



## Agenda

### City Council Formal Meeting

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Wednesday, December 15, 2021

2:30 PM

phoenix.gov

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#### **OPTIONS TO ACCESS THIS MEETING**

##### ***Request to speak at a meeting:***

- **Register online** by visiting the City Council Meetings page on phoenix.gov **at least 1 hour prior to the start of this meeting**. Then, click on this link at the time of the meeting and join the Webex to speak: <https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=e5455def4e7a4e410cff361cc6ea7acc4>

- **Register via telephone** at 602-262-6001 **at least 1 hour prior to the start of this meeting**, noting the item number. Then, use the Call-in phone number and Meeting ID listed below at the time of the meeting to call-in and speak.

##### ***At the time of the meeting:***

- **Watch** the meeting live streamed on phoenix.gov or Phoenix Channel 11 on Cox Cable, or using the Webex link provided above.

- **Call-in** to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2559 279 9735# (for English) or 2550 270 5338# (for Spanish). Press # again when prompted for attendee ID.

##### ***Para nuestros residentes de habla hispana:***

- **Para registrarse para hablar en español**, llame al 602-262-6001 **al menos 1 hora antes del inicio de esta reunión** e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 2550 270 5338#. El intérprete le indicará cuando sea su turno de hablar.

- **Para solamente escuchar la reunión en español**, llame a este mismo número el día de la reunión (602-666-0783; ingrese el número de identificación de la reunión 2550 270 5338#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

**CALL TO ORDER AND ROLL CALL****BOARDS AND COMMISSIONS**

- |   |   |         |
|---|---|---------|
| 1 | <b>Mayor and Council Appointments to Boards and Commissions</b> | Page 10 |
|---|---|---------|

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

- |    |   |                      |
|----|---|----------------------|
| 2  | <b>Liquor License - Metro Sports Bar and Billiards</b>  | District 1 - Page 13 |
| 3  | <b>Liquor License - Mustang Foodmart</b>                | District 1 - Page 15 |
| 4  | <b>Liquor License - The Stillery</b>                    | District 1 - Page 20 |
| 5  | <b>Liquor License - Circle K Store #2741639</b>         | District 2 - Page 24 |
| 6  | <b>Liquor License - Cornish Pasty</b>                   | District 2 - Page 28 |
| 7  | <b>Liquor License - Smoke and Joe's Cigar Lounge</b>    | District 2 - Page 33 |
| 8  | <b>Liquor License - Special Event - Arizona Matsuri</b> | District 4 - Page 38 |
| 9  | <b>Liquor License - Central Food Mart</b>               | District 3 - Page 39 |
| 10 | <b>Liquor License - La Oaxaquena Mexican Food</b>       | District 3 - Page 44 |
| 11 | <b>Liquor License - Park Terrace</b>                    | District 3 - Page 49 |
| 12 | <b>Liquor License - Mijan Claypot Kitchen</b>           | District 4 - Page 54 |
| 13 | <b>Liquor License - New Hong Kong Restaurant</b>        | District 4 - Page 59 |
| 14 | <b>Liquor License - Original Gravity</b>                | District 4 - Page 64 |
| 15 | <b>Liquor License - Trans Am Cafe</b>                   | District 4 - Page 70 |
| 16 | <b>Liquor License - Arizona Grand Resort</b>            | District 6 - Page 75 |
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<b>City Council Formal Meeting</b>	<b>Agenda</b>	<b>December 15, 2021</b>
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18	<b>Liquor License - Rice Paddy</b>	District 6 - Page 82
19	<b>Liquor License - Shinko Sushi House</b>	District 6 - Page 87
20	<b>Liquor License - Thunderbird School of Global Management</b>	District 7 - Page 91
21	<b>Liquor License - Nanaya</b>	District 7 - Page 93
22	<b>Liquor License - Peter Piper Pizza #1215</b>	District 7 - Page 99
23	<b>Liquor License - The Mixologer</b>	District 7 - Page 104
24	<b>Liquor License - 7 - Eleven #26062H</b>	District 8 - Page 110
25	<b>Liquor License - Jim's Smoke Shop on 7th</b>	District 8 - Page 115
26	<b>Liquor License - Kwikiez</b>	District 8 - Page 120
<b><u>PAYMENT ORDINANCE (Ordinance S-48171) (Items 27-30)</u></b>		Page 125
27	<b>Settlement of Claim(s) Loyozza v. City of Phoenix</b>	
28	<b>Levi, Ray &amp; Shoup, Inc.</b>	
29	<b>IA Mechanical, Inc.</b>	
30	<b>CenturyLink Sales Solutions Inc. doing business as Century Link</b>	
<b><u>ADMINISTRATION</u></b>		
31	<b>(CONTINUED FROM DEC. 1, 2021) - Amendment to Pay Ordinance S-47689 to Authorize Premium Pay Under the American Rescue Plan Act of 2021 to Eligible City Employees (Ordinance S-48170)</b>	Citywide - Page 127
32	<b>Request Authorization to Enter into Contract with</b>	Citywide - Page 131

**Partnership for Economic Innovation (Ordinance S-48212)**

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|----|--|-----------------------|
| 33 | <b>Request for Additional Contract Authority for Funding from the U.S. Department of Housing and Urban Development to be Distributed in Accordance with the American Rescue Plan Act and the CARES Act (Ordinance S-48189)</b>   | Citywide - Page 134   |
| 34 | <b>Authorization to Enter Into Agreements with Chicanos Por La Causa, Inc., Foundation for Senior Living, Pilgrim Rest Foundation, Inc., and Diocesan Council for the Society of St. Vincent de Paul to Disburse Emergency Rent and Utility Assistance (ERA) Funding (Ordinance S-48203)</b> | Citywide - Page 135   |
| 35 | <b>NxT Horizon LLC Agreement for ARPA Phoenix Resilient Food System, Backyard Garden Program - Amendment 1 (Ordinance S-48211)</b>   | Citywide - Page 137   |
| 36 | <b>Authorization to Enter into an Agreement with Prefix Health Technologies, LLC for Client Portal Use (Ordinance S-48204)</b>   | Citywide - Page 139   |
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| 38 | <b>Intergovernmental Agreements with Flood Control District of Maricopa County for American Rescue Plan Act Flood Control Projects (Ordinance S-48181)</b>   | Citywide - Page 143   |
| 39 | <b>Request for City Council to Call to Meet in Executive Session on Specific Dates through June 2022</b>   | Citywide - Page 145   |
| 40 | <b>Proposed 19th Avenue and Happy Valley Road Annexation - Authorization to File</b>   | District 1 - Page 146 |
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43	<b>Acceptance of an Easement for Drainage Purposes (Ordinance S-48185)</b>	District 7 - Page 151
44	<b>Acquisition of Real Property from Maricopa County Flood Control District for Zone 3D/4A Infrastructure Improvements for Drought Pipeline Project 1 (Ordinance S-48179)</b>	District 3 - Page 152
45	<b>Marketing Services for Aviation Comprehensive Website Redesign- State of Arizona Cooperative Contract - ADSP016-145339 (Ordinance S-48190)</b>	Citywide - Page 154
46	<b>Custodial Services - Requirements Contract - IFB 19-088 (A) (Ordinance S-48194)</b>	District 8 - Page 156
47	<b>Official and Classified Advertising Services - Requirements Contract - RFP 22-017 (Ordinance S-48202)</b>	Citywide - Page 157
48	<b>Relocation of Owl and Nest Contents - EXC 22-046 (Ordinance S-48195)</b>	Citywide - Page 159
49	<b>Pest Management with Related Products and Services Contract Amendment - 110916-ORK-A (Ordinance S-48209)</b>	Citywide - Page 161
50	<b>Disaster Recovery as a Service (DRaaS) - Requirements Contract (Ordinance S-48184)</b>	Citywide - Page 163
51	<b>Carrier and Broadband Provided Services (Ordinance S-48206)</b>	Citywide - Page 165
52	<b>Wireless Communications Services, Accessories, and Equipment (Ordinance S-48207)</b>	Citywide - Page 167
53	<b>Authorization to Enter into an Agreement with Steptoe &amp; Johnson LLP to Provide Outside Counsel Services</b>	Citywide - Page 169

for Department of Justice (DOJ) Investigation  
(Ordinance S-48214)

- 54     **Software Services Agreement with Relativity**     Citywide - Page 171  
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### **COMMUNITY SERVICES**

- 55     **Request to Retroactively Accept and Disburse Nina**     Citywide - Page 173  
       **Mason Pulliam Charitable Trust Grant Funds**  
       **(Ordinance S-48192)**
- 56     **Request to Retroactively Accept and Disburse Virginia**     Citywide - Page 174  
       **G. Piper Charitable Trust Holiday Funds (Ordinance**  
       **S-48193)**
- 57     **Amend Contract with The Arizona Community Action**     Citywide - Page 175  
       **Association, Inc. dba Wildfire to Accept Additional Local**  
       **Utility Funds (Ordinance S-48198)**
- 58     **Playground and Outdoor Fitness Products/Services -**     Citywide - Page 176  
       **Requirements Contract - 030117-LTS (A) (Ordinance**  
       **S-48188)**
- 59     **Arizona Governor's Commission on Service and**     Citywide - Page 177  
       **Volunteerism Funding for AmeriCorps Members**  
       **(Ordinance S-48210)**

### **ECONOMIC DEVELOPMENT**

- 60     **Disposition of City-Owned Former First National Bank**     District 8 - Page 178  
       **of Arizona Building Located at 1 S. 24th St. (Ordinance**  
       **S-48200)**

### **PUBLIC SAFETY**

- 61     **(CONTINUED FROM DEC. 1, 2021) - Fire Hydrant Repair**     Citywide - Page 180  
       **and Replacement Program - Job Order Contracting**  
       **Services - 4108JOC189 (Ordinance S-48134)**
- 62     **(CONTINUED FROM DEC. 1, 2021) - Fire Hydrant Repair**     Citywide - Page 183
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**and Replacement Program - Construction  
Administration and Inspection Services - WS85500394  
(Ordinance S-48135)**

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|----|---|-----------------------|
| 63 | <b>Amend Ordinance S-47071 for Acquisition of Real Property for Installation of Fire Hydrants from Roma Avenue to Indian School Road, Between 24th and 27th Streets (Ordinance S-48175)</b> | District 6 - Page 186 |
| 64 | <b>Active Bystandership for Law Enforcement Training (Ordinance S-48197)</b>  | Citywide - Page 188   |
| 65 | <b>Donation from Phoenix Police Foundation (Ordinance S-48199)</b>  | Citywide - Page 190   |
| 66 | <b>FLIR Equipment, Parts and Services - Requirements Contract - RFA 19-011B (Ordinance S-48183)</b>   | Citywide - Page 192   |
| 67 | <b>Police Records Management System (RMS) - Requirements Contract - ITR 22-052 (Ordinance S-48216)</b>  | Citywide - Page 193   |

#### **TRANSPORTATION AND INFRASTRUCTURE**

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|----|--|-----------------------|
| 68 | <b>***REQUEST TO CONTINUE (SEE ATTACHED MEMO)***<br/>(CONTINUED FROM NOV. 17, 2021) - 40-Foot Heavy Duty Transit Bus Contract Award Recommendation (Ordinance S-48119)</b> | Citywide - Page 195   |
| 69 | <b>Bus Advertising and Transit Street Furniture Revenue Service Contracts - Amendment (Ordinance S-48208)</b>  | Citywide - Page 199   |
| 70 | <b>Roofing Analysis Consultant - Requirements Contract - RFP 21-004 (Ordinance S-48176)</b>  | Citywide - Page 201   |
| 71 | <b>Blank Out Signs - Requirements Contract - IFB 16-201 - Amendment (Ordinance S-48173)</b>  | Citywide - Page 203   |
| 72 | <b>Milwaukee Brewers Baseball Club Ceremonial Signs</b>  | District 5 - Page 205 |
| 73 | <b>Painting of Traffic Signal Poles (Ordinance S-48174)</b>  | Citywide - Page 209   |
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|----|--|--|
| 74 | <b>Grand Canal Phase III - Engineering Services - Amendment 1 - ST87600131 (Ordinance S-48177)</b>   | District 4 - Page 211<br>District 5                |
| 75 | <b>Pavement Maintenance Job Order Contract Program Support Construction Inspection On-Call Services (Ordinance S-48178)</b>                            | Citywide - Page 213                                |
| 76 | <b>Aviation Stormwater Consulting Services - Engineering Services - 6663111072, 6663112072, 6663113072 and 6663111093 (Ordinance S-48187)</b>          | District 1 - Page 215<br>District 8<br>Out of City |
| 77 | <b>Salt River Project Construction License for Waterline on Dobbins Road, 43rd to 35th Avenues - WS85500428-1 (Ordinance S-48191)</b>                  | District 7 - Page 218<br>District 8                |
| 78 | <b>Authorize Amendment to Contract 144231 with RW Staffing Solutions, LLC to Provide Environmental Project Specialist Services (Ordinance S-48201)</b> | Citywide - Page 219                                |
| 79 | <b>Commercial Building Plan Review Consulting Services - 8560202000 (Ordinance S-48213)</b>  | Citywide - Page 221                                |
| 80 | <b>Support for Formation of Terrace View Trail Irrigation Water Delivery District (Resolution 21981)</b>   | District 4 - Page 224                              |
| 81 | <b>OnBase Document Management System Upgrade Agreement - Amendment (Ordinance S-48172)</b>   | Citywide - Page 232                                |
| 82 | <b>Oracle Software License and Maintenance Services in Support of Water Services Department Critical Business Applications (Ordinance S-48180)</b>     | Citywide - Page 234                                |
| 83 | <b>Spoils Hauling Services Agreement - Request for Award (Ordinance S-48186)</b>   | Citywide - Page 236                                |

**PLANNING AND ZONING MATTERS**

- |    |  |                       |
|----|--|-----------------------|
| 84 | <b>Modification of Stipulation Request for Ratification of Nov. 17, 2021 Planning Hearing Officer Action - PHO-6-21--Z-100-89-1(2) - Approximately 410 Feet West</b> | District 2 - Page 238 |
|----|--|-----------------------|
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of the Southwest Corner of Tatum Boulevard and Bell Road

- |    |  |                       |
|----|--|-----------------------|
| 85 | <b>Modification of Stipulation Request for Ratification of Nov. 17, 2021 Planning Hearing Officer Action - PHO-4-21--Z-13-88-8 - Approximately 160 Feet West of the Northwest Corner of 17th Street and Portland Street</b>        | District 8 - Page 244 |
| 86 | <b>Final Plat - Sterling Vista - PLAT 210060 - Northeast Corner of 31st Avenue and Pinnacle Vista Drive</b>  | District 1 - Page 248 |
| 87 | <b>Final Plat - Encanto Row - PLAT 210088 - Southwest Corner of 19th Avenue and Thomas Road</b>  | District 7 - Page 249 |
| 88 | <b>Final Plat - Harmony at the Park Two - PLAT 210067 - South of Villa Avenue and West of 20th Street</b>  | District 8 - Page 250 |
| 89 | <b>Amend City Code - Ordinance Adoption - Rezoning Application PHO-2-21--Z-47-19-7 - Approximately 650 Feet North of the Intersection of 59th Avenue and South Mountain Avenue (Ordinance G-6930)</b>                              | District 7 - Page 251 |
| 90 | <b>Amend City Code - Ordinance Adoption - Rezoning Application PHO-3-21--Z-47-19-7 - West of the Intersection of 59th Avenue and South Mountain Avenue (Ordinance G-6931)</b>  | District 7 - Page 267 |
| 91 | <b>Public Hearing - Certificate of Appropriateness - Appeal of Historic Preservation Commission's Decision on Certificate of Appropriateness Application HPCA 2100117 - 309 W. Monte Vista Road in the Willo Historic District</b> | District 4 - Page 283 |

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

### **000 CITIZEN COMMENTS**

### **ADJOURN**



City of Phoenix

## City Council Formal Meeting

### Report

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**Agenda Date: 12/15/2021, Item No. 1**

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### **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:** December 15, 2021

**Subject:** BOARDS AND COMMISSIONS – APPOINTEES

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

#### **Audit Committee**

I recommend the following for appointment:

##### Karlene Keogh Parks

Ms. Keogh Parks is retired from USI Insurance Services. She fills a vacancy to expire December 15, 2023.

#### **Central City Village Planning Committee**

Councilwoman Yassamin Ansari recommends the following for reappointment:

##### Ryan Boyd

Mr. Boyd is a Legislative Liaison at the Arizona Association of Counties and a resident of District 7. He will serve his second term to expire November 19, 2023.

#### **Mayor's Human Trafficking Task Force**

I recommend the following for appointment:

##### Lynn Cordova

Ms. Cordova is an Outreach Director at the US House of Representatives.

## **Phoenix Arts and Culture Commission**

I recommend the following for appointment:

### Sally Boyle

Ms. Boyle is an Artist at Sally Boyle Studio and a resident of District 8. She fills a vacancy for a term to expire September 30, 2024.

## **Phoenix Aviation Advisory Board**

I recommend the following for appointment:

### Ruben Alonzo

Mr. Alonzo is the Executive Director of Community and Municipal Relations at Arizona State University. He replaces Bret Aldieri for a term to begin December 17, 2021 and expire December 15, 2025.

### Sandra Ferniza

Ms. Ferniza is the Campus Liaison at the Helios Education Campus. She replaces Karlene Keogh Parks for a term to begin December 17, 2021 and expire December 15, 2025.

### Ron Price

Mr. Price is the President and CEO at Visit Phoenix. He replaces Susan Erlich for a term to begin December 17, 2021 and expire December 15, 2025.

## **Phoenix Deferred Compensation Board/Post Employment Healthcare Board**

I recommend the following for appointment:

### David Mathews

Mr. Mathews is the Acting Human Resources Director at the City of Phoenix. He replaces Lori Bays and will fulfill her term to expire September 30, 2022.

## **South Mountain Village Planning Committee**

Vice Mayor Carlos Garcia recommends the following for appointment:

### Arthur Greathouse

Mr. Greathouse is an associate at Megalos Capital and a resident of District 8. He fills a vacancy on the committee for a term to expire November 19, 2023.





## **Liquor License - Metro Sports Bar and Billiards**

Request for a liquor license. Arizona State License Application 06070202.

### **Summary**

#### Applicant

Alfonso Larriva, Agent

#### License Type

Series 6 - Bar

#### Location

10402 N. Black Canyon Highway

Zoning Classification: C-2

Council District: 1

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

The 60-day limit for processing this application is Dec. 29, 2021.

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

#### Other Active Liquor License Interest in Arizona

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

Maverick Saloon (Series 6)

9605 N. 19th Ave., Phoenix

Calls for police service: 4

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Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "I have been a Phoenix native my entire life. I grew up near Metro Sports Bar and went to Metro Centre weekly. I possess a 4-year degree as well as a Master's Degree in Business. I have operated many successful businesses in the greater Phoenix area which includes a few Bars. I have no liquor violations in the last 5 years. I have not had a felony in the past 54 years, nor have been accused of any. I have not had any DUI in the past 54 years. Though I did have a speeding violation more than 10 years ago. I will make every effort to comply with Federal, State and local laws relating to the operation of this business. I currently hold other liquor license at The Maverick Saloon, Inc. and as such I am qualified to hold a liquor license."

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - Mustang Foodmart**

Request for a liquor license. Arizona State License Application 166285.

### **Summary**

#### Applicant

JJ Bazzi, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

3502 W. Northern Ave.

Zoning Classification: C-2

Council District: 1

This request is for a new liquor license for a beer and wine store. 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 Dec. 20, 2021.

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

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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.

OG Liquor (Series 9)  
4820 N. 27th Ave., Phoenix  
Calls for police service: 10  
Liquor license violations: None

Chevron (Series 9)  
3501 W. Camelback Road, Phoenix  
Calls for Service: 54  
Liquor License Violations: None

#### Public Opinion

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

#### Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I am a multi-store operator, we adhere to all the state and city laws and regulations. I have never been in violation for any of my liquor licenses."

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

"It's a convenience for the community provides a tax base and employment."

#### Staff Recommendation

Staff recommends approval of this application.

#### Attachments

Liquor License Data - Mustang Foodmart  
Liquor License Map - Mustang Foodmart

#### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: MUSTANG FOODMART

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	119.05	165.18
Violent Crimes	9.06	28.21	37.68

\*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

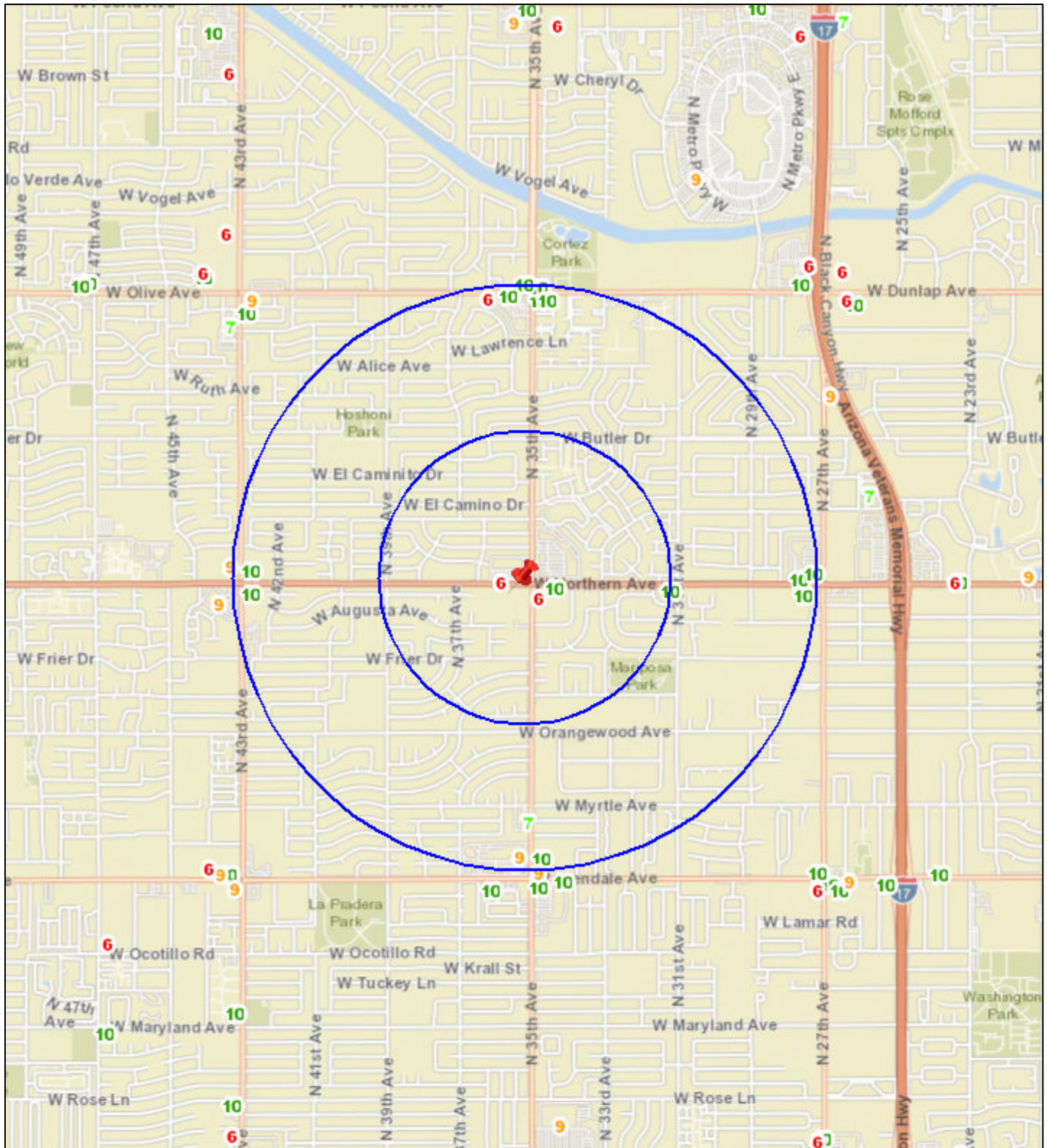
Description	Average	1/2 Mile Average
Parcels w/Violations	57	152
Total Violations	95	276

## Census 2010 Data 1/2 Mile Radius

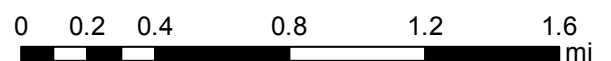
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1056021	2042	80 %	0 %	26 %
1056022	2457	38 %	23 %	34 %
1056023	2787	15 %	21 %	27 %
1057012	2012	87 %	15 %	6 %
1057021	2725	66 %	7 %	22 %
1057022	1187	68 %	22 %	7 %
1058001	1575	74 %	8 %	13 %
1058004	2395	76 %	8 %	5 %
1059001	1697	50 %	0 %	42 %
1059002	2227	70 %	11 %	22 %
Average		61 %	13 %	19 %

# Liquor License Map: MUSTANG FOODMART

3502 W NORTHERN AVE



Date: 10/27/2021



City Clerk Department



## **Liquor License - The Stillery**

Request for a liquor license. Arizona State License Application 161868.

### **Summary**

#### Applicant

William Ryan, Agent

#### License Type

Series 12 - Restaurant

#### Location

2501 W. Happy Valley Road, Ste. 12

Zoning Classification: C-2 DVAO

Council District: 1

This request is for a new liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 12 - Restaurant license under a different ownership. This location requires a Use Permit to allow outdoor dining, outdoor alcohol consumption, and patron dancing. This business is currently being remodeled with plans to open in February 2022.

The 60-day limit for processing this application is Dec. 29. 2021.

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.

Stillery (Series 12)

130 S. Arizona Ave., Chandler

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:  
"20+ years of experience in the restaurant industry. We operate five restaurants currently, 4 in TN and 1 in Chandler, AZ."

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

"We will bring a welcoming, family-friendly dining experience to 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 - The Stillery

Liquor License Map - The Stillery

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: THE STILLERY

## Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Beer and Wine Bar	7	2	1
Liquor Store	9	3	2
Beer and Wine Store	10	4	3
Hotel	11	2	0
Restaurant	12	18	17

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	42.17	129.93
Violent Crimes	9.21	2.04	5.52

\*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

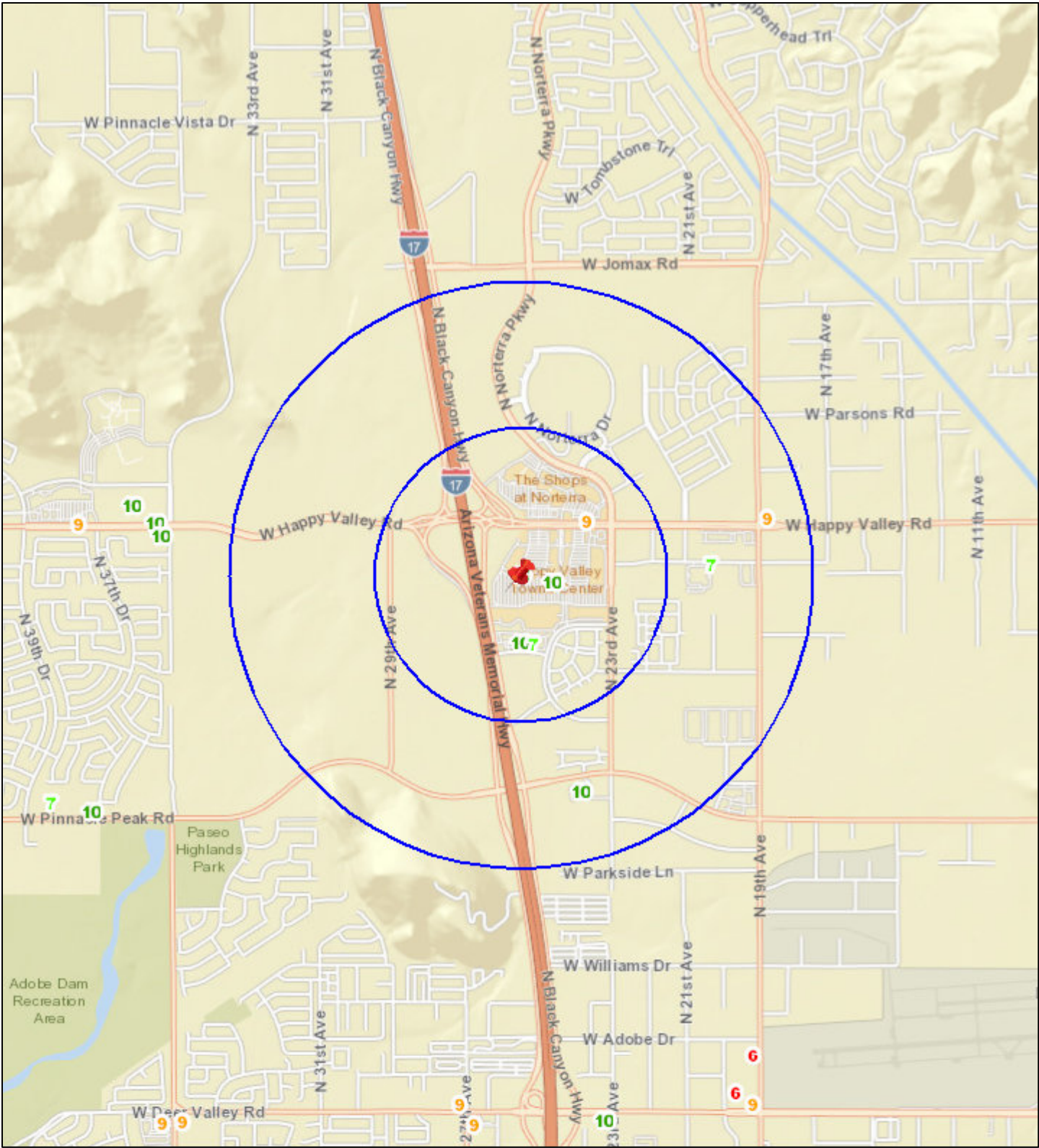
Description	Average	1/2 Mile Average
Parcels w/Violations	57	1
Total Violations	95	1

## Census 2010 Data 1/2 Mile Radius

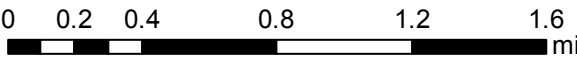
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6119001	1639	93 %	5 %	0 %
6123001	2199	54 %	6 %	5 %
Average		61 %	13 %	19 %

# Liquor License Map: THE STILLERY

2501 W HAPPY VALLEY RD



Date: 11/9/2021





## **Liquor License - Circle K Store #2741639**

Request for a liquor license. Arizona State License Application 09070146.

### **Summary**

#### Applicant

Maria Burgess, Agent

#### License Type

Series 9 - Liquor Store

#### Location

2575 W. Sonoran Desert Drive

Zoning Classification: C-2 M-R

Council District: 2

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

The 60-day limit for processing this application is Jan. 4, 2022.

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 their employee file. Store Managers are required to attend additional in-house training and obtain certification from the Arizona Department of Liquor License and Control. This certification requires submission of fingerprints and include 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 #2741639

Liquor License Map - Circle K Store #2741639

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: CIRCLE K STORE #2741639

### Liquor License

Description	Series	1 Mile	1/2 Mile
Beer and Wine Store	10	1	1
Restaurant	12	2	0

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	6.92	8.06
Violent Crimes	9.21	0.53	0.42

\*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	57	0
Total Violations	95	

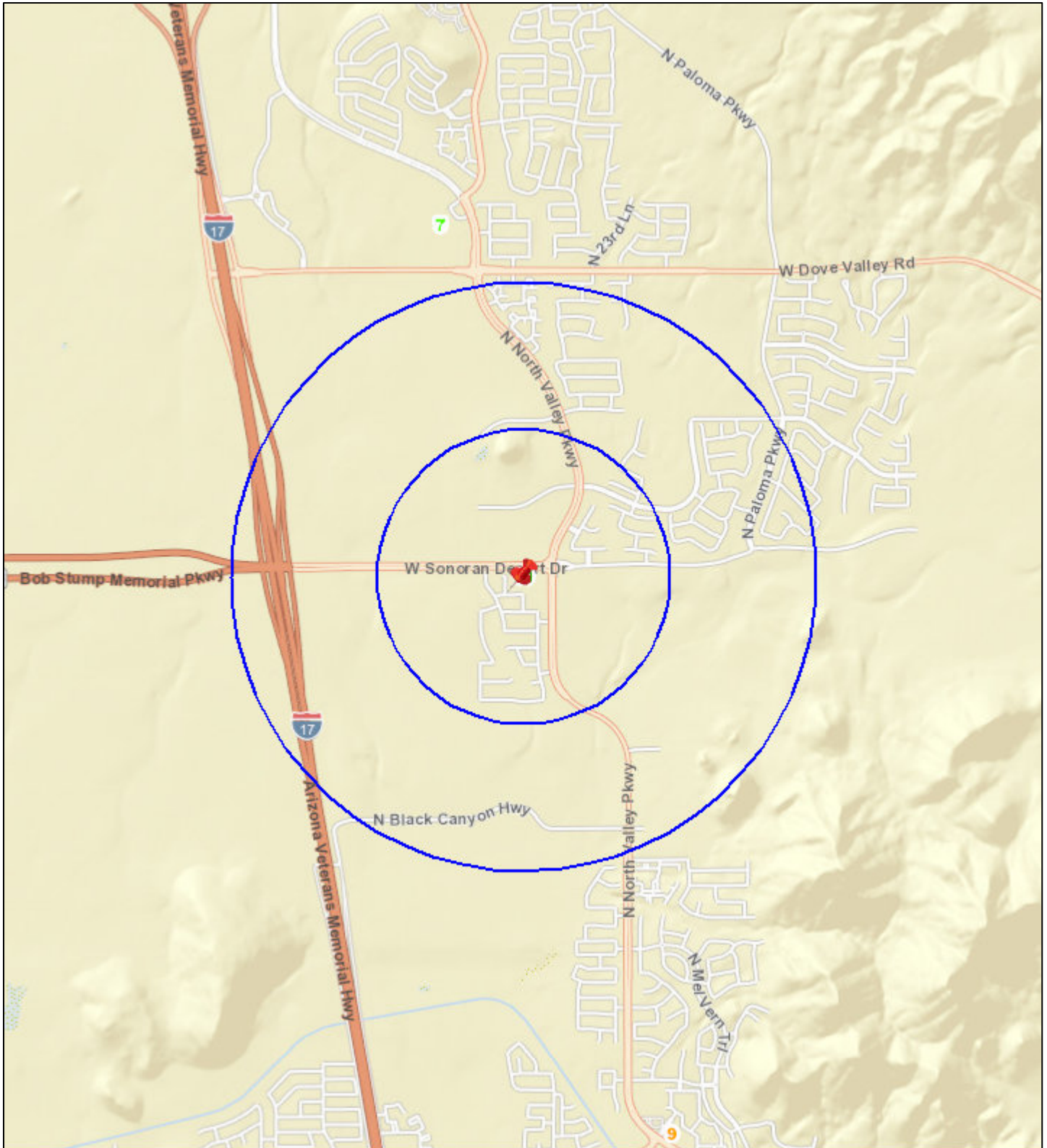
### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6113001	1825	31 %	33 %	6 %
6120001	2361	88 %	14 %	2 %
6122001	2865	76 %	16 %	12 %
Average		61 %	13 %	19 %

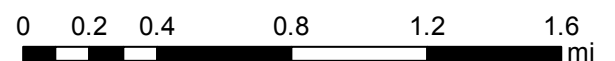


# Liquor License Map: CIRCLE K STORE #2741639

2575 W SONORAN DESERT DR



Date: 11/10/2021





## **Liquor License - Cornish Pasty**

Request for a liquor license. Arizona State License Application 161278.

### **Summary**

#### Applicant

Lauren Merrett, Agent

#### License Type

Series 12 - Restaurant

#### Location

18725 N. 32nd St.

Zoning Classification: C-1

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 is Dec. 29, 2021.

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:  
"Owner is capable reliable and qualified with multiple locations and businesses in the state of Arizona. Several have liquor licenses. They have been shown to be responsible providers of alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"The public convenience and the community will be served by providing alcohol to customers who desire alcohol in their beverages."

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 - Cornish Pasty  
Liquor License Map - Cornish Pasty

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: CORNISH PASTY

### Liquor License

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

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	29.51	33.86
Violent Crimes	9.21	3.98	4.14

\*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

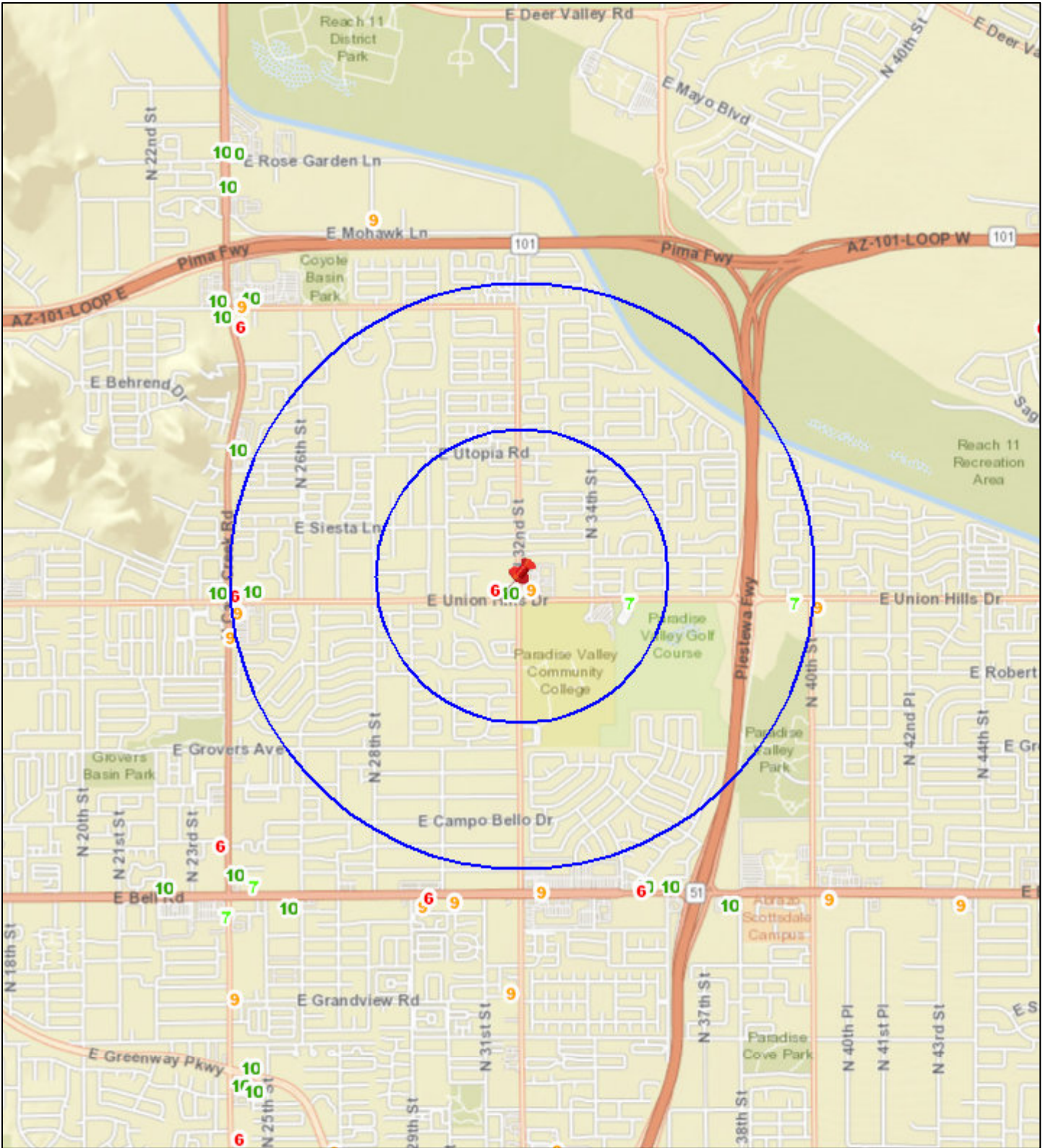
Description	Average	1/2 Mile Average
Parcels w/Violations	57	30
Total Violations	95	46

**Census 2010 Data 1/2 Mile Radius**

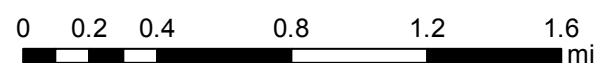
<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
6170001	1028	73 %	21 %	3 %
6170002	1459	71 %	21 %	10 %
6171001	1349	85 %	17 %	4 %
6171002	775	88 %	0 %	0 %
6172001	1243	85 %	0 %	2 %
6172002	1119	98 %	13 %	2 %
6195002	1716	73 %	4 %	23 %
6196001	2094	72 %	11 %	3 %
Average		61 %	13 %	19 %

# Liquor License Map: CORNISH PASTY

18725 N 32ND ST



Date: 11/3/2021



City Clerk Department



## **Liquor License - Smoke and Joe's Cigar Lounge**

Request for a liquor license. Arizona State License Application 07070022.

### **Summary**

#### Applicant

Lauren Merrett, Agent

#### License Type

Series 7 - Beer and Wine Bar

#### Location

29850 N. Tatum Blvd., Ste.115

Zoning Classification: C-2 PCD

Council District: 2

This request is for an ownership and location transfer of a liquor license for a beer and wine bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor alcohol consumption. This business has plans to open in January 2022.

The 60-day limit for processing this application is Jan. 2, 2022.

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 supporting 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:  
"As owner I meet all requirements for capability and qualifications identified in ARS Title 4."

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

"The public has an interest in alcoholic beverages while at the cigar bar."

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 - Smoke and Joe's Cigar Lounge

Liquor License Map - Smoke and Joe's Cigar Lounge

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: SMOKE AND JOE'S CIGAR LOUNGE

## Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	0
Beer and Wine Bar	7	2	1
Liquor Store	9	5	5
Beer and Wine Store	10	2	2
Restaurant	12	6	2
Craft Distiller	18	1	0

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	7.93	11.99
Violent Crimes	9.06	0.63	0.63

\*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	57	0
Total Violations	95	

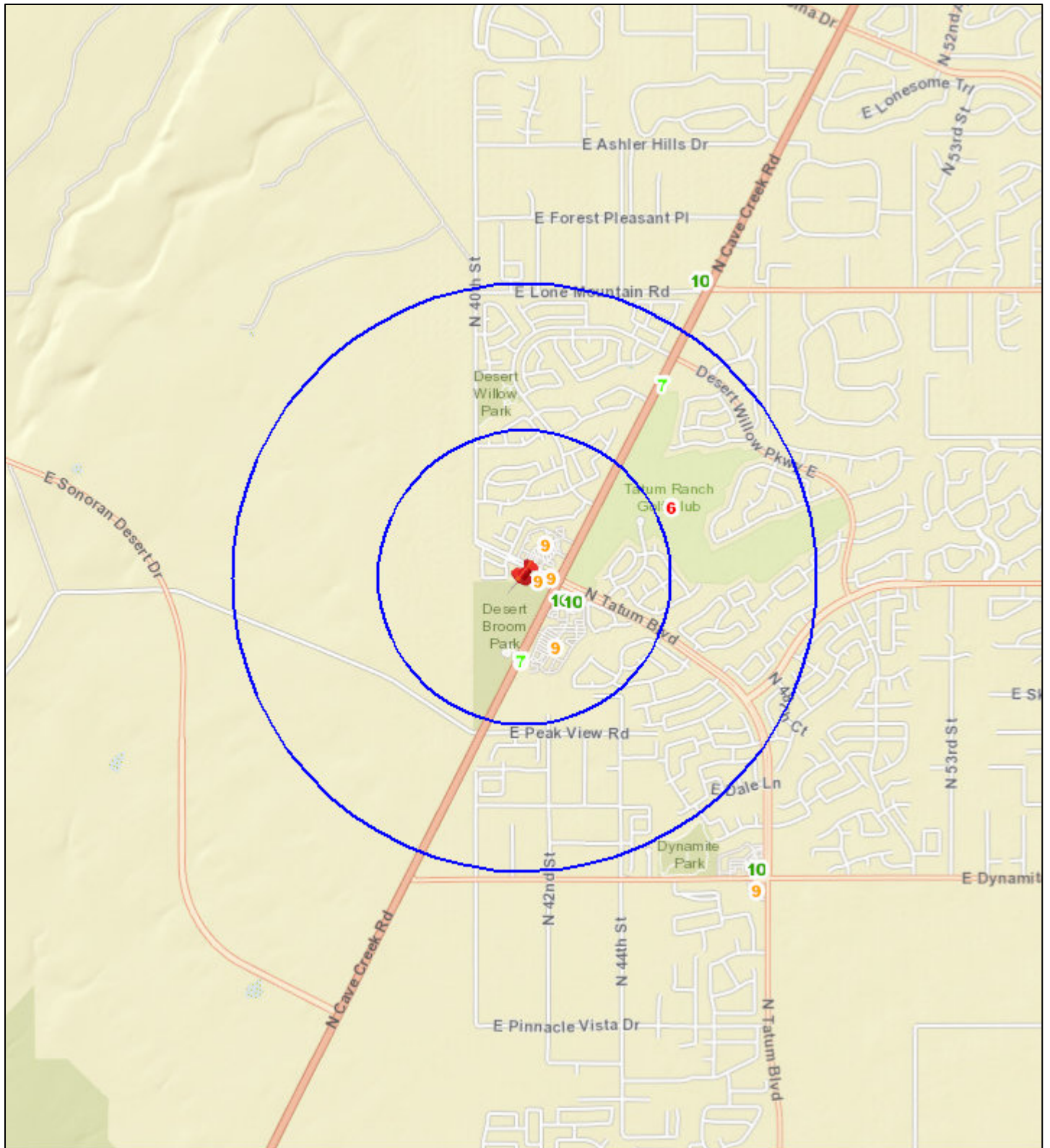
### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6124002	1116	55 %	11 %	1 %
6126001	802	85 %	34 %	6 %
6126002	1050	94 %	23 %	3 %
6127002	966	93 %	10 %	0 %
6128001	2069	83 %	21 %	1 %
Average		61 %	13 %	19 %

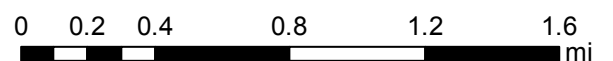


# Liquor License Map: SMOKE AND JOE'S CIGAR LOUNGE

29850 N TATUM BLVD



Date: 11/3/2021



City Clerk Department



## **Liquor License - Special Event - Arizona Matsuri**

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

### **Summary**

#### Applicant

Ilene Takiguchi

#### Location

300 E. Indian School Road

Council District: 4

#### Function

Cultural Festival

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

Feb. 26, 2022 - 10 a.m. to 5 p.m. / 20,000 attendees

Feb. 27, 2022 - 10 a.m. to 5 p.m. / 15,000 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - Central Food Mart**

Request for a liquor license. Arizona State License Application 167961.

