



City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, June 21, 2017

2:30 PM

phoenix.gov

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, June 21, 2017 at 2:44 p.m. in the Council Chambers.

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

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

CITIZEN COMMENTS

Leonard Clark spoke against the demolition of the Clinton Campbell house and the need to preserve historic homes within the community.

Allen F. Ward, Jr. spoke in favor of providing housing for low-income individuals and the need for affordable housing.

Dianne Barker spoke about the benefits of FitPHX and public transportation within the City.

David Adame, Abe Arvizo, and Mickey Munze alerted staff, prior to being called upon, that they no longer wished to speak before the Council.

Pete Dimas submitted a speaker comment card, but declined the opportunity to speak when Mayor Stanton called upon him.

James Deibler spoke about the importance of not discriminating against individuals with disabilities and the need for both small and large businesses to

comply with the Americans with Disabilities Act of 1990.

Note: Councilman Waring left the voting body.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6331 through G-6332, S-43759 and S-43642 through S-43706, and Resolutions 21550 through 21552 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:

Assisted Housing Governing Board

Ruth Wiesehan was appointed by the City of Phoenix Housing Director, Cindy Stotler. She would replace Amador Lopez on the Board and would serve a first full term which would expire on June 30, 2019.

Human Services Commission

Jim Domschke was selected to serve as the Senior Services Representative for Area C by the Human Services Advisory Committee (HSAC). He would serve his first full term which would expire on June 30, 2019.

Alejandro Flores was selected to serve as the Community Services Representative for Area B by the Human Services Advisory Committee (HSAC). He was a Clinical Supervisor for Chicanos Por La Causa: Integrated Health and Human Services. He would serve his first full term which would expire on June 30, 2019.

Tamara Floyd was selected to serve as the Community Services Representative for Area C. She was the Program Coordinator for the University of Arizona. She would serve her first full term which would expire on June 30, 2019.

Roberta Mack was selected to serve as the Senior Services Representative for Area B. She was a caregiver coordinator with Arizona Opportunities Industrialization. She would serve her first full term which would expire on June 30, 2019.

Sala Webb was a Physician/Medical Director at Mercy Maricopa Integrated Care. She would serve a partial term on the Commission which would expire on June 30, 2018.

Jack Davis was selected to serve as the Senior Services Representative for Area A by the Human Services Advisory Committee (HSAC). He would serve his third term which would expire on June 30, 2019.

Trina Soderquist was selected to serve as the Head Start Representative for Area A. She would serve her first full term which would expire on June 30, 2019.

Susan Levy would serve her first full term on the Commission which would expire on June 30, 2020.

Bonnie Temme would serve her first full term on the Commission which would expire on June 30, 2020.

Phoenix Business and Workforce Development Board

Anthony Gauthier was the financial secretary and treasurer of U.A. Local 469. He replaced Alan Ruda, and would serve his first full term which would expire on July 1, 2020.

Kelly Coats would serve a second term which would expire on June 30, 2020.

Delbert Hawk would serve a second term which would expire on June 30,

2020.

Jeff Holly would serve his first full term which would expire on June 30, 2020.

Jesus Love would serve his first full term which would expire on June 30, 2020.

Parks and Preserve Initiative Oversight Committee

John Furniss was the information technology services executive for GuideIT, LLC and a resident of District 6. He filled a vacancy on the Committee and would serve his first full term which would expire on May 30, 2020.

Neighborhood Block Watch Fund Oversight Committee

Carmen Arias would serve a second term which would expire on Aug. 31, 2019. She would also serve as the Chair of the Committee which would expire on Aug. 31, 2018.

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

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

Absent: 1 - Councilman Waring

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:

Ahwatukee Foothills Village Planning Committee

Councilman Sal DiCiccio recommends the following individual for appointment:

Martha Neese was the owner at Von Hanson's Meats & Spirits and a resident of District 6. She would fill a vacancy on the Committee and would serve a term which would expire Nov. 19, 2019.

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

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

Absent: 1 - Councilman Waring

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

Ruth Wiesehan
Alejandro Flores
Tamara Floyd
Roberta Mack
Sala Webb
Bonnie Temme
John Furniss
Martha Neese

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

Vice Mayor Pastor introduced Joe Holcomb from Chase had won an auction that included lunch with her and an opportunity to learn about City government.

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.

Kevin Mullohan, Applicant - Item 4

William Carr, Applicant - Item 10

Nicholas C. Gutilla - Item 13

Nicholas C. Gutilla - Item 14

Nicholas C. Gutilla - Item 15

Clayton Moizo, Applicant - Item 16

Nicholas C. Gutilla - Item 19

A motion was made by Councilwoman Pastor, seconded by Councilwoman Gallego, that items 3 through 19, except: 8; 9; & 18, be recommended for approval. The motion carried by voice vote:

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

Absent: 1 - Councilman Waring

3 Liquor License - Bamboo Cafe

Request for a liquor license. Arizona State License 12077261.

Summary

Applicant

Bethany Tsang, Agent

License Type

Series 12 - Restaurant

Location

6615 W. Happy Valley Road, Ste. 110

Zoning Classification: C-2

Council District: 1

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

The sixty-day limit for processing this application is June 26, 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:

"She (Connie Tsang) is over 25 years old. She can take over the business and operate well."

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

4 Liquor License - Anzio's Italian Restaurant

Request for a liquor license. Arizona State License 1207B012.

Summary

Applicant

Kevin Mollohan

License Type

Series 12 - Restaurant

Location

12418 N. 28th Drive, Ste. 1

Zoning Classification: C-1

Council District: 1

This request is for a new liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 7 - Beer and Wine Bar, liquor license.

The sixty-day limit for processing this application is June 30, 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.

Anzio's Italian Restaurant (Series 7)
12418 N. 28th Drive, Ste. 1, Phoenix
Calls for police service: 9
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

"Because I am a well established business that's been in business for over 30 years. On multiple occasions I have demonstrated my ability to responsibly serve others."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We are a neighborhood favorite established restaurant with over 30 years of responsible service to customers. We feel this would be a benefit to our patrons to serve hard alcohol with their Italian entree's. Furthermore, we have been frequently asked for this service by our patrons."

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 - Anzio's Italian Restaurant

Liquor License Map - Anzio's Italian Restaurant

This item was recommended for approval.

5 Liquor License - Cuban Foods

Request for a liquor license. Arizona State License 1207B013.

Summary

Applicant

Manuel Cias Hernandez, Agent

License Type

Series 12 - Restaurant

Location

10649 N. 43rd Ave.

Zoning Classification: C-2

Council District: 1

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

The sixty-day limit for processing this application is June 30, 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:

“In my past years of business I have manage to build a team of responsible, reliable and hard working individuals. Together we proudly share a piece of our culture with the public. In my years in the business I have develop a system to prevent incidents and create an enjoyable experience for both our employees and the customers. Furthermore I am confident that I will be able to defuse and deescalate any situation that might arise.”

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

“By me obtaining the liquor license we will be sharing a small portion of my culture with the public. We will be able to reach a higher level of comfort and offer more enjoyable experience, and we will get to be a well rounded restaurant. All off course following the guidelines and rules of the City of Phoenix.”

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 - Cuban Foods

Liquor License Map - Cuban Foods

This item was recommended for approval.

6 Liquor License - Outback Steakhouse #0327

Request for a liquor license. Arizona State License 1207B003.

Summary

Applicant

Peter Schelstraete, Agent

License Type

Series 12 - Restaurant

Location

7000 E. Mayo Blvd., Bldg. 25

Zoning Classification: C-2 HGT/WVR PCD

Council District: 2

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 June 24, 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:

“Will comply with all federal, state, county and city statutes, rules and requirements. Will ensure employees are properly trained to ensure such compliance in addition to providing a safe, friendly and fun environment for families and friends to gather and enjoy a great meal together.”

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

7 Liquor License - Ncounter

Request for a liquor license. Arizona State License 1207B011.

Summary

Applicant

Kathryn Blackwell, Agent

License Type

Series 12 - Restaurant

Location

7000 E. Mayo Blvd., #B8

Zoning Classification: C-2 HGT/WVR PCD

Council District: 2

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

July 2017.

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

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

Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor licenses(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 the locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Ncounter (Series 12)

310 S. Mill Ave., Ste. A101, Tempe

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

Liquor License Violations: None

Public Opinion

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

Applicant's Statement

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

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

"I take the responsibility of holding a liquor license with great respect for the safety of our customers and community and expect the same level of respect from our staff and management. Ncounter Franchising holds a liquor license for the same breakfast, brunch, and lunch concept in Tempe as well as a new location under construction in Phoenix. Ncounter Franchising acquired the Tempe location in April 2016. The previous management is still in place that has been managing the restaurant for

the past 5 years and will train and oversee the new staff at the new location on First Ave and Mayo Blvd.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “The breakfast, brunch, and lunch restaurant service will offer the local business and residences a comfortable and open air place to gather and socialize. The extended patio at the Mayo location will be a community gathering place for residents, local bicycling and running groups, social groups, as well as the growing number of office staff in the area. The restaurant closes at 3:00p but we plan to make the space available for private functions and celebrations for businesses and residents. The restaurant and its beer and cocktail menu will add value to the growing North Phoenix / Scottsdale area.”

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 - Ncounter

Liquor License Map - Ncounter

This item was recommended for approval.

10 Liquor License - 32 Shea

Request for a liquor license. Arizona State License 1207B014.

Summary

Applicant

Rexford Moffett, Agent

License Type

Series 12 - Restaurant

Location

10626 N. 32nd St.

Zoning Classification: C-2

Council District: 3

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 June 30, 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

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.

Lakeside Bar & Grill (Series 12)
9980 W. Happy Valley Pkwy., #1101, Peoria
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Bill's Grill (Series 12)
333 S. Montezuma St., Prescott
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

The applicant submitted the following statement in support of this

application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

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

“I have worked in the restaurant industry for 11 years including the last 10 at Peter Piper Pizza in Phoenix. In 2014 myself and my business partner purchased our first of 3 restaurants in AZ and have held liquor licenses since. We care about the communities we serve and are concerned with the safety and overall experience of our guests and Team Members. We are proud to call Arizona our home and want to provide good food and a relaxing experience for the neighborhood.”

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Outback Steakhouse #0313

Request for a liquor license. Arizona State License 1207A999.

Summary

Applicant

Peter Schelstraete, Agent

License Type

Series 12 - Restaurant

Location

4715 E. Cactus Road

Zoning Classification: C-2 PCD

Council District: 3

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 June 24, 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:

“Will comply with all federal, state, county and city statutes, rules and requirements. Will ensure employees are properly trained to ensure such compliance in addition to providing a safe, friendly and fun environment for families and friends to gather and enjoy a great meal together.”

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Outback Steakhouse #0324

Request for a liquor license. Arizona State License 1207B002.

Summary

Applicant

Peter Schelstraete, Agent

License Type

Series 12 - Restaurant

Location

9801 N. Black Canyon Hwy.

Zoning Classification: C-2 HGT/WVR PCD

Council District: 3

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 June 24, 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:

“Will comply with all federal, state, county and city statutes, rules and requirements. Will ensure employees are properly trained to ensure such compliance in addition to providing a safe, friendly and fun environment for families and friends to gather and enjoy a great meal together.”

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Target #2236

Request for a liquor license. Arizona State License 09073621.

SummaryApplicant

Nicholas Guttilla, Agent

License Type

Series 9 - Liquor Store

Location

16806 N. 7th St.

Zoning Classification: C-2

Council District: 3

This request is for a new liquor license for a retail store. This location is currently licensed for liquor sales with a series 10, Beer and Wine Store, liquor license.

The sixty-day limit for processing this application was May 30, 2017. However, the applicant has submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

“Target Corporation has been doing business in Arizona since 1984 and is a long-established and proven good neighbor at its locations. Target and its affiliates have over a thousand stores and several hundred liquor licenses nationwide. It intends to continue operating its alcohol sales in the same responsible and successful manner as it has continually done since it started selling alcohol in Arizona in 2004.”

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

“Target Corporation prides itself in providing its communities with a large variety of products permitting its guests and neighbors the convenience of "one-stop shopping." The addition of a series 9 liquor license at this existing location will enhance the convenience, offerings, and concept of 'one-stop shopping' for its guests.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Target #2236

Liquor License Map - Target #2236

This item was recommended for approval.

14 Liquor License - Target #3261

Request for a liquor license. Arizona State License 10076866.

SummaryApplicant

Nicholas Guttilla, Agent

License Type

Series 10 - Beer and Wine Store

Location

1625 E. Camelback Road

Zoning Classification: C-2 DNS/WVR CEPCSP

Council District: 4

This request is for a new liquor license for a retail store. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in July 2017.

The sixty-day limit for processing this application was May 28, 2017. However, the applicant has submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

“Target Corporation has been doing business in Arizona since 1984 and is a long-established and proven good neighbor at its locations. Target and its affiliates have over a thousand stores and several hundred liquor licenses nationwide. It intends to continue operating its alcohol sales in

the same responsible and successful manner as it has continually done since it started selling alcohol in Arizona in 2004.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Target Corporation prides itself in providing its communities with a large variety of products permitting its guests and neighbors the convenience of "one-stop shopping." The addition of a liquor license at this new location will enhance the concept of "one-stop shopping" for its guests.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Target #3261

Liquor License Map - Target #3261

This item was recommended for approval.

15 Liquor License - Target #2354

Request for a liquor license. Arizona State License 09073625.

Summary

Applicant

Nicholas Guttilla, Agent

License Type

Series 9 - Liquor Store

Location

5715 N. 19th Ave.

Zoning Classification: PSC TOD-1

Council District: 5

This request is for a new liquor license for a retail store. This location is currently licensed for liquor sales with a Series 10 - Beer and Wine Store, liquor license.

The sixty-day limit for processing this application was May 30, 2017.

However, the applicant has submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"Target Corporation has been doing business in Arizona since 1984 and is a long-established and proven good neighbor at its locations. Target and its affiliates have over a thousand stores and several hundred liquor licenses nationwide. It intends to continue operating its alcohol sales in the same responsible and successful manner as it has continually done since it started selling alcohol in Arizona in 2004."

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

"Target Corporation prides itself in providing its communities with a large variety of products permitting its guest and neighbors the convenience of "one-stop shopping." The addition of a series 9 liquor license at this existing location will enhance the convenience, offerings, and concept of "one-stop shopping" for its guests.

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Target #2354

Liquor License Map - Target #2354

This item was recommended for approval.

16 Liquor License - Half Moon Windy City Sports Grill

Request for a liquor license. Arizona State License 12075716.

SummaryApplicant

Randy Nations, Agent

License Type

Series 12 - Restaurant

Location

2121 E. Highland Ave.

Zoning Classification: C-1 CEPCSP

Council District: 6

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

The sixty-day limit for processing this application is June 26, 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

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.

Half Moon Sports Grill (Series 12)

288 E. Greenway Pkwy., Ste. 103, Phoenix

Calls for police service: 13

Liquor license violations: In March 2010, a consent agreement was signed and a fine of \$1,500 was paid for failure to derive 40% of income from food. In August 2011, a consent agreement was signed for failure to derive 40% of income from food.

Scramble A Breakfast Joint (Series 12)

6590 N. Scottsdale Road, Ste. 100

Calls for Police Service: N/A - not in Phoenix

Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

"We are currently operating this location and have added on a new member to the ownership."

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

17 Liquor License - Sushi Sonora

Request for a liquor license. Arizona State License 1207B015.

Summary

Applicant

Jared Repinski, Agent

License Type

Series 12 - Restaurant

Location

6544 W. Thomas Road, Ste. 28

Zoning Classification: PSC

Council District: 7

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

The sixty-day limit for processing this application is July 1, 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 representing liquor licensed establishments in Arizona for over 15 years."

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

19 Liquor License - 7-Eleven #19668J

Request for a liquor license. Arizona State License 10076874.

SummaryApplicant

Nicholas Guttilla, Agent

License Type

Series 10 - Beer and Wine Store

Location

2843 N. 24th St.

Zoning Classification: C-2

Council District: 8

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales as 7-Eleven #19668G and may currently operate with an interim permit.

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

“7-Eleven, Inc. is a major convenience store retailer in the U.S. with thousands of stores in many states, some of which are operated by Corporate and some of which are operated by Franchisees. This store will now be operated as a Corporate store. 7-Eleven, Inc. has a strict, comprehensive, and successful training program and record regarding alcohol sales both inside and outside of Arizona. 7-Eleven, Inc. depends on its reputation regarding responsible operation of its stores and takes liquor compliance very seriously.”

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

Note: Councilman Waring rejoined the voting body, telephonically.

8 (CONTINUED FROM MAY 31, 2017) - Liquor License - MJ Mini Mart

Request for a liquor license. Arizona State License 10076867.

Summary

Applicant

Alemu Woldemichael, Agent

License Type

Series 10 - Beer and Wine Store

Location

1201 W. Hatcher Road

Zoning Classification: C-2

Council District: 3

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The sixty-day limit for processing this application was May 30, 2017. However, the applicant has submitted a written request for more time.

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 taken the class and passed the test to obtain my alcoholic beverage license. I understand the rules & regulations regarding alcoholic beverages and will be able to comply with them."

Staff Recommendation

Staff recommends approval of this application.

Discussion

Items 8 & 9 were heard together but voted on individually.

Kaitlyn Wright stated her business was directly across from what used to be a Circle K and she regularly saw individuals with alcohol issues creating problems in the area. She asked that Council consider how recommending a liquor license could impact the area.

Jerry Zannis spoke against items 8 & 9 and thanked Councilwoman Stark for taking the time to meet with local business owners regarding their concerns with the applications. He also thanked Councilwoman Stark for accepting the community's petitions opposing the applications and asked for her support in opposing the items.

Eric Latto stated John C. Lincoln Hospital had been working to revitalize the community and noted the organization felt that selling less alcohol in the area would help with those efforts.

David Payment requested stated the closing of the Circle K had a positive impact on the area and the Arizona Humane Society facility and he requested that the liquor license at that location not be approved.

Mayor Stanton stated there was one speaker comment card submitted in favor of the item, not wishing to speak, by the applicant Alemu Woldemichael.

Andrea Goldstein Sobczak stated opposition noting there were enough liquor stores in the area and added there were issues with transients.

Councilwoman Stark stated the surrounding area was challenged with high crime rates and there were sufficient liquor licenses in the area to meet the neighborhood needs, adding that the liquor license was not in the best interest of the community at that time.

A motion was made by Councilwoman Stark, seconded by Councilwoman Williams, that this item be recommended for disapproval. The motion carried by the following vote:

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

9 (CONTINUED FROM MAY 31, 2017) - Liquor License - MKS Quick Stop

Request for a liquor license. Arizona State License 10076862.

Summary

Applicant

Mahmoud Hamdan, Agent

License Type

Series 10 - Beer and Wine Store

Location

1049 W. Hatcher Road

Zoning Classification: C-2

Council District: 3

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales as Circle K Food Stores Inc. #530 and may currently operate with an interim permit.

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

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

Four letters, and one petition with four signatures protesting the issuance of this license have been received and are on file in the Office of the City Clerk. The letters are from local businesses. They feel that there are sufficient liquor licenses in the area and that adding another liquor license will not add to, or benefit the community's quality of life.

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 more than five years experience in working and supervising the operations of a beer and wine store. I will obtain certification in the liquor laws. I will operate this business in accordance with the law.”

Staff Recommendation

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

Discussion

Items 8 & 9 were heard together but voted on individually.

See Item 8 for the discussion of the two items.

Councilwoman Stark again stated the surrounding area was challenged with high crime rates and that there were sufficient liquor licenses in the area to meet the neighborhood needs, adding that the liquor license was not in the best interest of the community at that time.

A motion was made by Councilwoman Stark, seconded by Councilwoman Williams, that this item be recommended for disapproval. The motion carried by the following vote:

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

18 (CONTINUED FROM JUNE 7, 2017) - Liquor License - House of Blunts

Request for a liquor license. Arizona State License 10076871.

Summary

Applicant

Jennifer Davenport, Agent

License Type

Series 10 - Beer and Wine Store

Location

320 N. 48th St.

Zoning Classification: C-3

Council District: 8

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

The sixty-day limit for processing this application was June 17, 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:

“Both owners have taken the basic and management training. Any employees will be required to complete the basic liquor training. Beer and wine sales will focus on local craft beers and wine. Both owners are detail oriented, responsible business professionals who strive to provide excellent customer service in a safe environment.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Our store will sell craft beers and wines to the local community. We also plan to provide the service to the local tourism from surrounding hotels. We believe this will benefit other businesses in the area as well as the community.”

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 - House of Blunts

Liquor License Map - House of Blunts

Discussion

Councilwoman Gallego requested to hear from the applicants and stated they had been working with her office.

The applicants, Charles R. Davenport and Jennifer E. Davenport approached and stated their name for the record.

Jennifer E. Davenport stated they submitted their application with the intention of selling craft beer and craft win and were working with Councilwoman Gallego to change their name.

Councilwoman Gallego thanked the applicants for working with her office and members of the neighborhood.

A motion was made by Councilwoman Gallego, seconded by Councilwoman Williams, that this item be recommended for approval.

