



City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, February 19, 2020

2:30 PM

phoenix.gov

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, February 19, 2020 at 2:36 p.m. in the Council Chambers.

Present: 8 - Councilman Sal DiCiccio, Councilmember Carlos Garcia, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilwoman Thelda Williams, Vice Mayor Betty Guardado and Mayor Kate Gallego

Absent: 1 - Councilman Jim Waring

Councilman Nowakowski participated in the meeting via telephone. Councilman DiCiccio joined the voting body via telephone during the swear-in of Board and Commission members and disconnected following Item 75.

Mayor Gallego acknowledged the presence of Mario Barajas, a Spanish interpreter. In Spanish, Mr. Barajas announced his availability to the audience.

The City Clerk confirmed that copies of the titles of Ordinances G-6674 through G-6679; S-46331, S-46358 through S-46385, and S-46387 through S-46390; and Resolutions 21809 through 21810 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Formal Meeting on June 5, 2019

Summary

This item transmits the minutes of the Formal Meeting of June 5, 2019, for review, correction and/or approval by the City Council.

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

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

Yes: 7 - Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

Absent: 2 - Councilman DiCiccio and Councilman Waring

BOARDS AND COMMISSIONS

2 Mayor and Council Appointments to Boards and Commissions

Summary

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

The following individuals were recommended for appointment/reappointment by Mayor Gallego and Councilmembers:

Central City Village Planning Committee

Appoint Will Gaona, for a partial term to expire Nov. 19, 2020, as recommended by Councilmember Garcia

Appoint Ash Uss, for a partial term to expire Nov. 19, 2020, as recommended by Councilmember Garcia

Fire Safety Advisory Board

Appoint Mike Wojcik, filling a vacancy in the Fire Protection Systems category previously held by Terence Manning, for a term to expire Sept. 30, 2023, as recommended by Mayor Gallego

Neighborhood Block Watch Fund Oversight Committee

Reappoint Mary Obrochta, for a fourth term to expire Aug. 31, 2020, as

recommended by Vice Mayor Guardado

South Mountain Village Planning Committee

Appoint Kassandra Alvarez, for a partial term to expire Nov. 19, 2020, as recommended by Councilmember Garcia

Appoint Amelia Garcia, replacing David Castello, for a term to expire Nov. 19, 2021, as recommended by Councilmember Garcia

Appoint Dolores Levesque, replacing Sara Christopherson, for a partial term to expire Nov. 19, 2020, as recommended by Councilmember Garcia

Appoint Fatima Said, replacing Barbara Kutnick, for a partial term to expire Nov. 19, 2020, as recommended by Councilmember Garcia

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

Yes: 7 - Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

Absent: 2 - Councilman DiCiccio and Councilman Waring

Note: Councilman DiCiccio joined the voting body via telephone.

Mayor Gallego administered the oath of office to Kassandra Alvarez and Fatima Said, South Mountain Village Planning Committee. The appointees were invited to approach the dais so Council could extend their appreciation.

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

Mayor Gallego requested a motion on liquor license items. A motion was made, as appears below.

Note: Comment cards were submitted for the record in favor of Items 3, 5 and 14-17 by the following individuals:

Bojo Shestich - Applicant, Item 3

Jenny Le - Agent, Item 5

Amy Shafer - Applicant, Item 14
Sean Berens - Applicant, Item 15
Violeta Cortez, Item 16
David W. Johnson - Agent, Item 17

A comment card with no position marked was submitted for the record on Item 8 by Detective G. Westfall with the Police Department.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 3-17 be recommended for approval, except Item 8 which is continued to the March 4, 2020 City Council Formal Meeting. The motion carried by the following voice vote:

Yes: 8 - Councilman DiCiccio, Councilmember Garcia,
Councilman Nowakowski, Councilwoman Pastor,
Councilwoman Stark, Councilwoman Williams, Vice
Mayor Guardado and Mayor Gallego

No: 0

Absent: 1 - Councilman Waring

3 Liquor License - Special Event - Free Serbian Orthodox Church St. Nicholas

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

Summary

Applicant

Bojo Shestich

Location

11640 N. 16th Place
Council District: 3

Function

Dinner/Dance

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

Feb. 29, 2020 - 7 p.m. to 1 a.m. / 250 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

4 Liquor License - Special Event - Bourgade Roman Catholic High School Phoenix

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

Summary

Applicant

Brianna Magana

Location

4602 N. 31st Ave.

Council District: 4

Function

Dinner

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

Feb. 29, 2020 - 5 p.m. to Midnight / 175 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

5 Liquor License - Banh Mi & Pho

Request for a liquor license. Arizona State License Application 89982.

Summary

Applicant

Jenny Le, Agent

License Type

Series 12 - Restaurant

Location

49 W. Thomas Road

Zoning Classification: C-2, P-1, TOD-1

Council District: 4

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in March 2020.

The 60-day limit for processing this application is Feb. 24, 2020.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

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 20+ years of restaurant experience. I had a restaurant in Boston with a full liquor license. I am a responsible individual."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Banh Mi & Pho can/will conveniently serve customers with their liquor needs."

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 - Banh Mi & Pho

Liquor License Map - Banh Mi & Pho

This item was recommended for approval.

6 Liquor License - The Cracked Egg

Request for a liquor license. Arizona State License Application 90089.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

3422 W. Glendale Ave.

Zoning Classification: C-1

Council District: 5

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 60-day limit for processing this application is Feb. 24, 2020.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I will ensure that my employees attend the Title 4 Arizona liquor law training class."

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

"We have been operating for the last two years and thought it would be nice to add adult beverages to the menu."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - The Cracked Egg

Liquor License Map - The Cracked Egg

This item was recommended for approval.

7 Liquor License - 2727 Lounge

Request for a liquor license. Arizona State License Application 06070379.

Summary

Applicant

Amy Nations, Agent

License Type

Series 6 - Bar

Location

2727 E. Camelback Road

Zoning Classification: C-O CEPCSP

Council District: 6

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

The 60-day limit for processing this application is Feb. 22, 2020.

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:

"We are a management company operating the bar inside The Angela apartment complex. Our management company operates bars in many apartment complexes in several states. We have hired servers and bartenders that have attended state certified liquor training. We will have an ongoing program to certify all new employees as they're hired. We also have experienced managers operating the facility."

Staff Recommendation

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

This item was recommended for approval.

8 Liquor License - Parma Italian Roots

Request for a liquor license. Arizona State License Application 84257.

SummaryApplicant

Tawny Costa, Agent

License Type

Series 12 - Restaurant

Location

3623 E. Indian School Road

Zoning Classification: C-2

Council District: 6

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

interim permit.

The 60-day limit for processing this application was Jan. 19, 2020. However, the applicant submitted a written request for more time.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

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.

Parma Italian Roots (Series 12)
20831 N. Scottsdale Road, #A7 & 8, Scottsdale
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 train all of our employees in responsible liquor service. We conduct regular audits to ensure they comply.”

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

“We would like the ability to give our patrons of age a full service dining experience by offering adult beverages with their meal if they choose to have one.”

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 - Parma Italian Roots

Liquor License Map - Parma Italian Roots

This item was continued to the March 4, 2020 City Council Formal Meeting.

9 Liquor License - Special Event - Be Causal

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

Summary

Applicant

Julie Jennings

Location

734 W. Polk St.

Council District: 7

Function

Community Event

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

Feb. 29, 2020 - 11 a.m. to 2 a.m. / 300 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Special Event - Be Causal

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

SummaryApplicant

Julie Jennings

Location

734 W. Polk St.

Council District: 7

Function

Networking Event

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

March 20, 2020 - 8 p.m. to Midnight / 350 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Special Event - Real Change International Management Group Inc

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

SummaryApplicant

Sherod Young-Smith

Location

734 W. Polk St.
Council District: 7

Function

Dance

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

March 14, 2020 - 9 p.m. to 2 a.m. / 300 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Lucky Strike Lanes/Gypsy Bar

Request for a liquor license. Arizona State License Application
06075009.

SummaryApplicant

Andrea Lewkowitz, Agent

License Type

Series 6 - Bar

Location

50 W. Jefferson St., Ste. 240
Zoning Classification: DTC-BC
Council District: 7

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

The 60-day limit for processing this application is Feb. 22, 2020.

Pursuant to A.R.S. 4-203, consideration should be given only to the applicant's personal qualifications.

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Pasado

Request for a liquor license. Arizona State License Application 90228.

SummaryApplicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

909 N. 1st St.

Zoning Classification: DTC-WEC ACOD

Council District: 7

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

The 60-day limit for processing this application is Feb. 25, 2020.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

“Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and

service.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Located in the heart of the Roosevelt district, Pasado offers fresh, Latin-themed dishes and coffee to guests in its gallery/community gathering space. The restaurant would like to offer guests 21 and over the opportunity to purchase classic and craft alcoholic beverages to complement the unique dishes served.”

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 - Pasado

Liquor License Map - Pasado

This item was recommended for approval.

14 Liquor License - Special Event - Cherokee Association of Parents and Teachers

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

Summary

Applicant

Amy Shafer

Location

22 E. Buchanan St.

Council District: 8

Function

Dinner/Dance

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

April 18, 2020 - 7 p.m. to Midnight / 300 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Special Event - Phoenix Legal Action Network

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

SummaryApplicant

Sean Berens

Location

113 N. 6th St.

Council District: 8

Function

Festival

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

March 6, 2020 - 7 p.m. to 11 p.m. / 1,000 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

16 Liquor License - Just Tacos and More

Request for a liquor license. Arizona State License Application 82830.

SummaryApplicant

Ivan Garrido Viveros, Agent

License Type

Series 12 - Restaurant

Location

2910 N. 32nd St., Ste. 160
Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor alcoholic beverage consumption. This business has plans to open in April 2020.

The 60-day limit for processing this application is March 3, 2020.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

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 over 15 years of experience in the restaurant industry, with 10 years as General Manager. Management, control, and training are the core of my responsibilities. That would qualify me to obtain, and hold this license, I will ensure all regulations are met."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Using my expertise in management, I will ensure the liquor license is not missed used, following all codes and regulations to ensure the community is not affected negatively."

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 - Just Tacos and More

Liquor License Map - Just Tacos and More

This item was recommended for approval.

17 Off-Track Pari-Mutuel Wagering Permit Renewal - Longshots Bar & Grill

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant

David Johnson, Agent for Turf Paradise

Location

13610 N. Scottsdale Road, Ste. 30 & 31

Zoning Classification: C-2

Council District: 2

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS**Discussion**

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 18 through 78 be approved or adopted, except Items 48, 55 and 75; noting Items 44, 47 and 78 are continued to the March 4, 2020 City Council Meeting; and Item 77 has been withdrawn.

Councilman DiCiccio requested that Items 22, 26 and 28-29 be excepted from the motion.

Mayor Gallego asked for more advance notice in the future.

Councilman DiCiccio said he thought his staff had provided that notification, but he just realized they did not.

Vice Mayor Guardado and Councilwoman Williams accepted the friendly amendment.

A comment card was submitted for the record in favor of Item 27 by Eugene Cetwinski, the applicant's representative.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 18-78 be approved or adopted, except Items 22, 26, 28-29, 48, 55 and 75; noting Items 44, 47 and 78 are continued to the March 4, 2020 City Council Formal Meeting; and Item 77 has been withdrawn. The motion carried by the following vote:

Yes: 8 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

Absent: 1 - Councilman Waring

Items 18-21 and 23-25, Ordinance S-46358 was a request to authorize the City Controller to disburse funds, up to amounts indicated, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment

authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

18 Bunker Labs

For \$15,000.00 in payment authority to sponsor and support Bunker Labs launching a new chapter in Phoenix to grow military veteran entrepreneurship. Bunker Labs is a 501(c)(3) non-profit organization built by military veteran entrepreneurs with the mission of empowering other military veterans to become leaders in entrepreneurship and innovation. The non-profit organization is a national network of veteran and military spouse entrepreneurs dedicated to helping the military connected community start their own business. Bunker Labs will officially launch a Phoenix Chapter in downtown Phoenix on Feb. 20, 2020. Funding from the Community and Economic Development Department will help support Bunker Labs' launch event as well as their first networking meet-up events which will include subject matter experts, investors and thought leaders. The sponsorship also includes City logo placement in various media. Benefits to the City include developing the City of Phoenix brand as an active participant and supporter of the local startup ecosystem and aligns with the Community and Economic Development Department's Strategic Action Plan to promote and facilitate business ownership among veterans by working with programs and groups that focus on veteran entrepreneurs. Funding is available in the Community and Economic Development Department's budget aimed at supporting veteran entrepreneurship.

