172431

# City of Phoenix

## Minutes

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

## City Council Formal Meeting

**Wednesday, March 21, 2018** **2:30 PM** **phoenix.gov**

### CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, March 21, 2018 at 2:43 p.m. in the Council Chambers.

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

**Absent:** 1 - Vice Mayor Laura Pastor

Councilman Valenzuela entered the Chambers and joined the voting body during Citizen Comments held at the beginning of the meeting; temporarily left the voting body but rejoined during Citizen Comments held at the end of the meeting. Councilmen DiCiccio and Nowakowski left the voting body during Citizen Comments held at the end of the meeting.

Mayor Stanton introduced Ryan Zerbib who was shadowing him at the dais.

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

### CITIZEN COMMENTS

Antonio Pacheco Contreras represented residents, business owners and property owners that disagreed with the Central Avenue light rail extension which reduced traffic lanes from four lanes to two lanes. He expressed the construction timeline would devastate businesses, also less traffic which meant fewer clients. He submitted a citizen petition requesting that South Central Avenue remain four lanes with light rail extension and to suspend development until this issue was resolved.

Councilman DiCiccio wished to ask a question of staff.

In response to Mayor Stanton, City Attorney Brad Holm advised Council could ask a question of staff or direct staff to follow-up but could not discuss or debate a non-agendized item.

Councilman DiCiccio conveyed he had heard this issue before and wanted to know why North Central Avenue would have four lanes while South Central Avenue had two lanes.

Larry White, Jr., owner of Lo-Lo's Chicken & Waffles on South Central Avenue, mentioned a community working group was formed by Valley Metro. He found out his name was on the letter of this group; however, he was not a member nor attended any meetings. Further, he believed light rail would hurt his business.

Mel Martin, an owner of nine businesses on South Central Avenue since 1955, requested a public hearing so people could express their concerns about the reduction of lanes.

Siho Lee stated his family owned commercial property on South Central Avenue and represented the ten businesses on that property who were concerned about the impact of the current design. He urged Council to support the local small businesses and vote for light rail with four lanes.

Lincoln Ragsdale, Jr. owned two properties on South Central Avenue and requested four lanes. He suggested the bicycle lanes be a shared lane with vehicles which would make it four lanes and, therefore, not impact businesses in the area.

Note: Councilman Valenzuela entered the Chambers and joined the voting body.

Jack Mao expressed concern about the Chinese Cultural Center and urged Council to stop True North from inflicting further harm.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6439 through G-6440; S-44262, S-44333 through S-44400; and Resolutions 21618 through 21621 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 Feb. 7, 2018**

**Summary**
This item transmits the minutes of the Formal Meeting of Feb. 7, 2018, for review, correction and/or approval by the City Council.

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

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

| | | |
|---|---|---|
| **Yes:** | 8 - | Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton |
| **No:** | 0 | |
| **Absent:** | 1 - | Vice Mayor Pastor |

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

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

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

Steve Medina Plascencia - Agent, Item 3
Andrea Lewkowitz - Agent, Item 7
John Lazear - Applicant, Item 8
Daniel Adelman - Applicant, Item 15

Dianne Barker, Item 17
Ratchanee McAuley - Applicant, Item 19

**A motion was made by Councilwoman Gallego, seconded by Councilwoman Williams, that Items 2 through 22 be recommended for approval. The motion carried by voice vote:**

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

**No:** 0

**Absent:** 1 - Vice Mayor Pastor

**2 Liquor License - Taphouse Kitchen**

Request for a liquor license. Arizona State License 1207B305.

**Summary**

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
3131 E. Shea Blvd.
Zoning Classification: C-2
Council District: 3

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in May 2018.

The 60-day limit for processing this application is April 3, 2018.

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.

Tap House Kitchen (Series 12)
6137 N. Scottsdale Road #B108, Scottsdale
Calls for police Service: NA - not in Phoenix
Liquor license violations: In February 2015, a fine of $375 was paid for delinquent taxes.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We are very strict with our liquor service policies. Our employees will go through liquor law training to ensure they comply with all laws and regulations."

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 to be able to offer our patrons drinks with their meals 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 - Taphouse Kitchen
Liquor License Map - Taphouse Kitchen

**This item was recommended for approval.**

**3 Liquor License - Phoenix Night Club**

Request for a liquor license. Arizona State License 06070121.

**Summary**

Applicant
Steve Medina Plascencia, Agent

License Type
Series 6 - Bar

Location
4319 N. 27th Ave.
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application is April 3, 2018.

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.

Sharky's Taco's & Tequila (Series 12)
825 W. Baseline Road, #1-2, Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Sharkys Tacos & Tequila (Series 12)
2662 E. University Drive, Ste. 102, Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant’s Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I have my Title 4 Liqur License traning and management certifaction I have additional liquor licenses in good standing in Mesa AZ. and Tempe AZ.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Increase in local sales to local business and increase in taxes generated.”

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 - Phoenix Night Club
Liquor License Map - Phoenix Night Club

**This item was recommended for approval.**

**4 Liquor License - Sprouts Farmers Market #41**

Request for a liquor license. Arizona State License 10076968 & 10076968S.

**Summary**

Applicant
Amy Nations, Agent

License Type
Series 10 & 10S - Beer and Wine Store with Sampling Privileges

Location
3320 N. 7th Ave.
Zoning Classification: PUD
Council District: 4

This request is for a new liquor license for a grocery store. This location

was previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow retail liquor sales. This business is currently being remodeled with plans to open in May 2018.

The 60-day limit for processing this application is March 25, 2018.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We are very strict with our liquor sales policies. Our employees go through strict liquor law training and 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: "This would allow the customer a one stop shop as we are a full service market."

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 - Sprouts Farmers Market #41
Liquor License Map - Sprouts Farmers Market #41

**This item was recommended for approval.**

**5 Liquor License - Special Event - Worldwide Push Foundation Inc.**

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

**Summary**

Applicant
Aaron Scott

Location
10710 W. Camelback Road
Council District: 5

Function
Sporting Event

Date(s) - Time(s) / Expected Attendance
April 7, 2018 - 2 p.m. to 7 p.m. / 1,000 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**6 Liquor License - Pride**

Request for a liquor license. Arizona State License 10076818.

**Summary**

Applicant
Charanjit Bajwa, Agent

License Type
Series 10 - Beer and Wine Store

Location
2440 W. Bethany Home Road
Zoning Classification: C-2
Council District: 5

This request is for an acquisition of control of an existing liquor license for a convenience store that sells gas. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is March 31, 2018.

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
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.

Pride (Series 10)
4121 W. Bell Road, Phoenix
Calls for police service: 26
Liquor license violations: None

Pride Travel Center (Series 10)
5240 S. Sunland Gin Road, Casa Grande
Calls for police service: N/A - not in Phoenix

Liquor license violations: None

Pride (Series 10)
48710 Vicksburg Road, Salome
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Pride (Series 10)
1734 E. Apache Blvd., Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: In December 2017, a fine of $7,500 was paid for failure to protect the safety of patrons and employee intoxicated or disorderly while on duty.

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:
"Own & operating C-Store/Gas station with Liquor License since 2004 in AZ."

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**7 Liquor License - Harkins Christown 14**

Request for a liquor license. Arizona State License 07073619.

**Summary**

Applicant
Andrea Lewkowitz, Agent

License Type
Series 7 - Beer and Wine Bar

Location
1620 W. Montebello Ave.
Zoning Classification: PSC TOD-1
Council District: 5

This request is for a new liquor license for a movie theater. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a site plan amendment for the bar use to be permitted.

The 60-day limit for processing this application is March 25, 2018.

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

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

Applicant's Statement
The applicant submitted the following statement in support of this

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

I have the capability, reliability and qualifications to hold a liquor license because:
“Applicant is an experienced licensee committed to upholding the highest standards to maintain 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:
“Harkins Theatres would like to offer guests 21 and over the opportunity to enjoy alcoholic beverages as an incident to their theatre experience.”

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 - Harkins Christown 14
Liquor License Map - Harkins Christown 14

**This item was recommended for approval.**

**8 Liquor License - Special Event - Ability360, Inc.**

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

**Summary**

Applicant
John Lazear

Location
5031 E. Washington St.
Council District: 6

Function

Sporting Event

Date(s) - Time(s) / Expected Attendance
April 18, 2018 - 4 p.m. to 9 p.m. / 250 attendees
April 19, 2018 - 4 p.m. to 9 p.m. / 250 attendees
April 20, 2018 - 4 p.m. to 9 p.m. / 250 attendees
April 21, 2018 - Noon to 9 p.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**9 Liquor License - Special Event - Ahwatukee Board of Management, Inc.**

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

**Summary**

Applicant
Robert Blakesley

Location
4700 E. Warner Road
Council District: 6

Function
Festival

Date(s) - Time(s) / Expected Attendance
April 14, 2018 - 5 p.m. to 9 p.m. / 150 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**10 Liquor License - Special Event - Ahwatukee Board of Management, Inc.**

Request for a Series 15 - Special Event liquor license for the temporary

sale of all liquors.

**Summary**

Applicant
Robert Blakesley

Location
4700 E. Warner Road
Council District: 6

Function
Cornhole Tournament

Date(s) - Time(s) / Expected Attendance
Dec. 1, 2018 - 10 a.m. to 5 p.m. / 50 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**11 Liquor License - Special Event - Arizona Roller Derby Organization**

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

**Summary**

Applicant
Stephanie Wilhelm

Location
5031 E. Washington St.
Council District: 6

Function
Sporting Event

Date(s) - Time(s) / Expected Attendance
April 7, 2018 - 5:30 p.m. to 10 p.m. / 450 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**12 Liquor License - Special Event - Boys & Girls Club of Metropolitan Phoenix, Inc.**

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

**Summary**

Applicant
Emily Denes

Location
2501 E. Camelback Road
Council District: 6

Function
Community Event

Date(s) - Time(s) / Expected Attendance
May 5, 2018 - 6 p.m. to 9:30 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**13 Liquor License - Special Event - The Cedar Club of Arizona**

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

**Summary**

Applicant
Suzanne Sabbagh

Location
1702 E. Northern Ave.
Council District: 6

Function
Dinner

Date(s) - Time(s) / Expected Attendance
April 7, 2018 - 8 p.m. to 1 a.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**14 Liquor License - Whining Pig**

Request for a liquor license. Arizona State License 07073620.

**Summary**

Applicant
Andrea Lewkowitz, Agent

License Type
Series 7 - Beer and Wine Bar

Location
5030 E. Ray Road, #J-5
Zoning Classification: C-2 PCD
Council District: 6

This request is for a new liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit for outdoor dining and outdoor alcohol consumtion.

The 60-day limit for processing this application is March 25, 2018.

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.

Whining Pig (Series 7)
201 E. Washington St., #104, Phoenix
Calls for police service: 90
Liquor license violations: None

Whining Pig (Series 7)
3730 E. Indian School Road, Phoenix
Calls for police service: 1
Liquor license violations: None

Whining Pig (Series 7)
1612 E. Bethany Home Road, Phoenix
Calls for police service: 1
Liquor license violations: In April 2017, a fine of $375 was paid for delinquent taxes.

Whining Pig (Series 7)
2512 S. Val Vista Drive, PAD E #105, Gilbert
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion
No protest or support letters were received within the 20-day public

comment period.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is committed to upholding the highest standards for retail sales of alcohol. Managers and staff will be trained in Arizona liquor law and the techniques of responsible sales and service to guests 21 and over."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The Whining Pig is a neighborhood beer + wine bar, popular among professionals and neighbors, which specializes in a constantly-changing menu of craft beers and unique wines served with light snacks. The bar is a fun, casual setting for guests to gather for drinks and classic games."

