



# 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, April 5, 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, April 5, 2017, at 2:37 p.m. in the Council Chambers.

**Present:** 8 - Councilman Sal DiCiccio, Councilman Michael Nowakowski, Councilwoman Debra Stark, Councilman Jim Waring, Councilwoman Thelda Williams, Councilwoman Kate Gallego, Mayor Greg Stanton and Vice Mayor Laura Pastor

**Absent:** 1 - Councilman Daniel Valenzuela

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

#### **CITIZEN COMMENTS**

Leonard Clark thanked veterans and civil rights leaders for their service, expressed concerns over civil rights in today's society and requested an independent inquiry for Delores Imboden's case.

Dianne Barker expressed support for the City's efforts during the hosting of the NCAA Final Four tournament.

Greta Rogers asked that the Mayor and Council request a full report on the Phoenix Sheraton since the time the City took ownership.

James Deibler expressed a desire for ASU's Autism club to relocate from their Tempe campus to their downtown Phoenix campus.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6296 through G-6306, S-43314, and S-43356 through S-43396, and Resolutions 21522 through 21526 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.

## **BOARDS AND COMMISSIONS**

### **1 Mayor's Appointments to Boards and Commissions**

#### **Summary**

This item transmits the Mayor's recommendations for appointments and reappointments to various city boards and commissions.

The following individuals were recommended for appointment by Mayor Stanton:

#### Heritage Commission

Richard de Uriarte would serve his second term which would expire Dec. 14, 2019.

Derek Horn would serve his second term which would expire Dec. 14, 2019.

Dan Klocke would serve his second term which would expire Dec. 14, 2019.

Sherry Rampy would serve her second term which would expire on Dec. 14, 2019.

Bill Scheel would serve his second term which would expire on Jan. 25, 2020.

#### Judicial Selection Advisory Board

Allister Adel was the executive director for the Maricopa County Bar Association and a resident of District 7. She represented the Maricopa County Bar Association on the Board and would serve a term which would expire on Nov. 19, 2019.

David Cunanan was reappointed by the Maricopa County Superior Court

Presiding Judge Janet Barton and would serve his first full term which would expire on Nov. 19, 2019.

*Mayor Stanton and Vice Mayor Laura Pastor recommend the following individual for appointment:*

Carlos Rascon was the data science analyst for Education, Leadership & Analytics. He was a resident of District 4 and would serve his first term which would expire on Nov. 19, 2019.

#### Library Advisory Board

Kathleen Ingley was a retired journalist and a resident of District 3. She filled a vacancy on the Board would serve a full term which would expire on April 5, 2020.

Brenda Thomson was the executive director for Arizona Humanities Council and a resident of District 7. She filled a vacancy on the Board and would serve a full term which would expire on April 5, 2020.

#### Parks and Preserve Initiative Oversight Committee

Sarah Porter was the director for the Kyl Center for Water Policy at Morrison Institute at Arizona State University and would represent the Parks and Recreation Board. She replaced Roger Peck and would serve her first term which would expire on May 31, 2020.

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

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

**Absent:** 1 - Councilman Valenzuela

## **2 City Council Appointments to Boards and Commissions**

### **Summary**

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

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

Alhambra Village Planning Committee

Councilwoman Deb Stark recommends the following individual for appointment:

Joel McCabe was the chief operating officer for Trellis and a resident of District 3. He filled a vacancy on the committee and would serve a term which would expire Nov. 19, 2019.

Desert View Village Planning Committee

Councilman Jim Waring recommends the following individual for appointment:

Ryan Schaefer was an architect for Schaefer & Schaefer and a resident of District 2. He filled a vacancy on the committee and would serve his first term which would expire on Nov. 19, 2018.

North Gateway Village Planning Committee

Councilman Jim Waring recommends the following individual for appointment:

Daniel Tome was the manager for Dignity Health and a resident of District 2. He filled a vacancy on the committee and would serve his first term which would expire on Nov. 19, 2019.

Laveen Village Planning Committee

Councilwoman Kate Gallego recommends the following individual for appointment:

Cymone Ragland was a resident of District 8 and filled a vacancy on the committee. She would serve her first term which would expire on Nov. 19, 2019.

Paradise Valley Village Planning Committee

Councilwoman Deb Stark recommends the following individual for appointment:

Jay Cantor was a data analyst for VIMO Inc. and a resident of District 3. He filled a vacancy on the Committee and would serve a partial term which would expire on Nov. 19, 2018.

South Mountain Village Planning Committee

Councilwoman Kate Gallego recommends the following individuals for appointment:

David Castello was an urban designer and architect for Coaction Group. He was a resident of District 8 and would fill a vacancy on the committee. He would serve his first term which would expire on Nov. 19, 2019.

Shelly Smith was a pastor at Full Gospel Deliverance Tabernacle and a resident of District 8. He filled a vacancy on the committee and would serve his first term which would expire on Nov. 19, 2019.

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

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

**Absent:** 1 - Councilman Valenzuela

Mayor Stanton administered the oath of office to the following Boards and Commissions appointees:

Richard de Uriarte  
Sherry Rampy  
Carlos Rascon  
Joel McCabe  
Shelly Smith  
Ryan Schaefer  
Cymone Ragland  
Jay Cantor

The above individuals were invited to approach the dais so Council could extend their appreciation.

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

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

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

Sandra Abundez - Item 5

Edel Alcaraz - Item 7

Pamela Roll, Tercero - Item 13

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that items 3 through 16 be recommended for approval. The motion carried by voice vote:**

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

**Absent:** 1 - Councilman Valenzuela

### **3 Liquor License - Dilandri Family Foods**

Request for a liquor license. Arizona State License 10076848.

#### **Summary**

##### Applicant

Andrea Lewkowitz, Agent

##### License Type

Series 10 - Beer and Wine Store

##### Location

880 E. Lone Cactus Drive

Zoning Classification: A-1

Council District: 2

This request is for a new liquor license for a convenience store that does

not sell gas. This location was not previously licensed for liquor sales and does not have an interim permit.

The sixty-day limit for processing this application is April 11, 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:

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

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

“Applicant offers a wide-variety of healthy, organic and locally sourced menu items including salads, sandwiches, wraps, and more. Applicant would like to offer alcoholic beverages as an incident to prepared meals.”

#### Staff Recommendation

Staff recommends approval of this application.

#### Attachments

Liquor License Data - Dilandri Family Foods

Liquor License Map - Dilandri Family Foods

**This item was recommended for approval.**

**4 Liquor License - Pointe Hilton Tapatio Cliffs**

Request for a liquor license. Arizona State License 06070409.

**Summary**

Applicant

Andrea Lewkowitz, Agent

License Type

Series 6 - Bar

Location

11111 N. 7th St.

Zoning Classification: RH-PCD

Council District: 3

This request is for an ownership transfer of a liquor license for a hotel. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The sixty-day limit for processing this application is April 11, 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 standards for alcohol sales and service. Managers and staff will be trained in Arizona liquor law and the techniques of responsible sales and service to guests 21 and over.”

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**5 Liquor License - Garibaldi Mexican Grill**

Request for a liquor license. Arizona State License 1207A909.

**Summary**

Applicant

Jose Gonzalez, Agent

License Type

Series 12 - Restaurant

Location

3328 W. Van Buren St.

Zoning Classification: C-2

Council District: 4

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales as El Rey Del Marisco and may currently operate with an interim permit. This location requires a Use Permit to allow live entertainment and patron dancing.

The sixty-day limit for processing this application is April 11, 2017.

Consideration should be given to the applicant's personal qualifications. In regard to the location, pursuant to A.R.S. 4-203, there is a presumption that the public convenience and the best interest of the community were

established at the time the location was previously licensed.

#### Other Active Liquor License Interest in Arizona

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

#### Public Opinion

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

#### Applicant's Statement

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

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

"I'm a U.S citizen residing in the state of Arizona. I'm a reliable individual with no prior felony convictions. I have experience in the food restaurant business & have taken the basic course to serve liquor in restaurant."

#### 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.**

### **6 Liquor License - Special Event - Childrens Hope and Love Foundation**

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

#### **Summary**

#### Applicant

Rigoberto Ledezma

#### Location

4240 W. Camelback Road

Council District: 5

Function

Concert/Dance

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

April 14, 2017 - 8 p.m. to 2 a.m. / 800 attendees

April 15, 2017 - 8 p.m. to 2 a.m. / 800 attendees

April 16, 2017 - 8 p.m. to 2 a.m. / 800 attendees

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**7 (CONTINUED FROM MARCH 22, 2017) - Liquor License - Carniceria Los Reyes #2**

Request for a liquor license. Arizona State License 10076845.

**Summary**

Applicant

Edel Alcaraz, Agent

License Type

Series 10 - Beer and Wine Store

Location

2647 W. Glendale Ave., Ste. 8

Zoning Classification: C-2

Council District: 5

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

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

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

#### Other Active Liquor License Interest in Arizona

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

Carniceria Los Reyes (Series 10)

1603 N. 16th St., Phoenix

Calls for police service: 9

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

#### Public Opinion

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

#### Applicant's Statement

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Of the control of whom to sell to as to deter from the area and the community any transients bad crowds, also by controlling what type of alcoholic beverages to sell to keep those customers away.”

#### Staff Recommendation

Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances. Staff gave careful consideration to the protest letters received, however after reviewing the application in its entirety staff is recommending approval of this application.

#### Attachments

Liquor License Data - Carniceria Los Reyes #2

Liquor License Map - Carniceria Los Reyes #2

**This item was recommended for approval.**

### **8 Liquor License - Arizona Biltmore Resort & Spa**

Request for a liquor license. Arizona State License 06070556.

#### **Summary**

#### Applicant

Andrea Lewkowitz, Agent

#### License Type

Series 6 - Bar

#### Location

2400 E. Missouri Ave.

Zoning Classification: PUD

Council District: 6

This request is for an ownership transfer of a liquor license for a hotel. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The sixty-day limit for processing this application is April 11, 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 standards for alcohol sales and service. Managers and staff will be trained in Arizona liquor law and the techniques of responsible sales and service to guests 21 and over."

#### Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

### **9 Liquor License - Best Western Phoenix Biltmore**

Request for a liquor license. Arizona State License 07070284.

#### **Summary**

##### Applicant

Andrea Lewkowitz, Agent

##### License Type

## Series 7 - Beer and Wine Bar

### Location

1615 E. Northern Ave.

Zoning Classification: R-4

Council District: 6

This request is for an ownership transfer of a liquor license for a hotel. This location was previously licensed for liquor sales as Best Western Inn Suites Hotel & Suites and may currently operate with an interim permit.

The sixty-day limit for processing this application is April 16, 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 standards for retail sales of alcohol. Managers and staff will be trained in Arizona liquor law and the techniques of responsible sales and service to guests 21 and over.”

### Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**10 Liquor License - Giant Rustic Pizza**

Request for a liquor license. Arizona State License 1207A912.

**Summary**

Applicant

John Wunder, Agent

License Type

Series 12 - Restaurant

Location

3945 E. Camelback Road

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.

The sixty-day limit for processing this application is April 16, 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.

Ocho Locos Mexican Restaurant & Cantina (Series 12)

3655 W. Anthem Way, #D105, Anthem

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

Liquor license violations: In June 2014, a fine of \$200 was paid for failure



to file a manager's agreement form.

### Public Opinion

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

### Applicant's Statement

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

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

"I currently hold a liquor license at a restaurant in Maricopa County. I am trained in liquor management and I have operated that license for more than 7 years without incident."

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

"We are planning on serving beer with our pizza. We have had many many requests from our customers for beer. Also, many similar establishments currently sell beer putting us at a competitive disadvantage. Competition serves the public interest."

### Staff Recommendation

Staff recommends approval of this application.

### Attachments

Liquor License Data - Giant Rustic Pizza

Liquor License Map - Giant Rustic Pizza

**This item was recommended for approval.**

## **11 Liquor License - Pointe Hilton Squaw Peak Resort**

Request for a liquor license. Arizona State License 06070410.

### **Summary**

#### Applicant

Andrea Lewkowitz, Agent

License Type

Series 6 - Bar

Location

7677 N. 16th St.

Zoning Classification: C-2 PCD

Council District: 6

This request is for an ownership transfer of a liquor license for a hotel. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The sixty-day limit for processing this application is April 11, 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 standards for alcohol sales and service. Managers and staff will be trained in Arizona liquor law and the techniques of responsible sales and service to guests 21 and over.”

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**12 Liquor License - Taste of Thai**

Request for a liquor license. Arizona State License 1207A911.

**Summary**Applicant

Artichar Uppamai, Agent

License Type

Series 12 - Restaurant

Location

4855 E. Warner Road, Ste. 16

Zoning Classification: C-1

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 alcohol sales as an accessory to a restaurant.

The sixty-day limit for processing this application is April 15, 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 Artichar have the capability to hold a liquor license due to owing a restaurant whereby we will serve alcoholic beverages upon request with food orders. I am reliable enough to own a successful restaurant in a good financial standing and understand the laws and regulations associated with having a liquor license after taking basic and management training classes.”

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

“The sole purpose of the liquor license for the Taste of Thai restaurant is to serve alcoholic beverages to 21 year or older adults who are being served food on premise. obtaining the liquor license adds the public convenience of being able to order and imbibe alcoholic beverages with their on premise meal.”

#### 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 - Taste of Thai

Liquor License Map - Taste of Thai

**This item was recommended for approval.**

### **13 Liquor License - Carniceria Agave**

Request for a liquor license. Arizona State License 10076847.

