



# City of Phoenix

## Minutes

Meeting Location:  
City Council Chambers  
200 W. Jefferson St.  
Phoenix, Arizona 85003

### City Council Formal Meeting

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Wednesday, June 28, 2017

2:30 PM

phoenix.gov

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

The Phoenix City Council convened in formal session on Wednesday, June 28, 2017, at 2:36 p.m. in the Council Chambers.

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

Councilman DiCiccio joined the voting body via telephone following Item 18 and left the voting body after Item 111. Mayor Stanton left the Chambers but continued as part of the voting body via telephone during discussion on Item 105; Vice Mayor Pastor assumed the Chair for the remainder of the meeting.

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

#### **CITIZEN COMMENTS**

Leonard Clark expressed he was inspired by Phoenicians helping each other during extreme heat days by handing out cold water to homeless people.

Dianne Barker conveyed she also handed out water to people who were thirsty. She invited everyone to the next Meet Me Downtown event, a group that walked the downtown area.

John Rusinek expressed concern about the dust from his neighbor's property.

Felix Vasquez, Jr. stated he was concerned about the summer youth program budget cuts as it would affect youth's job development skills. He requested

Council do something in order to help youth stay out of trouble.

Mayor Stanton requested staff talk with Mr. Vasquez about what was being done with the summer youth programs.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6333 through G-6334, S-43579, S-43707 through S-43770, and Resolutions 21553 through 21556 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.

### **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:

Patricia Perna, Item 2

Yutheavy In - Applicant, Item 8

Sofia Vasquez - Applicant, Item 9

Cara Baldwin Valenta - Agent, Item 15

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 1 through 18 be recommended for approval. The motion carried by voice vote:**

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

**Absent:** 1 - Councilman DiCiccio

#### **1 Liquor License - MOD Pizza**

Request for a liquor license. Arizona State License 12079906.

#### **Summary**

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

3121 W. Peoria Ave., Ste. 101

Zoning Classification: C-2

Council District: 1

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 was June 27, 2017. However, the applicant has submitted a written request for more time.

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:

“Applicant is committed to upholding the highest standards for alcohol sales and service. Managers and staff are trained, or will be, in the

techniques of legal and responsible sales and service.”

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**2 Liquor License - Special Event - Baehr Challenge, LTD.**

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

**Summary**

Applicant

Brian Baehr

Location

5310 E. High St.

Council District: 2

Function

Festival

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

Oct. 21, 2017 - 5 p.m. to 9 p.m. / 2,000 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**3 Liquor License - Walgreens #3132**

Request for a liquor license. Arizona State License 09070285.

**Summary**

Applicant

Andrea Lewkowitz, Agent

License Type

Series 9 - Liquor Store

Location

2415 E. Union Hills Drive

Zoning Classification: PSC

Council District: 2

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

The sixty-day limit for processing this application is July 9, 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 information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

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

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

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**4 Liquor License - Pho Saigon Pearl**

Request for a liquor license. Arizona State License 1207B026.

## Summary

### Applicant

Kathleen Nguyen, Agent

### License Type

Series 12 - Restaurant

### Location

3134 W. Carefree Hwy., Bldg. A, Ste. 6

Zoning Classification: C-2 PCD

Council District: 2

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales as Ray's Pizza until March 2017 and does not have an interim permit.

The sixty-day limit for processing this application is July 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:

"All rules and regulations pertaining to liquor service policies will be

strictly followed and all managers and employees will receive the appropriate training required to ensure these standards are met.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “We will have the opportunity to offer drinks to our customers if they choose to have one.”

#### Staff Recommendation

Staff recommends approval of this application.

#### Attachments

Liquor License Data - Pho Saigon Pearl

Liquor License Map - Pho Saigon Pearl

**This item was recommended for approval.**

### **5 Liquor License - Walgreens #2079**

Request for a liquor license. Arizona State License 09070347.

#### **Summary**

##### Applicant

Andrea Lewkowitz, Agent

##### License Type

Series 9 - Liquor Store

##### Location

3131 E. Thunderbird Road

Zoning Classification: C-2

Council District: 3

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

The sixty-day limit for processing this application is July 9, 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 information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

### Public Opinion

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

### Applicant's Statement

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

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

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

### Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

## **6 Liquor License - Walgreens #3593**

Request for a liquor license. Arizona State License 09070312.

### **Summary**

#### Applicant

Andrea Lewkowitz, Agent

#### License Type

Series 9 - Liquor Store

#### Location

2610 W. Thunderbird Road

Zoning Classification: C-2

Council District: 3



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

The sixty-day limit for processing this application is July 9, 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 information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

#### Public Opinion

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

#### Applicant's Statement

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

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

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

#### Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

### **7 Liquor License - Walgreens #16082**

Request for a liquor license. Arizona State License 09070288.

#### **Summary**

#### Applicant

Andrea Lewkowitz, Agent

License Type

Series 9 - Liquor Store

Location

10602 N. 32nd St.

Zoning Classification: C-2

Council District: 3

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

The sixty-day limit for processing this application is July 9, 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 information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

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

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

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**8 Liquor License - Reathrey Sekong**

Request for a liquor license. Arizona State License 1207B028.

**Summary**

Applicant

Yutheavy In

License Type

Series 12 - Restaurant

Location

1312 E. Indian School Road

Zoning Classification: C-2

Council District: 4

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

The sixty-day limit for processing this application is July 9, 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 am a US citizen without criminal history in my background. I will attend and complete both the basic liquor training and management training courses prior to obtaining 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:

“The majority of the restaurant patrons and clientele requested to be able to purchase and consume alcoholic beverages to enjoy along with their meal at the restaurant. This will help to increase sales revenue for the business and therefore help to also generate more tax dollars for the City and State.”

#### Staff Recommendation

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

#### Attachments

Liquor License Data - Reathrey Sekong

Liquor License Map - Reathrey Sekong

**This item was recommended for approval.**

### **9 Liquor License - Special Event - Hermandad del Senor de los Milagros (Mesa, AZ)**

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

#### **Summary**

#### Applicant

Sofia Vasquez Diaz

#### Location

2647 W. Glendale Ave.

Council District: 5

Function

Cultural Celebration

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

Aug. 19, 2017 - 7 p.m. to 1 a.m. / 150 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**10 Liquor License - CVS/pharmacy #6718**

Request for a liquor license. Arizona State License 09074006.

**Summary**Applicant

Jason Morris, Agent

License Type

Series 9 - Liquor Store

Location

5835 W. Indian School Road

Zoning Classification: C-2

Council District: 5

This request is for a location transfer of a liquor license from Glendale for a retail pharmacy. This location is currently licensed for liquor sales with a Series 10 - Beer and Wine Store, liquor license.

The sixty-day limit for processing this application is July 7, 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:

"CVS/pharmacy holds approximately 6,500 licenses to sell alcoholic beverages throughout the United States and has comprehensive measures in place, including training programs, to ensure compliance with alcohol-related laws and regulations. CVS/pharmacy #6718 operates today with a Series 10/beer and wine retailer license and is changing that to a Series 9 license."

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

"CVS/pharmacy is committed to providing quality goods and services to its customers. The ability to sell alcoholic beverages assures that customers are conveniently and substantially served by a responsible retailer."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - CVS/pharmacy #6718

Liquor License Map - CVS/pharmacy #6718

**This item was recommended for approval.**

**11 Liquor License - Flower Child**

Request for a liquor license. Arizona State License 12079685.

**Summary**Applicant

Randy Nations, Agent

License Type

Series 12 - Restaurant

Location

5013 N. 44th St.

Zoning Classification: C-2

Council District: 6

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 July 1, 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:

“All of our employees are trained in responsible liquor service and go through regular audits to ensure they comply.”

Staff Recommendation

Staff recommends approval of this application noting the applicant must

resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

**This item was recommended for approval.**

## 12 **Liquor License - MOD Pizza**

Request for a liquor license. Arizona State License 1207A272.

### **Summary**

#### Applicant

Andrea Lewkowitz, Agent

#### License Type

Series 12 - Restaurant

#### Location

4280 E. Indian School Road, Ste. 101

Zoning Classification: C-1

Council District: 6

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 was June 27, 2017. However, the applicant has submitted a written request for more time.

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:

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

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**13 Liquor License - MOD Pizza**

Request for a liquor license. Arizona State License 1207A499.

**Summary**

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

4025 E. Chandler Blvd., Ste. 74

Zoning Classification: C-2 PCD

Council District: 6

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 was June 27, 2017. However, the applicant has submitted a written request for more time.

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:

“Applicant is committed to upholding the highest business standards, including employee training, product quality and customer service. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**14 Liquor License - Cold Beers & Cheeseburgers**

Request for a liquor license. Arizona State License 1207B018.

**Summary**

Applicant

Amy Nations, Agent

License Type

Series 12 - Restaurant

Location

3950 E. Indian School Road, Ste. 50

Zoning Classification: C-2

Council District: 6

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in August 2017.

The sixty-day limit for processing this application is July 3, 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:

“Cold Beers & Cheeseburgers is led by a management team combining over 100 years of experience. The founder has created, designed and managed over 20 unique concepts in multiple locations throughout the southwest including Scottsdale, San Diego and Denver.”

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

“Cold Beers & Cheeseburgers has become the hottest place to be. We are not your basic burger place, however, our menu features only fresh ingredients with all items made in house daily. Our award winning burgers will soon make this restaurant the neighborhood favorite.”

#### Staff Recommendation

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

Attachments

Liquor License Data - Cold Beers & Cheeseburgers

Liquor License Map - Cold Beers & Cheeseburgers

**This item was recommended for approval.**

**15 Liquor License - Generations at Ahwatukee**

Request for a liquor license. Arizona State License 1207B017.

**Summary**

Applicant

Cara Baldwin, Agent

License Type

Series 12 - Restaurant

Location

15815 S. 50th St.

Zoning Classification: C-2 M-R

Council District: 6

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption. This business is currently under construction with plans to open in August 2017.

The sixty-day limit for processing this application is July 2, 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.

Generations at Agritopia (Series 12)

2811 E. Agritopia Loop S., Gilbert

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

Liquor license violations: None

### Public Opinion

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

### Applicant's Statement

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

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

"I have been in the hospitality industry for over 40 years of which 27 has been with a focus in Senior Dining. My years of experience has taught me how to responsibly serve food and spirits together to enhance the dining pleasures of older adults. I will be hiring and training staff to deliver a high quality service experience while maintaining the rules and standards set forth by the state of Arizona and city of Phoenix with regard alcohol safety laws."

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

"Generations at Ahwatukee's campus has been designed to provide unique living options for older adults. Our campus will host a selection of different dining venues which not only appeals to our residents but a welcoming place to invite family and friends. Generations is so named as a place where 'generations meet to eat'. Our liquor license will enable us to responsibly provide food and spirits in a managed environment where residents can walk back home adding memories to their life's journeys."

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 - Generations at Ahwatukee

Liquor License Map - Generations at Ahwatukee

**This item was recommended for approval.**

**16 Liquor License - Urbo**

Request for a liquor license. Arizona State License 10076878.

**Summary**Applicant

Shawn Connelly, Agent

License Type

Series 10 - Beer and Wine Store

Location

603 W. Fillmore St.

Zoning Classification: DTC - Van Buren

Council District: 7

This request is for a new liquor license for a convenience store/coffee shop. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow retail liquor sales.

The sixty-day limit for processing this application is July 9, 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.

Desoto Central Market (Series 12)

915 N. Central Ave., Phoenix

Calls for police service: 10

Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

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

"I have operated and currently operating a restaurant for 2.5 years with 0 incidents. We train all employees on proper protocol."

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

"This is a neighborhood store attached to an apartment complex, which means people in apt and surrounding are a will not have to drive. The coveince is also a safty issue if a person does not get in car to drive."

#### 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 - Urbo

Liquor License Map - Urbo

**This item was recommended for approval.**

**17 Liquor License - 1130 The Restaurant**

Request for a liquor license. Arizona State License 12077320.

**Summary**

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

455 N. 3rd St., Ste. 1130

Zoning Classification: DTC - Business Core

Council District: 8

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 July 3, 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:

“Applicant is committed to upholding the highest business standards, including employee training, product quality and customer service. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**18 Liquor License - Canyon Cafe**

Request for a liquor license. Arizona State License 12075383.

**Summary**

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

455 N. 3rd St., Ste. 114

Zoning Classification: DTC - Business Core

Council District: 8

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 July 3, 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:

“Applicant is committed to upholding the highest business standards, including employee training, product quality and customer service. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**ORDINANCES, RESOLUTIONS, AND NEW BUSINESS**

Note: Councilman DiCiccio joined the voting body via telephone.

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 19 through 124 be approved or adopted, except Items 20, 27, 40, 47, 53, 60, 65, 77, 83-88, 93, 95-96, 98, 100-101, 105, 111, 114 and 124; continuing Items 69 and 71-72 to July 6, 2017; and noting that Item 123 is as corrected. The motion carried by the following vote:**

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

Items 19-46, Ordinance S-43770 were requests to authorize the City Controller to disburse funds up to 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.

**19 Salt River Valley Water Users' Association (WTA)**

For \$27,725.00 in payment authority for Contract 59580 to transfer water from the Salt River Valley Water Users' Association to the City and for the delivery of water from the Salt and Verde Rivers pursuant to water rights held by the City, for the Water Services Department. The Water Services Department treats and delivers the water for lands within the Salt River Reservoir District (including Member Lands, Normal Flow Only Lands, and Townsite Lands), which have rights to the water stored and developed by the Association.

**This item was adopted.**

**21 Salt River Project Agricultural Improvement and Power District, doing business as SRP (Network Fiber Access)**

For \$295,000.00 in payment authority for Contract 117110 Master Telecom Infrastructure Agreement, for the use of Salt River Project fiber optic cables at Water Services Department facilities to connect telecommunications and data networks for fiscal year 2017-2018.

**This item was adopted.**

**22 Salt River Project Agricultural Improvement and Power District, doing business as SRP (GRUSP Project)**

For \$1,200,000.00 in payment authority for Contract 63846 for the annual costs for operations and maintenance of the Granite Reef Underground Storage Project for the Water Services Department. The City owns 25.755 percent of the underground storage of water. The Water Services Department shares this project with the Salt River Project Agricultural Improvement and Power District, City of Chandler, Town of Gilbert, City of Mesa, City of Scottsdale, and City of Tempe for fiscal year 2017-2018.

**This item was adopted.**

**23 Salt River Valley Water Users' Association (Resale)**

For \$3,338,635.00 in payment authority for Contract 100353 to provide water for resale within the Salt River Reservoir District for the Water Services Department. This is per water rights held by the Association to the City from the Salt and Verde Rivers.

**This item was adopted.**

**24 Arizona Blue Stake, Inc., doing business as Arizona 811**

For \$112,400.00 in payment authority to continue to provide underground utility locating services in Fiscal Year 2017-18 for the Water Services Department. The contractor will work with professional excavators and homeowners throughout Arizona to identify the location of underground lines which prevents damage to the City's underground infrastructure.

**This item was adopted.**

**25 Arizona Department of Water Resources**

For \$35,400.00 in payment authority for Fiscal Year 2017-2018 Annual Water Withdrawal and Use Report, including permit fees for groundwater withdrawal, groundwater production, and dewatering, for the Water Services Department.

**This item was adopted.**

**26 City of Mesa**

For \$90,000.00 in payment authority to purchase water for the Val Vista Treatment Plant during the annual shut down for maintenance and repairs for the Water Services Department. When the treatment plant is shut down, no water is produced. To have potable water on site, the Water Services Department must purchase water from the City of Mesa.

**This item was adopted.**

**28 City of Glendale (Camelback Ranch)**

For \$9,000.00 in payment authority for Intergovernmental Agreement 123273 to continue to provide treated water services to the area of Camelback Ranch, located within the boundaries of the City of Phoenix, but outside the City's water distribution system, for the Water Services Department.

**This item was adopted.**

**29 City of Glendale (Route 101 and 51st Avenue)**

For \$63,800.00 in additional payment authority for Intergovernmental Agreements 114154 and 114155 to provide water service to the area of Arizona State Route 101 and 51st Avenue, located within the boundaries of the City of Phoenix, but outside the City's water distribution system, for the Water Services Department.

**This item was adopted.**

**30 American Water Enterprises, Inc.**

For \$6,100,000.00 in payment authority for Contract 107745 for a term of one year for operating costs for the Lake Pleasant Water Treatment Plant, for the Water Services Department. The plant came on-line in early 2007 and primarily serves the northwest area of the City. The City entered into a 15-year agreement to operate and maintain this facility.

**This item was adopted.**

**31 Central Arizona Water Conservation District, doing business as Central Arizona Project**

For \$41,144,572.00 in payment authority for Contract 132409 for Fiscal Year 2017-2018 delivery of municipal and industrial water for the Water Services Department. This agreement provides irrigation, municipal, and industrial water supplies to water deficient areas within Arizona.

**This item was adopted.**

**32 EPCOR Water USA, Inc.**

For \$1,050,000.00 in payment authority for Contract 93040 to provide water and wastewater treatment services for the West Anthem service area for the Water Services Department. West Anthem is located outside the Water Services Department distribution area.

**This item was adopted.**

**33 Roosevelt Irrigation District**

For \$950,000.00 in payment authority for Contract 54170, the Salt River Maricopa Indian Community Water Rights Settlement Agreement with Roosevelt Irrigation District, Salt River Project, and the Salt River Pima-Maricopa Indian Community, for the Water Services Department. The Water Services Department is responsible for paying a portion of the water right's settlement claim for Fiscal Year 2017-2018.

**This item was adopted.**

**34 Salt River Project Agricultural Improvement and Power District, doing business as SRP (Interconnection Facility)**

For \$64,000.00 in payment authority for Contract 53453, for operation and maintenance of the Central Arizona Project/Salt River Project interconnection facility, for the Water Services Department. This intergovernmental agreement is between the Salt River Valley Water Users' Association, the Salt River Project Agricultural Improvement and Power District, Chandler, Gilbert, Glendale, Mesa, Peoria, Phoenix, Scottsdale, and Tempe and allows the City to transport water from the Central Arizona Project aqueduct to the Granite Reef Dam. The Water Services Department is responsible for 38.425% of the operating and maintenance expenses for Fiscal Year 2017-2018.

**This item was adopted.**

**35 Various Vendors - Annual Utility Charges**

For \$72,574,998.00 in payment authority for electricity and gas charges of City departments for Arizona Public Service Company, Salt River Project, Salt River Valley Water Users' Association and Southwest Gas Corporation from July 1, 2017 through June 30, 2018, as provided in the proposed annual operating budget, for the Budget and Research Department.

**This item was adopted.**

**36 Compressed Air Power, Inc.**

For \$49,000.00 in payment authority for a new contract, entered on or about July 1, 2017, for a term of two years, for the repair and preventive maintenance of air compressors for the Aviation Department.

Compressed Air Power, Inc. is the manufacturer's authorized service provider in the Metro Phoenix Area to repair and service Quincy Air Compressors. This contract is necessary to repair and maintain the Quincy Air Compressors in Hangar 18 at Phoenix Goodyear Airport, located at 1658 S. Litchfield Road.

**This item was adopted.**

**37 Phoenix Newspapers, doing business as The Arizona Republic**

For \$49,273.74 in payment authority for required advertisements for the City's elections, budget process, and housing grants for the City Clerk, Budget and Research, and Housing departments. Advertisements are

legally required and assist in the notification of residents about involvement opportunities.

**This item was adopted.**

**38 Settlement of Claim Balsz School District**

For \$33,195.91 in settlement of Balsz School District claim 16-0390-001 GL PD, for the Finance Department pursuant to Phoenix City Code Chapter 42.

**This item was adopted.**

**39 Settlement of Claim *Venard v. City of Phoenix***

For \$37,000.00 in settlement of claim in *Venard v. City of Phoenix*, United States District Court Case CV-15-02396-PHX-SRB, 15-0487-001 GL BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

**This item was adopted.**

**41 United States Postal Service, Postmaster of Phoenix**

For \$3,876,785.00 in payment authority for metered and non-metered mail charges of City departments from July 1, 2017 through June 30, 2018, as provided in the proposed annual operating budget, for the Budget and Research Department.

**This item was adopted.**

**42 City Treasurer**

For \$15,612,766.00 in payment authority on behalf of the Water Services Department, for water charges of City departments from July 1, 2017 through June 30, 2018, as provided in the proposed annual Operating budget, for the Budget and Research Department.

**This item was adopted.**

**43 Firestorm Pyrotechnics, Inc.**

For \$52,000.00 in payment authority to purchase fireworks display services for the City of Phoenix Fabulous Fourth Event and the Light Up the Sky Event, for Parks and Recreation Department. The Light Up the Sky Event will occur on July 3, 2017, at the Maryvale Baseball Stadium, 3600 N. 51st Ave., and the Fabulous Fourth Event will occur on July 4, 2017, at Steele Indian School Park, 300 E. Indian School Road.

**This item was adopted.**

**44 Phoenix Newspapers, Inc., doing business as The Arizona Republic**

For \$12,500.00 in payment authority to purchase Industrial Pretreatment Program Significant Noncompliance (SNC) and Pretreatment Settlement Agreement (PSA) publications for the Water Services Department. The SNC and PSA publications are mandatory public notices that inform the City of industries that are in significant noncompliance with the Industrial Pretreatment program standards.

**This item was adopted.**

**45 Water Works Engineers, LLC**

For \$825,000.00 in additional payment authority for Contract 142738 for Job Order Contractor Engineering Support Services for the SROG 91st Avenue Wastewater Treatment Plant, for the Water Services Department. The consultant provides site investigations, studies, design services, field surveys, agency coordination, construction administration and inspection services, and other engineering-related services in support of the Wastewater Facilities Process Control Improvements Job Order Contracting Program at the 91st Avenue Wastewater Treatment Plant.

**This item was adopted.**

**46 Copper State Supply, Inc.**

For \$26,875.00 in payment authority to purchase odor scrubber media for the Water Services Department. Odor scrubber complexes eliminate odors at Wastewater Treatment Plants and are required to maintain compliance with State and County regulations.

