains an opinion that the concession privilege fees paid by the off-airport rental car company for the calendar year were made in accordance with the terms of this article. If the off-airport rental car company delivers a qualified opinion, an adverse opinion or a disclaimer of opinion as defined by the AICPA Standards, this shall constitute a failure to comply with the annual statement requirement.

L. In the event of an overpayment or underpayment by the off-airport rental car company, an amount equal to such payment shall be promptly paid by, or credited to, the off-airport rental car company. If, through an audited statement, it is established that the off-airport rental car company overpaid the City, reimbursement will be conditioned upon the off-airport rental car company providing reasonable justifications for the overpayment that are satisfactory to the City.

M. Off-airport rental car company vehicle fees shall be paid in accordance with the following schedule:

1. All fees assessed pursuant to this section shall be paid on a monthly basis on or before the twentieth day of the month next succeeding the month in which the fee accrues, and payment shall be made with forms prescribed by the Aviation Director for reporting, computing and remitting said fees.
2. Fees shall be deemed delinquent and assessed a delinquent account fee in accordance with Section 4-7.

N. Taxicab fees shall be assessed and collected in accordance with the current service contracts between each contracted taxicab owner and the City.

O. The Aviation Director may, in the Aviation Director's sole discretion, waive any or all of the fees assessed by this section at Phoenix Goodyear Airport or Phoenix Deer Valley Airport when the Aviation Director determines that it is not cost-effective to assess and collect such fees.

P. Failure to comply with the terms of this article or pay the fees as required may result in a nonrenewal of the commercial ground transportation permit as provided in Section 4-68, or a suspension or revocation of the permittee's permit as provided in Section 4-75.

SECTION 11. The Phoenix City Code, Chapter 36, Article XI, Section 36-156.02, is amended to read:

Sec. 36-156.02. Payment of sanctions upon receipt of notice of violation of certain offenses; procedure; effect of failure to make payment; court jurisdiction.

A. Any person who has become aware that a notice of violation has been issued with respect to an alleged violation of any provision of this code or the Phoenix Fire Code under circumstances which would permit proceedings pursuant to Section 36-133 or 36-161 may, in lieu of court proceedings, pay the total of the civil sanctions set forth below plus the State mandated penalty assessments in effect on the date of the violation within the time period set forth in such notice.

<i>Phoenix City Code Section</i>	<i>Description</i>	<i>Sanctions</i>
4-50	Aviation—Passenger loading and unloading	\$31.00
4-51	Aviation—Parking restrictions, parking in unauthorized area including rental car areas SUBSECTIONS (A), (C), (D), (E), (F), AND (G)	\$31.00
	SUBSECTION (B)	\$250.00**
4-68	Aviation—Decal display	\$65.00
4-70	Aviation ground transportation—No permit	\$65.00
4-77	Airport commercial ground transportation parking restrictions	\$65.00**

Phoenix City Code Section	Description	Sanctions
24-51	City park—Unauthorized parking or standing less than ten feet from authorized parking areas	\$50.00**
24-51	City park—Unauthorized parking or standing ten feet or more from authorized parking areas	\$100.00**
36-134(5)	Parking within 15 feet of fire hydrant	\$40.00
36-134	Other prohibited parking	\$31.00
36-135	Business or residence districts	\$31.00
36-136	Impeding traffic	\$31.00
36-137	Alley parking	\$31.00
36-138	Parking for display of, or work on, a vehicle	\$31.00
36-139	Median parking	\$31.00
36-140	Tractor, semi-trailer, or bus in excess of three-fourths ton in a residential zone	\$150.00
36-142	Parallel parking 18-inch rule	\$31.00
36-143	Angle parking	\$31.00
36-144	Driveway—Private property parking	\$65.00
36-145	Unpaved lot	\$150.00**
36-146	Time limit parking	\$31.00
36-147	Forty-eight-hour continuous parking	\$31.00
36-148	Restricted lot	\$65.00**
36-149	Disabled parking—Subsections (A), (B), and (C)	\$150.00**
	Subsection (D)	\$300.00**
36-149.01	Blocking curb access ramps	\$140.00
36-150	No emergency brake	\$31.00
36-151	Green curb parking	\$31.00
36-152	Bus, taxi parking—Red curb	\$31.00
36-153	Loading zone parking	\$31.00
36-154	Parking meter violations *1	\$31.00
36-156	Vehicle position—Motorcycle limits	\$31.00

Phoenix City Code Section	Description	Sanctions
36-161	Inoperable or unregistered vehicle on residential property	\$65.00
36-162	Inoperable vehicle on right-of-way	\$65.00**
36-162	Unregistered vehicle on right-of-way	\$65.00**
36-401(1)	Violate posted parking regulations in light rail area	\$50.00**
36-401(2)	Pickup/drop off passenger/park in light rail area	\$50.00**
36-401(3)	Block walkway, firelane, parking space, traffic lane in light rail area	\$50.00**

****NOTE**—Denotes Mandatory Minimum Sanction

B. The civil sanctions set forth in subsection A above shall be paid to the City Treasurer in accordance with the administrative procedures promulgated by the City Manager. Notwithstanding subsection A above or any other provision of law to the contrary, any person who is required to pay a sanction hereunder and who pays the sanction or requests a hearing during the discounted sanction option period reflected in the notice of violation shall be required to pay a "discounted" sanction in an amount equal to the sanction described in subsection A above, plus mandated State penalty assessments in effect on the date of the violation, minus twenty dollars. For purposes of this section, a person will be deemed to have paid a sanction during the discounted sanction option period if the sanction and mandated State penalty assessments in effect on the date of the violation paid by such person is received by the City Treasurer within the time period set forth in the notice of violation.

C. In the event that the payment of the civil sanction set forth in subsection A above is not received by the City Treasurer within the time period reflected in the notice of violation, a civil traffic complaint and summons may be issued. The summons and complaint may be sent by regular mail to the address provided to the State Department of Transportation by the individual made responsible for the alleged violation. Service of the summons and complaint is complete upon mailing. If a summons and complaint are issued pursuant to this subsection C, the court shall impose a civil sanction in an amount which is not less than the applicable civil sanction set forth under subsection A above plus State mandated penalty assessments and the Court shall not suspend any part or all of the imposition or execution of any sanction required by that subsection.

D. This section does not alter or amend the jurisdiction of the City Court under Section 36-156.01 or any other provision of the law.

SECTION 12. That all other provisions of Chapter 4, Articles I, III, and IV, and Chapter 36, Article XI of the Phoenix City Code, not specifically amended hereby, or renumbered as necessary, shall remain in full force and effect.

DRAFT

PASSED by the Council of the City of Phoenix this ____ day of October,
2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

Acting City Attorney

REVIEWED BY:

City Manager

JEM: 2145742v2



Phoenix Sky Harbor International Airport Terminal 2 Building Demolition, Apron Reconstruction, Mural Relocation, and Garage Demolition - Construction Manager At Risk Construction Services - AV08000082 FAA, AV02000033 (Ordinance S-46084)

Request to authorize the City Manager, or his designee, to enter into an agreement with Kiewit Infrastructure West Co. (Kiewit), to provide Construction Manager at Risk (CMAR) Construction Services for the Phoenix Sky Harbor International Airport (PSHIA) Terminal 2 (T2) Building Demolition, Apron Reconstruction, Mural Relocation, and Garage Demolition project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$55 million.

Summary

Terminal 2, the apron, and associated systems were constructed over 60 years ago, and they have reached their useful life. Terminal 3 improvements were undertaken to provide gates for airlines operating at T2. This allows T2 to be demolished without an impact to airport capacity and operations. The project will be delivered in phases that will span several years to align with available Federal Aviation Administration (FAA) grant funding beginning in Fiscal Year 2019-20.

The purpose of the project under the first phase, AV08000082 FAA, is to demolish the PSHIA T2 concourse and reconstruct the apron. This will provide dual taxi lanes and improved operational safety. Phase 1 of the project is eligible to receive FAA funding consistent with the phasing and grant availability.

The purpose of the project under the second phase, AV02000033, is to demolish the PSHIA T2 terminal building (processor). Phase 2 will also include relocation of the art mural to a new airport location with public access and possibly demolition of the T2 parking garage in accordance with the airport's plan for development. Phase 2 of the project is not eligible to receive federal funds.

Kiewit Infrastructure West Co.'s initial services will include preparation of a Guaranteed Maximum Price (GMP) proposal for the Construction Services provided under the

agreement and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the second phase of the project. Kiewit will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements under Phase 2 AV02000033, and the Disadvantaged Business Enterprise (DBE) program requirements under Phase 1 AV08000082 FAA. Kiewit will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. Kiewit may also compete to self-perform limited amounts of work.

Kiewit's services include, but are not limited to: project planning, scheduling, and detailed cost estimating; preparing a GMP; managing site operations; field verification of site conditions; procurement of materials and equipment; providing quality controls; and compliance with 49 Code of Federal Regulations Part 26 and the U.S. Department of Transportation DBE Program.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Preconstruction Services selection process.

Contract Term

The term of the agreement is 1,600 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement before the end of the term may be agreed to by the parties, and work may extend past the agreement's termination. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for Kiewit Infrastructure West Co. will not exceed \$55 million, including all subcontractor and reimbursable costs.

