

# PHOENIX CITY COUNCIL FORMAL AGENDA



Mayor Greg Stanton

Vice Mayor  
District 3  
Bill Gates

District 1  
Thelda Williams

District 2  
Jim Waring

District 4  
Laura Pastor

District 5  
Daniel Valenzuela

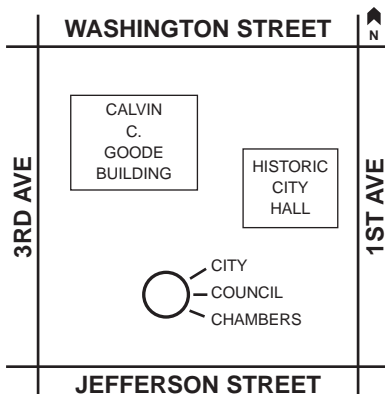
District 6  
Sal DiCiccio

District 7  
Michael Nowakowski

District 8  
Kate Gallego

*Online agendas and  
results available at  
[www.phoenix.gov](http://www.phoenix.gov)*

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



## WELCOME!

You are now participating in the process of representative government. We welcome your interest and hope you and your friends will often attend Phoenix City Council meetings. Democracy cannot endure without an informed electorate. Phoenix utilizes a Council-Manager form of local government. Policy is set by the Mayor and Council who are elected by the people, and carried out by the City Manager, who is appointed by the Council. The Council decides what is to be done and the City Manager, operating through the entire City staff, does it. This separation of policy-making and policy administration is considered the most economical and efficient form of city government.

## FORMAL CITY COUNCIL MEETINGS

The Council takes official action at "formal" meetings biweekly on Wednesday at 3:00 p.m. Ordinances, Resolutions and Formal Actions are officially enacted or rejected at this time from the agenda. Although this agenda is subject to change from time to time, all changes to the printed agenda will be available 24 hours prior to the meeting.

The "formal" meeting may appear to proceed extremely fast, with important decisions reached after very little discussion. Actually, Council members receive the agenda the Thursday prior to the meeting. They have the opportunity to study every item on the agenda over the weekend and ask questions of City staff members. If no additional facts are presented at the "formal" meeting, they often act on matters, particularly routine ones, without further discussion.

## HOW CITIZENS CAN PARTICIPATE

Citizens may appear before the City Council or a Council Subcommittee to express their views on any published agenda item. In addition, a Citizen Comment Session is held on Wednesdays immediately following the formal City Council meetings which begin at 3:00 p.m. The City Council does not meet every Wednesday, so please call the City Clerk Department at 602-262-6811 to confirm the date and time of the next formal meeting.

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

## REGISTERED LOBBYISTS

Individuals paid to lobby on behalf of persons or organizations other than themselves shall register with the City Clerk prior to lobbying or within five business days thereafter and must re-register annually. If you have any questions about registration or whether or not you must register, please contact the City Clerk's Office at 602-256-3186.

An assistive listening system is available in the Council Chambers for individuals with hearing loss. Headset units are available at the entrance table in the Chambers. In addition, the City Clerk's office will provide sign language interpreting services. Please call (voice) 602-256-3186 or (TTY) 602-534-2737 as early as possible to coordinate needed arrangements.

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

# City of Phoenix Council members and district boundaries



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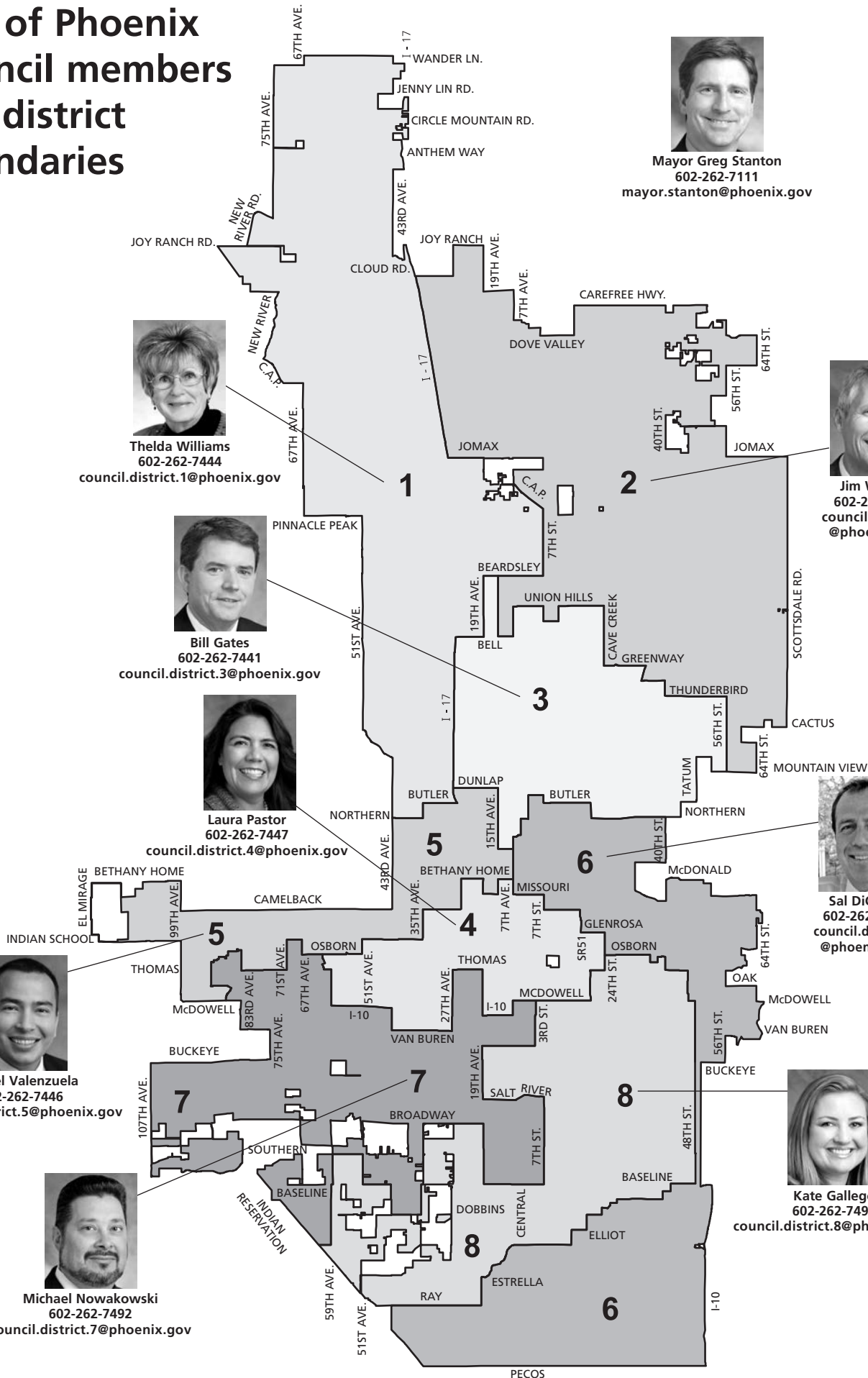
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COUNCIL CHAMBERS, 200 WEST JEFFERSON  
PHOENIX, ARIZONA 85003**

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## **AGENDA FOR FORMAL MEETING**

**PHOENIX CITY COUNCIL  
WEDNESDAY, JANUARY 29, 2014, 3:00 P.M.  
COUNCIL CHAMBERS, 200 WEST JEFFERSON  
PHOENIX, ARIZONA 85003**

### **INVOCATION**

The invocation to be given by Senior Pastor Rodger Loar, Mountain View Christian Church.

### **PLEDGE**

The Pledge of Allegiance to the Flag to be led by Councilman Jim Waring.

### **ROLL CALL**

### **MINUTES OF MEETINGS**

(Continued from January 15, 2014) - For approval or correction, the minutes of the formal meeting of October 30, 2013.  
(Submitted to Mr. DiCiccio)

### **BOARDS AND COMMISSIONS**

Mayor's appointments to Boards and Commissions.

City Council Members' appointments to Boards and Commissions.

The names of persons being recommended for appointment and the Board, Commission, or Committee to which their appointments are being recommended are available in the City Clerk's Office, 15th Floor, Phoenix City Hall, 200 West Washington Street, not less than 24 hours prior to the meeting.



## LIQUOR LICENSE APPLICATIONS

### ITEM 1

### DISTRICT 1

### LIQUOR LICENSE APPLICATION - DUNES LOUNGE

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Request for a Series 6, On Sale-All Liquor, liquor license in an area zoned C-2. Arizona State Application 06070236.

Applicant:                      Rose Davidson, Agent  
   Dunes Lounge  
   3611 West Dunlap Avenue

This request is for an ownership transfer of a Series 6 liquor license from Sand Pile Entertainment, LLC to LVC, LLC for a bar. This location was previously licensed for liquor sales and is currently operating with an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Friday, January 31, 2014.

Consideration may be given only to the applicant's personal qualifications and not to the location.

1.        Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not currently hold an interest in any other liquor license in the State of Arizona.
2.        Police Calls for Service - Not applicable since the applicant does not currently hold an interest in any other liquor license in the City of Phoenix.
3.        Public Opinion - No petitions or protests have been received.
4.        Applicant's Statement - The applicant submitted the following statement in support of this application. Spelling, grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire:

I have the capability, reliability, and qualifications to hold a liquor license because: "I have been in the food services and related businesses for many years. I enjoy mixing with people. I run a very clean and tidy business."

5.        Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Mr. Meyer and the City Clerk Department.

### ITEM 2

### DISTRICT 1

### LIQUOR LICENSE APPLICATION - BENTO BOX

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Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079729.

Applicant:                      Tina Roberts, Agent  
   Bento Box  
   2501 West Happy Valley Road, #50-1230

This request is for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 25 and there is no bar area. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Saturday, February 1, 2014.

Consideration may be given to the applicant's personal qualifications and to the location.

1.        Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.

2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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:
  - A. I have the capability, reliability, and qualifications to hold a liquor license because: "I've owned and operated businesses with liquor licenses. There have been no suspensions and any problems were dealt with promptly."
  - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "It will add more variety of options to the members of the community looking to have liquor along with their food."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	1	0
Beer & Wine Bar	7	3	2
Liquor Store	9	3	2
Beer & Wine Store	10	3	3
Restaurant	12	14	13

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	0.47	0.75
Property Crimes	45.04	20	30.62

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	0
Total Violations	105	0

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
0303421	3482	97%	4%	5%
0303422	867	77%	8%	2%
0303423	645	no data available	no data available	no data available
Average		63%	6%	15%

6. Staff Recommendation - Staff recommends approval of this application.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Mr. Meyer and the City Clerk Department.

District 1  
 Tina Roberts, Agent  
 Bento Box  
 2501 West Happy Valley Road #50-1230



Arizona Revised Statutes 4 203(A), there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed. Sampling Privileges: Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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: "Fresh & Easy holds several liquor licenses in Arizona and throughout the United States. Managers and staff have been, or will be, trained in the techniques of alcohol sales and service to assure proper sales to their customers."

5. Staff Recommendation - Staff recommends approval of this application.

If denied, the applicant will not continue operations without a liquor license and the previous owner will not resume ownership.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 4**                      **DISTRICT 4**                      **LIQUOR LICENSE APPLICATION - SPECIAL  
EVENT - ACTORS THEATRE OF PHOENIX**

The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
4	Erica Black Actors Theatre of Phoenix 5110 North 44th Street, L200  (Silent Auction/Cocktail Party)	- <u>Event Location:</u> 300 East Indian School Road - <u>Day/Date/Time:</u> Sunday, April 13, 2014 5:00 p.m. to 7:30 p.m. - <u>Total Expected Attendance:</u> 250

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 5**                      **DISTRICT 4**                      **LIQUOR LICENSE APPLICATION - SPECIAL  
EVENT - ARIZONA HEMOPHILIA  
ASSOCIATION, INC.**

The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
4	Cindy Komar Arizona Hemophilia Association, Inc. 826 North 5th Avenue  (Food and Tequila Tasting)	- <u>Event Location:</u> 300 East Indian School Road - <u>Day/Date/Time:</u> Saturday, March 8, 2014 10:00 a.m. to 6:00 p.m. - <u>Total Expected Attendance:</u> 20,000

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 6                      DISTRICT 4                      LIQUOR LICENSE APPLICATION - SPECIAL  
EVENT - ST. FRANCIS XAVIER ROMAN  
CATHOLIC PARISH PHOENIX**

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The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
4	Nancy Shaw St. Francis Xavier Roman Catholic Parish Phoenix 4715 North Central Avenue  (Dinner/Dance)	- <u>Event Location:</u> 4715 North Central Avenue - <u>Day/Date/Time:</u> Saturday, March 1, 2014 6:00 p.m. to 10:00 p.m. - <u>Total Expected Attendance:</u> 250

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 7                      DISTRICT 4                      LIQUOR LICENSE APPLICATION -  
FRESH & EASY #1075**

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Request for a Series 10, Off Sale-Beer and Wine, liquor license with Sampling Privileges in an area zoned C-2. Arizona State Applications 10076471 and 10076471S.

Applicant:                      Andrea Lewkowitz, Agent  
   Fresh & Easy #1075  
   655 West Indian School Road

This request is for a new Series 10 liquor license with sampling privileges for a grocery store. This location was previously licensed for liquor sales as Fresh & Easy Neighborhood Market and is currently operating with an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Monday, February 3, 2014.

Series 10: Consideration should be given only to the applicant's personal qualifications. In regard to the location, pursuant to Arizona Revised Statutes 4 203(A), there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed. Sampling Privileges: Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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: "Fresh & Easy holds several liquor licenses in Arizona and throughout the United States. Managers and staff have been, or will be, trained in the techniques of alcohol sales and service to assure proper sales to their customers."

5. Staff Recommendation - Staff recommends approval of this application.

If denied, the applicant will not continue operations without a liquor license and the previous owner will not resume ownership.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 8**                                      **DISTRICT 6**                                      **LIQUOR LICENSE APPLICATION - SPECIAL EVENT - NOTMYKID, INC.**

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The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
6	Katherine Sarvas NotMyKid, Inc. 5230 East Shea Boulevard, Suite 100  (Dinner/Raffle/Live Auction)	- <u>Event Location:</u> 5031 East Washington Street - <u>Day/Date/Time:</u> Friday, April 25, 2014 7:00 p.m. to 12 midnight - <u>Total Expected Attendance:</u> 800

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 9**                                      **DISTRICT 6**                                      **LIQUOR LICENSE APPLICATION - FRESH & EASY #1048**

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Request for a Series 10, Off Sale-Beer and Wine, liquor license with Sampling Privileges in an area zoned PSC. Arizona State Applications 10076476 and 10076476S.

Applicant: Andrea Lewkowitz, Agent  
Fresh & Easy #1048  
7812 North 12th Street

This request is for a new Series 10 liquor license with sampling privileges for a grocery store. This location was previously licensed for liquor sales as Fresh & Easy Neighborhood Market and is currently operating with an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Monday, February 3, 2014.

Series 10: Consideration should be given only to the applicant's personal qualifications. In regard to the location, pursuant to Arizona Revised Statutes 4 203(A), there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed. Sampling Privileges: Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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: "Fresh & Easy holds several liquor licenses in Arizona and throughout the United States. Managers and staff have been, or will be, trained in the techniques of alcohol sales and service to assure proper sales to their customers."