### **Summary**

#### Applicant

Jared Repinski, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

8941 N. Central Ave.

Zoning Classification: C-2

Council District: 3

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

The 60-day limit for processing this application is Jan. 4, 2022.

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.

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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 representing liquor licensed establishment in Arizona for over 15 years."

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

"Tourism plays an important role in our local economy and liquor licensed establishments (the sale of alcohol) is a very important aspect of tourism. Therefore, if the City of Phoenix continues to lead the State of Arizona by approving quality and diverse businesses (restaurants, bars, microbreweries, distilleries, hotel, resorts, golf courses, special events, convenience / grocery stores & gas stations) similar to this proposed liquor licensed business, all businesses will prosper."

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 - Central Food Mart

Liquor License Map - Central Food Mart

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: CENTRAL FOOD MART

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	4	0
Beer and Wine Bar	7	2	1
Liquor Store	9	5	3
Beer and Wine Store	10	13	6
Restaurant	12	12	7
Club	14	2	0

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	100.82	125.69
Violent Crimes	9.21	24.17	30.99

\*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	57	117
Total Violations	95	214

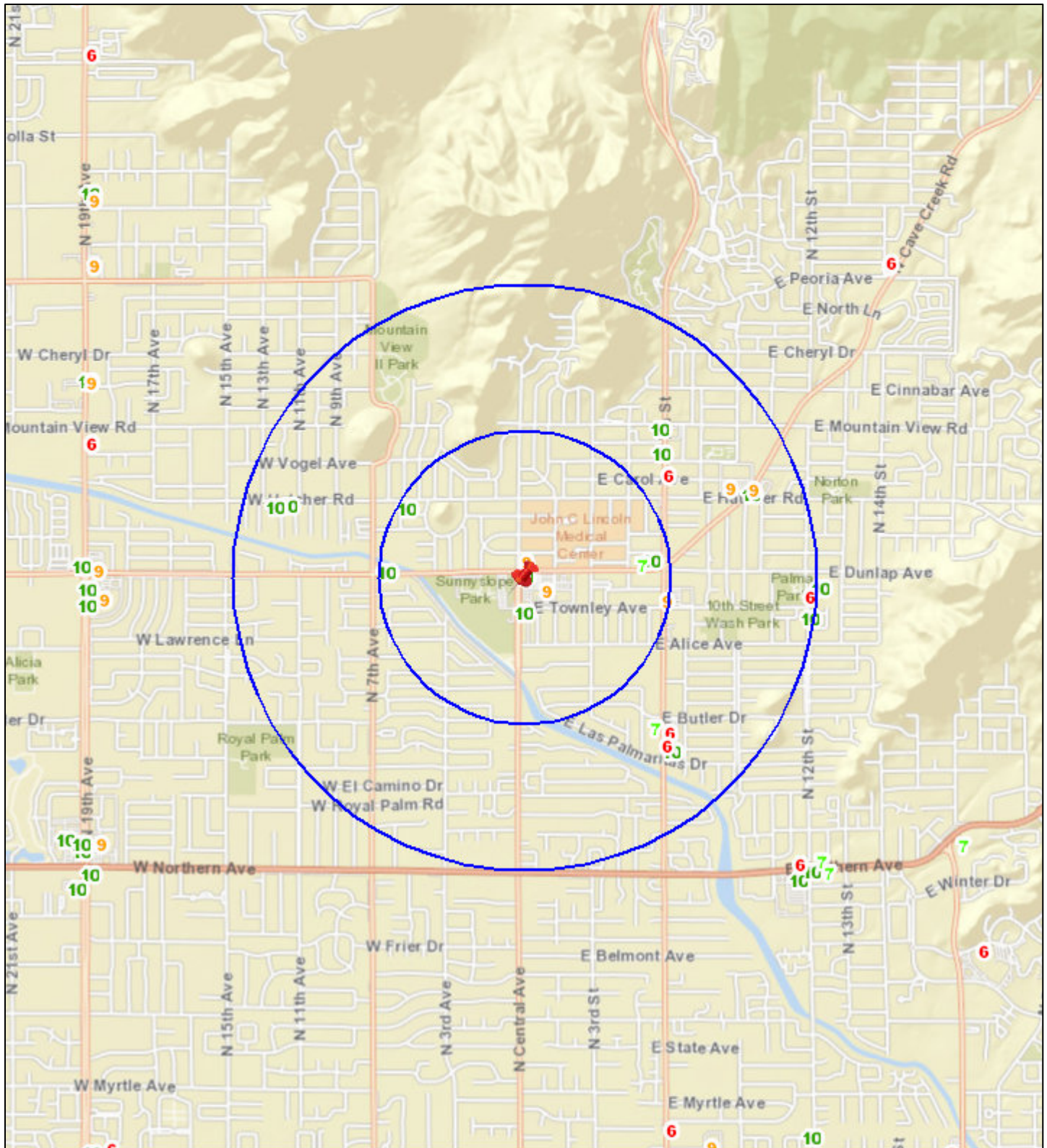
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1046001	1767	43 %	21 %	27 %
1046002	1676	20 %	20 %	39 %
1046003	1165	68 %	20 %	35 %
1047011	1012	13 %	34 %	21 %
1047022	1519	49 %	28 %	42 %
1052003	1140	66 %	15 %	17 %
1053001	1959	84 %	11 %	9 %
1053002	1704	34 %	25 %	42 %
1053003	1205	96 %	9 %	0 %
Average		61 %	13 %	19 %

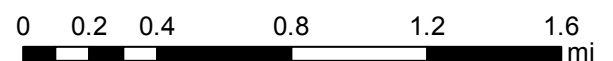


# Liquor License Map: CENTRAL FOOD MART

8941 N CENTRAL AVE



Date: 11/9/2021



City Clerk Department



## **Liquor License - La Oaxaquena Mexican Food**

Request for a liquor license. Arizona State License Application 166219.

### **Summary**

#### Applicant

Theresa Morse, Agent

#### License Type

Series 12 - Restaurant

#### Location

9822 N. 7th St. Ste. 5-8

Zoning Classification: C-2

Council District: 3

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 Dec. 20, 2021.

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.

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### 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 experience working in a restaurant and selling alcohol. We will ensure that we attend current liquor law training and require our staff to attend the class also. We want to make sure underage are not provided alcoholic beverages and sales to intoxicated persons do not occur. We will follow all city, state and county laws."

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

"This is an existing restaurant with a liquor license for on-site alcohol consumption. The alcohol service is to complement the service of food. The primary purpose of the business is to operate as a restaurant. We will continue to provide a safe atmosphere for families to enjoy mexican food."

### Staff Recommendation

Staff recommends approval of this application.

### Attachments

Liquor License Data - La Oaxaquena Mexican Food

Liquor License Map - La Oaxaquena Mexican Food

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: LA OAXAQUENA MEXICAN FOOD

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	98.03	134.07
Violent Crimes	9.06	22.31	32.69

\*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

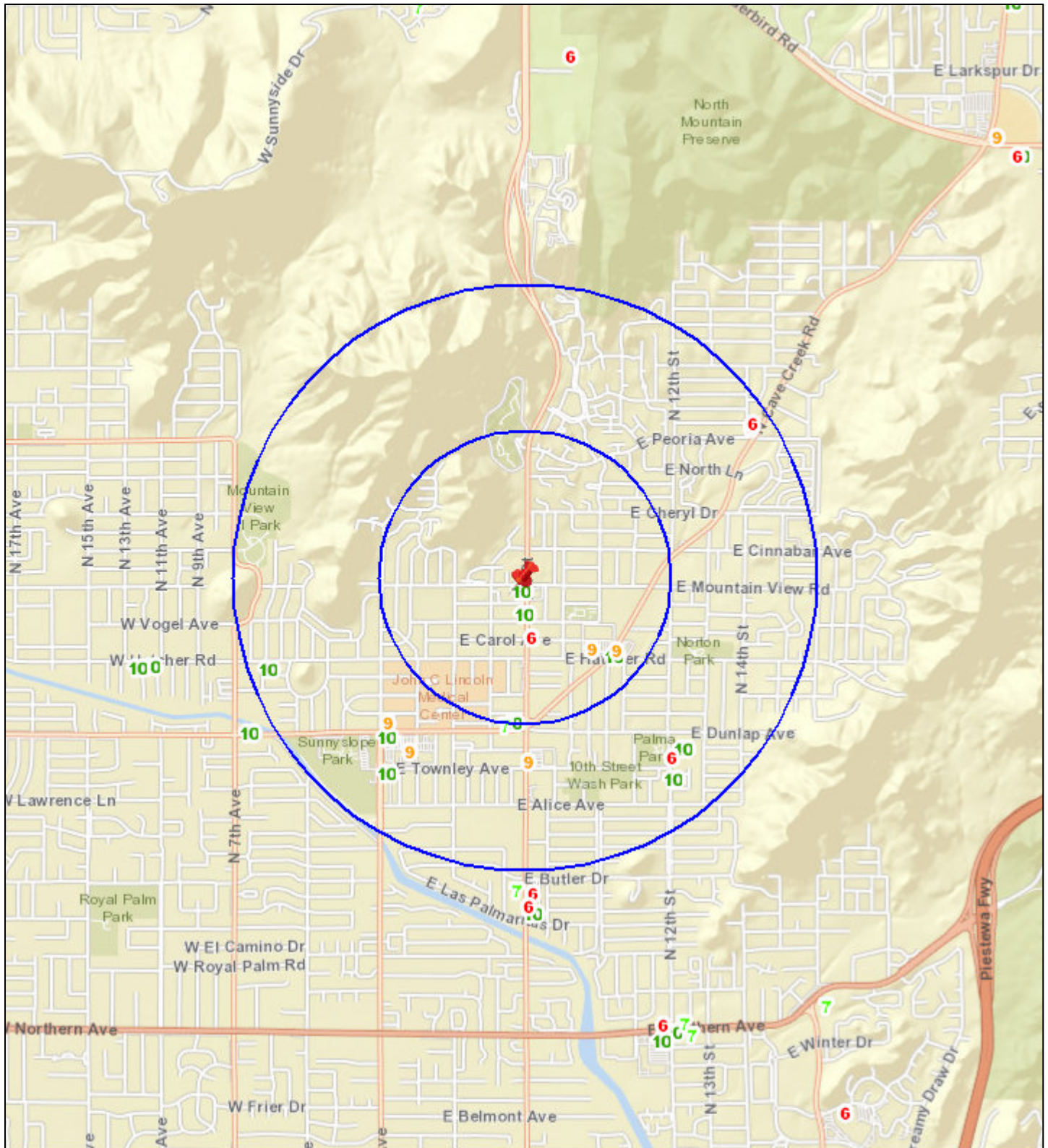
Description	Average	1/2 Mile Average
Parcels w/Violations	57	93
Total Violations	95	191

## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1037022	1394	82 %	8 %	7 %
1046001	1767	43 %	21 %	27 %
1046002	1676	20 %	20 %	39 %
1046003	1165	68 %	20 %	35 %
1047011	1012	13 %	34 %	21 %
1047012	937	54 %	0 %	14 %
1047013	775	48 %	37 %	5 %
1047021	1289	13 %	20 %	32 %
1047022	1519	49 %	28 %	42 %
1047023	1024	60 %	3 %	1 %
Average		61 %	13 %	19 %

# Liquor License Map: LA OAXAQUENA MEXICAN FOOD

9822 N 7TH ST



Date: 10/26/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



## **Liquor License - Park Terrace**

Request for a liquor license. Arizona State License Application 152509.

### **Summary**

#### Applicant

Michael Mednansky, Agent

#### License Type

Series 11 - Hotel/Motel

#### Location

2577 W. Greenway Road

Zoning Classification: C-1

Council District: 3

This request is for a new liquor license for a resort-style senior living facility. 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 Dec. 17, 2021.

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:  
"Having worked in senior living for over 25 years and being certified for basic and management liquor laws, I feel I am well qualified to manage limited consumption of alcohol by our residents, during the limited events that we will serve alcohol, my staff and I will keep a watchful eye on our residents during these periods. There safety and wellbeing is paramount to us."

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

"For those residents who wish to partake or cosume alcoholic beverage we will provide 2 drink maximum on Thursday's for Happy Hour for their enjoyment, In the company of their piers will enhance their comradery."

**Staff Recommendation**

Staff recommends approval of this liquor license.

**Attachments**

Liquor License Data - Park Terrace

Liquor License Map - Park Terrace

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: PARK TERRACE

### Liquor License

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

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	83.70	79.19
Violent Crimes	9.06	13.95	15.28

\*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	57	108
Total Violations	95	145

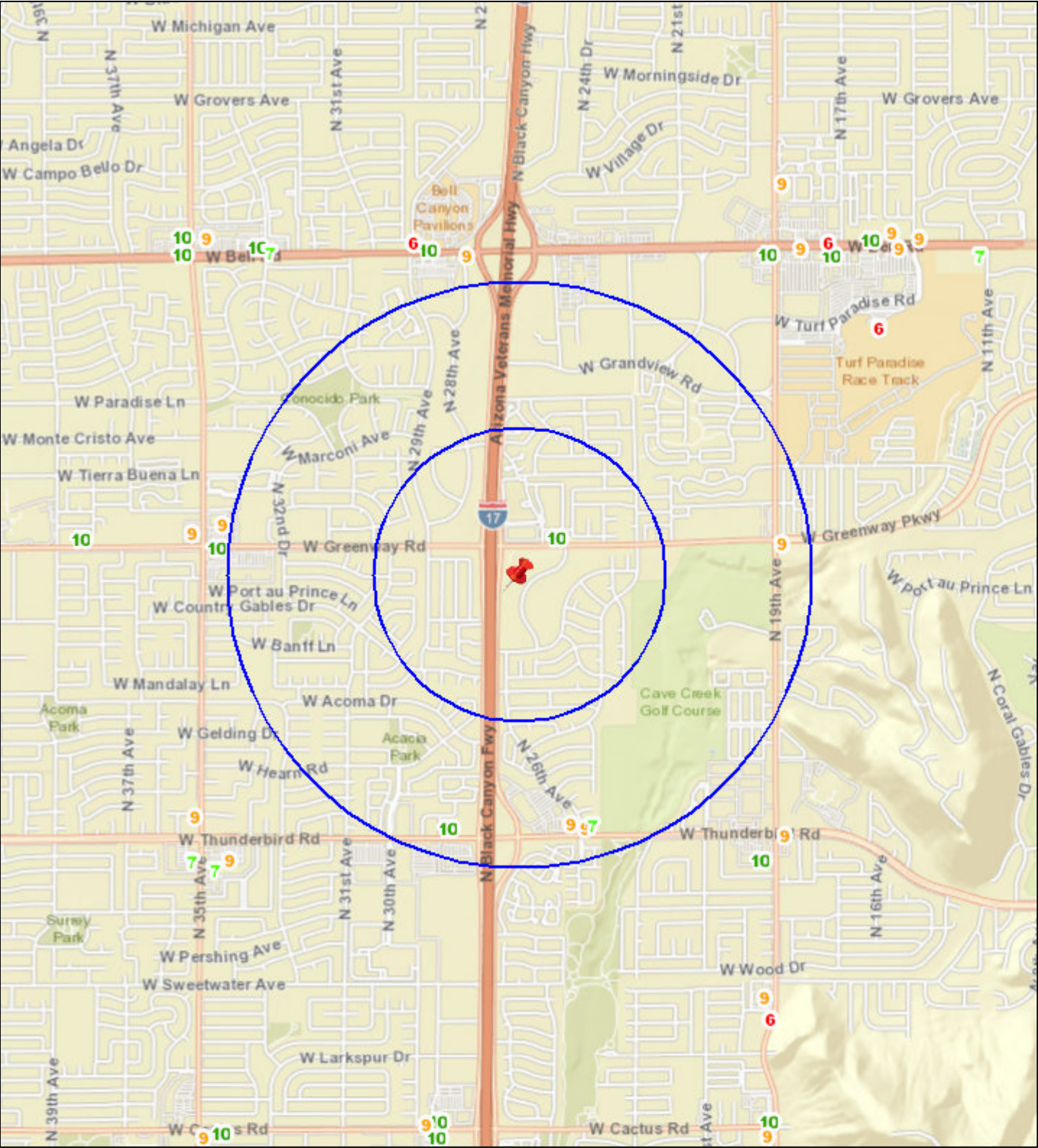
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036081	2434	69 %	11 %	7 %
1036082	1378	45 %	6 %	13 %
1036091	1106	80 %	9 %	2 %
1036092	982	83 %	3 %	14 %
1041001	1290	40 %	21 %	11 %
1041002	1507	51 %	10 %	14 %
1041004	1847	89 %	14 %	9 %
1042072	1463	95 %	11 %	5 %
Average		61 %	13 %	19 %

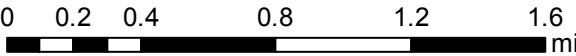


# Liquor License Map: PARK TERRACE

2577 W GREENWAY RD



Date: 10/21/2021





## **Liquor License - Mijan Claypot Kitchen**

Request for a liquor license. Arizona State License Application 165754.

### **Summary**

#### Applicant

Van Chu, Agent

#### License Type

Series 12 - Restaurant

#### Location

1616 N. Central Ave., Ste. 102

Zoning Classification: DTC - Downtown Gateway

Council District: 4

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 Dec. 15, 2021.

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 had been worked and manage restaurant for over 15 years, Sochu Home 2010-2014, Red Thai 2013-2019, Fate Restaurant 2008-2013."

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

"For dinner service. Paring well with foods that we serve for our guest. Also good for birthday and many anniversary celebrations."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Mijan Claypot Kitchen

Liquor License Map - Mijan Claypot Kitchen

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: MIJAN CLAYPOT KITCHEN

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	1
Government	5	4	3
Bar	6	21	3
Beer and Wine Bar	7	11	5
Liquor Store	9	2	2
Beer and Wine Store	10	9	0
Hotel	11	4	2
Restaurant	12	74	25
Club	14	1	1

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	142.72	182.16
Violent Crimes	9.06	30.38	41.93

\*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	57	43
Total Violations	94	62

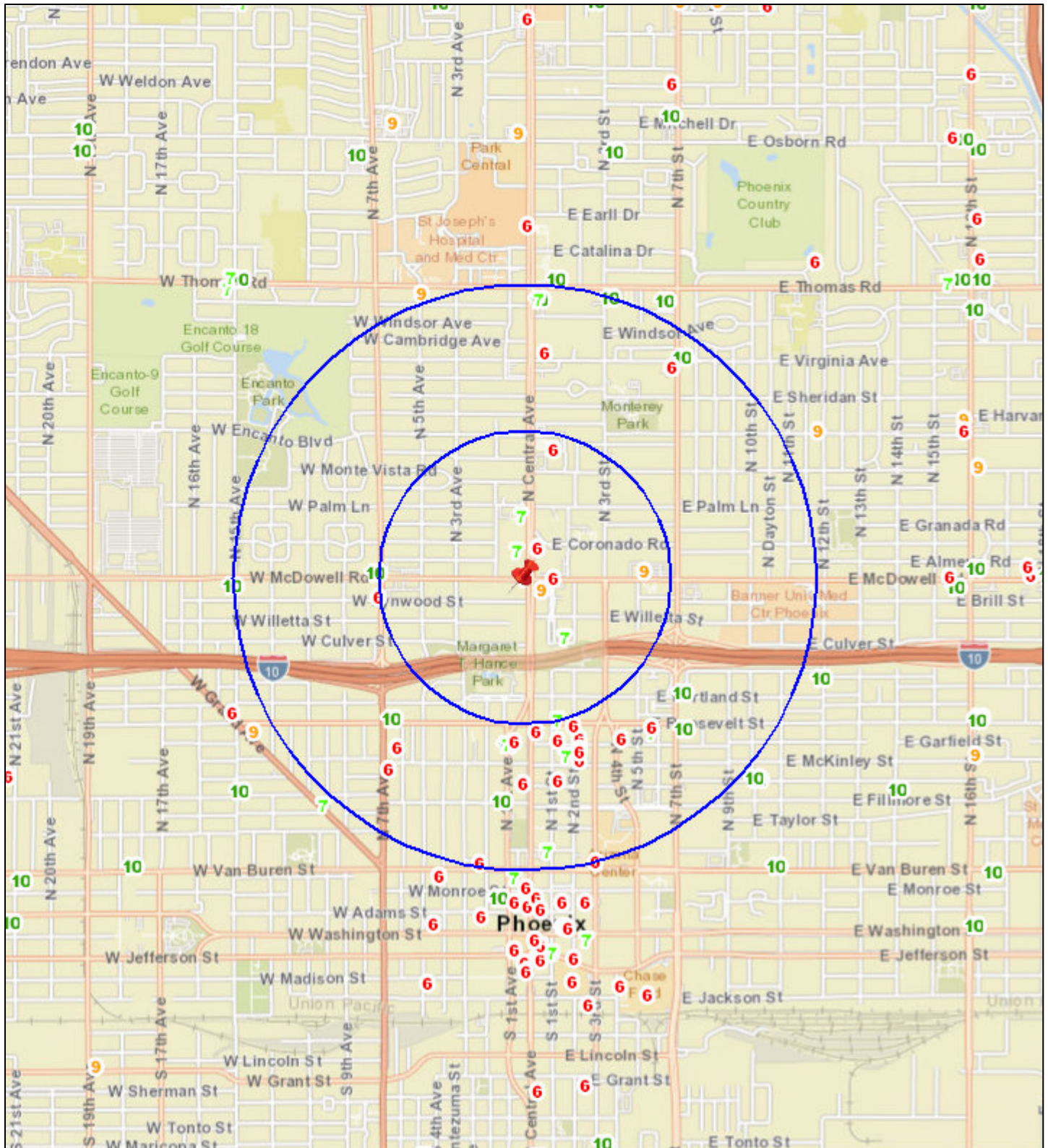
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118002	1030	67 %	9 %	17 %
1118003	996	65 %	15 %	4 %
1118004	671	62 %	6 %	6 %
1119002	899	68 %	5 %	9 %
1129001	1670	70 %	4 %	19 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131002	1242	3 %	7 %	33 %
Average		61 %	13 %	19 %

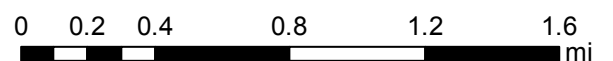


# Liquor License Map: MIJAN CLAYPOT KITCHEN

1616 N CENTRAL AVE



Date: 11/1/2021



City Clerk Department



## **Liquor License - New Hong Kong Restaurant**

Request for a liquor license. Arizona State License Application 153527.

### **Summary**

#### Applicant

Juan Vasquez Ramirez, Agent

#### License Type

Series 12 - Restaurant

#### Location

2328 E. Indian School Road

Zoning Classification: C-2

Council District: 4

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 Dec. 31, 2021.

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.

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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 worked in this environment for a long time and I have the knowledge and capability to know who to serve and when to stop. I have received the proper training."

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 help create jobs in the community and it will contribute to the state taxes for the benefit of the State."

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 - New Hong Kong Restaurant  
Liquor License Map - New Hong Kong Restaurant

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



# Liquor License Data: NEW HONG KONG RESTAURANT

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	106.47	98.61
Violent Crimes	9.21	16.93	13.26

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

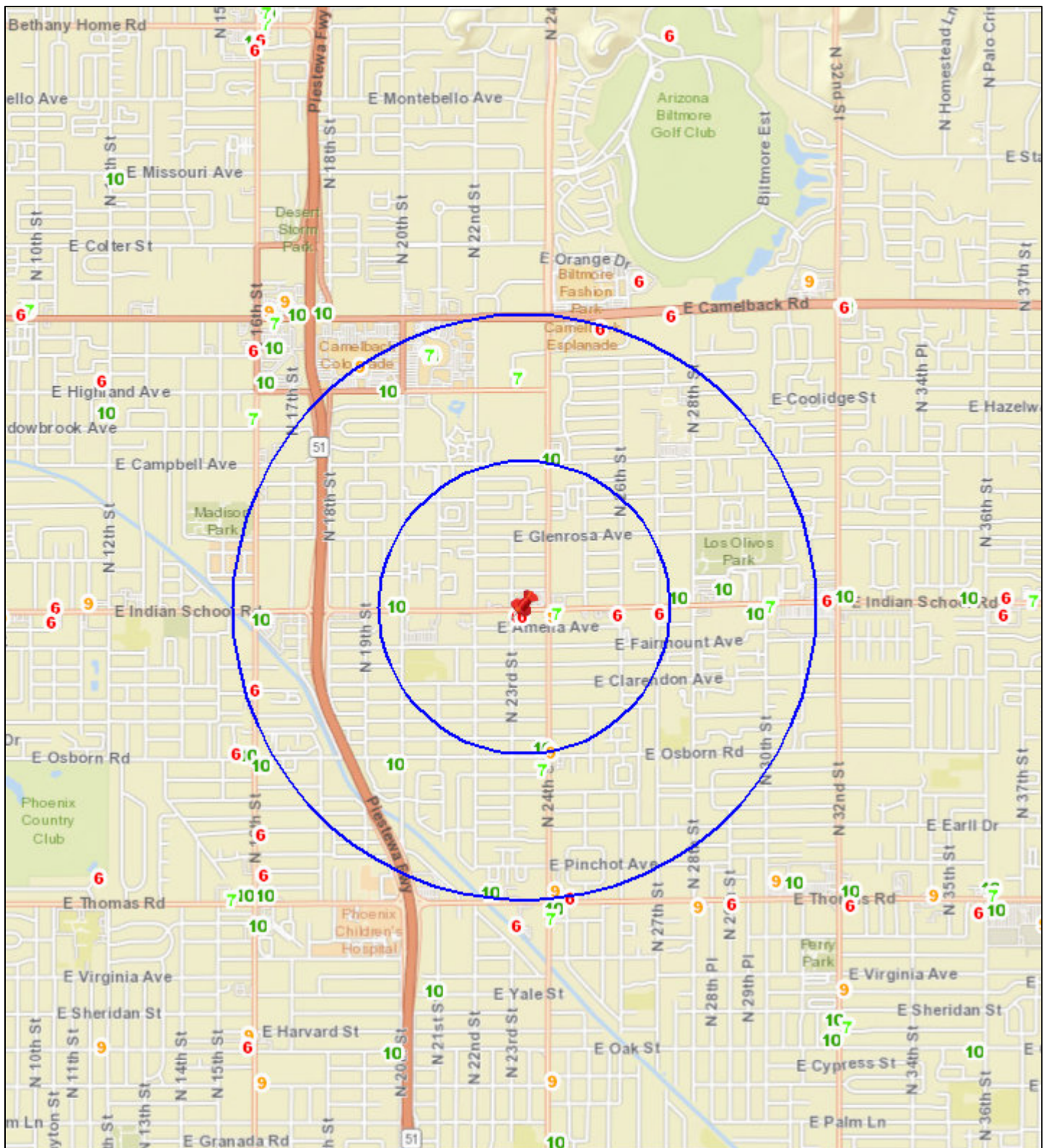
## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	57	56
Total Violations	95	90

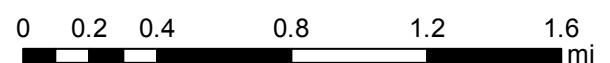
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1084003	1071	34 %	8 %	40 %
1084004	1641	65 %	7 %	19 %
1084005	422	16 %	37 %	13 %
1085012	1416	74 %	21 %	4 %
1085021	743	50 %	29 %	20 %
1085022	732	23 %	28 %	12 %
1085023	1475	42 %	20 %	7 %
1107021	1972	58 %	0 %	30 %
1108011	1736	56 %	27 %	40 %
Average		61 %	13 %	19 %

2328 E INDIAN SCHOOL RD



Date: 11/19/2021



City Clerk Department



## **Liquor License - Original Gravity**

Request for a liquor license. Arizona State License Application 167573.

### **Summary**

#### Applicant

Theresa Morse, Agent

#### License Type

Series 12 - Restaurant

#### Location

4700 N. 12th St., Ste. 101

Zoning Classification: C-2

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. This location requires a Use Permit to allow patron dancing.

The 60-day limit for processing this application is Jan. 2, 2022.

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 experience as a server and bar back in the liquor industry. Additionally, I have recently attended current Arizona Basic and Management Liquor Law Training. Therefore, I am knowledgeable in identifying obviously intoxicated customers, underage, and know the legal quantity of alcohol that can be served to one person at one time. I am aware of the tragic vehicle collisions involving intoxicated individuals and will be vigilant to promote responsible service and a safe environment for my customers."

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

"This establishment has had a restaurant liquor license to serve the local community. The primary purpose of the liquor license is to complement the food service. All employees shall attend current liquor law training to eliminate sales of alcohol to underage, obvious intoxicated persons and pass offs of alcohol from an of age to and underage customer. I want my business to be an asset to the community and work along side local community organizations."

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 - Original Gravity  
Liquor License Map - Original Gravity

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: ORIGINAL GRAVITY

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Wholesaler	4	2	0
Bar	6	10	2
Beer and Wine Bar	7	9	1
Liquor Store	9	10	1
Beer and Wine Store	10	10	1
Restaurant	12	45	5

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	155.62	132.80
Violent Crimes	9.21	24.07	22.71

\*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	57	145
Total Violations	95	290

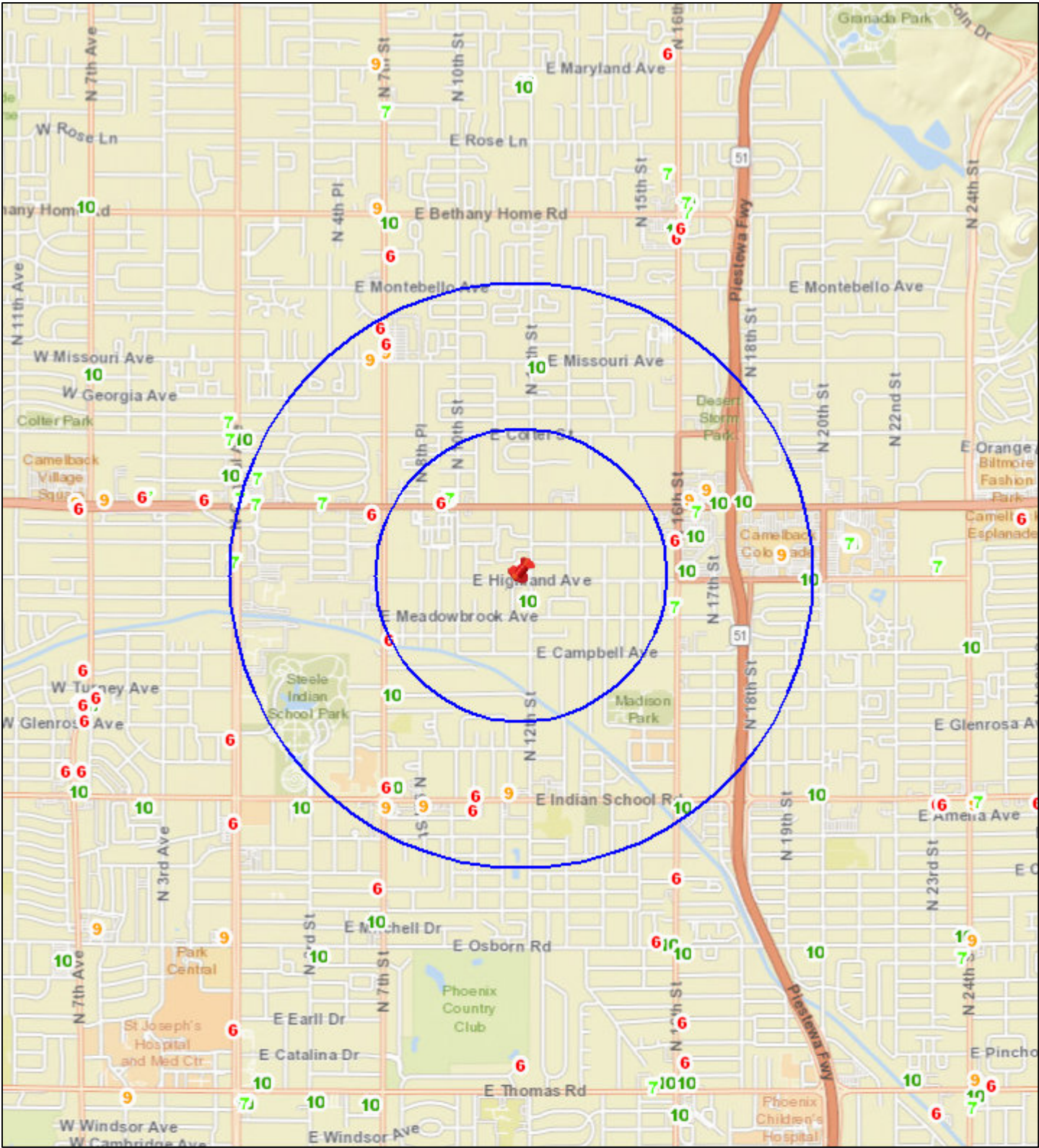
**Census 2010 Data 1/2 Mile Radius**

<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1076013	1748	38 %	8 %	17 %
1076022	1734	54 %	18 %	3 %
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 %
1088022	435	43 %	41 %	19 %
Average		61 %	13 %	19 %

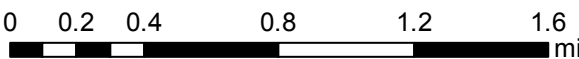


# Liquor License Map: ORIGINAL GRAVITY

4700 N 12TH ST



Date: 11/8/2021





## **Liquor License - Trans Am Cafe**

Request for a liquor license. Arizona State License Application 167140.

### **Summary**

#### Applicant

Octavio Mendoza, Agent

#### License Type

Series 12 - Restaurant

#### Location

1506 Grand Ave.

Zoning Classification: C-3 ACOD SNSPD

Council District: 4

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

The 60-day limit for processing this application is Dec. 29, 2021.

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:  
"My business partner and I have operated successful businesses. We have operated Trans Am Cafe for almost 4 years now. We have a neighborhood go to place."

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

"Our customers have asked over the years, if we could provide beer and wine. We would like to offer this service to our patrons."

Staff Recommendation

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

Attachments

Liquor License Data - Trans Am Cafe

Liquor License Map - Trans Am Cafe

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: TRANS AM CAFE

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Government	5	3	0
Bar	6	10	1
Beer and Wine Bar	7	2	1
Liquor Store	9	1	1
Beer and Wine Store	10	8	2
Hotel	11	1	0
Restaurant	12	27	5
Club	14	1	0

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	104.83	93.73
Violent Crimes	9.06	35.11	24.73

\*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	57	350
Total Violations	95	643

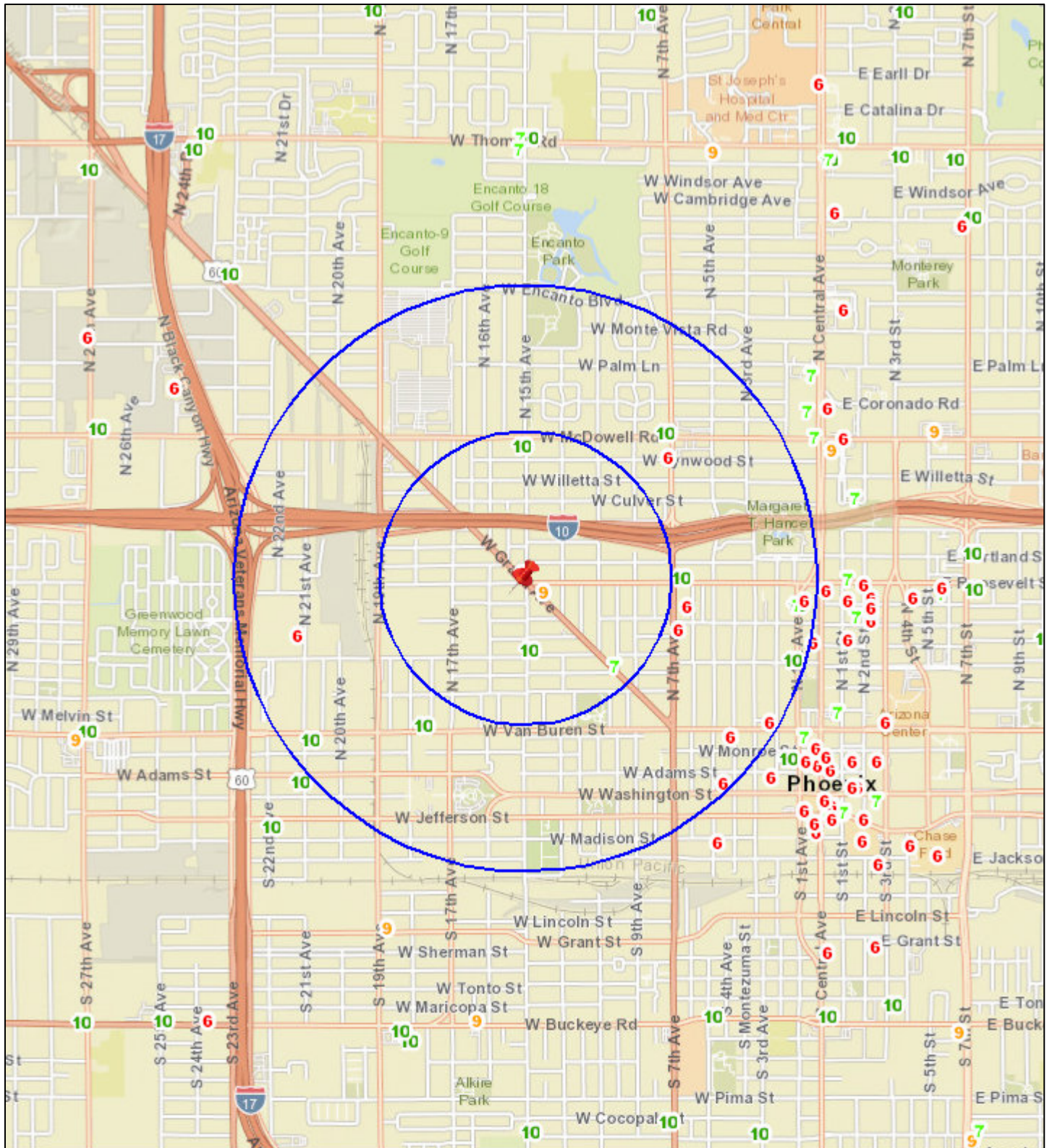
**Census 2010 Data 1/2 Mile Radius**

<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1119002	899	68 %	5 %	9 %
1119003	756	62 %	17 %	11 %
1129001	1670	70 %	4 %	19 %
1129002	815	37 %	22 %	24 %
1129003	1372	4 %	18 %	40 %
1129004	1325	47 %	24 %	52 %
Average		61 %	13 %	19 %



# Liquor License Map: TRANS AM CAFE

1506 GRAND AVE



Date: 11/2/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



## **Liquor License - Arizona Grand Resort**

Request for a liquor license. Arizona State License Application 06070408.

### **Summary**

#### Applicant

H J Lewkowitz, Agent

#### License Type

Series 6 - Bar

#### Location

8000 S. Arizona Grand Parkway

Zoning Classification: RH M-R PCD

Council District: 6

This request is for an acquisition of control of an existing liquor license for a bar. This location is currently licensed for liquor sales. This location requires a Use Permit to allow live music, entertainment, and patron dancing as an accessory use to a bar.

The 60-day limit for processing this application is Jan. 1, 2022.

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

#### Other Active Liquor License Interest in Arizona

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

Aunt Chilada's (Series 12)

2021 W. Baseline Road, 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:  
"Applicant is committed to upholding the highest standards for business and maintaining 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:  
"The Arizona Grand Resort is an all-suite luxury resort located on 164 acres, including 744 guest suites, and villas, meeting spaces and ballrooms, a 7-acre water park, an 18-hole golf course, a full-service athletic club + spa, and various dining options. Applicant would like to continue offering alcoholic beverages to guests 21 and over."

Staff Recommendation

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

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.





## **Liquor License - Kura Revolving Sushi Bar**

Request for a liquor license. Arizona State License Application 163244.

### **Summary**

#### Applicant

Andrea Lewkowitz, Agent

#### License Type

Series 12 - Restaurant

#### Location

1949 E. Camelback Road, Ste. 164

Zoning Classification: C-2

Council District: 6

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

The 60-day limit for processing this application is Dec. 27, 2021.

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.