Funding is available in the Aviation Department's Capital Improvement Program budget. Staff anticipates reimbursement from a FAA grant in Fiscal Year 2019-20, and in future fiscal years. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved CMAR Preconstruction Services Agreement 148969 (Ordinance S-45240) on Dec. 12, 2018.

Location

3400 E. Sky Harbor Blvd.
Council District: 8

Responsible Department

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



Amendment Lease with Swissport Fueling, Inc. at Phoenix Sky Harbor Airport (Ordinance S-46098)

Request to authorize the City Manager, or his designee, to amend Lease 132521 with Swissport Fueling, Inc. (Swissport) at Phoenix Sky Harbor International Airport (PHX) by extending the lease term five years with no options to renew and add an additional 17,335 square feet to their leasehold. The total anticipated revenue over the term of the lease will be approximately \$169,938.

Summary

Swissport has leased 20,520 square feet of ramp space on the East Cargo Ramp since 2012. The current lease will expire on Dec. 31, 2019. Swissport has requested to continue leasing space to provide parking for their fleet of ground service equipment, fueling equipment, and office trailer. In addition, this amendment will increase their leased space by 17,335 square feet for a total leasehold area of 37,855 square feet.

Contract Term

The term will be for five years with no options to renew. This Agreement will be coterminous with Swissport's Terminal 3 Waste Triturator Agreement 135697.

Financial Impact

Annual rent will be \$33,987 (\$.90 per square foot) and will be adjusted on an annual basis based on the Phoenix-Mesa-Scottsdale Consumer Price Index (CPI) or 3 percent, whichever is greater. The total anticipated revenue over the term of the lease will be approximately \$169,938.

Concurrence/Previous Council Action

This item was recommended for approval by the Phoenix Aviation Advisory Board on Sept. 19, 2019 by a vote of 9-0.

Location

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

Responsible Department

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



Amendment Lease with Swissport Fueling, Inc. at Phoenix Sky Harbor Airport (Ordinance S-46099)

Request to authorize the City Manager, or his designee, to amend Lease 132684 (Lease) with Swissport Fueling, Inc. (Swissport) at Phoenix Sky Harbor International Airport (PHX) by extending the lease term three years with two one-year options to extend. The total anticipated revenue over the term of the lease, if all options are exercised, will be \$337,035.

Summary

Swissport, and Servisair USA, Inc. who was Swissport's predecessor under the Lease, have leased a vehicle fueling facility on the northwest airfield since Jan. 1, 2012. The facility contains 3,983 square feet of land, includes one 10,000 gallon diesel fuel tank, one 20,000 gallon unleaded fuel tank, and associated fueling equipment. The facility is used to fuel ground service equipment. Swissport's current lease will expire Dec. 31, 2019, and they have requested to continue leasing the facility for an additional three years.

Contract Term

The term will be for three years with two one-year renewal options to be exercised at the sole discretion of the Director of Aviation Services. This Agreement will be coterminous with Swissport's Terminal 3 Waste Triturator Agreement 135697.

Financial Impact

Annual rent will be approximately \$67,407 (\$16.92 per square foot) and will be adjusted on an annual basis based on the Phoenix-Mesa-Scottsdale Consumer Price Index (CPI) or 3%, whichever is greater. The total anticipated revenue over the term of the lease, if all options are exercised, will be \$337,035.

Concurrence/Previous Council Action

This item was recommended for approval by the Phoenix Aviation Advisory Board on Sept. 19, 2019 by a vote of 9-0.

Location

Phoenix Sky Harbor Airport, 3400 E. Sky Harbor Blvd.

Council District: 8

Responsible Department

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



Idemia Identity & Security USA, LLC Lease Agreement at Phoenix Sky Harbor International Airport (Ordinance S-46100)

Request to authorize the City Manager, or his designee, to enter into a lease agreement with Idemia Identity & Security USA, LLC. (Idemia) at Phoenix Sky Harbor International Airport (PHX) for a Transportation Security Administration (TSA) Pre-Check Enrollment Center. The term will be for three years with five, one-year renewal options, which may be exercised by mutual agreement of Idemia and the Director of Aviation Services. The total anticipated revenue over the term, if all options are exercised, will be approximately \$597,168.

Summary

Idemia, a TSA Pre-Check Enrollment Center, has requested to lease space in Terminal 4 to provide Pre-Check enrollment services to travelers. Idemia will lease a temporary space in Terminal 4 baggage claim, not to exceed 550 square feet, while construction on a permanent location is completed. At the end of 2019, Idemia will move to the new Premises located directly upstairs on level 2, near the new Southwest ticket counters.

Idemia will be responsible for all maintenance and operational costs.

Contract Term

The term will be for three years with five, one-year renewal options, which may be exercised by mutual agreement of Idemia and the Director of Aviation Services.

Financial Impact

Annual rent will be approximately \$74,646 (\$135.72 per square foot). Rates subject to annual Rates & Charges adjustments authorized by the Phoenix City Code. The total anticipated revenue over the term, if all options are exercised, will be approximately \$597,168.

Concurrence/Previous Council Action

This item was recommended for approval by the Phoenix Aviation Advisory Board on Sept. 19, 2019 by a vote of 9-0.

Location

Phoenix Sky Harbor Airport, 3800 E. Sky Harbor Blvd.
Council District: 8

Responsible Department

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



Avis Budget Car Rental, LLC Lease at Phoenix Sky Harbor Airport (Ordinance S-46101)

Request to authorize the City Manager, or his designee, to enter into a lease agreement with Avis Budget Car Rental, LLC (ABCR) at Phoenix Sky Harbor International Airport (PHX) for overflow parking of their rental vehicles. The term will be for one year with two, one-year renewal options to be exercised at the sole discretion of the Director of Aviation Services. The total anticipated revenue over the term, if all options are exercised, will be approximately \$411,642.

Summary

ABCR currently occupies a 3-acre area within the Tonto parking lot located at 610 S. 24th St. under a Temporary License Agreement with the City. The License Agreement will expire on Oct. 31, 2019, and ABCR has requested to continue leasing this space. The space is used for overflow parking of their rental vehicles. This lease will enable ABCR to meet customer demand, especially during the approaching high season.

Contract Term

The term will be for one year with two, one-year renewal options to be exercised at the sole discretion of the Director of Aviation Services.

Financial Impact

Annual rent will be approximately \$137,214 (\$1.05 per square foot). The total anticipated revenue over the term, if all options are exercised, will be approximately \$411,642.

Concurrence/Previous Council Action

This item was recommended for approval by the Phoenix Aviation Advisory Board on Sept. 19, 2019 by a vote of 9-0.

Location

East Tonto Lot, 610 S. 24th St.
Council District: 8

Responsible Department

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



Design Review and Construction Oversight Services with Roosevelt Irrigation District - AV41000074 Phoenix Goodyear Airport Drainage Improvements Project (Ordinance S-46103)

Request authorization to amend the access agreement with the Roosevelt Irrigation District (RID) to provide design review and construction oversight services on the Aviation Department's project to develop an underground concrete pipe system as a replacement for an existing open irrigation ditch at Phoenix Goodyear Airport (GYR). Also request authorization for the City Controller to disburse funds in an amount not to exceed \$60,000 for these services.

Summary

GYR has an open ditch that runs from north of the airport to the south of the GYR property. RID has been moving irrigation water in this open ditch for over 50 years. The Aviation Department has a grant project to construct an underground concrete pipe system to replace the open irrigation ditch.

On May 1, 2019, City Council authorized the Aviation Department to enter into an access agreement with RID. The Aviation Department is seeking authorization to amend this access agreement to add the design review and construction oversight services to be provided by RID for the project to develop the underground concrete pipe system.

Contract Term

The term of the agreement is 1,095 calendar days.

Financial Impact

The Agreement value will not exceed \$60,000, including all subconsultant and reimbursable costs. Funding is available in the Aviation Department's Capital Improvement Program budget.

Concurrence/Previous Council Action

The access agreement was recommended for approval by the Aviation and Transportation Subcommittee with a vote of 2-0 on April 23, 2019. City Council authorized the access agreement (Ordinance S-45615) on May 1, 2019.

Location

Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.

Council District: Out of City

Responsible Department

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



Air National Guard Joint Use Agreement (Ordinance S-46115)

Request to authorize the City Manager, or his designee, to enter a Joint Use Agreement with the United States of America, acting by and through Chief, National Guard Bureau, and the State of Arizona, acting by and through the Adjutant General (collectively known as Air National Guard [ANG]) at Phoenix Sky Harbor International Airport (PHX). The term of this Agreement will be for five years. ANG's proportionate share of operating and maintaining the jointly used facilities will be between \$10,000 and \$15,000 per year.

Summary

The Joint Use Agreement allows the ANG use of PHX facilities that are open to the public, which includes, but is not limited to: runways, taxiways, lighting systems, navigational aids, markings, and appurtenances. The Aviation Department (AVN) is responsible for maintaining all public facilities at PHX. The ANG will be responsible for any damages to public facilities at PHX, if such damage is caused solely by the ANG. The current Joint Use Agreement with ANG will expire on Sept. 30, 2019.