5. Staff Recommendation - Staff recommends approval of this application.

If denied, the applicant will not continue operations without a liquor license and the previous owner will not resume ownership.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 10**                      **DISTRICT 6**                      **LIQUOR LICENSE APPLICATION -**  
**FRESH & EASY #1331**

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Request for a Series 10, Off Sale-Beer and Wine, liquor license with Sampling Privileges in an area zoned C-2 PCD. Arizona State Applications 10076475 and 10076475S.

Applicant: Andrea Lewkowitz, Agent  
Fresh & Easy #1331  
4816 East Ray Road

This request is for a new Series 10 liquor license with sampling privileges for a grocery store. This location was previously licensed for liquor sales as Fresh & Easy Neighborhood Market and is currently operating with an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Monday, February 7, 2014.

Series 10: Consideration should be given only to the applicant's personal qualifications. In regard to the location, pursuant to Arizona Revised Statutes 4 203(A), there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed. Sampling Privileges: Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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: "Fresh & Easy holds several liquor licenses in Arizona and throughout the United States. Managers and staff have been, or will be, trained in the techniques of alcohol sales and service to assure proper sales to their customers."

5. Staff Recommendation - Staff recommends approval of this application.

If denied, the applicant will not continue operations without a liquor license and the previous owner will not resume ownership.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 11**

**DISTRICT 6**

**LIQUOR LICENSE APPLICATION -  
FRESH & EASY #1408**

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Request for a Series 10, Off Sale-Beer and Wine, liquor license with Sampling Privileges in an area zoned C-2. Arizona State Application 10076474 and 10076474S.

Applicant: Andrea Lewkowitz, Agent  
Fresh & Easy #1408  
3933 East Camelback Road

This request is for a new Series 10 liquor license with sampling privileges for a grocery store. This location was previously licensed for liquor sales as Fresh & Easy Neighborhood Market and is currently operating with an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Monday, February 3, 2014.

Series 10: Consideration should be given only to the applicant's personal qualifications. In regard to the location, pursuant to Arizona Revised Statutes 4 203(A), there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed. Sampling Privileges: Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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: "Fresh & Easy holds several liquor licenses in Arizona and throughout the United States. Managers and staff have



been, or will be, trained in the techniques of alcohol sales and service to assure proper sales to their customers."

5. 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.

If denied, the applicant will not continue operations without a liquor license and the previous owner will not resume ownership.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 12**                      **DISTRICT 6**                      **LIQUOR LICENSE APPLICATION - THE MARKET BY JENNIFER'S CATERING**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079731.

Applicant:                      Randy Nations, Agent  
   The Market by Jennifer's Catering  
   3611 East Indian School Road, Suite A

This request is for a new Series 12 liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 7, On Sale-Beer and Wine, liquor license. The operation plan filed with the application shows that the restaurant area seats 50 and there is no bar area. This business will have outdoor dining and outdoor alcohol sales. This location requires a Use Permit for this type of activity. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Sunday, February 2, 2014.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - The ownership of this business also has an interest in the following liquor license:

The Market by Jennifer's Catering (Series 7)  
3611 East Indian School Road, Suite A  
Phoenix, Arizona

The Public Access Database indicates that the above license has not had any administrative sanctions levied against the ownership by the Department.

2. Police Calls for Service - The Department reports the following number of aggregate calls for police service in the last 12 months at establishments located in the City of Phoenix in which the applicant has an ownership interest:

The Market by Jennifer's Catering (Series 7)  
3611 East Indian School Road, Suite A  
3 calls

3. Public Opinion - No petitions or protests have been received.
4. 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:
  - A. I have the capability, reliability, and qualifications to hold a liquor license because: "I will require my employees to attend the basic liquor law training class. This location is currently licensed with a Series 7 liquor license."
  - B. 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 my patrons an alcoholic beverage if they choose to have one."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	4	2
Beer & Wine Bar	7	6	2
Liquor Store	9	3	1
Beer & Wine Store	10	6	1
Restaurant	12	20	8

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	9.7	10.87
Property Crimes	45.04	98.2	85.62

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	84
Total Violations	105	146

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1082004	455	95%	4%	1%
1083002	560	45%	5%	6%
1083003	616	74%	3%	1%
1083007	978	47%	4%	10%
1083008	920	65%	4%	2%
1109001	1080	61%	3%	15%
1109002	1114	94%	1%	9%
1109003	604	46%	2%	3%
1109006	731	21%	9%	11%
1109007	689	32%	4%	18%
1110003	1139	64%	6%	7%
1110005	865	23%	9%	15%
Average		63%	6%	15%

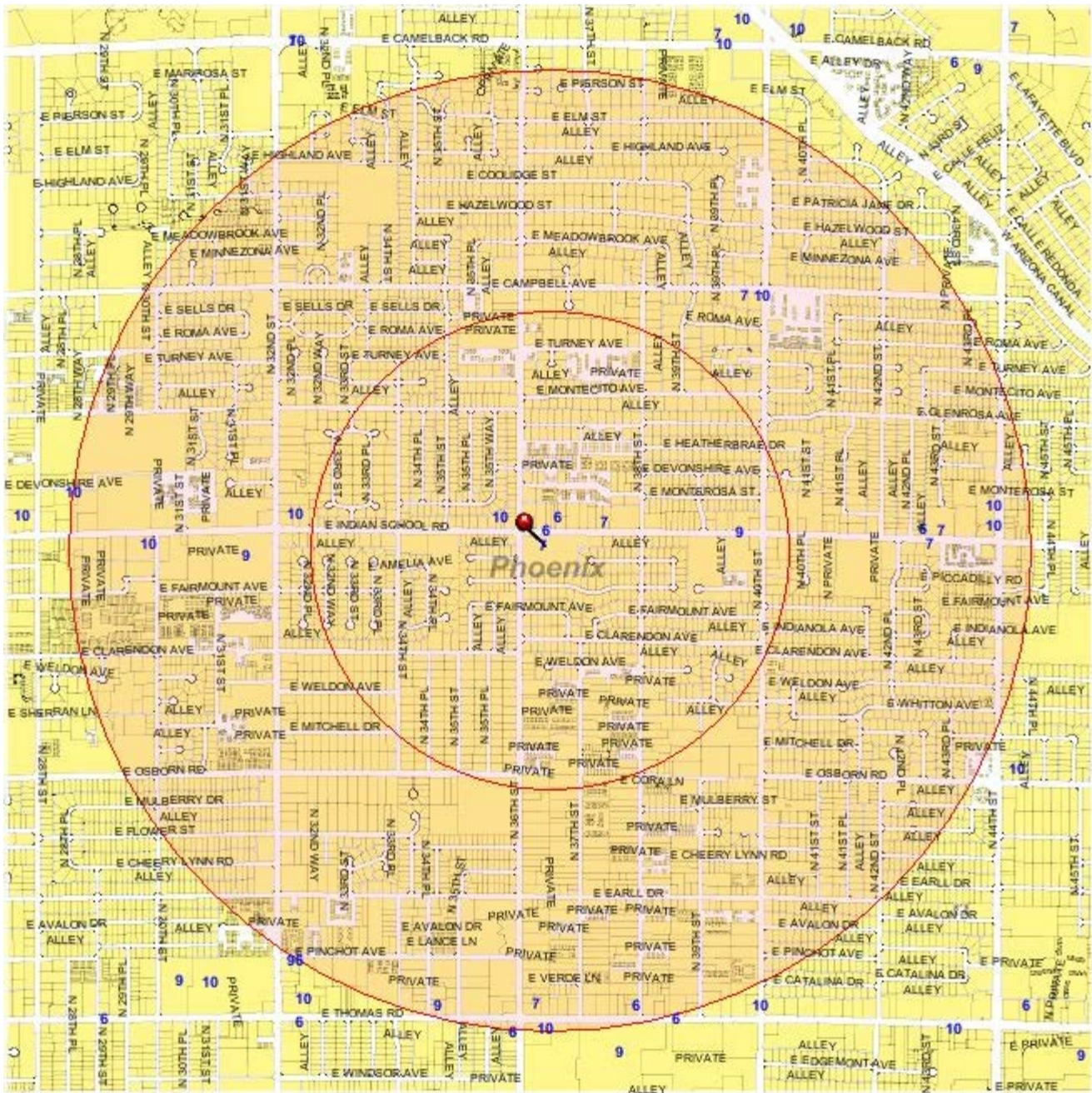
6. Staff Recommendation - Staff recommends approval of this application, noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Mr. Meyer and the City Clerk Department.

District 6

Randy Nations, Agent  
 The Market by Jennifer's Catering  
 3611 East Indian School Road, Suite A



**ITEM 13**

**DISTRICT 7**

**LIQUOR LICENSE APPLICATION -  
TAQUITOS & BEER**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned A-1. Arizona State Application 12079638.

Applicant: Theresa Morse, Agent  
Taquitos & Beer  
7710 West Lower Buckeye Road, #107

This request is for an acquisition of control of a Series 12 liquor license for a restaurant. This location is currently licensed for liquor sales. The operation plan filed with the application shows that the restaurant area seats 70 and the bar area seats 13. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Sunday, February 2, 2014.

Consideration may be given only to the applicant's personal qualifications and not to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not currently hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not currently hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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 already attended both basic and management liquor law training and I am assisting with the business financially as well as physically working at the location. I have no criminal history and am a very responsible individual."

5. Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 14                      DISTRICT 8                      LIQUOR LICENSE APPLICATION - SPECIAL EVENT - ALWUN HOUSE FOUNDATION**

The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
8	Dana Johnson Alwun House Foundation 1204 East Roosevelt Street  (Art Show/Dance Performance)	- <u>Event Location:</u> 1204 East Roosevelt Street - <u>Day/Date/Time:</u> Friday, February 14, 2014 7:00 p.m. to 1:00 a.m. - <u>Total Expected Attendance:</u> 400

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 15                      DISTRICT 8                      LIQUOR LICENSE APPLICATION - SPECIAL EVENT - ALWUN HOUSE FOUNDATION**

The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
8	Dana Johnson Alwun House Foundation 1204 East Roosevelt Street	- <u>Event Location:</u> 1204 East Roosevelt Street -

(Poetry/Live Music)

Day/Date/Time:  
Friday, February 21, 2014  
7:00 p.m. to 12:30 a.m.

-  
Total Expected Attendance: 175

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 16**                      **DISTRICT 8**                      **LIQUOR LICENSE APPLICATION - SPECIAL  
EVENT - SAINT SAVA SERBIAN ORTHODOX  
CHURCH**

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The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
8	Donna Vudrag Saint Sava Serbian Orthodox Church 848 East Baylor Lane  (Golf Tournament/Dinner/ Live Music)	- <u>Event Location:</u> 4436 East McKinley Street - <u>Day/Date/Time:</u> Thursday, February 20, 2014 7:00 p.m. to 11:00 p.m. - <u>Total Expected Attendance:</u> 100  <u>Day/Date/Time:</u> Friday, February 21, 2014 7:00 p.m. to 11:00 p.m. - <u>Total Expected Attendance:</u> 200  <u>Day/Date/Time:</u> Saturday, February 22, 2014 5:00 p.m. to 12 midnight - <u>Total Expected Attendance:</u> 200

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 17**                      **DISTRICT 8**                      **LIQUOR LICENSE APPLICATION - SPECIAL  
EVENT - SPINA BIFIDA ASSOCIATION OF  
ARIZONA, INC.**

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The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
-	-	-

8 Sharri Runnels  
Spina Bifida Association of Arizona, Inc.  
5712 West Laurie Lane

(Festival/Beer Tasting)

Event Location:  
475 East Lincoln Street

-  
Day/Date/Time:  
Saturday, February 22, 2014  
1:00 p.m. to 6:00 p.m.

-  
Total Expected Attendance: 2,500

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 18**                      **DISTRICT 8**                      **LIQUOR LICENSE APPLICATION -**  
**FRESH & EASY #1024**

---

Request for a Series 10, Off Sale-Beer and Wine, liquor license with Sampling Privileges in an area zoned C-2. Arizona State Applications 10076472 and 10076472S.

Applicant:                      Andrea Lewkowitz, Agent  
   Fresh & Easy #1024  
   1960 West Baseline Road

This request is for a new Series 10 liquor license with sampling privileges for a grocery store. This location was previously licensed for liquor sales as Fresh & Easy Neighborhood Market and is currently operating with an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Monday, February 3, 2014.

New Series 10: Consideration should be given only to the applicant's personal qualifications. In regard to the location, pursuant to Arizona Revised Statutes 4-203(A), there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed. Sampling Privileges: Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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: "Fresh & Easy holds several liquor licenses in Arizona and throughout the United States. Managers and staff have been, or will be, trained in the techniques of alcohol sales and service to assure proper sales to their customers."

5. Staff Recommendation - Staff recommends approval of this application.

If denied, the applicant will not continue operations without a liquor license and the previous owner will not resume ownership.

This item is submitted by Mr. Meyer and the City Clerk Department.

**ITEM 19**                      **DISTRICT 4**                      **LIQUOR LICENSE APPLICATION - BADA BING**  
**GENTLEMEN'S CLUB**

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Request for a Series 6, On Sale-All Liquor, liquor license in an area zoned C-2. Arizona State Application 06070721.

Applicant: Greg Casteel, Agent  
 Bada Bing Gentlemen's Club  
 1702 East McDowell Road

This request is for an ownership and location transfer of a Series 6 liquor license from Chandler for a topless bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Monday, February 3, 2014.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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:
  - A. I have the capability, reliability, and qualifications to hold a liquor license because: "I have operated this adult-oriented business for some time and I familiar with its operation. We will have employees trained in the liquor laws and we comply with those laws."
  - B. 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 raise the age of patrons from 18 to 21 which will be beneficial to the community's best interest."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	5	3
Beer & Wine Bar	7	2	1
Liquor Store	9	5	1
Beer & Wine Store	10	15	5
Restaurant	12	14	7

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	20.23	19.37
Property Crimes	45.04	77	77.87

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	159
Total Violations	105	357

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1116012	1776	69%	5%	15%
1116023	1144	22%	6%	40%
1116024	1270	45%	2%	20%
1116025	1564	58%	3%	31%
1117001	1283	71%	5%	16%
1117002	1757	75%	6%	22%
1132031	1153	45%	8%	30%

1132033	852	38%	8%	38%
1133001	927	61%	7%	24%
1133004	1384	20%	5%	51%
Average		63%	6%	15%

6. Staff Recommendation - Staff recommends disapproval of this application based on a Police Department and a Street Transportation Department recommendation for disapproval.

The Police Department disapproval is based on concerns with the applicant's criminal history and failure to fully disclose ownership in other businesses, as required during the liquor license application process. The applicant has not demonstrated the capability, reliability, and qualifications required to hold and control a liquor license.

The Street Transportation Department disapproval is pursuant to Arizona Revised Statutes, Section 4-207, that restricts liquor licensing near churches and schools. The proposed liquor license location is within 300 feet of a church.