**This item was adopted.**

**48 AARP Community Challenge Grant Application (Ordinance S-43765)**

Request authorization for the City Manager, or his designee, to apply for, accept, and if awarded enter into any agreements as necessary in the amount of \$25,000 for the AARP Community Challenge Grant. This grant will help to increase marketing efforts related to the City of Phoenix Age-Friendly Initiative. Further request authorization for the City Treasurer



to accept and the City Controller to disburse all funds related to this item if awarded.

**Summary**

AARP is working with local leaders and collaborating organizations in communities to improve communities' built environment and social life, enhancing the quality of life for all people of all ages. AARP is spearheading this Community Challenge to fund projects structured as "actions to demonstrate community change" and help build momentum in communities to improve livability for all residents. Under the auspice of the City of Phoenix Age-Friendly Initiative, the domain for Civic Engagement identified the need to promote awareness for the many volunteer opportunities in the community for older adults. Volunteer opportunities include but are not limited to the Experience Corps Tutoring Program, Sky Harbor Airport's Navigator Program, VITA (Volunteer Income Tax Assistance), C.O.P.S. (Citizens Offering Police Support), Neighborhood Services Blight Busters and other volunteer programs. The City of Phoenix Age-Friendly Local Action Plan identified the need to increase older adult participation in the many volunteer opportunities in the community. The request is to fund marketing materials for the Civic Engagement domain of the City of Phoenix Age-Friendly Local Action Plan.

**Financial Impact**

There is no impact to the General Fund. If awarded projects must be completed by Nov. 1, 2017.

**This item was adopted.**

**49 Payment Ordinance For Summer Recess (Ordinance S-43769)**

This request is prepared each fiscal year end to allow for continuance of operations during the annual Council summer recess.

**Summary**

Request to authorize the City Controller to disburse funds, not to exceed \$50,000.00 per vendor, per occurrence, arising or otherwise due and payable during the period commencing on July 7, 2017 through Aug. 29, 2017, for the purpose of continuing payment authority for expenditure of public money for payment of claims against the City of Phoenix for normal, recurring, business operating expenditures.

**This item was adopted.**

**50 Fingerprint Systems Requirements Contract - State of Arizona  
ADSP013-038750 (Ordinance S-43768)**

Request to authorize the City Manager, or his designee, to access the State of Arizona Cooperative Contract ADSP013-038750 and to enter into a contract with MorphoTrak LLC for fingerprint system equipment and related services. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Police Department Information Technology Bureau requests to purchase fingerprint system equipment and related services to provide support to the Arizona Automated Fingerprint Identification System (AZAFIS) network located at the various bureaus and precincts throughout the City. MorphoTrak LLC is the only supplier that can provide digital fingerprint capture systems that are compatible with the AZAFIS. This technology is used to fingerprint prisoners prior to booking and uploads the fingerprints to run records checks on arrested individuals.

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

**Procurement Information**

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts. The State of Arizona contract covers fingerprint system equipment and related services and was awarded June 11, 2011.

**Contract Term**

The five-year contract term shall begin on or about July 15, 2017.

**Financial Impact**

The aggregate contract value will not exceed \$696,907.00 (including

applicable taxes). Funds are available in the Police Department's budget.

**This item was adopted.**

**51 Purchase of Automated License Plate Readers - RFA 17-195  
(Ordinance S-43709)**

Request to authorize the City Manager, or his designee, to enter into a contract with 3M Center for the purchase of four Automated License Plate Readers in the amount not to exceed \$76,324.00. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The contract will provide the Police Department with four Automated License Plate Readers (ALPR) for deployment by the Homeland Defense Bureau - Intelligence Officer Program, pursuant to a Bureau of Justice Assistance Grant award. The ALPR use image processing technology to identify vehicles by their license plates. The ALPR uses a special form of optical character recognition that will be used as an investigative tool to aid in the recovery of stolen vehicles, locating criminals and conducting other intelligence and investigative activities. These readers automate a process that in the past was conducted manually by patrol officers.

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

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Sole Source Determination Memo citing 3M BOSS ALPR and the BOSS software compatibility with the existing platform being used. A Sole Source Determination was completed and approved by the Deputy Finance Director recommending that the procurement with 3M Center be accepted.

**Financial Impact**

Expenditures against this contract shall not exceed \$76,324.00 (including applicable taxes). Funds are available in the Police Department's budget.

**This item was adopted.**

**52 Amend Contract with Western Aviation Security Products, LLC, for Aviation Regulatory Compliance and Auditing Services (Ordinance S-43710)**

Request to authorize the City Manager, or his designee, to amend Contract No. 132209 with Western Aviation Security Products, LLC, to extend the term for one year and to authorize payment authority for the additional year in the amount of \$280,000. The amendment may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The contract will continue to provide the Aviation Department with regulatory compliance and auditing services for the City's three airports (Phoenix Deer Valley Airport, Phoenix Goodyear Airport, and Phoenix Sky Harbor International Airport) according to the Transportation Security Administration Code of Federal Regulations and Security Directives.

**Contract Term**

A one-year extension of the term is necessary in order to complete a new solicitation for security directive services. The extended term will be from July 1, 2017, through June 30, 2018.

**Financial Impact**

The total additional payment will not exceed \$280,000. Funds are available in the Aviation Department's operating budget.

**Concurrence/Previous Council Acton**

The current contract was approved by City Council on Oct. 5, 2011.

**Location**

Phoenix Sky Harbor International Airport at 3400 E. Sky Harbor Blvd.; Phoenix Deer Valley Airport at 702 W. Deer Valley Road; and Phoenix Goodyear Airport at 1658 S. Litchfield Road, Goodyear.

**This item was adopted.**

**54 Purchase of BladeTechs Saw Blades - Requirements Contract -**

**RFA 17-185 (Ordinance S-43712)**

Request to authorize the City Manager, or his designee, to enter into a contract with BladeTechs, Inc. (Vendor 3054364) to purchase specialized saw blades for citywide use. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

Under the contract, BladeTechs, Inc. will provide various specialty saw blades for use in many applications citywide such as cutting concrete and asphalt for the Street Transportation Department, cutting various types of pipe materials for the Water Services Department, and safety operations including breaching concrete walls and tile roof ventilation for the Fire Department. These specialty blades have proven to be long-lasting and effective in these applications.

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of an approved Determination Memo citing BladeTechs, Inc. as the sole manufacturer of these specialized saw blades.

**Contract Term**

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

**Financial Impact**

The aggregate contract value will not exceed \$50,000 annually. Funds are available in the various departments' budgets.

**This item was adopted.**

**55 Purchase of Electric Generator - National Joint Powers Alliance (NJPA) 080613-CAT (Ordinance S-43725)**

Request to authorize the City Manager, or his designee, to purchase an electric generator from Empire Power Systems for the Public Works Department (on behalf of the Water Services Department) in an amount not to exceed \$117,290. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The 800-kilowatt electric generator is needed to replace an older

generator that has been in service for 28 years at the 91st Avenue Wastewater Treatment Plant. The current unit has exceeded its projected life expectancy by approximately eight years. The existing generator has become difficult to maintain due to limited parts availability and has suffered increased downtime. The generator is used to process sedimentation such as grit, sand and like material from incoming wastewater. A new electric generator is needed to continue processing wastewater, which results in treated water provided to the Palo Verde Nuclear Power Generating Station and the Tres Rios Environmental Restoration project.

### **Procurement Information**

The National Joint Powers Alliance (NJPA) is a public agency serving as a municipal contracting agency for local and state governments and educational institutions. The NJPA contract was awarded using a similar competitive process as set forth in Phoenix City Code, Chapter 43. The NJPA contract was awarded to Caterpillar on Sept. 17, 2013, and will end on Sept. 17, 2018. This request seeks authorization to make a purchase from Empire Power Systems, a division of Empire Southwest, LLC, which is the local Caterpillar dealer.

### **Financial Impact**

The purchase will not exceed \$117,290.00, including applicable taxes. Funds are available in the Water Services Department's operating budget.

### **Location**

The 91st Avenue Wastewater Treatment Plant is located at 5615 S. 91st Ave. in Tolleson, Ariz.

**This item was adopted.**

## **56 Citywide Electrical Services - Requirements Contract IFB 14-145A (Ordinance S-43726)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contracts 138448, 138480, and 138449 with Commercial Comm & Electric (Vendor 3074481), Performance Electric (Vendor 3052719), and Sky Construction & Engineering Inc. (Vendor 3068732), for the purchase of electrical services as needed by

Citywide departments. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

This contract provides general electrical services, preventative maintenance services, and maintenance due to theft of electrical wiring for use by Citywide departments. The usage on this contract has been greater than anticipated, with significant use by the Public Works and Library departments. Much of the increased usage is due to LED projects at multiple City locations to meet the demand for sustainable lighting and energy solutions, and also due to unplanned electrical infrastructure failures resulting from deferred maintenance.

**Financial Impact**

Upon approval of \$854,000 in additional funds, the revised aggregate value will not exceed \$2,229,000. Funds are available in various departments' budgets.

**Concurrence/Previous Council Action**

This contract is a result of IFB 14-145, awarded on May 28, 2014.

**This item was adopted.**

**57 Versadex Products Software Support Agreement (Ordinance S-43732)**

Request to authorize the City Manager, or his designee, to amend City Contract No. 125890, the Professional Services Contract between the City of Phoenix and Versaterm, Incorporated, by extending the term of the contract's software maintenance and support component for up to five additional years and increasing the contract amount by up to \$3,736,168. Further request authorization for City Controller to disburse all funds related to this item.

**Summary**

The Computer Aided Dispatch (CAD) system provided by Versaterm is the primary system utilized by the Police Department to collect calls for service and dispatch patrol units for action. Versaterm is the developer/vendor of the proprietary software and supports the application for all troubleshooting, maintenance, upgrades, and enhancements. Without this support agreement the Police Department would be at risk of not having a CAD system available to dispatchers and/or officers.

Officers could not run suspect information through the Department of Public Safety (DPS) computer system which accesses state and national criminal justice networks, which would create a safety concern for officers. The CAD system and Mobile Device Computer (MDC) software provided by Versaterm is critical to the operations of the department and the City. The services ensure continuity, efficiency and stability to public safety.

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

### **Procurement Information**

The underlying contract originally resulted from a competitive procurement process, RFP 08-0603. In accordance with Administrative Regulation 3.10, a Determination Memo requesting a five-year extension was provided in connection with this request, confirming that the Versaterm software is proprietary and supported exclusively by Versaterm and that renewal of the Versaterm software maintenance and support is needed to ensure continuity of service for the CAD system, which is critical to the City's operations.

### **Contract Term**

This request will result in extension of the contract until May 31, 2022.

### **Financial Impact**

With the \$3,736,168 in additional funds (including applicable taxes) the new estimated annual expenditure is \$747,234. Funds are available in the Police Department's budget.

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

The underlying contract, which was the result of RFP 08-0603, was awarded by Formal Council Action on April 8, 2009.

**This item was adopted.**

**58 Grant of a Public Utility Easement at 3345 E. Roeser Road for the 32nd Street Multi-Use Pathway: Southern Avenue to Broadway Road Project (Ordinance S-43734)**

Request City Council to grant a public utility easement, for consideration



of one dollar, for installation of a pad mounted-transformer on City-owned property in the Salt River Project (SRP) service area, and further ordering the ordinance recorded. The public utility easement is required for the relocation of a transformer as part of the 32nd Street Multi-use Pathway: Southern Avenue to Broadway Road project.

### **Summary**

This public utility easement will be for the area more fully described in the legal description sent directly to the Law Department ("Easement Premises") and will be granted to all public service corporations, agricultural improvement districts, and telecommunication corporations providing utility service (collectively "Grantee"), in perpetuity so long as Grantee uses the Easement Premises for the purposes herein specified for an indefinite period, subject to the following terms and conditions:

A. Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate and maintain utility facilities together with appurtenant fixtures for use in connection therewith (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 shared use. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in paragraph "F."

B. Grantor shall not locate, erect or construct, or permit to be located or erected or constructed, any building or 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. Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 10 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstruction, 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 obstruction 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 our use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement, landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.

F. Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new

easement area, Grantee shall abandon its rights to use the Easement Premises granted in this easement without cost or consequence to Grantor.

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

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

#### **Location**

3345 E. Roeser Road

**This item was adopted.**

### **59 Uninterruptible Power Supply Equipment, Service, & Maintenance - Requirements Contract - IFB 17-171 (Ordinance S-43740)**

Request to authorize the City Manager, or his designee, to enter into contracts with Titan Power, Inc. (Vendor 3022753) and Gruber Technical, Inc. (Vendor 3023729) to purchase Uninterruptible Power Supply (UPS) units, parts, and maintenance and repair services for citywide use. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

UPS units are a vital component of various City services that require constant, uninterrupted power. The UPS units supply power in the event of an outage, which allows continued operations until the power resumes. Some critical operations include 911 call centers, citywide data rooms, water production and distribution functions, and various others.

### **Procurement Information**

IFB 17-171 was conducted in accordance with Administrative Regulation 3.10. There were six offers received by the Procurement Division on May 12, 2017; one offer was withdrawn. The attached spreadsheet (Attachment A) shows the lowest-priced offers received.

The Deputy Finance Director recommends that the offers from Titan Power, Inc. and Gruber Technical, Inc. be accepted as the lowest-priced, responsive and responsible offers.

### **Contract Term**

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

### **Financial Impact**

The aggregate contract value will not exceed \$2,000,000, with an estimated annual expenditure of \$400,000. Funds are available in various departments' budgets.

**This item was adopted.**

## **61 Authorization to Sell City-Owned Property Located at 1120 W. Watkins St. (Ordinance S-43743)**

Request to authorize the City Manager, or designee, to sell City-owned property located at 1120 W. Watkins St. identified as excess real property inventory. Further request authorization for the City Treasurer to accept all funds related to this item.

**Summary**

The excess property to be sold is approximately 62,596 square feet, zoned A-2, and is improved with a commercial office building containing approximately 28,606 square feet. The services provided at this facility have been relocated without increasing costs or decreasing services. The property will be advertised on the open market by a City-contracted broker at market value to be determined by an appraisal, broker's opinion of value, or other valuation method accepted by the City. Further requesting authorization to negotiate with the offerer[s] in order to yield the highest dollar return to the City, as deemed acceptable by the City Manager or designee. The City Manager, or designee, will select the highest responsive and responsible offer for the property based upon market value, and enter into an Agreement for the Purchase and Sale of City-owned property, containing terms and conditions deemed necessary and appropriate by the City. The subsequent fee simple conveyance will be by Special Warranty Deed. There are no restrictions on the proceeds of this sale.

**Concurrence/Previous Council Action**

The Sustainability, Housing, Efficiency and Neighborhoods Subcommittee recommended City Council approval of this item on June 20, 2017, by a vote of 3-0.

**Location**

1120 W. Watkins St., identified by assessor parcel number 105-35-048.

**This item was adopted.**

**62 Citywide Painting Services - Requirements Contract IFB 14-134A (Ordinance S-43755)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contracts 138450 and 138456 with A&H Painting (Vendor 3060249) and Hernandez Companies Inc. (Vendor 3016504), for the purchase of painting services as needed by citywide departments. Further request authorization for the City Controller to disburse all funds related to this item, not to exceed \$1,886,000.

**Summary**

This contract provides interior and exterior painting services, including painting of block, wood, lathe and plaster, metal, concrete, and pre-cast

fiberglass. The usage on this contract is greater than anticipated, with significant use by the Public Works Department for painting projects citywide and projected increased usage by the Fire Department to re-paint numerous fire stations. Much of the increased usage is due to projects that were previously deferred. Failure to paint these facilities will lead to more expensive repairs.

### **Financial Impact**

Upon approval of \$936,000 in additional funds, the revised aggregate value will not exceed \$1,886,000. Funds are available in various departments' budgets.

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

This contract is a result of IFB 14-134, awarded on May 28, 2014.

**This item was adopted.**

**63 IT Research and Advisory Services - State of Arizona Cooperative Contract for Planning and Development System - ADSPO14-085123 (Ordinance S-43759)**

Request to authorize the City Manager, or his designee, to access the State of Arizona Cooperative Contract ADSPO14-085123 and enter into a contract with Gartner, Inc., to conduct an evaluation for replacement or upgrade of the Planning and Development business application. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

Gartner, Inc. is an industry-leader in providing IT consulting and advisory services. This contract is for professional consulting services for the Planning and Development Department to complete an evaluation for the replacement or upgrade of its business application, KIVA. The consulting services include assessing solution alternatives, identifying risks, developing detailed business and technical requirements for a possible Request for Proposal, and managing the vendor selection. Utilizing an objective, third-party advisory service to provide this analysis is important to help ensure a successful upgrade or replacement of this critical system, which supports Plan Review, Permitting, Zoning, Historic Preservation and Inspections. KIVA is the Planning and Development Department's primary business application, essential to delivery of the

department's core services, which include providing services to more than 111,000 customers in the City Hall Development Center, issuing more than 42,000 permits, and completing more than 200,000 inspections. The importance of this application requires that effective, objective planning be done before initiating a replacement or upgrade project.

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

### **Procurement Information**

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts. The State of Arizona covers IT research and advisory services and was awarded on Dec. 5, 2014.

The Deputy Finance Director recommends that City Council approve an exception to the limitation of liability provision in the City Code 42-18 (A) and (B) to reflect the liability will be no more than three times the contract value.

### **Contract Term**

The contract term shall begin on or about June 28, 2017 and end on Dec. 7, 2019.

### **Financial Impact**

The aggregate contract value will not exceed \$450,000.

**This item was adopted.**

**64 Panasonic Toughbooks, Tablets, Accessories, and Services - Requirements Contract - City of Tucson 12-0471 (Ordinance S-43767)**

Request to authorize the City Manager, or his designee, to enter into a contract to purchase Panasonic toughbooks, tablets, accessories and

services from Portable Communications Systems, Incorporated (PCS Mobile) and Mobile Concepts Technology, LLC (MCT) through the City of Tucson's National Intergovernmental Purchasing Alliance (National IPA) Cooperative Contract 12-0471. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

These contracts will provide Panasonic toughbooks, tablets, accessories and services to all City of Phoenix departments, primarily the Police, Fire and Water Services departments. The devices are used as public safety measures to help employees collect, organize and transfer data faster, more efficiently and in real-time. The device allows police officers to run license plates, scan fingerprints, and check records carside, so they never leave a subject unattended. The new models also have features that will complement the citation process with the City's Record Management System. The device allows first responders to see addresses, hazard information, and sensitive information a responder may need, but may not want to say over the radio. The device also is programmable with specific function keys for use by the Fire Department. Moreover, the devices are the industry standard to be used for field work, work orders, and asset management because they can easily withstand repetitive docking and undocking.

Panasonic Toughbooks are durable and can withstand rigorous movement, including drops, spills, dirt, intense shock and vibration, falling objects, and have the ability to handle Arizona's extreme temperatures. No other device has the ability to withstand the heat and/or wear and tear while still protecting valuable and confidential data. These devices have longer warranties (three years parts and labor) over the life of the device; therefore, the City will save money in longer replacement cycles and experience efficiency gains from less downtime associated with device failure associated with regular laptops.

If the City were to change from using this technology, the risk would be tablets overheating and failing. Additionally, the change in technology would require a significant investment to change all mounting brackets and docking stations in public safety and other City vehicles citywide.

This request has been approved by the Information Technology Services



Department.

### **Procurement Information**

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The 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 governmental pricing and volume discounts. The City of Tucson's National IPA contract was awarded on July 25, 2012.

### **Contract Term**

The five-year contract term shall begin on or about Aug. 1, 2017.

### **Financial Impact**

The aggregate contract value will not exceed \$10,500,000 (including applicable taxes), with an estimated annual expenditure of approximately \$2,100,000. Funds are available in City of Phoenix department budgets.

**This item was adopted.**

## **66 Background Screening and In-Processing/Onboarding Services Contract (Ordinance S-43751)**

Request to authorize the City Manager, or his designee, to enter into a contract with Verified Volunteers d/b/a Sterling Talent Solutions for background screening and in-processing/onboarding services for employees and volunteers. 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 City's current contract for employee and volunteer background screening services expires Jan. 31, 2018. A Request for Proposals (RFP) was issued early to identify a vendor who could provide both background screening services and in-processing/onboarding services for new employees. There currently is no contract in place for in-processing/onboarding services.

### **Procurement Information**

An RFP was issued on March 9, 2017, with a deadline of April 7, 2017, to submit responses. Ten responses were received and forwarded to a five-member evaluation committee. The committee included two representatives from the Human Resources Department; one representative from the Public Works Department; the Human Resources Officer for the Library Department; and a representative from the Administrative, Supervisory, Professional & Technical Employees Association (ASPTEA). Proposals were reviewed based on the following criteria: qualifications and experience; method of approach; other qualifications; and pricing. The top four vendors were invited to an interview/demonstration process. Based on a consensus of the committee, the scores for the top four vendors, out of 1,000 points possible, are:

Verified Volunteers d/b/a Sterling Talent Solutions:	845 points
CastleBranch:	833 points
First Choice Background Screening:	743 points
ADP:	739 points

Verified Volunteers d/b/a Sterling Talent Solutions is the City's current vendor for background screening services. The committee selected this vendor based on the following: business history; government experience; ability to integrate with the City's human resources information system; "best-in-class" software; onboarding capabilities; and other qualifications. The award recommendation was posted to the public and no protests were received.

### **Contract Term**

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

### **Financial Impact**

Costs for employee and volunteer background services vary annually and are paid by the departments utilizing these services. The cost for these services is expected not to exceed \$400,000 over the five-year life of the contract.

**Concurrence/Previous Council Action**

This contract award was recommended for approval by the Sustainability, Housing, Efficiency, and Neighborhoods Subcommittee at its June 20, 2017, meeting by a vote of 3 to 0.

**Location**

Citywide

**This item was adopted.**

**67 Dependent Eligibility Verification Audit Contract (Ordinance S-43756)**

Request to authorize the City Manager, or his designee, to enter into a contract with Health Management Systems, Inc. (HMS) for a dependent eligibility verification audit of the City's health plan. 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 City's health plan is self-funded through the Health Care Benefits Trust. Premium rates are set annually using past utilization data and the City pays 80% of the employee premium. Almost 8,000 employees have one or more family members ("dependents") enrolled in the City coverage. Health Care Benefits Trust Board members and the City Auditor recommend hiring an outside firm to conduct a dependent eligibility audit ensure covered dependents meet the City's definitions for eligibility.

