

### City Council Formal Meeting

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Wednesday, March 22, 2017

2:30 PM

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#### **CALL TO ORDER AND ROLL CALL**

The Phoenix City Council convened in formal session on Wednesday, March 22, 2017, at 2:38 p.m. in the Council Chambers.

**Present:** 9 - Councilman Sal DiCiccio, Councilman Michael Nowakowski, Vice Mayor Laura Pastor, Councilwoman Debra Stark, Councilman Daniel Valenzuela, Councilman Jim Waring, Councilwoman Thelda Williams, Councilwoman Kate Gallego and Mayor Greg Stanton

Councilwoman Gallego joined the voting body during Citizen Comments. Councilman Nowakowski temporarily left the voting body following Item 30 and returned during discussion on Item 126.

Mayor Stanton acknowledged the presence of Leticia Marquez, a Spanish interpreter. In Spanish, Ms. Marquez announced her availability to the audience.

#### **CITIZEN COMMENTS**

John Rusinek spoke about dust proofing concerns in his neighborhood.

Note: Councilwoman Gallego entered the Chambers and joined the voting body.

Dianne Barker stated the alternative to remediate Mr. Rusinek's issue had not worked. Therefore, she wanted the City to rescind its recommendation and a new ordinance be created regarding this matter.

Leonard Clark expressed concern about an indigenous woman arrested at a Walmart. He requested the charge of aggravated assault against an officer be dropped and that the officer be charged for violating policy.

Councilman DiCiccio asked for a report on this occurrence as he did not want

the public to be mislead.

Darrin Bonds explained how his Section 8 certificate was taken away by him allegedly providing false information on the application about his daughter living with him. He appealed the matter with proof his daughter lived with him as his caretaker. He wanted assistance from Council so he would not lose his Section 8 certificate.

City Manager Ed Zuercher replied staff would obtain Mr. Bonds information and connect him with the Housing Department.

In response to Vice Mayor Pastor, Mr. Bonds confirmed Phoenix Section 8 took his certificate.

Kim Baker attended Mr. Bonds hearing and thought the situation was resolved when a new application was completed. However, Mr. Bonds received a letter about two weeks later stating his certificate would end March 31. Mr. Baker hoped that Council could help Mr. Bonds with this situation.

Dai Dawson played a recording of the arrest mentioned by Mr. Clark regarding the indigenous woman. She did not believe the officer needed to use such force and felt the woman was defending herself.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6285, G-6290 through G-6295, S-43304 through S-43355, and Resolutions 21515 through 21521 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

References to attachments in these minutes relate to documents that were attached to the agenda.

### **MINUTES OF MEETINGS**

#### **1 For Approval or Correction, the Minutes of the Formal Meeting on Oct. 5, 2016.**

##### **Summary**

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

2016 for review, correction and/or approval by the City Council.

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

**A motion was made by Councilwoman Williams, seconded by Vice Mayor Pastor, that this item be approved. The motion carried by voice vote:**

**Yes:** 9 - Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**2 For Approval or Correction, the Minutes of the Formal Meeting on Dec. 7, 2016.**

**Summary**

This item transmits the minutes of the Formal Council meeting of Dec. 7, 2016 for review, correction and/or approval by the City Council.

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

**A motion was made by Councilwoman Gallego, seconded by Vice Mayor Pastor, that this item be approved. The motion carried by voice vote:**

**Yes:** 9 - Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**3 For Approval or Correction, the Minutes of the Formal Meeting on Dec. 14, 2016.**

**Summary**

This item transmits the minutes of the Formal Council meeting of Dec. 14, 2016 for review, correction and/or approval by the City Council.

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

**A motion was made by Councilman Valenzuela, seconded by Vice Mayor Pastor, that this item be approved. The motion carried by voice**

**vote:**

**Yes:** 9 - Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**4 For Approval or Correction, the Minutes of the Special Meeting on Feb. 7, 2017.**

**Summary**

This item transmits the minutes of the Special Council meeting of Feb. 7, 2017 for review, correction and/or approval by the City Council.

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

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this item be approved. The motion carried by voice vote:**

**Yes:** 9 - Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**BOARDS AND COMMISSIONS**

**5 City Council Appointments to Boards and Commissions**

**Summary**

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

The following individuals were recommended for appointment/reappointment by the City Council:

Alhambra Village Planning Committee

Reappoint Marshall Shore, for a term to expire Nov. 19, 2018, as recommended by Vice Mayor Pastor

Reappoint Christian Solorio, for a second term to expire Nov. 19, 2019, as recommended by Vice Mayor Pastor

Encanto Village Planning Committee

Appoint Paul Benjamin, for a term to expire Nov. 19, 2019, as recommended by Vice Mayor Pastor  
Reappoint Andrea del Galdo, for a third term to expire Nov. 19, 2018, as recommended by Vice Mayor Pastor  
Reappoint Matthew Jewett, for a second term to expire Nov. 19, 2018, as recommended by Vice Mayor Pastor  
Reappoint Steve Procaccini, for a third term to expire Nov. 19, 2018, as recommended by Vice Mayor Pastor  
Reappoint Tim Semans, for a term to expire Nov. 19, 2018, as recommended by Vice Mayor Pastor  
Reappoint Rebecca Winninger, for a second term to expire Nov. 19, 2019, as recommended by Vice Mayor Pastor

Paradise Valley Village Planning Committee

Appoint George Grombacher, replacing Angelina Happ, for a term to expire Nov. 19, 2018, as recommended by Councilman Waring

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Gallego, that this item be approved as corrected. The motion carried by voice vote:**

**Yes:** 9 - Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

Mayor Stanton administered the oath of office to Paul Benjamin, Encanto Village Planning Committee appointee. Mr. Benjamin was invited to approach the dais so Council could extend their appreciation.

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

The Mayor requested a motion on liquor license items. A motion was made.

Note: Speaker comment cards were submitted in favor of the following items, with no one wishing to speak:

Justin Owen - Applicant, Item 15  
Theresa June Morse - Agent, Item 18  
Krystal Richards, Item 19

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 6 through 30 be recommended for approval, except Items 22 and 28-30. The motion carried by voice vote:**

**Yes:** 9 - Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

## **6 Liquor License - Fire Belly**

Request for a liquor license. Arizona State License 1207A899.

### **Summary**

#### Applicant

Linda Quach, Agent

#### License Type

Series 12 - Restaurant

#### Location

10605 N. 43rd Ave.

Zoning Classification: C-2

Council District: 1

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

The sixty-day limit for processing this application is March 25, 2017.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

#### Other Active Liquor License Interest in Arizona

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

the number of aggregate calls for police service within the last 12 months for the address listed.

Red Thai (Series 12)

7822 N. 12th St., #B, Phoenix

Calls for police service: 13

Liquor license violations: In February 2015, a fine of \$375 was paid for delinquent taxes. In January 2016, a fine of \$1,500 was paid for delinquent taxes.

#### Public Opinion

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

#### Applicant's Statement

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

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

"I am responsible and understand Arizona liquor laws and regulations. I will not abuse this priveledge. I also have 10 years experience as manager."

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

"To have a full service dining experience, liquor being served will enhance and compliment the clients meal. The more clients we have that enjoy ths experience the more regular clientale we will maintain. This will provide jobs and income for the community through our staff hiring."

#### Staff Recommendation

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

#### Attachments

Liquor License Data - Fire Belly

Liquor License Map - Fire Belly

**This item was recommended for approval.**

**7 Liquor License - Special Event - Beyond Autism, Inc.**

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

**Summary**

Applicant

Timothy Puopolo

Location

22500 N. Aviano Way

Council District: 2

Function

Tournament/Silent Auction

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

April 22, 2017- 5:30 p.m. to 11 p.m. / 100 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**8 Liquor License - Special Event - Congregation Kol Ami**

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

**Summary**

Applicant

Michael Rosenthal

Location

1175 E. Lone Cactus Drive

Council District: 2

Function

Dinner/Dance

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

April 1, 2017 - 6 p.m to Midnight / 250 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**9 Liquor License - Tommy Bahama**

Request for a liquor license. Arizona State License 12075648.

**Summary**Applicant

Nicholas Guttilla, Agent

License Type

Series 12 - Restaurant

Location

15205 N. Kierland Blvd., Ste. 100

Zoning Classification: C-2 PCD

Council District: 2

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

The sixty-day limit for processing this application is March 31, 2017.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"This application is for an Acquisition of Control filing. The licensee will remain the same and nothing about the successful operation of the business will change."

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**10 Liquor License - Tailgaters Sports Grill & Il Primo Pizza & Wings**

Request for a liquor license. Arizona State License 1207A900.

**Summary**

Applicant

Larry Fussy, Agent

License Type

Series 12 - Restaurant

Location

28234 N. Tatum Blvd.

Zoning Classification: C-2

Council District: 2

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales as Amaro Restaurant until March 2016 and does not have an interim permit.

The sixty-day limit for processing this application is March 27, 2017.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

#### Other Active Liquor License Interest in Arizona

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

#### Public Opinion

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

#### Applicant's Statement

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

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

"I am the agent on 2 currently and manager on 3 others. I have been in this business for over 12 years and have built a reputable business that our patrons enjoy."

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

"We are a family sports grill, restaurant & pizzeria that families will come to and enjoy. We currently sponsor many little league teams and cater many events."

#### Staff Recommendation

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

#### Attachments

Liquor License Data - Tailgaters Sports Grill & Il Primo Pizza & Wings  
Liquor License Map - Tailgaters Sports Grill & Il Primo Pizza & Wings

**This item was recommended for approval.**

**11 Liquor License - Tokyo Joe's**

Request for a liquor license. Arizona State License 1207A897.

**Summary**Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

16500 N. Scottsdale Road, Ste. 100

Zoning Classification: CP/GCP PCD

Council District: 2

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

The sixty-day limit for processing this application is March 24, 2017.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

Other Active Liquor License Interest in Arizona

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

Tokyo Joe's (Series 12)

2131 E. Camelback Road, Ste. 111, Phoenix

Calls for police service: 21

Liquor license violations: None

Tokyo Joe's (Series 12)  
800 N. 54th St., Ste. 5, Chandler  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

Tokyo Joe's (Series 12)  
1935 S. Val Vista Drive, Ste. 101, Mesa  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

Tokyo Joe's (Series 12)  
4715 S. Rural Road, Ste. 104, Tempe  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

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

“Applicant is committed to upholding the highest standards for retail sales of alcohol. Managers and staff will be trained in Arizona liquor law and the techniques of responsible sales and service to guests 21 and over.”

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

“Tokyo Joe's offers guests a wide-variety of healthy and delicious Japanese menu items including salads, rice bowls, sushi and more. Applicant would like to offer alcoholic beverages as an incident to the meals they serve.”

Staff Recommendation

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

Attachments

Liquor License Data - Tokyo Joe's

Liquor License Map - Tokyo Joe's

**This item was recommended for approval.**

**12     Liquor License - Special Event - Phoenix Harley Owners Group Charities, Inc.**

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

**Summary**Applicant

Dean Kuharske

Location

13850 N. Cave Creek Road

Council District: 3

Function

Community Event

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

April 8, 2017 - Noon to 8 p.m. / 4,000 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**13     Liquor License - 7th St. Bar**

Request for a liquor license. Arizona State License 06070233.

**Summary**Applicant

Kevin Kramber, Agent

License Type

Series 6 - Bar

Location

9521 N. 7th St.

Zoning Classification: C-2

Council District: 3

This request is for an ownership transfer of a liquor license for a bar. This location was previously licensed for liquor sales as 7th St. Sports Bar and may currently operate with an interim permit.

The sixty-day limit for processing this application is March 28, 2017.

Consideration should be given to the applicant's personal qualifications. In regard to the location, pursuant to A.R.S. 4-203, 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.

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"1) I am agent currently on over 70 licenses statewide. 2) The controlling person has been previously licensed with liquor for its previous business

and passed all background checks. 3) Our manager filed with the application has 13 + years in the industry & has current Title IV liquor training."

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**14 Liquor License - Special Event - Phoenix Frontrunners, Inc.**

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

**Summary**

Applicant

Daniel Shabra

Location

1625 N. Central Ave.

Council District: 4

Function

Sporting Event

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

March 25, 2017 - 6 a.m. to Noon / 1,500 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**15 Liquor License - Special Event - Phoenix Pride Incorporated**

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

**Summary**

Applicant

Justin Owen

Location

300 E. Indian School Road  
Council District: 4

Function

Cultural Festival

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

April 1, 2017 - 11:30 a.m. to 9 p.m. / 15,000 attendees  
April 2, 2017 - 11:30 a.m. to 9 p.m. / 10,000 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**16 Liquor License - Special Event - St. Mary's Roman Catholic High School Phoenix**

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

**Summary**Applicant

Michelle Huntley

Location

2525 N. 3rd St.  
Council District: 4

Function

Festival

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

March 25, 2017 - 4 p.m. to 7 p.m. / 350 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**17      Liquor License - Calle 8**

Request for a liquor license. Arizona State License 1207A893.

**Summary**Applicant

Carlos Cardoso Oliva, Agent

License Type

Series 12 - Restaurant

Location

5025 N. 7th Ave., Ste. B

Zoning Classification: C-2 TOD-1

Council District: 4

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

The sixty-day limit for processing this application was March 21, 2017. However, the applicant has submitted a written request for more time.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I follow the rules and regulations that indicates and implies to have and hold a liquor license on the state of Arizona and has passed successfully a course to take and hold a liquor license."

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

"With several active restaurants in the Phoenix metro area Restaurants, or Business will be clean and offering great customer services great food, and offering liquor to customer 21 and over."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Calle 8

Liquor License Map - Calle 8

**This item was recommended for approval.**

**18 Liquor License - Mariscos El Chapuson**

Request for a liquor license. Arizona State License 1207A890.

**Summary**

Applicant

Theresa Morse, Agent

License Type

Series 12 - Restaurant

Location

2850 W. Van Buren St.

Zoning Classification: C-3

Council District: 4

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales as El Tizon Mexican Food until March

2012 and does not have an interim permit. This business has plans to open in April 2017.

The sixty-day limit for processing this application was March 19, 2017. However, the applicant has submitted a written request for more time.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

#### Other Active Liquor License Interest in Arizona

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

#### Public Opinion

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

#### Applicant's Statement

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

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

"I currently own and operate a restaurant in the area however it is not inside a building. I want the security and climate of having my business inside a building such as this. I have worked in the liquor industry before and will be obtaining the new liquor law training to ensure I am familiar with all the laws. I will require my servers to attend liquor law training also."

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

"My request for a liquor license is simply to compliment the food I serve. Many people who like to eat Mexican food will leave the business if they discover no alcohol is sold. Therefore, I want my business to be successful. The restaurant is only 1,648 sq. ft. The restaurant will only be for dining. There will be no dancing and no entertainment. Thank you for your time and consideration."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Mariscos El Chapuson

Liquor License Map - Mariscos El Chapuson

**This item was recommended for approval.**

**19     Liquor License - Special Event - Luke-Greenway Post No. 1, The American Legion, Department of**

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

**Summary**Applicant

Jeffrey Frain

Location

2209 N. 99th Ave.

Council District: 5

Function

Concert

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

April 15, 2017 - Noon to 10 p.m. / 5,000 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**20     Liquor License - Special Event - Veterans Transportation**

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

**Summary**Applicant

Eric Morales

Location

4344 W. Indian School Road, Ste. 100

Council District: 5

Function

Concert

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

April 1, 2017 - 7 p.m. to 2 a.m. / 900 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**21 Liquor License - Special Event - Veterans Transportation**

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

**Summary**

Applicant

Eric Morales

Location

4344 W. Indian School Road, Ste. 100

Council District: 5

Function

Concert

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

April 15, 2017 - 7 p.m. to 2 a.m. / 900 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**23      Liquor License - Special Event - Free Arts for Abused Children of Arizona**

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

**Summary**

Applicant

Steven Henderson

Location

2446 E. Camelback Road

Council District: 6

Function

Art Auction

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

April 1, 2017- 4:30 p.m. to 7 p.m. / 300 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**24      Liquor License - Special Event - St. Theresa Roman Catholic Parish Phoenix**

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

**Summary**

Applicant

Dwayne Douglas

Location

5045 E. Thomas Road

Council District: 6

Function

Play

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

May 4, 2017 - 5 p.m. to 9 p.m. / 130 attendees

May 5, 2017 - 5 p.m. to 9 p.m. / 130 attendees

May 6, 2017 - 1 p.m. to 9 p.m. / 160 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**25 Liquor License - Gino's East of Chicago**

Request for a liquor license. Arizona State License 1207A906.

**Summary**

Applicant

Samantha Mesa, Agent

License Type

Series 12 - Restaurant

Location

3626 E. Indian School Road

Zoning Classification: C-2

Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales as Hazelwoods 1st Place until July 2016 and does not have an interim permit. This business is currently under construction with plans to open in April 2017.

The sixty-day limit for processing this application is April 8, 2017.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license

in the State of Arizona.

#### Public Opinion

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

#### Applicant's Statement

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

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

"I have the business background to run a business currently an advisor at Merrill Lynch. I have the financial means and management support of Gino's East home office in Chicago. I have 30 years of business experience, I have been in Arizona for 40 years and a small business major at N.A.U."

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

"We are a family owned business, Ginos East of Chicago is a family owned business that I purchased the rights for Phoenix, my wife Olivia and I are the only owners and a Phoenix resident. Ginos East is a family friendly restaurant that will give the Arcadia area and great atmosphere and family friendly place to come to."

#### Staff Recommendation

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

#### Attachments

Liquor License Data - Gino's East of Chicago

Liquor License Map - Gino's East of Chicago

**This item was recommended for approval.**

## **26 Liquor License - Special Event - Arizona Community Dental Clinic**

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

**Summary**

Applicant

Virginia Froncek

Location

1150 E. Washington St.

Council District: 8

Function

Reception

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

April 7, 2017 - 6 p.m. to 10:30 p.m. / 200 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**27 Liquor License - Special Event - Heritage Square Foundation**

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

**Summary**

Applicant

Michelle Reid

Location

113 N. 6th St.

Council District: 8

Function

Dance/Live Music

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

April 22, 2017- 6 p.m. to 11 p.m. / 300 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**22 Liquor License - Carniceria Los Reyes #2**

Request for a liquor license. Arizona State License 10076845.

**Summary**Applicant

Edel Alcaraz, Agent

License Type

Series 10 - Beer and Wine Store

Location

2647 W. Glendale Ave., Ste. 8

Zoning Classification: C-2

Council District: 5

This request is for a new liquor license for a grocery store. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow packaged liquor sales within 300 feet of a residential zoning district. This business is currently being remodeled with plans to open in April 2017.

The sixty-day limit for processing this application is March 24, 2017.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

Other Active Liquor License Interest in Arizona

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

Carniceria Los Reyes (Series 10)

1603 N. 16th St., Phoenix

Calls for police service: 9

Liquor license violations: In March 2016, a fine of \$375 was paid for delinquent taxes.

Public Opinion

Three letters protesting the issuance of this license have been received and are on file in the Office of the City Clerk. The letters are from the Ocotillo Glen Neighborhood Association, North Glen Square Neighborhood Association and Lane Avenue Block Watch. They feel there are sufficient liquor licenses in the area to serve the neighborhood and are concerned with the potential impact of the liquor license on an area challenged with crime and blight. They are also concerned the applicant did not reach out to them to discuss his business plan and commitment to the neighborhood.

Applicant's Statement

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

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

"I have the training to do so, but most importantly the awareness and responsibility to know to whom to sell to within the law and good judgement."

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

"Of the control of whom to sell to as to deter from the area and the community any transients bad crowds, also by controlling what type of alcoholic beverages to sell to keep those customers away."

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. Staff gave careful consideration to the protest letters received, however after reviewing the application in its entirety staff is recommending approval of this application.

Attachments

Liquor License Data - Carniceria Los Reyes #2

Liquor License Map - Carniceria Los Reyes #2

**A motion was made by Councilman Valenzuela, seconded by Vice Mayor Pastor, that this item be continued to the April 5, 2017 City Council Formal Meeting. The motion carried by voice vote:**

**Yes:** 9 - Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**28 (CONTINUED FROM MARCH 1, 2017) - Liquor License - El Rancho Bar**

Request for a liquor license. Arizona State License 07070842.

**Summary**

Applicant

Nancy Vazquez, Agent

License Type

Series 7 - Beer and Wine Bar

Location

1605 W. Broadway Road

Zoning Classification: C-3

Council District: 7

This request is for an ownership transfer of a liquor license for a beer and wine bar. This location was previously licensed for liquor sales as La Camelia Antro Bar and may currently operate with an interim permit.

The sixty-day limit for processing this application was March 19, 2017.

Consideration should be given to the applicant's personal qualifications. In regard to the location, pursuant to A.R.S. 4-203, 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.

#### Other Active Liquor License Interest in Arizona

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

#### Public Opinion

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

#### Applicant's Statement

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

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

"I possess the qualities mentioned above to run a bar. I am a responsible person that is fully capable, reliable, and am a law abiding citizen."

#### 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 the applicant's qualifications, false statements on the application, and possible hidden ownership. The applicant has not demonstrated capability, qualifications and reliability to hold and control a liquor license.

#### Attachment:

Police Department Recommendation - El Rancho Bar

**A motion was made by Councilman Nowakowski, seconded by Councilwoman Williams, that this item be continued to the April 5, 2017 City Council Formal Meeting. The motion carried by voice vote:**

**Yes:** 9 - Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**29 Liquor License - Sushi Mocerito**

Request for a liquor license. Arizona State License 1207A901.

**Summary**

Applicant

Imelda Lopez, Agent

License Type

Series 12 - Restaurant

Location

3415 W. Glendale Ave., Ste. 25A

Zoning Classification: C-2

Council District: 5

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

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

Consideration should be given to the applicant's personal qualifications. In regard to the location, pursuant to A.R.S. 4-203, 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.

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I am a resposable person."

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 possible hidden ownership, discrepancies on financial disclosures, liquor violations and lack of experience. The applicant has not demonstrated capability, qualifications and reliability to hold and control a liquor license.

Attachment

Police Department Recommendation - Sushi Moco

**Discussion**

Management Assistant II Denise Archibald stated this request was for a new Series 12 restaurant liquor license. She conveyed this location was previously licensed for liquor sales and could operate with an interim permit. Staff recommended disapproval of this application based on a Police Department recommendation for disapproval.

Police Detective Robin Gokool indicated during the course of his investigation, he determined there was a discrepancy in ownership provided by the applicants, Jesus Ramirez and Imelda Lopez; variations in how much was paid for the establishment; and Title IV violations. Detective Gokool explained Mr. Ramirez was listed as 100 percent owner on the applications while Mrs. Lopez was listed as the agent for the business. During the course of interviews, Detective Gokool concluded Mrs. Lopez was partial owner of the business which was not declared on the application or questionnaire. Further, Mr. Ramirez stated that Mrs. Lopez was a minority owner and would be at the business a couple times a week to assist with managing which contradicted what was placed on

the city questionnaire and state application.

Detective Gokool continued Mr. Ramirez wrote that he paid \$19,000 for the business including start-up costs. However, Detective Gokool determined the applicant did not pay that much when in fact the money was furnished by Ranch Market which owned the property. Also, Mr. Ramirez did not have documentation from his personal account for this business.

Lastly, Detective Gokool said when he asked the applicants about their alcohol distributor for the business they informed him they did not have one and were purchasing alcohol from Ranch Market. He cited that was a violation of A.R.S. Section 4-244 which prohibited any retail licensee to purchase liquor from any person other than a solicitor or salesman or wholesaler licensed in the state. Due to these reasons, he found that the applicants were not reliable, capable or qualified to hold a liquor license.

Councilman Valenzuela confirmed the applicant was not present. **Based on the Police Department's testimony he moved disapproval of this liquor license application.**

Mayor Stanton clarified the motion for disapproval was based on concerns with possible hidden ownership, discrepancies on financial disclosures, liquor violations and lack of experience.

Councilman DiCiccio wondered if there was a communication barrier during the interview process.

Detective Gokool replied Mr. Ramirez only spoke Spanish while Mrs. Lopez spoke English, but Detective Gokool was a certified Spanish speaker with the City. He spoke with Mr. Ramirez at the business and Mrs. Lopez over the phone.

Councilman DiCiccio asked because there were times language was a problem when filling out forms. He confirmed there was no criminal history, noting the first two reasons related to filling out the forms incorrectly. He also verified the third reason regarding the purchase of liquor and resell of it was not permitted.

Mayor Stanton noticed the report said liquor violations and inquired about the nature of them.

Ms. Archibald replied the liquor violations were observed by the officer at the location during the interview which included the purchase of alcohol not from a wholesaler.

**A motion was made by Councilman Valenzuela, seconded by Vice Mayor Pastor, that this item be recommended for disapproval based on Police Department's recommendation for disapproval due to concerns with possible hidden ownership, discrepancies on financial disclosures, liquor violations and lack of experience. The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

### **30 Liquor License - All In One General Merchandise**

Request for a liquor license. Arizona State License 10076843.

#### **Summary**

##### Applicant

Brandon Marx, Agent

##### License Type

Series 10 - Beer and Wine Store

##### Location

3400 E. Thomas Road

Zoning Classification: C-2

Council District: 8

This request is for a new liquor license for a convenience store that does not sell gas. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow packaged liquor sales within 300 feet of a residential zoning district.

The sixty-day limit for processing this application was March 20, 2017. However, the applicant has submitted a written request for more time.

Pursuant to A.R.S. 4-203, consideration may be given to the applicant's personal qualifications and to the location.

#### Other Active Liquor License Interest in Arizona

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

#### Public Opinion

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

#### Applicant's Statement

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

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

"I've spent the last decade of my life working for the Walgreens company as a Store Manager and designated Liquor Agent for the stores that I managed. I have already completed the proper training well before submitting my applicaiton and have gone through the day to day operations of running a business that operates under a Series 10 License."

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

"It's a complimentary grocery item found with other products I offer in my store. Valuing my consumers time is improtant to me, as I operate a general merchandise store and this will prevent a consumer from spending unnecessary funds by making an additional stop and/or prevent the loss of business entirely."

#### Staff Recommendation

Staff recommends disapproval of this application based on a Street

Transportation Department recommendation for disapproval pursuant to Arizona Revised Statutes, Section 4-207 which restricts liquor licenses within 300 feet of churches and schools. The proposed liquor license location is within 300 feet of a church.

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

#### Attachments

Liquor License Data - All In One General Merchandise

Liquor License Map - All In One General Merchandise

#### **Discussion**

Management Assistant II Denise Archibald stated this request was for a new Series 10 beer and wine store liquor license for a convenience store that did not sell gas. She noted this location did not have a liquor license in the past. Staff recommended disapproval of this application based on a Street Transportation Department recommendation for disapproval pursuant to A.R.S. Section 4-207 which restricted liquor licenses within 300 feet of churches and schools. She pointed out this proposed liquor license application was located within 300 feet of a church named The Potter's House Eastside Christian Center at 2924 N. 34th Place.