This item was adopted.

19 Settlement of Claim(s) Felix v. City of Phoenix

To make payment of up to \$40,000.00 in settlement of claim(s) in *Felix v. City of Phoenix*, Maricopa County Superior Court, case number CV2019-004162, 18-1035-001 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

20 Settlement of Claim(s) Jiminez v. City of Phoenix

To make payment of up to \$45,000.00 in settlement of claim(s) in

Jiminez v. City of Phoenix, Maricopa County Superior Court, case number CV2018-011048, 17-0712-001 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

21 Settlement of Claim(s) Ryan v. City of Phoenix

To make payment of up to \$32,835.00 in settlement of claim(s) in *Ryan v. City of Phoenix*, Maricopa County Superior Court, case number CV2019-097176, 18-0704-004 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

23 Settlement of Claim(s) Garcia v. City of Phoenix

To make payment of up to \$45,000.00 in settlement of claim(s) in *Garcia v. City of Phoenix*, 19-0163-002 GL PD, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

24 Settlement of Claim(s) Allen v. City of Phoenix

To make payment of up to \$100,000.00 in settlement of claim(s) in *Allen v. City of Phoenix*, Maricopa County Superior Court, case number CV2018-008311, 18-0355-001 GL PD, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

25 Ditch Witch of Arizona

For \$12,000.00 in payment authority for a one-time purchase of utility locating equipment for the Street Transportation Department Traffic Signal Shop. The current equipment was purchased in 2014 and is nearing end of life. The equipment is required to provide accurate location of traffic signal underground conduit and is used to comply with Arizona 811 Blue Stake requirements.

This item was adopted.

27 Proposed 17th Avenue and Desert Hollow Drive Annexation (Ordinance S-46376)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Arizona, by annexing an area not within the

present limits of the City of Phoenix, designated as the 17th Avenue and Desert Hollow Drive Annexation. Further request authority for current county zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

This annexation was requested by Emil and Emilia Pop for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on Dec. 4, 2019, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the *Arizona Business Gazette* newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location

The proposed annexation area includes parcel 210-10-003 located at 25250 N. 17th Ave. (**Attachment A**). The annexation area is approximately 5.3 acres (0.0083 sq. mi.) and the population is estimated to be zero individuals.

Council District: 1

This item was adopted.

30 Acceptance and Dedication of Easements for a Sidewalk, Multi-Use Trail and Public Utility Purposes (Ordinance S-46366)

Request for the City Council to accept and dedicate easements for sidewalk, multi-use trail and public utility 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: Ascend Properties, LLC, its successor and assigns
Purpose: Sidewalk
Location: 4238 N. 17th St.
File: FN 190132
Council District: 4

Easement (b)

Applicant: GRRO South Mountain, its successor and assigns
Purpose: Multi-Use Trail
Location: 2627 W. Southern Ave.
File: FN 190114
Council District: 8

Easement (c)

Applicant: GRRO South Mountain, its successor and assigns
Purpose: Sidewalk
Location: 2627 W. Southern Ave.
File: FN 190114
Council District: 8

Easement (d)

Applicant: RD Design Team, Inc., its successor and assigns
Purpose: Public Utility
Location: 3701 and 3703 E. Polk St.
File: FN 190127
Council District: 8

This item was adopted.

31 Authorization to Enter into License with Secretary of the Air Force for Public Safety Communication Purposes at Luke Air Force Base (Ordinance S-46361)

Request to authorize the City Manager, or his designee, to enter into a license with the Secretary of the Air Force for the installation and operation of a trunked radio network at Luke Air Force Base.

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

Summary

A 700/800 MHz P25 trunked radio network at the licensed location is to be used by the Regional Wireless Cooperative for public safety purposes. This joint-use emergency communications system will provide inter-operability and compatible radio capabilities for emergency communications, allowing Luke Air Force Base to respond to off-site emergencies and local municipalities to respond to on-base emergencies at Luke Air Force Base. This is a no-cost license, and the term is five years, starting May 1, 2020. The license may contain other terms and conditions deemed necessary by the City.

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

Contract Term

The contract term is five years, starting May 1, 2020, and ending April 30, 2025.

Financial Impact

This is a no-cost license.

Location

Luke Air Force Base

Council District: Out of City

This item was adopted.

32 Office Supplies Contract (Ordinance S-46367)

Request to authorize the City Manager, or his designee, to access the State of Arizona Cooperative Contract ADSP015-088800 and to enter into a contract with Wist Office Products to purchase office supplies for all City departments in an aggregate amount not to exceed \$6,500,000 over a five-year period. Further request to authorize the City Controller to

disburse all funds related to this item.

Summary

This contract will be used to purchase office supplies for all City departments. This contract was awarded using a competitive process consistent with the City's procurement process set forth in Phoenix City Code chapter 43. The City will receive greater discount percentages for highly purchased office supply items under the State of Arizona Cooperative contract compared to the previous agreement. The primary departments using this contract are Police, Fire, Water Services, Aviation, Library, Human Services, Parks and Recreation, Planning and Development, Public Works, and Street Transportation. Approximately 30 percent of the contract is used by enterprise funds.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, chapter 43. By utilizing the State of Oregon's National Association of State Procurement Officials Master Agreement, the City benefits from the NASPO cooperative contract rates adopted through the State of Arizona.

Contract Term

The five-year contract term shall begin on or about April 1, 2020.

Financial Impact

The aggregate five-year contract value shall not exceed \$6,500,000, or approximately \$1,300,000 annually. Funds are available in all City departments' budgets.

This item was adopted.

33 Authorization to Amend Agreement with BEM Systems, Inc. to Extend Term for Real Estate Acquisition Management System (Ordinance S-46374)

Request to authorize the City Manager, or his designee, to amend Technology Products and Professional Services Agreement 140770 with BEM Systems, Inc. (BEM) to provide three additional options to extend

the term for one year each. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

BEM currently provides the Finance Department's Real Estate Division with maintenance, customer support and hosting services for the PAECETrak real estate acquisition management system. PAECETrak is a proprietary web-based software application developed and owned exclusively by BEM. The current contract expires April 26, 2020, with no options to extend. The Real Estate Division has a high volume of real property acquisition work to accommodate various City projects, and PAECETrak is critical for the successful management of those acquisitions. Due to the current volume of work, the timing of changing systems is critical to avoid a disruption in service that may result in project delays. Extending the current contract for up to three years, in one-year increments, will allow sufficient time to ensure a smooth transition to an existing enterprise system with minimal disruption to service.

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 sole source. PAECETrak is a proprietary web-based software application developed by BEM; no other firm can update, maintain or enhance this proprietary software.

Contract Term

The first year of the three additional one-year options to extend the contract will begin April 27, 2020.

Financial Impact

The cost for first year of the extended term is \$67,953 plus applicable taxes, and the cost will escalate annually by 3 percent. Aggregate expenditures for all three option years of the extended term will not exceed \$230,000.

Concurrence/Previous Council Action

City Council authorized the procurement of PAECETrak on March 4, 2009. The current maintenance and hosting agreement, which enabled continued use of the system, was authorized by City Council on April 15, 2015.

This item was adopted.

34 Weatherization Services - Requirements Contract (Ordinance S-46389)

Request to authorize the City Manager, or his designee, to enter into a contract with FSL Home Improvements to provide weatherization services to qualifying low-income households. The contract was requested by the Neighborhood Services Department (NSD) for an amount not to exceed \$2 million over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

NSD utilizes funding received from Arizona Public Service, Southwest Gas, Salt River Project, the Department of Energy (DOE), the Low-Income Home Energy Assistance Program (LIHEAP), and the Utility Repair, Replace, Deposit program (URRD), to perform weatherization activities in households which meet federal poverty income guidelines throughout the City. Weatherization Assistance Program (WAP) services include energy efficiency retrofit activities, such as attic insulation, sun screens, duct sealing, room pressure relief/air balancing, and the repair or replacement of heating and cooling systems, to eligible dwellings. This contract will be used to perform WAP services and expend these annual grant allocations. These funds do not roll over and any remaining funding will be swept and will not be reallocated to the City of Phoenix.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, chapter 43.

By utilizing the Maricopa County contract, the City will be able to meet the deadlines to expend the annual grant allocations. The Neighborhood

Services and Finance departments identified that this contract will be able to meet the needs of the department.

Contract Term

The six-month contract period for this vendor will begin on or about Feb. 28, 2020. Provisions of the contract include an option to extend the contract up to 10 additional months, which may be exercised by the City Manager or his designee.

Financial Impact

There is no financial impact to the General Fund; these programs are funded with grants from federal agencies and local organizations. The aggregate value including all optional extensions will not exceed \$2 million.

This item was adopted.

35 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-46364)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Shilpa Hunter-Patel in the amount of \$9,857.07 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

Summary

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

Hunter-Patel, Shilpa: \$9,857.07

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its Feb. 6, 2020 meeting.

This item was adopted.

36 Healthy Urban Environments Initiative Grant (Ordinance S-46384)

Request retroactive approval for the City Manager, or his designee, for the City of Phoenix Office of Environmental Programs to submit a grant application to Healthy Urban Environments for a \$50,000 grant for the City of Phoenix Telecommute Program and, if awarded, to execute all contracts and Memorandums of Agreement (MOA) necessary to accept and disburse the grant funds. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse grant funds in accordance with the terms of the aforementioned grant and agreement.

Summary

Healthy Urban Environments (HUE) is a solutions-focused research, policy, and technology incubator at Arizona State University. HUE's goal is to rapidly develop, test, and deploy heat mitigation and air quality improvement strategies and technologies. In collaboration with practitioners and community members, HUE seeks to create healthier urban environments for communities across Maricopa County.

The grant would provide \$50,000 in funding for a study that quantifies the benefits of a telecommuting program for eligible employees. Potential benefits include: reduced air pollution, energy consumption, and tailpipe emissions from employee commutes; increased employee recruitment, retention, and productivity; improved morale and quality of work.

The Office of Environmental Programs (OEP), the Human Resources (HR) Department and researchers at Arizona State University will collaborate on this study. Additional partners may join as well. The OEP will serve as primary point of contact for the grant. The study will include evaluation of the following: determination of the minimum telecommuting days per week/month for benefits, best practices, total emission reductions; value to talent recruitment and retention; and Maricopa County Trip Reduction program impacts. The data collected will inform a HR policy that can be developed to determine eligibility, process and approvals, etc.

A Memorandum of Agreement will be the vehicle used to detail the roles, responsibilities, authority, and details of disbursement of the grant funds. The grant application deadline was Feb. 14, 2020. Project funding will be released beginning April 1, 2020. If retroactive authorization to apply is not granted, the application will be withdrawn.

Contract Term

The term is for up to three years.

Financial Impact

No match or General Fund monies are required for this grant.

This item was adopted.

37 Housing Department Painting Services Contracts - Commercial and Residential - Federally Funded (Ordinance S-46363)

Request to authorize the City Manager, or his designee, to enter into contracts with A&H Painting, Inc. and Bullseye Painting Company, LLC to provide painting services at the Housing Department's scattered sites and public housing properties. Further request authorization for the City Controller to disburse and the City Treasurer to accept all funds related to this item. The aggregate contract value will not exceed \$1.5 million.

There is no impact to the General Fund.

Summary

Contractors will provide commercial and residential painting of exterior, interior, doors, metals, railing, fascia, siding, and posts for City-owned Housing properties located throughout the City. All work will be carried out in accordance with the technical specifications of the solicitation and as directed by City personnel. Work will comply with all Phoenix Building Codes, permits, regulations, statutes, and manufacturer's specifications.

