

PHOENIX CITY COUNCIL FORMAL AGENDA



Mayor Greg Stanton

Vice Mayor
District 2
Jim Waring

District 1
Thelda Williams

District 3
Bill Gates

District 4
Laura Pastor

District 5
Daniel Valenzuela

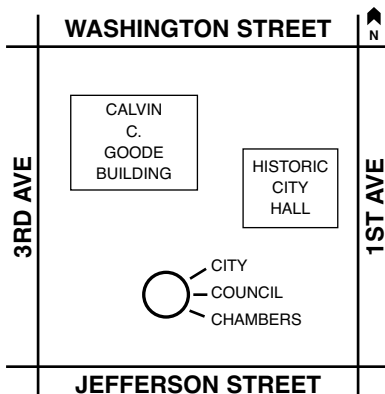
District 6
Sal DiCiccio

District 7
Michael Nowakowski

District 8
Kate Gallego

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

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 neighbors will often attend Phoenix City Council meetings. Democracy cannot endure without an informed and involved electorate.

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

FORMAL CITY COUNCIL MEETINGS

The Council generally holds a "formal" meeting at 3:00 p.m. on Wednesdays to take official action on Ordinances, Resolutions, and other items on the agenda. Although the formal agenda is subject to change, all changes to the printed agenda will be available 24 hours prior to the meeting. The City Council does not meet every Wednesday, so visit <http://phoenix.gov/citygovernment> or call the City Clerk Department at 602-262-6811 to confirm the date of the next formal meeting.

The "formal" meeting may appear to proceed very quickly, with important decisions reached with little discussion. However, the agenda is available to Council Members the Thursday prior to the meeting, giving them the opportunity to study every item and to ask questions of City staff members. If no additional facts are presented at the meeting, action may be taken 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, Citizen Comments are heard beginning 15 minutes before and, if necessary, immediately after the meeting. Any member of the public will be given three minutes to address the council on issues of interest or concern to them. Speakers will be called in the order in which requests to speak are received. As mandated by the Arizona Open Meeting Law, officials may not discuss items not on the agenda, but may direct staff to follow-up with the citizen.

If you have an individual concern involving the City, you are encouraged to contact your District 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 must register with the City Clerk prior to lobbying or within five business days thereafter and must re-register annually. If you have any questions about registration or whether or not you must register, please contact the City Clerk's Office at 602-256-3186.

ACCESSIBILITY

An assistive listening system is available in the Council Chambers for individuals with hearing loss. 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



Mayor Greg Stanton
602-262-7111
mayor.stanton@phoenix.gov



Thelda Williams
602-262-7444
council.district.1@phoenix.gov



Jim Waring
602-262-7445
council.district.2
@phoenix.gov



Bill Gates
602-262-7441
council.district.3@phoenix.gov



Laura Pastor
602-262-7447
council.district.4@phoenix.gov



Sal DiCiccio
602-262-7491
council.district.6
@phoenix.gov



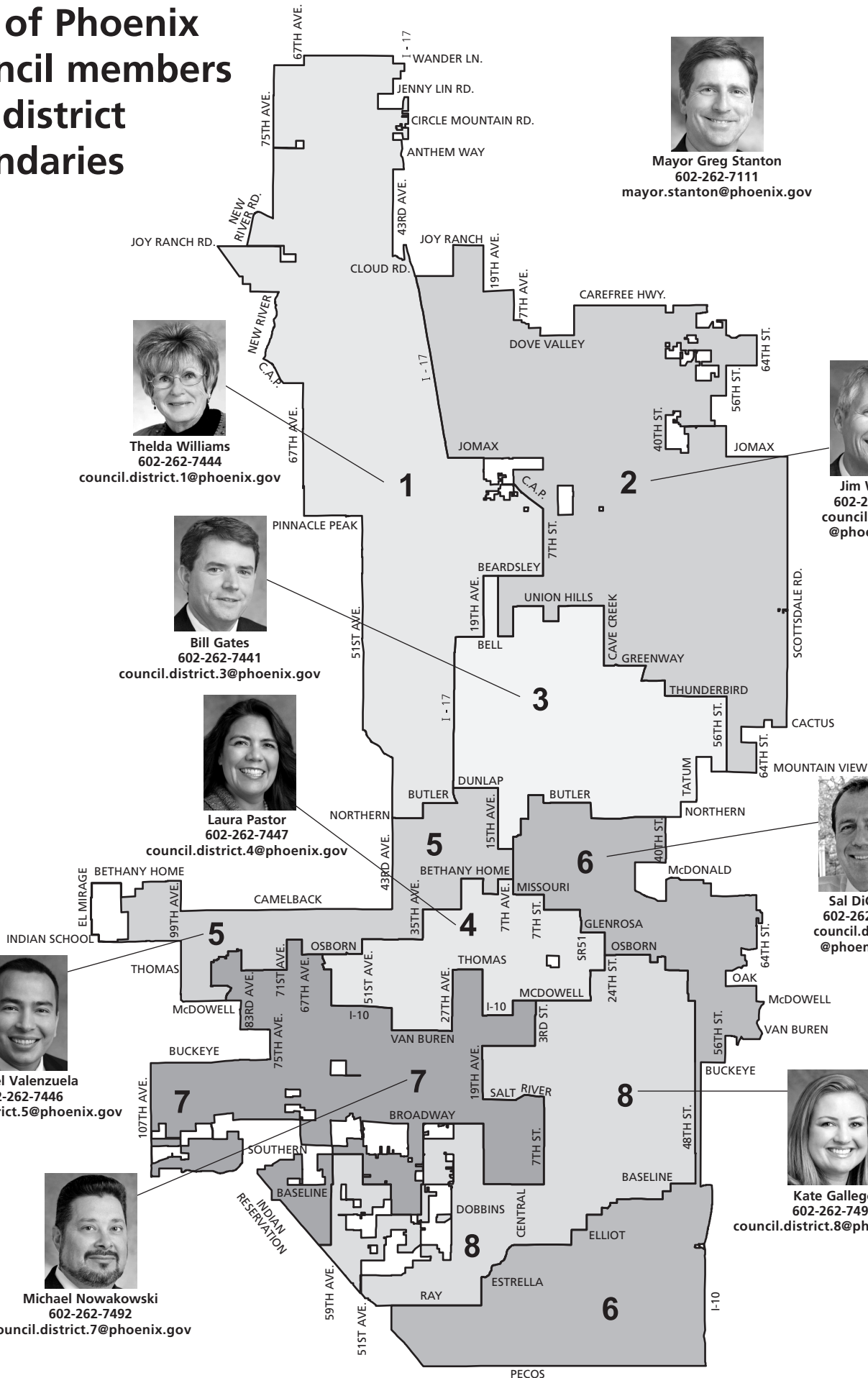
Daniel Valenzuela
602-262-7446
council.district.5@phoenix.gov



Michael Nowakowski
602-262-7492
council.district.7@phoenix.gov



Kate Gallego
602-262-7493
council.district.8@phoenix.gov



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**WEDNESDAY, APRIL 16, 2014, 3:00 P.M.
COUNCIL CHAMBERS, 200 WEST JEFFERSON
PHOENIX, ARIZONA 85003**

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**AMEND CITY CODE -
ADD A GIFT POLICY AND CREATE THE PHOENIX
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AGENDA FOR FORMAL MEETING
PHOENIX CITY COUNCIL
WEDNESDAY, APRIL 16, 2014, 3:00 P.M.
COUNCIL CHAMBERS, 200 WEST JEFFERSON
PHOENIX, ARIZONA 85003

INVOCATION

The invocation to be given by Pastor Jim Moyer, Teen Challenge of Arizona.

PLEDGE

The Pledge of Allegiance to the Flag to be led by Councilwoman Kate Gallego.

ROLL CALL

MINUTES OF MEETINGS

For approval or correction, the minutes of the formal meeting of Wednesday, February 5, 2014. (Submitted to Ms. Pastor)

For approval or correction, the minutes of the formal meeting of Wednesday, February 19, 2014. (Submitted to Mr. Waring)

For approval or correction, the minutes of the special meeting of Wednesday, February 26, 2014. (Submitted to Mr. Nowakowski)

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 - SMASHBURGER #1399

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2 M-R PCD. Arizona State Application 12079821.

Applicant: Andrea Lewkowitz, Agent
Smashburger #1399
2470 West Happy Valley Road, #1195

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as Smashburger #1185 and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 72 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 Friday, April 25, 2014.

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.

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: "As an officer and director of Smashburger I am involved in the operations of the company on a national basis. My responsibilities are to insure the company follows the guidelines set forth by the board of directors, shareholders and the communities in which we operate. I will uphold the rules and regulations set forth by the city of Phoenix and the State of Arizona. I am a US citizen, over the age of 21 and have no arrest record of any kind."

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

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

ITEM 2

DISTRICT 1

LIQUOR LICENSE APPLICATION - CHIPOTLE MEXICAN GRILL #2314

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079813.

Applicant: H.J. Lewkowitz, Agent
Chipotle Mexican Grill #2314
3009 West Agua Fria Freeway, #1

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as Rubio's Fresh Mexican Grill #52 and does not have an interim permit. The operation plan filed with the application shows that the interior restaurant area seats 42 and there is no bar area. This business is currently being remodeled with plans to open in May 2014. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Monday, April 21, 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: "Chipotle Mexican Grill, Inc (and related entities) hold over 600 liquor licenses throughout the United States, including 60 licenses in Arizona. Chipotle has been a responsible licensee in Arizona since the issuance of its first license in 1999. All Managers and staff will be trained in the techniques of alcohol management and/or service."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Chipotle Mexican Grill is a quick-serve Mexican eatery enjoyed by area residents, visitors and workers. In addition to freshly-prepared tacos and burritos, Chipotle would like to offer its guests beer and margaritas as an incident to their meal. Alcohol sales, which are limited to bottled beer and margaritas, account for only 2-3% of revenue; however, it is considered an integral part of the restaurant's concept."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	2	0
Liquor Store	9	1	0
Beer & Wine Store	10	3	2
Restaurant	12	8	7

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	4.23	4.88
Property Crimes	45.04	47.88	65.88

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	33
Total Violations	105	56

Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
6146001	940	88%	0%	9%
6146003	1301	56%	0%	0%
6146004	840	3%	7%	16%
6146005	1209	50%	9%	3%
6146006	953	0%	29%	0%
6164001	1022	80%	28%	4%
6164002	731	97%	23%	9%
6164003	2380	0%	5%	9%
6164004	1106	100%	0%	0%
6164005	576	73%	38%	9%
Average		61%	13%	19%

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

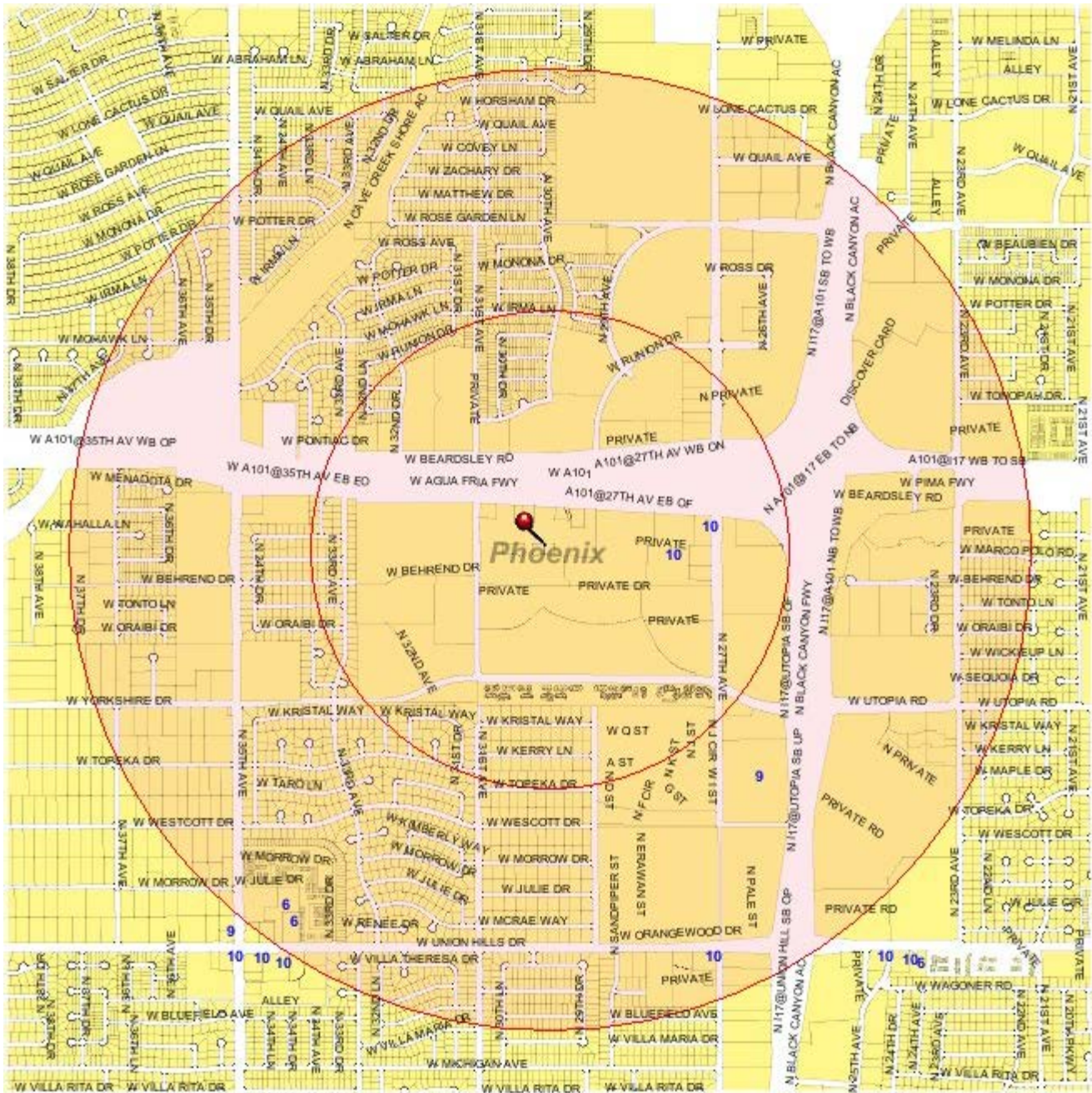
compliance with the City of Phoenix Code and Ordinances prior to beginning operations.

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 1

H.J. Lewkowicz, Agent
Chipotle Mexican Grill #2314
3009 West Agua Fria Freeway, #1



Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079819.

Applicant: Andrea Lewkowitz, Agent
Smashburger #1397
21001 North Tatum Boulevard, #34-1140

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as Smashburger #1141 and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 41 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 Friday, April 25, 2014.

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.

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: "As an officer and director of Smashburger I am involved in the operations of the company on a national basis. My responsibilities are to insure the company follows the guidelines set forth by the board of directors, shareholders and the communities in which we operate. I will uphold the rules and regulations set forth by the city of Phoenix and the State of Arizona. I am a US citizen, over the age of 21 and have no arrest record of any kind."

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

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

ITEM 4 DISTRICT 3 LIQUOR LICENSE APPLICATION - SUN LIQUORS

Request for a Series 9, Off Sale-All Liquor, liquor license in an area zoned C-2. Arizona State Application 09070674.

Applicant: Malie Malihi, Agent
Sun Liquors
305 West Hatcher Road

This request is for an ownership transfer of a Series 9 liquor license from Diyana, LLC to Arizona Liquor, LLC for a liquor store. This location was previously licensed for liquor sales and is currently operating with an interim permit. This business has a drive-thru window. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Saturday, April 26, 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 owned business before, thereere I'm capable to run another one. I'm a reliable & responsible person."

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

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

ITEM 5 **DISTRICT 4** **LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - ST. GREGORY ROMAN CATHOLIC
PARISH 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	Maureen DeGrose St. Gregory Roman Catholic Parish Phoenix 8424 West Pershing Avenue (Dinner/Live and Silent Auction)	- <u>Event Location:</u> 3440 North 18th Avenue - <u>Day/Date/Time:</u> Saturday, May 3, 2014 5:00 p.m. to 11:00 p.m. - <u>Total Expected Attendance:</u> 300

Staff Recommendation - Staff recommends approval of this application.

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

ITEM 6 **DISTRICT 4** **LIQUOR LICENSE APPLICATION - EXPRESS
GAS**

Request for a Series 10, Off Sale-Beer and Wine, liquor license in an area zoned C-2. Arizona State Application 10076509.

Applicant: Basim Miko, Agent
 Express Gas
 3345 North 16th Street

This request is for a new Series 10 liquor license for a convenience store that sells gas. This location was previously licensed for liquor sales as JJ's Food Mart #101 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, May 2, 2014.

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.

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

Thomas Market Liquors
345 West Thomas Road
Phoenix, Arizona

Qwik Stop
16551 North Dysart Road, #123
Surprise, Arizona

Thomas Market Liquors

In December 2013, a warning letter was received for not having a manager's agreement form on file.

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:

Thomas Market Liquors
345 West Thomas Road
4 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:

I have the capability, reliability, and qualifications to hold a liquor license because: "I believe I have the capability, reliability, and qualifications to hold a liquor license. I follow and support the laws. I have never been in trouble with law enforcement. I have reliably been in the business for over 9 years. I own and operate Thomas Market Liquors and have been in good standings with the AZ DLLC & the City of Phoenix Liquor Department. I am responsible and make sure that all my sales & purchases are 100% legal. I do not sell to people whom I believe are under the influence, for their safety and the safety of others. Thank you for your consideration."

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 Ms. Takata and the City Clerk Department.

ITEM 7

DISTRICT 4

**LIQUOR LICENSE APPLICATION -
FEDERAL PIZZA**

Request for a Series 7, On Sale-Beer and Wine, liquor license in an area zoned C-1. Arizona State Application 07070633.

Applicant: Wyatt Bailey, Agent
Federal Pizza
5210 North Central Avenue, Suite 101

This request is for an acquisition of control of a Series 7 liquor license for a bar. This location is currently licensed for liquor sales. This location is within 2,000 feet of a light rail station.

The sixty-day limit for processing this application is Sunday, April 27, 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 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:

I have the capability, reliability, and qualifications to hold a liquor license because: "I am a productive member of the local community, my partners and I seek to bring jobs to the neighborhood."
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.

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

**ITEM 8 DISTRICT 6 LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - CURSILLO MOVEMENT OF PHOENIX,
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>
6	Karla Keller Cursillo Movement of Phoenix, Inc. 4433 North 38th Street (Dinner/Silent Auction)	- <u>Event Location:</u> 4633 North 54th Street - <u>Day/Date/Time:</u> Saturday, April 26, 2014 5:30 p.m. to 10:00 p.m. - <u>Total Expected Attendance:</u> 500

Staff Recommendation - Staff recommends approval of this application.

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

**ITEM 9 DISTRICT 6 LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - FESTIVAL OF LIGHTS ASSOCIATION**

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	Myron Lichty Festival of Lights Association 1904 East South Fork Drive (Wine and Beer Tasting/Silent Auction)	- <u>Event Location:</u> 2201 East Clubhouse Drive - <u>Day/Date/Time:</u> Saturday, May 31, 2014

6:30 p.m. to 10:30 p.m.

-
Total Expected Attendance: 2,000

Staff Recommendation - Staff recommends approval of this application.

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

ITEM 10 **DISTRICT 6** **LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - KNIGHTS OF COLUMBUS ST. THERESA
COUNCIL 13497**

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	Thomas Hart Knights of Columbus St. Theresa Council 13497 215 East McKinley Street (Wine Festival/Live and Silent Auction)	- <u>Event Location:</u> 5045 East Thomas Road - <u>Day/Date/Time:</u> Saturday, May 10, 2014 6:00 p.m. to 9:30 p.m. - <u>Total Expected Attendance: 140</u>

Staff Recommendation - Staff recommends approval of this application.

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

ITEM 11 **DISTRICT 6** **LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - ST. THERESA ROMAN CATHOLIC
PARISH 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>
6	Charles Kieffer St. Theresa Roman Catholic Parish Phoenix 5045 East Thomas Road (School Play)	- <u>Event Location:</u> 5045 East Thomas Road - <u>Day/Date/Time:</u> Thursday, May 1, 2014 5:00 p.m. to 9:00 p.m. - <u>Total Expected Attendance: 100</u> <u>Day/Date/Time:</u> Friday, May 2, 2014 5:00 p.m. to 9:00 p.m. -

Total Expected Attendance: 100

Day/Date/Time:
Saturday, May 3, 2014
1:00 p.m. to 9:00 p.m.

-
Total Expected Attendance: 150

Staff Recommendation - Staff recommends approval of this application.

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

ITEM 12 **DISTRICT 6** **LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - ST. THOMAS THE APOSTLE ROMAN
CATHOLIC PARISH 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>
6	Julie Cipriano St. Thomas the Apostle Roman Catholic Parish Phoenix 10432 North 11th Place, #3 (Music Festival)	- <u>Event Location:</u> 2312 East Campbell Avenue - <u>Day/Date/Time:</u> Friday, May 2, 2014 6:00 p.m. to 9:00 p.m. - <u>Total Expected Attendance:</u> 100

Staff Recommendation - Staff recommends approval of this application.

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

ITEM 13 **DISTRICT 6** **LIQUOR LICENSE APPLICATION -
SMASHBURGER #1392**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2 SP. Arizona State Application 12079814.

Applicant: Andrea Lewkowitz, Agent
Smashburger #1392
1949 East Camelback Road, Suite 164

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as Smashburger #1067 and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 72 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 Friday, April 25, 2014.

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.

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: "As an officer and director of Smashburger I am involved in the operations of the company on a national basis. My responsibilities are to insure the company follows the guidelines set forth by the board of directors, shareholders and the communities in which we operate. I will uphold the rules and regulations set forth by the city of Phoenix and the State of Arizona. I am a US citizen, over the age of 21 and have no arrest record of any kind."

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

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

ITEM 14

DISTRICT 7

**LIQUOR LICENSE APPLICATION - DOS CIELOS
CERVEZA, LLC**

Request for a Series 4, Wholesaler, liquor license in an area zoned Commerce Park/General Commerce Park. Arizona State Application 04077058.