The motion carried by the following vote:

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

No: 1 - Councilman Waring

ORDINANCES, RESOLUTIONS AND NEW BUSINESS

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that items 20 through 128 be approved or adopted, except items 29, 41, 48-54, 66, 68, 75, 77, 81-84, 88, 94, 114, 117, 127, & 128; continuing item 69 to June 28, 2017, and items 71 & 96 to July 6, 2017. The motion carried by the following vote:

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

Items 20 through 47, Ordinance S-43642, 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.

20 City of Scottsdale

For \$40,000.00 in payment authority pursuant to the Memorandum of Understanding of Overlapping Retail Sewer Services for the Water Services Department. The sewer areas are located within the boundaries of Phoenix, but outside the Water Services Department's distribution area. The City of Scottsdale provides sewer services to Phoenix customers at a wholesale rate.

This item was adopted.

21 Oregon Health Authority, Public Health, Financial Services

For \$17,000.00 in payment authority for accreditation for lab testing processes under the Clean Air Act, Clean Water Act, Resource Conservation, Recovery Act, and the Safe Drinking Water Act for the Water Services Department. Accreditation requires that environmental and drinking water testing laboratories meet these standards as adopted by the National Environmental Laboratory Accreditation Program. Water Services Compliance Laboratory is accredited through the Oregon Department of Human Services. Without accreditation and assessment fee payment, the laboratory could lose its accreditation which would

compromise the ability to comply with regulations.

This item was adopted.

22 Arizona Department of Health Services, Bureau of State Laboratory Services

For \$15,000.00 in payment authority for State regulatory laboratory license fees for the Water Services Department. The City is required to pay an annual renewal fee to maintain the Water Services laboratory compliance testing licensure and comply with state and federal regulations. If the license lapses the laboratory will not be able to perform compliance testing.

This item was adopted.

23 Maricopa County Environmental Services Department

For \$50,000.00 in payment authority for fiscal year 2017-18 Phoenix Municipal Water System annual operating permits and non-hazardous liquid waste Hauler Permits for the Water Services Department. Maricopa County Environmental Services requires these permits to operate a public water system and to transport non-hazardous liquid waste.

This item was adopted.

24 Salt River Project Agricultural Improvement and Power District

For \$27,550.00 in payment authority to enter into a new contract, entered on or about June 22, 2017, for a term of one year, for substation pre-design services at Deer Valley and Val Vista Water Treatment plants for the Water Services Department. These substations do not currently meet Salt River Project (SRP) standards and are at risk of a power failure in the event of an equipment fire. SRP will consult the Water Services Department on the pre-design services only. Water Services will review their recommendations before beginning the design and construction phase for these substations.

This item was adopted.

25 Carollo Engineers, Inc.

For \$150,000.00 in additional payment authority for Contract 138791, Change Order 1 (Project WS85320022-2), for design services for Union Hills Water Treatment Plant - Solids Handling Facilities Improvements Project, for the Water Services Department. This is a new scope addition

to provide engineering services for the construction of new Gravity Thickener at Union Hills Water Treatment Plant located at 2001 E. Deer Valley Rd.

This item was adopted.

26 ANCO Sanitation Systems, Inc.

For \$50,000.00 in additional payment authority for Contract 136220, for trash compactor maintenance and repair services for the Aviation, Public Works and Phoenix Convention Center departments.

This item was adopted.

27 F&N Enterprises, doing business as SmithCraft

For \$40,000.00 in payment authority for a new contract entered on or about July 1, 2017, for a term of 16 months, for Roadway Dynamic Signs maintenance services, for the Aviation Department. The 12 Roadway Dynamic Signs are located along the roadway at the four entrances to Phoenix Sky Harbor International Airport and direct passengers to the proper airlines and terminals, safely and efficiently.

This item was adopted.

28 Arizona Call-A-Teen Youth Resources

For \$150,000.00 in additional payment authority for Contract 142103, for YouthBuild project coordination services. The purpose of these funds is to allow Arizona Center for Youth Resources to continue to provide youth enrolled in the YouthBuild program hands-on, educational and occupational skills training through employment in the construction industry. YouthBuild serves a total of 66 eligible youth ages 16-24 over a three year program period. The current program started Feb. 1, 2016 and will end Jan. 31, 2019. This program is grant funded.

This item was adopted.

30 Settlement of Claim *Jarvis v. City of Phoenix*

To make payment of \$6,000,000.00 in settlement of claim in *Jarvis v. City of Phoenix*, Maricopa County Superior Court Case CV2013-016145, 13-0294-001 GL BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

This item was adopted.

31 Clyde Armory, Inc.

For \$23,000.00 in payment authority for a new contract, entered on or about July 1, 2017, for a term of three years, for shotgun replacement parts for the Police Department. This contract is necessary to provide parts for the repair of non-lethal shotguns used daily by sworn personnel.

This item was adopted.

32 Galls, LLC, doing business as Galls/Quartermaster Uniforms

For \$13,500.00 in payment authority for a new contract, entered on or about July 1, 2017, for a term of three years, to provide handcuffs for the Police Department. The handcuffs are used by sworn and non-sworn personnel as restraint devices for individuals in custody to prevent harm, injury or escape.

This item was adopted.

33 SecureLink, Inc.

For \$75,000.00 in payment authority for a new contract, entered on or about July 1, 2017, for a term of five years, for software upgrades, maintenance and support of the SecureLink Enterprise License Subscription for the Police Department. SecureLink encrypts all traffic protecting the City's sensitive information and provides a secure and reliable remote connection for vendors to connect to the Police Department's applications for support. Continuous maintenance and support are needed to keep the remote access secure and to protect the traffic flowing through the Police Department's computer network.

This item was adopted.

34 Lipomed, Inc.

For \$20,000.00 in payment authority for a new contract, entered on or about July 1, 2017, for a term of five years, for laboratory equipment, supplies, and reagents for the Police Department. These controls ensure the toxicology section's ability to provide scientifically acceptable results to successfully support criminal investigations.

This item was adopted.

35 Forensic Science Consultants, Inc., doing business as Forensic Testing Services

For \$10,000.00 in additional payment authority for Contract 134254, for Forensic Testing Services for the Police Department. The laboratory

accreditations require mandatory administration of a proficiency testing program using external test providers for all analysis disciplines of the laboratory.

This item was adopted.

36 Settlement of Claim *Detter v. City of Phoenix*

To make payment of \$1,250,000.00 in settlement of claim in *Detter v. City of Phoenix*, Maricopa County Superior Court Case CV2014-007401, 14-0315-001 GL BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

This item was adopted.

37 SAP Public Services Inc.

For \$1,750,000.00 in additional payment authority for Contract 75108 for SAP support and maintenance services for the Finance Department. This will provide continued support and maintenance of the citywide financial and procurement system through June 30, 2018, including ongoing licenses for system users.

This item was adopted.

38 Tata America International Corporation

For \$340,000.00 in additional payment authority for Contract 122332 for required software support and maintenance services for the Finance Department. The Tax Mantra system supports sales tax collections and related business processes. City taxpayers use Tax Mantra services for tax filings, payments, and taxpayer updates. The Tax Mantra System is being phased out; however, it is still being used for collection activities on past due accounts.

This item was adopted.

39 Kustom Signals, Inc.

For \$30,000.00 in payment authority to purchase 11 moving radar speed detection devices for the Police Department. The units will be installed on police motorcycles to enforce traffic laws by reducing excessive speeding, and increasing the number of arrests for speed limit violations while at the same time reducing collisions.

This item was adopted.

40 ICL Performance Products, LP

For \$35,000.00 in additional payment authority for Contract 131905 to purchase Class A foam for the Fire Department. This foam is used in situations where plain water has been indicated. The Fire Department currently operates in excess of 60 engines with on-board, pre-plumbed and multiple discharge direct injection foam systems. This item is a critical part of the Fire Department's efforts to provide life safety services to the public.

This item was adopted.

42 United Technologies, Inc., doing business as Uni-Tech

For \$42,000.00 in additional payment authority for Contract 145041, for new booster pumps at City-owned senior center Pine Towers, located at 2936 N. 36th St., for the Housing Department. Payment includes parts, installation, testing, removal, disposal and warranty. The current booster pumps service the entire property and have aged and may go out at any time, potentially leaving residents in 156 senior units without hot water. This is federally funded by the Department of Housing and Urban Development with no impact to the General Fund.

This item was adopted.

43 Investigative Research, Inc.

For \$36,000.00 in payment authority for Contract 142170 for Long-Term Disability (LTD) program investigative services for the Human Resources Department.

This item was adopted.

44 Emerson Network Power, Liebert Services, Inc.

For \$15,000.00 in payment authority to purchase uninterrupted power source battery strings for the Information Technology Services Department. These battery replacements are needed to maintain power backup for the City-owned data center which houses the technology infrastructure that supports critical citywide systems.

This item was adopted.

45 Silent Protection, LLC

For \$16,000.00 in payment authority to purchase security guard services for the City of Phoenix Fabulous Fourth fireworks event for the Parks and Recreation Department. Security guard services are required at the

fireworks shoot location at Central High School, 4525 N. Central Ave., and at the event location at Steele Indian School Park located at 300 E. Indian School Road. The security guard services will be provided from June 30, 2017, through midnight July 4, 2017.

This item was adopted.

46 Mercury Associates, Inc.

For \$98,000.00 in additional payment authority for Contract 143419 to develop and implement the Fleet Modernization and Cost Reduction Plan for the Public Works Department. The goal of the plan is to reduce the backlog of replacement vehicle needs and the total cost of ownership of the City's fleet. It will also identify opportunities to optimize the City's current fleet maintenance and fueling facility resources, and to improve the fleet's overall sustainability.

This item was adopted.

47 FCI Constructors, Inc.

For \$1,900,000.00 in additional payment authority for Contract 140320, Change Orders 3 and 4 (Project PT03130001-8), for the complete refurbishment of the South Transit Facility, located at 225 W. Lower Buckeye Road, through a multi-phase, multi-year effort of the 24/7 operations and maintenance facility, for the Street Transportation Department on behalf of the Public Transit Department.

This item was adopted.

**55 Electron Microscope Maintenance Agreement - RFA 17-170
(Ordinance S-43643)**

Request to authorize the City Manager, or his designee, to enter into a contract with Tescan USA Inc. to provide a maintenance agreement for an electron microscope for the Police Department in an amount not to exceed \$60,745.00. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The electron microscope was purchased and installed at the Forensic Science Section of the Police Department in 2013, and an ongoing maintenance agreement is needed to ensure the instrument is operating in accordance to the manufacturer's guidelines. The maintenance

agreement includes an annual onsite inspection and also software upgrades from the manufacturer.

Procurement Results

In accordance with Administrative Regulation 3.10, normal competition was waived due to the unique requirements of the Department. Tescan USA Inc. is the official and sole U.S.A. representative for Tescan Brno, which is the manufacturer of the electron microscope. As such, supplies, accessories, parts, and services for the electron microscope are only available from Tescan USA Inc.

The Deputy Finance Director recommends the purchase of the maintenance agreement from Tescan USA Inc.

Financial Impact

The purchase of the forensic software will not exceed \$60,745.00 (including applicable taxes). Funds are available in the Police Department's budget.

This item was adopted.

56 Fleet Services Division Towing Services - IFB 12-120A (Ordinance S-43649)

Request to authorize the City Manager, or his designee, to extend Contract 133856 and request additional payment authority under Contract 133856 with Western Towing of Phoenix, Inc. (Western Towing) in the amount of \$298,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Under the contract, Western Towing provides services to remove City-owned vehicles from public rights-of-way and other miscellaneous towing services on an as-needed basis. Citywide towing services are critical to maintaining public rights-of-way when there are accidents or mechanical problems with City-owned vehicles. The towing services provide a safe and efficient transfer of the vehicles to a repair facility. This contract is being extended to allow time to prepare an Invitation for Bid (IFB).

Contract Term

The contract term will begin on July 1, 2017, and end on June 30, 2018.

Financial Impact

The additional expenditure will be \$298,000 for the term of the contract. Funds are available in various department budgets.

Concurrence/Previous Council Action

The contract is the result of IFB 12-120 awarded by Formal City Council action on June 6, 2012.

This item was adopted.

57 Purchase of Runway Friction Tester - General Services Administration (GSA) GS-07F-095DA (Ordinance S-43652)

Request to authorize the City Manager, or his designee, to enter into a contract with Halliday Technologies to purchase a runway friction tester (RFT) in an amount not to exceed \$102,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is purchasing the RFT on behalf of the Aviation Department for the measurement of friction levels on runways at Phoenix Sky Harbor International Airport. Airport runways must remain in compliance with the U.S. Department of Transportation Federal Aviation Administration standards in Advisory Circular No. 150/5320-12D. Skid resistance levels on runways are reduced by contaminants including water, rubber deposits, and jet fuel. Loss of friction may result in loss of braking and control of aircraft on runways. The equipment is necessary to ensure skid resistance levels are maintained to ensure safety.

Procurement Information

The General Services Administration (GSA) provides centralized procurement for the federal government, offering a wide variety of products, services, and facilities that federal agencies need to serve the public. The GSA contract was awarded using a similar competitive process as set forth in Phoenix City Code 43. The GSA contract with Halliday Technologies is current and will expire March 15, 2021.

Financial Impact

The purchase shall not exceed \$102,000. Funds are available in the

Aviation Department's budget.

Location

The RFT will be used at Phoenix Sky Harbor International Airport.

This item was adopted.

58 Closed Captioning Services - IFB 17-168 (Ordinance S-43674)

Request to authorize the City Manager, or his designee, to enter into a contract with Closed Caption Productions to provide closed captioning services for the Communications Office. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will provide live, real-time and post production/off-line closed captioning of PHXTV programming to include Phoenix City Council meetings, policy sessions and subcommittee meetings with transcripts of meetings and sessions produced within 24 hours. Closed captioning services provided through PHXTV are necessary and required by federal law. The Americans with Disabilities Act requires that all the programming airing on PHXTV be closed captioned to aid people with hearing disabilities. This contract also will provide additional services such as off-line roll up captioning, off-line pop up captioning and show production on an as needed basis.

Procurement Information

IFB 17-168 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on March 17, 2017. Two offers, Azur Cart and Captioning and Quick Caption, were deemed non-responsive.

Azur Cart and Captioning:	\$19,555.20
Quick Caption:	\$19,920.00
Closed Caption Productions:	\$27,600.00

The Deputy Finance Director recommends that the offer from Closed Caption Productions be accepted as the lowest, responsive and responsible offer.

Contract Term

The initial five-year contract term shall begin on or about June 21, 2017.

Financial Impact

The aggregate contract value will not exceed \$225,000 (including applicable taxes) with an estimated annual expenditure of \$45,000. Funds are available in the Communications Office budget.

This item was adopted.

59 Water Services Department Office and Equipment Relocation and Reconfiguration (Ordinance S-43677)

Request to authorize the City Manager, or his designee, to add additional expenditures to Contract 4705000080 with Goodmans, Inc., dba Goodmans Interior Structures, in an amount of \$297,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The contractor will provide services to assist the Water Services Department with 12 reconfiguration projects. One of the larger projects is to relocate the Water Safety and Training Section to provide for better oversight of the Deer Valley training facility and contractors, improve the delivery of health, safety and professional development training, and create a more safe and professional workplace. Another significant project consists of reorganizing the Warehouse Section Procurement teams to the Wastewater and Water Treatment Plants and Water Service Yards, to provide vendors and the Water Services Department with centralized support on the procurement process. The reconfiguration of office spaces and equipment is needed for team collaboration and to decrease work process redundancies, reducing operating expenses while increasing productivity.

Financial Impact

The \$297,000 in additional funds are available in the Water Services Department's budget.

Concurrence/Previous Council Action

The State of Arizona contract ADSPO 13-040689 with Goodmans and contracts ADSPO 13-040686, ADSPO 13-040687, ADSPO 13-040690, ADSPO 13-040688, ADSPO 13-040691, ADSPO 13-040683, and

ADSPO 13-040692 were adopted by Formal Council Action on the Oct. 30, 2013, Council agenda with an estimated annual amount of \$900,000 and an aggregate amount of \$4,500,000. The contracts are available to all City departments.

This item was adopted.

**60 Purchase of Smart Ray Vision X-Ray System - RFA 17-186
(Ordinance S-43683)**

Request to authorize the City Manager, or his designee, to enter into a contract with Federal Resources Supply Company (Vendor No. 3524596) to purchase the Smart Ray Vision X-Ray System in an amount not to exceed \$63,661.00. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Federal Resources Supply Company will provide the complete Smart Ray Vision X-Ray System to be utilized by the Phoenix Police Department's Bomb Squad when investigating potential improvised explosive devices. X-Ray systems are vital to bomb technician operations when investigating potential improvised explosive devices. This system allows the bomb technician to see what is inside a potential explosive device without having to touch it, allows the technician to determine if the item is a live explosive device, and allows them to formulate the best plan of action to render the device safe. The Smart Ray Vision X-Ray System is the only system on the market that utilizes digital radiography imaging panels instead of a phosphor panel, and a remote system that allows the bomb technician to only approach an explosive device once instead of multiple times.

Procurement Information

Federal Resources Supply Company is the manufacturer of the Smart Ray Vision X-Ray System and meets the Police Department's Bomb Squad requirements. In accordance with Administrative Regulation 3.10, normal competition was waived as the Smart Ray Vision X-Ray System is patented and proprietary to Federal Resources Supply Company.

Financial Impact

The contract expenditures shall not exceed \$63,661.00 (including applicable taxes). Funds are available in the Police Department's budget.

This item was adopted.

61 Adopt Maricopa County Contract for Electronic Resources and Multimedia Downloads - Agreement 171101-S (Ordinance S-43684)

Request to authorize the City Manager, or his designee, to adopt cooperative agreement 171101-S with Maricopa County and enter into a linking agreement with Library Ideas LLC, Midwest Tapes LLC, EBSCO Industries Inc., Recorded Books Inc., Cengage Learning, Optimal Resume, ProQuest LLC, Baker & Taylor LLC, Niche Academy LLC, and Odilo for the cooperative purchase of electronic resources and multimedia downloads in an amount not to exceed \$2,938,500. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The cooperative purchasing agreement will be utilized to purchase eMaterials including but not limited to music streaming, eBooks, eAudiobooks, and online video. The eMaterials and related services provide unlimited simultaneous access to databases and publications. The benefits in utilizing digital technology is the material cannot be damaged, mutilated or lost, no shelving space is required, and no manual management of material is needed, which all of these also help keep costs down.

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

Procurement Information

In accordance with Administrative Regulation 3.10, a cooperative purchasing agreement is required when the City wishes to participate in a cooperative procurement contract of another public procurement agency.

For the contract awarded by Maricopa County, a public procurement agency was solicited using similar steps as the City would have used under its own procurement code. Maricopa County awarded a contract to the following vendors: Library Ideas LLC, Midwest Tape LLC, EBSCO Industries Inc., Recorded Books Inc., Cengage Learning, Optimal

Resume, ProQuest LLC, Baker & Taylor LLC, Niche Academy, and Odilo. The contract pricing is fair and reasonable and comparable to other City contracts for similar products and services. The Maricopa County contract was awarded Jan. 11, 2016 and currently expires Jan. 31, 2020.

Contract Term

The initial contract term shall begin at the time of Council approval and end on June 30, 2022.

Financial Impact

The purchase of Electronic Resources and Multimedia Downloads will not exceed \$2,938,500. Funds are available in the Library Department's Operating budget.

This item was adopted.

62 Hardware and Software Maintenance for Mug Photo Workstations - State of Arizona Cooperative Contract - ADSPO13-038745 (Ordinance S-43686)

Request to authorize the City Manager, or his designee, to access the State of Arizona Cooperative Contract ADSPO13-038745 and to enter into a contract with Imageware Systems, Inc. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will provide the Police Department hardware and software maintenance, RMS interface and support services for mug photo workstations located throughout several Police precincts and bureaus. The workstations are used to capture, archive, search, retrieve and share digital photos/images of detained persons that are submitted to the Department of Public Safety for statewide identification purposes and mug photo lineups. Additionally, the mug photo workstations interface with the State of Arizona's ACJIS system as well as the FBI's international facial recognition system.

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

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in 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 hardware and software maintenance for mug photo workstations and was awarded April 26, 2011.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed \$161,960 (including applicable taxes). Funds are available in the Police Department's budget.

This item was adopted.

63 Long Term Disability Program Medical Review Physician Services

This report requests City Council approval to issue a Request for Proposals (RFP) for Long Term Disability Medical Review Physicians Services.

Summary

The City's Long Term Disability (LTD) plan is self-funded through the LTD Trust and is self-administered by the Human Resources Department Benefits & Wellness Division. The LTD plan provides a percentage of income continuation when the employee is unable to work due to serious and sustained personal injury or illness. Initial and ongoing eligibility is determined through regular certification from the employee's medical provider specialized in the diagnosis and treatment of the injury or illness.

Staff is requesting issuance of an RFP for a Medical Review Physician or Physicians to assist in determining eligibility for newly submitted and ongoing LTD claims. The Medical Review Physician also will confer with medical staff treating employees, as needed, for purposes of determining eligibility. A medical review physician or physicians would

review medical documents and records, reach out to treating physicians on a peer-to-peer basis, and provide clinical insight about an employee's ability to continue working, to return to work, or to perform other types of work.

Financial Impact

The LTD Trust provides payment for benefits to eligible participants and administrative costs for the program, such as independent medical examinations. Trust funds are available to support the cost of a physician or physicians to provide second opinion claims review. The annual cost would not exceed \$100,000 for these services.