Councilwoman Gallego moved disapproval based on Street Transportation Department's recommendation because the location was within 300 feet of a church, which was prohibited by state law.

**A motion was made by Councilwoman Gallego, seconded by Councilwoman Williams, that this item be recommended for disapproval based on Street Transportation Department's recommendation for disapproval because the proposed location is within 300 feet of a church, which is prohibited by state law. The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

Note: Councilman Nowakowski temporarily left the voting body.

**ORDINANCES, RESOLUTIONS, AND NEW BUSINESS**

The Mayor requested a motion on the remaining agenda items. A motion was made.

Note: A speaker comment card was submitted in favor of the following item, not wishing to speak:

Guy Stuckey - Item 115

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 31 through 126 be approved or adopted, except Items 51-52, 73, 82, 84, 88-90 and 125-126; continuing Items 62 and 112 to April 5, 2017; and noting that Item 77 is as corrected. The motion carried by the following vote:**

**Yes:** 8 - Councilman DiCiccio, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**Absent:** 1 - Councilman Nowakowski

Items 31-49, Ordinance S-43304 was a request to authorize the City Controller to disburse funds, up to the amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

**31 Landis Cyclery, Inc. and Exhale Bikes, Inc.**

For \$52,100.00 additional payment authority through Feb. 28, 2018, for bicycles, parts, repair, and maintenance for various brands of bicycles used by the Parks and Recreation, Fire, and Police departments. These contracts are necessary to allow these departments to purchase and maintain the bicycles in optimal working condition for the safety and well-being of the public safety officers who use the bicycles as part of their daily responsibilities.

Landis Cyclery, Inc., Contract MW12-0077A

Exhale Bikes, Inc., Contract MW12-0077B

**This item was adopted.**

**32 Lubrication Equipment & Supply Co., Inc.**

For \$10,000.00 in additional payment authority for Contract 141423, through Oct. 31, 2018, for parts and materials used to maintain and service the existing Self-Contained Breathing Apparatus (SCBA) equipment for the Fire Department. The SCBAs are used to allow firefighters to work in contaminated atmospheres, or in atmospheres that may become contaminated.

**This item was adopted.**

**33 CoStar Realty Information, Inc.**

For \$21,000.00 in payment authority for subscription renewal through June 30, 2018, for the Aviation Department. This subscription provides comprehensive real estate market data and information on commercial property sales used extensively by the Business and Property Division of the Aviation Department. This data is used to manage existing contracts and the development of new business transactions for revenue contract services.

**This item was adopted.**

**34 Stericycle, Inc.**

For \$50,000.00 in additional payment authority for Contract 134407, through Aug. 31, 2018, to provide medical waste pick-up services for locations throughout the City for the Fire and Police departments. Services include all labor, equipment, material and supplies (including containers) to pick up, remove, autoclave and dispose of medical waste.

**This item was adopted.**

**35 Matlick Enterprises, Inc., doing business as United Fire Equipment Company**

For \$100,000.00 in additional payment authority for Contract 135695, through March 31, 2018, to continue to provide leather bunker boots for

the Fire Department. The boots are part of the personal protection equipment firefighters wear for foot, ankle and lower leg protection during fire and extrication events. These boots are a critical part of the Fire Department's efforts to provide life safety services to the public.

**This item was adopted.**

**36 Harold J. Merkow and Prudence Lee**

For \$45,000.00 in payment authority for new contracts, entered on or about April 1, 2017, for a term of five years, to perform hearing officer services for applicants and residents of the Section 8 and Public Housing programs for the Housing Department. There is no impact to the General Fund. These necessary services are paid for via federal funds from the U.S. Department of Housing and Urban Development.

**This item was adopted.**

**37 Various Vendors for City Fleet Accessories and Installation Services**

For \$320,000.00 in additional payment authority through Nov. 30, 2018, to provide City fleet accessories and installation services for the Public Works Department. These contracts are necessary to outfit City vehicles and trucks for specialized applications/uses as requested by the various departments. The accessories include lighting products, push bumpers, winches, towing equipment, ladder racks, cargo management items, lift gates, and truck bed covers/campers.

Arizona Emergency Products, Inc., Contract 134994

Arizona Truck Center, doing business as Vanguard Truck Center of Phoenix, Contract 134993

Hyper Customs, doing business as Arizona Truck Pros, Contract 134988

Creative Communications Sales & Rentals, Inc., Contract 134996

Drake Equipment of Arizona, Inc., Contract 135000

LSH Lights, doing business as Kenco OR, LLC, doing business as LSHLights, Contract 134998

Quality Bumper Company, Inc., Contract 134991

Tom's Camperland, Inc., Contract 134997

**This item was adopted.**

**38 American Pumping Service, Inc.**

For \$10,015.00 in additional payment authority for Contract 142671, through Aug. 31, 2017, for grease trap cleaning services, for Citywide departments. This contract is available for Citywide use, but has been primarily used by the Fire, Public Works, Parks and Recreation, and Human Services departments to clean and maintain grease traps, which intercept greases and solids, located in various City facilities.

**This item was adopted.**

**39 Solu Technology Partners, LLC**

For \$138,000.00 in additional payment authority for Contract 141811, through June 30, 2018, to continue to provide business analyst professional services for the Permitting System Project for the Planning and Development Department. The current KIVA Land and Permitting system is 25 years old and has been heavily customized over time. The business analyst professional services are necessary to document the current state of the system, gather business requirements, map business processes, develop application/data integration workflow, conduct process gap analysis, and provide improvement recommendations that will assist with upgrade and replacement activities.

**This item was adopted.**

**40 Cerilliant Corporation**

For \$15,000.00 in additional payment authority for Contract 133341, through April 30, 2018, for crime laboratory reagents used in drug testing of biological samples submitted for driving under the influence of drugs (DUID), sexual assault, and homicide cases for the Police Department.

**This item was adopted.**

**41 American Inspection and Test, Inc. and Quality Crane Services, Inc.**

For \$150,000.00 in additional payment authority, through June 30, 2019,

to continue to provide Citywide inspection and repair services for hoists and cranes for the Water Services, Street Transportation, Aviation, Public Works, and Phoenix Convention Center departments. Services include all labor, materials, and transportation to perform inspections and repairs of overhead hoists and cranes located at various City facilities. This contract is necessary to ensure safe equipment operation, increase equipment life, and maintain compliance with Occupational Safety and Health Administration (OSHA) and American National Standards Institute (ANSI) standards.

American Inspection and Test, Inc., Contract 138494

Quality Crane Services, Inc., Contract 138495

**This item was adopted.**

**42 Vohne Liche Kennels, Inc.**

For \$9,000.00 in payment authority to purchase a Belgian Malinois canine to replace a retired canine for the Police Department's Canine Unit. The canine will be trained and used in patrol and narcotics detection.

**This item was adopted.**

**43 Sign Posting Services of Arizona, doing business as Looks Good Printing and Signs**

For \$46,500.00 in payment authority for a new contract, entered on or about June 1, 2017 for a term of three years, to furnish, relocate, remove and install zoning signs, general hearing signs and historical signs, for the Planning and Development Department. These signs and notifications are necessary per City Code.

**This item was adopted.**

**44 RiskSense, Inc.**

For \$236,000.00 in additional payment authority for Contract 142524, through April 19, 2021, to perform services required in support of the City's compliance with Payment Card Industry (PCI) Data Security Standards (DSS) for the Information Technology Services Department. Compliance with PCI DSS is mandated by the payment card industry in order for the City to process payment card transactions. The City processes more than 3 million credit card transactions annually, totaling

more than \$200 million. Failure to maintain PCI compliance will result in fines being levied by the payment card companies and could include the termination of the City's ability to accept credit card payments.

Professional services will include testing, a risk assessment, and assistance to the City on official validation of PCI DSS compliance.

**This item was adopted.**

**45 Arizona Public Service Company**

For \$85,171.00 in payment authority to provide design services for the site, building, and support systems within the new Phoenix Sky Harbor International Airport (PSHIA) Emergency Command Center located on PSHIA property, 1500 S. Copper Head Trail, for the Street Transportation Department, as part of the Capital Improvement Program for City Projects AV17000043 and AV17000048.

**This item was adopted.**

**46 Salt River Project Agricultural Improvement and Power District, doing business as SRP**

For \$37,081.65 in payment authority to provide new electrical services to the 2C-B1 Booster Pump Station, City Project WS85100037, located at 2650 N. 64th St., for the Street Transportation Department.

**This item was adopted.**

**47 Salt River Project Agricultural Improvement and Power District, doing business as SRP**

For \$20,954.01 in payment authority to relocate electric facilities and irrigation work on 35th Avenue from Dobbins Road to Baseline Road for City Project ST83140077 for the Street Transportation Department.

**This item was adopted.**

**48 Chemical Feeding Technologies, Inc.**

For \$9,000.00 in additional payment authority for Contract 142992, through July 31, 2017, for chlorine actuator inspection and certification services for the Water Services Department. Chlorine actuators are used on chlorine container valves to allow the valves to be closed from remote locations in the event of a chlorine leak. Chemical Feeding Technologies is the exclusive representative for Halogen Valve Systems for the State of Arizona.

**This item was adopted.**

**49 InoLECT, LLC**

For \$5,100.00 in additional payment authority to complete the purchase of two inoRAC2 brand Remote Racking Units for the Water Services Department. The units protect staff and equipment when removing circuit breakers from energized sections of equipment at the Deer Valley and 24th Street Water Treatment Plants.

**This item was adopted.**

**50 Canvass of Vote - March 2017 Runoff Election**

Canvass of the vote of the March Runoff Election held in City Council District 3 of the City of Phoenix, Arizona, on Tuesday, March 14, 2017, to announce and declare the results of the election.

**Summary**

On Tuesday, March 14, 2017, the City of Phoenix held a Runoff Election for councilmember in City Council District 3. In this election, registered voters who reside in District 3 elected a councilmember to fill a vacancy for a term that expires Jan. 2, 2020. The Runoff Election was conducted because no candidate for this office received a majority of the votes cast in the November 2016 Special Council Election. There was no election for mayor or councilmembers in any other districts.

**Citizen Notification**

Voters on the Permanent Early Voting List (PEVL) received notification of the election in mid December 2016. Voters on the PEVL automatically received ballots by mail approximately 26 days before the election, unless the voter requested a ballot not be mailed. Phoenix District 3 households with one or more registered voters received a Sample Ballot Pamphlet (SBP) in mid February. The SBP provided a sample ballot for voters to examine as reference before they voted an official ballot. The SBP also contained general information about the election, including key dates related to when early ballots by mail were due and when voting centers were open. All election information was available at [phoenix.gov/elections](http://phoenix.gov/elections). Multiple publications and news releases were provided throughout the election process. Additionally, public service announcements were produced and shown on the City's YouTube channel, Facebook and Twitter pages. Information also was provided

through the official City of Phoenix elections Twitter account, @PHXElections. All election information was provided in English and Spanish.

#### Concurrence

As required by law, the Accuracy Certification Board has certified the results of the election and that the election was conducted according to the law.

The Official Results of the Runoff Election can be found at the end of these minutes.

**This item was approved.**

### **53 Authorization to Convey City-Owned Property Identified as Excess Property Inventory by Quitclaim Deed (Ordinance S-43305)**

Request to authorize the City Manager, or designee, to convey City-owned property identified as excess real property inventory by quitclaim deed to the adjacent owner or owner currently occupying the property.

#### **Summary**

The properties to be conveyed have no access and are considered uneconomic remnants. The properties are identified below by location/address, assessor parcel number (APN) and City Council District.

#### Quitclaim 1

Location/Address: an approximate 13.5' x 30' rectangular piece of land within the perimeter wall of 910 E. Monroe St., Lot 2

APN: 116-42-055A

District: 8

#### Quitclaim 2

Location/Address: an approximate 28' x 27' rectangular piece of land within the perimeter wall of 910 E. Monroe St., Lot 3

APN: 116-34-253B

District: 8

#### Quitclaim 3

Location/Address: an approximate 7.5' x 50' strip of land within the

perimeter wall of 1236 W. Pierce St.  
APN: 111-27-135A  
District: 7

**Concurrence/Previous Council Action**

The Sustainability, Housing, Efficiency and Neighborhoods Subcommittee recommended City Council approval of this item on Feb. 21, 2017, by a vote of 4-0.

**Location**

910 E. Monroe St. and 1236 W. Pierce St.

**This item was adopted.**

**54 Grant of Public Utility Easement for City Project - 138 E. Union Hills Drive (Ordinance S-43306)**

Request the City Council to grant a public utility easement, for consideration of one dollar, for installation of service by Southwest Gas Corporation to a City facility on City-owned property, and further ordering the Ordinance recorded. This public utility easement is required to provide utilities to the Union Hills Service Center, located at 138 E. Union Hills Drive.

**Summary**

This public utility easement will be for the area described in the legal description (Attachment A) ("Easement Premises") and will be granted to all public service corporations and telecommunication corporations providing utility service to the property located at 138 E. Union Hills Drive, (collectively "Grantee") in perpetuity, so long as the Grantee uses the Easement Premises for the purposes herein specified, subject to the following terms and conditions:

A. Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate and maintain a natural gas pipeline or pipelines together with appurtenant fixtures (collectively "Grantee Facilities") to, through, across, and beyond Grantor's property within the Easement Premises. Subject to the notice requirements provided in paragraph "I", Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified. Grantee acknowledges and accepts that Grantee shall share

the Easement Premises with other Grantees and shall use such Easement Premises with other Grantees in accordance with and consistent with industry standards and customs for such shared use; provided that such shared usage shall not hinder or endanger Grantee's facilities, access or rights under this Public Utility Easement and that all Grantee specifications for separation from its facilities are maintained. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in paragraph "F".

B. Grantor shall not locate, erect or construct, or permit to be located or erected or constructed, any building or other structure within the limits of the Easement Premises. However, Grantor reserves all other rights, interests, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities. Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface grade of Easement Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.

C. Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided however, that this prohibition shall not apply to any material equipment or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for the storage of construction-related materials or to park or store construction-related vehicles or equipment except on a temporary basis to construct, reconstruct, replace, repair, operate or maintain the Grantee Facilities.

D. No obstructions, trees, shrubs, fixtures, or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs, or other obstructions within said areas.

E. Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.

F. Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new easement area, Grantee shall abandon its rights to use the Easement Premises granted in this easement without cost or consequence to Grantor.

G. Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other Grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location (whether or not) within the Easement Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.

H. Grantee shall not have the right to transfer, convey or assign its interests in this easement to any individual, corporation, or other entity without the prior written consent of Grantor, which consent shall not be unreasonably withheld. Grantee shall notify Grantor of any proposed transfer, conveyance or assignment or any rights granted herein at the address listed below.

I. Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where the Easement Premises are located: (1.) on a site that includes Aviation

Department facilities, (2.) water and wastewater treatment facilities, (3.) Police Department headquarters located at 620 W. Washington St., (4.) Fire Department headquarters located at 150 S. 12th St., (5.) City Hall located at 200 W. Washington St., (6.) City Court Building located at 300 W. Washington St., (7.) Calvin C. Goode Building located at 251 W. Washington St., (8.) Transit Operations Center located at 320 N. 1st Ave. or West Transit Facility located at 405 N. 79th Ave., or (9.) in a secured or fenced area.

**Location**

138 E. Union Hills Drive

**This item was adopted.**

**55 Fire Protective Coats, Pants and Panels (Turn-Out Gear) -  
RFP12-014A (Ordinance S-43307)**

Request to authorize the City Manager, or his designee, to enter into an amendment for additional expenditures to Contract 134408 with Matlick Enterprises, dba as United Equipment Fire Company. The original agreement, in the approximate amount of \$1,720,574, that was based upon budgeted funds at the time and historical trends, was approved by Council action on Aug. 29, 2012, for the purchase of Fire Protective Coats, Pants and Panels (Turn-Out Gear) for the Phoenix Fire Department. The additional requested funds will not exceed \$1,350,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The fire protective coats, pants and panels (turn-out gear) are used by Phoenix firefighters intended to protect the firefighter from radiant and thermal exposure, unexpected flashover conditions, puncture and abrasion hazards during firefighting. This gear is a critical part of the Fire Department's efforts to provide life safety services to the public.

**Contract Term**

The contract term is from Sept. 1, 2017 through Aug. 31, 2018.

**Financial Impact**

Expenditures against this contract are not to exceed \$1,350,000. Funds are available in the Fire Department's budget.

**This item was adopted.**

**56 Acquisition of Real Property from Maricopa County Flood Control District Located West of 39th Avenue and Malapai Drive Intersection (Ordinance S-43308)**

Request to authorize the City Manager, or his designee, to acquire fee title or lesser interest in all or portions of two improved or vacant lands voluntarily for a dual purpose well site and future air treatment facility. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The real property proposed to be acquired will be a dual purpose site. The property will remain a well production site for future use, and it will also be used as an air treatment facility, via air extraction from the sewer system that runs along the 39th Avenue interceptor. The project proposes to install a biofilter that will treat foul air in the sewer and at the same time create a vacuum in the system to prevent air from escaping, which assists in addressing community concerns regarding odor control.

Further request the City Council to grant an exception pursuant to Phoenix City Code section 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 section 42-18, as the Maricopa County Flood Control District's Certificate of Purchase and other form documents include such provisions.

**Location**

One parcel is located south of Dolphin Road on 39th Lane, and the other is located at 10030 N. 39th Ave. Maricopa County Assessor's parcel numbers (APNs) are shown in Attachment A.

**Financial Impact**

Acquisition will be within Maricopa County Flood Control District's appraised fair market value. The City will be given the opportunity to review the appraisal.

**This item was adopted.**

**57 Biological Sample Testing Supplies - Requirements Contract - IFB**

**17-138 (Ordinance S-43309)**

Request to authorize the City Manager, or his designee, to enter into a contract with Phenomenex Inc. (Vendor 3038977) to provide biological sample testing supplies for five years in an amount not to exceed \$51,520. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

This contractor will provide the Phoenix Police Department Laboratory Services with biological sample testing supplies necessary to perform analyses on Agilent gas chromatography mass spectrometry instruments. The biological sample testing supplies are used to analyze blood and urine samples for the presence of alcohol in DUI, sexual assault and homicide cases.

**Procurement Information**

Invitation for Bids (IFB) 17-138 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on Jan. 13, 2017. One offer was deemed non-responsive for not meeting the required specifications. The summaries are as follows:

Phenomenex Inc.: \$10,304.00

Agilent Technologies, Inc: \$13,814.04

The Deputy Finance Director recommends that the offer from Phenomenex Inc. be accepted as the lowest priced, responsive and responsible offeror.

**Contract Term**

The five-year contract term will begin on or about April 1, 2017, and end on March 31, 2022.

**Financial Impact**

The aggregate contract value will not exceed \$51,520, with an estimated annual expenditure of \$10,304. Funds are available in Police Department's budget.

**This item was adopted.**

**58 Purchase of Forensic Software - RFA 17-157 (Ordinance S-43310)**

Request to authorize the City Manager, or his designee, to enter into a contract with Niche Vision Forensics, LLC, to provide software licenses, technical support, software upgrades and fixes for the Police Department in an amount not to exceed \$170,768. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

This specialized software is necessary for the Police Department for the analysis of deoxyribonucleic acid (DNA) mixtures and runs the method that is now recommended on the national level for DNA analysis, including the recent President's Council of Advisors on Science and Technology on Forensic Science.

**Procurement Results**

In accordance with Administrative Regulation 3.10 normal competition was waived due to the unique requirements of the Department. Niche Vision Forensics, LLC, is the only viable source of forensic software that meets the requirements of the Police Department's Forensic Science Section for purposes of validation, transparency in the statistical formulae, and support from the supplier for validation, implementation, and courtroom testimony.

The Deputy Finance Director recommends the purchase of the software from Niche Vision Forensics, LLC.

**Financial Impact**

The purchase of the forensic software will not exceed \$170,768 (including applicable taxes). Funds are available in the Police Department's budget.

**This item was adopted.**

**59 Speed Hump Installation - IFB 13-039A (Ordinance S-43311)**

Request to authorize the City Manager, or his designee, to authorize additional expenditures for Contract 135304 with Swaine Asphalt Corp. for the purchase of speed hump and speed cushion installation services for the Street Transportation Department. The additional requested funds

will not exceed \$250,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The additional funds are necessary to cover the increased demand for speed humps on local streets and speed cushions on collector streets. The Street Transportation Department utilizes this contract to provide speed humps and speed cushions, which are sought by neighborhoods to largely address concerns from cut-through traffic and speeding along local and collector streets. Common reasons for increased cut-through traffic include congestion along major streets, traffic diversion resulting from traffic accidents, and shifting traffic patterns from light rail construction-related activities.

**Financial Impact**

Upon approval of the \$250,000 in additional funds, the revised aggregate value will be \$742,359.95 through the contract term of Jan. 31, 2018. Funds are available in the Street Transportation Department's Capital Improvement Program budget.

**This item was adopted.**

**60     Data Center Cooling Equipment Maintenance and Repair -  
Requirements Contract - IFB 16-153 (Ordinance S-43312)**

Request to authorize the City Manager, or his designee, to enter into a contract with Crawford Mechanical Services, LLC (Vendor 3066115) to provide data center cooling equipment maintenance and repair for an amount not to exceed \$145,000.00 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

This contract is for quarterly preventive maintenance, corrective maintenance, emergency maintenance, and repairs to various data center cooling equipment citywide. Work will include all inspections and adjustments required to keep the data center cooling equipment in peak operating condition.

**Procurement Information**

IFB 16-153 was conducted in accordance with Administrative Regulation 3.10. There were five offers received by the Procurement Division on

December 9, 2016.

Crawford Mechanical Services, LLC:	\$28,745.32
Diversified Datacenter Services:	\$44,031.20
ABM Building Services:	\$98,098.00
Data Processing Air:	\$124,100.00
Honeywell Building Solutions:	\$130,767.00

The Deputy Finance Director recommends that the offer from Crawford Mechanical Services, LLC be accepted as the lowest-priced, responsive and responsible offer.

#### **Contract Term**

The five-year contract term shall begin on or about March 1, 2017 and end on Feb. 28, 2022.

#### **Financial Impact**

The aggregate contract value will not exceed \$145,000.00 with an estimated annual expenditure of \$29,000.00. Funds are available in various departments' budgets.

**This item was adopted.**

#### **61 Grant of Easements to Salt River Project for Sunset Farms Development (Ordinance S-43313)**

Request authorization for the City Manager, or designee, to grant three irrigation easements to Salt River Project, within 95th Avenue right of way north of Jones Avenue, and Broadway Road right of way near 95th Avenue, for consideration in the amount of the appraised value and other consideration. Further request authorization for the City Treasurer to accept all funds related to this item.

#### **Summary**

The irrigation easements are required in order to install underground pipe within the existing irrigation ditches and cover the ditches at the below locations to accommodate the Sunset Farms Development.

#### **Financial Impact**

Revenue will be reflective of the market value of the easement.

**Location**

1. Within 95th Avenue right of way, north of Jones Avenue
2. Within Broadway Road right of way at 95th Avenue
3. Within Broadway Road right of way west of 95th Avenue

**This item was adopted.**

**62    Barricade Stock - Requirements Contract Recommendation - IFB 17-106 (Ordinance S-43314)**

Request to authorize the City Manager, or his designee, to enter into a contract with Roadsafe Traffic Systems (Vendor 3069517) to provide barricade stock for the Street Transportation Department for up to five years in an amount not to exceed \$125,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

This contract will allow the Street Transportation Department to purchase barricades and associated warning lights, flags, and sandbags, as needed, for use as a safety device for pedestrians and vehicular traffic when access is restricted on streets, sidewalks or other areas in the City's right-of-way.

**Procurement Information**

IFB 17-106 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on Feb. 3, 2017.

Roadsafe Traffic Systems: \$17,797.00

Brown Whole Sale Electric (DBA Wesco Dist.): \$18,341.50

Traffic Signs & Sales, Inc.: \$21,145.00

The Deputy Finance Director recommends that the offer from Roadsafe Traffic Systems be accepted as the lowest-priced, responsive, and responsible offer.

**Contract Term**

The five-year contract term shall begin about May 1, 2017 and end on April 30, 2022.

**Financial Impact**

The aggregate value will not exceed \$125,000, with an estimated annual expenditure of \$25,000. Funds are available in the Street Transportation Department's Operating budget.

**This item was continued to the April 5, 2017 City Council Formal Meeting.**

**63 Acceptance and Dedication of Deeds and Easements for Roadway, Sidewalk and Drainage Purposes (Ordinance S-43315)**

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

**Summary**

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

Deed (a)

Applicant: Sby Ammer Rental Properties, LLC

Purpose: Roadway

Location: 12636 N. 18th St.

File: FN 160088

Council District: 3

Deed (b)

Applicant: Carol F. Warshaw

Purpose: Roadway

Location: 12636 N. 18th St.

File: FN 160088

Council District: 3

Easement (c)

Applicant: Douglas A. Prall and Amber L. Prall

Purpose: Sidewalk

Location: 2620 S. 50th Ave.

File: FN 160100

Council District: 7

Easement (d)

Applicant: Douglas A. Prall and Amber L. Prall  
Purpose: Drainage  
Location: 2620 S. 50th Ave.  
File: FN 160100  
Council District: 7

Easement (e)

Applicant: Juan G. Ramirez Properties, LLC  
Purpose: Sidewalk  
Location: 2843 W. Buckeye Road  
File: FN 170011  
Council District: 7

Easement (f)

Applicant: 2849 W Buckeye Rd, LLC  
Purpose: Sidewalk  
Location: 2849 W. Buckeye Road  
File: FN 170011  
Council District: 7

**This item was adopted.**

**64 Sand, Rock, and Quarried Material - Requirements Contract - IFB 17-039 (Ordinance S-43316)**

Request to authorize the City Manager, or his designee, to enter into contracts with CEMEX Construction Materials South, LLC; Material Delivery, Inc. dba MDI Rock; and Pioneer Landscaping Materials, Inc.; to provide sand, rock, and quarried material for all City of Phoenix departments. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

These contracts are to purchase a wide variety of sand, rock, and quarried materials for all City of Phoenix departments, including but not limited to, Water Services, Street Transportation, Aviation and Parks and Recreation. The materials are required to keep City sites within the community presentable and ensure compliance with Maricopa Air Quality Permits for dust control and the City's Storm Water Management Plan by preventing storm water from running off City sites during normal rain events. In situations where significant rain events occur, City sites suffer

an extensive amount of erosion and/or damage that require the landscape repairs.

**Procurement Information**

An Invitation for Bid, IFB 17-039 Sand, Rock and Quarried Material was conducted in accordance with Administrative Regulation 3.10. Four offers were received by the Procurement Division on Nov. 4, 2016. One offer was deemed non-responsive. Offers were evaluated and multiple awards are recommended to ensure material availability and delivery time.

The Deputy Finance Director recommends that the offers from CEMEX Construction Materials South, LLC, Material Delivery, Inc. dba MDI Rock and Pioneer Landscaping Materials, Inc. be accepted as the lowest priced, responsive and responsible offeror.