**Procurement Information**

A Request for Proposals (RFP) was issued in February 2017 and six firms responded. A selection committee comprised of two representatives from the Human Resources Department (Benefits Division), the City's Health Care Benefits Trust Board Chairperson, and five members of the City's Health Care Task Force representing Firefighters, Police Officers, Police Sergeants and Lieutenants, laborers, and clerical staff reviewed and scored the RFPs. Interviews were conducted with the three firms with the highest evaluation scores. The top three firms were scored following the interviews and HMS was identified as the recommended vendor for this project. The scores, out of 1,000 available points, for the top three firms are:

HMS: 918 points  
Consova: 793 points  
UnifyHR: 450 points

The committee selected HMS for the following reasons: ability to provide the full scope of services; experience with 55 municipal clients (including Tucson and Los Angeles); experience conducting more than 1,600 dependent audits covering 6 million members nationally; a full range of employee communication tools; performance guarantees; experience and qualifications of key personnel; a proven technology platform; and, other qualifications.

### **Contract Term**

The contract term will be three years starting July 1, 2017. Provisions of the contract will include an option to extend the term for up to two years, in one-year increments, which may be exercised by the City Manager or his designee.

### **Financial Impact**

The Health Care Benefits Trust collects medical and dental premium payments from the City, employees and retirees, and provides payment for claims and administrative expenses. Funding is available in this Trust for costs associated with these services. The cost per audit is \$160,000 and the City anticipates conducting two audits during the five-year life of the contract; therefore, total costs for the five-year life of the contract will not exceed \$320,000.

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

This contract award was recommended for approval by a vote of 3-0 by the Sustainability, Housing, Efficiency, and Neighborhoods Subcommittee at its June 20, 2017, meeting.

### **Location**

Citywide

**This item was adopted.**

## **68 Oracle License for New PeopleSoft Server Platform (Ordinance**

**S-43744)**

Request authorization for the City Manager, or his designee, to enter into an agreement with Oracle America, Inc. (Vendor 3013727) under the Oracle Master Agreement (Contract 142562) to provide an Oracle COBOL compiler license necessary for the City's PeopleSoft enterprise application, in an amount not to exceed \$52,112 over the three-year contract. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The City utilizes Oracle's PeopleSoft Human Capital Management software for human resource and payroll functions for all City employees and retirees. The system is currently undergoing an upgrade to a more recent version, and the application is being moved to Microsoft Windows servers from the existing UNIX servers. A new license for the Micro Focus Net Express COBOL is needed to run the application on the new server platform.

**Contract Term**

The license agreement will begin on or about July 1, 2017 and be in effect through June 30, 2020.

**Financial Impact**

The total three-year cost for the license is \$52,112. Funds are available in the Information Technology Services budget.

**This item was adopted.**

**69 (CONTINUED FROM MAY 31 AND JUNE 21, 2017) - HUD Rental Assistance Demonstration Rehabilitation of Foothills Village Public Housing Community (Ordinance S-43579)**

Request authorization for the City Manager, or his designee, to implement the rehabilitation of the Foothills Village Public Housing community through the U.S. Department of Housing and Urban Development's (HUD) Rental Assistance Demonstration (RAD) Program, with the Housing Department serving as co-developer. Authorization is also requested for the City Controller to disburse Public Housing and/or Affordable Housing funds for the project.

**Summary**

Foothills Village, located at 920 W. Alta Vista Road and built in 1971, consists of 32 buildings containing 200 units with two to four bedrooms. The property, which sits on approximately 17.85 acres, contains outdated units and resident amenities. In February 2017, HUD awarded a RAD Program commitment for Foothills Village, allowing the Housing Department to convert the property's 200 Public Housing units from a Public Housing operating subsidy to a long-term, renewable, project-based Section 8 contract. The RAD Program will help revitalize aging Public Housing properties and address the backlog of deferred maintenance and capital improvements, as well as provide future financial sustainability and continued affordability. It is anticipated that the new development will contain 190 RAD units and 10 unsubsidized units.

The Housing Department is procuring a co-development partner to rehabilitate the Foothills Village site including its on-site resident amenity buildings (the Project). A separate request will seek City Council approval for contract award of the selected co-developer.

The Housing Department, working with its co-development partner once selected, seeks authorization to proceed with all actions necessary or appropriate to rehabilitate the Foothills Village Apartments site including the following:

1. Pursue substantial rehabilitation of existing buildings on the site and relocate resident households per RAD requirements.
2. Form a new City-controlled non-profit corporation with the Housing Director to serve as sole incorporator, with names and governance documents as approved by the City Manager or his designee.
3. Jointly with the co-developer, form a new corporate entity or entities, of which the corporation will be a member and co-developer for the Project, to serve as the ownership entity(ies) for the site.
4. Procure and/or engage in funding transactions to finance the rehabilitation, including submitting applications and accepting awards of Low Income Housing Tax Credits (LIHTC), seeking a LIHTC equity investor, and obtaining other grants and/or loans for the Project.

5. Provide financial guarantees to investors or lenders to assure rehabilitation completion and loan repayment if necessary to obtain financing, provided that any guaranty may only be paid from any developer fees to be paid to the new corporation.
6. Appropriate and expend up to \$4 million in Housing Department Public Housing and/or Affordable Housing Funds to provide and/or loan predevelopment and gap funding.
7. Allocate Section 8 Project-Based Vouchers and/or Public Housing units, amend HUD Annual Plan(s), and enter into associated contracts or agreements, as necessary to facilitate financing, rehabilitation, and operations.
8. Convey or grant fee title or a lesser interest in all or any portion of the site to the Corporation(s), LLC(s), public utilities, and other third parties as necessary to facilitate rehabilitation.
9. Procure, execute, and submit or deliver all contracts, documents and instruments necessary for the rehabilitation and operation of the property.
10. Use and expend the proceeds of any grants, loans, and other financing and funding sources to carry out the rehabilitation and operation of the property.
11. Take other action necessary or appropriate to rehabilitate, implement, and operate all phases of the Foothills Village RAD Program rehabilitation.

**Financial Impact**

Funding is available in the Public Housing and/or Affordable Housing Funds.

**Location**

Foothills Village Public Housing community, 920 W. Alta Vista Road.

**Concurrence/Previous Action**

This item was considered at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on May 16, 2017, and approval recommended by a vote of 4-0.

**This item was continued to the July 6, 2017 City Council Formal Meeting.**

**70 Mutual Assistance Agreement Between the City of Phoenix and The Nature Conservancy**

Request approval for the City Manager, or his designee, to enter into a mutual assistance agreement with The Nature Conservancy to identify favorable areas for potential green infrastructure/low impact development (LID) investment.

**Summary**

LID is a practical alternative to traditional stormwater management practices to help control stormwater runoff near its origin, recharge aquifers and restore watersheds. LID emphasizes both land and water conservation, with minimal dependence on hardscape impervious surfaces. It focuses on using natural systems and pervious surfaces to provide important services such as:

- Capturing, cleaning and infiltrating stormwater.
- Reducing flooding, sedimentation and erosion.
- Irrigating vegetation that shades streets, sidewalks, and buildings.
- Creating more desirable places for biking and walking.
- Reducing the urban heat island effect.

Features can include bioswales, curb cuts, permeable pavement/pavers, detention/retention basins, and infiltration trenches/planters.

The City currently has several LID pilot projects at various locations but there is a need to identify where these features could provide the highest ecological benefit. The Nature Conservancy is proposing to undertake a study to analyze LID impacts at scale across the city and in favorable catchments to help inform LID planning decisions.

Multiple data resources will be overlaid to determine highly favorable locations for potential LID placement, including (but not limited to)



biophysical indicators such as soils and existing impervious surfaces, the County Heat Vulnerability Index, flood risk data and local flooding hotspots, and air quality data. The study will also include a literature review on applicability of LID in arid environments for specific purposes, such as irrigating trees or regulating storm flows. The study will provide information and recommendations for strategy and placement best practices, but it will not prescriptively determine LID placement.

Multiple departments including the Water Services Department, Street Transportation Department, Parks and Recreation Department, and Planning and Development will be participating and contributing to this study but the Office of Environmental Programs in the City Manager's Office will be the lead Responsible Department and signatory on the agreement.

### **Contract Term**

The agreement will be for the term of the study, which is expected to be complete in two to three years. Partners in the study currently include the City of Phoenix, The Nature Conservancy, the Flood Control District of Maricopa County, and the Bureau of Reclamation.

### **Financial Impact**

The City is proposing to contribute data and staff time over the term of the study. The City will not be providing any direct funding.

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

The Environmental Quality and Sustainability Commission voted to approve City participation in this study at their June 8, 2017, meeting. This item was recommended by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on June 20, 2017 by a vote of 3-0.

**This item was approved.**

**71 Request for Proposals to Create Supportive Housing Utilizing U.S. Department of Housing and Urban Development Project-Based Housing Choice Vouchers and Project-Based Veterans Affairs Supportive Housing Vouchers**

Request authorization for the City Manager, or his designee, to issue a Request for Proposals (RFP) to create supportive housing utilizing up to

50 U.S. Department of Housing and Urban Development (HUD) project-based Section 8 Housing Choice Vouchers (HCV) and up to 100 project-based Veterans Affairs Supportive Housing (VASH) vouchers with supportive services. Further request authorization to begin negotiations with the recommended proposer(s).

### **Summary**

The Housing Department is seeking to increase opportunities for supportive housing to serve homeless veterans and their families utilizing project-based VASH vouchers and HCV's. Under the VASH and HCV programs, the Housing Department is authorized to assign some of its available tenant-based HCV and VASH vouchers to specific units in privately-owned housing properties. Project-based vouchers provide financial stability and encourage additional affordable housing development. To date, the Housing Department has successfully allocated 267 HCV and 43 VASH project-based vouchers.

This RFP will accept proposals that create project-based supportive housing for homeless veterans and their families. Permanent supportive housing is a combination of housing and services intended as a cost-effective way to help people live more stable, productive lives. Supportive housing is widely believed to work well for those who face the most complex challenges - individuals and families confronted with homelessness and who also have very low incomes. The HUD VASH program combines rental assistance for homeless veterans with case management and clinical services provided by the U.S. Department of Veterans Affairs (VA). The VA provides these services for participating veterans at VA medical centers and community-based outreach clinics. Due to escalating prices in the current rental housing market, the Housing Department proposes to issue an RFP for project-based vouchers to incentivize affordable housing developers to offer housing options for this population.

The RFP will seek proposals from qualified organizations to utilize federal rental subsidy to house eligible veterans and their families. Up to 50 HCV and up to 100 VASH project-based vouchers will be offered for new construction housing developments. The RFP is anticipated to be issued in fall 2017, in coordination with the Housing Department's Annual HOME Investment Partnership Program (HOME) and Community

Development Block Grant (CDBG) Call for Interest. Formal recommendation for award(s) will be presented to the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee and the City Council in late fall 2017. The evaluation panel will consist of a minimum of four members, to include representatives from relevant City departments, the Phoenix VA and a community stakeholder.

### **Financial Impact**

There is no impact to the General Fund. The VASH and Section 8 HCV programs are federally funded.

### **Concurrence/Previous Action**

This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on June 20, 2017 and approval was recommended by a vote of 3-0.

**This item was continued to the July 6, 2017 City Council Formal Meeting.**

**72 Authorization to Award Contracts to Gorman & Company, Inc. for Rental Assistance Demonstration Co-Development Partner (Ordinance S-43748)**

This report requests authorization for the City Manager, or his designee, to award contracts to Gorman & Company, Inc. (Gorman) to serve as a co-development partner in the redevelopment and implementation of a U.S. Department of Housing and Urban Development (HUD) Rental Assistance Demonstration (RAD) conversion at two multi-family rental properties in the City's public housing portfolio, A.L. Krohn East and Foothills Village Apartments. Further request authorization for the City Manager, or his designee, to execute any and all documents and agreements and take any and all other actions necessary or appropriate to carry out the purposes of this item.

### **Summary**

On April 18, 2017, the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee authorized staff to issue a Request for Proposals (RFP) for a co-development partner(s) to assist with the redevelopment of two multi-family rental properties in the City's public housing portfolio. In February 2017, HUD awarded the Housing

Department conditional approval for RAD conversion of A.L. Krohn East (38 units) and Foothills Village Apartments (200 units). The RAD Program enables the Housing Department to convert these two hundred thirty-eight units from public housing operating subsidy to a long-term, renewable, project-based Section 8 rental assistance contract.

In response to the RFP that was issued on April 20, 2017, the City received four proposals for A.L. Krohn East, and five proposals for Foothills Village; however, one of the five Foothills Village proposals was determined non-responsive. Proposals were evaluated on experience, capacity and financial viability; project approach; proposed fee structure; community outreach and services; and construction, design and energy efficiency. The evaluation panel, comprised of housing and development professionals, deemed Gorman, a Wisconsin-based affordable and mixed-income housing developer, the best and most responsive proposer.

Gorman and their proposed project team have extensive experience successfully securing and implementing various national and local financing programs, including RAD and Choice Neighborhoods grants, to develop and redevelop affordable and mixed-income housing communities in Arizona and nationwide. Gorman and the Housing Department will work together to secure financing and implement capital improvements at these sites which can include demolition, new construction and/or rehabilitation. This partnership will leverage the City's resources and allow for the use of Low Income Housing Tax Credits (LIHTC) as well as private sources of funding to convert the public housing properties into affordable and/or mixed-income housing developments. Due to HUD's time-sensitive performance requirements, the co-development team must proceed expeditiously to meet critical deadlines, including applying for LIHTC in 2018.

Certain proposed terms of the co-development agreements include the following:

- (1) The City will maintain ownership of the land, and lease the land to the project for a period of at least 65 years.

(2) The City's share of the developer fee is anticipated to be between 35 and 51 percent per project, depending on negotiated business terms.

(3) Gorman will absorb certain guarantee risks during construction, lease-up, and during the full operating deficit guarantee period.

(4) Gorman will prepare all funding applications and be responsible for any associated fees.

Predevelopment funding will be shared as follows:

(1) A.L. Krohn East - The City is not expected to provide predevelopment funding. Gorman will secure all predevelopment funding.

(2) Foothills Village - The City's share is approximately \$400,000 or 44 percent; Gorman's share is approximately \$500,000 or 56 percent of total predevelopment costs.

All final business terms will be negotiated prior to entering into development agreements for each property.

### **Financial Impact**

There is no impact to the General Fund. Gorman's contract fees will be paid out of project funds approved through separate City Council actions to implement the RAD developments.

### **Location**

A.L. Krohn East, 14th and Monroe Streets, District 8

Foothills Village, 920 W. Alta Vista Road, District 7

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

This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on June 20, 2017 and approval was recommended by a vote of 3-0.

**This item was continued to the July 6, 2017 City Council Formal Meeting.**

**73 Additional Federal HOME Investment Partnerships Program  
Funding for El Caro Senior (Ordinance S-43758)**

This report requests authorization for the City Manager, or his designee, to increase Gardner Capital Development Arizona, LLC's (Gardner) federal HOME Investment Partnerships (HOME) funding award by \$350,000 and take all actions and execute all documents to complete the loan. The increased loan total of up to \$1 million will assist with the acquisition and new construction of El Caro Senior, an affordable housing development project. Authorization is also requested for the City Controller to disburse funds for the life of the contract.

**Summary**

On Feb. 17, 2016, City Council approved an award of \$650,000 in HOME funds to Gardner for the development of El Caro Senior, a 102 unit Low Income Housing Tax Credit (LIHTC) multi-family housing community for low-income seniors. After receiving final construction pricing, the developer identified a financing gap. Additional HOME funds in the amount of \$350,000 are being requested to cover the gap, for a total of \$1 million.

Gardner will utilize these funds for the construction of El Caro Senior, which will include one and two bedroom units, and will serve households with incomes at or below 60 percent of the Area Median Income. Seven units will be set aside to meet the affordability and rental restrictions of the HOME Program. Twenty-five of the units will be set aside as permanent supportive housing for persons with developmental and physical disabilities.

The estimated total development cost of the project is \$18,050,557. Other anticipated financing includes a nine percent LIHTC equity investment, private bank loans, and a deferred developer fee.

**Financial Impact**

Funding is available in the Housing Department Capital Improvement Program using HOME Funds.

**Concurrence/Previous Council Action**

Original funding was approved on Feb. 17, 2016 by City Council through

Ordinance S-42310. This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on June 20, 2017 and approval was recommended by a vote of 3-0.

**Location**

8025 N. 21st Ave.

**This item was adopted.**

**74 Additional Federal HOME Investment Partnerships Program  
Funding for 19 North (Ordinance S-43760)**

This report requests authorization for the City Manager, or his designee, to increase Helping Hands Housing Services' (Helping Hands) federal HOME funding award by \$126,200 and take all actions and execute all documents to complete the loan. The increased loan total of up to \$1.5 million will assist with the acquisition and new construction of 19 North, an affordable housing development project. Authorization is also requested for the City Controller to disburse funds for the life of the contract.

**Summary**

On March 1, 2017, City Council approved an award of \$1,373,800 in HOME funds to Helping Hands, a Community Development Housing Organization (CDHO), for the development of 19 North, a 54 unit multi-family affordable housing community proposed to be built utilizing Low Income Housing Tax Credits (LIHTC). After receiving final construction pricing, the developer identified a financing gap. Additional HOME funds in the amount of \$126,200 are being requested to cover the gap, for a loan total of \$1.5 million.

Helping Hands will utilize these funds for the construction of 19 North, which will include two and three bedroom units, and will serve households with incomes at or below 60 percent of the Area Median Income. Seven of the 54 units will be set aside as permanent supportive housing for victims of domestic violence and persons with disabilities.

The estimated total development cost of the project is \$16,587,741. Other anticipated financing includes a nine percent LIHTC equity investment, private bank loans, and a deferred developer fee.

**Financial Impact**

Funding is available in the Housing Department Capital Improvement Program using HOME funds.

**Concurrence/Previous Council Action**

Original funding was approved on March 1, 2017 by City Council through Ordinance S-43279. This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on June 20, 2017 and approval was recommended by a vote of 3-0.

**Location**

Confidential location, District 5.

**This item was adopted.**

**75 Authorization to Apply for, Accept and Implement HUD Family Self-Sufficiency Service Coordinator Grant (Ordinance S-43762)**

Request authorization for the City Manager, or his designee, to apply for, accept, and if awarded enter into any agreements as necessary to implement a Family Self-Sufficiency (FSS) Service Coordinator grant from the U.S. Department of Housing and Urban Development (HUD). Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds for the life of the grant.

**Summary**

The Housing Department is seeking to apply for a FSS Service Coordinator grant from HUD. If awarded, the FSS Service Coordinator grant is anticipated to provide up to \$276,000 in funding for calendar year 2018 to fund up to four staff members. The FSS program helps Public Housing and Section 8 residents transition from dependence on government benefits to an improved level of financial self-sufficiency.

Caseworkers coordinate support services offered by non-profit, governmental, and educational community partners; provide case planning and coordination, supportive counseling and referrals, and advocacy; access to educational resources, vocational training, and employment opportunities; and assistance with budgeting, homeownership preparation, and transportation. Successful participants engage in training, improve employment, save money, and buy a home. In the past year, eleven residents graduated from the FSS program.



The Notice of Funding Availability (NOFA) is anticipated to be issued in summer 2017. Due to the anticipated timing of the NOFA and quick turnaround for grant submittal, the Housing Department requests City Council approval to apply for the FSS Service Coordinator grant in advance of the notice.

The Law Department will review the NOFA prior to application submittal to ensure the City meets requirements.

### **Financial Impact**

There is no impact to the General Fund. This grant does not require matching funds.

### **Concurrence/Previous Action**

This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on June 20, 2017 and approval was recommended by a vote of 3-0.

**This item was adopted.**

## **76 Authorization to Apply for, Accept and Implement HUD Resident Opportunities and Self-Sufficiency Service Coordinator Grant (Ordinance S-43763)**

Request authorization for the City Manager, or his designee, to apply for, accept, and if awarded enter into any agreements as necessary to implement a Resident Opportunities and Self-Sufficiency (ROSS) Service Coordinator grant from the U.S. Department of Housing and Urban Development (HUD). Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds for the life of the grant.

### **Summary**

The Housing Department is seeking to apply for a ROSS Service Coordinator grant from HUD. If awarded, the three-year ROSS Service Coordinator grant is anticipated to provide up to \$492,000 over the course of three years for calendar years 2018 through 2020 to fund up to two staff members. The ROSS program helps Public Housing residents create opportunities for an improved level of financial self-sufficiency. Caseworkers coordinate support services offered by non-profit, governmental, and educational community partners; provide supportive

counseling and advocacy; facilitate access to educational resources, vocational training, and employment opportunities; and develop resident empowerment opportunities.

The Notice of Funding Availability (NOFA) is anticipated to be issued in summer 2017. Due to the anticipated timing of the NOFA and quick turnaround for grant submittal, the Housing Department requests City Council approval to apply for the ROSS grant in advance of the notice.

The Law Department will review the NOFA prior to application submittal to ensure the City meets requirements.

### **Financial Impact**

There is no impact to the General Fund. This grant does not require matching funds.

### **Location**

District 8

### **Concurrence/Previous Action**

This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on June 20, 2017 and approval was recommended by a vote of 3-0.

**This item was adopted.**

## **78 Authorization to Apply for, Accept and Disburse Fiscal Year 2017 Head Start Cost-of-Living Grant Funding (Ordinance S-43757)**

Request authorization for the City Manager, or his designee, to apply for, accept, and if awarded, enter into any necessary agreements for the Head Start Supplemental Cost-of-Living Adjustment (COLA) increase for Fiscal Year 2017-2018 from the Department of Health and Human Services (DHHS) for up to a total of \$310,791 for the period of July 1, 2017 through June 30, 2018. 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 City of Phoenix Head Start Birth to Five Program provides comprehensive education and social services to 3,451 low-income

children and families. Many direct services are provided in collaboration with Delegate Agencies and Child Care Partners. The COLA is allocated to the City of Phoenix as the Grantee, and subsequently will be designated to each Delegate Agency and Child Care Partner to increase salaries and fringe benefits and to offset increased operating costs.