Contract Term

The term will be five years with no options to extend.

Financial Impact

ANG's proportionate share of operating and maintaining the jointly used facilities will be between \$10,000 and \$15,000 per year. The proportionate share is determined by calculating a number of factors such as: base year actual costs; increase for inflation; the number of military landings (local and civil operations); and ANG's annual share of costs. Currently, the annual payment required equals \$10,525.

Concurrence/Previous Council Action

This item was recommended for approval by the Transportation, Infrastructure and Innovation Subcommittee on Oct. 2, 2019.

Location

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

Responsible Department

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



South Central Extension/Downtown Hub Project Funding Agreement Amendment (Ordinance S-46116)

Request to authorize the City Manager, or his designee, to enter into a contract change order with Valley Metro Rail, Inc (VMR) to amend Agreement 140604 on the South Central Extension/Downtown Hub (SCE/DH) Project for an additional amount not to exceed \$159 million to fund continued progress toward completion of professional design, construction services, and associated activities. Further request authorization for the City Controller to disburse funds in an amount not to exceed \$159 million.

Summary

The SCE/DH Project is a 5.5-mile light rail project extending south from Jefferson Street to Baseline Road along Central Avenue, and it includes the creation of a rail transfer hub in downtown Phoenix (see **Attachment A**). This Project will include nine new light rail stations and two park-and-rides: one at the existing Ed Pastor Transit Center at Central Avenue and Broadway Road, and one end-of-line facility at the northwest corner of Central Avenue and Baseline (see **Attachment B**).

In May 2014, the VMR Board of Directors approved light rail transit on Central Avenue as the preferred transit mode and alignment for the South Central Corridor. In September 2014, the City of Phoenix was awarded a Transportation Investment Generating Economic Recovery (TIGER) Grant from the United States Department of Transportation (USDOT) to conduct an environmental assessment and preliminary engineering for the project. In December 2015, VMR entered into agreement no. 140604 with the City of Phoenix to fund activities associated with this effort. The agreement totaled \$3.2 million, with the USDOT (TIGER Grant) and the City of Phoenix (by T2050 Funds) each providing \$1.6 million. In August 2015, Phoenix voters approved Proposition 104, moving the multi-modal Transportation 2050 Plan forward. In November 2015, the Federal Transit Administration (FTA) officially approved inclusion of the SCE/DH Project into the Project Development Phase under the Capital Investment Grant (CIG) New Starts Program.

In January 2016, following voter approval of Proposition 104, City Council took action to accelerate project completion and approved an amendment to the original funding

agreement for an additional \$1.5 million. This amendment was for the completion of several grant/project readiness items required by FTA to demonstrate the project's technical, financial, and legal readiness for construction.

On Jan. 6, 2017, the FTA granted project environmental clearance with a Finding of No Significant Impact (FONSI) ruling, which made activities in the agreement eligible for FTA reimbursement. In February 2017, City Council approved an amendment to the funding agreement with VMR in the amount of \$50 million to provide initial funding to implement professional design and construction services for the SCE/DH Project.

On April 15, 2019, the FTA granted project approval to enter the engineering phase of the CIG New Starts Program. A portion of the FTA grant is anticipated for the SCE/DH Project in late 2020, with annual grant funding allocations anticipated for the project over multiple years. To keep this Project on schedule, the FTA has provided pre-award authority for design, land acquisition, utility relocations, long-lead procurement items (such as light rail vehicles and special track work), and construction activities. This pre-award authority allows VMR to utilize Phoenix's and VMR's funds to advance the project. The FTA will then reimburse its funding share (after the federal grant is approved) on an annual basis.

The additional funding needed at this time by VMR to advance the design, construction services, and associated activities is estimated at \$159 million. This funding also covers: final design services (such as preparation of legal descriptions of right-of-way, permits, insurance, and other legal documentation) as required; archaeology data testing and recovery; plan reviews by third parties; community relations support through design; business assistance; and other surveys, testing, and inspections.

Upon receiving City Council authorization, the City will amend its agreement with VMR to provide an additional \$159 million to advance the SCE/DH Project. Because the schedule for the disbursement of federal funding is based on a reimbursement process and is expected to exceed the project construction schedule, a future amendment to the agreement will be required to advance the necessary additional funding to VMR for project completion. The future amendment will be requested after the City receives authorization for the financing needed to cover costs that will be later reimbursed through federal CIG funding.

Financial Impact

The estimated total cost to advance the professional design, construction services, and associated activities is \$159 million. Funds are available in the Public Transit Department's Capital Improvement Program budget.

Concurrence/Previous Council Action

This item was recommended for approval at the Citizens Transportation Commission meeting on Oct. 1, 2019 by a vote of 7-1-1(abstain).

This item was recommended for approval at the Transportation, Infrastructure and Innovation Subcommittee meeting on Oct. 2, 2019, by a vote of 4-0.

Location

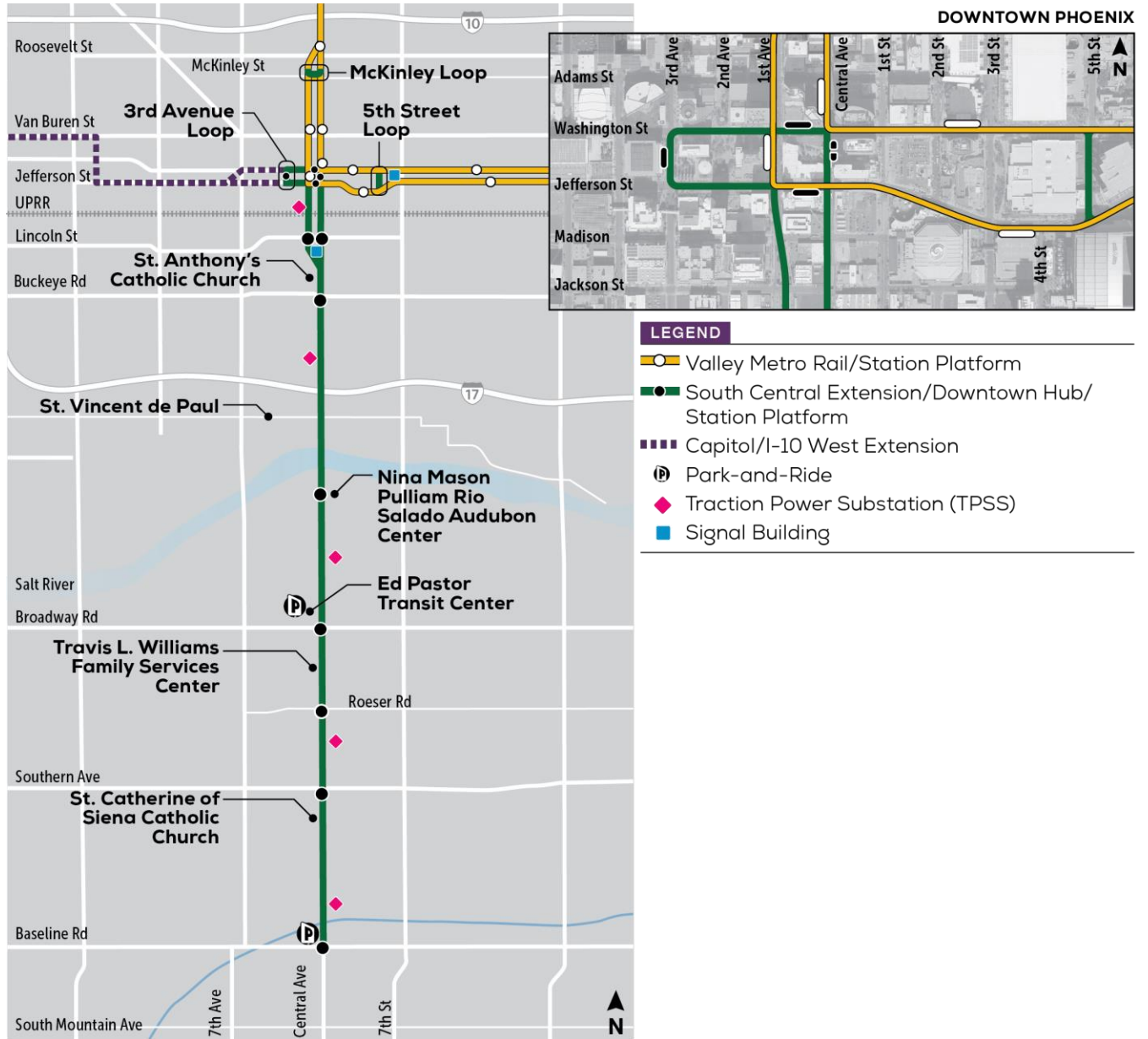
Central Avenue from Jefferson Street to Baseline Road (see **Attachment A**).