#### **Summary**

#### Applicant

Pamela Roll-Tercero, Agent

License Type

Series 10 - Beer and Wine Store

Location

3525 W. Southern Ave., Ste. 144

Zoning Classification: C-2

Council District: 7

This request is for a new liquor license for a specialty market. 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 April 10, 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:

“Three of the four LLC members are mature adults with a lengthy professional work experiences. Miguel Ival, Member and Operations Manager, has extensive grocery retail sales experience including liquor sales, in his current position as General Manager of Carniceria La Piedad, Phoenix, Arizona, and previous management positions with COSTCO and Albertsons in Phoenix, Arizona. We are all honest,

dependable, responsible and law abiding.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “The concept of this store is one of a mini market convenience store. The best interest of the community will be served by being able to provide an array of meats and supermarket food products, including beer and wine, in a one stop convenient location.”

#### Staff Recommendation

Staff recommends approval of this application.

#### Attachments

Liquor License Data - Carniceria Agave

Liquor License Map - Carniceria Agave

**This item was recommended for approval.**

### **14 Liquor License - Filibertos Mexican Food**

Request for a liquor license. Arizona State License 1207A904.

#### **Summary**

#### Applicant

Arturo Rubio Cervantes, Agent

#### License Type

Series 12 - Restaurant

#### Location

1075 N. 51st Ave., Ste. 109

Zoning Classification: C-2

Council District: 7

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

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

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

#### Other Active Liquor License Interest in Arizona

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

#### Public Opinion

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

#### Applicant's Statement

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

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

"I will attend all the required training classes and provide proper training to all employees to ensure that liquor laws all followed. I currently own and operate 2 restaurants in Phoenix which are family oriented and have never had any type of problems."

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 provide a family oriented restaurant where families can enjoy a peaceful dining experience."

#### Staff Recommendation

Staff recommends approval of this application.

#### Attachments

Liquor License Data - Filibertos Mexican Food

Liquor License Map - Filibertos Mexican Food

**This item was recommended for approval.**

### **15 Liquor License - La Flor De Calabaza**

Request for a liquor license. Arizona State License 1207A905.

## Summary

### Applicant

Theresa Morse, Agent

### License Type

Series 12 - Restaurant

### Location

705 N. 1st St., Ste. 110

Zoning Classification: DTC-West Evans Churchill

Council District: 7

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

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

Consideration should be given to the applicant's personal qualifications. In regard to the location, pursuant to A.R.S. 4-203, there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed.

### Other Active Liquor License Interest in Arizona

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

### Public Opinion

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

### Applicant's Statement

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



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

“I have been working in the restaurant industry for several years and I am familiar with liquor laws. I will be attending both Basic and Management liquor law again and will require my staff to attend to be familiar with valid identification and quantities of alcohol that may be served. The liquor license is to complement the food service.”

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**16 Liquor License - Embassy Suites Hotel**

Request for a liquor license. Arizona State License 06070072.

**Summary**

Applicant

Andrea Lewkowitz, Agent

License Type

Series 6 - Bar

Location

2333 E. Thomas Road

Zoning Classification: C-2

Council District: 8

This request is for an ownership transfer of a liquor license for a hotel. This location was previously licensed for liquor sales as Embassy Suites Phoenix and may currently operate with an interim permit.

The sixty-day limit for processing this application is April 11, 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 standards for alcohol sales and service. Managers and staff will be trained in Arizona liquor law and the techniques of responsible sales and service to guests 21 and over.”

Staff Recommendation

Staff recommends approval of this application.

**This item was recommended for approval.**

**17 (CONTINUED FROM MARCH 1 AND 22, 2017) - Liquor License - El Rancho Bar**

Request for a liquor license. Arizona State License 07070842.

**Summary**Applicant

Nancy Vazquez, Agent

License Type

Series 7 - Beer and Wine Bar

Location

1605 W. Broadway Road

Zoning Classification: C-3  
Council District: 7

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

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

Consideration should be given to the applicant's personal qualifications. In regard to the location, pursuant to A.R.S. 4-203, there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed.

#### Other Active Liquor License Interest in Arizona

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

#### Public Opinion

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

#### Applicant's Statement

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

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

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

#### Staff Recommendation

Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on concerns with the applicant's qualifications, false statements on the application, and possible hidden ownership. The applicant has not demonstrated capability, qualifications and reliability to

hold and control a liquor license.

Attachment:

Police Department Recommendation - El Rancho Bar

**Discussion**

Management Assistant II Denise Archibald introduced the item, explained that staff recommended the item for disapproval based upon Police Department recommendation.

Police Officer Jared Smart stated that the applicant, Nancy Vazquez, was not qualified based upon lack of experience, discrepancies found on the application, and concerns over hidden ownership. Officer Smart also stated the applicant confided that her husband managed the bar but was not listed on the application and that the applicant previously said she had attended liquor law training but during an interview admitted she had not attended the training. Officer Smart then stated the applicant's log book appeared as if they were selling beer on credit and that the applicant could not remember the name of an employee in the bar. Officer Smart also stated the applicant could not explain large deposits in their bank account. Finally, he noted a burglary report for the location two months prior that listed David Vazquez as owner of the establishment which prompted further investigation through social media where Mr. Vazquez was listed as the owner and Mrs. Vazquez was listed as the promoter.

The applicant, Nancy Vazquez, stated that she was not well prepared when detectives showed up and that the officer who was making the statement was not the officer questioning her and noted she felt intimidated at the time. She then stated she had receipts from distributors and a certificate showing that she attended liquor training. She also noted her husband was not an owner of the bar, as he was not a citizen. She then stated that she told the officer during the investigation that she sold items on eBay and that was where the large deposits in her bank account came from.

Councilman Nowakowski stated that his office had been trying to get in contact with her for weeks but her voicemail was full and then asked if the item could be postponed.

Ms. Archibald stated the item had been continued twice and that by continuing the item it could potentially be outside of the state's 105-day deadline, if it were continued again.

Councilman Nowakowski asked if the next meeting was outside of the state's deadline.

Ms. Archibald verified that the Formal Council meeting on April 19 would be within the 105-day deadline.

Mayor Stanton stated to the applicant, there was a large burden to overcome, based upon Police Department testimony.

**A motion was made by Councilman Nowakowski, seconded by Vice Mayor Pastor, that this item be continued to the April 19, 2017 City Council Formal Meeting. The motion carried by voice vote:**

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

**Absent:** 1 - Councilman Valenzuela

Note: Councilman Waring left the voting body.

### **ORDINANCES, RESOLUTIONS AND NEW BUSINESS**

Items 18 through 30, Ordinance S-43356, were requests to authorize the City Controller to disburse funds, up to the amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

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

Note: Speaker comment cards were submitted in favor of the following items,

with no one wishing to speak:

Tammy Galey - Item 47

Erin Hulverson - Item 47

Teri Jacobs - Item 47

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that items 18 through 97 be approved or adopted, except items 54, 69, 70, 81, 95, & 96; continuing item 83 to April 19, 2017 & item 97 to May 10, 2017; and noting that item 76 is withdrawn and item 52 is as corrected. The motion carried by the following vote:**

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

**Absent:** 1 - Councilman Valenzuela

**18 Combat Cartridge, Inc.**

For \$21,000.00 in additional payment authority for Contract 142408, for firearm maintenance and cleaning supplies, for the Police Department.

**This item was adopted.**

**19 FX Tactical, LLC**

For \$19,350.00 in payment authority to purchase Paraclete ASPIS-X III Police Ballistic Shields for the Airport Bureau of the Police Department. The ballistic shields provide a high level of protection for police officers in high-risk situations, such as search warrants, arrests of subjects with high violence potential, and resolution of barricaded subjects.

**This item was adopted.**

**20 David S. Woods, doing business as Fire Station Outfitters, LLC**

For \$36,450.00 in payment authority for a new contract entered on or about April 15, 2017 for a term of three years for the Fire Department. This contract is for station seating that will be used to provide temporary sleeping arrangements for move-up crews during high call volume periods and will also provide general seating for the public and visiting local, county, state and social service agency employees.

**This item was adopted.**

**21 Jones | Raczkowski PC in Trust for Diane Mihalsky**

To make payment of \$50,000.00 for settlement of claim in *Mihalsky v. City of Phoenix*, Maricopa County Superior Court Cause CV2016-003954, 15-0300-001 GL BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

**This item was adopted.**

**22 The Doyle Firm, PC, in Trust for Nancy K. O'Leary**

To make payment of \$79,500.00 in settlement of claim in *O'Leary v. City of Phoenix*, Maricopa County Superior Court Case CV2014-011891, 13-0697-001 GL BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

**This item was adopted.**

**23 Life Technologies Corporation**

For \$49,000.00 in payment authority to purchase five Proflex 96-well Polymerase Chain Reaction (PCR) systems with an extended warranty/service agreement and a Veriflex Temperature Verification Kit, for the Phoenix Police Department's Crime Laboratory. These specialized PCR systems enable the crime lab to make millions of copies of short fragments of DNA that have been obtained from crime scenes and other known reference standards in order to make links from an item of evidence from a crime scene to a known DNA profile from an individual. The current instruments used for this process are being discontinued by the vendor and must be replaced in order to continue support and maintenance. The Veriflex unit is required to perform federally mandated calibration on these PCR Systems. Life Technologies is the exclusive provider and distributor of the Proflex 96-well PCR systems and Veriflex Temperature Verification units.

**This item was adopted.**

**24 Warnock MacKinlay Law, PLLC, in trust for Teresa Hernandez as Conservator for Valeria Esqueda**

To make payment of \$29,753.58 in settlement of claim in *Esqueda v. City of Phoenix*, Maricopa County Superior Court Case CV2016-003341, 14-0941-002 GL BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

**This item was adopted.**

**25 MetLife Tower Resources Group, Inc., doing business as MetLife**

To make payment of \$70,246.42 in settlement of claim in *Esqueda v. City of Phoenix*, Maricopa County Superior Court Case CV2016-003341, 14-0941-002 GL BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

**This item was adopted.**

**26 West Publishing Corporation, doing business as Thomson Reuters**

For \$29,000.00 in payment authority to purchase CLEAR licensing software for the Neighborhood Services Department. The online investigation software provides electronic legal services and fraud investigation records search with skip tracing capabilities of public records in a customizable environment. The software licenses will provide the most current investigative information on subjects with the analytical capability to quickly locate property owners that are deceased and/or difficult to locate and provide next-of-kin, forwarding addresses, associates, employers, etc.

**This item was adopted.**

**27 Qwest Corporation, doing business as CenturyLink QC**

For \$14,400.00 in payment authority to purchase engineering and construction services for the Information Technology Services Department. The services are needed to relocate and reroute existing cable for the City's Bus Depot located at 2201 W. Lower Buckeye Road. The current cable is susceptible to damage. The new pathway will provide a more protected and documented route to the main server room.

**This item was adopted.**

**28 PC Links, LLC**

For \$13,274.46 in payment authority to purchase microphones and battery packs for the Public Transit Department. The additional microphones will be used to support the Department's hosting of the monthly Citizens Transportation Commission monthly meetings and regional transit training classes.



**This item was adopted.**

**29 Phoenix Tire, Inc.**

For \$26,000.00 in payment authority to purchase special service tires for the Public Works Department on behalf of the Fire Department. The tires are for specialty Fire disaster vehicles housed at Sky Harbor. The tires are all-terrain, all-position radial for special service in off-road applications and meet the unique specification and applications required of fire safety equipment.

**This item was adopted.**

**30 Southern Counties Oil, Co., a California Limited Partnership, doing business as SC Fuels**

For \$15,000.00 in payment authority to purchase 16 barrels of Shell Turbo T 32 oil for the Water Services Department. The Water Services Department's 91st Avenue Wastewater Treatment Plant has four Unified Blowers that require an oil change every five years. All four Unified Blowers are in need of an oil change and use the same type of Shell Turbo T 32 oil.

**This item was adopted.**

**31 (CONTINUED FROM MARCH 22, 2017) - Barricade Stock - Requirements Contract Recommendation - IFB 17-106 (Ordinance S-43314)**

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

**Summary**

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

**Procurement Information**

IFB 17-106 was conducted in accordance with Administrative Regulation

3.10. There were three offers received by the Procurement Division on Feb. 3, 2017.

Roadsafe Traffic Systems: \$17,797.00

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

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

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

#### **Contract Term**

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

#### **Financial Impact**

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

**This item was adopted.**

### **32 Dedication of Roadway and Drainage Easements over City-Owned Land at 22841 N. Cave Creek Road (Ordinance S-43357)**

Request that the City Council dedicate to public use easements for roadway and drainage purposes over a portion of land owned by the City of Phoenix, and order that the ordinance be recorded.

#### **Summary**

The dedication is a requirement of City Contract 144549 for the construction of roadway improvements along Deer Valley Road from Cave Creek Road to Black Mountain Boulevard. The proposed roadway improvements will have no impact on the existing Water Services infrastructure improvements.

#### **Location**

22841 N. Cave Creek Road

**This item was adopted.**

**33 Liquefied Petroleum Gas (LPG) - Requirements Contract - IFB 17-133 (Ordinance S-43358)**

This item requests to authorize the City Manager, or his designee, to enter into contracts with Amerigas Propane LP, dba Acorn Propane and Ferrellgas LP, for the purchase of Liquefied Petroleum Gas (LPG). Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

This service will allow for the bulk delivery, propane cylinder delivery, and will-call fill of LPG on a citywide basis. The LPG is essential to fuel several varieties of machinery and equipment used by City departments for daily operations. The departments that rely on this contract include Public Works, Street Transportation, Water Services, Parks and Recreation, Phoenix Convention Center, Fire and Aviation.