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 - Whining Pig
Liquor License Map - Whining Pig

**This item was recommended for approval.**

**15 Liquor License - Special Event - Arizona Center for Law in the Public Interest**

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

**Summary**

Applicant
Daniel Adelman

Location
734 W. Polk St.
Council District: 7

Function
Dinner

Date(s) - Time(s) / Expected Attendance
April 21, 2018 - 6 p.m. to 10 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**16 Liquor License - Special Event - Aunt Rita's Foundation**

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

**Summary**

Applicant
Glen Spencer

Location
1101 N. Central Ave.
Council District: 7

Function
Dinner

Date(s) - Time(s) / Expected Attendance
April 14, 2018 - 6 p.m. to 10:30 p.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**17 Liquor License - Rott N' Grapes**

Request for a liquor license. Arizona State License 07070600.

**Summary**

Applicant
Kevin Kramber, Agent

License Type
Series 7 - Beer and Wine Bar

Location
1001 N. 3rd Ave., Ste. 1
Zoning Classification: DTC-East Roosevelt HP ACSBO RNSPD
Council District: 7

This request is for an ownership and location transfer of a liquor license for a wine bar/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 a bar. This business is currently being remodeled with plans to open in June 2018.

The 60-day limit for processing this application is April 1, 2018.

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.

Rott N Grapes (Series 7)
4750 N. Central Ave., Ste. B-1, Phoenix
Calls for police service: 38
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:
"Principals in the Limited Liability Company have a clean record. Principals currently hold ownership and operate a Series 7 liquor license business already and have had no violations of any sort. Principals have both completed the required Title IV liquor training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"As the primary purpose of the business is that of a restaurant and the sales of food the liquor is nothing more than a secondary purpose and we believe meets the public convenience by having the ability to offer liquor to patrons to enjoy responsibly with their meal. It will allow those who want to enjoy an adult beverage with their meal that option."

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 - Rott N' Grapes
Liquor License Map - Rott N' Grapes

**This item was recommended for approval.**

**18 Liquor License - Rott N' Grapes**

Request for a liquor license. Arizona State License 1207B302.

**Summary**

Applicant
Kevin Kramber, Agent

License Type
Series 12 - Restaurant

Location
1001 N. 3rd Ave., Ste. 1
Zoning Classification: DTC-East Roosevelt HP ACSBO RNSPD
Council District: 7

This request is for a new liquor license for a restaurant/wine bar. 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 June 2018.

The 60-day limit for processing this application is April 1, 2018.

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.

Rott N Grapes (Series 7)
4750 N. Central Ave., Ste. B-1, Phoenix
Calls for police service: 38
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:
"Principals in the Limited Liability Company have a clean record. Principals currently hold ownership and operate a Series 7 liquor license business already and have had no violations of any sort. Principals have both completed the required Title IV liquor training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"As the primary purpose of the business is that of a restaurant and the sales of food the liquor is nothing more than a secondary purpose and we believe meets the public convenience by having the ability to offer liquor to patrons to enjoy responsibly with their meal. It will allow those who want to enjoy an adult beverage with their meal that option."

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 - Rott N' Grapes
Liquor License Map - Rott N' Grapes

**This item was recommended for approval.**

**19 Liquor License - Zen Thai Cafe**

Request for a liquor license. Arizona State License 1207B296.

**Summary**

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
110 N. Central Ave.
Zoning Classification: DTC-Business Core
Council District: 7

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

The 60-day limit for processing this application is March 24, 2018.

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.

Zen Culinary & Cocktail (Series 12)
15544 W. Pima Road, 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:
"I am currently the owner of another restaurant that has a liquor license. We will continue to abide by Arizona liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I would like to continue to offer our patrons an alcoholic beverage if they choose."

Staff Recommendation

Staff recommends approval of this application.

Attachments
Liquor License Data - Zen Thai Cafe
Liquor License Map - Zen Thai Cafe

**This item was recommended for approval.**

**20 Liquor License - Special Event - Liberty Wildlife, Inc.**

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

**Summary**

Applicant
Megan Mosby

Location
2600 E. Elwood St.
Council District: 8

Function
Cocktail

Date(s) - Time(s) / Expected Attendance
March 30, 2018 - 6 p.m. to 10 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**21 Liquor License - Special Event - Liberty Wildlife, Inc.**

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

**Summary**

Applicant
Megan Mosby

Location

2600 E. Elwood St.
Council District: 8

Function
Festival

Date(s) - Time(s) / Expected Attendance
April 29, 2018 - 11 a.m. to 3 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**22 Liquor License - Special Event - Saint Sava Serbian Orthodox Church**

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

**Summary**

Applicant
Denise Kangrga

Location
4436 E. McKinley St.
Council District: 8

Function
Festival

Date(s) - Time(s) / Expected Attendance
April 13, 2018 - 7 p.m. to Midnight / 200 attendees
April 14, 2018 - 4 p.m. to 1 a.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

## ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

**A motion was made by Councilwoman Gallego, seconded by Councilwoman Williams, that Items 23 through 129 be approved or adopted, except Items 31, 41-42, 60-61, 63-66, 71, 93, 123 and 129; continuing Item 122 to April 18, 2018; and noting that Items 69 and 120 are withdrawn and Items 94, 97 and 110 are as corrected. The motion carried by the following vote:**

| | | |
|---|---|---|
| **Yes:** | 8 - | Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton |
| **No:** | 0 | |
| **Absent:** | 1 - | Vice Mayor Pastor |

Items 23-40, Ordinance S-44333, were requests to authorize the City Controller to disburse funds up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

Item 31 was held to the end of the meeting.

**23 Cybergear, Inc.**

For $15,000.00 in payment authority to purchase four Crossmatch Guardian 200 Fingerprint Scanners for the Aviation Department. The fingerprint scanners are used to capture fingerprints to run background checks on airport employees in the Aviation Badging Office. The fingerprint scanners are needed to avoid any disruption in badging services in the event of failure of the existing scanners.

**This item was adopted.**

**24 CXM Solutions**

For $60,000.00 in payment authority to purchase the upgrade of the Planning and Development Department customer service queueing system used to check-in and route customers efficiently. This upgrade will provide improved customer service to the public service counters.

**This item was adopted.**

**25 Police Ordnance Company, Inc.**

For $60,000.00 in payment authority for a new contract, entered on or about April 1, 2018, for a term of five years, to purchase Arwen 37T Launchers and Accessories for the Police Department. The launchers are vital for the Special Assignments Unit (SAU), to help barricade subjects, perform high-risk search warrants, and assist with the arrests of subjects with a high-violence potential, utilizing less lethal tools and equipment. In addition, it offers the SAU various training methods to build skills to shoot and conduct firearms training. This equipment is a critical part of the Police Department's effort to provide life safety services to the public and for use in critical incidents and complicated scenes.

**This item was adopted.**

**26 Landis Cyclery, Inc.**

For $50,000.00 in additional payment authority to extend Contract 146094 on a month-to-month basis, up to June 30, 2018, for bicycles, parts, repairs and maintenance for various brands of bicycles used by the Parks and Recreation, Fire and Police departments. The extension is necessary to allow these departments to purchase and maintain bicycles in optimal working condition for the safety and well-being of the public safety officers who use the bicycles as part of their daily responsibilities while a new solicitation is being created.

**This item was adopted.**

**27 Clear Creek Disposal**

For $14,250.00 in payment authority for a new contract, entered on or about April 1, 2018, for a five-year period, to purchase trash removal services for the Parks and Recreation Department. This service is necessary for the Department's Camp Colley facility during the camp's operational period, April through October.

**This item was adopted.**

**28 Clean Scene, AZ LLC**

For $18,000.00 in additional payment authority for Contract 130781 for the pick-up and decontamination services of Emergency Medical Service (EMS) items from hospital emergency rooms and other facilities in the greater Phoenix area for the Fire Department. Payment authority is being requested to extend the current contract through June 30, 2018 to

provide more time to create the new solicitation.

**This item was adopted.**

**29 Settlement of Claim *Glenayre, et al. v. City of Phoenix***

For $115,578.70 to pay a court ordered judgment in *Glenayre*, *et al*. *v. City of Phoenix*, Arizona Supreme Court, Case CV16-0126-PR, 12-0991-001 GL PD, for the Finance Department pursuant to Phoenix City Code Chapter 42.

**This item was adopted.**

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

To make payment of $62,500.00 in settlement of claim in *Patton v. City of Phoenix,* in Maricopa County Superior Court, Case CV2016-008197, 15-0444-003 AU BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

**This item was adopted.**

**32 Settlement of Claim *Rushing v. City of Phoenix***

To make payment of $2,800,000.00 in settlement of claim(s) in *Rushing v. City of Phoenix,* Maricopa County Superior Court, Case CV2011-009110, 10-0536-002 GL BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

**This item was adopted.**

**33 Settlement of Claim *Rizzo v. City of Phoenix***

To make payment of $90,000.00 in settlement of claim in *Rizzo v. City of Phoenix*, United States District Court, District of Arizona, Case CV-15-00829-PHX-NVW, 14-0292-001 GL BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

**This item was adopted.**

**34 Settlement of Claim *Daniel v. City of Phoenix***

To make payment of $165,948.35 in settlement of claim(s) in *Daniel v. City of Phoenix,* Maricopa County Superior Court, Case CV2015-003777, 14-0161-004 AU BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

**This item was adopted.**

**35** **Settlement of Claim *Gary Valenzuela v. City of Phoenix***

To make payment of $80,000.00 in settlement of claim in *Valenzuela v. City of Phoenix,* Maricopa County Superior Court, Case CV2016-015188, 15-0608-003 AU BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

**This item was adopted.**

**36** **Various Vendors for General Police Towing Services**

For $90,000.00 in additional payment authority for General Police Towing Services for the Police Department. Payment authority is being requested to extend the current contracts on a month-to-month basis until the current procurement is concluded by City Council.

ACT Towing LLC, doing business as All City Towing, Contracts 135126 and 135191
DV Towing, LLC, Contract 135125
Western Towing of Phoenix, Inc., doing business as Western Towing, Contract 135124

**This item was adopted.**

**37** **Environment Mechanical Equipment Company, Inc.**

For $22,100.00 in payment authority to purchase and replace the domestic hot water boiler for Pine Towers Senior Site located at 2936 N. 36th St. for the Housing Department. The existing boiler is corroded, leaking and non-repairable. This expenditure is necessary to continue to provide hot water for 156 senior and disabled residents at this location.

**This item was adopted.**

**38** **Traffic Research and Analysis, Inc.**

For $94,995.00 in payment authority for a new contract to be entered on or about April 1, 2018 for traffic count services for a period of one year for the Street Transportation Department. The purpose of this contract is to provide data for vehicle and pedestrian traffic volume to determine the safe movement of vehicular, bicycle, and pedestrians at City of Phoenix intersections. Data gathered will be used to place speed limit signs, speed humps, crosswalks, and new traffic intersections.

**This item was adopted.**

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

For $14,000.00 in payment authority for City Project PT00140251 for the relocation of electrical poles to allow for installation of a new City bus bay at the southwest corner of 32nd Street and Indian School Road for the Street Transportation Department.

**This item was adopted.**

**40** **PCL Construction, Inc.**

For $640,000.00 in additional payment authority for Contract 144567, Change Order 1 (Project WS85500443-1) for construction manager at risk services for the Thomas Road Transmission Main Rehabilitation project for the Water Services Department. This change order request includes anticipated cost adjustments based on actual project spending and also allows for an additional 24-inch pipe connection for Remote Facilities Booster Pump Station 2A-B9 and 2C-B3 at the 52nd Street Yard. This additional connection will facilitate future improvements to the booster station site under Project WS85400007 for the Water Services Department.

**This item was adopted.**

**43** **Add Additional Expenditures to Emergency Vehicle Preemption System Contract 13-009A (Ordinance S-44335)**

Request to authorize the City Manager, or his designee, to add additional expenditures to contract 135342 with Tomar Electronics in the amount of $1.5 million for the Fire and Street Transportation departments. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The additional funds will ensure the Street Transportation and Fire departments have the necessary support for the Emergency Vehicle Preemption (EVP) System. The EVP system allows responding Fire Department apparatus and ambulances to cycle the traffic light from red to green or to hold the green light to expedite passage through an intersection to an emergency. The fire apparatus must be provided with equipment that activates the receiver at the intersection. The Street Transportation Department facilitates the installation of the system for the

Fire Department.