Under the Head Start Act, DHHS has awarded a one percent COLA increase for Fiscal Year 2017 to all Head Start programs. This non-competitive supplemental application is due to DHHS Region IX by June 30, 2017.

### **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 through June 30, 2018. The Early Head Start - Child Care Partnership grant is a separate grant and will be entering into its third year of a four-year grant, with a new contract term of July 1, 2017 to June 30, 2018.

### **Financial Impact**

The total amount of increased COLA funds the Head Start Birth to Five Program can apply for is \$310,791. This breaks down to \$244,454 for the preschool portion of the program operations, \$33,389 for the infants and toddlers home-based model (Early Head Start), and \$32,948 for the infants and toddlers center-based model (EHS-Child Care Partnership). No additional General Funds are needed to operate the Head Start Birth to Five program.

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

The Head Start Policy Council approved this action at their June 12, 2017 meeting. The Parks, Arts, Education and Equality Subcommittee is scheduled to vote on this item on June 28, 2017.

**This item was adopted.**

## **79 2017-18 Annual Action Plan (Ordinance S-43717)**

Request City Council approval of the 2017-18 Annual Action (AA) Plan broad activity areas and the submission of the plan to the U.S. Department of Housing and Urban Development (HUD). Also request

authorization for the City Controller to disburse grant funds.

### **Summary**

The 2017-18 Annual Action Plan defines strategies to address housing and community development needs in the City of Phoenix for the next year. The plan contains the application requirements of four HUD programs that provide critical funds to entitlement cities like Phoenix every year. The four programs are: Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). Funds for these four programs are allocated annually by HUD to the City based on population and other socio-economic indicators.

The 2017-18 allocations are:

CDBG	\$14,700,565
HOME	\$ 4,126,614
ESG	\$ 1,306,973
HOPWA	\$ 2,099,910
<b>TOTAL</b>	<b>\$22,234,062</b>

### CDBG

Critical Core Department Programs	\$ 9,463,220
Competitive Proposals	\$ 2,367,360
CDBG Program Management, Coordination, and Support	\$ 2,869,985
<b>TOTAL CDBG FUNDING</b>	<b>\$14,700,565</b>

### HOME

Multi-Family Rental Housing, Special Projects and Reconstruction/Rehabilitation of Owner-Occupied Homes	\$ 3,713,953
Program Management and Coordination	\$ 412,661
<b>TOTAL HOME FUNDING</b>	<b>\$ 4,126,614</b>

HOME Program Income	\$ 800,000
<b>TOTAL HOME PROGRAM INCOME</b>	<b>\$ 800,000</b>

### ESG

Emergency Shelter	\$ 623,327
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Rapid Re-Housing	\$ 530,646	
Street Outreach	\$ 70,000	
Homeless Management Information System (HMIS)		\$ 8,000
Administration	\$ 75,000	
<b>TOTAL ESG FUNDING</b>	<b>\$ 1,306,973</b>	

HOPWA

Client and Housing Services	\$ 2,036,913	
Program Management and Coordination	\$ 62,997	
<b>TOTAL HOPWA FUNDING</b>	<b>\$ 2,099,910</b>	

**Concurrence/Previous Council Action**

This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee June 20, 2017 and approval was recommended by a vote of 3-0.

**Public Outreach**

The Annual Action Planning process began on October 4, 2016 with a HUD-required public hearing to assess the community needs throughout Phoenix. Residents and community leaders provided testimony regarding housing, social services, neighborhood revitalization, and community development needs. Residents who were unable to attend the public hearing had the opportunity to submit their comments via e-mail or voicemail. This information, along with the needs assessment, formed the basis for the 2017-18 Annual Action Plan.

The Annual Action Plan process was approved by the City Council in October 2016. A draft of the 2017-18 Annual Action Plan was available for an advertised 30-day public comment period from May 12 to June 12, 2017. In addition, a public hearing was held on May 31, 2017 to allow residents to review the draft plan and allocations. The 2017-18 Action Plan is due to HUD no later than August 16.

**This item was adopted.**

**80 2018-19 Housing and Urban Development Consolidated Plan Annual Action Plan Process (Ordinance S-43718)**

This report requests City Council approval of the 2018-19 Consolidated Plan Annual Action Plan process.

**Summary**

The 2018-19 Annual Action Plan examines housing and community development conditions and needs in the City of Phoenix, and defines strategies for addressing those needs throughout the year. The Annual Action Plan contains the planning and application requirements of four major U.S. Department of Housing and Urban Development (HUD) programs that provide critical funds to entitlement cities like Phoenix every year. The four fund sources are: the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). Through adoption of the 2015-2020 Consolidated Plan in May 2015, City Council approved general strategies and priorities for these programs. Each year the Annual Action Plan details how funds will be spent in the coming year.

The Annual Action Plan process will begin in September 2017 with a HUD-required public hearing to assess community needs throughout Phoenix. Residents and neighborhood leaders will be invited to provide testimony regarding housing, homelessness, social services, and community development needs for the coming year. Residents who are unable to attend the public hearing will have the opportunity to submit their comments via e-mail or voicemail. This information, along with a needs assessment, will form the foundation of the draft 2018-19 Annual Action Plan.

A draft of the 2018-19 Annual Action Plan will be available for an advertised 30-day public comment period in April 2018 before it will be reviewed and approved by City Council. The goal of the Annual Action Plan process, per HUD requirements, is to ensure comprehensive community planning, and coordinated service delivery to meet critical housing and community development needs.

The City Council will be asked to review and approve the draft 2018-2019 Annual Action Plan in early May 2018; the 2018-19 Annual Action Plan is due to HUD by May 15, 2018.

**Concurrence/Previous Council Action**

The Sustainability, Housing, Efficiency and Neighborhoods

Subcommittee heard this item at the June 20, 2017 meeting and recommended approval by a vote of 3-0.

**This item was adopted.**

**81 2017 Public Service and Public Facilities Subrecipient Recommendations (Ordinance S-43719)**

Request to authorize the City Manager, or his designee, to enter into Community Development Block Grant (CDBG) contracts for Public Services and Public Facilities projects for an amount not to exceed \$811,987. Request to authorize the City Controller to disburse all funds over the life of the contracts.

**Summary**

The CDBG Request for Proposals for Public Services and Public Facilities was conducted by the Neighborhood Services Department (NSD) from Oct. 31 through Dec. 5, 2016. A total of 97 applications, requesting more than \$3.16 million, were received to provide public services, such as youth enrichment programs, support services to persons with disabilities and seniors, domestic violence/human trafficking prevention, nutrition services related to food deserts and to improve infrastructure of public facilities. On July 1, 2017, a total of \$811,987 will be available to fund projects.

Staff forwarded technical review results and funding proposals to the Community Development (CD) Review Committee, an 11 member independent and volunteer Mayor-appointed committee. Each proposal was rated on a 40-point scale: project description/need, proposed outcomes, past performance and capability, and project budget. A total of 48 proposals met the Committee's threshold score for advancement to the presentation phase. The Committee heard presentations, ranked the proposals and developed funding recommendations based on the rankings and scores.

The following list identifies the proposals recommended for funding during the 2017-18 fiscal year.

Public Services for Nonprofits

*Addressing Nutrition and Access to Healthy Food in Food Deserts*

Unlimited Potential, Inc., Leaders in Action Promotora Program; \$30,000  
ICM Food & Clothing Bank, Emergency 2nd Bag of Food for Families;  
\$25,000  
Fresh Express by Discovery Triangle Dev., Fresh Food Connection;  
\$22,806

*Domestic Violence/Human Trafficking*

StreetLightUSA, Human Trafficking Restorative Program; \$20,500  
Sojourner Center, Services to Victims of Human Traffic; \$21,487

*Support Services to Persons with Disabilities and Senior Support Services*

Ryan House, Life Enhancing Therapeutic Activities; \$30,000  
Duet: Partners in Health and Aging, Escorted Transportation; \$30,000  
Foundation for Blind Children, Vision Rehabilitation Services; \$25,000  
Ahwatukee Foothills Family YMCA, YOPAS-YMCA Outreach Prg.;  
\$14,883  
UPWARD for Children & Families, Outpatient Therapy for Children;  
\$13,747  
Best Buddies International, Inc., Best Buddies Arizona Inclusion  
Program; \$13,747

*Youth Services and Enrichment Programs for Youth*

Child Crisis Arizona, Emergency Children's Shelter Program; \$30,000  
Florence Crittenton Services of AZ, Therapeutic Group Home; \$30,000  
AASK - Aid to Adoption of Special Kids, AASK Mentoring Program;  
\$30,000  
Elevate Phoenix, Discover Your Future Program; \$30,000  
Back to School Clothing Drive, New Clothes, New Beginnings Program;  
\$30,000  
Junior Achievement of Arizona, Inc., Financial Literacy Program for  
Youth; \$30,000  
Chrysalis Shelter for Victims of Domestic Violence, Family & Child  
Therapist; \$30,000  
St. Mary's Food Bank Alliance, Emergency Food Box Program; \$30,000  
UMOM New Day Centers, Inc., Teen Activity Program for Homeless  
Youth; \$24,817



Public Facilities for Nonprofits

Hacienda Inc., Hacienda Lighting & Energy Improvements; \$100,000

Native American Connections, NAC Energy Efficiency Improvements;  
\$100,000

Area Agency on Aging Region One, Inc., AGEconnect on 7th Street;  
\$100,000

**Contract Term**

Contract terms will be from July 1, 2017 to Dec. 31, 2018.

**Financial Impact**

There is no impact to the General Fund; these programs are funded with CDBG grants.

**Concurrence/Previous Council Action**

This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee June 20, 2017 and approval was recommended by a vote of 4-0.

**This item was adopted.**

**82 2017 Community Development Block Grant Reprogramming Request (Ordinance S-43720)**

Request to authorize the City Manager, or his designee, to reprogram \$899,388.91 of Community Development Block Grant (CDBG) program income and \$100,661.09 of unused funds from 2016-2017

Council-adopted programs to other critical programs. Further request to authorize the City Controller to disburse the funds for purposes of this ordinance.

**Summary**

Throughout the fiscal year, programs and projects funded through the CDBG allocation are reviewed, closed projects are reconciled, and any program income or unused funds are referred to City Council for reprogramming into open, critical programs or projects. The Neighborhood Services Department (NSD) requests a total of \$899,388.91 in CDBG program income and \$100,661.09 in unspent funds be reprogrammed to fund needs under the following broad activity areas previously approved by City Council and to assist with meeting

CDBG timeliness requirements:

Critical Core and Departmental Programs

*Targeted Code Enforcement (\$1,000,000)*

This provides an additional year of continued funding for nine Neighborhood Preservation Inspector I positions and one Neighborhood Preservation Inspector II position. Staff will continue to provide proactive, strategic enforcement of the Neighborhood Preservation Ordinance in targeted eligible low-moderate-income census tracts, specifically in the City's targeted Neighborhood Initiative and Redevelopment Areas, including the West Phoenix Revitalization Area, through June 30, 2018.

**Concurrence/Previous Council Action**

This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee June 20, 2017 and approval was recommended by a vote of 3-0.

**Location**

Targeted Neighborhood Initiative Areas, Redevelopment Areas and the West Phoenix Revitalization Area.

**This item was adopted.**

**89 Authorization to Enter Into Contract with Greater Phoenix Economic Council (Ordinance S-43736)**

Request to authorize the City Manager, or his designee, to enter into a one-year contract with the Greater Phoenix Economic Council (GPEC) for fiscal year 2017-18 for economic development services in an amount not to exceed \$760,941. Further request to authorize the City Controller to disburse the necessary funds related to this item.

**Summary**

GPEC's mission is to attract quality businesses and advocate for Greater Phoenix's competitiveness. The City of Phoenix has been a member of GPEC since its inception in 1989. In addition to Phoenix, 22 other municipalities, Maricopa County and more than 170 private-sector investors financially support GPEC's mission.

This year's request includes both formula-based funding in the amount of

\$685,941 and funding for supplemental business attraction services in the amount of \$75,000, for a total cost of \$760,941. All supplemental services will solely benefit the City and may include enhanced marketing, media support, market research and other services to support the City's economic development efforts.

**Contract Term**

The term of this one-year contract is July 1, 2017, to June 30, 2018.

**Financial Impact**

The new contract will not exceed \$760,941, with costs shared by the Aviation, Public Works, Water Services and Community and Economic Development departments.

**Concurrence/Previous Council Action**

This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee at its June 7, 2017, meeting by a vote of 4-0.

**This item was adopted.**

**90 Authorization to Enter Into an Intergovernmental Agreement for Arizona Biomedical Corridor Infrastructure Improvements and Arizona State University Health Solutions Innovation Center (Ordinance S-43737)**

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) and execute any agreements or other documents necessary with the Arizona Board of Regents (ABOR) for and on behalf of Arizona State University (ASU) for development of the Health Solutions Innovation Center and City's participation in water, sewer and street infrastructure improvements. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

Authorization of this IGA will facilitate not only the current development of the ASU Health Solutions Innovation Center within the Arizona Biomedical Corridor, but also the continued growth and investment of the private sector with preparing for additional strategic infrastructure for the entire Corridor. This request is specifically for authorization to reimburse ASU in

an amount of approximately \$1.3 million, funded by the Strategic Economic Development Fund and construction tax revenues generated by the project, for public infrastructure including water, sewer, streets and other infrastructure.

The Arizona Biomedical Corridor (ABC) is an approximately 600-acre area in north Phoenix, extending from State Route 101 to the Central Arizona Project Canal, between State Route 51 and 64th Street. A majority of the land within this area is controlled by the Arizona State Land Department (ASLD), as part of the State Land Trust. The prime anchor within the corridor is Mayo Clinic Arizona with its 200-plus-acre hospital campus. The City, ASU and Mayo Clinic Arizona (Mayo) have been focused on investment in this area for many years.

As a result of their partnership, ASU plans to construct the \$75 million Health Solutions Innovation Center (HSIC) consisting of a 150,000-square-foot building. To support this development, approximately \$1.3 million of public infrastructure is required. Staff recommends that the City enter into an IGA with ASU to support the project by reimbursing approximately \$1.3 million of infrastructure, including water, sewer, street and public telecommunication conduits. ASU will build the improvements and the City will reimburse ASU upon completion. ASU intends to begin HSIC facility construction in 2018, with all work to be completed in fiscal year 2019-20.

Over the next 10 - 15 years, ASU intends to build an additional 1.35 million square feet of health and bioscience facilities representing a total additional investment of \$325 million. Staff will return to City Council in the fall of 2017 to discuss additional infrastructure required to support the 1.35 million square feet of development, at an estimated cost of up to \$8 million.

### **Financial Impact**

A total of approximately \$1.3 million of public infrastructure improvements will be reimbursed to ASU from General Fund revenue created by construction materials sales tax generated by the project and from the Strategic Economic Development Fund.

**Concurrence/Previous Council Action**

This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on June 7, 2017, by a vote of 4-0.

**Location**

The area extends from State Route 101 to the Central Arizona Project Canal, between 56th Street and 64th Street, along Mayo Boulevard. See attached general area overview map.

**This item was adopted.**

**91 Authorization to Amend Language in Foreign-Trade Zone Operations Agreement for SUMCO Southwest Corporation (Ordinance S-43739)**

Request to authorize the City Manager, or his designee, to amend language in the Foreign-Trade Zone Operations Agreement for SUMCO Southwest Corporation to extend the initial term of the agreement up to 20 years.

**Summary**

As Grantee of Phoenix Foreign-Trade Zone (FTZ) 75, the City of Phoenix executes Operations Agreements with all FTZ operators to outline respective responsibilities relative to operating a FTZ. The initial term of each operations agreement is 20 years and may be extended annually each year thereafter. The initial Operations Agreement for SUMCO will expire on July 21, 2017. To streamline the contract extension process, staff recommends amending the contract language to extend the initial term for another 20 years. All other provisions of the original Operations Agreement shall control and remain valid.

SUMCO intends to maintain its FTZ designation indefinitely. All other terms of the Operations Agreement will remain the same.

**Contract Term**

Upon approval of this request, the initial term of the contract shall be extended for an additional 20 years. Thereafter, the contract may be extended annually on the same terms and conditions as set forth in the Operations Agreement.

**Financial Impact**

The City will incur no costs associated with this request.

**Location**

SUMCO's Foreign-Trade Zone site is located at 19801 N. Tatum Blvd.

**This item was adopted.**

**92 Authorization to Amend Language in Foreign-Trade Zone Operations Agreement for Microchip Technology, Inc. (Ordinance S-43741)**

Request an ordinance to authorize the City Manager, or his designee, to amend language in the Foreign-Trade Zone Operations Agreement for Microchip Technology, Inc., to extend the initial term of the agreement up to 20 years, and to make any other necessary minor changes.

**Summary**

As Grantee of Phoenix Foreign-Trade Zone (FTZ) 75, the City of Phoenix executes Operations Agreements with all FTZ operators to outline respective responsibilities relative to operating a FTZ. The initial term of each operations agreement is twenty years and may be extended annually each year thereafter. The initial Operations Agreement for Microchip Technology will expire on Aug. 27, 2017. To streamline the contract extension process, staff recommends amending the contract language to extend the initial term for another 20 years. All other provisions of the original Operations Agreement shall control and remain valid.

**Contract Term**

Upon approval of this request, the initial term of the contract shall be extended for an additional 20 years. Thereafter, the contract may be extended annually on the same terms and conditions as set forth in the Operations Agreement.

**Financial Impact**

The City will incur no costs associated with this request.

**Location**

Microchip's Foreign-Trade Zone site is located at 2355 W. Chandler Blvd. in Chandler, and 1200 S. 52nd St. and 2100 W. 14th St. in Tempe.

**This item was adopted.**

**94 Shared Local Governance Agreement Between City of Phoenix and Phoenix Business and Workforce Development Board (Ordinance S-43764)**

Request to authorize the City Manager, or his designee, to enter into a Shared Local Governance Agreement between the City of Phoenix (defined by the federal government as the Chief Elected Official) and the Phoenix Business and Workforce Development Board (PBWDB).

**Summary**

The PBWDB is established in accordance with the Workforce Innovation and Opportunity Act (WIOA) of 2014. As stated in WIOA 107(d) and 20 CFR 679.370, the Chief Elected Official(s) and the Local Board share governance responsibility for the Local Board functions such as local planning, program oversight, negotiating local performance accountability measures, selection of operators and providers, and approving a budget for Local Board activities. The Local Board and the Chief Elected Official must enter into a written partnership agreement that describes how the parties will carry out their shared governance functions and meet other Local Board requirements such as membership criteria, setting local policy, and communicating with local elected officials and the public.

The State Workforce Development Board (Workforce Arizona Council), as the designated representative of the Governor, provides the guidance of the agreement per 02-2015 Workforce Innovation Opportunity Act (WIOA) Local Governance Policy. Funding allocated by the State will be reviewed and recommended for approval to the City Council separately.

**Contract Term**

This agreement will begin on or about July 1, 2017, and will remain in effect until it is terminated by either party.

**Financial Impact**

There is no impact to the General Fund.

**This item was adopted.**

**97 Symphony Hall Resident Company Agreements (Ordinance S-43723)**

Request to authorize the City Manager, or his designee, to enter into three separate amended and restated agreements for each of Symphony Hall's resident companies: The Phoenix Symphony, Arizona Opera Company, and Ballet Arizona. Each contract will be a five-year use agreement for renting Symphony Hall and reflects stabilized rental rates, modified contractual language and additional provisions. Further request authorization for the City Treasurer to accept all funds related to this item.

### **Summary**

The City of Phoenix, through the Phoenix Convention Center Department (PCCD), supports the performing arts through the Symphony Hall resident companies.

On Sept. 1, 2005, the City entered into a five-year agreement with the three resident companies for the use of Symphony Hall. In this agreement, the resident companies received a number of exclusive concessions including, but not limited to, early access to the booking calendar, parking availability, and the waiver of facility rental fees for student performances. This agreement was extended one year.

On Sept. 1, 2011, following City Council approval, an amended agreement went into effect for an additional five years. Provisions included, but were not limited to, a rate increase plan, additional performance weeks and changes to payment dates. The five-year phased rate increase concluded with resident companies receiving 40 percent off of the daily Symphony Hall commercial rental rate. In 2016, this agreement was extended one year.

Beginning in January 2017, PCCD convened joint meetings with the three resident companies. All parties have since agreed on key business terms for new agreements. The proposed agreements cover rental rates and conditions governing the use of Symphony Hall and grant protected dates for each resident company over the term of the agreements. The agreements provide for stabilized rental rates for the five-year period. The current daily commercial rental rate of \$3,600 will be reduced by more than 42 percent to \$2,082 for resident companies, and this rate will be retained for the life of the agreement. Other provisions include stabilized production coordinator costs at Symphony Hall and alternate parking availability when resident companies present at the Orpheum



Theatre. Also included is a stepped increase in facility fees, adding \$1 per ticket in years four and five of the contract, and negotiated conditions for backstage catering options for the resident companies.

### **Contract Term**

Each of the agreements has a term of five years, commencing Sept. 1, 2017, and concluding Aug. 31, 2022, with an option for an additional five years at mutual agreement of both parties for each contract. The potential 10-year duration of the contracts further demonstrates the City's long-term commitment to and support of vital cultural organizations that present the majority of their work in downtown Phoenix. Their presence results in positive economic impact to the City and local businesses.

### **Financial Impact**

The three agreements are revenue contracts.

### **Location**

Symphony Hall, 75 N. 2nd St.; and Orpheum Theatre, 203 W. Adams St.