**Procurement Information**

IFB 17-133 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on Dec. 23, 2016. This contract is a multiple award to ensure departments get the most advantageous pricing for propane depending on their location and delivery method. Following is a bid tabulation of the offers received.

**Margin Price Per Gallon**

**Vendor**

	<b>Bulk</b>	<b>Cylinder</b>	<b>Will Call</b>	
Amerigas Propane LP, dba Acorn Propane			\$0.59	\$1.00
\$1.00				
Ferrellgas LP	\$0.75	\$0.85	\$0.75	

It is recommended by the Deputy Finance Director that Amerigas Propane LP, dba Acorn Propane and Ferrellgas LP, be accepted as the lowest responsible, responsive bidder. They have been determined to be fair and reasonable based on the competitive solicitation, market analysis, and comparisons with previous and other similar contracts.

**Contract Term**

The contract shall be for a five-year term beginning on or about April 15, 2017.

**Financial Impact**

The aggregate amount for the five-year term will be \$375,000.00. This is based on historical spending, projected average propane prices and estimated quantities needed. Funds are available in the various departments' budgets.

**Location**

This contract will be used on a citywide basis.

**This item was adopted.**

**34 Tires, Tubes and Services Requirements Contract - State of Arizona ADSPO12-021289 (Ordinance S-43359)**

Request to authorize the City Manager, or his designee, to adopt State of Arizona Contract ADSPO12-021289 with Community Tire Pros, GCR Tire Center, Phoenix Tire and Redburn Tire to purchase Bridgestone tires, tubes and related services in an aggregate amount not to exceed \$3,200,000.00. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Fleet Services Division of the Public Works Department operates and maintains a diverse fleet of equipment and vehicles, and tires are needed for light/medium duty vehicles, heavy duty equipment and emergency vehicles to ensure the ability to perform essential City services. These services include, but are not limited to, responding to public safety calls (Police and Fire), refuse collection, and street repairs and maintenance.

**Procurement Information**

In accordance with Arizona Revised Statutes Section 41-2632, the City has entered into an Intergovernmental Agreement with the State of Arizona and has the ability to use its agreements when it is beneficial for the City to do so. The State of Arizona contract was awarded using a similar competitive process as set forth in Phoenix City Code 43. This request seeks authorization to make purchases under the State's contract throughout the contract's term.

**Contract Term**

The State of Arizona awarded this contract on April 6, 2012, and its term will end on March 31, 2018, with a one-year option to extend through March 31, 2019.

**Financial Impact**

Expenditures against this contract are estimated at \$1,600,000 annually, and shall not exceed \$3,200,000 over the life of the contract. Funds are available in the relevant City of Phoenix departments' budgets.

**This item was adopted.**

**35 Custodial Services for Downtown Facilities - RFP 12-009A  
(Ordinance S-43360)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 134113 with Varsity Contractors, Inc. (Vendor 3058196) for purchase of custodial services for the Public Works Department. The additional requested funds will not exceed \$175,000 over the remaining contract term which expires on Sep. 30, 2017. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The additional funds are necessary as a result of the passage of Proposition 206, which raised the minimum wage in Arizona. The Public Works Department uses this contract to provide custodial services for downtown facilities.

**Financial Impact**

Upon approval of \$175,000 in additional funds, the revised aggregate value of the contract will not exceed \$4,425,000. Funds are available in the Public Works Department's budget.

**This item was adopted.**

**36 Fire Apparatus Preventive Maintenance and Repair -  
Requirements Contract - IFB 14-029A (Ordinance S-43361)**

Request the City Manager, or his designee, to add additional payment authority for Contract 137409 with H & E Equipment Services, Inc., in an

amount of \$580,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The contract with H & E Equipment Services, Inc., covers preventive maintenance of the City's fire apparatus, which includes pumper trucks, ladder trucks, ambulances, hazardous materials vans, and heavy duty rescue trucks. It is imperative that the fire apparatus is maintained to meet National Fire Protection Association Standard (NFPA) 1071, Standard for Emergency Vehicle Technician Professional Qualifications, and also NFPA 1911, Standard for the Inspection, Maintenance, Testing, and Retirement of In-Service Automotive Fire Apparatus.

**Contract Term**

The current contract term is through Dec. 4, 2018.

**Financial Impact**

The additional expenditures will be \$580,000, bringing the total contract amount to \$1,230,000. Funds are available in the Public Works Department's budget.

**This item was adopted.**

**37 Ammunition and Munitions - Statewide Cooperative Contract  
ADSPO14-067866 (Ordinance S-43362)**

Request to authorize the City Manager, or his designee, to allow the use of the State of Arizona Cooperative Contract #ADSPO14-067866 and enter into an agreement with Diamondback Police Supply. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Police Department Training Bureau, Firearms Training Detail, utilizes the CTS 12 Gauge Super-Sock ammunition in standard stunbag shotguns as a less lethal weapon for training, during high-risk encounters on the street, and in training to re-certify personnel.

**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 government pricing and volume discounts. The State of Arizona contract covers ammunition and munitions statewide. The State of Arizona's contract was awarded on April 1, 2014 and will end on March 31, 2019. The local vendor is Diamondback Police Supply.

**Contract Term**

The contract term shall begin on or about April 5, 2017 and end on March 31, 2019.

**Financial Impact**

The aggregate contract value will not exceed \$291,000. Funds are available in the Police Department's budget.

**This item was adopted.**

**38 Aircraft Parts and Services-Requirements Contract IFB 12-084A (Ordinance S-43363)**

Request the City Manager, or his designee, to authorize additional expenditures for Contract 133878 with Airbus Helicopters, Inc.; Contract 133875 with AgustaWestland; Contract 133876 with Hi-Line Electric Co; and Contract 133874 with Able Engineering and Component Services, Inc. for the purchase of Aircraft Parts and Services for the Phoenix Police Department, Air Support Unit, originally awarded by City Council approval on May 30, 2012. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The additional funds are necessary for the service and maintenance of the Police Department, Air Support Unit's helicopters. The helicopters are critical to the Police Department in order to support patrol officers, provide crime suppression, and mountain rescue services. The Federal Aviation Administration (FAA) mandates routine maintenance and overhauls be performed to ensure the safe operation of the aircraft.

**Contract Term**

The contract term shall begin June 1, 2017 and end on May 31, 2018.

**Financial Impact**

The additional expenditures of \$1,465,000 are being requested upon Council approval through the contract term of May 31, 2018. Funds are available in the Police Department's budget.

**This item was adopted.**

**39 Motorola Regional Wireless Cooperative Service Agreement - RFA 16-130A (Ordinance S-43364)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 142345 with Motorola Solutions, Inc., for the purchase of additional dispatch console support services.

The additional requested funds will not exceed \$456,500 over the remaining contract term. Further request authorization for the City Controller to disburse all funds related to this item.

The additional funds are necessary to cover factory support required for dispatch consoles which support the Aviation, Police and Fire departments. The consoles are manufactured by Motorola and third-party vendors cannot provide these services, which include firmware/software and patching updates for the consoles, which provide mission-critical communications to field officers and personnel. Failure to maintain the consoles will cause equipment outages which will significantly impact public safety.

**Financial Impact**

Upon approval of \$456,500 in additional funds, the revised aggregate value of the contract will not exceed \$10,428,590 for the remainder of the contract term through March 31, 2021. Funds are available in the Information Technology Services Department budget.

**This item was adopted.**

**40 Participating Agreement under City of Tempe Cooperative - Minor Concrete Repairs (Ordinance S-43365)**

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with TNT Cement Contractors (Vendor 3511440) for minor concrete repair services, for up to two years, in an amount not to exceed \$75,000. Contract T-16-012-01 was established by the City of Tempe. Further request authorization for the City Controller to disburse all funds related to this item over the life of the



contract.

### **Summary**

This contract will provide the Parks and Recreation Department with general concrete repairs, skate park repairs and miscellaneous services in various Parks facilities throughout the City. This will allow for more timely repairs to ensure the department is providing safe surfaces, walkways and equipment to the public.

### **Procurement Information**

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

The Deputy Finance Director recommends that the cooperative participating agreement with TNT Cement Contractors be accepted.

### **Contract Term**

The contract term will begin on or about April 5, 2017 for a term of two years, and includes three one-year options to extend, which may be exercised by the City Manager or designee.

### **Financial Impact**

The aggregate contract value will not exceed \$75,000, with an estimated annual expenditure of \$15,000. Funds are available in the Parks and Recreation Department's budget.

**This item was adopted.**

## **41 Acceptance and Dedication of Deeds and Easements for Roadway, Sidewalk and Drainage Purposes (Ordinance S-43366)**

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

### **Summary**

Accepting and dedicating the property interests below will meet the

Planning and Development Department's Single Instrument Dedication  
Process requirement prior to releasing any permits to applicants.

Deed (a)

Applicant: Diluvina Payan

Purpose: Roadway

Location: NWC 16th Street and Grovers Avenue

File: FN 170012

Council District: 3

Deed (b)

Applicant: Arcadia Color Garden Nursery, LLC

Purpose: Roadway

Location: 1828 N. 52nd St.

File: FN 170013

Council District: 6

Easement (c)

Applicant: Arcadia Color Garden Nursery, LLC

Purpose: Sidewalk

Location: 1828 N. 52nd St.

File: FN 170013

Council District: 6

Easement (d)

Applicant: Prologis, LP

Purpose: Drainage

Location: 4225 W. Buckeye Road

File: FN 160099

Council District: 7

Easement (e)

Applicant: Prologis, LP

Purpose: Sidewalk

Location: 4225 W. Buckeye Road

File: FN 160099

Council District: 7

**This item was adopted.**

**42 Acceptance of Easements for Public Utility and Water Purposes  
(Ordinance S-43367)**

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

**Summary**

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

Easement (a)

Applicant: Diluvina Payan

Purpose: Public Utility

Location: NWC 16th Street and Grovers Avenue

File: FN 170012

Council District: 3

Easement (b)

Applicant: Grand Canyon Education, Inc.

Purpose: Water

Location: 2947 W. Colter St.

File: FN 170009

Council District: 5

Easement (c)

Applicant: Phillip G. Vail, III

Purpose: Public Utility

Location: 5615 E. Lafayette Blvd.

File: FN 170014

Council District: 6

Easement (d)

Applicant: Scott Gould

Purpose: Public Utility

Location: 3701 E. Piccadilly Rd.

File: FN 170006

Council District: 6

Easement (e)

Applicant: Jose J. Vaquera and Eustolia S. Vaquera

Purpose: Public Utility

Location: 1123 W. Atlanta Ave.

File: FN 170005

Council District: 7

**This item was adopted.**

**43 Amend Ordinance S-43158 Adopted on Jan. 11, 2017 to Revise the Legal Description - Southeast Corner of 103rd Avenue and Jones Avenue (Ordinance S-43368)**

Request that the City Council amend ordinance S-43158 adopted on Jan. 11, 2017 to revise the legal description. The ordinance was recorded on Jan. 31, 2017, 20170072835 with an incorrect legal description.

**Summary**

The above referenced ordinance authorized the City Council to dedicate a roadway easement to public use across City-owned land located at the Southeast corner of 103rd Avenue and Jones Avenue.

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

**Location**

Southeast corner of 103rd Avenue and Jones Avenue.

**This item was adopted.**

**44 Plumbing Citywide Repairs - IFB 12-053A (Ordinance S-43369)**

Request to authorize the City Manager, or his designee, to authorize additional expenditures under Contract 133097 with Above All Plumbing Services Inc. (Vendor 3070834), for the purchase of all labor, materials, parts, equipment, permits, vehicles and transportation, and security fees

necessary for plumbing repairs and service for various city-owned properties and facilities, for the Fire, Public Works, Parks and Recreation, Water Services, and other citywide departments. The additional requested funds will not exceed \$600,000 over the remaining contract term. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The additional funds are necessary to provide continuing plumbing repair and related services on an as-needed basis to various City departments.

**Financial Impact**

Upon approval of \$600,000 in additional funds, the revised aggregate value of the contract will not exceed \$2,036,869.60 through the remainder of the contract term, which runs from April 1, 2017 through March 31, 2018. Funds are available in various departments' budgets.

**This item was adopted.**

**45 Information Technology Research and Advisory Services - State of Arizona Solicitation ADSPO14-085123 (Ordinance S-43370)**

Request to authorize the City Manager, or his designee, to add additional expenditures for contract ADSPO14-085123 with Gartner, Inc. for Information Technology (IT) research and advisory services in an amount of \$431,289. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

Gartner, Inc. is an industry leader in IT research and analysis, providing independent, up-to-date information and analysis to allow IT leaders to make informed decisions and implement effective IT programs. Services include assistance with contract negotiations, technology-related procurements, advisory services for IT planning, architecture, and technology implementation, as well as product assessments. Additional services are needed to continue support of critical citywide initiatives, including the Customer Care and Billing system, Telephone Replacement and Network Upgrade, disaster recovery and business continuity, and systems management solutions. The additional funds expand these services to the Water Services and Aviation departments to assist in their extensive technology environments and large projects.

**Contract Term**

The State awarded the contract on Dec. 8, 2014, with an initial contract term of three years ending in Dec. 7, 2017. Provisions of the agreement include an option to extend the contract for an additional two years. This request will extend the contract until Dec. 7, 2019.

**Financial Impact**

Including the \$431,289 in additional funds, the contract's revised aggregate value will be \$731,289 (including applicable taxes), with the new estimated annual expenditures of \$215,644.50. Funds are available in the Information Technology Services, Water Services, and Aviation department budgets.