Council Districts: 7, 8

Responsible Department

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

Attachment A South Central Extension/Downtown Hub



Attachment B

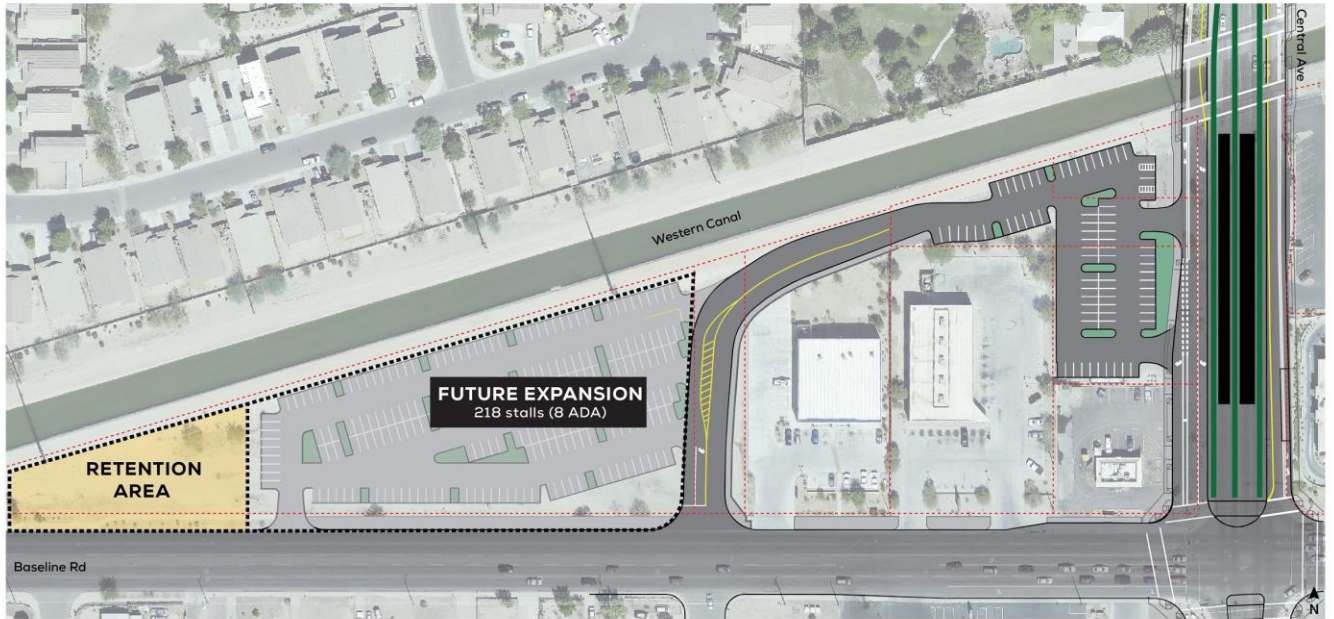
South Central Extension/Downtown Hub

End of Line Park and Ride



South Central Light Rail Extension
Central Avenue/Baseline Road Park-and-Ride

JUNE 19, 2019





*****ITEM REVISED (SEE ATTACHED CORRECTION MEMO)*** Northwest Extension Phase II Funding, Design and Construction Agreement Amendment (Ordinance S-46117)**

Request to authorize the City Manager, or his designee, to enter into a contract change order with Valley Metro Rail (VMR) to amend Agreement 1409001 for the Northwest Extension Phase II (NWEII) Project for an additional amount not to exceed \$79.4 million to fund continued progress toward the completion of professional design, construction services, and associated activities. Further request authorization for the City Controller to disburse funds in an amount not to exceed \$79.4 million.

Summary

The NWEII Project is a 1.5-mile light rail project extending west on Dunlap Avenue from 19th Avenue to 25th Avenue, then northward to Mountain View Road, then to a terminus west of Interstate 17 adjacent to the Metrocenter Mall (see **Attachment A**). This project will include an elevated structure over Interstate 17 and will terminate just west of the freeway. The Project will include three new stations, a shared parking location at Rose Mofford Park, and an end-of-line park-and-ride facility that includes a relocated and expanded Metrocenter Transit Center (see **Attachment B**).

In January 2016, the Phoenix City Council approved accelerating segments of the future high capacity/light rail transit system, including the NWEII Project. In June 2017, the Federal Transit Administration (FTA) approved VMR's request to enter the project development phase under the Capital Investment Grant (CIG) New Starts Program. The initial Environmental Assessment (EA) and preliminary engineering have been completed, and a submittal to enter the engineering phase of the CIG New Starts Program was made to the FTA in July 2019. A re-evaluation of the EA and final design are currently underway and are expected to be completed by fall 2020.

VMR awarded a contract for pre-construction services on the NWEII Project to Kiewit-McCarthy Joint Venture in September 2017. A systems design contract to support this project was awarded to PGH Wong Engineering in September 2017. VMR also awarded seven public art services contracts in November 2017. In April 2018, City Council approved a funding agreement with VMR in the amount of \$25 million to begin professional design and pre-construction services for the NWEII Project. In December

2018, VMR entered into Agreement 149001 with the City of Phoenix to fund activities associated with these efforts.

The additional funding needed by VMR for Phoenix's share of the costs to advance the professional design, construction services, and associated activities is estimated at \$79.4 million. This also covers: final design services, preparation of legal descriptions for right-of-way, permits, insurance, and other legal documentation as required; archaeology data testing and recovery; plan reviews by third parties; community relations support through design; business assistance; and other surveys, testing, and inspections.

Upon receiving City Council authorization, the City will amend its agreement with VMR to provide an additional \$79.4 million to advance the NWEI Project. Because the schedule for the disbursement of federal funding is based on a reimbursement process and is expected to exceed the project construction schedule, a future amendment to the agreement will be required to advance the necessary additional funding to VMR for project completion. The future amendment will be requested after the City receives authorization for financing needed to cover costs that will be later reimbursed through federal CIG funds.

Financial Impact

The estimated total cost for professional design, construction services, and associated activities is \$79.4 million. Funds are available in the Public Transit Department's Capital Improvement Program Budget.

Concurrence/Previous Council Action

This item was recommended for approval at the Citizen Transportation Commission meeting on Oct. 1, 2019, by a vote of 7-1-1 (abstain).

This item was recommended for approval at the Transportation, Infrastructure and Innovation Subcommittee meeting on Oct. 2, 2019, by a vote of 4-0.

Location

Extends west on Dunlap Avenue from 19th Avenue, then north on 25th Avenue and west on Mountain View Road, then to a terminus west of Interstate 17 adjacent to the Metrocenter Mall (see **Attachment A**).

Council Districts: 1, 3 and 5

Responsible Department

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



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

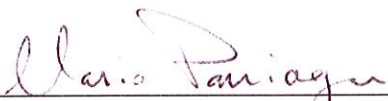
To: Mario Paniagua
Deputy City Manager

Date October 11, 2019

From: Markus Coleman
Light Rail Administrator

Subject CORRECTION TO ITEM 74 ON THE OCTOBER 16, 2019 FORMAL AGENDA –
NORTHWEST EXTENSION PHASE II FUNDING, DESIGN AND
CONSTRUCTION AGREEMENT AMENDMENT (ORDINANCE S-46117)

The purpose of this memo is to correct the agreement number provided in the description of the item for Item 74 on the October 16, 2019 Formal Agenda. The agreement number in the description was incorrectly noted as “1409001” and it should read “149001”.

Approved: 
Mario Paniagua, Deputy City Manager

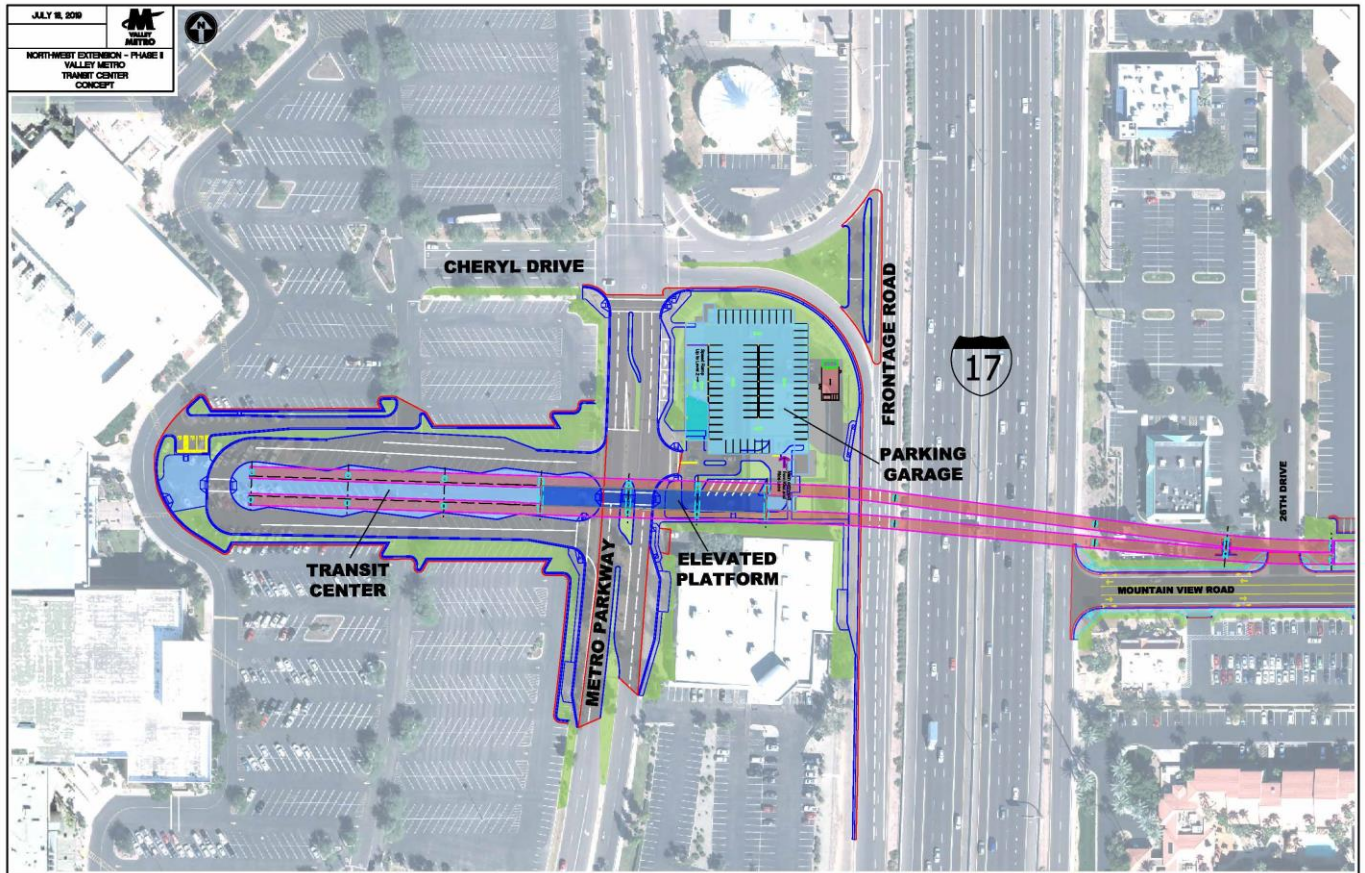
Attachment A Northwest Extension Phase II