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Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"Applicant is committed to upholding the highest standards for business and maintaining 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:  
"Kura Revolving Sushi Bar has offered its innovative revolving sushi concept for many years, with over 540 locations in Japan, Taiwan and the United States. Applicant would like to offer guests 21 and over the opportunity to enjoy alcoholic beverages as an incident to the fresh sushi, made with premium ingredients, 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 - Kura Revolving Sushi Bar  
Liquor License Map - Kura Revolving Sushi Bar

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: KURA REVOLVING SUSHI BAR

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Wholesaler	4	2	2
Bar	6	4	1
Beer and Wine Bar	7	4	4
Liquor Store	9	4	4
Beer and Wine Store	10	10	6
Hotel	11	2	1
Restaurant	12	38	19

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	144.42	271.76
Violent Crimes	9.06	16.34	20.06

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

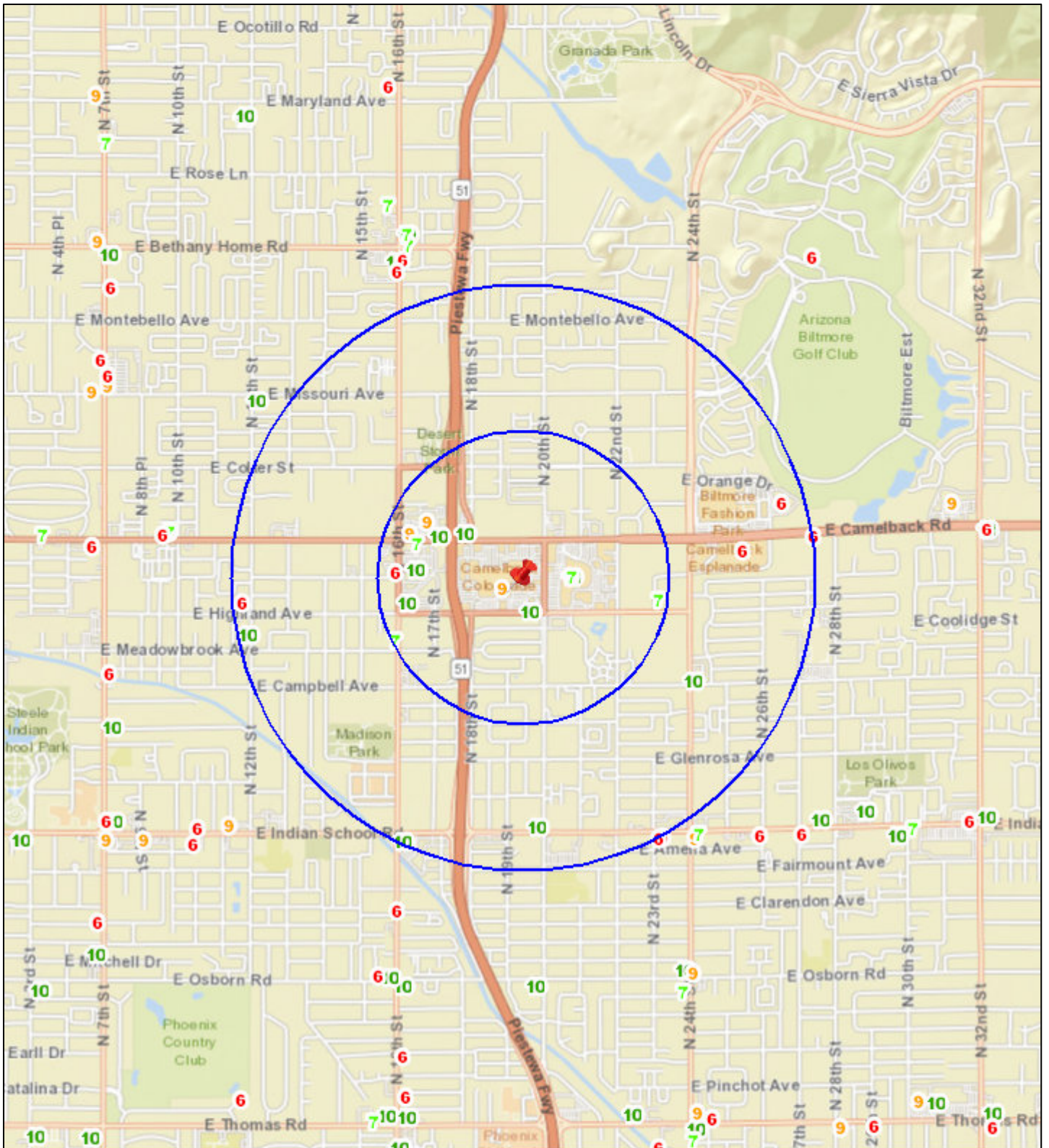
## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	57	29
Total Violations	95	61

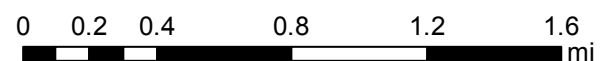
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1076022	1734	54 %	18 %	3 %
1077002	738	57 %	10 %	8 %
1077003	457	26 %	26 %	16 %
1077005	736	14 %	6 %	4 %
1085011	1023	33 %	6 %	13 %
1085012	1416	74 %	21 %	4 %
1085022	732	23 %	28 %	12 %
1085023	1475	42 %	20 %	7 %
1085024	549	43 %	31 %	15 %
1086021	790	37 %	38 %	22 %
1086022	1187	11 %	25 %	52 %
Average		61 %	13 %	19 %

1949 E CAMELBACK RD



Date: 11/2/2021





## **Liquor License - Rice Paddy**

Request for a liquor license. Arizona State License Application 167575.

### **Summary**

#### Applicant

Rice Paddy

#### License Type

Series 12 - Restaurant

#### Location

6219 N. 7th St.

Zoning Classification: C-2

Council District: 6

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

The 60-day limit for processing this application is Jan. 1, 2022.

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 serve with responsibility by rules, plus I had a bartender license. Therefore, I know what is goods and rights for me when come to serve the customers."

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

"I will provide the neighborhood good customer service, enjoy and relaxing environment."

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 - Rice Paddy

Liquor License Map - Rice Paddy

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: RICE PADDY

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	5	1
Beer and Wine Bar	7	3	1
Liquor Store	9	5	2
Beer and Wine Store	10	6	3
Restaurant	12	24	11

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	72.23	86.94
Violent Crimes	9.21	7.32	12.31

\*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	57	52
Total Violations	95	74

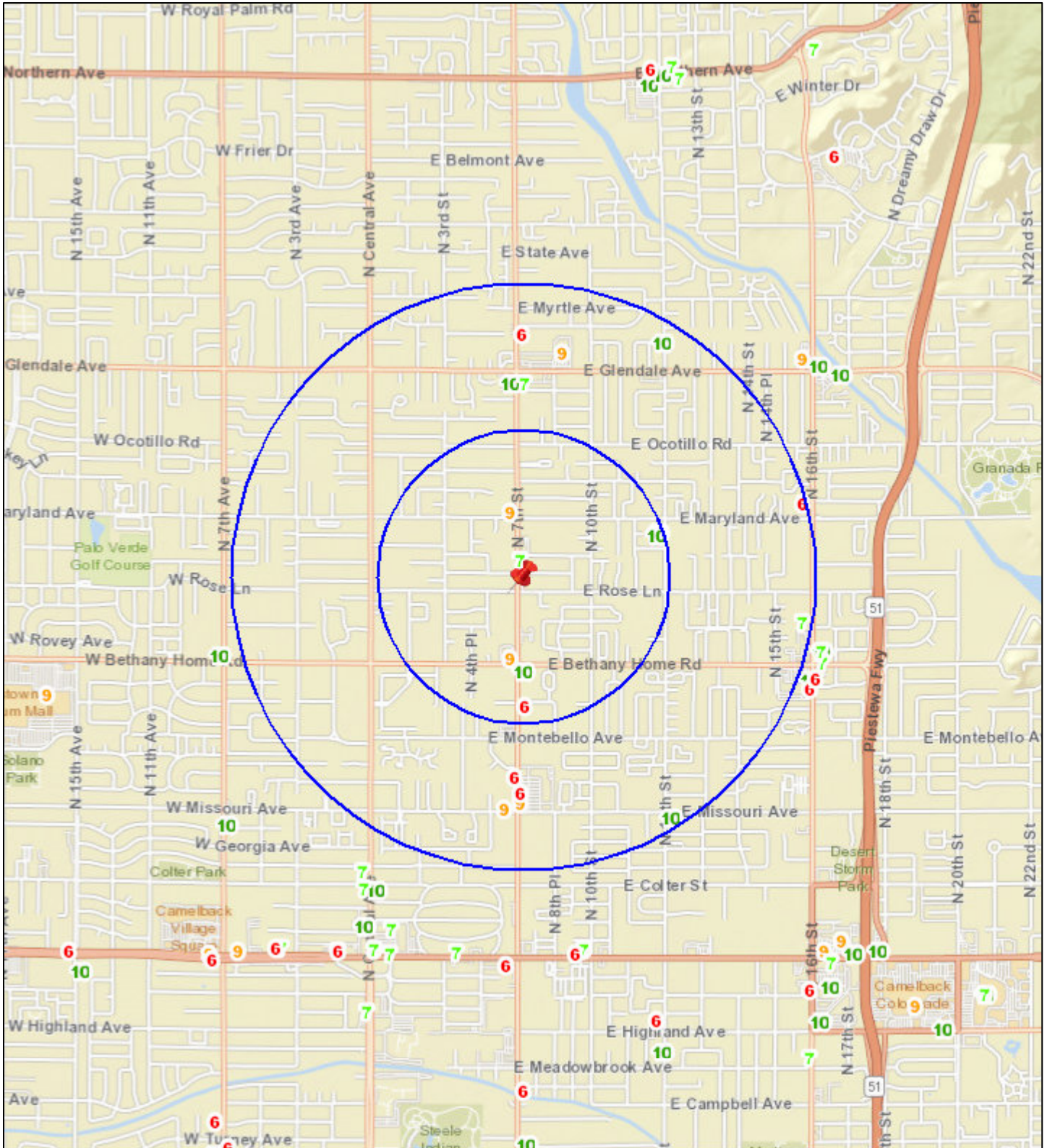


## Census 2010 Data 1/2 Mile Radius

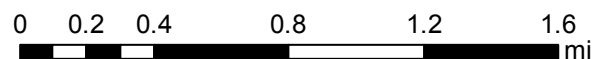
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1065011	1458	63 %	8 %	10 %
1065012	1594	61 %	18 %	32 %
1065021	1383	30 %	18 %	43 %
1065023	919	56 %	15 %	10 %
1066002	2064	83 %	7 %	5 %
1075002	1458	74 %	7 %	15 %
1076012	904	38 %	24 %	23 %
Average		61 %	13 %	19 %

# Liquor License Map: RICE PADDY

6219 N 7TH ST



Date: 11/8/2021



City Clerk Department



## **Liquor License - Shinko Sushi House**

Request for a liquor license. Arizona State License Application 165741.

### **Summary**

#### Applicant

Theresa Morse, Agent

#### License Type

Series 12 - Restaurant

#### Location

1241 E. Chandler Blvd., Ste. 127

Zoning Classification: C-2 PCD

Council District: 6

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

The 60-day limit for processing this application is Dec. 15, 2021.

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 the owners have experience in the restaurant industry. We and our employees will all be attending current Arizona Liquor Law training ensuring everyone is knowledgeable in the acceptance forms of identification, determining false identification as well as over intoxicated customers. We will take all precautions to provide a safe environment and comply with COVID-19 sanitization and health services regulations."

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

"This location was a restaurant previously that likely closed due to COVID-19. We are excited to offer family atmosphere to the community for a safe dine-in experience. The previous owners also had a liquor license at this location and the community supported their business. We are looking forward to have a business in the City of Phoenix."

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 - Shinko Sushi House

Liquor License Map - Shinko Sushi House

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: SHINKO SUSHI HOUSE

## 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	48.11	9.60	17.19
Violent Crimes	9.06	1.06	3.18

\*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	57	2
Total Violations	95	4

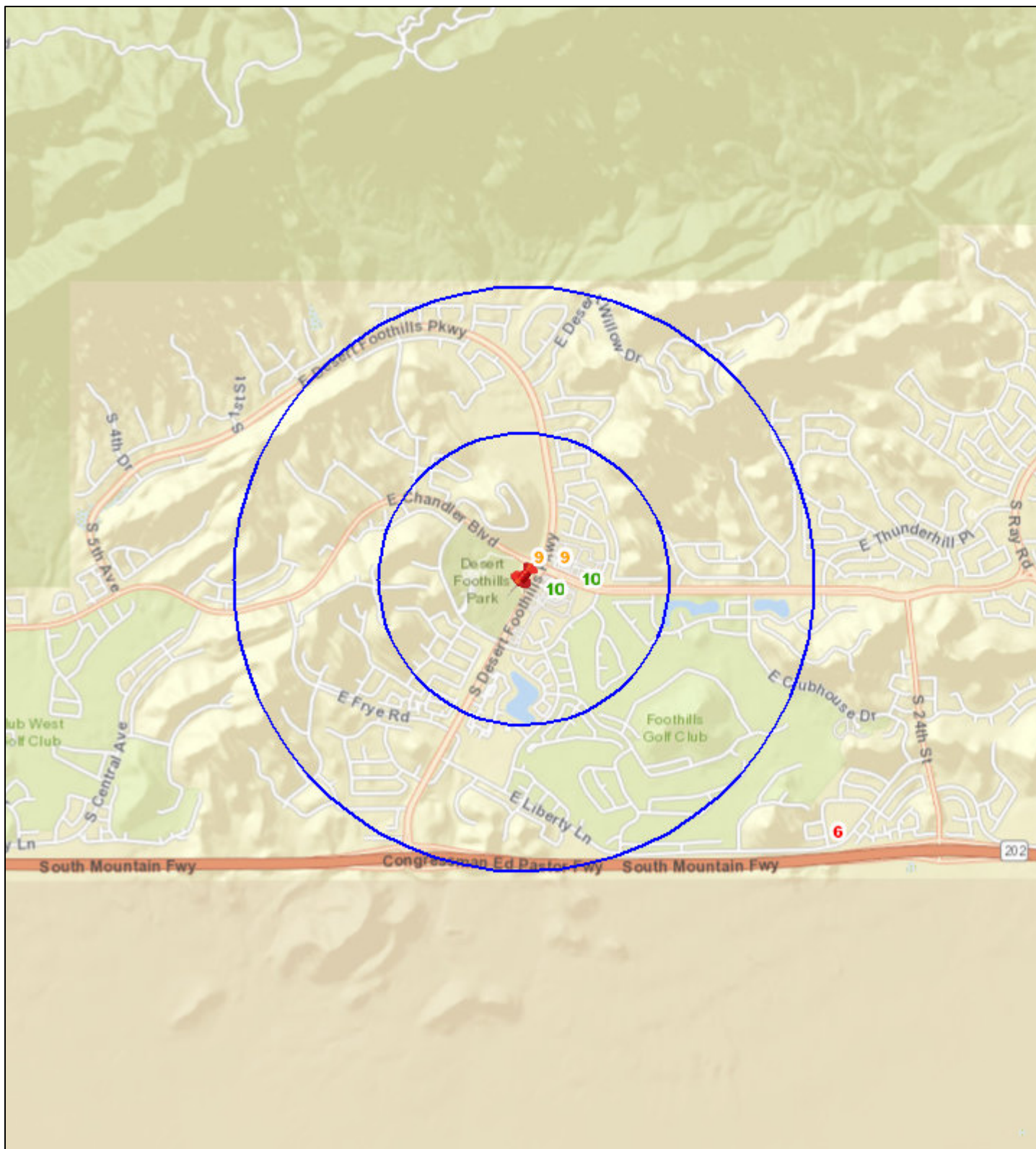
## Census 2010 Data 1/2 Mile Radius

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 %

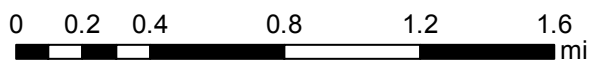


## Liquor License Map: SHINKO SUSHI HOUSE

1241 E CHANDLER BLVD



Date: 10/22/2021





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Agenda Date: 12/15/2021, Item No. 20

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## **Liquor License - Thunderbird School of Global Management**

Request for a liquor license. Arizona State License Application 167126.

### **Summary**

#### Applicant

Jeffrey Miller, Agent

#### License Type

Series 5 - Government

#### Location

401 N. 1st St.

Zoning Classification: DTC - Business Core

Council District: 7

This request is for a new liquor license for an educational institution facility. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor liquor service.

The 60-day limit for processing this application is Dec. 29, 2021.

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

#### Other Active Liquor License Interest in Arizona

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 on site manager has completed his basic and management Title 4 Liquor Law training course. Thunderbird School employees go through extensive training to ensure all liquor laws and guidelines are followed and upheld."

**Staff Recommendation**

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

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.





## **Liquor License - Nanaya**

Request for a liquor license. Arizona State License Application 167128.

### **Summary**

#### Applicant

I Chung Chow, Agent

#### License Type

Series 12 - Restaurant

#### Location

15 E. Monroe St., Ste. 100

Zoning Classification: DTC - Business Core

Council District: 7

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 Dec. 29, 2021.

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

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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.

**Nanaya (Series 12)**

3603 E. Indian School Road, Ste. B, Phoenix

Calls for police service: 3

Liquor license violations: None

**Nanaya (Series 12)**

699 S. Mill Ave., #115, Tempe

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

Liquor license violations: None

**J Town (Series 12)**

7341 E. 6th Ave., Scottsdale

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

Liquor license violations: None

**Public Opinion**

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

**Applicant's Statement**

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

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

"I have the basic and Management Title 4 training certifications and have successfully operated other restaurants with Phoenix liquor license according to the standards of the City and State."

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

"We'd like to offer customers of our restaurant a full selection of beverages for their meals."

**Staff Recommendation**

Staff recommends approval of this application.

Attachments

Liquor License Data - Nanaya

Liquor License Map - Nanaya

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: NANAYA

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Wholesaler	4	1	0
Government	5	8	5
Bar	6	44	30
Beer and Wine Bar	7	13	7
Liquor Store	9	2	2
Beer and Wine Store	10	12	2
Hotel	11	8	6
Restaurant	12	88	47
Club	14	3	0

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	151.53	211.57
Violent Crimes	9.21	47.77	58.28

\*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

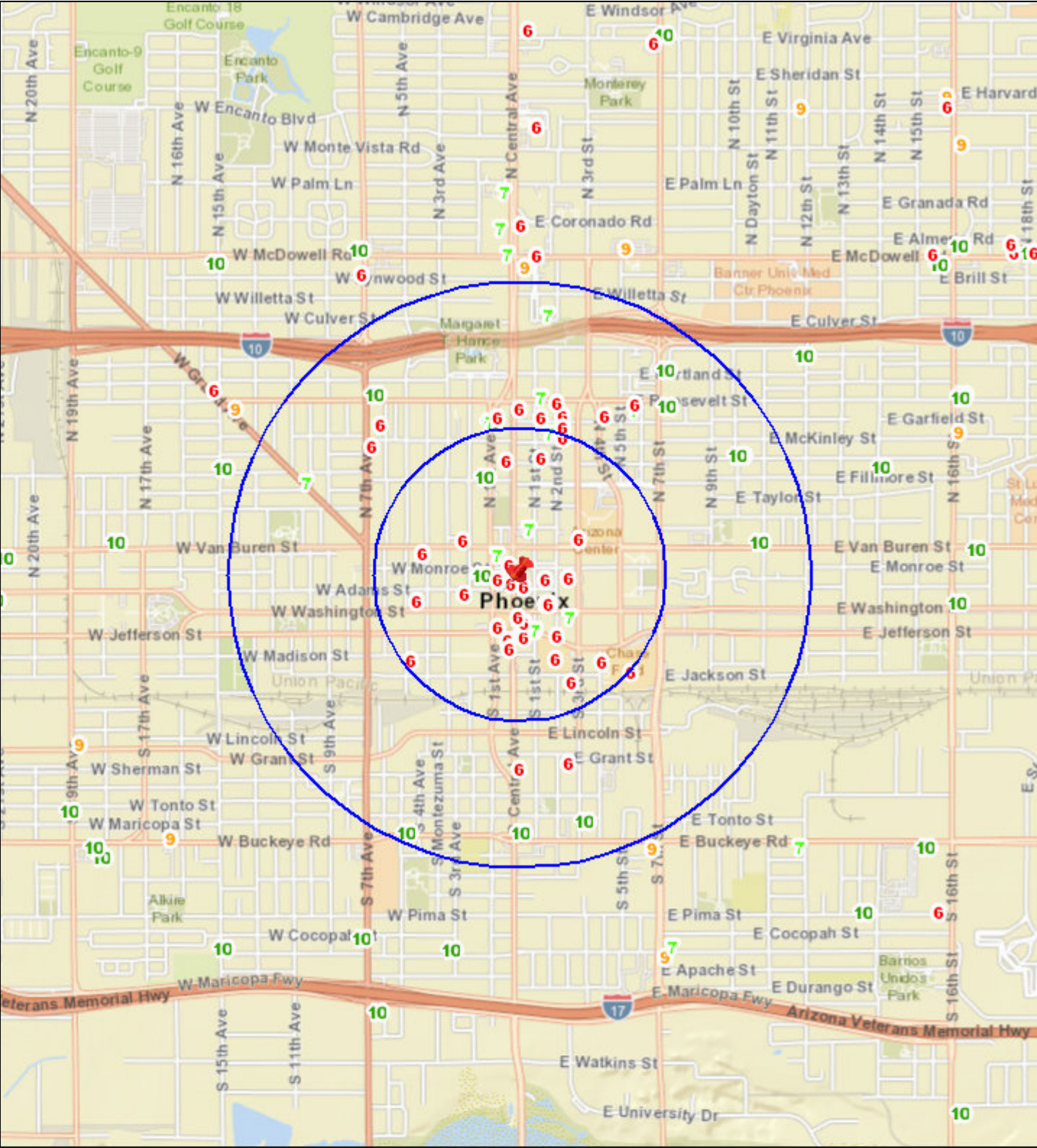
Description	Average	1/2 Mile Average
Parcels w/Violations	57	42
Total Violations	96	88

## Census 2010 Data 1/2 Mile Radius

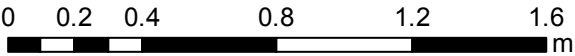
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132022	1257	47 %	29 %	55 %
1140001	1831	25 %	20 %	47 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
Average		61 %	13 %	19 %

# Liquor License Map: NANAYA

15 E MONROE ST



Date: 11/23/2021





## **Liquor License - Peter Piper Pizza #1215**

Request for a liquor license. Arizona State License Application 07070035.

### **Summary**

#### Applicant

Ryan Anderson, Agent

#### License Type

Series 7 - Beer and Wine Bar

#### Location

6040 S. Central Ave.

Zoning Classification: PSC

Council District: 7

This request is for an ownership transfer for a beer and wine bar. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a variance to allow a bar.

The 60-day limit for processing this application is Dec. 29, 2021.

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:  
"Peter Piper Pizza corporately run locations are operated with the highest standard of care and compliance regarding alcohol sales. Managers and staff receive alcohol training and work hard to ensure all Title 4 regulations are followed."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"This has been a Peter Piper Pizza location which has serviced the neighborhood and community for many years. It will now be a corporately owned location and will continue to be a good neighbor to the community. Continued alcohol service will enhance the dining experience that guest have enjoyed for years."

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 - Peter Piper Pizza #1215

Liquor License Map - Peter Piper Pizza #1215

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## Liquor License Data: PETER PIPER PIZZA #1215

### Liquor License

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

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	136.59	172.92
Violent Crimes	9.21	29.75	35.13

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

### Property Violation Data

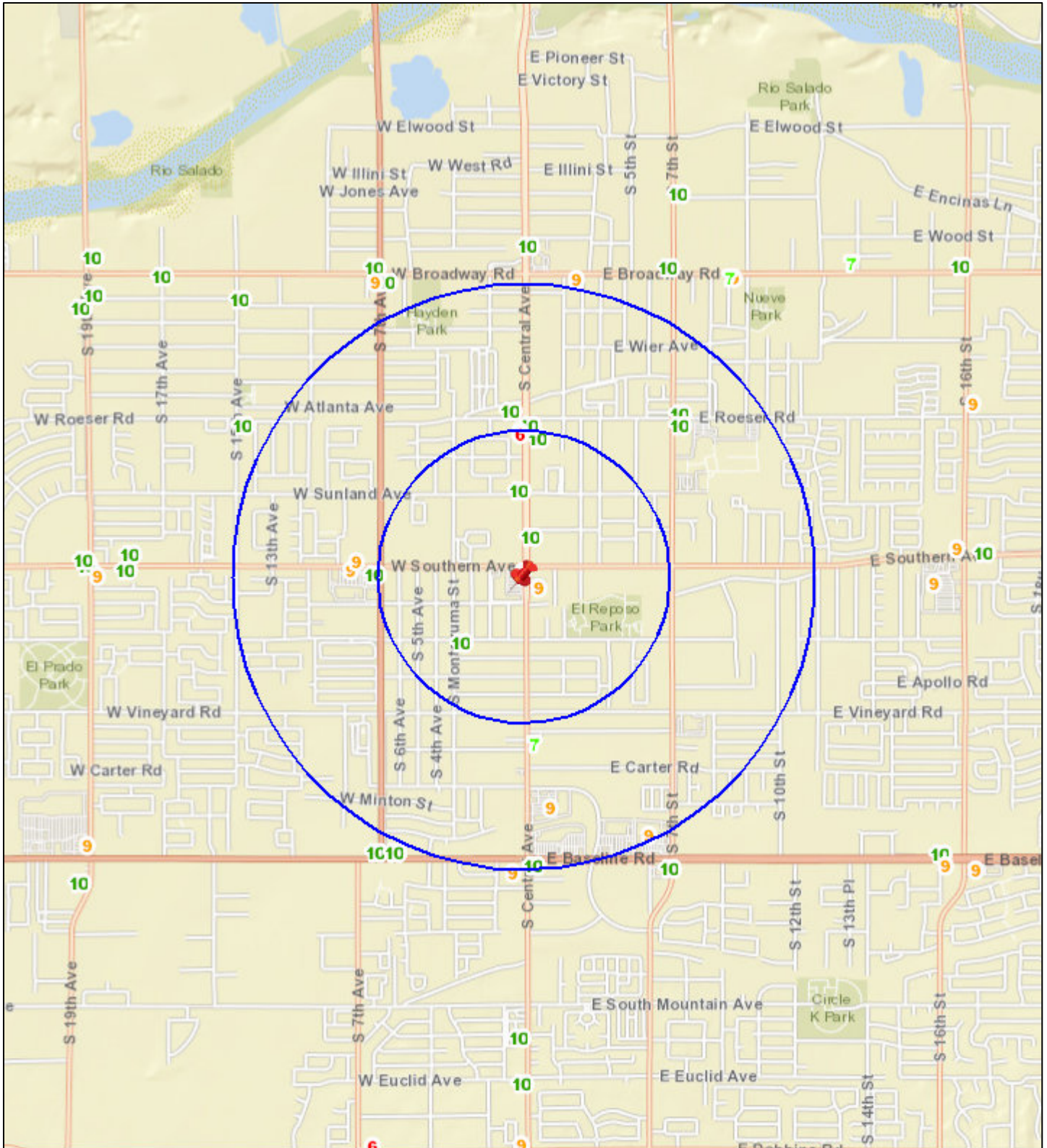
Description	Average	1/2 Mile Average
Parcels w/Violations	57	132
Total Violations	95	256

**Census 2010 Data 1/2 Mile Radius**

<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1157001	2689	65 %	7 %	23 %
1158012	1837	18 %	26 %	65 %
1158022	1536	47 %	17 %	24 %
1165001	1778	66 %	2 %	27 %
1165002	1487	84 %	7 %	31 %
1165003	1504	65 %	6 %	15 %
1166021	4695	66 %	10 %	35 %
Average		61 %	13 %	19 %

# Liquor License Map: PETER PIPER PIZZA #1215

6040 S CENTRAL AVE



Date: 11/9/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



## **Liquor License - The Mixologer**

Request for a liquor license. Arizona State License Application 158384.

### **Summary**

#### Applicant

Justin Keller, Agent

#### License Type

Series 12 - Restaurant

#### Location

1014 N. 2nd St.

Zoning Classification: DTC - West Evans Churchill

Council District: 7

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor alcohol consumption as an accessory use. This business is currently being remodeled with plans to open in June 2022.

The 60-day limit for processing this application is Jan. 2, 2022.

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:  
"As a responsible business owner in Arizona, I have proven a track record of discipline and stewardship of abiding by state and federal laws. We furthermore understand the personal responsibility of alcohol consumption as our primary business is education consumers during live cocktail experiences. With a background in cocktail and spirit education, I feel we have the perfect resume to bring our virtual experience to in person experiences. We will responsibly allow consumers to drink alcohol while ensuring compliance and safety."

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

"Will believe The Mixologer craft cocktail bar will enhance the Roosevelt Row community because as spirit educators, we not only deliver a fun experience to our costumers, but we also educate them with knowledge about spirits and how to consume them safely. We believe our artistic ability of making high-end cocktails will inspire the local community to rethink their perception of alcohol. We wish to empower the local community to move away from over consumption and into artistic cocktails that tell origin stories."

Staff Recommendation

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

Attachments

Liquor License Data - The Mixologer

Liquor License Map - The Mixologer

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: THE MIXOLOGER

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	4	1
Government	5	8	4
Bar	6	45	13
Beer and Wine Bar	7	16	8
Liquor Store	9	4	1
Beer and Wine Store	10	11	4
Hotel	11	8	4
Restaurant	12	100	44
Club	14	2	0

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	166.82	270.80
Violent Crimes	9.21	41.32	56.36

\*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	57	104
Total Violations	95	168

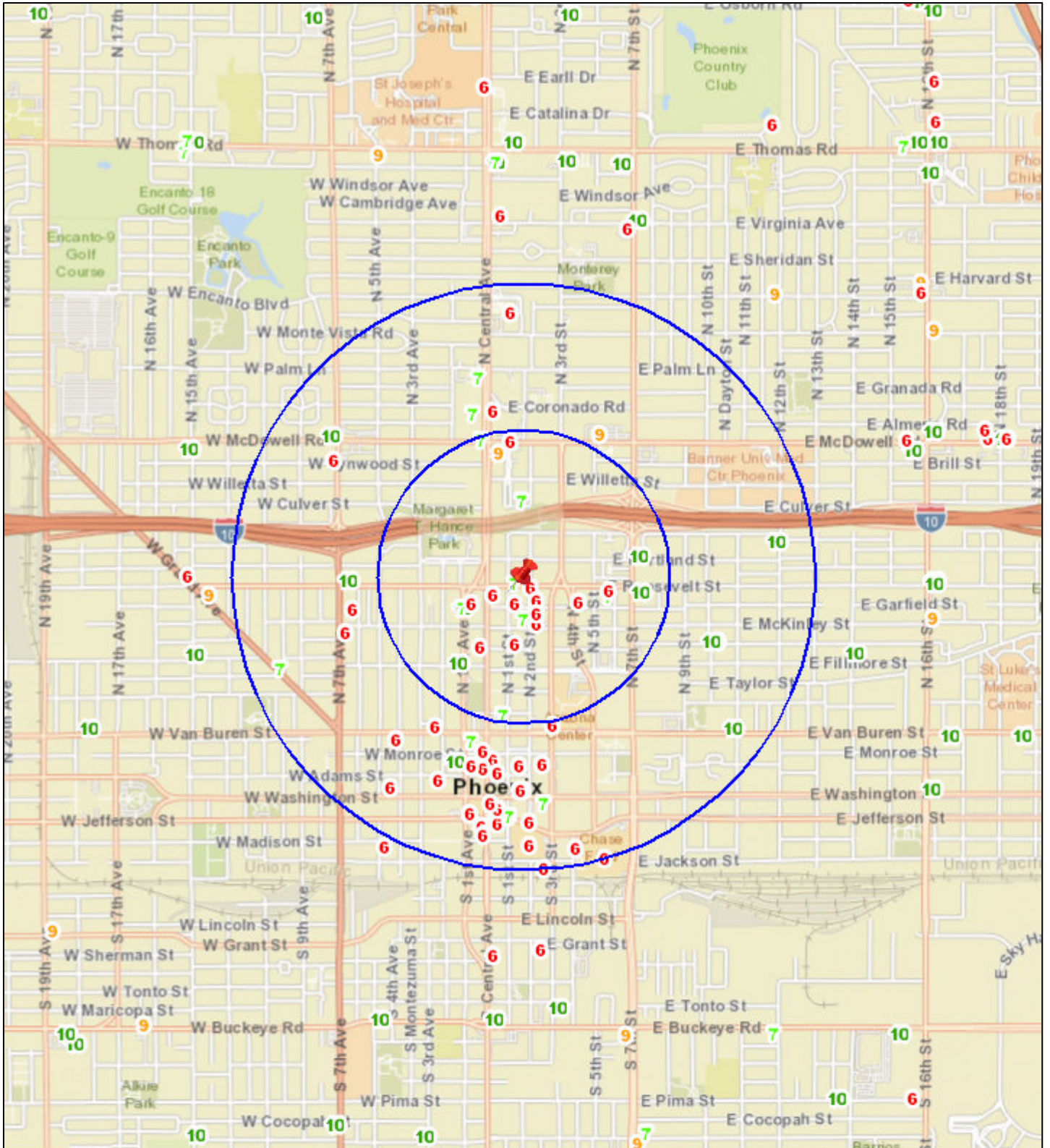
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118002	1030	67 %	9 %	17 %
1118004	671	62 %	6 %	6 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
Average		61 %	13 %	19 %

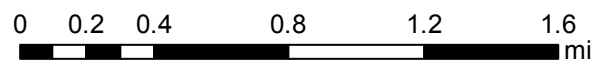


# Liquor License Map: THE MIXOLOGER

1014 N 2ND ST



Date: 11/9/2021





## **Liquor License - 7 - Eleven #26062H**

Request for a liquor license. Arizona State License Application 165131.

### **Summary**

#### Applicant

Ryan Anderson, Agent

#### License Type

Series10 - Beer and Wine Store

#### Location

2401 E. McDowell Road

Zoning Classification: A-1

Council District: 8

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

The 60-day limit for processing this application is Dec. 31, 2021.

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: "7-Eleven, Inc. is a major convenience store retailer in the U.S. with thousands of stores in many states, some of which are operated by corporate and some of which are operated by franchisees. This store will operate as a corporate store. 7- Eleven, Inc. has a strict, comprehensive, and successful training program and record regarding alcohol sales both inside and outside of AZ. 7-Eleven, Inc. depends on its reputation regarding responsible operation of its stores and takes liquor compliance very seriously."

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

"This store has operated with a series 10 liquor license for years. Its customers and neighbors have grown accustomed to the one-stop shopping experience, and 7-Eleven will now be operating this location as a corporate store with the intention of improving it and making it the best neighbor it can be."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - 7 - Eleven #26062H

Liquor License Map - 7 - Eleven #26062H

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: 7-ELEVEN #26062H

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Wholesaler	4	1	0
Bar	6	4	0
Beer and Wine Bar	7	2	1
Liquor Store	9	4	3
Beer and Wine Store	10	10	5
Restaurant	12	9	3
Craft Distiller	18	1	0

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	105.57	132.69
Violent Crimes	9.21	36.62	31.74

\*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

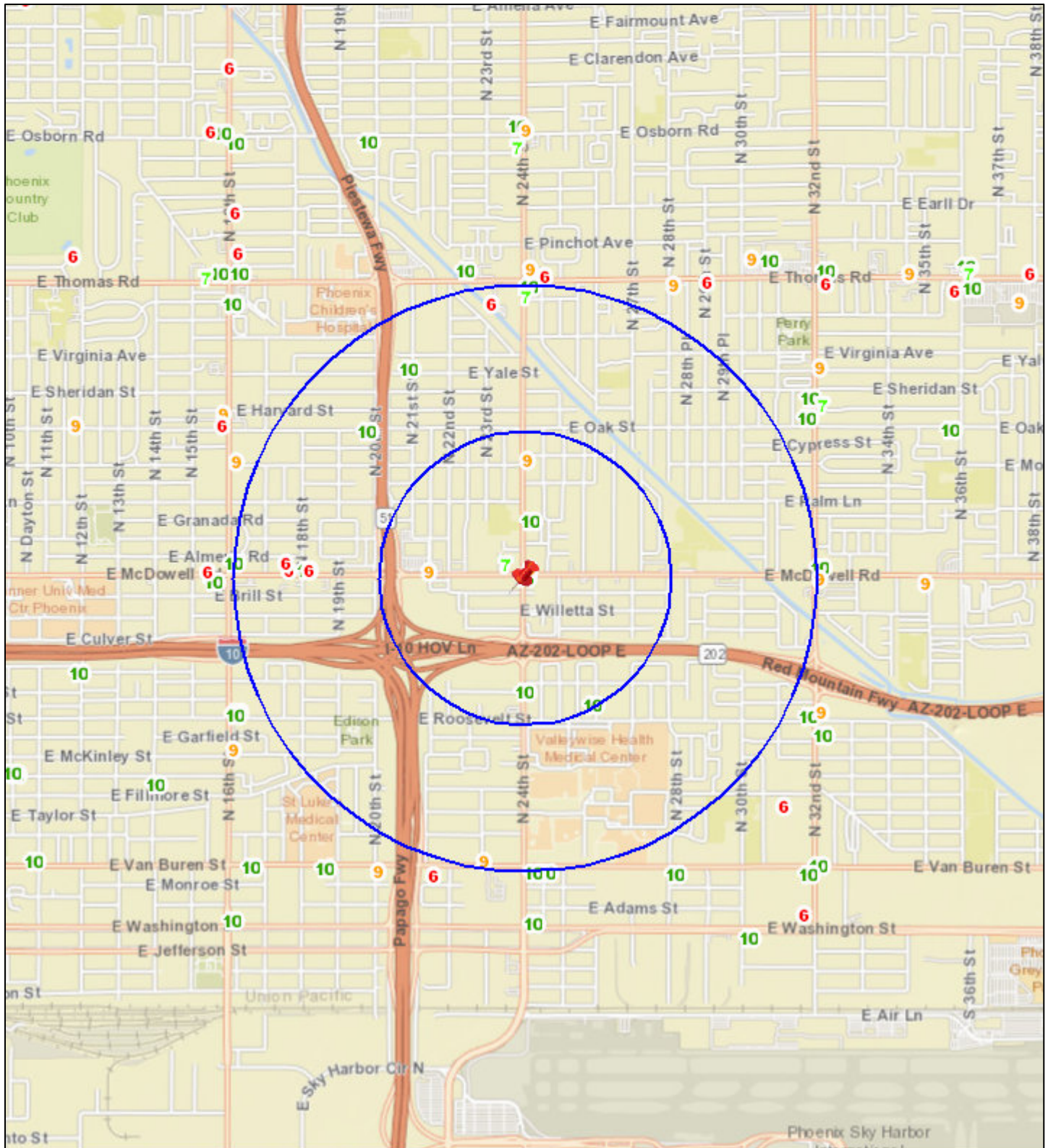
Description	Average	1/2 Mile Average
Parcels w/Violations	57	129
Total Violations	95	233

**Census 2010 Data 1/2 Mile Radius**

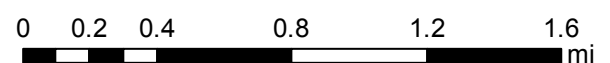
<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1115011	2020	44 %	16 %	43 %
1116012	1200	65 %	11 %	40 %
1133001	2490	40 %	12 %	49 %
1133003	901	22 %	23 %	72 %
1134001	589	0 %	0 %	100 %
1135011	2332	25 %	12 %	55 %
1135012	1738	41 %	26 %	36 %
Average		61 %	13 %	19 %



2401 E MCDOWELL RD



Date: 11/4/2021





## **Liquor License - Jim's Smoke Shop on 7th**

Request for a liquor license. Arizona State License Application 165762.

### **Summary**

#### Applicant

Jubran Jubran, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

1025 N. 7th St.

Zoning Classification: C-2

Council District: 8

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

The 60-day limit for processing this application is Dec. 15, 2021.

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

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on file with the AZ Department of Liquor License 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.

Real Deal Smoke Shop (Series 10)  
835 E. Southern Ave, #1, Mesa  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I've currently owned a beer and wine license at one of my locations in Mesa, and I previously owned a liquor license. I have never had a problem with either license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"Because I live close to apartments and housing I would facilitate the purchase of beer, wine, alcohol and because of the close proximity could potentially lower drunk drivers."

#### 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 - Jim's Smoke Shop on 7th  
Liquor License Map - Jim's Smoke Shop on 7th

#### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



# Liquor License Data: JIM'S SMOKE SHOP ON 7TH

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Government	5	8	1
Bar	6	32	8
Beer and Wine Bar	7	15	5
Liquor Store	9	3	1
Beer and Wine Store	10	10	5
Hotel	11	7	2
Restaurant	12	89	27
Club	14	1	0

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	171.28	213.37
Violent Crimes	9.06	40.04	38.95

\*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	57	144
Total Violations	95	242

## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1117003	1057	64 %	2 %	10 %
1118004	671	62 %	6 %	6 %
1130002	873	29 %	21 %	38 %
1131002	1242	3 %	7 %	33 %
1132011	1312	29 %	26 %	48 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
Average		61 %	13 %	19 %





## **Liquor License - Kwikiez**

Request for a liquor license. Arizona State License Application 156712.

### **Summary**

#### Applicant

Francisco Arias Jr., Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

1701 S. Central Ave.

Zoning Classification: C-3

Council District: 8

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

The 60-day limit for processing this application is Dec. 15, 2021.

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.

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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 studied and understand the liquor Law and recently completed the Title 4 Basic on Premise and management Liquor Law Training Certification. I also have 26 years of experience working at Grocery Stores, Convenient Stores, Restaurants, and Beer, Liquor, Tobacco Retailers."

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

"I would like to offer a Drive Thru ONLY mini mart. This would help enforce Arizona Liquor Laws. Underage Beer Runs theft by intoxicated individuals would be eliminated. Our employees can concentrate one Drive Thru customer at a time and verify Identification, and provide BEER/WINE responsibly."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Kwikiez

Liquor License Map - Kwikiez

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: KWIKIEZ

### Liquor License

Description	Series	1 Mile	1/2 Mile
Government	5	1	0
Bar	6	3	0
Beer and Wine Bar	7	1	0
Liquor Store	9	2	1
Beer and Wine Store	10	6	2
Restaurant	12	8	3
Club	14	2	0

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	69.55	96.81
Violent Crimes	9.06	20.01	28.02

\*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

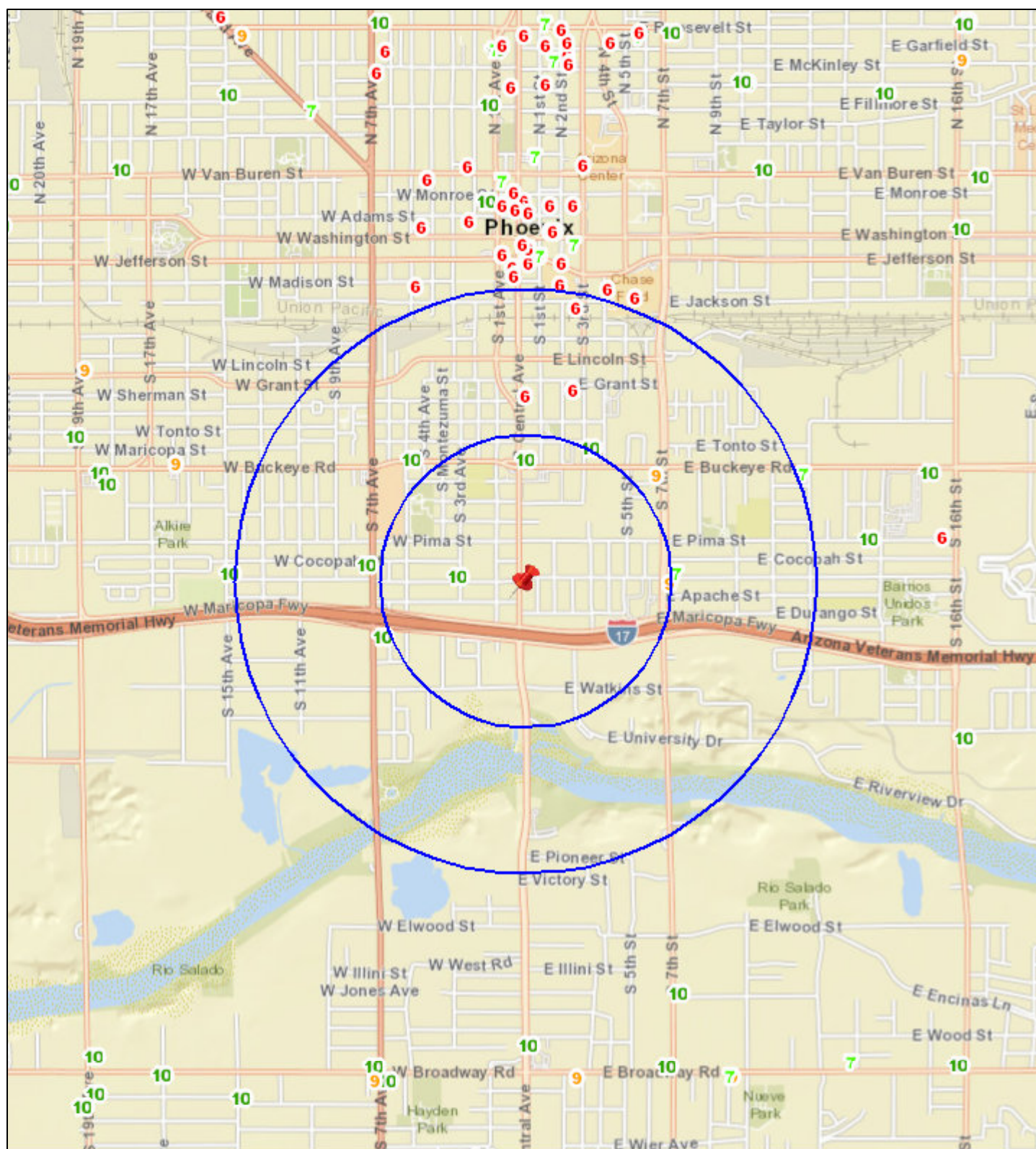
Description	Average	1/2 Mile Average
Parcels w/Violations	57	109
Total Violations	95	156

### Census 2010 Data 1/2 Mile Radius

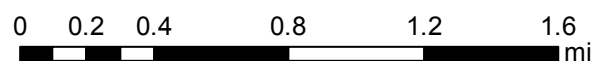
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1142001	1321	36 %	22 %	50 %
1149001	798	28 %	13 %	57 %
1149002	1742	11 %	3 %	68 %
1172001	823	25 %	17 %	70 %
1172002	851	25 %	28 %	20 %
Average		61 %	13 %	19 %



1701 S CENTRAL AVE



Date: 10/20/2021



City Clerk Department





### **PAYMENT ORDINANCE (Ordinance S-48171) (Items 27-30)**

*Ordinance S-48171 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.*

**27 Settlement of Claim(s) Loyoza v. City of Phoenix**

To make payment of \$1,500,000.00 in settlement of claim(s) in *Loyoza v. City of Phoenix*, 17-1031-001, BI, GL, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of bodily injury claim arising out of a roadway safety incident on Nov. 15, 2017.