**Contract Term**

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

**Financial Impact**

The aggregate contract value will not exceed \$3,533,750 with an annual estimated expenditure of \$706,750. Funds are available in all City of Phoenix departments' budgets.

**This item was adopted.**

**65 Interpretation Services - Participating Agreement Under US Communities Cooperative (Ordinance S-43317)**

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Language Select, LLC to purchase Interpretation Services for citywide departments, for up to two years, in an amount not to exceed \$60,000. Contract 33851 was established by the City of Chicago on behalf of the US Communities Cooperative. Further request authorization for the City Controller to disburse all funds related to this item over the life of the contract.

**Summary**

This contract will allow the City to provide the flexibility of offering 24 hours a day, 7 days a week phone service, video relay support, and interpretation of written documents. Currently, the Communications Office

supports the City and its residents with media relations and community outreach, but also serves as the primary point of contact for interpretation services at public meetings and other community events. This contract will allow for interpreter and translator services in either public, private, or community environments for emergency and non-emergency situations. Emergency situations may include, but are not limited to, natural disasters or to provide increased support during an increased volume of calls from the general public that may call the City for information.

### **Procurement Information**

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City utilizes a cooperative agreement from another public agency. This contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in Phoenix City Code, Chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts.

The Deputy Finance Director recommends that the cooperative participating agreement with Language Select, LLC be accepted.

### **Contract Term**

The contract term will begin on or about April 5, 2017 for a term of two years.

### **Financial Impact**

The aggregate contract value will not exceed \$60,000, with an estimated annual expenditure of \$30,000. Funds are available in the various departments' budgets.

**This item was adopted.**

## **66 Acceptance of Easements for Public Utility Purposes (Ordinance S-43318)**

Request for the City Council to accept easements for public utility purposes; further ordering the ordinance recorded.

### **Summary**

Accepting the property interests below will meet the Planning and Development Department's Single Instrument Dedication Process

requirement prior to releasing any permits to applicants.

Easement (a)

Applicant: Kat2 Land Holdings, LLC

Purpose: Public Utility

Location: 2330 N. 12th St.

File No.: FN 170008

Council District: 4

Easement (b)

Applicant: Shore Break Investments + Design, LLC

Purpose: Public Utility

Location: 2101 W. Virginia Ave.

File No.: FN 160101

Council District: 7

**This item was adopted.**

**67 Amend Ordinance S-42254 Adopted on Jan. 6, 2016 to Include the Legal Description - Chandler Boulevard between 19th and 27th Avenues (Ordinance S-43319)**

Request the City Council to amend ordinance S-42254 adopted on Jan. 6, 2016 to include the legal description for lot nine. Page one was inadvertently omitted.

**Summary**

The above referenced ordinance authorized the City Council to dedicate portions of four vacant City-owned properties to public use for right of way purposes for the Chandler Boulevard street improvement project. The project is located along the Chandler Boulevard alignment from 19th to 27th avenues.

All of the conditions and stipulations previously stated in the above referenced ordinance will remain the same.

**Location**

A physical address is not available but the properties are located along the Chandler Boulevard alignment from 19th to 27th avenues.

**This item was adopted.**

**68 Security Officer Services - RFP 14-058 (Ordinance S-43320)**

Request to authorize the City Manager, or his designee, to allow the use of the City of Tempe Cooperative Contract T14-058-01 with G4S Security Solutions (USA) Inc. (Vendor 3516751) to secure security officer services, in an amount not to exceed \$800,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The contract is used to enhance security at the Phoenix City Hall and Calvin C. Goode buildings and to ensure the public continues to have access to their government and elected officials. Security Officers will screen incoming individuals using walk-through, hand-held equipment, as well as physical checks. Security Officers will verify credentials of individuals for security screening purposes, remain at a fixed post or rove to monitor and observe for suspicious activity. Security duties are performed in conjunction with public safety personnel.

**Procurement Information**

By utilizing the cooperative contract, the City benefits from the cooperative contract pricing.

**Contract Term**

The City of Tempe cooperative contract commenced on Jan. 2, 2014 and has a maximum end date of Jan. 1, 2019.

**Financial Impact**

The aggregate contract value including all option years will not exceed \$800,000 with an estimated annual expenditure of \$400,000. Funds are available in the Phoenix Police Department budget.

**This item was adopted.**

**69 Employee Assistance Program/Elder Care Services for City of Phoenix Employees, Retirees, and Their Household Members (Ordinance S-43321)**

Request authorization for the City Manager, or his designee, to enter into a contract with ComPsych Corporation to provide Employee Assistance Program/Elder Care benefits for benefit-eligible (non-Fire) City

employees, retirees, and their household members beginning April 1, 2017. Further request authorization for the City Controller to disburse all funds related to this item throughout the life of the contract, as necessary.

**Summary**

The Employee Assistance Program (EAP) is an employer-paid benefit program that assists employees and their family members with personal problems and work-related problems that may impact their job performance, health, and/or mental and emotional well-being. Elder Care Services provide resources, evaluations, and referrals to employees for the elder care needs of their parents or grandparents. Issues such as the ability to live independently and to perform daily living activities are assessed and needed resources are identified.

**Procurement Information**

A Request for Proposals (RFP) for EAP/Elder Care services was posted on March 2, 2016. Seven firms submitted responses: Beacon; Cigna; ComPsych; E4Health; EAP Consultants; EAP Preferred; and MHN. The RFP requested information on providing employee assistance benefits to include telephonic and face-to-face counseling, Police critical incident response, substance abuse program, work life balance, supervisory EAP referral training, and elder care programs and services.

The proposals were forwarded to a four-member evaluation committee with representatives from the Human Resources and Police departments and a representative from the City's Health Care Task Force. The evaluation committee reviewed the vendors based on the following criteria as outlined in the RFP: plan coverage, pricing, provider network, customer service, and compliance with the RFP. Based on the submittal review, the committee members unanimously recommended MHN as the provider. On June 1, 2016, City Council approved the selection and authorized the City Manager to enter into a contract with MHN (Ordinance S-42572, Contract No. 144386-0).

MHN and the City have decided to terminate the contract for convenience effective March 31, 2017. The selection committee reconvened for an interview process and ComPsych Corporation, a finalist in the March 2016 RFP process, was unanimously selected and has agreed to the scope of work and pricing of the existing EAP contract and can transition

services by April 1, 2017.

**Contract Term**

The initial contract term will be three years, effective April 1, 2017, with the option to renew for two additional years in one-year increments, which may be exercised by the City Manager or his designee.

**Financial Impact**

Funding for this contract is available in the Human Resources and Police departments' budgets. Annual contract cost is expected to be \$350,000, not to exceed \$1,750,000 over the five-year life of the contract.

**Concurrence/Previous Council Action**

The City of Phoenix labor groups and the Health Care Task Force were notified of this recommendation; no issues were raised.

**Location**

Citywide.

**This item was adopted.**

**70 Contract Extensions for PeopleSoft Developer Support (Ordinance S-43322)**

Request to authorize the City Manager, or his designee, to extend contracts with Envision, LLC (Contract 142571) and Kollasoft, Inc. (Contract 142572) for required developer support for the City's Human Capital Management System in an amount not to exceed \$187,840. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

On April 20, 2016, the City Council authorized a contract with Envision, LLC and Kollasoft, Inc. to provide developers to assist with support of the City's PeopleSoft Human Capital Management system, and to perform development activities for the PeopleSoft Upgrade project. The Human Resources and Information Technology Services departments require additional production support activities and development activities associated with the changes required as a result of Proposition 206 (related to minimum wage and paid time off), which was approved by voters in November 2016. The current developers from these companies

have the requisite skills for this additional work and are familiar with the City's technical environment. Extending the contract maximizes the benefit to the City, allowing the individuals to complete the work on the initial contract, and easily transition to performing the additional, related requirements.

**Procurement Information**

Both vendors were selected through a competitive process in accordance with Administrative Regulation 3.10 and utilizing the Information Technology Professional Services Qualified Vendors List. Multiple vendors responded, and a panel evaluated staff from four firms based on experience, qualifications and cost.

**Contract Term**

The contract shall be in effect through Dec. 31, 2017.

**Financial Impact**

The contract with Kollasoft, Inc. is for an additional \$66,240, for a total contract amount not to exceed \$317,240. Funds for this contract amendment are available in the Human Resources Department's budget. The contract with Envision, LLC is for an additional \$121,600, for a total contract amount not to exceed \$433,600. Funds for this contract amendment are available in the Capital Improvement Project Budget, and were planned activities as part of the project scope.

**This item was adopted.**

**71      Transfer of Retirement Funds to Arizona State Retirement System  
(Ordinance S-43323)**

Request authorization for the City Manager, or his designee, to transfer retirement funds to the Arizona State Retirement System. Request to authorize the City Controller to disburse funds.

**Summary**

Pursuant to Arizona Revised Statutes, Sections 38-730 and 38-922, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System upon approval by the Council. The following former City of Phoenix employee has requested the balance of their credited service:

Schrowang Sr, Timothy    \$5,026.00

**Concurrence/Previous Council Action**

The COPERS Board approved this item at its March 2, 2017 meeting.

**This item was adopted.**

**72      Transfer of Retirement Funds to Arizona State Retirement System  
(Ordinance S-43324)**

Request authorization for the City Manager, or his designee, to transfer retirement funds to the Arizona State Retirement System. Request to authorize the City Controller to disburse funds.

**Summary**

Pursuant to Arizona Revised Statutes, Sections 38-730 and 38-922, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System upon approval by the Council. The following former City of Phoenix employee has requested the balance of their credited service:

Husser, Katherine    \$26,600.15

**Concurrence/Previous Council Action**

The COPERS Board approved this item at its Dec. 1, 2016 meeting.

**This item was adopted.**

**74      Request for Proposals for Disposition and Development of Vacant  
Lots Near Matthew Henson HOPE VI Community**

Request authorization for the City Manager, or his designee, to issue a Request for Proposals (RFP) for the disposition and development of 34 residential City-owned vacant lots located near the Matthew Henson HOPE VI Community in the general vicinity of 7th Avenue and Buckeye Road for affordable homeownership, and authorization to begin negotiations with the recommended proposer.

**Summary**

Development interest has been identified for vacant City-owned lots near the Matthew Henson HOPE VI Community. The lots were purchased over a period of years from 1995-2008 using non-General Fund funding

sources that restrict the use of the lots, primarily to affordable housing. The lots were previously designated as part of the homeownership component of the City's U.S. Department of Housing and Urban Development Matthew Henson HOPE VI Grant Revitalization Plan (the "Plan"). Due to the downturn in the housing market and the high number of foreclosures in Phoenix from 2008 through 2010, construction of the proposed homeownership units was deemed infeasible. As a result, the homeownership component of the Plan was amended and has since been met through a down payment assistance program. However, the City still owns the vacant lots that had been originally designated as part of the Plan.

Staff requests authorization to issue a RFP seeking qualified affordable housing developers for the disposition and development of all 34 vacant lots for affordable single-family, owner-occupied units. The parcels, zoned R-3, are located between 7th and 15th avenues, including lots on the west side of 15th Avenue, from Pima to Hadley streets. The selected developer will be required to take ownership of all the vacant lots and develop the project according to conditions and timelines specified in the RFP. Proposals will be sought from developers who will provide private leverage for development costs and general enhancements to the community. Property addresses and parcel numbers are listed in Attachment A.

The RFP will require performance benchmarks to ensure timely development of the project. If development benchmarks are not met, ownership of any remaining undeveloped lots will revert back to the City unless new benchmarks are determined to be in the best interest of the City. Proposals will be evaluated by a panel that includes City staff and community representatives. The anticipated evaluation criteria for this RFP are detailed in Attachment B.

It is anticipated the RFP will be issued in late spring or early summer 2017. Staff will negotiate business terms with the recommended proposer. The recommended proposal and business terms will be brought to SHEN Subcommittee for review and recommendation, and then to the full City Council for approval.

**Financial Impact**

There is no impact to the General Fund.

**Location**

See Attachment A for addresses.

**Concurrence/Previous Council Action**

This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on Feb. 21, 2017 and approved by a vote of 4-0.

**This item was approved.**

**75      Emergency Call System Monitoring and Maintenance Contract -  
IFB 17-086-3 (Ordinance S-43325)**

Request to authorize the City Manager, or his designee, to enter into a contract with Corporate Technology Solutions to provide Emergency Call System Monitoring and Maintenance Service for five Housing Department senior sites. Further request authorization for the City Controller to disburse all funds related to this item over the life of the contract in an amount not to exceed \$100,000.

**Summary**

Invitation for Bid (IFB) 17-086-3 Emergency Call Systems Monitoring and Maintenance was conducted in accordance with Administrative Regulation 3.10. The solicitation notification was distributed to sixteen contractors registered with the City of Phoenix. One offer was received on Feb. 7, 2017.

**Procurement Information**

On Jan. 20, 2017, IFB FY17-086-3 was released, with bids due by Feb. 7, 2017. A Pre-Bid Conference was held on Jan. 25, 2017. One bid was received, and on Feb. 8, 2017, Corporate Technology Solutions' bid was determined to be responsible and responsive. The Housing Department recommends that this offer be accepted.

**Contract Term**

The initial three-year contract term shall begin on or about March 31, 2017. The City may, at it's option, and with the approval of the Contractor, extend the period of this contract up to two additional years.

**Financial Impact**

The aggregate contract value including all option years will not exceed \$100,000 (including applicable taxes). There is no impact to the General Fund as these services are paid through federal funding from the U.S. Department of Housing and Urban Development (HUD).

**Locations**

- Washington Manor, 1123 E. Monroe St.
- Fillmore Gardens, 802 N. 22nd Place
- Pine Towers, 2936 N. 36th St.
- Maryvale Parkway Terrace, 4545 N. Maryvale Pkwy.
- Sunnyslope Manor, 205 E. Ruth Ave.

**This item was adopted.**

**76 HUD Annual Actions - Annual Plan, Capital Fund Program, Admissions and Continued Occupancy Policy, Administrative Plan, and Family Self Sufficiency Plan (Ordinance S-43326)**

This report requests City Council adoption of the Housing Department's 2017-2018 Annual Agency Plan, 2017-2018 Capital Fund Program, the Capital Fund 5-Year Action Plan HUD Form 50072.2, amended Section 8 Housing Choice Voucher Administrative Plan, Family Self Sufficiency Action Plan, and Admissions and Continued Occupancy Policy for Public Housing. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to the above-mentioned items.

**Summary**

The City of Phoenix Housing Department is required by federal regulation to update and submit plans and policies to the U.S. Department of Housing and Urban Development (HUD) each year.

**Annual Agency Plan**

The Annual Agency Plan provides an overview of community needs and available resources, identifies methods to address the needs, and translates those methods into policies and programs. The Annual Agency Plan is a comprehensive guide to the Housing Department's policies, programs, operations, and strategies for meeting local housing needs and goals. Significant changes in the 2017-2018 Annual Agency Plan

include:

\*Implementation of HUD's new non-smoking regulation for Public Housing units.

\*Expansion of the Housing Department's Section 32 Homeownership Program that incorporates changes approved by the City Council and HUD in 2016.

\*Updating the Housing Department's policies to reflect new HUD guidance regarding, for example, Affirmatively Furthering Fair Housing, revised Language Access Plan for Limited English Proficiency, Housing Opportunity Through Modernization Act of 2016, Final Rule on harassment, guidance on nuisance ordinances, Violence Against Women Act, and handling and use of criminal records.

\*Addition of project-based vouchers for Phoenix Starfish Place to serve victims of human trafficking.

\*Set aside of 25 Housing Choice Vouchers for victims of domestic violence.

\*Submittal of Rental Assistance Demonstration Program applications.

\*Award of the following grants: Choice Neighborhoods Planning and Action, Jobs Plus, and ROSS for Education.

#### Capital Fund Program

The Capital Fund Program provides funding to upgrade, renovate, rehabilitate and improve the systems and structures of the Housing Department's Public Housing properties. Approximately 800 apartments and single-family homes will be enhanced by the improvements noted in the 2017-2018 Capital Fund Program and the Capital Fund 5-Year Action Plan HUD Form 50072.2 documents.

#### Section 8 Housing Choice Voucher Administrative Plan and the Admissions and Continued Occupancy Policy

The Section 8 Housing Choice Voucher Administrative Plan and the

Admissions and Continued Occupancy Policy have been amended to clarify and modify policies and to conform to changes in federal regulations and the Annual Agency Plan.

#### Family Self Sufficiency Plan

The Family Self Sufficiency Plan was amended to expand the eligible public housing participants from 75 to 150, and to also support the Family Unification Program that houses young adults aging out of foster care. These changes involve no additional costs.

Copies of the plans are available at [phoenix.gov/housing](http://phoenix.gov/housing).

#### **Financial Impact**

There is no impact to the General Fund.

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

The Sustainability, Housing, Efficiency and Neighborhoods Subcommittee recommended City Council approval at its Feb. 21, 2017 meeting by a vote of 4-0.

#### **Public Outreach**

The 13-member Resident Advisory Board (representing the Conventional, Senior, Scattered Sites and Section 8 Housing Choice Voucher programs) met on Jan. 19, 2017, to consider these annual documents. As required by federal regulation, the public was given a 45-day notice to provide comments. A public hearing was held on Feb. 8, 2017 to obtain input and comments from the public on the proposed Annual Agency Plan and Capital Fund Program. No comments were received.

**This item was adopted.**

#### **77 Arizona Community Foundation Grant Application (Ordinance S-43327)**

Request authorization for the City Manager, or his designee, to apply for, accept, and disburse up to \$300,000 from the Arizona Community Foundation Grant to fund the Fatherhood Initiative in collaboration with the Head Start Birth to Five Program. Further request authorization for the City Manager, or his designee, to enter into a grant agreement, and for

the City Treasurer to accept and the City Controller to disburse the grant funds.

**Summary**

The City of Phoenix seeks approval to apply for up to \$300,000 for three years in grant funds to implement the Fatherhood Initiative in collaboration with the Head Start Birth to Five Program. This request is to fund staffing, electronic resource management, and grant consulting to assist My Brother's Keeper (MBK) activities in the Human Services Department's Fatherhood Initiative.

Millions of American youth face gaps in opportunity that prevent them from reaching their full potential. Boys and young men of color continue to face persistent challenges in our country. African-American, Latino and Native American children are more likely to live in poverty. Two-thirds of African-American and one-third of Latino children live with one parent. Seventy-five percent of African-American and 96 percent of Latino children raised by single mothers are more likely to drop out of school.

Under the auspice of the City's MBK initiative, the pillar for school readiness identified the need for more engaged fathers as a key strategy toward making significant change. This was determined as an opportunity to strengthen outcomes for all children and provide young fathers with the skills and support to deter them from other risks. Starting in the Head Start Program, efforts will be made to recruit fathers out of peripheral roles into being more fully engaged in the education of their children.

According to the National Fatherhood Initiative, there is a crisis in America with one out of three children living without their biological father in the home (U.S. Census Bureau). Research shows that when a child is raised in a home without a father, there is a variety of affects including behavioral problems, greater likelihood to abuse drugs and alcohol, increased rates of obesity and twice as likely to drop out of high school. Research demonstrates that fathers, whether biological or adoptive, perform functions that cannot be replaced by anyone else.

The Human Services Department seeks approval to apply for up to \$300,000 in grant funds to implement the Fatherhood Initiative in collaboration with the Head Start Birth to Five Program. In addition, the

school sites will be supported by current Head Start caseworkers designated as liaisons.

**Concurrence/Previous Council Action**

The Parks, Arts, Education and Equality Subcommittee recommended approval of this item at the Jan. 25, 2017 meeting with a vote of 3-0.

**This item was adopted as corrected.**

**78 Approval to Apply for and Accept 2017-2018 Head Start Birth to Five Funds and Contract with Delegate Agencies and Child Care Partners (Ordinance S-43328)**

Request authorization for the City Manager, or his designee, to apply for Fiscal Year 2017-2018 Head Start Birth to Five program grant funds from the U.S. Department of Health and Human Services (DHHS) for up to a total of \$33,148,900 for the period of July 1, 2017 through June 30, 2018 and to enter into contracts with Delegate Agencies in the amount of \$16,987,987 and Child Care Partners in the amount of \$3,375,750 upon successful award of the grant. The remainder of the Head Start grant award of \$12,785,163 will be utilized within the Human Services Department to provide direct and administrative services to Head Start Birth to Five children and families, award Delegate Agencies one-time monies for necessary health and safety items, or enter into related collaborative contracts required for Head Start services. One-time funding additions to Delegate Agencies will be approved by the governing board before award. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item if awarded.

**Summary**

The Phoenix Head Start Birth to Five program currently provides comprehensive education and social services through three service delivery models. There are 300 families, including infant and toddler children, served through a home-based model with an additional 188 served in center-based classrooms and 2,963 preschoolers served in a center-based program. Many services are provided through contractors designated by the Office of Head Start as Delegate Agencies and Child Care Partners. See Attachment A for delegates and funding amounts.

The Delegate Agencies are as follows:

- Alhambra Elementary School District
- Booker T. Washington Child Development Center
- Deer Valley Unified School District
- Fowler School District
- Greater Phoenix Urban League
- Murphy School District No. 66
- Roosevelt School District No. 66
- Washington Elementary School District
- Wilson School District No. 7

The grant supports the partnership of Early Head Start programs with child care providers. The partnerships allow programs to leverage their funds to provide more high quality early learning slots in their community. The partners are as follows:

- Kids Kampus
- Out of This World Childcare
- Cactus Kids
- Robin's Nest

### **Contract Term**

The Grantee is entering into the fourth year of a five-year grant for Head Start preschool and Early Head Start Home-Based programs and the new contract term is July 1, 2017 to June 30, 2018. The Early Head Start-Child Care Partnership (EHS-CCP) grant is a separate application and will be in its third of a four-year grant, the new contract term is July 1, 2017 to June 30, 2018. The contracts will be renewed for the remaining year, conditioned upon approval of the annual refunding applications, new budgets, and updated program information.

### **Financial Impact**

A 25 percent match required by the grant is generated by the contractors, City in-kind services, and community volunteers. No additional General Funds are needed to operate the Head Start program.

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

The Head Start Policy Council approved this item on Feb. 13, 2017. The

Parks, Arts, Education and Equality Subcommittee recommended approval of the item on Feb. 22, 2017 by a vote of 3-0.

**This item was adopted.**

**79 Accept Arizona First Things First Funds for Ongoing Early Literacy Outreach Program (Ordinance S-43329)**

Request authorization for the City Manager, or his designee, to accept and expend funds in the amount of \$375,000 in FY 2017-2018 from the State of Arizona First Things First Phoenix North Regional Council. Funds will be used to support ongoing programs conducted by Phoenix Public Library's Early Literacy Outreach Team.

**Summary**

The First Things First Phoenix North Regional Partnership Council grant supports a team of 7.165 early literacy outreach specialists who present parent education programs and workshops at community sites as well as seven libraries located in First Things First's North Region: Acacia (750 E. Townley Ave.), Agave (23550 N. 36th Ave.), Cholla (10050 Metro Parkway E.), Juniper (1825 W. Union Hills Drive), and Mesquite (4525 E. Paradise Village Parkway N.). Workshops for parents and caregivers focus on strategies to assist children in being ready to read by kindergarten. These programs conducted by Phoenix Public Library's Early Literacy Outreach Team are part of PHXAchieves, which focuses on increasing early literacy, math proficiency, high school completion, and college and career readiness by implementing quality programs that prepare students and families for success.

First Things First (FTF) has supported Phoenix Public Library's Early Literacy Outreach Team for seven years. This will be the third year of a three-year funding cycle with funds totaling \$1.125 million over the entire three-year period.

**Financial Impact**

In January, the FTF Council approved continuing funding of \$375,000 for the Parent Outreach & Awareness strategy and its partnership with the Library.

**Location**

The First Things First grant supports Phoenix Public Library's Early

Literacy Outreach Team's programs held in Phoenix Public Library locations within the First Things First Phoenix North Regional Partnership Council: Acacia (750 E. Townley Ave.), Agave (23550 N. 36th Ave.), Cholla (10050 Metro Parkway E.), Juniper (1825 W. Union Hills Drive), and Mesquite (4525 E. Paradise Village Parkway N.).

**This item was adopted.**

**80      Aquatics Equipment and Supplies - IFB PKS 17-012517 (Ordinance S-43330)**

Request to authorize the City Manager, or his designee, to enter into a contract with vendors to furnish aquatics equipment and supplies on an as-needed basis at the City's 29 operating swimming pools during the summer swim season. Further authorize the City Controller to disburse the funds for purposes of this ordinance.

**Summary**

The City of Phoenix Parks and Recreation Department currently has 29 operating swimming pools during the open season with more than 500 part-time staff. During the season, the pools average more than 20,000 swim lesson participants and approximately 500,000 people attend the pools. The contractors shall furnish aquatic equipment and supplies for the Parks and Recreation Department on an as-needed basis for a two-year period with three one-year options to extend the Agreement at the sole discretion of the City staff. The equipment solicited in the contract falls into the following categories: aquatic sports equipment and supplies, and aquatic rescue equipment, swim lesson equipment, training supplies, and miscellaneous.

**Procurement Information**

The Parks and Recreation Department released Invitation for Bids (IFB PKS 17-012517) on Jan. 30, 2017 for aquatics equipment and supplies on an as-needed basis for use at the City's 29 operating swimming pools during the summer swim season. Four submittals were received for the IFB on Feb. 15, 2017, for aquatics equipment and supplies services. The following submittals were received:

\*Lincoln Aquatics

\*Recreonics

\*The Lifeguard Store, Inc.

\*Water Safety Products Inc.

The IFB was awarded to the following companies that submitted the lowest prices for aquatics equipment and supplies:

\*Lincoln Aquatics

\*The Lifeguard Store, Inc.

\*Water Safety Products Inc.

### **Contract Term**

The agreement term is for three years. Provisions of the contract may include two options to extend the term for up to one year each, which may be exercised by the City Manager or his designee.

### **Financial Impact**

The initial three-year term of each contract will have a maximum contract capacity of \$285,000 for the following vendors listed below:

Lincoln Aquatics - \$60,000

The Lifeguard Store, Inc. - \$25,000

Water Safety Products Inc. - \$10,000

The two-year renewal option, if exercised, will provide an additional \$190,000 in capacity, for a total maximum contract capacity of \$475,000 each year over the five-year term of the contract, including all amendments. Contract payments may be made up to the contract limits for all rendered contract services.

The total amount of the contract not to be exceeded over the life of the contract is \$475,000.

**This item was adopted.**

## **81 Preserve Trail Maintenance Contract Award (Ordinance S-43331)**

Request to authorize the City Manager, or his designee, to enter into a contract with Okanogan Trail Construction, Inc. to provide specialized trail maintenance services on a consistent on-going basis in order to maintain and rehabilitate the City's Mountain Preserve and Desert Park trails system.