Concurrence

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

This item was approved.

64 Life Insurance Services

This report requests City Council approval to issue a Request for Proposals for Life Insurance Services for employee life insurance coverage.

Summary

Term Life insurance provided by the City to eligible employees are Basic Life Insurance and AD&D (accidental death and dismemberment), Occupational AD&D (payable when death or dismemberment occurs in the line of duty), Commuter Life Insurance (payable when death occurs while traveling directly to or from work), and Optional Life Insurance (additional life insurance available with premium paid via payroll deduction). The City offers these lines of life insurance coverage for employees as part of its benefit package and per union and employee association MOUs and MOAs.

The current contract with Minnesota Life was issued effective Jan. 1, 2015, for three years (2015, 2016, and 2017) with two one-year extension options exercised at the discretion of the City. Minnesota Life's rate guarantee ends on Dec. 31, 2017, and the company has presented renewal rates for 2018 that represent a 345 percent rate increase to the

basic life insurance rates based on loss ratios of more than 600 percent and 300 percent, respectively, in years 2015 and 2016. Occupational AD&D rates would be reduced 15.3 percent and Commuter rates would increase 8.4 percent. Staff recommends issuing an RFP for Life Insurance Services to determine if lower rates for the same coverage can be procured.

Financial Impact

The City now pays \$706,000 annually for Basic Life, Basic AD&D, Occupational AD&D, and Commuter Life Insurance. The proposed 2018 renewal rates would increase this amount to \$1.85 million. Staff recommends issuing an RFP for Life Insurance Services to determine if lower rates for the same coverage can be procured.

Concurrence

This item was recommended for approval at the May 16, 2017, Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting by a vote of 3-0.

This item was approved.

65 Professional Services for Network Support (Ordinance S-43706)

Request authorization for the City Manager, or his designee, to enter into a contract with Integrity Network Solutions, LLC; Intraedge, Inc.; Kollasoft, Inc.; and Scott Business Group, LLC, to provide professional information technology (IT) network support services on an as-needed basis, for a total amount not to exceed \$5 million. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

As technology projects citywide are planned, implemented, updated, and streamlined, professional network technology specialists such as Network Technicians, Network Engineers, and Senior Network Engineers are needed to provide specific and unique expertise and temporarily augment staff to ensure projects are successful. Because the number and complexity of citywide IT projects can vary over time, the City utilizes contract technicians to ensure expenses only occur as needed. This model also provides flexibility and allows the City to select technicians with skill sets and experience specific to the IT project being undertaken. Historically, the Information Technology Services Department has

released a solicitation each time a network support service resource was required, which is inefficient due to the additional time and work required to conduct multiple procurement processes. This request establishes a Qualified Vendors List (QVL) to streamline the process and allow qualified network professionals to be selected from any one of four vendors over the term of the QVL. This also helps ensure selection of the best candidate for each project.

Procurement Information

The four vendors were selected through a competitive procurement in compliance with City policy and code, and utilizing the IT Professional Services QVL. In May 2017, 16 vendors in the Network, Voice and Infrastructure categories of the QVL were invited to participate in this professional services requirements contract. Ten of those vendors were City-certified small business enterprises. Six vendors responded and were evaluated by a panel of subject matter experts. The panel recommended four of the six vendors listed above, two of which are City-certified small business enterprises.

Contract Term

The initial contracts will be for two years beginning on or about July 1, 2017, and ending on or about June 30, 2019, with three one-year extensions to be exercised if in the best interest of the City to do so.

Financial Impact

The contracts will be used on an as-needed basis, in an amount not to exceed \$5 million, inclusive of all extensions. The annual amount is expected to be \$1 million, based on the historical usage of contracted resources.

This item was adopted.

67 Sharing of Telecommunications Facilities between the City of Phoenix and City of Peoria (Ordinance S-43689)

Request to authorize the City Manager, or his designee, to amend Intergovernmental Agreement 100016 for sharing of telecommunications facilities between the City of Phoenix and the City of Peoria. Authorization is also requested for the City Controller to disburse all funds related to this item.

Summary

The purpose of Supplement 9 is to add a new Simulcast "G" Sub Site as part of the Regional Wireless Cooperative (RWC) and Phoenix Fire's VHF radio systems. The City of Peoria is the property licensee and grants the City of Phoenix permission to use the existing property for installation of RWC P25 Radio and Microwave Equipment. The equipment needed has already been purchased.

Contract Term

This Amendment will automatically renew upon the renewal of the underlying Agreement.

Financial Impact

There is no financial impact resulting from this Amendment. Surplus equipment, previously used at other RWC sites, will be repurposed for use at this site.

Location

Pyramid Peak Water Treatment Facility, 28101 N. 63rd Ave.

This item was adopted.

69 (CONTINUED FROM MAY 31, 2017) - HUD Rental Assistance Demonstration Rehabilitation of Foothills Village Public Housing Community (Ordinance S-43579) - REQUEST TO CONTINUE

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

Summary

Foothills Village, located at 920 W. Alta Vista Road and built in 1971, consists of 32 buildings containing 200 units with two to four bedrooms. The property, which sits on approximately 17.85 acres, contains outdated units and resident amenities. In February 2017, HUD awarded a RAD Program commitment for Foothills Village, allowing the Housing Department to convert the property's 200 Public Housing units from a

Public Housing operating subsidy to a long-term, renewable, project-based Section 8 contract. The RAD Program will help revitalize aging Public Housing properties and address the backlog of deferred maintenance and capital improvements, as well as provide future financial sustainability and continued affordability. It is anticipated that the new development will contain 190 RAD units and 10 unsubsidized units.

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

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

1. Pursue substantial rehabilitation of existing buildings on the site and relocate resident households per RAD requirements.
2. Form a new City-controlled non-profit corporation with the Housing Director to serve as sole incorporator, with names and governance documents as approved by the City Manager or his designee.
3. Jointly with the co-developer, form a new corporate entity or entities, of which the corporation will be a member and co-developer for the Project, to serve as the ownership entity(ies) for the site.
4. Procure and/or engage in funding transactions to finance the rehabilitation, including submitting applications and accepting awards of Low Income Housing Tax Credits (LIHTC), seeking a LIHTC equity investor, and obtaining other grants and/or loans for the Project.
5. Provide financial guarantees to investors or lenders to assure rehabilitation completion and loan repayment if necessary to obtain financing, provided that any guaranty may only be paid from any developer fees to be paid to the new corporation.

6. Appropriate and expend up to \$4 million in Housing Department Public Housing and/or Affordable Housing Funds to provide and/or loan predevelopment and gap funding.

7. Allocate Section 8 Project-Based Vouchers and/or Public Housing units, amend HUD Annual Plan(s), and enter into associated contracts or agreements, as necessary to facilitate financing, rehabilitation, and operations.

8. Convey or grant fee title or a lesser interest in all or any portion of the site to the Corporation(s), LLC(s), public utilities, and other third parties as necessary to facilitate rehabilitation.

9. Procure, execute, and submit or deliver all contracts, documents and instruments necessary for the rehabilitation and operation of the property.

10. Use and expend the proceeds of any grants, loans, and other financing and funding sources to carry out the rehabilitation and operation of the property.

11. Take other action necessary or appropriate to rehabilitate, implement, and operate all phases of the Foothills Village RAD Program rehabilitation.

Financial Impact

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

Location

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

Concurrence/Previous Action

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

This item was continued to the City Council Formal Meeting on 6/28/2017.

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

70 Amend CDBG Public Facilities Grant Recipient Ordinance (Ordinance S-43647)

Request to amend Ordinance S-42495 to authorize contract award to UMOM New Day Centers, Incorporated (UMOM) instead of Tumbleweed Center for Youth Development (Tumbleweed) due to bankruptcy proceedings. Also request authorization to amend the original contract term of July 1, 2016 to Dec. 31, 2017 to July 1, 2016 to July 1, 2018.

Tumbleweed was a recipient of a Public Facilities 2016-2017 Community Development Block Grant (CDBG); the organization was awarded \$49,254 to rehabilitate the Young Adult Program - Earll Location, located at 2344 E. Earll Drive, Phoenix, Arizona 85016. In December 2016, Tumbleweed filed for Chapter 11 bankruptcy protection. Recently, the U.S. Bankruptcy Court issued an order permitting Tumbleweed to transfer its assets, including the Earll Location, and assign its outstanding contractual interests to UMOM. Accordingly, Ordinance S-42495 must be amended in order to authorize the City Manager, or his designee, to enter into a CDBG, Public Facilities for Non-Profits contract with UMOM, or its permitted assigns, and continue to fund the project. All project activities in the proposal originally submitted by Tumbleweed, as well as all other terms of the Ordinance, will remain unchanged.

Contract Term

The amended contract term is July 1, 2016 to July 1, 2018.

Financial Impact

This item is funded by Community Development Block Grant funds; there is no impact to the General Fund.

This item was adopted.

71 Policy Regarding Proceeds of Excess City Land, Including Park Land, Sales and General Fund Payment Plan to Phoenix Parks and Preserve Initiative (PPPI) for Golf (Ordinance S-43701)

This report requests City Council approval of a Policy, recommended by

the Parks, Arts, Education and Equality Subcommittee, regarding proceeds of City excess land sale, including park land, be utilized to make payment to the Phoenix Parks and Preserve Initiative fund for golf debt.

Summary

In 2013, the City Council adopted a plan to address the deficit in the Golf special revenue fund. Since 1981, City golf courses operated by the Parks and Recreation Department had been accounted for separately from the General Fund. Beginning in 1998, the golf courses generated consistent deficits with expenses exceeding revenues and minimal capital investment. The deficit was carried as an account receivable by the City's Finance Department for nearly 12 years and grew to a total of \$15,032,000. This meant the City's cash pool was, in effect, carrying the Parks and Recreation Department program deficit for Golf.

A payable amount this large carried on the City's books was certain to raise questions from credit rating agencies. In 2013, the City Council took forceful action to address the Golf Fund deficit and preserve Phoenix Municipal Golf. The City Council used PPPI funds to pay the Parks and Recreation Department's Golf fund debt to the City financial pool over three years. This was legally sound, as the funds were used to preserve, protect, and maintain recreation facilities and open space.

The action to continue Phoenix Municipal Golf was taken to protect neighborhoods and to sustain one of the City's most popular recreation activities. Phoenix Golf generates the most revenue and has the smallest gap between revenue and expenses of any other City recreational offering including soccer, softball, and swimming.

In 2017, the City Council asked about a plan to return funds to PPPI equal to the \$15,032,000 payment. Staff recommended using proceeds from the sale of park land. On May 24, 2017, Parks, Arts, Education and Equality Subcommittee members recommended the City utilize proceeds of all eligible City land sales, including park land sales, to PPPI until the \$15 million is reached. This is one-time cash that Mayor and City Council can allocate as it finds appropriate.

It is important to note that City lands have been acquired through a variety

of methods such as Bond funds, Community Development Block Grant Funds, Impact fees, private donations, voter-approved Phoenix Parks and Preserve Initiative (PPPI), and other funding sources. When City land is sold, staff will perform an analysis of the history of acquisition to determine eligibility of where the sale proceeds may be reinvested. Impact fee purchased property, for example, has restrictions and would be ineligible to repay the PPPI fund. However, in general, land that was acquired with bonds that have been retired, land that was acquired through PPPI, General Fund or land that was donated by private individuals with no restrictions are eligible for discretionary use.

The use of park land proceeds to reimburse PPPI has a direct connection. The use of all other land proceeds has less connection to PPPI and could conflict with other funding needs the City has for the proceeds.

Concurrence/Previous Council Action

This item was recommended by the Parks, Arts, Education and Equality Subcommittee on May 24, 2017, by a vote of 4-0.

This item was continued to the City Council Formal Meeting on 7/6/2017

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

72 Approval to Execute Contract for Event Services Contract Labor (Ordinance S-43693)

Request to authorize the City Manager, or his designee, to enter into a contract with Allstaff Services, Inc. (or its City-approved designee) for event services contract labor for the Phoenix Convention Center & Venues. Further request the City Controller to disburse all funds related to this item.

Summary

The Phoenix Convention Center Department (PCCD) currently has a contract with Allstaff Services, Inc., for event services labor support to supplement the work of Event Services section staff. Use of temporary labor allows greater efficiency in scheduling contract staff based on event

demand and is consistent within the industry. Tasks include: setting and striking chairs, tables and staging, along with general event support, such as cleaning restrooms, pre-function areas and event spaces before, during and after events. The current contract expires on July 31, 2017. On April 19, 2017, City Council approved awarding a contract to Allstaff Services, Inc. The action in this item provides payment authority.

Procurement Information

On Jan. 19, 2017, PCCD issued a Request for Proposals (RFP) for Event Services Contracted Labor. The RFP was advertised in the Arizona Business Gazette, The Record Reporter, The Arizona Republic, Arizona Informant and La Voz and posted on the City of Phoenix solicitations webpage at phoenix.gov. The RFP Notice also was sent to 12 temporary labor agencies in the greater Phoenix metropolitan area. An optional pre-proposal conference was held Feb. 1, 2017. Allstaff Services, Inc., was the single firm that attended and submitted a proposal. The proposal was deemed responsive, and staff entered into negotiations with the firm.

Contract Term

This is a five-year contract. The initial term will begin on July 1, 2017, instead of Aug. 1, 2017, in order to place the contract on a City fiscal year cycle. The initial two-year term will expire June 30, 2019. The contract includes three one-year extension options, which may be exercised at the sole discretion of the City.

Financial Impact

The estimated annual expenditure is \$557,000, and the estimated aggregate total over the life of the contract will be \$2.8 million.

Location

Phoenix Convention Center and Venues, 100 N. 3rd St.

This item was adopted.

73 Contract Extension for Medical/Occupational Health Staffing for the Fire Department (Ordinance S-43646)

Request to authorize the City Manager, or his designee, to exercise a

month-to-month contract extension, not to exceed 12 months, with Banner Occupational Health Arizona, LLC to provide medical staffing for the Fire Department Health Center in an amount not to exceed \$1,890,000. Further request authorization for the City Controller to disburse associated funding through the end of the contract term.

Summary

The Health Center provides services for Fire Department members, staff from City departments such as Police, Water and Public Works, as well as other Valley fire departments under contract. Exercising the contract extension on a month-to-month basis will give Fire Department staff additional time to conduct further research and complete a comprehensive competitive procurement process for this critical service.

Contract Term

The existing contract is set to expire on July 5, 2017. With this contract extension, Contract 134076 will be extended on a month-to-month basis, not to exceed 12 months, through July 4, 2018.

Financial Impact

The cost of the maximum one-year contract extension will not exceed \$1,890,000. Funds are available in the Fire Department's operating budget.

This item was adopted.

74 Adopt Computer Aided Dispatch Service Fees and Charges for Fiscal Year 2017-2018 (Ordinance S-43690)

Request authorization for the City Manager, or his designee, to adopt the Fiscal Year 2017-2018 Regional Computer Aided Dispatch (CAD) Service fees to be charged to: 1) the cities of Avondale, Buckeye, Chandler, El Mirage, Glendale, Goodyear, Maricopa, Mesa, Peoria, Scottsdale, Surprise, Tempe and Tolleson; 2) the fire districts of Buckeye Valley, Daisy Mountain, Harquahala, Sun City, North County, Sun Lakes, and Tonopah Valley; 3) the Towns of Guadalupe and Paradise Valley; and 4) AMR (Southwest Ambulance). Authorization also is requested to allow the City Treasurer to accept, and for the City Controller to disburse, these funds.

Summary

In 2003, the City Council approved standing Intergovernmental

Agreements (IGAs) with each of the above fire jurisdictions, which included CAD fees and charges to be updated annually as "Exhibit A" (attached). The City of Phoenix has Automatic and/or Mutual Aid Agreements with these jurisdictions and provides dispatching for their fire and emergency medical units. Each CAD member pays a dispatching fee for each call dispatched, as well as charges for equipment replacement and maintenance. Buckeye Valley Fire District will be billed dispatch fees for services provided in the City of Buckeye, the Harquahala Fire District and Tonopah. AMR (Southwest Ambulance) will be billed dispatch fees for services provided in El Mirage, Glendale, Goodyear, Litchfield Park, Maricopa, Sun City, Surprise, Tolleson and Youngtown.

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

Financial Impact

The General Fund revenue to be generated from these IGAs for FY17-18 is estimated to be \$7,204,229.80, and is intended to offset part of the operating costs of the City's Regional Dispatch Center, including salaries of Dispatch Center staff. The balance of the funding collected, \$4,154,074.24, will be used to pay for CAD system maintenance and equipment replacement.

This item was adopted.

76 Award of Contract for Radiology Read Services for the Fire Department (Ordinance S-43705)

Request to authorize the City Manager, or his designee, to enter into a contract with SimonMed Imaging, Inc. (Vendor 3526301) to provide radiology read services for the Fire Department. Further request authorization for the City Controller to disburse all funds in an amount not to exceed \$108,000 over the life of the five-year contract.

Summary

The Fire Department Health Center provides on-site radiology imaging for all new firefighter hires, firefighter industrial injuries, and periodic x-rays of existing firefighters. This service allows injured firefighters to move quickly through the medical evaluation and healing process, and to

return to work expeditiously. The radiology images are submitted through an electronic and HIPAA-compliant portal to be read by a Board Certified and licensed sub-specialty radiologist. The radiologist then electronically communicates the diagnosis to the Health Center to immediately begin treatment for the injured firefighter.

Procurement Information

Invitation For Bid (IFB) 16-185 Radiology Read Services was advertised by the Finance Department in September 2016, and was conducted in accordance with Administrative Regulation 3.10. No responsive and responsible bids were received, and no award was made.

IFB 2017-129 Radiology Read Services was advertised by the Finance Department in November 2016, and was conducted in accordance with Administrative Regulation 3.10. No responsive and responsible bids were received, and no award was made.

Request For Agreement (RFA) 17-F03 Radiology Read Services was advertised by the Fire Department in May 2017, and was conducted in accordance with Administrative Regulation 3.10. One offer was received on May 11, 2017. This offer was deemed responsive and responsible:

SimonMed Imaging, Inc. - \$8.00 per radiology read.

It is estimated that 2,700 radiology images will need to be read annually, for an estimated annual cost of \$21,600.

Contract Term

The initial two-year contract term will begin on or around July 1, 2017. There will be three additional one-year options for a total available contract term of five years.

Financial Impact

The aggregate contract value, including all option years, will not exceed \$108,000, with an estimated annual expenditure of \$21,600. Funds are available in the Fire Department's operating budget.

This item was adopted.

78 Contract Amendment with BCFS Health and Human Services for Consulting Services (Ordinance S-43699)

Request the City Manager, or his designee, to enter into a contract extension until Sept. 30, 2017 with BCFS Health and Human Services for consulting services.

Summary

This contract extension will briefly extend the contract term from July 20, 2017 to Sept. 30, 2017. The purpose of the extension is to allow BCFS Health and Human Services to administratively close out the contract, once the Disability Rights Advocates and the Arizona Center for Disability Law complete final review of emergency and tactical plans for individuals with disabilities and access and functional needs.

Contract Term

The current contract expires June 20, 2017; an extension is being requested until Sept. 30, 2017.

Financial Impact

There are no additional funds required for the contract extension.

Location

Citywide

This item was adopted.

79 Authorization to Enter into Agreement with Arizona State University for Research on Enhanced Collaborative Model to Combat Human Trafficking Grant (Ordinance S-43698)

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 for the Bureau of Justice Assistance, Enhanced Collaborative Model to Combat Human Trafficking 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 was awarded \$675,000.00 from the Bureau of Justice Assistance (BJA) through the 2016 Enhanced Collaborative

Model to Combat Human Trafficking grant. The grant and disbursement of grant funds was approved by City Council on June 1, 2016, under Ordinance #S-42587. The grant requires the Police Department to work with a research partner to collect and analyze data, conduct evaluation activities, and produce project-related reports. The Police Department has partnered with ASU on similar projects in the past. This agreement will reimburse ASU \$33,750.00, over the three-year grant period, to document program implementation, program evaluation, and develop 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 Enhanced Collaborative Model to Combat Human Trafficking grant provides \$33,750.00, over three years, in funding to reimburse ASU as the grant research partner.

This item was adopted.

80 Authorization to Apply for, Accept, and Enter into an Agreement with Arizona Criminal Justice Commission for 2018 Full-Service Crime Laboratory Grant Program (Ordinance S-43702)

Request authorization for the City Manager, or his designee, to authorize the Police Department to apply for, accept and enter into an agreement for state grant funds through the Arizona Criminal Justice Commission's, FY 2018 Full-Service Forensic Crime Laboratory 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. The purpose of this grant funding is to improve the efficiency and effectiveness of the state's various full-service crime laboratories. If awarded, grant funding will be utilized for the purchase of equipment, supplies, and training for laboratory staff to improve the efficiency and effectiveness of the crime laboratory. The grant application is due June

30, 2017.

Contract Term

The term is one year from the date of execution, if the grant is awarded.

Financial Impact

The eligible funding amount is \$100,000.00. No matching funds are required. Cost to the City would be in-kind resources only.

This item was adopted.