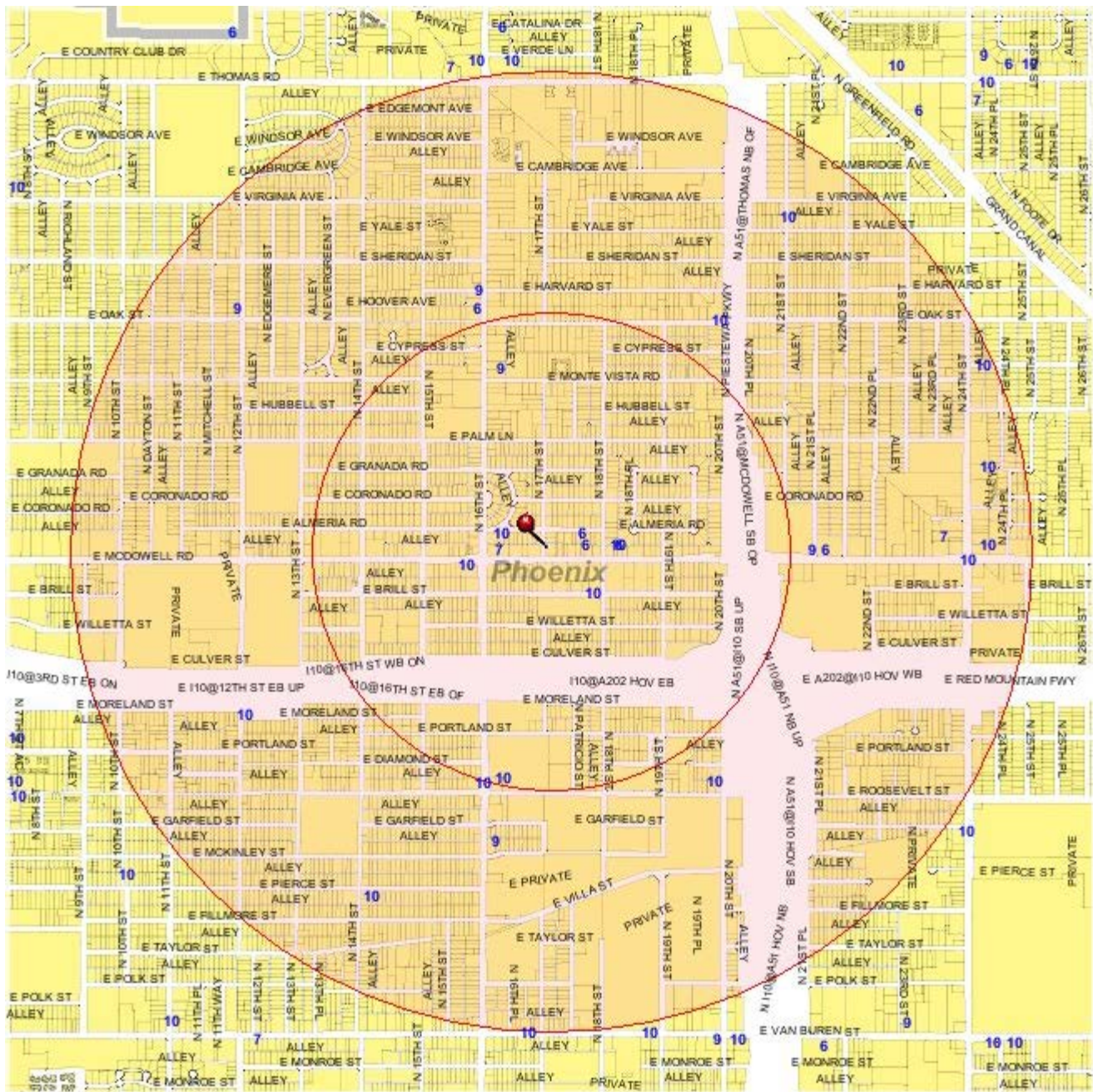
A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Mr. Meyer and the City Clerk Department.

District 4

Greg Casteel, Agent  
 Bada Bing Gentlemen's Club  
 1702 East McDowell Road





**OFF-TRACK PARI-MUTUEL WAGERING APPLICATIONS**

**ITEM 20**

**DISTRICT 6**

**OFF-TRACK PARI-MUTUEL WAGERING PERMIT**

**MR. HANEY'S**

Request for an Off-track Pari-mutuel Wagering Permit to a business that has a Series 6, On Sale-All Liquor, liquor license in an area zoned C-2.

Applicant: David Johnson, Agent for Turf Paradise  
 Mr. Haney's  
 5110 East McDowell Road

State law requires City Council approval before a State Off-track Pari-mutuel Wagering Permit can be issued. This request is for a permit for off-track betting on horse races conducted at Turf Paradise. Public notice was posted at the proposed location on Friday, December 20, 2013, and special notice letters were mailed to residents within a 1/8 mile radius of the proposed location. The posting period expired Friday, January 10, 2014. This location is not within 2,000 feet of a proposed light rail station.

1. Public Opinion - No petitions or protests have been received.

2. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Wholesaler	4	1	0
Government	5	1	0
Bar	6	3	3
Liquor Store	9	4	1
Beer & Wine Store	10	5	1
Hotel	11	2	0
Restaurant	12	1	1
Club	14	2	0

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	8.57	9.87
Property Crimes	45.04	66.47	58.62

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	33
Total Violations	105	80

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1112013	1439	20%	4%	24%
1112014	768	19%	0%	13%
1112016	710	45%	5%	18%
1112017	565	44%	0%	10%
1112021	1701	9%	4%	23%
1112041	2020	1%	12%	12%
1113004	1385	56%	4%	8%
1137006	557	3%	8%	13%
1137008	1537	48%	11%	28%
Average		63%	6%	15%

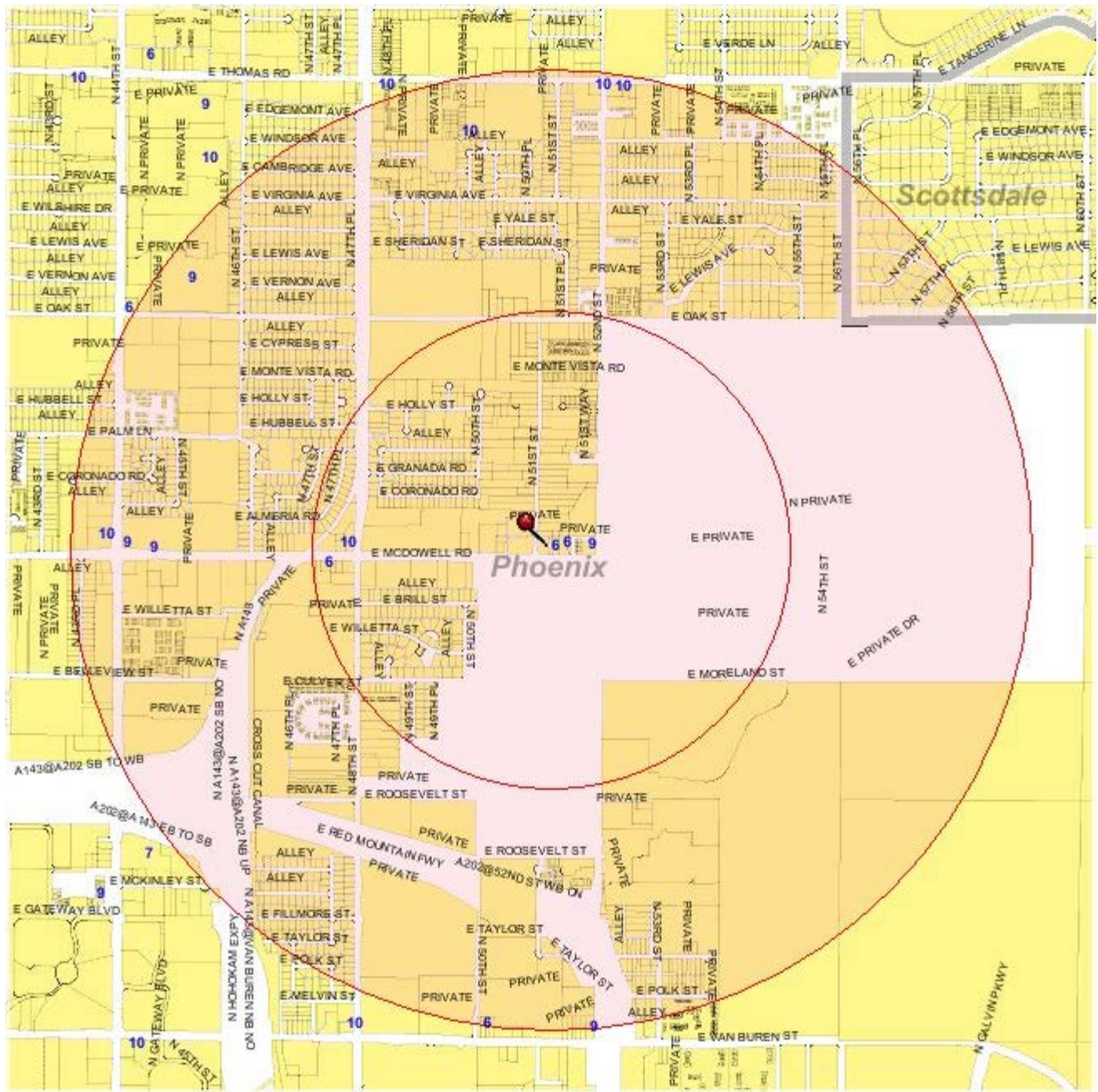
3. Staff Recommendation - Staff recommends approval of this application.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 6

David Johnson, Agent for Turf Paradise  
 Mr. Haney's  
 5110 East McDowell Road



**OLD BUSINESS**

**ITEM 21**

**DISTRICT 8**

**LIQUOR LICENSE APPLICATION - DOLLAR  
GENERAL STORE #13511**

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(Continued from January 15, 2014) - Request for a Series 10, Off Sale-Beer and Wine, liquor license in an area zoned C-1. Arizona State Application 10076456.

Applicant: Clare Abel, Agent  
Dollar General Store #13511  
8550 South Central Avenue

This request is for a new Series 10 liquor license for a convenience store that does not sell gas. This location was not previously licensed for liquor sales and does not have an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application was Sunday, January 12, 2014.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.
2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - No petitions or protests have been received.
4. 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:
  - A. I have the capability, reliability, and qualifications to hold a liquor license because: The applicant submitted an extensive statement. A copy is available upon request to the City Clerk's Office at 200 West Washington Street, 1st Floor, Phoenix, Arizona 85003.
  - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: The applicant submitted an extensive statement. A copy is available upon request to the City Clerk's Office at 200 West Washington Street, 1st Floor, Phoenix, Arizona 85003.
5. Neighborhood Stability - -

Liquor License Data		1 Mile	1/2 Mile
Description	Series #	#	#
Bar	6	1	0
Liquor Store	9	4	1
Beer & Wine Store	10	6	1
Restaurant	12	2	1

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	5.47	7.37
Property Crimes	45.04	48.23	52.5

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	55
Total Violations	105	120

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty

1167021	1385	85%	5%	22%
1167022	2395	59%	3%	25%
1167023	2181	59%	5%	28%
1167024	701	89%	2%	4%
1167025	774	88%	0%	9%
1167031	2006	71%	6%	37%
Average		63%	6%	15%

6. Staff Recommendation - Staff recommends approval of this application.

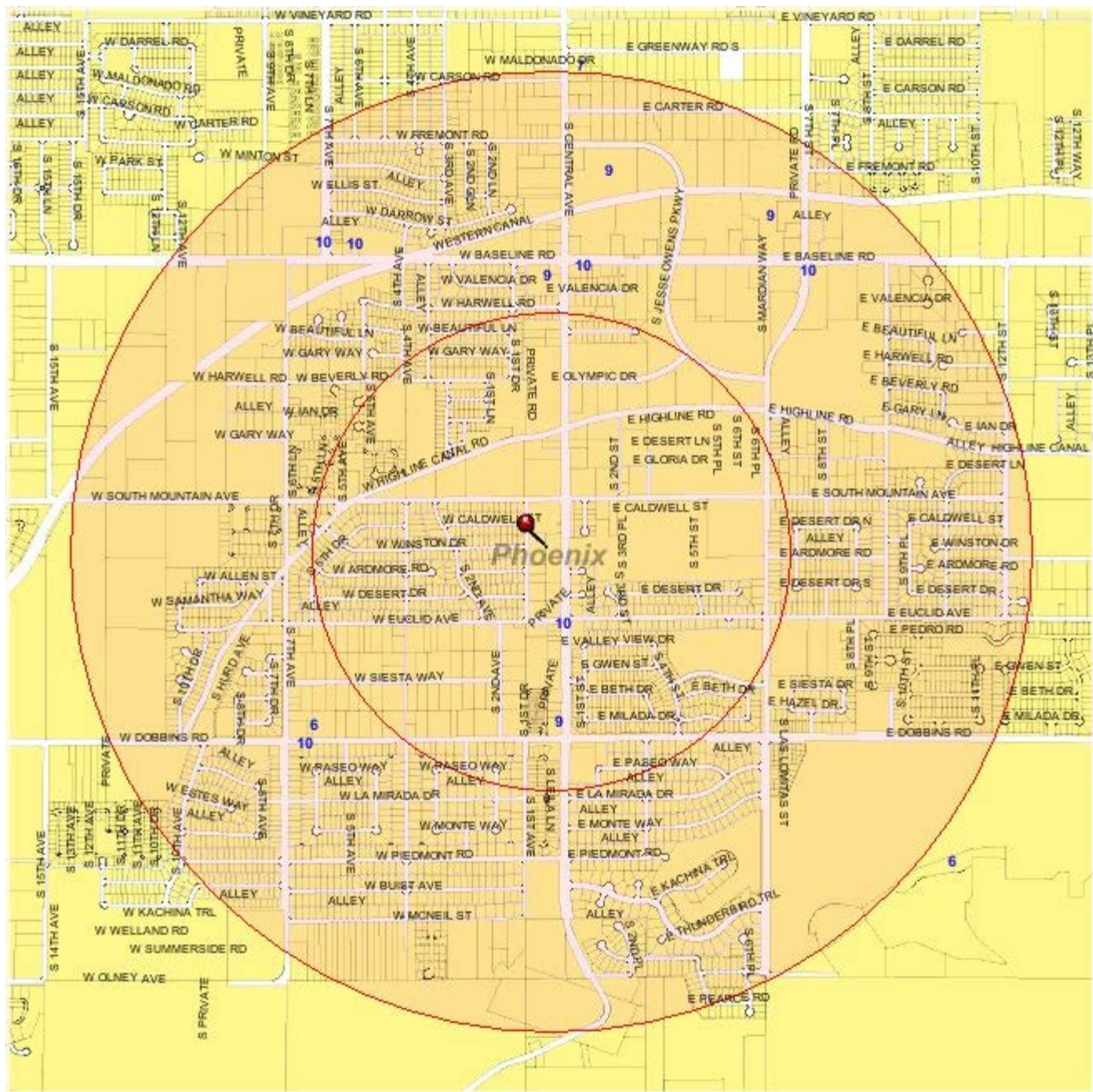
If denied, the applicant will continue operations without a liquor license.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 8

Clare Abel, Agent  
Dollar General Store #13511  
8550 South Central Avenue



**ORDINANCES AND RESOLUTIONS**

**ITEM 22**

**DISTRICT 7**

**ORDINANCE G-5882 -  
OFFICIAL SUPPLEMENTARY ZONING MAP 1139**

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1139.

**DISTRICT 7**

Z-376-85            C-2\*            (Owner: WILLIAM C. NEILS, ET AL.)

To rezone a parcel located at the northwest corner of 35th Avenue and Southern Avenue (approximately 28.19 acres).

This item is recommended by Mr. Naimark and the Planning and Development Department.