**Summary**

The City of Phoenix mountain preserves are beautiful open spaces for nature, recreation, and fitness opportunities. They also are wild desert areas with rocky terrain and other natural hazards with more than 200 miles of mountain preserve trails that require regular maintenance, rerouting and closures. The Parks and Recreation Department invited sealed proposals for specialized services in order to maintain and rehabilitate the City's Mountain Preserve and Desert Park trails system. The services required are:

- \* Assisting in the removal of non-designated trail by ripping and scarring the trail, providing natural re-shaping methods, and seeding to remove the appearance of a trail and allow it to return back to a natural state.
- \* Providing general trail maintenance as necessary to make trails safe, sustainable, and maintainable.
- \* Rerouting trails as approved in plans, where safety, maintenance, and/or sustainability issues arise.
- \* Supplying and installing signage, trail posts, and trail counters as necessary.

**Procurement Information**

The Parks and Recreation Department issued the Preserve Trail Maintenance Solicitation on Nov. 23, 2016. Three companies submitted proposals prior to the deadline of Dec. 28, 2016. The three responsive proposers were Northwest Woodland Services, Inc., Okanogan Trail Construction, Inc., and YRU Contracting, Inc. Staff determined that all proposers met the minimum qualifications established in the solicitation which included five years experience and the ability to demonstrate experience in trail design, construction, repair, and maintenance for sustainable mountain trails. The evaluation panel reviewed the three proposals and based on the evaluation criteria listed in the solicitation scored each of the proposals as follows:

Okanogan Trail Construction, Inc.: 100

YRU Contracting, Inc.: 71

Northwest Woodland Services, Inc.: 46

The Parks and Recreation Department recommends contracting with

Okanogan Trail Construction, Inc. as the highest scoring, responsive bidder.

**Contract Term**

The contract will be for three years with two one-year options to extend the Agreement, at the sole discretion of the Parks and Recreation Director.

**Financial Impact**

There is no expected General Fund expenditure; trail improvements will be funded by the Phoenix Parks and Preserve Initiative. Funding is available in the Parks and Recreation Department's Capital Improvement Program budget. The cost of this contract is not to exceed \$3.5 million (\$700,000 annually) over the course of its duration.

**Concurrence/Previous Council Action**

This item will be heard by the Parks, Arts, Education and Equality Subcommittee at their March 22, 2017 meeting.

**This item was adopted.**

**83 Amendment to ASU Health Solutions Intergovernmental Agreement City Contract 142599-0 (Ordinance S-43332)**

Request to authorize the City Manager, or his designee, to amend ASU Health Solutions Intergovernmental Agreement (IGA), and amend or execute other agreements as necessary, with Arizona Board of Regents (ABOR) on behalf of Arizona State University (ASU), for the Health Solutions Project on the Phoenix Biomedical Campus in downtown Phoenix.

**Summary**

On May 16, 2016, the City and ABOR entered into the IGA for development of the ASU Health Solutions project. ASU has been diligently working to identify development plans and partners for this site, but additional time is needed to reach an acceptable agreement.

ASU has requested that the City agree to amend the IGA to extend the due date for the preliminary site plan from May 31, 2017 to May 31, 2018, and to allow ASU, with prior approval from City staff, to develop on any portion of the property as the first phase.

All other terms of the IGA shall remain in full force and effect.

**Financial Impact**

This action will not have any impact on the General Fund.

**Concurrence/Previous Council Action**

The City Council authorized the IGA on May 19, 2015, through Ordinance S-41736.

**Location**

Phoenix Biomedical Campus parcels located between Fillmore and Garfield streets and 4th and 6th streets in downtown Phoenix.

**This item was adopted.**

**85 Phoenix Sky Harbor International Airport Terminal 3 Southeast Transition Apron Reconstruction - Construction Manager at Risk Design Phase Services - AV08000079 FAA (Ordinance S-43334)**

Request to authorize the City Manager, or his designee, to enter into an agreement with CSW Contractors, Inc. (Scottsdale, Ariz.) to provide Construction Manager at Risk (CMAR) design phase services for the Terminal 3 Southeast Transition Apron and Taxiway D Segment Reconstruction project. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

This project will reconstruct the Terminal 3 Southeast Transition Apron and the segment of Taxiway D between D8 and D9 at Phoenix Sky Harbor International Airport. The transition apron area is used as a hold apron and location for aircraft to remain overnight. The segment of Taxiway D is used to taxi aircraft on the airfield. The pavement lives have been expended and require reconstruction. The CMAR's design phase services include preparing construction estimates, developing a construction schedule, performing constructability and bidability reviews of the plans and specifications, and sequencing for project implementation to minimize airport operations impacts.

**Procurement Information**

CSW Contractors, Inc. was chosen for this project using a

qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes (ARS). Pursuant to ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded. The top-three rankings follow:

CSW Contractors, Inc.: Ranked #1

J. Banicki Construction, Inc.: Ranked #2

Fisher Sand & Gravel Co.: Ranked #3

### **Contract Term**

The term of the design phase services contract is for approximately five months. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

### **Financial Impact**

CSW Contractors, Inc.'s fee under the contract will not exceed \$100,000, including all subconsultant and reimbursable costs. Staff anticipates reimbursement from the Federal Aviation Administration (FAA). Funds are available in the Aviation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

### **Location**

This project is located at Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.

**This item was adopted.**

**86 New Lease with Airline Tech Reps, LLC, a Texas Limited Liability Company Doing Business in Arizona as STS Line Maintenance (Ordinance S-43335)**

Request to authorize the City Manager, or his designee, to enter into a month-to-month facility lease (Lease) with Airline Tech Reps, LLC, a Texas limited liability company doing business in Arizona as STS Line Maintenance, for 1,920 square feet of leased premises at Phoenix Sky Harbor International Airport. The Lease will include authorization for the

Aviation Director to make additions, subtractions, and changes to the leased space as the Aviation Director deems necessary or appropriate.

**Summary**

Airline Tech Reps, LLC, shall use the leased premises in support of its Commercial Use Permit 404-16 and to provide maintenance and support services for Air Canada and Frontier Airlines. Airline Tech Reps, LLC, shall pay a rental rate based upon the Airport Rates and Charges established by Chapter 4, Article IX of the Phoenix City Code. The Lease may contain other terms and conditions deemed necessary or appropriate by the City Manager or designee.

**Contract Term**

The term of the Lease is month-to-month.

**Financial Impact**

The City is expected to receive rent in the amount of \$27,417.60 per year.

**Location**

Phoenix Sky Harbor International Airport is located at 3400 E. Sky Harbor Blvd.

**This item was adopted.**

**87     Reflectorized Sign Sheeting Material Contract - Arizona State  
Contract ADSP017-152541 (Ordinance S-43336)**

Request to authorize the City Manager, or his designee, to adopt the State of Arizona Contract ADSP017-152541 with 3M Company to purchase reflectorized sign sheeting materials in an aggregate amount not to exceed \$1,625,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The City of Phoenix Aviation and Street Transportation departments' Sign Shops fabricate and maintain the signage for Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, Phoenix Goodyear Airport, as well as street signage within City right-of-way. Adopting the State of Arizona contract provides additional signage capacity and options to the City in the event of higher volumes of needed sign fabrication or specialty signs and allows the City to obtain traffic signing

materials as needed in a timely manner.

### **Procurement Information**

In accordance with the Arizona Revised Statutes Section 41-2632, the City has entered into an Intergovernmental Agreement with the State of Arizona Procurement Office for a Cooperative Purchase Agreement. The State contract was awarded using a similar competitive process as set forth in the Phoenix City Code Chapter 43. This request seeks authorization to make purchases under the State's contract throughout the contract's term.

### **Contract Term**

This contract has an initial term of one-year from Oct. 28, 2016 through Oct. 27, 2017, with an option for four one-year extensions through Oct. 26, 2021, which may be exercised by the City Manager or designee.

### **Financial Impact**

Expenditures against this contract are estimated at \$325,000 annually, and shall not exceed \$1,625,000 over the life of the contract. Funds are available in the Aviation and Street Transportation departments' budgets.

**This item was adopted.**

## **91 Purchase of Caterpillar Cold Planer and Hydraulic Excavator (Ordinance S-43340)**

Request to authorize the City Manager, or his designee, to enter into a contract with Empire Southwest (Vendor 3016575) in an amount not to exceed \$760,000.00 for purchase of a Caterpillar Cold Planer and Hydraulic Excavator. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The Public Works Department will purchase a Caterpillar Cold Planer on behalf of the Street Transportation Department and a Hydraulic Excavator on behalf of the Public Works Solid Waste Disposal Division. The Caterpillar Cold Planer has been selected to replace an aging asphalt grinder that has exceeded its useful life. This equipment has a service life expectancy of six years and is currently 10 years old. This equipment mills and cuts out existing asphalt for repair and maintenance of current street infrastructure to ensure proper grade and finish of new pavement.

The Hydraulic Excavator has been selected to replace an aging excavator that has exceeded its useful life. This equipment has a service life expectancy of 7,500 hours and is currently at 9,469 hours. This equipment is used daily at the 27th Avenue Transfer Station on the tipping floor to pick up trash and load it into trailers to be hauled to the City-owned State Route 85 Landfill. This equipment helps to ensure that long-haul trailers are in compliance with the State's highway weight requirements.

**Procurement Information**

A determination has been approved for this one-time purchase of two pieces of Caterpillar equipment through the Arizona authorized vendor, Empire Southwest. In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing a request to adopt a cooperative agreement from another government agency.

**Financial Impact**

Funds are available in the Street Transportation and Public Works departments' budgets.

**This item was adopted.**

**92 Service and Repair of JCB-Brand Track Excavators Equipment (Ordinance S-43341)**

Request to authorize the City Manager, or his designee, to enter into a contract with Forklift Exchange dba Flaska (Vendor 3073545) in an amount not to exceed \$250,000 for service and repair of JCB equipment. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Public Works Department uses JCB-brand track excavators in its Solid Waste Diversion and Disposal Division operations. Excavator equipment is critical to the operation, as this equipment is used to move trash from the transfer station tipping floor to long haul trucks below the floor.

**Procurement Information**

A determination has been made for this contract through the Arizona

authorized vendor, Flaska, as any equipment repairs must be performed through this one vendor. In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing that there is only one source for the necessary goods and services.

**Contract Term**

The initial two-year contract term shall begin on or about April 1, 2017, and end on March 31, 2019. Provisions of the contract include an option to extend the term of the contract for up to three additional years, in one-year increments, which may be exercised by the City Manager or his designee.

**Financial Impact**

The aggregate contract value including all option years will not exceed \$250,000, with an estimated annual expenditure of \$50,000. Funds are available in the Public Works Department budget.

**This item was adopted.**

**93 Administration and Development of Sustainability Education, Events and Volunteer Coordination - RFP 17-SW-060 (Ordinance S-43342)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Keep Phoenix Beautiful, Inc., an Arizona 501(c)3 non-profit to provide administration and development of sustainability education, events and volunteer coordination throughout the City for an amount not to exceed \$1,500,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

Keep Phoenix Beautiful, Inc., is an affiliate of the Keep America Beautiful System, which is presently active in more than 600 cities and 40 states. Keep Phoenix Beautiful, Inc., will provide various solid waste diversion education and event coordination services including sustainability education and curriculum development for schools within the city of Phoenix. The services will provide education to Phoenix youth about various sustainability initiatives and the importance of recycling. The vendor will organize, lead and participate in large diversion events,

volunteer recruitment, community garden activities, illegal dumping prevention, anti-littering efforts, neighborhood clean-ups as well as Phoenix Household Hazardous Waste events.

### **Procurement Information**

Request for Proposals (RFP) 17-SW-060 Administration and Development of Sustainability Education, Events and Volunteer Coordination was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Public Works Department on Jan. 11, 2017. The offer was evaluated based on approach to scope of work, proposed fees, qualifications and experience of project manager and qualifications and experience of proposer. The offer submitted by Keep Phoenix Beautiful, Inc., is deemed to be fair and reasonable based on the market and contract pricing. The Public Works Director recommends the offer from Keep Phoenix Beautiful, Inc., be accepted as a responsive and responsible offer.

### **Contract Term**

The initial three-year contract will commence on or about July 1, 2017, and continue through June 30, 2020. Monthly payments of \$25,000.00 will be contingent upon satisfactory performance of completed services received during the previous month. Provisions of the contract may include an option to extend up to two additional years in one-year increments, with the terms and conditions to be acceptable to both Keep Phoenix Beautiful, Inc., and the City. This option will be exercised by staff if considered in the City's best interest.

### **Financial Impact**

The estimated annual expenditure is \$300,000 based on historical trends and contract usage. Funds are available in the Public Works Department operating budget.

**This item was adopted.**

**94      91st Avenue Wastewater Treatment Plant Sub-Regional Operating Group Digester Dome Replacement - Construction Manager at Risk - Construction Phase Services (Ordinance S-43343)**

Request to authorize the City Manager, or his designee, to enter into a contract with PCL Construction, Inc., (Denver, Colo.) to provide

Construction Manager at Risk (CMAR) Guaranteed Maximum Price (GMP) Preparation and Construction Phase services in support of the 91st Avenue Wastewater Treatment Plant (WWTP) Sub-Regional Operating Group (SROG) Digester Dome Replacement project. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Digester Dome Replacement project is intended to replace the fixed domes covering four of the 14 anaerobic digesters (Digesters 2, 3, 4 and 12). These existing domes are structurally deficient due to age and the corrosive environment within the digesters. The anaerobic digesters are critical to the solids treatment process at the plant. The project will include removal of the existing domes, fabrication and installation of new domes, rehabilitation and coating of the digesters' interior walls, installation of protective coatings to the interior of the digester domes and installation of roofing material and ancillary equipment on the exterior of the digester domes.

PCL Construction, Inc. will assume the risk of delivering the project through a Guaranteed Maximum Price. PCL Construction, Inc. will be responsible for means and methods related to the project, participating with the City in the goal setting process for Small Business Enterprise (SBE) participation and implementing the SBE process. PCL Construction, Inc. will also be required to solicit bids from prequalified subcontractors to perform work under the City's subcontractor selection process. PCL Construction, Inc., may also compete to self-perform limited amounts of work.

**Procurement Information**

PCL Construction, Inc., was chosen for this project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Design Phase Services.

**Contract Term**

The services are expected to be completed within 12 months from issuance of the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract may be

agreed to by the parties and work may extend past the termination for work in progress. No additional contract work scope may be executed after the end of the contract term.

**Financial Impact**

PCL Construction, Inc.'s fee for GMP Preparation and Construction Phase Services under this contract will not exceed \$925,000, including all subcontractor and reimbursable costs. Funding for these services is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

**Concurrence/Previous Council Action**

City Council approved Design Contract 142546 on May 4, 2015.

**Location**

5615 S. 91st Ave., Tolleson, Ariz.

**This item was adopted.**

**95 Phoenix Sky Harbor International Airport Comprehensive Asset Management Plan (Master Plan) Design Services - AV09000090 FAA (Ordinance S-43344)**

Request to authorize the City Manager, or his designee, to enter into a contract with Ricondo & Associates, Inc. (Phoenix) to provide design services for the Phoenix Sky Harbor International Airport Comprehensive Asset Management Plan (CAMP) advertised as the Phoenix Sky Harbor International Airport Master Plan. Further request authorization for the City Controller to disburse all funds related to this item.

Further request authorization for the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design agreements, licenses, permits, and requests for utility services relating to the project, including the disbursement of funds. Utility services include electrical, water, sewer, natural gas, telecommunications, cable television, and railroads and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

**Summary**

The CAMP is necessary to meet Federal Aviation Administration (FAA) regulations that require airports to maintain and keep current airport planning studies. The CAMP is also an important tool for the City, as it helps ensure efficient and cost-effective airport asset management.

**Procurement Information**

Ricondo & Associates, Inc. was chosen for this project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes (ARS). Pursuant to ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded. The top three rankings follow:

Ricondo & Associates, Inc.: Ranked #1

Leigh Fisher, Inc.: Ranked #2

Landrum & Brown, Inc.: Ranked #3

**Contract Term**

The term of the contract is three years. A scope of work identified and incorporated into the contract prior to the end of the contract term may be agreed to by the parties, and work may extend past the termination of work in progress. No additional contract scope of work changes may be executed after the end of the contract term.

**Financial Impact**

Ricondo & Associates, Inc.'s fee under the contract shall not exceed \$3,600,000, which includes all subconsultant and reimbursable costs. Staff anticipates reimbursement from the FAA. Funds are available in the Aviation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the end of the contract term.

**Concurrence/Previous Council Action**

This item was unanimously approved by the Downtown, Aviation, Economy and Innovation Subcommittee on Feb. 22, 2017.

**Location**

Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.

**This item was adopted.**

**96 Electrical, Instrumentation, and Control Systems Inspection and Testing Services - Union Hills Water Treatment Plant - WS85320019-1 (Ordinance S-43345)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Black & Veatch Corporation (Phoenix) to provide design support, construction inspections, and commissioning testing in support of projects associated with electrical, instrumentation, and control systems at the Union Hills Water Treatment Plant. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Water Services Department developed electrical, instrumentation, and control standards which are used to provide consistency and safety throughout the Department. Black & Veatch Corporation's role will be to ensure adherence to these standards during design, construction, calibration, testing, and commissioning of the electrical, instrumentation, and control systems. In addition, Black & Veatch Corporation will provide operations and maintenance support when City staff are replacing existing equipment or installing new equipment, and may be required to provide arc flash hazard testing services.

**Procurement Information**

Eleven firms submitted for this qualifications-based selection process. The City selected the top four-ranked firms to perform the above services at various Water Services locations using a single procurement according to Section 34-604 of the Arizona Revised Statutes (ARS). Per ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded. The ranking of the firms is included below:

Black & Veatch Corporation: Ranked #1  
OZ Engineering: Ranked #2  
Brown and Caldwell, Inc.: Ranked #3  
Arcadis US, Inc.: Ranked #4  
Wilson Engineers, LLC: Ranked #5  
Stanley Consultants, Inc.: Ranked #6  
Greeley and Hansen, LLC: Ranked #7

Westin Engineering, Inc: Ranked #8  
Industrial Power Solutions, LLC: Ranked #9  
Quantum: Ranked #10  
Automation Controls Design Specialists, LLC: Ranked #11

**Contract Term**

The term of the contract is for five years. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**

Black & Veatch Corporation's fee will not exceed \$2,750,000 for the total five-year contract, including all subconsultants and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**Location**

2001 E. Deer Valley Road

**This item was adopted.**

**97 Deer Valley Water Treatment Plant Reservoir 1-GS1-2  
Rehabilitation Project - Design-Bid-Build (Ordinance S-43346)**

Request to authorize the City Manager, or his designee, to accept M.A. Mortenson Company (Chandler, Ariz.) as the lowest-priced, responsive, and responsible bidder and to enter into a contract with M.A. Mortenson Company for construction services for the Deer Valley Water Treatment Plant Reservoir 1-GS1-2 Rehabilitation project. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Deer Valley Water Treatment Plant Reservoir 1-GS1-2 is a 20-million-gallon reservoir in need of rehabilitation, which will include installation of a new polypropylene membrane liner, a standing seam metal roofing system, and other miscellaneous repairs. Construction

services include, but are not limited to: removal of existing metal roofing system; partial demolition of existing asphaltic plank liner; demolition of existing chlorine piping and 20-inch well piping; replacement of level transducer/transmitter; ventilation system improvements; stairway handrails, ships ladders, walkways, equipment hatches, and roof openings; and other miscellaneous improvements for the roof structural framework. Miscellaneous site work includes corrosion removal, signage improvements, and electrical and instrumentation upgrades.

### **Procurement Information**

Two bids were received in compliance with Section 34-201 of the Arizona Revised Statutes by the Street Transportation Department on Jan. 18, 2017. The two bids were received by the Equal Opportunity Department (EOD) for review to determine subcontractor eligibility and general contractor responsiveness in demonstrating compliance with the project's Small Business Enterprise (SBE) goal. EOD determined the two bidders were responsive.

Bids ranged from a low of \$3,181,118 to a high of \$3,363,980. The Engineer's estimate and the two lowest-priced, responsive, and responsible bidders are listed below:

Engineers Estimate:	\$3,500,558
M.A. Mortenson Company:	\$3,181,118
Schofield Civil Construction, LLC:	\$3,363,980

### **Contract Term**

The term of the contract is 240 calendar days. The contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

### **Financial Impact**

The bid award amount is within the total budget for this project. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the

contract termination.

#### Small Business Outreach

A small business enterprise goal of three percent has been established for this project.

#### **Location**

Deer Valley Water Treatment Plant, 3030 W. Dunlap Ave.

**This item was adopted.**

**98      Electrical, Instrumentation and Control Systems Inspection and Testing Services - 91st Avenue Sub-Regional Operating Group Wastewater Treatment Plant - WS90100092-1 (Ordinance S-43347)**

Request to authorize the City Manager, or his designee, to enter into a contract with Wilson Engineers, LLC (Phoenix) to provide professional services for the design support, construction inspections, and commissioning testing for multiple projects associated with electrical, instrumentation and control systems throughout the 91st Avenue Sub-Regional Operating Group (SROG) Wastewater Treatment Plant and to execute contract options as necessary. Further request authorization for the City Controller to disburse all funds related to this item.

#### **Summary**

The Water Services Department developed electrical, instrumentation, and control standards which are used to provide consistency and safety throughout the Department. Wilson Engineers, LLC's role will be to ensure adherence to these standards during design, construction, calibration, testing, and commissioning of the electrical, instrumentation, and control systems. In addition, Wilson Engineers, LLC, will provide operations and maintenance support when City staff are replacing existing equipment or installing new equipment, and may be required to provide arc flash hazard testing services.

The facility is owned by the Sub-Regional Operating Group and operated by the City of Phoenix.

#### **Procurement Information**

Wilson Engineers, LLC, was chosen for this project using a qualifications-based selection process according to Section 34-603 of

the Arizona Revised Statutes (ARS). Pursuant to ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded. The top three rankings follow:

Wilson Engineers, LLC: Ranked #1

Black & Veatch Corporation: Ranked #2

Brown and Caldwell, Inc.: Ranked #3

### **Contract Term**

The term of the contract is for two years with an option to extend for an additional two-year period, for a total of four consecutive years. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

### **Financial Impact**

Wilson Engineers, LLC's fee under the initial contract shall not exceed \$775,000, including all subconsultants and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

### **Location**

5615 S. 91st Ave., Tolleson, Ariz.

**This item was adopted.**

**99 Sanitary Sewer Collection System Emergency Repair and Replacement - Job Order Contract - 4108JOC153 WS90500232-1 (Ordinance S-43348)**

Request to authorize the City Manager, or his designee, to enter into separate contracts with Achen-Gardner Construction, LLC, (Chandler, Ariz.) and B&F Contracting, Inc., (Phoenix) to provide Sanitary Sewer Collection System Emergency Repair and Replacement Job Order Contracting (JOC) services, and to execute contract options as necessary. Further, request authorization for the City Controller to disburse all funds related to this item.

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

**Summary**

The Job Order Contracts (JOC) will be used on an as-needed basis to provide emergency and priority sanitary sewer collection system repair and replacement. The scope of work may include, but is not limited to: working in confined spaces, vaults or shored excavations in accordance with all applicable occupational safety regulations; backfilling and providing temporary and/or permanent pavement replacement; by-pass pumping; repair or replace 8-inch to 90-inch sanitary sewer lines and force mains; disposal, clean-up and restoration of job sites; traffic control; odor control as necessary when working on sanitary sewer lines, minor site and piping work at lift stations, and all other work as it relates to this JOC. A Small Business Outreach goal of two percent has been established for these contracts.

**Procurement Information**

Achen-Gardner Construction, LLC, and B&F Contracting, Inc., were chosen for this project using a qualifications-based selection process according to Section 34-604 of the Arizona Revised Statutes (ARS). Pursuant to ARS Title 34, the City is not to release the scoring of proposers until the contract has been awarded. The top-three rankings follow:

Achen-Gardner Construction, LLC: Ranked #1

B&F Contracting, Inc.: Ranked #2

Hunter Contracting, Inc.: Ranked #3

**Contract Term**

Each JOC will be for a three-year term with an option to renew for an

additional two-year term or maximum funding capacity, whichever occurs first. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

### **Financial Impact**

The initial contract value of each JOC will be \$3 million with an option to renew for an additional \$2 million for a total contract value of \$5 million each, including all amendments. Authorization is requested to execute job order agreements performed under this JOC for up to \$2 million each in construction costs. In no event will any job order agreement exceed this limit without Council approval to increase the limit. Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**This item was adopted.**

**100 Electrical, Instrumentation, and Control Systems Inspection and Testing Services - Deer Valley Water Treatment Plant - WS85260024 (Ordinance S-43349)**

Request to authorize the City Manager, or his designee, to enter into an agreement with OZ Engineering, LLC, (Phoenix) to provide design support, construction inspections, and commissioning testing in support of the electrical, instrumentation, and control systems at the Deer Valley Water Treatment Plant. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The Water Services Department developed electrical, instrumentation, and control standards which are used to provide consistency and safety throughout the Department. OZ Engineering's role will be to ensure adherence to these standards during the design, construction, calibration, testing, and commissioning of the electrical, instrumentation, and control systems. In addition, OZ Engineering will provide operations and maintenance support when City staff are replacing existing equipment or

installing new equipment, and may be required to provide arc flash hazard testing services.

**Procurement Information**

Eleven firms submitted for this qualifications-based selection process. The City selected the top four-ranked firms to perform the above services in various Water Services locations using a single procurement according to Section 34-604 of the Arizona Revised Statutes (ARS). Pursuant to ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded. The firm rankings are shown below:

Black & Veatch Corporation: Ranked #1  
OZ Engineering: Ranked #2  
Brown and Caldwell, Inc.: Ranked #3  
Arcadis US, Inc.: Ranked #4  
Wilson Engineers, LLC: Ranked #5  
Stanley Consultants, Inc.: Ranked #6  
Greeley and Hansen, LLC: Ranked #7  
Westin Engineering, Inc.: Ranked #8  
Industrial Power Solutions, LLC: Ranked #9  
Quantum: Ranked #10  
Automation Controls Design Specialists, LLC: Ranked #11

**Contract Term**

The term of the contract is for a total of five years. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**

OZ Engineering, LLC's fee for the five years of the contract will not exceed \$2,750,000, including all subconsultants and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**Location**

3030 W. Dunlap Ave.

**This item was adopted.**

**101 Wastewater Facilities Process Control Improvements - Job Order Contract - 4108JOC152 (Ordinance S-43350)**

Request to authorize the City Manager, or his designee, to enter into separate contracts with Felix Construction Company (Coolidge, Ariz.) and Ludvik Electric Co. (Phoenix) to provide Wastewater Facilities Process Control Improvements Job Order Contracting (JOC) services and to execute contract options as necessary. Further, request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Job Order Contracts (JOC) will be used on an as-needed basis to provide general construction at Wastewater Treatment Plants, Wastewater Reclamation Plants, Lift Stations, and Collection System Appurtenances. The scope of work may include, but is not limited to: installation and/or replacement of mechanical equipment such as auto-samplers, pumps, motors, chemical feed equipment, valves and/or actuators; installation of instrumentation and electrical equipment such as analyzers, meters, sensors, variable frequency drives, security upgrades, and Supervisory Control and Data Acquisition (SCADA) system components, including conduit and/or wiring; programming Remote Terminal Units (RTUs), Programmable Logic Controllers (PLCs) and instrumentation to control facilities in accordance with the City's Operating Divisions control strategy; general work process control upgrades; emergency repair services; pre-construction and post-construction services; and engineering design services when necessary or required. A Small Business Outreach goal of five percent has been established for these contracts.