**85 American Association of Airport Executives ANTN Digicast
On-Line Training System (Ordinance S-43670)**

Request to authorize the City Manager, or his designee, to approve a five-year subscription service from the American Association of Airport Executives (AAAE) for the ANTN Digicast On-Line Training System (Training System) for a total amount not to exceed \$46,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The ANTN Digicast Training System, developed by AAAE, is an online training system with a library of more than 300 videos covering every aspect of airport operations.

Procurement Information

A sole source determination letter was completed and approved by the Deputy City Manager, because AAAE is the sole provider of this aviation-specific training. There is no other online multimedia education system for aviation industry-specific topics.

Contract Term

The term of the subscription is five years from March 2017 through February 2022.

Financial Impact

The price for the annual Training System subscription is \$9,063, and will not exceed a total price of \$46,000 over the life of the subscription.

Location

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

This item was adopted.

86 Replace Restricted Area Signage at Phoenix Sky Harbor International Airport - IFB 17-012 (Ordinance S-43668)

Request to authorize the City Manager, or his designee, to enter into a contract with F&N Enterprises, Inc., doing business as SmithCraft Custom Signs and Graphics (Vendor No. 3016249), to purchase signage for a sign replacement project at Phoenix Sky Harbor International Airport (Airport). The total fee under the contract will not exceed \$50,000. The contract may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Due to a change in Arizona's criminal trespass laws, the Aviation Department is required to replace "Restricted Area" signage at the Airport. The sign replacement project includes smaller signage and decals required by Airport security and the Transportation Security Administration.

Procurement Information

Solicitation AVN IFB 17-012, Sign Fabrication and Installation, was conducted in accordance with Administrative Regulation 3.10. Seven offers were received on April 28, 2017. One offer was submitted late. The following is a summary of the lowest offers:

F&N Enterprises, Inc.:	\$48,066.00
FastSigns:	\$60,624.46
Century Signs Builders:	\$63,575.00

The Aviation Department recommends the offer from F&N Enterprises, Inc., dba SmithCraft Custom Signs and Graphics, be accepted as the lowest responsive and responsible offeror.

Contract Term

The contract is for a one-time purchase, which will be completed not later than six months from the award of the contract.

Financial Impact

This one-time purchase will not exceed \$50,000, including applicable taxes.

Location

Signage will be installed in the restricted areas in the terminals at Phoenix Sky Harbor International Airport, located at 3400 E. Sky Harbor Blvd.

This item was adopted.

87 Wildlife Management Services at Phoenix Sky Harbor International Airport - AVN RFP17-001 (Ordinance S-43694)

Request to authorize the City Manager, or his designee, to enter into a contract with Loomacres, Inc., doing business as Loomacres Wildlife Management, for wildlife management services at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport. The contract may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

As a Title 14, Code of Federal Regulations (CFR), Part 139 certified airport, Phoenix Sky Harbor International Airport (Airport) is required by Federal Aviation Administration (FAA) regulations to have in place an FAA-approved wildlife hazard management plan. To meet this requirement, the Aviation Department contracts for the services of a qualified wildlife management biologist to administer the Airport's approved wildlife hazard management plan.

Procurement Information

Solicitation AVN RFP17-001, Wildlife Management Services, was conducted in accordance with Administrative Regulation 3.10. Two proposals were received on April 7, 2017, one from Delta Environmental Sciences and one from Loomacres, Inc. The proposals were scored by the Aviation Department's evaluation panel using the following criteria with

a scoring range from 0 to 1,000 points:

- A. Company History, Qualifications, and Experience of Assigned Biologist
- B. Method of Approach
- C. Price

The following is the result of the consensus scoring:

Loomacres, Inc.: 880

Delta Environmental Sciences: 704

The Aviation Department recommends that the proposal from Loomacres, Inc., be accepted as the responsive and responsible proposal.

Contract Term

The term of the contract is five years commencing on July 1, 2017, and expiring on June 30, 2022.

Financial Impact

The aggregate contract value will not exceed \$630,000, with an estimated annual expenditure of \$126,000. Funds are available in the Aviation Department's operating budget.

Location

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

This item was adopted.

89 Authorization to Apply for and Accept Grant Funds for Bus Shelter Mural Pilot Project and Enter Into Grant Agreement (Ordinance S-43700)

Request authorization for the City Manager, or his designee, to apply for the Transportation for America's Cultural Corridor Consortium grant for an amount not to exceed \$50,000 with no matching funds required, if

awarded accept the funds, and enter into an agreement for the purpose of accepting the grant. The request is for retroactive approval to apply, as the grant application deadline was June 2, 2017. If retroactive authorization to apply is not granted, the application will be withdrawn. Further request authorization for the City Treasurer to accept and the City Controller to disburse the funds for purposes of this ordinance.

Summary

Transportation for America is awarding \$50,000 each, plus travel and support for photo/video documentation, to three cities. The Cultural Corridor Consortium grant focuses funding on collaborative projects that expand transportation opportunities and local control for low-income and minority residents living in communities that have experienced disproportionate disinvestment and disconnection. The grant focuses on engaging residents and transportation agencies to plan and implement new transportation investments that more fully serve the needs of these communities.

The City of Phoenix is collaborating with the Maryvale Revitalization Corporation, and several Maryvale elementary, charter, and high schools, on a Bus Shelter Mural pilot project. The project includes students within the Maryvale community as an effort to engage the students and community in promoting transit while creating a point of pride. The grant would pay for the panels, installation, art supplies for the students, maintenance, and repairs.

Financial Impact

No matching funds are required for the grant.

Concurrence/Previous Council Action

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

This item was adopted.

90 ThermAir Integrated Technologies Contract Recommendation (Ordinance S-43664)

Request to authorize the City Manager, or his designee, to enter into a

contract with ThermAir Integrated Technologies, LLC (Vendor 3516293) to provide Triatek actuator motors and components for HVAC, laboratory exhaust and fume hood systems for the Police Crime Laboratory on an as-needed basis in an amount not to exceed \$50,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Phoenix Police Crime Laboratory has specialized HVAC equipment that requires Triatek actuator replacements. ThermAir Integrated Technologies is the sole authorized vendor in Arizona for Triatek products.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Determination Memo citing that there is only one source for the necessary goods and services. The pricing supplied by ThermAir Integrated Technologies was found to be reasonable and customary to the industry.

Contract Term

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

Financial Impact

The aggregate value of the contract will not exceed \$50,000, with an estimated annual expenditure of \$10,000. Funds are available in the Public Works Department's budget.

Location

The Phoenix Police Crime Laboratory is located at 621 W. Washington St.

This item was adopted.

91 Portable Recycling and Waste Containers Contract Recommendation (Ordinance S-43665)

Request to authorize the City Manager, or his designee, to enter into a contract with ClearStream Recycling, Inc. (Vendor 3525257) for portable

recycling and waste containers in an amount not to exceed \$45,000 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 to purchase portable containers and bags specially fitted for these containers for use at special citywide events, such as the SuperBowl and Final Four. The containers are used to collect refuse, recycling and compostable materials. The containers use an innovative X-Frame design that is collapsible, portable, lightweight and durable. Collection at these events supports the City's goal to divert 40 percent of the waste stream by 2020.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Determination Memo citing that there is only one source for the necessary goods and services. ClearStream Recycling, Inc., is the only manufacturer and authorized vendor for these containers.

Contract Term

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

Financial Impact

Expenditures will not exceed \$45,000.00 over the life of the contract, with an estimated annual expenditure of \$9,000.00. Funds are available in the Public Works Department's budget.

This item was adopted.

92 Routing Information Software Contract Recommendation (Ordinance S-43672)

Request to authorize the City Manager, or his designee, to enter into a contract with RouteSmart Technologies, Inc., (303433) for five licenses for RouteSmart for ArcGIS software, and all necessary software maintenance and support, in an amount not to exceed \$86,945 over the

life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Public Works Department staff currently uses this proprietary software to create daily delivery and collection routes for solid waste services collection vehicles. Other features of the software assist staff in maximizing efficiencies, including decreased mileage, time and labor through sequencing of stops and other measures. In addition, the software enables staff to enforce collection procedures, including minimizing left-hand turns and avoiding school zones during pick-up and drop-off times.

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

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Determination Memo citing that there is only one source for the necessary goods and services.

Contract Term

The initial three-year contract term shall begin on or about June 8, 2017, and end on June 7, 2020. Provisions of the contract include an option to extend the term of the contract for up to two additional years, in one-year increments, which may be exercised by the City Manager or his designee.

Financial Impact

Expenditures shall not exceed \$86,945 over the life of the contract, with an estimated annual expenditure of \$17,388.96. Funds are available in the Public Works Department's budget.

This item was adopted.

93 Recommendation to Purchase Mohawk Mobile Lifts - State of Arizona Contract - ADSP012-028150 (Ordinance S-43676)

Request to authorize the City Manager, or his designee, to enter into a contract with Mohawk Automotive Lifts, to purchase two Mohawk mobile lifts for the Public Works Department in an amount not to exceed

\$18,000.00. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is implementing a Parts Utilization Program, through which staff will remove good used original equipment manufacturer parts from vehicles with accident damage prior to decommissioning and sale. These parts will be used to repair other vehicles, expediting repairs, decreasing vehicle downtime and lowering overall cost of repairs. Currently, there are 250 vehicles awaiting decommissioning. In order to implement this program, the Department requires two post-style mobile lifts to salvage usable parts. These lifts can support a total capacity of 10,000 pounds.

Procurement Information

Equipment pricing was obtained from the State of Arizona contract. The State contract was awarded on July 25, 2012, and will end on July 24, 2017. A determination was made, in accordance with A.R. 3.10, to utilize this cooperative contract for the referenced purchase.

Financial Impact

The purchase shall not exceed \$18,000. Funds are available in the Public Works Department's budget.

Location

The mobile lifts will be used at the 22nd Avenue Service Center located at 2441 S. 22nd Ave.

This item was adopted.

95 Apply for and Accept DEMA Funds and Enter Into IGAs with Flood Control District of Maricopa County for Flood Control Projects (Ordinance S-43645)

Request authorization for the City Manager, or his designee, to jointly apply for and accept funds from the Arizona Department of Emergency and Military Affairs (DEMA) and enter into Intergovernmental Agreements (IGAs) with the Flood Control District of Maricopa County (FCDMC) for the design, rights-of-way acquisition, construction and construction management of (1) a floodwall in the vicinity of Mandan Street and Sacaton Street, and (2) construction of a storm drain along Palm Lane

from 28th Place to 32nd Street. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item.

Summary

The Federal Emergency Management Agency's (FEMA) Pre-Disaster Mitigation (PDM) and Flood Mitigation Assistance (FMA) Grant programs are administered by DEMA on an annual basis. The City and the FCDMC propose to construct:

(1) Mandan Street Flood Mitigation Project: a floodwall behind several residential structures adjacent to Phoenix Mountain Preserve. This project will help prevent flood hazards to several residential structures in the area. The FCDMC will be the lead agency for project construction, and the grant application will be submitted in collaboration with the FCDMC.

The proposed flood mitigation project will have minimal impacts within the Phoenix Mountain Preserves boundary adjacent to the affected residential properties. Because of the impacts, which is allowed in accordance with Phoenix Charter Chapter XXVI, City of Phoenix Mountain Preserves, Section 3(c)4, the proposed flood mitigation project received approval from the Parks and Recreation Board on April 28, 2016.

(2) Palm Lane and 30th Street Storm Drain: A storm drain will be constructed along Palm Lane from 28th Place to 32nd Street. The new storm drain will connect to an existing 57-inch storm drain in 32nd Street. This project will mitigate flooding along Palm Lane and along 30th Street. The City will be the lead agency for project construction, and the grant application will be submitted in collaboration with the FCDMC.

Both project grant applications are dependent on when the application process is opened, and how much federal funding is available for the projects.

Financial Impact

(1) Mandan Street Flood Mitigation Project: The total estimated project cost is \$923,200. Of this amount, the FEMA PDM/FMA Grant program

will reimburse the City up to 75 percent of the estimated costs or \$692,400, if awarded. The required local match of up to 25 percent will be shared between the FCDMC and the City, who will each provide up to 12.5 percent or \$115,400 each. The required City local match is available in the Street Transportation Department's Capital Improvement Program budget.

(2) Palm Lane and 30th Street Storm Drain Project: The total estimated project cost is \$2.1 million. Of this amount, the FEMA PDM/FMA Grant program will reimburse the City up to 75 percent of the estimated costs or \$1,575,000, if awarded. The required local match of up to 25 percent will be shared between the FCDMC and the City, who will each provide up to 12.5 percent or \$262,500 each. The required City local match is available in the Street Transportation Department's Capital Improvement Program budget.

Concurrence/Previous Council Action

The Parks and Recreation Board approved the proposed project for City Council authorization on April 28, 2016. The City Council adopted the proposed project on May 4, 2016, Ordinance S-42514.

The City Council adopted the proposed project on April 20, 2016, Ordinance S-42476. The proposed project was scheduled to be completed under the FCDMC's Small Project Assistance Projects (SPAP) program with an estimated cost of \$1,261,000. Since that time, the estimated project cost has escalated as the project has been further defined. It is now too large for the SPAP program. Therefore, staff is pursuing additional DEMA and FCDMC funding sources based on the revised estimated cost.

On May 9, 2017, the Transportation and Infrastructure Subcommittee recommended approval of this item by a vote of 4-0.

Location

The proposed floodwall will be constructed in the vicinity of Mandan Street and Sacaton Street. The Palm Lane Storm Drain Project is located west of 32nd Street and north of McDowell Road.

This item was adopted.

96 Margaret T. Hance Park Master Plan Implementation Design Services - PA75200553 (Ordinance S-43648)

Request to authorize the City Manager, or his designee, to enter into an agreement with Hargreaves Associates (New York) to provide design services and possible construction administration and observation services with special inspections in support of the Margaret T. Hance Park Master Plan Implementation project. Further request authorization for the City Controller to disburse all funds related to this item.

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

Summary

The design consultant is responsible for developing a Design Concept Report encompassing the Hance Park Master Plan Phase 1 (A&B). In addition, the consultant will provide design services for all components of the existing approved Hance Park Master Plan, including design refinement, design alternatives, design documentation (schematic, design development, final design, construction documents); geotechnical soil reporting; construction estimating; and bid assistance. The consultant will develop, document and implement the design for Margaret T. Hance Park. The redevelopment project site is under the jurisdiction of the Arizona Department of Transportation.

Procurement Information

Hargreaves Associates was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of firms until a contract has been awarded. Top-three rankings follow:

Hargreaves Associates: Ranked #1
Weddle Gilmore Architects, LLC: Ranked #2
SASAKI Associates, Inc.: Ranked #3

Contract Term

The term of this contract is expected to be seven 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

The estimated cost for Design Concept Report preparation services is \$5 million, which includes all subconsultants and reimbursable costs. Funding has been allocated to implement the first phase of the Hance Park Master Plan. Funding is available in the Parks and Recreation Department Capital Improvement Program budget. Additional funding sources are anticipated through philanthropic investment and grants.

Concurrence/Previous Council Action

The Parks, Arts, Education and Equality Subcommittee recommended approval of this item at the May 24, 2017 meeting by a vote of 3-0.

Public Outreach

Public outreach and community participation will be conducted on an as-needed basis.

Location

Margaret T. Hance Park is an existing 32-acre urban park over I-10 within downtown Phoenix. The redevelopment project site spans one mile between 3rd Street and 5th Avenue.

This item was continued to the City Council Formal Meeting on 7/6/2017.

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

97 First Street: McKinley Street to Moreland Street, Design-Bid-Build - ST87750140 (Ordinance S-43655)

Request to authorize the City Manager, or his designee, to accept Blucor Contracting, Inc. (Queen Creek, Ariz.) Vendor 90021200 as the lowest-priced, responsive and responsible bidder and enter into an agreement with Blucor Contracting, Inc., for construction services. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Blucor Contracting, Inc. will provide construction services in support of the First Street: McKinley Street to Moreland Street project. The work includes, but is not limited to: removal of the existing roadway, curbs and gutters, light poles, decommissioning drywells, and other miscellaneous removals; construction of new curb and gutter, roadway, sidewalk, concrete pavers, decorative concrete pavement, landscape and irrigation; and new street and pedestrian lights, benches, trash receptacles, and bike racks. Work also will include a new water line, storm drain modifications, miscellaneous utility relocations, and other associated work required to complete this project.

Procurement Information

Five bids were received according to section 34-201 of the Arizona Revised Statutes (A.R.S.) by the Street Transportation Department on April 18, 2017. The bids were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and general contractor responsiveness in demonstrating compliance with the project's Disadvantaged Business Enterprise (DBE) goal. All bidders were deemed responsive.

The bids ranged from a low of \$2,534,258.75 to a high of \$2,865,268.00. The Engineer's Estimate and the three lowest responsive, responsible bidders are listed below:

Engineer's Estimate: \$2,417,492.00
Blucor Contracting, Inc.: \$2,534,258.75
Talis Construction Corporation: \$2,550,212.69
Combs Construction Company, Inc.: \$2,647,553.40

Contract Term

The term of the contract is 360 calendar days from the date of issuance of the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

This project will utilize federal funds and is subject to the requirements of 49 Code of Federal Regulations (CFR) Part 26 and the U.S. Department of Transportation DBE Program. The bid award amount is within the total budget for this project. Funding is available in the Street Transportation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Small Business Outreach

A Disadvantaged Business Enterprise goal of 8.99 percent has been established for this project.

Location

First Street from McKinley to Moreland streets.

This item was adopted.

98 15th Avenue Union Pacific Railroad Crossing Improvements, Design-Bid-Build - ST85100336 (Ordinance S-43656)

Request to authorize the City Manager, or his designee, to enter into an agreement with Shada, Inc. dba Benchmark Construction (Phoenix) Vendor 3525954 as the lowest-priced, responsive and responsible bidder and enter into an agreement with Shada, Inc. dba Benchmark Construction for construction services. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Benchmark Construction will provide construction services in support of the 15th Avenue Union Pacific Railroad Crossing Improvements project at 15th Avenue and the Union Pacific Railroad crossing. The work includes construction of 263 square yards of subgrade preparation; 111 tons asphaltic concrete; 241 linear feet of concrete curb and gutter; 651 square feet of concrete sidewalk; 873 square feet of concrete driveway; and various removals, utility adjustments, and other associated work required to complete this project.

Procurement Information

Three bids were received according to section 34-201 of the Arizona Revised Statutes (A.R.S.) by the Street Transportation Department on April 11, 2017. The bids were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and general contractor responsiveness in demonstrating compliance with the project's Disadvantaged Business Enterprise (DBE) goal. All bidders were deemed responsive.

The bids ranged from a low of \$166,750.00 to a high of \$195,972.40. The Engineer's Estimate and the three lowest responsive, responsible bidders are listed below:

Engineer's Estimate: \$195,470.00

-Shada, Inc. dba Benchmark Construction: \$166,750.00

-Lincoln Constructors: \$167,879.00

-Combs Construction Company, Inc.: \$195,972.40

Contract Term

The term of the contract is 35 calendar days from the date of issuance of the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

This project will utilize federal funds and is subject to the requirements of 49 Code of Federal Regulations (CFR) Part 26 and the U.S. Department of Transportation DBE Program. The bid award amount is within the total budget for this project. Funding is available in the Street Transportation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Small Business Outreach

A Disadvantaged Business Enterprise (DBE) goal of 8.34 percent has been established for this project.

Location

15th Avenue and Union Pacific Railroad crossing.

This item was adopted.

99 Subsurface Utility Excavation Services Program Two-Step Job Order Contract - 4108JOC154 (Ordinance S-43657)

Request to authorize the City Manager, or his designee, to enter into an agreement with Cardno, Inc. (Wilmington, Del.) Vendor 3513553 to provide Subsurface Utility Excavation Job Order Contracting services, and to execute contract options as necessary. Further request authorization for the City Controller to disburse all funds related to this item.

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

Summary

The JOC will be utilized on an as-needed basis to provide Subsurface Utility Excavation services for the Street Transportation Department. The work includes, but is not limited to: determining and documenting precise

horizontal and vertical locations of existing subsurface utilities; test holes; collecting data from existing utility records; surveying visible subsurface utility structures; correlating existing utility records to create composite drawings; surveying; mapping; and warranty of work.

Procurement Information

Cardno, Inc. was chosen for this project using a two-step qualifications and price-based selection process according to section 34-604 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of proposers until a contract has been awarded. Three firms were short-listed. Two firms were non-responsive to the Request for Proposals (RFP): Aztec Engineering Group, Inc. and PDI Construction, a division of Paramount Designs, Inc. The top-ranking firm is:

Cardno, Inc.: Ranked #1

Contract Term

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

Financial Impact

The initial contract value will be \$1.5 million with an option to renew for an additional \$1 million, for a total contract value of \$2.5 million, including all amendments. Authorization is requested to execute job order agreements performed under this JOC for up to \$1 million each in construction costs. In no event will any job order agreement exceed this amount without Council approval to increase the limit. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Operating and Capital Improvement Program funding may be utilized. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement.

Public Outreach

The public will be notified on each project, if notification is required.

Small Business Outreach

A Small Business Enterprise goal of three percent has been established for this contract.

This item was adopted.