Procurement Information

Bid FY20-086-04 was conducted in accordance with Administrative Regulation 3.10. Eight offers were received by Housing Management Services Division on Dec. 4, 2019. Offers were evaluated and award recommendations are for the lowest cost for exterior and interior line items. Multiple awards are recommended to meet volume requirements and the wide variety of needs outlined in the solicitation. City personnel will select the most cost-effective services available at the time of purchase (see **Attachment A**).

The Housing Department Director recommends that the offers of A&H Painting, Inc. and Bullseye Painting Company, LLC, be accepted as the lowest priced, responsive and responsible offers.

Contract Term

The five-year contract term will begin on or about March 5, 2020 and end on March 4, 2025, with no options to extend.

Financial Impact

The aggregate contract value will not exceed \$1.5 million (including applicable taxes). These contracts are funded with U.S. Department of Housing and Urban Development (HUD) funds. There is no impact to the General Fund.

This item was adopted.

**38 Library Services and Technology Act Grant Application
(Ordinance S-46375)**

Request to authorize the City Manager, or his designee, to apply for, accept and for the City Controller to expend 2020 Library Services and Technology Act (LSTA) money up to \$60,000. The funds will be used to procure equipment in order to digitize historical documents that are currently part of the Arizona Room at Burton Barr Central Library. Further request authorization to the City Treasurer to accept and the City Controller to disburse funds related to this item.

Summary

The purpose of the grant will be to procure professional scanning equipment in order to digitize key Arizona Room collections which will make them available to more customers through Phoenix Public Library website. The Arizona Room showcases the history and culture of greater Phoenix, Arizona, and the Southwest. Many elements of the Arizona Room's collections are invaluable for researchers, historians, architects, preservationists, and the general public. This project would commence in June 2020 and conclude in August 2021.

The LSTA is the only federal program exclusively for libraries. It is administered by the Institute of Museum and Library Services. State libraries use the funds to support statewide initiatives and also distribute the funds through sub-grants or cooperative agreements to public, school, academic, research, and special libraries. Every fiscal year, Congress provides funding for LSTA in the Labor, Health and Human Services, Education, and Related Agencies Appropriations bill. Federal

resources help target library services to people of diverse geographic, cultural, and socioeconomic backgrounds, to individuals with disabilities, and to people with limited literacy skills.

Financial Impact

The amount of the grant (up to \$60,000) will be expended in FY2020-2021 and no matching funds are required.

Concurrence/Previous Council Action

This item was recommended for approval at the Land Use and Livability Subcommittee meeting on Jan. 15, 2020 by a vote of 4-0.

Location

Burton Barr Central Library, 1221 N. Central Ave.

Council District: 7

This item was adopted.

39 Recreational Services Instructors Qualified Vendors List - PKS RFQu-20-009 (Ordinance S-46380)

Request to authorize the City Manager, or his designee, to enter into contracts with the offerors to the Request for Qualifications PKS RFQu 20-009 for Recreational Services Instructors for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract amount will not exceed \$5 million. Funds are available in the Parks and Recreation Department's Recreation Fund operating budget.

Summary

The Parks and Recreation Department provides a multitude of classes, programs and other services to the community. Some of the classes, programs and services include, but are not limited to, art, dance, fitness, language, music, sports and theater instruction.

The Parks and Recreation Department invited qualified offerors to submit a written Statement of Qualifications response for Recreational Services. The purpose was to establish a Qualified Vendors List (QVL) to be used in order to provide entertainers and instructors for recreation events and programs.

Procurement Information

The department received 81 responses and all submittals were deemed responsive. A Notice of Award Recommendation is attached (**Attachment A**).

Contract Term

This QVL will be in effect from July 1, 2020 through June 30, 2025.

Financial Impact

The total cost will not exceed \$5 million for the full contract term. Funds are available in the Parks and Recreation Department's Recreation Fund operating budget.

This item was adopted.

40 Parking Consulting Services Request for Proposals Contract Award (RFP-CED19-PCS) (Ordinance S-46371)

Request to authorize the City Manager, or his designee, to enter into a contract with Kimley-Horn and Associates, Inc. (Consultant) to provide consulting services for the development of a parking study and master plan for the Downtown Redevelopment Area (DRA). Further request the City Controller to disburse all funds related to this item. The aggregate value of the contract will not exceed \$384,000.

Summary

Downtown Phoenix's parking demand is generated by a dense mix of education, office, commercial, residential, hotel and entertainment users, and served by a patchwork of parking facilities with no comprehensive plan to manage the parking assets. These assets include nearly 30,000 publicly and privately-owned off-street parking spaces (approximately 85 percent of which are structured), 2,500 on-street metered spaces, and an unknown number of private off-street residential parking spaces. Non-automobile mobility options including Metro Light Rail, bus, bicycle, scooters and pedestrians assist to reduce demand.

A comprehensive plan is needed to inform data-driven decisions on where and when to provision or encourage the development of additional parking resources. A master plan will also provide data on existing surpluses of parking resources and strategies that can encourage the sharing of existing parking resources. Due to the limited supply of

Downtown land and high costs of producing structured parking, a comprehensive plan that manages parking supply in order to optimize Downtown land for more beneficial uses is necessary. Therefore, staff recommends enlisting the work of the Consultant to aid staff in further studying the current conditions and future demand to develop a parking study and a 10-year master plan to ensure parking supply is both managed and accommodated.

The Consultant has extensive experience providing these services to other municipalities, including providing parking study consulting services for Dallas, Texas; Columbus, Ohio; Boise, Idaho and Tempe, Arizona. Furthermore, the Consultant performed an On-Street Parking Study in 2012 for the Street Transportation Department, and most recently performed a financial feasibility study for the parking garage being constructed by the Park Central Community Facilities District. The parking study area will include the DRA which is generally bounded by McDowell Road on the north, 7th Avenue on the west, Grant Street on the south, and 7th Street on the east. The Consultant will also recommend strategies to address the impacts of Downtown parking demand on single-family residential neighborhoods adjacent to the study area.

The Consultant's scope of work will include the following:

- Inventorying all parking assets in the study area, including on-street and off-street (public and private) facilities and analyzing their use.

- Surveying parking users, residents and businesses concerning their behaviors, needs and receptiveness to possible parking strategies and policy changes.

- Evaluating land use and zoning ordinances that impact parking in the study area.

- Analyzing future development impact on parking demand and supply using a GIS-based software platform.

- Recommending strategies pertaining to accommodating parking demand, building or incentivizing facilities, technology utilization and parking management practices.

- Assisting in developing a 10-year master plan outlining recommendations the City may consider to accommodate future parking demand.

The Community and Economic Development Department will manage the Consultant contract with input and support from key stakeholder departments including the Street Transportation Department, which has responsibility for the on-street parking meter program and curbside management policies, the Phoenix Convention Center Department, which manages City-owned off-street parking facilities, and the Planning and Development Department, which has responsibility for land use requirements pertaining to parking requirements. Staff anticipates the parking study will be completed by Summer 2020. Following the development of the parking study, staff will further engage the community and the City Council for input on a proposed 10-year parking master plan. Staff expects to return to the City Council to present the parking master plan by the end of calendar year 2020 for the Council's consideration.

Procurement Information

The Parking Consulting Services Request for Proposals (RFP-CED19-PCS) was issued on Aug. 29, 2019 and conducted in accordance with Administrative Regulation 3.10. Four proposals were received; two of which were non-responsive. On Nov. 15, 2019, an evaluation panel interviewed the two responsive proposers and scored the proposals based on the published evaluation criteria:

Primary Consultant's Qualifications and Experience (0-300 points).

Approach to Scope of Work (0-250 points).

Proposer's Qualifications and Experience (0-250 points).

Primary Consultant's Hourly Rate (0-200 points).

The scoring results were as follows:

Kimley-Horn and Associates, Inc.: 941 points

Chen Ryan Associates, Inc.: 750 points

Staff recommends the proposal offered by Kimley-Horn and Associates, Inc. as the highest-scored, responsive and responsible proposal.

Contract Term

The term of the contract is for one year, with four one-year renewal options.

Financial Impact

The value of the contract shall not exceed \$384,000. The majority of funding utilized will not impact the General Fund. Funds are available in the Community and Economic Development, Street Transportation and the Phoenix Convention Center departments' budgets. In addition to these City funding sources, Downtown Phoenix Inc., a downtown stakeholder, has contributed \$50,000 to the City to share in the cost of these services.

Previous Council Action

On June 19, 2019, City Council authorized staff to issue a solicitation for parking consulting services. This item was recommended for approval by the Workforce and Economic Development Subcommittee at the Jan. 22, 2020 meeting by a vote of 3-1.

Location

The Downtown Redevelopment Area is generally bounded by McDowell Road on the north, 7th Avenue on the west, Grant Street on the south, and 7th Street on the east.

Council Districts: 4, 7 and 8

This item was adopted.

41 Request to Enter into Development Agreement with APEL Extrusions Limited to Construct New Sewer Line (Ordinance S-46385)

Request authorization for the City Manager, or his designee, to enter into a Development Agreement (DA) with APEL Extrusions Limited (APEL) for design and construction of a new sewer line. Further request to authorize the City Controller to disburse the necessary funds related to this item. The total fee for this agreement will not exceed \$4.8 million.

Summary

After a search involving multiple states and regions, APEL expressed its desire to expand its presence in Phoenix. APEL has been a leader in aluminum extrusion and finishing for over 40 years and has a presence in Alberta and Oregon. This proposed expansion into Phoenix will bring significant economic impacts including an approximately \$70 million capital investment and 200 advanced manufacturing jobs with an average

salary of \$47,000 annually.

APEL is currently in planning and design on a site at the southeast corner of 59th Avenue and Lower Buckeye Road. APEL was stipulated to install an 18" public sewer line in 59th Avenue from Lower Buckeye to Broadway roads in order to meet its proposed sewer flow. The new sewer line is estimated to cost between \$4.4 million to \$4.8 million and is eligible for impact fee reimbursement. Upon completion of the project and the City's acceptance, the City will reimburse APEL for the actual design and construction costs, but not to exceed \$4.8 million. To successfully receive reimbursement APEL agrees to select an engineer and contractor in compliance with Arizona Revised Statute Title 34 requirements. This public sewer line is being planned in the next five-year Capital Improvement Program by the Water Services Department, and this agreement will accelerate the construction of the project not only to meet the timeline of APEL, but in providing additional capacity to the surrounding area, which includes the South Mountain Technology Corridor.

Contract Term

The contract term will not exceed a five-year period.

Financial Impact

The City will reimburse the actual sewer line improvement cost, but not to exceed \$4.8 million. Funding for this agreement is available in the Water Services Department's Impact Fee Fund budget in FY 2022-23.

Location

59th Avenue between Lower Buckeye and Broadway roads.

Council District: 7

This item was adopted.

42 Greater Phoenix Convention and Visitors Bureau - Requirements Contract - RFA 19-003 (Ordinance S-46378)

Request to authorize the City Manager, or his designee, to enter into a contract with Greater Phoenix Convention and Visitors Bureau (GPCVB) for FY 2019-2020 Tourism and Hospitality Advisory Board (THAB) funds. The five-year aggregate value of the contract will not exceed \$500,000.

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

Summary

THAB is the City of Phoenix Board that, annually, seeks and reviews proposals for projects and/or programs that enhance the City's tourism and hospitality industry. The 14-member board is comprised of eight hoteliers (one from each Council district), two at-large members from hospitality related industries, and one non-voting member from the GPCVB.

Procurement Information

The recommendation is in accordance with City of Phoenix Administrative Regulation 3.10, following a Request for Agreement (RFA) procurement process.

On Nov. 21, 2019 at the THAB meeting, the GPCVB presented the proposed FY 2019-2020 funding request and scope of work for consideration. Under the proposal, the GPCVB will utilize THAB funding in the following areas to support the City's tourism and hospitality industry:

Convention client hosting obligations, \$130,000 - could represent 10 meetings and conventions taking place at the Phoenix Convention Center between January 2020 and July 2023. It is anticipated these 10 groups will generate approximately 60,000 delegates, more than 65,000 hotel room nights and more than \$77 million in direct expenditures.

Phoenix Convention Center promotional support, \$45,000 - funds will be used to support new bookings contracted during FY 2019-2020. There are a number of events targeted to be held in Phoenix Convention Center Department including a professional marathon, medical and technology associations and the largest taekwondo organization in the world. The variety of events will showcase the destination and its many attributes to a diverse group of visitors.