**28 Levi, Ray & Shoup, Inc.**

For \$61,426.12 in additional payment authority under Contract 103651 for annual system maintenance costs for the Retirement Department. The costs are for the public safety portion of the system only. The increased spending authority is necessary as the annual maintenance costs for this system are dependent on many factors such as the number of active/retired employees and basic system support required. The annual maintenance costs were approved by the Phoenix Fire and Police Local Retirement Boards at their Nov. 2, 2021 board meeting.

**29 IA Mechanical, Inc.**

For \$21,000.00 in payment authority to purchase a silo level indicator for the Street Transportation Department to repair the existing cement silo, located at the Glenrosa Central Yard at 40th Ave. & Glenrosa. A silo level indicator is an overfill control device that will prevent the silo from being

over filled, causing dust and contamination of surrounding area.

Purchasing this device will bring the existing cement silo up to code per Maricopa County Dust Control Permitting rules.

30     **CenturyLink Sales Solutions Inc. doing business as  
Century Link**

For \$23,419.87 in additional payment authority for project ST85100341 for the relocation and rework of fiber and conduit for the Street Transportation Department. The additional funds are needed for the placement of Roosevelt Irrigation District pipeline which is required for construction for the City of Phoenix on 27th Ave., from Lower Buckeye to Buckeye roads.



**(CONTINUED FROM DEC. 1, 2021) - Amendment to Pay Ordinance S-47689 to Authorize Premium Pay Under the American Rescue Plan Act of 2021 to Eligible City Employees (Ordinance S-48170)**

Request City Council approval of amendments to Pay Ordinance S-47689 to authorize payment under the American Rescue Plan Act of 2021 (ARPA) of five hundred dollars (\$500) in premium pay to eligible full-time employees and two hundred fifty dollars (\$250) in premium pay to eligible non-seasonal part-time employees in Units 1, 2, 3, 4, 5, 6, 7, and 8, and authorize payment under ARPA of one thousand five hundred dollars (\$1,500) to eligible full-time employees and seven hundred fifty (\$750) to eligible non-seasonal part-time employees in Units 1, 2, 3, 4, 5, 6, 7, and 8, who are fully vaccinated for COVID-19 by January 18, 2022 (**Attachment A**).

**Summary**

The City was awarded approximately \$396 million in ARPA funds. The City received its first payment (\$198 million) in May 2021. The City is currently scheduled to receive approximately \$198 million in additional ARPA funds for Fiscal Year 2022-23.

The City is permitted to use ARPA funds to pay additional compensation, or “premium pay,” to eligible workers performing essential work during the COVID-19 public health emergency. Premium pay is intended for the workers who have been and continue to be relied on to maintain continuity of operations of essential critical infrastructure sectors, including those who are critical to protecting the health and wellbeing of their communities.

Under the Interim Final Rule, “essential work” is work that is not performed by teleworking from a residence that involves regular in-person interactions with the public or co-workers of the individual who is performing the work or regular physical handling of items that were handled by or are to be handled by the public or the individual’s co-workers.

The proposed change to Section 11 [Assignment Pay, Differential, Standby and Other Additional Compensation] of the current Pay Ordinance (S-47689) would permit the payment of five hundred dollars (\$500) in “premium pay” under ARPA to eligible full-time City employees in Units 1, 2, 3, 4, 5, 6, 7, 8 and the payment of two hundred fifty

(\$250) in “premium pay” under ARPA to eligible non-seasonal part-time City employees in Units 1, 2, 3, 4, 5, 6, 7, and 8. This proposed change would also permit the payment of one thousand five hundred dollars (\$1,500) in “premium pay” under ARPA to eligible full-time City employees in Units 1, 2, 3, 4, 5, 6, 7, 8 and permit the payment of seven hundred fifty dollars (\$750) in “premium pay” under ARPA to eligible non-seasonal part-time City employees in Units 1, 2, 3, 4, 5, 6, 7, 8, if the employee is fully vaccinated for COVID-19 by January 18, 2021.

These payments are expected to total approximately \$25 million to \$29 million.

**Financial Impact**

The cost of all actions taken related to this ordinance would be paid for from ARPA funds allocated to the City.

**Concurrence/Previous Council Action**

The Pay Ordinance (S-47689) was approved by Council on June 16, 2021.

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Human Resources Department.

## ATTACHMENT A

PURPOSE – The proposed amendments to Section 11 of the Pay Ordinance (S-47689) is designed to authorize the payment of “premium pay” under ARPA to eligible City employees in Units 1, 2, 3, 4, 5, 6, 7, and 8.

New language to be included in the Pay Ordinance is identified in all capital letters. Deletions are indicated by strikethrough. Proposed language is as follows:

### SECTION 11. **Assignment Pay, Differential, Standby and Other**

#### **Additional Compensation**

(Z) THE CITY MANAGER IS AUTHORIZED TO PROVIDE PREMIUM PAY AS SET FORTH IN THE AMERICAN RESCUE PLAN ACT OF 2021 (ARPA) IN THE AMOUNT OF FIVE HUNDRED DOLLARS (\$500) TO ELIGIBLE FULL-TIME EMPLOYEES IN UNITS 1, 2, 3, 4, 5, 6, 7, AND 8 WHO ARE NOT TELEWORKING MORE THAN TWO DAYS PER WEEK AS OF JANUARY 18, 2022 AND TWO HUNDRED FIFTY DOLLARS (\$250) TO ELIGIBLE NON-SEASONAL PART-TIME EMPLOYEES IN UNITS 1, 2, 3, 4, 5, 6, 7, AND 8 WHO ARE NOT TELEWORKING MORE THAN TWO DAYS PER WEEK AS OF JANUARY 18, 2022. ALL PAYMENTS MUST CONFORM WITH THE ARPA, AS AMENDED.

THE CITY MANAGER IS AUTHORIZED TO PROVIDE PREMIUM PAY AS SET FORTH IN THE AMERICAN RESCUE PLAN ACT OF 2021 (ARPA) IN THE AMOUNT OF ONE THOUSAND FIVE HUNDRED DOLLARS (\$1500) TO ELIGIBLE FULL-TIME EMPLOYEES IN UNITS 1, 2, 3, 4, 5, 6, 7, AND 8 WHO ARE NOT TELEWORKING MORE THAN TWO DAYS PER WEEK, AND ARE FULLY VACCINATED FOR COVID-19 BY JANUARY 18, 2022, AND SEVEN HUNDRED FIFTY DOLLARS TO ELIGIBLE NON-SEASONAL PART-TIME EMPLOYEES IN UNITS 1, 2, 3, 4, 5, 6, 7, AND 8 WHO ARE NOT TELEWORKING MORE THAN TWO DAYS PER WEEK, AND ARE FULLY VACCINATED FOR COVID-19 BY JANUARY 18, 2022. ALL PAYMENTS MUST CONFORM WITH THE ARPA, AS AMENDED.



## City of Phoenix

**To:** Jeff Barton  
City Manager

**Date:** November 30, 2021

**From:** Lori Bays  
Assistant City Manager

**Subject:** REQUEST TO CONTINUE ITEM 28, AMENDMENT TO PAY ORDINANCE S-47689 TO AUTHORIZE PREMIUM PAY UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 TO ELIGIBLE CITY EMPLOYEES (ORDINANCE S-48170), FROM THE DECEMBER 1, 2021 FORMAL AGENDA

This memo requests approval to continue Item 28, Amendment to Pay Ordinance S-47689 to Authorize Premium Pay Under the American Rescue Plan Act of 2021 to Eligible City Employees (Ordinance S-48170), from the Dec. 1, 2021 Formal agenda to the Dec. 15, 2021 Formal agenda.

A handwritten signature in black ink, appearing to be 'Lori Bays', written over a horizontal line.

Lori Bays, Assistant City Manager



## **Request Authorization to Enter into Contract with Partnership for Economic Innovation (Ordinance S-48212)**

Request authorization for the City Manager, or his designee, to enter into contract with the Partnership for Economic Innovation (PEI) to provide administrative and customer support services to city programs. The term of the contract will begin on or about Jan. 1, 2022 and end Dec. 31, 2024. The total agreement will not exceed \$17 million over the life of the agreement. Further request authorization for the City Controller to disburse all funds related to this item. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) received from the federal government.

### **Summary**

The City's ARPA Strategic Plan includes programs designed to address the negative economic impacts in the community due to the COVID-19 pandemic. Several programs will provide direct financial assistance to participants to assist with essential household needs. Since City Council approval of the strategic plan on June 8, 2021, staff has researched and interviewed vendors who can provide a debit card solution for direct financial assistance to residents. Staff focused on vendors capable of implementing a streamlined process and support the reporting requirements required by the US Treasury. After a thorough analysis, staff identified PEI as the most capable vendor to provide this outlet and is best equipped to begin services in January 2022.

Currently, PEI, in partnership with the Greater Phoenix Economic Council, Maricopa Association of Governments, Arizona State University, and the Institute for Digital Progress, is focused on developing and deploying technology solutions rooted in connectivity, mobility, equity, and sustainability, and works with cities across the metro area, including the City of Phoenix, to find regional solutions to community challenges. PEI is positioned to assist the city with two programs in the ARPA Strategic Plan. Due to their regional presence, there are opportunities to partner with PEI on other city programs in the future.

City Council approved \$12 million of ARPA funds to initiate the Family Assistance Resource Program, formally known as the Financial Assistance for Phoenix Families Program as part of the City's ARPA Strategic Plan. On Sept. 21, 2021, City Council

approved the program as follows:

- Provide 1,000 households with children a \$1,000 stipend for 12 months beginning in January 2022.
- Households that have applied to the Emergency Rental Assistance Program and households of City-owned public housing properties, including residents with Section 8 vouchers, will be chosen via a lottery system.
- Participants must agree to allow general purchasing information to be shared with the City to track and report on the progress of the program, as encouraged by the US Treasury.

PEI will work with a program manager to supply reloadable and replaceable debit cards to selected participants. A customer service line will be available where participants can call and ask both technical and programmatic questions. The customer services resources will be available in both English and Spanish. Additionally, PEI will provide administrative staff during the launch of the program to provide in-person events to distribute the debit cards and answer preliminary questions. PEI will assign a dedicated staff member to work closely with the City of Phoenix to ensure the program is running effectively. Deliverables consist of quarterly reports on various performance metrics and a comprehensive program evaluation at the end of the 12-month period. Finally, none of the city-allocated funds will be used for administrative services or other associated overhead costs. All requested funds allocated by City Council will go directly to program participants.

PEI will also assist with the debit card portion of the Workforce Wraparound Tuition/Apprentice Program, approved by City Council on Sept. 21, 2021. A component of the program includes a monthly stipend of \$1,000 to eligible participants to assist with transportation and other personal expenses to support individuals while completing their programs at a Maricopa County Community College. Those individuals with young children will receive an additional \$500 per month to cover childcare expenses. Funding for this portion of the program is up to \$5 million. Similarly, all allocated funds will go directly to program participants.

### **Contract Term**

The term for the contract will begin on or about Jan. 1, 2022 and end Dec. 31, 2024, with two one-year renewal options.

### **Financial Impact**

Total funding will not exceed \$17 million. There is no impact to the General Fund as funding is available through the City's allocation of the ARPA received from the federal government.

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**Responsible Department**

This item is submitted by City Manager Jeff Barton and the City Manager's Office.



**Request for Additional Contract Authority for Funding from the U.S. Department of Housing and Urban Development to be Distributed in Accordance with the American Rescue Plan Act and the CARES Act (Ordinance S-48189)**

Request to authorize the City Manager, or his designee, to add \$12 million in pass-through funding from the U.S. Department of Housing and Urban Development (HUD) to Contract 147189-0 with Quadel Consulting, LLC (Quadel) to assist individuals and families experiencing homelessness as part of the American Rescue Plan Act (ARPA) and Coronavirus Aid, Relief, and Economic Security (CARES) Act. Further request to authorize the City Treasurer to accept and the City Controller to disburse all funds related to this item.

**Summary**

The City Council authorized Quadel to administer and manage the operation of the City's Section 8 Housing Choice Voucher (HCV) Program. This administration includes the management of Housing Assistance Payments funding received from HUD that is passed through to landlords of the Section 8 program.

The Housing Department received an additional \$12 million for 390 Emergency Housing Vouchers and implementation costs from HUD, to be distributed in accordance with PIH 2021-15, to assist individuals and families experiencing homelessness as part of ARPA and in accordance with PIH 2020-08 and the CARES Act for eligible Coronavirus-related activities that were not formerly eligible as regular HCV administrative costs.

**Financial Impact**

There is no impact to the General Fund. This item is federally funded through the ARPA and CARES acts.

**Previous Council Action**

On March 21, 2018, Quadel was awarded Contract 147189-0 in Ordinance S-44361.

**Responsible Department**

This item is submitted by Deputy City Manager Gina Montes and the Housing Department.



**Authorization to Enter Into Agreements with Chicanos Por La Causa, Inc., Foundation for Senior Living, Pilgrim Rest Foundation, Inc., and Diocesan Council for the Society of St. Vincent de Paul to Disburse Emergency Rent and Utility Assistance (ERA) Funding (Ordinance S-48203)**

Request to authorize the City Manager, or his designee, to enter into agreements with Chicanos Por La Causa, Inc., Foundation for Senior Living, Pilgrim Rest Foundation, Inc., and Diocesan Council for the Society of St. Vincent de Paul (collectively “Subrecipients”) in an aggregate amount not to exceed \$35 million for distribution of emergency rental and utility assistance to low-income and/or unemployed populations experiencing financial hardship due to the COVID-19 pandemic. Further request to authorize the City Controller to disburse all funds related to this item.

**Summary**

On Sept. 24, 2021, the U.S. Treasury Department issued guidance to ERA Program grantees on how to request reallocated excess ERA 1.0 funding. Human Services Department staff are recommending the City of Phoenix request an additional \$35 million in ERA 1.0 funds to be distributed through the Subrecipients. The Subrecipients successfully distributed millions in ERA funding through the City's prior contract with the Arizona Community Action Association, dba Wildfire, and have demonstrated continued capacity and interest to distribute additional funding. Human Services Department staff recommendations allocating up to \$10 million to each Subrecipient to allow staff flexibility to allocate more funding to Subrecipients with the capacity to more quickly distribute funds, while maintaining the \$35 million aggregate cap for all agreements. The term of these agreements will begin on or about Jan. 1, 2022 and end Dec. 31, 2022. Each contract may be extended for up to two one-year periods, through Dec. 31, 2024, based on continuing need and availability of funding.

**Financial Impact**

Aggregate expenditures will not exceed \$35 million. Each Subrecipient may be allocated up to \$10 million, depending on performance and availability of funding. There is no impact to the General Fund. Funding is provided through the U.S. Department of Treasury Emergency Rental Assistance Program pursuant to the Consolidated Appropriations Act of 2021.

**Concurrence/Previous Council Action**

On Feb. 9, 2021, the City Council approved the Emergency Rental Assistance 1.0 program with Ordinance S-47291.

**Responsible Department**

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.



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**NxT Horizon LLC Agreement for ARPA Phoenix Resilient Food System, Backyard Garden Program - Amendment 1 (Ordinance S-48211)**

Request to authorize the City Manager, or his designee, for first amendment to Contract 155313-0 with NxT Horizon LLC (NxT) to provide additional funding of \$56,505 for data collection, analysis, and evaluation related to the Backyard Garden Program. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is under the City's Phoenix Resilient Food System category of the strategic plan. There is no impact to the General Fund.

**Summary**

In response to the COVID-19 pandemic, the Office of Environmental Programs (OEP) developed a food assistance plan to address the food needs of vulnerable populations and communities impacted by COVID-19. The plan provides: 1) access to healthy foods for impacted populations; 2) infrastructure assistance regarding transportation and delivery with a focus on home delivery; 3) support for food banks, food pantries and community agencies; 4) support for increased local food production; and 5) business and employment opportunities throughout the food system spectrum.

Local Food Consumption/Production

*The Backyard Food Production Pilot Project aka Backyard Garden Program*

This program will empower residents to grow healthy food in their own backyards to improve health, promote physical activity, decrease food insecurity and hunger, and potentially decrease their food budgets. The program is providing approximately 92 residents with one of three gardening systems, which includes system installation, including equipment, materials, supplies and labor, and gardening training throughout the 12-month program. Program outreach materials, application, and training materials will be provided in English and Spanish.

NxT is one of three partners engaged as subrecipients for this program. NxT is a Phoenix-based organization founded by Dr. George Brooks, Jr., a nationally recognized Aquaponics expert.

Collection of data related to the Key Performance Indicators (KPIs) as well as more general information about the impact of the three garden programs is critical to understanding the efficacy of the program. Additionally, the data will help to answer the overarching research question: “Can urban agriculture promote food system justice and resilience in a desert city?” The work will be completed by post-graduate professionals with Arizona State University who are experienced in this field. NxT will serve as the administrator of the contractors. Dr. Brooks’ practical and academic expertise is beneficial for effectively and efficiently guiding the data collection for all three garden systems.

NxT will receive a total of \$56,505, with \$47,105 disbursed to the contractors and \$9,400 to NxT for administrative fees. The additional funds will be expended by Dec. 31, 2022.

### **Procurement Information**

Services may be procured, as needed, by using procurement in accordance with Administrative Regulation 3.10 to implement and administer programs intended to prevent, prepare for and respond to the COVID-19 national pandemic.

### **Contract Term**

The term of the contract is extended from Oct. 31, 2022, to Dec. 31, 2022. Contracts may be extended based on continuous need and available funding, which may be exercised by the City Manager or designee.

### **Financial Impact**

The original Subrecipient Agreement 155313-0 for NxT was authorized for \$145,000. This Amendment 1 will increase the authorization by \$56,505 for a new total authorization of \$201,505.

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

The City Council approved the Agreement for ARPA Phoenix Resilient Food System with NxT (Ordinance S-47932) on Sept. 8, 2021.

### **Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Office of Environmental Programs.



**Authorization to Enter into an Agreement with Prefix Health Technologies, LLC for Client Portal Use (Ordinance S-48204)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Prefix Health Technologies, LLC (Prefix) to grant the City access to Prefix's online client portal for the purpose of administering Emergency Rental Assistance (ERA) 2.0. The initial total value of the agreement will not exceed \$350,000. Further request to authorize the City Controller to disburse all funds related to this item.

**Summary**

In March 2021, the City began the ERA 1.0 program with the City administering \$26.1 million through the Human Services Department (HSD) and \$25 million contracted out to the Arizona Community Action Association, dba Wildfire (Wildfire). Wildfire utilized an online application portal developed by Prefix. To ensure continuity of services for residents, HSD wishes to contract with Prefix to maintain access to a portal environment, existing data and residual applications. With the City obtaining access to Prefix's online client portal, the City will be able to provide emergency rent and utility assistance to Phoenix households through administration of ERA 2.0. In order to accommodate common software industry contractual provisions, the Human Services Department also requests the City Council authorize an exception, pursuant to Phoenix City Code section 42-20, to allow the inclusion of indemnification and limitation of liability provisions in the agreement that would otherwise be prohibited by City Code Section 42-18.

**Contract Term**

The term of this contract will begin on or before Jan. 1, 2022, and end June 30, 2022. This contract may be extended for one six-month period through Dec. 31, 2022, based on continuous need and available funding, at the discretion of the City Manager or his designee.

**Financial Impact**

Initial total expenditures will not exceed \$350,000. There is no impact to the General Fund. Funding will be provided through the U.S. Department of Treasury Emergency Rental Assistance Funds pursuant to the American Rescue Plan Act.

**Concurrence/Previous Council Action**

On Feb. 9, 2021, the City Council approved the Emergency Rental Assistance 1.0 program with Ordinance S-47291.

On June 8, 2021, the City Council discussed the Emergency Rental Assistance 2.0 program.

**Responsible Department**

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.





## **Authorization to Enter into Contracts to Provide Refugee, Asylee and Immigrant Services (Ordinance S-48205)**

Request to authorize the City Manager, or his designee, to enter into agreements with the International Rescue Committee, Inc. (IRC) and the Haitian American Center for Social Economic Development - Arizona (HACSED) to provide refugee, asylee and immigrant services to Phoenix residents impacted by the COVID-19 pandemic. The total for each agreement is \$1.5 million, with an aggregate amount of \$3 million. Further request to authorize the City Controller to disburse all funds related to this item for the life of the contract.

### **Summary**

The IRC is a recognized leader and provider of refugee, asylee and immigrant programming and services within the Phoenix community. Funding of up to \$1.5 million provided to the IRC will assist to mitigate the impacts of the COVID-19 pandemic by maintaining critical humanitarian aid through IRC's Phoenix Welcome Center, and by increasing access to English as Second Language (ESL) classes, citizenship education and food assistance programs for eligible residents. Funding of up to \$1.5 million provided to HACSED will support the establishment of infrastructure in the form of a Welcome Center that will eliminate barriers, raise the level of comfort, and facilitate a more humane operation for refugees, asylees and immigrants seeking assistance within the City of Phoenix. Direct services include ESL classes, employment services and short-term transitional housing for eligible residents.

Due to the ongoing COVID-19 pandemic and increased number of newly arriving immigrants and refugees to Phoenix, the need for these services has increased substantially.

### **Contract Term**

The term for each agreement will be one year from or about Jan. 1, 2022, through Dec. 31, 2022, with two one-year options to extend through Dec. 31, 2024, to be exercised at the discretion of the City Manager or his designee.

**Financial Impact**

Aggregate expenditures will not exceed \$3 million over the life of the agreements. Funding breakdown for each contract is as follows:

IRC: \$1.5 million

HACSED: \$1.5 million

There is no impact to the General Fund. Funding is available through the City's allocation of the federal American Rescue Plan Act funding and is under the City's Financial Assistance for Phoenix Refugee and Asylee Community category of the strategic plan.

**Responsible Department**

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.



**Intergovernmental Agreements with Flood Control District of Maricopa County for American Rescue Plan Act Flood Control Projects (Ordinance S-48181)**

Request authorization for the City Manager, or his designee, to enter into Intergovernmental Agreements with the Flood Control District of Maricopa County for design development, permanent public easements, temporary construction easements, right-of-way acquisition, utility coordination/relocation and construction implementation of identified flood control projects and authorize allocation of \$13 million from the American Rescue Plan Act Strategic Plan for completion of these projects. Further request authorization for the City Controller to accept and disburse all funds related to this item.

**Summary**

According to the Federal Emergency Management Agency (FEMA), floods occur in every region of the country and include inland flooding, flash floods and flooding from seasonal storms. In the past 20 years, the Flood Control District of Maricopa County and the city of Phoenix have collaborated to construct flood control improvements estimated at \$300 million. Despite those investments, continued urbanization and insufficient capital investment funding has resulted in a projected \$1.75 billion of additional flood control investment needs. This was most recently highlighted in 2014 when severe flooding caused significant local property damage.

The American Rescue Plan Act (ARPA) provides an opportunity to invest federal funding and leverage additional funding from the Flood Control District of Maricopa County to complete several priority flood control projects. There are two categories of flood control mitigation projects that are recommended to achieve the greatest value of community investment with these ARPA funds. The first category are local drainage mitigation projects that are identified from storm-related flood complaints by Phoenix residents that have been investigated and verified by the City. The second category are large drainage solutions from the Flood Control District's area Drainage Master Plan.

With funding from ARPA and the Flood Control District of Maricopa County, an estimated 10-14 local drainage mitigation projects would be completed along with an estimated four large drainage solutions. Criteria used to prioritize the local drainage

mitigation projects for ARPA funding include:

- Confirmed flooding causing property and structural damage;
- No or minimal land acquisition required;
- Projects anticipated to be less than \$1.5 million in cost;
- Proximity to known FEMA repetitive loss;
- Consideration of socioeconomic indicators consistent with ARPA program goals; and
- Environmental consideration and green infrastructure opportunities.

### **Financial Impact**

The Public Works Department is coordinating with the Flood Control District of Maricopa County to develop an investment strategy focused on completing flood control improvements in Phoenix. The strategy would use \$13 million in allocated ARPA funds to complete an estimated 10-14 local drainage mitigation projects to leverage additional Flood Control District funds for large drainage solutions.

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

The City Council approved the ARPA Strategic Plan and allocated \$23 million to City infrastructure on June 8, 2021.

The City Council received an update on the potential use of \$13 million of ARPA funding for stormwater flood control projects on Sept. 21, 2021.

### **Responsible Department**

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, and the Public Works and Street Transportation departments.



**Request for City Council to Call to Meet in Executive Session on Specific Dates through June 2022**

Request for the City Council to call meetings for the purpose of holding an Executive Session pursuant to Arizona Revised Statutes, section 38-431.03.A, on the following dates at noon in the Central Conference Room, 12th Floor of Phoenix City Hall, 200 W. Washington St., Phoenix, Arizona.

- Jan. 11
- Jan. 25
- Feb. 8
- Feb. 22
- March 15
- March 29
- April 12
- April 26
- May 3
- May 17
- June 7
- June 28

**Public Outreach**

The Notice and Agenda for these Executive Sessions will be posted no later than 24 hours before each scheduled meeting.

**Responsible Department**

This item is submitted by City Manager Jeffrey Barton and the Law Department.



Report

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Agenda Date: 12/15/2021, Item No. 40

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**Proposed 19th Avenue and Happy Valley Road Annexation - Authorization to File**

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Nick Wood, Esq. with Snell & Wilmer, LLP for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation.

**Summary**

Signatures on the proposed annexation petition shall not be obtained for a waiting period of 30 days after filing the blank petition with the Maricopa County Recorder. Additionally, a Public Hearing will be scheduled within this 30-day waiting period, permitting the City Council to gather community input regarding the annexation proposal. Formal adoption of this proposed annexation will be considered at a later date.

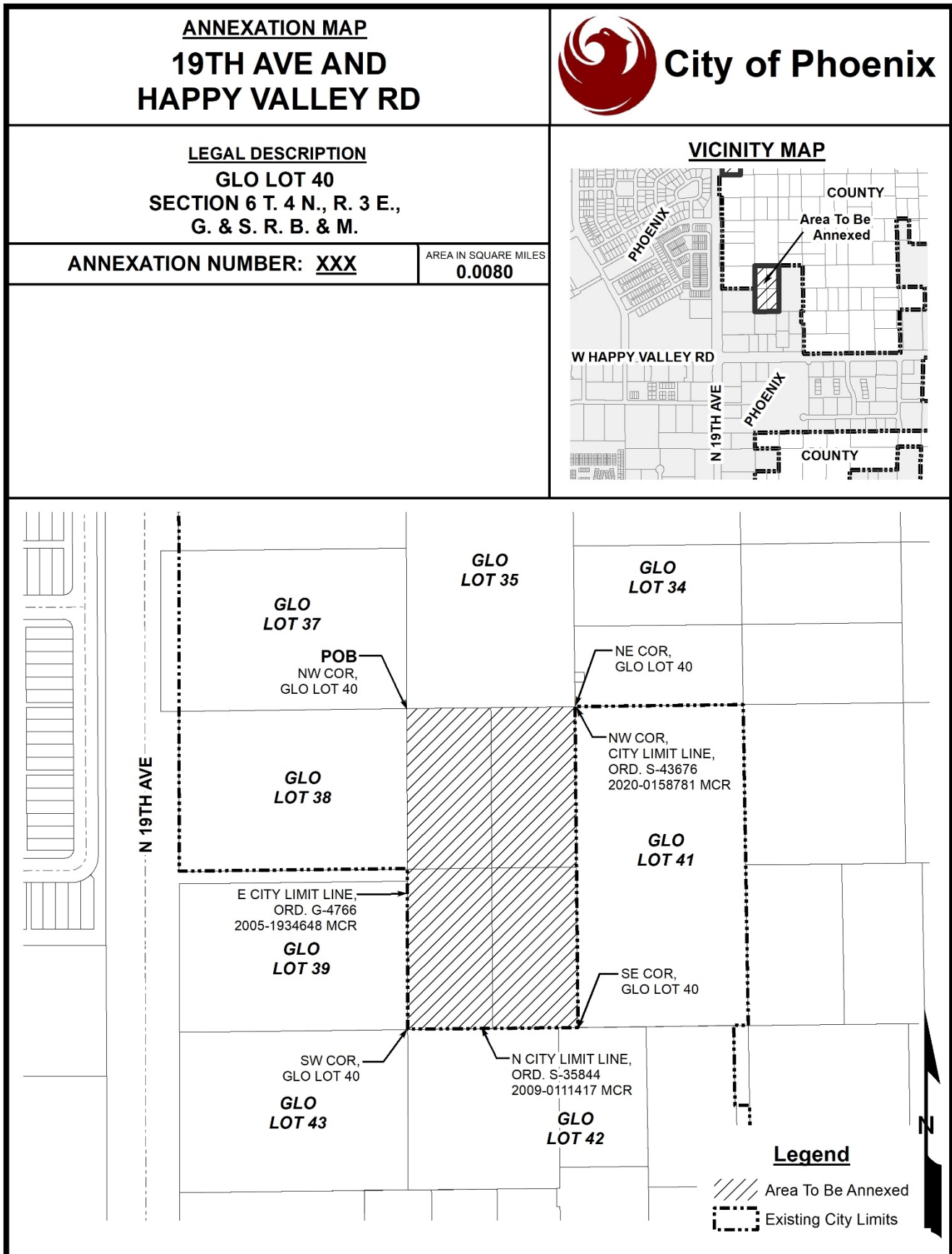
**Location**

The proposed annexation area include parcels 210-10-008B, 210-10-008D, 210-10-008F and 210-10-008G, located at 19th Avenue and Happy Valley Road (**Attachment A**). The annexation area is approximately 5.24 acres (0.0080 sq. mi.) and the population estimate is 11 individuals.

Council District: 1

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.





## **Proposed 19th Avenue and Yearling Road Annexation (Ordinance S-48196)**

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Arizona, by annexing an area not within the present limits of the City of Phoenix, designated as the 19th Avenue and Yearling Road Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

### **Summary**

The annexation was requested by Charles Eckert, Jr. with Red Hawk Development Corporation, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

### **Public Outreach**

A public hearing was conducted on Sept. 15, 2021, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

### **Location**

The proposed annexation area includes Maricopa County Assessor parcels 210-11-003F and 210-11-003G, located at 19th Avenue and Yearling Road (**Attachment A**). The annexation area is approximately 2.02 acres (0.0032 sq. mi.) and the population estimate is zero individuals.

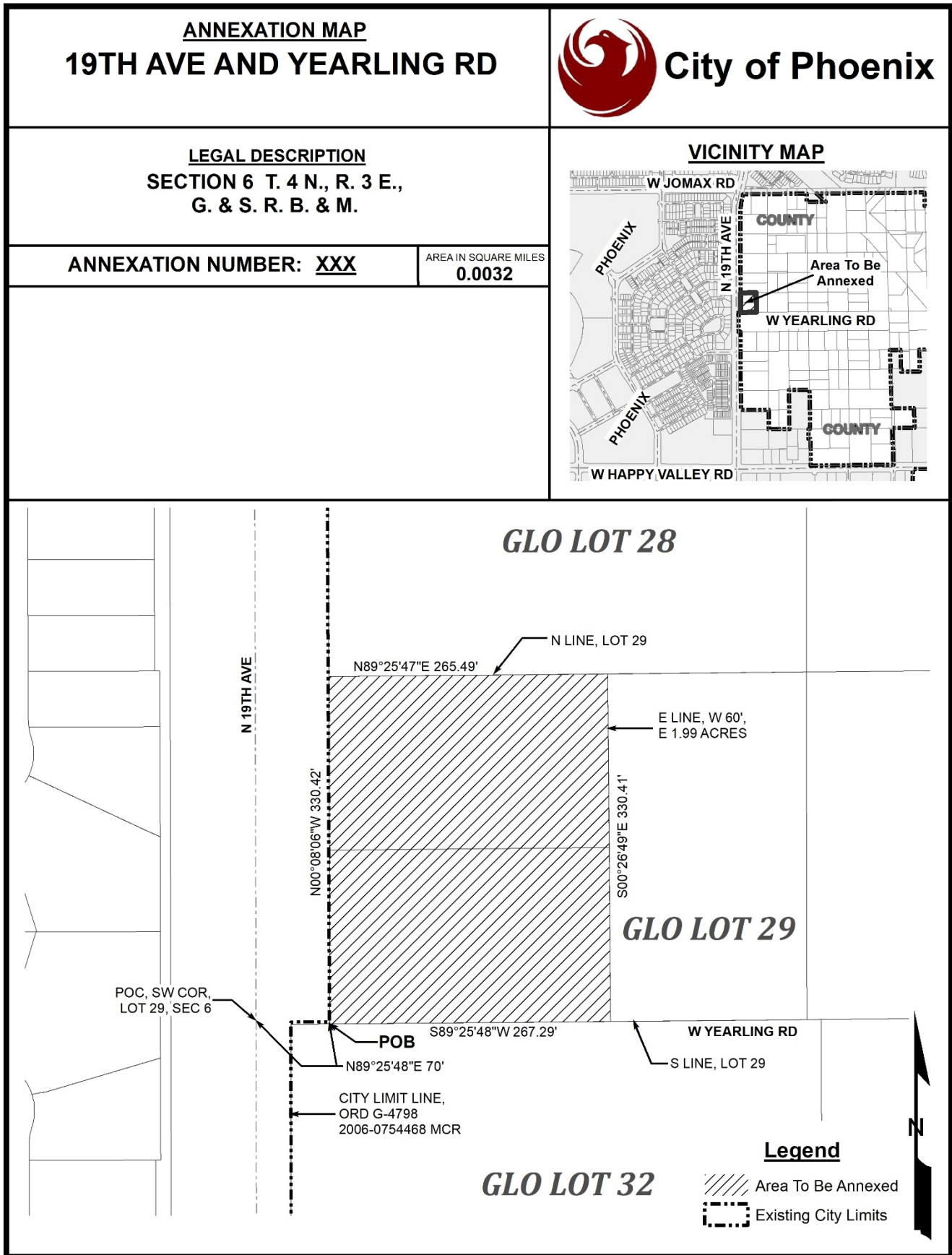
Council District: 1

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



# ATTACHMENT A





**Acceptance and Dedication of a Deed and Easements for Roadway and Sidewalk Purposes (Ordinance S-48182)**

Request for the City Council to accept and dedicate a deed and easements for roadway and sidewalk purposes; further ordering the ordinance recorded.

**Summary**

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

Easement (a)

Applicant: Bell Canyon 2804, LLC, its successor and assigns

Purpose: Sidewalk

Location: 2804 W. Bell Road

File: FN 210095

Council District: 1

Easement (b)

Applicant: NexMetro Broadway, LLC, its successor and assigns

Purpose: Roadway

Location: 10001 W. Broadway Road

File: FN 210096

Council District: 7

Deed (c)

Applicant: NexMetro Broadway, LLC, its successor and assigns

Purpose: Roadway

Location: 10001 W. Broadway Road

File: FN 210096

Council District: 7

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer, and the Planning and Development and Finance departments.



## **Acceptance of an Easement for Drainage Purposes (Ordinance S-48185)**

Request for the City Council to accept of an easement for drainage purposes; further ordering the ordinance recorded.

### **Summary**

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

### **Easement (a)**

Applicant: NexMetro Broadway, LLC, its successor and assigns

Purpose: Drainage

Location: 10001 W. Broadway Road

File: FN 210096

Council District: 7

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer, and the Planning and Development and Finance departments.



**Acquisition of Real Property from Maricopa County Flood Control District for Zone 3D/4A Infrastructure Improvements for Drought Pipeline Project 1 (Ordinance S-48179)**

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 Zone 3D/4A infrastructure improvements along the east side of State Route 51, north of the Dreamy Draw Dam. Further request to authorize the City Controller to disburse all funds related to this item.

Additionally, request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18, as Maricopa County Flood Control District's form documents include such provisions.

**Summary**

Zone 3D/4A infrastructure improvements are part of the Drought Pipeline Project 1 which includes pump stations, pressure-reducing valves, and pipelines that allow the movement of Salt River and Verde River water into north Phoenix during times of shortages on the Colorado River. The acquisition of real property is required for the installation, operation, and maintenance of a 66-inch water pipeline.

The parcels affected by this project and included in this request are identified by Maricopa County Assessor's parcel number (APN) 165-12-014B located at 9102 N. 26th St.; APN 165-12-016B located at 2450 E. Dunlap Ave.; and APN 165-12-017B located along the east side of State Route 51.

**Financial Impact**

Funding for this project is available in the Water Services Department's Capital Improvement Program budget.

**Location**

Along the east side of State Route 51, north of the Dreamy Draw Dam.

Council District: 3

**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters, and the Water Services and Finance departments.



**Marketing Services for Aviation Comprehensive Website Redesign- State of Arizona Cooperative Contract - ADSPO16-145339 (Ordinance S-48190)**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 149535 with Riester Sonoran, LLC, to provide additional funding for interactive marketing services for a comprehensive website redesign for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$500,000.

**Summary**

The ways in which travelers interact with the airport websites have significantly changed since the current websites were designed more than five years ago. Travelers require mobile-friendly and interactive websites that provide them with the most pertinent information seamlessly and on the go. The Phoenix Sky Harbor International, Goodyear and Deer Valley Airport current websites were designed for traditional desktop/laptop use. However, the majority of users access the airports' websites today via a mobile phone or tablet. In order to provide a world-class online experience to travelers, it is imperative that the airport websites meet those needs and are current with today's technology and traveler expectations. The airport also needs modernized web services to promote revenue-generating products and services. Redesigning the websites will further elevate customer experience by allowing customers to find airport information via mobile and digital assistants (i.e. Siri, Google, Alexa).

The website redesign scope includes a complete rebuild of the Phoenix Sky Harbor International, Goodyear and Deer Valley Airport websites and incorporates the selection and implementation of a content management system that will provide the ability to create, manage, and approve content in a multi-site environment; deliver and present critical passenger-facing functionality including flight search, security wait times, parking information, food and beverage information, retail information, airport customer service, and customer comments will be enhanced. New indoor interactive maps and way-finding to provide travelers with pertinent airport information directly from the websites will further elevate traveler experience.

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

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### **Contract Term**

The contract term is March 21, 2019 through March 20, 2024.

### **Financial Impact**

The initial authorization for this contract was for an expenditure not-to-exceed \$3 million. Previous amendments increased the authorization for the contract by \$430,960. This amendment will increase the authorization for the contract by an additional, \$500,000, for a new total not-to-exceed contract value of \$3,930,960.

Funding is available in the Aviation Department's budget.

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

The City Council approved:

- Marketing Services Contract 149535 (Ordinance S-45442) on March 20, 2019;
- Marketing Services Contract 149535 Disbursement of Funds (Ordinance S-45967) on Aug. 28, 2019;
- Ordinance S-46605 on May 6, 2020;
- Marketing Services Contract 149535 - Amendment (Ordinance S-47183) on Dec. 16, 2020;
- Marketing Services Contract 149535 - Amendment (Ordinance S-47321) on Feb. 17, 2021; and
- Marketing Services Contract 149535 - Amendment (Ordinance S-47708) on June 16, 2021.

The Phoenix Aviation Advisory Board recommended approval of this item on Nov. 21, 2019, by a 7-0 vote. The pandemic has delayed the website redesign but the Aviation Department is ready to move forward with the project.

### **Responsible Department**

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



**Custodial Services - Requirements Contract - IFB 19-088 (A) (Ordinance S-48194)**

Request to authorize the City Manager, or his designee, to allow additional expenditures and amend Contract 150078 with Bio Janitorial Services, Inc. to provide custodial services for the Finance Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$55,000.

**Summary**

In response to the COVID-19 pandemic, the Finance Department established an Emergency Preparedness Warehouse. The warehouse is still operating and maintaining personal protective equipment (PPE) inventory for use by all City departments. The Emergency Preparedness Warehouse relocated to a new location which requires custodial services. The custodial services include general cleaning of the interior and exterior of the location including floor and restroom cleaning and ancillary services for more advanced cleaning for floors and upholstery. This request will add the Finance Department as an authorized user to the existing contract in order to provide the needed services.

**Contract Term**

The contract term is July 19, 2019 through June 30, 2024.

**Financial Impact**

Upon approval of \$55,000 in additional funds, the revised aggregate value of the contract will not exceed \$4,285,000. Funds are available in the Finance Department's operating budget.

**Concurrence/Previous Council Action**

This contract was originally approved by City Council on May 1, 2019.

**Responsible Department**

This item is submitted by City Manager Jeffrey Barton and the Finance Department.





**Official and Classified Advertising Services - Requirements Contract - RFP 22-017 (Ordinance S-48202)**

Request to authorize the City Manager, or his designee, to enter into a contract with The Arizona Republic and The Record Reporter to purchase Official and Classified Advertising Services for the City Clerk Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$400,000.

**Summary**

The City Clerk Department administers the placement of official and classified advertisements for departments citywide and in accordance with City Administrative Regulation 3.28, Newspaper Advertisements. These legally required advertisements include solicitations, notices of hearing, elections, and advertisements of items adopted by the City Council in the City's Official Newspaper.

The Contractors will provide all official and classified advertisements requested by various city departments through the City Clerk Department.

**Procurement Information**

RFP 22-017 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on Sep. 19, 2021. The notification was sent to 138 suppliers and was publicly posted and available for download from the City's website.

The proposal was scored by a three-member evaluation panel based on the following criteria:

Experience and Qualifications: 400

Method of Approach: 375

Price: 225

The Assistant Finance Director recommends that the offers from The Arizona Republic and The Record Reporter be accepted as the highest scored, responsive, and responsible offers that are most advantageous to the City.

**Contract Term**

The five-year contract term will begin on or about January 1, 2022.

**Financial Impact**

The aggregate contract value will not exceed \$400,000. Funds are available in the Clerk's Department's budget.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Relocation of Owl and Nest Contents - EXC 22-046 (Ordinance S-48195)**

Request to authorize the City Manager, or his designee, to enter into a contract with Wild at Heart Inc. to provide services for relocation of owl and nest contents for the Office of Environmental Programs. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$500,000.

### **Summary**

This contract is necessary for relocation of burrowing owls. Western burrowing owls are protected under the federal Migratory Bird Treaty Act (MBTA). The MBTA prohibits harm to or take of protected species, including individuals, eggs, active nests, or parts. To avoid harm of burrowing owls as a result of City projects, the City has a permit from the U.S. Fish and Wildlife Service (USFWS) that allows us to hire a pre-approved wildlife rehabilitator to relocate burrowing owls and any nest contents so the project can move forward.

### **Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved determination memo which stated that under the terms of the City's permit (Permit MB93891A-0), the City is required to use Wild at Heart Inc. (a not-for-profit wildlife rehabilitator permitted by the USFWS) to relocate western burrowing owls that otherwise would be impacted by project activities. Due to the nature of the permit, there is no other vendor that can replace or substitute for the not-for-profit wildlife rehabilitator.

The Assistant Finance Director recommends that the contract with Wild at Heart Inc. be accepted.

### **Contract Term**

The five-year contract term will begin on or about Dec. 15, 2021.

### **Financial Impact**

The aggregate contract value will not exceed \$500,000 (including applicable taxes) with an estimated annual expenditure of \$100,000. Actual annual expenses will vary

depending on the number of projects with the protected species identified.

Funding will be provided on a case-by-case basis by the City department or project that requires the species relocation.

**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Office of Environmental Programs.



**Pest Management with Related Products and Services Contract Amendment - 110916-ORK-A (Ordinance S-48209)**

Request to authorize the City Manager, or his designee, to extend the term and allow additional expenditures under Contract 148294 with Orkin LLC for integrated pest management services at all Aviation Department facilities. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$90,000.

**Summary**

The Aviation Department uses a combination of methods to keep pests at an acceptable level for the health and safety of staff and passengers at its facilities, which includes Phoenix Sky Harbor International Airport, the Rental Car Center, Deer Valley Airport, Phoenix Goodyear Airport, and their owned and maintained properties. This contract provides integrated pest management services, which includes general pest control treatment, cockroach treatment, mosquito treatment, rodent control, bed bug inspection and treatment, bee, wasp, and hornet removal, termite inspection and control, and bird and bat management.

The City is working to establish a new contract for these services with Orkin. An extension of the existing contract is necessary in order to ensure the services are not interrupted during the contract negotiations process.

**Contract Term**

Upon approval, the contract term will be extended through June 22, 2022.

**Financial Impact**

The initial authorization for this contract was for an expenditure not-to-exceed \$655,000. This amendment will increase the authorization for the contract by an additional \$90,000, for a new total not-to-exceed contract value of \$745,000.

Funding is available in the Aviation Department's budget.

**Concurrence/Previous Council Action**

The City Council approved Pest Management with Related Products and Services

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Contract 148294 (Ordinance S-44885) on July 5, 2018.

**Responsible Department**

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



## **Disaster Recovery as a Service (DRaaS) - Requirements Contract (Ordinance S-48184)**

Request to authorize the City Manager, or his designee, to enter into an agreement with SunGard Availability Services, LP to obtain Disaster Recovery as a Service (DRaaS) for the Information Technology Services Department in support of departments citywide and to remit payment to SunGard Availability Services, LP and SunGard New Holdings III, LLC. The aggregate contract value will not exceed \$7,400,000. Further request to authorize the City Controller to disburse all funds related to this item.