100 Water Main Replacement: Southern Avenue to Roeser Road / 15th to 7th Avenues & Southern Avenue to Roeser Road / 7th to Central Avenues - Construction Manager at Risk Design Phase Services (WS85509009 & WS85509014) (Ordinance S-43660)

Request to authorize the City Manager, or his designee, to enter into an agreement with J. Wise Corporation (Chandler, Ariz.) to provide Construction Manager at Risk (CMAR) design phase services for replacement of water mains in an area bounded by Southern Avenue to Roeser Road and 15th Avenue to 7th Avenue and in an area bounded by Southern Avenue to Roeser Road and 7th Avenue to Central Avenue. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department evaluates and replaces aging water mains within the City of Phoenix. Design phase services by the CMAR will include the following: review of design plans and specifications; provision of detailed cost estimating; project planning, phasing, and scheduling; and provision of alternate systems evaluation and constructability. Coordination with City staff and plumbing contractors regarding relocation of water services may also be required.

Procurement Information

J. Wise Corporation was selected to perform CMAR services for the two projects based on a single procurement according to Section 34-603 of the Arizona Revised Statutes (A.R.S.). Pursuant to the A.R.S. Title 34, the City is not to release the scoring of firms until a contract has been awarded. The top-three rankings follow:

J. Wise Corporation: Ranked #1

B&F Contracting, Inc.: Ranked #2
Haydon Building Corp.: Ranked #3

Contract Term

Services provided under this contract are expected to be completed within 11 months from issuance of the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties and work may extend past the termination of the contract. No additional contract work scope may be executed after the end of the contract term.

Financial Impact

J. Wise Corporation's fee will not exceed \$5,000 for each project for a total not to exceed \$10,000, including subcontractor, subconsultant, and reimbursable costs. Funds are available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Small Business Outreach

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

Public Outreach

Public outreach will be conducted as necessary.

Location

Area bounded by Southern Avenue to Roeser Road and Central to 15th avenues.

This item was adopted.

101 Lift Station 43 Electrical and Civil Improvements Construction Administration and Inspection Services - WS90400070 and WS90400028 (Ordinance S-43666)

Request to authorize the City Manager, or his designee, to enter into an agreement with Stanley Consultants, Inc. (Phoenix) to provide Construction Administration and Inspection (CA&I) services in support of the Lift Station 43 Electrical and Civil Improvements project. Further

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

Summary

Lift Station 43 was originally designed with features to allow phased expansion as needed to accommodate growth in the service area. One portion of the project was designed to increase pumping capacity, which would allow the system to handle additional flows due to population growth. The lift station is experiencing operational, suction piping, and force main issues that jeopardize facility reliability. Construction will include mechanical improvements to install three new 85-horsepower submersible wastewater pumps and associated discharge piping, and complete replacement of the electrical line-up.

Stanley Consultants, Inc., will be responsible for providing construction and inspection services that include, but are not limited to: general project administration, construction inspection, resident engineering services, regular interaction with contractors, certification of progress payments, preparation of record drawings, public information services, and coordination with other City departments, governmental agencies, and Water Services Department Operations staff.

Procurement Information

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

Contract Term

The term of the contract is expected to coincide with the duration of the construction which is expected to take approximately two years to complete. 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

Stanley Consultants, Inc.'s fee under this contract will not exceed

\$730,000, including all subconsultant and reimbursable costs. Funds are available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action

City Council approved the Design Services Contract 142740 on June 1, 2016.

Location

In the area of Southern and 75th avenues.

This item was adopted.

102 Pavement Restoration Services Two-Step Job Order Contract - 4108JOC155 (Ordinance S-43675)

Request to authorize the City Manager, or his designee, to enter into separate agreements with M.R. Tanner Development & Construction, Inc. (Tempe, Ariz.), Sunland Asphalt & Construction, Inc., (Tempe, Ariz.), and Talis Construction Corporation, Inc. (Tempe, Ariz.) to provide Pavement Restoration Job Order Contracting (JOC) Services, and to execute contract options as necessary. Further request authorization for the City Controller to disburse all funds related to this item.

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

Summary

The purpose of the Pavement Restoration Services JOC is to improve the streets in poor condition as part of the overall Street Pavement Maintenance Program administered by the Street Transportation Department. The contractors will be utilized on an as-needed basis to

provide citywide pavement restoration services within the right-of-way. The scope of work will include major, collector, and residential pavement overlay; crack seal; slurry seal; fractured aggregate surface treatment; scrub sealing; fog sealing; and all other work as it relates to this JOC.

Procurement Information

M.R. Tanner Development & Construction, Inc., Sunland Asphalt & Construction, Inc., and Talis Construction Corporation, Inc. were chosen for this project using a two-step qualifications and price-based selection process according to section 34-604 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of proposers until a contract has been awarded.

The five top rankings follow:

M.R. Tanner & Development Construction, Inc.: Ranked #1

Sunland Asphalt & Construction, Inc.: Ranked #2

Talis Construction Corporation, Inc.: Ranked #3

Nesbitt Contracting Co., Inc.: Ranked #4

Combs Construction Company, Inc.: Ranked #5

Contract Term

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

Financial Impact

The initial contract value of each JOC will be \$30 million with an option to renew for an additional \$20 million each, for a total contract value of \$50 million each, including all amendments. Authorization is requested to execute job order agreements performed under this JOC for up to \$2 million each in construction costs. In no event will any job order agreement exceed \$2 million without Council approval to increase the

limit. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Operating and Capital Improvement Program funding may be utilized. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement.

Public Outreach

The public will be notified on each project, if notification is required.

Small Business Outreach

A Small Business Outreach goal of three percent has been established for these contracts.

This item was adopted.

103 Salt River Project Land Use License for City of Phoenix Grand Canalscape Phase I, Signalized Pedestrian Crossings - ST87600074 (Ordinance S-43678)

Request to authorize the City Manager, or his designee to enter into a land use license with Salt River Project (SRP) for City of Phoenix Grand Canalscape Phase I - Project ST87600074. The project is located on the Grand Canal Bank from 15th Avenue south of Campbell east to 16th Street and Indian School Road, and from 36th Street south of Roosevelt Street east to 40th Street and Van Buren Street.

Summary

The purpose of this license is to allow for pedestrian lighting and signalized pedestrian crossings at 15th Avenue, 7th Avenue, Central Avenue, 7th Street and 12th Street along the Grand Canal that is consistent with and shall not interfere with USA Fee Property.

Indemnification

The SRP license agreement includes authorization pursuant to Phoenix City Code Section 42-20 (B) to indemnify, release and hold harmless SRP for: (a) acts of omissions of the City, its agents, officers, directors or employees; (b) the City's use of occupancy of the licensed property for the purposes contemplated by the license, including but not limited to claims by third parties who are invited or permitted onto the licensed

property, either expressed or implied by the City or by nature of the City's improvement or other use of the licensed property pursuant to this license; and (c) the City's failure to comply with or fulfill its obligations established by the license or by laws. Per City of Phoenix Code, indemnification of another public entity requires approval from the City Council.

Location

Grand Canal at 15th Avenue, 7th Avenue, Central Avenue, 7th Street and 12th Street.

This item was adopted.

104 Salt River Project Facilities Relocation Agreement for Electrical Facility for City of Phoenix Chandler Boulevard, 27th Avenue to 19th Avenue Project - ST85100367 (Ordinance S-43679)

Request to authorize the City Manager, or his designee, to execute a Facility Relocation Agreement with Salt River Project (SRP) for electrical facilities within City of Phoenix's Chandler Boulevard, 27th Avenue to 19th Avenue Project, ST85100367.

Summary

SRP currently has electrical facilities within the Chandler Boulevard alignment from 27th Avenue to 19th Avenue which must be relocated as a result of the Chandler Boulevard project. The Chandler Boulevard project involves relocating electrical facilities, installing new street lights, roadway construction and landscaping.

A Facilities Relocation Agreement (FRA) will be executed to include addressing potential future relocation costs, if future relocation of both the existing and new electrical facilities is caused by a City project. The FRA states that the City will pay 50 percent of future relocation costs and SRP will pay 50 percent of future relocation costs. The FRA will contain additional terms and conditions deemed necessary and appropriate to facilitate future electrical relocations.

Further request the City Council to grant an exception pursuant to Phoenix City Code Section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code Section 42-18.

Public Outreach

Citizen notification was completed as part of the design and construction process.

Location

This project is located on Chandler Boulevard from 27th Avenue to 19th Avenue.

This item was adopted.

105 Salt River Project Facilities Relocation Agreement for Electrical Facility for City of Phoenix - 32nd Street, Southern Avenue to Broadway Road Project - ST85100245 (Ordinance S-43681)

Request to authorize the City Manager, or his designee, to execute a Facility Relocation Agreement with Salt River Project (SRP) for electrical facilities within City of Phoenix's 32nd Street, Southern Avenue to Broadway Road Project, ST85100245.

Summary

SRP currently has electrical facilities at the intersection of 32nd Street and Roeser Road which will be undergrounded as a result of the 32nd Street improvement project. The 32nd Street project involves undergrounding some electrical facilities, installing new street lights and roadway construction.

A Facilities Relocation Agreement (FRA) will be executed to include addressing potential future relocation costs if future relocation of undergrounded electrical facilities is caused by a City project. Because the project uses SRP Aesthetics Funds to underground the electrical facilities, the FRA states that the City will pay 100 percent of any potential future relocation costs. The FRA will contain additional terms and conditions deemed necessary and appropriate to facilitate future electrical relocations.

Further request the City Council to grant an exception pursuant to Phoenix City Code Section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code Section 42-18.

Public Outreach

Citizen notification was completed as part of the design and construction process.

Location

This project is located on 32nd Street from Southern Avenue to Broadway Road.

This item was adopted.

106 Rio Salado Pathway: 32nd Street Alignment to SR143/Hohokam Freeway, Design-Bid-Build - ST87600079 (Ordinance S-43682)

Request to authorize the City Manager, or his designee, to accept J. Banicki Construction, Inc. (Phoenix) as the lowest-priced, responsive and responsible bidder and enter into an agreement with J. Banicki Construction, Inc. for construction services for the Rio Salado Pathway: 32nd Street Alignment to SR143/Hohokam Freeway project. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

J. Banicki Construction, Inc.'s services include, but are not limited to: constructing a paved multi-use pathway on top of the levee along the Salt River's south bank; constructing an underpass ramp with safety railings beneath the SR143 and 44th Street bridges adjacent to the south bank levee; reconstructing the existing maintenance access ramps beneath the SR143 and 44th Street bridges; constructing seating areas adjacent to the new pathway midway between the 32nd Street and 40th Street alignment and between the 40th Street cul-de-sac to include an ADA compliant bicycle and pedestrian ramp, a ramada, signage, pavement markings, swing gates at maintenance access road locations; and other associated work required to complete this project.

Procurement Information

Two bids were received according to section 34-201 of the Arizona Revised Statutes (A.R.S.) by the Street Transportation Department on April 25, 2017. Both bids were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and general contractor responsiveness in demonstrating compliance with the project's Disadvantaged Business Enterprise (DBE) goal. Both bidders were

deemed responsive.

Bids ranged from a low of \$3,328,977.25 to a high of \$4,277,494.25. The Engineers Estimate and the two lowest responsive, responsible bidders are listed below:

Engineer's Estimate: \$3,438,374.81

J. Banicki Construction, Inc.: \$3,328,977.55

Achen Gardner Construction LLC: \$4,277,494.25

Contract Term

The term of the contract is expected to be completed within 365 days from the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

This project will utilize federal funds and is subject to the requirements of 49 Code of Federal Regulations (CFR) Part 26 and the U.S. Department of Transportation DBE Program. The bid award amount is within the total budget for this project. Funding is available in the Street Transportation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Small Business Outreach

A Disadvantaged Business Enterprise goal of 6.65 percent has been established for this project.

Location

South bank of Salt River: 32nd Street alignment to SR143

This item was adopted.

107 Lake Pleasant Water Treatment Plant Operating Costs (Ordinance

S-43644)

Request to authorize the City Manager, or his designee, to add \$393,350 in additional payment authority to the American Water Enterprise, Inc. (3060520) contract for services to treat and produce potable water at the Lake Pleasant Water Treatment Plant (LPWTP). Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The LPWTP is owned by the City of Phoenix and operated by American Water Enterprise, Inc. The plant produces a minimum of 25 million gallons per day to serve the northwest area of the City of Phoenix. In accordance with the contract terms, the contract is adjusted each year based on the consumer price index. The request for additional funding is needed due to the pricing adjustment for fiscal year 2016-17 occurring after the payment authority was approved.

Contract Term

The contract began June 26, 2007, and continues to June 30, 2022, with an option to extend the term for an additional five years, which may be exercised by the City Manager or his designee.

Financial Impact

The annual expenditure for fiscal year 2016-17 is estimated not to exceed \$6,387,132. Funds are available in the Water Services Department's operating budget.

Location

The LPWTP is located at 37000 N. New River Road, Peoria, Ariz.

This item was adopted.

108 Purchase of Replacement Turbine Pump Parts (Ordinance S-43658)

Request to authorize the City Manager, or his designee, to enter into an agreement with Gicon Engineered Pumps (Vendor No. 3071271) for the one-time purchase of replacement turbine pump parts, such as column pipes, tubes, bearings, and inner column stabilizers to rebuild a Deep Well 294 for the Water Services Department. Further request the City

Controller to disburse all funds related to this item.

Summary

Deep Well 294 is an integral source of water supply during heavy water demand during the hot summer months. It also is used to provide water throughout the City when the Union Hills Water Treatment Plant is shut down for annual maintenance.

Procurement Information

In accordance with the City of Phoenix Administrative Regulation 3.10, the Water Services Department received three bids for the solicitation. The Bid evaluations were based on an all-or-nothing bid. The lowest and responsive bidder was accepted. The bids received were:

Gicon Engineered Pumps: \$125,196.00

Ranchers Well Service: \$143,975.40

Custom Pipe & Coupling: \$165,636.00

Contract Term

The contract term for this one-time purchase will start June 7, 2017, and continue to June 6, 2018.

Financial Impact

Anticipated expenditures, including tax and freight, are not to exceed \$140,425 over the life of the contract. Funding for this contract is available in the Water Services Department's Capital Improvement Project budget.

Location

In the area of Deer Valley and Cave Creek roads.

This item was adopted.

109 Laboratory Equipment and Supplies Cooperative Contract Agreements (Ordinance S-43659)

Request authorization for the City Manager, or his designee, to enter into cooperative contract agreements for laboratory equipment and supplies with the State of Arizona participating addendums with contractors Fisher Scientific Company, LLC, (3017896) contract number ADSPO16-13780 and VWR International, LLC, (3041621) contract number

ADSPO16-135417, between the State of Idaho and the National Association of State Procurement Officials (NASPO) ValuePoint master agreements MA16000234-1 and MA16000234-2. Further authorization also is requested for the City Controller to disburse all funds in an amount not to exceed \$4,400,000 for both the Water Services Department and the Phoenix Police Department.

Summary

The current City contracts for laboratory equipment and supplies expire June 30, 2017. To replace the expiring contracts, it is advantageous for the City to enter into cooperative contract agreements with the State of Arizona's participating addendums with the State of Idaho's NASPO Value Point master contract agreements. The terms of the cooperative contract agreements are comparable to the current City contracts and additionally offer improved shipping terms and additional discounts, which will provide a cost savings of approximately 21.5 percent for the City.

Procurement Information

Negotiations were conducted under Cooperative Purchasing Agreement 84-17-040-COOP-8426 (SB) in consultation with the City's Law Department, which resulted in mutually advantageous prospective contracts for the City.

Cooperative Prospective Contractor 1 - Fisher Scientific Company, LLC
Cooperative Prospective Contractor 2 - VWR International, LLC

Contract Term

The contract term will be from July 1, 2017, to March 31, 2021.

Financial Impact

Giving consideration to the estimated four-year cost savings of \$736,000 achieved by entering into cooperative contract agreements, the estimated annual expenditure for the Water Services Department is \$900,000 with an aggregate amount of \$3,600,000, and estimated annual expenditure of \$200,000 for the Police Department with an aggregate of \$800,000, with a combined aggregate not to exceed amount of \$4,400,000. Funds are available in the Water Services Department and the Police Department operating budgets.

This item was adopted.

110 Flow Meters, Replacement Parts and Services - Requirements Contract (Ordinance S-43661)

Request to authorize the City Manager, or his designee, to enter into contracts with Krohne, Inc. (3000402), Phoenix Instrumentation (3021127), National Meter & Automation Inc. (3072884), Instrumentation and Controls, LLC (3026972), and Western Environmental Equipment Co. (3033545) to supply various flow meters for the Water Services Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department uses various types of flow meters to measure the flow rate, depth, and quantity of water passing through the water and wastewater treatment plants. Without the ability to monitor, measure, and record the flow rate of water, the treatment plants would not be able to produce or regulate water flow in the service area.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, a solicitation was completed. The Water Services Department received a total of six offers with one of the offers found to be non-responsive per the Special Terms and Conditions of the solicitation. The remaining five proposals were accepted and are recommended for award. Details of the award may be viewed on the attached table (**Attachment A**).

Contract Term

The contract term will be for three years, effective July 1, 2017, through June 30, 2020, with two one-year options to extend.

Financial Impact

Expenditures are not to exceed \$2,450,000 over the life of the contract. Funding for this contract is available in the Water Services Department's operating budget.

This item was adopted.

111 Mega Metering Services (Ordinance S-43663)

Request to authorize the City Manager, or his designee, to enter into a

contract with Brown and Caldwell to provide Mega Metering Services for the Water Services Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The services provided under the Mega Metering project are a citywide effort to meter the wastewater collection system. The project consists of installing approximately 170 portable flow meters in sewer mains throughout the City, and simultaneously measuring sewer flows in critical areas of the system. The last time that the Water Services Department conducted a study of this nature was in 2006. Since 2006, significant sewer improvements have been made to the City's wastewater collection system. This metering service is necessary to update the sewer model and ensure the City has the most up-to-date and accurate sewer flow information. Data collected during the Mega Metering project will allow City staff to fully update the sewer model, thereby advancing future flow-related evaluations and planning, generate a more accurate sewer relief program and lead to improved sizing of public sewer infrastructure.

Procurement Information

Solicitation 84-16-102-RFP-8442 was conducted in accordance with Administrative Regulation 3.10. Two offers were received from Brown and Caldwell and CH2M. Both offers were determined responsive.

The offers were scored by a four-member evaluation committee based on the qualifications and experience of the firm as well as the pricing schedule. The Offerors and their final scores are as follows:

Brown and Caldwell: \$619,250.40 (scored 1,000)

CH2M: \$1,244,558.15 (scored 949)

The Water Services Department Director recommends that the offer from Brown and Caldwell be accepted as the highest-scored, responsive and responsible offer, being the most advantageous to the City.

Contract Term

The contract term will begin on or about July 1, 2017, with an end date of June 30, 2018.

Financial Impact

The aggregate contract value will not exceed \$619,250.40 (including applicable taxes). Funds are available in the Water Services Department's Capital Improvement Program budget.

This item was adopted.

112 Odor Abatement Services for Sanitary Sewer Systems - RFA 13-001 (Ordinance S-43687)

Request to authorize the City Manager, or his designee, to extend Contract 134111 with USP Technologies for 12 months from July 1, 2017, to June 30, 2018, to allow time for a new solicitation. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The odor abatement services provided by USP Technologies will continue to lessen sewer odors from 48th Street to 51st Avenue along the Southern Avenue area.

Financial Impact

An additional \$827,843 is requested for the 12-month extension. Funds are available in the Water Services Department's operating budget.

Concurrence/Previous Council Action

This contract is the result of Request for Authorization (RFA) 13-001 awarded by Formal Council Action on July 3, 2012, with an aggregate value of \$6,205,700 for the five years with an end date of June 30, 2017. The contract's value is now at an aggregate value of \$7,033,543.

This item was adopted.

113 Hach Equipment Supplies and Products for Water Testing and Monitoring (Ordinance S-43688)

Request to authorize the City Manager, or his designee, to enter into a contract with Hach Company (3025531) for supplies and products used for water testing and monitoring equipment. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The Water Services Department requires supplies and products for equipment that tests drinking water and wastewater samples to

demonstrate compliance with the Safe Drinking Water and the Clean Water Acts.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Special Circumstance Sole Source Determination. No alternative supplies and products meet the requirements of the equipment used; therefore, Hach Company is the sole source distributor.

Contract Term

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

Financial Impact

The aggregate value of the contract will not exceed \$1,849,980 over the life of the contract, with an estimated annual cost of \$369,996. Funds are available in the Water Services Department's operating budget.

This item was adopted.

115 Modification of Stipulation Request for Ratification of May 17, 2017 Planning Hearing Officer Action - Z-125-01-2

Application: PHO-3-16-Z-125-01-2

Existing Zoning: C-2

Acreage: 14.24

Applicant: Ben Searle

Owner: AABS Properties, LLC

Representative: Nick Weidner / Allen + Phillip Partners

Proposal:

Eastern Portion

- Technical corrections to Stipulations 1, 2, 3, and 9 to change the name of the department to the Planning and Development Department.

Western Portion

- Stipulation 1: Modification of the requirement for general conformance to a site plan date stamped March 30, 2017 and a technical correction to

the department name.