**This item was adopted.**

**99 Phoenix Sky Harbor International Airport Terminal Area  
Monitoring System Monitoring Services - 6663111040 (Ordinance  
S-43730)**

Request to authorize the City Manager, or his designee, to enter into a contract with Geosyntec Consultants, Inc. (Phoenix) (Geosyntec) to provide services for the periodic monitoring of air sparge wells, groundwater monitoring wells, and soil vapor monitoring wells in the Terminal Area Monitoring System (TAMS) area located at Phoenix Sky Harbor International Airport and to exercise options to extend the term of the contract, as necessary. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

TAMS is comprised of 18 groundwater and soil vapor monitoring wells, 10 shallow soil vapor monitoring wells, and 11 air sparge wells. A Honeywell fuel release was discovered in 1999. In 2007, the City learned that the fuel release had extended near Taxiway C north of Terminal 3. In 2008, the City and Honeywell entered into a remediation agreement. The City was advised that future migration of the fuel release could create

methane and fuel vapor, which would affect existing or future infrastructure and building safety. The City designed and installed TAMS wells between 2009 and 2011, and began monitoring the wells in 2012. In 2012, Honeywell began operating a biologically-enhanced soil vapor extraction remediation system in the area. The TAMS monitoring project will be used to test for fuel plume movement and a portable air sparge system may be used as an interim remedial measure if movement of the fuel plume is observed. Geosyntec will be responsible for monitoring the wells and providing expert data interpretation.

### **Procurement Information**

Geosyntec was chosen for this project using a qualifications-based selection process according to section 34-603, Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City cannot release the scores of the proposers until a contract has been awarded. The three top-ranked proposers are:

Geosyntec Consultants, Inc.: Ranked #1

ATC Group Services, LLC: Ranked #2

Atwell, LLC: Ranked #3

### **Contract Term**

The term of the contract is two years. The contract will include three options to extend the term up to three years in one-year increments. The options may be exercised by the City Manager or his designee. Contract work scope 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 end of the contract term. No additional contract work scope changes may be executed after the end of the contract term.

### **Financial Impact**

Geosyntec's fee will not exceed \$187,000 per year. The total fee will not exceed \$935,000 over the life of the contract, including all subconsultants and reimbursable costs. Funding is available in the Aviation Department's Operating 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.

**Location**

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

**This item was adopted.**

**102 Purchase of Variable Torque Pump and Fan Frequency Drives - AVN IFB 17-011 (Ordinance S-43731)**

Request to authorize the City Manager, or his designee, to enter into a contract with Mech-Line Services, LLC (Vendor No. 3007353), for the installation, repair, maintenance and replacement of ABB brand variable torque pump and fan frequency drives (VFD) in an amount not to exceed \$1,500,000 for the Aviation and Phoenix Convention Center departments. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Aviation Department has more than 200 VFDs across the three City-owned airports. VFDs are special components of large heating, ventilation, and air conditioning (HVAC) systems which regulate and reduce energy consumption, allowing for energy use based on the actual cooling needs. The Aviation and Phoenix Convention Center departments must have a readily available contractor qualified to do factory-trained service work in emergency situations and for regular maintenance and equipment replacements.

**Procurement Information**

Solicitation AVN IFB 17-011 was conducted in accordance with Administrative Regulation 3.10. One bid was received on April 28, 2017, from Mech-Line Services, LLC. The offer was evaluated based on price, responsiveness, terms and conditions, and responsibility to provide the required goods and services. The offer from Mech-Line Services, LLC, is deemed to be fair and reasonable based on the market and previous contract pricing.

**Contract Term**

The initial contract term is for three years beginning on or about July 1, 2017, with two, one-year options to extend, which may be exercised by the City Manager or his designee.

**Financial Impact**

The total aggregate for the life of the contract is \$1,500,000. The Aviation Department is requesting \$1,250,000 total aggregate (\$250,000 annually), and the Phoenix Convention Center Department is requesting \$250,000 total aggregate (\$50,000 annually). Funds are available in the Aviation and Phoenix Convention Center departments' budgets.

**Location**

The locations for this contract are Phoenix Sky Harbor International Airport, located at 3400 E. Sky Harbor Blvd., and surrounding airport properties; Deer Valley Airport, located at 702 W. Deer Valley Road; Goodyear Airport, located at 1658 S. Litchfield Road, Goodyear, Ariz.; and the Phoenix Convention Center, located at 100 N. Third St.

**This item was adopted.**

**103 Phoenix Sky Harbor International Airport Rental Car Center Reconfiguration and Tenant Relocation, Construction Manager at Risk Construction Phase Services - AV15000071 (Ordinance S-43738)**

Request to authorize the City Manager, or his designee, to enter into a contract with D.L. Withers Construction, L.C. (Phoenix) to provide Construction Manager at Risk (CMAR) construction phase services in support of the reconfiguration of the existing Phoenix Sky Harbor International Airport Rental Car Center (RCC). Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The RCC opened in 2006 and is presently home to 14 rental car brands owned by six rental car companies. Due to business consolidation across the rental car industry and the need to increase operational areas for small operators, changes need to be made to the current layout of the RCC to better suit rental car operations. The existing RCC campus will undergo a series of reconfigurations, which will include demolition, new construction, relocation of existing equipment, and renovation of existing facilities.

D.L. Withers Construction, L.C. (D.L. Withers) will assume the risk of delivering the project through a Guaranteed Maximum Price (GMP)

contract. D.L. Withers will be responsible for means and methods related to construction of the project, participating with the City to establish a Small Business Enterprise (SBE) goal, and implementing a subcontractor selection process. D.L. Withers may also compete to self-perform limited amounts of work. Additional services include scheduling and managing site operations, arranging for the procurement of materials and equipment, providing security service for rental cars that are displaced by the construction and construction equipment, and providing quality controls.

### **Procurement Information**

D.L. Withers Construction, L.C. was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Scoring and selection were made in conjunction with the CMAR design phase services.

### **Contract Term**

The term of the contract is through Dec. 31, 2018. 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**

D.L. Withers' fee under the CMAR construction phase services contract will not exceed \$13 million, including all subcontractor and reimbursable costs. 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.

### **Previous Council Action**

City Council approved CMAR Design Phase Services Contract 144404 on Feb. 1, 2017.

### **Location**

This project is located on the southeast corner of 16th Street and Buckeye Road.

**This item was adopted.**

**104 Rescind and Re-award Pump and Clean Out Interceptors - Requirements Contract - IFB 17-104 (Ordinance S-43766)**

Request to authorize the City Manager, or his designee, to rescind Agreement No. 144642 with Patriot Environmental Services, Inc., and re-award the contract to MP Environmental Services, Inc. (Vendor No. 3023446). Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

This contract with MP Environmental Services, Inc., will provide services as necessary, to keep the oil-water separators at Phoenix Sky Harbor International Airport functioning properly and in compliance with Arizona environmental laws. These services also will be provided to Phoenix Deer Valley Airport and Phoenix Goodyear Airport. By servicing the oil-water separators, MP Environmental will ensure that surface and ground water at the airports are free from contamination, which will avoid costly violations and interruptions to daily operations. The contract may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee.

As a result of Invitation for Bid (IFB) 17-104, the agreement with Patriot Environmental Services, Inc., was approved by City Council on March 1, 2017, Ordinance S-43272. However, since the Council action, Patriot Environmental Services, Inc., has experienced changes within the company where they cannot fulfill the requirements of the contract. The Department received a letter from Patriot Environmental Services requesting termination of the contract. Therefore, it is recommended by the Aviation Director that the offer of MP Environmental Services, Inc. (Vendor No. 3023446) be accepted as the next lowest, responsive and responsible offeror.

**Procurement Information**

IFB 17-104 Pump and Clean Out Interceptors was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Finance Department on Jan. 13, 2017. The remaining two bidders are as follows:

MP Environmental Services, Inc.: \$209,035  
Ancon Services Company: \$222,988

**Contract Term**

The term of the contract is five years, which will begin on or about July 1, 2017, and end on June 30, 2022.

**Financial Impact**

The aggregate contract value will not exceed \$700,000. Funds are available in the Aviation Department's budget.

**Location**

Phoenix Sky Harbor International Airport, located at 3400 E. Sky Harbor Blvd.; Phoenix Deer Valley Airport, located at 702 W. Deer Valley Road; and Phoenix Goodyear Airport, located at 1658 S. Litchfield Road, Goodyear, Ariz.

**This item was adopted.**

**106 Varsity Facility Services and Bio-Janitorial Service, Inc., Contract Award Recommendations (Ordinance S-43711)**

Request to authorize the City Manager, or his designee, to enter into contracts with Varsity Facility Services (Vendor 3058196) and Bio-Janitorial Service, Inc. (Vendor 3043802) to provide custodial services in City-owned facilities in the downtown area in an amount not to exceed \$5,185,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

Vendors will provide custodial services for eight City-owned facilities in downtown Phoenix. The facilities require general housekeeping consisting of restroom cleaning, kitchenette cleaning, and floor care in offices and public areas. Ancillary services for more advanced cleaning for floors and upholstery are included, as well as assisting with special event set-ups and tear-downs, and emergency calls.

**Procurement Information**

Invitation for Bid (IFB) 18-FMD-001 was conducted in accordance with Administrative Regulation 3.10. Seven offers were received by the Public

Works Department on March 29, 2017. The IFB grouped facilities as follows:

Group I includes the 305 Building, Historic City Hall, Phoenix City Council Chambers and the Calvin C. Goode Building.

Group II includes the 438 Building, Adams Street Training Center/ITS/Phoenix Channel 11/Auditors, Phoenix City Hall and Phoenix Municipal Court Building.

Bids were evaluated based on price (for the first 15-month period), responsiveness to all specifications, terms and conditions, and responsibility to provide the required goods and services. The following bids were received:

Group I

Varsity Facility Services: \$308,427.65  
Hurley Service Management: \$401,911.52  
Bio-Janitorial Service, Inc.: \$415,760.00  
GCA Services Group: \$423,517.95  
Commercial Cleaning Systems: \$439,502.92  
Allied Universal Janitorial: \$485,683.23

Group II

Bio-Janitorial Service, Inc.: \$1,015,503.00  
GCA Services Group: \$1,017,112.05  
Commercial Cleaning Systems: \$1,138,882.93  
Hurley Service Management: \$1,147,133.81  
Varsity Facility Services: \$1,188,346.54  
Allied Universal Janitorial: \$1,301,515.68

One bidder withdrew after submission. The bids by Varsity Facility Services and Bio-Janitorial Service, Inc., are deemed to be fair and reasonable, based on the market.

The Public Works Director recommends that the offers from Varsity Facility Services and Bio-Janitorial Service, Inc., be accepted as the lowest-priced, responsive and responsible offers.



**Contract Term**

The initial term of the contracts is 15 months. A provision of the contracts includes an option to extend the term up to three years, in one-year increments, which may be exercised by the City Manager or his designee.

**Financial Impact**

The aggregate value of the contracts will not exceed \$5,185,000, with an estimated annual expenditure of \$1,037,000. Funds are available in the Public Works Department's budget.

**This item was adopted.**

**107 Inmate Work Program Agreement with Arizona Department of Corrections (Ordinance S-43715)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Arizona Department of Corrections (ADOC) to provide inmate labor at the City's solid waste transfer station and closed landfill sites on an as-needed basis in an amount not to exceed \$80,000 over the life of the agreement. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

Inmates from ADOC facilities perform litter control, landscape maintenance, and other tasks at the City's 27th Avenue Transfer Station and closed landfill sites.

**Contract Term**

The five-year term of this agreement will begin on or about July 1, 2017, and end June 30, 2022.

**Financial Impact**

The total aggregate cost of this agreement will not exceed \$80,000, with annual expenditures estimated at \$16,000. Funds are available in the Public Works Department budget.

**Location**

The 27th Avenue Transfer Station is located at 3060 S. 27th Ave.

**This item was adopted.**

**108 Replacement of Truck-Mounted Light Tower Assembly (Ordinance S-43724)**

Request to authorize the City Manager, or his designee, to enter into a contract with Hughes Fire Equipment, to purchase a truck-mounted light tower assembly for the Public Works Department in an amount not to exceed \$15,000.00. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

A truck-mounted light tower assembly is needed by the Fire Department to replace one that was damaged. The assembly illuminates an area when a rescue is being performed when there is insufficient natural light.

**Procurement Information**

Request for Quotations (RFQ) 17-FSD-116 was conducted in accordance with Administrative Regulation 3.10. Three offers were received by the City on May 12, 2017. The offers were evaluated based on responsiveness to all specifications, terms and conditions, and responsibility to provide the required light tower assembly. The following quotations were received:

Hughes Fire Equipment: \$13,812.06

H & E Equipment Services: \$15,638.02

Quality Vans & Speciality Vehicles: \$17,666.00

The offer submitted by Hughes Fire Equipment is deemed to be fair and reasonable based on the market.

**Financial Impact**

The purchase will not exceed \$15,000.00, including all applicable taxes. Funds are available in the Public Works Department's budget.

**Location**

The light tower assembly will be installed on a rescue unit deployed to Fire Station 44, located at 7117 W. McDowell Road.

**This item was adopted.**

**109 Water Production Wells and ASR Wells Program Management Services Phase I - WS85010054-2 (Ordinance S-43707)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Carollo Engineers, Inc. (Phoenix) 3016683, to provide program management services in support of design and construction of production wells and Aquifer Storage Recovery (ASR) wells. Further, request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The City plans to design and construct four production wells and six ASR wells by 2021. Water pumped from the wells will be used to supplement water resources during times of long-term water shortages, emergency outages, and to meet water system demand balancing.

Carollo Engineers, Inc.'s services include organizing, coordinating, and providing technical advice, and overseeing the necessary resources to conduct design, construction, permitting, public communications, and initial operations of production and ASR wells. Carollo Engineers, Inc., will ultimately be responsible for assisting the Water Services Department with planning and implementation of the well program.

### **Procurement Information**

Carollo Engineers, Inc., was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of proposers until a contract has been awarded. There was only one proposal submitted, from Carollo Engineers, Inc.

### **Contract Term**

The term of this contract will coincide with the duration of Phase I of design and construction, which is expected to be completed by 2021. 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**

Carollo Engineers, Inc.'s fee under this contract will not exceed

\$2,000,000, including subconsultant 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.

**This item was adopted.**

**110 Water Main Replacement Program Plumbing Services, Two-Step Job Order Contract - 4108JOC144 (Ordinance S-43721)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with Talis Construction Corporation (Tempe, Ariz.) and RKS Plumbing and Mechanical, Inc. (Glendale, Ariz.) to provide annual Water Main Replacement Program Plumbing 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 authorization for the City Manager, or his designee, to take action as deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to 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 JOCs will be used on an as-needed basis to provide support for various water main replacement plumbing line projects located throughout the City. The contractors will be expected to successfully perform the following construction services, including, but not limited to: relocation of water meters, installation of copper tubing and house valves, landscape/hardscape restoration, installation of dielectric connections, grounding to electrical service through the Water Replacement Program, compliance with current City of Phoenix adopted codes, minor design services as required, and other services as required to support successful completion of the work and the City's interests.

**Procurement Information**

Talis Construction Corporation and RKS Plumbing and Mechanical, Inc. were chosen for this project using a two-step qualifications- and price-based selection process according to section 34-604 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of firms until a contract has been awarded. The top-three rankings follow:

Talis Construction Corporation: Ranked #1

RKS Plumbing and Mechanical, Inc.: Ranked #2

NPL Construction Company: Ranked #3

### **Contract Term**

Each JOC contract will be for three years with an option to renew for an additional two-year term. 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 contract value of each JOC will be \$10 million with an option to renew for an additional \$5 million, for a total contract value of \$15 million each, including all amendments. 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. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. 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.

### **Small Business Outreach**

A Small Business Enterprise goal of 7 percent has been established for the contract.

**This item was adopted.**

## **112 Authorization to Apply for and Accept Federal Funding in Support**

## **of Pre-Design/Study Efforts for Transportation Projects in Fiscal Year 2018 (Ordinance S-43747)**

Request to authorize the City Manager, or his designee, to submit grant applications for pre-design/study efforts for transportation projects in fiscal year 2018 from the Maricopa Association of Governments (MAG) for (1) bicycle/pedestrian improvements on 56th Street from Thomas Road to Camelback Road; and (2) bicycle improvements on Colter Street from 15th Avenue to 20th Street.

### **Summary**

On May 31, 2017, MAG issued a call for bicycle and pedestrian pre-design/study projects for fiscal year 2018 to utilize federal funding. Grant applications are due to MAG by June 30, 2017. MAG has set aside \$500,000 for preliminary design efforts for which MAG member agencies can compete.

The City of Phoenix Street Transportation Department is planning to submit grant applications for:

- 1) Pre-design funding for a bicycle and pedestrian project along 56th Street from Thomas Road to Camelback Road; and
- 2) A bicycle corridor study on Colter Street from 15th Avenue to 20th Street.

The proposed pre-design project on 56th Street has a high amount of community support to develop a design that accommodates improved and safer access to five adjacent and nearby schools.

The proposed Colter Street project is recommended to be evaluated as a low stress, east/west bicycle corridor, with a specific focus on evaluating bicycle solutions at the SR-51 traffic interchange.

Through a regional competitive review and scoring process at MAG, only the projects with the highest rankings will be selected for funding.

### **Financial Impact**

The grant funding covers 100 percent of costs and local funding is not required for the proposed pre-design/study projects.

**Concurrence/Previous Council Action**

The Transportation and Infrastructure Subcommittee heard this item at its June 13, 2017 meeting and recommended approval by a vote of 4-0.

**Location**

Recommended projects for pre-design/study efforts are located on 56th Street from Thomas Road to Camelback Road, and Colter Street from 15th Avenue to 20th Street.

**This item was adopted.**

**113 Agreement with Competitor Group, Inc., to Host Rock-N-Roll Marathon from 2018 to 2021 (Ordinance S-43749)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Competitor Group, Inc., to produce the Rock 'n' Roll Arizona Marathon and Half-Marathon from 2018 through 2021. Further authorize the City Controller to disburse the funds for purposes of this ordinance.

**Summary**

Competitor Group, Inc., has produced the Rock 'n' Roll Arizona Marathon, Half-Marathon, and Health and Fitness Expo in Phoenix since 2004. The Street Transportation, Police, Public Works, Water Services and Public Transit departments have provided in-kind services to the Rock 'n' Roll Marathon for the past 13 years. The January 2017 event was the final year of a four-year agreement between the City of Phoenix and Competitor Group, Inc., to produce the races and related events. The current agreement, signed on Sept. 25, 2013, is set to expire in December 2017.

The proposed agreement renewal contains language that keeps the marathon starting line in downtown Phoenix for an additional four-year term. In conjunction with the marathons, the Health and Fitness Expo has been held each year at the Phoenix Convention Center in the week prior to the race. All race participants visit the expo to pick up race numbers and timing tags, in addition to visiting vendor booths from the running and fitness industry. Competitor Group, Inc., currently has an agreement to use the Phoenix Convention Center in 2018. Contract details are being negotiated for 2019, 2020, and 2021.

The required level of City support in the renewal agreement is consistent with the services provided in previous race years.

### **Contract Term**

The term of the contract is for four years.

### **Financial Impact**

The 2017 Rock 'n' Roll Arizona Marathon and Half Marathon generated more than \$450,000 for Phoenix in taxes and fees. More than 4,800 hotel room nights were booked in Phoenix, which translates to approximately \$4.03 million in economic impact to local restaurants, retail and other businesses. Additionally, about \$71,714 in sales tax was generated from the Health and Fitness Expo held at the Phoenix Convention Center. Support services provided by the City of Phoenix, including barricades, police officer assistance, and solid waste services, are estimated to cost approximately \$143,000 annually, which is consistent with services provided in previous years.

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

The Transportation and Infrastructure Subcommittee heard this item at the June 13, 2017 meeting and recommended approval by a vote of 4-0.

### **Location**

The marathon and half-marathon use separate routes for most of their courses. The half-marathon route is a loop that starts and finishes in Tempe Beach Park. It heads north through Tempe before entering Phoenix around 64th Street and heading south through Papago Park on Galvin Parkway then heading east back into Tempe for the finish. The marathon starts in downtown Phoenix at the Arizona Center and runners proceed through Phoenix and into Scottsdale before finishing in Tempe. Together the races utilize approximately 20 miles of Phoenix streets.

**This item was adopted.**

## **115 Water Services Department Data Loggers Requirements Contract (Ordinance S-43708)**

Request to authorize the City Manager, or his designee, to enter into a contract with F.S. Brainard & Co. to provide data loggers for the Water Services Department. Further request authorization for the City Controller



to disburse all funds related to this item.

### **Summary**

Data loggers are a cost-effective method for the Water Services Department's (WSD) critical research efforts on water use and wastewater generation from different types of fixtures, appliances, irrigation systems and pools. The data loggers are able to be quickly installed and left in place to collect data in a relatively short period of time without impact on customers. The loggers collect and provide key data to WSD on water patterns from thousands of single-family homes, which are used to project changes in future residential water demand and wastewater generation, identify areas of potential reductions in period of shortages, and even identify leaks and calibrate hydraulic models. Data loggers have already been used in several studies to produce critical information used in water and wastewater master plans, water resources, and financial plans.

### **Procurement Information**

In accordance with City of Phoenix Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing that the direct purchase with the manufacturer would be more cost-effective and allow for WSD to have one contract for the purchasing and maintenance of the data loggers. The Water Services Department Director recommends that the contract with F.S. Brainard & Co. be accepted.

### **Contract Term**

The initial five-year contract term will begin on or about June 29, 2017, and end on June 30, 2022.

### **Financial Impact**

The aggregate contract value of all years will not exceed \$150,000 (including applicable taxes).

**This item was adopted.**

## **116 Allen Bradley Electrical Supplies - Requirements Contract (Ordinance S-43713)**

Request to authorize the City Manager, or his designee, to enter into a contract with Border States Electrical Supply to provide Rockwell

Automation/Allen Bradley Electrical Supplies for the Aviation and Water Services departments. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

Rockwell Automation/Allen Bradley Electrical Supplies are used in industrial automation and controls at the Water Services and Aviation departments to maintain efficiencies of pumps, electrical loads at the panels, and sensors. The departments may be left without the capability for security, water, or wastewater to customers, and could violate environmental regulations without these automations and controls.