**This item was adopted.**

**46 Grant of Easement to Salt River Project for Construction at the Phoenix Zoo; 455 N. Galvin Pkwy. (Ordinance S-43371)**

Request authorization for the City Manager, or designee, to grant an electrical easement to Salt River Project across City-owned property leased to the Arizona Zoological Society located at 455 N. Galvin Pkwy., for consideration in the amount of one dollar and other valuable consideration.

**Summary**

The electrical easement is required by Salt River Project in order to provide service for newly constructed improvements owned and operated by the Arizona Zoological Society pursuant to Amendment Two of Lease Agreement 106614, authorized by Ordinance S-40549. The easement contains an area of approximately 600 square feet.

**Location**

455 N. Galvin Pkwy.

**This item was adopted.**

**47 Workers' Compensation Third Party Administration Claims Management Services Contract (Ordinance S-43372)**

Request to authorize the City Manager, or his designee, to enter into a contract with Cannon, Cochran Management Services, Inc. (CCMSI) to

provide third party administration of claims management services for the City's Workers' Compensation Program. 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 of Phoenix has been self-insured since April 1, 2003. Workers' compensation claims are administered and managed through a contracted third party administrator. The City's initial term with the current third party administrator for claims management administration services is set to expire on June 30, 2017. This contract was not automatically extended due to changes to the service delivery method, scope of work, and fee structure.

### **Procurement Information**

A Request for Proposals (RFP) was issued on Nov. 23, 2016, with a deadline of Jan. 9, 2017, to submit responses. Five responses were received and forwarded to a seven-member selection committee which consisted of: two representatives from the Human Resources Department; one representative from the Police Department; one representative from the Public Works Department; one representative from the Phoenix Law Enforcement Association (PLEA); one representative from the Phoenix Fire Fighters Association (IAFF Local 493); and one representative from the American Federation of State, County, and Municipal Employees (AFSCME 2960). Proposals were scored on the following criteria as outlined in the RFP: qualifications and experience; method of approach; and pricing. The top two vendors were invited to an interview process held on Feb. 17, 2017. The final scores (out of 1,000 available points) for the top two bidders, noted below, reflect the consensus of the selection committee:

CCMSI: 836 points

Tristar: 797 points

One protest was received and reviewed by the Human Resources Department in conjunction with the Law Department. The protesting vendor's request was denied and that vendor has indicated they will not be appealing the decision.

**Contract Term**

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

**Financial Impact**

Funding for this contract is available in the Workers' Compensation Program Trust Account. The annual contract cost is expected to be \$1,750,000; not to exceed \$8,750,000 over the five-year life of the contract.

**This item was adopted.**

**48 Oracle Citywide Software and Hardware Maintenance and Support (Ordinance S-43373)**

Request authorization for the City Manager, or his designee, to authorize three years of continued payment authority for citywide software licensing, support and maintenance with Oracle America, Inc. (Oracle) in an amount not to exceed \$19,101,000 for applications and technologies in multiple departments and several critical citywide systems. The total amount includes savings of approximately \$540,000 resulting from a three-year agreement. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The City uses Oracle applications and technologies in multiple departments and for several critical citywide systems, such as the Police Department's Records Management System, the Customer Care and Billing system used for municipal billing, the Human Capital Management system used for human resources and payroll functions, the Planning and Development Department's permitting system, and the citywide Business Intelligence infrastructure. These systems are critical to City operations, as they bring in revenue from permitting and water and solid waste billing, and because they manage critical operations such as payroll and the Police Department's records management.

Over the last few years, the Information Technology Services (ITS) Department has been working with citywide departments to evaluate and consolidate licensing, support and maintenance agreements with Oracle. These are the annual support and maintenance agreements for software



and systems in use by the City, and which were previously purchased with City Council approval. Consolidating the agreements has allowed the City to utilize better discounts, identify and eliminate redundant products, and reduce administrative overhead by reducing the number of invoices being processed. The number of invoices processed annually for Oracle has been reduced from approximately 200 to less than 60. Additionally, by entering into three-year support and maintenance agreements, the City can realize an additional savings of approximately \$540,000 over the three-year period through avoiding annual upcharges ranging from 3 to 5 percent. This authorization covers the majority of Oracle licensing, support and maintenance in use by the City.

### **Financial Impact**

The annual cost for the agreements is estimated to be \$6,367,000, for a total three-year amount not to exceed \$19,101,000. Enterprise, special revenue and general funds are available in the ITS Capital Improvement Program and various departments' budgets.

**This item was adopted.**

### **49 Amendment to Native American Connections, Inc.'s Nicholas Center Loan Agreement - Contract 133593**

Request authorization for the City Manager, or his designee, to amend Community Development Block Grant (CDBG) Loan Agreement 133593 between the City of Phoenix and Native American Connections, Inc. (NAC) to allow for transitional housing, emergency housing and/or permanent supportive housing for homeless youth, and to take all actions and execute all documents to complete the loan amendment.

### **Summary**

City Council Ordinance S-38630 was passed on April 4, 2012, to loan NAC \$1,145,000 in CDBG funds for the acquisition of an existing transitional housing facility. Since that time, the facility has successfully assisted homeless youth by providing transitional housing with supportive services. NAC has maintained operations through awards from the U.S. Department of Housing and Urban Development's (HUD) Supportive Housing Program funds. However, in 2016, HUD substantially cut funding for transitional housing which has put this property at operational risk. NAC has a current operating grant that will sustain operations only through March 2017. To mitigate this risk, NAC has requested flexibility in the

type of housing offered at the site for homeless youth. NAC's current contract with the City allows for transitional housing only. Amending the contract to also allow for emergency housing and/or permanent supportive housing for homeless youth will maximize NAC's ability to obtain financial support for their operations. The activities proposed are all eligible activities under the CDBG program. Supportive services will continue to be offered on site for homeless youth.

**Financial Impact**

There is no impact to the General Fund, and no additional funding will be added to the project.

**Location**

931 E. Devonshire Ave.

**Concurrence/Previous Council Action**

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

**This item was approved.**

**50 Authorization to Enter into Agreement with Paradise Valley Police Department to Conduct Forensic Exams**

Request authorization for the City Manager, or his designee, to enter into an agreement with the Paradise Valley Police Department (PVPD), to utilize the Human Services Department, Family Advocacy Center (FAC) victim examination suite to conduct forensic exams and interviews at an annual rate of \$750 with an aggregate amount not to exceed \$3,937.50 through June 30, 2022, which includes a prorated amount for the additional months at the start of the contract. Further request authorization for the City Treasurer to accept the funds over the life of the contract.

**Summary**

PVPD does not have victim exam facilities. This agreement will allow PVPD to conduct exams at the Phoenix FAC, which is designed to meet the specific needs of victims in crisis, rather than a public medical facility. PVPD utilizes the same countywide contract for Sexual Assault Nurse Examiners as the City of Phoenix and will continue to utilize these

services at the FAC.

**Contract Term**

The term of the contract will begin upon execution through June 30, 2022.

**Financial Impact**

No Phoenix General Funds will be utilized for this agreement.

**Location**

The Family Advocacy Center is located at 2120 N. Central Ave.

**This item was approved.**

**51 Economic Impact Analysis for Margaret T. Hance Park (Ordinance S-43374)**

Request to authorize the City Manager, or his designee, to enter into a contract with Hunden Strategic Partners, Inc., to develop an economic impact analysis for Margaret T. Hance Park.

**Summary**

The purpose of this study is to develop objective economic data to inform potential sponsors and donors regarding the future economic impact of a fully implemented Hance Park Master Plan. The economic data will be used to assist the City's partners in solicitation of private and non-profit partnerships to be able to realize Hance Park's development.

Three proposals were received by the Parks and Recreation Department for the Request for Proposal (RFP) issued on Nov. 28, 2016 for the economic impact analysis for Margaret T. Hance Park. Following is the tabulation of the proposal scores received:

Applied Economics: 66

HR & A Advisors: 84

Hunden Strategic Partners: 90

**Contract Term**

The agreement term is for one year.

**Financial Impact**

Cost for the economic impact analysis will not exceed \$50,000, and includes all consultants, subcontractor and reimbursable costs. Funds are available from the Parks and Recreation Department's Capital Improvement Program budget utilizing Phoenix Parks and Preserves Initiative funds.

**Concurrence/Previous Council Action**

This item was heard at the March 22, 2017 Parks, Arts, Education and Equality Subcommittee, and approval recommended by a vote of 4-0.

**Location**

Margaret T. Hance Park is a 32-acre public park located at 67 W. Culver St.

**This item was adopted.**

**52 Amendment to City Contract 121451 Disposition and Redevelopment Agreement with Block 23 Commercial, LLC (Ordinance S-43375)**

Request authorization for the City Manager, or his designee, to amend the CityScape Disposition and Redevelopment Agreement as amended by the Fifth Amendment, ("DRA") to modify the Block 23 Minimum Improvements description for the redevelopment of Block 23 located at 125 E. Washington Street in downtown Phoenix.

**Summary**

In October 2016, City Council authorized the amendment and assignment of rights associated with the DRA through Ordinance S-42897. Since that time, Block 23 Commercial, LLC, ("Developer"), an entity affiliated with RED Development, LLC, has executed a development agreement/lease and currently owns the development rights to Block 23 and has commenced construction of the Block 23 Project. Currently, the project is progressing through the archaeological assessment stage. This action is a request to amend the description of Block 23 Minimum Improvements in the Fifth Amendment to allow for additional market flexibility while keeping minimum requirements for the project.

Section 201.1 (Block 23 Improvements) will be modified in its entirety and replaced with the following:

## Section 201.1 Block 23 Improvements

(a) The proposed project is a mixed-use high-rise development project with an approximate total gross square footage of 500,000 gross square feet, not including parking (the "Project");

(i) The Project includes at least two of the following uses: office, commercial, or residential;

(ii) The Project specifically excludes hotel as a possible use;

(b) The required minimum improvements within the Project ("Block 23 Minimum Improvements") shall be:

(i) a grocery store space of at least 50,000 gross square feet ("Grocery");

(ii) at least 150,000 gross square feet of office space ("Office");

(iii) approximately 500 above- and below-grade structured parking stalls or spaces ("Parking"); and

(iv) all perimeter streetscape improvements associated with Block 23 ("Streetscape").

Upon execution of this amendment, the Grocery, Office, Parking and Streetscape collectively shall be and constitute the "Block 23 Minimum Improvements" described in the Fifth Amendment. The Project, including the Block 23 Minimum Improvements, will be reviewed and permitted by the City's respective permitting departments, and designed and constructed at Block 23 Developer's sole cost. Block 23 Developer shall continue to submit the necessary plans to CED for review in accordance with Section 401(b) of the contract.

All other terms and conditions of the DRA, as amended by the Fifth Amendment, will remain the same and in full force.

### **Contract Term**

There is no impact to the contract term of 50 years.

### **Financial Impact**

There is no impact to the General Fund by this action.

**Location**

125 E. Washington Street.

**This item was adopted as corrected.**

**53 Issuance of Additional Multifamily Housing Revenue Bonds -  
Broadway Terrace Apartments Project - Series 2017 (Resolution  
21522)**

Requests City Council approval for the issuance of a principal amount of \$1,000,000 of additional Multifamily Housing Revenue Bonds (Broadway Terrace Apartments Project), Series 2017, originally to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed \$8,000,000, which when combined with the current \$1,000,000, would constitute issuance of such bonds in a combined aggregate principal amount not to exceed \$9,000,000.

**Summary**

Request City Council adoption of a resolution 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 \$9,000,000 of Multifamily Housing Revenue Bonds (the "Revenue Bonds") for use by Broadway Terrace, L.P. (the "Borrower"), an Arizona limited partnership, to:

- a) finance acquisition, rehabilitation, improvement, and equipping of buildings and land to be used as multifamily housing and related facilities (the "Project"), and
- b) to pay certain costs related to the issuance of the Revenue Bonds.

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.

**Concurrence/Previous Council Action**

The Phoenix IDA Board has previously resolved to issue the aggregate amount of \$9,000,000 of the Revenue Bonds at its meetings held on Aug. 17, 2016, and March 9, 2017.

City Council adopted a resolution at its Aug. 31, 2016, meeting granting approval of the proceedings under which the Phoenix IDA previously resolved to issue up to \$8,000,000 of the Revenue Bonds.

This Project falls within the parameters of the resolution endorsing main elements of the Phoenix IDA's 2015-2016 plan adopted by the City Council at its Oct. 21, 2015 formal meeting.

### **Location**

The facilities are located at 12815 N. 28th Drive

**This item was adopted.**

## **55 Authorization to Apply for, Accept and Enter Into Agreements for 2018 Governor's Office of Highway Safety Grants (Ordinance S-43377)**

Request authorization for the City Manager, or his designee, to authorize the City Prosecutor's Office and the Street Transportation, Police and Fire departments to apply for \$2,068,500.00 in grants through Fiscal Year 2018 funding administered by the Arizona Governor's Office of Highway Safety (GOHS). If the grants are awarded, request authorization to accept the funds and enter into grant agreements. Further request authorization for the City Treasurer to accept and City Controller to disburse all funds related to this item.

### **Summary**

GOHS announced the availability of funding on Jan. 27, 2017. Grant proposals were due by March 3, 2017. These funds will be used to support new traffic safety programs and enhance existing programs in the City Prosecutor's Office and the Street Transportation, Police and Fire departments. If City Council denies approval, the grant proposals will be rescinded.