**Contract Term**
The contract has an option to extend for an additional five-year term, to be exercised in one-year increments through Dec. 31, 2023.

**Financial Impact**
The original contract amount was $1,675,000. The aggregate contract value for this extension shall not exceed $1.5 million. The revised total aggregate contract value is $3,175,000. Funds are available in the Street Transportation Department's budget. Funding was initially allocated only for the first five years of the contract, therefore requiring funding for the additional options to extend.

**Concurrence/Previous Council Action**
This item was previously approved by City Council on Jan. 16, 2013.

**This item was adopted.**

**44 Grant of Public Utility Easement on City-owned Property at Papago Golf Course for Construction of Club House by Arizona State University (Ordinance S-44346)**

Request City Council to grant a public utility easement, for consideration of $1.00 and/or other valuable consideration, for electrical facilities and the installation of a pad-mounted transformer on City-owned property in the Salt River Project (SRP) service area, and further ordering the ordinance recorded. The public utility easement is required for the construction of a club house by Arizona State University pursuant to City Contract 138996.

**Summary**
This public utility easement will be for the area more fully described in the legal description sent directly to the Law Department ("Easement Premises") and will be granted to all public service corporations, agricultural improvement districts, and telecommunication corporations providing utility service (collectively "Grantee") to the property located at 5644 E. Moreland St., in perpetuity so long as Grantee uses the Easement Premises for the purposes herein specified for an indefinite period, subject to the following terms and conditions:

A. Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate and maintain utility facilities together with appurtenant fixtures for use in connection therewith (collectively "Grantee Facilities") to, through, across and beyond Grantor's property within the Easement Premises. Subject to the notice requirements provided in paragraph "I," Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified. Grantee acknowledges and accepts that Grantee shall share the Easement Premises with other Grantees and shall use such Easement Premises with other Grantees in accordance with and consistent with industry standards and customs for shared use. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in paragraph "F."

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

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

D. Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 10 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstruction, trees, shrubs, fixtures, or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs, or other obstruction within said areas.

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

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

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

H. Grantee shall not have the right to transfer, convey or assign its interests in this easement to any individual, corporation, or other entity

without the prior written consent of Grantor, which consent shall not be unreasonably withheld. Grantee shall notify Grantor of any proposed transfer, conveyance or assignment of any rights granted herein at address listed below.

I. Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where the Easement Premises are located: (1) on a site that includes Aviation Department facilities; (2) water and wastewater treatment facilities; (3) Police Department headquarters located at 620 W. Washington St.; (4) Fire Department headquarters located at 150 S. 12th St.; (5) City Hall located at 200 W. Washington St.; (6) City Court Building located at 300 W. Washington St.; (7) Calvin C. Goode Building located at 251 W. Washington St.; (8) Transit Operations Center located at 320 N. 1st Ave. or West Transit Facility located at 405 N. 79th Ave.; or (9) in a secured or fenced area.

**Location**
5644 E. Moreland St., identified by Maricopa County assessor parcel numbers 129-37-006 and 129-37-009.
Council District: 6

**This item was adopted.**

**45 Purchase High-Speed Scanners - MESC 15M-TBS-0128 (Ordinance S-44360)**

Request to authorize the City Manager, or his designee, to allow the use of the Mohave Educational Services Cooperative, Inc, (MESC) contract with Toshiba Business Solutions, to purchase high-speed scanners for the Planning and Development Department (PDD). Further request the City Controller to disburse all funds related to this item. This is a one-time purchase that will not exceed $125,000.

**Summary**
The scanners will support the PDD Records Center, to be used to upload extremely large quantities of documents by records staff daily. The existing devices are at the end of their lifecycle and are experiencing frequent service issues, causing disruption to workflow and a loss of productivity. The scanners are no longer compatible with current

computer models, which prevents PDD IT staff from providing records staff with current city standard computers. The new scanners will provide improved customer service and reliability.

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

**Procurement Information**
The City of Phoenix is a member of the Mohave Educational Services Cooperative, and the contract between MESC and Toshiba Business Solutions was awarded through a competitive process, consistent with the City's procurement processes as set forth in the Phoenix City Code, Chapter 43. Utilization of the MESC contract allows the City to benefit from cooperative governmental pricing and volume discounts.

**Contract Term**
This is a one-time purchase.

**Financial Impact**
This purchase will not exceed $125,000. Funds are available in the Planning and Development Department's budget.

**Location**
200 W. Washington St.
Council District: 7

**This item was adopted.**

**46 Asphalt Paving Services (Ordinance S-44363)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 144663 with Regional Pavement Maintenance of Arizona for purchase of asphalt paving services for the Public Works Department. Additional expenditure of $210,000 is needed, and the revised aggregate value will not exceed $1,810,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
The agreement with Regional Pavement Maintenance of Arizona is used to provide asphalt paving services at locations throughout the City,

including asphalt repairs, patching, crack filling, re-surfacing, removal and replacement, seal coating and line striping. Additional funding is needed to perform critical maintenance work to pave and repair surfaces at various locations for the Public Works and Library departments. The repairs are required to maintain safety and facility maintenance standards for paving services.

**Procurement Information**

The City is using the agreements with Mohave Educational Services Cooperative (MESC) to purchase asphalt paving services at locations throughout the City. MESC received five offers and awarded contracts with Ace Asphalt of Arizona and Regional Pavement Maintenance of Arizona.

**Contract Term**

The initial contract term is one year with provisions to extend the contract up to three additional years, through March 16, 2020, which may be exercised by the City Manager, or his designee, if in the City's best interest to do so.

**Financial Impact**

Additional expenditures of $210,000 is needed, and the revised aggregate value will not exceed $1,810,000. Funds are available in the Public Works Department's budget.

**Concurrence/Previous Council Action**

This contract is a result of Council approval of MESC Contract 144663 on June 22, 2016.

**This item was adopted.**

**47 Traffic Signal Foundation Installation Services - IFB 15-107A (Ordinance S-44365)**

Request to authorize the City Manager, or his designee, to allow additional expenditures of $600,000 under Contract 140336 with Arizona Traffic Signal, Inc. to provide traffic signal foundation installation services for the Street Transportation Department. Further request authorization for the City Controller to disburse all funds.

**Summary**

The Street Transportation Department has experienced a greater need for services than originally anticipated under this agreement as a result of increased development projects, maintenance projects, accident-related repairs and to improve City infrastructure.

**Financial Impact**

Upon approval of $600,000 in additional funds, the revised aggregate value of the contract will not exceed $2.4 million. Funds are available in the Street Transportation Department's budget.

**Concurrence/Previous Council Action**

This contract is a result of IFB 15-107, awarded on March 25, 2015.

**This item was adopted.**

**48 Purchase of ParaDNA Instruments (Ordinance S-44366)**

Request to authorize the City Manager, or his designee, to enter into a contract with Foster and Freeman USA Inc, for the purchase of instruments and test bundles in the amount not to exceed $108,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The one-time purchase will provide the Phoenix Police Department, Laboratory Services Bureau, with ParaDNA Instruments and test bundles for the detection of biological fluids. These instruments are necessary for complex investigations where DNA samples may exist. ParaDNA will provide information to investigations that the laboratory currently does not have the ability to provide.

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Special Circumstance Without Competition Determination Memo citing Foster and Freeman as the manufacturer and sole provider of the instruments and test bundles. A Special Circumstance Without Competition Determination Memo was completed and approved by the Deputy Finance Director recommending the procurement with Foster and Freeman be accepted.

**Contract Term**

This is a one-time purchase to be issued on or about March 26, 2018 for the purchase of ParaDNA Instruments.

**Financial Impact**

Expenditures against this one-time purchase shall not exceed the aggregate amount of $108,000 (including applicable taxes). Funds are available in the Police Department's budget.

**This item was adopted.**

**49 Purchase of Evofinder Automated Ballistic Identification System (Ordinance S-44368)**

Request to authorize the City Manager, or his designee, to enter into a contract with LEEDS Precision Instruments, Inc. for the purchase of Evofinder Automated Ballistic Identification System in the amount not to exceed $300,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The one-time purchase will provide the Phoenix Police Department, Laboratory Services Bureau, with Evofinder Automated Ballistic Identification System. The Evofinder provides high quality 3D model evidence recording for comparison of both bullets and cartridges. This equipment is necessary for the recording of evidence and observation analysis.

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Special Circumstance Without Competition Determination Memo citing LEEDS Precision Instruments, Inc. as the manufacturer and sole provider of the instruments and test bundles. A Special Circumstance Without Competition Determination Memo was completed and approved by the Deputy Finance Director recommending the procurement with LEEDS Precision Instruments, Inc. be accepted.

**Contract Term**

This is a one-time purchase to be issued on or about March 26, 2018 for the purchase of Evofinder Automated Ballistic Identification System.

**Financial Impact**

Expenditures against this one-time purchase shall not exceed the aggregate amount of $300,000 (including applicable taxes). Funds are available in the Police Department's budget.

**This item was adopted.**

**50 Paint Spray Equipment Parts - Requirements Contract - IFB 18-139 (Ordinance S-44369)**

Request to authorize the City Manager, or his designee, to enter into contracts with Dunn Edwards Corporation and Sherwin-Williams to provide paint spray equipment parts for the Street Transportation, Neighborhood Services, and Aviation departments. Further request authorization for the City Controller to disburse all funds related to this item. The five-year aggregate value of the contract will not exceed $340,000, with an annual estimated expenditure of $68,000.

**Summary**

This contract will provide a variety of paint spray equipment parts used to operate and maintain various equipment used to paint/stripe lines, graphics, and structures at City-owned airports for the Aviation Department, and to operate and maintain paint striping operations for the Street Transportation Department. The contracts will also be utilized by the Neighborhood Services Department, who oversees the city's Graffiti Buster Program, which operates seven days per week and averages 57,832 graffiti removals annually.

**Procurement Information**

Invitation for Bid 18-139 was conducted in accordance with Administrative Regulation 3.10. There were five offers received by the Finance Department's Procurement Division on Jan. 12, 2018. The following are the recommended offerors who provided the lowest overall cost to the City:

Dunn Edwards Corporation: Unit price range $0.53 to $1,019.
Sherwin-Williams: Unit price range $0.55 to $1,019.

The Deputy Finance Director recommends that the offers from Dunn Edwards Corporation and Sherwin-Williams be accepted as the lowest-priced, responsive, and responsible offers. Two vendors are recommended for award based on the needs by the departments. Each

vendor is being awarded different items.

**Contract Term**
The five-year contract term will begin on our about April 1, 2018.

**Financial Impact**
The five-year aggregate value of the contract will not exceed $340,000, with an annual estimated expenditure of $68,000. Funds are available in the Street Transportation, Neighborhood Services and Aviation departments' budgets.

**This item was adopted.**

**51 Contracts for Untrained or "Green" Canines (Ordinance S-44370)**

Request to authorize the City Manager, or his designee, to enter into separate contracts with Adlerhorst International Inc., Global K9 Solutions LLC, Shallow Creek Kennels Inc., and Vohne Liche Kennels, as part of a Qualified Vendors List to provide untrained or "green" canines for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The five-year aggregate value of the contract will not exceed $105,000.

**Summary**
The City of Phoenix Police Department, Canine Unit, will utilize these contracts to purchase untrained or "green" canines capable of being trained as dual purpose police service dogs. The Police Department's Canine Unit is responsible for locating, testing and selecting canine candidates. The canines will be trained for patrol and narcotic detection, serving as protection of their handler, other officers, and whenever reasonably necessary for the accomplishment of law enforcement goals.