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition is waived as the result of a Determination Memo citing that Rockwell Automation/Allen Bradley appointed Border State Electrical Supply as the only authorized distributor in the local area.

**Contract Term**

The five-year contract term will begin on or about July 15, 2017, and end on July 14, 2022.

**Financial Impact**

The aggregate contract value will not exceed \$735,000 (including applicable taxes). Funds are available in the Aviation and Water Services departments' operating budgets.

**This item was adopted.**

**117 Large Water Meter On-Site Testing and Repair (Ordinance S-43722)**

Request to authorize the City Manager, or his designee, to extend the period of performance on Contract 133872, with Metering Services, Inc. (3012903). Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Metering Services, Inc., contract is necessary to continue on-site repair, retrofitting, calibration, and testing services for large water meters. Many of the large water meters currently in service are aging and in need of replacement. The approved extension and additional funding will allow

for testing to remain on schedule, for additional non-functioning meters to be replaced, and for emergencies that cannot be anticipated. All City meters must be properly functioning to ensure accurate registering of water used by the customer in order to accurately bill the account. Without these services, identification of large meters will be delayed, resulting in inaccurate billing, a potential loss of revenue from high volume users, and likely customer service issues.

**Contract Term**

The contract extension will be for one year, effective July 1, 2017, through June 30, 2018.

**Financial Impact**

Funds in the amount of \$350,800 are available in the Water Services Department's operating budget.

**Concurrence/Previous Council Action**

This contract is a result of a Statement of Qualifications, awarded by Council action on July 3, 2012, for an annual amount of \$150,000, and an end date of July 31, 2017.

**This item was adopted.**

**118 Final Plat - Rancho North - 170015 - Southeast Corner of Cave Creek Road and Dove Valley Road**

Plat: 170015

Project: 12-1560

Name of Plat: Rancho North

Owner(s): HBT of Rancho North, LLC

Engineer(s): Hoskin-Ryan Consultants, Inc.

Request: A 2 Lot Residential Plat

Reviewed by Staff: June 5, 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 Cave Creek Road and Dove

Valley Road.  
Council District: 2

**This item was approved.**

**119 Final Plat - Arcadia Citrus Square - 160127 - Northeast Corner of 37th Street and Earll Drive**

Plat: 160127  
Project: 16-1931  
Name of Plat: Arcadia Citrus Square  
Owner(s): ASFR Citrus Square, LLC  
Engineer(s): Bowman Consulting Group  
Request: A 15 Lot Residential Plat  
Reviewed by Staff: June 6, 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 37th Street and Earll Drive.  
Council District: 6

**This item was approved.**

**120 Final Plat - Basis Phoenix South - 170013 - Northwest Corner of 19th Avenue and Southern Avenue**

Plat: 170013  
Project: 16-3390  
Name of Plat: Basis Phoenix South  
Owner(s): Basis Schools Inc. and South Phoenix Renewal, LLC  
Engineer(s): 3 Engineering, LLC  
Request: A 5 Lot Commercial Plat  
Reviewed by Staff: May 31, 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 V170009A.

**Location**

Generally located on the northwest corner of 19th Avenue and Southern Avenue.

Council District: 8

**This item was approved.**

**121 Abandonment of Easement - V170009A - 2002 West Southern Avenue (Resolution 21553)**

Abandonment: V170009A

Project: 16-3390

Applicant: BASIS Schools, Incorporated

Request: To abandon the west 15 feet of the north 482.25 feet of the Easement for Roadway and Public Utility purposes dedicated per Docket 2472 Page 546, MCR, located on the east side of the parcel addressed 2002 W. Southern Ave., APN 105-66-031A.

Date of Hearing: April 11, 2017

**Summary**

The resolution of the abandonment and the subdivision plat BASIS Phoenix South, Plat 170013, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

**Location**

2002 W. Southern Ave.

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.**

**122 Repeal Ordinance S-43302 Adopted on March 1, 2017 that Dedicated a Sidewalk and Refuse Easement at 77 E. Polk St. (Ordinance S-43735)**

Request to adopt an ordinance to repeal Ordinance S-43302 and further order the ordinance recorded.

**Summary**

The request to repeal Ordinance S-43302 is made for several reasons. First, Ordinance S-43302 adopted March 1, 2017 (Maricopa County Recording (MCR) 20170161235) dedicated to public use easements for sidewalk and refuse collection purposes across property owned by the City of Phoenix located at 77 E. Polk St. The dedication was required by the Planning and Development Department for development of the property. Prior to the City Council action on March 1, 2017, the property was conveyed to Central Park East Associates II, LLC on February 9, 2017, rendering the dedication invalid. Second, an existing sidewalk easement under MCR Book 949, Page 12, amended by Resolution 21537, adopted on May 24, 2017, satisfies the Planning and Development Department's sidewalk dedication requirement. Finally, Section 9.12(e) in the existing Covenants, Conditions and Restrictions, as amended, satisfies the requirement for a refuse collection easement. For these reasons, the action adopted in Ordinance S-43302 is no longer required and the ordinance should be repealed.

**Location**

77 E. Polk St.

**This item was adopted.**

**123 Amend City Code - Official Supplementary Zoning Map 1159 (Ordinance G-6333)**

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1159. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-204-62-6 and the entitlements are fully vested.

**Summary**

To rezone a parcel located 75' north of the northeast corner of 44th Place and Indian School Road.

District 6

Z-204-62-6

Zoning: R-5

Owner: All Faith Self Help Center Inc.

Acres: Approximately 0.27

### **Location**

75' north of the northeast corner of 44th Place and Indian School Road.

Council District: 6

**This item was adopted as corrected.**

Items 19-46, Ordinance S-43770 were requests to authorize the City Controller to disburse funds up to 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.

## **20 Arizona Department of Environmental Quality**

For \$357,750.00 in payment authority for payment of fiscal year 2017-2018 permit and permit renewal fees, for the Water Services Department. This expense covers annual operating permits, hazardous waste permits, and quarterly disposal fees for the Water Services Department's Wastewater and Water facilities, including the cost for the Arizona Department of Environmental Quality to accept and review required compliance reports, to inspect facilities for compliance with regulations, and for the document review fees associated with submitting the paperwork necessary to make any additions or changes to the permits. As of 2011, the State Legislature authorized the Arizona Department of Environmental Quality to collect fees for the administration of permits associated with the Federal Clean Water Act and the State Aquifer Protection Program.

### **Discussion**

Leonard Clark spoke in support of this payment to ADEQ though it might

not happen next year as the Clean Water Act might be repealed by the federal government.

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

**27 Solar Star Arizona III, LLC**

For \$1,200,000.00 in payment authority for Contract 132993 to provide solar power to the Lake Pleasant Water Treatment Plant (Plant) for the Water Services Department. The 7.5 megawatt solar facility produces approximately 75% of the Plant's power needs.

**Discussion**

Leonard Clark urged Council to vote in favor of solar power at the Lake Pleasant Water 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:** 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

**40 Settlement of Claim *Brisbon, et al., v. City of Phoenix, et al.***

For \$1,500,000.00 in settlement of claims *Nora Brisbon, as personal representative v. City of Phoenix and Mark Rine*, United States District Court, Case CV-15-00740-SMM, 14-0873-001 GL BI; *Brisbon v. Rine*, United States District Court, Case CV-16-04049-ROS, 14-0873-004 GL BI; *Dana Klinger v. Rine, et al.*, United States District Court, Case CV-16-04076-BSB, 14-0873-005 GL BI; *S.N.B., a minor and J.J.V., a minor, et al. v. Rine, et al.*, United States District Court, Case CV-16-00118-DGC, 14-0873-006 GL BI; for the Finance Department



pursuant to Phoenix City Code Chapter 42.

**Discussion**

Councilman DiCiccio stressed the Police Department did everything right in this case and believed paying this out set a bad precedent so he would be voting in opposition.

**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:** 7 - Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

**No:** 2 - Councilman DiCiccio and Councilman Waring

**47 Swearing in of Municipal Court Judge**

Request to permit the swearing in of Municipal Court Judge.

**Summary**

Administer the oath of office for the Honorable Carol Scott Berry to a four-year term as Judge of the Phoenix Municipal Court to end on July 2, 2021.

**Concurrence/Previous Council Action**

On April 11, 2017 the Judicial Selection Advisory Board recommended approval to the Public Safety and Veterans Subcommittee.

On May 10, 2017 the Public Safety and Veterans Subcommittee recommended approval to the City Council by a vote of 4 to 0.

**Discussion**

Mayor Stanton administered the oath of office to Municipal Court Judge Berry behind the dais. The Council extended their appreciation for her service following a group photo.

**The swearing in of Judges was performed.**

**53 Authorization to Enter into Lease with Maricopa Association of Governments for Office Space located at 302 N. First Ave. (Ordinance S-43729)**

Request authorization for the City Manager, or designee, to enter into a

lease with the Maricopa Association of Governments (MAG) to occupy approximately 47,300 square feet of office space in the Public Transit Building located at 302 N. First Ave., Floors 2, 3, 4 and 7. Further request authorization to amend Contract 130019 to include access to the seventh floor for the build out of tenant improvements.

### **Summary**

MAG currently leases approximately 44,817 square feet of office space in the Public Transit Building on floors 1, 2, 3 and 4 under Contract 130019. MAG will relocate the first floor offices to the seventh floor, which will provide additional square footage to MAG's leased space, allow Public Transit to continue the use of the seventh floor conference room, and will free up rentable space on the first floor which is more marketable because of the location and condition. All tenant improvements for the build out of the seventh floor, including demolition, will be incurred by MAG.

Contract 130019 will be amended to allow MAG access to the seventh floor for the build out of office space. Upon receipt of the certificate of occupancy for the seventh floor and the relocation of the first floor office furniture, anticipated January 2018, the new lease contract will become effective and Contract 130019 will be terminated. Terms and conditions of the new lease are outlined in Attachment A.

### **Financial Impact**

The current lease rate of \$851,400 annually will continue in the new lease, which is within the range of market rents as determined by the Finance Department Real Estate Division.

### **Location**

302 N. First Ave.

**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, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

**No:** 1 - Councilman Waring

**60 Authorization to Sell City-Owned Property Located Along East Side of North Valley Parkway, South of West Sonoran Drive (Ordinance S-43742)**

Request to authorize the City Manager, or his designee, to sell City-owned property located along the east side of North Valley Parkway, south of West Sonoran Drive identified as excess real property inventory. Further request authorization for the City Treasurer to accept all funds related to this item.

**Summary**

The excess property to be sold is approximately 81,736 square feet of vacant land, triangular in shape and zoned S-1. The property will be advertised on the open market by a City-contracted broker at market value to be determined by an appraisal, broker's opinion of value, or other valuation method accepted by the City. Further requesting authorization to negotiate with the offerer[s] in order to yield the highest dollar return to the City, as deemed acceptable by the City Manager or his designee. The City Manager, or his designee, will select the highest responsive and responsible offer for the property based upon market value, and enter into an Agreement for the Purchase and Sale of City-owned property, containing terms and conditions deemed necessary and appropriate by the City. The subsequent fee simple conveyance will be by Special Warranty Deed.

The parcel was originally acquired with multiple parcels for the Public Works Department's North Transfer Station. The parcel is deemed excess because it is not contiguous with the larger site to be developed, which is located on the west side of North Valley Parkway.

**Concurrence/Previous Council Action**

The Sustainability, Housing, Efficiency and Neighborhoods Subcommittee recommended City Council approval of this item on May 16, 2017, by a vote of 4-0.

**Location**

Located along the east side of North Valley Parkway, south of West

Sonoran Drive, identified by assessor parcel number 204-13-002D.

### **Discussion**

Leonard Clark conveyed he hoped in the future such measures with historic property entered into agreements with the developers or owners to trade such property in order to preserve the building as part of the City's history.

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

### **65 Amend Personnel Rule 15, Leaves of Absence (Ordinance S-43746)**

Request City Council approval of the attached amendments to City of Phoenix Personnel Rule 15, Leaves of Absence. The proposed amendments are designed to conform the Personnel Rules with State law changes on Earned Paid Sick Time and other elements of Proposition 206, approved by the voters in November 2016, and which take effect on July 1, 2017. The attached document (Attachment A) outlines revisions and new text in all caps; deletions are noted in strikethrough and shaded gray. Per Personnel Rule 23b, these amendments shall become effective upon the date of their approval by the City Council.

### **Public Outreach**

Public meetings were conducted by the Human Resources Department on June 5 and June 6, 2017, to formally solicit comments on the proposed amendments. The attached amendments were reviewed at those meetings and comments were considered.

### **Location**

Citywide

### **Discussion**

A motion was made and seconded to adopt this item.

Stanley Lubin spoke in opposition on behalf of AFSCME Local 2384. He had issues with the language of the proposed rule because the City's policies differed from what the state statute provided. First, there was more leave than the state required and secondly, there were more restrictions on how it could be used. He thought it was easier to go with the state statute; if not, it should be something City employees understood, such as this leave would be handled differently than leave outside of it but within the City's requirements. He could not support the rule as currently written and asked that it be sent back.

Rae Kell spoke in opposition as an officer of AFSCME Local 2960. Even though the new law stated the 40 hours of earned paid sick time was a minimum the City chose to put a cap on it. She pointed out multiple policies would be in place regarding use of paid sick and vacation leave which could cause confusion. She conveyed the cities of Mesa and Tempe made all of their employees' sick leave protected under the new law. However, Phoenix was putting itself at risk for grievances and lawsuits based on its interpretation of the new law.

Mayor Stanton thought important issues were raised and wanted to continue this item to the next meeting.

A substitute motion was made and seconded to continue this item to the next meeting.

Councilman DiCiccio concurred with the continuance to make sure the City was following the law and requested a report on how many sick leave hours had been collected to date for all employees.

**A substitute motion was made by Mayor Stanton, seconded by Vice Mayor Pastor, that this item be continued to the July 6, 2017 City Council Formal Meeting. The motion carried by voice vote:**

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

**77 Authorization to Amend Contract with Central Arizona Shelter Services (Ordinance S-43745)**

Request to authorize the City Manager, or his designee, to amend Contract 141115 with Central Arizona Shelter Services, Inc. The proposed amendment will increase the funding \$37,000 annually for the remaining three years of the contract and increase the total amount of the contract from \$3,805,190 to \$3,916,190. Further request authorization for the City Controller to disburse all funds related to this item for the remaining life of the contract.

**Summary**

The City of Phoenix Human Services Department provides and supports a continuum of services to assist individuals and families in crisis. Shelter and services for persons experiencing homelessness or domestic violence, and detoxification and extended care services are critical components of the comprehensive system of care. The additional funding was allocated and approved through the annual community hearings and budget process.

**Contract Term**

The City entered into contract with the Central Arizona Shelter Services on July 1, 2015 through June 30, 2016, with four one-year extension options through June 30, 2020.

**Financial Impact**

General funds to support this contract are available in the Human Services Department budget.

**Discussion**

Leonard Clark spoke in support of the funding increase for Central Arizona Shelter Services and hoped Council voted in support of this item.

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

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 83 and 86 be adopted. The motion carried by the following vote:**

**Yes:** 7 - Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

**No:** 2 - Councilman DiCiccio and Councilman Waring

**83 Fiscal Year 2017-22 Public Art Project Plan (Ordinance S-43727)**

Request approval of the Phoenix Office of Arts and Culture's Fiscal Year 2017-22 Public Art Plan.

**Summary**

The ordinance establishing the City's Percent for Art Program was adopted in December 1986 and requires the Phoenix Arts and Culture Commission to submit an annual Public Art Plan in advance of each new fiscal year. The ordinance allows for 1 percent of funding from City Capital Improvement Program projects to be invested in public art to enhance the design and experience of public infrastructure, buildings and spaces.

The proposed Public Art Project Plan for FY 2017-22 has been developed by staff of the Phoenix Office of Arts and Culture in consultation with City departments, City Council offices and community groups.

The proposed FY 2017-22 Public Art Project Plan includes 31 funded public art projects with a total budget of \$14,278,697. This total includes \$6,232,354 in funding for five new projects and \$8,046,343 for 26 continuing projects. The plan is \$2,939,040 more than the \$11,339,657 in the FY 2016-21 Public Art Project Plan approved by City Council on June 1, 2016. Details of the FY 2017-22 Public Art Program Budget are provided on the attached FY 2017-22 Public Art Plan (Attachment A). The plan follows priorities established in the Phoenix Public Art Program Master Plan, which designates a wide variety of opportunities for art to improve public infrastructure throughout Phoenix, and includes goals for involving Arizona artists, fabricators and contractors in the work.

The Arts and Culture Commission has a goal of involving Arizona artists and designers in 55 percent of Art Plan projects. Of the 26 projects in the FY 2017-22 Art Plan that will involve hiring artists and contractors, 16 (61 percent) either currently involve Arizona artists and design professionals or are expected to involve Arizona professionals. Arizona artists and designers are encouraged to apply for all projects.

### **Financial Impact**

The proposed FY 2017-22 Public Art Plan contains 26 continuing and five new projects, for a total budget of \$14,278,697. Funding is available in the Capital Improvement Program and is consistent with the FY 2017-22 Capital Improvement Program approved by City Council on June 7, 2017.

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

The Phoenix Arts and Culture Commission reviewed this item on May 16, 2017, and recommends approval. This item was scheduled for the Parks, Arts, Education and Equality Subcommittee meeting on May 24, 2017. However, due to time constraints, the item was not heard.

### **Public Outreach**

Public involvement is critical to the success of City public art projects. Phoenix Office of Arts and Culture staff works closely with City Council offices, the community and numerous City departments to ensure that neighborhoods near public art projects are included in the development of each project.

Items 83 and 86 were heard together.

**This item was adopted.**

## **86 Artist Fabrication Contract for Phoenix Sky Harbor Terminal Three Modernization East Atrium (Ordinance S-43754)**

Request to authorize the City Manager, or his designee, to enter into a contract with artist Donald Lipski (N.Y.) or his City-approved designee for an amount not to exceed \$920,000 to fabricate an artwork to be integrated into the East Atrium as part of the Phoenix Sky Harbor International Airport Terminal 3 Modernization Public Art Project. The artwork will serve as a major landmark for arriving passengers and visitors



to the airport. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The fiscal year (FY) 2016-21 and FY 2017-22 Public Art Project Plans include a project to commission an artist to create a major artwork as part of the modernization of Terminal 3 East Atrium at Phoenix Sky Harbor International Airport. The East Atrium will be the terminal's main passenger arrival and greeting area.

Mr. Lipski was recommended through a competitive process in October 2016 to create a concept for a large-scale artwork for the East Atrium as part of Terminal 3 Modernization. City Council approved a design concept contract for Mr. Lipski on Dec. 14, 2016 and a full design contract May 24, 2017. Mr. Lipski has worked with the Terminal 3 Modernization project team to develop plans for a sculpture and mural that would occupy a 90-foot-wide by 13-foot-high area of the atrium's eastern wall. The work features monumental aviator glasses with mirrored lenses against a backdrop of blue sky and clouds illuminated by a slowly-changing program of projected LED lights. The work celebrates Arizona's long history of civilian and military aviation and pilot training.

**Financial Impact**

The Terminal 3 Modernization East Atrium is one of 31 projects in the FY 2017-22 Public Art Project Plan, to be considered by City Council on June 28, 2017. The Art Plan includes \$1,439,501 for this project. The proposed \$920,000 contract will cover all costs related to the artist's fabrication and installation of the artwork. The remaining funds would cover project administration and coordination with the Aviation construction team. Unused funds would be applied to additional future airport public art projects. Percent-for-art funding is available in the Aviation Department's Capital Improvement Program budget.

**Concurrence/Previous Council Action**

The Phoenix Arts and Culture Commission reviewed this item at its June 20, 2017, meeting and recommends approval.

**Location**

The project is located in the Terminal 3 East Atrium at Phoenix Sky

Harbor International Airport.

Items 83 and 86 were heard together.

**This item was adopted.**

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 84-85 be adopted. The motion carried by the following vote:**

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

**84 Artist Construction Contract for Community Water Facilities Public Art Project - Kevin Berry (Ordinance S-43752)**

Request to authorize the City Manager, or his designee, to enter into a contract with Phoenix artist Kevin Berry for an amount not to exceed \$75,000 to fabricate and install a steel fence and a sculpture to enhance the appearance and safety of an inactive well site at 5466 W. Edgemont Ave., in the Maryvale neighborhood. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The fiscal year (FY) 2017-22 Public Art Project Plan includes a project to commission an artist to enhance a community water facility. This demonstration project is part of a Water Services Department's initiative to improve the appearance and public understanding of water sites in residential neighborhoods.

On Oct. 19, 2016, City Council approved a contract for artist Kevin Berry with the Water Services Department, the community and a project landscape architect to design enhancements for the community well site. Since then, he has worked with the project's landscape architect, Janet Waibel, to develop construction documents for landscaping, pathways, gabion and forged steel fencing, and a sculptural feature to transform the site into a community amenity.

Under the proposed construction contract, Mr. Berry will fabricate and install 80 feet of steel fencing, and a 14-foot-tall sculpture along a central

pathway through the site. The additional project enhancements (gabion walls, landscaping and hardscape improvements) will be produced by the project's general contractor, to be contracted separately by the Water Services Department.

### **Financial Impact**

The Community Water Facilities Well Demonstration Site Public Art Project is one of the 31 funded projects in the FY 2017-22 Public Art Project Plan, to be considered by City Council on June 28, 2017. The Art Plan includes \$166,755 for this project. The proposed \$75,000 construction contract will cover all costs related to the artist's construction oversight, and fabrication and installation of the project's steel fencing and sculpture. Funding is available in the Water Services Department's Capital Improvement Program budget.

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

The Phoenix Arts and Culture Commission reviewed this item on May 16, 2017, and recommended approval.

### **Location**

The project is located at 5466 W. Edgemont Ave.

Items 84 and 85 were heard together.

### **Discussion**

Councilman Waring sought clarification this art not only served a useful purpose but was necessary.

Water Services Director Kathryn Sorensen responded the primary purpose was safety and security, noting facilities were also an amenity for the community and should be pleasing instead of an eyesore.

Councilman DiCiccio recalled back in the 1990s the entire art budget was updated based on criticism of how the money was spent. He thanked staff for doing an amazing job of including art into things that were functional.