**ITEM 23**

**DISTRICT 7**

**ORDINANCE S-40452 -  
DISPOSITION AND REDEVELOPMENT  
AGREEMENT WITH ROOSEVELT HOUSING  
ASSOCIATES, LLC**

(Continued from December 18, 2013) - Request authorization to enter into a Disposition and Redevelopment Agreement (DRA), easements, and other agreements as necessary (collectively, the "Agreements") with Roosevelt Housing Associates, LLC, or its City-approved designee (Developer), and for the City Controller to accept and disburse funds for the development of "The Row," a transit-oriented, mixed-use development on Second Street, between Roosevelt and Portland Streets in downtown Phoenix, and for the disposition of City-owned land.

Staff issued a Request for Proposals (RFP) to develop urban and/or mixed-use projects in downtown Phoenix, and an Addendum adding seven City-owned properties on North Second Street, between Roosevelt and Portland Streets. The Addendum solicited proposals for the private financing, rehabilitation, and adaptive reuse of the historic Knipe House and development of an urban mixed use project on the vacant City properties.

The City received four proposals, which were evaluated based on the process and criteria outlined in the RFP and the Addendum. The proposals were evaluated by a seven-member panel which included neighborhood representatives, private sector developers, the Downtown Phoenix Partnership, and City staff. The panel selected the Developer as the consensus recommendation.

This proposal includes the preservation and adaptive re-use of the Knipe House as part of a craft brewery/restaurant with a committed tenant, and the private development of a rental residential project of approximately 56-75 units in buildings of 3-5 stories, and activated ground floor uses including resident amenities, offices, and live/work units. The Developer intends to develop much of the residential component as an age- and income-restricted development with a diverse mix of residents.

Based upon neighborhood feedback, the Developer has agreed to: 1) develop approximately 15-20 percent of the units as market rate, with no age or income restrictions, creating a diverse, mixed income project; 2) require all tenants to sign an affidavit acknowledging they are moving into a vibrant arts district; 3) develop the street-level units as live-work artist studios; 4) actively market the project to artists; and 5) dedicate a portion of the common area space for local artists to prominently display their works.

The Developer will provide a performance deposit, accept the Knipe House 25 year façade conservation easement, invest approximately \$1,100,000 to improve and open the Knipe House as a craft brewery/restaurant, create approximately 10 net new jobs, generate incremental sales tax revenues, and provide community benefit by activating and enhancing this prominent historic property. In exchange for these commitments, the City will convey the Knipe House property with no further consideration.

The Developer will purchase the remaining properties for \$825,000. At the City's option, the City may credit the Developer a portion of the cost of improvements in the public right-of-way which are above and beyond the City's requirements, or provide broad public benefit to the neighborhood, to be applied toward the purchase price, in an amount not to exceed \$250,000. All proceeds from the performance deposit and purchase shall be deposited in the Downtown Community Reinvestment Fund.

Pending City Council approvals and subsequent execution of Agreements, the Developer will begin renovations to the Knipe House in 2014, and complete in early 2016; and begin construction on the residential phase(s) in 2015, and complete in 2018.

All deadlines for performance benchmarks may be modified in the City's sole discretion. The Agreements may contain such other terms and conditions as the City deems necessary or appropriate.

Financial Impact

There will be no impact to the General Fund as a result of entering into these Agreements.

This item was unanimously recommended by the Downtown, Aviation, and Redevelopment Subcommittee on December 4, 2013.

This item is also recommended by Mr. Blue and the Community and Economic Development Department.

**ITEM 24**                      **DISTRICT 8**                      **ORDINANCE S-40495 -  
ACQUISITION OF ONE OCCUPIED RESIDENTIAL  
PROPERTY FOR THE COMMUNITY NOISE  
REDUCTION PROGRAM**

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(Continued from January 15, 2014) - Request to authorize the City Manager, or his designee, to perform all acts necessary to acquire fee title to, and possession of, the occupied residential real property listed below for the Aviation Department's Community Noise Reduction Program. Further request authorization for the City Manager, or his designee, to negotiate and execute short-term, temporary occupancy agreements to give the occupants of the property sufficient time to relocate, as such agreements may be necessary to, and in furtherance of, this ordinance.

The following property owner has voluntarily asked the City to purchase her property, which is located in Phoenix, Arizona, and identified by a Maricopa County Assessor's Parcel Number (APN):

<u>Owner</u>	<u>Address</u>	<u>Appraisal</u>	<u>WBS Element</u>
Dora Ramirez, an unmarried woman	1098 East Durango Street APN: 115-46-029A	\$64,000	AV01050231

Further request authorization for the City Controller to disburse funds necessary to purchase the property at the City's appraised value, plus usual and customary closing costs, and to accept and disburse funds necessary for the short-term, temporary occupancy agreements.

Funding is available in the Aviation Department's Capital Improvement Program from Airport Improvement Program grants and from Passenger Facility Charge revenue.

Citizen Notification

Aviation's Community Noise Reduction Program is in its final phases. As part of the sunset plan, residents, property owners, and area businesses received outreach about the deadline dates for the program. Many property owners, who have voluntarily relocated through the Voluntary Acquisition and Relocation Services (VARS) Program, have experienced successful moves, report an improvement in their quality of life, and are utilizing the benefits provided through the VARS Program.

This item is recommended by Mr. Naimark and the Aviation Department.

**ITEM 25**                      **DISTRICT 8**                      **ORDINANCE S-40496 -  
ACQUISITION OF TWO VACANT INDUSTRIAL  
PROPERTIES FOR THE COMMUNITY NOISE  
REDUCTION PROGRAM**

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(Continued from January 15, 2014) - Request to authorize the City Manager, or his designee, to perform all acts necessary to acquire fee title to, and possession of, the vacant industrial real properties listed below for the Aviation Department's Community Noise Reduction Program.

The following property owner has voluntarily asked the City to purchase its properties, which are located in Phoenix, Arizona, and identified by a Maricopa County Assessor's Parcel Number (APN):

<u>Owner</u>	<u>Address</u>	<u>Appraisal</u>	<u>WBS Element</u>
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Stacey Rachelle Maynard, as Successor Trustee of the Margie Jean Vise Burk Trust dated March 6, 1995	3039 and 3051 East Washington Street APNs: 121-59-017B and 121-59-017C	\$380,000	AV01000587
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The properties are comprised of two vacant parcels, which are zoned industrial and are contiguous to other eligible properties zoned industrial.

Further request authorization for the City Controller to disburse funds necessary to purchase the properties at the City's appraised value, plus usual and customary closing costs.

Funding is available in the Aviation Department's Capital Improvement Program from Airport Improvement Program grants and from Passenger Facility Charge revenue.

Citizen Notification

Aviation's Community Noise Reduction Program is in its final phases. As part of the sunset plan, residents, property owners, and area businesses received outreach about the deadline dates for the program. Many property owners, who have voluntarily relocated through the Voluntary Acquisition and Relocation Services (VARs) Program, have experienced successful moves, report an improvement in their quality of life, and are utilizing the benefits provided through the VARs Program.

This item is recommended by Mr. Naimark and the Aviation Department.

<b>ITEM 26</b>	<b>CITYWIDE</b>	<b>ORDINANCE S-40527 - PAYMENT ORDINANCE</b>
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Request to authorize the City Controller to disburse funds in an aggregate amount not to exceed \$4,339,749.12 for the purpose of paying vendors, contractors, claimants, and others; and providing additional payment authority under certain existing City contracts.

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|--------------|----|--|
| \$ 47,500.00 | a) | To American Association of Airport Executives for Year 2014 Airport Legislative Alliance and Federal Affairs membership renewal, for the Aviation Department.  |
| 9,743.21     | b) | To Arizona Bag & Shade Company, Inc. for the purchase and installation of two replacement windscreens located on the outfield fence of field #4 and #6 at the Maryvale Baseball Park, for the Parks and Recreation Department. |
| 93,500.00    | c) | To Arizona Grand Resort to fund the payment of claim 12-0634-001, resulting from a water main break on December 23, 2012, for the Finance Department.  |
| 250,000.00   | d) | To Burke Panzarella Rich, in trust for Todd Hinson, to fund the settlement of claim CV2013-050122, 11 1161-001, RE: Hinson versus City of Phoenix, for the Finance Department.   |
| 17,382.15    | e) | To Cem-Tec Corporation for the purchase of traffic signal poles and extensions, for the Street Transportation Department.  |
| 34,412.32    | f) | To Chemical Feeding Technologies, Inc. for the purchase of four actuators and associated parts utilized at the Union Hills Water Treatment Plant, for the Water Services Department.   |
| \$ 9,929.81  | g) | To Copper State Supply, Inc. for the purchase of replacement power saws, trash pumps, and a rammer tamper utilized at the Water Distribution Reservoir Yard, for the Water Services Department.                                |
| 10,173.20    | h) | To Cummins Rocky Mountain, LLC for the purchase of engine diagnostic hardware and software to be used by the Fleet Services Division of the Public Works Department.   |

12,241.15	i)	To Dezurik, for the purchase of a butterfly valve utilized in the wastewater treatment process at the 91st Avenue Wastewater Treatment Plant, for the Water Services Department. The valve replaces a non-operable valve which cannot be repaired.
9,329.00	j)	To Hennesy Mechanical Sales for the purchase of chlorine sensors to be utilized at the 91st Avenue Wastewater Treatment Plant, for the Water Services Department.
29,500.00	k)	To Leroy Eyring Center, for Solid State Science, for payment of professional services to conduct microstructural evaluation and structural testing and analysis of vitrified clay pipes in the City of Phoenix, under Agreement 136258, for the Water Services Department.
12,325.72	l)	To Life Technologies for payment of a service agreement for two genetic analyzer instruments utilized by the Forensic Biology section of the Police Crime Laboratory to conduct DNA analyses on biological evidence, for the Police Department.
13,471.00	m)	To Linear Systems for the purchase of image stabilizer binoculars, utilized by Air Support Unit flight crews during airborne law enforcement missions, funded through the Urban Areas Security Initiative (UASI) grant for the Police Department.
18,942.00	n)	To McCarthy Integrated Systems, LLC for the purchase of a gas chlorinator, to replace existing equipment that has reached the end of its service life, utilized at the Deer Valley Water Treatment Plant, for the Water Services Department.
\$ 9,342.45	o)	To Promega Corporation for the purchase of supplies and reagents utilized by the Forensic Biology section of the Police Crime Laboratory to conduct DNA analyses on biological evidence, for the Police Department.
26,348.75	p)	To Robertson Industries, Inc. to repair existing resilient surfacing at the Pecos Park playground to ensure safety compliance, for the Parks and Recreation Department.
10,559.02	q)	To Southwest Coating Solutions to provide all labor and materials to replace the existing flooring with an epoxy floor surface for compliance to health code violations at the Deer Valley Community Center, for the Public Works Department.
73,469.45	r)	To Salt River Project to provide construction services for the relocation of a 69 kV pole located at the 7th Avenue intersection, Project ST85100330, for the Street Transportation Department.
26,650.00	s)	To Tapco for the purchase of six solar powered pedestrian crossing safety beacon systems, signs, and associated hardware, for the Street Transportation Department.
40,337.00	t)	To Tug Technologies Corporation for the purchase of ground support equipment utilized to tow Police surveillance and rescue aircraft at the Deer Valley Airport, funded by the 2013 Arizona Department of Homeland Security Grant, for the Public Works Department.

This section requests continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions, and/or bids awarded:

\$ 160,000.00	u)	To ADB Airfield Solutions, LLC to exercise an option to extend
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Agreement P-09027-12/127688 awarded by RFA 10-022, through December 31, 2014, to continue to provide airfield lighting parts on an as needed basis, for the Aviation Department.

- |              |     |  |
|--------------|-----|--|
| \$ 45,800.00 | v)  | To Alesi Group, LLC, Agreement 137596, to provide professional development training services to teachers and teacher assistants of the Head Start program, through June 30, 2014, for the Human Services Department.   |
| 74,201.00    | w)  | To Atkins North America, Inc., for Change Order 2, Contract 135014, Project AV31000080FAA, for additional design services required as part of the Deer Valley Airport Taxiway A Relocation and Reconstruction, for the Aviation Department.  |
| 2,123,296.00 | x)  | To Badger Meter, Inc. to exercise an option to extend Agreement P-09445-13/131926 awarded by IFB 12-017, through August 31, 2014, to continue to provide water meters and associated components, for the Water Services Department.  |
| 70,000.00    | y)  | To ChemTreat, Inc. to exercise an option to extend Agreement P-09287-12/130431 awarded by IFB 11 071 through January 31, 2015, to continue to supply and service cooling tower water chemicals, for the Public Works Department.   |
| 291,924.79   | z)  | To CSW Contractors, Inc., for Change Order 1, Contract 135995, Project AV08000030-3, for additional construction services required as part of the Phoenix Sky Harbor International Airport G & H infield paving project, for the Aviation Department.  |
| 45,000.00    | aa) | To Maxim Crane Works, LP to exercise an option to extend Agreement P-09233-12/130124 awarded by IFB 11-044, through December 31, 2014, to continue to provide crane rental services on an as-needed basis, for the Public Works Department.  |
| 30,000.00    | ab) | To Mettler-Toledo, LLC to exercise an option to extend Agreement P-09781-13/135167 awarded by RFA 13-011, through November 30, 2014, to continue to provide parts and services to existing equipment, for the Water Services Department.   |
| \$ 53,287.00 | ac) | To Oxford Electronics, Inc., dba Oxford Airport Technical Services, to exercise an option to extend Agreement P-09271-13/130395 awarded by IFB 11 061, through January 31, 2015, to provide maintenance and repair of passenger boarding bridges on an as-needed basis, for the Aviation Department. |
| 24,751.00    | ad) | To SkillSoft Corporation to exercise an option to extend Agreement MW12-00012 awarded by RFQ 12-012, through November 30, 2014, to provide hosting services for various online safety and aviation-related e-learning courses, for the Aviation Department.  |
| 48,000.00    | ae) | To Stericycle, Inc. to exercise an option to extend Agreement P-09797-14/135384 awarded by RFA 12 039, through June 30, 2014, to continue to provide hauling and processing services of regulated garbage on an as-needed basis, for the Aviation Department.  |
| 276,825.10   | af) | To the following vendors to exercise an option to extend agreements through March 31, 2014, awarded by IFB 10-097, to continue to provide auto body repair services for the Public Works Department:   |

\$204,974.52 Ace Auto Collision & Paint Services, Inc., P-09127-11/ 129079

104,537.00 ag) To ThyssenKrupp Elevator to exercise an option to extend Agreement P-07937-12/118075 awarded by RFA 06-029, through December 31, 2014, to continue to provide elevator and escalator maintenance at the Rental Car Center at Phoenix Sky Harbor International Airport, for the Aviation Department.

\$ 236,971.00 ah) To Upright Commercial Janitorial to exercise an option to extend Agreement P-09439-13/131908 awarded by IFB 11-157, through November 30, 2014, to continue to provide janitorial services, for the Public Works Department.

\$ 4,339,749.12

This item is recommended by Mr. Zuercher and the Finance Department.

**ITEM 27**                      **DISTRICT 8**                      **ORDINANCE S-40528 -**  
**ACQUISITION OF ONE OCCUPIED RESIDENTIAL**  
**PROPERTY FOR THE COMMUNITY NOISE**  
**REDUCTION PROGRAM**

Request to authorize the City Manager, or his designee, to perform all acts necessary to acquire fee title to, and possession of, the occupied residential real property listed below for the Aviation Department's Community Noise Reduction Program. Further request authorization for the City Manager, or his designee, to negotiate and execute short-term, temporary, occupancy agreements to give the occupants of the property sufficient time to relocate, as such agreements may be necessary to, and in furtherance of, this ordinance.