Applicant: Rosa Velasquez, Agent
Dos Cielos Cerveza, LLC
7150 West Roosevelt Street, Suite A-167

This request is for new Series 4 liquor license for a wholesaler. This location was not previously licensed for liquor sales and does not have an interim permit. This business has plans to open in May 2014. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Friday, April 25, 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 owned and operated my own business since 2004 and thereby I am qualified to operate this business. Further, I have completed all necessary training and will comply with all statutes, regulations and requirements to operate as a wholesaler of alcoholic beverages."

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

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

ITEM 15

DISTRICT 7

**LIQUOR LICENSE APPLICATION - JALISCO
INTERNATIONAL IMPORTS**

Request for a Series 4, Wholesaler, liquor license in an area zoned A-1. Arizona State Application 04077059.

Applicant: Jonathan Gach, Agent
Jalisco International Imports
431 North 47th Avenue, Section Q-36

This request is for a new Series 4 liquor license for a wholesaler. This location was not previously licensed for liquor sales and does not have an interim permit. This business has plans to open in May 2014. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Monday, April 28, 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 - The ownership of this business also has an interest in the following liquor license:

Precision Warehouse & Distribution Center, Inc.
4012 West Turney Avenue, Section B 1A-B11
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 ownership interest:

Precision Warehouse & Distribution Center, Inc.
4012 West Turney Avenue, Section B 1A-B11
4 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:

I have the capability, reliability, and qualifications to hold a liquor license because: "I have had a wholesaling license since 3/31/2009 without any problems. We want to change locations because at our present location, the landlord is not paying his rent on time and we don't want to wait for the owner of the building to shut the doors."

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

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

ITEM 16

DISTRICT 7

**LIQUOR LICENSE APPLICATION -
RENAISSANCE PHOENIX DOWNTOWN HOTEL**

Request for a Series 6, On Sale-All Liquor, liquor license in an area zoned DTC - Business Core. Arizona State Application 06070399.

Applicant: Steven Cohn, Agent
Renaissance Phoenix Downtown Hotel
50 East Adams Street

This request is for an ownership transfer of a Series 6 liquor license from Phoenix Hotel Ventures, LLC to PHXhotel, LLC for a hotel. This location was previously licensed for liquor sales and is currently operating with an interim permit. This location is within 2,000 feet of a light rail station.

The sixty-day limit for processing this application is Thursday, April 24, 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 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: "Applicant is committed to upholding the highest standards for alcohol sales and service. Managers and staff have been, or will be, trained in the techniques of legal and responsible sales and service to guests."
5. Staff Recommendation - Staff recommends approval of this application.

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

ITEM 17 **DISTRICT 7** **LIQUOR LICENSE APPLICATION -
SHOP N SAVE MARKET**

Request for a Series 10, Off Sale-Beer and Wine, liquor license in an area zoned C-2. Arizona State Application 10076508.

Applicant: Myong Cha Lee, Agent
 Shop N Save Market
 4702 South 35th Avenue

This request is for a new Series 10 liquor license for a convenience store that does not sell gas. This location is currently licensed for liquor sales with a Series 9, Off Sale-All Liquor, liquor license. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Friday, May 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:

Shop N Save Market (Series 9)
4702 South 35th Avenue
Phoenix, Arizona

In September 2006, a fine of \$750 was paid for selling, giving, or furnishing an underage person with alcohol.

In November 2008, a fine of \$250 was paid for having an open container on premises.
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:

Shop N Save Market
4702 South 35th Avenue
5 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've been in this business last 16 yrs."
 - 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 obey all the law, and I followed all the requirement."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Beer & Wine Bar	7	1	1
Liquor Store	9	2	1
Beer & Wine Store	10	2	1

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	3.61	7.33
Property Crimes	45.04	33.94	40.16

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	55
Total Violations	105	98

Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1125142	1556	51%	10%	7%
1155001	1999	69%	0%	45%
1155002	2124	66%	4%	27%
1166071	3124	41%	13%	14%
1173001	387	81%	16%	18%
Average		61%	13%	19%

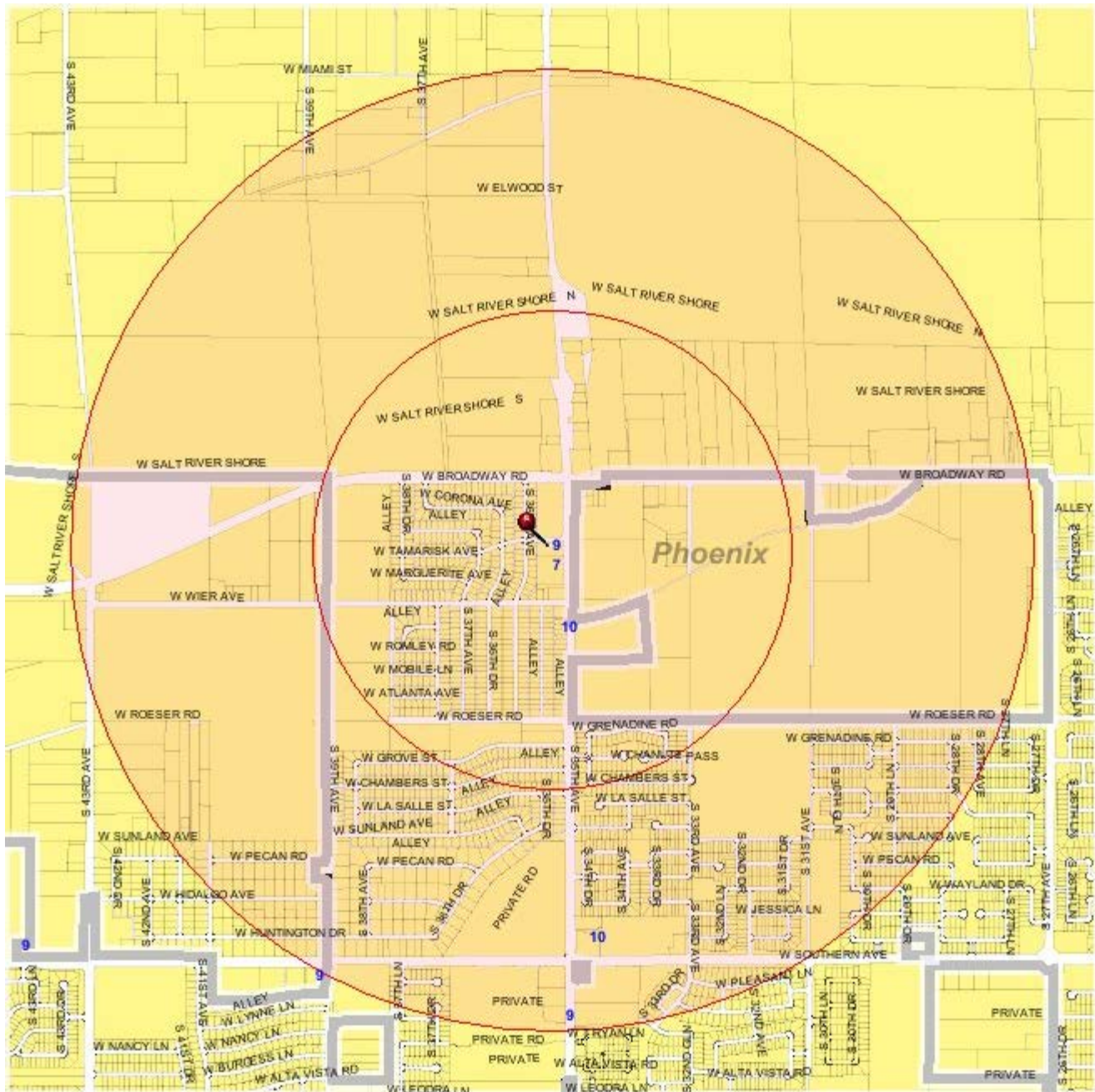
6. Staff Recommendation - Staff recommends approval of this application, noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

If denied, the applicant will continue operations with the current Series 9 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 7
Myong Cha Lee, Agent
Shop N Save Market
4702 South 35th Avenue



ITEM 18

DISTRICT 8

**LIQUOR LICENSE APPLICATION -
SMASHBURGER #1400**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079822.

Applicant: Andrea Lewkowitz, Agent
Smashburger #1400
2415 East Baseline Road, #101

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as Smashburger #1213 and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 52 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 Friday, April 25, 2014.

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.

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: "As an officer and director of Smashburger I am involved in the operations of the company on a national basis. My responsibilities are to insure the company follows the guidelines set forth by the board of directors, shareholders and the communities in which we operate. I will uphold the rules and regulations set forth by the city of Phoenix and the State of Arizona. I am a US citizen, over the age of 21 and have no arrest record of any kind."

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

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

ITEM 19

DISTRICT 8

LIQUOR LICENSE APPLICATION - PREMIERE AIRPORT FOOD SERVICES BEER AND WINE

Request for a Series 6, On Sale-All Liquor, liquor license in an area zoned A-1. Arizona State Application 06070119.

Applicant: Navayogasingam Thuraisingam, Agent
Premiere Airport Food Services Beer and Wine
3200 East Sky Harbor Boulevard, T2 F8

This request is for an ownership transfer of a Series 6 liquor license from Delaware North Companies Travel Hospitality Services, Inc. to Premiere Airport Food Services, Inc. for a bar. This location was previously licensed for liquor sales as Delaware North Companies Travel Hospitality Services 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, April 21, 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 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:

I have the capability, reliability, and qualifications to hold a liquor license because: "I currently hold other liquor licenses and have operated facilities with liquor licenses without any violations."

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

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

ITEM 20 **DISTRICT 8** **LIQUOR LICENSE APPLICATION - ETHIOPIAN FAMOUS RESTAURANT AND COFFEE**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079812.

Applicant: Abebech Ejerssa, Agent
 Ethiopian Famous Restaurant and Coffee
 4111 East McDowell Road

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 50 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 Sunday, April 20, 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 responsibility and ability to manage this business."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "My restaurant will provide a safe enjoyable environment for food and alcohol consumption. and will generate tax revenue and job availability for the surrounding neighborhood."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	4	2
Beer & Wine Bar	7	1	0
Liquor Store	9	6	3
Beer & Wine Store	10	7	4
Hotel	11	5	1
Restaurant	12	8	4
Club	14	1	1

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	12.77	12.75
Property Crimes	45.04	98.86	69.87

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	65
Total Violations	105	131

Census 2010 Data 1/2 Mile			

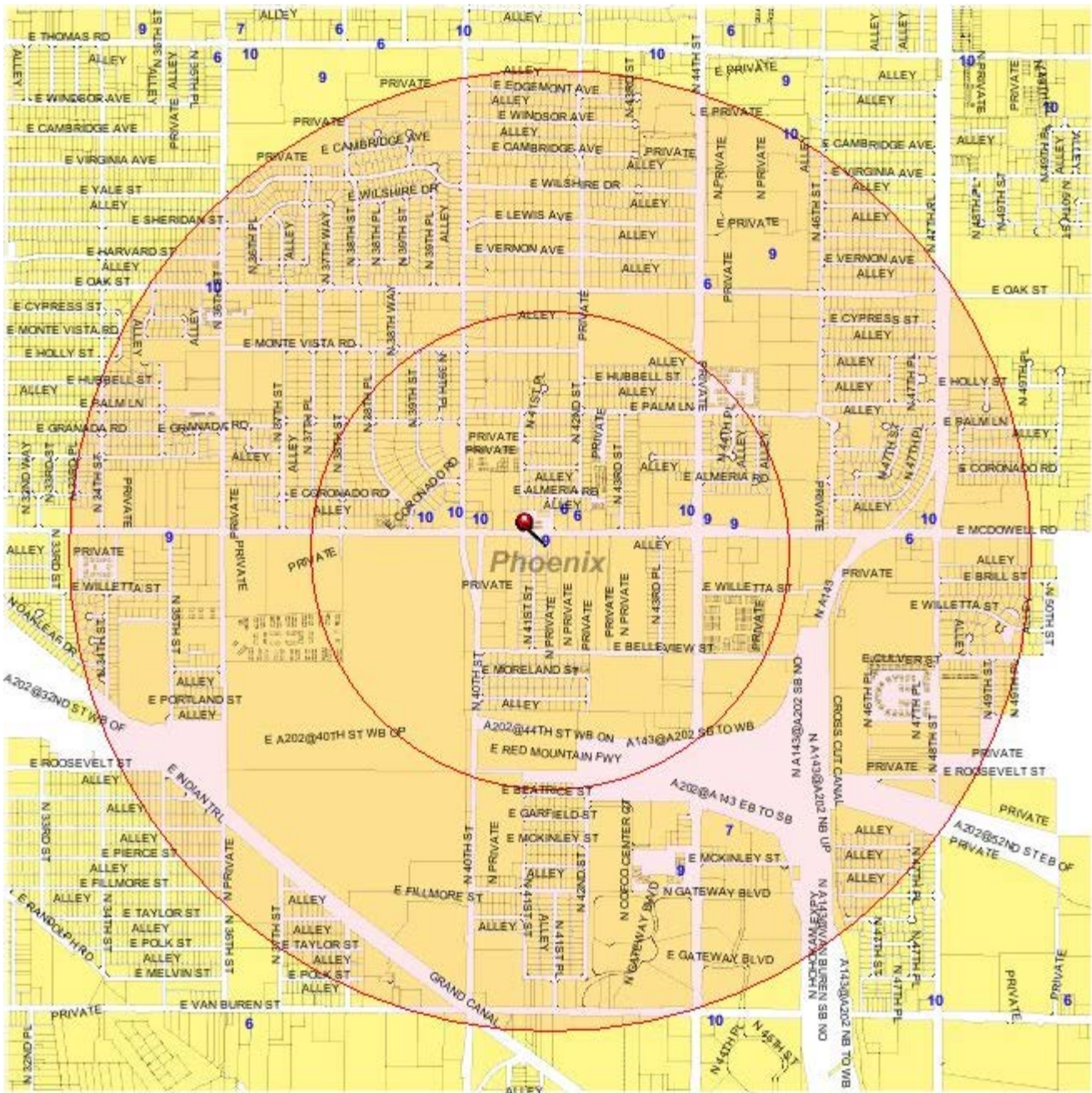
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1113001	960	42%	9%	7%
1113003	1474	15%	13%	39%
1113005	886	21%	23%	5%
1114022	2120	45%	17%	31%
1136011	1911	16%	21%	11%
1137001	634	0%	38%	26%
1137002	1578	21%	11%	59%
1137003	1101	31%	18%	11%
1137004	2372	7%	27%	43%
Average		61%	13%	19%

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 Ms. Takata and the City Clerk Department.

District 8
Abebech Ejerssa, Agent
Ethiopian Famous Restaurant and Coffee
4111 East McDowell Road



ITEM 21

DISTRICT 8

**LIQUOR LICENSE APPLICATION -
MOTHER BUNCH BREWING**

Request for a Series 3, Domestic Microbrewery, liquor license in an area zoned C-2 HP. Arizona State Application 03073075.

Applicant: Julie Meeker, Agent
 Mother Bunch Brewing
 825 North 7th Street, #102

This request is for a new Series 3 liquor license for a microbrewery. This location was not previously licensed for liquor sales and does not have an interim permit. This location is currently being remodeled with plans to open in June 2014. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Sunday, April 20, 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 a Master's degree from ASU and have been gainfully employed here in AZ for over 20 years. I take my responsibilities seriously and have always completed all projects that I have committed to. I am dedicated and passionate about all endeavors. I have met or exceeded expectations in all professional engagements. I understand the laws regarding responsible alcohol service and will ensure that this ethic is followed by all in our employ. I have an understanding of tax requirements and reporting and will ensure that we report and pay our liabilities as required. If I have any deficiencies in any area of knowledge, I will consult the necessary experts and follow their directions."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "First, we will create about 35 jobs. This is important. Second, a microbrewery is not about consuming alcohol, it is about enjoying a hand crafted, artistically created beer that pairs well with fresh, delicious food and the company you are with and the memories created. We will be a great addition to the community by helping to bridge the Garfield and Evans-Churchill neighborhoods. We add to the fabric of a livable downtown community and will give another option for meeting before and after downtown cultural and sports events."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Government	5	9	1
Bar	6	21	2
Beer & Wine Bar	7	10	5
Liquor Store	9	3	0
Beer & Wine Store	10	8	3
Hotel	11	3	1
Restaurant	12	60	20

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	18.66	20.37
Property Crimes	45.04	83	94.5

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	209
Total Violations	105	487

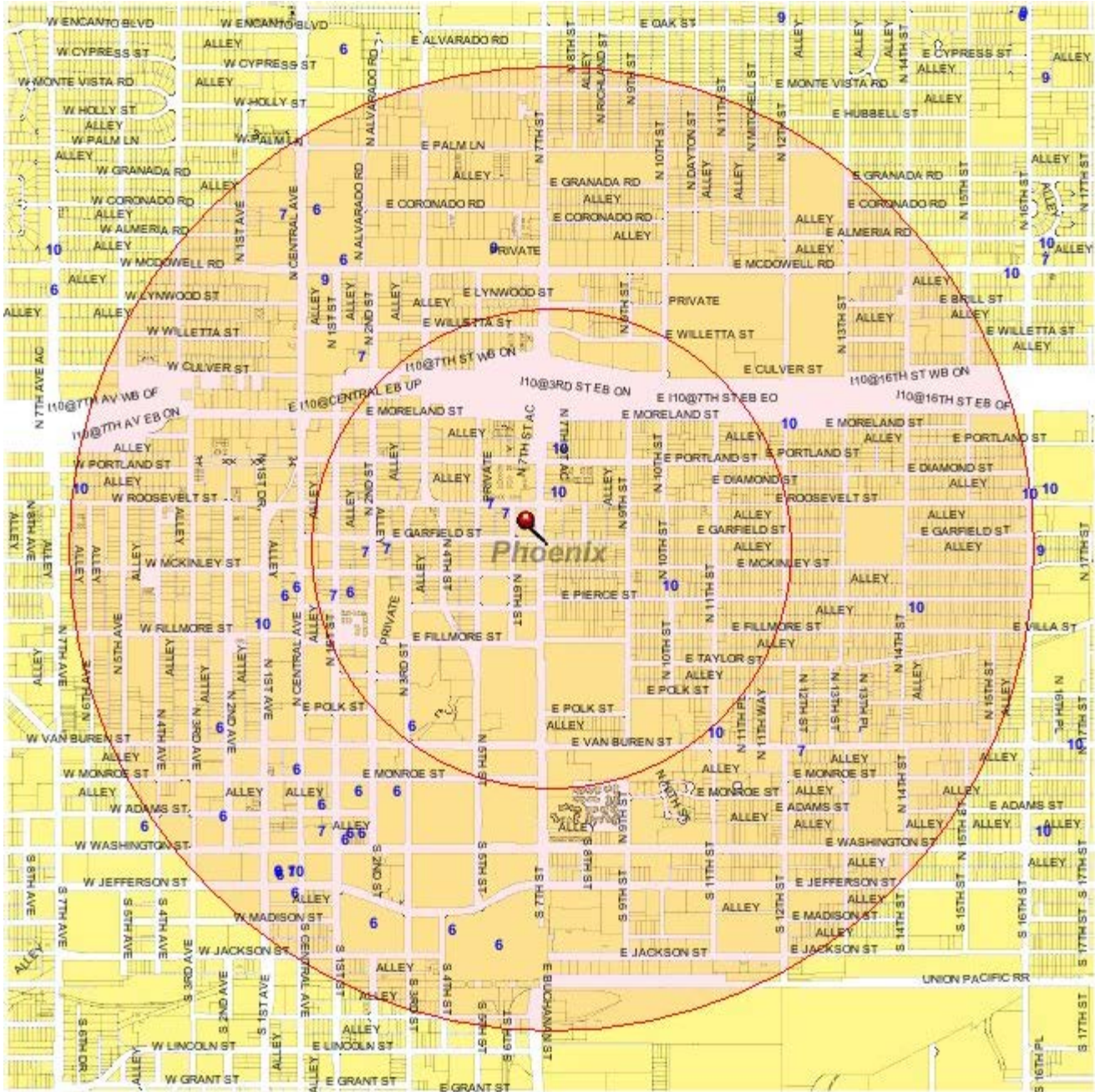
Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1130002	873	29%	21%	38%
1131002	1242	3%	7%	33%
1132011	1312	29%	26%	48%
1132012	962	50%	23%	44%
1132021	731	33%	20%	74%
1132022	1257	47%	29%	55%
1132031	1473	30%	20%	57%
1132032	638	28%	7%	70%
1140001	1831	25%	20%	47%
1141001	2299	16%	37%	44%
Average		61%	13%	19%

- 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 prior to beginning operations.

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
Julie Meeker, Agent
Mother Bunch Brewing
825 North 7th Street, #102



Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2 HP. Arizona State Application 12079811.