**Procurement Information**

Felix Construction Company and Ludvik Electric Co. were chosen for this project using a qualifications-based selection process according to Section 34-604 of the Arizona Revised Statutes (ARS). Pursuant to ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded. The top-three rankings follow:

Felix Construction Company: Ranked #1

Ludvik Electric Co.: Ranked #2

Keller Electrical Industries, Inc.: Ranked #3

### **Contract Term**

Each JOC will be for a three-year term with an option to renew for an additional two-year term or maximum funding capacity, whichever occurs first. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

### **Financial Impact**

The initial contract value of each JOC will be \$9 million with an option to renew for an additional \$6 million, for a total contract value of \$15 million each, including all amendments. Authorization is requested to execute job order agreements performed under this JOC for up to \$2 million each in construction costs. In no event will any job order agreement exceed this limit without Council approval to increase the limit. Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**This item was adopted.**

**102 32nd Street Multi-Use Trail and Street Improvements - Broadway Road to Southern Avenue - Design-Bid-Build - ST85100245 (Ordinance S-43351)**

Request to authorize the City Manager, or his designee, to accept J. Banicki Construction, Inc. (Phoenix) as the lowest-priced, responsive, and responsible bidder and to enter into a contract with J. Banicki Construction, Inc. for construction services. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

J. Banicki Construction, Inc. will provide construction services in support of the 32nd Street Multi-Use Trail and Street Improvements project from

Broadway Road to Southern Avenue. The work includes subgrade preparation, asphalt pavement installation, application of microseal pavement treatment, installation of concrete sidewalks, construction of driveways, installation of concrete curb and street light poles, including traffic control, traffic signal installation and other associated work required to complete this project.

**Procurement Information**

Three bids were received according to Section 34-201 of the Arizona Revised Statutes by the Street Transportation Department on Jan. 24, 2017. The three 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 Small Business Enterprise (SBE) goal of 16 percent. All bidders were deemed responsive.

The bids ranged from a low of \$3,149,010.70 to a high of \$3,471,617.95. The Engineer's estimate and the three lowest responsive, responsible bidders are listed below:

Engineer's Estimate: \$3,164,205.00

J. Banicki Construction, Inc.: \$3,149,010.70

Sunland Inc. Asphalt and Sealcoating: \$3,297,000.00

Nesbitt Contracting Co, Inc.: \$3,471,617.95

**Contract Term**

The term of the contract is 200 calendar days from the date of issuance of the Notice to Proceed. The contract work scope will be identified and incorporated into the contract prior to the end of the contract to be agreed upon by both parties. Work may extend past the termination for work in progress and no additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**

The bid award amount is within the total budget for this project. Funding is available in the Street Transportation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract

termination.

**Location**

32nd Street from Broadway Road to Southern Avenue

**This item was adopted.**

**103 Water Main Replacement Project - Construction Manager at Risk - Design Phase Services - WS85509007 and WS85509011 (Ordinance S-43352)**

Request to authorize the City Manager, or his designee, to enter into a contract with Pulice Construction, Inc., (Phoenix) to provide Construction Manager at Risk (CMAR) design phase services for replacement of water mains in two geographically distinct locations. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Water Main Replacement Program evaluates and replaces aging water mains within the City of Phoenix. The primary focus of the Program is currently water mains in alleys and easements, which have historically had high break rates and are difficult to repair.

Work for project number WS85509007 (Area Bounded By: 16th Street to 20th Street and McDowell Road to Oak Street) includes replacement of approximately 14 linear feet of 4-inch, 20,336 linear feet of 6-inch, 5,313 linear feet of 8-inch, and 1,844 linear feet of 12-inch water main, and 30 fire hydrants. Work for project number WS85509011 (Area Bounded By: 12th Street to 16th Street and Glendale Avenue to Orangewood Avenue) includes replacement of approximately 1,040 linear feet of 4-inch, 11,464 linear feet of 6-inch, 1,424 linear feet of 8-inch, and 5,307 linear feet of 12-inch water main, and 48 fire hydrants.

Pulice Construction, Inc.'s services include, but are not limited to, review of design plans and specifications, input on constructability, and development of cost estimates.

**Procurement Information**

Pulice Construction, Inc., was chosen for this project using a qualifications-based selection process according to Section 34-603 of

the Arizona Revised Statutes (ARS). Pursuant to ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded. The top three rankings follow:

Pulice Construction, Inc.: Ranked #1

Talis Construction Corporation: Ranked #2

B&F Contracting, Inc.: Ranked #3

### **Contract Term**

The term of the contract is for approximately one year. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

### **Financial Impact**

Pulice Construction, Inc.'s fee for the CMAR design phase services shall not exceed \$10,000 including all subconsultant, subcontractor and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

### **Location**

Project is located in areas bounded by:

\*16th Street to 20th Street / McDowell Road to Oak Street

\*12th Street to 16th Street / Glendale Avenue to Orangewood Avenue

**This item was adopted.**

## **104 Thomas Road Transmission Main Rehabilitation Construction Administration and Inspection - WS85500443 (Ordinance S-43353)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC, (Phoenix) to provide construction administration and inspection services in support of the Thomas Road Transmission Main Rehabilitation project. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The Water Services Department initiated the Transmission Main

Inspection and Assessment program to inspect and assess the condition of critical transmission mains within the City's water system. The transmission main inspection and assessment has been ongoing since 2011 providing the City with awareness of the current condition of the City's transmission mains. The Thomas Road transmission main was installed from 1930 to 1948, and its joints are starting to fail. The pipeline between 44th and 64th streets, to include Thomas Road, has been selected for rehabilitation with a fully structural liner.

Wilson Engineers, LLC's construction administration and inspection services include: meeting attendance; review shop drawings; issue interpretation and clarification; perform material testing; conduct inspections; review of submittals; respond to requests for information; evaluate requested change orders; provide post-construction services including warranty inspections or reports; and other services as needed.

### **Procurement Information**

Wilson Engineers, LLC, was chosen for this project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes (ARS). Pursuant to ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded. The top three rankings follow:

Wilson Engineers, LLC: Ranked #1  
Stanley Consultants, Inc.: Ranked #2  
HDR, Inc.: Ranked #3

### **Contract Term**

The project is expected to take approximately two years to complete after issuance of the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

### **Financial Impact**

Wilson Engineers, LLC's fee under this contract will not exceed \$825,000 including all subconsultant and reimbursable costs. Funds are

available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

**Location**

Thomas Road from 44th to 64th streets.

**This item was adopted.**

**105 Custom Analytical Standards Requirements Contract (Ordinance S-43354)**

Request to authorize the City Manager, or his designee, to enter into a contract with Crescent Chemicals, Inc. (3014603), Absolute Standards, Inc. (3014582), and Chem Service, Inc. (3000786) to supply Custom Analytical Standards to the Water Services Department. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Safe Drinking Water Act, state and national Pollutant Discharge Elimination System permits, Arizona Aquifer Protection permits, and Arizona Water Reuse permits, including the City's Municipal Separate Storm Sewer Systems and the Industrial Pretreatment Program, require the City to perform a multitude of analytical tests to ensure compliance with these federal, state, and local regulations. As part of the required regulatory testing, the City requires many analytical reference standards for calibration and verification of laboratory equipment. Some of the methods employed require use of custom analytical standards. Primary and secondary standards must be selected from different batches; therefore multiple vendors are required.

**Procurement Information**

In accordance with the City of Phoenix Administrative Regulation 3.10, a solicitation was sent out for custom analytical standards. The City received five responsible bids which are listed below. The top three lowest bidders were accepted and are recommended for award.

Crescent Chemical, Inc.	\$17,377
Absolute Standards, Inc.	\$31,360

Chem Service, Inc.	\$44,089
Restek Corp	\$57,802
KTEC Equipment & Supplies	\$79,468

**Contract Term**

The contract term will be for three years effective April 1, 2017, through March 31, 2020, with two one-year options to extend which may be exercised by the City Manager or designee.

**Financial Impact**

Anticipated expenditures are not to exceed \$225,000 over the life of the contract, including the two one-year extensions. Funding for this contract is available in the Water Services Department budget.

**Location**

2474 S. 22nd Ave.

**This item was adopted.**

**106 Chlorine for Water and Wastewater (Ordinance S-43355)**

Request to authorize the City Manager, or his designee, to enter into a contract with DPC Enterprises (3029792) to supply chemical products which aid in the treatment of water and wastewater for the Water Services Department. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Water Services Department uses a variety of chemicals to continuously treat surface water and wastewater to meet federal, state, and local regulations.

**Procurement Information**

In accordance with City of Phoenix Administrative Regulation 3.10, the Water Services Department received two bids for the solicitation. Bid evaluation factors were based on an all-or-nothing bid to include price, schedule and delivery. The bids received were:

DPC Enterprises #1: \$1,163,287.50  
Thatcher Company #2: \$1,396,200.00

**Contract Term**

The contract will be for one year effective April 1, 2017, through March 31, 2018, with four one-year options to extend.

**Financial Impact**

Anticipated expenditures are not to exceed \$4,300,000 over the life of the contract, with an estimated annual expenditure of \$860,000 including the four one-year extensions.

**Concurrence/Previous Council Action**

Previously, the City Council approved Ordinance S-42398. This resulted in contract 142353, effective April 1, 2016, through March 31, 2017, with four one-year options to extend. The Water Services Department determined that it was in the best interest of the City to resolicit this product rather than exercise the current extension.

**This item was adopted.**

**107 Final Plat - Avilla Deer Valley - 160085 - Northwest Corner of Pinnacle Peak Road and 23rd Avenue**

Plat: 160085

Project: 15-952

Name of Plat: Avilla Deer Valley

Owner(s): Nexmetro Deer Valley, LLC

Engineer(s): Terrascope Consulting, LLC

Request: A 1 Lot Residential Subdivision Plat

Reviewed by Staff: Feb. 24, 2017

**Summary**

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

**Location**

Generally located at the northwest corner of Pinnacle Peak Road and 23rd Avenue.

Council District: 1

**This item was approved.**

**108 Final Plat - Peak View Park - 150087 - Southeast Corner of 44th Street and Peak View Road**

Plat: 150087

Project: 05-2315

Name of Plat: Peak View Park

Owner(s): Empire Residential Communities Fund II

Engineer(s): Bowman Consulting Group

Request: A 19 Lot Residential Plat

Reviewed by Staff: Feb. 24, 2017

**Summary**

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

**Location**

Generally located at the southeast corner of 44th Street and Peak View Road.

Council District: 2

**This item was approved.**

**109 Final Plat - Myrtle-6 - 160100 - Northeast Corner of 15th Avenue and Myrtle Avenue**

Plat: 160100

Project: 16-364

Name of Plat: Myrtle-6

Owner(s): PHLAZ Myrtle-6, LLC

Engineer(s): Jesse Boyd, EPS Group

Request: A 6 Lot Residential Plat

Reviewed by Staff: Feb. 27, 2017

**Summary**

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

**Location**

Generally located at the northeast corner of 15th Avenue and Myrtle Avenue.

Council District: 3

**This item was approved.**

**110 Final Plat - Advanced Auto - 160104 - Southeast Corner of 7th Street and Dunlap Avenue**

Plat: 160104

Project: 12-1586

Name of Plat: Advanced Auto

Owner(s): MCR Dunlap, LLC

Engineer(s): Alliance Land Surveying, LLC

Request: A 4 Lot Commercial Plat

Reviewed by Staff: Feb. 24, 2017

**Summary**

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

**Location**

Generally located at the southeast corner of 7th Street and Dunlap Avenue.

Council District: 3

**This item was approved.**

**111 Final Plat - Rosewood Court Senior Living - 160116 - Approximately 650 Feet North of the Northeast Corner of 16th Avenue and Camelback Road**

Plat: 160116

Project: 04-2798

Name of Plat: Rosewood Court Senior Living

Owner(s): Rosewood Court II

Engineer(s): Survey Innovation Group, Inc.

Request: A 1 Lot Residential Plat

Reviewed by Staff: Jan. 22, 2017

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V160064A.

**Location**

Generally located at approximately 650 feet north of the northeast corner of 16th Avenue and Camelback Road.

Council District: 4

**This item was approved.**

**112 Final Plat - Lazy Day Manor - 160110 - West of 15th Avenue South of Orangewood Avenue**

Plat: 160110

Project: 15-3216

Name of Plat: Lazy Day Manor

Owner(s): Plhaz Lazy Day, LLC

Engineer(s): Wood, Patel & Associates, Inc.

Request: A 24 Lot Conventional Subdivision Plat

Reviewed by Staff: Feb. 15, 2017

**Summary**

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

**Location**

Generally located west of 15th Avenue, south of Orangewood Avenue.

Council District: 5

**This item was continued to the April 5, 2017 City Council Formal Meeting.**

**113 Final Plat - Camelback Collective - 160084 - Southeast Corner of 28th Street and Camelback Road**

Plat: 160084

Project: 15-2370

Name of Plat: Camelback Collective

Owner(s): Camelback Collective Holdings, LLC

Engineer(s): Hunter Engineering

Request: A 2 Lot Commercial Subdivision Plat

Reviewed by Staff: Feb. 27, 2017

**Summary**

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

**Location**

Generally located at the southeast corner of 28th Street and Camelback Road.

Council District: 6

**This item was approved.**

**114 Final Plat - Marisol Federal Credit Union - 160087 - Southwest Corner of Roosevelt Street and 15th Avenue**

Plat: 160087

Project: 16-846

Name of Plat: Marisol Federal Credit Union

Owner(s): Marisol Federal Credit Union, A Federally-Chartered Credit Union

Engineer(s): Superior Surveying Services, Inc.

Request: A 1 Lot Commercial Subdivision Plat

Reviewed by Staff: Feb. 24, 2017

**Summary**

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

**Location**

Generally located at the southwest corner of Roosevelt Street and 15th Avenue.

Council District: 7

**This item was approved.**

**115 Final Plat - Navarro Groves - 160114 - 32nd Street South of Baseline Road**

Plat: 160114

Project: 15-2989

Name of Plat: Navarro Groves

Owner(s): Maracay 91, LLC

Engineer(s): Hubbard Engineering

Request: A 54 Lot Residential Subdivision Plat

Reviewed by Staff: Feb. 24, 2017

**Summary**

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

**Location**

Generally located at 32nd Street and Baseline Road.

Council District: 8

**This item was approved.**

**116 Abandonment of Right-of-Way - V150057A - 17th Place and Windsor Avenue (Resolution 21515)**

Abandonment: V150057A

Project: 00-2697

Applicant: Dave Cottle of Phoenix Children's Hospital

Request: To abandon the 50 foot Windsor Avenue Right-of-Way adjacent to the parcel addressed 1801 E. Thomas Road, APN 117-04-093.

Date of Hearing: Dec. 9, 2015

**Location**

1801 E. Thomas Road

Council District: 4

**Financial Impact**

A fee was also collected as part of this abandonment in the amount of \$35,000.

**This item was adopted.**

**117 Abandonment of Easement - V160064A - 16th Avenue and Camelback Road (Resolution 21516)**

Abandonment: V160064A

Project: 04-2798

Applicant: Monique Hastings of Newport Partners, LLC

Request: To abandon the Refuse Collection Easement, Access Easement, and Drainage Easements dedicated per the plat "16th Avenue and Camelback Road", Book 986 Page 12, located on the parcels addressed 5107, 5115, and 5121 N. 16th Avenue, APN's 156-38-119, -118, and -117; and the Drainage Easements dedicated per Ordinance S-40868 on the east line of the parcels addressed 5107 and 5115 N. 16th Avenue.

Date of Decision: Dec. 30, 2016

**Summary**

The resolution of the abandonment and the subdivision plat 160116, Rosewood Court Senior Living, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat 160116 is recorded second.

**Location**

16th Avenue and Camelback Road.

Council District: 4

**Financial Impact**

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

**This item was adopted.**

**118 Abandonment of Easement - V160040A - Camelback Road and 28th Street (Resolution 21517)**

Abandonment: V160040A

Project: 15-2370

Applicant: Camelback Office Sponsor, LLC

Request: To abandon the eight-foot Public Utility Easement and Irrigation Easement along the south boundary of the parcel addressed 2801 E. Camelback Road, APN 163-14-067D; along with the 16-foot Public Utility Easement and Irrigation Easement on the southwest corner of the parcel addressed 2845 E. Camelback Road, APN 163-14-054A.

Date of Decision: July 22, 2016

**Location**

Camelback Road and 28th Street.

Council District: 6

**Financial Impact**

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

**This item was adopted.**

**119 Abandonment of Right-of-Way - V160059A - 275 E. Sierra Vista Drive (Resolution 21518)**

Abandonment: V160059A

Project: 01-20211

Applicant: Yisroel Loeb

Request: To abandon the north 3 feet of East Maryland Avenue Right-of-Way adjacent to the parcel addressed 275 E. Sierra Vista Drive, APN 161-22-088.

Date of Hearing: Jan. 10, 2017

**Location**

275 E. Sierra Vista Drive

Council District: 6

**Financial Impact**

A fee was also collected as part of this abandonment in the amount of \$415.83.

**This item was adopted.**

**120     Abandonment of Easement - V160007A - 1541 E. Baseline Road  
(Resolution 21519)**

Abandonment: V160007A

Project: 15-3039

Applicant(s): Richard Moss of Schoolhouse Baseline, LLC

Request: To abandon the 12 foot by 60 foot Sidewalk Easement and Trail Easement on the parcel addressed 1541 E. Baseline Road, APN 300-23-001D, as identified in the recorded document 2003-1395074, Maricopa County Recorder.

Date of Decision: Feb. 29, 2016

**Location**

1541 E. Baseline Road

Council District: 8

**Financial Impact**

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

**This item was adopted.**

**121     Abandonment of Right-of-Way - V160052A - 7653 S. 41st Place  
(Resolution 21520)**

Abandonment: V160052A

Project: 05-1653

Applicant: Manuel De Jesus Pena

Request: To abandon the north 25 feet of East Fawn Drive Right-of-Way adjacent to the parcel addressed 7653 S. 41st Place, APN 301-19-031A, except the west 16 feet.

Date of Hearing: Nov. 9, 2016

**Location**

7653 S. 41st Place

Council District: 8

**Financial Impact**

A fee was also collected as part of this abandonment in the amount of \$682.48.

**This item was adopted.**

**122 Abandonment of Right-of-Way - V160062A - 10th Street and Madison Street (Resolution 21521)**

Abandonment: V160062A

Project: 16-1949

Applicant: Debartolo Architects

Request: To abandon the south 2.5 feet of east Madison Street Right-of-Way, and the north 5 feet of east Jackson Street Right-of-Way, adjacent to the parcels addressed and identified as 915 to 921 E.

Madison Street, APN 116-41-079A, -081B, -081C, and -083A.

Date of Hearing: Jan. 10, 2017

**Location**

10th Street and Madison Street

Council District: 8

**Financial Impact**

A fee was also collected as part of this abandonment in the amount of \$6,525.

**This item was adopted.**

**123 Amend City Code - Official Supplementary Zoning Map 1157 (Ordinance G-6293)**

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1157. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-96-05-1, Z-109-97-2, Z-68-04-2, Z-135-95-7 and Z-12-06-8 and the entitlements are fully vested.

**Summary**

To rezone a parcel located 150' east of the southeast corner of 30th Avenue and West Cactus Road.

District 1

Z-96-05-1

Zoning: C-1

Owner: White Cat LLC

Acres: Approximately 12.71

To rezone a parcel located at the northeast corner of 19th Avenue and Jomax Road.

District 2

Z-109-97-2

Zoning: R-2 PCD

Owner: Fireside at Norterra

Acres: Approximately 12.71

To rezone a parcel located 650' east of the northeast corner of Black Mountain Boulevard and Ashler Hills Drive.

District 2

Z-68-04-2

Zoning: R1-18 PRD

Owner: Ashler Hills Estates

Acres: Approximately 19.68

To rezone a parcel located 350' east of the southeast corner of 35th Avenue and Adams Street.

District 7

Z-135-95-7

Zoning: A-1

Owner: Andale Construction Inc.

Acres: Approximately 1.09

To rezone a parcel located on the east and west side of 24th Street at the Highline Canal.

District 8

Z-12-06-8

Zoning: R1-8

Owner: Mountain Trails Community

Acres: Approximately 42.62

**This item was adopted.**

## **124 Remove/Replace Zoning District - Annexation - 42nd Street and**

**Dynamite Road (Ordinance G-6294)**

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 Rural-43 zoning district and replacing it with the City of Phoenix City's S-1 (Ranch or Farm Residence) zoning district on property at the location described below, which was annexed into the City of Phoenix on March 1, 2017 by Ordinance S-43269.

**Location**

Located on the northeast corner of 42nd Street and Dynamite Boulevard  
Council District: 2

**This item was adopted.**

**51 Amendment to Rules of Council Proceedings (Ordinance G-6290)**

An ordinance amending Phoenix City Code, Chapter 2, Article II, Section 2-60, Rules of Council Proceedings, pertaining to the order of business for Formal Meetings.

**Summary**

The proposed changes will amend Rule 3, Order of Business at Formal Meetings, to reflect the transition to the new agenda management system and continuing efforts to improve transparency by grouping agenda items by topic in the categories of: Administration; Community Services; Economic Development; Public Safety; and Transportation and Infrastructure; and placing all Planning related items together with the planning and zoning cases near the end of the agenda.

The Text of the proposed changes to Rule 3 are as follows:

**Rule 3. Order of Business for Formal Meetings**

The City Clerk shall prepare and publish an agenda for each formal meeting WITH ITEMS APPROVED BY THE CITY MANAGER in the following order:

- (a) Roll call of members;
- (b) Citizen comments;

(c) Approval of minutes of the ~~preceding~~ PREVIOUS meetingS;

(d) Appointment of ~~and administering oaths to~~ Board and Commission members AND ADMINISTRATION OF OATHS;

~~(e) Consideration of bids;~~

(f E) Liquor license, bingo, and off-track betting license applications;

(F) PAYMENT ORDINANCES;

~~(g) Petitions, public hearings, and ratification of planning/zoning cases;~~

~~(h) Consideration of old business;~~

(i G) Reading and passage of ordinances and resolutions, FORMAL RECORDED ACTIONS, CONSIDERATION OF BIDS, OLD BUSINESS, AND NEW BUSINESS ITEMS LISTED UNDER THE CATEGORIES OF ADMINISTRATION, COMMUNITY SERVICES, ECONOMIC DEVELOPMENT, PUBLIC SAFETY, AND TRANSPORTATION AND INFRASTRUCTURE;

~~(j) Consideration of formal recorded actions and other new business;~~

(l H) ~~Public hearings of~~ Planning and zoning matters; INCLUDING ORDINANCES, RESOLUTIONS, PUBLIC HEARINGS, AND RATIFICATION OF PLANNING/ZONING CASES;

(I) ACTION ON CITIZEN PETITIONS PREVIOUSLY SUBMITTED;

(k J) Reports from the City Manager, committees or city officials;

(m K) Citizen comments.

### **Discussion**

The City Clerk read the title of the ordinance for this item.

Councilman Waring sought clarification this action would not change any of the policies but incorporated the current format of the agendas.

City Manager Ed Zuercher responded that statement was accurate.

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this item be adopted. The motion carried by the following vote:**

**Yes:** 8 - Councilman DiCiccio, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**Absent:** 1 - Councilman Nowakowski

**52 Multi-City Subregional Operating Group (SROG) User Charge Rates (Ordinance G-6291)**

Request City Council approval to amend Phoenix City Code for the Multi-City Subregional Operating Group (SROG) User Charge Rates.

**Summary**

This request amends the Phoenix City Code Chapter 28, Article V, Section 28-39 (a) 4, implementing changes to the sewer user rates to the Multi-City Subregional Operating Group (SROG) members effective July 1, 2017 (Attachment A).

The City of Phoenix participates with the cities of Glendale, Mesa, Scottsdale, and Tempe in Intergovernmental Agreement 22699 (IGA), for construction, operation and maintenance of the jointly-used 91st Avenue Wastewater Treatment Plant (WWTP). As lead agency, the City of Phoenix is responsible for the planning, budgeting, construction, operation and maintenance of the plant, and for billing member cities. The other members pay for costs of operation and maintenance based on anticipated use of the facility measured by sewage flows and strengths. These costs are recovered from the other members through user charge rates implemented annually on July 1 of each fiscal year.

The rates, to be effective July 1, 2017, are used as a basis to fairly allocate costs to the member cities for use of the 91st Avenue WWTP for Fiscal Year 2017-18. The Fiscal Year 2017-18 estimated costs shown below were included in this year's wastewater financial planning process and reflect the 2.0% wastewater rate increase approved for

2017.

The following SROG user charge rates and allocation of estimated costs were approved by the SROG Committee on Feb. 8, 2017 (Attachment B).

<u>SROG Member</u>	<u>User Charge Rate per 1,000 Gallon</u>	<u>Allocation of FY 2017-18 Estimated Costs</u>
City of Glendale	\$1.19392	\$3,442,663
City of Mesa	1.05664	6,942,148
City of Scottsdale	1.19719	3,932,754
City of Tempe	0.74860	<u>5,382,833</u>
<b>Subtotal</b>		<b>\$19,700,398</b>
City of Phoenix	0.91129	<u>27,607,390</u>
<b>Total</b>		<b>\$ <u>47,307,788</u></b>

### **Discussion**

The City Clerk read the title of the ordinance for this item.

Councilman Waring wanted to make sure this would not increase fees, taxes or rates.

Chief Financial Officer Denise Olson replied this item reallocated the costs among the cities that had ownership at the 91st Avenue Wastewater Treatment Plant.

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this item be adopted. The motion carried by the following vote:**

**Yes:** 8 - Councilman DiCiccio, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**Absent:** 1 - Councilman Nowakowski

**73 Environmental Quality Commission Name Change (Ordinance G-6292)**

This report requests City Council approval to amend City Code to change the Environmental Quality Commission's name to the "Environmental Quality and Sustainability Commission," and to reflect the historical role of this Commission to incorporate sustainability principles into its works.

**Summary**

The Environmental Quality Commission (Commission) was established in 1987 to identify environmental issues and provide advice to the Mayor, City Council, and other City leaders on opportunities to protect Phoenix's natural and urban environment. The Commission has made significant strides in response to environmentally related challenges and opportunities facing the City.