### City Prosecutor's Office - Total Funding Request \$235,000.00

Awarded grant funds will be used to pay the salary, expenses, supplies and travel for an existing Traffic Safety Resource Prosecutor (TSRP), Attorney IV. Half of the funding (\$117,500.00) will be sought from the Oversight Council on Driving or Operating Under the Influence Abatement Council. The other half (\$117,500.00) of the funding will be requested through a grant from the GOHS.

The TSRP program will continue its four primary objectives:

- Provide training for prosecutors and law enforcement officers in the prosecution of traffic safety related crimes.
- Act as a resource for questions about traffic laws and trial advocacy.
- Improve communication between prosecutors, law enforcement officers, and members of the judiciary.
- Act as a liaison for individuals and agencies committed to the enforcement and prosecution of traffic safety related crimes.

The GOHS has funded the TSRP program since its inception in 2007. Though the grant project is administered by Phoenix, it benefits citizens, law enforcement, and prosecutors across Arizona. The TSRP is a resource to both small and large jurisdictions for legal issues related to the enforcement of DUI and traffic laws. During the latest grant period, the TSRP provided training to approximately 7,110 prosecutors, law enforcement officers, crime lab personnel, interns, and community groups.

Additionally, Arizona's TSRP is a state and nationwide resource as demonstrated by the more than 1,500 requests for assistance from prosecutors, law enforcement officers, and crime lab personnel that were received. It is anticipated that up to \$18,000.00 of employee-related expenses may need to be covered by City general funds.

Street Transportation Department - Total Funding Request \$223,500.00

*Roadway Safety/Education Programs*, funding will help develop and enhance roadway appurtenances, educational campaigns and employee tools for roadway, school, bicycle, and pedestrian safety. This includes funding for distracted driving high school safety education, purchases for sight visibility and roadway safety materials, developing corridor safety education and outreach campaign plan and purchase for distance measurement devices (\$128,500.00).

*Pedestrian and bicycle safety*, funding will be used for portable speed feedback signs, studying pedestrian detection signal equipment, purchases of bicycle helmets for community safety events, and



pedestrian flashing STOP paddles (\$95,000.00).

Fire Department - Total Funding Request \$310,000.00

*Impaired driving*, funding will be requested for overtime and related fringe benefits, materials, and equipment related to high school education campaigns including dramatic mock crashes and classroom education. The program informs young drivers of the danger of distracted driving, alcohol, and other drug impairment with the goal of decreasing preventable injuries and fatalities associated with impaired and distracted driving (\$30,000.00).

*Occupant protection and child car seat*, funding will be requested for training, overtime, related fringe benefits, materials, public education and equipment related to child safety seats and seat belt usage. This funding will maintain current occupant protection efforts and increase the frequency for conducting child safety technician certification and recertification classes, increase the opportunities to educate residents at car seat check events, increase the number of locations of designated car seat check fitting stations to enhance geographical outreach, and to enhance outreach for occupant protection public education in K-12 schools (\$250,000.00).

*Pedestrian and bicycle*, funding will be requested for overtime, related fringe benefits, materials, and equipment related to education campaigns to increase safety awareness, traffic awareness, and skills necessary for young pedestrians and bicyclists. This program provides bike rodeos for young cyclists, bike and pedestrian school safety assemblies, and public education opportunities at community safety fairs and events (\$30,000.00).

Police Department - Total Funding Request \$1,300,000.00

*DUI and underage alcohol enforcement*, through the Traffic Bureau, will seek funding for training, overtime, related fringe benefits, materials and supplies related to education and enforcement campaigns targeting prevention of underage alcohol use (\$100,000.00).

*Underage alcohol enforcement*, through the Maryvale 86Z squad, will

seek funding for training, overtime, related fringe benefits, materials, and supplies related to education and enforcement campaigns targeting prevention of underage alcohol use (\$100,000.00).

*DUI enforcement*, through the Traffic Bureau, will seek funding for training, overtime, related fringe benefits, and equipment to support and enhance DUI enforcement within the City of Phoenix and joint enforcement efforts throughout the valley (\$300,000.00).

*Occupant protection*, through the Traffic Education Safety Unit, will seek funding for training, materials, supplies, overtime, and related fringe benefits associated with Click It or Ticket enforcement activities, child passenger safety technician certification classes, car seat events, Buckle Up Baby hotline, and various seatbelt enforcement campaigns (\$100,000.00).

*Pedestrian and bicycle safety*, through the Traffic Education Safety Unit, will seek funding for training, materials, supplies, overtime, and related fringe benefits associated with education and enforcement campaigns designated to increase safety awareness, traffic law knowledge, and skills among pedestrians and bicyclists (\$200,000.00).

*Traffic services*, through the Traffic Education Safety Unit, will seek funding for training, materials, supplies, equipment (radar/laser speed detection devices), overtime, and related fringe benefits associated with education and enforcement campaigns such as: traffic impact programs, school zone enforcement, construction zone enforcement, traffic complaint hotline enforcement, and selective traffic enforcement programs (\$200,000.00).

*Motorcycle safety*, through the Traffic Education Safety Unit, will seek funding for training, materials, supplies, overtime, and related fringe benefits associated with an education and enforcement campaign designed to increase safety awareness, traffic law knowledge, and specific enforcement of motorcycle traffic law violations (\$100,000.00).

The Traffic Bureau will seek funding from the DUI Abatement Council for

overtime and related fringe benefits associated with DUI enforcement and innovative Know Your Limit programs (\$200,000.00).

**Contract Term**

One year beginning Oct. 1, 2017 through Sept. 30, 2018.

**Financial Impact**

Total funding request is \$2,068,500.00. Cost to the City is personnel expenses and in-kind resources only.

**Concurrence/Previous Council Action**

This item was unanimously approved by the Public Safety and Veterans Subcommittee on March 8, 2017.

**This item was adopted.**

**56 Authorization to Enter into an Agreement with Arizona State University for Encouraging Innovation Grant (Ordinance S-43378)**

Request authorization for the City Manager, or his designee, to authorize the Police Department to enter into an agreement with the Arizona Board of Regents on behalf of Arizona State University (ASU), who will act as a research partner on the Bureau of Justice Assistance, Encouraging Innovation grant. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item.

**Summary**

The Police Department recently was awarded \$482,500.00 from the Bureau of Justice Assistance (BJA) through the 2016 Encouraging Innovation: Field-Initiated Programs grant. The grant and disbursement of grant funds was approved by City Council on June 15, 2016, under Ordinance #S-42663. The grant requires the Police Department to work with a research partner to collect and analyze data and produce project-related reports. The Police Department has partnered with ASU on similar projects in the past. This agreement will reimburse ASU \$173,484.00, over the three-year grant period, to document program implementation, program evaluation, and develop interim and final reports to be submitted to the granting agency by the Police Department. The City will be reimbursed for applicable ASU expenses through the BJA grant.

**Contract Term**

Three years from Oct. 1, 2016 through Sept. 30, 2019.

**Financial Impact**

The Encouraging Innovation grant provides \$173,484.00 in funding to reimburse ASU as the grant research partner. No matching funds are required.

**Concurrence/Previous Council Action**

This item was unanimously approved by the Public Safety and Veterans Subcommittee on March 8, 2017.

**This item was adopted.**

**57 Authorization to Apply for, Accept and Enter into Agreement for 2017 DNA Capacity Enhancement and Backlog Reduction Grant Program (Ordinance S-43379)**

Request authorization for the City Manager, or his designee, to authorize the Police Department to apply for, accept and enter into an agreement for federal grant funds through the National Institute of Justice's FY 2017 DNA Capacity Enhancement and Backlog Reduction grant program. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item.

**Summary**

The Police Department's Laboratory Services Bureau (LSB) has applied for, and been awarded funds through this grant program for several years. This grant funding is to provide for the processing, recording, screening and analysis of forensic DNA and/or DNA database samples. The grant objective is to increase the capacity of public forensic DNA and DNA database laboratories to process more samples, thereby reducing the backlog. All DNA profiles will be entered into the Combined DNA Index System and ultimately, where applicable, uploaded to the National DNA Index System. If awarded, grant funding will be utilized for forensic science overtime, related fringe benefits, equipment, travel/training, consultants for outsourcing DNA testing, and other costs to improve the quality and timeliness of forensic DNA analysis. The grant application was due March 13, 2017. If City Council denies approval, the grant application

will be rescinded.

**Contract Term**

Two years beginning Jan. 1, 2018 through Dec. 31, 2019.

**Financial Impact**

Eligible funding amount is \$355,684.00. No matching funds are required. Cost to the City would be in-kind resources only.

**Concurrence/Previous Council Action**

This item was unanimously approved by the Public Safety and Veterans Subcommittee on March 8, 2017.

**This item was adopted.**

**58 Authorization to Apply for, Accept and Enter into Agreement for 2017 Forensic DNA Laboratory Efficiency Improvement and Capacity Enhancement Grant Program (Ordinance S-43380)**

Request authorization for the City Manager, or his designee, to authorize the Police Department to apply for, accept and enter into an agreement for federal grant funds through the National Institute of Justice for the FY 2017 Forensic DNA Laboratory Efficiency Improvement and Capacity Enhancement grant program. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item.

**Summary**

This is a new grant opportunity available to the Police Department's Laboratory Services Bureau (LSB). The purpose of this funding is to enhance the capacity and increase the efficiency for crime laboratories that process, record, screen and analyze DNA and other forensic evidence. The Police Department plans to apply under purpose area one of the four available purpose areas. The grant objective for purpose area one is to provide assistance to laboratories to complete entire cases that involve requests for both DNA and at least one other type of forensic analysis. This allows the LSB to test non-DNA disciplines, as these evidence samples may overlap with and affect DNA analysis and processing. The grant application was due March 13, 2017. If City Council denies approval, the grant application will be rescinded.

**Contract Term**

Three years beginning Jan. 1, 2018 through Dec. 31, 2020.

**Financial Impact**

Eligible funding amount is \$750,000.00. No matching funds are required. Cost to the City would be in-kind resources only.

**Concurrence/Previous Council Action**

This item was unanimously approved by the Public Safety and Veterans Subcommittee on March 8, 2017.

**This item was adopted.**

**59 Outsourcing DNA Casework to Private Laboratories (Ordinance S-43381)**

Request authorization for the City Manager, or his designee, to enter into contracts with the following companies: Sorenson Forensics and Bode Cellmark Forensics. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Phoenix Police Department Laboratory Services Bureau (Crime Lab) has been receiving grant funds from the National Institute of Justice to facilitate the analysis of backlogged cases through case outsourcing to private laboratories for more than 15 years. The Crime Lab conducted a Request for Qualifications (RFQ) process in March 2016, to initiate new contracts prior to the expiration of existing contracts to avoid any interruptions of DNA outsourcing services. From this process, six private laboratories were selected to create a Qualified Vendor List (QVL). It was determined only two contracts were needed at that time due to the amount of funding available for outsourcing services. The Crime Lab sought approval to enter into two-year contracts with two vendors from the QVL, which was approved by Council.

In October 2016, the Police Department was awarded \$1.59 million in the Bureau of Justice Assistance FY16 Sexual Assault Kit Initiative (SAKI) program, with \$450,000 of that funding going to outsourcing. This award funds the analysis of sexual assault kits by private DNA laboratories. The

two labs that currently have contracts with the City of Phoenix do not have the capacity to receive and test all of the evidence that will need to be tested in order to meet the SAKI grant objectives with the approved project period. As a result, additional contracts with vendors that successfully completed the RFQ are necessary.

### **Procurement Information**

The Crime Lab conducted a RFQ process, which resulted in six respondents. After a thorough review of vendor submissions, it was determined that each vendor met all of the minimum required qualifications and all six vendors were placed on a QVL.

### **Contract Term**

The contract term shall begin May 1, 2017 and end April 30, 2019. Provisions of the contract may include an option to extend the term up to two years, which may be exercised by the City Manager or designee.

### **Financial Impact**

Funding is available from state and federal grants. Currently, there is \$478,201 budgeted for outsourcing services. It is anticipated additional funds will be awarded over the life of the contract for outsourcing services.

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

City Council approved and adopted RCA 76903, Ordinance S-42810, on Aug. 31, 2016. This was the first Request for Council Action to enter into contracts with DNA Labs International and Strand Analytical.

**This item was adopted.**

## **60 Authorization to Apply for, Accept and Disburse State Grant Funds for Aviation-Related Projects (Ordinance S-43382)**

Request to authorize the City Manager, or his designee, to submit applications to, accept grant funds from, and enter into grant agreements with the Arizona Department of Transportation (ADOT) on behalf of the City of Phoenix Airport System. Further request to authorize the City Manager, or his designee, to execute amendments to existing grant agreements and to take any necessary administrative actions in connection with the grant agreements. The grant agreements and

amendments may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request to authorize the City Treasurer to accept, and for the City Controller to disburse, any funds related to this item.

### **Summary**

Each year, the Aviation Department submits grant applications to ADOT for eligible projects, including those related to maintenance, safety, capacity enhancement, environmental studies or planning, and land acquisition. The Aviation Department takes a proactive position in obtaining City Council authorization to accept any grants awarded by ADOT for eligible aviation-related projects.

Under the grant agreements, the State requires the City to indemnify and hold harmless the State and any of its departments, agencies, officers, and employees from any and all liability, loss, or damage the State may suffer as a result of claims, demands, costs, or judgments of any character arising out of the performance or non-performance of the City or its independent contractors in carrying out any provision of the grant agreements. In the event of any legal action, the indemnification shall include court costs, expenses of litigation, and reasonable attorney fees. Further, the State will not assume any liability to third persons and will not reimburse the City for the City's liability to third persons resulting from the performance of the grant agreements or any subcontract thereunder.

These authorizations are effective until June 30, 2018.