- Stipulation 2: Modification of the requirement for general conformance to building elevations date stamped March 30, 2017 and a technical correction to the department name.
- Stipulation 3: Deletion of the entire stipulation regarding the location of Shops A, Building A and Building B.
- Stipulation 4 (New Stipulation 3): Technical correction to the department name.
- Stipulation 7 (New Stipulation 6): Modification of the specific uses associated with each phase of development.
- Stipulation 8 (New Stipulation 7): Modification of the limitation of driveways on Black Mountain Parkway.
- Stipulation 9: Deletion of the entire stipulation regarding the provision of a transit stop and right-of-way along Black Mountain Parkway.
- Stipulation 11: Deletion of the entire stipulation regarding the requirement for drive-thru parking to be eliminated on Building B.
- Stipulation 12: Deletion of the entire stipulation regarding requirements for the loading area for Major A.
- Stipulation 13: Deletion of the entire stipulation regarding the provision of a screen wall for Office A.
- Stipulation 14 (New Stipulation 9): Modification of the requirement for a landscape setback along Carefree Highway.
- Stipulation 15 (New Stipulation 10): Modification of the requirement for treatment of the wash along the southern border.
- Stipulation 16: Deletion of the entire stipulation regarding the provision of a 10-foot trail adjacent to the wash.
- Stipulation 17: Deletion of the entire stipulation regarding the provision of shaded pedestrian paths connecting retail establishments and Black Mountain Parkway.
- Stipulation 18: Deletion of the entire stipulation regarding the provision of a 5-foot landscape median between the pharmacy drive-thru and the Building B drive-thru.
- Stipulation 19 (New Stipulation 11): Modification of the requirements for sidewalks along Carefree Highway and Black Mountain Parkway.
- Stipulation 20: Deletion of the entire stipulation regarding landscaping along the south side of shops "E."

Additional Stipulations for the Western Portion

- Stipulation 12: Requirement for the applicant to hold a neighborhood meeting with property owners on the proposed lighting, landscaping and fencing for the project.
- Stipulation 13: Requirement that future phases of the development return to the Desert View VPC and Planning Hearing Officer for review and approval.
- Stipulation 14: Requirement that a minimum 20 foot landscape setback shall be provided along all property lines adjacent to single-family residential development.

Summary

Request authorization for the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 17, 2017.

Location

Approximately 11832 west of the southwest corner of Black Mountain Parkway (48th Street Alignment) and Carefree Highway.

Council District: 2

Concurrence

The Desert View Village Planning Committee recommended approval of the request with additional stipulations by an 8-0 vote on May 2, 2017.

The Planning Hearing Officer recommended approval with modifications on May 17, 2017.

This item was approved.

**116 Modification of Stipulation Request for Ratification of May 17, 2017
Planning Hearing Officer Action - Z-81-06-5**

Application: PHO-2-17- Z-81-06-5

Existing Zoning: Approved C-2

Acreage: 0.81

Applicant: Larson Associates Architects, Inc.

Owner: Carol Vernon, Glen 27 LLC

Representative: Larson Associates Architects, Inc.

Proposal:

1. Review of Stipulation 1 which requires that the Planning Hearing Officer review the C-2 portion of the site before preliminary site plan approval.

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 17, 2017.

Location

Approximately 326 feet west of the northwest corner of 27th Avenue and Glendale Avenue.

Council District: 5

Concurrence

The Alhambra Village Planning Committee chose not to hear this case. The Planning Hearing Officer recommended approval of the review of the C-2 portion of the site.

This item was approved.

**118 Modification of Stipulation Request for Ratification of May 17, 2017
Planning Hearing Officer Action - Z-142-98-7**

Application: PHO-1-17- Z-142-98-7

Existing Zoning: S-1, Approved C-2 PCD

Acreage: 5.3

Applicant: Garrett Development Company, Tina Heinbach

Owner: Walgreen Arizona Drug Company

Representative: Beus Gilbert PLLC, Andrew Armstrong

Proposal:

1. Modification of Stipulation 2 regarding one pad per every 300 feet of linear frontage for commercial pads.
2. Technical corrections to Stipulations 6, 9.a., 9.b., 14, and 17.f.

Summary

Request authorization for the City Manager, or his designee, to approve

Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 17, 2017.

Location

Approximately 348 feet north of the northwest corner of 99th Avenue and Lower Buckeye Road.

Council District: 7

Concurrence

The Estrella Village Planning Committee recommended approval of the request by a 7-0 vote on May 16, 2017. The Planning Hearing Officer recommended approval with an additional stipulation.

This item was approved.

119 Final Plat - Enterprise Deer Valley - 170022 - Southeast Corner of Parkview Lane and 19th Avenue

Plat: 170022

Project: 05-5227

Name of Plat: Enterprise Deer Valley

Owner(s): Jaws 19, LLC

Engineer(s): Hunter Engineering, Inc.

Request: A 1 Lot Commercial Subdivision Plat

Reviewed by Staff: May 17, 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 V170001A.

Location

Generally located at the southeast corner of Parkview Lane and 19th Avenue.

Council District: 1

This item was approved.

120 Final Plat - CB-51 West - 170032 - Southeast Corner of 51st Avenue and Camelback Road

Plat: 170032

Project: 16-2952

Name of Plat: CB-51 West

Owner(s): Lot 1: John F. Long Family Revocable Living Trust, Lot 2: F&S Management IV, LLC

Engineer(s): Clouse Engineering, Inc.

Request: A 2 Lot Commercial Plat

Reviewed by Staff: May 23, 2017

Summary

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

Location

Generally located at the southeast corner of 51st Avenue and Camelback Road.

Council District: 5

This item was approved.

121 Final Plat - 6th Avenue Cottages - 160078 - Northeast of 6th Avenue and Fillmore Street

Plat: 160078

Project: 15-969

Name of Plat: 6th Avenue Cottages

Owner(s): ZNM Holdings, LLC

Engineer(s): Keogh Engineering, Inc.

Request: A 10 Lot Residential Subdivision Plat

Reviewed by Staff: May 17, 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 northeast of 6th Avenue and Fillmore Street.
Council District: 7

This item was approved.

122 Amend Ordinances Adopted on May 10, 2017 to Accept and/or Dedicate Easements (Ordinance S-43695)

Request the City Council amend ordinances S-43527 and S-43528 adopted on May 10, 2017 to revise the entity name of the easements accepted/and or dedicated due to a change in ownership; further ordering the ordinance be recorded.

Summary

The above referenced ordinances authorized the City Council to accept and/or dedicate easements for temporary turn around, drainage, sidewalk, public utilities, and water and sewer purposes. The ordinances were adopted with the owner's name as US Real Estate Limited Partnership. Prior to the ordinances adoption, the ownership changed. This amendment will reflect the new owners, US Relp Norterra East I, LLC.

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

Location

2000 W. Happy Valley Road and 1 Norterra Drive

This item was adopted.

123 Acceptance and Dedication of Deeds and Easements for Sidewalk and Roadway Purposes (Ordinance S-43696)

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

Summary

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

Easement (a)

Applicant: CPG EPL PHX 1, LLC

Purpose: Sidewalk
Location: 4302 W. Cactus Road
File: FN170040
Council District: 1

Easement (b)

Applicant: CFB Properties, LLC
Purpose: Sidewalk
Location: 1614 W. Whispering Wind Drive
File: FN170045
Council District: 1

Easement (c)

Applicant: 3221 40th St, LLC
Purpose: Sidewalk
Location: 3221 S. 40th St.
File: FN170034
Council District: 8

Deed (d)

Applicant: Jocal, LLC
Purpose: Roadway
Location: 2219 E. South Mountain Ave.
File: FN170048
Council District: 8

This item was adopted.

124 Acceptance of Easements for Public Utility Purposes (Ordinance S-43697)

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

Summary

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

Easement (a)

Applicant: RD Design Team, Inc.

Purpose: Public Utilities
Location: 2316 N. 29th Place
File: FN170039
Council District: 8

Easement (b)

Applicant: Security 15, LLC
Purpose: Public Utilities
Location: 4225 E. Sandra Terrace
File: FN170033
Council District: 2

This item was adopted.

**125 Abandonment of Easement - V170017A - 2403 E. Beardsley Road
(Resolution 21550)**

Abandonment: V170017A
Project: 17-775
Applicant: Scott Ody of Hilgart Wilson
Request: To abandon the Public Utility Easement on the south 12 feet of the parcel addressed 2403 E. Beardsley Road, APN 213-18-039, and the Equestrian Easement on the east 4 feet of the same parcel.
Date of Decision: May 2, 2017

Location

2403 E. Beardsley Road
Council District: 2

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.

**126 Amend City Code - Ordinance Adoption - Rezoning Application
PHO-1-17--Z-34-16-2 - Northeast Corner of Cave Creek Road and**

Greenway Parkway (Ordinance G-6332)

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Wednesday, May 17, 2017.

Location

Northeast corner of Cave Creek Road and Greenway Parkway
Council District: 2

This item was adopted.

Items 20 through 47, Ordinance S-43642, 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.

29 Arizona Forward

For \$21,000.00 in payment authority to purchase membership for the Public Transit, Aviation, Public Works and Water Services departments. The City is an environmental and sustainability leader in the state and benefits from participating in Arizona Forward to ensure cooperation and idea-sharing on important topics such as smart growth and development, efficient transportation, improved air quality, responsible water management and energy alternatives. These statewide issues have a significant effect on quality of life in the Valley and benefit the City and its residents. This item was approved by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on May 16, 2017.

Discussion

Mayor Stanton stated that a speaker comment card was submitted in favor of Item 29 by Diane Brossart, noting she was available to speak, if necessary.

Councilwoman Gallego stated that the item was reviewed and supported

and subcommittee.

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

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

No: 2 - Councilman DiCiccio and Councilman Nowakowski

41 City of Glendale

For \$27,273.00 in payment authority to pay the City of Phoenix's share of the agreement with Baker, Donelson, Bearman, Caldwell & Berkowitz to provide West Valley Partner Communities comprehensive federal legislative consulting services to protect and enhance Luke Air Force Base, for the Office of Government Relations and the Aviation Department. This item was withdrawn from the May 31, 2017 Formal agenda in order to give more time to answer requests for information.

Discussion

Councilman Valenzuela declared he had a potential conflict of interest related to this item and would not be participating in the vote.

Councilman DiCiccio stated that he supported Luke Air Force Base but hiring a consultant or lobbyist for it did not make sense to him. He added it was something Senator McCain or the Council could do on its own.

Councilwoman Williams stated it was the last year of a 10-year contract and that the agency worked closely with Senator McCain and other representatives. She also added that they were successful in getting F-35s at Luke Air Force Base and were continuing to look for new training opportunities to bring forth. She noted she was a big supporter of Luke Air Force Base, the military and its agencies, and was proud of the revenues the base brought to the City of Phoenix. Lastly, she noted the City of Glendale and all of the West Valley cities were supporters of this item.

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

- Yes:** 6 - Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton
- No:** 2 - Councilman DiCiccio and Councilman Waring
- Conflict:** 1 - Councilman Valenzuela

48 Public Hearing on Proposed Property Tax Levy, Truth in Taxation and Adoption of the Final 2017-18 Annual Budget

As required by State statute, this item requests the City Council hold a public hearing on the City's proposed Property Tax Levy and Truth in Taxation and the adoption of the final 2017-2018 City of Phoenix Annual Budget.

Discussion

Mayor Stanton opened the public hearing for the item.

Mayor Stanton closed the public hearing, noting there were no individuals wishing to speak.

Note: The following individuals submitted speaker comment cards, not wishing to speak.

Tom Jenney
Maureen Bayardi

This hearing was held.

49 Convening of Special Meeting of the City Council

In accordance with State Statute, this item requests the City Council formally convene a special meeting for the purpose of considering adoption of the final 2017-18 budget.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that a Special Meeting be Called to Order to consider the adoption of the Fiscal Year 2017-18 budget. The motion carried by the following vote:

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

50 Adoption of the Final 2017-18 Operating Funds Budget (Ordinance S-43653)

In compliance with requirements of the City Charter and Code and State Statutes, request to adopt an ordinance (**Attachment A**) determining and adopting final estimates of proposed expenditures by the City of Phoenix for the fiscal year beginning July 1 , 2017 and ending June 30, 2018 declaring that such shall constitute a budget of the City of Phoenix for such fiscal year.

Summary

The final operating funds budget ordinance reflects extensive public review through community hearings, information posted on the City website and actions taken by the Council on the budget at the May 23, 2017 Policy meeting and at the June 7, 2017 Formal meeting to adopt the tentative 2017-18 operating budget ordinance.

Discussion

Councilman DiCiccio stated the budget had a structural deficit and was the reason why the City was facing a deficit that year, even though it was experiencing greater revenues than ever. He added part of the problem was the City spent money on unnecessary items like public relations, lobbying and membership dues. He noted these reasons as why the City was in need of a strategic plan to identify core functions and fund programs and services accordingly. He then stated that he would be voting no on the item because of the reasons he previously stated.

Councilwoman Williams asked City Manager Ed Zuercher if the property tax rate was being changed, to which he replied the rate was changing from \$2.17 per \$100 to \$2.16 per \$100.

Councilman DiCiccio stated the property tax rate had changed from \$1.82 per \$100, to \$2.17 per \$100, to \$2.16 per \$100. He then added the previous year was the largest property tax increase in City of Phoenix history.

Councilwoman Williams asked if the statements made by Councilman DiCiccio were true and Vice Mayor Pastor asked for additional clarification as well.

City Manager Ed Zuercher stated the property tax rate was \$2.17 per \$100 that year, would be \$2.16 per \$100 the next year, and was \$1.82 per \$100 two years prior. He added that he did not believe that was the largest property tax rate increase in City of Phoenix history, which he believed occurred in the 2000s, and noted the proposed property tax rate was less than it was in 2011.

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

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

No: 2 - Councilman DiCiccio and Councilman Waring

51 Adoption of the Final 2017-18 Capital Funds Budget (Ordinance S-43667)

In compliance with requirements of the City Charter and Code and State Statutes, request to adopt an ordinance (**Attachment A**) adopting the final Capital Funds Budget for the City of Phoenix for the fiscal year 2017-18.

This adopts the final 2017-2018 Capital Funds Budget for the fiscal year beginning July 1, 2017 and ending June 30, 2018. This capital funds appropriation will be funded by property tax and revenue supported bond proceeds, federal and state participation funds, passenger facility charges, customer facility charges, participation by other governmental entities in certain projects, development impact fees, capital grants, capital reserves, solid waste remediation funds and other capital funding sources.

Concurrence/Previous Council Action

The final Capital Funds Budget ordinance reflects actions taken by Council at the June 7, 2017 Formal meeting to adopt the tentative budget ordinances and is consistent with the Five-Year Capital Improvement Program resolution also approved by Council at the June 7, 2017 Formal meeting.

A motion was made by Vice Mayor Pastor, seconded by

Councilwoman Williams, that this item be adopted. The motion carried by the following vote:

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

No: 1 - Councilman Waring

52 Adoption of the Final 2017-18 Reappropriated Funds Budget (Ordinance S-43654)

In compliance with requirements of the City Charter and Code and State Statutes, request to adopt an ordinance (**Attachment A**) adopting the final reappropriation budget for items of expenditure previously adopted as part of the 2016-2017 fiscal year operating and capital fund budgets of the City of Phoenix but remaining as unexpended funds as of June 30, 2017.

Concurrence/Previous Council Action

The reappropriated funds budget ordinance reflects the action taken at the June 7, 2017 Formal meeting to adopt the tentative 2017-18 reappropriated funds budget ordinance.

Discussion

Councilwoman Williams asked the City Manager to explain what reappropriated funds were, for the public.

City Manager Ed Zuercher turned the question over to the Budget & Research Director.

Budget & Research Director Jeff Barton explained that the reappropriated funds budget involved taking funds that were previously appropriated but not entirely executed and allowing them to be used the following year for those same bills.

Councilman DiCiccio added that the reappropriated budget was for the payment of contracts or commitments the City had already made, adding that he would be supporting the item.

Councilman Waring requested clarification that the item was not related to

budgets moving forward.

Budget & Research Director Jeff Barton responded that was correct and the item allowed to take dollars that were previously allocated for contracts and continue using them to pay those contracts in the next fiscal year.

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

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

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that the Special Meeting be adjourned and the Council return to regular session. The motion passed unanimously.

Mayor Stanton reconvened the regular meeting.

Mayor Stanton stated that Items 53 and 54 were legally required amendments to the 2016-17 budget that allowed the City to close out the fiscal year's accounts and proceed with the annual independent audit.

53 Amend Ordinance S-42624 Adopting the 2016-17 Annual Budget for Operating Funds (Ordinance S-43651)

An ordinance (**Attachment A**) amending Ordinance S-42624 adopting the 2016-2017 Annual Budget to authorize reallocating appropriations among lawfully available appropriations to ensure the continued operation of the City of Phoenix in the payment of necessary expenses.

Summary

This legally required amendment to the 2016-17 Operating Budget will allow the City to close out the current fiscal year's budgetary accounts and proceed with the annual independent audit. This is a standard end-of-year process required to close the books.

State law precludes any expenditure not included in the budget even if additional funds become available. This means all expenditures require

an appropriation. An appropriation is the formal recognition in the City's official accounting records that the City Council has approved spending authority. State law allows the City Council to transfer spending authority between line items in the adopted budget. This does not represent an actual transfer of funds, but rather, only transfers of spending authority between specific areas. As a result, the total bottom line budget amount for 2016-17 does not change.

To make sure all planned expenditures have appropriate spending authority, each year the Budget and Research Department brings to the City Council a request to amend the original budget amounts between specific areas at the end of each fiscal year. This is a normal part of the annual budget close-out process. Variances between estimated and actual expenditures that trigger the need to do these reallocated appropriations are usually caused by timing differences, such as expenditures originally planned for the early part of the 2017-18 fiscal year that actually occurred during the 2016-17 fiscal year. These timing variances can be quite large, especially when dealing with construction contracts in the capital budget. Allowing for these timing differences in our request for year-end budget amendments allows for bid awards and payments to vendors to proceed.

The amendments to the 2016-17 Operating Budget require City Council approval to move spending authority from areas where excess authority is available to other areas where insufficient authority was originally provided due to normal changes during the year.

Decreases in 2016-17 appropriation authority are requested in the following:

General Fund Capital Improvements due to the use of General Obligation Bond Funds instead of General Funds for the Fire Computer Aided Dispatch project and due to the carryover of funds planned for various other capital improvements to 2017-18.

General Fund Transportation due to savings resulting from higher than anticipated position vacancies in the Street Transportation Department.

Solid Waste and Water Funds due to the carryover of funding for various capital improvement projects that were budgeted but not completed in 2016-17.

Increases in 2016-17 appropriation authority are requested in the following:

General Fund Public Safety due to increased overtime usage as a result of sworn vacancies.

Court Awards Funds as a result of unplanned expenditures, including a helicopter engine overhaul and investigative overtime.

Federal and State Grant Funds due to Strengthening Workforce Families Initiative funding and other grant awards that were not included in the original budget.

Human Services Grant Funds due to a Head Start/Early Head Start cost of living adjustment and supplemental award and other grant awards that were not included in the original budget.

Sports Facilities Funds to cover unplanned expenditures for financial analysis and legal fees.

Wastewater Funds to cover the costs for the 91st Avenue Biogas Project, which was not included in the original budget.

The following funds to provide for minor year-end variances: Cable Communications, Golf Course and Regional Wireless Cooperative.

These are balancing measures with a net impact of \$0. The total appropriation remains unchanged.

Discussion

Dianne Barker stated opposition to increased operating budgets and questioned whether the City was doing everything it could to operate more lean.

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

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

No: 2 - Councilman DiCiccio and Councilman Waring

54 Amend Ordinance S-42626 Adopting the 2016-17 Final Reappropriation Budget (Ordinance S-43650)

An ordinance (**Attachment A**) amending Ordinance S-42626 adopting the 2016-2017 Final Reappropriation Budget to authorize reallocating appropriations among lawfully available appropriations to ensure the continued operation of the City of Phoenix in the payment of necessary expenses.

Summary

This amendment to the 2016-17 Final Reappropriation Budget will allow the City to close out the current fiscal year's budgetary accounts and proceed with the annual independent audit. This is part of the standard year-end process required to close the books.

Requested changes to the 2016-17 Reappropriated Funds Budget allow for year-end timing differences and allow for updated contract payment schedules. The 2016-17 Reappropriated Funds Budget ordinance was required to rebudget funds that were contractually committed in the prior fiscal year (2015-16) but not yet fully expended in that fiscal year. Since budget appropriations expire on June 30 of each fiscal year, the 2016-17 Reappropriated Funds Budget ordinance reestablished the appropriations for payment of vendors as goods and services were received.

These requested reallocations do not represent an actual transfer of funds, but rather, only a transfer of spending authority. Also, these reallocations do not increase or decrease the total budget.

This item was adopted.

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

66 Authorization to Enter into Agreements with Selected Lawyers and Law Firms to Provide Outside Counsel Services (Ordinance S-43671)

Request to authorize the City Attorney, through the City Manager, or his designee, to enter into legal services agreements with various selected lawyers and law firms to provide outside counsel services to the City on an as-needed basis as determined by the City Attorney. Further request to authorize the City Controller to disburse funds in an amount not to exceed \$16,500,000 total for FY 2017-2018 and FY 2018-2019 for purposes of this ordinance.