Applicant: Julie Meeker, Agent
 Mother Bunch Brewing
 825 North 7th Street #102

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 85 and the bar area seats 27. This business is currently being remodeled with plans to open in June 2014. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Sunday, April 20, 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 a Master's degree from ASU and have been gainfully employed here in AZ for over 20 years. I take my responsibilities seriously and have always completed all projects that I have committed to. I am dedicated and passionate about all endeavors. I have met or exceeded expectations in all professional engagements. I understand the laws regarding responsible alcohol service and will ensure that this ethic is followed by all in our employ. I have an understanding of tax requirements and reporting and will ensure that we report and pay our liabilities as required. If I have any deficiencies in any area of knowledge, I will consult the necessary experts and follow their directions."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "First, we will create about 35 jobs. This is important. Second, a microbrewery is not about consuming alcohol, it is about enjoying a hand crafted, artistically created beer that pairs well with fresh, delicious food and the company you are with and the memories created. We will be a great addition to the community by helping to bridge the Garfield and Evans-Churchill neighborhoods. We add to the fabric of a livable downtown community and will give another option for meeting before and after downtown cultural and sports events."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Government	5	9	1
Bar	6	21	2
Beer & Wine Bar	7	10	5
Liquor Store	9	3	0
Beer & Wine Store	10	8	3
Hotel	11	3	1

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	18.66	20.37
Property Crimes	45.04	83	94.5

Property Violation Data	Avg.	1/2 Mile

Restaurant	12	60	20	Parcels w/Violations	57	209
				Total Violations	105	487

Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1130002	873	29%	21%	38%
1131002	1242	3%	7%	33%
1132011	1312	29%	26%	48%
1132012	962	50%	23%	44%
1132021	731	33%	20%	74%
1132022	1257	47%	29%	55%
1132031	1473	30%	20%	57%
1132032	638	28%	7%	70%
1140001	1831	25%	20%	47%
1141001	2299	16%	37%	44%
Average		61%	13%	19%

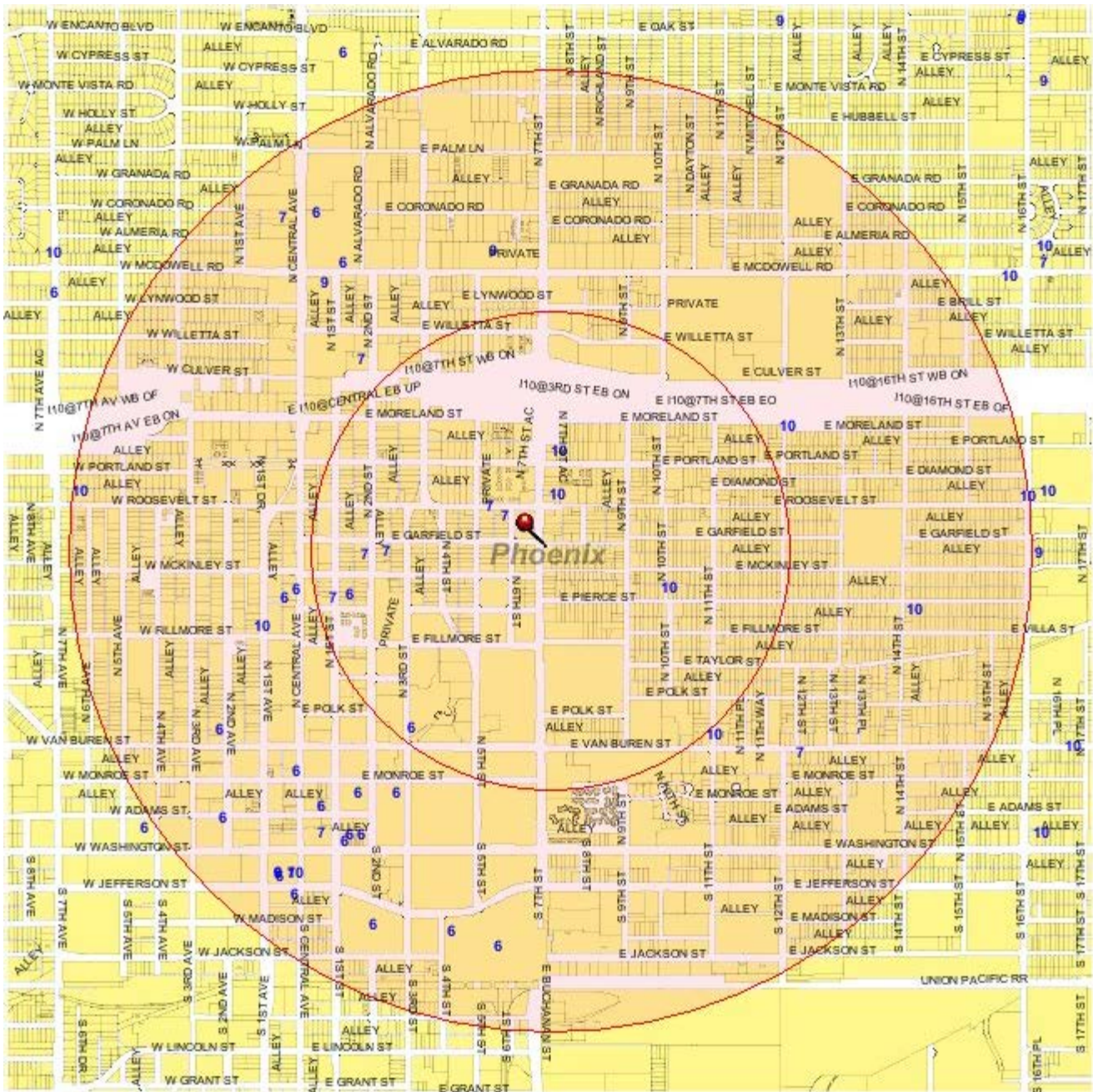
6. Staff Recommendation - Staff recommends approval of this application, noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances prior to beginning operations.

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

Julie Meeker, Agent
 Mother Bunch Brewing
 825 North 7th Street, #102



ITEM 23

DISTRICT 8

LIQUOR LICENSE APPLICATION - WY MARKET

Request for a Series 10, Off Sale-Beer and Wine, liquor license in an area zoned C-3. Arizona State Application 0076503.

Applicant: Majid Sayyed, Agent
 WY Market
 1819 West Buckeye Road

This request is for a new Series 10 liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales until March 2001 with a Series 9, Off Sale-All Liquor, liquor license 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 Sunday, April 20, 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 will operate the alcohol sales in compliance with the laws. I have been involved with the operation of this store since October 2012. I am familiar with the area's residents."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "a number of customers have requested beer and wine package sales. This application is made in order to accommodate those customers who wish to purchase beer and wine when they patronize the business."
5. Neighborhood Stability

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

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	10.55	11.5
Property Crimes	45.04	43.9	47.87

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	104
Total Violations	105	202

Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1143021	788	20%	17%	66%
1143022	1689	9%	31%	48%
1144022	1301	41%	20%	44%
1148001	1594	64%	11%	36%
1148002	1258	54%	36%	42%
1173001	387	81%	16%	18%
1173002	701	0%	31%	69%
Average		61%	13%	19%

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.

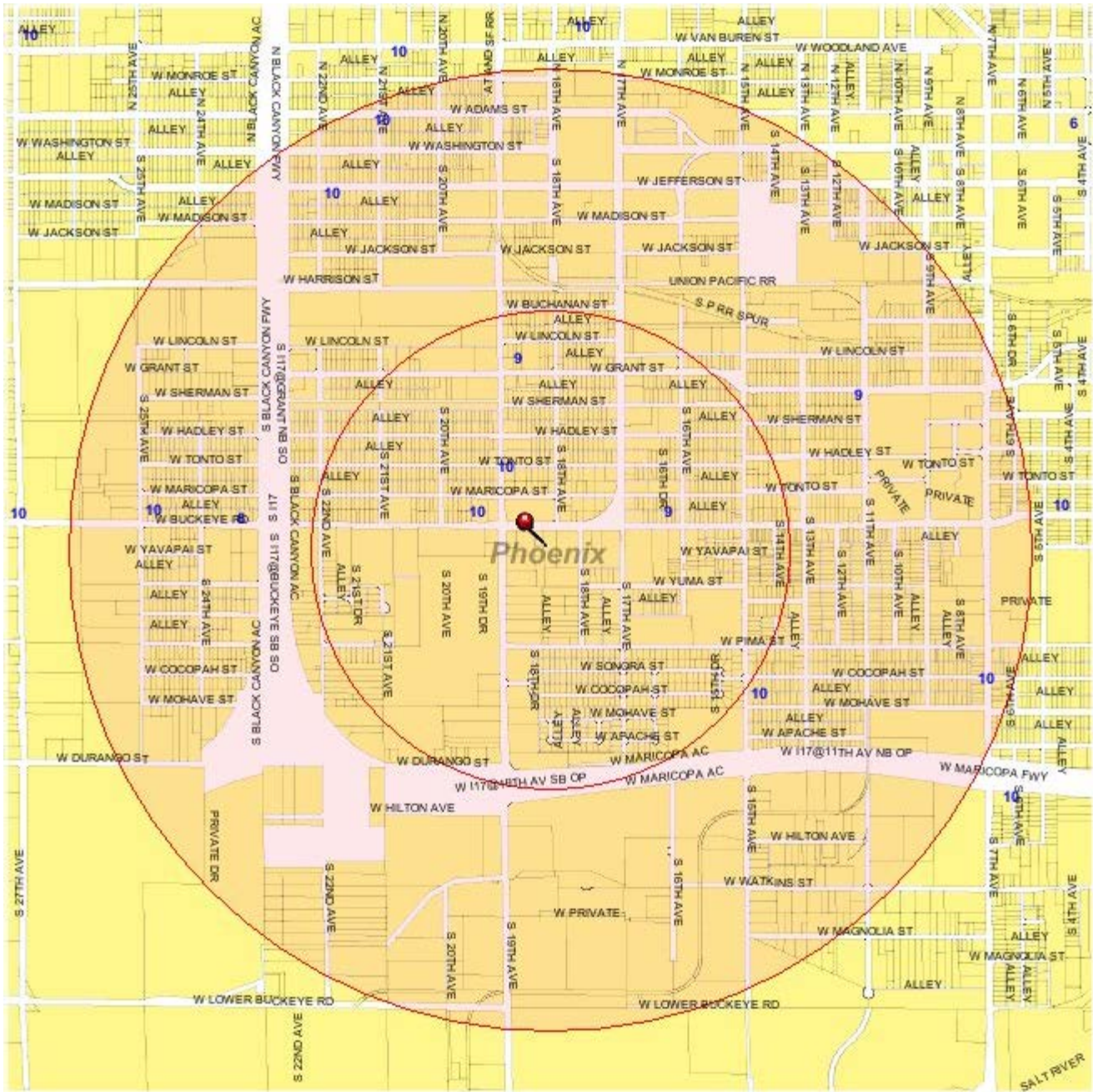
If denied, the applicant will continue operations without a liquor license.

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

Majid Sayyed, Agent
 WY Market
 1819 West Buckeye Road



ITEM 24

DISTRICT 4

LIQUOR LICENSE APPLICATION - VIEN DONG SEAFOOD MARKET

Request for a Series 10, Off Sale-Beer and Wine, liquor license in an area zoned C-2. Arizona State Application 10076506.

Applicant: Phu Lam, Agent
Vien Dong Seafood Market
4141 North 35th Avenue, Suites 1, 2, and 3

This request is for a new Series 10 liquor license for a grocery store. This location was previously licensed for liquor sales as Vien Dong Market until January 2012 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 Thursday, May 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 have been doing Grocery Business since I was 14 teen years old I know this Industry."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Help generate tax money for the community & satisfy consumer by having all the product goods they need."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Wholesaler	4	2	0
Bar	6	7	4
Beer & Wine Bar	7	5	2
Liquor Store	9	3	2
Beer & Wine Store	10	12	3
Restaurant	12	7	1

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	17.18	17.77
Property Crimes	45.04	79.45	81.44

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	210
Total Violations	105	422

Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1091011	1722	69%	0%	34%
1091021	2115	47%	14%	46%
1091022	2966	78%	14%	50%
1091023	1085	28%	19%	21%
1092001	1455	52%	10%	45%
1092002	1665	36%	30%	46%
1092003	1593	11%	26%	32%
1101001	1919	16%	15%	58%
1169001	2535	66%	12%	50%
Average		61%	13%	19%

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

The Police Department disapproval is based on concerns with numerous liens filed against the applicant by the Internal Revenue Service for unpaid taxes. The applicant has not demonstrated that he is capable, reliable, and qualified to hold and control a liquor license.

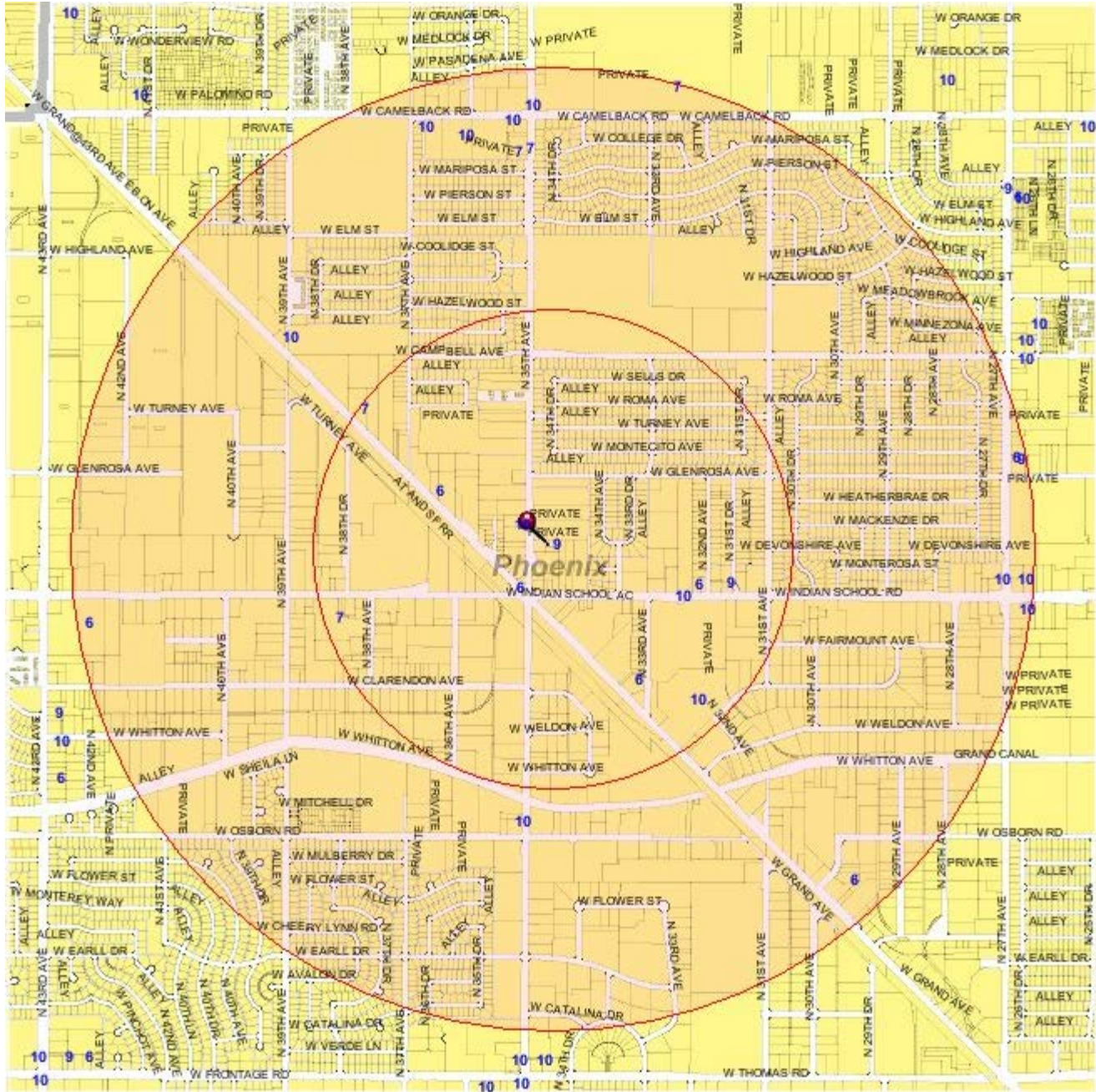
Staff also notes that the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

If denied, the applicant will 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 4 Phu Lam, Agent
Vien Dong Seafood Market
4141 North 35th Avenue, Suites 1, 2, and 3



PETITIONS, COMMUNICATIONS, AND PUBLIC HEARINGS

ITEM 25

DISTRICTS 1, 2, AND 8

**MODIFICATION OF STIPULATION REQUESTS
FOR RATIFICATION OF PLANNING HEARING
OFFICER ACTIONS**

Request to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 19, 2014.

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

DISTRICT 1
I-17 AND HAPPY VALLEY ROAD
APPLICANT: NICK WOOD - SNELL AND WILMER
OWNER: USAA REAL ESTATE COMPANY
REPRESENTATIVE: NICK WOOD - SNELL AND WILMER

- A. Application: Z-74-02-1
 Existing Zoning: C-2 M-R PCD
 Acreage: 22.30
 Location: Northwest corner of Norterra Parkway and Happy Valley Road
 Proposal:
- 1) Modification of Stipulation 1 regarding stipulations that apply to the 22.30-acre site.
 - 2) Modification of Stipulation 2 regarding general conformance to the conceptual site plan date stamped May 11, 2007.
 - 3) Deletion of Stipulation 3 regarding the number of building pads less than 10,000 square feet allowed throughout the site.
 - 4) Modification of Stipulation 4 regarding architectural design guidelines.
 - 5) Modification of Stipulation 5 regarding the pedestrian spine extending from Jomax Road to Happy Valley Road.
 - 6) Modification of Stipulation 6 regarding amenities and landscaping within the commercial components of Sites 1 and 2.
 - 7) Deletion of Stipulation 7 regarding recreational ball fields and sports courts.
 - 8) Deletion of Stipulation 8 regarding the location of areas dedicated for transit pads.
 - 9) Deletion of Stipulation 9 regarding a traffic interchange location study at Jomax Road and I 17.
 - 10) Deletion of Stipulation 10 regarding right-of-way dedication for the south half of Jomax Road as shown on the April 16, 2002 site plan.
 - 11) Deletion of Stipulation 11 regarding additional right of way for a future interchange with I-17 at Jomax Road.
 - 12) Deletion of Stipulation 13 regarding minimum building setbacks along Happy Valley Road, Jomax Road, and 19th Avenue.
 - 13) Modification of Stipulation 14 regarding landscape setbacks adjacent to perimeter streets and along Happy Valley Road.
 - 14) Modification of Stipulation 15 regarding the location of loading, maneuvering, and other service areas.
 - 15) Deletion of Stipulation 16 regarding development along Happy Valley Road.
 - 16) Modification of Stipulation 17 regarding a Comprehensive Sign Plan.
 - 17) Deletion of Stipulation 20 regarding the construction of a section of the trail at the southwest corner of Jomax Road and Norterra Parkway.
 - 18) Technical correction to Stipulation 13.

The Planning Hearing Officer recommended denial as filed and approval with modifications and additional stipulations.

The Deer Valley Village Planning Committee did not review this request.

Stipulations

Overall Site Plan

1. ~~That, a~~As a portion of a larger Planned Community District, the following stipulations apply only to the ~~140.2~~ 22.30 acres of this application and modifies stipulations of Z 153-99-1 only as they apply to this site.
2. ~~That d~~Development be in general conformance to the conceptual site plan date stamped ~~May 11, 2007~~ JANUARY 31, 2014, with regards to the pedestrian spine, phasing, and general development intensities.
- 3- ~~That a maximum of 5 building pads less than 10,000 square feet in size shall be allowed throughout the 140.2 acre site.~~
- 4.-3. ~~That the applicant provide architectural design guidelines for the entire 140.2 acre property. Design guidelines shall be approved by the Planning Hearing Officer prior to, or concurrent with, preliminary site plan approval.~~ VERTICAL DEVELOPMENT BE IN GENERAL CONFORMANCE WITH THE CONCEPTUAL BUILDING ELEVATIONS DATE STAMPED JANUARY 31, 2014.

Amenities

- 5- 4. ~~That the pedestrian spine extending from Jomax to Happy Valley Road as illustrated on the conceptual plan date stamped May 11, 2007, be visually identified with a combination of similar hardscape improvements and a consistent landscape theme, with the inclusion of a pedestrian gate so the employees can access the retail parcel to the south.~~ THE PEDESTRIAN SPINE BE PROVIDED FOR IN GENERAL CONFORMANCE WITH THE LANDSCAPE EXHIBIT DATE STAMPED JANUARY 31 2014.
- 6-5. ~~That t~~The commercial components of Sites 1 and 2-DEVELOPMENT shall include amenities (by example, seating areas and OR exercise stations) within required open space or landscaping that can be used by residents of the multi-family component.
- 7- ~~That any recreational ballfields and sports courts shall not be located within 500 feet of the north boundaries of the site. (A)~~
- -
- 8- ~~Transportation/Transit 8. That the applicant shall indicate locations showing areas to be dedicated for transit pads at the northeast corner of Happy Valley Road and I-17, and west bound Happy Valley Road west of Norterra Parkway per Public Transit's request. (B)~~
- -
- 9- ~~That the developer shall be required to perform a Jomax Road and I-17 Freeway traffic interchange location study, if not previously done.~~
- -
- 10- ~~That right of way totaling 60 feet shall be dedicated for the south half of Jomax Road site as shown on the April 16, 2002 site plan, in a configuration, as approved by the Street Transportation Department.~~
- -
- 11- ~~That additional right of way for a future interchange with I-17 at Jomax Road shall be reserved.~~
- 12-6. That the developer shall construct all streets within and adjacent to the development, other than those addressed by the Development agreement (90854) with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the City. All improvements shall comply with all Americans with Disabilities Act accessibility standards.

Visual Impacts

- 13- ~~That the below minimum building setbacks shall apply along the following street frontages, as approved by the Development Services Department. The landscape setback along the street frontages shall include a mix of a minimum of 3- and 4- inch caliper trees planted approximately 20 feet on center to screen the buildings.~~
- -
- A: Happy Valley Road (west of Norterra Parkway) shall be a minimum of 60 feet (with a 75-

foot average).

-
-
- B: Happy Valley Road (east of Norterra Parkway) shall be a minimum of 75 feet.
-
-
- C: Jomax Road (west of Norterra Parkway) shall be a minimum of 75 feet.
-
-
- D: Jomax Road (east of Norterra Parkway) shall be a minimum of 90 feet.
-
-
- E: 19th Avenue shall be a minimum of 90 feet.
-

14-7. That ~~t~~The applicant provide a minimum 30-foot, undulating landscape setback, with a maximum average landscape setback not to exceed 35 feet, as measured from the right-of-way prior to any trail dedication, with drought tolerant vegetation as identified in the Sonoran Boulevard Standards, and undulating sidewalk (where required PRACTICAL) adjacent to perimeter street, except along Happy Valley Road; where the landscape setback and sidewalk shall be per the Sonoran Boulevard Standards, as measured from the right-of-way prior to any trail dedication NORTERRA PARKWAY AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

15-8. That ~~a~~Any loading, maneuvering, and other service areas be located interior within the campus and screened so that they are not visible from the perimeter rights-of-way.

16: That the development along Happy Valley Road comply with the Sonoran Boulevard Standards.

17-9. That ~~a~~A Comprehensive Sign Plan shall be processed prior to future signage requests, and shall incorporate the signage for the interim facility in the comprehensive sign plan, in accordance with Section 7.5.F.2 of the Zoning Ordinance.

Parking

18-10. That individual parking structures shall not be arranged such that they create a linear walled effect at the perimeter of the property.

19-11. That parking structures will be designed, to the greatest extent possible; to minimize the mass of parking structures with adjacent residential properties. In addition, the parking structures shall be so designed as to prevent vehicular headlights and the interior lights of the parking structures from shining directly onto residential properties.