**Procurement Information**
Request for Qualifications (RFQu) 18-094 was conducted in accordance with Administrative Regulation 3.10, with the intent of establishing a Qualified Vendor List (QVL) of qualified vendors to supply untrained or "green" canines. There were four offers received by the Finance Department's Procurement Division on Jan. 26, 2018. The offers were reviewed and evaluated by the City of Phoenix Police Department Canine Unit.

The following vendors are being recommended to be included in the QVL:

Adlerhorst International Inc.
Global K9 Solutions LLC
Shallow Creek Kennels Inc.
Vohne Liche Kennels

The Deputy Finance Director recommends that the offers from the above vendors be accepted as responsive and responsible offers that are most advantageous to the City.

**Contract Term**
The five-year contract term shall begin on or about March 26, 2018.

**Financial Impact**
The five-year aggregate value of the contract will not exceed $105,000. Funds are available in the Police Department's budget.

**This item was adopted.**

**52 Grant of Easement to Salt River Project at Desert Foothills Park (Ordinance S-44371)**

Request authorization for the City Manager, or his designee, to grant an electrical easement to Salt River Project (SRP) across City-owned property located near the southeast corner of Marketplace Way and Chandler Boulevard, for consideration in the amount of the appraised value. Further request authorization for the City Treasurer to accept all funds related to this item.

**Summary**
The electrical easement is approximately 4,827 square feet and is required for SRP to upgrade the utilities and power supply to a wireless communication facility located by Desert Foothills Park. CCTMO, LLC, a subsidiary of Crown Castle International Corp. and sublicensee under City Contract 90181-01, owns and operates the facility to be upgraded.

**Financial Impact**
Revenue will be based on the appraised value of the easement.

**Location**

Near the southeast corner of Marketplace Way and Chandler Boulevard, identified by assessor parcel number 300-36-008S.
Council District: 6

**This item was adopted.**

**53 Citywide Decontamination Services - Requirements Contract - IFB 18-058 (Ordinance S-44372)**

Request to authorize the City Manager, or his designee, to enter into a contract with Clean Scene AZ, LLC; Kary Environmental Services; and Emergency Restoration Experts to provide decontamination services. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value shall not exceed $1,180,415 over a five-year period.

**Summary**

The contract is necessary to primarily provide the Police Department with decontamination services of Police vehicles, drying rooms, holding cells, interview rooms and crime scenes. The services are also necessary for citywide use on an as-needed basis when biohazardous materials illegally dumped, such as human waste, syringes and bodily fluids are reported. Due to the volume of work also requested by the Human Resources, Human Services, Library, Parks and Recreation and Street Transportation departments, multiple vendors are necessary.

**Procurement Information**

An Invitation for Bid, IFB 18-058 Decontamination Services, was conducted in accordance with Administrative Regulation 3.10. The solicitation was posted on the City's website. There were five offers received by the Procurement Division on Nov. 15, 2017. All offers received were responsive to the specifications as stated in the solicitation.

| | |
|---|---|
| Clean Scene AZ, LLC | $ 95.40 |
| Kary Environmental Services | $151.00 |
| Emergency Restoration Experts | $152.75 |

The Deputy Finance Director recommends the three lowest-priced, responsive and responsible bidders be accepted.

**Contract Term**
The contract term shall begin on or about April 1, 2018 and end March 31, 2023.

**Financial Impact**
The aggregate contract value shall not exceed $1,180,415. Funds are available in the Police Department's budget.

**This item was adopted.**

**54 Athletic Field Markings - Requirements Contract - IFB 18-052 (Ordinance S-44373)**

Request to authorize the City Manager, or his designee, to enter into a contract with Sport Lines LLC to purchase athletic field marking services for the Parks and Recreation Department. The aggregate contract value will not exceed $266,000, with an estimated annual expenditure of $53,200. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
The City of Phoenix Parks and Recreation Department manages events at numerous parks and recreational facilities throughout the City. This contract will provide athletic field marking services for a variety of sports, including football, soccer, field hockey, lacrosse, etc. The contractor will apply appropriate field markings for scheduled athletic events and re-line if necessary due to weather conditions.

**Procurement Information**
Invitation For Bid (IFB) 18-052 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Procurement Division on Jan. 12, 2018. The solicitation was sent to 20 potential bidders and posted on the Internet. The offer received was evaluated on price, responsiveness to specifications and responsibility to provide the required services. The price was determined to be fair and reasonable based on the market and previous contract pricing.

The Deputy Finance Director recommends that the offer from Sport Lines LLC be accepted as the lowest priced, responsive and responsible offer.

**Contract Term**
The term of the contract will be five years, which will begin on or about April 1, 2018.

**Financial Impact**
The aggregate contract value will not exceed $266,000, with an estimated annual expenditure of $53,200. Funds are available in the Parks and Recreation Department's budget.

**This item was adopted.**

**55 Laryngeal Mask Airways Requirements Contract for Fire Department (Ordinance S-44377)**

Request to authorize the City Manager, or his designee, to enter into a contract with Teleflex Medical, Inc. to provide Laryngeal Mask Airways (LMA) for the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value shall not exceed $230,000.

**Summary**
The contract is necessary to provide the Fire Department use of the Laryngeal Mask Airway devices to control and maintain airways for unconscious and unresponsive patients. The LMA Airway is easy to place and has less reported complications. The LMA Airway is recommended by the American Heart Association and is the standard of care for airway control in the medical community. Additionally, the LMA Airway is used by hospital anesthesiologists. The LMA products are essential in responding to life safety situations.

**Procurement Information**
In accordance with Administrative Regulation 3.10, normal competition was waived as Teleflex Medical, Inc. is the only vendor who can provide LMA Airway products. The LMA Airway products were previously tested and approved by Paramedics and by the Phoenix Fire Department Medical Director. Fire Department Paramedics are highly trained on the use of this device and have determined it to be a critical piece of equipment for successful patient care.

**Contract Term**

The contract term shall begin on or about April 1, 2018 and end March 31, 2023.

**Financial Impact**

The aggregate contract value shall not exceed $230,000. Funds are available in the Fire Department's budget.

**This item was adopted.**

**56 SAP Programming Support Services (Ordinance S-44378)**

Request to authorize the City Manager, or his designee, to enter into an agreement with SynterTec Consulting, Inc. to provide SAP programming and technical support services. The aggregate value of this agreement will not exceed $2,750,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The primary function of this contract is to provide technical support services for business functions of the SAP system. The City utilizes the SAP system for critical financial accounting and reporting, procurement, accounts payables and receivables, reporting, work order management, inventory management, and plant maintenance. Due to the highly specialized programming skills, contract services are necessary to support the SAP system, which includes more than 3,000 users and interfaces with various City systems. This expenditure is necessary to provide staff augmentation for the continued programming of work processes and interfaces within SAP and will also be utilized for general system upgrades, which include security upgrades. This item has been reviewed and approved by the Information Technology Services Department.

**Procurement Information**

A procurement process was conducted in accordance with Administrative Regulation 3.10 utilizing the existing IT Professional Services Qualified Vendor List established by the Information Technology Services Department. Eleven vendors responded with 10 potential candidates, with two candidates being selected as the most qualified. The two candidates were interviewed and SynterTec Consulting, Inc. was selected by the panel as the most qualified to provide the necessary

services.

**Contract Term**
The contract term is five years, beginning on or about March 26, 2018, with no options to extend.

**Financial Impact**
The aggregate value of this contract will not exceed $2,750,000, with estimated annual expenditures of $550,000. Funds are available in the Finance Department's operating budget related to SAP system support.

**This item was adopted.**

**57 Spray Paint, Turf Paint, and Painting Supplies (Ordinance S-44379)**

Request to authorize the City Manager, or his designee, to enter into a contract with PPG Architectural Finishes, Inc. and Six Points Hardware to provide the City with various types of paint and painting supplies in the amount not to exceed $1,350,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
Contractors will provide various types of paint and painting supplies. The primary departments using these contracts are Aviation, Parks and Recreation, and Neighborhood Services. The requested products are critical to citywide facility operations.

**Procurement Information**
IFB 18-175 Spray Paint, Turf Paint, and Painting Supplies was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 95 suppliers and was posted on the City's website. Seven offers were received by the Procurement Division on Feb. 2, 2018.

PPG Architectural Finishes, Inc.
Six Points Hardware

The Deputy Finance Director recommends the offer from PPG Architectural Finishes, Inc. Groups I, II, III and IV; and Six Points Hardware Groups V and VI be accepted as the lowest, responsive and responsible offers.

**Contract Term**

The five-year contract will begin April 1, 2018 and end on or about March 31, 2023.

**Financial Impact**

The aggregate contract value through March 31, 2023 shall not exceed $1,350,000. Funds are available in all City of Phoenix department budgets.

**This item was adopted.**

**58 Acquisition of Approximately 2,000 Square Feet of Land at the Phoenix Goodyear Airport (Ordinance S-44392)**

Request to authorize the City Manager, or his designee, to acquire real property at the Phoenix Goodyear Airport by donation, purchase within the City's appraised value, purchase at a bid or settlement amount determined by the City Manager or designee to be reasonable under the circumstances, or by the power of eminent domain. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The land to be acquired is approximately 2,000 square feet located within the fenced area of the Phoenix Goodyear Airport at 1658 S. Litchfield Road in Goodyear, Ariz. The 20-foot strip of land is bordered by Maricopa County right of way along the southern property line, and is surrounded by the Phoenix Goodyear Airport on the remaining three sides. The land was originally used as a County roadway for a crossing over the railroad tracks and for access to Lower Buckeye Road. The roadway was abandoned; however, all conveyance of the property after the abandonment excluded the original 20-foot roadway. The land has been advertised for sale by the Maricopa County Treasurer to be sold based on the best bid, as approved by the Maricopa County Board of Supervisors. Deadline for bid submittal is March 22, 2018.

**Financial Impact**

Funding for the land is available in the Aviation Department's operating budget.

**Location**

North of Maricopa County Road 85, adjacent to 1658 S. Litchfield Road, Goodyear, Ariz., identified by assessor parcel number 500-07-041A.
Council District: Out of City

**This item was adopted.**

**59 Contract for Email Public Communications Solution (Ordinance S-44340)**

Request authorization for the City Manager, or his designee, to enter into an agreement with Fig Leaf Software Inc. for a hosted email public communications solution in an amount not to exceed $711,450 over a term of five years. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The City currently uses an outdated email public communications product to communicate with residents, constituents, businesses, and employment applicants. The current solution no longer meets the communication needs of the City and the community’s desires to receive more useful information from the City. The proposed new email public communications software is a hosted solution, standardizes the technology to be used by all departments, includes communication tools that deliver dynamic and engaging content to recipients, and provides important analytics that can improve the way the City interacts with the community. The new email public communications solution will be available for departments throughout the City who communicate en masse to members of the public, and will also be useful to communicate internally.

**Procurement Information**

In June, 2017, the Information Technology Services Department issued a Request for Proposals for a comprehensive solution for efficient and effective notifications to the public. Seven firms responded. The panel evaluated the responses based on business experience, qualifications, and references; method of approach; total cost; and project team organizational structure and experience. The panel recommended the top four responders to move forward in the process, and provide presentations. The panel then selected the top two vendors to work with staff to provide a proof of concept in the City's actual technology and

business environment. In November 2017, Best and Final Offers (BAFO) were solicited from both finalists. Based on the results of the BAFO, Fig Leaf Software Inc. was selected as the most responsible, responsive, and affordable offeror.

**Contract Term**

The contract term is for five years, beginning on or about March 26, 2018 and ending on or about March 25, 2023.

**Financial Impact**

The total cost over the contract term is an amount not to exceed $711,450. After implementation costs during the first year, the total annual amount for the following four years is expected to be $124,000. Funds are available in the Information Technology Services Department's operating budget.