### **Summary**

The City of Phoenix is transitioning from a City-managed hardware and tape-based disaster recovery solution to a fully managed Disaster Recovery as a Service (DRaaS) solution. SunGard Availability Services, LP (Sungard AS) proposed a fully managed DRaaS solution that integrates with other existing cloud disaster recovery services, establishes security protections to meet regulatory requirements, and offers effective approaches to keep City business applications and data synchronized. The services also prevent unauthorized access, disclosure, and/or modification of the City's data to preserve data integrity and residents' trust.

### **Procurement Information**

The ITS RFP 22-001 was conducted in accordance with Administrative Regulation 3.10. The notice of solicitation was emailed to more than 300 suppliers registered in ProcurePHX and was publicly posted and available for download from the City's website. The offers were scored based on the following criteria (1,000 points maximum):

- DRaaS Solution Requirements 0-350 Points;
- Method of Approach 0-300 Points;
- Pricing 0-200 Points; and
- Qualifications and Experience 0-150 Points.

Responses were reviewed by a six-person panel, interviews/presentations were held

with short-listed firms, and a Best and Final Offer (BAFO) was conducted.

Three firms responded and two were deemed non-responsive during the process. It was the consensus of the evaluation committee to recommend awarding the contract to Sungard Availability Services, LP.

The Offeror's score is as follows:

- Sungard Availability Services, LP 695 Points

The Chief Information Officer recommends the offer from Sungard Availability Services, LP be accepted as a responsive and responsible offer that is advantageous to the City.

### **Contract Term**

The four-year contract term will begin on or about Jan. 1, 2022, with up to three two-year options to extend for a maximum ten-year contract term.

### **Financial Impact**

The aggregate contract value projected for the four-year term will not exceed \$7,400,000, including applicable taxes. The funds are available in the Information Technology Services Department's and Municipal Courts' operating budgets.

### **Responsible Department**

This item is submitted by Deputy City Manager Inger Erickson and the Information Technology Services Department.





## **Carrier and Broadband Provided Services (Ordinance S-48206)**

Request to authorize the City Manager, or his designee, to allow additional expenditures and to extend the term of the Letters of Agreement with CenturyLink Communications, LLC dba Lumen Technologies Group, LLC, Contract 155451; Cox Arizona Telecom, LLC, Contract 155343; and Zayo Group, LLC, Contract 155342 to continue to purchase carrier and broadband provider services for departments Citywide. The additional expenditures will not exceed \$3,150,000. Further request to authorize the City Controller to disburse all funds related to this item.

### **Summary**

City departments utilize carrier and broadband provider services for telecommunication lines, circuits and services used across the City. Services include internet, phone lines, data circuits and distributed denial of service protection. The usage of these technologies is critical to the operations of all City departments. Services are procured utilizing the State of Arizona cooperative agreements, which offer significant cost savings due to the benefit from local government pricing and volume discounts. These letters were approved as an interim agreement to allow the City to pay for monthly carrier and broadband services while the City adopts the new State of Arizona cooperative agreements. These expenses are essential to the operations of the City, as they provide telecommunication lines, circuits, and services used to satisfy a variety of needs across the City.

### **Contract Term**

The term of these agreements will be extended through June 30, 2022. This request will allow additional time for the City to enter into and negotiate linking agreements and obtain City Council authorization to adopt them.

### **Financial Impact**

Upon approval of \$3,150,000 in additional funds, the revised aggregate value of the agreements will not exceed \$6,300,000. Funds are available in various City departments' budgets.

**Concurrence/Previous Council Action**

These letters of agreement were originally approved by City Council on June 2, 2021, Ordinance S-47655.

**Responsible Department**

This item is submitted by Deputy City Manager Inger Erickson and the Information Technology Services Department.



## **Wireless Communications Services, Accessories, and Equipment (Ordinance S-48207)**

Request to authorize the City Manager, or his designee, to allow additional expenditures and to extend the term of the Letters of Agreement with AT&T Mobility National Accounts, LLC, Contract 155219; T-Mobile USA, Inc. and Sprint Solutions. Inc., Contract 155270; and Cellco Partnership dba Verizon Wireless, Contract 155221 to continue to purchase wireless communication services, accessories, and equipment for departments Citywide. The additional expenditures will not exceed \$5,137,500. Further request to authorize the City Controller to disburse all funds related to this item.

### **Summary**

City departments utilize mobile devices, wireless services, equipment and accessories to conduct City business every day. Equipment and services are procured utilizing the State of Arizona cooperative agreements, which offer significant cost savings due to the benefit from national government pricing and volume discounts. These letters were approved as an interim agreement to allow the City to pay for monthly cellular services and purchase equipment and accessories as needed while the City adopts the new State of Arizona cooperative agreements. These expenses are essential to the City, as devices are used by staff to provide critical services to the public in various locations throughout the valley. Currently, the City pays for services for more than 5,000 cellular phones, 6,000 air cards, 6,000 push to talk radios, 470 tablets, and various other services and equipment.

### **Contract Term**

The term of these agreements will be extended through June 30, 2022. This request will allow additional time for the City to enter into and negotiate linking agreements and obtain City Council authorization to adopt them.

### **Financial Impact**

Upon approval of \$5,137,500 in additional funds, the revised aggregate value of the agreements will not exceed \$10,275,000. Funds are available in various City departments' budgets.

**Concurrence/Previous Council Action**

These letters of agreement were originally approved by City Council on April 7, 2021, Ordinance S-47458.

**Responsible Department**

This item is submitted by Deputy City Manager Inger Erickson and the Information Technology Services Department.



**Authorization to Enter into an Agreement with Steptoe & Johnson LLP to Provide Outside Counsel Services for Department of Justice (DOJ) Investigation (Ordinance S-48214)**

Request to authorize the City Attorney, through the City Manager, or his designee, to enter into a legal services agreement with Steptoe & Johnson LLP to provide legal services to assist the City during the DOJ civil pattern and practice investigation, including any potential negotiation or litigation that may result from the investigation. Further authorize the City Controller to disburse funds related to this representation and agreement not to exceed \$1,000,000.

**Summary**

The City Attorney is authorized by the City Code to enter into agreements for legal services. Outside counsel will advise the City on any legal issues that arise in regard to the DOJ civil pattern and practice investigation according to the terms of the Agreement.

**Procurement Information**

Although the City Procurement Code exempts legal services from the requirement for a formal solicitation, a thorough process was completed for these legal services. The City Attorney's Office issued a Request for Proposals to all lawyers and law firms on the City's current outside counsel list, in addition to several firms that are not currently on the City's legal services list. Seven responses were evaluated by the DOJ legal civil attorneys project team. All responses were scored and a short list of five were interviewed. Two finalists were sent for a second interview with the DOJ executive team, consisting of the City Manager, Assistant City Manager, Communications Director, Chief of Police, City Attorney and DOJ Project Manager.

**Contract Term**

The term of this agreement is for the duration of legal services, as required for the DOJ investigation, and any negotiation of any DOJ findings, court appearances or litigation related to the DOJ investigation, as needed and directed by the City.

**Financial Impact**

The contract value will not exceed \$1,000,000 and funds are available in the Law Department's budget.

**Responsible Department**

This item is submitted by City Manager Jeffrey Barton and the Law Department.



## **Software Services Agreement with Relativity (Ordinance S-48215)**

Request to authorize the City Manager, or his designee, to enter into a contract with Relativity ODA LLC (Relativity) for e-discovery software to assist the City in responding to the request for documents from the Department of Justice (DOJ), in an amount not to exceed \$335,000. Also requesting a waiver of Phoenix City Code, section 42-18. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

Relativity offers a cloud based e-discovery software tool. Many law firms and government organizations use e-discovery software to organize, sort, redact, bates label and categorize document production for litigation. The City has relied upon outside counsel and vendors for this function. The DOJ investigation will require a large volume of document sorting and native file categorizing. The City currently does not have the capacity to process and redact this type of volume document production without reverting all files into Adobe Acrobat, which is time consuming and not conducive to efficient redaction, indexing or sorting.

Relativity is cloud-based software. Relativity is asking for limitation of liability and exceptions to the City's indemnification clauses, which requires a waiver of the Phoenix City Code, section 42-18. The risk to the City is low since the City controls the data and this software is not specific to the City.

This software will save City staff hours in production time and will also assist the City to organize, index, redact and search the documents. The Law Department has worked with the Information Technology Services Department on a Business Investment Request (#4399), which has been approved.

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

### **Procurement Information**

In accordance with Administrative Regulation 3.10, seven quotes were obtained and Relativity was the best value to the City. The cloud provides unlimited data, with no

restrictions and does not need City of Phoenix technology resources. The cost of the software is based on an average of five licensed users per month, with training and unlimited support for three years, and \$15,000 one-time fee for initial training. The three year contract option saves the City approximately \$60,000 from an annual contract and \$100,000 over the monthly pay-as-you-go option. However, with data storage and processing as part of the charges the City will incur, the total cost is an estimate.

**Contract Term**

The contract term is three years, starting on Dec. 16, 2021.

**Financial Impact**

The contract value will not exceed \$335,000 and funds are available in the Law Department's budget.

**Responsible Department**

This item is submitted by City Manager Jeffrey Barton and the Law Department.





**Request to Retroactively Accept and Disburse Nina Mason Pulliam Charitable Trust Grant Funds (Ordinance S-48192)**

Request to authorize the City Manager, or his designee, to retroactively accept a grant award in the amount of \$22,800 from the Nina Mason Pulliam Charitable Trust. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

**Summary**

The Nina Mason Pulliam Charitable Trust has donated holiday funds to the City of Phoenix Human Services Department for several years. The funds are to be used to assist low-income individuals and families by removing housing barriers through rental assistance and eviction prevention services. The donation will allow the Human Services Department to assist approximately 20 individuals and families to remain housed during the upcoming holiday season. Notice of the grant award was received on Oct. 27, 2021, with a requirement to sign and accept the grant by Nov. 5, 2021.

**Financial Impact**

No General Funds are required to receive this funding of \$22,800 from the Nina Mason Pulliam Charitable Trust.

**Responsible Department**

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.



**Request to Retroactively Accept and Disburse Virginia G. Piper Charitable Trust Holiday Funds (Ordinance S-48193)**

Request to authorize the City Manager, or his designee, to retroactively accept a holiday grant award of \$15,000 from the Virginia G. Piper Charitable Trust. Further request to authorize the City Treasurer to accept and the City Controller to disburse the funds.

**Summary**

A Virginia G. Piper Charitable Trust grant has been awarded to the Human Services Department to support holiday-related activities that address the material or social/emotional needs of families. Funds are to be distributed equally (\$5,000) for each calendar year 2021, 2022 and 2023 holiday seasons. The donation will allow the Human Services Department to provide gift cards in the amount of \$25 to families in need. Notice of the grant award was received on Oct. 12, 2021, and funds have been transferred to the City of Phoenix.

**Financial Impact**

There is no General Fund impact.

**Responsible Department**

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.



**Amend Contract with The Arizona Community Action Association, Inc. dba Wildfire to Accept Additional Local Utility Funds (Ordinance S-48198)**

Request to authorize the City Manager, or his designee, to amend Contract 154902 with The Arizona Community Action Association, Inc. dba Wildfire (Wildfire), to accept additional emergency utility assistance funding in an amount not to exceed \$27,933 for a new contract total of \$316,870. Further request to authorize the City Treasurer to accept and the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

**Summary**

Funds provided to the City of Phoenix Human Services Department through Wildfire will be used to assist low-income individuals and families to remain stably housed by removing barriers to self-sufficiency through emergency utility assistance. This funding will allow the City of Phoenix to provide emergency financial assistance services to approximately 1,225 households.

**Contract Term**

The term of the contract is for one year, from July 1, 2021 through June 30, 2022.

**Previous Council Action**

On June 2, 2021, the City Council authorized contract 154902 in the original amount of \$288,937 via Ordinance S-47643.

**Financial Impact**

The new contract total shall not exceed \$316,870. There is no impact to the General Fund.

**Responsible Department**

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.



## **Playground and Outdoor Fitness Products/Services - Requirements Contract - 030117-LTS (A) (Ordinance S-48188)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 147930 with Miracle Recreation Equipment Company to provide a wide range of playground equipment, accessories and services for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$2 million.

### **Summary**

The additional funds will ensure the update of aging equipment at various park locations. Renovations for project priorities such as new playground equipment and ramadas have caused the contract to reach its current spending limit. The project estimates were higher due to the drastically increased cost of concrete and other building materials over the last two years. At this time, the Miracle Recreation Equipment contract does not have enough funds to complete future projected updates planned through the end of the contract term.

### **Contract Term**

The contract term is May 1, 2018 through April 30, 2023.

### **Financial Impact**

Upon approval of \$2 million in additional funds, the revised aggregate value of the contract will not exceed \$4 million. Funds are available in the Parks and Recreation Department's budget.

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

This contract was originally approved by City Council on April 18, 2018.

### **Responsible Department**

This item is submitted by Deputy City Manager Inger Erickson and the Parks and Recreation Department.



**Arizona Governor's Commission on Service and Volunteerism Funding for AmeriCorps Members (Ordinance S-48210)**

Request authorization for the City Manager, or his designee, to apply for grant funding with the Arizona Governor's Commission on Service and Volunteerism for AmeriCorps Program funding through the National AmeriCorps Office. If awarded, to accept, and enter into an agreement in an amount of up to \$325,000 per year for three years for a contract total not to exceed \$975,000 over the life of the contract. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item.

**Summary**

The Volunteer PHX Office is seeking to apply to the National AmeriCorps Grant through the State Commission in the Governor's Office of Youth, Faith and Family. Funds will provide AmeriCorps members to assist in the day-to-day operations of city programs, such as Human Services, Library, Youth and Education, Office of Sustainability, Office of Heat Response and Mitigation, and other programs that fall in line with the grant focus areas of Economic Opportunity, Education, Environmental Stewardship, and Healthy Futures.

The office intends to seek funding to operate an AmeriCorps Program commencing September 2022 that will place approximately 26 AmeriCorps members per year, in various department programs citywide. The application due date is December 23, 2021.

**Financial Impact**

The requested grant amount is \$975,000 (approximately \$325,000 per year for three consecutive years) includes staff, volunteer stipends, training, supplies, and site-preparation costs for implementing the proposed programs throughout the city.

**Responsible Department**

This item is submitted by Deputy City Manager Inger Erickson and the Volunteer PHX Office.



**Disposition of City-Owned Former First National Bank of Arizona Building  
Located at 1 S. 24th St. (Ordinance S-48200)**

Request to authorize the City Manager, or his designee, to enter into agreements with One South 24th Street Development Group, LLC, or its City-approved designee (Developer), for the sale and redevelopment of City-owned property located at 1 S. 24th St. Further request to authorize the City Treasurer to accept all funds related to this item. The sale of the property will result in a one-time cash payment of \$240,000, which will be deposited into the City's Aviation Department Fund.

**Summary**

The City of Phoenix Aviation Department owns Maricopa County Assessor Parcel Number (APN) 121-62-041A, located at 1 S. 24th St. (Site). The Site is approximately 1.55 acres and includes the vacant former First National Bank of Arizona Building (Building). The Building, comprised of approximately 5,460 square feet, was originally designed by Kenneth Oberg, built in 1966, and is eligible for historic designation.

On June 20, 2018, City Council authorized the Community and Economic Development Department (CEDD) to issue a Request for Proposals (RFP) for the sale and adaptive reuse of the Site, and on Sept. 17, 2018, RFP-CED18-FNB was issued.

On Dec. 16, 2018, a fire incident occurred in the Building, resulting in a loss of life and damage to the Building's interior and roof. This incident occurred before the RFP process was completed. Key dates and actions that followed, include:

- January 2019: RFP-CED18-FNB canceled with intent to reissue;
- June 2019: Fire Damage Investigation and Final Report completed; and
- May 2020: Building Conditions Assessment and Report completed.

The City received an insurance recovery for the loss and will sell the Site as-is. On Oct. 30, 2020, RFP-CED18-FNB was canceled with no intent to reissue due to changes in the Site's condition. Staff recommended conducting direct negotiations for the sale of the Site. On Feb. 17, 2021, City Council authorized CEDD to conduct direct negotiations for the disposition of the Site and stipulated the placement of a 30-year declaration of restrictive covenants on the Site prior to any sale and/or required the sale be conditioned on a 30-year conservation easement.

On April 30, 2021, CEDD received four offers to purchase and redevelop the Site. Of the four offers received, the Developer's activation concept for the Site presented the best value to the City. CEDD staff has completed negotiations with the Developer based on the proposed project submitted, and recommends moving forward.

Proposed business terms include:

1. Developer will purchase the Site as-is for \$240,000 paid in cash.
2. Developer will also provide no-cost contractual services to the benefit of the Aviation Department in an amount not less than \$240,000 over a five-year period.
3. Prior to close of escrow, Developer will enter into a Disposition and Redevelopment Agreement with the City.
4. Prior to transfer of ownership from the City to the Developer, the City will record a 30-year Declaration of Restrictive Covenants on the Site.
5. Prior to close of escrow, Developer will agree to and sign an aviation easement with the City.

### **Financial Impact**

The disposition of the Site will result in a one-time sales cash payment of \$240,000 that will be deposited into the City's Aviation Department Fund. There is no impact to the General Fund.

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

The Economic Development and Equity Subcommittee recommended approval of this item on Nov. 16, 2021, by a vote of 4-0.

### **Public Outreach**

Staff presented proposed business terms and scope of possible development to the Eastlake Park Neighborhood Association on Sept. 20, 2021, the 24 Sky Harbor Business Alliance on Sept. 28, 2021, the City's Central City Village Planning Committee on Oct. 11, 2021 and to the City's Historic Preservation Commission on Oct. 18, 2021.

### **Location**

1 S. 24th St.

Council District: 8

### **Responsible Department**

This item is submitted by Deputy City Managers Ginger Spencer and Mario Paniagua, and the Community and Economic Development and Aviation departments.



**(CONTINUED FROM DEC. 1, 2021) - Fire Hydrant Repair and Replacement Program - Job Order Contracting Services - 4108JOC189 (Ordinance S-48134)**

Request to authorize the City Manager, or his designee, to enter into separate master agreements with three contractors to provide Fire Hydrant Repair and Replacement Job Order Contracting (JOC) services for the Water Services Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed \$19.23 million.

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

**Summary**

The JOC contractors' services will be used on an as-needed basis to provide Fire Hydrant Repair and Replacement Job Order Contracting services for assessment, maintenance, repair and/or replacement of fire hydrants and other associated work citywide. The Water Services and Fire departments presented to the Transportation, Infrastructure and Planning Subcommittee on Nov. 17, 2021 regarding the Fire Hydrant Repair and Replacement Program and the planned use of this contract to address the existing backlog in fire hydrant replacements. All three contractors will be used to ensure that the backlog is completed as soon as possible. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

**Procurement Information**

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



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

Selected Firms

Rank 1: WaCo, LLC

Rank 2: Hydra Contracting, LLC

Rank 3: Talis Construction Corporation

Additional Proposers

Rank 4: Blucor Contracting, Inc.

**Contract Term**

The term of each master agreement is for up to five years, or up to \$6.41 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

**Financial Impact**

The master agreement values for each of the JOC contractors will not exceed \$6.41 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed \$19.23 million. The value for each Job Order Agreement (JOA) performed under this master agreement will be up to \$2 million each. In no event will any JOA exceed this limit without Council approval to increase the limit.

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

**Concurrence/Previous Council Action**

The Transportation, Infrastructure and Planning Subcommittee received a presentation on the Fire Hydrant Maintenance, Repair and Replacement Program on Nov. 17, 2021.

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays, Deputy City Managers Karen Peters and Mario Paniagua, the Water Services and Fire departments, and the City Engineer.



## City of Phoenix

**To:** Jeffrey J. Barton  
City Manager

**Date:** Nov. 30, 2021

**From:** Karen L. Peters  
Deputy City Manager

**Subject:** REQUEST TO CONTINUE ITEMS: 50, FIRE HYDRANT REPAIR AND REPLACEMENT PROGRAM – JOB ORDER CONTRACTING SERVICES – 4108JOC189; AND 51, FIRE HYDRANT REPAIR AND REPLACEMENT PROGRAM – CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES WS85500394, FROM THE DEC. 1, 2021 FORMAL AGENDA

FOR CONTINUANCE: The City Manager's Office requests approval to continue Items: 50, Ordinance S-48134, Fire Hydrant Repair and Replacement Program – Job Order Contracting Services – 4108JOC189; and 51, Ordinance S-48135, Fire Hydrant Repair and Replacement Program – Construction Administration and Inspection Services – WS85500394, from the Dec. 1, 2021 formal agenda to the Dec. 15, 2021 formal agenda. These continuances are requested to allow time for additional briefings.

Approved by:

Karen L. Peters  
Deputy City Manager

11/30/21  
Date



**(CONTINUED FROM DEC. 1, 2021) - Fire Hydrant Repair and Replacement Program - Construction Administration and Inspection Services - WS85500394 (Ordinance S-48135)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Tristar Engineering and Management, Inc. to provide Fire Hydrant Repair and Replacement Program Construction Administration and Inspection Services for the Water Services Department. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$1.5 Million.

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

**Summary**

The purpose of this project is to provide support for the Fire Hydrant Repair and Replacement Job Order Contracting (JOC) program by ensuring the JOC contractor's assessment, maintenance, repair and/or replacement of fire hydrants is completed to the required standards and to document all activities performed by the JOC. The Water Services and Fire departments presented to the Transportation, Infrastructure and Planning Subcommittee on Nov. 17, 2021 regarding the Fire Hydrant Repair and Replacement Program and the planned use of the JOC to address the backlog in fire hydrant replacements.

Tristar Engineering and Management, Inc.'s services include, but are not limited to: weekly inspection of fire hydrant replacements and repairs; lab and field materials testing; resident engineering services; contract administration; monitoring job progress; review and certification of progress payments and Job Order Agreements; collecting asset management data from the JOC and providing it to staff per City requirements;

preparation of records; public information and public relations services, and other services as required for a complete project.

### **Procurement Information**

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

#### Selected Firm

Rank 1: Tristar Engineering and Management, Inc.

#### Additional Proposer

Rank 2: GHD, Inc.

### **Contract Term**

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

### **Financial Impact**

The agreement value for Tristar Engineering and Management, Inc. will not exceed \$1.5 million, including all subconsultant and reimbursable costs.

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

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

The Transportation, Infrastructure and Planning Subcommittee received a presentation on the Fire Hydrant Maintenance, Repair and Replacement Program on Nov. 17, 2021.

### **Responsible Department**

This item is submitted by Assistant City Manager Lori Bays, Deputy City Managers Karen Peters and Mario Paniagua, the Fire and Water Services departments, and the City Engineer.



## City of Phoenix

**To:** Jeffrey J. Barton  
City Manager

**Date:** Nov. 30, 2021

**From:** Karen L. Peters  
Deputy City Manager

**Subject:** REQUEST TO CONTINUE ITEMS: 50, FIRE HYDRANT REPAIR AND REPLACEMENT PROGRAM – JOB ORDER CONTRACTING SERVICES – 4108JOC189; AND 51, FIRE HYDRANT REPAIR AND REPLACEMENT PROGRAM – CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES WS85500394, FROM THE DEC. 1, 2021 FORMAL AGENDA

FOR CONTINUANCE: The City Manager's Office requests approval to continue Items: 50, Ordinance S-48134, Fire Hydrant Repair and Replacement Program – Job Order Contracting Services – 4108JOC189; and 51, Ordinance S-48135, Fire Hydrant Repair and Replacement Program – Construction Administration and Inspection Services – WS85500394, from the Dec. 1, 2021 formal agenda to the Dec. 15, 2021 formal agenda. These continuances are requested to allow time for additional briefings.

Approved by:

Karen L. Peters  
Deputy City Manager

11/30/21  
Date



**Amend Ordinance S-47071 for Acquisition of Real Property for Installation of Fire Hydrants from Roma Avenue to Indian School Road, Between 24th and 27th Streets (Ordinance S-48175)**

Request the City Council to amend Ordinance S-47071 to acquire additional real property for installation of fire hydrants from Roma Ave. to Indian School Rd., between 24th and 27th streets.

**Summary**

Ordinance S-47071 authorized acquisition of real property for installation of fire hydrants as part of a water main replacement project to bring the area into compliance with current spacing design standards. Water Services has identified four alternate locations for hydrant installation within the design. All other conditions and stipulations previously stated in the above referenced ordinance will remain the same.

The additional properties impacted by this project and included in this request are identified in **Attachment A**.

**Financial Impact**

Funding for acquisition is available in the Water Services Department's Capital Improvement Program budget.

**Concurrence/Previous Council Action**

The City Council approved Ordinance S-47071 on Nov. 18, 2020.

**Location**

Roma Avenue to Indian School Road, between 24th and 27th streets.  
Council District: 6

**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters, and the Water Services and Finance departments.

**Attachment A**  
**Property Identification**

**City of Phoenix Water Improvement Project: WS85509053**

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.

<b>APN</b>	<b>Address / Location</b>
163-05-029B	2626 E. Indian School Rd.
163-06-058	2519 E. Monterosa Ave.
163-07-032	2526 E. Turney Ave.
163-07-058	2519 E. Montecito Ave.



### **Active Bystandership for Law Enforcement Training (Ordinance S-48197)**

Request to authorize the City Manager, or his designee, approval to enter into an agreement with Georgetown Law Center for Innovations in Community Safety to provide Active Bystandership for Law Enforcement Training for the Phoenix Police Department. The training, created by Georgetown University Law Department, will be held for all levels of sworn and civilian employees of the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The training will cost \$20,000.

#### **Summary**

The Georgetown Innovative Policing Program, partnering with global law firm Sheppard Mullin, created the Active Bystandership for Law Enforcement (ABLE) Project to prepare officers to successfully intervene to prevent harm and to create a law enforcement culture that supports peer intervention. The ABLE Project delivers practical, scenario-based training for police agencies in the strategies and tactics of police peer intervention. Law enforcement officers are frequently faced with high-stress, high-stake decisions. ABLE believes it is the responsibility of every officer to act to prevent mistakes, prevent misconduct, and promote their fellow officers' health and wellbeing. ABLE training is based on a professionally-designed curriculum that draws on decades of social science research and uses adult-based learning methods to deliver this learning effectively. The training employs evidence-based practices to give officers the tools and skills they need to perform an intervention. ABLE also teaches the science behind the skills, so that officers have a better understanding of why the training works and thus can use it more effectively. Active bystandership has proven effective in reducing harm in the medical profession, in the airline industry, and on college and university campuses.

The Phoenix Police Department (PPD) has applied and been accepted into the ABLE Program and will begin training in January of 2022. To accelerate the roll out of the program to the entire Department, the PPD is requesting Train-the-Trainer (TTT) training by ABLE Project staff to designated personnel identified for this effort. The TTT instructors will begin their training in January of 2022, with the training for the entire Department starting in February of 2022. In addition to the on-site TTT training session, ABLE will provide basic technical assistance, proprietary ABLE Project



training curriculum, and program materials for the training course to all the PPD employees.

**Contract Term**

A Memoranda of Understanding with Georgetown Law Center for Innovations in Community Safety will be signed for a 12 month period from date of signature and can be extended as needed.

**Financial Impact**

This training will cost \$20,000 and the funds are available in the Police Department's budget.

**Concurrence/Previous Council Action**

This item was recommended for approval by the Public Safety and Justice Subcommittee on Dec. 8, 2021 by a vote of 4-0.

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Police Department.



### **Donation from Phoenix Police Foundation (Ordinance S-48199)**

Request to authorize the City Manager, or his designee, to accept a donation of one CORE Under Door Camera from the Phoenix Police Foundation valued at \$9,809.48. Further request authorization for the City Treasurer to accept all funds related to this item.

#### **Summary**

This donation is for one CORE Under Door Camera that will be utilized by the Police Department's Tactical Support Bureau K-9 Unit. This camera, in conjunction with CORE Pole Cameras already in use, will give officers the ability to inspect around corners and into confined spaces prior to sending an officer or canine. These cameras have proven invaluable and have kept officers safe when clearing areas that are difficult or impossible to see prior to occupying, helps to mitigate the "surprise" on the other side of the closed door, and lessen the chances of a lethal encounter.

The use of the two different camera types provides the officer with a forward and upward look into the room being inspected. The camera is also equipped with high intensity infrared illumination for non-illuminated rooms/areas, and will provide immediate intelligence on the layout of the room and if any barriers exist or threats within the room prior to entering.

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

The Phoenix Police Foundation is a 501(c)(3) charitable organization. The Foundation is committed to addressing unmet capital needs of the Phoenix Police Department, providing financial assistance in crisis situations and recognizing those who protect our community.

#### **Financial Impact**

Costs to the City will include standard operation and maintenance expenses. Funds are available in the Police Department's budget.

**Concurrence/Previous Council Action**

This item was recommended for approval by the Public Safety and Justice Subcommittee on Dec. 8, 2021 by a vote of 4-0.

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Police Department.



**FLIR Equipment, Parts and Services - Requirements Contract - RFA 19-011B  
(Ordinance S-48183)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 152013 with FLIR Surveillance Inc. for the purchase of a Star SAFIRE 380X-HD Stabilized Turret FLIR System, accessories, maintenance, and repairs for the Police Department's Air Support Unit. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$940,000.

**Summary**

This contract provides the Police Department's Air Support Unit with a Star SAFIRE 380-HD Stabilized Turret FLIR System, parts, accessories, warranties, labor, and repairs for the Air Support's Astar Helicopter and PC12 Pilatus Airplane. This equipment assists pilots in detecting warm objects against cooler backgrounds when searching for suspects involved in criminal activity during poor or obstructed visibility. Additional funds are needed to purchase an upgraded replacement of the FLIR camera to provide better surveillance for making critical decisions while operating large scale events, surveillance, and tracking.

**Contract Term**

The contract term is March 18, 2020 through February 28, 2025.

**Financial Impact**

Upon approval of \$940,000 in additional funds, the revised aggregate value of the contract will not exceed \$1,740,000. Funds are available in the Police Department's budget.

**Concurrence/Previous Council Action**

This contract was originally approved by City Council on March 18, 2020.

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Police Department.



**Police Records Management System (RMS) - Requirements Contract - ITR 22-052 (Ordinance S-48216)**

Request to authorize the City Manager, or his designee, to enter into a contract with Motorola Solutions to purchase a Police Records Management System (RMS) for Phoenix Police Department (PPD). Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$8,500,000.

**Summary**

The PPD urgently needs to fast-track and replace its current, heavily customized Records Management System (RMS) with a Commercial-Off-The-Shelf (COTS) technology for a new state-of-the-art RMS system. The RMS solution will provide an innovative, flexible, and sustainable solution that supports the critical needs of a 21st-century law enforcement agency and its associated justice partners to deliver superior service for the community they serve. In addition, updated technology will help the City's goal to become and remain compliant with National Incident Based Reporting System (NIBRS) and Department of Justice (DOJ) standards, offer new or enhanced capabilities and more efficient processes, including records and documents, Data Warehouse/Business Intelligence, and potential use of Artificial Intelligence (AI).

The Contractor can provide an initial on-premise based solution. This includes all modules supplied by the contractor and includes the following City's existing RMS required environments: development, test, staging, training, and production, as well as a plan with future opportunities for a hybrid or cloud-based infrastructure solution.

**Procurement Information**

An Invitation to Respond (ITR) 22-052 was conducted in accordance with Administrative Regulation 3.10. The notification was sent to 460 suppliers. Six firms met minimum qualifications and were invited to respond. Of those, one withdrew from the process.

The three highest scoring responsible vendors were invited to the demonstrations. A seven-member panel evaluated and scored the demonstrations and submittals based on the following criteria (1,000 total points):

Functional Requirements: 350  
Project Approach and Plan: 200  
Support Capacity (SLAs): 150  
Experience: 125  
Security and Technology: 100  
Pricing & Licensing Cost: 75

Motorola Solutions received the highest score of 748 points. The remaining vendor scores are listed as follows:

Vendor 2: 674 points; and

Vendor 3: 553 points.

The Assistant Finance Director and Chief Information Officer recommend that the offer from Motorola Solutions be accepted as the highest scored, responsive, and responsible offer that is most advantageous to the City.

#### **Contract Term**

The five-year contract term will begin on or about Dec.15, 2021.

#### **Financial Impact**

The aggregate contract value will not exceed \$8,500,000, which includes an estimated cost of \$7,500,000 plus a \$1,000,000 contingency amount. Funding will be identified in the Police Department's budget.

#### **Responsible Department**

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Inger Erickson, and the Police and Information Technology Services departments.



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**\*\*\*REQUEST TO CONTINUE (SEE ATTACHED MEMO)\*\*\* (CONTINUED FROM NOV. 17, 2021) - 40-Foot Heavy Duty Transit Bus Contract Award Recommendation (Ordinance S-48119)**

Request to authorize the City Manager, or his designee, to enter into a contract with GILLIG, LLC to manufacture and deliver replacement 40-foot heavy-duty local transit buses for the Public Transit Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$145,023,384.

**Summary**

A Request for Proposals (RFP #PTD20-003) was issued to solicit this five-year contract with a transit vehicle manufacturing firm to manufacture and deliver 40-foot heavy-duty local transit buses that use compressed natural gas (CNG) or biodiesel as the fuel source. City Council approved the issuance of this solicitation at their Feb. 17, 2021 formal meeting. Buses will be ordered based on the Public Transit Department's replacement schedule for local buses that have met or exceeded their useful life under Federal Transit Administration guidelines.

The Public Transit Department will also issue a solicitation for the procurement, evaluation and use of zero and near-zero emission buses, if approved by Council. The City's most recent and previous testing of alternate transit vehicles demonstrated that CNG buses provided the best low-emissions option that also operates safely, effectively and reliably on long routes in the Phoenix climate. However, the "Green Transit" technology procurement will solicit the most up-to-date, environmentally friendly buses, including electric, hybrid or other alternative propulsion vehicles available for additional testing and on a long-term basis. The contract award recommended in this item will allow the City to replace buses that have exceeded their useful life and have reduced reliability and efficiency, while continuing to explore, evaluate and move forward with the alternative-powered buses as technologies advance and become available.

**Procurement Information**

RFP #PTD20-003 was issued on April 15, 2021, with two firms submitting proposals for consideration. An evaluation committee of qualified staff from Public Transit

Department and Valley Metro was appointed to conduct detailed evaluations of all proposals received, establish a competitive range, and select a proposer to receive the contract award.

A technical advisory team was also established to provide technical assistance to the evaluation committee based on the advisors' knowledge and experience with transit vehicle manufacturing and long-term maintenance practices. The technical advisory team's role was to review the technical portions of each proposal for compliance with RFP specifications.

Each RFP was evaluated and scored based on the following criteria (1,000 points total possible):

- Design, Quality, and Production Process (up to 400 points);
- Price (up to 400 points); and
- Warranty (up to 200 points).

Two proposals were received from the following firms:

- GILLIG, LLC; and
- New Flyer.

The evaluation recommendations were reached by consensus in consideration of published selection criteria, with the committee selecting GILLIG, LLC for award. The following summarizes the results:

<u>Proposers</u>	<u>Total points</u>
GILLIG, LLC	820
New Flyer	775

In accordance with Phoenix City Code section 43-14(J), a contract shall be awarded to the most highly-rated, responsible firm whose offer conforms in all material respects to the requirements and criteria outlined in the solicitation. Accordingly, the Public Transit Department's Procurement Officer recommends the award to GILLIG, LLC.

Included in the RFP's pricing schedule was the following language: "The estimated quantities shown on the enclosed Price Schedules are estimates only, contingent upon availability of appropriated funds and subject to change during the term of the Contract. The City is not obligated to make purchases in these exact amounts." As such, Public Transit Department staff will continue exploring other viable technologies that meet the region's operational needs and look for opportunities to transition to other proven propulsion technologies.



**Financial Impact**

The term of the awarded contract shall be five years with an aggregate value of \$145,023,384. Buses are funded 85 percent with federal funds and 15 percent with regional funds. The Public Transit Department estimates purchasing a maximum of 265 buses over the five-year period. Funds are available in the Public Transit Department's five-year Capital Improvement Program.

**Concurrence**

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Oct. 20, 2021 by a vote of 3-1.

**Responsible Department**

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



**City of Phoenix**  
PUBLIC TRANSIT DEPARTMENT

**To:** Mario Paniagua  
Deputy City Manager

**Date:** Dec. 9, 2021

**From:** Jesús Sapien  
Public Transit Director

**Subject:** REQUEST TO CONTINUE ITEM 68, (CONTINUED FROM NOV. 17, 2021) - 40-FOOT HEAVY DUTY TRANSIT BUS CONTRACT AWARD RECOMMENDATION, FROM THE DEC. 15, 2021, FORMAL AGENDA

FOR CONTINUANCE: The Public Transit Department requests approval to continue of Item 68, Ordinance S-48119, (CONTINUED FROM NOV. 17, 2021) - 40-Foot Heavy Duty Transit Bus Contract Award Recommendation, from the Dec. 15, 2021 formal agenda to the Jan. 26, 2022 formal agenda. This continuance allows Public Transit Department staff to review additional procurement options for alternative propulsion system (no- and low-emissions) buses.

Approved by:

A handwritten signature of Mario Paniagua in black ink.

Mario Paniagua  
Deputy City Manager

12/9/21

Date



## **Bus Advertising and Transit Street Furniture Revenue Service Contracts - Amendment (Ordinance S-48208)**

Request to authorize the City Manager, or his designee, to execute amendments to Contracts: 143743 with Clear Channel Outdoor, Inc.; and 143744 with Lamar Transit, LLC, to extend both contracts for a period of six months, from Jan. 1, 2022 to June 30, 2022, with one option for an additional six-month extension.

### **Summary**

In October 2016, the City awarded the bus advertising contract to Clear Channel Outdoor, Inc. and the transit-street-furniture advertising contract to Lamar Transit, LLC for revenue-generating advertising services, which includes the installation, maintenance, and restoration of advertising on buses and transit furniture. The contracts were each authorized for a five-year term.

In July 2021, a revenue contract solicitation (RCS PTD21-002) was issued to contract for transit street furniture and bus advertising services. A notice of recommended award was posted in October 2021. In response to the notice, the Public Transit Department (PTD) received Public Records Requests (PRRs) from offerors for proposals submitted, which requires the City to afford each offeror the opportunity to seek protective orders for their confidential information. This process has extended the solicitation timeline and PTD seeks to extend the current contracts by six months, with one option to extend an additional six months, to ensure that services continue as PTD finishes procuring the new advertising services contract. These extensions would allow sufficient time to conclude the procurement process (including processing the PRRs and addressing protests, if any) and to facilitate a seamless transition for award of the new contract.

### **Contract Term**

These amendments will extend the end date of the contracts' terms from Dec. 31, 2021 to June 30, 2022, with an option, if needed, to further extend that end date from June 30, 2022 to Dec. 31, 2022.

### **Financial Impact**

Original contract terms are as follows for each month:

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- Clear Channel Outdoor, Inc. pays 66 percent of net sales revenue (or the monthly portion of its minimum annual guarantee of \$1.26 million, whichever is higher) to the City for bus advertising sales; and
- Lamar Transit, LLC pays 68.25 percent of net sales revenue (or the monthly portion of its minimum annual guarantee of \$2 million, whichever is higher) to the City for transit-street-furniture advertising sales.

**Concurrence/Previous Council Action**

The City Council approved:

- Bus Advertising Services Contract 143743 and Transit Street Furniture Advertising Services Contract 143744 Oct. 5, 2016; and
- Amendment to Public Transit Furniture Advertising Revenue Contract 143744 on July 1, 2020.

**Responsible Department**

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



## **Roofing Analysis Consultant - Requirements Contract - RFP 21-004 (Ordinance S-48176)**

Request to authorize the City Manager, or his designee, to enter into a contract with Bluefin LLC, Tremco Roofing, Inc., and Western Roof Evaluation Corporation to purchase Roofing Analysis and Consultative Services for citywide use. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$360,000.

### **Summary**

The City of Phoenix requires roofing consulting services to inspect and assess current roofing structures of City-owned buildings to ensure roofs are properly maintained and repaired in accordance with building codes for the safety of occupants, employees, and the public. In addition, a roofing assessment is necessary for building maintenance to ensure that buildings meet the City's building codes and are available to the public.

The Contractor will perform consultative roofing services for City-owned buildings that include comprehensive assessments of a building's roof structure to produce a Building Assessment Survey and Evaluation (BASE) Study and Specification Document. The BASE Study and Specification Document will outline the work that needs to be completed by City-contracted roofing suppliers. In addition, the Contractor will conduct periodic on-site quality assurance inspections to ensure the roofing contractor's work is in accordance with the BASE Study and Specification Document.

### **Procurement Information**

RFP 22-004 was conducted in accordance with Administrative Regulation 3.10. There were four offers received by the Procurement Division on July 28, 2021. The notification was sent to 376 suppliers and was publicly posted and available for download from the City's website. These contracts will be for multi-department use, with the Public Works and Water Services departments being the primary users.

The proposals were scored by a three-member evaluation panel based on the following criteria:

Experience and Qualification - 400

Method of Approach - 325

Price - 275

The Assistant Finance Director recommends that the offers from Bluefin LLC, Tremco Roofing, Inc., and Western Roof Evaluation Corporation be accepted as the highest scored, responsive and responsible offers that are most advantageous to the City.

**Contract Term**

The five-year contract term will begin on or about Dec. 15, 2021.

**Financial Impact**

The aggregate contract value will not exceed \$360,000.

Funding is available in the Public Works and Water Services departments' budgets.

**Responsible Department**

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



## **Blank Out Signs - Requirements Contract - IFB 16-201 - Amendment (Ordinance S-48173)**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 143159 with SES America, Inc., to extend the term through Oct. 31, 2022, for the purchase of "blank out" signs for the Street Transportation Department. No additional funds are requested with this amendment.

### **Summary**

The contract is required to purchase "blank out" signs as needed for traffic control during construction projects performed by the Street Transportation Department. "Blank out" signs are illuminated signs, which reinforce traffic signals or other traffic control devices, and discourage undesirable or unsafe motorist movements. "Blank out" signs can be illuminated at all times providing easily visible messages in all weather and daylight conditions, or can be illuminated only when traffic control conditions warrant their activation. The Street Transportation Department uses blank out signs for a variety of situations, but primarily to provide signage for turning movement restrictions and for additional warning around light rail train operations.

This amendment is necessary because the solicitation process for a new contract had to be canceled. This contract extension will allow time for a new competitive process and award of contract.

### **Contract Term**

Upon approval, the contract term will be extended through Oct. 31, 2022.

### **Financial Impact**

The initial authorization for the contract was for an expenditure not-to-exceed \$1.625 million. No additional funds are requested with this amendment.

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

The City Council approved:

- Blank Out Signs Contract 143159 (Ordinance S-42778) on July 1, 2016; and
- Blank Out Signs Contract 143159 - Amendment (Ordinance S-47692) on June 16, 2021.

**Responsible Department**

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





## **Milwaukee Brewers Baseball Club Ceremonial Signs**

Request City Council approval to install two ceremonial street name signs and a sign topper recognizing the Milwaukee Brewers Baseball Club at the intersections of 53rd Avenue and Indian School Road, 53rd and Clarendon avenues and Maryvale Parkway.

### **Summary**

The Street Transportation Department received a request to install two ceremonial street name signs and a sign topper recognizing the Milwaukee Brewers Baseball Club (Brewers). The Brewers are the first Major League Baseball team to call the American Family Fields of Phoenix, formally known as Maryvale Baseball Park, home for spring training. The location is currently the only Phoenix-based spring training facility.

The Brewers have hosted spring training games at the Phoenix facility since 1998. The Brewers completed a \$60 million renovation in 2019, offering to the community an updated space for community events, a Learning Lounge at the facility for Phoenix youth, and professional baseball festivities. In addition, the Brewers contribute annually to the City's Kool Kids program, which provides free open swim admission to youth at City of Phoenix pools.

The ceremonial street name signs will be mounted on the existing traffic signal poles at the northwest and southeast corners of 53rd Avenue and Indian School Road. The ceremonial sign topper will be mounted on the existing sign post at the northwest corner of 53rd/Clarendon Avenue and Maryvale Parkway. See **Attachment A** for an illustration and map of the proposed locations for these signs. The signs will be mounted after Dec. 31, 2021, and in coordination with the requestor.

### **Financial Impact**

The fabrication, installation and maintenance costs of the signs will be funded by the Milwaukee Brewers Baseball Club.