Trails

20: That the developer construct the short section of the trail at the southwest corner of Jomax Road and Norterra Parkway as per plans approved by the Parks and Recreation department. (Exhibit A) (A)(B)

21-12. That prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of Phoenix Deer Valley Airport. The form and content of such documents shall be reviewed and approved by the City Attorney.

13. IF ANY ARCHAEOLOGICAL MATERIALS OR HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, ALL GROUND-DISTURBING ACTIVITIES MUST CEASE WITHIN 33 FEET OF THE DISCOVERY AND THE CITY OF PHOENIX ARCHAEOLOGY OFFICE MUST BE NOTIFIED IMMEDIATELY AND ALLOWED TIME TO PROPERLY ASSESS THE MATERIALS.

DISTRICT 2
32ND STREET AND UNION HILLS DRIVE
APPLICANT: STEPHEN EARL - EARL,
CURLEY AND LAGARDE
OWNER: EXXON MOBIL CORP

- B. Application: Z-2-02-2
Existing Zoning: C-2
Acreage: 2.7
Location: Southwest corner of 32nd Street and Union Hills Drive
Proposal: 1) Modification of Stipulation 1 regarding general conformance to the site plan dated November 8, 2001.
2) Modification of Stipulation 2 regarding general conformance to the building elevations and details dated November 8, 2001.
3) Modification of Stipulation 5 regarding a landscape triangle with an enhanced landscape feature at 32nd Street and Union Hills Drive.
4) Deletion of Stipulation 7 regarding a monument sign.
5) Deletion of Stipulation 8 regarding a multi use trail along 32nd Street.
6) Technical corrections to Stipulations 3 and 6.

The Planning Hearing Officer recommended approval.

The Paradise Valley Village Planning Committee did not review this request.

Stipulations

1. ~~That~~ Development shall be in general conformance to the site plan dated ~~11/8/01~~ JANUARY 30, 2014, with regard to building location, setbacks, and landscaping, as may be modified by the PLANNING AND Development ~~Services~~ Department (~~DSD~~).
2. ~~That~~ Development shall be in general conformance to the building elevations, ~~car wash elevations, and canopy plan elevations~~ + AND details dated ~~11/8/01~~ JANUARY 30, 2014, ~~except as modified by the following:~~
 - ~~a.~~ The use of block support columns from top to bottom (no exposed steel).
 - b. a. Illumination at the property line not exceed one foot candle.
 - ~~e.~~ b. That the top of the ~~canopy~~ RESTAURANT shall not exceed a maximum of 21 feet based on the roofline.
 - ~~d.~~
 - ~~e.~~ That all items for sale shall be within the main building or, if outside the main building, in designated areas screened from view from public streets.
 - ~~f.~~ That the car wash building shall have the same architectural theme and materials as the convenience store/gas station
 - ~~g.~~ c. That all site walls, AND screen walls, ~~pump island canopies and other outdoor covered areas~~ shall be of similar materials, colors, and detailing.
3. ~~That~~ One cross-access easement shall be provided along the west property line and one cross-access easement shall be provided along the south property line, as approved by ~~DSD~~ THE PLANNING AND DEVELOPMENT DEPARTMENT, in the event that the adjacent property is developed. The cost of extending the driveways shall be at the expense of the adjacent development.
4. That a minimum 20-foot landscape setback including 2-inch caliper size shade trees spaced a maximum 20 feet on center or placed in equivalent groupings be provided along the north and east property lines.
5. ~~That~~ aA minimum 75' x 75' 50-FOOT BY 50-FOOT landscape triangle with an enhanced landscape feature be provided at the intersection of 32nd Street and Union Hills Drive, as approved by ~~DSD~~ THE PLANNING AND DEVELOPMENT DEPARTMENT. ~~NOTE: The enhanced landscape feature is intended to match that at the NEC of 32nd Street and Union Hills Drive with regard to plant type (trees, annuals, groundcover, etc), selection, placement, and color.~~

6. That tThe depth of the retention within the required landscape setbacks shall be limited to a maximum of 18"-INCHES, as approved by ~~DSD~~ THE PLANNING AND DEVELOPMENT DEPARTMENT.
7. ~~The monument sign for the site shall be a maximum of 6 feet in height and 54 square feet in area.~~
~~-~~
8. ~~That a multi-use trail shall be provided along 32nd Street in conformance with the approved Parks and Recreation Department standards.~~

DISTRICT 8
44TH STREET AND VAN BUREN STREET
APPLICANT: ANA JONES
OWNER: PHOENIX OFFICE GRAND
AVENUE PARTNERS,LLC
REPRESENTATIVE:
ANA JONES

- C. Application: Z-108-50-8
Existing Zoning: C-2 PKG/WVR
Acreage: 4.78
Location: Approximately 950 feet west and 400 feet north of the northwest corner of 44th Street and Van Buren Street
Proposal: Comprehensive Sign Review for more than two signs on a building over 56 feet in height. One sign on four elevations, a total of four signs.

The Planning Hearing Officer recommended approval with a stipulation.

The Camelback East Valley Village Planning Committee reviewed this request on March 4, 2014, and recommended approval by a 16-0 vote.

Stipulation

1. THE APPLICANT SHALL PROCESS A MAJOR AMENDMENT TO THE EXISTING COMPREHENSIVE SIGN PLAN TO REFLECT THE INCREASED NUMBER OF HIGH-RISE SIGNS.

OLD BUSINESS

ITEM 26

DISTRICT 4

LIQUOR LICENSE APPLICATION - PRO'S RANCH MARKET - PHOENIX 2

(Continued from April 2, 2014) - Request for a Series 9, Off Sale-All Liquor, liquor license with Sampling Privileges in an area zoned PSC. Arizona State Applications 09070650 and 09070650S.

Applicant: Andrea Lewkowitz, Agent
 Pro's Ranch Market - Phoenix 2
 5802 West Thomas Road

This request is for an ownership transfer of a Series 9 liquor license from Provenzanos, LLC to CNG Ranch, LLC and sampling privileges for a grocery store. 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 was Friday, April 11, 2014.

Series 9 Ownership Transfer: Consideration may be given only to the applicant's personal qualifications and not to the location. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "Applicant is committed to upholding the highest standards for alcohol sales and service. Managers and staff are trained, or will be, in the techniques of legal and responsible sales and service."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Applicant's partners are experienced retailers of family-owned markets in Southern California. Applicant purchased 11 "Ranch Market" stores across Arizona, New Mexico and Texas."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Government	5	1	0
Beer & Wine Bar	7	1	0
Liquor Store	9	5	2
Beer & Wine Store	10	6	2
Restaurant	12	2	1

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	17.65	18.62
Property Crimes	45.04	88.7	70.75

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	74
Total Violations	105	177

Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty

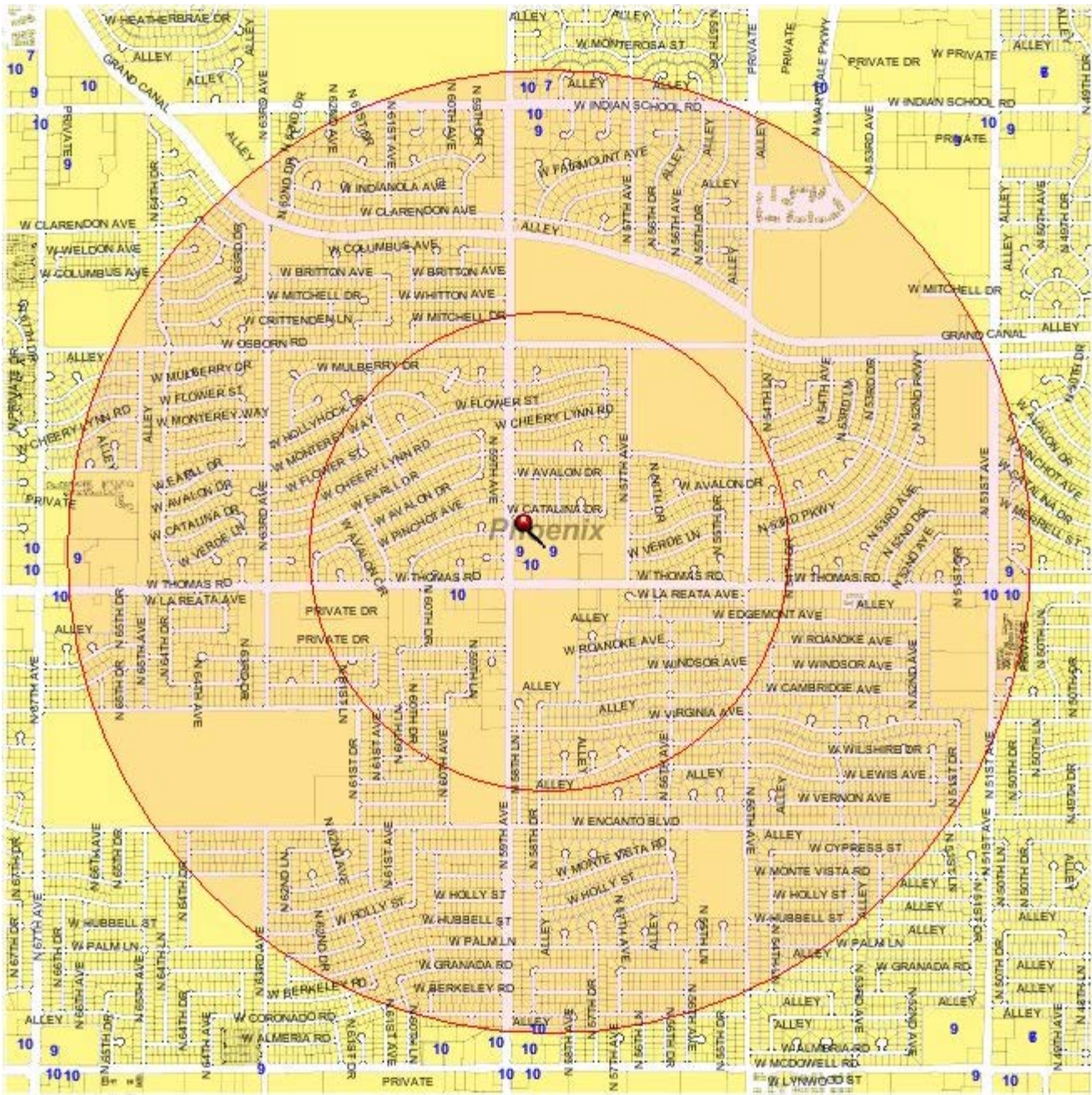
1098021	2573	85%	3%	21%
1098022	1443	66%	8%	42%
1098023	952	82%	14%	50%
1099001	877	82%	16%	25%
1099003	3146	54%	16%	33%
1099004	697	77%	17%	19%
1124011	1191	48%	18%	26%
1124012	2494	70%	5%	36%
1125041	1741	90%	17%	25%
1125042	1274	0%	24%	61%
Average		61%	13%	19%

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 Ms. Takata and the City Clerk Department.

District 4 Andrea Lewkowitz, Agent
Pro's Ranch Market - Phoenix 2
5802 West Thomas Road



ITEM 27

DISTRICT 4

LIQUOR LICENSE APPLICATION - PRO'S RANCH MARKET - PHOENIX 5

(Continued from April 2, 2014) - Request for a Series 10, Off Sale-Beer and Wine, liquor license with Sampling Privileges in an area zoned A-1. Arizona State Applications 10076497 and 10076497S.

Applicant: Andrea Lewkowitz, Agent
 Pro's Ranch Market - Phoenix 5
 3223 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 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 was Friday, April 11, 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "Applicant is committed to upholding the highest standards for alcohol sales and service. Managers and staff are trained, or will be, in the techniques of legal and responsible sales and service."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Applicant's partners are experienced retailers of family-owned markets in Southern California. Applicant purchased 11 "Ranch Market" stores across Arizona, New Mexico and Texas."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Wholesaler	4	2	0
Bar	6	6	3
Beer & Wine Bar	7	4	0
Liquor Store	9	3	2
Beer & Wine Store	10	11	3
Restaurant	12	2	1

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	15.44	16.87
Property Crimes	45.04	72.28	77.75

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	208
Total Violations	105	432

Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1091021	2115	47%	14%	46%
1091022	2966	78%	14%	50%
1091023	1085	28%	19%	21%
1092002	1665	36%	30%	46%
1092003	1593	11%	26%	32%
1101001	1919	16%	15%	58%
1169001	2535	66%	12%	50%
Average		61%	13%	19%

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

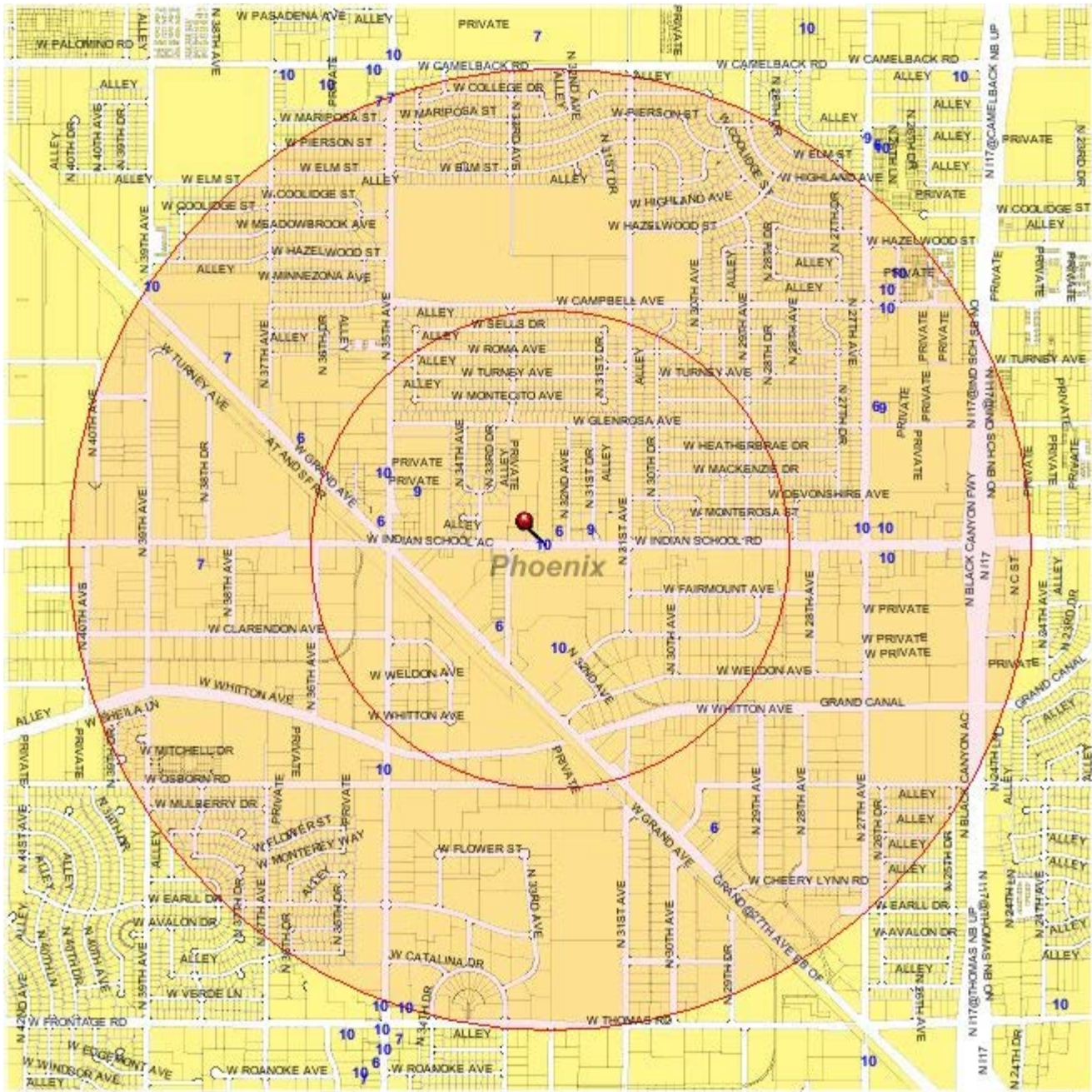
If denied, the applicant will continue operations without a liquor license and the previous owner will not resume ownership.

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 4

Andrea Lewkowitz, Agent
Pro's Ranch Market - Phoenix 5
3223 West Indian School Road



ITEM 28

DISTRICT 5

LIQUOR LICENSE APPLICATION - PRO'S RANCH MARKET - PHOENIX 6

(Continued from April 2, 2014) - Request for a Series 10, Off Sale-Beer and Wine, liquor license in an area zoned C-2. Arizona State Application 10076500.

Applicant:

Andrea Lewkowitz, Agent
Pro's Ranch Market - Phoenix 6
3415 West Glendale Avenue

This request is for a new Series 10 liquor license for a grocery store. 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 was Friday, April 11, 2014.

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.

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: "Applicant is committed to upholding the highest standards for alcohol sales and service. Managers and staff are trained, or will be, in the techniques of legal and responsible sales and service."

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

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

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

ITEM 29

DISTRICT 7

**LIQUOR LICENSE APPLICATION - PRO'S
RANCH MARKET - PHOENIX 1**

(Continued from April 2, 2014) - Request for a Series 10, Off Sale-Beer and Wine, liquor license with Sampling Privileges in an area zoned C-2. Arizona State Applications 10076498 and 10076498S.

Applicant: Andrea Lewkowitz, Agent
Pro's Ranch Market - Phoenix 1
5833 South Central Avenue

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 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 was Friday, April 11, 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:
- A. I have the capability, reliability, and qualifications to hold a liquor license because: "Applicant is committed to upholding the highest standards for alcohol sales and service. Managers and staff are trained, or will be, in the techniques of legal and responsible sales and service."
- B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Applicant's partners are experienced retailers of family-owned markets in Southern California. Applicant purchased 11 "Ranch Market" stores across Arizona, New Mexico and Texas."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	1	1
Beer & Wine Bar	7	2	1
Liquor Store	9	8	3
Beer & Wine Store	10	7	4
Restaurant	12	3	3
Club	14	1	0

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	15.5	16
Property Crimes	45.04	78.8	70

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	98
Total Violations	105	154

Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1158011	2230	38%	18%	36%
1158012	1837	18%	26%	65%
1158021	1871	53%	7%	47%
1158022	1536	47%	17%	24%
1159002	2720	55%	22%	30%
1164002	1297	61%	28%	15%
1165001	1778	66%	2%	27%
1165003	1504	65%	6%	15%
Average		61%	13%	19%

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

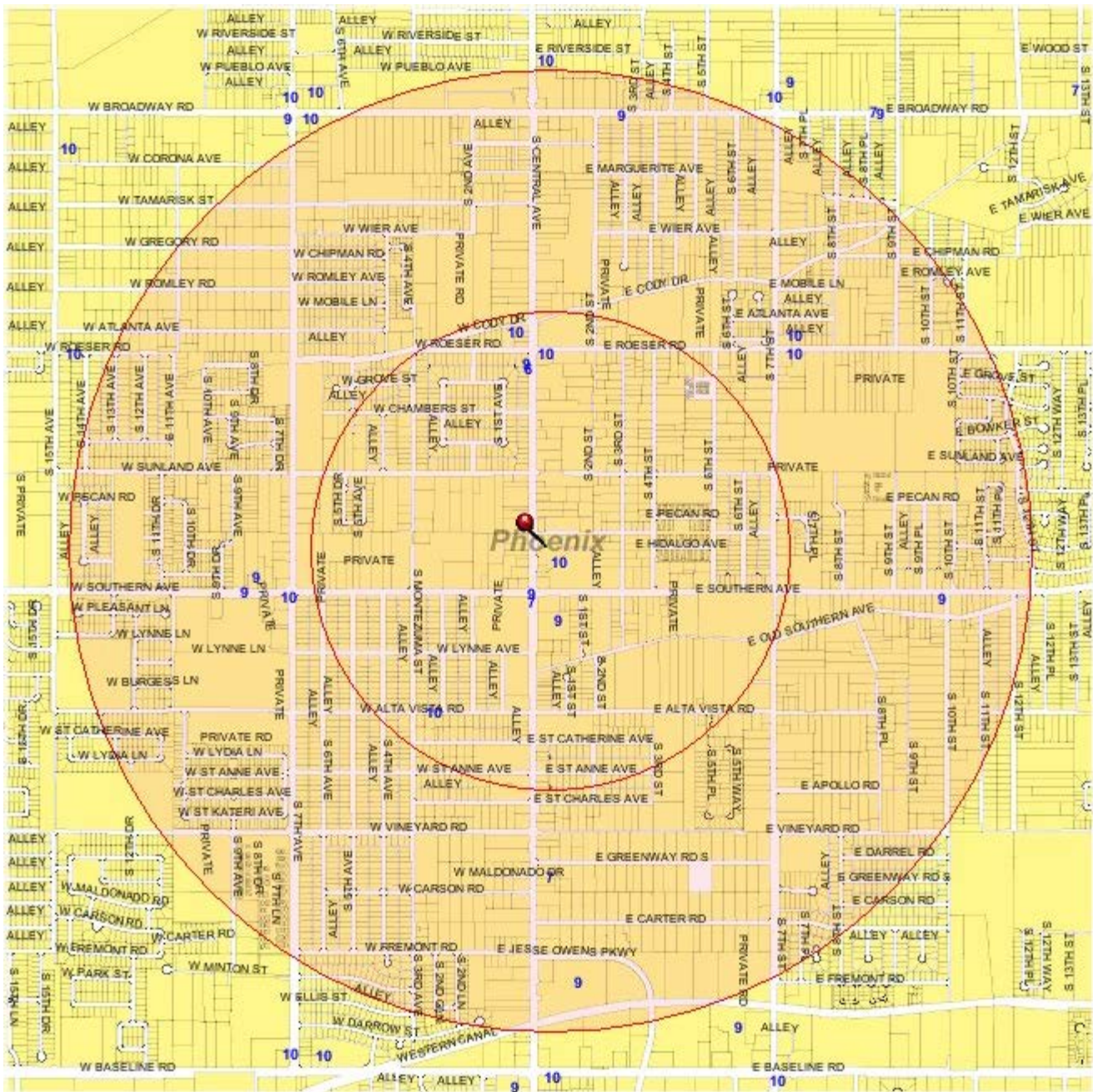
If denied, the applicant will continue operations without a liquor license and the previous owner will not resume ownership.