**This item was adopted.**

**61 Authorization to Apply for, Accept and Disburse Federal Grant Funds for Aviation-Related Projects (Ordinance S-43383)**

Request to authorize the City Manager, or his designee, to: (1) submit grant applications to the United States and any of its agencies for aviation-related projects; (2) sign all required certifications; and (3) enter into agreements with the United States and any of its agencies for the purpose of accepting federal funds and executing grant amendments. The grant agreements may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further



request to authorize the City Treasurer to accept, and for the City Controller to disburse, any funds related to this item.

**Summary**

Each year, the Aviation Department submits grant applications to the United States and its agencies for eligible projects. The Department takes a proactive position in obtaining City Council authorization to accept any grants awarded by the United States and its agencies for eligible aviation-related projects.

These authorizations will allow the Aviation Department to respond promptly to federal agencies if and when grant offers become available on short notice. The grant agreements or grant amendments or both may become available from the Department of Transportation, including FAA Airport Improvement Program, Department of Homeland Security, or any other federal program. Action associated with these authorizations will be for projects in the Airport's approved Capital Improvement Plan.

These authorizations are effective until June 30, 2018.

**This item was adopted.**

**62 Authorization to Apply for, Accept and Disburse Federal Non-Grant Funds for Aviation-Related Projects (Ordinance S-43384)**

Request to authorize the City Manager, or his designee, to: (1) submit applications to the United States and any of its agencies for aviation-related projects; (2) sign all required certifications; and (3) enter into transaction agreements with the United States and any of its agencies for the purpose of accepting federal non-grant funds and executing transaction agreement amendments. The agreements and amendments may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request to authorize the City Treasurer to accept, and for the City Controller to disburse, any funds related to this item.

**Summary**

These authorizations will allow the Aviation Department to respond promptly to federal agencies if and when non-grant funds become available on short notice. The transaction agreements or amendments may become available from the Department of Homeland Security or any other federal program. The Aviation Department takes a proactive

position in obtaining City Council authorization to accept any non-grant funds awarded by the United States for eligible aviation-related projects.

These authorizations are effective until June 30, 2018.

**This item was adopted.**

**63 27th Avenue Mulching Area and Compost Facility Doppstadt Equipment - Parts and Service - RFA 17-FSD-111 (Ordinance S-43385)**

Request to authorize the City Manager, or his designee, to enter into a contract with RDO Equipment Company (Vendor 3017926) in an amount not to exceed \$120,000 for training and periodic monitoring of a high speed grinder, a slow speed shredder, and a trommel screen. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Public Works Department has purchased Doppstadt specialized equipment for the 27th Avenue Mulching Area and Compost Facility. This equipment includes a high speed grinder, a slow speed shredder, and a trommel screen. This contract will assist the City in ensuring that the equipment is being properly operated and maintained by the Contracted Compost Facility Operator as required by the original equipment manufacturer's guidelines. This specialized equipment is critical to daily mulching and composting operations.

**Procurement Information**

A determination has been made for this requirements contract because RDO Equipment Company is the one authorized vendor in Arizona that provides equipment, parts, service, warranty and training as Doppstadt's regional vendor. In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing that there is only one vendor for this essential equipment and services.

**Contract Term**

The initial one-year contract term shall begin on or about April 15, 2017, and end on April 14, 2018. Provisions of the contract include an option to extend the term of the contract for up to four additional years, in one-year

increments, which may be exercised by the City Manager or his designee.

### **Financial Impact**

The contract amount is not to exceed \$120,000. Funds are available in the Public Works Department's budget.

**This item was adopted.**

## **64 Security Management Enterprise Intrusion Detection System and Access Control Contractor Services (Ordinance S-43386)**

Request to authorize the City Manager, or his designee, to enter into an agreement with LSW Engineers Arizona, Inc. (3050497) to provide consulting services for Security Management and Access Control Systems for citywide facilities and critical infrastructure in an amount not to exceed \$500,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The Public Works Department seeks a qualified consultant to provide professional services to: 1) develop a Rough Order of Magnitude (ROM) estimate for the citywide Enterprise Intrusion Detection System and Access Control System; 2) evaluate existing security systems citywide; 3) conduct a needs assessment and Fit-Gap analysis; 4) develop system requirements and replacement schedules for intrusion detection and access control; and 5) develop RFP criteria for the Intrusion Detection and Access Control System. The existing Access Control System will reach end of life in June 2018 and will no longer be supported by the system manufacturer.

### **Procurement Information**

The Qualified Vendor List for Security Contract Information was approved by Council in July 2016. LSW Engineers Arizona, Inc., was one of the awarded vendors.

### **Contract Term**

The contract term is for one year beginning April 1, 2017, and terminating on March 16, 2018, with no options to extend.

**Financial Impact**

Total expenditures for this contract will not exceed \$500,000 over the life of the contract. Funds are available in the Public Works Department's Capital Improvement Program budget.

**This item was adopted.**

**65 Electrical, Instrumentation and Control System Inspection and Testing Services - 24th Street Water Treatment Plant - WS85290023 (Ordinance S-43387)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Brown and Caldwell, Inc., (Phoenix) to provide professional services for design support, construction inspections, and commissioning testing in support of projects associated with electrical, instrumentation, and control systems at the 24th Street Water Treatment Plant. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Water Services Department developed electrical, instrumentation, and control standards to ensure consistency and safety across the Department. Brown and Caldwell, Inc.'s role will be to ensure adherence to these standards at the 24th Street Water Treatment Plant during design, construction, calibration, testing, and commissioning of the electrical, instrumentation, and control systems. In addition, Brown and Caldwell, Inc., will provide operations and maintenance support when City staff are replacing existing equipment or installing new equipment, and may be required to provide arc flash hazardous testing services.

**Procurement Information**

Eleven firms submitted for this qualifications-based selection process. The City selected the top four ranked firms identified below to perform the above services in various Water Services locations based on a single procurement according to Section 34-604 of the Arizona Revised Statutes (ARS). The firm rankings are listed below.

Black & Veatch Corporation: Ranked #1

OZ Engineering: Ranked #2

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

Pursuant to ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded.

### **Contract Term**

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

### **Financial Impact**

Brown and Caldwell, Inc.'s fee will not exceed \$2,750,000 for the total five-year contract, including all 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.

### **Location**

24th Street Water Treatment Plant, 6202 N. 24th St.

**This item was adopted.**

**66 Electrical, Instrumentation and Control System Inspection & Testing Services - 23rd Avenue Wastewater Treatment Plant - WS90200037-1 (Ordinance S-43388)**

Request to authorize the City Manager, or his designee, to enter into a contract with Black & Veatch Corporation (Phoenix) to provide professional services for design support, construction inspections, and

commissioning testing in support of projects associated with electrical, instrumentation and control systems at the 23rd Avenue Wastewater Treatment Plant. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

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

### **Procurement Information**

Eleven firms submitted for this qualifications-based selection process. The City selected the top four ranked firms to perform the above services in various Water Services locations using a single procurement according to Section 34-604 of the Arizona Revised Statutes (ARS). The firm rankings are shown below:

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

Per ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded.

### **Contract Term**

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

### **Financial Impact**

Black & Veatch Corporation's fee will not exceed \$800,000 for the four-year contract, including all sub-consultants and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

### **Location**

23rd Avenue Wastewater Treatment Plant, 2470 S. 22nd Ave.

**This item was adopted.**

## **67 Electrical, Instrumentation and Control Systems Inspection and Testing Services - Lift Stations - WS90400078-1 (Ordinance S-43389)**

Request to authorize the City Manager, or his designee, to enter into a contract with Arcadis US, Inc., (Phoenix) to provide design support, construction inspections and commissioning testing in support of projects associated with electrical, instrumentation and control systems at 28 lift stations located throughout the City. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

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

**Procurement Information**

Eleven firms submitted for this qualifications-based selection process. The City selected the top four ranked firms to perform the above services in various Water Services locations using a single procurement according to Section 34-604 of the Arizona Revised Statutes (ARS). The firm rankings are listed below:

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

Per ARS Title 34, the City is not to release the scoring of proposers until a contract has been awarded.

**Contract Term**

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

**Financial Impact**

Arcadis US, Inc.'s fee will not exceed \$1,250,000 for the total four-year contract, including all subconsultants and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program. 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.**



**68 Cured-in-Place Pipe (CIPP) - Lined Concrete Sanitary Sewer Manhole Rehabilitation - Design-Bid-Build - WS90500271 (Ordinance S-43390)**

Request to authorize the City Manager, or his designee, to accept Hunter Contracting Co. (Gilbert, Ariz.) as the lowest-priced, responsive, and responsible bidder and to enter into a contract with Hunter Contracting Co. for construction services for the CIPP-Lined Concrete Sanitary Sewer Manhole Rehabilitation project. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The CIPP-Lined Concrete Sanitary Sewer Manhole Rehabilitation project consists of rehabilitation of 130 active sanitary sewer manholes. The major work for this project includes repair of defective corrosion protection systems and installation of structural inserts in the interior of existing manholes. The types of corrosion protection systems used in this project are epoxy coatings and polyvinyl chloride (PVC) linings.

Hunter Contracting Co. shall provide all materials, equipment and labor necessary to safely perform the work contained in the contract, including, but not limited to, lighting, odor control, bypass pumping, flow diversion, traffic control, pavement replacement, manhole rehabilitation, noise control and confined space entry.

**Procurement Information**

Four bids were received in compliance with Section 34-201 of the Arizona Revised Statutes by the Street Transportation Department on Jan. 31, 2017. The bids were reviewed by the Equal Opportunity Department (EOD) to determine subcontractor eligibility and general contractor responsiveness in demonstrating compliance with the project's Small Business Enterprise (SBE) goal. A Small Business Enterprise goal of four percent has been established for this project. EOD determined the four bidders were responsive.

Bids ranged from a low of \$1,189,236.76 to a high of \$1,387,252.00. The engineer's estimate and the four lowest-priced, responsive and responsible bidders are listed below:

Engineer's Estimate: \$1,771,440.00

Hunter Contracting Co.: \$1,189,236.76

Joseph Painting Company, Inc., dba JPCI Services: \$1,303,650.00

B&F Contracting, Inc.: \$1,360,139.61

Action Direct, LLC, dba Redpoint Contracting: \$1,387,252.00

### **Contract Term**

The term of the contract is 310 calendar days. The contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

### **Financial Impact**

The bid award amount of \$1,189,236.76 is within the total budget for this project. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

**This item was adopted.**

## **71 Centrifuge Maintenance and Repair Services Contract Additional Funding (Ordinance S-43393)**

Request to authorize the City Manager, or his designee, to add additional funding in the amount of \$800,000 to the original contract amount of \$325,000 with Alfa Laval, Inc. (3049590) for maintenance and repair of centrifuges in the Water Services Department. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

Centrifuges are equipment used to remove water from debris (solids) found in surface water throughout the water treatment process. The Water Services Department has between one and four centrifuges at each plant requiring regularly scheduled maintenance and repairs. The water removed from the solids is returned to the head of the treatment process to be treated. Properly maintained centrifuges allow the water treatment plants to meet water quality and permit requirements, prevent

the return of highly turbid water into the treatment process, and uphold the equipment warranty.

The request for additional funding is needed because the original request erroneously sought funding for only one year of the five-year contract. This additional request is the estimate for the remaining four years of the contract.

### **Contract Term**

The five-year contract term began July 1, 2016, and ends June 30, 2021.

### **Financial Impact**

Estimated annual expenses are \$200,000 for each of the remaining four years of the contract, not to exceed \$1,125,000 over the life of the contract, including the original \$325,000 requested in July 2016.

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

The original contract was approved by the City Council on June 22, 2016. Normal competition was waived as a result of a Determination Memo citing Alfa Laval, Inc., as the sole source provider for the equipment and proprietary components that are manufactured by Alfa Laval, Inc.

**This item was adopted.**

## **72 User Configurable Open System Software Support Services (Ordinance S-43394)**

Request to authorize the City Manager, or his designee, to enter into a contract with OZ Engineering to provide software support for the User Configurable Open System (UCOS) Distribution Control System for the Water Services Department. Further request authorization for the City Controller to distribute all funds related to this item.

### **Summary**

Water Services Department operations staff utilize the User Configuration Operating System to monitor and control processes at all of its water and wastewater treatment plants. This agreement provides software development, maintenance, and technical support for the UCOS InfoCenter application. OZ Engineering will be extending the functionality of UCOS InfoCenter by integrating with Oracle Work Asset Management System (WAM) for four water and two wastewater treatment plants. This

enhancement will allow operations staff to generate a work request for equipment from within UCOS increasing efficiency and accuracy.

### **Procurement Information**

Request for Proposals SC8000177737 was conducted in accordance with City of Phoenix Administrative Regulation 3.10. One offer was received by the Water Services Department on Nov. 4, 2016. The offer was evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility of the required services. The offer submitted by OZ Engineering is deemed to be fair and reasonable based on the market and previous contract pricing.

### **Contract Term**

The initial contract term is estimated to begin on or about April 1, 2017, and end on March 31, 2020. Provisions of the contract may include an option to extend the term of the contract up to two additional years, which may be exercised by the City Manager or designee.

### **Financial Impact**

The aggregate contract value including all optional years will not exceed \$500,000 (including applicable taxes) with estimated annual expenditures of \$100,000. Funds are available in the Water Services Department budget.

**This item was adopted.**

## **73 Lab Fume Hood Services Contract (Ordinance S-43395)**

Request to authorize the City Manager, or his designee, to enter into a contract with Airtelligence, Inc., (3072436) and Controlled Environmental Management, LLC (3042276) for lab fume hood maintenance and inspection services. Further request to authorize the City Controller to disburse all funds related to this item.