### **Location**

53rd Avenue and Indian School Road, and 53rd and Clarendon Avenues and Maryvale Parkway

Council District: 5

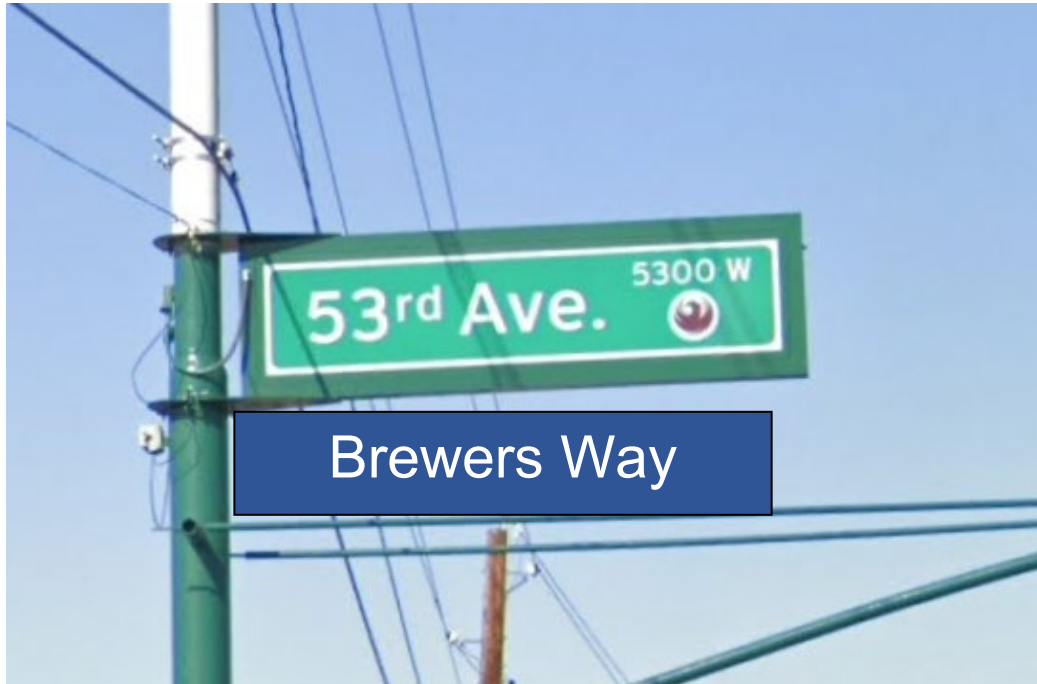
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**Responsible Department**

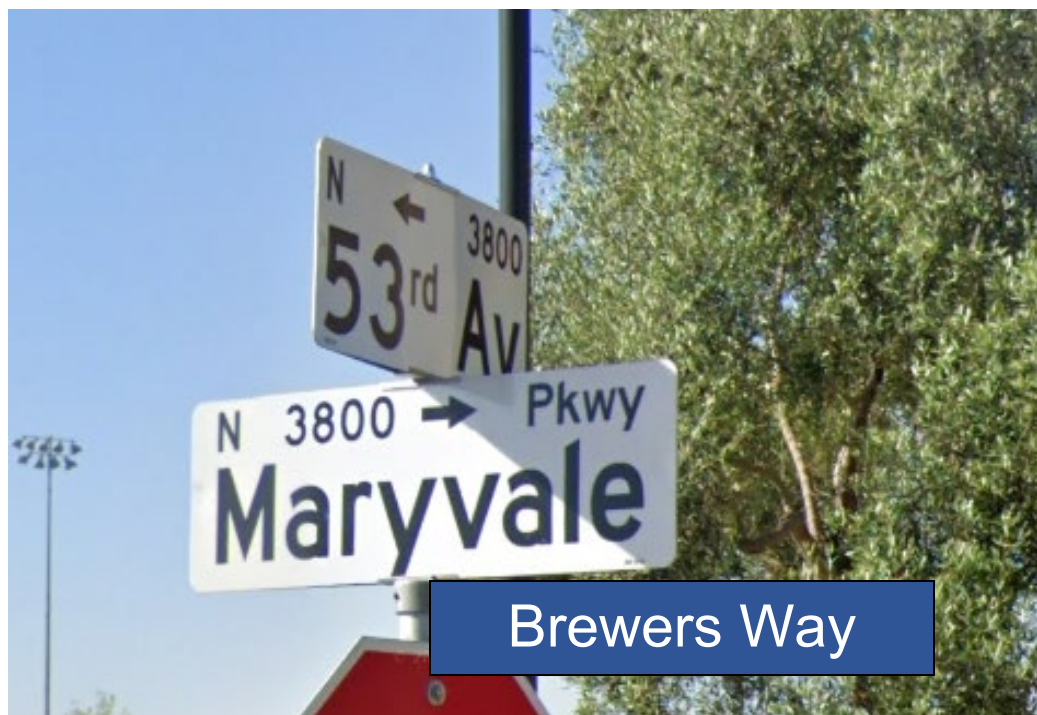
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

**Attachment A**  
**Milwaukee Brewers Baseball Club Ceremonial Signs**

**Ceremonial Street Name Signs** (53<sup>rd</sup> Avenue and Indian School Road)



**Ceremonial Sign Topper** (53rd/Clarendon Avenue and Maryvale Parkway)







## **Painting of Traffic Signal Poles (Ordinance S-48174)**

Request to authorize the City Manager, or his designee, to enter into a contract with Fabiani Painting & Decorating, LLC for the painting of traffic signal poles and components for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not exceed \$4 million.

### **Summary**

The Street Transportation Department has utilized a contracted vendor to paint traffic signal poles, mast arms, controller cabinets and other related equipment within the Phoenix city limits on an as-needed basis for more than 25 years. Phoenix residents report traffic signal poles that need re-painting due to graffiti, paint peeling, storm or vehicular damage, and other unexpected incidents. The contracted vendor supplies the paint, labor, materials, equipment, and transportation necessary to perform the work.

### **Procurement Information**

Invitation for Bid (IFB) 63-2203 was conducted in accordance with Administrative Regulation 3.10. Three offers were received by the Street Transportation Department on Oct. 25, 2021. The offers were evaluated based on price, responsiveness, terms and conditions, and responsibility to provide the required goods and services. The offer from Fabiani Painting & Decorating, LLC was deemed to be fair and reasonable. The Street Transportation Department recommends that the offer from Fabiani Painting & Decorating, LLC be accepted as the lowest priced, responsive, and responsible offer.

Fabiani Painting & Decorating, LLC: \$363,885

Pro Tech Painting LLC: \$415,700

Muscat Painting & Decorating: \$936,647

### **Contract Term**

The five-year term shall begin on Jan. 1, 2022, and end on Dec. 31, 2026. Provisions of the contract include an option to extend the contract up to five additional years, for a total of ten years, which may be exercised by the City Manager or his designee.

**Financial Impact**

The total contract value including all option years will not exceed \$4 million. The estimated annual expense is \$400,000 per year.

Funding is available in the Street Transportation Department's Capital Improvement Program and Operating budgets.

**Responsible Department**

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



**Grand Canal Phase III - Engineering Services - Amendment 1 - ST87600131  
(Ordinance S-48177)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 153853 with J2 Engineering & Environmental Design, LLC to provide additional engineering services for the Grand Canal Phase III 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 additional fee for services included in this amendment will not exceed \$50,000.

**Summary**

The purpose of this project is to install a pathway for pedestrians and bicycle use and incorporate public art, landscaping, and neighborhood access points along the Grand Canal between 47th and 75th avenues.

This amendment is necessary because additional design services are needed for retrofitting pedestrian crossings that are located on top of existing bridge decks or approach slabs for neighborhood connections in the corridor. This amendment will provide additional time and funds to the agreement.

**Contract Term**

The term of the agreement amendment is 200 calendar days from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

**Financial Impact**

- The initial agreement for Engineering Services was approved for an amount not to exceed \$600,000, including all subconsultant and reimbursable costs.
- This amendment will increase the agreement by an additional \$50,000, for a new total amount not to exceed \$650,000, including all subconsultant and reimbursable costs.

Funding for this amendment is available in the Street Transportation Department's Capital Improvement Program 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 agreement limits for all rendered agreement services, which may extend past the agreement termination.

**Concurrence/Previous Council Action**

The City Council approved Engineering Services Agreement 153853 (Ordinance S-47337) on March 3, 2021.

**Location**

Grand Canal between 47th and 75th avenues  
Council Districts: 4 and 5

**Responsible Department**

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





**Pavement Maintenance Job Order Contract Program Support Construction Inspection On-Call Services (Ordinance S-48178)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with the five consultants listed below, to provide Pavement Maintenance Job Order Contract Program Support Construction Inspection On-Call Services for the Street Transportation Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed \$7.5 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

**Summary**

The On-Call consultants will be responsible for providing Pavement Maintenance Job Order Contract Program Support Construction Inspection On-Call services that include, but are not limited to: work under the direction of the Street Transportation Department Construction Inspection Supervisor; perform inspections on a per project basis; monitor and document construction progress; inspect construction operations and materials used by contractor; observe, record, and review performance tests; review and coordinate requests for information, submittals and change orders; and provide other services as required to support successful completion of the work and City's interest.

### **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. Nine firms submitted proposals and are listed below.

#### Selected Firms

Rank 1: Consultant Engineering, Inc.

Rank 2: AECOM Technical Services, Inc.

Rank 3: Wood, Patel & Associates, Inc.

Rank 4: Tristar Engineering and Management, Inc.

Rank 5: Ritoch-Powell & Associates Consulting Engineers, Inc.

#### Additional Proposers

Rank 6: Civil Solutions Engineering & Management, LLC

Rank 7: Quality Testing, LLC

Rank 8: Consor Engineers, LLC

Rank 9: Stercoll Energy Services Limited

### **Contract Term**

The term of each agreement is up to two years, or up to \$1.5 million, 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 total value for each of the On-Call consultants will not exceed \$1.5 million, including all subconsultant and reimbursable costs. The total fee for all services will not exceed \$7.5 million.

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



**Aviation Stormwater Consulting Services - Engineering Services - 6663111072, 6663112072, 6663113072 and 6663111093 (Ordinance S-48187)**

Request to authorize the City Manager, or his designee, to enter into an agreement with CDM Smith, Inc. to provide Engineering Services that include assessment, inspection and support services for the Aviation Stormwater Consulting Services 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 \$2 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

**Summary**

The purpose of this project is to provide Stormwater Pollution Prevention Program (SWPPP) services for the City's Aviation Department in accordance with the 2020 Environmental Protection Agency's (EPA's) Multi-Sector General Permit (MSGP), the current and any future update of the Arizona Department of Environmental Quality's (ADEQ's) MSGP, the City's Municipal Separate Storm Sewer System (MS4) Permit and the City and business partners are subject to Construction General Permit (CGP) and Pesticide General Permit (PGP) requirements. Services may be required at all three City of Phoenix Airports: Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport and Phoenix Goodyear Airport.

CDM Smith's services include, but are not limited to: assist with running a Pollution

Prevention Team (PPT) comprised of more than 100 members including Aviation staff and Aviation's business partners; develop and perform annual updates to the SWPPPs; perform annual and/or educative site compliance inspections of co-permittee and non-permittee facilities; observe and report on at least one de-icing event monthly between Nov. 1 and Feb. 28, annually, or as needed; update existing stormwater databases; assist with review of future or proposed stormwater and de-icing regulations from the EPA and/or the ADEQ and provide written recommendations; update Aviation's SWPPPs as needed to meet MSGP or MS4 or CGP or PGP requirements or to support compliance with other permits; perform annual compliance inspections; prepare and track PPT, Notices of Intent, Notices of Termination, No Exposure Certifications, and letters of termination to reflect PPT changes and updates; provide 24-hour/7-day a week staff trained in Hazardous Waste Operations for assistance for emergency response oversight for spills; conduct drainage surveys and GIS mapping at commercial and/or general aviation airports; conduct public meetings and training to multiple stakeholders; develop project newsletters and training presentations; and other tasks as required.

### **Procurement Information**

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

#### Selected Firm

Rank 1: CDM Smith, Inc.

### **Contract Term**

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

### **Financial Impact**

The agreement value for CDM Smith, Inc. will not exceed \$2 million, including all subconsultant and reimbursable costs.

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

agreement termination.

**Location**

Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.

Deer Valley Airport - 702 W. Deer Valley Road

Goodyear Airport - 1658 S. Litchfield Road

Council Districts - 1, 8 and Out of City

**Responsible Department**

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



**Salt River Project Construction License for Waterline on Dobbins Road, 43rd to 35th Avenues - WS85500428-1 (Ordinance S-48191)**

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for a waterline installation on Dobbins Road from 43rd to 35th avenues. Further request the City Council to authorize a change to indemnification to authorize inclusion in the document pertaining to this transaction of indemnification and assumption of liability provisions that are prohibited by Phoenix City Code 42-18.

**Summary**

The purpose of this license is to allow the City to install a waterline that will include irrigation crossings on Dobbins Road from 43rd to 35th avenues. This work is in conjunction with City Project WS85500428-1.

**Contract Term**

The term of the Construction License is one year, effective when the City begins construction, expected to be late December 2021.

**Financial Impact**

There is no financial impact to the City of Phoenix for this license.

**Location**

Dobbins Road, 43rd to 35th avenues  
Council Districts: 7 and 8

**Responsible Department**

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



**Authorize Amendment to Contract 144231 with RW Staffing Solutions, LLC to Provide Environmental Project Specialist Services (Ordinance S-48201)**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 144231 with RW Staffing Solutions, LLC, to: extend the term through Dec. 31, 2022; provide additional funding; add the Parks and Recreation Department to the agreement; and to provide environmental project specialist services for the Street Transportation and Parks and Recreation departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed \$385,000.

**Summary**

This contract currently provides environmental project specialists (not on an on-call basis) for the Street Transportation Department's natural/cultural resources environmental program.

The Street Transportation Department has been utilizing a consultant to ensure compliance with all Arizona Department of Environmental Quality (ADEQ) permits required under the federal Clean Water Act (CWA). ADEQ requires that these permits be renewed every five years. The contractor, RW Staffing, LLC, will provide development of stormwater pollution prevention plans; consultation under the Endangered Species Act; and National Historic Preservation Act training and inspections. The Parks and Recreation Department also has a need for these services and requested to be added to this contract during the current procurement. Due to staffing shortages, additional time is needed to allow the Street Transportation Department's Procurement team time to complete a new procurement. The additional funding to Contract 144230 will enable the Parks and Recreation Department to engage the vendor for these services, ensuring continued compliance with ADEQ requirements. This service is critical in facilitating the management of the environmental aspects for predesign, design, construction, operations, and/or maintenance projects being conducted by and through Street Transportation and Parks and Recreation departments with the intent of the City achieving full compliance with applicable environmental regulations.

**Procurement Information**

The current contract was procured in accordance with Administrative Regulation 3.10.

**Contract Term**

The contract term will be extended one year, with no additional options, ending on Dec. 31, 2022.

**Financial Impact**

The initial authorization for the Environmental Project Specialists contract was for an expenditure not-to-exceed \$1.7 million. This amendment will increase the authorization for the contract by an additional \$385,000, for a new total not-to-exceed a contract value of \$2,085,000.

Funding for this amendment is available in the Street Transportation and Parks and Recreation Services departments' budgets.

**Concurrence/Previous Council Action**

The City Council approved the Environmental Project Specialists Contract 144231 (Ordinance S-43047) on Nov. 30, 2016.

**Responsible Department**

This item is submitted by Deputy City Managers Mario Paniagua and Inger Erickson and the Street Transportation and Parks and Recreation departments.





**Commercial Building Plan Review Consulting Services - 8560202000 (Ordinance S-48213)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with: Brown & Associates Certified Inspection Service, Inc.; and SAFEbuilt Arizona, Inc., to provide Commercial Building Plan Review Consulting Services for private developer projects for the Planning and Development Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services for each agreement will not exceed \$500,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

**Summary**

The purpose of this contract is to decrease plan review turn-around times. Phoenix continues to see unprecedented levels of growth and development activity is the highest it has been in 10 years. Plan review submittals for commercial development projects have increased 32 percent from last year with a 100 percent increase in commercial projects over 50,000 square feet in area. Additionally, the current labor market has made it difficult to hire positions with critical technical skills like planners and engineers. Due to these circumstances, turn-around times for plan reviews for large commercial projects have slipped from 45 days to 61 days on average. Several other large commercial development projects are anticipated to be submitted for review in the upcoming months.

The Planning and Development Department has on-call plan review contracts with five firms and they are providing all the available resources they can at this time. Additional services have been requested from those firms for several months, but they cannot provide the additional resources needed.

Brown & Associates Certified Inspection Service, Inc.'s and SAFEbuilt Arizona, Inc.'s services include, but are not limited to: performing commercial building plan review services for private development projects for conformance with the Phoenix Building Construction Code, Phoenix Fire Code, and other City adopted codes and ordinances. Categories of plan review include architectural, structural, plumbing, mechanical, electrical, energy and fire. Oversight of the reviews will be done by Planning and Development Department staff to ensure accurate reviews.

### **Procurement Information**

Brown & Associates Certified Inspection Service, Inc. and SAFEbuilt Arizona, Inc. were chosen for this project using a Direct Select process set forth in section 34-103 of the Arizona Revised Statutes. The Direct Select process will reduce the time to procure plan review services as opposed to an advertised selection process, will ensure reduction in turn-around time for reviews, and will provide continuity of services. The Planning and Development Department did widespread outreach to other known firms with this area of expertise, however, only two had available staff that could begin work immediately.

### **Contract Term**

The terms of the agreements are one year from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreements prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreements. No additional changes may be executed after the end of the terms.

### **Financial Impact**

The individual agreement values for Brown & Associates Certified Inspection Service, Inc. and SAFEbuilt Arizona, Inc. will not exceed \$500,000 each, including all subconsultant and reimbursable costs.

Funding is available in the Planning and Development Department's special revenue (Development fund) operating budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreements limits for all rendered agreement services, which may extend past the agreements termination.

**Concurrence/Previous Council Action**

The City Council approved Residential and Commercial Projects Building Plan Review On-Call Services Agreements 151709 - 151713 (Ordinance S-46401) on March 4, 2020.

**Responsible Department**

This item is submitted by Deputy City Managers Ginger Spencer and Mario Paniagua, the Planning and Development Department, and the City Engineer.



## **Support for Formation of Terrace View Trail Irrigation Water Delivery District (Resolution 21981)**

Request to adopt a resolution to support formation of the Terrace View Trail Irrigation Water Delivery District through Maricopa County. The proposed Irrigation Water Delivery District includes the single-family residential properties bounded by Thomas Road to the south, Earll Drive to the north, 19th Avenue to the west, and 15th Avenue to the east. This action has no financial impact to the City of Phoenix.

### **Summary**

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

If approved by the City Council, landowning neighbors seeking an IWDD complete a special taxation impact statement and submit this document to the Maricopa County Board of Supervisors. The Board of Supervisors, along with Salt River Project (SRP), will decide if a petition to organize an IWDD may be circulated. See **Attachment A** for the Consent from SRP to the Board of Supervisors and map of the SRP delivery system.

This request has been reviewed by the Street Transportation and Water Services departments.

### **Financial Impact**

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

### **Public Outreach**

On Sept. 24, 2021, the City received a formal written request from City of Phoenix resident Thomas Davis, representative for the Terrace View Trail neighborhood, to pursue City Council approval to form an IWDD with Maricopa County (**Attachment B**).

**Location**

The proposed IWDD includes the single-family residential properties bounded by Thomas Road to the south, Earll Drive to the north, 19th Avenue to the west, and 15th Avenue to the east.

Council District: 4

**Responsible Department**

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

EXHIBIT "C".

BEFORE THE BOARD OF SUPERVISORS OF MARICOPA COUNTY

In the Matter of the Application and )	<b>CONSENT OF SALT RIVER PROJECT</b>
Petition for the Formation of an Irrigation )	<b>AGRICULTURAL IMPROVEMENT</b>
Water Delivery District to be known as: )	<b>AND POWER DISTRICT AND SALT</b>
<b>Terrace View Trail</b> Irrigation Water )	<b>RIVER VALLEY WATER USERS'</b>
Delivery District of Maricopa County )	<b>ASSOCIATION, COLLECTIVELY</b>
	<b>REFERRED TO AS SRP.</b>

**TO: THE BOARD OF SUPERVISORS OF MARICOPA COUNTY,  
STATE OF ARIZONA**

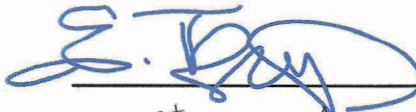
Erica Trapp, being first duly sworn upon her oath, deposes and says:

That she is the Director of Water Delivery Services of the SRP.

That the lands to be included within the **Terrace View Trail** Irrigation Water Delivery District are within the Salt River Project Agricultural Improvement and Power District and the Salt River Valley Water Users' Association.

That the Board of Directors of the Salt River Project Agricultural Improvement and Power District and the Board of Governors of the Salt River Valley Water Users' Association consent to the formation of said Irrigation Water Delivery District and said action was duly authorized by resolutions dated March 5, 2001.

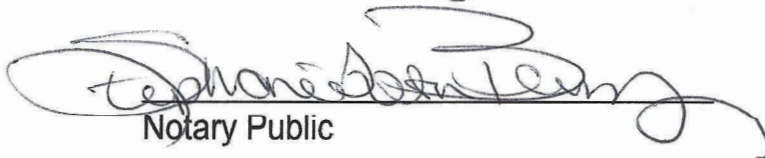
That she has read this Consent and knows the content thereof and that the matters and things contained herein are true and correct to the best of her own knowledge, information, and belief.



SUBSCRIBED AND SWORN TO before me this 21<sup>st</sup> day of August, 2021

My commission expires:

March 2, 2022

  
Notary Public



## Attachment B

To: City of Phoenix  
CC: Salt River Project  
Friday, September 24, 2021

From: Thomas Davis  
RE: Request for Formation of Irrigation Water Delivery District

Dear City of Phoenix,

We as a neighborhood **Terrace View Trail**, are requesting consent to form an Irrigation Water Delivery District (IWDD) from the **City of Phoenix**. The purpose of an IWDD is to create an equitable distribution of costs associated with the use and maintenance of the private neighborhood irrigation system. This is accomplished using an annual Maricopa County property assessment. We are asking the **City of Phoenix** to pass this request of resolution, authorizing the formation of **Terrace View Trail IWDD**.

Enclosed you will find Salt River Project's approval along with maps of the proposed district, legal description, and the homeowner list. I will be the representative for the proposed IWDD. Once we receive approval from the **City of Phoenix**, an Impact Statement to form will be sent to the Maricopa County Board of Supervisors to move the process forward. We appreciate your attention to this request. For questions please contact me at the number below.

Sincerely,

Thomas Davis



## **EXHIBIT A**

### **LEGAL DESCRIPTION**

Lots 1 through 24, and Lots 26 through 28 of TERRACE VIEW, a Subdivision of the Southwest Quarter of the Southwest Quarter, of Section 30, Township 2 North, Range 3 East, of the Gila and Salt River Base and Meridian according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, Recorded in Book 46 of Maps, Page 37.

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Count	Parcel No	Tax Year	Owner Name	Mailing Address	City State Zip	Situs Address	Situs City Zip	Land FCV	Improvement FCV	Total FCV	Total Assessed FCV	Total Net FCV	Total LPV	Total Assessed Value (LPV)	Net Value (LPV)	Total Acreage	Average Lot Size
1	110-33-092	2021	CLEMENTS REBECCA/STEPHEN				PHOENIX 85015	\$61,100	\$244,500	\$305,600	\$15,280	\$15,280	\$157,105	\$7,855	\$7,855	0.273	
2	110-33-101	2021	DAVIS FAMILY TRUST				PHOENIX 85015	\$60,100	\$240,400	\$300,500	\$15,025	\$15,025	\$141,779	\$7,089	\$7,089	0.276	
3	110-33-099	2021	DEL CASTILLO CLARISA				PHOENIX 85015	\$53,500	\$214,100	\$267,600	\$26,760	\$26,760	\$125,373	\$12,537	\$12,537	0.171	
4	110-33-096	2021	DICKERSON JOSHUA/AMBER				PHOENIX 85015	\$54,400	\$217,700	\$272,100	\$27,210	\$27,210	\$119,955	\$11,996	\$11,996	0.192	
5	110-33-086	2021	DIEKER PAUIA G				PHOENIX 85015	\$54,600	\$218,400	\$273,000	\$13,650	\$13,650	\$130,016	\$6,501	\$6,501	0.176	
6	110-33-081	2021	DINGES MARVIN A TR				PHOENIX 85015	\$16,800	\$67,200	\$84,000	\$4,200	\$4,200	\$84,000	\$4,200	\$4,200	0.231	
7	110-33-100	2021	EDWARDS FREDDA LYNN				PHOENIX 85015	\$63,400	\$253,600	\$317,000	\$15,850	\$11,733	\$161,748	\$8,087	\$3,970	0.271	
8	110-33-088	2021	FIRST SAVINGS BANK CUSTODIAN FOR LARRY CONFER				PHOENIX 85015	\$55,500	\$222,000	\$277,500	\$13,875	\$13,875	\$129,397	\$6,470	\$6,470	0.189	
9	110-33-084	2021	FKH SFR PROPCO B-HLD LP				PHOENIX 85015	\$55,100	\$220,600	\$275,700	\$13,785	\$13,785	\$130,327	\$6,516	\$6,516	0.185	
10	110-33-087	2021	GURU SANGEET KHALSA LIVING TRUST				PHOENIX 85015	\$52,700	\$210,900	\$263,600	\$26,360	\$26,360	\$120,884	\$12,088	\$12,088	0.186	
11	110-33-090	2021	HODGES CHARLES W				PHOENIX 85015	\$54,800	\$219,300	\$274,100	\$27,410	\$27,410	\$118,717	\$11,872	\$11,872	0.180	
12	110-33-108	2021	HOLMAN ERIN/NATHAN				PHOENIX 85015	\$61,900	\$247,600	\$309,500	\$30,950	\$30,950	\$147,198	\$14,720	\$14,720	0.273	
13	110-33-093	2021	LOPEZ BARBARA Q				PHOENIX 85015	\$60,900	\$243,600	\$304,500	\$15,225	\$15,225	\$169,822	\$8,491	\$8,491	0.280	
14	110-33-082	2021	MELENDREZ SAMUEL A/MARTHA N				PHOENIX 85015	\$51,700	\$206,800	\$258,500	\$25,850	\$25,850	\$113,918	\$11,392	\$11,392	0.186	
15	110-33-098	2021	MELVIN T JERNIGAN/FAMILY LIVING TRUST				PHOENIX 85015	\$57,600	\$230,400	\$288,000	\$14,400	\$14,400	\$137,292	\$6,865	\$6,865	0.183	
16	110-33-107	2021	MORRIS TRACI LYNN/CARLSTEN RONALD W JR				PHOENIX 85015	\$57,200	\$228,800	\$286,000	\$28,600	\$28,600	\$140,077	\$14,008	\$14,008	0.169	
17	110-33-091	2021	PETER AND BRIDGET LARKIN LIVING TRUST				PHOENIX 85015	\$54,900	\$219,700	\$274,600	\$13,730	\$13,730	\$133,267	\$6,663	\$6,663	0.164	
18	110-33-104	2021	PRESLER ALEXANDRA				PHOENIX 85015	\$53,100	\$212,700	\$265,800	\$26,580	\$26,580	\$122,589	\$12,259	\$12,259	0.187	
19	110-33-083	2021	PUDLO ELYN S				PHOENIX 85015	\$53,500	\$214,100	\$267,600	\$13,380	\$9,263	\$119,646	\$5,982	\$1,865	0.187	
20	110-33-089	2021	RAYAS GABRIELA				PHOENIX 85015	\$56,500	\$226,200	\$282,700	\$14,135	\$14,135	\$125,064	\$6,253	\$6,253	0.188	
21	110-33-097	2021	ROMO JAIRO M RAMIREZ/BALLESTEROS ALEJANDRO				PHOENIX 85015	\$63,100	\$252,700	\$315,800	\$31,580	\$31,580	\$217,090	\$21,709	\$21,709	0.188	
22	110-33-102	2021	SPARKS JAMES M/MELISSA A				PHOENIX 85015	\$51,000	\$204,000	\$255,000	\$25,500	\$25,500	\$112,217	\$11,222	\$11,222	0.169	
23	110-33-106	2021	TEMPLETON JAY S				PHOENIX 85015	\$66,800	\$267,400	\$334,200	\$33,420	\$33,420	\$169,176	\$16,918	\$16,918	0.186	
24	110-33-094	2021	VAIL BRANDON LEE				PHOENIX 85015	\$51,800	\$207,200	\$259,000	\$12,950	\$12,950	\$119,646	\$5,982	\$5,982	0.172	
25	110-33-103	2021	VAIL THOMAS B/PAULA S				PHOENIX 85015	\$61,900	\$247,700	\$309,600	\$15,480	\$15,480	\$152,924	\$7,646	\$7,646	0.186	
26	110-33-095	2021	VELASQUEZ SANDRA				PHOENIX 85015	\$51,100	\$204,400	\$255,500	\$12,775	\$12,775	\$113,918	\$5,696	\$5,696	0.184	
27	110-33-085	2021	WEDEMEYER PAMELA S/JOHN A				PHOENIX 85015	\$56,900	\$227,900	\$284,800	\$28,480	\$28,480	\$132,803	\$13,280	\$13,280	0.274	
								\$1,491,900	\$5,969,900	\$7,461,800	\$542,440	\$534,206	\$3,645,948	\$264,297	\$256,063	5.506	0.204



## **OnBase Document Management System Upgrade Agreement - Amendment (Ordinance S-48172)**

Request to authorize the City Manager, or his designee, to execute an amendment to previous Council authorization, provided by Ordinance S-47785 with Databank IMX, Inc., for OnBase document management software upgrade and database migration services to provide additional funding and time to the contract. Further request a waiver of Phoenix City Code section 42-18 to allow a limitation of liability provision. Additionally request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this agreement will not exceed \$500,000.

### **Summary**

This contract provides the Water Services Department (WSD) with OnBase software upgrade and data migration services away from the current system, LibertyNet. The software is necessary to maintain department records as well as to track documents for disposal in compliance with records retention schedules for the State, Maricopa County, City and department. Databank IMX, Inc.'s services include, but are not limited to records management software configuration; personal services for data migration; training; and annual maintenance.

The purpose of this amendment is to add an option to extend for five years, due to the importance of this software in maintaining WSD's document management services. The previous software was in place for 20 years. WSD has determined that adding an option to extend will be in the City's best interest based on market research, historical usage, and the criticality of the software to support operations. Additionally, WSD requests an exception to Phoenix City Code section 42-18 to allow a limitation of liability provision that would limit Databank's liability to \$1 million over the life of the contract, and to the amount of fees expended in the previous twelve months for any individual claim.

### **Contract Term**

The initial contract was to begin on or about Aug. 1, 2021 for a five-year term. This amendment will change the agreement to begin on or about Dec. 15, 2021 for a five-year term, with one five-year option to extend.

**Financial Impact**

The initial authorization for OnBase document management software upgrade and database migration services was for an expenditure not to exceed \$500,000. This amendment will increase the authorization for the contract by an additional \$500,000, for a new total not-to-exceed contract value of \$1,000,000.

Funding is available in the Water Services Department's Operating and Capital Improvement Program budgets.

**Concurrence/Previous Council Action**

The City Council approved OnBase Document Management System Upgrade Agreement Ordinance S-47785 on July 1, 2021.

**Responsible Department**

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



**Oracle Software License and Maintenance Services in Support of Water Services Department Critical Business Applications (Ordinance S-48180)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Oracle America, Inc. under Oracle Master Agreement 142562-AR-001, to obtain additional software licenses, maintenance, and support services for the Water Services Department's existing Oracle platform. 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 \$314,417 (including tax).

**Summary**

The purpose of this agreement is to obtain additional licenses and support for the Water Services Department (WSD) Technology Services Division's existing Oracle platform. The purchase will provide Oracle products related to Customer Care & Billing (CC&B), Mobile Workforce Management - Dispatcher (MWM), and Oracle Utilities Customer Self Service Base (OUCSS) true-up to bring the department into compliance with licensing requirements and provide growth capacity for the next five years.

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

**Contract Term**

The period of performance for these services will be in accordance with the Master Agreement term, which expires on April 21, 2026.

**Financial Impact**

The agreement value for Oracle America, Inc. will not exceed \$314,417 (including tax).

Funding is available in the Water Services Department's Operating budget.

**Concurrence/Previous Council Action**

The City Council approved Oracle Master Agreement 142562-AR001 (Ordinance S-47326) on Feb. 17, 2021.

**Responsible Department**

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



## **Spoils Hauling Services Agreement - Request for Award (Ordinance S-48186)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Vanco Trucking, LLC to provide spoils hauling services for the purpose of keeping the distribution yards free of construction spoils. Further request to authorize the City Controller to disburse all funds related to this item. The agreement will not exceed \$1,173,565.

### **Summary**

The purpose of this agreement is to provide spoils hauling services for the Water Services Department's Water Distribution Division.

Vanco Trucking, LLC's services include, but are not limited to: removing and disposing of construction spoils from several distribution yards for transport to the landfill; cleaning the work area; and development of a hauling schedule for the distribution yards.

### **Procurement Information**

The recommendation was made using an Invitation for Bids procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Two vendors submitted bids and are listed below. All bids were found to be responsive and responsible.

#### Selected Bidder:

Vanco Trucking, LLC: \$234,713.00

#### Other Bidder:

Bio Janitorial Service: \$681,183.18

### **Contract Term**

The agreement will begin on or about Feb. 1, 2022, for a five-year aggregate term with no options to extend.



**Financial Impact**

The agreement value for Vanco Trucking, LLC will not exceed \$1,173,565.

Funding is available in the Water Services Department Operating budget.

**Responsible Department**

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



Report

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Agenda Date: 12/15/2021, Item No. 84

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**Modification of Stipulation Request for Ratification of Nov. 17, 2021 Planning Hearing Officer Action - PHO-6-21--Z-100-89-1(2) - Approximately 410 Feet West of the Southwest Corner of Tatum Boulevard and Bell Road**

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 Nov. 17, 2021. This ratification requires formal action only.

**Summary**

Application: PHO-6-21--Z-100-89-1(2)

Existing Zoning: PSC

Acreage: 0.60

Owner: Tatum Venture LLC

Applicant/Representative: Ed Bull, Burch & Cracchiolo PA

**Proposal:**

1. Modification of Stipulation 2 regarding substantial conformance to the site plan dated December 9, 2012 and elevations presented, and that the development be limited to no more than four freestanding pads.

**Concurrence/Previous Council Action**

Village Planning Committee (VPC) Recommendation: The Paradise Valley Village Planning Committee opted not to hear this request.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Nov. 17, 2021, and recommended approval with a modification. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

**Location**

Approximately 410 feet west of the southwest corner of Tatum Boulevard and Bell Road

Council District: 2

Parcel Address: N/A

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**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

## **Attachment A- Stipulations- PHO-6-21--Z-100-89-1(2)**

**Location:** Approximately 410 feet west of the southwest corner of Tatum Boulevard and Bell Road

### **Stipulations:**

1. ~~That~~ The site plan SHALL be subject to Planning and Development Department review as per Section 507 of the Zoning Ordinance.
2. ~~That~~ THE development, ON ALL BUT THE 0.60 ACRES DEPICTED ON THE AUTOZONE SITE PLAN DATE STAMPED SEPTEMBER 14, 2021, SHALL be in substantial conformance to the site plan dated December 9, 2012, and elevations presented, and ~~that~~ THE development SHALL be limited to no more than four freestanding pads, as shown on the site plan, as ~~may be~~ modified by the following stipulations AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
  - a. ~~That~~ Building 3 SHALL be modified (to Buildings 3A and 3B) as shown on the site plan dated November 29, 1993.
  - b. ~~That~~ There SHALL be no drive-thru lanes permitted for Buildings 3A or 3B.
  - c. ~~That~~ BuildingS 3A, 3B and 4 shall be tied together with plazas as generally depicted on the site plan dated November 29, 1993.
  - d. ~~That~~ Building 3A and 3B be architecturally integrated and constructed in a single phase.
  - E. THE DEVELOPMENT OF THE 0.60 ACRE AUTOZONE PROPERTY SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN AND ELEVATIONS DATE STAMPED SEPTEMBER 14, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. ~~That~~ A 40-foot landscaped setback SHALL be provided along Bell Road. Landscaping shall include mature 2-1/2 inch caliper shade trees to be planted 20 feet on center or in equivalent groupings as approved by the Planning and Development Department.
4. ~~That~~ Building heights SHALL be limited to 30 feet except for architectural embellishments which shall not exceed 40 feet in height.
5. ~~That~~ Any commercial center signage SHALL be identified and approved through the use permit procedure for a Comprehensive Sign Package, with the PSC zoning district being applicable.

6. ~~That~~ All structures SHALL be integrated with similar or harmonious materials, surface textures, and color as approved by the Planning and Development Department.
7. ~~That~~ The wall treatment, including texture, coloration, and building materials shall be consistent around each entire structure exclusive of architecturally embellished parapets.
8. ~~That~~ No truck unloading shall occur within 50 feet of the adjacent R1-10 zoned properties.
9. The developer will be responsible for 100 percent of the cost of a traffic signal on Bell Road at the main driveway, when warranted, as determined by the Street Transportation Department.
10. The following right-of-way is to be provided within 30 days of final City Council approval for the improvements to be installed with the Bell Road Major Street Project (P-874289):
  - a. The developer is to dedicate right-of-way for both Bell Road and Tatum Boulevard as per Street Improvement Project P-874289.
  - b. Paving plans for P-874289 show a bus bay on Tatum Boulevard, just south of Bell Road. The bus bay is to be extended to provide a continuous 10-foot-wide right-turn lane to the main driveway on Tatum Boulevard. Right-of-way for the bus bay/right-turn lane is to be dedicated by the developer.
  - c. The developer shall dedicate right-of-way for a 100-foot-long 10-foot-wide right-turn lane with a 120-foot transition on Bell Road at the future signalized driveway. The 40-foot landscaped setback described in Stipulation No. 3 above shall be measured from the existing Bell Road right-of-way and shall include all necessary dedications required by Planning and Development Department or other applicable City departments.
  - d. The developer is to dedicate right-of-way for a bus bay (Detail P-1257) on Bell Road just east of the future signalized driveway. The 40-foot landscaped setback described in Stipulation No. 3 above shall be measured from the existing Bell Road right-of-way and shall include all necessary dedications required by Planning and Development Department or other applicable City departments.
11. The developer is to provide funds in escrow prior to final Planning and Development Department site plan approval for all adjacent curb, gutter and sidewalk improvements, including bus bay modifications and right turn lanes as indicated above.

12. ~~That~~ Shade protected walkways connecting transit facilities, detached pads, and the principal structure, and shade trees adjacent to transit waiting areas SHALL be provided as approved by the Planning and Development Department.
13. The 20-foot landscaped buffer within the 50-foot rear and side yard setbacks shall be planted with mature shade trees 12 to 14 feet in height and 20 feet on center or in equivalent groupings. The details of the landscaping plan shall be approved through Planning and Development Department with the direct involvement of the property owners abutting the site along the south and west property lines.
14. The dumpster for the grocery store shall be an enclosed compactor system with a misting component to prevent odors and pests.
15. Speed bumps shall be placed along all driveways located at the rear of the buildings.
16. All rear yard security lighting shall be placed in the landscaped buffer and shall be directed away from any residential area.
17. Developer shall apply for a variance to permit an eight-foot decorative block or stucco wall to be placed along the west and south property lines. Developer shall construct the decorative boundary wall prior to commencement of construction and shall be responsible for the removal and disposal of existing fencing separating the site from the properties of adjacent property owners.
18. Truck deliveries to the shopping center shall be prohibited between the hours of 11:00 p.m. and 6:00 a.m.
19. No trash compactors servicing the shopping center shall be operated between the hours of 11:00 p.m. and 6:00 a.m.
20. The shopping center shall be regularly monitored by a security patrol engaged by the developer or the shopping center tenants.
21. All entrances to the shopping center shall be paved with red bomanite.
22. All pads shall be landscaped simultaneously with the landscaping of the shopping center.
23. All HVAC units installed in the shopping center shall have vertical exhaust features.
24. Deterrent type plant material shall be placed on the side of the decorative block fence which faces the shopping center for security purposes.
25. ~~That~~ A three-foot berm or wall SHALL be provided along Bell Road.

26. ~~That~~ Development SHALL commence within 24 months of final City Council approval in accordance with Section 506 of the Zoning Ordinance.

DRAFT



**Modification of Stipulation Request for Ratification of Nov. 17, 2021 Planning Hearing Officer Action - PHO-4-21--Z-13-88-8 - Approximately 160 Feet West of the Northwest Corner of 17th Street and Portland Street**

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 Nov. 17, 2021. This ratification requires formal action only.

**Summary**

Application: PHO-4-21--Z-13-88-8

Existing Zoning: C-2 SP

Acreage: 1.66

Owner: New Hope in Christ Church

Applicant: Alagram Capital LLC

Representative: Brian Cassidy

**Proposal:**

1. Modification of Stipulation 1 regarding general conformance to the site plan date stamped Aug. 1, 2014.
2. Deletion of Stipulation 1.a regarding a common architectural theme and landscaped pedestrian walkways.
3. Deletion of Stipulation 2 regarding a maximum of 150,000 square feet.
4. Deletion of Stipulation 3 regarding a maximum of three stories.
5. Modification of Stipulation 4 regarding dedication of right-of-way.
6. Deletion of Stipulation 4.a regarding additional right-of-way along 16th Street.
7. Deletion of Stipulation 4.b regarding additional right-of-way abutting local streets.
8. Deletion of Stipulation 6 regarding an alternative development concept.

**Concurrence/Previous Council Action**

Village Planning Committee (VPC) Recommendation: The Central City Village Planning Committee heard this case on Nov. 8, 2021 and recommended approval, by a 12-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this

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case on Nov. 17, 2021, and recommended approval with a modification and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

**Location**

Approximately 160 feet west of the northwest corner of 17th Street and Portland Street  
Council District: 8  
Parcel Address: N/A

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

## Attachment A- Stipulations- PHO-4-21--Z-13-88-8

**Location:** Approximately 160 feet west of the northwest corner of 17th Street and Portland Street

### Stipulations:

1. ~~That~~ THE development SHALL be in general conformance WITH to the site plan date stamped OCTOBER 13, 2021 ~~August 1, 2014 as may be modified by the Planning and Development Department and by the following stipulations AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.~~

- a. ~~The entire site shall be designed with a common architectural theme and integrated with landscape pedestrian walkways.~~

2. ~~That development not exceed 150,000 square feet.~~

ALL ELEVATIONS OF THE BUILDING SHALL CONTAIN ARCHITECTURAL EMBELLISHMENTS AND DETAILING SUCH AS TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, VARIATION IN WINDOW SIZE AND LOCATION, AND/OR OTHER OVERHANG CANOPIES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

3. ~~That development be limited to three stories.~~

THE DEVELOPER SHALL PROVIDE SECURED BICYCLE PARKING AS REQUIRED IN CHAPTER 13, SECTION 1307.H FOR MULTI-FAMILY DEVELOPMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

4. ~~That~~ Sufficient right-of-way SHALL be dedicated at the time of the Planning and Development Department site plan review ~~to provide.~~

- a. ~~Additional right-of-way as may be required by the Planning and Development Department along 16th Street for right turn lanes, bus bays, etc.~~

- b. ~~Additional right-of-way as may be required by the Planning and Development Department of abutting local streets.~~

5. The property shall be maintained in a neat and orderly manner free of weeds, litter, and excessive dust prior to construction.

6. ~~The original stipulations of approval may be retained as an alternative development concept for a period not to exceed 60 days following final City Council approval upon notification from the property owner that the current proposal is no longer valid.~~

6. That Perimeter fencing shall be administratively reviewed by the Planning
7. Hearing Officer to ensure compatibility with the adjacent properties.
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.
10. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.



**Final Plat - Sterling Vista - PLAT 210060 - Northeast Corner of 31st Avenue and Pinnacle Vista Drive**

Plat: 210060  
Project: 20-2345  
Name of Plat: Sterling Vista  
Owner: Funk Family Enterprises, LLC  
Engineer: Michael D. Pollock, RLS  
Request: A 57 Lot Residential Plat  
Reviewed by Staff: Nov. 18, 2021  
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 31st Avenue and Pinnacle Vista Drive.  
Council District: 1

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



Report

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Agenda Date: 12/15/2021, Item No. 87

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**Final Plat - Encanto Row - PLAT 210088 - Southwest Corner of 19th Avenue and Thomas Road**

Plat: 210088  
Project: 18-1642  
Name of Plat: Encanto Row  
Owner: Cryptomonde, LLC  
Engineer: Dennis F. Keogh, RLS  
Request: A 6 Lot Residential Plat  
Reviewed by Staff: Nov. 16, 2021  
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 southwest corner of 19th Avenue and Thomas Road.  
Council District: 7

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



**Final Plat - Harmony at the Park Two - PLAT 210067 - South of Villa Avenue and West of 20th Street**

Plat: 210067  
Project: 20-907  
Name of Plat: Harmony at the Park Two  
Owner: City of Phoenix Housing Department  
Engineer: Richard A. Stockman, RLS  
Request: A 1 Lot Commercial Plat  
Reviewed by Staff: Nov. 19, 2021  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located south of Villa Avenue and west of 20th Street.  
Council District: 8

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



**Amend City Code - Ordinance Adoption - Rezoning Application PHO-2-21--Z-47-19-7 - Approximately 650 Feet North of the Intersection of 59th Avenue and South Mountain Avenue (Ordinance G-6930)**

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Nov. 17, 2021.