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 7

Andrea Lewkowitz, Agent
 Pro's Ranch Market - Phoenix 1
 5833 South Central Avenue



ITEM 30

DISTRICT 8

LIQUOR LICENSE APPLICATION - PRO'S RANCH MARKET - PHOENIX 3

(Continued from April 2, 2014) - Request for a Series 10, Off Sale-Beer and Wine, liquor license with Sampling Privileges in an area zoned PSC. Arizona State Applications 10076499 and 10076499S.

Applicant: Andrea Lewkowitz, Agent
 Pro's Ranch Market - Phoenix 3
 1602 East Roosevelt Street, #A

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 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 was Friday, April 11, 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "Applicant is committed to upholding the highest standards for alcohol sales and service. Managers and staff are trained, or will be, in the techniques of legal and responsible sales and service."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Applicant's partners are experienced retailers of family-owned markets in Southern California. Applicant purchased 11 "Ranch Market" stores across Arizona, New Mexico and Texas."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	6	0
Beer & Wine Bar	7	2	1
Liquor Store	9	5	1
Beer & Wine Store	10	15	5
Restaurant	12	13	4
Club	14	1	0

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	23.1	25
Property Crimes	45.04	73.05	72.25

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	154
Total Violations	105	406

Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1116022	2607	54%	9%	61%
1117002	1243	39%	12%	28%
1132011	1312	29%	26%	48%
1132012	962	50%	23%	44%
1132031	1473	30%	20%	57%
1132032	638	28%	7%	70%
1133001	2490	40%	12%	49%
1133002	1119	0%	11%	91%
Average		61%	13%	19%

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

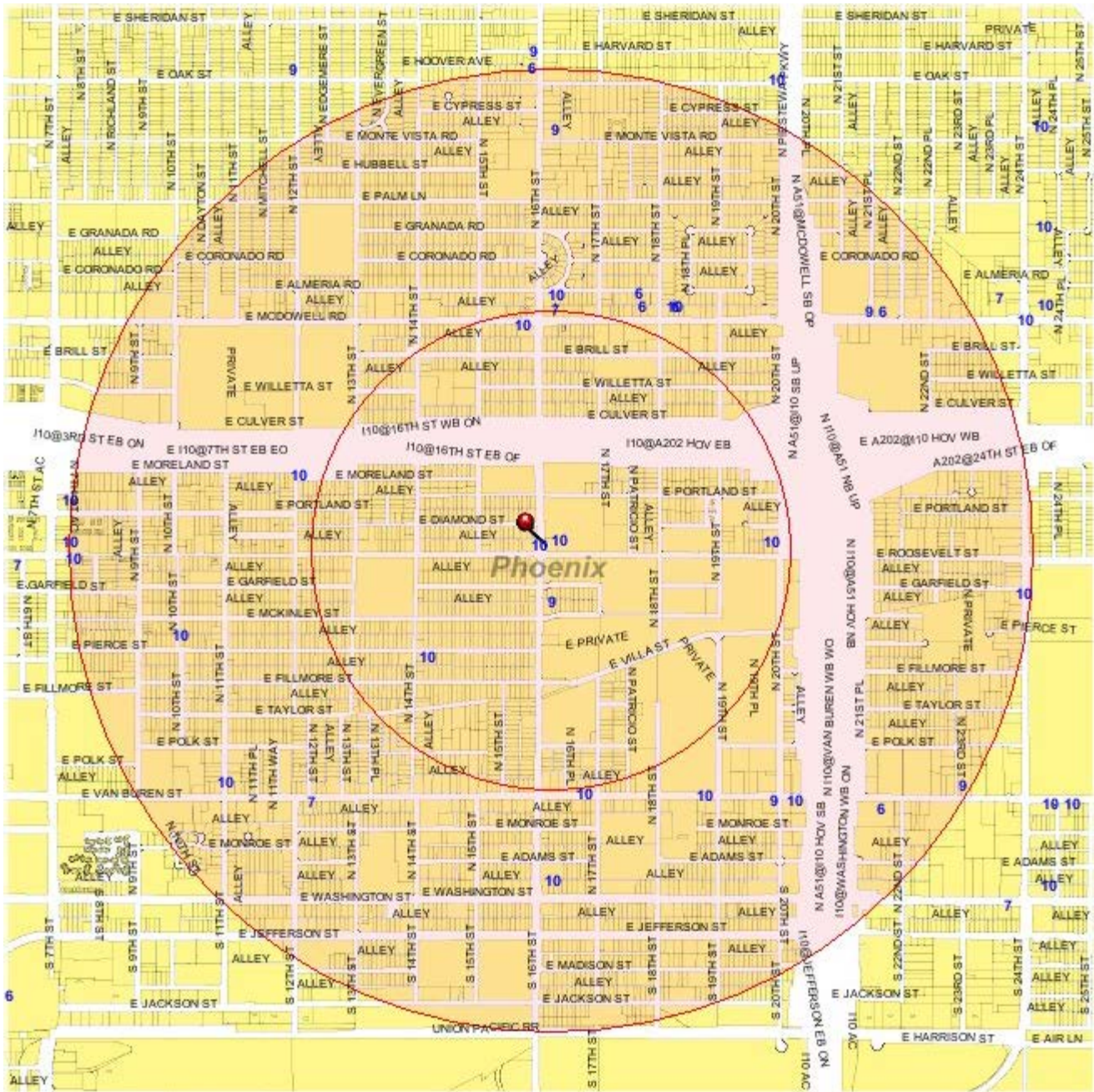
If denied, the applicant will continue operations without a liquor license and the previous owner will not resume ownership.

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

Andrea Lewkowitz, Agent
Pro's Ranch Market - Phoenix 3
1602 East Roosevelt Street, #A



ORDINANCES AND RESOLUTIONS

ITEM 31

CITYWIDE

ORDINANCE G-5912 - AMEND CITY CODE - ADD A GIFT POLICY AND CREATE THE PHOENIX ETHICS COMMISSION

Request authorization to amend Chapter 2, Article II of the Phoenix City Code, to add a gift policy and to create a City of Phoenix Ethics Commission to investigate allegations of ethical violations and to enforce the City's ethics policies. Additional information is available in a backup report.

The proposed gift policy identifies permissible and prohibited gifts for elected officials, employees, board members, and volunteers. It also identifies gifts that are permissible for elected officials but which must be disclosed on a form submitted to and posted by the City Clerk.

The proposed City of Phoenix Ethics Commission would consist of five current or former appellate or superior court judges recommended by the Phoenix Judicial Selection Advisory Board and approved by Council. The Ethics Commission is authorized to receive allegations of ethical violations, investigate, take testimony, and engage in any other action to the extent permitted and established by law to oversee the investigation and enforcement of the gift policy and conflicts of interest pursuant to Phoenix City Charter Chapter XI, Section 1 (Title 38, Article 8, Arizona Revised Statutes) related to elected officials and board members. The proposed amendment also describes the actions the Ethics Commission may take with respect to alleged ethical violations, the actions the Council may take, and the process to appeal any final Council decision. In addition, the Commission may issue advisory opinions upon the request of elected officials or board members.

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

ITEM 32

DISTRICT 8

ORDINANCE G-5913 - AMEND CITY CODE - REMOVE/REPLACE ZONING DISTRICT FOR 35TH AVENUE AND BASELINE ROAD ANNEXATION 459

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County Rual-43 zoning district and replacing it with the City's S-1 (Ranch or Farm Residence) zoning district on property located at 3443 West Baseline Road, Assessor Parcel Number 300-14-002X, which was annexed into the City of Phoenix on April 2, 2014, by Ordinance S-40678 (35th Avenue and Baseline Road Annexation, No. 459).

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

ITEM 33

CITYWIDE

REQUEST RECONSIDERATION OF ITEMS 52 AND 54 (ORDINANCES S-40695 AND S 40697) FROM THE APRIL 2 FORMAL COUNCIL MEETING

Request for reconsideration of Items 52 and 54 (Ordinances S-40695 and S 40697) from the April 2, 2014 City Council Formal meeting.

At the meeting, the City Council adopted Ordinance S-40695, which allocated gap funding for future phases of Frank Luke Addition HOPE VI Revitalization. The City Council also adopted Ordinance S-40697, to adopt and submit the Housing Department 2014-2015 Annual Agency Plan and adopted the Amended Section 8 Housing Choice Voucher Administrative Plan and the Amended Admissions and Continued Occupancy Plan for Public Housing.

This reconsideration is being placed on the next available agenda in accordance with a written request filed in the City Clerk Department by Councilman Gates on April 8, 2014.

Pursuant to the Rules of Council Proceedings, Ordinances S 40695 and S 40697 have been placed on the agenda immediately following this request for reconsideration. If this request is approved, the City Council will reconsider the adopted ordinances. If this request is not approved, the City Council should take no action on the ordinances.

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

ITEM 34**DISTRICT 8****ORDINANCE S-40695 -
ALLOCATION OF GAP FUNDING FOR FUTURE
PHASES OF FRANK LUKE ADDITION HOPE VI
REVITALIZATION**

Request to authorize the City Manager, or his designee, to use up to \$5,000,000 of City of Phoenix Affordable Housing Program funds and up to \$2,228,920 of 2006 General Obligation Affordable Housing and Neighborhood Revitalization (GO) Bond funds as presented to the Bond Executive Committee and approved in April 2011, for future phases of the Frank Luke Addition HOPE VI revitalization. Authorization is also requested for the City Manager to execute all necessary documents and the City Controller to disburse the funds over the life of the contract(s).

In May 2011, the U.S. Department of Housing and Urban Development awarded the City of Phoenix a \$20 million HOPE VI Grant to revitalize the former Frank Luke Addition public housing community. The 12.2-acre site is bounded by 16th and 18th Streets, and Villa and McKinley Streets. The revitalized community, now called Aeroterra, will consist of 250 mixed-income rental units built in multiple phases. Implementation of the Frank Luke Addition HOPE VI revitalization project was authorized by Ordinances S-37208, S-38087, and S 38139. The first phase of the development, Aeroterra Senior Village, a 60-unit rental housing community serving seniors and persons with disabilities, was built on 2.5 acres and completed in January 2013.

As currently planned, the future phases of Aeroterra will consist of 190 mixed-income rental units and a 6,500-square-foot Community and Early Childhood Education Resource Center. It is anticipated the units will be completed in three phases, and will be spread over the remaining 9.7 acres in 28 two- and three-story non-elevator, townhouse style buildings. The Housing Department has allocated up to 48 Section 8 Project Based Vouchers to serve future residents of the Aeroterra community with at least 30 of those vouchers designated for chronically homeless families with a preference for veterans. Housing Community and Supportive Services (CSS) and the Human Services Department will provide a range of services to residents.

Financial Impact

There is no impact to the General Fund. GO Bond funds (\$2,228,920) and Affordable Housing funds (\$5,000,000 from Fiscal Year (FY) 2014, FY2015, and FY2016) may be utilized for future phases of the Frank Luke Addition HOPE VI Revitalization.

The Neighborhoods, Housing, and Development Subcommittee recommended approval of this request on February 18, 2014.

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

ITEM 35**CITYWIDE****ORDINANCE S-40697 -
ADOPT AND SUBMIT 2014 2015 ANNUAL
AGENCY PLAN TO HUD AND AMEND SECTION 8
ADMINISTRATIVE PLAN AND PUBLIC HOUSING
ACOP**

Request to adopt the Housing Department 2014-2015 Annual Agency Plan (AAP) and authorize the City Manager to submit the AAP to the U.S. Department of Housing and Urban Development (HUD). The approved AAP must be submitted to HUD by April 15, 2014, in order for the City to be eligible for continued federal funding.

Further, request the City Council adopt the Amended Section 8 Housing Choice Voucher (HCV) Administrative Plan and the Amended Admissions and Continued Occupancy Plan (ACOP) for Public Housing. These documents provide operational and procedural details for the respective programs and have been amended to conform to changes in recent federal regulations and the AAP.

Policy changes noted in the 2014-2015 Annual Agency Plan include: the addition of up to 48 Project-Based Vouchers to the proposed unit mix for the 2010 HOPE VI grant; intention to apply for a Choice Neighborhoods Initiatives (CNI) grant (if funded by Congress); and possible discussion on a non-smoking policy for public housing. The plan may be viewed online at: http://phoenix.gov/webcms/groups/internet/@inter/@dept/@housing/@rpts/documents/web_content/draft_agency_plan_010214.pdf

The Housing Department worked with a fourteen-member Resident Advisory Board, representing the Conventional, Senior, Scattered Sites, and Section 8 Housing Choice Voucher programs to develop the Annual Agency Plan. As required by federal regulation, the document was available for public review at www.phoenix.gov/housing and at all offices of the Housing Department. The public was given 45 days to make comments and a public hearing was held on February 26, 2014, to obtain input and comments on the proposed AAP. All comments and input received have been considered in the resulting AAP.

The Neighborhoods, Housing, and Development Subcommittee recommended City Council approval of this request on March 18, 2014.

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

ITEM 36

DISTRICT 8

**ORDINANCE S-40672 -
CONTRACT AWARD FOR FOOD AND
BEVERAGE CONCESSIONS AT TERMINAL 2**

(Continued from April 2, 2014) - Request to authorize the City Manager, or his designee, to award and enter into a lease agreement with Premiere Airport Food Services, Inc. (Premiere) for food and beverage concessions at Terminal 2 at Phoenix Sky Harbor International Airport (PHX).

Delaware North Companies Travel Hospitality Services, Inc., the former master food and beverage concessionaire for Terminal 2, ceased operations at Terminal 2 on February 21, 2014. On February 14, 2014, the Aviation Department (Aviation) issued a solicitation to existing food and beverage concession operators at PHX for two contract packages for food and beverage concessions at PHX Terminal 2. Aviation received one proposal for each contract package, both submitted by Premiere. Aviation staff verified that the proposals from Premiere met the solicitation's requirements and minimum qualifications. The concepts included in Premiere's proposals are:

Package 1

Ziegler's New York Pizza Department (NYPD)
Premiere To Go
CopperPlate American Grill

Lobby
Lobby
South Concourse

Package 2

TAPAZ Wine-Beer - Tapas
Vending Machines

Center Concourse
Three Terminal Locations

The term of the lease will be three years with no renewal options. The lease will also contain a provision for a 90-day notice of closure or early termination at the Aviation Director's sole discretion. Premiere will pay percentage rent based on gross sales. Percentage rent will be 15 percent for alcoholic beverages and 10 percent for food, non-alcoholic beverages, and concept-related merchandise. The lease will be subject to compliance with Aviation's street-pricing policy and employee retention policy. The lease may contain other terms and conditions deemed necessary or appropriate by the City Manager or the Aviation Director.

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

ITEM 37

CITYWIDE

**ORDINANCE S-40705 -
EXTEND AGREEMENT WITH VEOLIA FOR
OPERATIONS CONTROL CENTER AND
SCHEDULING/DATA COLLECTION FUNCTIONS**

(Continued from April 2, 2014) - Request to exercise the one-year option on Agreement 129101 with Veolia Transportation Services (VTS) to manage the Operations Control Center (OCC), and Scheduling and Data Collection functions at a cost not to exceed \$1,132,320; and authorize the City Controller to disburse funds in accordance therewith.

The OCC manages transit services which operate from the City's North and South Transit facilities. As needed, the OCC also provides support to the City's West Transit Facility and member agencies of the Regional Public Transportation Authority (RPTA), as well as the RPTA Customer Service Center and contracted dispatch operations in the region. Scheduling and Data Collection staff work in concert with the City's transit planners to coordinate new service, implement and analyze existing service efficiencies, assist in development of regionally published transit book, and assist in planning routes and schedules based on the City's requirements.

The initial three-year agreement was approved by the City Council on June 16, 2010, in an amount not to exceed \$4,427,381, with two, one-year options to extend. On May 15, 2013, City Council approved the first one-year option to extend and to add \$1,248,696 to the contract. This action will exercise the final remaining one-year option, extending Agreement 129101 through June 30, 2015, and add \$1,132,320 to the contract. Due to a cost savings of \$657,158 over the life of the contract to date, this action will bring the five-year value to an amount not to exceed \$6,151,239.

A change order will be issued to extend this agreement one year and the cost for Fiscal Year 2014-2015 will not exceed \$1,132,320, which includes a 3 percent increase in order to absorb additional costs for overhead, benefits, local travel, and administrative support.

Financial Impact

The cost of exercising the one-year option is \$1,132,320. Funds are available in the Public Transit Department's operating budget using Transit 2000 funds. Exercising the option year will bring the total five-year contract amount to \$6,151,239.

This item is recommended by Mr. Naimark and the Public Transit Department.

ITEM 38

CITYWIDE

**ORDINANCE S-40718 -
PAYMENT ORDINANCE**

Request to authorize the City Controller to disburse funds in an aggregate amount not to exceed \$4,882,653.03 for the purpose of paying vendors, contractors, claimants, and others; and providing additional payment authority under certain existing City contracts.

- | | | |
|--------------|----|--|
| \$ 43,920.00 | a) | To Adamson Police Products, for the purchase of six tactical electronic pole cameras utilized by the Special Assignment Unit for the video surveillance and observation of subjects during critical situations, funded by the Urban Areas Security Initiative (UASI) grant, for the Police Department. |
| 11,498.50 | b) | To Arizona Department of Health Services, for the annual laboratory license renewal for sample analysis through May 4, 2015, for the Water Services Department. |
| 22,500.00 | c) | To Barbara L. Cooper Consulting Service, LLC, to provide technology consulting services under Agreement 137729 to review the ITS operating model and technology roadmap and its alignment with the COP strategy, for the Information Technology Services Department. |
| \$ 37,040.00 | d) | To IT Partners, Agreement 137591, to provide disaster recovery consulting services to design, install, and perform knowledge transfer for a virtual environment disaster recovery solution, through December 31, 2014, for the Public Transit Department. |
| 60,000.00 | e) | To Lerner & Rowe in trust for Michael Pyle, to fund the settlement of City claim 12-1127-001, for the Finance Department. |
| 9,755.00 | f) | To Oregon Health Services, for payment of annual accreditation and assessment fees for the National Environmental Laboratory Accreditation Program, for the Water Services Department. |
| 31,944.02 | g) | To PC Links, LLC, for the purchase of security video monitoring system, to replace existing equipment that is at the end of its useful life, at several Water sites, for the Water Services Department. |
| 45,534.00 | h) | To Pitney Bowes Software, Inc., for payment of the software licensing and maintenance agreement used for water bill printing and mailing compliance with US Postal Office regulations, through June 30, 2014, for the Water Services Department. |
| 48,158.00 | i) | To Sogeti USA, LLC, to provide technology consulting services for the SharePoint site, under Agreement 137799, for the Information Technology Services Department. |
| 9,858.24 | j) | To Source Direct, for payment of hardware and software maintenance support of the computer aided dispatch (CAD) system servers, storage, and devices, through January 16, 2015, for the Fire Department. |

- | | | |
|-----------|----|--|
| 9,836.33 | k) | To Stratus Technologies Ireland, Ltd., for the renewal of the hardware maintenance agreement, through December 31, 2014, critical to the Regional Computer Aided Dispatch System, for the Fire Department. |
| 12,626.32 | l) | To Walters & Wolf Construction Specialties, Inc., to replace glass and perform repairs on the skylight at the North building of the Phoenix Convention Center, for the Convention Center Department. |

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

- | | | |
|--------------|----|---|
| \$ 45,000.00 | m) | To Arizona Water Works Supply, Tempe, to exercise an option to extend Agreement P-09306-13/130677, awarded by IFB 11-101, through March 31, 2014, to continue to provide inverted marking paint on an as needed basis, for various City Departments. |
| 9,000.00 | n) | To Copper State Supply, Inc., to exercise an option to extend Agreement P-08877-11/125802 awarded by IFB 09-122, through June 30, 2014, to continue to supply graffiti removal products for Neighborhood Services, Street Transportation, and Parks and Recreation Department. |
| 77,300.00 | o) | To DocUnited Imaging, LLC, to exercise an option to extend Agreement P-08595-09/122861, awarded by RFA 08-025, through June 30, 2015, to continue to provide maintenance for the water infrastructure records management system, for the Water Services Department. |
| 300,000.00 | p) | To Harrington Industrial Plastics, LLC, to exercise an option to extend Agreement P-09103-12/128622, awarded by IFB 10-080, through May 31, 2015, to continue to provide pipe, valves and fittings on an as-needed basis, for the Water Services Department. |
| 52,101.80 | q) | To J. Banicki Construction, for Change Order 1, Contract 137023, Project AV31000080, for additional construction services required as part of the Deer Valley Airport Taxiway A Relocation and Reconstruction project, for the Aviation Department. |
| 15,000.00 | r) | To Kaplan Early Learning Company, Agreement P 09974-13/136785, to provide early childhood educational supplies for the Headstart Program which is funded by federal grant funds, through June 30, 2015, for the Human Services Department. |
| \$ 33,952.00 | s) | To Perkin Elmer Health Sciences, Inc., Agreement MW13-00069, awarded by RFQ 13-069, to provide all associated services necessary for the maintenance of ultra violet instrumentation, through March 31, 2018, for the Water Services Department. |
| 32,007.00 | t) | To Perkin Elmer Health Sciences, Inc., Agreement MW13-00077, awarded by RFQ 13-077, to provide parts, labor, and associated services necessary to maintain the FIMS-100 mercury analyzer, through March 31, 2018, for the Water Services Department. |
| 15,000.00 | u) | To Pickering Laboratories, Inc., Agreement MW12-00003, awarded by RFQ 12-003, to provide parts, labor and associated services necessary to maintain the Pinnacle PCX instruments, through June 30, 2015, for the Water Services Department. |
| 3,800,000.00 | v) | To the following vendors to exercise an option to extend respective Agreements awarded by IFB 11 026, through January 31, 2015, to continue to provide electrical supplies on an as-needed basis, for various City Departments with large infrastructure assets, such as the airport, water treatment plants, street lights and traffic signals, and City |

buildings maintained by Public Works:

- \$2,604,500.00 Brown Wholesale Electric Company, P-09249-14/130361
- 700,000.00 Electric Supply Inc., P 09248 14/130362
- 300,000.00 Summit Electric Supply Company, Inc., P-09246-14/130360
- 115,000.00 Arizona Electric Supply-Phoenix, P-09247-14/130359
- 65,000.00 Graybar, Inc., P 09242 14/130364
- 11,000.00 IEC Supply Inc., P 09245 14/130367
- 1,500.00 Rexel Tri Valley, P 09241 14/130363
- 1,500.00 Standard Wire & Cable Company, P-09244-14/130366
- 1,500.00 Traffic Signal Inc., P 09243 14/130365

This section requests payment authority, up to amounts indicated below, for the payment of relocation benefits and assistance in connection with the City project identified below or the Airport's Community Noise Reduction Program:

\$ 13,314.00	w)	To Marquez, Dean Frank Jr., and Estrada, Fiorella Yasmin and/or Assignee(s), to provide displacement relocation assistance as part of the Community Noise Reduction Program, for the Aviation Department by the Finance Department.
99,459.36	x)	To Suarez Rodriguez, Jesus Maria and/or Assignee(s), to provide displacement relocation assistance as part of the Community Noise Reduction Program, for the Aviation Department by the Finance Department.
35,348.46	y)	To Villela, Yareni Cantalina; Jose Navor Villela and Priscilla B. Villela and/or Assignee(s), to provide displacement relocation assistance as part of the Community Noise Reduction Program, for the Aviation Department by the Finance Department.
12,500.00	z)	To Yrique, Manuel Edward and/or Assignee(s), to provide displacement relocation assistance as part of the Community Noise Reduction Program, for the Aviation Department by the Finance Department.
<hr/>		
\$ 4,882,653.03		

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

**ITEM 39 DISTRICT 8 ORDINANCE S-40719 -
ACQUISITION OF ONE OCCUPIED RESIDENTIAL
PROPERTY AND REALIGNMENT OF LEGAL LOT
LINES 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 execute a quit claim and lot line adjustment agreement and all other documents necessary to realign the legal lot lines with the actual lines of possession on Assessor Parcel Numbers 115-06-075, 115-06-076, 115-06-074, and 115 06 078A.