### **Summary**

The Water Services Department Compliance Lab has 62 lab fume hoods with electrical control valves which are used when conducting chemical and microbiological analyses. These fume hoods serve to minimize staff exposure to potentially harmful agents. They require annual certification, monthly testing, and at times need unscheduled repairs to ensure the safety of the Water Services Department employees. Airtelligence, Inc.,

and Controlled Environmental Management, LLC, will provide for lab fume hood testing, adjusting, balancing, maintenance, and certification services.

### **Procurement Information**

The City of Phoenix issued IFB 84-17-008-IFB-8126 (SFB) on Feb. 10, 2017, with a due date of Feb. 28, 2017, for submission of bids. Two bids were received and are listed below for recommendation for contract award.

- 1 - Airtelligence, Inc. - Monthly Maintenance Services
- 2 - Controlled Environment Management, LLC - Annual Inspection Services

### **Contract Term**

Both contract awards are anticipated to be effective April 15, 2017, through April 14, 2022, with no additional available extension.

### **Financial Impact**

The Water Services Department anticipates spending up to \$57,000 annually not to exceed \$285,000 during the life of the five-year contract. Funding is available in the Water Services Department operating budget.

**This item was adopted.**

## **74 Grant Application to U.S. Bureau of Reclamation for WaterSMART Water Marketing Strategy Grant (Ordinance S-43396)**

Request authorization for the City Manager, or his designee, to submit, accept, and if awarded, enter into an agreement for a grant through the U.S. Bureau of Reclamation (BOR) (grant opportunity announcement BOR-DO-17-F014) WaterSMART Water Marketing Grant. Further request authorization for the City Treasurer to accept and the City Controller to disburse funds of up to \$200,000. Grant funding will be used to advance development of the Arizona Water Exchange Platform.

### **Summary**

The Arizona Water Exchange Platform (Exchange Platform) is a collaborative project first developed by the City of Phoenix and a team of water professionals, academics, and non-profit organizations. The

purpose of the Exchange Platform is to develop a technological tool to facilitate market-based transactions that will advance water resource sustainability of the City and other Colorado River water users in Central Arizona. The Exchange Platform was a finalist in the 2016 Arizona Community Foundation "Water Innovation Challenge" contest for the most innovative market-based, technological, or entrepreneurial solution to advance sustainability for Arizona communities. The Water Services Department will build on this success with funding from the BOR WaterSMART Water Marketing Strategy Grant for Fiscal Year 2017 to participate in development of a prototype technological tool and local water user advisory board to test and provide tool input.

### **Financial Impact**

The anticipated grant from BOR will provide funding up to \$200,000. No matching funds are required. Cost to the City would be in-kind resources only.

**This item was adopted.**

## **75 Modification of Stipulation Request for Ratification of Oct. 19, 2016 Planning Hearing Officer Action**

Application: PHO-1-16 - Z-181-99-3

Existing Zoning: R1-6

Acreage: 1.91

Applicant: JL Ventures LLC

Owner: Apostolic Christian Church of America

Representative: Trapezium Consulting Group LLC

Proposal:

1. Request to delete Stipulation 1 that the development be in general conformation with the site plan dated Feb. 23, 2000, and building elevations dated Aug. 2, 1999.
2. Technical Corrections to Stipulations 4, 7, and 9.

### **Summary**

Request to approve by formal action a recommendation made on the following Planning Hearing Officer zoning stipulation modification request which was heard by the Planning Commission on Thursday, March 2, 2017 without further public hearing by the City Council.

### **Location**

East side of 26th Street, 350 feet south of Vogel Avenue  
Council District: 3

**Concurrence/Previous Council Action**

Village Planning Committee (VPC) Recommendation: The Paradise Valley Village Planning Committee did not make a recommendation as the motion to deny by a 6-6 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer took this case under advisement. On Nov. 10, 2016, the Planning Hearing Officer took this case out from under advisement and denied the request.

Planning Commission: Denied the Planning Hearing Officer recommendation, and approved PHO-1-16 - Z-181-99-4 with a modification of Stipulation 1 and technical corrections to Stipulation 4,7, and 9 by a 6-0 vote.

**This item was approved.**

**76 Ratification of March 2, 2017 Planning Commission Action - Rezoning Application Z-36-16-2 - Northeast Corner of 30th Street and Union Hills Drive**

Request to ratify Planning Commission's recommendation of denial for the Rezoning Application - Z-36-16-2 for multifamily residential development.

**Summary**

Application: Z-36-16-2

Current Zoning: R1-8

Proposed Zoning: PUD

Acreage: 1.99

Proposal: Multifamily Residential

Owner: D. Schirripa, L. German, and D. Rifley

Applicant: GCHI Landholdings, LLC

Representative: Jenifer Corey, Zoning Strategies, LLC

Staff Recommendation: Approval, subject to stipulations

VPC Action: The Paradise Valley Village Planning Committee heard the request on Feb. 6, 2017 and approved the request per staff's recommendation by a vote of 8-6.

PC Action: The Planning Commission heard the request on March 2, 2017 and denied the request by a 7-0 vote.

**Location**

Northeast corner of 30th Street and Union Hills Drive  
Council District: 2

**This item was withdrawn.**

**77 Waiver of Federal Patent Easement - V150067F - 24777 N. 15th Ave. (Resolution 21523)**

Abandonment: V150067F

Project: 14-3022

Applicant: Brian Scott on behalf of Shybaru LLC, an Arizona Limited Liability Company

Request: To waive all of the 33 foot Federal Patent Easements on the parcel addressed 24777 N. 15th Ave., APN 210-08-004A

Date of Hearing: Feb. 24, 2016

**Summary**

The resolution of the waiver and the Map of Dedication number 160005, previously approved by Council on Jan. 11, 2017 as item number 82, 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 Map of Dedication is recorded second.

**Location**

24777 N. 15th Ave.  
Council District: 1

**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.**

**78 Final Plat - Fillmore and 4th Street - 160125 - Northeast Corner of Fillmore Street and 4th Street**

Plat: 160125

Project: 16-2384

Name of Plat: Fillmore & 4th Street

Owner(s): City of Phoenix

Engineer(s): Atwell, LLC

Request: A 1 Lot Commercial Subdivision Plat

Reviewed by Staff: March 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. This plat needs to record concurrently with Abandonment V160048.

**Location**

Generally located at the northeast corner of Fillmore Street and 4th Street.

Council District: 8

**This item was approved.**

**79 Final Plat - Road Machinery - 160121 - West Side of 7th Street, North of Buckeye Road**

Plat: 160121

Project: 05-3793

Name of Plat: Road Machinery

Owner(s): Road Machinery, LLC

Engineer(s): CEG, Inc.

Request: A 1 Lot Commercial Plat

Reviewed by Staff: March 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 west side of 7th Street, north of Buckeye Road.  
Council District: 8

**This item was approved.**

**80 Final Plat - Market at South Mountain - 160126 - Southwest Corner of Baseline Road and 24th Street**

Plat: 160126

Project: 16-3491

Name of Plat: Market at South Mountain

Owner(s): Next Gen Development, LLC

Engineer(s): 3 Engineering, LLC

Request: A 3 Lot Commercial Subdivision Plat

Reviewed by Staff: March 8, 2017

**Summary**

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

**Location**

Generally located at the southwest corner of Baseline Road and 24th Street.

Council District: 8

**This item was approved.**

**82 Final Plat - 40th Street Residences - 160128 - South of Indian School Road and East of 40th Street**

Plat: 160128

Project: 15-2295

Name of Plat: 40th Street Residences

Owner(s): DB Camelback Investments, LLC

Engineer(s): Abel & Associates, LLC

Request: An 8 Lot Residential Subdivision Plat

Reviewed by Staff: March 10, 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 south of Indian School Road and east of 40th Street.  
Council District: 6

**This item was approved.**

**83 (CONTINUED FROM MARCH 22, 2017) - Final Plat - Lazy Day Manor  
- 160110 - West of 15th Avenue South of Orangewood Avenue**

Plat: 160110

Project: 15-3216

Name of Plat: Lazy Day Manor

Owner(s): Plhaz Lazy Day, LLC

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

Request: A 24 Lot Conventional Subdivision Plat

Reviewed by Staff: Feb. 15, 2017

**Summary**

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

**Location**

Generally located west of 15th Avenue, south of Orangewood Avenue.  
Council District: 5

**This item was continued to the April 19, 2017 City Council Formal Meeting.**

**84 Abandonment of Right-of-Way - V160066A - 2849 W. Buckeye Road  
(Resolution 21524)**

Abandonment: V160066A

Project: 16-485

Applicant: Juan Ramirez

Request: To abandon the east five feet of 29th Avenue Right-of-Way adjacent to the parcel addressed 2849 W. Buckeye Road, APN 105-09-023, beginning 40 feet south of the Buckeye Road monument line, and adjacent to the parcel identified as APN 105-09-022C.

Date of Hearing: Jan. 17, 2017

**Location**

2849 W. Buckeye Road  
Council District: 7

**Financial Impact**

A fee was also collected as part of this abandonment in the amount of \$1,085.

**This item was adopted.**

**85 Abandonment of Right-of-Way - V160048A - 4th and Pierce Streets (Resolution 21525)**

Abandonment: V160048A

Project: 16-2384

Applicant: City of Phoenix, Community and Economic Development Department

Request: To abandon the 20 foot alley Right-of-Way bounded by 4th and 5th Streets, Pierce and Fillmore Streets.

Date of Hearing: Sept. 28, 2016

**Summary**

The resolution of the abandonment and the subdivision plat number 160125, "Fillmore & 4th Street", 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**

4th and Pierce Streets  
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.**

**86 Abandonment of Right-of-Way - V160069A - 5837 E. Exeter Blvd.  
(Resolution 21526)**

Abandonment: V160069A

Project: 00-4124

Applicant: Larson Revocable Trust, Care of Robert H. Larson and Marilyn N. Larson

Request: To abandon the 15-foot alley Right-of-Way located between the parcels addressed 5837 and 5843 E. Exeter Blvd., APN 172-43-026 and 172-43-001.

Date of Hearing: Feb. 7, 2017

**Location**

5837 E. Exeter Blvd.

Council District: 6

**Financial Impact**

A fee was also collected as part of this abandonment in the amount of \$729.

**This item was adopted.**

**87 Amend City Code - Ordinance Adoption - Rezoning Application  
Z-53-16-8 - Approximately 200 Feet West of the Southwest Corner  
of 16th Street and Willetta Street (Ordinance G-6296)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-53-16-8 for the P-1 (Passenger Automobile Parking, Limited) zoning district located approximately 200 feet west of the southwest corner of 16th Street and Willetta Street to allow for surface parking.

**Location**

Approximately 200 feet west of the southwest corner of 16th Street and Willetta Street.

Council District: 8

**This item was adopted.**

**88 Amend City Code - Ordinance Adoption - Rezoning Application  
Z-57-16-8 - Approximately 639 Feet South of the Southwest Corner**

**of 44th Street and Thomas Road (Ordinance G-6297)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-57-16-8 for a PUD (Planned Unit Development) to allow a mix of uses included multifamily residential and commercial.

**Location**

Approximately 639 feet south of the southwest corner of 44th Street and Thomas Road.

District: 8

**This item was adopted.**

**89 Amend City Code - Ordinance Adoption - Rezoning Application Z-64-16-5 - Approximately 168 Feet East of the Southeast Corner of 21st Avenue and Northern Avenue (Ordinance G-6298)**

Request to authorize City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-64-16-5 for a PUD (Planned Unit Development) to allow commercial and retail uses.

**Location**

Approximately 168 feet east of the southeast corner of 21st Avenue and Northern Avenue.

Council District: 5

**This item was adopted.**

**90 Amend City Code - Ordinance Adoption - Rezoning Application Z-70-16-7 - Approximately 290 feet east of the northeast corner of 35th Avenue and Adams Street (Ordinance G-6299)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-70-16-7 for the A-1 (Light Industrial) zoning district located approximately 290 feet east of the northeast corner of 35th Avenue and Adams Street to allow for a car wash and automobile sales.

**Location**

Approximately 290 feet east of the northeast corner of 35th Avenue and

Adams Street.

Council District: 7

**This item was adopted.**

**91 Amend City Code - Ordinance Adoption - Rezoning Application  
Z-86-16-4 - Approximately 70 Feet West of the Northwest Corner of  
11th Street and Mariposa Street (Ordinance G-6300)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting rezoning application Z-86-16-4 for the Parking P-1 District (Passenger Automobile Parking Limited) to allow for a surface parking lot.

**Location**

Approximately 70 feet west of the northwest corner of 11th Street and Mariposa Street.

District 4

**This item was adopted.**

**92 Amend City Code - Ordinance Adoption - Rezoning Application  
Z-91-16-8 - Northeast Corner of 25th Street and Brill Street  
(Ordinance G-6301)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-91-16-8 for the C-2 (Intermediate Commercial) zoning district located at the northeast corner of 25th Street and Brill Street.

**Location**

Northeast corner of 25th Street and Brill Street.

Council District: 8

**This item was adopted.**

**93 Amend City Code - Ordinance Adoption - Rezoning Application  
Z-95-16-8 - Southeast Corner of 10th Street and Willetta Street  
(Ordinance G-6302)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-95-16-8 for the C-2 HR (Intermediate Commercial High Rise) and C-2 HR SP (Intermediate Commercial, High

Rise, Special Permit) zoning districts located at the southeast corner of 10th Street and Willetta Street to allow for a hospital.