Mega Event support for the 2023 NFL Super Bowl, \$200,000 - funds will be utilized to offset expenses, such as facility costs, personnel, public safety, traffic barricades and street closures, fan and media events

and other such hosting costs. This will be the second year of a five year request to support the 2023 NFL Super Bowl.

Mega Event support for the 2024 NCAA Men's Final Four, \$125,000 - funds will be utilized to offset expenses, such as facility, personnel, public safety, traffic barricades and street closures, fan and media events and other such hosting costs. This will be the first year of a five year request to support the 2024 NCAA Men's Final Four tournament.

Contract Term

The Contract term is for five years with no extension options.

Financial Impact

The budget will not exceed \$500,000 over the life of the contract. THAB is funded through the Sports Facilities Fund, which is the hospitality industry's share of special excise taxes on hotel/motel lodging and rental cars.

Concurrence/Previous Council Action

The Workforce and Economic Development Subcommittee recommended approval of this item by a 4-0 vote at its Jan. 22, 2020 meeting. This item also was approved and is recommended by the Tourism and Hospitality Advisory Board.

This item was adopted.

43 Replacement of Banquet Room Chairs and Chair Carts - Requirements Contract - IFB 19-005 (Ordinance S-46379)

Request to authorize the City Manager, or his designee, to enter into a contract with MityLite, Inc. for the purchase of replacement banquet ballroom chairs and chair carts for the Phoenix Convention Center Department (PCCD). The five-year aggregate value of the contract will not exceed \$1,237,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This purchase will replace ballroom chairs used in the convention center's North and West ballrooms. The original chairs were purchased in 2006 when the West building opened and in 2008 when the North building opened. The chairs are worn beyond reasonable repair causing

available inventory to drop below minimums needed for event activity. Ballroom chairs are essential for banquets, general sessions and other ballroom uses where a higher level of comfort, appearance and quality is expected. The new chairs were selected for their appearance, comfort, stackability, light weight, and for the availability of replacement parts allowing staff to maintain them and extend their useful life. A total of 7,550 chairs and 24 chair carts are included in this request.

Procurement Information

IFB 19-005 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the PCCD Financial and Procurement Services section on Oct. 18, 2019. The offers were received and evaluated based on price, responsiveness to specifications, and responsibility to provide required materials. The offer from MityLite, Inc. was deemed to be fair and reasonable.

The offers are as follows (excluding taxes):

MityLite, Inc.:	\$1,139,018.70
Goodmans, Inc.:	\$1,409,701.68

Contract Term

The five-year contract term will begin on or about May 1, 2020.

Financial Impact

The five-year aggregate value will not exceed \$1,237,000, including taxes. Funding is available in the Phoenix Convention Center Department's operating budget.

Location

PCCD West and North ballrooms.

Council Districts: 7 and 8

This item was adopted.

**44 2018 International Fire Code with Phoenix Amendments -
Clarifications, Adjustments and Amendments (Ordinance G-6677)**

Request City Council authorization to adopt an ordinance making clarifications, adjustments and amendments to the Phoenix City Code,

chapter 15, establishing a revised 2018 International Fire Code (IFC) with Phoenix amendments; and moving the Phoenix Fire Prevention Fee Schedule from the body of the code to Appendix A of the Phoenix City Code, chapter 15 where it is currently located, and adopting the revised Fee Schedule.

Summary

The 2018 International Fire Code (IFC) with Phoenix amendments was adopted by the Phoenix City Council on June 19, 2019 and codified on July 19, 2019. As with any large code that is actively utilized by the community, clarifications, adjustments and amendments are often implemented to ensure the code language is clear, understandable, concise, and provides consistent outcomes for fire protection contractors, construction contractors, radio communications, the high-rise community, developers, and other industry groups. The clarifications that have been identified in the 2018 IFC with Phoenix Amendments are meant to address grammatical errors, and to provide clarified language in order to provide consistent outcomes of fire code interpretation. This action will ensure the City of Phoenix is utilizing a progressive code that reflects the current evolution of building materials, technologies, and industry practice to provide safety and reduce the cost of construction and compliance.

On Dec. 16, 2019, pursuant to Arizona Revised Statutes section 9-499.15, the City of Phoenix provided notice to the public of proposed adoptions of, or changes to, municipal taxes or fees. Specifically, the Phoenix Fire Department posted notice of its intent to standardize, establish, and increase fees charged for Fire Prevention permits and associated activities. These fees cover administrative, educational, investigative and inspection related costs related to enforcement of the Phoenix Fire Code, chapter 15 Revision on June 19, 2019 by Ordinance G-6601, effective July 19, 2019. The Fee Schedule can be viewed at <https://www.phoenix.gov/fire/prevention/fire-code>.

The Fire Safety Advisory Board (FSAB) has reviewed the attached clarifications, adjustments and amendments of the proposed 2018 IFC with Phoenix Amendments and Phoenix Fire Prevention Fee Schedule, Appendix A, and has approved the changes unanimously at its public

meetings. No public comments were received. The full details of the proposed revisions to the 2018 IFC with Phoenix Amendments are provided in **Attachment A**. The proposed Fire Prevention Fee Schedule and clarifications, adjustment and amendments are provided in **Attachments B-C**. These attachments are color-coded and provide the code citation, the proposed adjustment or amendment, and the reason for the clarification.

The effective date of the 2018 IFC with Phoenix Amendments and Phoenix Fire Prevention Fee Schedule, Appendix A, if adopted by Council, would be approximately 30 days following City Council Formal approval.

Public Outreach

On Dec. 16, 2019, pursuant to Arizona Revised Statutes section 9-499.15, the City of Phoenix provided notice to the public of proposed adoptions of, or changes to, municipal taxes or fees.

This item was continued to the March 4, 2020 City Council Formal Meeting.

45 Fire Department Uniforms - Cooperative Contract with City of Frisco, TX (Ordinance S-46377)

Request to authorize the City Manager, or his designee, to allow the use of the City of Frisco's Cooperative Contract with Galls, Inc. for the supply of Fire Department Uniforms. Further request the City Controller to disburse all funds related to this item. The aggregate contract value is \$3,870,000.

Summary

The Phoenix Fire Department (PFD) requires sworn personnel to wear uniforms during work hours to identify themselves as PFD employees to the public, which is a public safety concern. The Uniform Committee evaluated the needs, availability, quality, and color and determined this contract as the most cost effective and reliable solution for the uniformity for the PFD. Establishing a contract through this cooperative will provide consistency by utilizing a centralized ordering process, include local customer service, and will decrease order time from 30 to 7 days.

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 process, as set forth in the Phoenix City Code, chapter 43. The City of Frisco's contract covers the purchase of Fire Department Uniforms for the Fire Department. The contract was awarded on Aug. 7, 2019. The use of this cooperative contract will provide the City national discounts on these products and services and savings are estimated to be \$21,000.

Contract Term

The five-year contract term will begin on or about Feb. 19, 2020 and end on or about Feb. 28, 2025.

Financial Impact

The aggregate contract value will not exceed \$3,870,000. Funds are available in the Fire Department's budget.

Location

Council District: Out of City

This item was adopted.

**46 Pharmaceuticals and Emergency Medical Supplies - Requirements
Contract - IFB 19-095 (Ordinance S-46370)**

Request to authorize the City Manager, or his designee, to enter into a contract with Bound Tree Medical, LLC, Henry Schein, Inc., Life-Assist, Inc., and Nashville Medical & EMS Products, Inc., to provide as-needed Pharmaceuticals and Emergency Medical Supplies to the Phoenix Fire (PFD) and Police (PPD) departments. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value shall not exceed \$19,219,000.

Summary

These contracts are necessary to allow the City's Public Safety Departments, Fire (PFD) and Police (PPD), to purchase as-needed medications and emergency medical supplies. PFD provides emergency medical services to patients throughout the greater Phoenix area. PFD is the only public provider of EMS within the City of Phoenix, utilizing dual-role firefighters in the delivery of fire and emergency medical

services. Approximately 900 firefighters are trained to the level of Emergency Medical Technician (EMT) and about 300 firefighters are Certified Emergency Paramedics (CEP). PFD firefighters provide treatments and procedures used on Advanced Life Support (ALS) ambulances, which include the starting of Intravenous lines (IVs) and administration of emergency medications including medications that can alter blood pressure. When time is critical and effective pre-hospital care is necessary, PFD is well positioned strategically, geographically, administratively and operationally to provide support. High volume medications and medical supplies are frequently used by PFD in the treatment of these patients, making it necessary to be able to allow for the bulk dispensing of emergency medical supplies. EMS medications and medical supplies must be stocked and readily available on the ALS ambulance.

Procurement Information

An Invitation for Bid, IFB 19-095 Pharmaceuticals and Emergency Medical Supplies, was conducted in accordance with Administrative Regulation 3.10. The solicitation was posted on the City's website. There were six offers received by the Procurement Division on Dec. 6, 2019. Two offers were deemed non-responsive.

OFFEROR NAME	BID PRICE RANGE
Bound Tree Medical, LLC	\$0.01 - \$338.69
Henry Schein, Inc.	\$0.02 - \$298.30
Life-Assist, Inc.	\$0.04 - \$435.64
Nashville Medical & EMS Products, Inc.	\$0.14 - \$219.00

It is recommended by the Chief Financial Officer that the offers from Bound Tree Medical, LLC, Henry Schein, Inc., Life-Assist, Inc., and Nashville Medical & EMS Products, Inc., be accepted as responsive and responsible bids. Multiple awards are recommended to meet the high volume and wide variety of medications and emergency medical supplies.

Contract Term

The contract term shall begin on or about Feb. 5, 2019 and end on Jan. 31, 2025.

Financial Impact

The aggregate contract value shall not exceed \$19,219,000. Funds are available in the Fire and Police departments' budget.

This item was adopted.

47 National Vehicle Location Service Database (Ordinance S-46372)

Request to authorize the City Manager, or his designee, to add additional funding to Contract 150498 with Vigilant Solutions, Inc., in the amount of \$147,000 for the automatic license plate recognition system equipment, the National Vehicle Location Service (NVLS) database application and support services for the Phoenix Police Department (PPD). Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract provides the PPD with automatic license plate reader equipment and subscription services to the National Vehicle Location Service (NVLS) database. The service also includes the Law Enforcement Archival and Reporting Network (LEARN) database, an online analytic platform that allows license plate data and images to be aggregated and analyzed for law enforcement. LEARN is a hosted solution that allows data sharing and interoperability with other law enforcement agencies nationwide. Together, the NVLS-LEARN subscription service helps reduce auto thefts and related crimes involving vehicles, increases auto theft vehicle recovery rates and increases investigative leads to reduce auto thefts and vehicles used in gateway crimes (i.e. robbery, burglary of residence). The additional funding is requested to increase the types of automatic license plate reader equipment models, in order to increase the number of the PPD vehicles that will be equipped with the devices.

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

Financial Impact

With the \$147,000 in additional funds, the revised aggregate value is now \$1,302,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

Contract 150498 was approved by Formal Council Action on June 26, 2019, with an original aggregate value of \$1,155,000.

This item was continued to the March 4, 2020 City Council Formal Meeting.

49 Network Entertainment Broadcast System, Terminal Services Package, Award Recommendation (Ordinance S-46381)

Request to authorize the City Manager, or his designee, to enter into a Network Entertainment Broadcast System (NEBS) Terminal Services, Concession Lease (Lease) with AC Holdings, Inc. (CNN) for five years, with one, two-year renewal option. This Lease is estimated to generate approximately \$1,050,000 in revenue over the full term, including option years.

Summary

On May 1, 2019, the Phoenix City Council authorized the Aviation Department (AVN) to issue an RCS (Revenue Contact Solicitation) for a NEBS, Terminal Services Lease. On Sept. 27, 2019, AVN issued the RCS for the installation, management, operation and maintenance of a NEBS.

The City received one response, which was evaluated by an evaluation panel on Nov. 22, 2019 and their award recommendation was posted to the City's public award website on Dec. 10, 2019.