The focus of environmental protection has expanded to embrace objectives of sustainability, whereby the goal is not only environmental protection, but also preservation of resources and the natural and urban environment for future generations. Successful sustainability initiatives require citizen engagement and the Commission's core principles represent this interest. The natural progression and movement towards sustainability has become a national focus and the public's interest has broadened. It is a priority interest for many organizations and this is especially true for the City and the Commission.

In order to continue its pursuit of sustainability practices and incorporate sustainability principles into its work, the Commission recommends a name change of the Environmental Quality Commission to the "Environmental Quality and Sustainability Commission." The Commission remains committed to improving the quality of life for all Phoenix residents while enhancing nature and fulfilling the social, economic and other needs of present and future generations.

**Concurrence/Previous Council Action**

The Environmental Quality Commission was created by City Ordinance G-3033 and approved by City Council on July 22, 1987.

The Sustainability, Housing, Efficiency, and Neighborhoods

Subcommittee recommended the Commission's name change on Feb. 21, 2017, by a vote of 4-0.

**Public Outreach**

The Environmental Quality Commission discussed, voted on and approved this name change on June 9, 2016.

**Discussion**

The City Clerk read the title of the ordinance for this item.

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Gallego, that this item be adopted. The motion carried by the following vote:**

**Yes:** 8 - Councilman DiCiccio, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**Absent:** 1 - Councilman Nowakowski

**82 Authorization to Issue RFP for Sale and Development of City-Owned Property at 814 N. 5th Ave.**

Request authorization for the City Manager, or his designee, to issue a Request for Proposals (RFP) to select a development team and begin negotiations for the sale and urban infill development of a City-owned property located at 814 N. 5th Ave.

**Summary**

The City owns a vacant parcel (the Property) in the downtown Roosevelt Neighborhood, comprising approximately 7,000 square feet, or 0.16 acres, at 814 N. 5th Ave. The Property was purchased by the Neighborhood Services Department in the early 2000's with Community Development Block Grant funds to facilitate revitalization through blight elimination in the Roosevelt Neighborhood. In November 2005, the structure on the Property suffered severe fire damage and was subsequently demolished. An RFP process is necessary to facilitate compatible infill development and sale of the Property.

The proposed solicitation would be for the sale and development of the Property. Staff has commissioned an appraisal of the Property, which will be made available to proposers. The return to the City would be based

on fair market value, and may include payments and other consideration that provide public benefit. The RFP would require proposers to provide a proposal guarantee with their proposals.

The RFP will include standard terms, conditions and other necessary requirements, and will include the following evaluation criteria:

- |  |              |
|--|--------------|
| 1. Concept to Activate the Property          | 0-375 points |
| 2. Financial Return to the City              | 0-325 points |
| 3. Qualifications and Experience of Proposer | 0-300 points |

The RFP will be issued after a Roosevelt community feedback meeting and will remain open for at least 60 days. Responsive proposals will be evaluated by a diverse panel including City staff and community representatives. Following negotiations with recommended proposer(s), business terms will be presented to City Council for approval prior to entering into an agreement.

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

This item was approved by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on Feb. 21, 2017, by a vote of 4-0.

#### **Public Outreach**

A public meeting is scheduled for March 21, 2017, with the Roosevelt Action Association.

#### **Location**

The City-owned parcel is located at 814 N. 5th Ave., on the west side of 5th Avenue between McKinley and Roosevelt streets, in the Roosevelt Neighborhood in downtown Phoenix.

#### **Discussion**

Mayor Stanton stated comment cards were submitted in favor to speak by John Rusinek and Dianne Barker; however, neither one was present.

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this item be approved. The motion carried by the following vote:**

**Yes:** 8 - Councilman DiCiccio, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**Absent:** 1 - Councilman Nowakowski

**84 Authorization to Enter into Agreements with TGen/City of Hope for Disposition of TGen Building (Ordinance S-43333)**

Request authorization for the City Manager, or his designee, to enter into any and all agreements necessary ("Agreements") to facilitate the sale of the City-owned Translational Genomics Research Institute ("TGen") and International Genomics Consortium ("IGC") Headquarters Facility located at 445 N. 5th St. ("Property") to TGen/City of Hope ("Purchaser"), or its City approved designee, and authorization for the City Treasurer to receive funds.

**Summary**

The City constructed the building, a six-story, 156,215-square-foot facility, in 2004 to serve as a catalyst for development of the Phoenix Biomedical Campus ("PBC"). Construction of the building was financed through the sale of bonds, of which approximately \$48.5 million in outstanding principal remains. The building is fully occupied and generates approximately \$3.6 million in annual lease revenues. The tenants fully fund the building's annual operating expenditures, in addition to funding a Renewal and Replacement ("R&R") account for large capital outlays as the building ages.

In November 2015, with Council authority, the Community and Economic Development Department ("CEDD") issued a Request for Proposals ("RFP-CED15-TGEN") for the disposition of the Property. One proposal was received in response to the solicitation; however, negotiations were not successful and the RFP was cancelled. After the cancellation of the RFP, the City received interest from several parties through which direct negotiations commenced. The Purchaser provided the strongest proposed business terms to the City.

Subject to Council approval, the following business terms have been negotiated with Purchaser, which would be implemented through a Lease

and Purchase Agreement:

- The parties shall enter into a lease term of the earlier of 20 years or full payment of the current amount of principal outstanding debt obligations on the Property as detailed in Attachment A. Ownership will convey to Purchaser at the end of the lease term.
- Purchaser shall make annual payments based upon the schedule in Attachment A or as otherwise approved by the Finance Department, so long as any modifications satisfy the City's debt obligations.
- Purchaser shall make a one-time payment of \$1 million to City upon execution of agreement; and shall make supplemental payments totaling \$2 million over the length of the agreement. Purchaser shall make these payments in annual installments of \$100,000 each year of the term; however, should the agreement end early, Purchaser shall pay the remainder of the \$2 million upon such earlier conclusion of the agreement.
- Purchaser shall provide the City a Letter of Credit from a mutually acceptable bank or other credit security acceptable to City for an amount of \$25 million. As principal gets paid down, the Credit Security will be reduced by schedule recommended by the City's Finance Department as found in Attachment A.
- Purchaser will honor all existing tenant leases and amendments; and, acknowledges that the City is currently working on lease amendments with tenants.
- Purchaser will provide the indemnification and insurance satisfactory to the City.
- Purchaser shall have access to the R&R account for mutually agreed upon capital expenditures; and, concurrent with the Transfer of Title, the R&R account shall be transferred to Purchaser.
- Purchaser will assume all future operating and capital risks for the Property upon execution of the lease.

- Purchaser shall be responsible for management of the Property or hire a reputable property management company, approved in advance by the City, for the life of the lease.
- Purchaser will ensure that a minimum of 316 parking spaces shall be leased by the buildings tenants. Purchaser will be financially responsible to pay for any of the 316 parking spaces not allocated to a building tenant.
- City will work in good faith with Purchaser and owner of the parking garage to extend the license term through 2075, concurrent with the City's groundlease with the owner of the garage.
- City agrees to enter into good faith negotiations with Purchaser for future parking needs after the conclusion of the parking license.
- The Agreement shall contain other such provisions deemed necessary and appropriate by City staff.

The sale of the Building is in line with the original intent of the PBC development plan, reduces current City debt obligations, and encourages additional private investment on the PBC.

**Contract Term**

The Term of the Agreement is 20 years, with the option for early purchase.

**Financial Impact**

The City will receive annual lease payments to cover the debt service schedule detailed in Attachment A, which will be deposited into the Bio Fund and shall be used to retire the debt associated with the Building. In addition, the Purchaser shall pay the City additional payments of \$1,000,000 upon execution of agreements and \$2,000,000 over the term of the contract, which funds shall be deposited into the General Fund.

**Location**

TGen/IGC Building, 445 N. 5th St.

**Discussion**

Mayor Stanton stated Dianne Barker submitted a comment card to speak in favor, but was not present. Also, Dr. Jeff Trent submitted a speaker comment card in favor, but did not wish to speak.

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this item be adopted. The motion carried by the following vote:**

**Yes:** 8 - Councilman DiCiccio, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**Absent:** 1 - Councilman Nowakowski

**Discussion**

Mayor Stanton stated Dianne Barker submitted speaker comment cards on Items 88 and 89 with a written statement she was opposed to disbursing more money until the city supervised the contracts.

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 88-90 be adopted. The motion carried by the following vote:**

**Yes:** 7 - Councilman DiCiccio, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**No:** 1 - Councilman Waring

**Absent:** 1 - Councilman Nowakowski

**88 Amend First Transit Contract to Increase Funding for Bus Service Changes (Ordinance S-43337)**

Request an ordinance authorizing the City Manager, or his designee, to enter into a contract change order to Agreement 135719 with First Transit, Inc., to increase the contract amount for fixed route transit operations implementing increased bus service hours and frequency as part of the Transportation 2050 (T2050) Plan. Further request authorization for the City Controller to disburse funds in the amount not to exceed \$14 million over the life of the contract.

**Summary**

On March 20, 2013, the City Council approved a five-year contract award

to First Transit for fixed route transportation services for the period of July 1, 2013 through June 30, 2018 for an amount not to exceed \$132 million. Due to bus service expansion as part of the voter-approved T2050 Plan, the additional amount is necessary to ensure funding is available through the remainder of the contract period.

Bus service changes are coordinated regionally and occur in April and October of each year. In October 2016, the first step of the T2050 bus improvements were implemented by expanding service hours an additional three hours per day and increasing weekday frequency to 30 minutes on multiple routes in Phoenix. The second step, occurring in April 2017, will further enhance bus service by expanding bus service hours to 2 a.m. on Friday and Saturday and 11 p.m. on Sunday, matching Light Rail's operating hours.

#### **Financial Impact**

The total amount of this change order will not exceed \$14 million. Funds are available in the Public Transit Department operating budget using Transportation 2050 funds.

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

The bus service changes were approved by City Council on June 21, 2016 and Jan. 11, 2017.

**This item was adopted.**

#### **89 Amend Transdev Contract to Increase Funding for Bus Service Changes (Ordinance S-43338)**

Request an ordinance authorizing the City Manager, or his designee, to enter into a contract change order to Agreement 140777 with Transdev, Inc., to increase the contract amount for fixed route transit operations implementing increased bus service hours and frequency as part of the Transportation 2050 (T2050) Plan. Further request authorization for the City Controller to disburse funds in an amount not to exceed \$66 million over the remaining life of the contract.

#### **Summary**

On April 22, 2015, the City Council approved a five-year contract award to Transdev for fixed route transportation services for the period of July

1, 2015 through June 30, 2020 for an amount not to exceed \$373,432,715. Due to bus service expansion as part of the voter approved T2050 Plan, the additional amount is necessary to ensure funding is available through the remainder of the contract period.

Bus service changes are coordinated regionally and occur in April and October of each year. In October 2016, the first step of the T2050 bus improvements were implemented by expanding service hours for several transit routes and increasing weekday frequency to 30 minutes on multiple routes in Phoenix. The second step, occurring in April 2017, will further enhance bus service by expanding bus service hours to 2 a.m. on Friday and Saturday and 11 p.m. on Sunday, matching light rail's operating hours.

**Financial Impact**

The total amount of this change order will not exceed \$66 million. Funds are available in the Public Transit Department operating budget using Transportation 2050 funds.

**Concurrence/Previous Council Action**

The bus service changes were approved by City Council on June 21, 2016 and Jan. 11, 2017.

**This item was adopted.**

**90 Transit Operations Control Center and Data Collection Contract Options to Extend (Ordinance S-43339)**

Request an ordinance authorizing the City Manager, or his designee, to enter into a change order to Agreement 140776 with Transdev Services, Inc., to increase the contract amount and exercise options to extend for the bus Operations Control Center and Data Collection functions. Further request authorization for the City Controller to disburse funds in an amount not to exceed \$2,684,787 over the remaining life of the contract, including available extensions.

**Summary**

On April 22, 2015, the City Council approved a two-year contract award to Transdev to manage the bus Operations Control Center (OCC) and Data Collection functions for an amount not to exceed \$5,437,305 for the period of July 1, 2015 and ending June 30, 2017, together with three

options to extend for up to three additional years to be exercised by the Public Transit Director if considered in the City's best interest to do so. Due to bus service expansion as part of the voter approved Transportation 2050 Plan (T2050), the additional amount is necessary to ensure funding is available through the remainder of the entire contract period.

Public Transit staff has reviewed the proposed expansion costs provided by Transdev relative to the recruitment of additional controller positions within the OCC to accommodate oversight of the expanded fixed route service for the remainder of the contract term. Transdev's proposal includes considerations for controller recruitment and retention, administrative costs, and additional training and computer hardware and software costs for regional systems used for monitoring bus services.

**Contract Term**

Provisions of the contract included options to extend the term up to three years through June 30, 2020.

**Financial Impact**

The total amount of this change order will not exceed \$2,684,787. Funds are available in the Public Transit Department operating budget.

**Concurrence/Previous Council Action**

Fiscal year 2017 bus service changes were approved by City Council at the June 21, 2016 Policy meeting and at the Jan. 11, 2017 Formal meeting.

**This item was adopted.**

**A motion was made by Councilwoman Williams, seconded by Councilman Valenzuela, to suspend the rules and take Item 126 out of order. The motion carried unanimously by voice vote.**

**126 Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-94-16-2 - Approximately 300 Feet South of the Southeast Corner of 25th Street and Bell Road (Ordinance G-6295)**

Request to hold a public hearing on the rezoning application for the

following item to consider adopting the Planning Commission's recommendation and the related Ordinance if approved.

**Summary**

Application: Z-94-16-2

Current Zoning: C-3

Proposed Zoning: R-3A

Acreage: 2.39

Proposal: Multifamily Residential

Owner: Chicanos Por La Causa Lan Bank, LLC

Applicant/Representative: Jacob Zonn, Tiffany and Bosco, PA

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Paradise Valley Village Planning Committee heard the request on Feb. 6, 2017 and approved per staff recommendation by a 13-0 vote.

PC Action: The Planning Commission heard the request on March 2, 2017 and approved per the Paradise Valley Village Planning Committee by a 7-0 vote.

**Location**

Approximately 300 feet south of the southeast corner of 25th Street and Bell Road.

District: 2

**Discussion**

Note: Councilman Nowakowski returned to the voting body.

Planning and Development Director Alan Stephenson stated this was a request to rezone a site from C-3 to R-3A to allow multifamily residential development. He added this was a 2.39-acre site located approximately 300 feet south of the southeast corner of 25th Street and Bell Road. The Paradise Valley Village Planning Committee (VPC) approved per staff recommendation and the Planning Commission approved per VPC recommendation. He indicated staff recommended approval per Planning Commission recommendation and adoption of the related ordinance.

Mayor Stanton declared the public hearing open. He noted Russell Hixson and Lisa Hixson submitted comment cards in favor, but did not

wish to speak. Noting there was no one present wishing to speak, Mayor Stanton declared the public hearing closed.

**The hearing was held. A motion was made by Councilman Waring, seconded by Councilwoman Stark, to approve this item per Planning Commission's recommendation and to adopt the related ordinance.**

**The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**125 (CONTINUED FROM MARCH 1, 2017) - Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-71-16-6 - Northeast Corner of the 19th Street Alignment and Glendale Avenue (Ordinance G-6285)**

Request to hold a public hearing on the rezoning application for the following item to consider adopting the Planning Commission's recommendation and the related ordinance if approved.

**Summary**

Application: Z-71-16-6

Current Zoning: R1-10

Proposed Zoning: R-O

Acreage: 1.27

Proposal: Residential Office

Owner & Applicant: ABCO Holdings LLC

Representative: Taylor Earl, Earl Curley & Lagarde PC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard the request on Jan.17, 2017, and recommended approval with additional stipulations. Vote: 10-3.

PC Action: The Planning Commission heard the request on Feb. 2, 2017, and recommended approval per the Camelback East Village Planning Committee with modifications to stipulation 8 and deletion of stipulation 9. Vote: 7-0.

3/4 Vote Required: Yes

The stipulations outlined in Attachment A, are subject to discussion at the

meeting and the City Council may add, delete or amend stipulations.

**Location**

Northeast corner of the 19th Street alignment and Glendale Avenue.

Council District: 6

**Discussion**

Planning and Development Director Alan Stephenson stated this was a request to rezone a site from R1-10 to R-O, Residential Office, to allow a proposed professional office development. He continued this was a 1.27-acre site located at the northeast corner of the 19th Street alignment and Glendale Avenue. The Camelback East Village Planning Committee (VPC) approved with additional stipulations and the Planning Commission approved the VPC recommendation with modifications. He advised this item was continued from the March 1 meeting to allow additional research by staff, noting a memo was distributed on March 17 that provided additional background on the parcel as it went through the sale process by the City. He indicated staff recommended approval per the March 17 memo with additional stipulations.

Mayor Stanton declared the public hearing open.

Taylor Earl represented Shane Alexander, President of Alexander Building Company, and emphasized the company had done a lot of high quality projects around Phoenix. Mr. Earl conveyed both sides agreed there was heavy traffic in the area with about 41,500 trips per day on this road. However, this was not a good residential site as traffic would back up on Glendale Avenue based on the location of driveways which was not a safe condition. Moreover, he spoke with ADOT who preferred not having driveways that close to the on-ramp.

Mr. Earl explained the City purchased the land but this corner was held out, noting the City removed the homes from the site due to being unfit for residential. In fact, the Squaw Peak Freeway Specific Plan stated the City of Phoenix would consider buying homes with freeway mitigation funds only when they were in a permanently untenable situation as determined by the Phoenix City Council. He added the staff report said it was uniquely unsuited for residential even on Glendale Avenue. He

displayed homes on Glendale Avenue that had the frontage road which was a different environment as they backed onto a local frontage road instead of Glendale Avenue. Yet, the proposed site did not have a frontage road while very few homes also did not have a frontage road.

Mr. Earl remarked the shallowness of the site prevented a deep setback which might otherwise make it a suitable place to put a home. He pointed out R-O was designed to be next to residential communities and act as a buffer between arterials and residential neighborhoods. Strict development standards were created to preserve communities with the only additional uses being professional, medical, dental and administrative office use. He remarked a deed restriction was put into escrow which ran to the adjacent neighbors and school district that restricted medical and dental uses from this site due to the higher trip count.

The building was adjacent to the only person supportive of this development which pushed it to the left side of the site because of a slope. Mr. Earl continued the building was single story with a maximum height of 15 feet per stipulation. Additionally, there were 20- to 25-foot landscape buffers with mature 10- to 12-inch caliper trees that were salvaged from the property. He noted there was no left turn out of the property with the entrance strategically placed to prevent such movement. He showed a rendering of the building of how it matched the modern architecture and integrated with the neighborhood. He also agreed to do a detached sidewalk the entire length of the site, which was expensive, that would benefit the community and increase safety. Further, he identified 20 properties of which 13 signed a deed restriction amendment to pull this site out that otherwise would have prohibited this use prior to purchase close.

Mr. Earl stated there had been support throughout the City's process with staff recommending approval as well as VPC and Planning Commission recommendations for approval. Again, traffic was a concern but the deed restriction reduced the trip count estimate to 68 per day which was less than one sixth of one percent of the traffic that occurred on Glendale Avenue. Still, homes at this location would produce 30 trips per day so this proposal only added 38 trips per day. He also knew access was an

issue and compared it to offices along Light Rail where drivers had to do U-turns to get to offices. CivTech concluded the trips into and out of the site were appropriate and the few trips generated would not lead to the consequences about which residents were concerned. The City's Street Department recognized Glendale Avenue was a major arterial street that carried high traffic volume, especially during AM/PM peak hours. However, the proposed office development site would generate a low amount of trips which would not cause a significant impact to the existing traffic conditions. He conveyed professionals from the City and CivTech who were trained in traffic analyzed this concern carefully.

Mr. Earl met with the neighbors a second time and looked at other issues raised to ensure traffic would not have a negative impact on them. He specified access to this site could be done through 20th and 22nd streets during most times of the day with 22nd Street being the likely route during busy times as it had a green arrow that protected U-turn movement. Under the restriction placed on the property there was an estimated two inbound trips during the PM peak time. He reiterated this type of U-turn was typical of many offices in commercial developments throughout the City. He cited several other locations where drivers had to do a U-turn to access property. There was a stipulation to control left out movement such as putting in a pork chop. Also, there was a new stipulation to add traffic delineators which extended the median and prohibited someone from coming too shallow when making a U-turn as well as prevent anyone from making a left out of this site.

In conclusion, Mr. Earl restated this was not suited for residential development, noting the City removed the homes on this site. He pointed out R-O was designed for these locations while this development was low-profile and lushly landscaped. The deed restriction put into escrow ensured a trip count of 68 per day which was only 38 trips more than what homes would produce. Moreover, access to the site was safe and approvals from each level of the Phoenix review process.

Mayor Stanton stated the following individuals donated their time to Mr. Whitesell:

David Catanese

Phil Lovell  
Maureen Hodgins  
Samuel Todd  
Claire Todd

Larry Whitesell commented he was not opposed to the development of residences on this property but did not support this particular rezoning and plan. He agreed the City removed homes on the property but did so inappropriately as the Squaw Peak Freeway Specific Plan had two alternatives for the properties. Alternative A was to offer them for sale to abutting neighbors in order to demolish the existing houses and extend their backyards. He continued Alternative B was to rehabilitate the existing homes and make them livable spaces. He pointed out staff's memo did not mention these alternatives which was part of the plan.

Mr. Whitesell recalled discussion about the traffic study and U-turns; however, there was an issue of waiting to turn right on Glendale Avenue from both 22nd and 20th streets during certain times of the day. Also, the deed restriction the applicant applied for could be easily lifted and amended. He conveyed the Squaw Peak Homeowners Association said it was actually a CC&R restriction the applicant was able to get lifted. Moreover, there were only 11 property owners that signed the deed restriction amendment, not 13 as noted earlier. He believed the applicant intended to lease the property to the first bidder, not to mention it could be divided into smaller office spaces so the deed restriction was not a valid point.

Mr. Whitesell was not willing to compromise on safety and his count was 80 U-turns per day during during business hours if medical was added based on the traffic study. Plus, if people could not make a U-turn they would travel down the residential streets which housed a school so he was concerned for the safety of the children in the school zone. He remarked the ingress and egress from this property was one way traveling westbound which meant most of the traffic would have to make a U-turn, therefore unsafe driving practices was a real issue. He liked the complex and landscaping but this development belonged elsewhere.

Shane Alexander spoke in support as the owner of these lots on

Glendale Avenue. He emphasized the City had professional urban planners that had gone through the details of this case along with unanimous support from the Planning Commission. He clarified 13 signatures were received for the deed restriction, noting 2 of the lots were not recorded as they came in late. He knew the neighborhood was frustrated with traffic on Glendale Avenue, specifically rights turns off 20th and 22nd streets, but this proposal would not affect the community as it was not driving traffic into the neighborhood. Further, he received a letter from the school board president on her own behalf since this project was not discussed at a school board meeting.

Mayor Stanton noted the following people donated their time to Dr. Zeig:

Paul Klusman  
Ginny McLaughlin  
Judy Smith  
Richard Lee Smith  
Lou Ann Lovell

Dr. Jeffrey Zeig spoke in opposition, noting the neighborhood had rallied significantly against this rezoning case. There had been extensive documents sent to City staff and various committees regarding problems in which the system operated and he hoped that Council could resolve them. He said the project disturbed the residential character of the neighborhood as there were already issues with accidents in the area of 20th Street.

Dr. Zeig pointed out the applicant wrote a letter dated May 18, 2016 petitioning to redevelop these lots that were sold by the City for a commercial office building. He recalled the applicant met with the neighbors and had plans for putting houses on the property when in fact the purpose was to switch to R-O zoning. Additionally, the project at its inception was 4,000 square feet but had increased to more than 6,000 square feet, noting this was not a R-O project based on the size of the building. He understood a variance could not be provided if four conditions were not met and proven by the petitioner per City policy. One of the conditions was the hardship was self-imposed because the property was purchased with full knowledge it had limitations. He

continued another condition was authorization of the variance would not be approved if it was detrimental to persons residing or working in the facilities, adjacent property to the neighborhood or public welfare in general was not compatible with the surrounding development or created an adverse impact on other properties.

Mayor Stanton interjected Dr. Zeig presented the legal standing for a variance; however, this was not a variance.

Dr. Zeig appreciated the Mayor's public statement of opposition to this project. He expressed the applicant knew about the problems with this property prior to purchase. The revenue the City gained was insignificant while the number of residents opposed to this project was significant. He urged that Council make safety the primary concern and secure the community as a residential neighborhood. Further, he requested Councilmembers explain their vote if supporting this project given the considerable opposition.

Clark York Do, a resident in this neighborhood for 24 years, spoke in favor. He had seen this property vacant which attracted vagrants and did not think residential was safe for families given the proximity to the freeway and traffic. He believed an office complex was better for this area.

William Culbertson spoke in opposition and noted a letter was sent on behalf of a nearby rabbi who was also opposed to this application. He did not want this application because it would destroy the great neighborhood he had lived in for over 40 years. The Squaw Peak Freeway Specific Plan established a difference between the developments on the west and east side. He specified commercial and R-O zoning was acceptable on the west side but the east side north of Glendale was residential. In fact, on Glendale from the SR-51 on the north side past Tatum there was no commercial or R-O zoning so this would set a precedent that was not needed.

Mr. Culbertson continued the master plan provided certainty to residents on how to use their property and prevented this type of spot zoning. Further, the scale, intensity and appearance of this project did not fit the

neighborhood. He recalled Mr. Earl mentioned this area was unsuitable for houses. Mr. Culbertson pointed out the applicant sent an email stating any homes would be big to maximize interior square footage to minimize the impact on Glendale Avenue. The applicant did not foresee getting high dollar rents so structures would be built of correlating value. Another email was sent by the applicant citing the nuisance of group homes was discussed and thought it would be in the neighborhood's best interest to understand the backup plans if this rezoning case did not pass. He conveyed though it might not be as financially advantageous to the applicant these emails proved that homes had been on the agenda and talked about at nearly every meeting residents attended prior to the Planning Commission hearing. He called upon the Council to protect the nature and character of his neighborhood.

Mayor Stanton stated the following individuals donated their time to Mr. Culbertson:

Charles Gwinn  
Mary Ann Gwinn  
Eric Van Buskirk  
Tracy Van Buskirk  
Sherri Schwartz  
Terry Temnick  
Patrick Eng  
Kristin Eng  
Delores Murdy  
Hanumanthraj Channaraj  
Doreen Planalp  
James Long  
Emily Long  
Craig Dickson  
Wayne Richard Mason  
Eric Bassingthwaighte  
Patty Prelich  
Paul Barnes

Traver Jones spoke in support as a resident who drove by this proposed site several times a week. He agreed traffic was bad and would remain

that way whether the lots stayed vacant or if homes or an office were built. He felt the additional 38 cars per day was minimal for a street that saw over 41,000 cars per day. Development in this area was a good thing and he was one of many neighbors in the community who thought this was a positive step. He commented this project would increase the customer base for local businesses and vastly improve the curb appeal since it was currently an overgrown lot. He agreed with the applicant that residential was not appropriate and believed the reduction in building size and deed restrictions made the project safe related to trips per day and blended in with the rest of the neighborhood.