**This item was adopted.**

**62 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-44382)**

Request authorization for the City Manager, or his designee, to transfer retirement funds for Jeffrey Monnin in the amount of $5,414.40 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 the balance of their credited service:

| | |
|---|---|
| Monnin, Jeffrey | $5,414.40 |

**Concurrence/Previous Council Action**

The COPERS Board approved this item at its March 1, 2018 meeting.

**This item was adopted.**

**67 HUD Annual Actions: Annual Agency Plan, Capital Fund Program,**

**Administrative Plan, Admissions and Continued Occupancy Policy (Ordinance S-44381)**

This report requests City Council adoption of the Housing Department's 2018-2019 Annual Agency Plan, Section 8 Housing Choice Voucher Administrative Plan, the Public Housing Admissions and Continued Occupancy Policy, the Capital Fund Program (HUD form 50075.1), and the Capital Fund Five-Year Action Plan (HUD form 50075.2). Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to the above-mentioned items. There is no impact to the General Fund.

**Summary**

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

Annual Agency Plan

The Annual Agency Plan provides an overview of community needs and available resources, identifies methods to address the needs, and translates those methods into policies and programs. The Annual Agency Plan is a comprehensive guide to the Housing Department's policies, programs, operations, and strategies for meeting local housing needs and goals. Significant changes in the 2018-2019 Annual Agency Plan include:

Incorporation of the HUD Rental Assistance Demonstration (RAD) Significant Amendment to the 2017-2018 Annual Agency Plan for Foothills Village, A. L. Krohn East, Frank Luke Homes, A. L. Krohn and Sidney P. Osborn communities.

Incorporation of the HUD Rental Assistance Demonstration (RAD) award received in October 2017 for seven additional properties including Maryvale Parkway Terrace, Washington Manor, Pine Tower Apartments, McCarty on Monroe, Aeroterra Senior Village, Summit Apartments and Scattered Sites.

Updating the Housing Department's policies to reflect new HUD guidance regarding the Housing Opportunity Through Modernization Action of 2016, Violence Against Women Act, and Fixing America's Surface Transportation Act of 2016, which streamlined some operations and

allows for the recertification of residents on a fixed income every three years, instead of annually.

Implementation of programmatic changes to the Housing Department's Section 32 Homeownership Program, including the expansion of the definition of earned income and the implementation of a price reduction structure for hard-to-sell homes.

Notification that the Housing Department is transitioning the management and operations of its Section 8 Housing Choice Voucher Program to a private vendor.

Capital Fund Program

The Capital Fund Program provides funding to upgrade, renovate, rehabilitate and improve the systems and structures of the Housing Department's Public Housing properties. Approximately 300 apartments will be modernized by the improvements listed in the 2018-2019 Capital Fund Program Plan and the Capital Fund Five-Year Action Plan.

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

The Section 8 Housing Choice Voucher Administrative Plan and the Admissions and Continued Occupancy Policy have been amended to clarify and modify policies, and to conform to changes in federal regulations and the Annual Agency Plan.

Copies of the plans are available at phoenix.gov/housing.

**Financial Impact**

There is no impact to the General Fund. All programs included in the Annual Action Plans are federally-funded.

**Concurrence/Previous Council Action**

This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on Feb. 20, 2018, and recommended for approval by a vote of 3-0. On Oct. 4, 2017, City Council approved the adoption of a Significant Amendment to the Housing Department's 2017-2018 Annual Agency Plan for the Rental Assistance Demonstration (RAD) award and implementation of RAD program requirements. On May 31, 2017, City Council authorized applying for RAD for six additional

multi-family rental properties, and to implement the program, if awarded. On Dec. 14, 2016, City Council authorized amending the Housing Department's Section 32 Homeownership Plan to remove the requirement for earned income and to allow for administrative reductions in the sales price for homes remaining unsold for extended periods. On Feb. 18, 2015, City Council authorized the Housing Department applying for RAD for up to 160 Scattered Sites homes.

**Public Outreach**

The 13-member Resident Advisory Board (representing the Conventional, Senior, Scattered Sites and Section 8 Housing Choice Voucher programs) met on Jan. 30, 2018 to consider these annual documents. As required by federal regulation, the public was given a 45-day notice to provide comments. A public hearing was held on Feb. 13, 2018 to obtain input and comments from the public on the proposed Annual Agency Plan and Capital Fund Program Plan. No comments were received.

**This item was adopted.**

**68 Operation and Maintenance of Central City Addiction Recovery Center (Ordinance S-44380)**

Request to authorize the City Manager, or his designee, to enter into a contract with Community Bridges, Inc. to provide the operation and maintenance of the Central City Addiction Recovery Center (CCARC) in an amount not to exceed $200,000 annually, or $2 million over the life of the contract, and to enter into a land lease with the Arizona Department of Health Services (ADHS). Community Bridges is contracted with Mercy Maricopa Integrated Care (MMIC) as the Regional Behavioral Health Authority to provide mental health services at CCARC and will be contractually obligated to pay $90,000 annually for the City's rent for the land lease. Further request authorization for the City Controller to disburse and the City Treasurer to accept all funds related to this item for the life of the contract.

**Summary**

The City had an Intergovernmental Agreement (IGA) with ADHS for the construction, operation and maintenance of the CCARC (formerly known as Local Alcohol Reception Center or LARC) on the grounds of the Arizona State Hospital. The IGA expired Dec. 31, 2017. The City

constructed the facility that houses CCARC, maintains ownership of the facility and the right to continue to use it for CCARC with the expiration of the contract.

CCARC serves the community of Phoenix and combines medical and behavioral interventions to address a patient's psychiatric and substance abuse issues. CCARC provides methadone detox services and substance abuse treatment, which includes day treatment, partial hospitalization, inpatient detox and hospital inpatient treatment services.

Three years ago, MMIC was competitively selected and entered into a contract with State of Arizona for the delivery of mental health services in Maricopa County. The contract includes provision of local alcoholism reception center services as described in Arizona Revised Statutes title 36, chapter 18, article 2. As a result, MMIC is the sole source for the Regional Behavioral Health Authority and has contracted with Community Bridges, Inc. to be its service provider, no other entities can be solicited for proposals for this service.

**Procurement Information**
In accordance with City of Phoenix Administrative Regulation 3.10, a Sole Source Determination will be processed for this contract as the operation and maintenance of CCARC requires a specific vendor due to the State of Arizona contract with MMIC.

**Contract Term**
The initial term of this contract is five years, beginning on Jan. 1, 2018 through Dec. 31, 2022, with one, five-year option to extend.

**Financial Impact**
The contract amount will not exceed $200,000 annually or $2 million over the life of the contract. General funds to support this contract are available in the Human Services Department's budget.

**This item was adopted.**

**69 Authorization to Enter into Sale and Redevelopment Agreement with Diana James Community Partners LC (Ordinance S-44384)**

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

Sale and Redevelopment Agreement, and other agreements as necessary, (collectively, the Agreements) with Diana James Community Partners LC, or its City-approved designee (Developer), for the sale and redevelopment of three vacant, City-owned lots in the Garfield Neighborhood Initiative Area (NIA) as single-family residences. Request authorization for the City Treasurer to accept all funds related to this item. This contract will result in income to the General Fund; funds from the purchase price will be distributed to the appropriate City accounts.

**Summary**

On April 19, 2017, the Phoenix City Council authorized the Neighborhood Services Department (NSD) to issue a Request for Proposals (RFP) for the sale and development of 13 vacant, City-owned lots in the Garfield NIA located within the general boundaries of the Interstate 10 Freeway and Van Buren Street, and 7th and 16th streets. These lots were separated into two property packages to allow for increased development opportunity and flexibility: Package 1, with three larger assembled lots, and Package 2, with multiple scattered individual lots. This proposal pertains to Package 1.

Package 1 is approximately one acre in total area, and consists of properties that were acquired and assembled by the City through the Slum and Blight Program over the past 21 years to support the redevelopment strategies outlined in the Council approved Garfield Redevelopment and Garfield Neighborhood plans. The Developer's proposal is to redevelop the lots into six single-family, owner-occupied residential units - each with an accessory rental studio - and 18 total spaces of off-street parking. The primary residences will be approximately 1,450 square feet, and the accessory rental studios will be approximately 500 square feet. The homes will utilize sustainable construction and design, meet or exceed energy efficiency standards, and incorporate smart home systems and technology. The Developer will seek a mandatory Certificate of Appropriateness from the Historic Preservation Commission, as required, to ensure the homes fit the character of the Garfield neighborhood.

The Developer's proposal was reviewed for project feasibility and recommended to move forward to the negotiation of business terms. The proposed key business terms include:

The Developer will enter into a Sale and Redevelopment Agreement, which will include development benchmarks for construction, within six months from the Phoenix City Council's Authorization Date.
The Developer shall purchase the lots in Package 1 for a total price of $390,000.16 (approximately $8.48 per square foot).
The Developer shall complete construction within 24 months of the first day of construction.
The Agreements may include other terms and conditions deemed necessary by the City, including community outreach and development deed restrictions, as required.

This project will redevelop three vacant pieces of land into six single-family, owner-occupied homes with sustainable and historic design characteristics specified by the Garfield Redevelopment and Garfield Neighborhood plans. The project will also promote healthy living by providing an option for residential living and workforce housing, contributing to a walkable community, and reactivating the use of neighborhood alleyways. Furthermore, this project will bring an estimated value of investment of roughly $1.7 million to the Garfield neighborhood, generate approximately $216,000 in taxes and local revenue, and create 23 construction jobs.

**Procurement Information**
In June 2017, NSD issued a RFP for the Sale and Development of 13 vacant, City-owned lots in the Garfield NIA (RFP-NSD-GAR13). NSD received one responsive proposal for each of the property packages (Package 1 and Package 2) in the RFP. Staff verified the proposal received for Package 1, submitted by Diana James Community Partners LC, met the requirements and minimum qualifications of the RFP.

**Contract Term**
The term of the Agreement will be approximately two years.

**Financial Impact**
Package 1 will be purchased by the Developer for a total of $390,000.16, and is estimated to generate approximately $1.7 million in investment, $216,000 in taxes and other revenue, and create approximately 23 local

jobs. Any applicable closing costs will be deducted from the sale proceeds at close of escrow. This contract will result in income to the General Fund; funds from the purchase price will be distributed to the appropriate City accounts.

**Concurrence/Previous Council Action**
This item was recommended for approval by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on Feb. 20, 2018 by a vote of 3-0.

**Public Outreach**
Public meetings were held on Dec. 14, 2016 and Feb. 13, 2017 in the Garfield neighborhood prior to releasing the RFP. An outreach meeting was also held in the Garfield neighborhood regarding the review and approval of the Developer's proposal for Package 1 on Jan. 23, 2018. Additional outreach and community engagement regarding the project will be scheduled as required, and included in the Sale and Redevelopment Agreement.

**Location**
The Garfield lots in Package 1 are located at 1101 and 1109 E. Garfield St. and 1343 E. Pierce St. These properties include the distinct APNs: 116-27-185, 116-27-184, and 116-24-158 respectively.
Council District: 8

**This item was withdrawn.**

**70 2018 U.S. Consumer Product Safety Commission Pool Safely Grant (Ordinance S-44389)**

Request to authorize the City Manager, or his designee, to apply for and, if awarded, accept and enter into agreements for a 2018 U.S. Consumer Product Safety Commission (CPSC) Pool Safely Grant of up to $250,000 to provide water safety programming in the Maryvale community. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, any grant monies awarded.

**Summary**
Staff is seeking City Council authorization to submit an application for a 2018 CPSC Pool Safely Grant of up to $250,000 to create and

implement programming to address and reduce toddler (children one to four years of age) drowning fatalities in the Maryvale community.

Arizona has the second-highest fatality rate in the U.S. for children one to four years of age, with a fatality rate of 4.45 deaths per 100,000. The majority of these deaths occur between late April and Labor Day, with the vast majority of these deaths occuring in backyard pools and spas. Research suggests that drownings involving children in this age group are preventable, for the most part, often resulting from a lack of supervision or absent or inappropriate barriers.