The panel members evaluated and deliberated on the submitted response based on the following criteria established in the RCS:

Proposed Financial Return to the City (250 points)

Management and Operations Plan (225 points)

News, Travel, and Entertainment Programming (225 points)

Design and Infrastructure (150 points)

Experience and Qualifications (100 points)

Local Content and Programming (50 points)

The panel recommendation was reached by a consensus in consideration of the listed criteria.

Procurement Information

The submittal was responsive. The consensus score and ranking for the respondent is shown below:

AC Holdings, Inc. dba CNN Airport Network: 785 points

The City Transparency Policy is in effect until the Lease resulting from this RCS is awarded.

Contract Term

The term will be five years, with one, two-year renewal option to be exercised at the sole discretion of the Aviation Director.

Financial Impact

The estimated annual revenue to the City is \$150,000; the estimated aggregate revenue over the full term including all extension options is \$1,050,000.

Concurrence/Previous Council Action

This item was recommended for approval by the Transportation, Infrastructure and Innovation Subcommittee on Feb. 5, 2020 by a vote of 4-0.

Public Outreach

This solicitation process included all standard and required outreach efforts, including advertising in Aviation industry publications.

Location

Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.
Council District: 8

This item was adopted.

50 Ground Lease with Custom Pipe and Fabrication, Inc. at Phoenix Sky Harbor International Airport (Ordinance S-46387)

Request to authorize the City Manager, or his designee, to enter into a ground lease (Lease) with Custom Pipe and Fabrication, Inc. (Custom Pipe) at 149 S. 27th St. for two years with no options to renew.

Summary

Custom Pipe currently operates a distribution warehouse for pipes located at 302 S. 28th St. Custom Pipe requested to lease an Aviation owned parcel that is approximately 70,000 square feet. The Aviation property is located at 149 S. 27th St. and Custom Pipe will use this property to store products. In addition, at its sole expense, Custom Pipe may install additional fencing and erect shade structures.

Contract Term

The term of the Lease will be two years with no options to renew.

Financial Impact

Annual rent will be approximately \$73,500 (\$1.05 per square foot), adjusted annually based on the Phoenix Mesa Consumer Price Index. Total anticipated revenue over the term of the Lease will be approximately \$147,000.

Location

149 S. 27th St.

Council District: 8

This item was adopted.

51 Ground Lease with Bimbo Bakeries USA, Inc. at Phoenix Sky Harbor International Airport (Ordinance S-46388)

Request to authorize the City Manager, or his designee, to enter into a ground lease (Lease) with Bimbo Bakeries, Inc. (Bimbo Bakeries) at 3115 E. Madison St. for three years with no options to renew.

Summary

Bimbo Bakeries operates several locations in the Phoenix Metro area providing baked goods to its customers. Bimbo Bakeries has requested to lease an Aviation owned parcel, that is approximately 65,340 square feet, located at the northeast corner of 3115 E. Madison St. Bimbo Bakeries will use this parcel of land to park tractor trailer trucks and will be responsible for any necessary fencing to secure the vehicles.

Contract Term

The term of the Lease will be three years with no options to renew.

Financial Impact

Annual rent will be approximately \$65,340 (\$1 per square foot), adjusted annually based on the Phoenix Mesa Consumer Price Index. Total anticipated revenue over the term of the Lease will be approximately \$196,020.

Location

3115 E. Madison St.

Council District: 8

This item was adopted.

52 Intergovernmental Agreement with Maricopa County for Processing Recyclable Materials (Ordinance S-46362)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with Maricopa County to accept and process recyclable materials collected in Maricopa County and delivered to the City of Phoenix's North Gateway and 27th Avenue Material Recovery Facilities (MRF). Additionally request the City Council to grant an exception pursuant to Phoenix City Code section 42-20(B) to authorize inclusion of mutual indemnification language that otherwise would be prohibited by Phoenix City Code section 42-18(A) and (B). Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

Maricopa County offers recycling services to its residents and has delivered these recyclables to the City of Phoenix under the terms of an IGA for processing. Maricopa County would like to continue this arrangement. The City of Phoenix can accept these materials with some change of terms to address changing market conditions resulting in lower commodity prices and increased processing costs from contamination in the recyclables. This IGA will authorize the City of Phoenix to charge a processing fee to Maricopa County for recycling tonnage processed at the two City MRFs, which is designed to ensure all costs associated with processing recyclables are recovered by the fee. The terms of this IGA include:

In a market with low recycling commodity prices, the City of Phoenix will charge a processing fee to Maricopa County, and no revenue share to Maricopa will be available.

In a market with high recycling commodity prices, Maricopa County will pay a processing fee and will receive 50 percent of the net revenue share and the City of Phoenix will receive the remaining 50 percent.

Annually, Maricopa County will deliver up to 1,000 tons of recyclable materials to City of Phoenix facilities.

Contract Term

The one-year term of this IGA will begin on or about Feb. 1, 2020 and conclude on or about Jan. 31, 2021. Provisions of the IGA include four, one-year options to extend the agreement.

Financial Impact

Maricopa County will be paying Phoenix to accept recyclables to cover all expenses associated with the proper handling of the materials. If recycle market sales increase during the term of the agreement, Maricopa's 50 percent of the revenue share is not expected to exceed \$150,000.

Funds for the revenue share payments to Maricopa County are available in the Public Works Department's budget.

Concurrence/Previous Council Action

The City Council previously approved IGAs with Maricopa County on Nov. 20, 2013 and amended Jan. 5, 2016, Dec. 19, 2016 and June 6, 2019.

Location

North Gateway Material Recovery Facility, 30205 N. Black Canyon Hwy.
27th Avenue Material Recovery Facility, 3060 S. 27th Ave.

Council Districts: 2 and 8

This item was adopted.

53 Amend Contract with Mr. Bult's, Inc. (Ordinance S-46373)

Request authorization for the City Manager, or his designee, to execute an amendment to Contract No. 135187 with Mr. Bult's, Inc. (MBI) to allow MBI to accept \$72,305.45 in U.S. Environmental Protection Agency (EPA) grant funding through the City of Phoenix and to apply the funds to replace an aging diesel tractor trailer with a new compressed natural gas (CNG) tractor trailer for use under its existing contract to provide solid waste hauling services for the Public Works Department. Further request

to authorize the City Treasurer to accept and the City Controller to disburse the necessary funds.

Summary

In 2019, the Public Works Department was awarded a \$1,000,000 grant from the EPA under its FY 2019 Clean Diesel Funding Assistance Program pursuant to the federal Diesel Emissions Reduction Act. The intent of the grant program is to provide funding to help subsidize vehicle costs to replace higher polluting diesel engines with cleaner burning CNG engines to reduce harmful air emissions. As part of its application, the Public Works Department proposed partnering with its long-haul services contractor MBI to replace one of its aging diesel tractor trailers with a 2020 CNG Kenworth T880. Included in the \$1,000,000 grant, EPA provided \$72,305.45 to the City to pass on to MBI.

Contract Term

The initial six-year term of the MBI contract began on July 1, 2013. The agreement contains three one-year options to extend.

Financial Impact

No match or General Fund monies are required to provide this grant funding to MBI.

Concurrence/Previous Council Action

The City Council authorized the MBI Contract for solid waste hauling services on Dec. 5, 2012 (Ordinance S-39421). The City Council authorized the Public Works Department to apply for and accept the EPA grant funds and to partner with MBI on March 20, 2019 (Ordinance S-45484).

This item was adopted.

54 Kitchen Hood Systems Maintenance and Repairs (Ordinance S-46365)

Request to authorize the City Manager, or his designee, to enter into a contract with American Fire Equipment Sales and Service for the inspections, maintenance, and repairs of City-owned kitchen hood systems to be used on an as-needed basis in an amount not to exceed \$500,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is responsible for maintaining these systems for multiple City departments including Fire, Human Services, and Parks and Recreation departments. This contract will be used to provide testing, inspections, maintenance, and repair services on kitchen hood fire suppression systems. These systems detect and suppress fires in areas associated with cooking equipment including hoods, ducts, and filters. Inspections, maintenance, and repairs of these kitchen hood systems are required by National Fire Protection Association Code (NFPA), International Building Code (IBC), International Fire Code (IFC), and Phoenix Fire Code (PFC) to allow ongoing operation of the kitchens.

Procurement Information

Invitation for Bid 20-FMD-024 for Kitchen Hood Systems Maintenance and Repairs was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Public Works Department on Dec. 4, 2019. The offer was evaluated based on price, responsiveness to all specifications, and the responsibility to provide the required goods and services. The offer submitted by American Fire Equipment Sales and Service was deemed to be fair and reasonable.

American Fire Equipment Sales and Service: \$6,975 per biannual inspection of all City-owned kitchen hood fire suppression systems and \$78.30/hour for testing, maintenance and repair services.

Contract Term

The initial one-year contract term will begin on or about March 1, 2020, with four option years to extend in increments of up to one year, for a total contract term of five years.

Financial Impact

The aggregate contract value including all option years will not exceed \$500,000, including applicable taxes, with an estimated annual expenditure of \$100,000. Funds are available in the Public Works Department's budget.

This item was adopted.

56 Greenway/I-17 Waterline Relocation - Construction Manager at

Risk Construction Services (Ordinance S-46359)

Request to authorize the City Manager, or his designee, to enter into an agreement with Achen-Gardner Construction, L.L.C. (Achen-Gardner), to provide Construction Manager at Risk (CMAR) Construction Services for the Greenway/I-17 Waterline Relocation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$2,425,000.

Summary

The purpose of this project is to excavate around the existing 48-inch water transmission main located in Greenway Road and under Interstate 17 (I-17), while protecting it in place allowing for installation of storm drain improvements by the Arizona Department of Transportation contractor.

Achen-Gardner's initial services will include preparation of a Guaranteed Maximum Price (GMP) proposal for the Construction Services provided under the agreement and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project. Achen-Gardner will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. Achen-Gardner will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. Achen-Gardner may also compete to self-perform limited amounts of work.

Achen-Gardner's services include, but are not limited to: solicitation of bids for major portions of the work; preparation of a final GMP; acquisition and maintenance of required permits and licenses; construction of the selected alternative per final plans and specifications; award and management of all construction related subcontracts in compliance with project SBE goals; and maintenance of work zone safety.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Preconstruction

Services selection process.

Contract Term

The term of the agreement is 365 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for Achen-Gardner will not exceed \$2,425,000, including all subcontractor and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved:

Preconstruction Services Agreement 149803 (Ordinance S-45655) on May 15, 2019.

Location

Greenway Road between 25th and 29th Avenues

Council Districts: 1 and 3

This item was adopted.

**57 13th Street from Van Buren Street to Moreland Street -
Engineering Services - ST85100442 (Ordinance S-46360)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Entellus, Inc. to provide Engineering Services that include design services for the 13th Street from Van Buren Street to Moreland Street project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to

disburse all funds related to this item. The fee for services will not exceed \$403,000.

Additionally, request to authorize 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 related 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 purpose of this project is to complete street and drainage improvements to the roadway. 13th Street is classified as a local street, but does not have continuous or consistent amenities typically found in other improved local City streets.

Entellus, Inc.'s design services include, but are not limited to, updating 13th Street to current City standards for local street cross-sections. Elements of the project include paving, curb, gutters, sidewalk removal and replacements, driveway entrances, Americans with Disabilities Act ramps, street lights, alley entrances, catch basins, storm drain pipes, utility adjustments and relocations, valley gutters, decomposed granite, fire hydrant and water meter relocations, and abandonment of existing drywells following the applicable laws and regulations.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Nine firms submitted proposals and are listed below:

Selected Firm

Rank 1: Entellus, Inc.

Additional Proposers

Rank 2: Kimley-Horn and Associates, Inc.

Rank 3: T.Y. Lin International, Inc.

Rank 4: Ritoch-Powell & Associates Consulting Engineers, Inc.

Rank 5: Project Engineering Consultants, LTD.

Rank 6: Engineering and Environmental Consultants, Inc.

Rank 7: The CK Group, Inc.

Rank 8: NFRA Inc.

Rank 9: Olsson, Inc.

Contract Term

The term of the agreement is 24 months from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for Entellus, Inc. will not exceed \$403,000, including all subconsultant and reimbursable costs.