Summary

The City Attorney's Office issued a request for proposals from lawyers and law firms to provide outside counsel services to the City in numerous selected legal areas. The responses were evaluated by Brad Holm, City Attorney; Sharon Haynes, Assistant Chief Counsel; and Colleen Nathans, Assistant Risk Management Administrator.

The City Attorney is authorized to enter into agreements as needed to provide legal services for the City of Phoenix. Upon approval, the City Attorney will enter into agreements with firms presently and regularly performing services for the City from the attached list of approved respondents to the RFP (**Attachment A**). The City Attorney may from time-to-time, on an as-needed basis, contract for other legal services, including services of attorneys, expert witnesses, and other legal advisors or consultants, under Phoenix City Code 2-10 and 43-2.

Contract Term

The contract term will be from July 1, 2017 through June 30, 2019, with an option to extend the contracts for one additional year.

Financial Impact

The request amount represents an approximate \$500,000 increase over the current two-year period of FY2015-2017. The following summarizes expenses over the past eight fiscal years.

Fiscal Year	Amount Spent
09/10	\$7,188,285
10/11	\$6,149,667
11/12	\$6,416,437

12/13	\$5,264,921
13/14	\$5,650,762
14/15	\$6,889,329
15/16	\$7,706,237
16/17	\$7,533,220 (projected)

The individual agreements set forth specific rates and fees for legal services, in accordance with proposals submitted during the procurement. The agreements will include a prompt-payment discount of 2%. With that 2% discount, the Law Department has also saved approximately \$140,000 over the last two fiscal years.

Funds are available in various department budgets, including the Law Department and Self-Insured Retention Fund. Payments will be made from affected funding sources, primarily the Self-Insured Retention Fund or the General Fund on an individual case or legal assignment basis.

Discussion

Dianne Barker spoke against about the benefits of mediation services in place of litigation.

Leonard Clark spoke against the item and the hiring of outside counsel, stating that he wished to see that the City's legal fees be accounted for.

Mayor Stanton noted that all money spent by the city is available for view online.

Vice Mayor Pastor asked City Attorney Brad Holm for examples of when and why the City may hire outside legal counsel. City Attorney Brad Holm responded that outside counsel was used for instances where the City lacked in-house expertise.

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

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

No: 1 - Councilman Waring

68 Resolution to Authorize Increase to Amortization Period for Public Safety Personnel Retirement System Plan and to Establish the Public Safety Personnel Retirement System Reserve Fund (Resolution 21552)

Request to authorize the City Manager to request the Public Safety Personnel Retirement System (PSPRS) increase the amortization period for the PSPRS plan from 20 years to 30 years and authorize the City Manager to submit a written request to the PSPRS Board of Trustees to increase the amortization period for the PSPRS plan. Future budget processes, beginning with Fiscal Year (FY) 2018-19, will reflect City Council's intention to pay more based on a 25-year amortization schedule. Further request to authorize the City Manager to establish the PSPRS Reserve Fund.

Summary

The Arizona State Legislature enacted HB2485, which allows employers who contribute to PSPRS, like the City of Phoenix, to make a one-time request to the PSPRS Board of Trustees to increase the amortization period from 20 years to 30 years. Under HB2485, the City may choose the longer amortization period and make it apply to the June 30, 2016 actuarial valuation that sets out the City's contribution to PSPRS. This action will lower the City's employer contribution rate for FY 2017-18. To exercise this right under HB2485, the City must make a one-time request to lengthen the amortization period from 20 years to 30 years and submit this written request to the PSPRS Board of Trustees. PSPRS must receive this request in time for its June 28, 2017 board meeting. As discussed in the Policy Session on June 13, 2017, the City can pay more than the actuarial valuation.

Concurrently, the City seeks to establish the PSPRS Reserve Fund to hold any excess funds generated by the increased amortization period in FY 2017-18 as well as any other funds designated by the City Council. These excess funds will be held in reserve to pay any City obligation to PSPRS.

Discussion

City Manager Ed Zuercher introduced the item and turned it over to

Budget & Research Director Jeff Barton & Chief Financial Officer Denise Olson.

Budget & Research Director Jeff Barton explained the nature of the increased pension costs and the changes in legislation that have provided financial opportunities for the City to examine with relation to creating flexibility for repayment in upcoming years.

Chief Financial Officer Denise Olson provided information regarding similar municipalities and the repayment options they used.

City Manager Ed Zuercher added the City of Mesa adopted a nearly identical plan the previous week.

Tom Jenney spoke against this item, stating he believed it to be kicking the can down the road relating to pensions costs. He suggested looking at general obligation pension debt as a substitute. He also stated the City should pay down PSPRS quicker by cutting current budgetary costs and services and using them instead for repayment of debt obligations.

Michael Meacham believed the City's budget was unsatisfactory and that the City should prioritize funding for the Fire Department first, the Police Department second, and Water/Wastewater Services and Sanitation third.

Wesley Harris spoke against the item, stating that it was financing debt with debt. He also stated the City had lost track of its core responsibilities of Police, Fire, Streets, Garbage and Water.

Keith Broadwater spoke against the item and also stated it was kicking the costs down the road. He then stated it was morally unfair to pass this debt down the road to future generations.

Maureen Bayardi spoke against the item and the additional billions of dollars it is estimated to cost. She also stated it was unfair to pass these costs to future generations.

Aimee Rigler spoke against the item and its short-term benefits due to

the substantial long-term costs. She stated that in addition to these extra costs it was also detrimental to incur additional years of financial burden and risk.

Marvin Jones spoke against the item and stated it was bad to stretch out payments and incur more interest. He requested eliminate costs and pay-down debt.

Ken Crane, President of the Phoenix Law Enforcement Association, supported the item and stated the Fire and Police departments were understaffed, adding the increased amortization period could be used hire additional Police and Fire staff.

Councilman Nowakowski asked where the 7.4% interest rate was from.

Chief Financial Officer Denise Olson stated 7.4% was not a interest rate but was the expected rate of return by the state on PSPRS investments.

Steve Beuerlein, President of the United Phoenix Firefighters, stated he supported this item because it relieved stress on the general fund.

Brian Tobin, Chair of the PSPRS board, addressed Nowakowski's question by stating that 7.4% was the expected rate of return by PSPRS. He explained this assumed earnings rate was lower than previous years in order to reduce long-term risk, though it came with additional payroll costs for the City.

Note: Mayor Stanton stated speaker comment cards were submitted in favor of the item, by the following individuals not wishing to speak.

Will Buividas, Local Police Retirement Board

Michael London

P.J. Dean

Mayor Stanton then asked if there was a motion for the item.

A motion was made by Councilman Valenzuela, seconded by Councilwoman Williams, that this item be adopted.

Councilwoman Williams then provided additional direction to staff regarding the motion, requesting the debt be paid off in 25 years and that Councilman DiCiccio's ideas for lower rates be explored.

Councilwoman Stark supported Councilwoman Williams' direction for the motion to look into ideas proposed by Councilman DiCiccio.

Vice Mayor Pastor requested clarification regarding the use of the Pension Reserve Fund and if future Councils would be able to change the use of the fund.

Chief Financial Officer Denise Olson responded the Pension Reserve Fund's only objective was to make PSPRS contributions during economic downturns and City Manager Ed Zuercher added that since it was an ordinance, future Councils could amend it like any other ordinance.

Councilman DiCiccio stated concerns with the item due to the creation of additional debt for the City's existing PSPRS obligations. He suggested the use of different financial opportunities, noted other jurisdictions who had utilized similar programs and emphasized the importance of stabilizing Police and Fire funds.

Councilman Valenzuela stated the item was the best option on the table today and liked the flexibility it provided for repaying PSPRS debt. He also noted that he looked forward to additional discussion by the full Council and encouraged researching potential options for additional cost savings in the future.

Councilwoman Gallego noted that the Council fully supported paying down debt as quickly as possible and added the Governor and state legislature provided this option out of recognition of the difficulties faced by cities.

Councilman Nowakowski requested clarification on whether or not the item would be brought back before Council.

Mayor Stanton clarified that the motion was to enter into the hybrid plan and then the City would adopt by ordinance a plan to pay down that debt in the future, adding that Councilwoman Williams requested staff bring back options before the Council in the fall.

Councilwoman Gallego requested that the City's debt holders be consulted regarding Councilman DiCiccio's potential arbitrage plans.

Councilman Waring stated that he was not in favor of the item because it was not in the City's long-term best interest since it added an additional billion dollars of debt in order to allow more spending next year. He also stated that the current financial climate was positive and that it would be a beneficial time to pay down debt.

Vice Mayor Pastor asked for clarification on when the decision must be made by and why it was occurring at that time. City Manager Ed Zuercher explained that legislation was recently passed at the state level allowing this option to be made available for municipalities as soon as July 1.

Vice Mayor Pastor then stated why she would be supporting the item, citing future financial flexibility for commitments made in the past.

Mayor Stanton thanked the state legislature for the additional flexibility provided by this item and stated his support for this item, citing that it provided the ability to maintain services in a fiscally responsible way.

Note: Speaker comment cards were submitted by the following individuals not wishing to speak.

Leonard Clark - Neutral

Robert K. Stannard - Opposed

Matt Millen - Opposed

Brenda Rae - Opposed

Russell Osborne - Opposed

Vera Anderson - Opposed

A motion was made by Councilman Valenzuela, seconded by Councilwoman Williams, that this item be adopted. The motion carried by the following vote:

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

No: 2 - Councilman DiCiccio and Councilman Waring

75 Award of Contract for Public Safety Relationship By Objectives and Strategic Plan Process Facilitation (Ordinance S-43704)

Request to authorize the City Manager, or his designee, to enter into a contract with Compton & Associates (Vendor 3051195) to provide professional consulting services for the Fire and Police departments. Further request authorization for the City Controller to disburse all funds in an amount not to exceed \$75,000 over the life of the three-year contract.

Summary

The Relationship By Objectives (RBO) process is based on the fundamental principle that members of public safety organizations are the foundation of their respective organizations. Phoenix Firefighters Association Local 493, the Phoenix Police Department in collaboration with the Phoenix Law Enforcement Association (PLEA) and the Phoenix Police Sergeants and Lieutenants Association (PPSLA), support communication, accountability, and the Labor/Management process. The recommended vendor will consult with public safety Chiefs, Management Team, and Labor representatives; provide training on creating/maintaining a positive Labor/Management process/relationship; facilitate joint Labor/Management meetings to review RBO action plans and implementation; facilitate impromptu RBO meetings to mitigate/mediate specific issues as needed; consult with Chiefs, Management Team, and Labor representatives to update department strategic plans; and facilitate annual Labor/Management strategic plan meetings.

Procurement Information

Request For Proposal (RFP) 17-F02 Public Safety Relationship By Objectives & Strategic Plan Process Facilitation was conducted by the Fire Department in accordance with Administrative Regulation 3.10. One offer was received on May 11, 2017. This offer was deemed responsive and responsible. The five-member Evaluation Panel was comprised of

three Fire Chiefs and two Police Chiefs. The Panel members evaluated the response based on the following criteria established in the RFP: Qualifications and Experience (350 points), Method of Approach to Scope of Work (350 points), and Pricing (300 points). The panel awarded 945 points out of 1,000 points to Compton & Associates.

Contract Term

The term of the contract with Compton & Associates will be three years, beginning on or about June 21, 2017 and ending no later than three years from the initial recorded date.

Financial Impact

The aggregate contract value will not exceed \$75,000, with an estimated annual expenditure of \$25,000. Funds are available in the respective Fire Department and Police Department operating budgets.

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

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

No: 1 - Councilman Waring

77 Enter Into 2017 Readiness Cooperative Agreement with DHS/FEMA (Ordinance S-43703)

Request authorization for the City Manager, or his designee, to enter into a three-year agreement with, and to accept an amount not to exceed \$1,200,000, from the Federal Emergency Management Agency (FEMA) for the Urban Search & Rescue (US&R) 2017 Readiness Cooperative Agreement. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this agreement.

Summary

The Department of Homeland Security (DHS) and FEMA provide support and funding for the maintenance and readiness of the national US&R Response System. The purpose of this readiness cooperative agreement is to support the continued development and maintenance of

a national US&R capability. This cooperative agreement provides direction to the Phoenix Fire Department for the use of funding to provide administrative and program management, training, support, equipment cache procurement, maintenance and storage.

The Phoenix Fire Department is the sponsoring agency of Arizona Task Force One (AZ-TF1), one of 28 national Urban Search and Rescue response system task forces that can rapidly deploy skilled personnel and state of the art equipment to sites of natural disasters, terrorist attacks and building collapses. In addition to search and rescue, task force members provide immediate medical treatment to survivors, hazardous materials monitoring, and stabilization capabilities. In the past, AZ-TF1 has been deployed to Hurricanes Rita, Katrina, Ike and Gustav; the Oklahoma City bombing, and to the 9/11 World Trade Center in New York City.

Contract Term

The term of the agreement, if approved, will be for three years. The contract will run from Sept. 1, 2017 through Aug. 30, 2020.

Financial Impact

The Fire Department will receive an amount not to exceed \$1,200,000 from the Federal Emergency Management Agency for the Urban Search & Rescue 2017 Readiness Cooperative Agreement.

Discussion

Leonard Clark stated support of this item.

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

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

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that items 81-84 be approved, adopted, withdrawn or continued as noted below. The motion carried by the following vote:

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

No: 1 - Councilman Waring

81 PHX Sky Train Stage 2 - Facilities Design Services Amendment 4 - AV10000011 (Ordinance S-43662)

Request to authorize the City Manager, or his designee, to enter into Amendment 4 to Contract 123410 with Gannett Fleming, Inc. (Phoenix) to provide continued design services for the PHX Sky Train Stage 2 Fixed Facilities project (Project). Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City Council previously approved a contract with Gannett Fleming, Inc. (Gannett) and three amendments to the contract for the PHX Sky Train project. To date, Gannett has provided fixed facilities design services for Stage 1 (44th Street to Terminal 4), design services for Stage 1A (Terminal 4 to Terminal 3), and planning services for Stage 2 (Terminal 3 to the Phoenix Sky Harbor International Airport Rental Car Center). Amendment 4 will authorize additional contract services for Stage 2, including designing guideways, train stations, roadway improvements, parking lots, other train-related facilities and primary power.

Procurement Information

Gannett was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Scoring and selection were made in conjunction with the initial selection process.

Contract Term

The term for Amendment 4 will be through Sep. 30, 2018. The work scope identified in and incorporated into the contract prior to the end of the contract term may be agreed to by the parties, and work may extend past the expiration of the term of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

Gannett's fee under Amendment 4 will not exceed \$18.9 million, including all subconsultants and reimbursable costs. Funds are available in the Aviation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the end of the contract term.

Concurrence/Previous Council Action

This item was approved by the Downtown, Aviation, Economy and Innovation Subcommittee on Oct. 5, 2016, and presented to the Phoenix Aviation Advisory Board on Oct. 20, 2016. The City Council approved this item and authorized the Aviation Department to proceed with development of the Aviation Capital Investment Plan, including Sky Train Stage 2, on Oct. 25, 2016.

The City Council approved Contract 123410 for final Facility Design for Stage 1 on April 9, 2008; approved Amendment 1 on Nov. 4, 2009; approved Amendment 2 on April 7, 2010; and approved Amendment 3, which provided for preliminary design for the Stage 2, on Jan. 11, 2017.

Concurrently, authorization is being requested to enter into contracts for additional system design consultation, Construction Manager at Risk (CMAR) Design Phase Services, CMAR Guaranteed Maximum Price preparation, and early phased construction services.

Location

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

Discussion

Items 81-84 were discussed together.

Councilwoman Gallego spoke in favor of the items and the expansion of the Phoenix Skytrain, stating that it created the benefit of developing additional capacity for small businesses. She added that she and Councilwoman Stark had been working on apprenticeships for the next generation of workers and that these items would help accomplish that objective.

This item was adopted.

82 PHX Sky Train Stage 2 Fixed Facilities Construction Manager at Risk Design Phase Services - AV1000011 (Ordinance S-43669)

Request to authorize the City Manager, or his designee, to enter into a contract with Hensel Phelps Construction Co. (Phoenix) to provide Construction Manager at Risk (CMAR) design phase services in support of the PHX Sky Train Stage 2 project. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This Project will provide an extension of the PHX Sky Train from Terminal 3 to the Phoenix Rental Car Center. Hensel Phelps Construction Co. (Hensel Phelps) will construct the fixed facilities portion of the project. The fixed facilities include guideways, train stations, roadway improvements, parking lots, other train-related facilities, and primary power. Hensel Phelps will provide design phase services for the project, including preparing construction estimates, developing a construction schedule, and performing constructability and bidability reviews of the plans and specifications.

Procurement Information

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

Hensel Phelps Construction Co.: Ranked #1

McCarthy/Kiewit Joint Venture: Ranked #2

Sundt Skanska Joint Venture: Ranked #3

Contract Term

The term of the contract is through Dec. 31, 2017. The scope of work identified in and incorporated into the contract prior to the end of the contract term may be agreed to by the parties, and work may extend past the expiration of the term of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

Hensel Phelps's fee under the contract will not exceed \$4 million, including all subconsultant and reimbursable costs. Funds are available in the Aviation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the end of the contract term.

Concurrence/Previous Council Actions

The Phoenix City Council previously authorized the Aviation Department to proceed with development of the project on Oct. 25, 2016.

Concurrently, authorization is being requested to complete the facilities design, contract for additional system design consultation, and contract for CMAR guaranteed maximum price preparation and early phased construction services.

Location

3400 E. Sky Harbor Blvd.

Discussion

Items 81-84 were discussed together.

See item 81 for discussion.

This item was adopted.

83 PHX Sky Train Stage 2 System Designer Technical Consultant Services Amendment 3 - AV10000011 (Ordinance S-43673)

Request to authorize the City Manager, or his designee, to enter into Amendment 3 to Contract 124053 with Lea+Elliott, Inc. (Phoenix) to provide continued PHX Sky Train system design technical consulting services for the PHX Sky Train Stage 2 project (Project). Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City Council previously approved Contract 124053 with Lea+Elliott, Inc. (Lea+Elliott) and two amendments to the contract for the Project. To date, Lea+Elliott has overseen the design, installation, and testing of the PHX Sky Train system for both of the completed stages, Stage 1 and 1A. Lea+Elliott has also provided technical consulting services for the procurement of the train system provider, Bombardier Transportation USA, Inc. Lea+Elliott's services under Amendment 3 will include

providing train system consulting services for Stage 2 of the project, which are required to complete and test the train system extension.

This stage of the project will extend the PHX Sky Train from Terminal 3 to the Phoenix Sky Harbor International Airport Rental Car Facility. The PHX Sky Train system is composed of the guide beams, running surfaces, electrical propulsion systems, train control systems, train cars, and other improvements. The technical consultant develops the train system design criteria and specifications, assists in negotiating system costs, reviews the system design, inspects the construction, and observes the performance testing of the system.

Procurement Information

Lea+Elliott was chosen for the Project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Scoring and selection were made in conjunction with the initial selection process.

Contract Term

The term for Amendment 3 will be completed by Dec. 31, 2022. The scope of work identified in and incorporated into the contract prior to the end of the contract term may be agreed to by the parties, and work may extend past the expiration of the term of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

Lea+Elliott's fee under Amendment 3 will not exceed \$16.7 million, including all subconsultants and reimbursable costs. Funds are available in the Aviation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the end of the contract term.

Concurrence/Previous Council Action

This item was approved by the Downtown, Aviation, Economy and Innovation Subcommittee on Oct. 5, 2016, and presented to the Phoenix Aviation Advisory Board on Oct. 20, 2016. The City Council approved this item and authorized the Aviation Department to proceed with

development of the Aviation Capital Investment Plan, including the Project, on Oct. 25, 2016.

The City Council approved Contract 124053 for PHX Sky Train System Design Technical Consulting Services for Stage 1 on June 18, 2008; approved Amendment 1 on Oct. 19, 2011 for Stage 1A support services; and approved Amendment 2 on Jan. 11, 2017 for initial system technical consultant services for Stage 2 of the project.

Concurrently, authorization is being requested to complete the facilities design contract for Construction Manager at Risk (CMAR) Design Phase Services, CMAR Guaranteed Maximum Price preparation, and early phased construction services.

Location

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

Discussion

Items 81-84 were discussed together.

See item 81 for discussion.

This item was adopted.

84 PHX Sky Train Stage 2 Fixed Facilities Construction Manager at Risk Construction Phase Services - AV10000011 (Ordinance S-43680)

Request to authorize the City Manager, or his designee, to enter into a contract with Hensel Phelps Construction Co. (Phoenix) to provide Construction Manager at Risk (CMAR) construction phase services in support of the PHX Sky Train Stage 2 project (Project). Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Project will provide an extension of the PHX Sky Train from Terminal 3 to the Phoenix Rental Car Center. Hensel Phelps Construction Co. (Hensel Phelps) will construct the fixed facilities portion of the Project. The fixed facilities include guideways, train stations, roadway improvements, parking lots, other train-related facilities, and primary power.

The contract will be for preparation of the guaranteed maximum price (GMP). Hensel Phelps will assume the risk of delivering the Project through a phased construction GMP. Hensel Phelps will be responsible for means and methods related to construction of the Project, participating with the City to establish a Small Business Enterprise (SBE) goal, and implementing the SBE process. A SBE goal will be established prior to issuing the first GMP. Hensel Phelps will solicit bids from pre-qualified subcontractors to perform work under the City's subcontractor selection process. Hensel Phelps may also compete to self-perform limited amounts of work. The contract will be amended to provide for enabling work, long-lead procurement, and the actual construction of the Project.