LEGEND

- Valley Metro Rail/Station
- Northwest Extension Phase II/Station
- Existing Transit Center
- Existing Park-and-Ride
- Relocated Transit Center
- Proposed Park-and-Ride

Attachment B
Northwest Extension End of Line Station/Transit Center





Salt River Project Land Use License for Commercial Private Development Project at 8181 W. Roosevelt St. (Ordinance S-46086)

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project (SRP) for a private commercial development project, Ten Industrial Park, located at 8181 W. Roosevelt St.

The land use license is necessary to facilitate the development of the property located at 8181 W. Roosevelt St. The license will allow the construction of right-of-way improvements such as pavement, curb, gutter, sidewalk and utilities along 79th Avenue and will be consistent with and shall not interfere with U.S. Bureau of Reclamation fee property.

Indemnification

The SRP license agreement includes authorization pursuant to Phoenix City Code section 42-20 to indemnify, release and hold harmless SRP for: (A) acts of omissions of the City, its agents, officers, directors or employees; (B) the City's use of occupancy of the licensed property for the purposes contemplated by the license, including but not limited to claims by third parties who are invited or permitted onto the licensed property, either expressed or implied by the City or by nature of the City's improvement or other use of the licensed property pursuant to this license; and (C) the City's failure to comply with or fulfill its obligations established by the license or by laws. Per City of Phoenix Code, indemnification of another public entity requires approval from the City Council.

Contract Term

The term of the License shall be for 25 years beginning Oct. 1, 2019 and ending Sept. 30, 2044. The license may be renewed upon written agreement by the parties.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

8181 W. Roosevelt St.
Council District: 7

Responsible Department

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



Citywide Architectural On-Call Services for Calendar Years 2020 - 2021 (Ordinance S-46092)

Request to authorize the City Manager, or his designee, to enter into separate agreements with the 12 consultants listed in **Attachment A**, to provide Architectural On-Call Services citywide. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$500,000 for each agreement.

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

Summary

The On-Call consultants will be responsible for providing Architectural On-Call services that include, but are not limited to: design, construction administration and inspection, cost estimating, surveys, studies, project management, tenant improvements, historic building assessments, historic building documentation, preservation design guidelines and other historic preservation and architectural related services citywide.

Procurement Information

The selections were made using a qualifications-based selection process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. 39 firms submitted proposals and are listed in **Attachment A**.

Contract Term

The term of each agreement is up to two years, or up to \$500,000, whichever occurs first. Work scope identified and incorporated into the agreement prior to the end of the

term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for each of the On-Call consultants will not exceed \$500,000, including all subconsultant and reimbursable costs.

Funding is available in the citywide Capital Improvement Program and Operating budgets. The Budget and Research Department will review and approve funding availability prior to issuance of any On-Call task order of \$100,000 or more. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department

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

Attachment A
Architectural On-Call Services Calendar Years 2020-2021

Selected Firms

- Rank 1: DLR Group Inc.
- Rank 2: Arrington Watkins Architects, LLC
- Rank 3: APMI, Inc.
- Rank 4: Motley Design Group, L.L.C.
- Rank 5: Burns Wald-Hopkins Shambach Architects, Inc.
- Rank 6: Lea-Architects, LLC
- Rank 7: Swan Architects, Inc.
- Rank 8: DWL Architects-Planners, Inc.
- Rank 9: SPS+ Architects LLP
- Rank 10: Gould Evans, Inc.
- Rank 11: MRT Design, LLC
- Rank 12: Jones Studio, Inc.

Additional Proposers

- Rank 13: Ayers/Saint/Gross, Incorporated
- Rank 14: Winslow and Partners, LLC
- Rank 15: Smithgroup, Inc.
- Rank 16: Holly Street Studio, LLC
- Rank 17: Architectural Resource Team, Inc.
- Rank 18: HDR Architecture, Inc.
- Rank 19: Michael Baker International, Inc.
- Rank 20: FM Solutions Inc.
- Rank 21: Burns & Mc Donnell Engineering Company, Inc.
- Rank 22: Davis Design Solutions, LLC
- Rank 23: GH2 Architects, LLC
- Rank 24: Adaptive Architects, Inc.
- Rank 25: Breckenridge Group, Inc.
- Rank 26: WHPACIFIC, Inc.
- Rank 27: HAD Architects, L.L.C.
- Rank 28: BO Arch, LLC
- Rank 29: Merge Architectural Group LLC

Rank 30: Dekker Perich Sabatini, LLC
Rank 31: M3 Engineering & Technology Corporation
Rank 32: ADM Group, Inc.
Rank 33: Denis McKitrick + Associates, LLC
Rank 34: FM Group Inc
Rank 35: EMC2 Group Architects Planners, PC
Rank 36: Cunningham Group Architecture, Inc.
Rank 37: Fore Dimensions LLC
Rank 38: Design One Architects & Planners, Inc.
Rank 39: KOO Design-Build, Inc.



Planning and Development Department Building Field Inspection On-Call Services for Residential and Commercial Projects Amendment (Ordinance S-46110)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 147116 with Willdan Engineering, Inc., to provide additional Planning and Development Department Building Field Inspection On-Call Services for Residential and Commercial Projects. Further request to authorize execution of other amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed \$300,000.

Summary

The purpose of this work is for the firm to provide on-call field inspections of new construction, alterations, and repairs submitted by commercial and residential property owners for compliance with the Phoenix Building Construction Code and Fire Code.

This amendment is necessary because the Planning and Development Department Residential Inspections team has experienced a 7 percent increase in inspections from this time last year. The use of on-call inspectors will continue to be critical to meet workload demands. To date, Willdan Engineering, Inc. has been able to consistently provide field inspection staff as requested. The Residential Inspection team has been using four Willdan Engineering inspectors. Projections show that their initial contract funds will run out by November 2019; six months prior to the expiration of the agreement. This amendment will provide additional funds to the agreement.

Contract Term

The 24-month term of this agreement is unchanged. The scope of work identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

- The initial agreement for Building Field Inspection On-Call Services for Residential and Commercial Projects was executed for a fee not-to-exceed \$750,000, including

all subconsultant and reimbursable costs.

- Amendment 1 will increase the agreement value by an additional \$300,000, for a new total not-to-exceed agreement value of \$1,050,000, including all subconsultant and reimbursable costs.

Funding for this amendment is available in the Planning and Development Department's operating budget. The Budget and Research Department will separately review and approve funding availability prior to the execution of any amendments. Payments may be made up to the approved contract limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved the Planning and Development Department Building Field Inspection On-Call Services for Residential and Commercial Projects Agreement 147116 (Ordinance S-44349) on March 21, 2018.

Responsible Department

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



Request to Enter into Joint Funding Agreement with United States Geological Survey for Water Study (Ordinance S-46085)

Request authorization for the City Manager, or his designee, to enter into a Joint Funding Agreement (JFA) with the United States Geological Survey (USGS) to conduct a microgravity survey of groundwater in the City's Northeast Aquifer. Further request to authorize the City Controller to disburse all funds related to this item. The project is projected to cost \$465,800; the USGS will contribute an amount not to exceed \$215,000 and the City will contribute an amount not to exceed \$250,800.