Funding is available in the Street Transportation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

13th Street from Van Buren Street to Moreland Street

Council District: 8

This item was adopted.

58 Salt River Project Land Use License with City of Phoenix for Private Residential Subdivision Development Project - Villages at Estrella (Ordinance S-46368)

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project (SRP) for a private residential

subdivision development project, Laveen Gardens, located on the west side of 27th Avenue, north of Vineyard Road. There is no financial impact to the City of Phoenix.

Summary

The land use license is necessary to facilitate the development of the property located on the west side of 27th Avenue, north of Vineyard Road. The license will allow for the construction of right-of-way improvements including: pavement, curb, gutter, sidewalk and landscaping along 27th Avenue and will be consistent with and shall not interfere with U.S. Bureau of Reclamation fee property.

Indemnification

The SRP license agreement includes authorization pursuant to Phoenix City Code section 42-20 to indemnify, release and hold harmless SRP for: (A) acts or 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.

Contract Term

The term of the license shall be for 25 years beginning in March 1, 2020 and ending Feb. 29, 2045. The license may be renewed upon written agreement by both parties.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

West side of 27th Avenue, north of Vineyard Road
Council District: 8

This item was adopted.

**59 Val Vista Transmission Main Rehabilitation 2018 - Construction
Manager at Risk Preconstruction Services - WS85500438
(Ordinance S-46369)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Kiewit Infrastructure West Co. (Kiewit), to provide Construction Manager at Risk (CMAR) Preconstruction Services for the Val Vista Transmission Main Rehabilitation 2018 project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$175,000.

Summary

The purpose of this project is to slip-line rehabilitate approximately 9,000 linear feet of the Val Vista Transmission Main's 96-inch diameter Pre-stressed Concrete Cylinder Pipe (PCCP) and construct several access portals.

Kiewit will begin in an agency support role for CMAR Preconstruction Services. Kiewit will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

Kiewit's services include, but are not limited to: providing detailed cost estimating; project planning and scheduling; alternate systems evaluation and constructability studies; advising the City how to gain efficiencies in project delivery; studying and initiating procurement of long-lead items; and assisting with the permitting process. A Small Business Enterprise goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Three firms submitted proposals and are listed below:

Selected Firm

Rank 1: Kiewit Infrastructure West Co.

Additional Proposers

Rank 2: Achen Gardner Construction, L.L.C.

Rank 3: Blucor Contracting, Inc.

Contract Term

The term of the agreement is three years from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for Kiewit Infrastructure West Co. will not exceed \$175,000, including all subcontractor and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

North Horne and Sun Circle Trail, and East Jensen Street and North Forest Street

Council District: Out of City

This item was adopted.

60 Citywide Engineering/Consulting On-Call Services - Amendment 1, Contractor Name Change (Ordinance S-46383)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 148818 with Structural Grace, Inc., to approve a name change to CONSOR Engineers, LLC.

Summary

The purpose of this project is for the consultant to provide support to

departments citywide by providing on-call engineering and consulting services through the Citywide Engineering/Consulting On-Call Services contract. On Dec. 31, 2019, Structural Grace, Inc. formally merged into and changed its name to CONSOR Engineers, LLC.

This amendment is necessary because on Dec. 31, 2019 Structural Grace, Inc. notified the City of its name change from Structural Grace, Inc. to CONSOR Engineers, LLC.

Contract Term

The term of the agreement remains unchanged.

Financial Impact

The initial agreement remains unchanged.

Previous Council Action

The City Council approved:

Engineering/Consulting On-Call Services Calendar Years 2019-2020
Agreement 148818 (Ordinance S-45138) on Nov. 14, 2018.

This item was adopted.

**61 Modification of Stipulation Request for Ratification of Jan. 15, 2020
Planning Hearing Officer Action - Z-38-05-1**

Request to authorize 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 Jan. 15, 2020. This ratification requires formal action only.

Summary

Application: PHO-3-19--Z-38-05-1

Existing Zoning: R1-18

Acreage: 12.65

Applicant: Duane Frandsen

Owner: Quintana Properties Arizona, Inc. and Enclave at Creekside
Community Association

Representative: Duane Frandsen

Proposal:

Modification of Stipulation 13 regarding side entrance garages.

Concurrence

Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee chose not to hear this case.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Jan. 15, 2020 and recommended approval with modification. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Northwest corner of 63rd Avenue and Pinnacle Peak Road

Council District: 1

Parcel Address: N/A

This item was approved.

**62 Modification of Stipulation Request for Ratification of Jan. 15, 2020
Planning Hearing Officer Action - Z-69-01-2**

Request to authorize 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 Jan. 15, 2020. This ratification requires formal action only.

Summary

Application: PHO-2-19--Z-69-01-2

Existing Zoning: C-1

Acreage: 3.41

Applicant: Cardell Andrews, Olsson

Owner: Andrew Smith, QuikTrip Corporation

Representative: Cardell Andrews, Olsson

Proposal:

Modification of Stipulation 1 regarding general conformance to the site plan dated July 1, 2001.

Modification of Stipulation 2 regarding general conformance to the elevation plan dated April 12, 2001.

Deletion of Stipulation 3 regarding cross access easements along the north and west property lines.

Modification of Stipulation 4 regarding architectural theme.
Modification of Stipulation 5 regarding a comprehensive sign package.
Deletion of Stipulation 8 regarding right-of-way for the north half of Deer Valley Drive.
Deletion of Stipulation 9 regarding right-of-way for the west half of Cave Creek Road.
Deletion of Stipulation 10 regarding a bus bay on Deer Valley Drive.
Deletion of Stipulation 11 regarding street construction.
Deletion of Stipulation 12 regarding the MAG Developer Project Information Form.
Deletion of Stipulation 13 regarding canopy illumination.
Deletion of Stipulation 14 regarding a horizontal relief in the canopy.
Deletion of Stipulation 15 regarding recessed lighting on the canopy.
Deletion of Stipulation 16 regarding columns under the canopy.
Deletion of Stipulation 17 regarding conceptual site plan for the single-family development.
Deletion of Stipulation 18 regarding the removal of 10 parking spaces.
Technical correction to Stipulation 6.

Concurrence

Village Planning Committee (VPC) Recommendation: The Desert View Village Planning Committee opted not to hear this case.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Jan. 15, 2020, and recommended denial as filed and approval with modifications. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Northwest corner of Cave Creek Road and Deer Valley Road
Council District: 2
Parcel Address: 22202 N. Cave Creek Road

This item was approved.

63 Final Plat - Forest Pleasant Estates - 180122 - North of Lone Mountain Road and West of 43rd Street

Plat: 180122
Project: 17-3250
Name of Plat: Forest Pleasant Estates

Owner(s): Eco Vista Lone Mountain, LLC
Engineer(s): R.B. Williams & Associates, Inc.
Request: A 16 Lot Residential Plat
Reviewed by Staff: Jan. 17, 2020
Final Plat requires Formal Action Only

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 north of Lone Mountain Road and west of 43rd Street.
Council District: 2

This item was approved.

64 Final Plat - Avilla Canyon - 190032 - 27777 N. Black Canyon Highway

Plat: 190032
Project: 18-1828
Name of Plat: Avilla Canyon
Owner(s): NexMetro Canyon, LLC
Engineer(s): Terrascope Consulting
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Jan. 27, 2020
Final Plat requires Formal Action Only

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 V190061A.

Location

27777 N. Black Canyon Highway
Council District: 2

This item was approved.

65 Final Plat - Moli Gardens II - 190065 - Southwest Corner of 12th Street and Indian School Road

Plat: 190065

Project: 18-2819

Name of Plat: Moli Gardens II

Owner(s): Moli Gardens II, LLC

Engineer(s): Superior Surveying Services, Inc.

Request: A 7 Lot Residential and 1 Lot Commercial Plat

Reviewed by Staff: Jan. 27, 2020

Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southwest corner of 12th Street and Indian School Road.

Council District: 4

This item was approved.

66 Final Plat - NEC Northern Avenue & 35th Avenue - 190059 - North of Northern Avenue and East of 35th Avenue

Plat: 190059

Project: 99-4678

Name of Plat: NEC Northern Avenue & 35th Avenue

Owner(s): Simoncre Robert III, LLC

Engineer(s): Superior Surveying Services, Inc.

Request: A 4 Lot Commercial Subdivision Plat

Reviewed by Staff: Jan. 17, 2020

Final Plat requires Formal Action Only

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 north of Northern Avenue and east of 35th Avenue.

Council District: 5

This item was approved.

67 Final Plat - Towns on 28th South - 190109 - West of 28th Street and South of Glenrosa Avenue

Plat: 190109

Project: 19-1792

Name of Plat: Towns on 28th South

Owner(s): Towns on 28th, LP

Engineer(s): Richard Waage, RLS

Request: A 7 Lot Residential Plat

Reviewed by Staff: Jan. 27, 2020

Final Plat requires Formal Action Only

Summary

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

Location

Generally located west of 28th Street and south of Glenrosa Avenue.

Council District: 6

This item was approved.

68 Final Plat - Avilla Magnolia - 190058 - East of 75th Avenue and North of Lower Buckeye Road

Plat: 190058

Project: 18-2601

Name of Plat: Avilla Magnolia

Owner(s): Nexmetro Magnolia, LLC

Engineer(s): Terrascope Consulting, LLC

Request: A 1 Lot Commercial Plat

Reviewed by Staff: Jan. 23, 2020

Final Plat requires Formal Action Only

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 V190052A.

Location

Generally located east of 75th Avenue and north of Lower Buckeye Road.

Council District: 7

This item was approved.

69 Final Plat - 2204 W. Fillmore Street - 190089 - Northeast Corner of I-17 and Fillmore Street

Plat: 190089

Project: 07-3718

Name of Plat: 2204 W. Fillmore Street

Owner(s): JSJ Ventura Development, LLC

Engineer(s): Strategic Surveyor, LLC

Request: A 3 Lot Commercial Plat

Reviewed by Staff: Jan. 27, 2020

Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northeast corner of I-17 and Fillmore Street.

Council District: 7

This item was approved.

70 Final Plat - Carver Mountain South - 170112 - Northwest Corner of 37th Avenue and Carter Road

Plat: 170112

Project: 05-414

Name of Plat: Carver Mountain South

Owner(s): S Phoenix 96, LLC

Engineer(s): HilgartWilson, LLC

Request: A 120 Lot Residential Plat

Reviewed by Staff: Jan. 15, 2020

Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and

certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

Location

Generally located at the northwest corner of 37th Avenue and Carter Road.

Council District: 8

This item was approved.

71 Final Plat - SWC 24th Street and Southern Avenue - 190084 - Southwest Corner of 24th Street and Southern Avenue

Plat: 190084

Project: 19-503

Name of Plat: SWC 24th Street and Southern Avenue

Owner(s): B & D Real Estate, LLC

Engineer(s): AW Land Surveying, LLC

Request: A 1 Lot Commercial Plat

Reviewed by Staff: Jan. 17, 2020

Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southwest corner of 24th Street and Southern Avenue.

Council District: 8

This item was approved.

72 Abandonment of Easement - V190061A - 27701 and 27777 N. Black Canyon Highway (Resolution 21810)

Abandonment: V190061A

Project: 18-1828

Applicant: Brian Rosenbaum; NexMetro Canyon LLC.

Request: To abandon a portion of 35 - foot sewer easement, as described in document number 2008-0636063, Maricopa County

Records, over the certain parcel of land described as parcel 1 and parcel

2, described in document number 19-0069682.

Date of Decision: Oct. 15, 2019

Summary

The resolution of the abandonment and the commercial plat for Final Plat "Avilla Canyon," Plat 190032 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The plat will dedicate a revised sewer easement which replaces the abandoned easement. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location

27701 and 27777 N. Black Canyon Highway

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.

73 Abandonment of Right-of-Way - V190052A - Northwest Corner of 75th Avenue and Lower Buckeye Road (Resolution 21809)

Abandonment: V190052A

Project: 18-2601

Applicant: Brian Rosenbaum; Nexmetro Magnolia, LLC.

Request: To abandon sidewalk easements, dedicated over Lots 4, 7 and 8, per Subdivision Plat "Estrella Village Center"; Book 847 Page 26.