For this grant, City staff would collaborate with community stakeholders, including Arizona State University (ASU), Phoenix Children's Hospital (PCH), Hubbard Family Swim Schools and the Institute for Digital Progress, to leverage their respective strengths, resources and social capital. Funding from the grant would be used to bolster resources and outreach activities related to standards applying to private pools and spas. The educational component of the proposal would be led by ASU and the other community partners, in collaboration with the City, on creating bilingual, evidence-based materials that are tailored to the local community. This could include materials for healthcare providers, schools and the local community more generally, and through public service announcements.

If approved, City staff would work with the identified community partners to draft the grant application and, if successful, develop and implement the programming. The City would take the lead on submitting the application to the CPSC, which requires applicants to be a state, local government or U.S. territory.

For 2018, the CPSC expects to award a total of $1.1 million in two-year grants to assist jurisdictions in reducing deaths and injuries from drowning and drain entrapment incidents in pools and spas. The grant is a part of CPSC’s national effort to make drowning and drain entrapment prevention a critical public safety priority and seeks to provide jurisdictions with assistance for education, training and enforcement of pool safety requirements. Grant applications are due April 2, 2018.

**Financial Impact**

The amount of this grant application is up to $250,000.

**Concurrence/Previous Council Action**

The Parks, Arts, Education and Equality Subcommittee recommended approval at its March 14, 2018 meeting by a vote of 4-0.

**This item was adopted.**

**72 Authorization to Apply for, Accept, and Disburse Federal YouthBuild Grant (Ordinance S-44391)**

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into an agreement for the YouthBuild Grant proposal application in the amount of $1.1 million to the Department of Labor in anticipation of a federal grant opportunity expected to be released in mid- to late-March 2018. Further request authorization for the City Treasurer to accept the funds and for the City Controller to disburse the funds if the grant is awarded.

**Summary**

The YouthBuild Phoenix program is a nonresidential, community-based alternative education program that provides classroom instruction and occupational skills training along with leadership development and community services to help ensure that youth maintain a connection to their communities through service and volunteerism. If awarded, this grant will assist a minimum of 66 at-risk youth ages 16 to 24. The procurement of services will be conducted in compliance with Administrative Regulation 3.10.

**Program Impact**

This funding will be used to provide workforce development services for young people that support High School Equivalency (HSE) completion, academic and work-related skill attainment, gainful employment and connection to vocational/post-secondary education. The YouthBuild Program is a nationally recognized, pre-apprenticeship, comprehensive community development program that provides young people between 16 to 24 years of age the opportunity to work towards an HSE while learning construction skills. Construction projects range from restoring multi-unit buildings to building single-family low-income homes. Strong emphasis is placed on leadership development and community service.

**Financial Impact**

There is no impact to the General Fund. Funding is provided by the U.S. Department of Labor.

**This item was adopted.**

**73 Youth Internship Program Case Management Services Contract Award (Ordinance S-44395)**

Request to authorize the City Manager, or his designee, to enter into a contract with Arizona Center for Youth Resources, Inc. to provide case management services for the 2018 Phoenix summer youth program and for a community college student internship program, which will focus on matching Phoenix residents enrolled as freshman or sophomores at community colleges located in Phoenix with internships during the fall and spring semesters. The contract amount will not exceed $250,000 per year. Further request to authorize the City Controller to disburse all funds related to this item.

**Summary**

This contract will provide case management services, which will ensure each youth receives an orientation, a skill assessment, as well as ongoing support, counseling, and basic work skills training. Youth will also be provided with information to increase their familiarity with the Maricopa County labor market and enhance their job search knowledge and skills. Based on the skill assessments, the provider will identify work experience sites that best match the participating youth's interests and allow them to acquire sound work habits. The Youth Internship Program Case Management Services is anticipated to provide employment for up to 110 youth this summer and 17 youth during the community college student internship phase of the program.

**Procurement Information**

The Youth Internship Program Case Management Services Request for Proposals (RFP) was conducted in accordance with Administrative Regulation 3.10. All three offers received by the proposal deadline, Dec. 20, 2017, were responsive and scored by an evaluation panel based on the following criteria:

Proposer's Qualifications and Experience (0-325 points).

Assigned Staff's Qualifications and Experience (0-275 points).
Approach to Scope of Work (0-225 points).
Proposed Budget (0-175 points).

The scoring results were as follows:
DK Advocates, Inc.: 865 points.
Arizona Center for Youth Resources, Inc.: 756 points.
Valley of the Sun YMCA: 660 points.

Prior to contract award, DK Advocates, Inc. withdrew from negotiations. Staff recommends awarding this contract to Arizona Center for Youth Resources, Inc.

**Contract Term**
The contract term will be for one year, with four one-year renewal options.

**Financial Impact**
The contract amount will not exceed $250,000 per year. Funds are available in the Community and Economic Development Department's operating budget.

**This item was adopted.**

**74 Resolution to Participate in and Support Arizona's Bid to Host 2023 NFL Super Bowl and Pro Bowl and Related Events (Resolution 21620)**

Request to authorize a resolution to express support for, and authorize the City's participation in, the Arizona Super Bowl Committee's bid to host the 2023 National Football League (NFL) Super Bowl and Pro Bowl games and related events.

**Summary**
As part of the NFL-required bid submittal, the NFL has requested a declaration of support from the City of Phoenix for the 2023 NFL Super Bowl and Pro Bowl bid. This resolution will express the City's support for the bid through the commitment of general government services (including: ambush marketing protections; permitting; facilitating signage and street pole banners; providing a dedicated citywide liaison; street transportation and traffic coordination; public safety support and emergency preparedness services at no cost; and use of certain

city-controlled venues at no cost for official NFL events and other NFL and Arizona Super Bowl Host Committee sanctioned activities).

The 2023 Super Bowl LVII championship game and Pro Bowl game would be played at the University of Phoenix Stadium in Glendale, Arizona. Major fan-related events, lodging and meeting activities associated with the Super Bowl and Pro Bowl would be held in Phoenix.

In conjunction with the NFL and Arizona Super Bowl Host Committee, Phoenix successfully hosted the 2015 Super Bowl LXIX-related events. Downtown Phoenix served as the epicenter for Super Bowl and Pro Bowl fan events. Super Bowl Central attracted more than a million visitors to a 12-block outdoor fan campus, featuring free family-friendly concerts and football-themed activities over five days. Additionally, the NFL Experience, Super Bowl Media Center, NFL Honors, the Tonight Show and a wide array of other activities were held at Phoenix Convention Center facilities. Phoenix Sky Harbor International Airport recorded an all-time daily record of 70,000 departing passengers on the Monday after the game and METRO Light Rail recorded its highest weekly ridership of nearly 390,000 throughout the week of the game.

**This item was adopted.**

**75 Request to Apply for and Accept 2017 Assistance to Firefighters Grant (Ordinance S-44334)**

Request authorization for the City Manager, or his designee, to accept $36,263 in federal funding from the 2017 Assistance to Firefighters Grant (AFG) Program for the purchase of 1,200 name panels for firefighter turnout jackets. A 15 percent matching share would be required in the amount of $5,439.

Further authorization is requested for the City Treasurer to accept, and the City Controller to disburse, all related funds. If this request is not granted, the Fire Department will not accept the grant, should it be awarded.

**Summary**

The purpose of the AFG Grant Program is to enhance the safety of the public and firefighters with respect to fire-related hazards, by providing

direct financial assistance to fire departments. Name panels are constructed from the same fire-resistant materials that are used in firefighter turnout jackets. Each firefighter will receive a name panel with their name displayed in large, reflective lettering and subsequently attached to the tail of their turnout jacket. Name panels provide a means for better recognizing individual firefighters who are operating in heavy smoke conditions at a structure fire. The reflective properties enhance fireground accountability and ultimately improve firefighter safety.

**Procurement**
The Fire Department will administer the grant in accordance with Administrative Regulation 3.10.

**Contract Term**
The 2017 AFG Program Period of Performance is projected to begin on March 1, 2018 and end on Feb. 28, 2019.

**Financial Impact**
If awarded, the Fire Department will receive $36,263 in federal funding. A 15 percent cost share is required in the amount of $5,439; funds are available in the Fire Department's operating budget.

**Concurrence/Previous Council Action**
This item was recommended for approval by the Public Safety and Veterans Subcommittee on Feb. 14, 2018 by a vote of 3-0.

**This item was adopted.**

**76 Request Authorization for the Sale of Canine "Gizmo" for $1.00 (Ordinance S-44388)**

Request authorization for the City Manager, or his designee, to authorize the sale of canine "Gizmo" to Officer Paul Meintel. Officer Meintel is assigned to the Tactical Support Bureau's Canine Unit and has requested to retire and purchase his assigned canine "Gizmo" in accordance with A.R. 4.2.1.

**Summary**
Canine "Gizmo" is more than nine years old and has served the Tactical Support Bureau for nearly five years. The Canine Unit dogs are normally retired and replaced after eight to 10 years based on health, workability

and performance. Canine "Gizmo" is aging and his current abilities have been well documented as unsuitable to continue to function in his capacity as a police service dog.

This request is for the authorization of the sale of canine "Gizmo" for $1.00. The purchase of canine "Gizmo" is being made by Officer Paul Meintel. Officer Meintel agrees to accept full responsibility and liability for canine "Gizmo" until his death.

**This item was adopted.**

**77 Noise and Operations Management System - Request to Issue RFP**

Request to authorize the City Manager, or his designee, to issue a Request for Proposals for Noise and Operations Management System (NOMS) services at Phoenix Sky Harbor International Airport (PHX).

**Summary**

The Aviation Department’s current NOMS is comprised of 20 physical devices and one portable noise monitoring device located around PHX. The current system has a software system that allows staff to analyze flight tracks and monitor noise abatement procedure compliance as required in the Phoenix and Tempe Intergovernmental Agreement (IGA), as well as respond to noise complaints from concerned community members. The current NOMS services contract will expire on July 31, 2018.

**Procurement Information**

Responsive and responsible Proposers will be evaluated according to the following evaluation criteria:

Method of Approach (0-350 points)
Company Experience and Qualifications (0-300 points)
Price Proposal (0-250 points)
References (0-100 points)

The highest ranked Proposer will be recommended for contract award.

**Contract Term**

The initial term will be three years, with the option to extend for an additional two years, which shall be exercised at the sole discretion of the

Aviation Director.

**Concurrence/Previous Council Action**
This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on March 13, 2018 by a vote of 4-0.

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

**This item was approved.**

**78 Rental Car Center Food and Beverage Concession - Request to Issue Revenue Contract Solicitation (Ordinance S-44352)**

Request to authorize the City Manager, or his designee, to issue a Revenue Contract Solicitation for a Food and Beverage Concession at the Rental Car Center. Rent will be either the Minimum Annual Guarantee (MAG), which will be set initially at $40,000, or 10 percent of gross sales, whichever is greater.

**Summary**
The Phoenix Sky Harbor International Airport Rental Car Center (RCC) is in the process of a reconfiguration and tenant relocation project that impacts the entire facility. This includes construction in the lobby area where the RCC food and beverage concession is located. The existing food and beverage lease was extended until Dec. 31, 2018, to accommodate this disruption.

The 1,094-square-foot space provides a unique concession opportunity located in the Rental Car Center lobby. In addition to providing food and beverage offerings, the successful respondent will provide beverage vending machines in predetermined locations, and will have the opportunity to expand concession offerings to include retail items traditionally found in an airport newsstand. Aviation expects that this concession will meet customer demand for food, beverage, and retail at the RCC. However, due to limited cooking capabilities within the space (venting, gas, etc.), the menu will be limited and will feature prepackaged snacks, meals, gourmet coffee, and beverages.