The following people donated their time to Ms. Gossett:

Paul Boetig  
Sharon McLaughlin  
Wally Graham  
Dave Topolski

Priscilla Gossett, principal at Madison Heights Elementary School, opposed the rezoning of this property because of her concerns with increased traffic and students safety. She advised this rezoning proposal was discussed at the district governing board meeting on March 7 and the district PTO officers meeting on March 6. She remarked Glendale Avenue east of SR-51 was consistently congested throughout the day, especially the school site and surrounding neighborhood during morning drop-off and afternoon pick-up times. Moreover, parents shared their negative experiences with traffic on Glendale such as waiting up to 10 minutes to make a right-hand turn from 20th Street. The school also participated in the "walking" school bus and students might come into contact with cars headed eastbound making U-turns or driving down 21st Street. She believed this rezoning would set an unfavorable precedent for the school since it was located in a special neighborhood.

Mayor Stanton declared, though it was not a conflict of interest, his son attended Madison Heights Elementary School.

The following individuals donated their time to Mr. Stuart:

Jane Sanford  
Spencer Goldsen  
Stephen McLaughlin  
Michaela Topolski  
Deron McLaughlin  
Sudhama Shastri

Gary Stuart spoke in opposition as a resident in this neighborhood for 19 years. He said it was not uncommon to see a lot of traffic in the area but this particular rezoning effort was unusual. He urged the Council to keep their word to protect the residents who would be disserved by this rezoning project. The issue was U-turns and right-hand turns on Glendale which Mr. Earl based on an assumption from an engineering firm of only 38 but that number still created a risk. Mr. Stuart indicated the solution should be about what was best and safest for business owners and homeowners.

However, another category of people in the community was lawyers and he emphasized this case would be litigated if approved. He explained it could be a due process case because there were abutting landowners opposed to the project due to the impact on their property values. Another dispute was abuse of statute due to an unreasonably dangerous hazard which did not allow the public to take suitable precautions per A.R.S. 12-280.03 as cited from a case. Mr. Stuart stressed some U-turns were safe while others were not, but if this lot became a business enterprise even a right turn meant drivers had to cross over. He did not know if it was worth the risk listening to the business owner instead of the homeowners.

David Grove donated his time to Ms. Grove.

Janet Grove spoke in opposition as one of three families that had horses left in the neighborhood. She sought out this community when she moved from Montana in 1997 because of the open space. She was willing to share the neighborhood with the schools and churches as well as the people that accessed the trailheads on the north side of Lincoln. Although there was an occasional homeless person on this lot she did not feel unsafe when walking or biking in the area. She commented the

community faced a roadblock from the beginning of this process that this was a done deal; however, she thought now was the opportunity to be heard since residents made the effort to get this far.

Mayor Stanton confirmed Neal Haddad submitted a comment card in opposition, but did not wish to speak.

Mr. Earl spoke on behalf of Dawn Cartier who approached the podium, but was unable to speak due to laryngitis. She affirmed her company performed the traffic study for the proposed project and wanted to address the school's issues. It was easier to make the left turn with the green arrow at 22nd Street since there was a significant delay when making a right turn from 21st Street onto Glendale. Therefore, she did not think cars would go through the neighborhood and would make a U-turn with the protected arrow in the morning. She added the afternoon peak hours of school did not coincide with those of the office so that was not a conflict.

Mayor Stanton noted Isadore Lifshitz and Dr. Bruce Mallin submitted comment cards in opposition, but did not wish to speak.

Mayor Stanton stated the following people submitted comment cards in favor, but did not wish to speak, including two cards that were illegible:

Jason Klonoski  
Dan Postal  
David Kestner  
Alan Claffey  
Susan Claffey  
Michael Claffey  
Tina Claffey  
Austin Claffey  
Edward Campbell  
Tucker Woodbury  
Sean Bishop  
Seth Shenfeld  
David Jossum  
Korbi Simons

Robert Crum  
Brandon Campbell  
Charles Levy  
Chris Hufford  
Jennifer Rivera  
Andy Pulsipher  
Brian Scott Ackerman  
Jose Leon  
Leah Zirbel

Dick Walton spoke in opposition as a 40-year resident of the area. He pointed out this intersection was a corridor for people that brought their cars to Barrett Jackson and for U.S. Presidents. He wondered if commercial development was the best option as this could set a precedent of similar requests down the street. He presented an alternative of preserving the property for a monument of a notable person or persons to not distract from the visibility of this intersection which would also make it safer.

Craig Dickson spoke in opposition, noting his street was most likely where everyone would do the extended U-turn or go up 22nd Street then down 21st Street past his house and other residences to access Glendale. He remarked the left turn with the green arrow at 22nd Street alternated so cars went through the first cycle, sat through the second, then turned left on the third cycle. He had seen cars cut through the church and day care parking lots to get onto 22nd Street instead of turning left. He did not think it was possible to make more turns in an already congested area, not to mention other streets on the opposite side of SR-51 would have the same problem.

Mr. Earl appreciated the neighbors testimony and summarized the issue was whether the current zoning for homes was an appropriate use for the site. The zoning allowed two-story homes with multiple driveways, whereas this project was single story with one driveway. He emphasized this was not a safe environment for homes, noting the proposal only added 38 additional trips under the deed restriction. He further clarified there were five separate deed restrictions with the same language running to three neighbors on the north, a neighbor to the east and the

school property. He was willing to run the same deed restriction to other residents to provide them the opportunity of waiving it. Moreover, he did not believe anyone would take extra time to go through the neighborhood but would perform a safe U-turn at the green arrow which was consistent with the CivTech traffic study. He concluded the traffic problems that currently existed in the neighborhood would not be exacerbated by this project with U-turns considered safe movements.

Noting there was no one else present wishing to speak, Mayor Stanton declared the public hearing closed.

Councilman DiCiccio thanked everyone for attending as this was a difficult case and was thankful for the respect each person showed towards one another. He wished to put a motion on the floor to deny this case. He conveyed cases had a due process that allowed proper vetting and neighborhood viewpoints created a more critical look at these types of cases. The arguments he agreed with related to the scale, intensity and appearance of this project. He had worked on R-O cases in the 1990s where they stabilized neighborhoods; however, those same projects showed flaws in the R-O zoning process based on their design, appearance and level of scaling though this was more of a commercial office. He supported R-O cases but did not believe residential homes on this property was safe.

Councilwoman Williams was present in the 1990s and acknowledged it was the first time the City of Phoenix was involved in building a freeway. She recalled many meetings were held by the Council person and the concerns raised were safety, traffic and preservation of neighborhoods. The purchase of this property was to help preserve neighborhoods because of the negative impact of traffic, intensity and the close proximity of the freeway. She conveyed at that time Council took all of those things into consideration and determined that residential was not appropriate at this location. Similarly, she did not think residential was appropriate and that R-O zoning was probably the right deal. She believed the Council's decision in 1991 was right in approving the specific plan, but was not supportive of this motion as zoning change needed to happen.

Councilman Valenzuela confirmed the motion was to deny staff's

recommendation.

Vice Mayor Pastor stated she was a board member of the Phoenix Union High School District Board and a parent of kids at Madison school district. She received the letter from the governing board and contacted two of the board members and confirmed they were supportive of the letter. The dynamic of children's safety was important to her; therefore, she supported the motion for denial.

Mayor Stanton expressed Mr. Alexander was a good man who worked on high quality projects in the City of Phoenix; however, Mayor Stanton agreed this was not the right project at this location based on size, scale and safety concerns. He also respected Ms. Gossett's testimony and gave great credence to the school district's position. Thus, he supported the motion.

**The hearing was held. A motion was made by Councilman DiCiccio, seconded by Councilman Waring, that this item be denied. The motion carried by the following vote:**

**Yes:** 7 - Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Pastor, Councilman Valenzuela, Councilman Waring, Councilwoman Gallego and Mayor Stanton

**No:** 2 - Councilwoman Stark and Councilwoman Williams

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

None.

### **CITIZEN COMMENTS**

There were no additional speakers for Citizen Comment.

### **ADJOURN**

There being no further business to come before the Council, Mayor Stanton declared the meeting adjourned at 4:40 p.m.

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MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

SC

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 22nd day of March, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 1st day of September, 2017.

\_\_\_\_\_  
CITY CLERK

RUNOFF ELECTION

MARCH 14, 2017

SAMPLE BALLOT PAMPHLET

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# **SAMPLE BALLOT PAMPHLET**

## **DISTRICT 3**

**RUNOFF ELECTION  
MARCH 14, 2017**

**CITY OF PHOENIX, ARIZONA**

Issued by the Office of the City Clerk of Phoenix  
Cris Meyer

This Sample Ballot Pamphlet is mailed to each City residence at which an eligible, registered voter resides.  
It is also available on the internet at [phoenix.gov](http://phoenix.gov).



# **FOLLETO DE MUESTRA DE BOLETA**

## **DISTRITO 3**

**ELECCIÓN DE DESEMPATE  
14 DE MARZO, 2017**

**MUNICIPALIDAD DE PHOENIX, ARIZONA**

Expedido por la Secretaría Municipal de Phoenix  
Cris Meyer

Este Folleto de Muestra de Boleta se envía por correo a cada residencia en la municipalidad donde radica un votante inscrito elegible. También se encuentra disponible por vía electrónica en internet, en [phoenix.gov](http://phoenix.gov).



# RUNOFF ELECTION MARCH 14, 2017

## **GENERAL INFORMATION**

On Tuesday, March 14, 2017, the City of Phoenix will conduct a Runoff Election in which City voters in District 3 will elect a Councilmember. This election is required by the City Charter and State Law because no candidate for this office received a majority of the votes cast in the Special Council Election held on November 8, 2016.

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## **VOTING CENTER LOCATOR**

This City of Phoenix election will be conducted using voting centers. For more information about voting and to find a voting center most convenient to you, please see pg. 11 or scan the QR code below.



## **SUBSCRIBE TO RECEIVE PAMPHLET ELECTRONICALLY**

For more information about the benefits of receiving the pamphlet electronically, please see pg. 3 or scan the QR code below.



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### **City Clerk Department – Election Information**

Call 602-261-VOTE (8683), visit [phoenix.gov/elections](http://phoenix.gov/elections), email - [phoenixelections@phoenix.gov](mailto:phoenixelections@phoenix.gov) or use the 7-1-1 Relay System



# ELECCIÓN DE DESEMPATE 14 DE MARZO, 2017

## **INFORMACIÓN GENERAL**

El martes, 14 de marzo, 2017, la Municipalidad de Phoenix llevará a cabo una Elección de Desempate para que los votantes de la municipalidad elijan a un Miembro del Concejo en el Distrito 3. Se requiere esta elección por la Constitución de la Municipalidad y la Ley Estatal ya que ningún candidato recibió la mayoría de los votos emitidos en la Elección Especial del Concejo que se llevó a cabo el 8 noviembre, 2016.

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## **LOCALIZADOR DE CENTROS DE VOTACIÓN**

Esta elección de la Municipalidad de Phoenix se realizará mediante centros de votación. Para obtener más información sobre la votación y para hallar un centro de votación de mayor conveniencia para usted, por favor consulte la página 11 o escanee el código QR de la pagina web abajo.



## **SUSCRÍBASE PARA RECIBIR EL FOLLETO POR VÍA ELECTRÓNICA**

Para mayor información acerca de los beneficios de recibir el folleto electrónicamente, favor de consultar la página 4 o escanee el código QR de la pagina web abajo.



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## **Secretaría Municipal – Información Electoral**

Llame al 602-261-VOTE (8683), visite [phoenix.gov/elections-sp](http://phoenix.gov/elections-sp), correo electrónico - [phoenixelections@phoenix.gov](mailto:phoenixelections@phoenix.gov) o use el Sistema de Relé 7-1-1

**RUNOFF ELECTION  
MARCH 14, 2017**

**SAMPLE BALLOT PAMPHLET**

**Sample Ballot:** A Sample Ballot is located in the inside back cover of this pamphlet to help voters become familiar with the ballot. Instructions for voting the ballot are located at the top of both the Sample Ballot and the Official Ballot. This Sample Ballot is not for voting; **do not return a voted Sample Ballot**. Only valid votes cast on an official ballot by eligible registered voters will be counted.

This Sample Ballot Pamphlet is mailed to each household in Phoenix City Council District 3 in which an active registered voter resides, unless all voters in the household requested to obtain the Pamphlet electronically.

**Candidate Names:** Candidate names may appear in a different order on the official ballot because candidate names are rotated in each precinct.

**Spanish Translation:** The Spanish translation of this pamphlet is required by the Federal Voting Rights Act. The translation is an accurate interpretation of the material appearing in English, but is provided only as an aid to voters.

**Alternative Formats:** This pamphlet is available in alternative formats, including Braille, large print, audio tape and compact disk, upon request. To request an alternative format of this pamphlet, please call the election information phone number shown below. Requests for alternative formats must be received by Friday, February 17, 2017.

**Subscribe to Obtain this Pamphlet Electronically:** Voters can subscribe to an electronic mailing list to obtain the Sample Ballot Pamphlet electronically. Voters who subscribe will receive an email notification of the availability of the pamphlet for each City of Phoenix election. The message will include a link to obtain the pamphlet from the City Clerk Department's website.

To subscribe, please visit [phoenix.gov/elections](http://phoenix.gov/elections) on the web, scan the QR Code below for the webpage, call the election information phone number shown below, or email us at [phoenixelections@phoenix.gov](mailto:phoenixelections@phoenix.gov).



Obtaining the pamphlet electronically provides the following benefits:

- Allows you to search the pamphlet for specific information.
- Allows you to increase the size of the text for better readability.
- Reduces the amount of election-related mailings sent to you.
- Saves printing and postage costs.
- Allows voters to "Go Green" by reducing the amount of paper used.

Because of the legal requirement to mail a pamphlet to each household with a registered voter, a pamphlet must still be mailed to each household unless all registered voters in the household requested to obtain the pamphlet electronically.

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**City Clerk Department – Election Information**

Call 602-261-VOTE (8683), visit [phoenix.gov/elections](http://phoenix.gov/elections), email - [phoenixelections@phoenix.gov](mailto:phoenixelections@phoenix.gov) or use the 7-1-1 Relay System

**ELECCIÓN DE DESEMPATE  
14 DE MARZO, 2017**

**FOLLETO DE MUESTRA DE BOLETA**

**Muestra de boleta:** Se encuentra una muestra de la boleta en el interior de la contraportada de este folleto para ayudar a los votantes a familiarizarse con la boleta. Las instrucciones para votar con la boleta se encuentran en la parte superior de la muestra de boleta, así como en la boleta oficial. Esta muestra de boleta no es para votar; **no devuelva esta muestra de la boleta completada**. Sólo se contarán los votos válidos emitidos en una boleta oficial de votantes registrados elegibles.

Se envía este folleto de muestra de boleta por correo a cada domicilio en el Distrito 3 del Concejo Municipal de Phoenix, donde radica un votante activo inscrito, a menos que todos los votantes en el domicilio hubieran pedido obtener el folleto por vía electrónica.

**Nombre de candidatos:** Los nombres de los candidatos pueden aparecer en distinto orden en la boleta oficial porque se rotan los nombres de los candidatos en cada distrito electoral.

**Traducción al español:** La Ley Federal de Derechos Electorales requiere que se traduzca este folleto al español. La traducción es interpretación fiel del material que aparece en inglés, pero se proporciona únicamente como ayuda para los votantes.

**Formatos alternativos:** Este folleto está disponible en formatos alternos, incluso braille, letra grande, cinta de audio y disco compacto, si se solicita. Para pedir este folleto en un formato alternativo, sírvase llamar al número telefónico de información sobre las elecciones que se indica a continuación. Las solicitudes de formatos alternativos deberán recibirse a más tardar el viernes, 17 de febrero, 2017.

**Subscríbase para obtener este folleto por vía electrónica:** Los votantes pueden suscribirse a una lista de correo electrónico para obtener el folleto de muestra de boleta por vía electrónica. Los votantes suscritos recibirán una notificación por correo electrónico acerca de la disponibilidad del folleto para cada elección de la Municipalidad de Phoenix. El mensaje incluirá un enlace para obtener el folleto del sitio web de la Secretaría Municipal.

Para suscribirse, visite [Phoenix.gov/elections-sp](http://Phoenix.gov/elections-sp) en internet, o escanee el código QR de la página web abajo, o llame al teléfono de información electoral que se muestra a continuación o envíenos un correo electrónico a [phoenixelections@phoenix.gov](mailto:phoenixelections@phoenix.gov).



Obtener el folleto en forma electrónica brinda los siguientes beneficios:

- Le permite buscar información específica en el folleto.
- Le permite aumentar el tamaño del texto para leerlo con mayor facilidad.
- Reduce la cantidad de correspondencia relacionada con las elecciones que se le envíe.
- Se ahorra en gastos de impresión y de envío postal.
- Brinda a los votantes la oportunidad de contribuir a la ecología al reducir la cantidad de papel que se utiliza.

Debido al requisito legal de enviar por correo un folleto a todos los hogares donde radique un votante inscrito, deberá enviarse un folleto por correo a cada residencia, a menos que todos los votantes inscritos de la residencia hubieran pedido obtener el folleto por vía electrónica.

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**Secretaría Municipal – Información Electoral**

Llame al 602-261-VOTE (8683), visite [phoenix.gov/elections-sp](http://phoenix.gov/elections-sp), correo electrónico - [phoenixelections@phoenix.gov](mailto:phoenixelections@phoenix.gov) o use el Sistema de Relé 7-1-1

# EARLY VOTING

Any eligible voter may cast an early ballot either by mail or in person at Phoenix City Hall. Ballots will be mailed beginning Wednesday, February 15 to voters who are on the permanent early voting list, unless they have notified the City Clerk that they do not wish to receive a ballot for this Election, and to voters who have requested an early ballot by mail. If you are not on the permanent early voting list and wish to receive an early ballot by mail, request forms are available at [phoenix.gov/elections](http://phoenix.gov/elections) and at City public service counters and libraries. Request forms can also be obtained by calling the election information phone number shown below. Voters not on the permanent early voting list who wish to receive an early ballot by mail may submit a request for an early ballot to the City Clerk Department. A signed, written request must be **received** by the City Clerk no later than 5 p.m. on Friday, March 3, 2017.

**Early Voting Site:** For individuals who wish to vote early in person rather than by mail, early voting will be available during business hours at Phoenix City Hall, 200 W. Washington Street, 15th Floor from Wednesday, February 15 thru Friday, March 10, 2017.

**How can I check the status of my early ballot?** Information about the status of your early ballot is available at [phoenix.gov/elections](http://phoenix.gov/elections) (or by scanning the QR code below). You can obtain detailed information, such as the date your early ballot was mailed, received, or processed for tabulation. To check the status of your early ballot, you will need to provide basic information along with either your voter registration number, driver license number or state issued identification number. This information is required in order to positively identify you as the voter and the information you enter must match the information on your voter registration record.



**Returning Voted Early Ballots:** An early ballot must be returned in the ballot affidavit envelope that was provided with the ballot and the envelope must be **signed** by the voter. Voted early ballots must be **received** by the City Clerk Department **no later than 7 p.m. on Election Day**. If you return your ballot by mail, be sure to allow sufficient time for delivery by Election Day. The United States Postal Service advises to allow five days for delivery of first class mail. Voted early ballots may also be delivered to Phoenix City Hall or any voting center location during voting hours. If you were sent an early ballot by mail but go to a voting center to vote, you will NOT be required to cast a provisional ballot as long as the early ballot has not been voted and returned for tabulation.

Voters should take the time they need to consider their choices and mark their ballot. However, voters who complete their ballots early are encouraged to **return the ballot as soon as it is voted**. Returning voted ballots as early as possible provides more time for signature verification and processing so that final results are available sooner.

## **Accessible Voting**

Accessible voting devices that permit voters with disabilities to vote independently will be available for this election at the early voting and voting center locations.

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### **City Clerk Department – Election Information**

Call 602-261-VOTE (8683), visit [phoenix.gov/elections](http://phoenix.gov/elections), email - [phoenixelections@phoenix.gov](mailto:phoenixelections@phoenix.gov) or use the 7-1-1 Relay System

# VOTACIÓN ANTICIPADA

Cualquier votante elegible puede votar mediante una boleta de votación anticipada ya sea por correo o en persona en el Ayuntamiento Municipal de Phoenix. Se enviarán las boletas por correo a partir del miércoles, 15 de febrero, a los votantes que se encuentren en la lista permanente de votación anticipada, a menos que hubieran avisado a la Secretaría Municipal que no desean recibir una boleta para esta Elección, y a los votantes que hubieran pedido una boleta anticipada por correo. Si no se encuentra en la lista permanente de votación anticipada y desea recibir una por correo, las solicitudes están disponibles en [phoenix.gov/elections-sp](http://phoenix.gov/elections-sp) y en los mostradores de servicios públicos municipales y las bibliotecas municipales. También se puede obtener una solicitud llamando al número telefónico de información electoral que aparece a continuación. Los votantes que no aparezcan en la lista permanente de votación anticipada que deseen recibir una boleta anticipada por correo, podrán presentar una solicitud para obtener una boleta de votación anticipada a la Secretaría Municipal. La Secretaría Municipal deberá **recibir** la solicitud por escrito, firmada a más tardar las 5 p.m. del viernes, 3 de marzo, 2017.

**Sitio de Votación Anticipada:** Para las personas que desean votar por anticipado en persona en lugar de por correo, se podrá votar por anticipado durante horas hábiles en el Ayuntamiento Municipal, 200 W. Washington Street, 15° piso, del miércoles, 15 de febrero al viernes, 10 de marzo, 2017.

**¿Cómo puedo verificar el estado de mi boleta de votación anticipada?** Información acerca del estado de su boleta anticipada está disponible en [phoenix.gov/elections-sp](http://phoenix.gov/elections-sp) (o al escanear el código QR abajo). Ahí encontrará información detallada, tal como la fecha en que se le envió por correo su boleta anticipada, la fecha en que se recibió o en que se procesó para el conteo. Para verificar el estado de su boleta anticipada, deberá proporcionar datos básicos además de su número de inscripción de votante, el número de licencia de conductor o de identificación expedida por el estado. Se requieren estos datos a fin de identificarlo definitivamente como el votante y que los datos que ingrese correspondan a los datos que aparecen en su registro de votante.



**Entrega de boletas de votación anticipada votadas:** La boleta de votación anticipada debe regresarse en el sobre con la declaración jurada que se envió con la boleta de votación y el votante deberá **firmar** el sobre. La Secretaría Municipal deberá **recibir** las boletas de votación anticipada a **más tardar las 7 p.m. del Día de la Elección**. Si entrega su boleta por correo, asegúrese de enviarla con suficiente tiempo para que llegue a más tardar el Día de la Elección. El Servicio Postal de los EE. UU. recomienda dar cinco días para la entrega de correo de primera clase. Las boletas de votación anticipada votadas también se podrán entregar en el Ayuntamiento Municipal o en cualquiera de los centros de votación durante los horarios de votación. Si se le envió una boleta de votación anticipada por correo, pero acude a un centro de votación para emitir su voto, NO se le pedirá votar con una boleta provisional con tal de que la boleta de votación anticipada no haya sido ya usada y entregada para su tabulación.

Los votantes deberán tomarse el tiempo necesario para considerar sus opciones y marcar su boleta. Sin embargo, se recomienda que los votantes que hayan ya completado su boleta anticipada, la **entreguen en cuanto hayan votado**. Entregar boletas votadas tan pronto como sea posible da más tiempo para la verificación de firmas y su procesamiento, para la disposición de los resultados finales más oportuna.

## Votación Accesible

Estarán disponibles dispositivos de votación accesible que permiten a los votantes con discapacidades votar en esta elección de manera independiente en el sitio de votación anticipada y en los centros de votación.

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## Secretaría Municipal – Información Electoral

Llame al 602-261-VOTE (8683), visite [phoenix.gov/elections-sp](http://phoenix.gov/elections-sp), correo electrónico - [phoenixelections@phoenix.gov](mailto:phoenixelections@phoenix.gov) o use el Sistema de Relé 7-1-1

# VOTING CENTERS

Voters in City of Phoenix elections are not required to vote at a specified polling place in the voter's precinct. **Any voter can use any one of the six voting centers to cast a ballot.** The voting centers will be open for voting for THREE DAYS. This method of voting is only available for City of Phoenix elections. **For faster service, voters are encouraged to bring their driver license, state-issued identification card, or voter identification card.**

**Voting Center Locations:** Voters can find a convenient voting center location in several ways:

- Locate a voting center that is convenient for you on the map on page 11.
- A map and list of voting centers is posted at [phoenix.gov/elections](http://phoenix.gov/elections) on the internet.
- A voting center locator application is available on the internet from any desktop computer, tablet or mobile device at [phoenix.gov/elections](http://phoenix.gov/elections), or scan the QR code below. Just enter the address of your current location and the application will provide the names and addresses of the nearest voting centers and a map showing the location and the level of activity at each site.
- Call the Voter Information Hotline at 602-261-VOTE (8683).



**Voting Hours:** For voting convenience, voting centers will be open on the following three days:

- Saturday, March 11, from 10 a.m. to 4 p.m.
- Monday, March 13, from 9 a.m. to 6 p.m.
- Tuesday, March 14 (Election Day), 6 a.m. until 7 p.m.

Based on past City elections, Tuesday, Election Day, was the busiest day at the voting centers.

## **Benefits of Voting Centers:**

- Continue popular early voting process and retain an in-person voting option.
- Greater convenience for voters to be able to cast a ballot at any of the six voting center locations over three days – close to home, work or other activities.
- Improved sites, service and support – most Voting Center locations are accessible by public transportation, near business or shopping cores, and along major streets.
- Lower cost than traditional polling place elections or an all-mail election.
- The early voting process does not change and voters may drop off voted early ballots (in the signed affidavit envelope) at any of the voting centers.