Date of Hearing: Aug. 29, 2019

Summary

The resolution of the abandonment and the commercial plat for Final Plat for "Avilla Magnolia," Plat 190058, are to be recorded together with the Maricopa County recorder on the same day and at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location

Norwest corner of 75th Avenue and Lower Buckeye Road
Council District: 7

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.

74 Remove/Replace Zoning District - 109th Avenue and Indian School Road Annexation 497 - 4106 N. 109th Ave. (Ordinance G-6675)

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County R-2 zoning district and replacing it with the City of Phoenix R-2 zoning district on property at the location described below, which was annexed into the City of Phoenix on Jan. 8, 2020 by Ordinance S-46300.

Location

Approximately 0.0483 acre property located at 4106 N. 109th Ave.
Council District: 5

This item was adopted.

76 Amend City Code - Ordinance Adoption - Rezoning Application Z-56-19-2 - Southeast Corner of the 29th Avenue Alignment and Dove Valley Road (Ordinance G-6679)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-56-19-2 and rezone the site from PCD NBCOD (Approved C-2/CP M-R PCD NBCOD) to C-2 M-R NBCOD for commercial/retail uses.

Summary

Current Zoning: PCD NBCOD (Approved C-2/CP M-R PCD NBCOD)
Proposed Zoning: C-2 M-R NBCOD

Acreage: 10.29 acres

Proposal: Planned Community District removal to allow for commercial/retail uses.

Owner: Britmet Ventures, LLC

Applicant: City of Phoenix Planning Commission

Representative: Alan Beaudoin, Norris Design

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The North Gateway Village Planning Committee heard this case on Jan. 9, 2020, and recommended approval per the staff recommendation by a 6-0 vote.

PC Action: The Planning Commission heard this case on Feb. 6, 2020, and recommended approval, per the North Gateway Village Planning Committee recommendation with an additional stipulation by an 8-0 vote.

Location

Southeast corner of the 29th Avenue alignment and Dove Valley Road

Council District: 2

Parcel Addresses: N/A

This item was adopted.

- 77 (CONTINUED FROM DEC. 18, 2019) - Public Hearing -
Abandonment of Right-of-Way Appeal - V190054A - Yuma Street
from 21st Drive to 21st Avenue; 21st Avenue, South of Yuma
Street; and Alleyway, Southwest of Yuma Street and 21st Avenue**

Abandonment: V190054A

Project: 11-4174

Abandonment Applicant: Dennis Zwagerman

Date of Abandonment Hearing Officer's Decision: Nov. 7, 2019

Appellant: Larry Trauscht

Date of Appeal: Nov. 21, 2019

This request requires formal action only.

Summary

Rationale: Appealing decision (denial) of Hearing Officer based on the fact that the parcel will not be landlocked when the abandonment occurs.

Staff notes: Adjacent parcel with different owner will be landlocked.

Location

Yuma Street from 21st Drive to 21st Avenue; 21st Avenue, south of Yuma Street; and alleyway, southwest of Yuma Street and 21st Avenue
Council District: 7

This item was withdrawn.

78 Public Hearing - Amend City Code - Ordinance Adoption - Loud Party Noise Ordinance (Ordinance G-6674)

This report requests City Council approve the proposed amendment to the City Code by amending Chapter 2, Article I, Section 2-22, Recovery of Costs at Events Requiring Response by Police to address loud party noise issues in general and with Short-Term Vacation Rentals, approved on Jan. 8, 2020, by City Council, in particular.

Summary

In 2017, Arizona State Legislature enacted Arizona Revised Statutes (A.R.S.) §9-500.39 which eliminates the ability for local cities and towns, including the City of Phoenix to regulate these types of rentals based solely on their classification or use. Consequently, these rentals are allowed by state law, in the City of Phoenix.

The City of Phoenix is proposing an amendment to update the existing liability outlined in City Code Chapter 2, Article I, section 2-22 to recover the cost at events requiring response by police and the ability to hold the owner of the premises and any person who is in actual or lawful control of the premises responsible. This proposed amendment applies any time the Police are dispatched to a parcel multiple times for a loud party noise call, not just to short-term or vacation rental units, and it provides for Notice of Violation Process.

Staff recommends approval of the proposed amendment to the City Code by amending Chapter 2, Article I, section 2-22, Recovery of Cost at Events Requiring Response by Police.

Concurrence/Previous Council Action

This item was recommended for approval at the Land Use and Livability Subcommittee meeting on Dec. 17, 2019, by a vote of 4-0.

This item was continued to the March 4, 2020 City Council Formal Meeting.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 22, 26 and 28-29 be approved or adopted. The motion carried by the following vote:

Yes: 7 - Councilmember Garcia, Councilman Nowakowski,
Councilwoman Pastor, Councilwoman Stark,
Councilwoman Williams, Vice Mayor Guardado and
Mayor Gallego

No: 1 - Councilman DiCiccio

Absent: 1 - Councilman Waring

Item 22, Ordinance S-46358 was a request to authorize the City Controller to disburse funds, up to amounts indicated, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

22 Settlement of Claim(s) Solar Star Arizona LLC and Sunpower Corporation v. City of Phoenix

To make payment of up to \$412,500.00 in settlement of claim(s) in *Solar Star Arizona LLC and Sunpower Corporation v. City of Phoenix*, Maricopa County Superior Court, case number CV2018-015421, 18-0266-001 GL PD, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

26 (CONTINUED FROM JAN. 29 AND FEB. 5, 2020) Software Value-Added Reseller Services - State of Arizona Cooperative Contract (Ordinance S-46331)

Request to authorize the City Manager, or his designee, to authorize additional expenditures for established Contract 144228 with CDW Government LLC in addition to access State of Arizona Cooperative Contract CTR046099 with SHI International Corporation to purchase software, volume licenses, and enterprises license agreements through April 7, 2021. The total amount will not exceed \$26,652,330 for purchases made from these contracts. Further request authorization for

the City Controller to disburse all funds related to this item.

Summary

The additional amount will be used for citywide departments' software and annual software support and maintenance purchases. Examples of the software and enterprise agreements include the City's Microsoft Enterprise Agreement, which includes the Microsoft Office suite, as well as Outlook for email and SharePoint for the City's website. This contract will also be used to purchase new and continuing IT security software to protect the City's systems, such as endpoint protection, security monitoring, advanced email security tools, and multi-factor authentication/single-sign-on solutions. Additional software purchased through this contract includes mobile and desktop applications; databases; storage and backup; business intelligence solutions; software for servers and other IT infrastructure; and ongoing maintenance, support, and professional services for software implementation and upgrade projects. In addition to providing cost savings from volume discounts, utilizing the value-added reseller contract provides the City with additional benefits for implementing and upgrading software solutions, including providing evaluation copies, product comparisons, proofs-of-concept, needs analysis, product information and application recommendations.

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 process, as set forth in the Phoenix City Code, Chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts. The State of Arizona contract covers software value-added reseller services, and the City adopted the contract in 2016 with CDW Government LLC for an amount not to exceed \$35 million. The State of Arizona awarded the contract to SHI International Corporation as well on Sept. 9, 2019.

Financial Impact

With the \$26,652,330 in additional funds, the contract's revised aggregate value is approximately \$58.6 million. Funds are available in City departments' budgets with the most expected usage from the Information Technology Services, Police, Water, Aviation, Public Transit and Fire departments.

Concurrence/Previous Council Action

Contract 144228 was approved by Formal Council Action on Dec. 14, 2016.

This item was adopted.

28 Increase Budgeted Outreach Resources

Request to authorize the City Manager, or his designee, to increase budgeted resources for City Council offices by \$28,000 each for the remainder of the fiscal year (\$85,000 annually) and the Mayor's office by \$50,000 (\$150,000 annually) to provide added resources for community engagement and involvement; constituent services; participatory budget outreach; and other resources necessary for elected officials in the fastest growing city in the United States. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

Reports show the population of Phoenix has grown from 1.44 million in the 2010 US Census to an estimated 1.66 million residents in 2019. Each Council district now serves over 200,000 residents. Administrative support staff in the Mayor and Council offices was reduced by 25 full time employees after the great recession. A mid-year adjustment of resources is proposed to provide for Councilmembers and the Mayor to adequately serve their constituents.

Financial Impact

Funds are available from General Fund budgetary savings in the current fiscal year.

This item was approved.

29 Authorization for Issuance of Excise Tax-Funded Obligations to Acquire and Improve Solid Waste Facilities and Equipment (Ordinance S-46390)

An ordinance authorizing the City Manager to cause the issuance of

obligations of or by a municipal property corporation, including execution and delivery of one or more ground leases, leases, purchase agreements or financing agreements and the taking of any and all actions necessary or appropriate to finance or reimburse a principal amount not exceeding \$100,000,000 of costs for acquiring and improving solid waste facilities and equipment plus related financing costs; authorizing a pledge if deemed appropriate, of excise taxes or other lawfully available funds; authorizing the execution and delivery of other appropriate agreements in connection therewith, including but not limited to any official statements and bond purchase agreements and certificates necessary or appropriate for the financing and associated financing costs; authorizing the City Manager to take any and all other necessary or desirable actions in connection with such bonds; and authorizing the City Controller to expend all necessary funds therefor.

Summary

The Public Works Department (PWD) Solid Waste Management Program assists in providing a safe and aesthetically acceptable environment through effective, integrated management of the community's solid waste stream, including collection, disposal, source reduction and recycling activities. The PWD provides solid waste collection service to approximately 400,000 residential customers. Last year, the PWD collected and processed more than one million tons of material at two City-owned transfer stations and Materials Recovery Facilities. The City also owns and operates the State Route 85 Landfill in Buckeye, Ariz.

The Finance Department is analyzing the feasibility of using green bonds for this financing, with technical support from C40 Cities through a Participation Agreement.

This ordinance will provide funding for replacement of solid waste vehicles and other improvements, acquisitions, and replacement of Solid Waste facilities and equipment.

Concurrence/Previous Council Action

The Solid Waste financial plan was presented and solid waste rate adjustments were approved by the City Council on Feb. 11, 2020 by a vote of 7-2.

This item was adopted.

**48 Request Authorization for the Sale of Canine Gary for \$1.00
(Ordinance S-46382)**

Request authorization for the City Manager, or his designee, to authorize the sale of canine Gary to Officer Michael Burns, who is assigned to the Tactical Support Bureau's Canine and Specialty Vehicle Unit. Officer Burns has requested to retire and purchase his assigned canine Gary in accordance with Administrative Regulation 4.21.

Summary

Canine Gary is more than nine years of age, and has served the Tactical Support Bureau with professionalism, dedication and exemplary effort since 2012. Canine Gary has been diagnosed with a progressive, incurable disease that affects the nerves in the spinal cord causing gradual loss of mobility and the loss of feeling in the limbs. This medical condition has severely limited his ability to perform his duties as a police service dog. Due to canine Gary's condition, Officer Burns has been issued a new police service dog.

This request is for the authorization of the sale of canine Gary for \$1.00. The purchase of canine Gary is being made by Officer Michael Burns, who agrees to accept full responsibility and liability for canine Gary until his death.

Discussion

Mayor Gallego thanked canine Gary for his service to the City and she wished him a happy retirement.

Councilwoman Williams also thanked canine Gary, noting he had worked hard for years as a faithful officer of the Police Department. She wished both canine Gary and his handler a great future.

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

Yes: 8 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

Absent: 1 - Councilman Waring

**55 Downtown Shared Electric Scooter Pilot Program Extension
(Ordinance G-6676)**

Request to authorize the City Manager, or his designee, approve to extend the Downtown Shared Electric Scooter Pilot Program for an additional six months, to accept new vendor applications for the Pilot Program, and to amend Ordinance G-6602 to extend the sunset provision for an additional six months to allow shared electric scooters to continue to operate within the Pilot Program area.