The following property owners have voluntarily asked the City to purchase their 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>
Stephen M. Vaughn and Michele M. Vaughn, husband	1918 East Madison Street APN: 115-06-075	\$48,000	AV01020438

and wife

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.

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 (CNRP) 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 40 **DISTRICT 8** **ORDINANCE S-40720 -**
ACQUISITION OF EIGHT OCCUPIED
RESIDENTIAL PROPERTIES 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 properties 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 properties sufficient time to relocate, as such agreements may be necessary to, and in furtherance of, this ordinance.

The following property owners have voluntarily asked the City to purchase their properties, which are 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>
Elizabeth M. Figueroa, Larry M. Figueroa and the heirs and devisees of Fermin Figueroa, deceased, their interest being subject to the administration of the estate of said decedent in Maricopa County, Probate Case PB2013-000571, wherein Arnold Larry Figueroa is the appointed Personal Representative of said estate.	1423 South 9th Street APN: 115-44-081A	\$31,000	AV01040078
Juana Garcia, an unmarried woman and Joe Garcia, an unmarried man	1122 South 10th Street APN: 115-43-113	\$57,000	AV01040095
Cecilio Ocampo-Gonzalez, a single	1105 East Yavapai Street APN: 115-43-061	\$82,000	AV01040139

man

Hortensia Robles, an unmarried woman	1405 South 12th Place APN: 115-42-109	\$29,000	AV01040229
Mary J. Ocano, a married woman; Elvira Joya, a married woman; Robert Joya, an unmarried man; Eliodoro Joya, a married man; Ruben Joya, a married man; George Joya, an unmarried man; Margaret Castillo, a widow; Cruzita Joya, a single woman; Emily Zarate, a widow; Leo Joya, III, a single man; Leona Gutierrez, an unmarried woman; and Pearl Kelly, an unmarried woman	1127 South 13th Street APN: 115-42-012	\$48,000	AV01040251
Jesus Suarez, a married man	1013 East Cocopah Street APN: 115-46-130	\$53,000	AV01040587
Eva Leyva, an unmarried woman	1019 East Durango Street APN: 115-47-003	\$43,000	AV01050272
Amanda F. Garcia, an unmarried woman and Eusebio G. Gonzalez, an unmarried man	1223 East Durango Street APN: 115-37-044A	\$67,000	AV01050289

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, 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 (CNRP) 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 41

DISTRICT 8

**ORDINANCE S-40721 -
ACQUISITION OF ELEVEN OCCUPIED
RESIDENTIAL PROPERTIES 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 properties listed below for the Aviation Department's Community Noise Reduction Program.

The following property owners have voluntarily asked the City to purchase their properties, which are 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>
Manuel E. Yrique, a married man	3342 East Jefferson Street APN: 121-22-026	\$52,000	AV01000237
Rudy C. Betancourt and Christina S. Betancourt, husband and wife	1028 South 8th Place APN: 116-38-040	\$36,000	AV01030249
Cecilio Ocampo- Gonzalez aka Cecilio O. Campo aka Cesilio O. Campo, a single man	1109 East Yavapai Street APN: 115-43-062	\$61,000	AV01040140
Francisco J. Rojas, a single man	1426 South 14th Street APN: 115-42-092	\$50,000	AV01040339
Gloria Padilla, a widow	1418 South 14th Street APN: 115-42-094	\$35,000	AV01040341
Francisca McKnight, an unmarried woman	1113 East Mohave Street APN: 115-46-170	\$38,000	AV01050039
Tomas Alberto Sanchez, a single man	1317 East Mohave Street APN: 115-40-079A	\$61,000	AV01050058
Evangelina Alcantar, a widow	932 East Durango Street APN: 115-45-044	\$52,000	AV01050244
Eva Leyva, a single woman	1021 East Durango Street aka 1019 East Durango Street APN: 115-47-002	\$44,000	AV01050273
National Apartments, Inc., an Arizona Corporation	1313 East Hess Street aka 1313 East Hess Avenue APN: 115-37-066A	\$78,000	AV01050378
Walter M. Estrada,	2300 South 15th Place	\$58,000	AV01060269

a married man

APN: 115-35-002

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 (CNRP) 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 42

DISTRICT 8

**ORDINANCE S-40722 -
REIMBURSE CUTTER AVIATION DEER VALLEY,
INC. FOR RAMP PAVEMENT REPAIR WORK AT
PHOENIX DEER VALLEY AIRPORT**

Request to authorize the City Manager, or his designee, to amend Land Lease Agreement 89878 (Lease) to approve the issuance of rent credits to Cutter Aviation Deer Valley, Inc. (Cutter). Total rent credits shall not exceed \$350,000 and will reimburse Cutter for costs it will incur in connection with the repair of the existing ramp pavement area at Cutter's fixed base operator (FBO) facility at Phoenix Deer Valley Airport (DVT). Cutter is the lessee under the Lease for land at DVT and under which Cutter provides FBO services at DVT.

An engineering report, which was requested by the City and performed by an independent engineering firm, provides evidence that the current ramp pavement issues stem from previously established subsurface and surface conditions that were minimally remedied over the course of time. Therefore, both Cutter and the Aviation Department have agreed to equally share the costs associated with the ramp pavement repair work.

Subject to City Council approval, the Aviation Department will reimburse Cutter for one-half the cost of the ramp pavement repair work, in an amount not to exceed \$350,000, through rent credits under an amendment to the Lease. The amendment shall include the following business terms and conditions:

1. The City will issue rent credits to Cutter in an amount not to exceed \$350,000 for reimbursement of the City's share of the costs associated with ramp pavement repair work.
2. Cutter must comply with Title 34, Arizona Revised Statutes, Public Procurement requirements, and the Aviation Department's Design and Construction Services Tenant Improvement process before it may begin any ramp pavement repair work.
3. Cutter must provide detailed documentation of project costs and payments to the City for verification before any rent credits are issued.
4. The amendment may contain other terms and conditions deemed necessary or appropriate by the City Manager or the Aviation Director.
5. Except as amended, all other terms and conditions of the Lease and all prior amendments not in conflict with these changes shall remain in full force and effect.

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

ITEM 43

DISTRICTS 7 AND 8

**ORDINANCE S-40723 -
DPI CONTRACT FOR ROOSEVELT ROW EMSD
FEASIBILITY STUDY**

Request to authorize the City Manager, or his designee, to contract with Downtown Phoenix, Inc. (DPI) for up to \$90,000 for the

implementation of a study on the feasibility and mechanics of establishing a new Enhanced Municipal Services District (EMSD) serving the greater Roosevelt Row/Evans Churchill Community Association (ECCA) community of downtown Phoenix, and for the City Controller to disburse funds.

The urban core of Phoenix has benefited from the services provided by an affiliate of DPI, the Downtown Phoenix Partnership, over the past two decades due to the City's establishment of an EMSD at the request of downtown businesses.

Earlier this year, Roosevelt Row Community Development Corporation (CDC), Roosevelt Row Merchants Association and ECCA signed a letter requesting DPI and the City assist them in determining the feasibility and related details of potentially establishing a new EMSD to serve their burgeoning area of downtown.

This study will bring together key stakeholders to develop a clear vision for what this EMSD may deliver and how it might be established, including but not limited to recommending boundaries, governance, and services, while also outlining potential costs and benefits and a community discussion about proceeding or not with this proposed EMSD. The process will be community driven with a community-based steering committee supported by DPI. The full study and final recommendations would take approximately 8 to 12 months.

This item is limited to supporting a community-requested feasibility and management study up to \$90,000; it does not require the City to create another EMSD or provide future funding.

Financial Impact

Funds are available in the Downtown Community Reinvestment Fund.

The Downtown, Aviation ,and Redevelopment Subcommittee unanimously recommended this item on April 2, 2014.

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

ITEM 44

CITYWIDE

**ORDINANCE S-40724 -
IFB 08-018 - COST PER COPY, COPY MACHINE
SERVICES - REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to extend Contract 122362 with Arizona Office Technologies, Inc., for up to five additional months (on a month-to-month basis) beginning May 1, 2014, to provide Cost per Copy Services Citywide. Authorization is also requested for the City Controller to disburse funds for the life of this extension.

On January 15, 2014, the Council approved a contract with print management consultants, ProBuyers LLC, to conduct a comprehensive analysis and prepare a report concerning the City's use of printers, copiers, and multifunction devices. This report is also to include an updated inventory of all devices, recommendations for future purchases of such devices, and recommendations concerning the establishment of a new program to oversee Citywide printer and copier infrastructure, to ensure the report's recommendations are implemented and that the resulting savings are realized.

The consultant has completed their data collection and has submitted their report for staff review. Staff will make a formal recommendation regarding the contents of the report to the Finance, Efficiency, Economy, and Sustainability (FEES) Subcommittee and full City Council. In order to receive Subcommittee and full City Council approval, and solicit and implement the report's recommendations, a short-term extension of the current Cost per Copy Services contract is needed.

Financial Impact

The total cost for the five-month contract extension shall not exceed \$1,111,038.00. Funds are available in the various departments' budgets.

This request is made by the Deputy Finance Director.

This item is also recommended by Mr. Zuercher.

ITEM 45

CITYWIDE

**ORDINANCE S-40725 -
RFA 14-044 - COMPUTER AIDED DISPATCH
SYSTEM UPGRADES**

Request to authorize the City Manager, or his designee, to enter into an agreement with Northrop Grumman to upgrade the Computer Aided Dispatch (CAD) system for the Fire Department. The contract term is for one year beginning May 1, 2014 and ending on April 30, 2015. Authorization is also requested for the City Controller to disburse funds not to exceed \$200,344.

The Fire Department would like to create an emergency back-up CAD server in the event the primary server loses functionality. Northrop Grumman provides the operational software for the CAD system and no other entities are allowed access to the software. As such, Northrop Grumman is the only company that can integrate the emergency server with the primary system to ensure proper system functionality.

Financial Impact

The contract value shall not exceed \$200,344. Funds are available in the Fire Department Capital Improvement Program budget using 2006 Bonds.

The Deputy Finance Director recommends the agreement with Northrop Grumman.

This item is also recommended by Ms. Takata and the Acting Fire Chief.

ITEM 46 **CITYWIDE** **ORDINANCE S-40726 -
RFP 14-014 - CLOSED CAPTIONING SERVICES -
REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to enter into an agreement with Closed Caption Productions on an as-needed basis beginning on or about May 1, 2014 and ending on May 31, 2015. Authorization is also requested for the City Controller to disburse funds over the life of the contract in an amount not to exceed \$185,000.

Solicitation RFP 14-014 was conducted in accordance with Administrative Regulation 3.10. Five offers were received and opened on December 20, 2013.

This contract will provide PHX11 closed captioning services for all City Council formal, policy, and subcommittee meetings; Council member interview shows; and post-production off-line captioning of other PHX11 programming.

The offers were scored by an evaluation committee comprised of representatives from the Public Information Department and PHX11.

<u>Offeror</u>	<u>Score</u>
Closed Caption Productions	949.8
National Captioning Institute	824.0

It is recommended by the Deputy Finance Director that the offer from Closed Caption Production be accepted as the most responsive and responsible offeror.

Financial Impact

The aggregate contract value for all option years will not exceed \$185,000, with an estimated annual expenditure of \$37,000. Funds are available in the Public Information Office and other departments' budgets.

Option to Extend

Provisions of the agreement include an option to extend the contract up to two 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. Murphy and the Public Information Director.

ITEM 47 **DISTRICT 1** **ORDINANCE S-40727 -
ASSIGN THE RIGHT-OF-WAY FOR STATE
ROUTE 74 BETWEEN I-17 WEST TO
51ST AVENUE TO ADOT**

Request to authorize the City Manager, or his designee, to assign all improved right-of-way along State Route 74, also known as Carefree Highway, between I 17 west to 51st Avenue to Arizona Department of Transportation (ADOT) and to execute all necessary documents to complete the assignment. The right-of-way was erroneously granted to the City of Phoenix by the

Arizona State Land Department (ASLD) upon annexation of 12.41 square miles of land previously held by Maricopa County pursuant to Ordinance G-3888 adopted November 15, 1995.

ASLD is requiring the right-of-way assignment prior to an improvement project on State Route 74 planned by ADOT. The assignment will relieve the City of maintenance responsibilities.

ASLD is waiving all fees related to the assignment.

This bears the recommendation of the Street Transportation Director and the Deputy Finance Director.

This item is also recommended by Mr. Naimark.

ITEM 48 **DISTRICT 7** **ORDINANCE S-40728 -
GRANT OF IRRIGATION EASEMENTS TO SALT
RIVER PROJECT**

Request to authorize the City Manager, or his designee, to grant two irrigation easements to Salt River Project (SRP), for consideration of one dollar and/or other valuable consideration. The easements are located south of Buckeye Road on the east and west sides of 83rd Avenue.

SRP requires the easements to upgrade their existing facilities in order to accommodate the development of the Buckeye Business Center.

This bears the recommendation of the Street Transportation Director and Deputy Finance Director.

This item is also recommended by Mr. Naimark.

ITEM 49 **DISTRICT 8** **ORDINANCE S-40729 -
GRANT OF IRRIGATION EASEMENT TO SALT
RIVER PROJECT - AVENIDA RIO SALADO**

Request to authorize the City Manager, or his designee, to grant an irrigation easement to Salt River Project (SRP), for consideration of one dollar and/or other valuable consideration. The easement area contains approximately 11,673 square feet and is located within City of Phoenix right-of-way along Broadway Road between Central and 7th Avenues. SRP requires the easement in order to accommodate the Broadway Road (Avenida Rio Salado) street improvement project at this location.

Further request the City Council to grant an exception pursuant to Phoenix 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.

This bears the recommendation of the Street Transportation Director and the Deputy Finance Director.

This item is also recommended by Mr. Naimark.

ITEM 50 **DISTRICTS 3, 4,
7, AND 8** **ORDINANCE S-40730 -
SELL CITY-OWNED REAL PROPERTY
IDENTIFIED BY VARIOUS DEPARTMENTS AS
EXCESS**

Request to authorize the City Manager, or his designee, to sell City-owned real property identified by various City departments as excess. The properties to be sold are as listed below:

<u>Address/Location</u>	<u>Assessor Parcel Number</u>	<u>Controlling Department(s)</u>
North Side of Greenway, 12th Street to 9th Street	214-16-001 (portion) 214-16-002 (portion)	Street Transportation and Library
4056 East Washington	124-08-024 124-08-025 124-08-026	Fire

124-08-027

5347 North 19th Avenue	156-36-002B	Public Transit
1124 West Camelback	156-41-070A	Public Transit
139 East Jesse Owens Parkway	114-16-004C 114-16-001C 114-16-001D	Finance

The properties are to be advertised on the open market through the Council-approved broker, Jones Lang LaSalle, at market value to be determined by an appraisal, broker opinion of value, or other valuation method accepted by the City. Further request authorization to negotiate with bidder(s) in order to yield the highest dollar return to the City, as deemed acceptable by the City Manager, or his designee.

The City Manager, or his designee, will select the highest responsive and responsible offer based on market value, and enter into an Agreement to Purchase Real Property containing terms and conditions deemed necessary and appropriate by the City. The subsequent fee simple conveyance will be by Special Warranty Deed.

The property on Greenway and 12th Street was previously discussed at the April 17, 2013 Finance, Efficiency, and Economy Subcommittee meeting. The remaining four properties were recommended for marketing and sale at the March 19, 2014 Finance, Efficiency, Economy, and Sustainability Subcommittee meeting.

This bears the recommendation of the Street Transportation Director, City Librarian, Acting Fire Chief, Interim Public Transit Director, and Deputy Finance Director.

This item is also recommended by Mr. Zuercher.

**ITEM 51 DISTRICT 6 ORDINANCE S-40731 -
LICENSE AGREEMENT WITH NEW CINGULAR
WIRELESS PCS, LLC FOR CITY-OWNED
PROPERTY AT 2075 EAST MARYLAND AVENUE**

Request to authorize the City Manager, or his designee, to enter into a license agreement with New Cingular Wireless PCS, LLC to license approximately 1,984 square feet of land located at 2075 East Maryland Avenue for a wireless communications facility.

The license terms will conform to Ordinance S-35981, adopted by the City Council on April 1, 2009, for wireless communications equipment on City-owned property. The license will contain the following terms and conditions:

1. License Term: Five years.
2. Option: One, five-year option under same terms and conditions.
3. Cancellation: Arizona Revised Statutes 38-511. Additionally, the license may be cancelled immediately by the City after default by licensee or upon a 90-day written notice from licensee.
4. License Rate: Initial rate of \$900 per month plus applicable taxes, per Ordinance S-35981. License rate will increase 3 percent annually.
5. Utility Fees: Licensee will provide and maintain all utility services such as electricity and communication lines to the site.
6. Access: To be determined by Water Services.
7. Construction/ Maintenance/ Repairs: Licensee is responsible for all required construction, permits, repairs, and maintenance to the site.
8. Insurance: License will contain insurance and indemnity provisions acceptable to the

City's Risk Management Division and the City Attorney.

9. Other: License may contain such other terms and conditions deemed necessary or appropriate.

Further request authorization for the City Controller to disburse funds and the City Treasurer to accept funds in accordance with the license terms.

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

This item is also recommended by Mr. Naimark.

ITEM 52

DISTRICT 7

**ORDINANCE S-40732 -
AMEND LEASE 119540-OL-003 WITH QWEST
COMMUNICATIONS COMPANY, LLC AT 2120
NORTH CENTRAL TO EXPAND PREMISES**

Request to authorize the City Manager, or his designee, to amend Lease 119540-OL-003 between the City of Phoenix and Qwest Communications Company, LLC, doing business as CenturyLink QCC, to expand the original premises of 18,505 square feet by adding 233 square feet.

The additional 233 square feet is needed in order to install an air conditioning condenser for CenturyLink's newly-added equipment within their existing leased space of 18,505 square feet. The condenser will be installed on the exterior between the building and parking structure. The additional square-footage is permitted under the terms of the lease as the utility installation space which is included in the current base rent.

All other terms and conditions of Lease 119540-OL-003 remain unchanged.

This bears the recommendation of Acting Human Services Director and the Deputy Finance Director.

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

ITEM 53

OUT OF CITY

**ORDINANCE S-40733 -
LEASE APPROXIMATELY 120 ACRES OF CITY-
OWNED PROPERTY AT THE SR 85 LANDFILL TO
APS FOR SOLAR FACILITY**

Request to authorize the City Manager, or his designee, to enter into a land lease with Arizona Public Service Company (APS), an Arizona corporation, for approximately 120 acres of vacant City-owned property located at the State Route 85 Landfill, west of State Route 85 and south of Patterson Road. The property is located within the southern portion of Assessor Parcel Number 401 66-026C, south of the landfill's south detention basin, and is roughly 8 feet to 10 feet above grade as a result of fill dirt from development of the detention basin. The purpose of the lease is for the construction and operation of a Photovoltaic Solar Generating Facility.

The lease is subject to the following terms and conditions:

1. Lease Term: 37 years.
2. Options: Three, three-year options.
3. Lease Rate: \$350 per acre per year, plus applicable taxes, with six percent increases every three years. Base rent will be adjusted to market rent based on an appraisal at the beginning of Years 14 and 26, and each option period. Base rent is currently within the range of market rents as determined by the Real Estate Division.
4. Access: Access to the leased site will be from Patterson Road along a 25-foot strip of land bordering the eastern property line, within an area to be used for future electrical easements.

5. Tenant Improvements: Lessee is responsible for all costs and construction of all tenant-owned improvements.
6. Maintenance: Lessee is responsible for all maintenance and repairs of leased property, including dust control.
7. Cancellation: Arizona Revised Statutes 38-511. Lessee may terminate lease upon written notice.
8. Insurance and Indemnity: Lease will contain insurance and indemnity provisions acceptable to the City's Risk Management Division and the City Attorney.
9. Other: This lease may contain other terms and conditions deemed necessary or appropriate.

Further request authorization for the City Treasurer to accept all necessary funds for rent during the term of this lease.

This item bears the recommendation of the Public Works Director and the Deputy Finance Director.

This item is also recommended by Mr. Naimark.

ITEM 54

DISTRICT 7

**ORDINANCE S-40734 -
AMEND LOAN AGREEMENT 83545 WITH
PARADISE PALMS SENIOR HOUSING LIMITED
PARTNERSHIP**

Request to authorize the City Manager, or his designee, to amend HOME Investment Partnerships Program (HOME) Loan Agreement 83545 with Paradise Palms Senior Housing Limited Partnership. Authorization is also requested for the City Manager to execute all necessary documents.