**Procurement Information**
With approval, the Aviation Department will conduct a Revenue Contract Solicitation to select an operator for this contract. Responsive and Responsible Respondents will be evaluated according to the following evaluation criteria:

Qualifications and Experience of Respondent (0-300 points).
Concessions Concept and Menu (0-300 points).
Management, Marketing, and Operations Plan (0-250 points).
Financial Capability and Revenues to the City (0-150 points).

The highest ranked Respondent will be recommended for the concessions lease award.

**Contract Term**
This lease will have a primary term of seven years, with one, three-year renewal option to be exercised at the sole discretion of the Aviation Director.

**Financial Impact**
Rent will be either the Minimum Annual Guarantee (MAG), which will be set initially at $40,000, or 10 percent of gross sales, whichever is greater.

**Concurrence/Previous Council Action**
The Downtown, Aviation, Economy and Innovation Subcommittee recommended approval of this item on March 13, 2018 by a vote of 4-0.

**Location**
Phoenix Sky Harbor International Airport Rental Car Center, 1805 E. Sky Harbor Circle South.
Council District: 8

**This item was adopted.**

**79 Residential Lot Cleaning Services - Requirements Contract - RFP 18-001 (Ordinance S-44354)**

Request to authorize the City Manager, or his designee, to enter into a contract with Berry Realty and Associates, Inc., to provide residential lot cleaning services for the Aviation Department in an amount not to exceed

$2,750,000 over the five-year term of the contract, if all three options to extend the term are exercised. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Aviation Department needs a qualified company to inspect, clean, and maintain 810 parcels of real property owned by the City and managed by the Aviation Department. The parcels were obtained through the Community Noise Reduction Program and are vacant, undeveloped lots located in residential and commercial areas near Phoenix Sky Harbor International Airport. The upkeep and maintenance of the parcels are vital to the surrounding neighborhoods and business community.

**Procurement Information**

Request for Proposal 18-001 was conducted in accordance with Administrative Regulation 3.10. Seven proposals were received on Dec. 7, 2017 and six proposals were deemed responsive and responsible.

The proposals were scored by an evaluation committee based on the following criteria:
Method of Approach (350 Points)
Company Experience and Qualifications (300 Points)
Price Proposal (250 Points)
References (100 Points)

The proposers and their rankings are as follows:
Berry Realty and Associates, Inc.: 785 Points
Artistic Land Management, Inc.: 715 Points
Somerset Landscape Maintenance, Inc.: 692 Points
Clean Scene AZ, LLC: 620 Points
Reyes and Sons Landscaping: 613 Points
Cleaner Part of Dirty Services Company: 509 Points

**Contract Term**

The initial two-year term of the contract will begin on or about April 1, 2018, and the contract will include three one-year options to extend the term at the sole discretion of the Aviation Department.

**Financial Impact**

The aggregate contract value will not exceed $2,750,000, including applicable taxes, with an estimated annual expenditure of $550,000. Funds are available in the Aviation Department's operating budget.

**Concurrence/Previous Council Action**
The Downtown, Aviation, Economy and Innovation Subcommittee recommended approval of this item on March 13, 2018 by a vote of 4-0.

**Location**
Community Noise Reduction Program Area, west of Sky Harbor International Airport
Council District: 8

**This item was adopted.**

**80 Authorization to Apply for, Accept and Disburse State Grant Funds for Aviation-Related Projects (Ordinance S-44374)**

Request to authorize the City Manager, or his designee, to submit applications for grants to the Arizona Department of Transportation (ADOT) on behalf of the City of Phoenix Airport System for aviation-related projects. Further request authorization for the City Manager, or his designee, to enter into grant agreements with ADOT, amend existing grant agreements with ADOT, and take any administrative action related to the grant agreements that the City Manager or his designee deems necessary or appropriate. The grant agreements and amendments may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Treasurer to accept any money related to the grant agreements and amendments. Further request authorization for the City Controller to disburse all funds related to this item.

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

Under the grant agreements, the State requires the City to indemnify and

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

These authorizations are effective until June 30, 2019.

**This item was adopted.**

**81 Authorization to Apply for, Accept and Disburse Federal Grant Funds for Aviation-Related Projects (Ordinance S-44375)**

Request to authorize the City Manager, or his designee, to submit applications for grants to the United States and any of its agencies for aviation-related projects. Further request authorization for the City Manager, or his designee, to sign all certifications required for the grants, to enter into agreements with the United States and any of its agencies for the purpose of accepting federal money, and to amend existing grant agreements. The grant agreements may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Treasurer to accept any money related to the grant agreements and amendments. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

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

These authorizations will allow the Aviation Department to respond promptly to federal agencies if and when grant offers become available on short notice. The grant agreements or grant amendments or both may

become available from the Department of Transportation, including the FAA Airport Improvement Program, Department of Homeland Security, or any other federal program. Action associated with these authorizations will be for projects in the Aviation Department's approved Capital Improvement Plan.

These authorizations are effective until June 30, 2019.

**This item was adopted.**

**82 Authorization to Apply for, Accept and Disburse Federal Non-Grant Funds for Aviation-Related Projects (Ordinance S-44376)**

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

**Summary**

These authorizations will allow the Aviation Department to respond promptly to federal agencies if and when non-grant funds become available on short notice. The transaction agreements or amendments may become available from the Department of Homeland Security or any other federal program. The Aviation Department takes a proactive position in obtaining City Council authorization to accept any non-grant funds awarded by the United States for eligible aviation-related projects.

These authorizations are effective until June 30, 2019.

**This item was adopted.**

**83 Sycamore Aviation Recycling, Inc., Lease Amendment 1 (Ordinance S-44385)**

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

amendment to Unsubordinated Ground Lease 144892 (Lease) with Sycamore Aviation Recycling, Inc., (Sycamore) to extend the term for one year and add an option to extend the term for one year, which option may be exercised at the sole discretion of the Aviation Director. The amendment may contain other terms and conditions deemed necessary or appropriate by the Aviation Director. All other terms and conditions of the Lease not in conflict with the amendment shall remain unchanged and in full force and effect. The Aviation Department will receive $60,000 over the two-year term, if the option to extend is exercised.

**Summary**

Sycamore currently leases approximately 22,734 square feet of land at Phoenix Goodyear Airport. Sycamore is a full aircraft decommissioning and recycling service company. Sycamore's services include part removal, aircraft re-certification, and inventory management. Sycamore asked the City to amend the Lease to extend the term by one year and add a one-year option to extend the term.

**Contract Term**

The term of the Lease will be extended for one year and will include an option to extend the term for one year, which option may be exercised at the sole discretion of the Aviation Director.

**Financial Impact**

Sycamore will pay annual rent in the amount of $30,000, plus taxes, and the monthly rent will be $2,500, plus taxes. The Aviation Department will receive $60,000 over the two-year term, if the option to extend is exercised.

**Location**

Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.
Council District: Out of City

**This item was adopted.**

**84 Enter Into Agreement with Gila River Indian Community for Transit Service**

Request authorization for the City Manager, or his designee, to enter into an Agreement with the Gila River Indian Community for transit service purchased from the City of Phoenix.

**Summary**

Effective April 23, 2018, the City of Phoenix will provide Route 51 fixed route service for the Gila River Indian Community. The fixed route service will operate on weekdays, Saturdays, and Sundays/Holidays.

**Contract Term**

The Agreement will be effective April 23, 2018 through June 30, 2037.

**Financial Impact**

There is no cost to the City of Phoenix. The Gila River Indian Community will pay Phoenix for this service. The estimated number of annual fixed route miles for Fiscal Year 2017-2018 is 21,156 at a cost of $154,372. The estimated cost per mile for the service is $7.30 for Fiscal Year 2017-2018. The total estimated fare box revenue is $23,156, so the estimated net cost to be billed by Phoenix to Gila River Indian Community is $131,216 for Fiscal Year 2017-2018.

The estimated number of annual fixed route miles for Fiscal Year 2018-2019 is 130,881 at a cost of $932,208. The estimated cost per mile for the service is $7.12 for Fiscal Year 2018-2019. The total estimated fare box revenue is $139,831 and the estimated net cost to be billed by Phoenix to Gila River Indian Community is $792,377 for Fiscal Year 2018-2019.

**This item was approved.**

**85 Enter Into Agreement with City of Tempe for Transit Service**

Request authorization for the City Manager, or his designee, to enter into an Agreement with the City of Tempe for transit service purchased from the City of Phoenix.

**Summary**

Effective July 1, 2018, the City of Phoenix will provide Route 32 fixed route service for the City of Tempe. The fixed route service will operate on weekdays, Saturdays, and Sundays/Holidays.

**Contract Term**

The Agreement will be effective from July 1, 2018 through June 30, 2037.

**Financial Impact**

There is no cost to the City of Phoenix. The City of Tempe will pay Phoenix for this service. The estimated number of annual fixed route miles for Fiscal Year 2018-2019 is 26,903 at a cost of $214,788. The estimated cost per mile for the service is $7.89 for Fiscal Year 2018-2019. The total estimated fare box revenue is $32,218, so the estimated net cost to be billed by Phoenix to the City of Tempe is $182,570 in Fiscal Year 2018-2019.

**This item was approved.**

**86 Alternative Transportation Programs Contract Award - RFP PTD18-003 (Ordinance S-44387)**

Request to authorize the City Manager, or his designee, to enter into a contract with Total Transit Enterprises, LLC to provide Alternative Transportation Services. Further request authorization for the City Controller to disburse funds in an amount not to exceed $14,242,000.

**Summary**

In addition to fixed route (bus and light rail) and paratransit services (Dial-a-Ride), the City of Phoenix provides alternative transportation services for senior citizens and residents with disabilities through multiple subsidy programs, some of which have been in place since 1983. Alternative Transportation programs allow flexibility for Phoenix seniors and individuals who have obtained paratransit certification for the Americans with Disabilities Act (ADA), allowing them to plan trips based on their needs. These programs provide a valuable service to 8,500 registered users per year, with 180,000 passenger boardings served during the last fiscal year. The various alternative transportation programs include, and were listed in the department's Request for Proposals, as follows:

<u>Group I</u>

ADA Cab: An alternative to reservation-based ADA Dial-a-Ride service, allowing ADA paratransit certified individuals to schedule flexible transportation at their convenience to locations of their choice.

Senior Cab: Provides individuals age 65 and older flexible transportation at their convenience to locations of their choice.

Employment and Employment Training: Supports travel to and from jobs or employment training programs for residents with disabilities.

Repetitive Medical Trips: Supports travel to and from repetitive medical appointments, such as dialysis treatment.

Group II (General Fund Senior Center Transportation)
Senior Center Shuttle: Provides registered members of the Human Services Department's senior centers flexible transportation between their personal residence and their nearest senior center.
Senior Center Group Trips: Provides transportation for senior center-planned group trips. Such trips are not serviceable by taxis and are instead provided by coordinating multiple buses.

**Procurement Information**
RFP PTD18-003 was conducted in accordance with Administrative Regulation 3.10. Three proposals were received by the Public Transit Department on Dec. 15, 2017. The proposals were scored by an evaluation panel based on the following criteria:

Understanding the work scope (up to 250 points).
Management structure and personnel (up to 200 points).
Qualifications and past performance of the firm (up to 150 points).
Cost (up to 400 points).

Evaluated Cost pricing represented known costs such as program administration and group trips. The actual transportation costs are tracked separately by the provider and passed on to the City, whereby such costs are reimbursed to the service provider based on documentation (trip vouchers, electronic payment receipts, etc.) of actual trips provided.

One proposal was deemed non-responsive. A protest was received, reviewed and denied; no appeal was received. The following is a summary of the proposal scores:

Total Transit Enterprises: 900 points out of 1,000 (Cost for 5 years: $3,723,806).
MV Transportation, Inc.: 784 points out of 1,000 (Cost for 5 years: $3,824,289).

Based on evidenced marketplace competition, the pricing is determined

to be fair and reasonable. Public Transit staff concurs with the evaluation committee's decision and recommends awarding the contract for Alternative Transportation Programs to Total Transit Enterprises as the best overall proposal and best value to the City based on the evaluation criteria.