Summary

The USGS provides scientific research in water resource management and has specialized expertise in assessing aquifer water conditions by measuring changes in the earth's gravitational field over time. The USGS has conducted numerous microgravity surveys and is an expert in this scientific method. The Water Services Department (WSD) wishes to employ this aquifer monitoring methodology for a water study in the Northeast Aquifer of the City, where most of the current and future water storage will take place using the City's Aquifer Storage & Recovery (ASR) wells. The purpose of the investigation is to establish the background gravity field and conduct future, repeat measurements over time to assess gravity changes attributed to the City's ASR operations. Upon establishing the baseline network and completing the repeat microgravity measurements, the USGS will process and analyze the data to produce maps of the gravity and aquifer changes. USGS will compile the data and maps, and then prepare a summary report for the City. The survey results will assist the City in making decisions regarding the temporal and spatial elements of its aquifer storage and recovery program. The total cost of the five-year program is projected to be \$465,800.

Contract Term

This JFA will be for a term of three years, with two, one-year options to extend.

Financial Impact

Funding for this project is available in the Water Services Department's Capital Improvement Program budget.

Location

Various locations.

Council District: 2

Responsible Department

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



Bearings, Oil Seals and Industrial Belts - Invitation for Bids (Ordinance S-46089)

Request to authorize the City Manager, or his designee, to enter into separate agreements with two contractors: Genuine Parts Company dba NAPA Auto Parts, and IBT West, LLC dba Magnum Industrial Distributors (Contractors) to supply bearings, oil seals and industrial belts to support the general operation of the Water Services Department. Further request authorization to execute amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and the City Controller to disburse all funds related to this item. The total agreements value will not exceed \$320,000.

Summary

The Contractors will provide various bearings, oil seals, and industrial belts, on an as-needed basis.

Procurement Information

The selections were made using an Invitation for Bids procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Three vendors submitted bids and one was deemed non-responsive. The selected bidders are listed below.

Selected Bidders:

Genuine Parts Company dba NAPA Auto Parts
IBT West, LLC dba Magnum Industrial Distributors

Contract Term

The term of each agreement is five years and will begin on Nov. 1, 2019.

Financial Impact

The combined value for the two agreements will not exceed a total value of \$320,000. Funding is available in the Water Services Department's Operating budget.

Responsible Department

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



Annual Licensure and Software Maintenance and Support Services, Arcadis - Contract Direct Selection (Ordinance S-46093)

Request to authorize the City Manager, or his designee, to enter into an agreement with Arcadis U.S., Inc., for annual licensure and software maintenance and support services. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$1,304,400.

Summary

The purpose of this agreement is to provide software license, maintenance and support services for the Water Services Department's Drinking Water Regulations Database (eDWaRD) and the Environmental Permit Compliance Database (EPCD) applications.

The direct selection is necessary because Arcadis remains the only company supporting the Regulatory Compliance Tracking System, including eDWaRD and EPCD.

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

Procurement Information

The selection was made using a direct selection process set forth in City of Phoenix Administrative Regulation 3.10. A direct selection was made because there is only one capable supplier of goods and services due to the unique nature of the requirement, thereby establishing this as a sole-source procurement.

Contract Term

The term of the agreement is for a 10-year period, commencing on Nov. 1, 2019.

Financial Impact

The Agreement value for Arcadis U.S., Inc. will not exceed \$1,304,400. Funding is available in the Water Services Department's Operating budget.

Responsible Department

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



Modification of Stipulation Request for Ratification of Sept. 18, 2019 Planning Hearing Officer Action - Z-103-87-1(3)

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Sept. 18, 2019. This ratification requires formal action only.

Summary

Application: PHO-1-19--Z-103-87-1(3)

Existing Zoning: C-2

Acreage: 1.11

Applicant: Mike Baker

Owner: Thomas Himes

Representative: Mike Baker

Proposal:

1. Modification of Stipulation 1 regarding general conformance to the site plan dated March 17, 1987.
2. Deletion of Stipulation 3 regarding conditional approval upon development of a car wash.

Location

General Location: Southeast corner of 5th Place and Union Hills Drive.

Council District: 3

Parcel Address: 515 E. Union Hills Drive.

Concurrence

Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee chose not to hear this case at the Aug. 15, 2019 meeting.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Sept. 18, 2019 and recommended approval with modifications and an additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Responsible Department

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

Attachment A- Stipulations- PHO-1-19--Z-103-87-1(3)

Location: Southeast corner of 5th Place and Union Hills Drive

Stipulations:

1. ~~That the property be developed~~ THE DEVELOPMENT SHALL BE in general conformance with the SITE PLAN DATE STAMPED JULY 29, 2019, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. ~~plans dated March 17, 1987 and be subject to Development Coordination Office site plan review in accordance with Section 511 of the Zoning Ordinance.~~
2. ~~That t~~The block wall shown shall be decorative or colored block.
3. ~~That approval be conditioned upon development of a car wash within 18 months of City Council approval of the change of zone in accordance with Section 108M of the Zoning Ordinance.~~
3. PRIOR TO THE ISSUANCE OF ANY PERMIT FOR TENANT IMPROVEMENT OR BUILDING PERMITS FOR ANY ADDITIONS OR NEW BUILDINGS, ALL PARKING LOT AREAS AND LANDSCAPE SETBACKS SHALL BE REPLENISHED TO MEET C-2 LANDSCAPING STANDARDS WITH A MINIMUM OF 2-INCH CALIPER TREES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4. ~~That s~~Sufficient right-of-way SHALL be dedicated within one year of final City Council action to provide:
 - a. A 12-foot radius at 5th Place and Union Hills Drive.



Modification of Stipulation Request for Ratification of Sept. 18, 2019 Planning Hearing Officer Action - Z-390-84-8

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Sept. 18, 2019. This ratification requires formal action only.

Summary

Application: PHO-2-19--Z-390-84-8

Existing Zoning: C-2 M-R SP TOD-1

Acreage: 4.81

Applicant: CHPH Holding LLC

Owner: CHPH Holding LLC

Representative: Keith Deutscher, Stewart + Reindersma

Proposal:

1. Modification of Stipulation 3 regarding general conformance to the site plan presented.
2. Deletion of Stipulation 4 regarding architectural treatment of hotel and parking structure.
3. Technical corrections to Stipulations 2 and 5.

Location

General Location: Northwest corner of 44th and Washington streets.

Council District: 8

Parcel Address: 4300 E. Washington St.

Concurrence

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 heard this case on Sept. 18, 2019 and recommended approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Responsible Department

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

Attachment A- Stipulations- PHO-2-19_Z-390-84-8

Location: Northwest corner of 44th Street and Washington Street

Stipulations:

1. ~~That a~~Approval of this rezoning SHALL be conditioned upon development of a hotel in accordance with Section 108-K of the Zoning Ordinance within 18 months of the final approval of the change of zone by the City Council.
2. ~~That THE~~ rezoning SHALL vest concurrent with final site plan approval by the ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT.
3. ~~That THE~~ development SHALL be in general conformance ~~to~~ WITH the site plan DATE STAMPED JANUARY 8, 1985, FOR THE HOTEL AND PARKING STRUCTURE ON THE WESTERN PORTION OF THE SITE, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. ~~presented, recognizing modification may be necessary pending parking variance action by the Zoning Administrator.~~
4. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED JULY 31, 2019, FOR THE HOTEL ON THE EASTERN PORTION OF THE SITE, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
 - A. THE DEVELOPER SHALL PROVIDE PEDESTRIAN PATHWAYS WHICH PROVIDE DIRECT CONNECTIVITY BETWEEN THE PROPOSED HOTEL AND THE BUS BAY ON THE NORTH SIDE OF WASHINGTON STREET AND THE IMMEDIATE NORTHWEST CORNER OF 44TH STREET AND WASHINGTON STREET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4. ~~That the architectural treatment of the hotel and parking structure be unified with similar theme, texture and coloration.~~
5. ~~That t~~The landscape theme along 44th Street and Washington Street SHALL be consistent with the Village Planning Committee's concept on gateway treatment as determined by the ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT.
6. ~~That s~~Sufficient right-of-way SHALL be dedicated by the property owner within one year of final City Council action to provide:
 - a. A 21' x 21' triangle at 44th Street and Washington Street.
 - b. Additional right-of-way as may be required by site plan review.

7. IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN ARCHAEOLOGICAL SURVEY REPORT OF THE DEVELOPMENT AREA FOR REVIEW AND APPROVAL BY THE CITY ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.
8. IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
9. IN THE EVENT ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE DEVELOPER SHALL IMMEDIATELY CEASE ALL GROUND-DISTURBING ACTIVITIES WITHIN A 33- FOOT RADIUS OF THE DISCOVERY, NOTIFY THE CITY ARCHAEOLOGIST, AND ALLOW TIME FOR THE ARCHAEOLOGY OFFICE TO PROPERLY ASSESS THE MATERIALS.



Amend City Code - Official Supplementary Zoning Map 1189 (Ordinance G-6630)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1189. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-99-88-1(2) and the entitlements are fully vested.