Loan Agreement 83545 in the amount of \$250,000 was executed in 1998 to assist with the development of Paradise Palms I. The apartment complex, located at 304 West Southern Avenue, is comprised of 104 units and serves tenants who are 55 years of age and older. Five units are designated as HOME units until 2030.

The owner desires to refinance the existing primary debt for the purpose of lowering the interest rate. The refinancing of the property will also ensure that the property will not default on its City note, will improve cash flow available to make payments on the City loan and assist in maintaining affordable housing units. The owner is requesting: 1) continued subordination of the City note to the primary debt, and 2) restructuring the City loan terms by making the current hard pay, 5.25 percent compounding interest note a 4 percent simple interest cash flow note, which is consistent with the current Affordable Housing Loan Program and Underwriting Guidelines. A subordinate cash flow note is being required by the new primary lender. The original 5.25 percent interest rate on the loan was the Applicable Federal Rate (AFR) required in 1998 under the regulations of the Low Income Housing Tax Credit (LIHTC) Program. The regulation has since changed and the LIHTC Program no longer requires the use of the AFR. The beginning principal of the restructured City loan will include the remaining unpaid principal plus all unpaid accrued interest under the 5.25 percent interest rate. This action would supersede Ordinance S-40352 approved by the City Council on November 6, 2013, which never resulted in a contract amendment.

Financial Impact

There is no financial impact to the General Fund.

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

ITEM 55

DISTRICT 5

**ORDINANCE S-40735 -
AWARD HEAD START SLOTS AND ENTER INTO
CONTRACT WITH GREATER PHOENIX URBAN
LEAGUE**

Request to authorize the City Manager, or his designee, to award 280 Head Start slots at Cartwright Child Care Center to Greater Phoenix Urban League and enter into a contract for \$1,302,728 for the period of July 1, 2014 to June 30, 2015. Authorization is also requested for the City Controller to disburse all funds for payment of services performed under this contract.

Greater Phoenix Urban League was selected in accordance with the Request for Proposals process established in Administrative Regulation 3.10. A Request for Proposals was issued August 29, 2013, with a due date of November 8, 2013, after the Arizona Children's Association determined it was unable to continue to provide Head Start services. Two proposals were received by the due date.

The Evaluation Committee, comprised of Human Services Department staff and a community expert in early childhood, reviewed the proposals on December 16, 2013. The committee unanimously recommended the slots be awarded to Greater Phoenix Urban League.

-
Program Impact

This contract will provide for the continued delivery of comprehensive Head Start services to 280 children in the Cartwright School District.

Financial Impact

No City General Funds are required. The 25 percent non-federal share match requirement will be provided by Greater Phoenix Urban League.

-
The Parks, Arts, Transparency, and Education Subcommittee recommended approval of this item on March 26, 2014.

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

ITEM 56

CITYWIDE

**ORDINANCE S-40736 -
PEOPLESOFT DEVELOPER PROFESSIONAL
SERVICES**

Request to authorize the City Manager, or his designee, to enter into an agreement with Envision, LLC to provide PeopleSoft Developer professional services in the amount of \$200,000. Further request to authorize the City Controller to disburse funds over the life of the agreement.

In March 2014, the Information Technology Services Department solicited vendors from the Information Technology Professional Services Qualified Vendors List to augment existing PeopleSoft technical staff to assist the Phoenix Police Department in moving the functionality of their human resources and case management system to the City's system of record, eCHRIS. This move is necessary to comply with the needs of the Phoenix Police Department's new Records Management System.

Financial Impact

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

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

ITEM 57

DISTRICT 3

**ORDINANCE S-40737 -
FABRICATION AND CONSTRUCTION
OVERSIGHT CONTRACT FOR THE HATCHER
ROAD STREETScape PUBLIC ART PROJECT**

Request to authorize the City Manager, or his designee, to enter into a contract with California Artist Gordon Huether, for an amount not to exceed \$127,000, to fabricate and oversee construction and installation of sculptural landmarks as part of the Hatcher Road Streetscape Public Art Project. Authorization is also requested for the City Controller to disburse the funds over the life of the contract.

The Fiscal Year 2013-2018 Public Art Project Plan includes a project to commission artist Gordon Huether to fabricate and install enhancements as part of the Street Transportation Department's improvement of Hatcher Road between Central Avenue and 3rd Street. The street improvements would widen sidewalks and add shade trees to increase pedestrian comfort along the street. Mr. Huether's sculptural landmarks would be sited at each end of the streetscape improvements, at Central Avenue and 3rd Street. Fabricated with stainless steel and dichroic glass, the sculptures would be mounted on locally-quarried granite boulders. The glass, designed to change color with shifting light, would be safely embedded in the stainless steel. The sculptures, including their stone bases, would measure approximately 8-foot by 4-foot by 1-foot.

The Hatcher Road Public Art Project is one of 60 projects in the Fiscal Year 2013-18 Public Art Project Plan approved by City Council on July 3, 2013. The Phoenix Arts and Culture Commission reviewed and recommended approval of this item at its

February 19, 2014 meeting. The Parks, Arts, Transparency, and Education Subcommittee recommended approval of this item at its March 26, 2014 meeting.

This item is recommended by Ms. Spencer and the Phoenix Office of Arts and Culture.

ITEM 58

CITYWIDE

**ORDINANCE S-40738 -
KIVA IMS PROFESSIONAL SERVICES
CONTRACT**

Request to authorize the City Manager, or his designee, to enter into a source contract with MAMIT, LLC to provide professional services for maintenance and updates to the KIVA IMS application. Further request to authorize the City Controller to disburse the necessary funds for the purpose of this ordinance in an amount not to exceed \$114,400.

MAMIT, LLC will provide KIVA IMS standard maintenance, changes to meet SB 1598 requirements, updates, support, and training to IT staff. As part of the support, the vendor will ensure the application is running and available each business day.

MAMIT, LLC owns the source code for KIVA IMS and, therefore, is the sole provider for these services.

Financial Impact

Funds are available in the Development Services fund. This contract is effective May 19, 2014, for one year, with an option to extend for one additional year. Contract funding will not exceed \$114,400 over the life of the entire contract.

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

ITEM 59

CITYWIDE

**ORDINANCE S-40739 -
AMEND CONTRACT 133007 WITH THE
SOUTHWEST BORDER ANTI-MONEY
LAUNDERING ALLIANCE**

Request to authorize the City Manager, or his designee, to accept Amendment 1 of the Intergovernmental Agreement (IGA), Contract 133007 with the Southwest Border Anti-Money Laundering Alliance (Alliance). Amendment 1 provides additional funding in an amount not to exceed \$2.4 million and extends the contract end date from August 31, 2013 to December 31, 2015, to reimburse salaries and fringe benefits of staff assigned to the Alliance. Authorization is also requested for the City Controller to receive and disburse funds.

The Alliance is one component of an anti-money laundering program that Western Union Financial Services, Inc. agreed to finance in a February 2010 settlement agreement with the Arizona Attorney General's Office. The Phoenix Police Department is a member of the Alliance with Chief of Police, Daniel V. Garcia assigned as an Executive Board member. The mission of the Alliance is to reduce money laundering and the violence associated with smuggling organizations operating in the southwest border area by establishing collaborative relationships and permanent processes. The original contract was approved by the City Council in February 2011. The funding period specified in the original agreement was from June 1, 2011 through August 31, 2013.

No cash match is required. Cost to the City is in-kind resources only.

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

ITEM 60

CITYWIDE

**ORDINANCE S-40740 -
APPLY FOR AND ACCEPT HIGH INTENSITY
DRUG TRAFFICKING AREA 24 FUNDS FROM
THE OFFICE OF NATIONAL DRUG CONTROL
POLICY**

Request to authorize the City Manager, or his designee, to apply for and accept High Intensity Drug Trafficking Area (HIDTA) 24 funds in an amount not to exceed \$2,000,000 from the Office of National Drug Control Policy. The funding period is anticipated to be from January 1, 2014, through December 31, 2015. Authorization is also requested for the City Controller to receive and disburse funds.

Historically, HIDTA funds are used to continue support and enhancement of the Phoenix Police Department Drug Enforcement Bureau's Investigations and Street Enforcement Units during complex narcotics distribution enterprise investigations in the Phoenix area and throughout Arizona. These complex investigations, including Title III investigations, usually involve partnerships with other local, state, and federal law enforcement agencies and are normally conducted from the Maricopa County HIDTA Center. The investigations aim to identify and disrupt drug organizations responsible for distributing drugs into the Phoenix area and throughout the United States. Most of the investigations have connections to the Mexican and Columbian drug cartels.

Public Safety and Veterans Subcommittee reviewed this item at their April 9, 2014 meeting.

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

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

ITEM 61

CITYWIDE

**ORDINANCE S-40741 -
LETTER OF AGREEMENT WITH THE DRUG
ENFORCEMENT ADMINISTRATION**

Request to authorize the City Manager, or his designee, to enter into a Letter of Agreement (LOA) with the U.S. Department of Justice, Drug Enforcement Administration (DEA) for the Cannabis Eradication Project. The funding amount for this LOA is \$28,000; however, the Police Department is also requesting authorization to accept any additional DEA funds, should they become available during the funding period, not to exceed \$150,000. The agreement funding period is January 1, 2014 through December 31, 2014. Authorization is also requested for the City Controller to receive and disburse funds.

This is an annual agreement that the Phoenix Police Department enters into with DEA. Funding will continue to support and reimburse for supplies and overtime incurred as a result of investigations specifically targeting marijuana eradication. The purpose of this program is to focus on disrupting the illicit drug traffic in the State of Arizona by gathering and reporting intelligence data relating to the illicit cultivation, possession, and distribution of marijuana. The task force will investigate and report instances involving the trafficking of marijuana, and provide law enforcement personnel for the eradication of illicit cannabis.

Cost to the City are the fringe benefits associated with the overtime expenditures.

The Public Safety and Veterans Subcommittee reviewed this item at their April 9, 2014 meeting.

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

ITEM 62

CITYWIDE

**ORDINANCE S-40742 -
MEMORANDUM OF UNDERSTANDING WITH
U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT, HOMELAND SECURITY
INVESTIGATIONS**

Request to authorize the City Manager, or his designee, to enter into a Memorandum of Understanding with U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) for reimbursement of overtime, and other costs associated with participating in joint operations. Maximum reimbursement is \$15,000 per officer, per year, not to exceed \$700,000. The effective funding date is when the agreement is signed by both parties and remains in force unless explicitly terminated in writing by either party. Authorization is also requested for the City Controller to receive and disburse funds.

The Phoenix Police Department (PPD) has participated in the ICE/HSI initiated investigations of federal offenses for several years. The last reimbursement agreement the City of Phoenix had with ICE/HSI was established in 2008 and has since expired. This new agreement will allow for reimbursement of overtime, and investigative expenses; such as travel, training, and other similar costs for PPD officers who provide necessary manpower to assist in the federal investigations occurring in the Phoenix area. Fringe benefits associated with the overtime are not reimbursable.

Cost to the City is the fringe benefits associated with the overtime hours and in kind resources only.

The Public Safety and Veterans Subcommittee reviewed this item at their April 9, 2014 meeting.

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

ITEM 63**CITYWIDE****ORDINANCE S-40743 -
SALE OF CANINE, RABBIT**

Request to authorize the sale of canine "Rabbit", for one dollar. The purchase of canine "Rabbit" is being made by Officer Mark Green.

Officer Mark Green, currently assigned to the Tactical Support Bureau's Canine/Specialty Vehicle Detail, is retiring on May 22, 2014, after 32 years of service and has requested to purchase and retire his assigned canine "Rabbit" in accordance with Administrative Regulation 4.21.

Canine "Rabbit" is eight years old and has served the Tactical Support Bureau with professionalism, dedication, and exemplary effort as a Police Service Dog for over seven years.

Officer Green agrees to accept full responsibility and liability for "Rabbit" until his death.

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

ITEM 64**CITYWIDE****ORDINANCE S-40744 -
SELL ONE OLD MOVING RADAR SYSTEM TO
THE 100 CLUB OF ARIZONA**

Request authorization to sell the Stalker Moving Radar System, Inventory X251062, owned by the City of Phoenix, to the 100 Club of Arizona for one dollar.

The Phoenix Police Department is in possession of six Stalker Brand Moving Radar Systems which were removed from department-owned Kawasaki motorcycles when they were returned as surplus and sold. The systems are not compatible with the current fleet of motorcycles and considered obsolete. Additionally, the units have not been calibrated or serviced in more than five years and their functionality is questionable. The units were purchased in 2003 for approximately \$1,900. There is no resale market for these units.

The 100 Club of Arizona maintains a Kawasaki Police Motorcycle which they purchased from the Mesa Police Department. The motorcycle is painted with the 100 Club logo and used by the Club for fund raising events throughout the state. At no time, is the motorcycle used for traffic control or enforcement.

The 100 Club has requested the use of one of the moving radar units to install on their motorcycle for the increased visual appearance of this valuable fund raising tool. The unit will never be used to take enforcement action nor will it ever be calibrated for accuracy.

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

ITEM 65**OUT OF CITY****ORDINANCE S-40745 -
AMEND BUCKEYE LANDFILL IGA FOR SOLAR
PROJECT**

Request to authorize the City Manager, or his designee, to amend the Intergovernmental Agreement (IGA) with the City of Buckeye (formerly known as Town of Buckeye) for the operation of the SR-85 Landfill within the Buckeye city limits, to allow for the development of a solar project on acreage currently designated for a future open space park.

Authorization is requested for the City Controller to disburse funds for the purpose of the ordinance in an amount not to exceed \$3,000,000.

On January 16, 2002, the City Council authorized the City Manager to enter into an IGA with the Town of Buckeye to formalize the obligations of both parties regarding the siting and operation of a City of Phoenix landfill in the Town of Buckeye. The IGA was enacted on February 12, 2002, and the landfill site was annexed into the Town of Buckeye on August 2, 2002. On December 16, 2002, the Restated IGA, including royalty payments based on landfill tonnage and site stipulations, was executed to supersede and replace the original IGA. On October 7, 2009, the City Council authorized staff to enter into simultaneous contract negotiations with two vendors for development of a renewable energy project and also on November 4, 2009, to enter into negotiations with the Town of Buckeye to amend the City's IGA for this development. The negotiations did not result in a completed solar project at the landfill.

This amendment is to authorize a 10MW solar project located on a portion of the landfill that was originally designated for a future

Buckeye open space park. This Restated IGA with Buckeye releases Phoenix from the park requirement at the landfill so that the solar project can take place on this site. The City of Phoenix will pay the City of Buckeye \$3,000,000 previously allocated for the future park to allow Buckeye to build a park in an alternate location outside of Phoenix's SR-85 landfill operations. This amendment also releases the City of Phoenix from the solar royalty obligation defined in the Third Amendment to the Restated Intergovernmental Agreement.

Authorization is needed to amend the existing IGA with the City of Buckeye to install the 10 megawatt solar project.

Provisions of this agreement will be amended and will be exercised if considered in the City's best interest to do so.

Funding in the amount of \$3 million is available in Solid Waste Bonds.

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

ITEM 66

CITYWIDE

**ORDINANCE S-40746 -
TRANSFER OF RETIREMENT FUNDS TO
ARIZONA STATE RETIREMENT SYSTEM**

Request to authorize the transfer of credited service and disbursement of amount from the retirement funds as follows:

Brenda Sutton \$121,713.47

Pursuant to Arizona Revised Statutes Section 38-730, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System (ASRS) upon approval by the Council.

Arizona Revised Statutes Section 38-730 permits reciprocity of credited service between the two retirement systems pursuant to Section 38-922.

The COPERS Board approved the transfer and disbursement for the above listed individual at its March 21, 2014 meeting.

This request is hereby made by the Retirement Program Administrator and the COPERS Board.

This item is also recommended by Mr. Zuercher.

ITEM 67

DISTRICT 6

**ORDINANCE S-40747 -
WS85290022 - 24TH STREET WATER
TREATMENT PLANT REHABILITATION - CMAR -
CONSTRUCTION CONTRACT AWARD**

Request to authorize the City Manager, or his designee, to enter into an agreement with J.R. Filanc Construction Company, Inc., Phoenix, Arizona, to provide Construction Manager at Risk (CMAR) construction phase services for the 24th Street Water Treatment Plant (WTP) Rehabilitation project, located at 6202 North 24th Street. Further request to authorize the City Controller to disburse funds for the purpose of this ordinance. Approval of funds in an amount not to exceed \$8,400,000 is requested for this project.

A condition assessment of the WTP treatment systems indicated that various systems are deteriorating and are in need of rehabilitation/replacement due to age and usage. The CMAR construction phase services include, but are not limited to: concrete repairs and equipment rehabilitation/replacement in the flocculation and sedimentation basins; replacement of chlorine piping in the Chlorine Building; and installation of a redundant water supply for the fire system in the Solids Handling Facility.

J.R. Filanc Construction Company, Inc. was chosen for this project using a qualifications-based selection process as authorized by Title 34 of the Arizona Revised Statutes.

Financial Impact

The CMAR's construction fee shall not exceed \$8,400,000, which includes all subconsultant, subcontractor, and reimbursable costs. Funds are available from Water Revenue as part of the Water Services Department Capital Improvement Program.

Small Business Enterprise (SBE)

An SBE subcontractor participation goal will be set in the near future prior to the commencement of work.

Previous City Council Action

The City Council approved design services Contract 136487 and CMAR Design Phase Services Contract 136486 on July 3, 2013.

Citizen Notification

There have been no public notifications or meetings to date regarding this project.

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 68 DISTRICT 8 ORDINANCE S-40748 -
PT03120003 - EAST BASELINE ROAD PARK-
AND-RIDE - DESIGN-BID-BUILD**

Request to authorize the City Manager, or his designee, to accept TSG Constructors, LLC, Phoenix, Arizona, as the lowest priced responsive and responsible bidder and to enter into a contract with TSG Constructors, LLC for construction services in support of the East Baseline Road Park-And-Ride construction project. The contract may contain other terms and conditions deemed necessary or appropriate by the City Manager, or his designee. Further request authorization for the City Controller to disburse the necessary funds for the purpose of this ordinance in an amount not to exceed \$2,667,000.

Report of five bids received in compliance with Arizona Revised Statutes, Title 34, by the Street Transportation Department on February 25, 2014, to provide construction services in support of the East Baseline Road Park and Ride construction project. The five bids were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and general contractor responsiveness in demonstrating compliance with the project's Disadvantaged Business Enterprise (DBE) program outreach requirements. Bidders two and three did not submit all required DBE paperwork and were deemed non-responsive. The low bidder, as well as bidders four and five were found responsive.

Bids ranged from a low of \$2,667,000 to a high of \$3,738,640. The engineer's estimate, second lowest responsive bidder, and the lowest responsive and responsible bidder, indicated by an asterisk, are listed below:

	<u>Total</u>	<u>DBE Availability</u>
Engineer's Estimate	\$3,547,961	Race/Gender Neutral 0%
Nesbitt Contracting Co., Inc.	\$3,735,000	3.06%
TSG Constructors, LLC*	\$2,667,000	8.55%

Recommendation

The Street Transportation Department recommends award of the base bid to the lowest responsible bidder, TSG Constructors, LLC, in an amount not to exceed \$2,667,000.

Financial Impact

Funding is available in the Public Transit Department's Capital Improvement Program budget utilizing Federal Transit Administration and Proposition 400 funds.

Previous City Council Action

On February 26, 2014, the City Council awarded Construction Administration and Inspection Services Contract 137864.

Citizen Notification

There have been no public notifications or meetings to date regarding this project.

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

The Public Transit Department concurs with this request.

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

ITEM 69

DISTRICTS 1, 7, AND 8

**ORDINANCE S-40749 -
AVIATION ENVIRONMENTAL ON-CALL
CONSULTING SERVICES FOR FISCAL
YEARS 2014-2015 AND 2015 2016**

Request to authorize the City Manager, or his designee, to enter into separate agreements with eight firms to provide aviation environmental on-call consulting services as-needed during the term of the agreements. The agreements may contain other terms and conditions deemed necessary or appropriate by the City Manager, or his designee.

Further request to authorize the City Controller to disburse the necessary funds for the purpose of this ordinance in an amount not to exceed \$4,000,000 over the life of the agreements.

Services under the agreements may include environmental studies and site assessments; regulatory compliance development or permitting or both; soil, vapor, and groundwater sampling; remediation projects; and emissions inventories. The agreements will be utilized on an as-needed basis for a two year period beginning July 1, 2014. The amount to be paid to each firm will be established at a not-to-exceed amount of \$500,000. The firms are as follows:

- Clear Creek Associates, PLC (Scottsdale)
- URS Corporation (Phoenix)
- ATC Group Services Inc., dba Cardno ATC (Tempe)
- AMEC Environment & Infrastructure, Inc. (Phoenix)
- Geosyntec Consultants, Inc. (Phoenix)
- Atwell, LLC (Mesa)
- CDM Smith, Inc. (Phoenix)
- Four Corners Environmental, Inc. (Glendale)

The firms will provide aviation environmental on-call services to the Aviation Department for Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport. These on-call agreements will provide a contracting option to the Aviation Department to execute work quickly, efficiently, and without having to individually procure services for each specific project.

The firms were chosen by using a qualifications-based selection process authorized by Title 34 of the Arizona Revised Statutes. Based on this selection process, the firms were determined to be the most qualified to provide the required services for this project.

Financial Impact

Funds are available in the Aviation Department's Capital Improvement Program and General Operating budgets.

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

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

ITEM 70

DISTRICTS 1, 7, AND 8

**ORDINANCE S-40750 -
AVIATION SUSTAINABILITY ON-CALL
CONSULTING SERVICES FOR FISCAL
YEARS 2014-2015 AND 2015 2016**

Request to authorize the City Manager, or his designee, to enter into separate agreements with five firms to provide aviation sustainability on-call consulting services. The agreements may contain other terms and conditions deemed necessary or appropriate by the City Manager, or his designee. Further request authorization for the City Controller to disburse the necessary funds for the purpose of this ordinance in an amount not to exceed \$1,500,000 over the life of the agreements.