The following property owner has voluntarily asked the City to purchase her property, which is located in Phoenix, Arizona, and identified by a Maricopa County Assessor Parcel Number (APN):

<u>Owner</u>	<u>Address</u>	<u>Appraisal</u>	<u>WBS Element</u>
Pomposa S. Valdez, a widow	1417 South 9th Street APN: 115-44-080A	\$47,000	AV01040079

Further request authorization for the City Controller to disburse funds necessary to purchase the property at the City's appraised value, plus usual and customary closing costs, and to accept and disburse funds necessary for the short-term, temporary occupancy agreements.

Funding is available in the Aviation Department's Capital Improvement Program, from Airport Improvement Program grants, and from Passenger Facility Charge revenue.

**Citizen Notification**

Aviation's Community Noise Reduction Program is in its final phases. As part of the sunset plan, residents, property owners, and area businesses received outreach about the deadline dates for the program. Many property owners, who have voluntarily relocated through the Voluntary Acquisition and Relocation Services (VARS) Program, have experienced successful moves, report an improvement in their quality of life, and are utilizing the benefits provided through the VARS Program.

This item is recommended by Mr. Murphy and the Aviation Department.

**ITEM 28**                      **DISTRICT 8**                      **ORDINANCE S-40529 -**  
**AGREEMENTS FOR TERMINAL 2 FOOD AND**  
**BEVERAGE CONCESSIONS**  
**AT SKY HARBOR AIRPORT**

Request to authorize the City Manager, or his designee, to enter into concession lease agreements with First Class Concessions, Inc.; JMJ-LLC; and Phoenix Airport Food Services, Inc. to operate food and beverage concessions in Terminal 2 at Phoenix Sky

Harbor International Airport (PHX).

Delaware North Companies Travel Hospitality Services, Inc. (Delaware North), the current master food and beverage concessionaire for Terminal 2, notified the Aviation Department that it will cease operations on February 21, 2014, when the contract term of Food & Beverage Concessions Contract 71292 ends.

First Class Concessions, Inc., dba The Coffee Bean & Tea Leaf; JMJ-LLC, dba Wendy's; and Phoenix Airport Food Services, Inc., dba Paradise Bakery, currently have sublease agreements with Delaware North as Airport Concessions Disadvantaged Business Enterprise (ACDBE) operators in Terminal 2.

Terminal 2 is expected to close following the completion of the Terminal 3 Modernization Program. Aviation recommends entering into direct contracts with the ACDBE operators currently under sublease with Delaware North. Allowing the current Terminal 2 concessionaires to continue operations is in the best interest of the traveling public and the City to ensure uninterrupted food service in Terminal 2.

The lease term will be for three years with a provision for a 90-day notice of closure or early termination at the Aviation Director's sole discretion to accommodate any unexpected changes in passenger activity during the lease term. Rent will be ten percent of gross sales. The ACDBE operators will retain their existing workforce. The lease will contain other terms and conditions deemed necessary or appropriate by the City Manager or Aviation Director.

This item is recommended by Mr. Murphy and the Aviation Department.

**ITEM 29**                      **CITYWIDE**                      **ORDINANCE S-40530 -  
CDBG FUNDING RECOMMENDATIONS FOR  
ECONOMIC DEVELOPMENT OPEN  
APPLICATION**

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Request to authorize the City Manager, or his designee, to enter into contracts with the five entities listed below to provide services to small businesses through the Community and Economic Development Department (CEDD) Community Development Block Grant (CDBG) Economic Development Open Application Program for a term of 18 months or until the 2013-2014 Economic Development Open Application CDBG funding has been fully expended, and authorization for the City Controller to disburse up to \$135,192 in 2013-2014 Economic Development Open Application CDBG funding for purposes of these contracts.

A Request for Proposals (RFP) for the Economic Development Open Application Program was issued seeking proposals in the priority areas of Incubator/ Accelerator Organizations and Marketing/Web Development. Eight proposals were received in response to the RFP, and based upon an eligibility and panel review, the five Phoenix-based businesses that received the highest scores are being recommended for contracts totaling of \$135,192, as follows:

Game CoLab - Incubator/Accelerator	\$33,798
SEEDSPOT - Incubator/Accelerator	\$33,798
A.E. Squared, LLC - Marketing/Web Development	\$26,298
Marketing With A Flair, Inc. - Marketing/Web Development	\$26,298
Local First Arizona Foundation - Marketing/Web Development	\$15,000

Other Information

All proposals meet the U.S. Department of Housing and Urban Development national objectives of job creation or retention of low- and moderate-income persons, or providing assistance to low-moderate-income businesses and/or micro enterprises.

Financial Impact

CDBG funds of \$135,192 are available to fund this project.

This item is recommended by Ms. Takata, Mr. Blue, the Community and Economic Development Department, and Neighborhood Services Department.

**ITEM 30**                      **CITYWIDE**                      **ORDINANCE S-40531 -  
IFB 14-039 - ROOFING REPAIRS AND  
REPLACEMENT FOR CITY-OWNED**

**PROPERTIES - REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to enter into a contract with Capstone Roofing and Progressive Roofing. Authorization is also requested for the City Controller to disburse funds over the life of the contract in an amount not to exceed \$550,000.

Solicitation IFB 14-039 was conducted in accordance with Administrative Regulation 3.10. Six bids were received by the Procurement Division on November 8, 2013, for roofing services for the Housing Department for a two year period beginning on or about February 1, 2014 and ending on January 31, 2016, with options to extend for three additional one-year periods.

Following is a tabulation of the two lowest bids received:

<u>Description</u>	<u>Capstone Roofing*</u>	<u>Progressive Roofing*</u>
Remove all roofing materials	\$.45/square-foot	\$.70/square-foot
Install new shingle roofing	\$1.47/square-foot	\$2.65/square-foot
Install 3-tab shingle roofing	\$1.32/square-foot	\$2.25/square-foot
Install peel and stick roofing	\$1.95/square-foot	\$4.50/square-foot
Install underlayment	\$.11/square-foot	\$.25/square-foot
Replace damaged decking	\$1.69/square-foot	\$2.34/square-foot
Replace decking planks	\$4.21/linear-foot	\$4.00/linear-foot
Replace fascia board	\$6.85/linear-foot	\$4.50/linear-foot
Install drip edge	\$.60/linear-foot	\$1.50/linear-foot
Install new collars or roof jacks	\$12.11 each	\$25.00 each
Hourly rate - regular hours	\$40.00/hour	\$58.00/hour
Hourly rate - emergency hours	\$65.00/hour	\$85.00/hour
Elastomeric coatings	\$1.10/square-foot	\$.90/square-foot

It is recommended by the Deputy Finance Director that the companies listed above, as asterisked, be accepted as the lowest priced responsive and responsible bidders.

Four bids were deemed to be non-responsive.

Multiple awards are recommended for times when one vendor may not be available to meet the volume and variety of needs outlined in the contract. City of Phoenix staff will use the most cost effective contract to meet its needs whenever possible.

Financial Impact

The aggregate contract value for all option years will not exceed \$550,000, with an estimated annual expenditure of \$110,000. Non-general funds are available in the Housing Department's budget.

Option to Extend

Provisions of the agreement include an option to extend the contract up to three additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Ms. Jonovich and the Housing Director.

**ITEM 31**

**CITYWIDE**

**ORDINANCE S-40532 -  
IFB 14-047 - FULL SERVICE LAUNDRY AND  
RENTAL PROGRAM - REQUIREMENTS  
CONTRACT**

Request to authorize the City Manager, or his designee, to enter into an agreement with Prudential Overall Supply to provide a full service laundry and rental program to include inventory, laundering and finishing, and pick-up and delivery on an as-needed basis during the contract period beginning on or about March 1, 2014 and ending February 28, 2015. Authorization is also requested for the City Controller to disburse funds for the life of the contract in an amount not to exceed \$275,000.

These services are used by multiple departments, including Fire, Parks and Recreation, and Water Services. They include laundry and rental of various items, including shop towels, mats, smocks, and other equipment.

Solicitation IFB 14-047 was conducted in accordance with Administrative Regulation 3.10. Three bids were received and opened on November 22, 2013. One bid received was deemed non-responsive.

Following is a tabulation of the responsive bids received:

<u>Bidder</u>	<u>Total Bid Price</u>
Prudential Overall Supply*	\$51,727.42
Unifirst Corp.	\$70,733.04

It is recommended by the Deputy Finance Director that the bid of Prudential Overall Supply, as asterisked, be accepted as the responsive and responsible bidder.

The solicitation used cooperative purchasing language authorizing the resulting contracts to be open to members of the Strategic Alliance for Volume Expenditures (SAVE) for use at their discretion.

- Financial Impact

The aggregate contract value for all options will not exceed \$275,000, with an estimated annual expenditure of \$55,000. Funds are available in Citywide departments' budgets.

- Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised if considered in the City's best interest to do so.

This item is also recommended by Mr. Zuercher and the Chief Financial Officer.

**ITEM 32                      CITYWIDE                      ORDINANCE S-40533 -  
IFB 14-059 - OUTDOOR DIGITAL SIGNS FOR  
PUBLIC TRANSIT LOCATIONS - REQUIREMENTS  
CONTRACT**

Request to authorize the City Manager, or his designee, to enter into an agreement with Audio Visual Resources for outdoor digital signs for Phoenix Public Transit Department (PTD) locations on an as-needed basis during a one year contract period beginning on or about February 1, 2014 and ending January 31, 2015. Authorization is also requested for the City Controller to disburse funds for the life of the contract in an amount not to exceed \$875,155.

The PTD is replacing 30 outdoor digital signs primarily at Park and Ride locations. The existing digital signs have reached their end-of-life. The digital signs are part of a regional Vehicle Management System that provides current bus schedules and actual bus arrival times to passengers. New digital signage technology will be capable of delivering transit and other sources of information such as Arizona Department of Transportation traffic alerts and public announcements.

Solicitation IFB 14-059 was conducted in accordance with Administrative Regulation 3.10. Two bids were received and opened on October 25, 2013. One bid was deemed non-responsive. The Procurement Division finds the responsive bid price to be fair and reasonable based on comparisons to market pricing.

Following is a tabulation of the responsive bid received:

<u>Bidder</u>	<u>Bid Price</u>
Audio Video Resources	\$175,031.10

It is recommended by the Deputy Finance Director that the bid of Audio Video Resources be accepted as the responsive and responsible bidder.

The solicitation used cooperative purchasing language authorizing the resulting contracts to be open to members of the Strategic Alliance for Volume Expenditures (SAVE) for use at their discretion. In addition, Phoenix may expand digital sign locations in the

future.

Financial Impact

The aggregate contract value for all option years will not exceed \$875,155, with an estimated annual amount of \$175,031. Funds are available in the Public Transit Department's Capital Improvement Program budget using T2000 funds.

Options to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised if considered in the City's best interest.

This item is also recommended by Mr. Naimark and the Interim Public Transit Director.

**ITEM 33**

**CITYWIDE**

**ORDINANCE S-40534 -  
IFB 14-063 - RADIATOR REPAIR AND RE-CORE  
SERVICES - REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to enter into an agreement with Colby Welding & Radiator for radiator repair and re-core services on an as-needed basis during a one-year contract period beginning on or about February 1, 2014 and ending January 31, 2015. Authorization is also requested for the City Controller to disburse funds for the life of the contract in an amount not to exceed \$375,000.

Solicitation IFB 14-063 was conducted in accordance with Administrative Regulation 3.10. Two bids were received and opened on December 6, 2013.

Following is a tabulation of the bids received:

<u>Groups</u>	<u>Colby Welding &amp; Radiator</u>	<u>Kachina Heat Transfer, Inc.</u>
Group I - Repair or re-core radiators for equipment up to and including one and one-half (1 1/2) tons, assembled using solder and/or crimp process.	\$305.00*	\$561.60
Group II - Repair or re-core radiators for equipment over one and one-half (1 1/2) tons, assembled using solder and/or crimp process.	\$415.00*	\$626.00
Group III - Repair or re-core radiators for equipment over one and one-half (1 1/2) tons, with bolt on tanks and headers.	\$470.00*	\$873.00
Group IV - Repair or re-core of other miscellaneous radiator related parts such as intercoolers, oil coolers, and transmission coolers.	\$55.00*	\$56.00

It is recommended by the Deputy Finance Director that the bid of Colby Welding & Radiator, as asterisked, be accepted as the responsive and responsible bidder.

The solicitation used cooperative purchasing language authorizing the resulting contracts to be open to members of the Strategic Alliance for Volume Expenditures (SAVE) for use at their discretion.

Financial Impact

The aggregate contract value for all option years will not exceed \$375,000, with an annual estimated expenditure of \$75,000. Funds are available in the Public Works Department's budget.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which



will be exercised if considered in the City's best interest to do so.

This item is also recommended by Mr. Naimark and the Public Works Director.

**ITEM 34**

**DISTRICTS 7 AND 8**

**ORDINANCE S-40535 -  
IFB 14-069 - MEDIUM VOLTAGE MAINTENANCE  
AND REPAIR - REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to enter into a contract with Sabino Electric, Inc. to provide maintenance and repair for all Phoenix Convention Center medium voltage systems. The initial contract term shall be for two years beginning on or about February 1, 2014 and ending January 31, 2016. Authorization is also requested for the City Controller to disburse funds over the life of the contract in an amount not to exceed \$601,500.

Solicitation IFB 14-069 was conducted in accordance with Administrative Regulation 3.10. Report of one bid received and opened by the Procurement Division on December 6, 2013, to provide medium voltage maintenance and repair.

Following is tabulation of the only responsive and responsible offer received:

<u>Bidder</u>	<u>Total Bid Price</u>
Sabino Electric, Inc.	\$120,300

The Procurement Division has reviewed the offer and determined the price to be fair and reasonable based on previous contract pricing and current market prices.

It is recommended by the Deputy Finance Director that the bid submitted by Sabino Electric, Inc. be accepted as the only responsive and responsible bidder.

Financial Impact

The aggregate contract value for all option years will not exceed \$601,500, with an estimated annual expenditure of \$120,300. Funds are available in the Phoenix Convention Center Department's budget.

Option to Extend

Provisions of the agreement include an option to extend the contract up to three additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Blue.

**ITEM 35**

**CITYWIDE**

**ORDINANCE S-40536 -  
IFB 14-071 - IDA CORPORATION RADIO  
EQUIPMENT - REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to enter into a contract with Creative Communications. Authorization is also requested for the City Controller to disburse funds over the life of the contract in an aggregate amount not to exceed \$292,500.

Solicitation IFB 14-071 was conducted in accordance with Administrative Regulation 3.10. Report of seven bids received by the Procurement Division on November 22, 2013, to provide radio equipment necessary to support the radio communications network for Information Technology Services, on an as-needed basis for a one-year period beginning on or about February 1, 2014 and ending January 31, 2015.

Following is a tabulation of the lowest bids received:

<u>Bidder</u>	<u>Total Bid Price</u>
Creative Communications*	\$53,096.70
Leavitt Communications, LLC	\$56,627.30
Vincent Communications, Inc.	\$56,778.26

It is recommended by the Deputy Finance Director and the Acting Chief Information Officer that the bid of Creative Communications, as asterisked, be accepted as the lowest responsive and responsible bidder.