Summary

To rezone multiple parcels located at the southwest corner of Jomax Road and Tatum Boulevard

Z-99-88-1(2)

Zoning: C-2 PCD

Owner: PMH LP, HCP/Utah LLC, HCPI/Utah II LLC, Tatum Highlands Community Association, and the City of Phoenix

Acreage: Approximately 8.86

Location

Southwest corner of Jomax Road and Tatum Boulevard

Council District: 2

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

**AN ORDINANCE AMENDING SECTION 601 OF THE CITY
OF PHOENIX ZONING ORDINANCE BY ADOPTING
OFFICIAL SUPPLEMENTARY ZONING MAP 1189**

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 1189 signed by the
Mayor and City Clerk, which is accompanies and is annexed to this ordinance and
declared a part hereof.

PASSED by the Council of the City of Phoenix this 2nd day of October
2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____ City Attorney

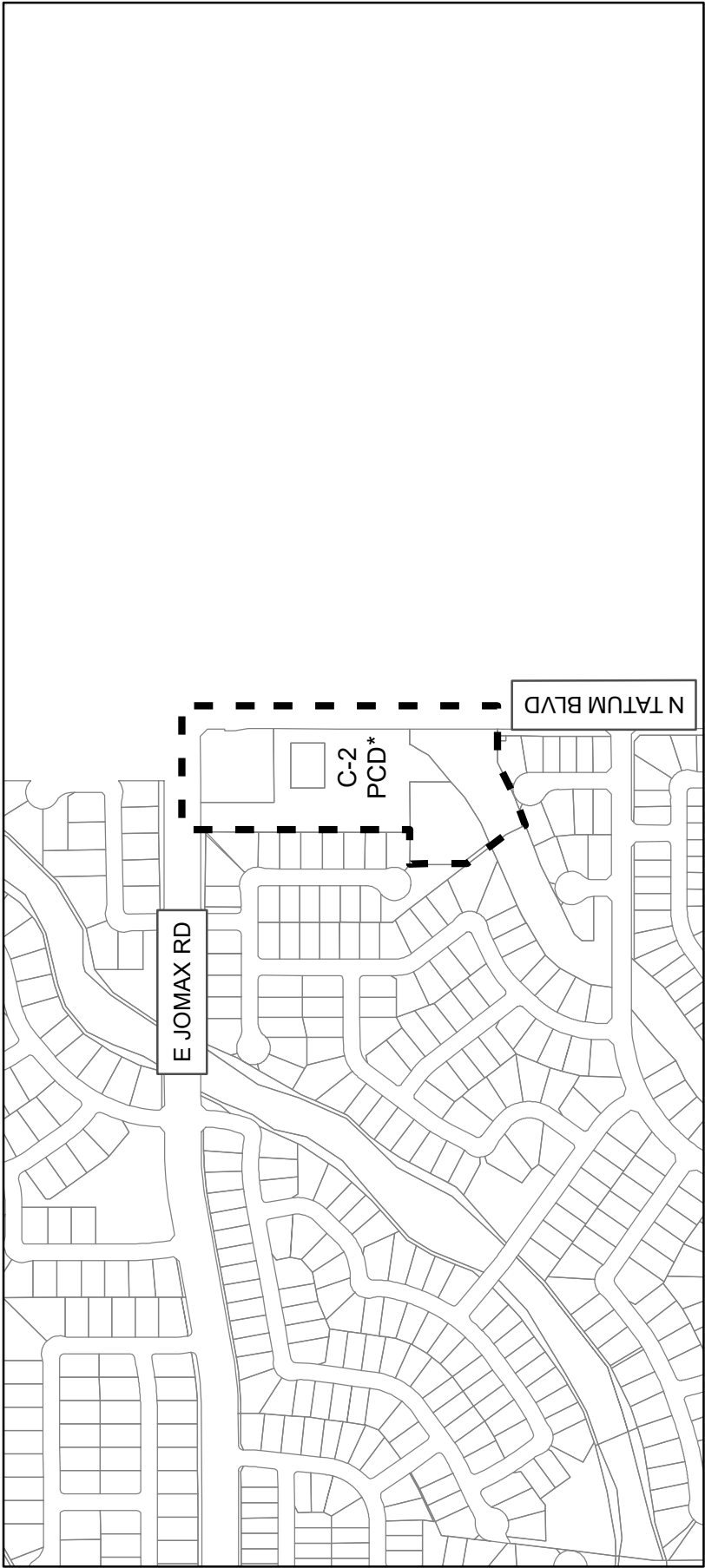
REVIEWED BY:

_____ City Manager

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1189 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 2nd day of October 2019.



Z-99-88-1(2)

Drawn by: CM _____



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



Final Plat - Southeast Corner of 43rd Avenue & Fillmore Street - 190038 - East of 43rd Avenue and South of Fillmore Street

Plat: 190038

Project: 17-3402

Name of Plat: SEC 43rd Avenue & Fillmore Street

Owner(s): Copper Sky Holding, LLC

Engineer(s): EPS Group, Inc.

Request: A 14 Lot Residential Plat

Reviewed by Staff: Sep. 11, 2019

Final Plat requires Formal Action Only

Summary

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

Location

Generally located east of 43rd Avenue, south of Fillmore Street.

Council District: 4

Responsible Department

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



Final Plat - 23 North - 190047 - Northeast Corner of Royal Palm Road and 23rd Avenue

Plat: 190047
Project: 18-2930
Name of Plat: 23 North
Owner(s): West Royal Development III, LLC
Engineer(s): 3 Engineering, LLC
Request: A 198-Lot Residential Plat
Reviewed by Staff: Sep. 17, 2019
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northeast corner of Royal Palm Road and 23rd Avenue.
Council District: 5

Responsible Department

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



Final Plat - Exeter Estates - 190049 - North of Exeter Boulevard and East of Rubicon Avenue

Plat: 190049
Project: 18-3913
Name of Plat: Exeter Estates
Owner(s): E&C Operations, LLC
Engineer(s): Erie & Associates, Inc.
Request: A 4 Lot Residential Plat
Reviewed by Staff: Sep. 18, 2019
Final Plat requires Formal Action Only

Summary

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

Location

Generally located north of Exeter Boulevard and east of Rubicon Avenue.
Council District: 6

Responsible Department

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



Final Plat - Teakwood Townhomes - 190050 - 915 E. Missouri Avenue

Plat: 190050
Project: 17-1693
Name of Plat: Teakwood Townhomes
Owner(s): Teakwood Development, LLC
Engineer(s): Buchli Engineering, Inc.
Request: A 21 Lot Residential Subdivision Plat
Reviewed by Staff: Sep. 20, 2019
Final Plat requires Formal Action Only

Summary

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

Location

915 E. Missouri Ave.
Council District: 6

Responsible Department

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



Abandonment of Right-of-Way - V180061A - 1105 E. Gibson Lane (Resolution 21788)

Abandonment: V180061A

Project: 17-1149

Applicant: Jeff Norman with Hunter Engineering

Request: To abandon an 8-foot alley, dedicated on the west and south line of plat "Dorothy Virginia Place", as recorded in Book 57, Page 34 of the official records with Maricopa County, Arizona.

Date of Hearing: Nov. 13, 2018

Location

1105 E. Gibson Lane

Council District: 8

Financial Impact

Pursuant to Phoenix City Code Art. 5, sec. 31-64 (e) as the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls and by the elimination of third-party general liability claims against the city, maintenance expenses, and undesirable traffic patterns, also replatting of the area with alternate roadways and new development as sufficient and appropriate consideration in this matter.

Responsible Department

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



Abandonment of Right-of-Way - V190040A - Northwest Corner of 29th Avenue and Camelback Road (Resolution 21790)

Abandonment: V190040A

Project: 01-21183

Applicant: Grand Canyon University

Request: To abandon 10 foot of excess right of way, at the northwest corner of 29th Avenue and Camelback Road.

Date of Hearing: Aug. 1, 2019.

Location

Northwest corner of 29th Avenue and Camelback Road.

Council District: 5

Financial Impact

A fee was also collected as part of this abandonment in the amount of \$1,550.

Responsible Department

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



Draft Infrastructure Financing Plan: 2020 Update

Request to approve the Draft Infrastructure Financing Plan: 2020 Update and conclude the public comment period, as required by Arizona Revised Statutes (ARS).

Summary

Arizona's development impact fee enabling statute ARS 9-463.05 requires cities to review and, if necessary, update development impact fees every five years. Impact fees are assessed on building permits within designated "new development" areas to help pay for certain capital facilities that are required to serve new development. Phoenix currently administers nine development impact fee programs including: Fire Protection, Police, Parks, Libraries, Major Arterials, Storm Drainage, Water, Wastewater, and Water Resources Acquisition. The City's last impact fee update was approved by City Council on Jan. 21, 2015 and the fees took effect on April 5, 2015. In addition to maintaining compliance with impact fee rules, updating the impact fee program helps to ensure fees are in-line with current growth projections, infrastructure plans, and facility costs. In accordance with Arizona impact fee rules, draft land use assumptions (LUAs) and infrastructure improvements plans (IIPs) for each impact fee category have been prepared, and made available to the public. The draft LUAs and IIPs have been consolidated in a single document titled *Draft Infrastructure Financing Plan: 2020 Update* (Draft IFP) that, along with several supplemental reports, was posted to the City's website on July 1, 2019. The Draft IFP may be viewed online at: <https://www.phoenix.gov/pdd/devfees/impactfees/draftifp>.