**Location**

Southeast corner of 10th Street and Willetta Street.

Council District: 8

**This item was adopted.**

**94 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-13-16-2 - Northwest Corner of Tatum Boulevard and Rose Garden Lane (Ordinance G-6303)**

Request to authorize City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-13-16-2 for a Special Permit to allow a massage establishment and all underlying C-2 uses.

**Location**

Northwest corner of Tatum Boulevard and Rose Garden Lane.

Council District: 2

**This item was adopted.**

**97 Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-73-16-2 - Northeast Corner of the 42nd Street Alignment and Dynamite Boulevard (Ordinance G-6306)**

Application No. Z-73-16-2

Current Zoning: County RU-43 (Pending S-1)

Proposed Zoning: R1-18

Acreage: 12.49

Proposal: Single Family Residential

Applicant: EcoVista Development LLC

Owner: J & M Aronica Revocable Trust

Representative: Wendy Riddell, Berry Riddell LLC

Staff Recommendation: Approved with stipulations

VPC Action: Denied by a vote of 4-3

PC Action: Denied by a vote of 3-3-1

3/4 Vote Required: Yes

**Location**

Northeast corner of the 42nd Street alignment and Dynamite Boulevard.



Council District: 2

**Summary**

Request to hold a public hearing to authorize the City Manager to approve the Planning Commission's recommendation of denial to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix for the R1-18 (Single Family Residence District) zoning district to allow single family residential development as request with application Z-73-16-2.

**This item was continued to the May 10, 2017 City Council Formal Meeting.**

Note: Councilman Waring rejoined the voting body.

**54 2016 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Application (Ordinance S-43376)**

Request authorization for the City Manager, or his designee, to retroactively authorize the Fire Department to apply for \$8,739,936 in 2016 Staffing for Adequate Fire and Emergency Response (SAFER) grant funding. The application period closed on Feb. 10, 2017. Further request authorization to accept the funds and enter into a grant agreement, if the grant is awarded, and request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item. If approval is not granted and the SAFER grant is awarded, the grant will not be accepted.

**Summary**

The purpose of the SAFER Grant Program is to increase the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards. The grant application requests \$8,739,936 to hire 32 firefighter positions lost through attrition. If the grant request is approved, funding for these 32 positions will last for three years from the time of award.

The funding term and structure for this year's SAFER Grant Program has been modified from past years. The Federal Emergency Management Agency (FEMA) has increased the funding term to three years, but has implemented a cost share provision. Awardees are now responsible for contributing 25% of the costs for the first two years, and 65% of the cost

for the third year. Additionally, the basis of salary and benefit calculations are limited to first year firefighter costs. Step increases and other wage adjustments for subsequent years are no longer allowed in the funding request.

### **Contract Term**

The contract term will be for three years from the date of award. FEMA is anticipated to begin the first round of grant awards in July 2017.

### **Financial Impact**

If the grant is awarded, the Fire Department will receive up to \$5,389,627 in grant funding for 32 firefighter positions. A Phoenix match of at least \$3,350,309 would be required over the three-year period of performance.

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

This item was retroactively recommended unanimously by the Public Safety and Veterans Subcommittee on March 8, 2017.

### **Discussion**

Greta Rogers asked if the acceptance of this grant would account for the benefits associated with this staffing. She also requested that the Council closely evaluate this item with regards to potential economic downturns.

City Manager Ed Zuercher replied that staff did not take the funding lightly and was confident that the City could fulfill the financial obligations associated with this grant.

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

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

**Absent:** 1 - Councilman Valenzuela

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman**

**Gallego, that items 69 & 70 be adopted as noted below. The motion carried by the following vote:**

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

**Absent:** 1 - Councilman Valenzuela

**69 Amendment to Intergovernmental Agreement with ADOT to Design-Build Chandler Boulevard Extension from 27th to 19th Avenues - Amendment 2 (Ordinance S-43391)**

Request authorization for the City Manager, or his designee, to enter into Amendment 2 to Intergovernmental Agreement (IGA) 16-0005970-I with the Arizona Department of Transportation (ADOT) to increase funding for the Chandler Boulevard: 27th to 19th Avenues extension project by \$600,000, for a total not to exceed \$12.1 million to cover all costs including design, right-of-way and construction. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

**Summary**

Due to the revised engineer's cost estimates for expansion of the roadway width, additional funding is required from ADOT for the design, right-of-way and construction to complete the Chandler Boulevard extension, from 27th to 19th avenues. This project will re-route traffic onto Chandler Boulevard in time for the construction of the State Route 202 (SR202) South Mountain Freeway.

**Financial Impact**

ADOT has agreed to pay for all costs associated with design, right-of-way and construction, and the Maricopa Association of Governments has approved the costs in the Transportation Improvement Program. The City of Phoenix will operate and maintain the roadway.

**Concurrence/Previous Council Action**

On April 22, 2015, City Council approved IGA 15-0005164-I with ADOT in the amount of \$9,428,000. On Aug. 31, 2016, City Council approved IGA 16-0005970-I with ADOT for a construction funds increase of

\$2,072,00.

Items 69 & 70 were heard together.

### **Discussion**

Greta Rogers expressed a desire for this project to include bike lanes, sidewalks and curbing.

Councilman DiCiccio stated that bike lanes were eliminated early on but he understood the value of them and worked with the neighborhood during the debates.

Ms. Rogers the state was cheap and not concerned with safety. She then asked that the Council fight for the safety of the neighborhood.

**This item was adopted.**

### **70 Chandler Boulevard - 27th to 19th Avenues, 1-Step Design-Build, Amendment 3 - Project ST85100367 (Ordinance S-43392)**

Request to authorize the City Manager, or his designee, to enter into Amendment 3 with Hunter Contracting Co. (Gilbert, Ariz.) to provide 1-Step Design-Build construction phase services for the Chandler Boulevard - 27th to 19th Avenues project. Amendment 3 for GMP#3 will allow for additional engineering design and construction for widening Chandler Boulevard to accommodate an additional lane of traffic. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

This street construction project will provide an important transportation connection to Ahwatukee Foothills residents, consisting of the construction of approximately 1.2 miles of new half street roadway for two-way traffic. The north side of the road will be developed to include curb and gutter, a five-foot wide sidewalk and street lighting. The project also includes the construction of two drainage-related bridge structures, roadway drainage system, flood protection and waterline relocations.

Amendment 3 consists of engineering design efforts and additional construction costs to provide sufficient pavement width as needed to provide three lanes of traffic. The cost also includes design and construction related project administration.

**Procurement Information**

Hunter Contracting Co. was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (ARS). Scoring and selection were made in conjunction with the initial design-build team selection process.

**Contract Term**

The term of this amendment will remain the same, as this amendment will be completed within the original allotted time, which was 300 calendar days. 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**

Hunter Contracting Co.'s fees under Amendment 3 will not exceed \$290,944.21, including all subconsultant, subcontractor and reimbursable costs. The new contract cost for all design and construction services for this project is \$8,472,904.46. Funding is available in the Street Transportation Department's Capital Improvement Program Budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**Small Business Outreach**

The Small Business Enterprise goal for this project is eight percent.

**Concurrence/Previous Council Action**

The City Council approved Contract 140977 for 1-Step Design-Build (design phase) services on July 1, 2015. Council approved Amendment 1 for 1-Step Design-Build (construction phase) services on June 15, 2016. On Feb. 15, 2017, Council approved Amendment 2 for additional construction phase services.

**Public Outreach**

A public open house meeting was held on Jan. 25, 2016, with additional presentations given to the Ahwatukee Village Planning Committee (AVPC) and other homeowner associations within the project area, and

the City conducted additional presentations to the AVPC in August 2016. Public outreach will continue throughout construction.

**Location**

Chandler Boulevard from 27th to 19th avenues.

Items 69 & 70 were heard together.

**Discussion**

See Item 69 for discussion.

**This item was adopted.**

**81 Final Plat - Phoenix Hotel Master Plan - 150108 - South of University Drive, West of 48th Street**

Plat: 150108

Project: 06-5242

Name of Plat: Phoenix Hotel Master Plan

Owner(s): Sky Harbor Hotel Properties, LLC, AUM Hospitality Ventures, LLC, and Soleil Conference Center, LLC

Engineer(s): Superior Surveying Services, Inc.

Request: A 3 Lot Commercial Subdivision Plat

Reviewed by Staff: March 9, 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 south of University Drive, west of 48th Street.

Council District: 8

**Discussion**

Greta Rogers mistakenly asked during the discussion on Items 69 & 70, if this hotel was to be built by a private party on land that they bought or leased from the City.

Councilwoman Gallego stated that the hotel was being privately built, in response to a previous question on this item by Greta Rogers.

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

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

**Absent:** 1 - Councilman Valenzuela

**95 Amend City Code - Public Hearing and Ordinance Adoption - Parking Improvements Text Amendment - Z-TA-6-14 (Ordinance G-6304)**

Request to hold a public hearing on a proposed Zoning Ordinance text amendment regarding parking improvements for parking restaurant/bar recreational outdoor area standards and to consider adopting the Downtown, Aviation, Economy and Innovation Subcommittee recommendation along with the related Ordinance.

Application: Z-TA-6-14

Request: Parking Improvements Text Amendment

Proposal: Amend Chapter 2, Section 202, Chapter 7, Section 702.C. of the Phoenix Zoning Ordinance to establish parking standards for restaurant/bar outdoor recreation areas and amend Section 702.E. to modify parking reductions within the infill district and add limited parking reductions for commercial developments.

Applicant: City of Phoenix Planning Commission

Representative: Planning and Development Department

Staff: Approval per the Downtown, Aviation, Economy and Innovation Subcommittee recommendation.

**Summary**

The intent of this proposed text amendment is to establish parking standards for restaurant/bar outdoor recreation areas, modify parking reductions within the infill district and add limited parking reductions for commercial developments to address neighborhood impacts (see Attachment D).

In 2014, neighbors near The Yard restaurant (located at the southwest

corner of 7th Street and Montebello Avenue) raised concerns regarding customers parking on residential streets, cut-through traffic and traffic congestion. In response to these concerns, a Parking Standards Study Group was created to collaboratively research how other cities handle this issue and analyze commercial parking for businesses that impact neighborhoods. The members included neighborhood representatives, design professionals, commercial developers and staff from several City departments. The mission of the Parking Standards Study Group was to propose new policy that can assist in minimizing the impacts on the community while also supporting the needs of businesses to serve their customers.

In addition to the text amendment, additional improvements that are being recommended include: 1) updating the language in the Zoning Adjustment Packet, 2) providing standard stipulation language to the Zoning Adjustment Hearing Officers to assist their decision when a use permit or variance involves a reduced parking request and 3) provide a new valet parking policy. These improvements will increase communication and transparency as it relates to parking issues.

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

Fourteen Village Planning Committees (VPC) have heard this request and one VPC did not hear this request due to lack of quorum. Ten of the VPCs approved the amendment as proposed by staff and four VPCs denied the request as summarized in Attachment C. The Planning Commission heard this case on Feb. 2, 2017 and recommended approval with the exception of Sections 702.E.9.a and 702.E.10 regarding the on-street parking provisions with direction to staff to continue to work on the on-street parking provisions by a vote of 7-0 as summarized in Attachment B. The Downtown, Aviation, Economy and Innovation Subcommittee heard this request on March 1, 2017 and recommended denial of Z-TA-6-14 as filed and approved modified language removing new on-street parking provisions in Sections 702.E.9.a and 702.E.10. by a 4-0 vote.

### **Discussion**

Planning and Development Director Alan Stephenson introduced the item.



Mayor Stanton opened the hearing for the item.

A speaker comment card was submitted in favor of the item, with no one wishing to speak:

Alisa Lynos - Valley Partnership

Mayor Stanton closed the public hearing, noting there were no other speakers.

**The hearing was held and a motion was made by Vice Mayor Pastor, seconded by Councilwoman Gallego, that this item be adopted per Downtown, Aviation, Economy and Innovation Subcommittee recommendation. The motion carried by the following vote:**

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

**Absent:** 1 - Councilman Valenzuela

**96 Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-88-16-3 - Southeast Corner of 37th Street and Shea Boulevard (Ordinance G-6305)**

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-88-16-3

Current Zoning: RE-43

Proposed Zoning: R-O

Acreage: 1.65

Proposal: Residential Office

Owner: RK & JE Wheeler Family Trust

Applicant/Representative: Adam Baugh, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations

VPC Action: The Paradise Valley Village Planning Committee heard the request on Feb. 6, 2017 and approved the request with two additional stipulations by a 10-4 vote.

PC Action: The Planning Commission heard the request on March 2, 2017 and approved as recommended by the Paradise Valley Planning Committee with a modification to Stipulation 11 and technical correction to Stipulation 12 by a 7-0 vote.

**Location**

Southeast corner of 37th Street and Shea Boulevard  
Council District: 3

**Discussion**

Planning and Development Director Alan Stephenson introduced the item.

Mayor Stanton opened the hearing for the item.

Mayor Stanton closed the public hearing, noting there were no speakers.

**The hearing was held and a motion was made by Councilwoman Stark, seconded by Councilwoman Williams, that this item be adopted per April 3, 2017 Planning Director memo as amended. The motion carried by the following vote:**

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

**Absent:** 1 - Councilman Valenzuela

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


None.

**CITIZEN COMMENTS**

There were no additional speakers for citizen comment.

**ADJOURN**

There being no further business to come before the Council, Mayor Stanton declared the meeting adjourned at 3:21 p.m.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

LWS

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 5th day of April, 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.

  
\_\_\_\_\_  
CITY CLERK