Financial Impact

The aggregate contract value for all optional years will not exceed \$292,500, with an estimated annual amount of \$58,500. Funds are available in Information Technology Services Department's Capital Improvement Program budget.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional year, in one-year increments, which will be exercised if considered in the City's best interest to do so.

This item is also recommended by Mr. Murphy.

**ITEM 36**                      **DISTRICT 7**                      **ORDINANCE S-40537 -  
IFB 14-086 - PERFORMANCE CONSOLE  
SYSTEMS FOR SYMPHONY HALL AND  
ORPHEUM THEATRE**

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Request to authorize the City Manager, or his designee, to enter into a contract with Barbizon to purchase two performance console systems for Symphony Hall and Orpheum Theatre. Authorization is also requested for the City Controller to disburse funds for the life of the contract in an amount not to exceed \$107,449.32.

Solicitation IFB 14-086 was conducted in accordance with Administrative Regulation 3.10. Report of two bids received by the Procurement Division on December 6, 2013, for the purchase of two performance console systems for Symphony Hall and Orpheum Theatre. The console systems will replace aging theatrical lighting controls at Symphony Hall and Orpheum Theatre.

<u>Bidder</u>	<u>Bid Price</u>
Video Hi-Tech, dba Adwar	\$133,260.93
Barbizon	\$107,449.32

The Deputy Finance Director recommends Barbizon for award.

Financial Impact

The contract value shall not exceed \$107,449.32. Funds are available in the Phoenix Convention Center Department's Operating budget.

This item is also recommended by Mr. Blue and the Phoenix Convention Center Director.

**ITEM 37**                      **CITYWIDE**                      **ORDINANCE S-40538 -  
RFA 14-030 - CROWN VICTORIA FUEL  
BLADDER TANK (REFURBISHMENT) -  
REQUIREMENTS CONTRACT**

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Request to authorize the City Manager, or his designee, to enter into an agreement with Fuel Safe for the refurbishment of approximately 128 Crown Victoria fuel bladder tanks for the Public Works Department. The initial contract term shall begin on or about February 1, 2014 and end on January 31, 2015. Authorization is also requested for the City Controller to disburse funds for the life of the contract in an amount not to exceed \$700,000.

The fuel tank bladders are a patented fuel cell composed of a Kevlar lining to reduce the risk of fuel leakage and fire in the event a fuel tank ruptures. In 2002, the City Council authorized the purchase of fuel tank bladders for the Ford Crown Victoria fleet as a safety modification.

Each Ford Crown Victoria remaining in the City's fleet currently has a fuel bladder tank installed that is modified by Fuel Safe to accommodate their bladders, fuel pumps and fuel gauge sending units, filler necks, and Ford installed safety devices. Due to extreme temperature variations, the fuel bladders can leak and create unsafe conditions that warrant periodic replacements. Fuel Safe is the fuel cell manufacturer and the sole source vendor for replacements.

Financial Impact

The aggregate contract value for all options shall not exceed \$700,000, with an annual estimated expenditure of \$140,000. Funds are available in the Public Works Department's Operating budget.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised if considered in the City's best interest to do so.

This item is recommended by Mr. Naimark and the Finance Department.

**ITEM 38**

**CITYWIDE**

**ORDINANCE S-40539 -  
RFA 14-034 - TWO PIERCE QUANTUM PUMPER  
TRUCKS**

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Request to authorize the City Manager, or his designee, to enter into an intergovernmental agreement with the Houston-Galveston Area Council for the purchase of two Pierce Quantum pumper trucks for the Fire Department. The vehicles offered in this agreement were established by a competitive public procurement process. This request is being made by the Fire Chief, Deputy Finance Director, and Public Works Director. Authorization is also requested for the City Controller to disburse funds for the purchase in an amount not to exceed \$1,164,737.26.

This type of vehicle is highly technical. Pierce equipment is used by several municipalities in the Phoenix metropolitan area, so there is an established local dealer network and parts support and infrastructure available for the maintenance and warranty repairs of the equipment being purchased.

The City currently has several Pierce trucks which have proven to be well engineered and have demonstrated resistance against the demanding application of fighting fire in the extreme environmental conditions common to Phoenix.

Financial Impact

The contract value shall not exceed \$1,164,737.26. Funds are available in the Fire Department's Capital Improvement Program budget.

This item is recommended by Mr. Naimark and Ms. Takata.

**ITEM 39**

**DISTRICT 2**

**ORDINANCE S-40540 -  
ACQUISITION OF A VACANT STATE LAND  
PARCEL FOR WELL 287 CONVERSION  
PROJECT - CAVE CREEK AND DYNAMITE  
BOULEVARD**

---

Request to authorize the City Manager, or his designee, to acquire fee title or lesser interest in all, or portions of, a vacant State land parcel located east of Cave Creek Road and north of Dynamite Boulevard and execute documents necessary to accomplish the acquisition. The property consists of approximately 0.63 acres and is required to facilitate the conversion of Well 287 from a potable well to non-potable well.

Acquisition for the purchase price and other terms as established at the Arizona State Land Department public auction, with the City's maximum bid to be determined by the City Manager, consistent with instructions provided by the City Council in Executive Session.

Further request to authorize the City Controller to disburse funds for the purchase of this property, plus usual and customary closing costs.

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 would be prohibited by Phoenix City Code § 42-18, as the Arizona State Land Department's Certificate of Purchase and other form documents include such provisions.

This bears the recommendation of the Water Services Director and the Deputy Finance Director.

This item is also recommended by Mr. Naimark.

**ITEM 40****DISTRICT 3****ORDINANCE S-40541 -  
PUBLIC SALE OF CITY-OWNED PROPERTY  
LOCATED AT 2222 WEST GREENWAY ROAD**

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Request to authorize the City Manager, or his designee, to sell by sealed bid, public auction, or negotiation, real property located at 2222 West Greenway Road. The City-owned property to be sold consists of a site area that contains approximately 8.479 acres or 369,329 square feet, net, and is zoned RE-43, One Family Residence (43,560-square-foot minimum). The site area includes two freestanding single-story office buildings (single and multi-tenant), with a combined improvement area of 36,116 square feet and two vacant adjoining parcels (one improved with a parking lot and other formerly improved with modular offices).

The property will be sold to the highest responsive and responsible bidder for not less than the appraised value. Should the City fail to receive a responsive and responsible bid at or above the appraised value, authorization is requested to: 1) reject all bids and re-bid; or 2) negotiate with the bidder(s) whose bid(s) most closely conforms with the elements of the bid solicitation in order to yield the highest financial return to the City, as deemed acceptable by the City Manager, or his designee.

The buyer will pay all customary transaction-related expenses.

The property was offered to other City departments and none expressed interest.

Title will be conveyed by Special Warranty Deed.

Further request to authorize the Treasurer to accept funds associated with the sale of the property.

This bears the recommendation of the Chief of Police and the Deputy Finance Director.

This item is also recommended by Mr. Murphy.

**ITEM 41****DISTRICT 6****ORDINANCE S-40542 -  
GRANT OF A PUBLIC UTILITY EASEMENT FOR  
A CITY PROJECT LOCATED AT 15010 SOUTH  
19TH WAY**

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Request to grant a public utility easement, for consideration of one dollar and/or other valuable consideration, for the installation of a new service to a City facility on City property in the Salt River Project service area, and further ordering the ordinance recorded. This easement is needed to provide utilities and other services to the 4SD-B1 Booster Station located at 15010 South 19th Way.

The public utility easement will be for the area described in the legal description to be sent directly to the Law Department ("Easement Premises") and will be granted to all public service corporations, agricultural improvement districts, and telecommunication corporations providing utility service to the property located at 15010 South 19th Way (collectively "Grantee") for an indefinite period subject to the following terms and conditions:

- A. Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate, and maintain utility facilities together with appurtenant fixtures for use in connection therewith for the transmission and distribution of utility and communication facilities (collectively "Grantee Facilities") to, through, across, and beyond Grantor's property within the Easement Premises. Subject to the notice requirements provided in Paragraph "I", Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified. Grantee acknowledges and accepts that Grantee shall share the Easement Premises with other Grantees and shall use such Easement Premises with other Grantees in accordance with and consistent with industry standards and customs for such shared use. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in Paragraph "F".
- B. Grantor shall not locate, erect or construct, or permit to be located or erected or constructed, any building or other structure or drill any well within the limits of the Easement Premises. However, Grantor reserves all other rights, interests, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities. Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface grade of Easement

Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.

- C. Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided however, that this prohibition shall not apply to any material, equipment or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state, and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for the storage of construction-related materials or to park or store construction-related vehicles or equipment except on a temporary basis to construct, reconstruct, replace, repair, operate, or maintain the Grantee Facilities.
- D. Grantor shall maintain a three-foot clear area around all edges of all equipment pads for Grantee Facilities, in addition to a clear operational area that extends 10 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstructions, trees, shrubs, fixtures, or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs, or other obstructions within said areas.
- E. Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement, landscaping, concrete, and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.
- F. Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new easement area, Grantee shall abandon its rights to use the Easement Premises granted in this easement without cost or consequence to Grantor.
- G. Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other Grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location (whether or not) within the Easement Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.
- H. Grantee shall not have the right to transfer, convey, or assign its interests in this easement to any individual, corporation, or other entity without the prior written consent of Grantor, which consent shall not be unreasonably withheld. Grantee shall notify Grantor of any proposed transfer, conveyance, or assignment of any rights granted herein at the address listed below.
- I. Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where such Easement Premises are located: (1) on a site that includes Aviation Department facilities, water and wastewater treatment facilities, the Police Department headquarters located at 620 West Washington Street, the Fire Department headquarters located at 150 South 12th Street, City Hall located at 200 West Washington Street, City Court Building located at 300 West Washington Street, Calvin C. Goode Building located at 251 West Washington Street, Transit Operations Center located at 320 North 1st Avenue, or West Transit Facility located at 405 North 79th Avenue; or (2) in a secured or fenced area.

This bears the recommendation of the Street Transportation Director and the Deputy Finance Director, with the concurrence of the Water Services Director.

This item is also recommended by Mr. Naimark.

**ITEM 42****CITYWIDE****ORDINANCE S-40543 -  
AMEND LICENSE AGREEMENT FOR ELECTRIC  
VEHICLE CHARGING STATIONS**

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Request to authorize the City Manager, or his designee, to amend Contract 131961, a License Agreement with ECOtality for the installation and maintenance of electric vehicle charging stations. The License Agreement was assigned to, and assumed by, Blink Acquisition, LLC (Blink), an affiliate of Car Charging Group, Inc., in federal bankruptcy proceedings in connection with a sale of ECOtality's Blink Network assets, on the condition that Blink pay and satisfy certain cure amounts. Blink has asked the City to extend the term of the License Agreement to coincide with the term of the U.S. Department of Energy grant awarded to ECOtality for the installation and operation of electric vehicle charging infrastructure, which has been extended through April 30, 2014.

Accordingly, authorization is requested to amend the License Agreement to change the Licensee from ECOtality to Blink Acquisition, LLC or affiliates/related entities acceptable to the City Manager, to make this change effective retroactively as of December 31, 2013, and to extend the term of the License through April 30, 2014, upon payment of the court-ordered cure amount associated with the License Agreement. All other terms and conditions of the License shall remain unchanged.

This bears the recommendation of the Public Works Director.

This item is also recommended by Mr. Naimark.

**ITEM 43****CITYWIDE****ORDINANCE S-40544 -  
AWARD OF TENANT BACKGROUND  
SCREENING TO YARDI SYSTEMS, INC.**

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Request to authorize the City Manager, or his designee, to enter into a two-year contract with three, one-year options to extend with Yardi Systems, Inc. for the purpose of tenant screening services software for Public Housing and Section 8 program applicants. Authorization is also requested for the City Manager to execute all necessary documents and the City Controller to disburse up to \$264,000 over the life of the contract.

A Request for Proposals was issued on October 21, 2013, for a cost effective background check solution that integrates into the current Housing Department business system, VisualHomes. The background checks must include a national criminal search, county and state search, optional eviction screening, credit report, and rental payment history. A total of two proposals were received and evaluated on December 2, 2013, by a panel of City staff. The successful proposer, Yardi Systems Inc., was selected for their extensive experience and ability to integrate with the current business system, VisualHomes. The contract term will be a two-year contract with three, one-year options to extend and is expected to begin April 1, 2014. The technical evaluation is outlined below:

<u>Firm</u>	<u>Total Points/Total Possible</u>
National Credit Reporting (NCR)	700/1,000
Yardi Systems Inc.	900/1,000

The Housing Department has approximately 8,200 housing participants/residents and processes over 2,000 new applicants per year. The Housing Department will rotate the screening of current Public Housing residents on an annual basis by property to ensure safety, but also keep the cost of the screenings at an affordable level to the Housing Department.

Financial Impact

The aggregate contract value over the life of the contract, including all option years, will not exceed \$264,000, with an estimated annual expenditure of \$52,800. There is no impact to the General Fund budget; funding is provided entirely with federal funds.

The Neighborhoods, Housing, and Development Subcommittee recommended approval of this request at its meeting on December 17, 2013

This item is also recommended by Ms. Jonovich and the Housing Department.

**ITEM 44****CITYWIDE****ORDINANCE S-40545 -  
PENSION/LABOR CONSULTING SERVICES  
QUALIFIED VENDOR LIST**

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Request authorization to establish a Qualified Vendor List (QVL) for pension/ labor consulting services, and request to authorize

the City Manager to enter into a contract with one or more of the vendors on the QVL on an as-needed basis during the three-year period of the QVL. Also request authorization for the City Controller to disburse funds for the life of the contracts in an amount not to exceed \$45,000.

The Human Resources Department issued a Request for Qualifications (RFQ) on December 24, 2013, to establish a QVL to allow the City to engage one or more qualified, non-attorney vendors with extensive background in labor negotiations as it relates to pension systems for City of Phoenix employees, including the City of Phoenix Employees' Retirement System (COPERS) and the Public Safety Personnel Retirement System (PSPRS). It is anticipated these services may be needed, at a minimum, through May 2014.

Responses to the RFQ were due on January 8, 2014. Responses were received from Buck Consultants, LLC and Kelly Garfinkle Strategic Restructuring, LLC (KGSR). Each proposal was reviewed based on the following criteria: experience in pension consulting, including any experience with COPERS and/or PSPRS; experience with reviewing and advising on labor negotiations as they relate to pensions; other qualifications related to the services required; and cost estimate for services. The Evaluation Committee, consisting of staff from the Human Resources Department, determined that both proposals met the minimum qualifications to be placed on the QVL.

Based on the information provided above, the Human Resources Department is recommending that Buck Consultants, LLC and KGSR be posted to the QVL. Human Resources may enter into a contract with one or both of the vendors on an as-needed basis for professional consulting services during the three-year period of the QVL.

#### Financial Impact

The contract value for these services is estimated not to exceed \$45,000. Funds are available in the Human Resources Department budget, and will be funded through the General, Special Revenue, and Enterprise funds.

This item is recommended by Mr. Zuercher and the Human Resources Department.