Summary

On June 26, 2019, City Council unanimously approved the Downtown Shared Electric Scooter (eScooter) Pilot Program, which allowed eScooter vendors to obtain a permit to operate within the City of Phoenix. As part of the Pilot Program, City Council approved Ordinance G-6602, amending the Phoenix City Code to allow electric scooters to operate on public streets. The Ordinance amendment also included definitions for an electric standup scooter and authorized the City of Phoenix Police Department or peace officer to issue civil traffic citations for, among other things, speed limit violations, yielding the right-of-way, parking violations, and riding on the sidewalk. Additionally, the Ordinance amendment included a one-year sunset provision, which effectively repeals the Code changes on June 25, 2020, one year from the Ordinance effective date of June 26, 2019.

On Sept. 16, 2019, the City of Phoenix issued permits to three vendors (Bird, Lime and Spin) to deploy eScooters as part of a six-month Pilot Program. During the pilot, staff has collected performance data, which includes fleet information, ridership, violations, program fees and revenues, public and stakeholder comments, and general observations to assess user demand; monitored vendor operations; and evaluated the impacts to the City. On Jan. 7, 2020, staff presented a three-month update of the program to the Transportation, Infrastructure and Innovation Subcommittee. The Subcommittee provided guidance to allow a modification to permits to suspend the requirement for nightly pick up of the eScooters and allow them to remain deactivated in the designated

parking locations from midnight to 5 a.m. The overall feedback from the public and downtown stakeholders thus far has been positive. The six-month pilot program is scheduled to end on March 16, 2020, and there is currently only one active vendor (Spin) operating under the Pilot Program.

Staff proposes to extend the Pilot Program for an additional six months and to re-open the permit application process to allow new vendors to apply for the Pilot Program. Staff will continue to collect performance data to evaluate the feasibility of a permanent shared eScooter program. There will be no changes to the existing boundaries of the Pilot Program area.

To extend the Pilot Program, City Council must also amend Ordinance G-6602 to extend the sunset provision for an additional six months.

Financial Impact

The following vendor fees are currently in effect with the program: \$500 application fee, \$5,000 permit fee per six months, \$0.10 per ride surcharge, and \$80 relocation fee per scooter. No changes are proposed to the existing fees at this time, but fees and city costs will continue to be evaluated during the pilot to ensure the program is structured to be full cost recovery.

Concurrence/Previous Council Action

The Aviation and Transportation Subcommittee recommended approval of the initial Pilot Program on Jan. 22, 2019, by a vote of 3-0.

The Planning and Economic Development Subcommittee was provided with information on the initial Pilot Program on Feb. 5, 2019, and also received an update for information and discussion on June 4, 2019.

The Aviation and Transportation Subcommittee reviewed this item on June 25, 2019.

City Council approved the Pilot Program on June 26, 2019.

The Transportation, Infrastructure and Innovation Subcommittee was provided with a three-month update of the Pilot Program on Jan. 7, 2020.

The Transportation, Infrastructure and Innovation Subcommittee recommended approval of the extension on Feb. 5, 2020, by a vote of

4-0.

Location

The main boundaries of the Pilot Program are from 7th Avenue to 7th Street and from Buckeye Road to McDowell Road. The Pilot Program boundary includes an extension of the area bounded by Roosevelt Street and Grand Avenue, and a reduction of the northern boundary to Portland Street between 7th Avenue and Central Avenue.

Council Districts: 4, 7 and 8

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

Mayor Gallego noted comment cards were submitted for the record in favor of this item by the following individuals:

Patrick Barrett

Jon Brodsky - Phoenix Community Alliance

Cheyenne Walsh - Spin

Dianne Barker

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

Yes: 8 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

Absent: 1 - Councilman Waring

75 Amend City Code - Ordinance Adoption - Rezoning Application Z-55-19-2 - Northeast Corner of the 29th Avenue Alignment and the Bronco Butte Trail Alignment (Ordinance G-6678)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-55-19-2 and rezone the site from PCD NBCOD (Approved C-2/CP M-R PCD NBCOD) to CP/GCP M-R NBCOD for manufacturing, research/development, and warehousing.

Summary

Current Zoning: PCD NBCOD (Approved C-2/CP M-R PCD NBCOD)

Proposed Zoning: CP/GCP M-R NBCOD

Acreage: 59.78 acres

Proposal: Planned Community District removal to allow manufacturing, research/development, and warehousing.

Owner: Britmet Ventures, LLC and Metropolitan Land

Applicant: City of Phoenix Planning Commission

Representative: Alan Beaudoin, Norris Design

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The North Gateway Village Planning Committee heard this case on Jan. 9, 2020, and recommended approval per the staff recommendation by a 6-0 vote.

PC Action: The Planning Commission heard this case on Feb. 6, 2020, and recommended approval, per the North Gateway Village Planning Committee recommendation with an additional stipulation, by a 8-0 vote.

Location

Northeast corner of the 29th Avenue alignment and the Bronco Butte Trail alignment

Council District: 2

Parcel Addresses: N/A

Discussion

Mayor Gallego noted Councilman Waring was not present, but she said she believed that he was in favor of this item.

Alan Beaudoin thanked staff for their work on this case as it was affiliated with a significant employer, W.L Gore, and their ambitions to expand in Phoenix. He pointed out Items 75 and 76 were related, noting more work needed to be done. He conveyed he was working with Community and Economic Development staff to bring a development agreement forward. He urged that Council support this item and he introduced other members of his team in the audience.

Mayor Gallego thanked Mr. Beaudoin along with Alan Stephenson and the Community and Economic Development Department for their work and helping this employer grow in the Phoenix community.

Planning and Development Director Alan Stephenson stated this was an expansion of the W.L. Gore campus in the North Gateway Village core area which was a key future employment area for Phoenix in the I-17 corridor. He remarked W.L. Gore had been a great partner with the City and he looked forward to working with them as the company expanded to the east of this parcel.

Councilwoman Stark recalled the original zoning case because she was the Planning Director at that time. She recognized Mr. Stephenson as he was the reason this case was here now and she expressed this was outstanding work.

A motion was made and seconded to approve this item.

Councilman DiCiccio remarked W.L. Gore was an amazing company and a great employer that brought in a high quality to the City which he said he appreciated.

Mayor Gallego conveyed that Council was excited about this expansion.

A motion was made by Councilwoman Stark, seconded by Councilwoman Pastor, that this item be approved per the Feb. 6, 2020 Planning Commission recommendation, and adopt the related ordinance. The motion carried by the following vote:

Yes: 8 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

Absent: 1 - Councilman Waring

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Note: Councilman DiCiccio disconnected from the meeting.

City Attorney Cris Meyer stated during Citizen Comment, members of the public may address the City Council for up to three minutes on issues of interest or concern to them. The Arizona Open Meeting Law permits the City Council to listen to the comments but prohibits council members from discussing or acting on the matters presented.

Robert Stand expressed he had been a Democratic presidential candidate since Aug. 21, 2018. He spoke about bringing Amtrak back for delivery of mail at five cents a letter and a quarter for whomever someone chooses to write. He also stated people could ride on Amtrak to Tucson, Arizona or to Dallas, Texas from the Phoenix Union Station.

Katherine Roxlo submitted a citizen petition on behalf of Angela Ojile that requested Council provide emergency action for homeless people who had encamped on South Phoenix streets. Ms. Roxlo stressed there were health and safety issues that need to be addressed, noting that implementing some changes will cost money such as installing public toilets because people had nowhere to go bathroom. She conveyed police officers were having issues patrolling the area given the current situation. She said she also wanted more shelters for the homeless and urged Council to take action.

Priscilla Flores spoke about her concerns regarding the reassignment of School Resource Officer (SRO) Martinez at Washington Elementary School. She stated she believed he was removed due to posting photos of syringes and drug paraphernalia on social media. She pointed out SRO Martinez had taken proactive measures so students had a safe learning environment. She pointed out SRO Martinez had taken other actions to improve the campus, such as two clean-ups and the mural on the south wall facing Northern Avenue. She expressed this situation was not handled fairly and requested SRO Martinez be reinstated for the security of the school and community. She submitted two letters, one from herself and the other written by her youngest child who attended Washington Elementary School.

Michelle Campuzano commended Council for their continued commitment to stand on inclusivity acceptance and increase accessibility for Phoenix residents of all abilities, including a recent proclamation with Daring Adventures for the I CAN! event. She remarked their commitment provided her and her son the chance to attend Camp Colley with Daring Adventures and City staff where they

enjoyed recreational activities with other families. She urged Council to continue investing in inclusive activities when budgeting and delegating City resources. She expressed the relationships made through these activities were valuable.

Mayor Gallego thanked Ms. Campuzano for her service to the Roosevelt School District.

Dave Jenkins expressed the administration at Washington Elementary School had failed the parents and students due to the lack of information about drug paraphernalia found on campus. He spoke in support of Josie, an active school parent who was at a clean-up with two students, noting schools wanted active parents to help with challenges. He claimed the school withheld information that should have been provided to parents, the community and law enforcement. He stated this was a lost opportunity to show students how to lead by example.

Joel Coplin, a member of the Madison Street Pioneer Business Coalition, thanked Council for action they had taken for the community by providing dumpsters and additional police officers. He spoke about homeless people having parties with fires they build and how their presence disrupts businesses in the area. He conveyed there was no parking as tents were set up in their place. He expressed concern for potential safety risks of this homeless crisis and urged Council to something about it. He suggested the tents be placed on the CASS property so homeless people had access to their services.

Josie Slowinski submitted a letter and spoke as a concerned parent of two students that attended Washington Elementary School. She stated parents were concerned for their students' safety due to the lack of notification regarding drug paraphernalia found on campus. She remarked the school and parents had a responsibility to work together, but students health and safety were at risk without notification of issues from the school.

Mark Stodola, a board member for Daring Adventures, spoke about their partnership with the City, especially the past two years regarding the YOU Can! Fest program. He explained the event brought providers who worked with the disability community together to showcase available programs. He recalled the event on February 1 which was recognized by the Mayor and Council as Daring Adventures Day. He thanked Councilwomen Williams and Stark for attending the event as well as Council for recognizing a population that often did not get

the attention it deserved.

Jerry Ketelhut remarked he was proud of the proclamation signed by Mayor Gallego which stated February 1 was named Daring Adventures YOU Can! Fest Day. He also thanked Councilwomen Williams and Stark for attending, along with the participants and City Parks staff. He expressed he was appreciative of the partnership.

Domonic Corradin spoke in support of Daring Adventures and the programs they provided. He noted he was an avid outdoor recreation user for 25 years and had been in adaptive sports since 16 years old. He expressed he had seen what it had done over the years for himself and others with disabilities. He stated he was recently an Americans with Disabilities Act (ADA) Intern for the State Parks and Trails agency and helped assess where the parks were at regarding accessibility as well as the programs offered. He urged the City stand behind Daring Adventures to expand inclusion and develop more programs.

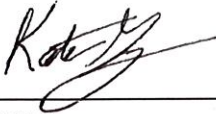
Brenda Gamez expressed concern about the proposed demolition of the Deck Park Vista apartment complex where she lived. She remarked the 55+ complex and apartments had ADA amenities for residents who used walkers and wheelchairs. She said she felt safe because the doors to the complex were locked and required a key fob to enter, plus there were emergency buttons in the restrooms and bedrooms. She added there were security cameras at the entry doors that showed on residents' TVs who was calling to come in. She claimed the City informed her that the two acres the complex sat on were under-utilized, but she argued it was being fully utilized by the residents. She conveyed the complex was centrally located which was best for the residents. She said she understood the need for low-income housing and suggested abandoned or condemned houses be demolished instead of their complex.

Angela Ojile stated she wanted a common sense fix for the homeless problem in her neighborhood. She expressed it was outrageous what she and others in the neighborhood had to put up with every day. She remarked her staff was subjected to picking up syringes and trash while having to smell human waste which was unhealthy. She said she received letters from the City stating it did not have the resources to assess or handle the situation, but owners had even less resources to deal with the problem. She indicated she paid \$1,000 a month for someone to clean her property, noting the driveway was not

accessible. She added she lost business due to clients being unable to access her business or were uncomfortable with the surroundings. She asserted there was another element to the homeless situation as stores were selling drugs and stolen goods. She asked that Council open an emergency overflow to get people off the streets.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:22 p.m.



MAYOR

ATTEST:



CITY CLERK

SM

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 19th day of February, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 19th day of May, 2021.



CITY CLERK