**Summary**

Application: PHO-2-21--Z-47-19-7

Existing Zoning: C-2 HGT/WVR

Acreage: 10.74

Owner: Laveen Baseline LLC

Applicant: Michael Trueman

Representative: Tanya Aksamentova

**Proposal:**

1. Modification of Stipulation 1 regarding general conformance to the Conceptual Master Site Plan date stamped October 23, 2019.
2. Review of site plan, landscape plan, and elevations by the Planning Hearing Officer per Stipulation 33.
3. Modification of Stipulation 34 regarding a minimum 10 percent common area open space.

**Concurrence/Previous Council Action**

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Nov. 8, 2021 and recommended approval by a vote of 11-0.

PHO Action: The Planning Hearing Officer heard this case on Nov. 17, 2021 and recommended approval with additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

**Location**

Approximately 650 feet north of the intersection of 59th Avenue and South Mountain Avenue

Council District: 7

Parcel Address: N/A

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO  
REZONING APPLICATION Z-47-19-7 PREVIOUSLY APPROVED BY  
ORDINANCE G-6659.

\_\_\_\_\_

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

SECTION 1. The zoning stipulations applicable located approximately  
650 feet north of the intersection of 59th Avenue and South Mountain Avenue in a  
portion of Section 6, Township 1 South, Range 2 East, as described more specifically  
in Attachment "A", are hereby modified to read as set forth below.

#### STIPULATIONS:

##### Overall Site

1. The development shall be in General Conformance to the Conceptual Master Site Plan date stamped ~~October 23, 2019~~ SEPTEMBER 2, 2021, with specific regard to the site locations, as approved by the Planning and Development Department.
2. All parking areas adjacent to public streets, excluding the freeway, shall be screened by a combination of decorative screen walls and a minimum 3-foot high landscaped mound/berm along the perimeter streets, as approved by the Planning and Development Department.
3. All sidewalks adjacent to public streets shall be detached with a minimum 5-foot wide continuous landscape area located between the sidewalk and back of curb; and shall include minimum 3-inch caliper, large canopy single-trunk shade trees (limbed-up a minimum of 10-feet clear from finish grade), planted 25 feet on center or in equivalent groupings; and minimum 5-gallon shrubs with a maximum

mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department. If there is limited right-of-way along the Baseline Road frontage requiring a modified cross section, an attached sidewalk design may be considered, as approved by the Planning and Development Department.

4. The developer shall provide clearly defined, accessible pathways at vehicular crossings, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces for internal drive aisles and accessways, as approved by the Planning and Development Department.
5. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development for review and approval by the Street Transportation Department (except for the Site A, Harkins) prior to the submittal of preliminary site plans. Additional right-of-way and street improvements may be required following TIS review. Phasing of off-site improvements must be consistent with the TIS recommendations. Phased street improvements will require the installation of pavement transition tapers, as approved by the Street Transportation Department.
6. The developer shall construct all streets within and adjacent to the development required for each phase with paving, curb, gutter, minimum 5-foot wide sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
7. Open irrigation facilities are to be piped outside of right-of-way and shown on the preliminary site plan, as approved by the Planning and Development Department.
8. All multi-use trails and shared use paths shall be shaded a minimum of 50 percent with 2-inch minimum caliper, large canopy shade trees, located 5 to 8 feet from the edge of the trail, as approved by the Planning and Development Department.
9. The right-of-way shall be dedicated, if required, and a bus pad (detail P1260 or P1262) constructed at the following locations, unless otherwise modified by the Planning and Development Department and Public Transit Department:
  - a. Eastbound Baseline Road east of 63rd Avenue. Pad shall be spaced from the intersection of 63rd Avenue and Baseline Road according to City of Phoenix Standard Detail P1258.
  - b. Three bus stop pads shall be located along southbound 59th Avenue.
10. 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.
11. 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.

12. 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.
13. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

#### **Site A**

14. The development shall be in general conformance with the site plan and elevations date stamped October 23, 2019, as modified by the following stipulations and approved by the Planning and Development Department.
15. The maximum building height shall be limited to 56 feet.
16. There shall be a 150-foot stepback provided from 59th Avenue to buildings over 30 feet in height.
17. A minimum of one clearly defined pedestrian connection shall be provided from Site A to connect with the trail along the Laveen Area Conveyance Channel with one pedestrian scale amenity (benches, tables, etc.) provided within close proximity of the trail, as approved by the Planning and Development Department.
18. A minimum of two pedestrian pathways that are a minimum 6 feet wide shall be provided from the west side of Site B through Site A to the proposed buildings. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element, as approved by the Planning and Development Department.
19. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
20. The developer shall construct the west half street of 59th Avenue, as consistent with the Street Classification Map, including the landscaped median between the Laveen Area Conveyance Channel and the Southern boundary of Site A, as approved by the Planning and Development Department. Asphalt pavement

transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.

21. The developer shall construct a 10-foot-wide Shared Use Path (SUP) along the west side of 59th Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
22. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

### **Site B (Retail/Restaurant)**

23. The maximum building height shall be limited to 30 feet within 150 feet of 59th Avenue and 45 feet for the remainder of Site B.
24. There shall be a 150-foot stepback provided from 59th Avenue for building over 30 feet in height.
25. The site plan, landscape plan showing pedestrian circulation and elevations, shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
  - a. Promoting the overall pedestrian circulation within the commercial corner through wide sidewalks, detached sidewalks and overall connectivity including:
    - (i) A minimum of two pedestrian pathways that are a minimum of 6 feet wide shall be provided from 59th Avenue through the site to connect to buildings and the pedestrian pathways at Site A. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element.
    - (ii) A minimum of two clearly defined pedestrian connections shall be provided to connect with the trail along the Laveen Area Conveyance Channel with two pedestrian scale amenities (open space, benches, tables, etc.) provided within close proximity of the trail.
  - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.

- c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
  - d. Accent building materials such as: native stone, burnt adobe, textured brick, wood (when shaded by overhangs or deep recesses), slump block, ceramic tile (matte finish), stucco and/or exposed aggregate concrete shall be used on buildings or otherwise demonstrate that the architectural style is consistent with prior phases of the project and development in the area.
- ~~25.~~ 26. Drive-through restaurant pick-up windows shall be architecturally integrated in proportion, color, material and texture to the building it serves by providing awnings or architecturally integrated structures for weather protection, as approved by the Planning and Development Department.
- ~~26.~~ 27. Drive-through restaurant facilities shall provide a minimum of 250 square feet of outdoor seating areas, as approved by the Planning and Development Department.
- ~~27.~~ 28. A minimum of 25 percent of the surface parking areas shall be shaded by 2-inch minimum caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- ~~28.~~ 29. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- ~~29.~~ 30. A minimum of 30 percent of the linear frontage of the buildings, that has main public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- ~~30.~~ 31. The developer shall construct the west half street of 59th Avenue, as consistent with the Street Classification Map, including landscaped median between the Laveen Area Conveyance Channel and the southern boundary of Site B, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- ~~31.~~ 32. The developer shall construct a 10-foot Shared Use Path (SUP) on 59th Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel.
- ~~32.~~ 33. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

### **Site C (Multifamily)**

- ~~33.~~ 34. The site plan, landscape plan showing pedestrian circulation, and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN AND LANDSCAPE PLAN DATE STAMPED OCTOBER 26, 2021, AND ELEVATIONS DATE STAMPED SEPTEMBER 2, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- ~~a.~~ a. Promoting pedestrian connections with the adjacent commercial development through sidewalks, detached sidewalks and overall connectivity including:
  - ~~b.~~ b. A minimum of three evenly dispersed pedestrian connection points to the commercial development to the north. This pedestrian connection shall be clearly defined and minimize vehicular conflicts.
  - ~~c.~~ c. Arcades and overhangs shall be incorporated into the buildings to promote shade.
  - ~~d.~~ d. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet, as approved by the Planning and Development Department.
  - ~~e.~~ e. Ensuring architectural style is consistent with prior phases of the project and development in the area.
35. THE DEVELOPER SHALL PROVIDE SECURED BICYCLE PARKING AS REQUIRED IN CHAPTER 13, SECTION 1307.H FOR MULTI-FAMILY DEVELOPMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- ~~34.~~ 36. There shall be a minimum of 10 percent common area open space provided onsite, as approved by the Planning and Development Department.
- ~~35.~~ 37. A minimum of 25 percent of the surface parking areas shall be shaded by a minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- ~~36.~~ 38. The developer shall construct the west half street of 59th Avenue, as consistent with the Street Classification Map, including the landscaped median for the full



extent of Site C, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.

- 39. The developer shall construct a 10-foot wide Shared Use Path (SUP) on 59th Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel.
- 40. The developer shall provide conduit plan and junction boxes at 59th Avenue and South Mountain Avenue on project site for future traffic signal equipment and all work related to the construction or reconstruction of the conduit runs and junction box installation shall be the responsibility of the Developer, as approved by the Planning and Development Department.

**Site D (Commerce Park/General Commerce Park North of the LACC)**

- 41. The site plan, landscape plan showing pedestrian circulation and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
  - a. Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
    - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.
    - (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.
  - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
  - c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
  - d. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 42. There shall be a minimum of one exterior employee balcony provided on each four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.

- ~~41.~~ 43. The glazing on all building windows shall have a maximum reflectivity of 20 percent, as approved by the Planning and Development Department.
- ~~42.~~ 44. A minimum of 25 percent of the surface parking areas shall be shaded by minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- ~~43.~~ 45. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- ~~44.~~ 46. A minimum of 30 percent of building linear frontage, that has main public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- ~~45.~~ 47. The developer shall protect in place the shared-use path and 20-foot wide public trail/sidewalk easement along the north side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- ~~46.~~ 48. The developer shall dedicate a 30-foot-wide public trail/sidewalk easement along the west side of the 202 Loop or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10-foot-wide shared-use path (SUP) within the easement as indicated in section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
- ~~47.~~ 49. A minimum 10-foot public multi-use trail shall be constructed within a 30-foot easement in accordance with MAG supplemental detail 429 along the south side of Baseline Road to connect to the trails to the east and west, as approved by the Parks and Recreation Department.
- ~~48.~~ 50. The developer shall dedicate 60 feet of right-of-way for the full parcel limits for the south half of Baseline Road, as approved by the Planning and Development Department.
- ~~49.~~ 51. The developer shall dedicate a minimum of 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications and improvements as required by the TIS, as approved by the Street Transportation Department.
- ~~50.~~ 52. The developer shall dedicate 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue and improvements as required by the TIS, as approved by the Planning and Development. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.



53. The developer shall dedicate a 25-foot by 25-foot right-of-way triangle at the  
~~54.~~ southeast corner of Baseline Road and 63rd Avenue, as approved the Planning  
and Development Department.

**Site E (Commerce Park/General Commerce Park South of the LACC)**

- ~~54.~~ The site plan, landscape plan showing pedestrian circulation and elevations shall  
~~52.~~ be reviewed and approved by the Planning Hearing Officer through the public  
hearing process prior to preliminary site plan approval for conceptual review of the  
applicable provisions of the goals and policies of the Southwest Growth Study  
which shall include the following:
- a. Promoting the overall pedestrian circulation within the development through  
wide sidewalks, detached sidewalks and overall connectivity including:
    - (i) A minimum of two pedestrian connections to the Laveen Area  
Conveyance Channel.
    - (ii) There shall be an employee open space area provided adjacent to the  
Laveen Area Conveyance Channel. The open space areas shall  
provide a minimum of one amenity (tables, benches, yard games, etc.)  
each.
  - b. Arcades and overhangs shall be incorporated into the buildings to promote  
shade.
  - c. All building facades shall contain architectural embellishments and detailing  
such as textural changes, pilasters, offsets, recesses, window fenestration,  
shadow boxes and overhead/canopies at least every 50 linear feet.
  - d. Ensuring architectural style is consistent with prior phases of the project and  
development in the area.
- ~~55.~~ There shall be a minimum of one exterior employee balcony provided on each  
~~53.~~ four-story building that is a minimum of 12 feet in depth and a minimum of 200  
square feet in size, as approved by the Planning and Development Department.
- ~~56.~~ The glazing on all building windows shall have a maximum reflectivity of 20  
~~54.~~ percent, as approved by the Planning and Development Department.
- ~~57.~~ A minimum of 25 percent of the surface parking areas shall be shaded by  
~~55.~~ minimum 2-inch caliper, large canopy single-trunk shade trees, located within  
minimum 5-foot wide landscape areas, as approved by the Planning and  
Development Department.
- ~~58.~~ A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for each  
~~56.~~ building on site, located near building entries, and installed per the requirements

of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.

59. A minimum of 30 percent of building linear frontage, that has main public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.

60. The developer shall dedicate a 30-foot-wide public trail/sidewalk easement along the west side of the 202 Loop Freeway or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10-foot wide shared-use path (SUP) within the easement per Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.

61. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

62. The developer shall dedicate a minimum of 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications and improvements as required by the TIS, and as approved by the Street Transportation Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, excepting the frontage of APN 300-020-017C, as approved by the Street Transportation Department.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6659 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6659 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

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

PASSED by the Council of the City of Phoenix this 15th day of December,  
2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Jeffrey Barton, City Manager

Exhibits:  
A - Legal Description (2 Pages)  
B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-2-21--Z-47-19-7

A PORTION OF LOT 2 ACCORDING TO THE LOT COMBINATION MAP RECORDED IN BOOK 1309 OF MAPS, PAGE 41, OFFICIAL RECORDS OF MARICOPA COUNTY, LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 5 AND THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA & SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF SAID LOT 2;

THENCE SOUTH 00°50'29" EAST, A DISTANCE OF 533.57 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 705.53 FEET;

THENCE NORTH 00°00'00" WEST, A DISTANCE OF 16.00 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 279.08 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 540.00 FEET AND A CENTRAL ANGLE OF 22°09'01";

THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 208.76 FEET;

THENCE NORTH 67°50'59" EAST, A DISTANCE OF 156.53 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 2;

THENCE SOUTH 22°09'01" EAST, ALONG SAID EASTERLY LINE OF LOT 2, A DISTANCE OF 27.42 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 895.00 FEET AND A CENTRAL ANGLE OF 14°34'15";

THENCE CONTINUING ALONG SAID EASTERLY LINE OF LOT 2, SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 227.61 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES SOUTH 11°10'24" EAST, A RADIAL DISTANCE OF 480.52 FEET;

THENCE DEPARTING SAID EASTERLY LINE OF LOT 2, SOUTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 24°25'36", A DISTANCE OF 204.86 FEET TO A POINT OF REVERSE CURVATURE TO THE RIGHT HAVING A RADIUS OF 550.00 FEET AND A CENTRAL ANGLE OF 35°36'00";

THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 341.74 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 187.62 FEET;

THENCE SOUTH 00°14'04" WEST, A DISTANCE OF 17.60 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 702.42 FEET TO A POINT ON THE WEST LINE OF SAID LOT 2;

THENCE NORTH 00°50'29" WEST, ALONG SAID WEST LINE OF LOT 2, A DISTANCE OF 331.06 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED.

SAID PARCEL CONTAINS 436,010 SQUARE FEET OR 10.009 ACRES, MORE OR LESS.

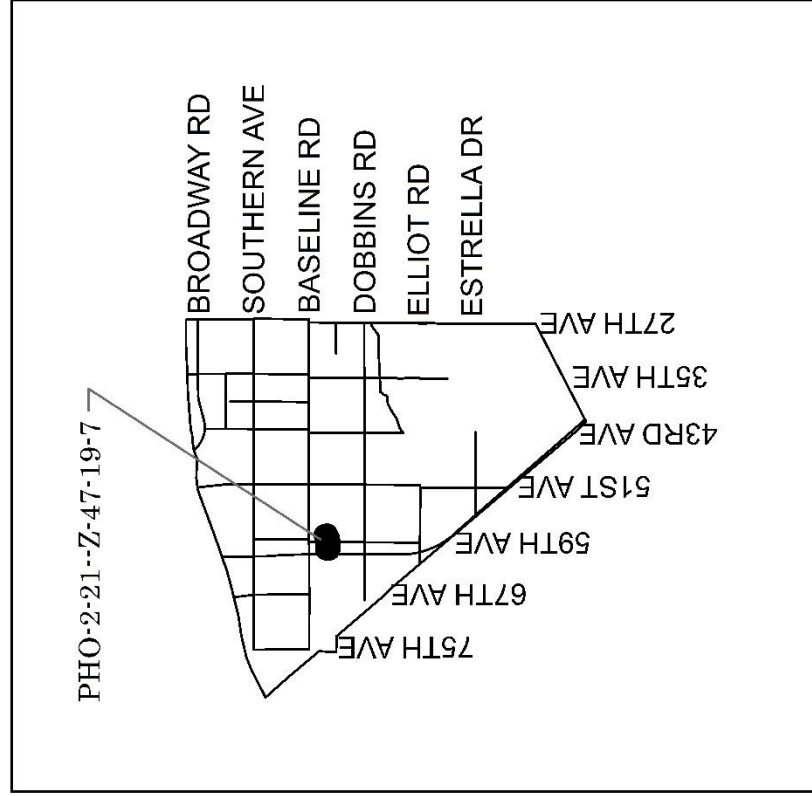
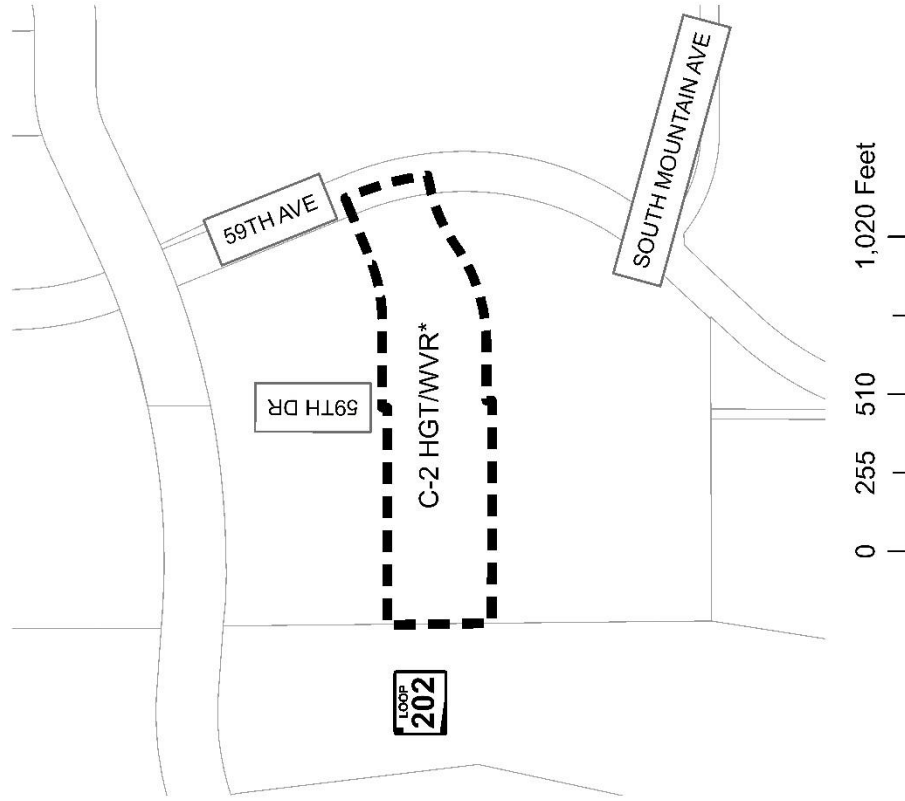
DRAFT

# ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: PHO-2-21--Z-47-19-7  
Zoning Overlay: N/A  
Planning Village: Laveen



NOT TO SCALE



Drawn Date: 11/17/2021



**Amend City Code - Ordinance Adoption - Rezoning Application PHO-3-21--Z-47-19-7 - West of the Intersection of 59th Avenue and South Mountain Avenue (Ordinance G-6931)**

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Nov. 17, 2021.

**Summary**

Application: PHO-3-21--Z-47-19-7

Existing Zoning: R-4

Acreage: 23.27

Owner: Laveen Baseline LLC

Applicant: Michael Trueman

Representative: George Pasquel III, Withey Morris PLC

**Proposal:**

1. Review of site plan, landscape plan, and elevations by the Planning Hearing Officer per Stipulation 33.
2. Modification of Stipulation 35 regarding a minimum 25 percent of surface parking areas shaded by trees.

**Concurrence/Previous Council Action**

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Nov. 8, 2021 and recommended denial as filed and approval with additional stipulations, by a vote of 10-1.

PHO Action: The Planning Hearing Officer heard this case on Nov. 17, 2021 and recommended approval with additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

**Location**

West of the Intersection of 59th Avenue and South Mountain Avenue

Council District: 7

Parcel Address: N/A

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



## ATTACHMENT A

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ADOPTED ORDINANCE**

### ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO  
REZONING APPLICATION Z-47-19-7 PREVIOUSLY APPROVED BY  
ORDINANCE G-6659.

\_\_\_\_\_

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

SECTION 1. The zoning stipulations applicable located west of the  
intersection of 59th Avenue and South Mountain Avenue in a portion of Section 6,  
Township 1 South, Range 2 East, as described more specifically in Attachment “A”,  
are hereby modified to read as set forth below.

#### STIPULATIONS:

##### Overall Site

1. The development shall be in General Conformance to the Conceptual Master Site Plan date stamped October 23, 2019 with specific regard to the site locations, as approved by the Planning and Development Department.
2. All parking areas adjacent to public streets, excluding the freeway, shall be screened by a combination of decorative screen walls and a minimum 3-foot high landscaped mound/berm along the perimeter streets, as approved by the Planning and Development Department.
3. All sidewalks adjacent to public streets shall be detached with a minimum 5-foot wide continuous landscape area located between the sidewalk and back of curb; and shall include minimum 3-inch caliper, large canopy single-trunk shade trees (limbed-up a minimum of 10-feet clear from finish grade), planted 25 feet on center or in equivalent groupings; and minimum 5-gallon shrubs with a maximum

mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department. If there is limited right-of-way along the Baseline Road frontage requiring a modified cross section, an attached sidewalk design may be considered, as approved by the Planning and Development Department.

4. The developer shall provide clearly defined, accessible pathways at vehicular crossings, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces for internal drive aisles and accessways, as approved by the Planning and Development Department.
5. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development for review and approval by the Street Transportation Department (except for the Site A, Harkins) prior to the submittal of preliminary site plans. Additional right-of-way and street improvements may be required following TIS review. Phasing of off-site improvements must be consistent with the TIS recommendations. Phased street improvements will require the installation of pavement transition tapers, as approved by the Street Transportation Department.
6. The developer shall construct all streets within and adjacent to the development required for each phase with paving, curb, gutter, minimum 5-foot wide sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
7. Open irrigation facilities are to be piped outside of right-of-way and shown on the preliminary site plan, as approved by the Planning and Development Department.
8. All multi-use trails and shared use paths shall be shaded a minimum of 50 percent with 2-inch minimum caliper, large canopy shade trees, located 5 to 8 feet from the edge of the trail, as approved by the Planning and Development Department.
9. The right-of-way shall be dedicated, if required, and a bus pad (detail P1260 or P1262) constructed at the following locations, unless otherwise modified by the Planning and Development Department and Public Transit Department:
  - a. Eastbound Baseline Road east of 63rd Avenue. Pad shall be spaced from the intersection of 63rd Avenue and Baseline Road according to City of Phoenix Standard Detail P1258.
  - b. Three bus stop pads shall be located along southbound 59th Avenue.
10. 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.
11. 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.

12. 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.
13. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

#### **Site A**

14. The development shall be in general conformance with the site plan and elevations date stamped October 23, 2019, as modified by the following stipulations and approved by the Planning and Development Department.
15. The maximum building height shall be limited to 56 feet.
16. There shall be a 150-foot stepback provided from 59th Avenue to buildings over 30 feet in height.
17. A minimum of one clearly defined pedestrian connection shall be provided from Site A to connect with the trail along the Laveen Area Conveyance Channel with one pedestrian scale amenity (benches, tables, etc.) provided within close proximity of the trail, as approved by the Planning and Development Department.
18. A minimum of two pedestrian pathways that are a minimum 6 feet wide shall be provided from the west side of Site B through Site A to the proposed buildings. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element, as approved by the Planning and Development Department.
19. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
20. The developer shall construct the west half street of 59th Avenue, as consistent with the Street Classification Map, including the landscaped median between the Laveen Area Conveyance Channel and the Southern boundary of Site A, as approved by the Planning and Development Department. Asphalt pavement

transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.

21. The developer shall construct a 10-foot-wide Shared Use Path (SUP) along the west side of 59th Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
22. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

### **Site B (Retail/Restaurant)**

23. The maximum building height shall be limited to 30 feet within 150 feet of 59th Avenue and 45 feet for the remainder of Site B.
24. There shall be a 150-foot stepback provided from 59th Avenue for building over 30 feet in height.
25. The site plan, landscape plan showing pedestrian circulation and elevations, shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
  - a. Promoting the overall pedestrian circulation within the commercial corner through wide sidewalks, detached sidewalks and overall connectivity including:
    - (i) A minimum of two pedestrian pathways that are a minimum of 6 feet wide shall be provided from 59th Avenue through the site to connect to buildings and the pedestrian pathways at Site A. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element.
    - (ii) A minimum of two clearly defined pedestrian connections shall be provided to connect with the trail along the Laveen Area Conveyance Channel with two pedestrian scale amenities (open space, benches, tables, etc.) provided within close proximity of the trail.
  - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.

- c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
  - d. Accent building materials such as: native stone, burnt adobe, textured brick, wood (when shaded by overhangs or deep recesses), slump block, ceramic tile (matte finish), stucco and/or exposed aggregate concrete shall be used on buildings or otherwise demonstrate that the architectural style is consistent with prior phases of the project and development in the area.
- ~~25.~~ 26. Drive-through restaurant pick-up windows shall be architecturally integrated in proportion, color, material and texture to the building it serves by providing awnings or architecturally integrated structures for weather protection, as approved by the Planning and Development Department.
- ~~26.~~ 27. Drive-through restaurant facilities shall provide a minimum of 250 square feet of outdoor seating areas, as approved by the Planning and Development Department.
- ~~27.~~ 28. A minimum of 25 percent of the surface parking areas shall be shaded by 2-inch minimum caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- ~~28.~~ 29. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- ~~29.~~ 30. A minimum of 30 percent of the linear frontage of the buildings, that has main public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- ~~30.~~ 31. The developer shall construct the west half street of 59th Avenue, as consistent with the Street Classification Map, including landscaped median between the Laveen Area Conveyance Channel and the southern boundary of Site B, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- ~~31.~~ 32. The developer shall construct a 10-foot Shared Use Path (SUP) on 59th Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel.
- ~~32.~~ 33. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

### **Site C (Multifamily)**

34. ~~The site plan, landscape plan showing pedestrian circulation, and elevations shall~~  
33. ~~be reviewed and approved by the Planning Hearing Officer through the public~~  
~~hearing process prior to preliminary site plan approval for conceptual review of the~~  
~~applicable provisions of the goals and policies of the Southwest Growth Study~~  
~~which shall include the following:~~

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE  
SITE PLAN, LANDSCAPE PLAN, AND ELEVATIONS DATE STAMPED  
OCTOBER 1, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND  
APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- a. ~~Promoting pedestrian connections with the adjacent commercial~~  
~~development through sidewalks, detached sidewalks and overall connectivity~~  
~~including:~~
  - b. ~~A minimum of three evenly dispersed pedestrian connection points to the~~  
~~commercial development to the north. This pedestrian connection shall be~~  
~~clearly defined and minimize vehicular conflicts.~~
  - c. ~~Arcades and overhangs shall be incorporated into the buildings to promote~~  
~~shade.~~
  - d. ~~All building facades shall contain architectural embellishments and detailing~~  
~~such as textural changes, pilasters, offsets, recesses, window fenestration,~~  
~~shadow boxes and overhead/canopies at least every 50 linear feet, as~~  
~~approved by the Planning and Development Department.~~
  - e. ~~Ensuring architectural style is consistent with prior phases of the project and~~  
~~development in the area.~~
35. THE DEVELOPER SHALL PROVIDE SECURED BICYCLE PARKING AS  
REQUIRED IN CHAPTER 13, SECTION 1307.H FOR MULTI-FAMILY  
DEVELOPMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT  
DEPARTMENT.
36. There shall be a minimum of 10 percent common area open space provided  
34. onsite, as approved by the Planning and Development Department.
37. A minimum of 25 percent of the surface parking areas shall be shaded by a  
35. minimum 2-inch caliper, large canopy single-trunk shade trees, located within  
minimum 5-foot wide landscape areas, as approved by the Planning and  
Development Department.
38. THE DEVELOPER SHALL SUBMIT A DECELERATION WARRANT ANALYSIS  
TO THE STREET TRANSPORTATION DEPARTMENT. IMPROVEMENTS



SHALL BE CONSISTENT WITH THE APPROVED ANALYSIS, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.

- 39. The developer shall construct the west half street of 59th Avenue, as consistent  
~~36.~~ with the Street Classification Map, including the landscaped median for the full extent of Site C, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 40. The developer shall construct a 10-foot wide Shared Use Path (SUP) on 59th  
~~37.~~ Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel.
- 41. The developer shall provide conduit plan and junction boxes at 59th Avenue and  
~~38.~~ South Mountain Avenue on project site for future traffic signal equipment and all work related to the construction or reconstruction of the conduit runs and junction box installation shall be the responsibility of the Developer, as approved by the Planning and Development Department.

**Site D (Commerce Park/General Commerce Park North of the LACC)**

- 42. The site plan, landscape plan showing pedestrian circulation and elevations shall  
~~39.~~ be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
  - a. Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
    - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.
    - (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.
  - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
  - c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
  - d. Ensuring architectural style is consistent with prior phases of the project and development in the area.

- ~~40.~~ 43. There shall be a minimum of one exterior employee balcony provided on each four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.
- ~~41.~~ 44. The glazing on all building windows shall have a maximum reflectivity of 20 percent, as approved by the Planning and Development Department.
- ~~42.~~ 45. A minimum of 25 percent of the surface parking areas shall be shaded by minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- ~~43.~~ 46. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- ~~44.~~ 47. A minimum of 30 percent of building linear frontage, that has main public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- ~~45.~~ 48. The developer shall protect in place the shared-use path and 20-foot wide public trail/sidewalk easement along the north side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- ~~46.~~ 49. The developer shall dedicate a 30-foot-wide public trail/sidewalk easement along the west side of the 202 Loop or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10-foot-wide shared-use path (SUP) within the easement as indicated in section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
- ~~47.~~ 50. A minimum 10-foot public multi-use trail shall be constructed within a 30-foot easement in accordance with MAG supplemental detail 429 along the south side of Baseline Road to connect to the trails to the east and west, as approved by the Parks and Recreation Department.
- ~~48.~~ 51. The developer shall dedicate 60 feet of right-of-way for the full parcel limits for the south half of Baseline Road, as approved by the Planning and Development Department.
- ~~49.~~ 52. The developer shall dedicate a minimum of 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications and improvements as required by the TIS, as approved by the Street Transportation Department.



53. The developer shall dedicate 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue and improvements as required by the TIS, as approved by the Planning and Development. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
54. The developer shall dedicate a 25-foot by 25-foot right-of-way triangle at the southeast corner of Baseline Road and 63rd Avenue, as approved the Planning and Development Department.

**Site E (Commerce Park/General Commerce Park South of the LACC)**

55. The site plan, landscape plan showing pedestrian circulation and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
- a. Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
    - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.
    - (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.
  - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
  - c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
  - d. Ensuring architectural style is consistent with prior phases of the project and development in the area.
56. There shall be a minimum of one exterior employee balcony provided on each four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.
57. The glazing on all building windows shall have a maximum reflectivity of 20 percent, as approved by the Planning and Development Department.
58. A minimum of 25 percent of the surface parking areas shall be shaded by minimum 2-inch caliper, large canopy single-trunk shade trees, located within

minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.

59. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
60. A minimum of 30 percent of building linear frontage, that has main public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
61. The developer shall dedicate a 30-foot-wide public trail/sidewalk easement along the west side of the 202 Loop Freeway or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10-foot wide shared-use path (SUP) within the easement per Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
62. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
63. The developer shall dedicate a minimum of 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications and improvements as required by the TIS, and as approved by the Street Transportation Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, excepting the frontage of APN 300-020-017C, as approved by the Street Transportation Department.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6659 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6659 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 15th day of December, 2021.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:

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REVIEWED BY:

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Jeffrey Barton, City Manager

Exhibits:  
A - Legal Description (2 Pages)  
B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-3-21--Z-47-19-7

A PORTION OF LOT 2 ACCORDING TO THE LOT COMBINATION MAP RECORDED IN BOOK 1309 OF MAPS, PAGE 41, OFFICIAL RECORDS OF MARICOPA COUNTY, LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 5 AND THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA & SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF SAID LOT 2 FROM WHICH THE SOUTHWEST CORNER THEREOF BEARS SOUTH 0 DEGREES 50 MINUTES 29 SECONDS EAST, A DISTANCE OF 1581.70 FEET; THENCE SOUTH 0 DEGREES 50 MINUTES 29 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 846.63 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 90 DEGREES 0 MINUTES 0 SECONDS EAST, A DISTANCE OF 702.42 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 6;

THENCE NORTH 0 DEGREES 14 MINUTES 4 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 17.60 FEET;

THENCE NORTH 90 DEGREES 0 MINUTES 0 SECONDS EAST, A DISTANCE OF 187.62 FEET TO A POINT OF CURVE TO THE LEFT;

THENCE EASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 550.00 FEET, THROUGH A CENTRAL ANGLE OF 35 DEGREES 36 MINUTES 0 SECONDS, A DISTANCE OF 341.74 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT;

THENCE NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 480.52 FEET, THROUGH A CENTRAL ANGLE OF 24 DEGREES 25 MINUTES 36 SECONDS, A DISTANCE OF 204.86 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2 AND THE POINT OF A NON-TANGENT CURVE CONCAVE TO THE WEST, WITH A CHORD BEARING OF SOUTH 17 DEGREES 37 MINUTES 16 SECONDS WEST, A CHORD DISTANCE OF 762.16 FEET;

THENCE SOUTHERLY ALONG SAID EAST LINE AND SAID NON-TANGENT CURVE, HAVING A RADIUS OF 895.00 FEET, THROUGH A CENTRAL ANGLE OF 50 DEGREES 24 MINUTES 3 SECONDS, A DISTANCE OF 787.30 FEET;

THENCE SOUTH 42 DEGREES 49 MINUTES 17 SECONDS WEST, A DISTANCE OF 256.23 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2;

THENCE SOUTH 89 DEGREES 43 MINUTES 27 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 289.53 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 6;

THENCE SOUTH 89 DEGREES 48 MINUTES 16 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 691.96 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2;

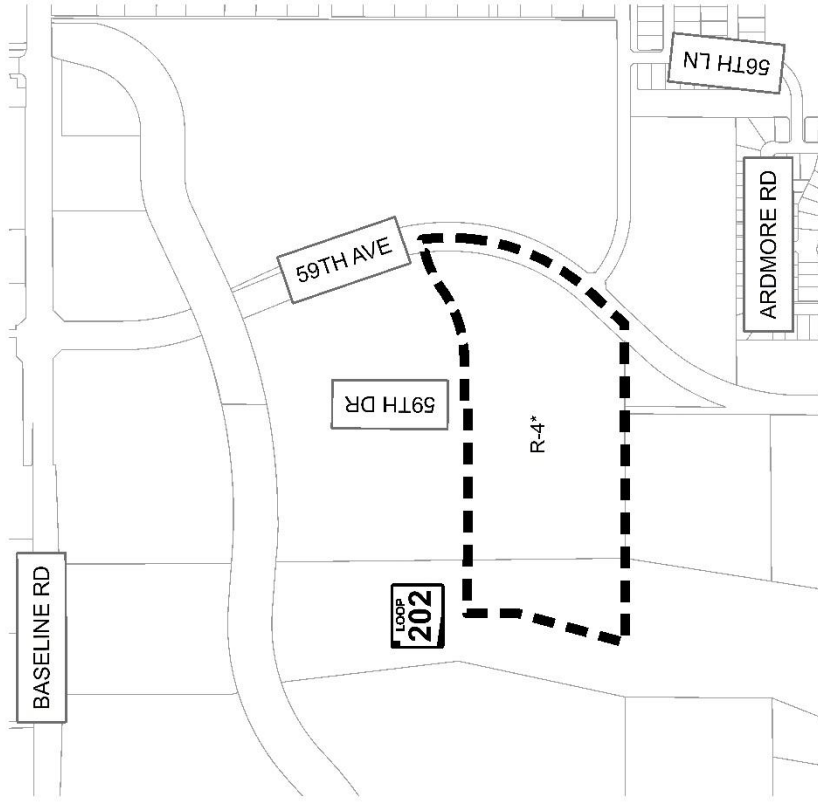
THENCE NORTH 0 DEGREES 50 MINUTES 29 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 717.07 FEET TO THE POINT OF BEGINNING.

DRAFT

# ORDINANCE LOCATION MAP

EXHIBIT B

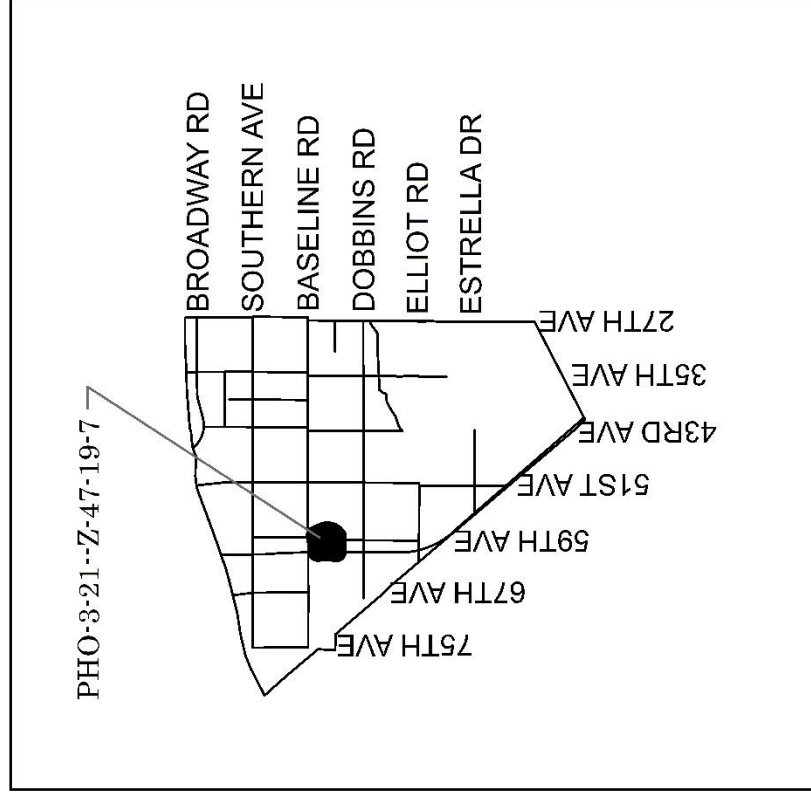
ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: - - - - -



0 360 720 1,440 Feet



Zoning Case Number: PHO-3-21--Z-47-19-7  
Zoning Overlay: N/A  
Planning Village: Laveen



NOT TO SCALE

Drawn Date: 11/22/2021



**Public Hearing - Certificate of Appropriateness - Appeal of Historic Preservation Commission's Decision on Certificate of Appropriateness Application HPCA 2100117 - 309 W. Monte Vista Road in the Willo Historic District**

Request to hold a public hearing of a Certificate of Appropriateness Decision by the Historic Preservation (HP) Commission on Certificate of Appropriateness Application HPCA 2100117 for 309 W. Monte Vista Road in the Willo Historic District for a request to construct a two-story, 1,152-square-foot garage/yoga studio at the southwest corner of the lot with an elevated walkway to the main house. Requested City Council action is to uphold, reverse or modify the HP Commission's Certificate of Appropriateness decision.

**Summary**

On Sept. 21, 2021, the HP Hearing Officer held a public hearing to review this application, which was filed by the property owners, Bruce MacArthur and Jennifer Hunter. The Hearing Officer approved the Certificate of Appropriateness subject to the following stipulations:

1. That the north and south elevations be included in the final Certificate of Appropriateness plan submittal, along with a perspective view of the historic house and proposed building from the sidewalk northwest of the property.
2. That the access to the building, by either walkway or staircase, be chosen before final Certificate of Appropriateness submittal.
3. That all window egress, general building code and zoning issues be settled before the final Certificate of Appropriateness submittal.

The Hearing Officer's decision was appealed on Sept. 24, 2021, by Tom Doescher, Chairperson of the Willo Zoning Committee. The HP Commission was scheduled to hear the case on Oct. 18, 2021, but continued it to Nov. 15, 2021 at the owners' request. At the November hearing, the Commission voted 5-4 to uphold the Hearing Officer's decision with a modification to Stipulation 2, "That the exterior access to the second story of the new structure be exterior stairs rather than a walkway connecting the new structure to the historic home."

On Nov. 19, 2021, Mr. Doescher, on behalf of the Willo Neighborhood Association

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Governing Board, appealed the Commission's decision, sending the case to the City Council.

Staff finds that the proposed work meets the Standards for Consideration of a Certificate of Appropriateness set forth in Section 812.D of the Zoning Ordinance. While the proposed two-story structure is taller than the main house, it meets the guideline for new construction which states that "where changes in size must occur, the visual impact of the new construction should be minimized by stepping back the new construction from the historic building." The new structure is located as far to the rear of the lot as is possible and is designed to be as low as possible at 20 feet in height with 8-foot ceiling plates and a minimum of 12 inches between floors for utilities. There are several examples of two-story structures present in this section of Willo that were constructed during the historic era (1910-1956) at 325 W. Monte Vista Road, 317 W. Cypress St. and 314 W. Cypress St., as well as other examples constructed after the historic era at 314 W. Monte Vista Road and 320 W. Cypress St.

Staff recommends that the City Council uphold the HP Commission's Nov. 15, 2021 decision to approve with the following three stipulations:

1. That the north and south elevations be included in the final Certificate of Appropriateness plan submittal, along with a perspective view of the historic house and proposed building from the sidewalk northwest of the property.
2. That the exterior access to the second story of the new structure be exterior stairs rather than a walkway connecting the new structure to the historic home.
3. That all window egress, general building code and zoning issues be settled before the final Certificate of Appropriateness submittal.

### **Financial Impact**

There is no financial impact to the city.

### **Concurrence/Previous Action**

- The HP Hearing Officer approved the Certificate of Appropriateness on Sept. 12, 2021 with three stipulations.
- The Hearing Officer's decision was appealed on Sept. 24, 2021 by the Willo Neighborhood Association.
- The HP Commission voted 5-4 to uphold the Hearing Officer's decision, with a modification to Stipulation 2, on Nov. 15, 2021.
- The HP Commission's decision was appealed on Nov. 19, 2021 by the Willo Neighborhood Association.



**Location**

309 W. Monte Vista Road  
Council District: 4

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

**ATTACHMENT A**  
**PHOENIX HISTORIC PRESERVATION OFFICER**

**Staff Report**  
**Certificate of Appropriateness**  
**309 West Monte Vista Road – Willo Historic District**  
**Case No. HPCA 2100117**  
**September 21, 2021**

**Background**

This is a Certificate of Appropriateness application to construct a 2-story, 1,152 s.f. garage/yoga studio with elevated walkway to main house, at the southwest corner of the lot at 309 West Monte Vista Road in the Willo Historic District. The application was filed by the owners, Jennifer Hunter and Bruce MacArthur. The property is zoned R1-6 HP (single-family residential with the historic preservation overlay).

**Previous Applications**

There are no previous applications at this address.

**Property Description**

The property consists of an irregularly shaped lot measuring approximately 123' x 90' x 114' x 73' with a Spanish Colonial Revival house built in 1928. The historical inventory form and newspapers ads are attached.

**Proposed Work**

The project consists of constructing a 2-story, 1,152 s.f. garage/yoga studio at the southwest corner of the lot with a footprint of 24' x 24'. The building is proposed with both an elevated walkway from the 1930 roof deck, or a staircase on the new building's east façade, for the second-floor access. Two garage doors will face the alley. The building will have a flat roof and top-out at 20'. The rear, 1930 addition with the roof deck is 13.5' tall, while the main ridge line of the historic house is 14'. The 2-story garage will be located approximately 99' from the right-of-way.