#### **ITEM 45**

#### **DISTRICT 7**

#### **ORDINANCE S-40546 - AMEND CONTRACT 105833 TO ACCEPT PARTIAL PAYMENT AND AUTHORIZE PARTIAL RELEASE**

Request to authorize the City Manager, or his designee, to amend Contract 105833 between the City of Phoenix and Phoenix Preservation Partnership, L.P., a Rhode Island limited partnership, authorized to transact business in the state of Arizona as Westward Ho Phoenix Preservation Partnership, L.P. (Westward Ho), to accept partial repayment of the loan of General Obligation Bond funds and authorize partial release of the City's security interest and land use restrictions in a portion of the first floor of the Westward Ho property.

Further request authorization for the City Treasurer to accept all necessary funds for the partial payment.

Westward Ho borrowed \$1,400,000 of taxable General Obligation Bond funds from the City in April 2003 as one source of funds to rehabilitate residential units in its property at 618 North Central Avenue for affordable occupancy by qualified tenants. As part of its current refinancing, Westward Ho is requesting the release of the City's security interest and land use restrictions in some of the first floor's non-residential space. In exchange, Westward Ho will pay-down part of the loan, in the amount based on the square footage to be released as compared to the total square footage (estimated to be between \$80,000 and \$90,000).

The partial repayment and release does not negatively affect any bond covenants or other obligations of the City, and does not reduce the number or quality of units available for affordable residence by families. Bond Counsel and the Finance Department have been consulted on this agreement.

All other terms and conditions of Contract 105833 will remain the same.

This item is recommended by Ms. Jonovich and the Law Department.

#### **ITEM 46**

#### **DISTRICT 1**

#### **ORDINANCE S-40547 - PROPERTY TAX - CHOLLA BRANCH LIBRARY**

Request to authorize the City Manager, or his designee, to pay real property taxes and associated charges assessed and levied by Maricopa County for tax years 2007 through 2013 against land leased by the City of Phoenix for the Cholla Branch of the

Phoenix Public Library, located at 10050 Metro Parkway East (the "Property"), and to sign documents and take other actions necessary or appropriate to secure a release of the liens securing payment of such taxes; and further request authorization for the City Controller to disburse the necessary funds.

On December 5, 1974, the City entered a 50-year ground lease (City Contract 15166) for the Property upon which the City constructed the Cholla Branch Library. Maricopa County considered the Property to be exempt from real property tax until 2007. Beginning in 2007, the County assessed and levied real property taxes and associated charges which are now a lien upon the Property. The County Assessor and County Treasurer have agreed to accept a sum in an amount not to exceed \$81,461.78 as payment in full for such taxes, and to release the liens securing payment of such taxes.

Financial Impact

Funds are available in the Library Department's budget.

This item is recommended by Ms. Jonovich and the Library Department.

**ITEM 47**

**DISTRICT 4**

**ORDINANCE S-40548 -  
NATIONAL FISH AND WILDLIFE FOUNDATION  
GRANT - ENVIRONMENTAL SOLUTIONS FOR  
COMMUNITIES**

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Request retroactive authorization to apply for a \$50,500 grant from the National Fish and Wildlife Foundation - Environmental Solutions; and request authorization for the City Manager, or his designee, to accept the funds, if awarded. Request further authorization for the City Controller to accept and disburse funds.

In 2012, the National Fish and Wildlife Foundation (NFWF) and Wells Fargo Bank launched the Environmental Solutions for Communities initiative, designed to support projects that link economic development and community well-being to the stewardship and health of the environment.

If awarded, the Neighborhood Services Department (NSD) will partner with the Woodlea Neighborhood located in the area of 7th to 15th Avenues from Indian School Road to the Grand Canal for a neighborhood improvement project. The project will replace a leaking flood irrigation pipeline within the neighborhood which provides 124 residential properties with flood irrigation in order to sustain old-growth trees that have been in the area for over 86 years old. These funds will ultimately benefit the environment by continuing to sustain shade cover, decrease surface temperatures, reduce energy use, and create a more walkable/ livable street for the community.

In addition, NSD will partner with the Woodlea Neighborhood and surrounding neighborhood organizations to raise awareness on environmental stewardship and the benefits of urban forestry.

Financial Impact

No additional City funds will be required to provide services under this grant.

This item is recommended by Mr. Burke and the Neighborhood Services Department.

**ITEM 48**

**DISTRICT 6**

**ORDINANCE S-40549 -  
AMEND ARIZONA ZOOLOGICAL SOCIETY  
LEASE AGREEMENT**

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Request the City Manager, or his designee, to amend Lease Agreement 106614-01 with The Arizona Zoological Society (Phoenix Zoo) for the City to provide one acre of additional property and \$1.2 million for the construction of an administrative building and park interpretive plaza.

The City has leased property to the Arizona Zoological Society (Phoenix Zoo) since the 1960s. The Phoenix Zoo is located within Papago Park. In 2003, the lease was renewed for 30 years with five, five-year options. The current lease provides 119.62 acres with an annual rent of \$1,200.

In 2009, Phoenix, Tempe, and Scottsdale together with the Salt River Pima-Maricopa Indian Community (SRPMIC) conducted a public planning process to develop a vision and series of recommendations to guide the future of Papago Park as a premier regional park serving the surrounding cities, as well as the region. During the public process, a Papago Park Regional Master Plan was developed and included recommendations for a visitor's plaza and cultural and historic interpretive signs and displays.



The administrative building and park interpretive plaza will provide 1,200 square feet of office space for Park and Recreation Department staff and will include office space, utilities, and furnishings. The lease amendment will allow the City and the Phoenix Zoo to continue to improve the visitor experience at Papago Park, and provide staff with on site office space to more effectively and efficiently manage the park.

Financial Impact

Funds are available from the Parks and Recreation Department's Capital Improvement Program budget utilizing Phoenix Parks and Preserve Initiative funds in Fiscal Year 2014-2015.

The Parks and Recreation Board recommended approval of this item on December 19, 2013.

This item is also recommended by Ms. Takata and the Acting Parks and Recreation Director.

**ITEM 49**

**CITYWIDE**

**ORDINANCE S-40550 -  
RETIREMENT AND DONATION OF CANINE  
"DALLAS"**

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Request to authorize the retirement and donation of canine "Dallas" to the Arizona Department of Corrections (AZDOC).

Police Service dog "Dallas" is a dual purpose trained canine who was assigned to Officer Mike Moissonner. Throughout the past year, numerous incidents were encountered in which the canine's behavior and unacceptable performance have placed officers in dangerous situations. All of the unit trainers and outside training consultants have worked to develop and improve the canine with non acceptable results. After careful evaluation, it is determined that "Dallas" is no longer serviceable and does not meet Police Department standards.

Canine "Dallas" is over two years old, has served the Tactical Support Bureau for the past year, and is no longer under vendor warranty. Due to the dual training of "Dallas", it is not feasible or safe to consider any other option than retirement and donation to the AZDOC. The use of the dual trained service dog in this static environment is acceptable and has proven to be valuable to AZDOC. The AZDOC has accepted donations of police service dogs in the past and have successfully transitioned the dogs to the corrections environment.

In return for the donation of "Dallas", the AZDOC purchased and donated police service dog "Bohdi" to the Phoenix Police Canine Unit.

The AZDOC agrees to accept full responsibility and liability for canine "Dallas" until his death.

This item is recommended by Mr. Murphy and the Police Department.

**ITEM 50**

**CITYWIDE**

**ORDINANCE S-40551 -  
AMEND MOTOROLA MASTER  
COMMUNICATIONS SYSTEM AGREEMENT  
124391 - LOGGING RECORDER EQUIPMENT**

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Request to authorize the City Manager, or his designee, to amend the Master Agreement with Motorola (Contract 124391) and approve additional expenditures for a replacement call logging recorder system for the Police Department. This request shall not exceed \$1,500,000. Further request additional authorization for the City Controller to disburse funds over the life of the agreement.

The Police Department uses its call logging recorder system to produce audio records of CrimeStop calls, emergency 911 calls, radio dispatch audio for internal investigations, public records requests, City Prosecutor's Office requests, and the Maricopa County Attorney's Office to assist with prosecution in criminal proceedings. The recorder is approximately nine years old and the system is no longer supported by the original manufacturer. For these reasons, the Police Department requests a replacement call logging recorder system to be purchased under the existing Master Agreement with Motorola. Additionally, the enhanced technology will improve efficiency and ensure system reliability so that public records are available to requestors, as required by Arizona law.

The Motorola Master Agreement was approved by the City Council on July 2, 2008. It provides the hardware, software, and professional services necessary to support City of Phoenix information technology systems. The Master Agreement is an umbrella agreement under which Statements of Work (SOW) can be developed and issued. Each SOW is processed in

accordance with City of Phoenix procurement regulations.

This item is recommended by Mr. Murphy and the Chief of Police.

**ITEM 51**

**CITYWIDE**

**ORDINANCE S-40552 -  
AMENDMENT 1 - AVIATION SUSTAINABILITY  
ON-CALL CONSULTING SERVICES FOR FISCAL  
YEARS 2012-2013 AND 2013-2014**

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Request to authorize the City Manager, or his designee, to execute Amendment 1 to Contract 133566 with LeighFisher, Wilmington, Delaware, to provide professional services to the Aviation Department. Further request to authorize the City Controller to disburse funds for the purpose of this ordinance.

LeighFisher supports the Aviation staff in performing various sustainability on-call services. LeighFisher is preparing a Sustainability Management Plan for the Aviation Department with guidance from the Office of Environmental Programs. This amendment would authorize the final phase of developing the Sustainability Management Plan, including identifying goals, program initiatives, measurable performance metrics, and reporting scheme for the focus areas identified in the earlier phases, and meet City of Phoenix sustainability goals.

The consultant was chosen to perform these services using a qualifications-based selection process as authorized by Section 34-603 of the Arizona Revised Statutes. Based on this selection process, this firm was determined to be most qualified to provide the services required.

**Financial Impact**

This amendment requests approval to increase LeighFisher's contract amount by \$75,000, for a contract total of \$375,000. The two-year contract period approved by the previous Council action will expire June 30, 2014. Funds are available in the Aviation Department's Operating budget.

This Council award is subject to execution of an agreement by each of the parties.

This item is recommended by Mr. Murphy, and the Aviation and Street Transportation Departments.

**ITEM 52**

**CITYWIDE**

**ORDINANCE S-40553 -  
WS85500346 - WATER MAIN EMERGENCY  
REPAIRS CONSTRUCTION ADMINISTRATION  
AND INSPECTION SERVICES**

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Request to authorize the City Manager, or his designee, to enter into an agreement with Dibble Engineering, Phoenix, Arizona, to provide construction administration and inspection services to support the Water Main Emergency Repair Program. This is for a three-year contract, with one option to extend for an additional two-year period if considered in the City's best interest to do so. Further request to authorize the City Controller to disburse funds for the purpose of this ordinance.

Dibble Engineering was chosen for this project using a qualifications-based selection process authorized by Title 34 of the Arizona Revised Statutes as managed by the City Engineer.

The engineer's fee shall not exceed \$213,000 for the first year of the contract, including all subconsultant and allowable costs.

Additionally, request to authorize the City Manager, or his designee, to take all actions 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. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

**Financial Impact**

The aggregate value of the contract including all extension options will not exceed \$723,000. Funding for this project is available in the Water Services Department's Capital Improvement Program budget using Water Revenue, Fund 0051.

This Council award is subject to execution of the agreement by all of the parties.

The Water Services Department concurs with this request.

This item is also recommended by Mr. Naimark and the Street Transportation Department.

**ITEM 53**

**CITYWIDE**

**ORDINANCE S-40554 -  
WS90500232 - SANITARY SEWER EMERGENCY  
REPAIRS CONSTRUCTION ADMINISTRATION  
AND INSPECTION SERVICES**

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Request to authorize the City Manager, or his designee, to enter into an agreement with Brown and Caldwell, Phoenix, Arizona, to provide construction administration and inspection services to support Sanitary Sewer Emergency Repair Programs. This is for a three-year contract, with the option to extend for one additional two-year period, if considered in the City's best interest to do so. This further requests to authorize the City Controller to disburse funds for the purpose of this ordinance.

Brown and Caldwell was chosen for this project using a qualifications-based selection process authorized by Title 34 of the Arizona Revised Statutes as managed by the City Engineer.

The engineer's fee shall not exceed \$359,987, for the initial three-year contract term including all subconsultant and allowable costs.

Additionally, request to authorize the City Manager, or his designee, to take all actions 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. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Financial Impact

Funding for this project is available in the Water Services Department's Capital Improvement Program budget using Wastewater Revenue (Fund 0090).

This Council award is subject to execution of the agreement by all of the parties.

This item is recommended by Mr. Naimark and the Street Transportation Department.

**ITEM 54**

**DISTRICT 4**

**RESOLUTION 21192 -  
ISSUANCE OF ONE OR MORE SERIES OF UP TO  
\$11,000,000 OF THE INDUSTRIAL  
DEVELOPMENT AUTHORITY OF THE CITY OF  
PHOENIX, ARIZONA TAX-EXEMPT AND/OR  
TAXABLE EDUCATION FACILITY REVENUE  
BONDS (BASIS PHOENIX CENTRAL PROJECT)  
SERIES 2014**

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Request by BASIS Schools, Inc. (the "Borrower"), an Arizona non-profit corporation, seeking a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona (the "Phoenix IDA") has previously resolved to issue up to \$11,000,000 of Education Facility Revenue Bonds (the "Revenue Bonds") to: a) finance the acquisition, construction, renovation, improvement, and equipping of a charter school facility (the "Project"); and b) to pay certain costs related to the issuance of the Revenue Bonds.

The Borrower states the Project will serve grades K through 6 and includes a 5 story building with approximately 97,000 square feet on approximately 2.5 acres located at the southeast corner of 2nd Street and Indianola Avenue.

Fees that are collected at closing and through ongoing assessment fees collected for the life of the bonds are available to invest in programs and initiatives that benefit Phoenix residents. Such investments include supporting small business loan programs aimed at retaining and creating jobs, and other community development programs.

On January 16, 2014, the Phoenix IDA adopted a resolution authorizing the issuance of the Revenue Bonds.

The Revenue Bonds will not involve the credit or financial backing of the City of Phoenix. The City of Phoenix will not incur any costs as a result of the project.

This item is recommended by Mr. Zuercher and the Finance Department.

**ITEM 55**

**CITYWIDE**

**RESOLUTION 21193 -  
ISSUANCE OF ONE OR MORE SERIES OF UP TO  
\$10,500,000 OF THE INDUSTRIAL  
DEVELOPMENT AUTHORITY OF THE CITY OF  
PHOENIX, ARIZONA TAX-EXEMPT AND/OR  
TAXABLE EDUCATION FACILITY REVENUE  
BONDS (BASIS SAN ANTONIO NORTH  
PROJECT) SERIES 2014**

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Request by BASIS Schools, Inc. (the "Borrower"), an Arizona non-profit corporation, seeking a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona (the "Phoenix IDA") has previously resolved to issue up to \$10,500,000 of Education Facility Revenue Bonds (the "Revenue Bonds") to: a) finance the acquisition, construction, renovation, improvement, and equipping of a charter school facility (the "Project"); and b) to pay certain costs related to the issuance of the Revenue Bonds.

The Borrower states the Project will serve grades 5 through 12 and includes an approximately 44,800-square-foot, single-story building on approximately 3.65 acres located at 318 East Ramsey Road and 9518 McCullough Avenue in San Antonio, Texas.