Procurement Information

Hensel Phelps was chosen for the Project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Scoring and selection were made in conjunction with the CMAR design phase services.

Contract Term

The term of the contract is for approximately five years after issuance of the notice to proceed. The contract scope of work 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 expiration of the term of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

Hensel Phelps's fee under the contract will not exceed \$60 million, including all subcontractor and reimbursable costs. Funds are available in the Aviation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the end of the contract term.

Concurrence/Previous Council Actions

The City Council previously authorized the Aviation Department to proceed with development of the Project on Oct. 25, 2016.

Location

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

Discussion

Items 81-84 were discussed together.

See item 81 for discussion.

This item was adopted.

88 Fare Policy Amendment to Light Rail Ticket Partnership Program (Ordinance S-43691)

Request an ordinance amending the City of Phoenix Public Transit Fare Ordinance to expand the U.S. Airways Center (now Talking Stick Resort Arena (TSRA)) Light Rail Event Day program to allow other venues and events to participate in similar ticket partnerships as well as allow for ticket partnerships to include both bus and light rail.

Summary

The current program allows TSRA event attendees to use their event ticket as their light rail pass four hours prior to the start of the event through the end of the transit day. This provides convenient transportation to those who attend TSRA events, and helps mitigate parking limitations and event traffic congestion. Valley Metro Rail receives fare revenue from TSRA at \$0.31 per event attendee, which supports the regional fare recovery goal of 25 percent. The fare revenue per attendee is periodically reviewed by Valley Metro Rail staff to ensure the amount continues to support the regional fare recovery goal. Valley Metro Rail also finds additional benefit in ticket partnerships of this kind, including:

- Supporting fare collection from reliable funding sources.
- Easing boarding and fare inspection, and increasing the focus on safety and security, during events.
- Further integrating light rail into nightlife/entertainment activities and reputable brands.
- Helping to attract ridership and positive attention to the system.

Other events and event venues have expressed interest in a similar partnership to serve as a benefit to their attendees, support parking limitations, mitigate event congestion, generate positive public relations

and align with sustainability initiatives. The event expressing current interest is the Lost Lake Festival, operated by Cactus Festival, LLC, taking place at Steele Indian School Park in central Phoenix on Oct. 20 - 22, 2017. This is a three-day music festival that has committed to the Phoenix area over the next several years. Due to the location, Valley Metro Rail will be the primary transportation solution to connect the tens of thousands of daily attendees to this event. The event organizer is committed to supporting the fare revenue required for their attendees to ride at no charge with their event ticket in hand.

With this and other opportunities in mind, staff is requesting approval to amend the regional fare policy to give Valley Metro the ability to execute ticket partnerships that meet the region's fare recovery goal, while supporting the interests of new events and event venues.

With the Ticket Partnership Program, patrons possessing tickets or identifiable media issued by event officials from a participating event will be able to ride Valley Metro Rail on the day of the event at no additional charge. Event tickets will be honored as valid Valley Metro Rail fare for a pre-determined time in advance of the event and through the end of the transit day. Participating event venues/events pay an amount per attendee commensurate with the current average fare to support regional fare recovery goal. As with the current TSRA partnership, all ticket partnerships' fare revenue calculations will also be reviewed periodically to ensure continued support of the region's fare recovery goal.

A qualifying event generates a minimum of 5,000 attendees; similarly, for a venue, a single event at this facility must generate a minimum of 5,000 attendees. This program can be extended to bus route(s) if the aforementioned criteria is maintained and the service can be supported by operations. The City of Phoenix and/or Valley Metro must receive notice of interest in the Ticket Partnership Program from event organizers at least four months in advance of the event, and agreements must be completed by 60 days prior to the event.

Financial Impact

No financial impact is anticipated with these fare policy revisions.

Concurrence/Previous Council Action

The current ticket partnership program in the fare policy is specific to light rail and Talking Stick Resort Arena (TSRA) and was originally approved as a pilot program by City Council on Sept. 30, 2009. The pilot was subsequently extended through June 30, 2015 to allow adequate time to gather sufficient data to accurately evaluate the program. The program was permanently adopted into the fare policy by City Council on Sept. 2, 2015.

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

Discussion

Dianne Barker stated that the light rail displaced the bus, which is more flexible and cheaper to operate, and requested Council work to integrate express buses to stadium events downtown.

Councilman Waring requested clarification regarding whether light rail fares recovered the full costs of operation and if the amended policy would help to recover those costs. Deputy City Manager Mario Paniagua responded that the fare amendment would help to recover the costs.

Mayor Stanton and Deputy City Manager Mario Paniagua stated that the amendment was designed to help reach the regional fare recovery goal of 25%.

Councilman Waring stated support for the item, noting general opposition to the light rail, because it helped reduce the burden on taxpayers.

Councilwoman Gallego stated support for expanding the pilot program, noted that it took cars off of streets, would contribute to the success of the Lost Lake Festival and thanked the Vice Mayor and Mayor for their work in bringing the festival to the community.

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

Note: Councilman Valenzuela left the voting body and rejoined telephonically.

94 Exemption for Unmarked City Vehicles (Resolution 21551)

Request Phoenix City Council adopt a resolution to exempt certain City vehicles from displaying the wording, "For Official Use Only," as referenced under Arizona Revised Statutes (A.R.S.) Sections 38-538, 38-538.01 and 38-358.03, for the period July 1, 2017, to June 30, 2018.

Summary

This resolution exempts certain City vehicles owned or leased by the City of Phoenix including Police Department vehicles, Fire Department vehicles, Human Services Department and Aviation Department vehicles. A.R.S. Section 38-538.03 stipulates that the governing body may grant such an exemption for a period of time not to exceed one year. These vehicles are used to conduct social services programs, investigations or other confidential activities.

Discussion

Leonard Clark opposed the item and stated he did not want politicians using unmarked City vehicles for personal uses.

Councilman DiCiccio requested clarification regarding what City vehicles this item would apply to.

Deputy City Manager Karen Peters stated the exemption was only for City vehicles being used in confidential operations.

Vice Mayor Pastor asked for verification regarding who used the vehicles and what these vehicles were used for. Public Works Director Ginger Spencer stated the vehicles were only used by City employees for work purposes.

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

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

114 Citywide Demographic Study (Ordinance S-43692)

Request to authorize the City Manager, or his designee, to enter into a contract with Applied Economics, LLC, to provide consulting services on a Citywide Demographic Study for the Water Services and Planning and Development departments. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The services provided under the Citywide Demographic Study project are a citywide effort to provide assistance with preparing medium- and long-range socio-economic projections, including: population and employment, land-use development, vacancy rates of existing residential and commercial space, and trends associated with different types of residential and commercial development. This will be a joint project with the Water Services (WSD) and Planning and Development departments (PDD), with WSD as the lead department for project administration.

The study will provide critical information on trends of residential and commercial customers, as well as anticipated water use and wastewater generation under various scenarios. This information will be the basis of the City's water and wastewater master plans, Water Resource Plan, and capital improvement programs. PDD requires detailed and accurate population, employment, and development projections to make citywide and area-specific land-use plans, facility capital programs, and financial revenue projections related to infrastructure financing plans.

Procurement Information

Solicitation 84-17-024-RFP-8416 was conducted in accordance with City of Phoenix Administrative Regulation 3.10. Three offers were received from Applied Economics, LLC, Elliott Pollack and Co., and Rounds Consulting Group. All offers were determined responsive. The offers were scored by a three-member evaluation committee based on the qualifications and experience of the firm as well as the pricing schedule. The offerors and their final scores are as follows:

Applied Economics, LLC: 917
Elliott Pollack & Co.: 669
Rounds Consulting Group: 673

The Water Services Department Director recommends that the offer from Applied Economics, LLC, be accepted as the responsive and responsible offeror, being the most advantageous to the City.

Contract Term

The contract term will begin on or about July 1, 2017, with an end date of June 30, 2018.

Financial Impact

The aggregate contract value will not exceed \$142,679.35 (including applicable taxes). Funding will be split between WSD (60 percent) and PDD (40 percent). These funds are available from WSD's and PDD's operating budgets.

Concurrence/Previous Council Action

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

Note: Leonard Clark submitted a speaker comment card in favor of this item but declined the opportunity to speak.

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

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

117 Modification of Stipulation Request for Ratification of May 17, 2017 Planning Hearing Officer Action - Z-135-F-79-6

Application: PHO-1-17- Z-135-F-79-6
Existing Zoning: R-2 PCD (ACSPD)
Acreage: 2.12

Applicant: Andy Jochums & Cassandra Ayres
Owner: Host Camelback LLC
Representative: Andy Jochums & Cassandra Ayres

Proposal:

1. Request to modify Stipulation 1 to amend the approved site plan from Rezoning Case Z-135-F-79 and Z-106-F-79.

Summary

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 17, 2017.

Location

Approximately 1,100 feet north of the northwest corner of Phoenician Boulevard and Camelback Road.

Council District: 6

Concurrence

The Camelback East Village Planning Committee chose not to hear this case. The Planning Hearing Officer recommended approval.

Note: Cassandra Ayres submitted a speaker comment card in favor of this item but declined the opportunity to speak.

This item was approved.

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

127 Amend City Code - Public Hearing and Ordinance Adoption - Group Home Facilities Text Amendment - Z-TA-22-08 (Ordinance G-6331)

Request to hold a public hearing on a proposed text amendment for the following item and to consider adopting the Downtown, Aviation, Economy and Innovation Subcommittee recommendation along with the related Ordinance.

Summary

The intent of this proposed text amendment is to ensure compliance with the federal Fair Housing Act and Americans with Disabilities Act and allow a reasonable accommodation process to ensure equal access to housing for individuals with disabilities pursuant to federal law. The text amendment will also modernize definitions and regulations to ensure clarity, compliance and consistency with state and federal regulations.

The City is required to provide for reasonable accommodations related to housing for individuals with disabilities to comply with federal fair housing regulations. In 2015, current regulations related to spacing of group homes for individuals with disabilities was challenged and an investigation by the Department of Housing and Urban Development (HUD) ensued. They found enough concern that HUD forwarded the issue to the Department of Justice to pursue legal action against the City. In addition, the City faced legal action from a group home provider because of an enforcement action against that group home. Until May 15, 2017 the current spacing of group homes for individuals with disabilities was not being enforced due to the lack of a reasonable accommodation. At that time staff began enforcement again per a memo from the Planning and Development Department Director that references the draft reasonable accommodation provision that is contained in the proposed text amendment. Staff has conducted research of local, state and national jurisdictions; federal and state laws; case law; the Joint Statement of the Department of Housing and Urban Development (HUD) and the Department of Justice, and the practices and application of the Fair Housing Act; as well as other publications related to regulating group facilities; state licensing regulations; and zoning adjustment applications and interpretations.

Application: Z-TA-22-08

Request: Group Facilities, such as Assisted Living Facilities, Adult Day Care, Behavioral Health Care Facilities, Homes for the Developmentally Disabled, and associated uses.

Proposal: Amending various sections of the Zoning Ordinance of the City of Phoenix relating to Group Facilities. For the affected sections, see the Draft Ordinance (**Attachment A**).

Applicant: City of Phoenix Planning Commission

Representative: City of Phoenix Planning and Development Department
Staff: Recommends approval per the language in Exhibit A of Addendum A, dated April 28, 2017 (**Attachment B**)

This text amendment is the first step in a broader review and evaluation process regarding group homes. Staff is also recommending that the City Council support state and federal changes related to group home facilities to ensure that the issue is properly addressed at those government levels. In addition, an Ad-Hoc Study Committee has been assembled to work with an outside legal and planning expert to help craft new group home regulations.

Concurrence/Previous Council Action

The 15 Village Planning Committees heard this case and 10 recommended approval as originally proposed, two recommended approval with modifications, one recommended denial as originally proposed, one recommended denial as proposed in Addendum A, and one recommended approval as proposed in Addendum A with two modifications (**Attachment C**).

The Downtown, Aviation, Economy and Innovation Subcommittee heard this request on April 26, 2017 and recommended staff form a working committee to further evaluate the issues and provide solutions related to group home facilities.

The Planning Commission heard this case on May 4, 2017 and recommended approval per the language in Exhibit A of Addendum A dated April 28, 2017 (**Attachment D**) by a vote of 7-0.

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

Discussion

Planning & Development Director Alan Stephenson provided a presentation introducing the item.

Mayor Stanton opened the item for public hearing and allowed comments for the related Item 128 to be heard at the same time, if necessary.

Lawrrie Fitzhugh of Take Action Phoenix requested the refinement of the terms related to group homes due to neighborhood concerns stemming from the historically used notification processes. She also requested more tools from the working group assigned to this item over the summer and stated support for the text amendment.

Mary Obrochta supported the item and the initial steps it took toward a solution.

Jeff Taylor wished to protect neighborhoods and public safety and supported the continued work on the item.

Councilman DiCiccio supported the item and noted the item was an attempt to get ahead of the curve relating to group home issues.

Dennis Kirk opposed the item, stated support for group homes and noted that the opportunities they had provided to him had helped him in the past.

Wally Graham supported the text amendment because he wanted to address the consequences of not updating the ordinance for almost 17 years. He also stated that the text amendment was not perfect and had flaws, but could be worked through over the summer. He noted Take Action Phoenix was not against group homes in neighborhoods but was instead in favor of getting bad operators out of business.

Councilman DiCiccio thanked Mr. Graham and Councilwoman Stark for their work and shared many of Mr. Graham's sentiments. He also added that this item was neighborhood driven.

James Placet spoke in opposition to the item and was against the Take Action Phoenix amendment, specifically the reasonable accommodation section. He also stated the item would eliminate a lot of homes that were needed.

Frank Dancil stated he submitted the card and was available to speak regarding life safety requirements, if necessary.

Gail Palmer was in favor of the item and stated the individuals who use these group homes were in need of protection. He thanked everyone for the work they had provided on the issue.

Thomas Brown spoke in opposition to the item, stating it would decrease the number of group homes causing individuals to be displaced.

Linda Colino spoke in favor of the item, noted personal experiences, and stated the item was a first step in the right direction.

James Jacobsmeyer spoke in opposition to the item but supported group homes, noting personal circumstances.

Edward D. Corral was called upon to speak by Mayor Stanton, but had already left the meeting.

Joseph Landin spoke against the item believing that he would not be where he is today without the help of sober living homes. He noted the difference between sober living homes and group homes and stated need for them to be distinguished.

Maria Uhing spoke in favor of the item and noted personal experiences related to zoning enforcement and the inability to regulate bad actors. She stated the item was a first step but added there was much more work to do over the summer.

Brandon Riggins Gustineau stated that he was against this item and was a current resident of a sober living home. He also stated sober living facilities were providing positive impacts to individuals in need.

E. Mari Herrera-Daniels stated that she worked with residents who are impacted negatively by sober living homes and added she and her organization supported the text amendment as a start.

Tyler Barnum stated sober living homes had been vital to his life and was worried that this text amendment could close facilities like the ones he had utilized.

Mark Lewis believed it was necessary to further involve stakeholders in the process and to continue working on the item.

Paul Barnes was opposed to the text amendment, as it was currently written, but supported sober living facilities. He requested community input during the review of reasonable accommodation requests be added to the amendment.

Lillian Fogel spoke of concerns related to new, unregulated, group homes opening in her community. She also requested more oversight and protections for residents.

Aaron Waldman, who owned several group home facilities in Phoenix, stated he reviewed the text amendment, it was well written and served its purpose well but he expressed concern with the decision to enforce zoning requirements on applications submitted before the amendments had gone into effect.

Vice Mayor Pastor stated speaker comment cards were submitted by the following individuals for Item 127, not wishing to speak:

Shirley M. Dieckman - In favor

Margaret Dietrich - In favor

Larisa Balderrama - In favor

Note: Mayor Stanton left the voting body and Vice Mayor Pastor assumed the role of meeting chair.

Jeff Betters expressed concern that the text amendment would put existing businesses out of business. He stated current federal law allowed the homes to exist and that there was a need for some revamping of current codes, but this item was not the way to go about it.

Vice Mayor Pastor stated speaker comment cards were submitted by the following individuals for Item 127, not wishing to speak:

John Grako - Opposed

Joseph M. Kramer - In favor
Allen Miller - In favor
Elizabeth Miller - In favor
James O'Malley - In favor
Angela Versteeg - In favor
Mary Toland - In favor
Jamie Coyle - In favor
Monica Medrano - Opposed
Anthony Pfeffer - Opposed

Vice Mayor Pastor closed the public hearing.

Note: Mayor Stanton rejoined the voting body, telephonically.

Councilman DiCiccio relayed a letter submitted by the Arizona Commander of the American Legion which requested support of the item. He then thanked Planning & Development Director Alan Stephenson and his staff for their expeditious work on the item and stated the item was a start but there were multiple things that remained to be looked at.

Vice Mayor Pastor stated the item was about balance and added the City was not trying to close group homes but instead were intending to protect their residents and the neighborhoods they lived in.

Councilman Nowakowski requested the American Legion and the individuals who spoke on behalf of the item be included in the work group for this item.

Councilman DiCiccio thanked Councilwoman Stark for her efforts on the item.

Vice Mayor Pastor requested information on meeting dates for the working group and Planning & Development Director Alan Stephenson responded the first meeting had already occurred but stated the next meeting would occur on July 19.

Vice Mayor Pastor asked Planning & Development Director Alan

Stephenson to provide explanation relating to what the proposed text amendment would do and he provided an overview of zoning changes covered within the amendment.

Note: Speaker comment cards were submitted by the following individuals for Item 127, wishing to donate time to other speakers.

Valeria Ramirez, donated time to Lawrrie Fitzhugh - In favor

Neal Haddad, donated time to Lawrrie Fitzhugh - In favor

Merilou Effinger, donated time to Wally Graham - In favor

Larry Whitesell, donated time to Paul Barnes - Opposed

A motion was made by Councilwoman Stark, seconded by Councilman Valenzuela, that this item be adopted per the Downtown, Aviation, Economy and Innovation Subcommittee recommendation. The motion carried by the following vote:

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

Note: Mayor Stanton left the voting body.

128 Group Home Consulting Services - Requirements Contract Recommendation - RFQ 17-190 (Ordinance S-43685)

Request to authorize the City Manager, or his designee, to enter into a contract with the Law Office of Daniel Lauber (Vendor 3526583) to provide Group Home Consulting Services for the Planning and Development Department for up to one year in an amount not to exceed \$48,400. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will provide consulting services for analysis and professional review and editing of the Group Home Zoning Ordinance text amendment. The consultant will utilize knowledge of City planning and public administration, Federal Fair Housing Act and Americans with Disabilities Act regulations, as well as Arizona Revised Statute Group Home and Foster Care programs to provide recommendations and expert advice for drafting city codes and ordinances.

Procurement Information

RFQ 17-190 was conducted in accordance with Administrative Regulation 3.10. There was one offer received by the Procurement Division on May 19, 2017. More than 200 registered vendors were notified of this solicitation. The one offer received is listed below:

1) Law Office of Daniel Lauber - \$48,400.

The Deputy Finance Director recommends that the offer from Law Office of Daniel Lauber be accepted as a responsive and responsible offeror.

Contract Term

The one-year contract term shall begin about July 1, 2017.

Financial Impact

The aggregate contract value will not exceed \$48,400. Funds are available in the Planning and Development Department's operating budget.

Discussion

Lawrie Fitzhugh spoke in favor of the item and noted the need for the specific expertise provided by a consultant.

Vice Mayor Pastor called upon Gail Palmer, who submitted a speaker comment card in favor of the item but he declined the opportunity to speak.

Dianne Barker spoke in favor of the item because there was a need for consultation from experts in the field. She also stated there was a need for an appeals process for decisions made on reasonable accommodations by the Planning & Development Director.

Vice Mayor Pastor stated speaker comment cards were submitted by the following individuals, not wishing to speak:

Wally Graham - In favor

Linda Colino - In favor

Shirley M. Dieckman - In favor

Maria Uhing - In favor
Larisa Balderrama - In favor
Mary Obrochta - In favor

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

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

Absent: 1 - Mayor Stanton

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

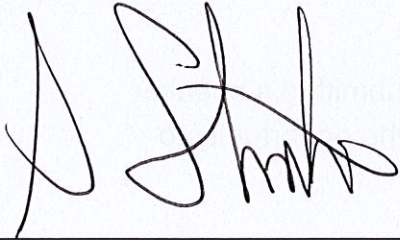
None.

CITIZEN COMMENTS

There were no additional speakers for citizen comment.

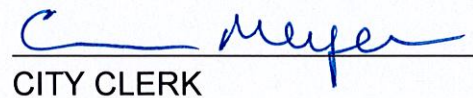
ADJOURN

There being no further business to come before the Council, Vice Mayor Pastor declared the meeting adjourned at 6:19 p.m.



MAYOR

ATTEST:

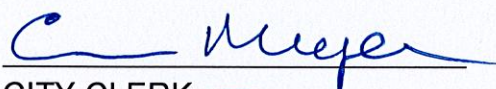

CITY CLERK

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 21st day of June, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 20th day of September, 2017.



CITY CLERK