**This item was adopted.**

## **85 Artist Construction Contract for Control Station 72 Public Art**

**Project - Kevin Berry (Ordinance S-43753)**

Request to authorize the City Manager, or his designee, to enter into a contract with Phoenix artist Kevin Berry for an amount not to exceed \$65,000 to fabricate sculptural steel security fencing and oversee construction of the Control Station 72 improvement. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The fiscal year (FY) 2017-22 Public Art Project Plan includes a project to commission Kevin Berry to enhance Odor Control Station 72 at Pinnacle Peak Road and 47th Avenue.

On Oct. 19, 2016, City Council approved a contract for Kevin Berry to work with Water Services Department, the community and the project engineer, Brown & Caldwell, to design improvements and prepare construction documents, to enhance the appearance and safety of this control station. Since then, Mr. Berry has worked with the team to develop an integrated design for new gabion security walls topped by sculptural metal fencing and a steel shade canopy.

Under this proposed contract, Mr. Berry will fabricate and coordinate installation of approximately 200 linear feet of sculptural steel fence staves, ranging from 4 to 14 feet in height. Additional project enhancements (gabion walls, landscaping and hardscape improvements) will be built by the project's general contractor, which will be contracted separately by the Water Services Department.

**Financial Impact**

The Odor Control Station 72 Public Art Project is one of 31 funded projects in the FY 2017-22 Public Art Project Plan, to be considered by City Council on June 28, 2017. The Art Plan includes \$187,754 for this project. The proposed \$65,000 fabrication contract will cover all costs related to the artist's fabrication of the project's steel fencing and construction oversight of the overall site improvement. Funding is available in the Water Services Department's Capital Improvement Program budget.

**Concurrence/Previous Council Action**

The Phoenix Arts and Culture Commission reviewed this item on June 20, 2017, and recommended approval.

**Location**

This project is located at Pinnacle Peak Road and 47th Avenue.  
Items 84 and 85 were heard together.

**Discussion**

See Item 84 for discussion.

**This item was adopted.**

**87 Authorization to Issue 2017-2018 Downtown Development Request for Proposals**

Request authorization for the City Manager, or his designee, to issue the 2017-2018 Downtown Development Request for Proposals (Downtown RFP), a broad RFP for urban and mixed-use development on private property within the Downtown Redevelopment Area, and to enter into negotiations with recommended proposers.

**Summary**

Since 2012, the City has used an open Downtown RFP process to solicit development proposals on private property in the Downtown area. The current Downtown RFP ends on June 30, 2017. The purpose of the Downtown RFP is to generate new private investment, create jobs, reduce barriers to business expansion and encourage residential, office, retail, hotel, education and entertainment development in urban, mixed-use projects within the Downtown Redevelopment Area. Located within the City's single Central Business District, the Downtown Redevelopment Area is generally bounded by 7th Avenue and 7th Street from McDowell Road to Lincoln Street.

In response to the current Downtown RFP, staff received four proposals for development on private property. Two have received City Council approval, and two are in the RFP process. The two projects approved by City Council, Derby Roosevelt Row and Clark Street Holdings, are expected to add four new high-rise towers, approximately 825 rental residential units and approximately 30,000 square feet of street-level commercial space to downtown Phoenix, which contributes to the City's

ongoing downtown revitalization efforts and supports the goals of the City Council adopted Downtown Strategic Plan. Further, these projects will generate approximately \$211 million in private capital investment, eliminate long-time vacant lots and buildings, create hundreds of jobs and generate millions of dollars in new City revenues over the terms of their agreements.

### **Procurement Information**

The Downtown RFP will solicit market-driven development proposals from the private sector for projects located on privately-owned property within, and immediately adjacent to, the Downtown Redevelopment Area. The Downtown RFP will remain open for 12 months, and the flexibility requested in this authorization will allow the City to be highly responsive to market conditions.

Proposers will be required to provide detailed information including a description of uses, square footage and number of units, investment and construction costs, financing details, project schedules and public benefits. Staff will have the ability to reject proposals that do not meet the RFP requirements, are not consistent with City policies or request infeasible levels of public assistance.

Proposals will undergo an administrative technical review for responsiveness. Responsive proposals will then be reviewed by an evaluation panel including City staff and community representatives. The Downtown RFP will include standards terms, conditions and other necessary requirements and will include the following evaluation criteria:

1. Concept to Activate the Site: 300 Points
  2. Proposer's Qualifications, Experience and Financial Capacity: 250 Points
  3. Proposer's Business Plan: 250 Points
  4. Level of Return and Benefit to the City: 200 Points
- Total Points: 1,000 Points

Staff will commence negotiations on proposals recommended by an evaluation panel and City management. Pending successful negotiations, staff will bring recommended business terms to a Subcommittee and City

Council for consideration and approval prior to executing any binding agreements.

**Location**

The Downtown RFP encompasses the Downtown Redevelopment Area, generally bounded by Seventh Street, Seventh Avenue, McDowell Road and Lincoln Street.

**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:** 7 - Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

**No:** 2 - Councilman DiCiccio and Councilman Waring

**88 Authorization to Issue RFP for Disposition of City-Owned Parcel at 1701 W. Camelback Road (Ordinance S-43728)**

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 disposition of a City-owned parcel located at 1701 W. Camelback Road.

**Summary**

The City owns a vacant parcel in the Solano ReinventPHX District, comprising approximately 9,800 square feet, or 0.23 acres, at 1701 W. Camelback Road (the Site). The Site was purchased by the City in July 2004 with Federal Transit Authority (FTA) grant funds. The Site is part of the Solano Transit Oriented Development Policy Plan, which was created with community involvement as part of ReinventPHX.

**Procurement Information**

The proposed solicitation will be for the sale and development of the Site. Staff has commissioned an appraisal of the Site, which will be made available to proposers. The RFP will include standard terms, conditions and other necessary requirements, and will include the following evaluation criteria:

1. Concept to Activate the Site: 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 in Summer 2017 and will remain open for a minimum of 45 days. Responsive proposals will be evaluated by a diverse panel including City staff and community representatives. Following negotiations with the recommended proposer, business terms will be presented to City Council for approval prior to entering into an agreement. Prior to executing any business terms, staff would secure necessary approvals from the FTA.

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

The Downtown, Aviation, Economy and Innovation Subcommittee recommended this item on June 7, 2017, by a vote of 4-0.

#### **Public Outreach**

Staff received input from the following: Colter Street Block Watch, Grandview Neighborhood Association, Pasadena Neighborhood Association, Westwood Business Alliance, and Westwood Community Association. Extensive community outreach was conducted for the ReinventPHX Solano Plan prior to its publication in February 2015.

#### **Location**

The City-owned parcel is located at 1701 W. Camelback Road, on the southwest corner of Camelback Road and 17th Avenue in the Solano ReinventPHX District.

**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, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton
- No:** 1 - Councilman Waring

### **93 Authorization to Extend Professional Services Agreement with Molera Alvarez, LLC (Ordinance S-43750)**



Request to authorize the City Manager, or his designee, to extend Professional Services Agreement No. 139598-1 with Molera Alvarez, LLC, for a contract term not to exceed one year beginning Aug. 1, 2017, and authorize the City Controller to disburse funds in an amount not to exceed \$185,270.

**Summary**

In 2014, following a competitive procurement process, City Council authorized a Professional Services Agreement with Molera Alvarez, LLC, to represent and advance trade promotion, Foreign Direct Investment and tourism interests of the City of Phoenix in Mexico. This agreement has proven successful as demonstrated by the achievements under the established Key Performance Indicators. As of mid-2017, efforts have been coordinated that have resulted in 19 inbound/outbound trade missions, representation at 41 expositions and conferences, 63 trade leads and prospects, seven cooperation agreements, eight "Doing Business in Phoenix" roadshow presentations in leading Mexico markets, Foreign Direct Investment (FDI) locates and prospects (Eitiquetas Mexico; Lariv Desarollos), and inaugurations of the City of Phoenix trade offices in Mexico City and Hermosillo.

The City of Phoenix has established a recognized leadership position in Mexico as it relates to key relationships and economic opportunity. Maintaining this leadership position requires a sustained effort. To that end, staff is proposing to extend the contract with Molera Alvarez, LLC, for Trade Development Representative Services to further elevate our leadership position, leverage the success to date, and position the City of Phoenix for increased economic opportunity with Mexico.

The contract extension will consist of the following elements of the scope of work, including:

- \* Identify, qualify and support trade and sales opportunities with Mexico of both products and services for Phoenix companies.
  
- \* Identify enhanced supply chain opportunities for Phoenix companies looking to expand their product purchasing from Mexico.

- \* Fully support the preparation and implementation of visitation programs for City of Phoenix inbound missions of elected officials, business leaders and private companies pursuing trade.
- \* Provide economic development staff in Mexico City and Hermosillo, as well as resources in Phoenix to administer the Mexico strategy.
- \* Continue physical presence in Mexico City and Hermosillo.
- \* Expand comprehensive "Doing Business in Phoenix" Roadshow programs in Tijuana, Chihuahua and State of Mexico, in addition to existing locations of Mexico City, Hermosillo, Queretaro, Guadalajara, Monterrey and Culiacan.
- \* Expand trade missions to and from target cities, including: Mexico City, Hermosillo, Guadalajara, Queretaro, Tijuana, Monterrey and Saltillo.
- \* Continue successful North America NOW Forum series focused on opportunities in Mexico in key sectors such as Infrastructure, Aerospace, Medical Devices and Information Technology.
- \* Pursue Memorandums of Understanding (MOUs) with aerospace and automotive clusters in Queretaro, Guanajuato, San Luis Potosi, Nuevo Leon, among others, and related research institutions.
- \* Develop opportunities in emerging sectors that have been identified as core growth areas for the City of Phoenix such as Cybersecurity and the Internet of Things (IoT).
- \* Advance FDI prospects targeting Phoenix for expansion and development opportunities.
- \* Expand participation in targeted trade shows and programs throughout Mexico, including Mexico's Aerospace Summit, ExpoIndustrial, ExpoManufactura, FAMEX and ExpoMed.

Mexico remains the top trading partner for both the City of Phoenix and State of Arizona, and we have experienced record exports to Mexico for

the three most recent years for which data is available, 2013 (\$2.7 billion), 2014 (\$3.6 billion) and 2015 (\$4.2 billion). Active engagement with Mexico is necessary to continue this positive export trajectory.

### **Contract Term**

The contract year is Aug. 1, 2017, through July 31, 2018, in an amount not to exceed \$185,270 for all services satisfactorily performed under this Agreement. All other terms and conditions of the Agreement will remain in full force and effect.

### **Financial Impact**

Funds are available in the Community and Economic Development Department's Capital Improvement Program budget.

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

The Downtown, Aviation, Economy and Innovation Subcommittee approved this item on June 7, 2017, by a vote of 4-0.

### **Discussion**

Mayor Stanton stated he had worked closely with this firm, noting huge advancements had been made, particularly with the City's trade relationship with Mexico. In fact, two trade offices were successfully opened which was possible because of this firm's outstanding support. He thanked the firm and expressed his support for this item.

**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, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

**No:** 1 - Councilman Waring

## **95 Issuance of Education Facility Revenue Bonds (Legacy Traditional School - Cadence Project), Series 2017 (Resolution 21555)**

Request City Council adoption of a resolution granting approval for the issuance of Education Facility Revenue Bonds (Legacy Traditional School - Cadence Project), Series 2017, to be issued in one or more

tax-exempt and/or taxable senior and/or subordinate series in an aggregate principal amount not to exceed \$22,500,000.

**Summary**

The requested resolution is granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Ariz., (the "Phoenix IDA") has previously resolved to issue up to \$22,500,000 of Education Facility Revenue Bonds (the "Revenue Bonds") for use by Legacy Traditional Schools - Nevada, Inc. (the "Borrower"), a Nevada nonprofit corporation, to:

- a) finance acquisition, construction, improvement, and equipping of land and buildings for charter school facilities (the "Project"), and
- b) pay certain costs related to the issuance of the Revenue Bonds.

**Concurrence/Previous Council Action**

The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on June 8, 2017.

**Location**

The Project is to be located near the northwest corner of East Lake Mead Parkway and Pawnee Lane in Henderson, Nev.

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

**Discussion**

Councilwoman Gallego wanted to make sure the elected officials in Henderson, Nevada were aware of and supportive of this matter.

Corey Kennedy, the applicant, replied the local officials were supportive, helpful and looking forward to the project in general terms.

Councilwoman Gallego asked if the applicant had spoken with local Streets staff to ensure the school was appropriately located.

Mr. Kennedy answered safety would be addressed between the

crosswalks and the drive line system that used technology to keep kids in school until their parents picked them up.

In further response to Councilwoman Gallego, Mr. Kennedy confirmed his answers would be the same for Item 96.

A speaker comment card was submitted in favor by Terry Warren who 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:** 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

**96 Issuance of Education Facility Revenue Bonds (Legacy Traditional School - East Mesa Project), Series 2017 (Resolution 21556)**

Request City Council adoption of a resolution granting approval for the issuance of Education Facility Revenue Bonds (Legacy Traditional School - East Mesa Project), Series 2017, to be issued in one or more tax-exempt and/or taxable senior and/or subordinate series in an aggregate principal amount not to exceed \$22,500,000.

**Summary**

The requested resolution is granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Ariz., (the "Phoenix IDA") has previously resolved to issue up to \$22,500,000 of Education Facility Revenue Bonds (the "Revenue Bonds") for use by Legacy Traditional School - East Mesa (the "Borrower"), an Arizona nonprofit corporation, to:

- a) finance acquisition, construction, improvement, and equipping of land and buildings for charter school facilities (the "Project"), and
- b) pay certain costs related to the issuance of the Revenue Bonds.

**Concurrence/Previous Council Action**

The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on June 8, 2017.

**Location**

The Project is located at the southwest corner of South Signal Butte Road and East Guadalupe Road in Mesa, Ariz.

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

**Discussion**

Leonard Clark spoke in opposition. He pointed out public schools received funds through a bond override while charter schools could request money from Council, not to mention there were loopholes in Arizona regarding contracts.

Corey Kennedy and Terry Warren submitted speaker comment cards 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:** 9 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

**98 Continuation of Passenger Facility Charge Program at Phoenix Sky Harbor International Airport**

Request to authorize the City Manager, or his designee, to continue the Passenger Facility Charge (PFC) Program at Phoenix Sky Harbor International Airport (Airport). Further request to authorize the City Manager, or his designee, to process PFC applications with the Federal Aviation Administration (FAA) to impose and use the PFC revenues.

**Summary**

The Passenger Facility Charge (PFC) program was initiated in 1990 by the Federal Aviation Administration (FAA) to provide funding for FAA-approved capital projects. The FAA initiated this change in order to address specific airport capital needs. In order to qualify for this funding,

airports must demonstrate that the projects in a PFC application enhance safety, security, or capacity; reduce noise; or increase air carrier competition. When approved, a PFC is collected by the airlines at the rate of \$4.50 from each passenger who boards a flight at the approved airport. These funds are then remitted to the airport to pay for approved capital projects. Today, these revenues are a critical funding source for every large hub airport in the United States.

The City Council originally authorized PFCs at Phoenix Sky Harbor International Airport (the Airport) in 1996, and has extended the program six times in the interim as project financings require. Notable PFC-funded projects at the Airport have included the international concourse at Terminal 4, the Aircraft Rescue and Firefighting (ARFF) station, the PHX Sky Train, and many other terminal and airfield projects. The PFC collections that currently support these projects will expire in August 2032. The City Council approved the 2016-2021 Capital Improvement Program (CIP) on June 1, 2016. This CIP includes the Airport's Terminal 3 Modernization, airfield reconstruction projects, and other safety and security initiatives totaling approximately \$70 million in PFC eligible projects.

In order to ensure adequate funding for these important capital projects, staff recommends extending current PFC collections for five additional months, extending the current expiration of August 2032 to a new expiration date of January 1, 2033. The PFC collection rate would continue to be \$4.50 per passenger, and would not increase as a result of this action.

Staff requests authorization for the City Manager, or his designee, to act as the official representative of the City of Phoenix to continue the PFC Program at the Airport, and further authorizing the City Manager to process PFC applications with the FAA according to Federal law and regulations and to continue imposing and using PFC revenues in accordance with all applicable Federal laws, rules, regulations, and required assurances mandated by law.

### **Public Outreach**

According to 14 Code of Federal Regulations Section 158.23, the Air

Carrier Consultation Meeting (Consultation) will be held with all air carriers operating at the Airport. The Consultation regarding the new PFC application to the FAA occurred on May 4, 2017. The Consultation materials were advertised as being available to the public online at <https://skyharbor.com> beginning May 4, 2017. The air carriers had 30 days from the Consultation date to submit their comments. The public had 30 to 45 days to submit their comments after the Consultation materials are made available online. No comments were received from either the air carriers or the public.

**Location**

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

**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, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

**No:** 1 - Councilman Waring

**100 Customer Data Collection Services - RFP 17-002 (Ordinance S-43714)**

Request to authorize the City Manager, or his designee, to enter into a contract with KPI Aviation Marketing Solutions and TripleScoop Market Research to provide customer data collection services to the Aviation Department. The contract may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Aviation Department is seeking an experienced company to provide data collection services by surveying passengers waiting in Phoenix Sky Harbor International Airport's post-security area, at Phoenix Deer Valley Airport, at Phoenix Goodyear Airport, at the Rental Car Center, and at any other location at the Aviation Department's request. The data and analysis



collected will drive informed decision-making and is critical to the Aviation Department's business planning. The contract will be used to determine progress on key performance indicators, collect data that will assist in air service marketing, and collect other information, such as passenger demographics and spending habits.

### **Procurement Information**

Request for Proposal (RFP) 17-002 Customer Data Collection Services was conducted in accordance with Administrative Regulation 3.10. Six offers were received by the Contracts and Services Division on March 3, 2017. Three offers were deemed non-responsive.

The proposals were scored by a three-member evaluation committee based on the following criteria: company experience and qualifications (400 points), method of approach (300 points), pricing (200 points), and references (100 points). The proposers and their rankings are as follows:

KPI Aviation Marketing Solutions and TripleScoop Market Research: 819 Points

Destination Analysts: 754 Points

SmartRevenue.com, Inc.: 740 Points

### **Contract Term**

The initial three-year term of the contract will begin on or about July 1, 2017, and end on June 30, 2020. The contract will include an option to extend the term of the contract up to two years, which option may be exercised by the City Manager or his designee.

### **Financial Impact**

The aggregate contract value will not exceed \$1,250,000, including applicable taxes, with an estimated annual expenditure of \$250,000. Funds are available in the Aviation Department's operating budget.

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

The Downtown, Aviation, Economy and Innovation Subcommittee recommended approval of this item on June 7, 2017, by a vote of 4-0.

### **Location**

Phoenix Sky Harbor International Airport at 3400 E. Sky Harbor Blvd.; Phoenix Deer Valley Airport at 702 W. Deer Valley Road; Phoenix Goodyear Airport at 1658 S. Litchfield Road, Goodyear; and Rental Car Center at 1805 E. Sky Harbor Circle South.

**Discussion**

Councilman DiCiccio thought this request was a misuse of funds, especially people with clipboards surveying passengers instead of using the Internet. Therefore, he would be voting no on this item.

Aviation Services Director James Bennett advised it had been almost ten years since the City collected information from this survey. He pointed out it was a perpetual survey of customers and fundamental to the development of additional international air service as well as other services. The survey was a way to determine what people wanted, the services they needed and how to better serve customers.

City Manager Ed Zuercher clarified this was \$1.25 million for multiple surveys over five years.

Mayor Stanton asked what the information would be used for and who would use it.

Mr. Bennett responded the information would be used by the City to assess services and also try to attract additional international air and domestic services. He indicated basic demographic information would be collected that was fundamental to providing customer service and making sure expectations were met.

In further response to Mayor Stanton, Mr. Bennett confirmed this was information being requested by airlines, noting staff did not have this data when making air service calls.

Deputy City Manager Paul Blue added when someone took a flight from Phoenix to another destination the City and sometimes the airlines did not know what transpired after landing. The only way to get that kind of information was to talk to the customer.

Councilwoman Gallego wondered if information would be less accurate if

surveys were done via the Internet rather than posting someone at a terminal.

Mr. Bennett answered it would not accurately capture the information because the survey professionals would be focusing on people sitting in the hold rooms. Moreover, it offered the ability to follow up should a question not be received correctly by the customer.

Mr. Zuercher emphasized Phoenix was named a top city in the United States for innovation. One aspect of being successful was that information was based on accurate data and this was part of the City's effort to make data-based decisions. Thus, staff thought this was extremely important.

Councilman Valenzuela remarked this was sophisticated information needed to compete as Sky Harbor was the largest economic engine in the City and state, as well as one of the ten busiest airports in the country. He thanked staff in getting a new direct flight to Germany which added over \$3 billion to the local economy each year per the last study. There was a proven track record of why it was important to conduct surveys in this manner and stated he was supportive of this item.

**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:** 7 - Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

**No:** 2 - Councilman DiCiccio and Councilman Waring

**101 Air Service Development Consultant Services Request For Proposal - Recommendation to Award (Ordinance S-43716)**

Request to authorize the City Manager, or his designee, to award and enter into contracts with Campbell-Hill Aviation Group, LLC, and InterVISTAS Consulting, Inc., to provide air service development consultant services for Phoenix Sky Harbor International Airport (Airport). Further request authorization for the City Controller to disburse all funds

related to this item.

### **Summary**

The Airport generates more than \$38 billion annually to the state of Arizona. The vitality of the Airport depends on airlines maintaining and increasing routes to Phoenix. On a daily basis, more than 800 tons of cargo are handled, and 120,000 passengers arrive and depart through three terminals. In order to maintain strong international and domestic air service, the Aviation Department requires experienced air service development firms to assist with the implementation of its air service strategy.