It is not uncommon for Arizona IDAs to issue bonds for projects in cities and counties other than their own, especially when the applicant requests the services of a particular IDA, as is the case here. Fees that are collected at closing and through ongoing assessment fees collected for the life of the bonds are available to invest in programs and initiatives that benefit Phoenix residents. Such investments include supporting small business loan programs aimed at retaining and creating jobs, and other community development programs.

On January 16, 2014, the Phoenix IDA adopted a resolution authorizing the issuance of the Revenue Bonds.

The Revenue Bonds will not involve the credit or financial backing of the City of Phoenix. The City of Phoenix will not incur any costs as a result of the project.

This item is recommended by Mr. Zuercher and the Finance Department.

**ITEM 56**

**DISTRICT 2**

**RESOLUTION 21194 -  
ABANDONMENT OF RIGHT OF WAY - V-  
130041A**

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Request to abandon the right-of-way described below, as the area is being replatted.

On December 4, 2013, the Abandonment Hearing Officer considered the application of Taylor Morrison, Inc. to abandon the east and west sides of the 27th Avenue cul-de-sac right-of-way north of the parcel identified as Assessor Parcel Number 204-13-003J and portions of the Balao Drive and 25th Drive intersection right-of-way on the east and the southwest sides.

The Hearing Officer recommended approval of the adoption of the abandonment, subject to stipulations which have been satisfied.

Final Plat 130069, under the name of Replat of Sonoran Commons Phase 1, is to be recorded concurrently with this resolution.

The resolution of abandonment and the subdivision plat are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first; then the plat is recorded second. Recording in this manner will satisfy the stipulation to record concurrently.

Pursuant to Phoenix City Code Article 5, Section 31-64(e), the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls; by the elimination of third party general liability claims against the City, maintenance expenses, and undesirable traffic patterns; and by replatting of the area with new/alternate roadways and new development, as sufficient and appropriate consideration in this matter.

Following established review procedures, no objections to the Hearing Officers recommendation have been received from the City Council or other parties.

This item is recommended by Mr. Naimark and the Planning and Development Department.

**ITEM 57**

**DISTRICT 7**

**RESOLUTION 21195 -  
ABANDONMENT OF RIGHT OF WAY - V-  
130028A**

---

Request to abandon the right-of-way described below, as it is no longer needed.

On August 21, 2013, the Abandonment Hearing Officer considered the application of Mr. Manuel A. Inurriaga of M&M Civil Engineering to abandon the south 100 feet of the parcel identified as Assessor Parcel Number 105-49-011, previously conveyed to the City of Phoenix per Maricopa County Recorder 2009-0905856 and considered as right-of-way per the City of Phoenix Street Transportation Department.

The Hearing Officer recommended approval of the adoption of the abandonment, subject to stipulations which have been satisfied.

A fee was also collected as part of this abandonment in the amount of \$54,230.

Following established review procedures, no objections to the Hearing Officer's recommendation have been received from the City Council or other parties.

This item is recommended by Mr. Naimark and the Planning and Development Department.

**NEW BUSINESS**

**ITEM 58**

**CITYWIDE**

**IFB 09-037 - LANDFILL SERVICES -  
REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to extend contracts with Salt River Landfill and Vulcan Materials Company for disposal of excavation spoil, asphalt paving material, concrete materials, mixed asphalt paving and spoil materials, and water treatment plant sludge for one month (ending February 28, 2014) to allow for evaluation of bids for new contracts. As there are authorized funds remaining at the end of the contracts' terms, no new funds are requested.

Solicitation IFB 09-037 was approved by the City Council on February 11, 2009, for five years with an ending date of January 31, 2014. The original contract amount was \$1,200,000 annually. Sufficient funding from the original authorization remains.

A new solicitation (IFB 14-087) was issued on November 22, 2013, and resulted in four offers. An award recommendation will be completed prior to the expiration of the current contracts; however, the recommendation will not be available until a February Council agenda.

**Financial Impact**

Sufficient funds remain from the original Council authorization; no new funds are requested.

This item is recommended by Mr. Zuercher and the Finance Department.

**ITEM 59**

**DISTRICT 1**

**FINAL PLAT - 3101 WEST PEORIA AVENUE -  
130062**

The following final plat has been reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code, and was approved on January 13, 2014:

Plat 130062  
Project 12-2527  
Name of Plat: 3101 West Peoria Avenue  
A Three-Lot Commercial Plat  
Generally located at 3101 West Peoria Avenue

Owner(s): Peoria 3101, LLC  
Engineer(s): Dennis Frank Keogh, R.L.S.

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

This item is recommended by Mr. Naimark and the Planning and Development Department.

**ITEM 60**

**DISTRICT 2**

**FINAL PLAT - REPLAT OF SONORAN COMMONS  
PHASE 1 - 130069**

The following final plat has been reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code, and was approved on December 20, 2013:

Plat 130069  
Project 06-2123  
Name of Plat: Replat of Sonoran Commons Phase 1  
A 102-Lot Residential Subdivision Plat  
Generally located at North Valley Parkway and Sonoran Desert Parkway

Owner(s): Taylor Morrison Arizona  
Engineer(s): Bowman Consulting Group

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

This plat needs to record concurrently with Abandonment V-130041A.

This item is recommended by Mr. Naimark and the Planning and Development Department.

**ITEM 61**

**DISTRICT 2**

**FINAL PLAT - STONELEDGE AT NORTH  
CANYON - 130029**

The following final plat has been reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code, and was approved on January 13, 2014:

Plat 130029  
Project 12-2847  
Name of Plat: Stoneledge at North Canyon  
A 250-Lot Residential Plat  
Generally located at 30th Avenue and North Valley Parkway

Owner(s): Jen Arizona 15, LLC  
Engineer(s): Ritoch-Powell

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

This item is recommended by Mr. Naimark and the Planning and Development Department.

**ITEM 62**

**DISTRICT 6**

**FINAL PLAT - JACKS JUNCTION - 130073**

The following final plat has been reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code, and was approved on January 15, 2014:

Plat 130073  
Project 01-21991  
Name of Plat: Jacks Junction  
A Two-Lot Residential Re-plat.  
Generally located at 41st Street and Earll Drive.

Owner(s): Arizona Community Ventures, LLC  
Engineer(s): D & M Engineering

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

This item is recommended by Mr. Naimark and the Planning and Development Department.

**ITEM 63**

**DISTRICT 6**

**FINAL PLAT - MADISON VISTAS - 130039**

The following final plat has been reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code, and was approved on January 3, 2014:

Plat 130039  
Project 12-3305  
Name of Plat: Madison Vistas  
A 35-Lot Residential Plat  
Generally located at Campbell Avenue and 29th Place

Owner(s): Ryland Homes  
Engineer(s): Bowman Consulting

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

This item is recommended by Mr. Naimark and the Planning and Development Department.

**ITEM 64**

**DISTRICT 7**

**FINAL PLAT - SOUTHWEST INDUSTRIAL  
CENTER - 130081**

The following final plat has been reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code, and was approved on January 13, 2014:

Plat 130081  
Project 12-1110  
Name of Plat: Southwest Industrial Center  
A Two-Lot Commercial Plat  
Generally located at 7845 West Buckeye Road

Owner(s): Southwest Industrial Center 1, LLC  
Engineer(s): Jerry D. Heath Jr., R.L.S.

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

This item is recommended by Mr. Naimark and the Planning and Development Department.

**ITEM 65**

**DISTRICT 8**

**FINAL PLAT - VILLAGES AT VERONA - 130060**

The following final plat has been reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code, and was approved on January 3, 2014:

Plat 130060  
Project 06-4266  
Name of Plat: Villages At Verona  
A 125-Lot Residential Plat  
Generally located at Beverly Road and 7th Street

Owner(s): Ryland Homes of Arizona  
Engineer(s): EPS Group, Inc.

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

This item is recommended by Mr. Naimark and the Planning and Development Department.

**ITEM 66**

**CITYWIDE**

**REQUEST FOR RECONSIDERATION -  
CONSIDERATION OF CITIZEN PETITION**

Request for reconsideration of Item 72 (Consideration of Citizen Petition) from the January 15, 2014, Formal Agenda. At the meeting, the Council approved a motion to televise the Citizen Comments session, increase the amount of time for speakers to three minutes, and keep Citizen Comments following the conclusion of Formal meetings in order to maintain a consistent start time.

Pursuant to the Rules of Council Proceedings, this reconsideration is being placed on the agenda in accordance with a written request filed in the City Clerk Department by Councilmen DiCiccio and Nowakowski on January 22, 2014. The original item has been placed as the next item on the agenda immediately following this request for reconsideration. The text of the item is exactly as it appeared before the City Council on January 15, 2014. If this request is approved, the City Council will reconsider the original item. If this request is not approved, the City Council should not take action on the next item.

This item is submitted by Ms. Takata and the City Clerk Department.

**ITEM 67**

**CITYWIDE**

**CONSIDERATION OF CITIZEN PETITION**



Request for the City Council to take action regarding a petition presented by Ms. Dianne Barker during the Citizen Comment Session at the November 20, 2013, City Council Formal Meeting pursuant to Chapter IV of the City Charter.

The November 20, 2013, petition requests Council action to change Rule 8 of Chapter 2, Rules of Council Proceedings, to have Citizen Comments occur at the beginning of the Formal Meeting following roll call. Ms. Barker requests the City Council to change Rule 8 concerning Citizen Comments to read as such, "Any member of the public may address the Council to comment on issues of interest or concern to them at regular weekly formal meeting. This will occur at the beginning of the meeting following roll call. Citizens are encouraged to participate, and although no decisions will be made, the open meeting law permits the council asking for clarification, and assigning the matter for staff follow-up, and or the matter to be place on the coming formal agenda for discussion, action, and possible adoption."

Rule 8 of Chapter 2, Rules of Council Proceedings, Citizen Comments currently states, "Immediately after adjournment or recess of the regular weekly formal meeting, any member of the public may address the Council to comment on issues of interest or concern to them. A quorum of the City Council may or may not be present, but in either event, no decisions will be made and no action on any issues raised will be taken."

Citizen Comments is not required by State Law, but is set forth in the Rules of Council Proceedings adopted by City Council. Each city or entity determines its process for citizen comments. The amount of time allotted to speakers is at the discretion of the Chair of the meeting. The City's current practice is to allow two minutes for each speaker.

Staff seeks City Council direction regarding the request to change the current practice for Citizen Comments outlined in Rule 8 of Chapter 2, Rules of Council Proceedings.

This item is recommended by Mr. Zuercher and the City Manager's Office.

## **PLANNING AND ZONING MATTERS**

### **ITEM 68**

### **DISTRICT 2**

### **PUBLIC HEARING - RESOLUTION 21191 - GPA-NG-2-13-2 - NORTH VALLEY PARKWAY AND NORTERRA PARKWAY**

(Continued from January 15, 2014) - Request to hold a public hearing on the land use for the following item to consider adopting the Planning Commission's recommendation and the related resolution, if approved.

Application: GPA-NG-2-13-2 - (Companion Case Z-46-13-2)  
Request: Map Amendment  
From: Commercial  
To: Residential 3.5 to 5 du/ac  
Acreage: 11.55  
Location: Approximately 400 feet north of the northwest corner of North Valley Parkway and Norterra Parkway  
Proposal: To extend the single-family residential use further south along North Valley Parkway.  
Applicant: Toni Bonar - HilgartWilson, LLC  
Staff: Approved.  
VPC Action: North Gateway - November 14, 2013 - Approved. Vote 5-0  
PC Action: December 10, 2013 - Approved. Vote 9-0

This item is recommended by Mr. Naimark and the Planning and Development Department.

### **ITEM 69**

### **DISTRICT 2**

### **PUBLIC HEARING - ORDINANCE G-5881 - Z-46-13-2 - NORTH VALLEY PARKWAY AND NORTERRA PARKWAY**

(Continued from January 15, 2014) - Request to hold a public hearing on the rezoning for the following item to consider adopting the Planning Commission's recommendation and the related ordinance, if approved.

Application: Z-46-13-2 - (Companion Case GPA-NG-2-13-2)  
From: PCD NBCOD (Approved C-2 PCD NBCOD)  
To: R1-6 NBCOD  
Acreage: 13.69  
Location: Approximately 400 feet north of the northwest corner of North Valley Parkway and Norterra Parkway  
Proposal: Removal of North Gateway PCD (Z-34-01) to allow single-family.  
Applicant: Randy Christman - Pulte Homes Corporation  
Owner: Patrick R. Anderson Trust ETAL  
Representative: Toni Bonar - Hilgart Wilson, LLC  
Staff: Approved, subject to stipulations.  
VPC Action: North Gateway - November 14, 2013 - Approved, subject to stipulations. Vote 5-0  
PC Action: December 10, 2013 - Approved, subject to stipulations. Vote 9-0

The following stipulations are subject to discussion at the meeting and the City Council may add, delete, or amend stipulations.

#### Stipulations

#### SITE PLAN AND ELEVATIONS

1. The development shall be in general conformance with the site plan and elevations date stamped September 4, 2013, as modified by the Planning and Development Department, with specific regard to 43 lots.
2. A minimum of 15 percent of the gross project area shall be retained as open space, including washes and hillside areas, as approved by the Planning and Development Department.
3. No more than 50 percent of the required landscape setback adjacent to North Valley Parkway shall be used for retention.
4. The main entryway design shall adhere to the North Gateway PCD, Functional Unit 1 (PCD 34-01) typical detail that includes a 12-foot median and a stone veneered entry monument, as approved by the Planning and Development Department.

#### WALLS

5. Solid walls above three feet shall not be allowed between the Central Arizona Project (CAP) Canal and the recreational area.
6. Lots adjacent to the open space to the south, along the CAP Canal shall incorporate view fencing, which is any combination of fencing that is at least 50 percent open, as approved by the Planning and Development Department.
7. The perimeter wall adjacent to North Valley Parkway shall include material and textural differences, such as stucco and/or split face block with a decorative element, as approved by the Planning and Development Department. The NBCC requires stone detail of rock, stone veneer, stonework, or faux stone to be incorporated.

#### STREET TRANSPORTATION

8. The developer shall provide full improvements to North Valley Parkway for the length of the property and construct all streets within and adjacent to the development with paving, curb, gutter,

sidewalk, curb ramps, streetlights, landscaping, and other incidentals as per plans approved by the City. All improvements shall comply with all Americans with Disabilities Act accessibility standards.

9. The Developer will be responsible for the installation of conduit and pull boxes for the future traffic signal at Casino Avenue and North Valley Parkway. Signal installation will only occur after warrants have been met as determined by the Street Transportation Department.

#### OTHER

10. The property owner shall record a "Notice to Prospective Purchasers of Proximity to Airport" in order to disclose the existence and operational characteristics of the Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the template and instructions provided which have been reviewed and approved by the City Attorney.
  
11. A development agreement shall be provided (prior to Preliminary Site Plan approval) that the development and/or association will be responsible for the landscape and maintenance of the right-of-way and median islands adjacent to the property. The agreement shall run with the entitled property and the City of Phoenix shall be listed as an additional signatory to the agreement, as approved by the Planning and Development Department prior to recordation with the County Recorder.

This item is recommended by Mr. Naimark and the Planning and Development Department.

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

Upon request, the City Clerk Department will make this publication available through appropriate auxiliary aids or services to accommodate an individual with a disability by calling the Council Support Section, 602-256-3186; faxing a request to 602-495-5847; or calling TTY number 602-534-2737.