**Findings**

Like other properties along Holly Street and Monte Vista Road between 3<sup>rd</sup> and 5<sup>th</sup> Avenues, the subject property was constructed without a front curb cut and driveway. These homeowners utilize on-street parking or alley garages. The subject property did have an alley garage that was demolished ca. 2002; the proposed building will be located where that garage once was.

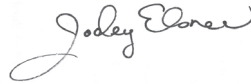
The 2-story garage/yoga studio is located as far to the rear of the lot as possible, and as low as possible at 20' with 8' ceiling plates and a minimum 12" between floors for utilities. Access to the second floor will be provided by either an elevated walkway or a staircase, depending upon the decision made in this hearing, or later, what building code or variances will allow. Due to the proposed building's location, the homeowners are aware that one or more variances will be required.

Near the subject property, there are three properties constructed within Willo's period of significance (1910-1956) that have 2-story outbuildings: 325 W. Monte Vista Rd., 317 W. Cypress St. and 314 W. Cypress St.; there are also two properties with 2-story outbuildings constructed outside the district's period of significance: 314 W. Monte Vista Rd. and 320 W. Cypress St. Staff finds that the proposed 2-story garage/yoga studio, especially due to its location and proposed height, will not be an outlier in this portion of the district.

**Recommendation**

Based on the findings above, staff recommends approval of this application.

The application is consistent with the Standards of Consideration for a Certificate of Appropriateness set forth in Section 812.D of the City of Phoenix Zoning Ordinance. Three sets of plans should be submitted to Historic Preservation staff for review and approval prior to the issuance of the Certificate of Appropriateness.



---

Jodey Elsner  
Historic Preservation Planner II

Attachments: Historical inventory form  
*Arizona Republic* ads  
Aerial photograph  
Site photographs  
Applicant-provided plans

"HISTORICAL BUILDING FORM"

SHPO INVENTORY NO. \_\_\_\_\_

ARIZONA STATE HISTORIC PROPERTY INVENTORY

INVENTORY NUMBER: 192

SURVEY AREA NAME:

WILLO-Alvarado

HISTORIC NAME:

E. J. Middleton House

ADDRESS: 309 W. Monte Vista

CITY/TOWN: Phoenix, Arizona

TAX PARCEL NUMBER:

OWNER:

OWNER ADDRESS:

USGS QUAD: Phoenix

T\_\_ R\_\_ S\_\_ / \_\_ 1/4 OF THE \_\_ 1/4

UTM: n/a

DESCRIPTION: (cont'd)

ROOF TYPE: Gable, Low Pitched

ROOF SHEATHING: Clay Tile

EAVES TREATMENT: Exposed Rafters

HISTORIC USE: Residential

PRESENT USE: Residential

BUILDING TYPE: House

STYLE: Spanish Mission

CONSTRUCTION DATE:

1928

ARCHITECT:

BUILDER: Laing & Heenan

INTEGRITY: Porch Infilled

See Additional Alterations

CONDITION: Good

WINDOWS: WD-FS

WINDOWS:

ENTRY: Central

Wood Panel, With Glass, Original

PORCHES: N/A

STOREFRONTS:

NOTABLE INTERIOR:

OUTBUILDINGS: Garage

Similar Style, Contributing

ALTERATIONS:

DESCRIPTION

STORIES: 1

DIMENSIONS: (L) (W)

STRUCTURAL MATERIAL:

Brick

FOUNDATION MATERIAL:

Concrete

WALL SHEATHING: Stucco

APPLIED ORNAMENT:

Cast concrete pilasters/Dec tile @ entry

PHOTOGRAPH:

PHOTOGRAPHER: Mike Hamberg

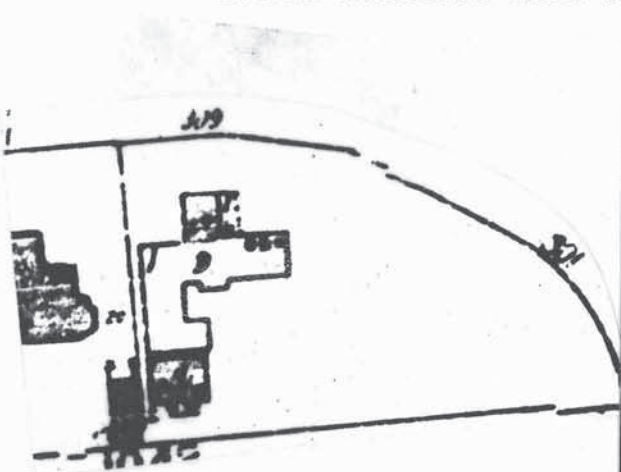
DATE: January, 1989

VIEW: South

NEGATIVE NUMBER: WA- 6-33

ADDITIONAL ALTERATIONS:

Porch infilled with stucco walls.



## ADDITIONAL DESCRIPTION/ANALYSIS (annotated form):

This property does retain sufficient integrity of design to convey its historical identity.

## EXPLANATION:

Rear addition built in 1930.

## SIGNIFICANCE: COMMUNITY PLANNING AND DEVELOPMENT

## CONTEXT:

Trends and patterns of Residential Subdivision Development in Phoenix, 1920 to 1940.

SEE PAGE OF REPORT

## RELATIONSHIP:

Significant as first house built in the Broadmoor Subdivision.

Representative of initial development of neighborhood associated with late 1920's boom.

## SIGNIFICANCE: POLITICS/GOVERNMENT

## CONTEXT:

The influence of national, state, and local planning and housing policy on residential development in Phoenix, 1920 to 1940.

SEE PAGE OF REPORT

## RELATIONSHIP:

Significant as early example of the "Model Home" concept in Phoenix.

## SIGNIFICANCE: ARCHITECTURE

## CONTEXT:

The evolution of residential architectural styles and building technology in Phoenix, 1920 to 1940.

SEE PAGE OF REPORT

## RELATIONSHIP:

Exemplary of Spanish Mission eclectic style featuring characteristic cross gable tile roof, arched focal window, and picturesque gable top at chimneys.

## ASSOCIATED WITH SIGNIFICANT PERSON(S):

Bought by Middleton from Laing & Heenan by 1930.

CONTEXT: residential street

## BIBLIOGRAPHY/SOURCES:

AR 3/25/28-3/5:1; AR 5/6/28; PHX CD 1928-1932

## LISTING IN OTHER SURVEYS:

## NATIONAL REGISTER STATUS:

RECOMENDATIONS THIS SURVEY: eligible in historic district, contributing

## COMMENTS:



**10—CITY PROPERTY FOR  
SALE**

---

**SMALL frame house. Ph. 22805.**

---

HUNDREDS who saw the exhibition home in Broadmoor, say it is the prettiest home in town. Having been used for exhibition purposes, it is now placed on sale at \$10,500. A 90-ft. lot and all draperies are included. See it this evening in Broadmoor Tract, 309 W. Monte Vista.

---



**The Exhibition Home  
in Broadmoor**

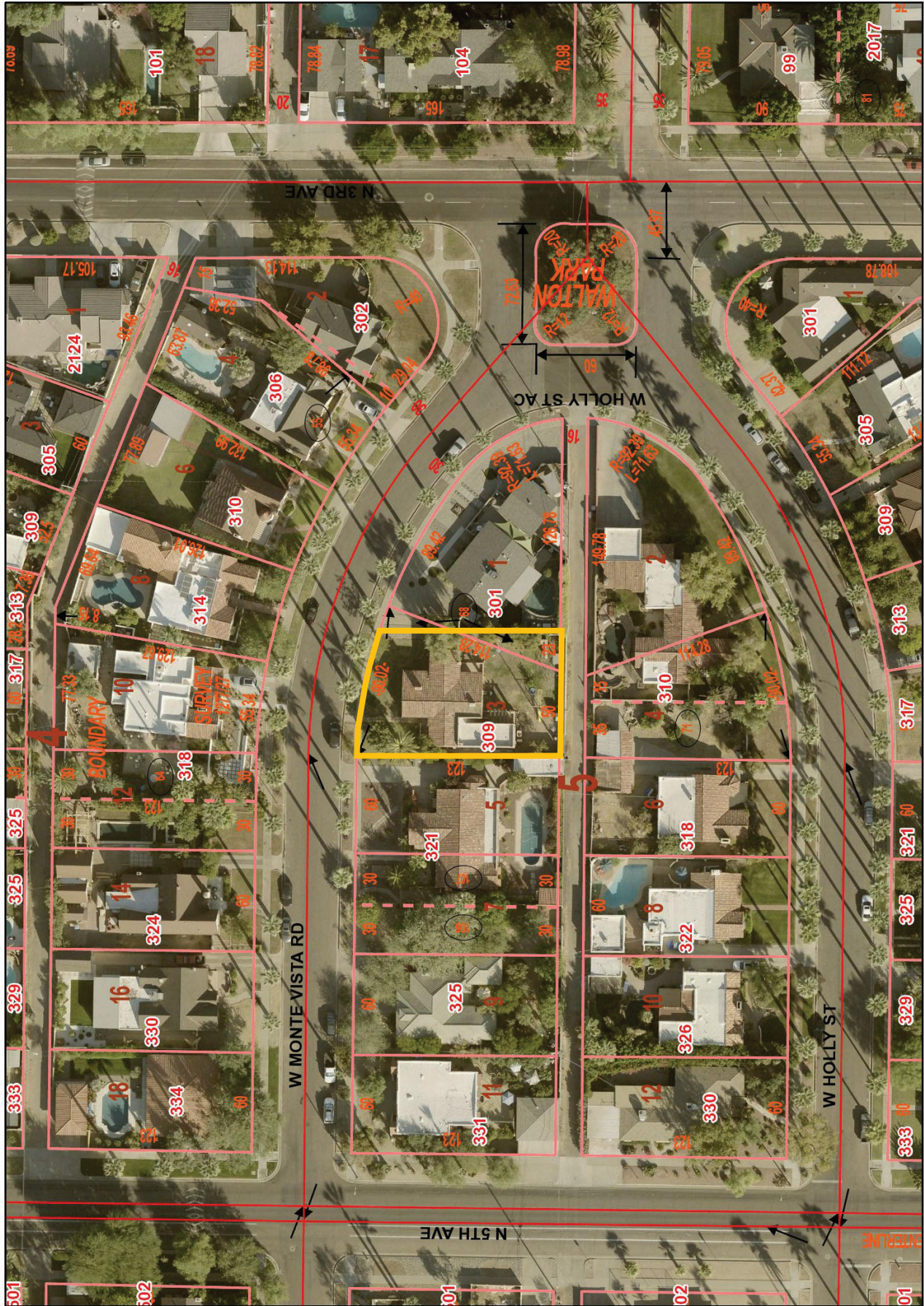
will be kept open every evening this week.  
Thousands saw it yesterday.  
Built for exhibition purposes, we have placed  
a close price on this property at the close of  
the exhibition.  
Completely furnished by Barrows. One vis-  
itor yesterday exclaimed, "The prettiest home  
I have seen in Phoenix."

**Drive out Third Ave. to  
309 W. Monte Vista!**

**Laing & Heenan**  
Builders  
133 West Monroe St. Phone 21085  
PHOENIX



# 309 W. Monte Vista Rd. (HPCA 2100117) - Willo Historic District



1 inch = 74 feet  
 0 30 60 120 Feet  
 N  
 Date: 9/19/2021  
 City of Phoenix  
 Disclaimer: The information provided on this map is based on record drawings submitted by others. Users of this information are cautioned that independent verification of actual conditions may be necessary. Printing Water Data is for Internal Staff Only



309 West Monte Vista Road (HPCA 2100117) – Willo Historic District



View looking south/southwest – Street View of subject property



View looking south/southeast – subject property



309 West Monte Vista Road (HPCA 2100117) – Willo Historic District  
Photos by owners



View looking north – approx. location of 2-story garage south of 1930 addition



View looking northwest – 1930 addition with historic roof deck; 2-story garage will be to the left (south)



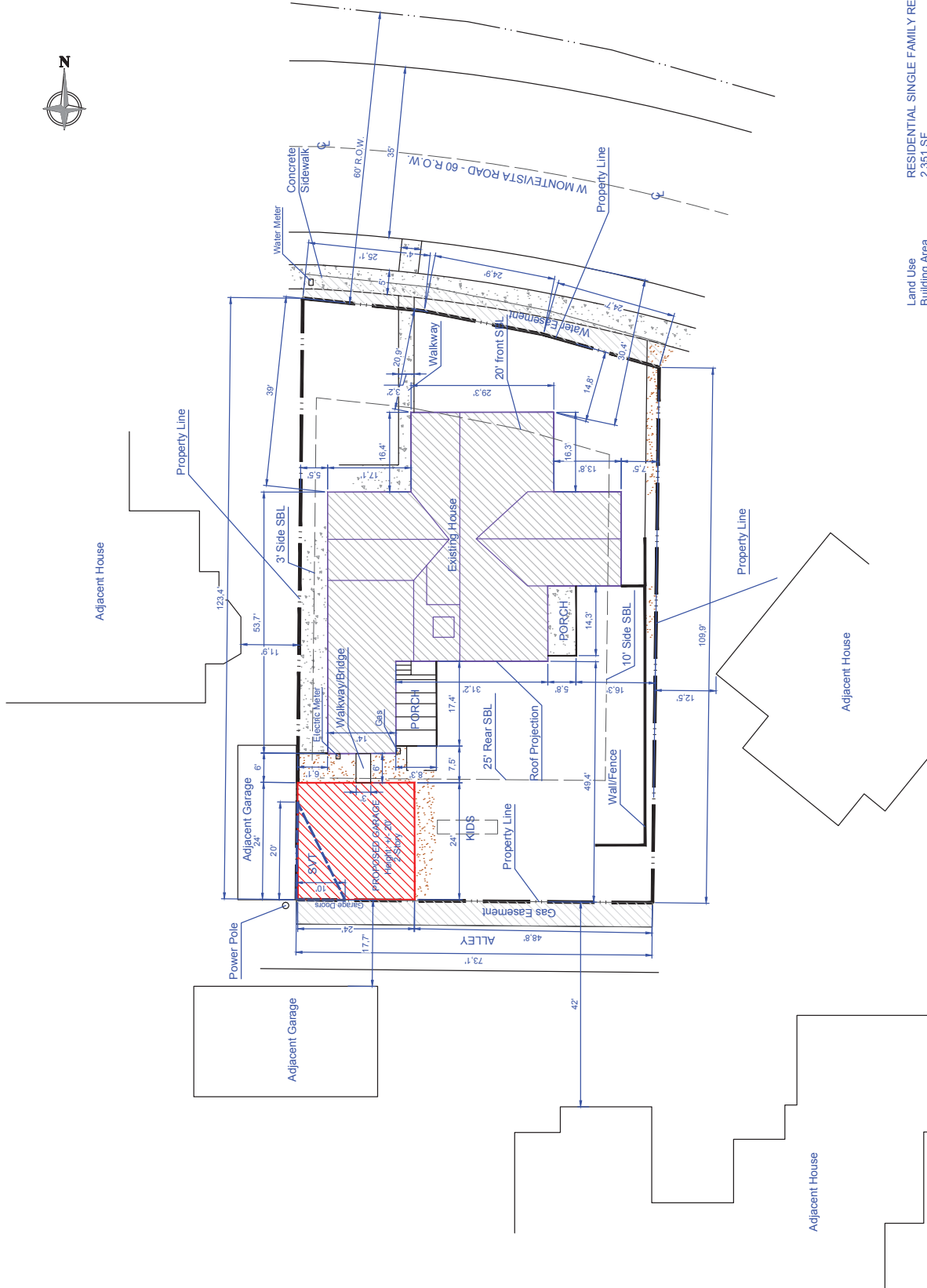
309 West Monte Vista Road (HPCA 2100117) – Willo Historic District



View looking southeast – adjoining neighbors' driveway & approx. location of 2-story garage



View looking northeast – historic houses north across Monte Vista Road.

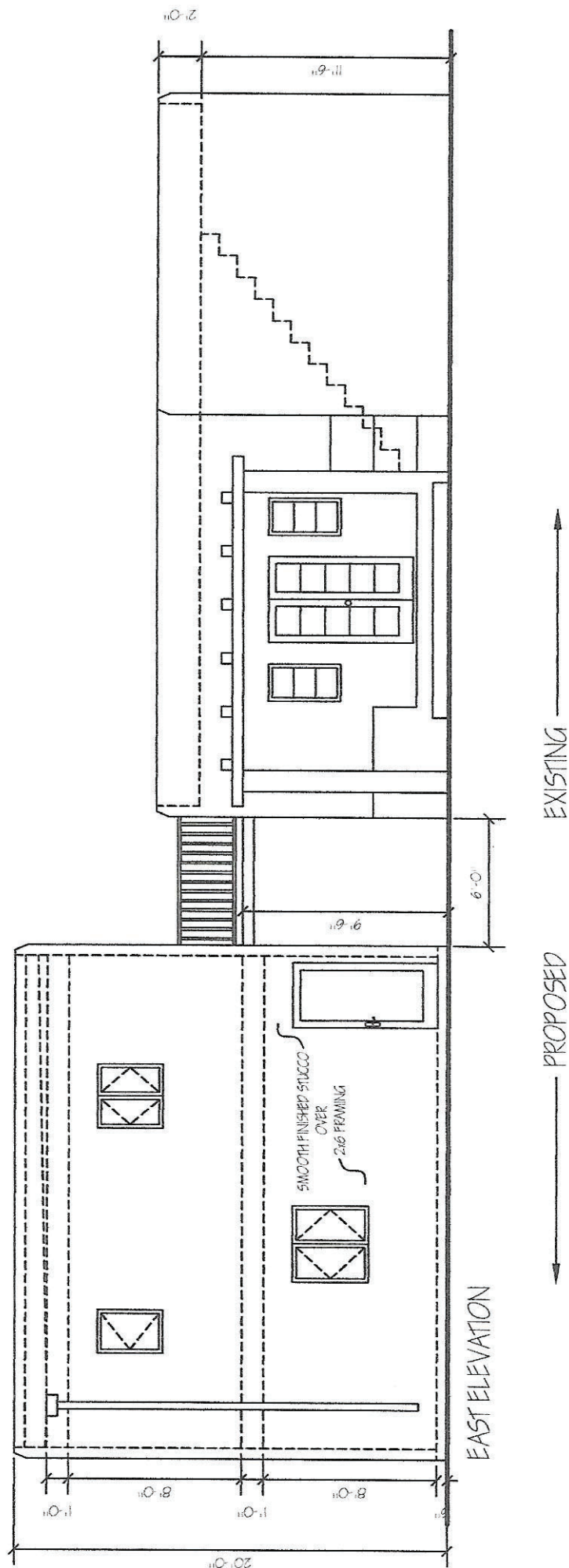


RESIDENTIAL SINGLE FAMILY RESIDENCE	
Land Use	2,351 SF
Building Area	576 SF
New Garage	0.33
New Lot Coverage	8,864 SF (0.2 ACRES)
Lot Area	RT-6
Zoning	Allowable Coverage 40%
Proposed Lot Coverage	3,400 SF - 39%

Legal Information	
W OF FOL DESC LN	BROADMOOR LOTS 1 & 3 LYING
N AT RT ANG TO S LN TO PT ON NELYN LN OF LOT 3	W OF FOL DESC LN BEG 126.78' W OF SE COR LOT 1 TH
Subdivision	BROADMOOR
Legal Lot	3
Legal Block	5

1

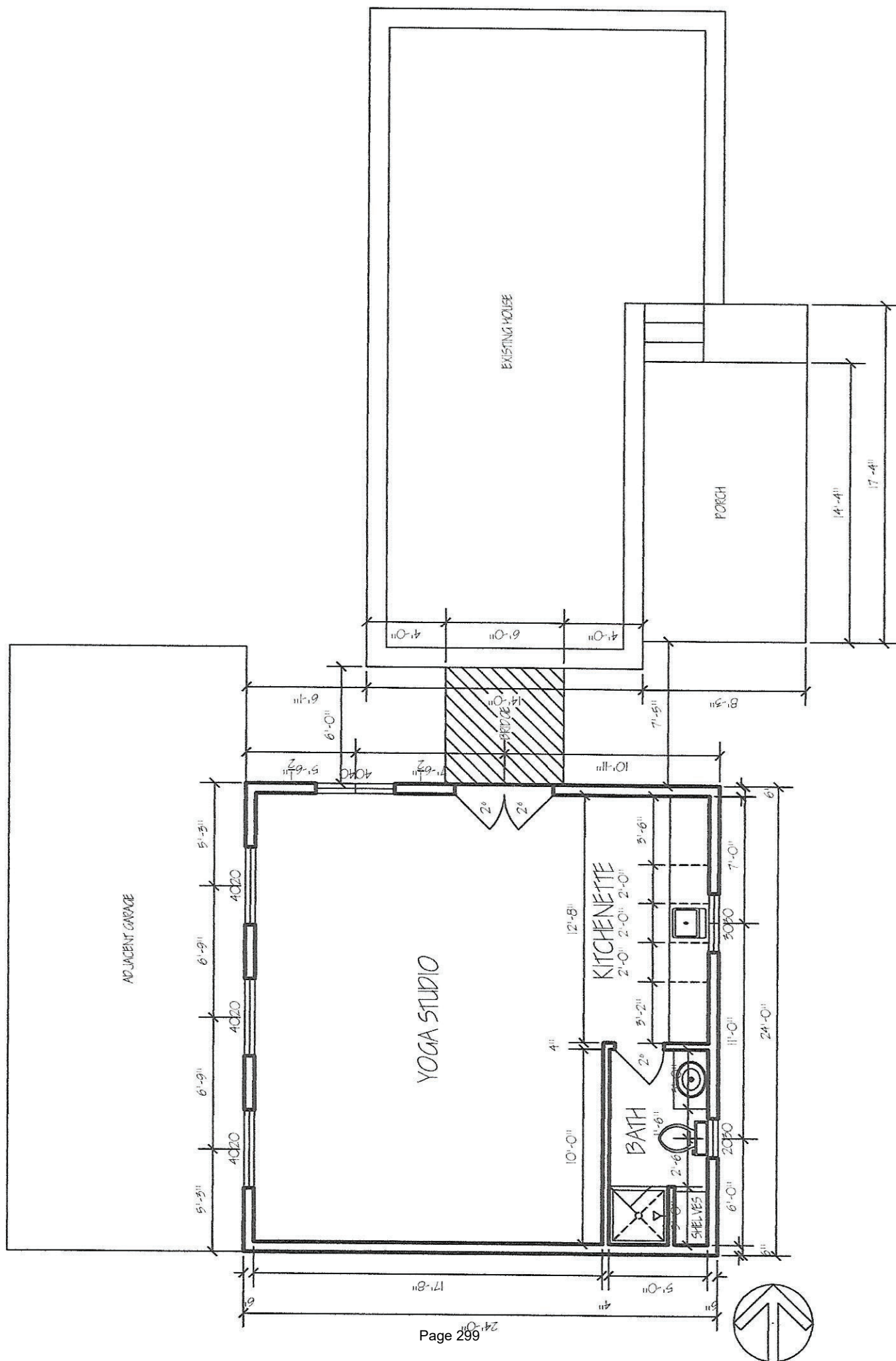


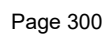


NO SCALE

Architectural drawing of the West Elevation of a building. The drawing is oriented vertically on the page. It shows a building facade with a central section labeled "EXISTING" and two side sections labeled "PROPOSED". The "EXISTING" section is a tall, narrow rectangle with a width of 11'-0" and a height of 11'-9". The "PROPOSED" sections are located on either side of the existing section, each with a width of 11'-0" and a height of 11'-0". The total width of the building is 33'-0". The drawing includes various architectural details such as windows, doors, and structural elements. Dimensions are provided in feet and inches. The text "WEST ELEVATION" is written vertically along the right side of the drawing.

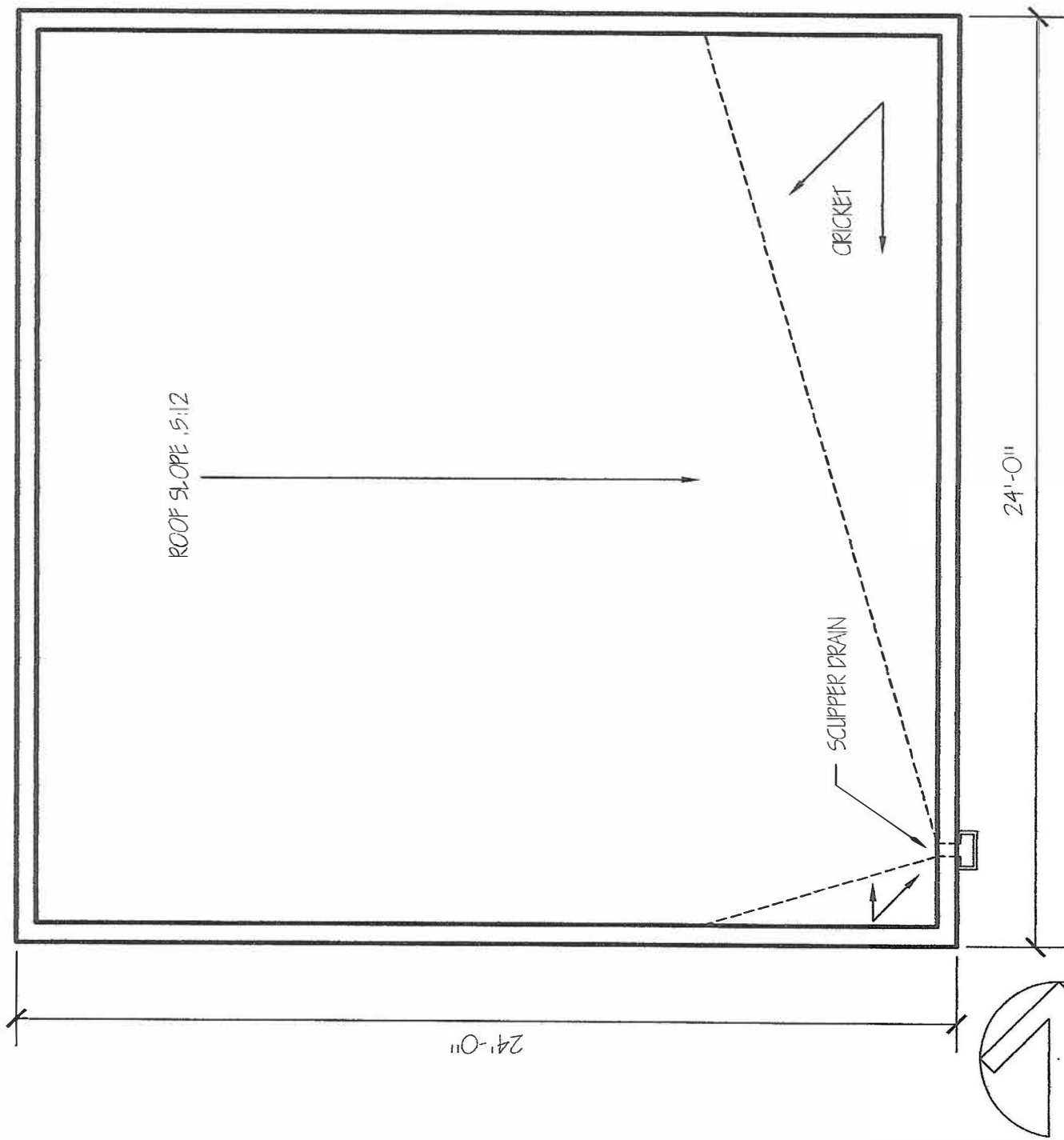
NO SCALE











ROOF DRAINAGE PLAN

SCALE  $\frac{1}{4}" = 1'$





ATTACHMENT B





















**RECEIVED**  
11/19/2021 HRU



# City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT  
HISTORIC PRESERVATION OFFICE

## Appeal of HP Commission's Decision to the City Council

The **HISTORIC PRESERVATION COMMISSION (HPC)** agenda for 11/15/21 is attached. The decision made by the **HPC** will become final unless a request to appeal that decision is filed in person by the close of business on 11/22/2021.

Any member of the public may, within five calendar days of the **HPC'S** action, request a hearing by the **PHOENIX CITY COUNCIL** on any application. If you wish to request such a hearing, fill out and sign the form below and return it to the Historic Preservation Office in person by the close of business on 11/22/2021.

### IMPORTANT

The Hearing Officer, Historic Preservation Commission and City Council all act in a quasi-judicial manner for Certificate of Appropriateness hearings. **There is to be no ex parte communication with any of these entities to include phone calls, e-mails, text messages or meetings.** Supplemental materials may be submitted through the Historic Preservation Office to be included in the packet provided to the hearing body. Check with staff on any deadlines for submission of supplemental materials. Materials provided at the hearing should include copies for the hearing body, staff, applicant, and appellant.

### APPEAL FORM

I hereby request that the HP Commission hold a public hearing regarding application number ☒ HPCA ☐ HPDA 2100117 for the property at 309 W. Monte Vista Rd. which was designated ☒ as a part of the Willo Historic District / ☐ individually as

*I am aware that the entire application will be up for review and that the City Council may uphold, reverse, or modify the decision of the HPC.*

☐ Opposition ☐ Applicant

Name (please print) Tom Doescher on behalf of the Willo Neighborhood Association Governing Board

Street Address: 50 W. Cambridge Ave.

City & State Phoenix, AZ ZIP Code 85003

Telephone 480-695-3506 E-mail: tfdoescher@gmail.com

Signature *Tom Doescher* Date Nov. 19, 2021

Reason for appeal (attach additional documentation if appropriate):

SEE ATTACHED.

### FOR STAFF USE ONLY

This decision was appealed from the 11/15/21 hearing to the \_\_\_\_\_ City Council meeting.

Page 1 of 1

For more information or for a copy of this publication in an alternate format, contact Planning & Development at 602-262-7811 Voice or TTY use 7-1-1.



## NOTICE OF PUBLIC MEETING HISTORIC PRESERVATION COMMISSION

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the **HISTORIC PRESERVATION COMMISSION** and to the general public, that the **HISTORIC PRESERVATION COMMISSION** will hold a meeting open to the public on **Monday, November 15, 2021, at 4:30 p.m.**

**Per the most recent social distancing guidelines from the federal government, no residents will be allowed to attend the meeting in-person.**

### OPTIONS TO ACCESS THE MEETING

- **Call-in to listen** to the live meeting: Dial 602-666-0783, Enter meeting access code number 2556 923 0795 , and press # again when prompted for the attendee ID
- **Observe the live meeting virtually.**
  - o Register for the event at:

<https://cityofphoenixpdd.webex.com/cityofphoenixpdd/onstage/g.php?MTID=e5b2bc50210946eeb6d1a666faea37fa1>

- **Submit a comment** on an agenda item:
  - Send your comments to: [historic@phoenix.gov](mailto:historic@phoenix.gov)
  - By: 8:00 am on November 15, 2021
  - Indicate: Item Number and case number, if applicable
- **Register to speak** on an agenda item:
  - Contact Michelle Dodds at 602-262-7468 or [michelle.dodds@phoenix.gov](mailto:michelle.dodds@phoenix.gov)
  - By: 8 hours prior to start of the meeting (Staff will make every effort to accommodate requests to speak submitted less than eight hours in advance, however, due to the added demands of facilitating the virtual environment for the public, applicants and other staff members, we may not be able to process requests made less than eight hours before the start of the meeting)
  - o If registered to speak, click on the following link at the time of the meeting to join the event and speak when called upon:

<https://cityofphoenixpdd.webex.com/cityofphoenixpdd/onstage/g.php?MTID=e5b2bc50210946eeb6d1a666faea37fa1>

#### Note:

- Agenda items may be taken out of order.
- Presentation order (staff report/recommendation; applicant presentation (if applicable); questions from Commission; community comments; applicant response (if applicable); floor closed for Commission discussion, possible motion, and vote.
- Comments may be limited due to time constraints and to ensure all viewpoints are heard.

***The Commission may at any time vote to go into Executive Session pursuant to A.R.S. Section 38-431.03.A.3 for the purpose of receiving legal advice from the Commission's attorney regarding any item on the agenda.***

The agenda for the meeting is as follows:

1.	Call to order	Dan Klocke, Commission Chair
2.	Introduction of Commission Members and Staff	HP Commission & Staff
3.	Review of meeting minutes from the meeting on October 18, 2021 and the special meeting on October 26, 2021  Action Requested: Approval of Minutes- two separate actions	HP Commission
4.	Public Hearing on Appeal of Historic Preservation Hearing Officer's Decision on Certificate of Appropriateness Application # HPCA 2000508 at 612 N. 5 <sup>th</sup> Avenue in the Roosevelt Historic District  Request: Construct a 3-story four-plex with rooftop deck and roof screening structure behind existing historic dwelling  Action Requested: Uphold, Reverse or Modify Hearing Officer's Decision	Helana Ruter, HP Staff, Owner, Ran Holdings LLC Applicant/ Representative and Appellant, Christina Lufkin, Kaiserworks LLC
5.	Public Hearing on Appeal of Historic Preservation Hearing Officer's Decision on Certificate of Appropriateness Application # HPCA 2100117 at 309 W. Monte Vista Road in the Willo Historic District  Request: Construct a 2-story, 1,152 sf garage/yoga studio at the southwest corner of the lot with elevated walkway to the main house  Action Requested: Uphold, Reverse or Modify Hearing Officer's Decision	Jodey Elsner, HP Staff, Appellant, Tom Doescher, Chairperson Willo Zoning Committee, Owner/Applicant, Jennifer Hunter and Bruce MacArthur
6.	2021-2022 Exterior Rehabilitation Grants Approval presentation and possible action  Action Requested: Recommend approval of grant funding	Michelle Dodds, HP Staff
7.	Discussion on possible historic preservation study to look at recommendations for better protecting the city's historic resources  Action Requested: Discussion only	Michelle Dodds, HP Staff

<b>8.</b>	Discussion and possible action regarding Historic Preservation General Fund Budget for 2022/2023 Action Requested: Possible action regarding budget	Dan Klocke, Chair
<b>9.</b>	Update on requests for demolition <ul style="list-style-type: none"> <li>• 30-day demolition holds</li> <li>• Properties on the Phoenix Register</li> </ul> Action Requested: Information and possible discussion	Maura Jackson, HP Staff
<b>10.</b>	Advocacy and outreach update	HP Commission
<b>11.</b>	Staff updates and requests for information from staff Demolition by Neglect Survey Exterior Rehabilitation Grant Round <ul style="list-style-type: none"> <li>• Economic Development and Equity Subcommittee Recommendation 11/16/21(moved up from 11/24)</li> <li>• City Council Approval 12/1/21</li> </ul> Miracle Mile- Draft survey under revision per SHPO comments Multi-family Historic Context- Draft due in December Historic Sites Review Committee Recommendations from 11/5/21: <ul style="list-style-type: none"> <li>• Royale Gardens II</li> <li>• Palmdale Elementary School</li> <li>• Casa del Northern</li> </ul> McKinley Medical Center (McKinley Club) 802 N. 1 <sup>st</sup> Avenue Perpetual Conservation Easement (City Council 11/17/21) Paul Coze Mural	HP Commission
<b>12.</b>	Future agenda items Next scheduled meeting: December 20, 2021	HP Commission and Staff
<b>13.</b>	Public Comment and Communication	Public
<b>14.</b>	Adjournment	HP Commission

For further information, please call the Historic Preservation Office at 602-261-8699.

To request a reasonable accommodation, please contact Tamra Ingersoll at 602-534-6648, TTY: Use 7-1-1.

Si necesita asistencia o traducción en español, favor de llamar lo más pronto posible a la Oficina de Preservación Histórica de la ciudad de Phoenix al (602) 261-8699.

### Reasons for Appeal

Case No. HPCA 2100117

Date of Historic Preservation Hearing: September 21, 2011

Date of Historic Preservation Commission Appeal: November 15, 2021

1. The Historic Preservation Commission erred in its decision by failing to correct errors and deficiencies in the underlying Historic Preservation Hearing Officer's decision as follows:
  - a. Both the Historic Preservation Commission and the HP Hearing Officer erred in their decisions to approve and uphold a 20-foot-high, 2-story secondary building (garage/detached living quarters) behind the 13.5-foot home at 309 W. Monte Vista Rd., in contravention of the City of Phoenix Historic Preservation Guidelines ("HP Guidelines"). The HP Guidelines require that, "Secondary new structures, such as garages and outbuildings, should be subordinate to the size and appearance of the primary historic building..." and, "New garage, even if larger than original should maintain original relationship to house."

The proposed 2-story garage/detached living quarters will be 50% higher than the main home and, thus, will not be subordinate to it. It fails to maintain the original relationship to the main house because the original garage was one story high, i.e., at or below the ridgeline of the main house – not 50% taller as the proposed new garage will be.

Not only will the proposed 20-foot-tall garage greatly exceed the height of the primary home, it will be one of the tallest structures in Willo, exceeding the height of historic bungalows and matching or exceeding the height of high-pitched Tudor Revival homes. Clearly, this structure is not subordinate to the homeowner's 13.5-foot tall, low-slung Spanish Colonial/Mission Revival style home.

- b. The Hearing Officer's ruling was in opposition to previous rulings and precedent in the Willo Historic District going back to when Willo was first listed with the National Register of Historic Places and Phoenix Historic Property Register in 1991. To our knowledge, no applications for 2-story outbuildings in Willo have been approved since Willo became listed on the Historic Register in 1991 (other than a recent application to rebuild a historic deteriorated 2-story structure that was pre-existing before Willo became a historic district.
    - c. The Hearing Officer failed to consider or address massing and scale of the proposed 2-story secondary structure in her decision, which are considerations under the City of Phoenix General Design Guidelines for Historic Properties. If the 2-story garage/detached living quarters is built, approximately 40% of the mass of the buildings on the lot will be oriented vertically and concentrated on a small (576 sq. ft.) corner of the large (8,864 sq. ft.) lot behind the low-slung, horizontally oriented main home.

- d. The Hearing Officer based her decision on her personal opinion that she didn't "think" the secondary structure would be "very visible" from the street, without any evidence presented to support her conclusion, since Applicant did not provide a north elevation diagram at the HP Hearing. The north (front) elevation is the most important single piece of information in determining the visual impact of the proposed 2-story garage/detached living quarters from the street view.
- e. The Hearing Officer, after admitting that the application did not contain all necessary information, approved the application anyway, and said the Applicants could file additional documents that were material to the decision-making process, such as the north elevation diagram (street view of the proposed project) with the City of Phoenix Historic Preservation Office after the hearing, i.e., the Hearing Officer admitted she was approving the application without all the material and necessary documentation and decided that the Applicant could simply file it at some later, unspecified date.
- f. The Hearing Officer instructed the Applicant to file material documents outside of the public process, stating that no further hearing would be necessary, depriving the public from examining those documents within the public hearing process, which we believe is in violation of The City of Phoenix Code and Zoning Ordinance and circumvents due process requirements.
- g. The Hearing Officer erroneously concluded that a handful of nearby non-conforming secondary structures that predate Willo's listing as a Historic District should serve as precedent in rendering her decision. The Hearing Officer failed to provide any rationale for citing these non-conforming structures as precedent, and provided no comparison of heights, scale, and massing of the structures, nor any other basis for making this decision.
- h. The Staff Report incorrectly states that the proposed 2-story, 20-foot-high secondary structure is "as low as possible." Clearly this is not true, because the previous 1-story structure was far below 20 feet. (The home itself is only 13.5-14' high).
- i. The Staff Report cites a handful of non-conforming secondary structures as precedent for their recommendation of approval while providing no comparison of the relative height, massing, scale, etc. of those non-conforming structures with the current proposed project, and while completely ignoring the plain fact that the vast majority of secondary structures in Willo are 1-story, including, to our knowledge, every secondary structure constructed in Willo since it was designated a Historic District in 1991.
- j. The Staff Report fails to provide any analysis of how the City of Phoenix General Design Guidelines for Historic Properties apply to this application and fails to state

how the Historic Preservation guidelines support its conclusion that the application be approved. In fact, there is no mention of the City of Phoenix General Design Guidelines for Historic Properties at all in the Staff Report.

- k. Neither the Hearing Officer, nor the Staff Report offered any evidence of incorporating the Willo Conservation Plan (adopted by the Phoenix City Council in 1986) into their decision-making and ultimate recommendation. We believe the Hearing Officer's decision is massively detrimental to the Willo Conservation Plan's goal of preserving the historic character and architecture of the Willo neighborhood, because it opens the door for 2-story secondary structures in every back yard, 50% higher than the historic homes, visually overwhelming the historic view-scape and resulting in large, tall outbuildings becoming the dominant structures in Willo. This does not serve the Willo neighborhood or align with our Conservation Plan or the goals and objectives of historic preservation in Phoenix.
2. At the HP Commission Hearing on November 15, 2021, the Staff Planner gave grossly incorrect information to the HP Commission when she denied that a recent application for a 2-story structure at 133 W. Palm Lane was denied because its height exceeded that of the main home (the Willo Neighborhood provided this case as a recent example demonstrating that applications for 2-story structures are routinely denied in Willo). When a Commissioner asked the planner whether the denial of the 2-story structure at 133 W. Palm Lane was comparable to the present case, she said "No", and said it had been denied because the owner planned to remove a portion of the back of the home.

The record/staff report on the 2-story structure at 133 W. Palm Lane clearly shows otherwise – that the HP Staff's only basis for not recommending approval of the project was its height. In their report, the staff recommended approval as long as the building was "no taller than the primary ridge of the historic house..." The report does not raise any objection at all to the removal of a portion of the back of the house (which is allowable under the HP guidelines since it is not visible from the street). The staff recommendation on 133 W. Palm Lane states:

"Based on the findings above, staff recommends approval of this application with the following stipulation:

- 1) That the proposed addition be one-story and no taller than the primary ridge of the historic house, which is 18' 4" tall;
- 2) That the existing siding in the east and west-facing gables remain intact." (Staff Report HPCA 2000340, dated Dec. 17, 2020.)  
(The portion at the back of the house to be removed was behind the east and west-facing gables).

The Hearing Officer who decided the 133 W. Palm Lane case denied the application because the height of the proposed 2-story structure exceeded the height of the primary home – period.

When questioned by the HP Commission, the planner either misspoke or otherwise gave a false and misleading account of why the proposed 2-story structure at 133 W. Palm Lane was denied. This false information was given after both parties had spoken at the appeal, and public comments were cut off and members of the public were “muted” at the virtual hearing, so there was no opportunity for the public to correct the staff’s comments. Thus, the HP Commission’s decision was based on incorrect information provided by the HP staff member.

3. One of the HP Commissioners who voted to deny the appeal stated the basis of her decision as “there are [2-story] carriage houses in Roosevelt”. The Roosevelt Historic District, whose homes are approximately a decade older than the oldest homes in Willo is not a comparable example. Each of Phoenix’s historic districts are unique and have always been treated as such with regard to HP guidelines applications and decisions; and Willo has its own conservation plan to preserve its unique historic character. Trying to replicate Roosevelt’s carriage houses in Willo simply defies good preservation practice because it would create a false sense of history.
4. Some of the HP Commissioners based their conclusions on the staff report’s curious and unsupported contention that the “Broadmoor” subdivision within Willo should be treated separately from the rest of Willo and allowed to have 2-story outbuildings because the homes were more “upscale”. The staff member based this on marketing ads for homes when the “Broadmoor” subdivision, whose construction began some one hundred years ago. Of the dozens of ads presented by staff for the 154-home subdivision, only one referenced a 2-story outbuilding. Of the 154 homes in the “Broadmoor” subdivision, only 4 of the 5 mentioned in the Staff Report have a 2-story outbuilding with a height exceeding the roofline of the main home, and some of the others do not appear to be 20’ tall. In any case, they all predate Willo’s listing as a historic district and the HP guidelines that are now in effect require secondary buildings to be subordinate). Non-conforming buildings are not used as precedent when new structures are built. Instead of focusing on the vast and undeniable pattern in Willo, which has over 900 historic one-story homes with one-story garages, some of the Commissioners chose to focus on a handful of homes with old 2-story outbuildings and chose to make these exceptions the new rule.
5. Opening the door for 2-story outbuildings in the old “Broadmoor” subdivision not only defies logic because its historic structures (homes and garages) are nearly all one story, but it would also create an underclass of Willo residents whose homes are not in the Broadmoor boundary and whose applications for 2-story outbuildings would thus be denied. The staff said during the appeal that they would not approve applications for 2-story garages for ranch houses in “the north end of Willo”. Parsing the Willo Historic District (which was listed with the National Register all at once as a single historic district) into separate sections with different rules for each, is not only unsupportable based on the historic evidence and best practice, but we believe it is likely to be legally indefensible if the City tries to create different property entitlements within Willo.

For the reasons stated above, we believe the Hearing Officer's decision and the HP Commission's upholding of that decision are fatally flawed. THEREFORE, the Willo Neighborhood Association respectfully requests that this appeal be granted, and the HP Commission's decision be overturned.