### **Procurement Information**

This procurement was conducted using a competitive Request for Proposal process. The Aviation Department received proposals from: Campbell-Hill Aviation Group, LLC; GRA, Inc.-Gellman Research Associates; ICF Incorporated, LLC; and InterVISTAS Consulting, Inc. All proposals were determined to be responsive. The evaluation panel evaluated the proposals based on seven criterion with a scoring range from 0 to 1,000. Two proposers were short-listed for interviews. Through a consensus scoring process, and in the best interest of the City, the evaluation panel recommended the following two proposers be awarded a contract:

Campbell-Hill Aviation Group, LLC (Proposer #1): 860 Points  
InterVISTAS Consulting, Inc. (Proposer #2): 845 Points

### **Contract Term**

The terms of the contracts will be three years beginning Aug. 1, 2017. The contracts will include two options to extend the term up to two years in one-year increments. The contracts may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. The options may be exercised at the sole discretion of the Aviation Director or designee.

### **Financial Impact**

The total annual cost of each contract is estimated to be \$750,000, and the total cost for both contracts will not exceed \$3.75 million. The total contract cost will be dispersed between the two successful proposers for

consulting services provided. Funds are available in the Aviation Department's operating budget.

**Concurrence/Previous Council Action**

The Downtown, Aviation, Economy and Innovation Subcommittee approved the award recommendation on June 7, 2017, by a vote of 4-0.

**Location**

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

**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:** 7 - Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

**No:** 2 - Councilman DiCiccio and Councilman Waring

**105 Transit Safety and Security Improvements (Ordinance S-43761)**

This report requests City Council approval to use an additional \$600,000 of Transportation 2050 (T2050) funds in fiscal year FY 2017-18 to be used for extra duty police officers for transit safety and security improvements as recommended by the Transportation and Infrastructure Subcommittee. The funding is available in the T2050 Fund and within the overall long-term T2050 financial plan.

**Summary**

Safety and security along the transit system is provided through multiple layers, including the Phoenix Police Department precincts and the Transit Enforcement Unit (TEU), a section of the Phoenix Police Department specifically focused on public transit, and Valley Metro. Implementation of Transit 2000 added significant new transit service. To alleviate the impact new service would have on the Phoenix Police Department, the TEU was created to provide dedicated service to public transit. The Public Transit Department funds this unit. With the passage of Transportation 2050 and expansion of bus and light rail service over the 35-year program, the T2050 financial plan allocates additional funding

where needed to provide safety and security to passengers, employees, revenue, and property along the transit system.

The TEU presence enhances safety and citizens' perception of security with an emphasis on crime suppression through trained, skilled, and uniformed staff. Currently, TEU is supported by a police commander, a lieutenant and six sergeants who provide oversight to 16 sworn officers, three K-9 officers/handlers, 23 police assistants, and 24 municipal security guards responsible for fixed post security at transit facilities.

Public Transit contracts with a private security firm to provide security at park-and-rides and transit centers. This firm also augments Municipal Security Guards (MSGs) to provide fixed post security at the West, North and South Transit Facilities.

Light rail security is provided through a partnership with Valley Metro's security service provider Allied Universal. They are responsible for security and fare inspection, administrator/trainer, fixed post security personnel, platform/Park-and-Rides, dispatch and control and supervisors. Valley Metro also works closely with the police departments within the cities through which light rail travels.

### Safety and Security

#### *Police Officers*

With transit reaching all parts of Phoenix, it is necessary for transit service calls to be responded to by both Police precincts and the TEU, with primary response by Phoenix Police Department precincts. The TEU will respond or replace precinct officers on complex or time-consuming transit service calls. The relationship is seamless between precincts and the TEU, which is part of the Central City Precinct. In addition to transit service calls, TEU officers focus on crime suppression efforts. The Phoenix Police Department uses a data-driven process. Statistical analysis and information from internal/external partnerships are used to determine the appropriate geographical areas to focus enforcement efforts and social services to reduce crimes as well as improve quality of life. Depending on the goal of the overall project, several different tactics

can be used to accomplish the mission including a “zero tolerance” approach, high visibility enforcement, K-9 patrol, “covert” plain clothes, and/or bicycle patrol. Projects are typically run for a specified time limit then evaluated for success. After the evaluation phase the plan may be readjusted or, if determined to be successful, a maintenance period may be implemented. During the maintenance phase, enforcement will be gradually scaled back until services are returned to normal. After a determined time period another evaluation will be performed to assess the overall success of the project or a need to return to targeted enforcement.

In partnership with Valley Metro, the TEU is currently managing an extra duty program for an additional 120 hours per week of police officer coverage focused on light rail in Phoenix, with an emphasis on providing a high visibility deterrent along the 19th Avenue Corridor. The extra duty program provides a more targeted resource by deploying police officers at varying hours and days determined by the data driven process. Officers work in conjunction with Police Assistants and private security. This targeted deployment will allow TEU duty squads to be freed up to conduct more proactive enforcement operations. The additional \$262,000 for these extra officer hours is currently allocated from T2050 funds.

### *Private Security*

Private security is used for transit centers, park-and-rides and augmenting MSGs at the three bus facilities. In accordance with T2050, the City Council has expanded bus operating hours and as a result, private security guard staffing will increase correspondingly with the expanded hours at the multiple facilities, resulting in an additional \$1.1 million in security costs for FY 2017-18. The TEU proposes the equivalent of up to four additional officers be added using extra duty officers and purchasing bicycles to allow officers to provide bicycle patrol. This would increase the safety and security budget by an additional \$600,000 in FY 2017-18, which is available in the T2050 Fund and within the overall long-term T2050 financial plan.

The Citizens Transportation Commission (CTC) unanimously

recommended approval of an additional \$600,000 T2050 funds in FY 2017-18 to be used for transit safety and security improvements as follows:

1. Purchase 16 bicycles for use by TEU for enforcement efforts, currently estimated at approximately \$17,600.
2. Fund extra duty officer hours to be assigned for targeted transit enforcement and crime suppression by the Transit Enforcement Unit.
3. The Public Transit and Police Departments evaluate effectiveness of the security improvements and return to the CTC during the next budget cycle to discuss any recommended changes.
4. During the course of FY 2017-18, any additional security needs that require funding shall be brought forth to the CTC for review and possible action.
5. In conjunction with bus and rail system expansion, the Public Transit Department shall track security needs and submit recommendations.

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

The CTC recommended approval of the security improvements as outlined above to the Transportation & Infrastructure (T&I) Subcommittee on May 25, 2017 by a vote of 9-0.

The T&I Subcommittee recommended City Council approval of the CTC recommendation by a vote of 4-0 on June 13, 2017, with an added stipulation that funding for extra duty hours may include work by Police Assistants to complement the additional Police Officer hours to further increase the transit security presence as needed and determined by the Police Department.

#### **Financial Impact**

Funding is available in the T2050 Fund for FY 2017-18 and within the overall long-term T2050 financial plan.

#### **Discussion**

A motion was made and seconded to adopt this item.

Note: Mayor Stanton temporarily left the voting body. Vice Mayor Pastor assumed the Chair.



Councilwoman Williams conveyed one of the challenges with light rail was people did not feel safe. She indicated this was an effort to boost the City's presence as well as make sure the platforms were secure which was important for the rail to continue in a safe manner. The RPTA was putting money into this effort along with other cities, noting this was the City's share. She commended staff for coming up with an affordable plan that would make a difference.

Councilman Waring commented he was not in favor of light rail as there were no light rail dollars going to District 2 though he wanted it to be safe. An issue he previously brought up was safety and whether light rail transported crime to neighborhoods. He had businesses contact him about this issue, particularly along 19th Avenue, noting The Arizona Republic did a story about similar complaints. During his briefing about this item last week he understood officers would be sent to 19th Avenue; however, this money could have been spent on equipment for police or officers patrolling public transportation facilities in District 2. He was torn because there was a need on 19th Avenue even though Council was told it did not exist and now it was a problem, but he also represented his constituents who were not party to this deal and would be voting no on this item.

Note: Mayor Stanton returned to the voting body and resumed as Chair.

Vice Mayor Pastor understood \$600,000 was being allocated towards transit safety and questioned if it was specifically dedicated to 19th Avenue.

Police Commander Brad Burt replied this request for four additional positions would augment existing staff and allow flexibility. The initial process, focusing on 19th Avenue, was proactive versus reactive which had been successful based on stats. He wanted flexibility to move throughout the whole line as there were issues along the east extension that ran to the airport.

Vice Mayor Pastor confirmed this was for the entire line.

Councilman Waring stressed while this might redirect the other four

officers it was still being done because of 19th Avenue.

Note: Mayor Stanton left the Chambers but continued as part of the voting body via telephone. Vice Mayor Pastor assumed the Chair.

Acting Mayor Pastor thought this addressed transit safety across the line as there were several hot spots and adding more security would augment that behavior.

Commander Burt affirmed issues did not just occur on 19th Avenue though there was concern that issues could come from outside areas so addressing the whole line was the idea.

Councilman Waring requested a report a year from now as to where officers spent the bulk of their time.

Acting Mayor Pastor agreed as maker of the motion to add that a report be conducted regarding the impact of the four additional officers on the line over the next year.

An amended motion was made to include a report.

Councilwoman Gallego wanted to make sure the motion was not just a commitment to officers only but also for police assistance or investments for technology as it was money for security.

Deputy City Manager Mario Paniagua confirmed the Transportation and Infrastructure Subcommittee's motion allowed flexibility to allocate dollars for police assistance if that was a more appropriate use of those resources.

Councilman Valenzuela stated he was glad Council wanted the Phoenix Police Department to track calls for service and was especially appreciative of Councilwoman Gallego's comment as he also wanted to see more technology. He was passionate about the 19th Avenue line as he had worked closely with everyone and had seen a lot of new development. Crime happened throughout the City and thought it was unfair to point at light rail as the cause of it. He believed this was the right

thing to do as public safety was the number one priority of government and was supportive of this item.

Councilman Waring reiterated there was no light rail in District 2 so a police officer riding it was not protecting residents in his district. He noted part of the reason there was a shortage of money for streets was because so much was spent on light rail. He was conflicted since the City brought a problem to a neighborhood that did not have it before and now that there was an issue had to take steps to fix it.

Councilwoman Williams emphasized Phoenix was not the only city that had challenges on the light rail as people got on and off at different points. She was confident the extra manpower would get a handle on some of the problems and the additional lighting would keep people who caused trouble from hanging around the platforms. District 1 did not have light rail either but she was doing her best to get it there; however, she supported the tax proposition because it included money for maintenance of roads in the city.

Councilwoman Stark mentioned District 3 did not have light rail but believed residents used it for some purpose so security did protect residents of districts that did not have light rail. She agreed there were some on the Council that represented newer parts of the city so that had to be looked at as part of the formula for paving.

Councilman Waring said he was referring to the 2050 plan that budgeted \$8-9 billion for light rail and \$1 billion for street repair. The complaints he received from people pertained to streets, noting District 2 got about \$6 million a year over 35 years, whereas everywhere light rail was built new streets were constructed. He commented there were problems with the transportation package that passed in 2015 and recalled staff said there was room for improvement but there was no money.

Councilwoman Williams stressed there were very few incidents on the light rail considering the number of people that rode it. She believed the City needed multi-modal opportunities as it meant less traffic on the streets which made them last longer. She wanted to ensure everyone that light rail was safe and encouraged people to take it, noting the growth in

development along the light rail line more than paid for it.

Councilman Valenzuela supported light rail, especially the Northwest Extension on 19th Avenue due to the economic impact, particularly the 7 to 1 return on investment for the City and 4 to 1 nationally. He thought light rail along with ASU downtown were the catalysts that moved downtown Phoenix forward which benefited every district. He indicated 19th Avenue had aging infrastructure that was replaced because of light rail construction which was good for the neighborhood. Light rail was a valuable tool as it connected people to places in their community as well as other parts of the city. He also supported Proposition 104 with only 15 percent going to light rail while the majority of those funds went to street repair. He pointed out his district was densely populated and would not be getting many new streets like North Phoenix and Laveen but he supported it as the tax helped the entire city.

Councilman DiCiccio conveyed this cost the taxpayers \$161 million a mile in capital and \$1 million a year for operational costs. He commented this would create more of a structural deficit for the City that had to be maintained; still, he would be voting yes because this outcome was not the public's fault.

Councilwoman Gallego remarked impact fees were an important part of paying for new roads and thought it was important to keep that in mind. She supported investments in this agenda around the Mayo campus in District 2 because everyone benefited from that partnership. She thought the City needed to have multiple modes of transportation to maintain a vibrant downtown. She agreed light rail was very safe as the numbers showed 99 percent of light rail riders did so safely. There were problems with any mode of transportation, including people doing things on streets which kept first responders busy. She added the number of people who used the 51 which was also expensive to build was comparable to the number of folks that rode the light rail.

Mr. Paniagua interjected ridership on the light rail in Phoenix alone was approximately 14 million per year which was about 1.5 million riders per month. He continued based on numbers provided by the transit enforcement unit there were about 100 arrests which included the light

rail and other transit modes so it was a very safe system.

Councilman Waring asked if less than 2 percent of trips taken per day were on light rail.

Councilwoman Gallego thought the 51 was about the same length as the rail system and had equivalent trips.

City Manager Ed Zuercher responded the 2 percent depended on whether it was the entire county or entire region. It had to be compared in order of magnitude to something that was an equivalent stretch like the 51. He said the percentage had to be put in context of the larger region and area in which it served.

Councilman Waring stressed the 51 had been mentioned like it was equivalent; however, a person could drive their car anywhere versus getting on the light rail and only going as far as Mesa. Moreover, he thought a 2015 statistic showed 53 percent of each light rail trip by an individual was subsidized by a non-riding taxpayer so there was no cost recovery.

Mr. Paniagua confirmed the system did not recover its full cost and said the percentage was likely accurate.

Councilman Waring reiterated the taxpayers in his district were paying for the light rail and probably not riding it because they had to drive to get to it.

Acting Mayor Pastor noted as the fifth largest city there were a lot of growing pains that would continue to happen as it grew. She represented the area of 19th Avenue and Camelback which had many people moving in and out but did not think the light rail brought in issues. The City needed to move everyone in and out in a safe manner whether it was by driving, biking or using transit. She thought the bigger issue was how to move people more effectively and efficiently throughout the city in a safe manner. She was supportive of this item and had seen the impact of the first line on Central which had more growth because businesses were attracted to the light rail which meant more money for the economy.

Councilman Nowakowski conveyed another issue was individuals riding the light rail for free and wondered if staff could look at best practices of other cities. The trust system was not working as people were abusing the light rail and riding for free.

Public Transit Director Maria Hyatt replied Valley Metro and security checked the fares of riders and on average between 6-8 percent of the passengers did not have valid fare which was low based on other systems. Staff would continue to look at ways to reduce that even more and address the perception issues.

Acting Mayor Pastor confirmed Councilwoman Williams seconded the amended motion.

The amended motion was seconded.

Councilman DiCiccio added it took a long time for someone to go from one end to the other on the light rail.

**A motion was made by Acting Mayor Pastor, seconded by Councilwoman Williams, that this item be adopted as amended to include a report regarding the impact of the additional officers on the line over the next year. The motion carried by the following vote:**

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

**No:** 1 - Councilman Waring

### **Discussion**

During his vote, Mayor Stanton stated he had served on this Council for a long time and recalled at various times Councilmembers had tried to create an us versus them dynamic with regard to residents of their district and the rest of the city which never worked. He pointed out Arizona State University in downtown Phoenix was great for the entire city and would not be there if Council had not made an investment in light rail. Hosting events like the Super Bowl which brought in a million people to downtown Phoenix would not have been possible

without the City's investment in light rail. He emphasized \$9 billion in public and private investment along the light rail would not have happened without Council investing in light rail, such as Banner Health which placed their headquarters on the light rail at Central and Thomas. These decisions benefited all citizens across the City so a small investment to make light rail safe would have a big payout for the entire community. He thought light rail was a great investment for the entire city, noting the citizens of Phoenix supported the proposition for it almost two years ago.

**111 Citywide Pavement Maintenance Program for Fiscal Years 2020 and 2021 (Ordinance S-43733)**

This report requests City Council approval of the proposed citywide pavement maintenance program for fiscal years (FY) 2020 and 2021. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

On Aug. 25, 2015, City of Phoenix voters approved the passage of Proposition 104 (T2050), which provides a 0.3 percent increase in the transaction privilege and use tax rate to fund citywide transportation projects, including the construction and maintenance of City streets. Collection of T2050 sales tax began on Jan. 1, 2016. The City also receives Arizona Highway User Revenue (AHUR) funds to support the construction and maintenance of its streets.

The proposed FY 2020 and FY 2021 pavement maintenance programs funded with T2050 and AHUR were developed and prioritized using the Street Transportation Department's existing Pavement Management System (PMS). The arterial and major collector streets pavement maintenance program is funded by T2050, while the minor collector and local streets pavement maintenance program is funded by AHUR revenues. (See Attachment A).

**Financial Impact**

Funding for the citywide pavement maintenance program is available in the Street Transportation Department's Capital Improvement budget using AHUR and T2050 funds.

**Concurrence/Previous Council Action**

On May 25, 2017, the Citizens Transportation Commission unanimously recommended Transportation and Infrastructure Subcommittee and City Council approval of the proposed T2050-funded arterial and major collector streets pavement maintenance program for FY 2020 and FY 2021.

The Transportation and Infrastructure Subcommittee heard this item at the June 13, 2017 meeting and recommended approval by a vote of 4-0.

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

- Yes:**                    8 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton
- No:**                    1 - Councilman Waring

Note: Councilman DiCiccio left the voting body.

#### **114 City of Phoenix Complete Streets Policy (Resolution 21554)**

This report requests City Council approval of the proposed Complete Streets Policy.

##### **Summary**

The Complete Streets initiative supports the City's vision for a more sustainable transportation system that is safe and accessible for everyone. Complete Streets provides infrastructure that encourages active transportation such as walking, bicycling, transportation choices, and increased connectivity.

The proposed Complete Streets Policy is an important step in carrying out the Council-adopted Complete Streets Guiding Principles and will provide context-sensitive design guidance for all projects within the public right-of-way, and all streets accepted by the City. The Complete Streets Advisory Board (CSAB), comprised of community (voting) and city (non-voting) stakeholders interested in active transportation and safe streets, meets each month to help develop elements of the Complete Streets Initiative and advise staff and City Council on issues related to



Complete Streets. The CSAB, with input from staff and other stakeholders including both private development and health representatives, developed and adopted a proposed Complete Streets Policy based on the established Guiding Principles approved by City Council. Collaborative meetings occurred throughout 2016 with focused discussion using a series of existing and planned development examples and their relationship to Complete Streets. At the Feb. 23, 2017 meeting, CSAB, stakeholders and both legal and technical staff worked through modifications to the document after which the CSAB adopted a proposed Complete Streets Policy (Attachment A). The Complete Streets Policy is a document that provides the vision and goals for Complete Streets in Phoenix, roles and responsibilities of the City, and exceptions to the policy. Street Transportation (STR) and Planning and Development (PDD) departments have worked closely on this policy to clearly define roles and responsibilities. PDD will provide guidance for privately funded projects to implement the policy, and STR will lead project implementation.

The Complete Streets Policy was approved unanimously by the City of Phoenix Planning Commission on May 4, 2017. Additionally, direction was given by the Planning Commission to continue working with the private development community in the next phases of the process. The next phases of the process include modifications to the existing Street Transportation Design Guidelines to include Complete Streets guidance and the creation of a set of performance measures to assist in measuring the success of Complete Streets implementation, which will also be brought to the CSAB for adoption. Finally, the CSAB, staff and stakeholders will provide input on potential revisions to the City Code and processes to advance the Complete Streets effort for both public and private projects.

Complete Streets works in concert with other City initiatives including, but not limited to: Transportation 2050 Program, Comprehensive Bicycle Master Plan, Downtown Phoenix Comprehensive Transportation Plan, General Plan, Choice Neighborhoods Grant, Reinvent PHX and other transit-oriented development planning activities.

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

The Complete Streets ordinances adopted by City Council in July 2014 established Guiding Principles and the Complete Streets Advisory Board. The CSAB and the Planning Commission approved the proposed Complete Streets Policy on Feb. 23, 2017, and May 4, 2017, respectively.

The Transportation and Infrastructure Subcommittee heard this item at the June 13, 2017 meeting and recommended approval by a vote of 4-0.

### **Public Outreach**

Collaboration occurred throughout 2016 at the CSAB monthly meetings using input from staff, CSAB members and various stakeholders to develop the proposed Complete Streets Policy.

### **Discussion**

Acting Mayor Pastor stated speaker comment cards were submitted in favor by the following individuals who did not wish to speak:

Silvia Urrutia

Connor Descheemaker

CJ Hager - Vitalyst Health Foundation

Nicole Olmstead - American Heart and Stroke Association

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

**Yes:** 7 - Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

**No:** 1 - Councilman Waring

**Absent:** 1 - Councilman DiCiccio

### **124 Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-58-A-16-3 - Southeast Corner of 32nd Street and Cheryl Drive (Ordinance G-6334)**

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-58-A-16-3

Current Zoning: PUD

Proposed Zoning: PUD (Major Amendment)

Acreage: 2.40

Proposal: Major amendment to the Life Storage 32nd Street PUD to increase the lot coverage from 45 percent to 54 percent to maintain the same building footprint.

Owner: 32nd Street Self Storage LLC

Applicant/Representative: Jason Morris/Withey Morris, PLC

Staff Recommendation: Approval, subject to a stipulation.

VPC Action: Paradise Valley Village Planning Committee chose not to review this request.

PC Action: Approval, per the stipulation in the staff report by a vote of 7-0.

**Location**

Southeast corner of 32nd Street and Cheryl Drive

Council District: 3

**Discussion**

Acting Mayor Pastor declared the public hearing open. Noting there was no one present wishing to speak, she declared the public hearing closed.

**The hearing was held. A motion was made by Councilwoman Stark, seconded by Councilwoman Williams, to approve this item per Planning Commission's recommendation and to adopt the related ordinance. The motion carried by the following vote:**

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

**Absent:** 1 - Councilman DiCiccio

**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, Acting Mayor Pastor declared the meeting adjourned at 4:08 p.m.

\_\_\_\_\_  
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 28th day of June, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 20th day of September, 2017.

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CITY CLERK