Services under the agreements may include staff training of various U.S. Green Building Council Leadership in Energy and Environmental Design standards, innovative technology research and recommendations, mechanical and electrical energy conservation planning and auditing, and sustainability program implementation. The agreements will be utilized on an as-needed basis for a two year period beginning July 1, 2014. The contract amount for each firm will be established at a not-to-exceed amount of \$300,000. The firms are as follows:

- URS Corporation (Las Vegas, Nevada)

- HDR Architecture, Inc. (Omaha, Nebraska)
- Mead and Hunt, Inc. (Madison, Wisconsin)
- LeighFisher, Inc. (Wilmington, Delaware)
- C & S Companies (Syracuse, New York)

The firms will provide aviation sustainability on-call services to the Aviation Department for Phoenix Sky Harbor International Airport, Deer Valley Airport, and Goodyear Airport. The on-call agreements will provide a contracting option to the Aviation Department to execute work quickly and efficiently without having to individually procure services for each specific project.

The firms were chosen by using a qualifications-based selection process authorized by Title 34 of the Arizona Revised Statutes. Based on this selection process, the firms were determined to be the most qualified to provide the required services for this project.

Financial Impact

Funds are available in the Aviation Department's Capital Improvement Program and the operating budget.

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

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

<u>ITEM 71</u>	DISTRICTS 5 AND 7	ORDINANCE S-40751 - WS85500385 - SOUTHWEST ZONE 1 TRANSMISSION MAIN CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES
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Request to authorize the City Manager, or his designee, to enter into an agreement with Stanley Consultants, Inc., Phoenix, Arizona, to provide construction administration and inspection services for the Southwest Zone 1 Transmission Main project. Further request to authorize the City Controller to disburse the funds in an amount not to exceed \$1,410,636 for the purpose of this ordinance.

The engineer was chosen for this project using a qualifications-based selection process as authorized by Title 34 of the Arizona Revised Statutes.

The project will install approximately 2,600 feet of 16-inch main in 91st Avenue from Camelback Road to Campbell, 2,100 feet of 16-inch main in Indian School Road from 91st Avenue to the Loop 101 Freeway, and 21,000 linear feet of 36 inch water main in Buckeye Road from 35th to 67th Avenues. This project will provide redundancy to an existing water transmission main located on Indian School Road between 35th Avenue and 99th Avenue. Construction administration and inspection services include, but are not limited to: managing the construction schedule; performing site visits; reviewing shop drawing and test results; interpretation and clarification of contract documents; certifying progress payments; substantial and final completion inspections; materials testing; the services of an on-site inspector throughout the construction; and special services as may be identified for the project.

Financial Impact

This agreement with Stanley Consultants, Inc., for construction administration and inspection services shall not exceed \$1,410,636, including all subconsultant and allowable costs. The estimated construction cost is \$17.5 million. Funding for these services is available in the Water Services Department Capital Improvement Program using Water Revenue (Fund 0051).

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

The Water Services Department concurs with this request.

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

<u>ITEM 72</u>	DISTRICTS 7 AND 8	ORDINANCE S-40752 - ST85100272 - CHANGE ORDER 2 TO PROVIDE ADDITIONAL DESIGN SERVICES FOR ROOSEVELT STREET NARROWING PROJECT
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Request to authorize for the City Manager, or his designee, to approve Change Order 2 for Design Contract 131949 with Ritoch Powell & Associates for the Roosevelt Street Narrowing project. Further request authorization for the City Controller to disburse

additional funds for the purpose of the agreement in an amount not to exceed \$46,136.57.

This project consists of narrowing the roadway to make room for wider sidewalks, lighting, landscaping, site furnishings, and shade structures. The number of through travel lanes will remain the same. This change order covers additional design services that are required to revise the current design by eliminating turn lanes and modifying two right-of-way triangles located between 3rd Street and 4th Street just north of Roosevelt Street and just south of Roosevelt Street, west of 3rd Street. It also covers additional post design services including shop drawing review, response to contractor's requests for information, and attendance of pre-construction and field meetings as necessary.

Financial Impact

Change Order 2 for \$46,136.57 will increase Contract 131949 from \$189,322.79 to \$235,459.36. Funds are available in the Street Transportation Capital Improvement Arizona Highway Users Revenue budget.

Previous City Council Action

The City Council awarded the original contract for the amount of \$152,502 on September 14, 2011. On May 9, 2013, Change Order 1 in the amount of \$36,820.79 was approved to provide additional design services due to revisions requested by area stakeholders.

Citizen Notification

Numerous contacts were made with area stakeholders, including representatives from the Roosevelt Row Community Development Corporation, Evans Churchill Neighborhood Association, and the Thunderdome Neighborhood Association for Non-Auto Mobility, to obtain input on the design elements of this project. Public information during construction will be provided by InRoads Info. A public pre construction meeting will be held and flyers with project contact information will be distributed notifying residents and businesses of the upcoming work.

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

ITEM 73

DISTRICTS 7 AND 8

**ORDINANCE S-40753 -
WS90160091 - SOUTHERN AVENUE
INTERCEPTOR AND MANHOLE
REHABILITATION DESIGN**

Request to authorize the City Manager, or his designee, to enter into an agreement with Dibble Engineering, Phoenix, Arizona, to provide for the rehabilitation of the Sub-Regional Operating Group (SROG) Southern Avenue Interceptor (SAI). Further request to authorize the City Controller to disburse the funds for the purpose of this ordinance.

This consultant was chosen using a qualifications-based selection process as authorized by Title 34 of the Arizona Revised Statutes.

The SAI is a polyvinyl chloride (PVC)-lined sewer interceptor that starts at 48th Street and Southern Avenue, and extends across Phoenix to the 91st Avenue Wastewater Treatment Plant. The City of Phoenix recently completed a condition assessment of the SAI that recommended rehabilitation of five sewer segment locations and 139 manholes. Project sewer sizes range from 48-inches to 60-inches in diameter. Manholes vary in size and depth, and may include cast-in-place junction structures. The estimated construction cost is \$5 million.

Design services include, but are not limited to: meeting participation; data research; preparation of topographic survey; geotechnical investigation; completion of utilities studies; an alternative resolutions evaluation; preparation of a design report, construction documentation, specifications and cost estimate preparation; and bidding assistance.

Financial Impact

The engineer's fee shall not exceed \$350,060, including all subconsultant and allowable costs. Funds for these services are available from the Water Services Department Capital Improvement Program using:

<u>Fund Source</u>	<u>Funding</u>	<u>Amount</u>
Wastewater Revenue (0090)	28.85%	\$100,992.31
SROG CIP (0400)	71.15%	\$249,067.69

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

The Water Services Department concurs with this request.

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

ITEM 74

CITYWIDE

**ORDINANCE S-40754 -
AGREEMENT TO CONTINUE SUPPORT
SERVICES FOR CUSTOMER CARE AND BILLING
ENVIRONMENT**

Request to authorize the City Manager, or his designee, to amend Agreement 136045 with Envision, LLC to provide Customer Care and Billing (CC&B) application administrator support to the Water Services Department (WSD). Authorization is also requested for the City Controller to disburse funds over the life of the contract.

This agreement was awarded in May 2013 as a result of an Information Technology Services Department (ITSD) solicitation. Due to difficulties in hiring qualified staff, ITSD determined that staff augmentation was necessary to adequately support the CC&B application used by the Water Services and Public Works Departments. The staff provided under the agreement has been involved in application deployments, and development of operational processes, policies, and standards for a variety of application interfaces related to CC&B.

ITSD was recently successful in filling the CC&B administrator role. WSD wishes to continue the agreement to ensure current projects remain on targeting include the critical E-Pay Project, which must be complete by September 30. The support the CC&B data interfaces requires a high level skill set that the current contractor has demonstrated. The database structure is very complex and many processes can affect data interfaces.

Financial Impact

This amendment will extend the contract term for no more than six months and increase the contract value by \$156,000 to a total amount not to exceed \$506,000. Council previously approved expenditures up to \$350,000 in May and October 2013. Funds are available in the Water Services Department operating budget.

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This item is recommended by Mr. Naimark and the Water Services Department.

ITEM 75

DISTRICT 8 AND OUT OF CITY

**RESOLUTION 21209 -
ISSUANCE OF ONE OR MORE SERIES OF UP TO
\$75,000,000 OF THE INDUSTRIAL
DEVELOPMENT AUTHORITY OF THE CITY OF
PHOENIX, ARIZONA, TAX-EXEMPT AND/OR
TAXABLE EDUCATION FACILITY REVENUE
BONDS (LEGACY TRADITIONAL SCHOOLS
PROJECT) - SERIES 2014A**

(Continued from April 2, 2014) - Request by Athlos Traditional Academy (the "Applicant" or "Athlos"), 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 \$75,000,000 of Education Facility Revenue Bonds (the "Revenue Bonds") to: a) finance the acquisition, construction, renovation, improvement, and equipping of charter school facilities (the "Project"); and b) pay certain costs related to the issuance of the Revenue Bonds.

The Applicant is the representative of three other affiliated charter schools, Legacy Traditional School-Avondale (Avondale), Legacy Traditional School-Laveen (Laveen), and Legacy Traditional School-Northwest Tucson (Northwest Tucson). The Project is described by the Applicant as including: a) acquisitions of the existing Athlos, Avondale, Laveen, and Northwest Tucson charter school campuses, all of which serve grades K through 8; and b) improvements to the Athlos, Avondale, and Northwest Tucson campuses. The Athlos campus is located at 3201 South Gilbert Road in Chandler. The Avondale campus is located at 12320 West Van Buren Street in Avondale. The Laveen campus is located at 7900 South 43rd Avenue in Phoenix, District 8. The Northwest Tucson campus is located at 3500 West Cortaro Farms Road in Tucson.

Fees that are collected at closing or 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 March 20, 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 76

DISTRICTS 7 AND 8

**PUBLIC HEARING -
RESOLUTION 21215 -
LEGAL FINDING FOR THE RIO SALADO
REDEVELOPMENT AREA**

(Continued from April 2, 2014) - Request to hold a public hearing and adopt a resolution finding the existence of a Redevelopment Area in the City of Phoenix and declaring the necessity of such area.

At the June 11, 2013, City Council Policy Session, City Council directed staff to begin the process for studying the proposed Rio Salado Redevelopment Area. The City Council, on November 20, 2013, authorized an amendment to an existing contract with Discovery Triangle Development Corporation to study the subject area to determine eligibility for the formation of a redevelopment area. Significant studies of the area, along with several revitalization efforts, have already been done over the last decade. These past planning efforts provide foundation for the redevelopment study area designation and the goals of those plans will be further implemented by adoption as a redevelopment area. The study area is generally bounded by I-17 to the north; Broadway Road to the south; 19th Avenue to the west; and 16th Street to the east.

A comprehensive study of the area's current land use; building and neighborhood maintenance ordinance enforcement; and incidence of crime and fire was conducted by Discovery Triangle Development Corporation. In view of this information, the Planning and Development Department, Community and Economic Development Department, and Discovery Triangle Development Corporation have determined that:

1. There is deterioration of the area and its improvements;
2. There are unsafe and unsanitary conditions that relate to the condition of the property; and
3. There is faulty lot layout in relation to size, shape, and configurations.

These factors retard the provision of economic development; constitute a social liability; and detract from the provision of public health, safety, morals, or welfare in their present state and use. Individually or in combination, these conditions substantially impair or arrest the sound growth of the City of Phoenix.

Existing land use, building, and area conditions demonstrate that current conditions satisfy statutory requirements for declaring the area a redevelopment area. Its deterioration, unsafe conditions, and faulty lot layout do not contribute to the stability and vitality of the surrounding area. The redevelopment process offers an opportunity to help remove these conditions; to facilitate revitalization of new and existing land uses; and to support private improvements in the area.

On March 5, 2014, the Downtown, Aviation, and Redevelopment Subcommittee recommended City Council approval of the proposed Rio Salado Redevelopment Area and declared the area eligible to be a redevelopment area as this area meets the blight criteria established by Arizona Revised Statutes 36-1471. Establishment of this area as a redevelopment area will further the implementation of the General Plan and existing City Council adopted plans.

Staff recommends the City Council approve a resolution to establish the Rio Salado Redevelopment Area with a minor change to remove land along the north side of Broadway Road that is already included within the Target Area B Redevelopment Area. This revised area meets the statutory requirements for a redevelopment designation. Designation as a redevelopment area allows for the City to continue working with property owners to facilitate a variety of revitalization measures that include blight elimination, special development funding mechanisms, and work on individual property redevelopment plans to guide revitalization efforts for the area.

The item is also recommended by Mr. Naimark, Mr. Blue, and the Planning and Development, and Community and Economic Development Departments.

NEW BUSINESS

ITEM 77

CITYWIDE

**LEGALLY REQUIRED POSTING OF POTENTIAL
GENERAL FUND REVENUE IDEAS**

Request authorization to begin legally required posting on the City's website for 60 days in order to allow consideration of potential additional, or increases to existing, General Fund revenue. Exploration of potential new or increased General Fund revenue has been a part of community discussion to help address the projected 2014-2015 General Fund deficit.

Arizona Revised Statutes Section 9-499.15 requires that notice of any proposed new tax or fee, or increase to the rate of an existing tax or fee on a business, be posted to the City's website at least 60 days before the date the proposed new tax or fee is approved or disapproved by the City Council.

The proposed revenue items to be posted on the website for future consideration by the Council could include the following:

<u>Environmental</u>	
<ul style="list-style-type: none">•	A new fee on grocery bags of up to \$0.05 fee per bag to help offset costs due to grocery bag litter and negative impact on recycling facilities. It is not clear how much additional revenue this may generate in Phoenix, and the soonest effective date would be December of 2014 to ensure businesses are provided sufficient time to implement a new collection system. Further analysis is needed to determine what portion of this fee would be shared between the General Fund, the Solid Waste Fund, or other agents.

<u>Street Transportation</u>	
<ul style="list-style-type: none">•	An increase to parking meter rates from the current rate of \$1.50 per hour to a range of \$0.50 per hour up to \$6.00 per hour to allow for use of the City's new meters to charge variable rates that coincide with changes in demand due to time of day, location, and special events. Combined with expansion of parking meter enforcement hours to be determined by the City Council, these changes would result in approximately \$1 million - \$2 million additional General Fund revenue annually, and would be offset somewhat by costs for additional enforcement needs.

<u>Parks and Recreation</u>	
<ul style="list-style-type: none">•	Expansion of the parking meter program to include parking at highly utilized mountain parks. Hourly parking meter rates would fall within limits set for on-street parking administered through the Streets Department. Further analysis will determine how much additional General Fund revenue this change could result in, which would be offset somewhat by costs for additional enforcement needs.
<ul style="list-style-type: none">•	An increase to the annual Adult Recreation Pass from \$10 to up to \$20 for residents and from \$20 to up to \$40 for non-residents; this change could result in approximately \$130,000 - \$160,000 in additional General Fund revenue annually.
<ul style="list-style-type: none">•	An increase to the annual Youth Recreation Pass from \$5 to up to \$10 for residents and from \$10 to up to \$20 for non-residents; this change could result in approximately \$80,000 - \$90,000 in additional General Fund revenue annually.
<ul style="list-style-type: none">•	An increase to the Adult athletic field usage fee from \$15 to up to \$17 per hour for residents and from \$22.50 to up to \$25 per hour for non-residents; this change could result in approximately \$25,000 - \$35,000 in additional General Fund revenue annually.
<ul style="list-style-type: none">•	An increase to the Youth athletic field usage fee from \$4 to up to \$6 per hour for residents and from \$6 to up to \$10 per hour for non-residents; this change could result in approximately \$160,000 - \$180,000 in additional General Fund revenue annually.
<ul style="list-style-type: none">•	A new lighting fee for athletic fields of up to \$5 per hour during peak demand times; this change could result in approximately \$290,000 - \$320,000 in additional General Fund revenue annually.
<ul style="list-style-type: none">•	An increase to the charge for Recreation Pass replacement cards from \$2 to up to \$5 each; this change could result in approximately \$4,000 - \$5,000 additional General Fund revenue annually.

<u>Human Services</u>	
•	An increase to the Senior Center annual Recreation Pass from \$10 to up to \$20 for residents and from \$20 to up to \$40 for non-residents; this change could result in approximately \$65,000 - \$75,000 in additional General Fund revenue annually.

<u>General</u>	
•	An additional excise tax collected through City utility service bills and based on water meter size of up to \$1.50 per month for most users; every \$0.25 assessed would result in approximately \$1.7 million additional General Fund revenue annually.

The City Manager recommends posting these items on the City's website to allow the 60-day period for comment to begin.

Based on City Council approval, the posting period for any or all of these items or any other recommendations from the City Council would begin April 17, 2014. This will allow the City Council to consider adopting any of the potential revenue items as soon as the June 18, 2014 Council Formal meeting, which is the last meeting of the fiscal year.

This item is recommended by Mr. Zuercher and the Budget and Research Department.

ITEM 78 **CITYWIDE** **TECHNOLOGY SUMMIT**

Request to authorize a Technology Summit to conduct a series of forums to advance best practices for technology use within the City of Phoenix and community-wide advancement of technology infrastructure to promote economic development.

On February 26, 2014, the Finance, Efficiency, Economy, and Sustainability Subcommittee heard from leaders from the City of Phoenix, the State of Arizona, Maricopa County, and the federal government about the need for a Technology Summit to drive technology advancement in the region. The Subcommittee directed staff to develop a plan for the Technology Summit utilizing the existing Task Force on Technology Advancement as the foundation. This plan was approved by the Subcommittee at the March 19, 2014 meeting.

The plan includes the expansion of the existing Task Force on Technology Advancement to include one new member recommended to the City Manager by each City Council member. Additionally, the Chief Information Officers of the State of Arizona and Maricopa County would be invited to join the Task Force. The expanded Task Force on Technology Advancement would identify and invite leaders and entrepreneurs to present and discuss transformational technologies. The recommended focus of the Task Force on Technology Advancement will be:

•	Best practices for technology use within the City of Phoenix
•	Community-wide advancement of technology infrastructure to promote economic development

The goal of the Technology Summit would be to identify best practices in each area and lay out a plan to advise the City of Phoenix in these areas.

This item is recommended by Mr. Murphy and the Chief Information Officer.

ITEM 79 **DISTRICT 7** **FINAL PLAT - CABALLO CROSSING - PHASE 1 - 130078**

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 March 24, 2014.

Plat 130078
 Project 04-1561
 Name of Plat: Caballo Crossing - Phase 1
 A 137-Lot Residential Plat
 Generally located at 103rd Avenue and Pima Street alignment

Owner(s): Mattamy Arizona, LLC, an Arizona Limited Liability Company
 Engineer(s): EPS 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 item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 80 **DISTRICT 7** **FINAL PLAT - 43RD AVE AT BUCKEYE ROAD -
120066**

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 April 1, 2014.

Plat 120066
Project 00-7698
Name of Plat: 43rd Ave at Buckeye Road
A Two-Lot Commercial Plat
Generally located at the southeast corner of 43rd Avenue and Buckeye Road

Owner(s): Prologis Logistic Services, Inc.
Engineer(s): Hunter 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.

PLANNING AND ZONING MATTERS

ITEM 81 **DISTRICT 2** **PUBLIC HEARING -
RESOLUTION 21218 -
GPA-DSTV-1-13-2 -
CAVE CREEK ROAD AND PEAK VIEW ROAD**

(Continued from April 2, 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-DSTV-1-13-2 - (Companion Case Z-64-13-2)
Request: Map Amendment
From: Commercial, Residential 0-2, Residential 2-3.5, and Residential 2-5
To: Residential 2-5
Acreage: 19.88
Location: Southeast corner of Cave Creek Road and Peak View Road
Proposal: To provide single-family residential
Applicant: G. Adam Baugh - Withey Morris, PLC
Staff: Approved.
VPC Action: Desert View - March 4, 2014 - Approved. Vote 11-0
PC Action: March 11, 2014 - Approved. Vote 8-0

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

ITEM 82 **DISTRICT 2** **PUBLIC HEARING -
ORDINANCE G-5911 -
Z-64-13-2 -
CAVE CREEK ROAD AND PEAK VIEW ROAD**

(Continued from April 2, 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-64-13-2 - (Companion Case GPA-DSTV-1-13-2)
From: C-O, C-1, and R1-10
To: R1-6

Acreage: 19.88
Location: Southeast corner of Cave Creek Road and Peak View Road
Proposal: Single-Family Residential
3/4 Vote Required: No
Applicant: Adam Baugh - Withey Morris, PLC
Owner: CCRP, LLC
Representative: Adam Baugh - Withey Morris, PLC
Staff: Approved, subject to stipulations.
VPC Action: Desert View - March 4, 2014 - Approved, subject to stipulations. Vote 11-0
PC Action: March 11, 2014 - Approved, subject to an additional stipulation. Vote 8-0

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

Stipulations

SITE PLAN

1. The development shall be in general conformance with the site plan date stamped December 20, 2013, as approved or modified by the Planning and Development Department with specific regard to the following:
 - a. The development shall not exceed 104 lots.
 - b. A 205-foot landscape setback from the street centerline consistent with the Cave Creek Road Scenic Corridor shall be provided along Cave Creek Road.

STREET IMPROVEMENTS

2. A right-of-way totaling 40 feet shall be dedicated and constructed for the south half of Peak View Road with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other incidentals, as approved by the Planning and Development Department. All improvements shall comply with all Americans with Disabilities Act accessibility standards.
3. A right-of-way totaling 25 feet shall be dedicated for the west half of 42nd Street, as approved by the Planning and Development Department. Provide curb, gutter, sidewalk, paving, and incidentals with a minimum 25-foot pavement section for the length of the project.
4. A right-of-way totaling 65 feet shall be dedicated for the east half of Cave Creek Road, as approved by the Planning and Development Department.
5. A 25-foot by 25-foot right-of-way triangle shall be dedicated at the southeast corner of Cave Creek Road and Peak View Road, as approved by the Planning and Development Department.
6. The developer shall construct all streets within and adjacent to the development with curb, gutter, sidewalk, paving, appropriate drainage structures to facilitate dry crossings, and incidentals on private accessways under City permit and with City inspection, including 5-foot-wide attached sidewalks on both sides of all streets. The curb at every curb return and at every entrance into a new

subdivision is to be imprinted with the words "Private Street - No City Maintenance" in 2-inch high letters.

7. THAT PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

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