Public Hearing

A public hearing on the draft LUAs and IIPs was conducted on Sept. 4, 2019, in accordance with A.R.S. 9-463.05. The staff report for the public hearing, that summarizes significant proposed changes reflected in the Draft IFP and compares the current and the draft proposed impact fees, is incorporated with this staff report as **Attachment A**.

Public Comment Period

Comments received on the Draft IFP during the public comment period will be considered for incorporation in the Final Infrastructure Financing Plan: 2020 Update, that will be prepared and made available to the public soon after the Draft IFP is

approved by City Council. The only public comments received to date were submitted by the Impact Fee Ad Hoc Committee on Sept.11, 2019. The recommendation letter prepared by the Impact Fee Ad Hoc Committee is incorporated with this staff report as **Attachment B**.

Concurrence

A presentation of the development impact fee review process and preliminary recommendations for the draft IFP was provided to the Water, Wastewater, Infrastructure and Sustainability Subcommittee on June 5, 2019 for information and discussion.

Responsible Department

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



Agenda Date: 9/4/2019, Item No. 42

Public Hearing - Draft Land Use Assumptions and Infrastructure Improvements Plans

Request to hold a public hearing on the Land Use Assumptions and Infrastructure Improvement Plans draft, as required by Arizona Revised Statutes (ARS).

Summary

Arizona's development impact fee enabling statute (ARS 9-463.05) requires cities to review and, if necessary, update development impact fees every five years. Impact fees are assessed on building permits within designated "new development" areas to help pay for certain capital facilities that are required to serve new development. Phoenix currently administers nine development impact fee programs including: Fire Protection, Police, Parks, Libraries, Major Arterials, Storm Drainage, Water, Wastewater, and Water Resources Acquisition. The City's last impact fee update was approved by Council on Jan. 21, 2015 and the fees took effect on April 5, 2015. In addition to maintaining compliance with impact fee rules, updating the impact fee program helps to ensure fees are in-line with current growth projections, infrastructure plans, and facility costs. In accordance with Arizona impact fee rules, draft land use assumptions (LUAs) and infrastructure improvements plans (IIPs) for each impact fee category have been prepared, and made available to the public. The draft LUAs and IIPs have consolidated in a single document titled *Draft Infrastructure Financing Plan: 2020 Update* (Draft IFP) that, along with several supplemental reports, was posted to the City's website on July 1, 2019. The Draft IFP may be viewed online at: <https://www.phoenix.gov/pdd/devfees/impactfees/draftifp>. This public hearing is being conducted in accordance with ARS 9-463.05; that requires the City to conduct a public hearing on the draft LUAs and IIPs no less than 60 days after making the documents available to the public. ARS 9-463.05 requires Council to approve or disapprove the draft LUAs and IIPs between 30 and 60 days after the public hearing.

The Draft IFP is comprised of eleven chapters. Chapter 1 provides the draft LUAs utilized in this update for each designated impact fee area. Chapter 2 presents updated Equivalent Demand Unit Factors for each impact fee program that are used to convert the projected *development units* discussed in Chapter 1 into *equivalent demand units* for planning and assessment purposes. Chapters 3 - 11 contain the IIPs for each of the City's impact fee categories; including explanations of the methodology,

assumptions, values and formulas used to calculate potential impact fees. The IIP for each impact fee category includes standard required updates to facility inventories, levels of service, anticipated new demands, planned facilities and costs, and offset calculations. In addition, the following impact fee program changes are included in the Draft IFP:

Chapters 3 - 6 (Fire Protection, Police, Parks and Libraries): Base the levels of service on the citywide service area, as opposed to the service levels currently achieved in each impact fee area. This change is recommended to help ensure long-term equity in the provision of services, and to provide more consistency in fees across impact fee areas.

Chapter 7 (Major Arterials): Combine the existing Northwest / Deer Valley and Northeast impact fee areas to create one "Northern - Major Arterials" impact fee area. This change will help control cost fluctuations, provide greater flexibility in appropriating funds to eligible projects, and simplifies proportionality calculations for roadways that intersect multiple impact fee areas (e.g. Sonoran Desert Drive and Happy Valley Road). Also, employ a 'buy-in', plus '10-year plan' fee calculation methodology that has been successful for the water and wastewater fees. This method helps to ensure that changes in the 10-year infrastructure plan do not disproportionately impact development in terms of providing infrastructure capacity and the associated costs.

Chapter 8.A. (Northern Drainage): Implement a drainage impact fee to help recoup design and construction costs associated with projects that reduce the Rawhide Wash flood plain that impacts the area generally bounded by 64th Street on the west, Scottsdale Road on the east, Pinnacle Peak Road on the north, and the Central Arizona Project Canal on the south.

Chapter 8.B. (Estrella and Laveen Drainage): Employ the 'buy-in', plus '10-year plan' fee calculation methodology that is consistent with the existing water and wastewater impact fees, and proposed for the Major Arterial fee as part of this Draft IFP. Information related to project costs, project cost-shares, and EDUs have been updated.

Chapter 11 (Water Resources Acquisition): Recommend incorporating the Water Resources Acquisition (WRA) impact fee study into the Infrastructure Financing Plan (IFP). The WRA impact fee is authorized under Phoenix City Code, Chapter 30, while the other impact fee categories are authorized pursuant to Phoenix City Code (PCC), chapter 29. As a result, a separate report has traditionally been prepared even though the WRA is an impact fee, subject to Arizona impact fee rules, and is expected to be

updated at the same time as the City's other impact fees. Incorporating the WRA into the IFP helps consolidate impact fee program studies, however approval of an update to the WRA would still require amending the WRA section of City Code at the same time the regular impact fee section is amended.

The tables outlined in **Attachment A** compare the current Net Impact Fees per Equivalent Demand Unit (EDU) with the combined (sum of all applicable fee categories) net fees per EDU for each impact fee area. The WRA impact fee is currently assessed citywide in two unique fee areas (Off-Project and On-Project) that overlap with other impact fee areas. In these instances the draft WRA charges which are displayed in the second table are in-addition to fees in the first table. It should be noted that the On-Project fee was reduced to \$0 per EDU in 2015 and is recommended to remain at \$0 per EDU with this update.

Concurrence

A presentation of the development impact fee review process and preliminary recommendations for the draft IFP was provided to the Water, Wastewater, Infrastructure and Sustainability Subcommittee on June 5, 2019 for information and discussion.

Responsible Department

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

Attachment A
Comparison of Existing and Draft Net Impact Fees
per Equivalent Demand Unit (EDU)

Impact Fee Area	Existing	Draft IFP	Pct. Change
Northwest	\$13,375	\$15,385	15.0%
Deer Valley	\$11,466	\$13,462	17.4%
Northeast	\$14,705	\$15,311	4.1%
Northeast Drainage	\$14,705	\$17,026	15.8%
Estrella North	\$10,117	\$10,591	4.7%
Estrella South	\$11,998	\$13,154	9.6%
Laveen West	\$11,842	\$13,087	10.5%
Laveen East	\$10,116	\$10,858	7.3%
Ahwatukee	\$6,433	\$7,914	23.0%

WRA Fee Area	Existing	Draft IFP	Pct. Change
Off-Project	\$778	\$744	-4.4%
On-Project	\$0	\$0	0.0%

Attachment B

City of Phoenix Impact Fee Ad Hoc Committee Recommendations and Comments

Draft Land Use Assumptions and IFP Update (2020-2029), Dated July 1, 2019

The Ad Hoc Committee recognizes and appreciates the City-led process which was undertaken to develop this Draft IFP 2020 Update. City of Phoenix Staff members have been highly communicative, responsive, and inclusive throughout the lengthy process. At this time, the Impact Fee Ad Hoc Committee is pleased to forward the following recommendations:

- A. With regard to the Northeast Storm Drainage Infrastructure Improvements Plan, and in recognition that significant, potentially prohibitive, costs may be incurred by property owners that develop prior to the completion of the regional drainage facilities, the Ad Hoc Committee recommends the following:

The Storm Drainage Fee in the Northeast Drainage Impact Fee Area will not be assessed until the improvements to attain a Level of Service (LOS) as adopted by the City for Storm Drainage and further identified on page 89 of the Draft IFP 2020 Update (IFP) have been completed, including the issuance of a Letter of Map Revision (LOMR) for all affected areas within the floodplain of the Rawhide Wash (estimated to be 3,127 acres).

- B. The Ad Hoc Committee recommends that Staff continues to refine the IFP as needed to ensure new development does not pay more than its proportional share of new infrastructure.

Furthermore, the committee would like to make the following comments, which do not require revision to the IFP:

- A. In order to realize the impact fee revenues (and resulting infrastructure improvements), it is incumbent upon the City and all of its various decision makers to reflect the land use assumptions of the IFP as it considers land use regulations and zoning applications for new development moving forward.
- B. The Ad Hoc Committee finds that the methodology utilized in determining costs related to much of the IFP infrastructure – a hybrid of “incremental expansion” and “cost recovery” methods – is advantageous in reaching the most accurate cost estimates possible and should be considered for utilization in future IFP updates.

September 11, 2019