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## **City Clerk Department – Election Information**

Call 602-261-VOTE (8683), visit [phoenix.gov/elections](http://phoenix.gov/elections), email - [phoenixelections@phoenix.gov](mailto:phoenixelections@phoenix.gov) or use the 7-1-1 Relay System

# CENTROS DE VOTACIÓN

No se requiere que los votantes en las elecciones Municipales de Phoenix voten en una casilla electoral específica en el distrito del votante. **Los votantes pueden usar cualquiera de los seis centros de votación para emitir su voto.** Los centros de votación permanecerán abiertos durante TRES DÍAS. Este método de votación sólo está disponible para las elecciones que realiza la Municipalidad de Phoenix. **Para atención más rápida, se recomienda a los votantes traer su licencia de conducir, tarjeta de identificación expedida por el estado, o tarjeta de identificación de votante.**

**Ubicaciones de los centros de votación:** Los votantes podrán hallar el centro de votación de mayor conveniencia de varias maneras:

- Localice un centro de votación que sea conveniente para usted en el mapa en la página 11.
- Se encuentra un mapa y la lista de centros de votación en línea, en [phoenix.gov/elections-sp](http://phoenix.gov/elections-sp).
- Se dispone un programa localizador de centros de votación por internet de cualquier computadora, tableta, o dispositivo móvil en [phoenix.gov/elections-sp](http://phoenix.gov/elections-sp), o escanee el código QR abajo. Simplemente ingrese la dirección donde se encuentre ubicado en ese momento y la aplicación le presentará el nombre y la dirección de los centros de votación más cercanos y un mapa que muestra la ubicación y el nivel de actividad de cada sitio.
- Llame a la línea de información para votantes al 602-261-VOTE (8683).



**Horarios de votación:** Para su mayor conveniencia al votar, los centros de votación estarán abiertos los siguientes tres días:

- El sábado, 11 de marzo, de 10 a.m. a 4 p.m.
- El lunes, 13 de marzo, de 9 a.m. a 6 p.m.
- El martes, 14 de marzo (Día de la Elección), de 6 a.m. a las 7 p.m.

Con base en las elecciones pasadas de la Municipalidad, el martes, Día de Elección, ha sido el día más concurrido en los centros de votación.

## **Beneficios de los Centros de Votación:**

- Se continúa el proceso popular de votación anticipada y se conserva la opción de votar en persona.
- Mayor conveniencia para los votantes al poder depositar su boleta en cualquiera de los seis centros de votación más cercanos a su residencia, su trabajo u demás actividades, durante tres días.
- Mejores sitios, atención y apoyo; la mayoría de los Centros de Votación son accesibles por vía de transporte público, cercanos a negocios o núcleos comerciales y a lo largo de las vías principales.
- Costos más bajos que los lugares de votación tradicionales o que elecciones realizadas enteramente por correo.
- El proceso de votación anticipada no cambia, y los votantes pueden depositar su boleta de votación anticipada (en el sobre firmado con la declaración jurada) en cualquiera de los centros de votación.

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## **Secretaría Municipal – Información Electoral**

Llame al 602-261-VOTE (8683), visite [phoenix.gov/elections-sp](http://phoenix.gov/elections-sp), correo electrónico - [phoenixelections@phoenix.gov](mailto:phoenixelections@phoenix.gov) o use el Sistema de Relé 7-1-1

# IDENTIFICATION REQUIREMENTS AT THE VOTING CENTERS

As required for traditional polling places, every qualified voter must show identification at the voting center before receiving a ballot. The following are the acceptable forms of identification:

## **LIST 1 — Photo Identification with voter's name and address\* (ONE REQUIRED):**

- Valid Arizona driver license
- Valid Arizona non-operating identification card
- Tribal enrollment card or other form of tribal identification
- Valid United States federal, state or local government issued identification

\* This address on the identification must match the City of Phoenix Register of Voters. If the address on the Photo Identification does not match, see List 3.

**OR**

## **LIST 2 — Non-Photo Identification with voter's name and address\*\* (TWO REQUIRED):**

- Utility bill of the voter that is dated within ninety (90) days of the date of the election. A utility bill of the voter may be for electric, gas, water, solid waste, sewer, telephone, cellular phone or cable television.
- Bank or credit union statement that is dated within ninety (90) days of the date of the election
- Valid Arizona Vehicle Registration
- Indian Census card
- Property tax statement of the voter's residence
- Tribal enrollment card or other form of tribal identification
- Vehicle insurance card
- Voter Registration Card or Recorder's Certificate
- Valid United States federal, state or local government issued identification
- Any "Official Election Material" mailing bearing the voter's name and address

\*\* This address must match the City of Phoenix Register of Voters.

**OR**

## **LIST 3 — One Photo Identification and one Non-Photo Identification (ONE OF EACH REQUIRED):**

- Any valid form of photo ID from List 1 with an address that does NOT match the City of Phoenix Register of Voters WITH a non-photo ID from List 2 with an address that DOES match
- U.S. Passport and one form of non-photo ID from List 2
- U.S. Military ID and one form of non-photo ID from List 2

### **PROVISIONAL BALLOT**

If the voter presents **acceptable identification** but the voter's name and address **does not match** the City of Phoenix Register of Voters, the voter may cast a Provisional Ballot. The voter does not need to take any further action.

If the voter **does not have acceptable forms of identification** (as described in the lists above), the voter may cast a Provisional Ballot. However, the voter must then return to a voting center prior to 7:00 p.m. on Election Day and present acceptable ID or present acceptable ID at one of the designated locations by 5:00 p.m. on the Friday after the election.

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#### **City Clerk Department – Election Information**

Call 602-261-VOTE (8683), visit [phoenix.gov/elections](http://phoenix.gov/elections), email - [phoenixelections@phoenix.gov](mailto:phoenixelections@phoenix.gov) or use the 7-1-1 Relay System

# REQUISITOS DE IDENTIFICACIÓN EN LOS CENTROS DE VOTACIÓN

Así como se requiere en los sitios de votación tradicionales, cada votante calificado deberá mostrar identificación en el centro de votación antes de recibir una boleta. Las siguientes son formas aceptables de identificación:

## **LISTA 1 — Identificación con foto con el nombre y la dirección del votante\* (SE REQUIERE UNA):**

- Licencia de conductor válida de Arizona
- Tarjeta de identificación no operativa válida de Arizona
- Tarjeta de afiliación tribal u otra forma de identificación tribal
- Identificación válida expedida por el gobierno federal, estatal o local de los Estados Unidos

\* La dirección que aparece en la identificación debe corresponder con el Registro de Votantes de la Municipalidad de Phoenix. Si la dirección en la identificación con fotografía no corresponde, consulte la Lista 3.



## **LISTA 2 — Identificación sin foto con el nombre y la dirección del votante\*\* (SE REQUIEREN DOS):**

- Factura de servicios públicos del votante, de fecha durante los noventa (90) días previos a la fecha de la elección. Una factura de servicios públicos puede ser para luz, gas, agua, desechos sólidos, drenaje, teléfono, teléfono celular o televisión por cable.
- Estado de cuenta bancario o de cooperativa de ahorros y crédito con fecha de no más de noventa (90) días anteriores a la fecha de la elección
- Matrícula vehicular válida de Arizona
- Tarjeta censal indígena
- Estado de cuenta predial de la residencia del votante
- Tarjeta de afiliación tribal u otra forma de identificación tribal
- Tarjeta de seguro automovilístico
- Tarjeta de Inscripción de Votante o Certificación del Registro
- Identificación válida expedida por el gobierno federal, estatal o local de los Estados Unidos
- Cualquier "material electoral oficial" enviado por correo que indique el nombre y la dirección del votante

\*\* La dirección debe corresponder con el Registro de Votantes de la Municipalidad de Phoenix.



## **LISTA 3 — Una identificación con foto y una identificación sin foto (SE REQUIERE UNA DE CADA UNA):**

- Cualquier documento de identificación válido con fotografía de la Lista 1 con una dirección que NO coincida con el Registro de Votantes de la Municipalidad de Phoenix CON un documento de identificación sin foto de la Lista 2 con una dirección que SÍ coincida
- Pasaporte de los EE. UU., y uno de los tipos de identificación sin foto de la Lista 2
- Identificación militar de los EE. UU., y uno de los tipos de identificación sin foto de la Lista 2

### **BOLETA PROVISIONAL**

Si el votante presenta **una forma aceptable de identificación** pero su nombre y dirección **no coinciden** con lo que refleja el Registro de Votantes de la Municipalidad de Phoenix, éste podrá votar en una Boleta de Votación Provisional. El votante no necesitará tomar medidas adicionales.

Si el votante **no tiene formas de identificación aceptables** (como se detalla en las listas anteriores), el votante podrá votar con una Boleta Provisional. Sin embargo, en este último caso, el votante deberá regresar a uno de los centros de votación antes de las 7:00 p.m. el Día de Elección para presentar una forma de identificación aceptable o podrá presentar una forma de identificación aceptable en uno de los sitios designados, a más tardar las 5:00 p.m. del viernes después de la elección.

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### **Secretaría Municipal – Información Electoral**

Llame al 602-261-VOTE (8683), visite [phoenix.gov/elections-sp](http://phoenix.gov/elections-sp), correo electrónico - [phoenixelections@phoenix.gov](mailto:phoenixelections@phoenix.gov) o use el Sistema de Relé 7-1-1

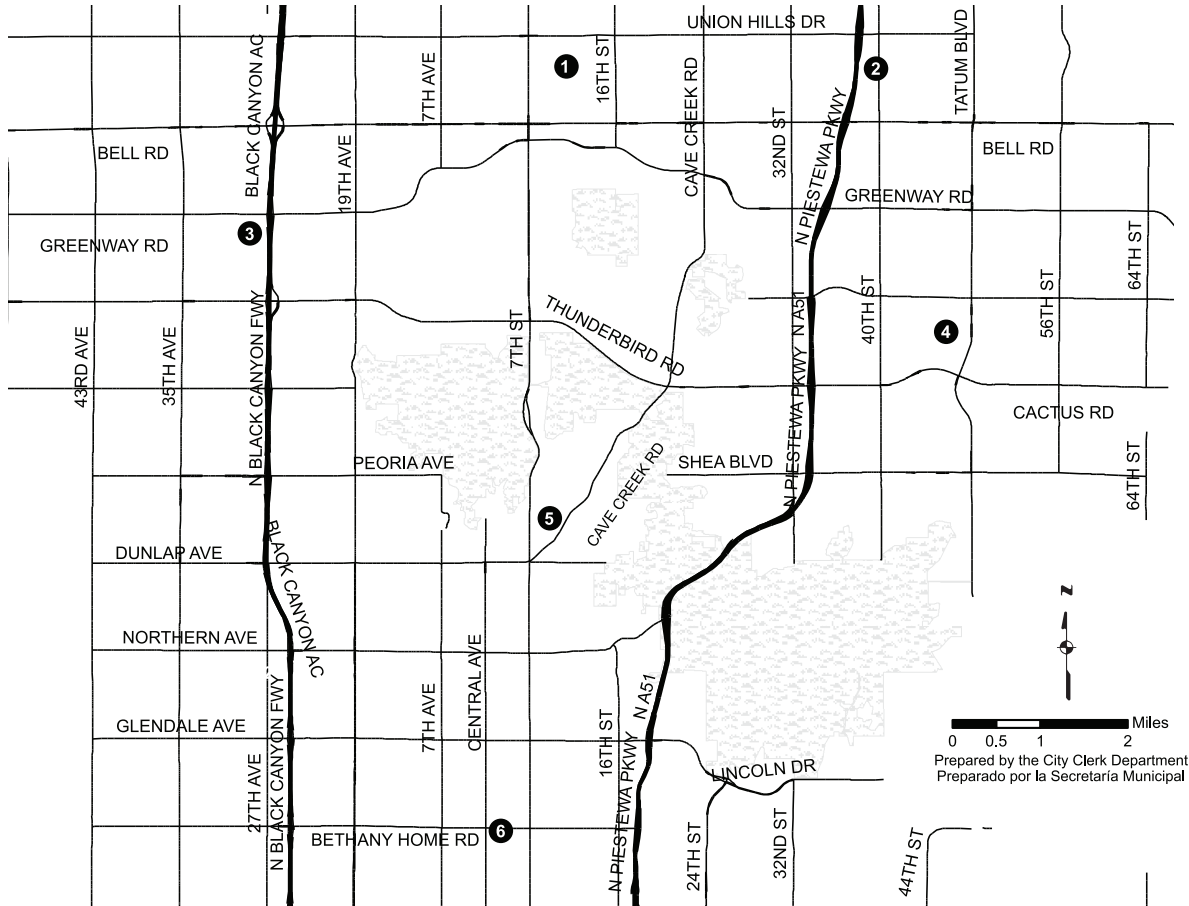


# City of Phoenix

Voting Centers - March 2017 Runoff Election

## Municipalidad de Phoenix

Centros de Votación - Elección de Desempate de marzo de 2017



VOTING CENTER LOCATION LIST	
LISTA DE LAS UBICACIONES DE LOS CENTROS DE VOTACIÓN	
1	<b>Mountain View Community Center</b> 1104 E. Grovers Ave.
2	<b>Paradise Valley Community Center</b> 17402 N. 40th St.
3	<b>Our Lady of Czestochowa Parish</b> 2828 W. Country Gables Dr.
4	<b>Mesquite Branch Library</b> 4525 E. Paradise Village Pkwy. North
5	<b>Sunnyslope Community Center</b> 802 E. Vogel Ave.
6	<b>North Phoenix Baptist Church</b> 5757 N. Central Ave.

**Registered District 3 voters can vote at any of these sites on:**

**Saturday, March 11 (10 a.m. – 4 p.m.)**  
**Monday, March 13 (9 a.m. – 6 p.m.)**  
**Tuesday, March 14 (6 a.m. – 7 p.m.)**

**Los votantes inscritos del Distrito 3 pueden votar en cualquiera de estos sitios en:**

**Sábado, 11 de marzo (10 a.m. – 4 p.m.)**  
**Lunes, 13 de marzo (9 a.m. – 6 p.m.)**  
**Martes, 14 de marzo (6 a.m. – 7 p.m.)**

[illegible]

[illegible]

THIS IS A SAMPLE BALLOT AND CANNOT BE USED AS AN  
OFFICIAL BALLOT UNDER ANY CIRCUMSTANCES.

ESTA ES UNA MUESTRA DE LA BOLETA DE VOTACIÓN Y NO PUEDE  
USARSE COMO BOLETA OFICIAL BAJO NINGUNA CIRCUNSTANCIA.

RUNOFF ELECTION  
MARCH 14, 2017




CITY OF PHOENIX,  
ARIZONA






ELECCIÓN DE DESEMPATE  
14 DE MARZO DE 2017

MUNICIPALIDAD DE PHOENIX,  
ARIZONA

**INSTRUCTIONS TO VOTERS**

**TO VOTE:** Complete the arrow   pointing to your choice with a single bold line,  
like this  using blue or black ink. If you wrongly mark or damage your ballot,  
return it to the Election Official and obtain another.

**INSTRUCCIONES PARA LOS VOTANTES**

**PARA VOTAR:** Complete la flecha   para que apunte a su elección con una  
sola línea gruesa como ésta  utilizando tinta azul o negra. Si marca su boleta  
incorrectamente o si la daña, devuélvala al Funcionario Electoral y solicite otra.

**COUNCIL MEMBER  
DISTRICT 3**  
Vote for not more than ONE  
**MIEMBRO DEL CONCEJO  
DISTRITO 3**  
Vote por no más de UNO

CHRISTOPHER M. DeROSE  

DEBRA STARK  



## City of Phoenix

CITY CLERK DEPARTMENT  
200 WEST WASHINGTON STREET  
PHOENIX, AZ 85003-1611



NONPROFIT  
U.S. POSTAGE  
PAID  
PHOENIX, AZ  
PERMIT NO. 1208

### IMPORTANT NOTICE REGARDING POLLING PLACES

THE CITY OF PHOENIX USES VOTING CENTERS INSTEAD OF POLLING PLACES. PLEASE SEE IMPORTANT INFORMATION REGARDING VOTING CENTERS ON PAGES 7 AND 11 OF THIS PAMPHLET.

### AVISO IMPORTANTE CON RESPECTO A CENTROS DE VOTACIÓN

LA MUNICIPALIDAD DE PHOENIX UTILIZA CENTROS DE VOTACIÓN EN VEZ DE LUGARES DE VOTACIÓN. FAVOR DE CONSULTAR LA INFORMACIÓN IMPORTANTE SOBRE LOS CENTROS DE VOTACIÓN EN LAS PÁGINAS 8 Y 11 DE ESTE FOLLETO.

### OFFICIAL VOTING MATERIAL

ONLY ONE SAMPLE BALLOT PAMPHLET HAS BEEN MAILED TO EACH NAMED HOUSEHOLD IN WHICH A REGISTERED VOTER RESIDES. PLEASE MAKE IT AVAILABLE TO ALL REGISTERED VOTERS IN THE HOUSEHOLD. A PAMPHLET WAS MAILED UNLESS ALL VOTERS IN THE HOUSEHOLD REQUESTED TO OBTAIN THE PAMPHLET ELECTRONICALLY.

### MATERIAL OFICIAL DE VOTACIÓN

SE HA ENVIADO SOLAMENTE UN FOLLETO DE MUESTRA DE BOLETA A CADA DOMICILIO NOMBRADO DONDE RADIQUE UN VOTANTE INSCRITO. POR FAVOR HÁGALO DISPONIBLE A TODOS LOS VOTANTES INSCRITOS EN EL DOMICILIO. SE ENVIÓ UN FOLLETO A MENOS QUE TODOS LOS VOTANTES EN EL DOMICILIO HUBIERAN SOLICITADO OBTENER EL FOLLETO POR VÍA ELECTRÓNICA.

## CERTIFICATE OF ELECTION

The City Council of the City of Phoenix, Arizona, does hereby certify that a Runoff Election was held in the City of Phoenix Council District 3 on Tuesday, March 14, 2017, to fill a vacancy for Councilmember for District 3 for the remainder of a term that expires January 2, 2020.

We further certify that the Voting Center Signature Rosters and Certificates of Performance were duly filed in our office within 24 hours after said election; that we find that as a result of said election that the whole number of votes cast were as follows:

3/22/2017

**CITY OF PHOENIX  
RUNOFF ELECTION  
MARCH 14, 2017  
OFFICIAL RESULTS**

**CITYWIDE SUMMARY -  
BALLOTS CAST**

	<b>EARLY BALLOTS CAST</b>	<b>% TOTAL BALLOTS CAST</b>	<b>VOTING CENTER BALLOTS CAST</b>	<b>% TOTAL BALLOTS CAST</b>	<b>TOTAL BALLOTS CAST</b>	<b># OF REGISTERED VOTERS</b>	<b>% VOTER TURNOUT</b>
BALLOTS CAST - DISTRICT 3	22,192	96.89%	713	3.11%	22,905	100,810	22.72%
<b>TOTAL</b>	<b>22,192</b>	<b>96.89%</b>	<b>713</b>	<b>3.11%</b>	<b>22,905</b>	<b>100,810</b>	<b>22.72%</b>

3/22/2017

**CITY OF PHOENIX  
RUNOFF ELECTION  
MARCH 14, 2017  
OFFICIAL RESULTS**

**CITYWIDE SUMMARY -  
RESULTS BY RACE**

	<b>EARLY VOTES CAST</b>	<b>VOTING CENTER VOTES CAST</b>	<b>TOTAL VOTES CAST</b>	<b>% TOTAL VOTES CAST</b>
<b>COUNCIL MEMBER DST 3</b>				(WITH 17 OF 17 PRECINCTS COUNTED)
CHRISTOPHER M. DeROSE	10,168	313	10,481	45.87%
DEBRA STARK	11,970	398	12,368	54.13%
<b>TOTAL</b>	<b>22,138</b>	<b>711</b>	<b>22,849</b>	

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3/22/2017

**CITY OF PHOENIX  
RUNOFF ELECTION  
MARCH 14, 2017  
OFFICIAL RESULTS**

**DISTRICT SUMMARY  
DISTRICT 3**

PRECINCTS COUNTED (OF 17)	17
REGISTERED VOTERS	100,810
BALLOTS CAST -	22,905
VOTER TURNOUT-	22.72%

	EARLY VOTES CAST	VOTING CENTER VOTES CAST	TOTAL VOTES CAST	% TOTAL VOTES CAST
<b>COUNCIL MEMBER DST 3</b>				
CHRISTOPHER M. DeROSE	10,168	313	10,481	45.87%
DEBRA STARK	11,970	398	12,368	54.13%
<b>TOTAL</b>	<b>22,138</b>	<b>711</b>	<b>22,849</b>	

3/22/2017

**CITY OF PHOENIX  
RUNOFF ELECTION  
MARCH 14, 2017  
OFFICIAL RESULTS**

**PRECINCT DETAIL  
DISTRICT 3**

	Early Votes	Voting Center Votes	Total	% of Total Votes
<b>0303 AMBER-MUMMY MOUNTAIN</b>	Registered Voters - 5329		Ballots Cast - 1291	Turnout Percent - 24.23%
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	589	19	608	47.35%
DEBRA STARK	654	22	676	52.65%
<b>Total Votes</b>	<b>1243</b>	<b>41</b>	<b>1284</b>	
<b>0373 ANDERSON-BLUEBIRD-DESERT BELL 3</b>	Registered Voters - 12255		Ballots Cast - 1992	Turnout Percent - 16.25%
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	944	25	969	48.74%
DEBRA STARK	988	31	1019	51.26%
<b>Total Votes</b>	<b>1932</b>	<b>56</b>	<b>1988</b>	
<b>0433 ANDORA-INDIAN BEND</b>	Registered Voters - 5245		Ballots Cast - 836	Turnout Percent - 15.94%
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	379	9	388	46.63%
DEBRA STARK	432	12	444	53.37%
<b>Total Votes</b>	<b>811</b>	<b>21</b>	<b>832</b>	
<b>1213 BLACK CANYON-SHAW BUTTE</b>	Registered Voters - 8266		Ballots Cast - 1207	Turnout Percent - 14.60%
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	581	16	597	49.67%
DEBRA STARK	593	12	605	50.33%
<b>Total Votes</b>	<b>1174</b>	<b>28</b>	<b>1202</b>	
<b>1333 BLUEFIELD 3-GROVERS 3-TURF PARAD</b>	Registered Voters - 4554		Ballots Cast - 693	Turnout Percent - 15.22%
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	334	10	344	49.71%
DEBRA STARK	343	5	348	50.29%
<b>Total Votes</b>	<b>677</b>	<b>15</b>	<b>692</b>	
<b>1513 CALAVEROS-GOLD DUST</b>	Registered Voters - 3099		Ballots Cast - 954	Turnout Percent - 30.78%
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	376	17	393	41.19%
DEBRA STARK	543	18	561	58.81%
<b>Total Votes</b>	<b>919</b>	<b>35</b>	<b>954</b>	

3/22/2017

**CITY OF PHOENIX  
RUNOFF ELECTION  
MARCH 14, 2017  
OFFICIAL RESULTS**

**PRECINCT DETAIL  
DISTRICT 3**

	Early Votes	Voting Center Votes	Total	% of Total Votes
<b>1693 CANTERBURY-MOON VALLEY-WILLOW</b> Registered Voters - 7640 Ballots Cast - 2452 Turnout Percent - 32.09%				
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	1090	27	1117	45.65%
DEBRA STARK	1277	53	1330	54.35%
<b>Total Votes</b>	<b>2367</b>	<b>80</b>	<b>2447</b>	
<b>2533 COPPER HILLS-HILLERY 3-OAKHURST</b> Registered Voters - 4724 Ballots Cast - 1131 Turnout Percent - 23.94%				
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	563	15	578	51.24%
DEBRA STARK	540	10	550	48.76%
<b>Total Votes</b>	<b>1103</b>	<b>25</b>	<b>1128</b>	
<b>3373 DESERT COVE-SHEENA</b> Registered Voters - 5203 Ballots Cast - 1393 Turnout Percent - 26.77%				
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	639	10	649	46.66%
DEBRA STARK	718	24	742	53.34%
<b>Total Votes</b>	<b>1357</b>	<b>34</b>	<b>1391</b>	
<b>3683 DREAMY DRAW-HATCHER-NORTON</b> Registered Voters - 5069 Ballots Cast - 1037 Turnout Percent - 20.46%				
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	428	16	444	42.94%
DEBRA STARK	566	24	590	57.06%
<b>Total Votes</b>	<b>994</b>	<b>40</b>	<b>1034</b>	
<b>4023 ESCOBAR-FOXWOOD-SHEA</b> Registered Voters - 5185 Ballots Cast - 1165 Turnout Percent - 22.47%				
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	507	23	530	45.53%
DEBRA STARK	610	24	634	54.47%
<b>Total Votes</b>	<b>1117</b>	<b>47</b>	<b>1164</b>	
<b>4333 GLENN-SPRUCE-SUNNY HIGH 3-SUNNY</b> Registered Voters - 7794 Ballots Cast - 2222 Turnout Percent - 28.51%				
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	787	25	812	36.61%
DEBRA STARK	1371	35	1406	63.39%
<b>Total Votes</b>	<b>2158</b>	<b>60</b>	<b>2218</b>	

3/22/2017

**CITY OF PHOENIX  
RUNOFF ELECTION  
MARCH 14, 2017  
OFFICIAL RESULTS**

**PRECINCT DETAIL  
DISTRICT 3**

	Early Votes	Voting Center Votes	Total	% of Total Votes
<b>4573 GREENWAY-VISTA</b>	Registered Voters - 6666		Ballots Cast - 1490	Turnout Percent - 22.35%
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	675	33	708	47.58%
DEBRA STARK	744	36	780	52.42%
<b>Total Votes</b>	<b>1419</b>	<b>69</b>	<b>1488</b>	
<b>6373 MONTE CRISTO-MOUNTAIN SKY</b>	Registered Voters - 8309		Ballots Cast - 2367	Turnout Percent - 28.49%
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	1133	35	1168	49.45%
DEBRA STARK	1161	33	1194	50.55%
<b>Total Votes</b>	<b>2294</b>	<b>68</b>	<b>2362</b>	
<b>6563 ONYX-YUCCA</b>	Registered Voters - 4432		Ballots Cast - 1288	Turnout Percent - 29.06%
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	534	18	552	42.96%
DEBRA STARK	707	26	733	57.04%
<b>Total Votes</b>	<b>1241</b>	<b>44</b>	<b>1285</b>	
<b>6853 PONDEROSA-PORT ROYALE</b>	Registered Voters - 4436		Ballots Cast - 652	Turnout Percent - 14.70%
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	295	8	303	46.62%
DEBRA STARK	326	21	347	53.38%
<b>Total Votes</b>	<b>621</b>	<b>29</b>	<b>650</b>	
<b>7033 SHADOW ROCK</b>	Registered Voters - 2604		Ballots Cast - 735	Turnout Percent - 28.23%
COUNCIL MEMBER DST 3				
CHRISTOPHER M. DeROSE	314	7	321	43.97%
DEBRA STARK	397	12	409	56.03%
<b>Total Votes</b>	<b>711</b>	<b>19</b>	<b>730</b>	

The City Council therefore finds and hereby certifies and declares that the following named person, having received a majority of the votes cast in said Runoff Election, is elected to the office of Councilmember for District 3 to complete the remainder of a term ending January 2, 2020:

DISTRICT 3 COUNCILMEMBER

Debra Stark

IN WITNESS WHEREOF, the Council of the City of Phoenix hereby declares the attached results to be the official results of said Runoff Election, this 22nd day of March, 2017.

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Greg Stanton  
Mayor

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City Clerk  
SEAL