**Contract Term**

The contract consists of a three-year base agreement with two optional one-year extensions, to be exercised only if it is in the City's best interest to do so and the contractor has performed satisfactorily during the base period. The contract term will begin on or about July 1, 2018 and end on June 30, 2023 if both options are exercised.

**Financial Impact**

The aggregate value of the contract will not exceed $14,242,000, with the cost for fiscal year 2018-19 estimated to be $2,700,000. T2050 sales tax revenues, federal funds, and General Funds are available in the Public Transit Department's proposed operating budget for the 2018-19 contract amount.

**Concurrence/Previous Council Action**

On Feb. 22, 2018, the Citizens Transportation Commission, by a vote of 10-0, recommended City Council approval to award the Alternative Transportation Services contract to Total Transit Enterprises. The Transportation and Infrastructure Subcommittee recommended approval of this item by a vote of 3-0 on March 13, 2018.

**This item was adopted.**

**87 Solid Waste Equipment Washing Services - Contract Recommendation (Ordinance S-44341)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Fleetwash, Inc., and Reyes & Sons Landscaping, LLC, to provide on-site solid waste equipment washing services, in an amount not to exceed $960,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

This contract will provide on-site washing services for solid waste

equipment including refuse vehicles, small loaders, and trailers that are required for solid waste collection services. This contract provides City compliance with the Maricopa County Environmental Health Code which requires that vehicles used for the collection and transportation of refuse be cleaned frequently to prevent becoming a public nuisance.

**Procurement Information**
Invitation for Bid 18-SW-048 was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the City on Jan. 10, 2018. These offers were evaluated on responsiveness to all specifications, terms and conditions, and lowest bid. The following are the responsive, low-bid and recommended offers (rates per month) resulting from this solicitation.

Fleetwash, Inc.: $13,114 (Group 1), $2,276 (Group 2)
Reyes & Sons Landscaping, LLC: $24,892 (Group 1), $4,160 (Group 2)

**Contract Term**
The initial one-year contract term will begin on or about April 1, 2018, and will end on March 31, 2019. Provisions of the contract include an option to extend the term up to four additional years, in increments of up to one year, which may be exercised by the City Manager or designee.

**Financial Impact**
The aggregate contract value will not exceed $960,000, with an estimated annual expenditure of $192,000. Funds are available in the Public Works Department's budget.

**This item was adopted.**

**88 Purchase of New Trailer-Mounted Air Compressor (Ordinance S-44350)**

Request to authorize the City Manager, or his designee, to enter into a contract with Arizona Generator Technology, Inc., also known as Gen-Tech, for the purchase of replacement trailer-mounted air compressors required for operations. This contract will have an initial $20,000 estimated annual expenditure, with a total aggregate amount not to exceed $200,000 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 purchasing a new trailer-mounted air compressor on behalf of the Street Transportation Department. This contract will also be utilized as-needed to procure trailer-mounted air compressors for other departments over the life of the contract. Trailer-mounted compressors are used to supply the air needed to operate jack hammers and other air actuated tools and attachments. These compressors are used by various citywide departments for maintenance and upkeep of City streets, sidewalks, parks, water mains, etc.

**Procurement Information**

Invitation for Bid 18-FSD-046 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received six bids from five vendors. All bids were evaluated and deemed responsive and responsible. The requesting department approved Gen-Tech as the lowest, responsive bidder.

Gen-Tech: $19,631 per unit
Balar Holding Group, dba Balar Equipment: $19,746 per unit
Rocha, LLC: $22,026 per unit

**Contract Term**

The initial one-year contract term shall begin on or about April 1, 2018, with four option years in increments of up to one year, with a total contract term of five years.

**Financial Impact**

This contract will have an initial $20,000 estimated annual expenditure, with a total aggregate amount not to exceed $200,000 over the life of the contract. Funds are available in the Street Transportation Department's budget.

**This item was adopted.**

**89 Fire Prevention Engineer Consulting Services (Ordinance S-44351)**

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

agreement with Jensen Hughes, Inc., to provide fire prevention and fire code consulting services. Further request authorization to execute amendments to the contract 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 $200,000.

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

**Summary**

This project is for a fire prevention expert to evaluate, inspect and make recommendations for the Public Works Department Fire System Replacement projects slated for Fiscal Years 2017-18 and 2018-19 to City-owned public facilities.

Jensen Hughes, Inc's., services will include, but are not limited to: interpreting and advising on fire code compliance; reviewing designs to determine fire protection system requirements; identifying potential concerns with fire code; designing fire detection/suppression equipment and systems; preparing reports detailing fire prevention and protection issues; and proposing review schedules.

**Procurement Information**

Jensen Hughes, Inc., was chosen for this project using a direct-select process according to section 34-103 of the Arizona Revised Statutes (A.R.S.).

Jensen Hughes, Inc., is the only known local source with the expertise to provide full-service code compliance and fire prevention consulting services. Jensen Hughes, Inc., has subject matter experts with knowledge of code requirements to assist with evaluating specific

requirements and design solutions related to: exterior fire exposure; fire/smoke separations; protection of atria and vertical openings; fire protection system requirements; means of egress requirements; and fire department access.

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

**Financial Impact**
The total fee for contract services will not exceed $200,000, including all subconsultants and reimbursable costs.

Staff will execute the initial contract for fire prevention and fire code consulting services for a fee not-to-exceed $100,000. Contract amendments may be executed for continued fire prevention and fire code consulting services or other contract services totaling an amount not-to-exceed the remaining $100,000, and will be reviewed and approved separately by the Budget and Research Department.

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

**This item was adopted.**

**90 Contract Recommendation for Vehicle Suspension, Steering, and Alignment (Ordinance S-44355)**

Request to authorize the City Manager, or his designee, to enter into contracts with Betts Truck Parts & Service, and RWC International, LTD, for vehicle suspension, steering, and alignment services. This contract will have a $250,000 estimated annual expenditure, with a total aggregate amount not to exceed $1,250,000 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 a fleet of approximately 7,300 vehicles, with approximately 4,000 heavy duty models. Public Works will use the vendor services on this contract to repair vehicles back to Original Equipment Manufacturer (OEM) standards. The vendors will be responsible for performing repairs related to steering, suspension, and alignment on heavy duty, refuse, and fire apparatus class 8 vehicles.

**Procurement Information**

Invitation for Bid 18-FSD-062 was conducted in accordance with Administrative Regulation 3.10. Three offers were received for two groups with two different pick-up and delivery options: City pick-up and delivery; and vendor pick-up and delivery. Two offers were deemed responsive and responsible, and lowest offer was determined on an overall pricing structure for alignment services.

Betts Truck Parts & Service: $347.50 (both City and vendor pick-up and delivery)
RWC International, LTD: $355 (City pick-up and delivery); $475 (vendor pick-up and delivery)

**Contract Term**

The initial one-year contract term shall begin on or about May 1, 2018, with four options to extend in up to one year increments, for a total contract option term of five years.

**Financial Impact**

This contract will have a $250,000 estimated annual expenditure, with a total aggregate amount not to exceed $1,250,000 over the life of the contract. Funds are available in the Public Works Department's budget.

**This item was adopted.**

**91 One-Time Purchase of a Live Floor Transfer Trailer (Ordinance S-44359)**

Request to authorize the City Manager, or his designee, to enter into a contract with East Texas Mack Sales, LLC, dba B&C Body Company for

purchase of a Live Floor Transfer Trailer via cooperative agreement TR11-16 for the Public Works Department's North Gateway Transfer Station. Expenditures shall not exceed $97,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

This contract will be used for the one-time purchase of an Aluminum Live Floor Transfer Trailer for the North Gateway Transfer Station. The new unit will replace an existing 13-year-old unit, which has exceeded its seven-year life cycle. This unit will be used to transfer green waste from the North Gateway to the 27th Avenue Transfer Station to support the City's 40 percent diversion goal by 2020.

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo for alternative competition to use cooperative agreement TR11-16, Trailers-Equipment, Cargo and Specialty, awarded by the Houston-Galveston Area Council on Nov. 1, 2016.

**Contract Term**

This contract will begin on or about March 28, 2018, for the one-time purchase of a Live Floor Transfer Trailer.

**Financial Impact**

Expenditures shall not exceed $97,000 over the life of the contract. Funds are available in the Public Works Department's budget.

**Location**

The North Gateway Transfer Station is located at 30205 N. Black Canyon Hwy; the 27th Avenue Transfer Station is located at 3060 S. 27th Ave. Council Districts: 2 and 7

**This item was adopted.**

**92 Additional Expenditures for Security Systems Installation and Maintenance Services Contract (Ordinance S-44383)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 140041, with ADT, LLC, doing

business as MSE Corporate Security, for security systems installation and maintenance services for the Public Works Department. The additional amount requested is $405,000, and the revised aggregate value will not exceed $3,405,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The agreement with ADT, LLC, is used for security systems installation and maintenance services at locations throughout the City. The additional funds will allow the Public Works Department to complete several planned security system projects. This contract provides technical installation services, specialized security equipment, and programming access needed to maintain services for the Phoenix Public Library, Phoenix Municipal Court, Police, Parks and Recreation, and Public Works departments.

**Financial Impact**

The additional amount requested is $405,000, and the revised aggregate value will not exceed $3,405,000 over the life of the contract. Funds are available in the Public Works Department's budget.

**Concurrence/Previous Council Action**

Contract 140041 was approved by City Council on Dec. 17, 2014.

**This item was adopted.**

**94 Phoenix Convention Center Audio Visual Infrastructure Replacement Professional Services Amendment - CP10400026 (Ordinance S-44337)**

Request to authorize the City Manager, or his designee, to execute two amendments to Contract 145112 with McCarthy O'Connor, LLC to provide the continuation of Project Management Services in support of construction for the Phoenix Convention Center Audio Visual Infrastructure Replacement Project. The fee for additional services will not exceed $360,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

This project is for the assessment, design, and replacement of the existing Audio Visual (AV) control and network systems with compatible

leading edge technology, and complete retrofit of Audio Visual Lighting in Symphony Hall as well as the North, West, and possibly portions in the South Building. During all phases of work, the Phoenix Convention Center Complex will remain in full operation and open at all times. This project includes three phases; the design phase, phase one construction and phase two construction.

McCarthy O'Connor, LLC's Audio Visual project management expertise and experience is unique and very specialized, and the size, scope and cost of this project warrants an Owner's Representative. McCarthy O'Connor, LLC's Project Management additional services include, but are not limited to:

Providing project administration during construction.

Cost management.

Project quality and schedule management to ensure no interruptions to City operations.

Working in association with the Design-Build Team, reviewing invoices, change orders, construction schedule development and control, field observation, punchlist and project close-out activities.

**Procurement Information**

McCarthy O'Connor, LLC was chosen to provide Project Management Services for this project using a direct-select process according to section 34-103 of the Arizona Revised Statutes.

**Contract Term**

The term of the first amendment is for 280 calendar days from the Notice to Proceed. The term of the second amendment will be up to 30 months from the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**

The total fee for contract services will not exceed $500,000, including all subconsultant and reimburseable costs.

Staff previously executed the initial contract in the amount of $140,000, for the design phase project management services of this project.

The first amendment will increase the contract capacity by $160,000 for phase one of construction project management services, including all subconsultants, and reimbursable costs, for a total contract value of $300,000. Future contract amendments may be executed for phase two of construction project management services or other contract services totaling an amount not-to-exceed the remaining $200,000, and will be reviewed and approved separately by the Budget and Research Department.

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

**Previous Council Action**
City Council approved Professional Services Contract 145112 on June 7, 2017.

**Location**
100 N. 3rd St.
Council Districts: 7, 8

**This item was adopted as corrected.**

**95 2017 PVC-Lined Concrete Sewer Pipe and Manhole Rehabilitation, North - Construction Manager at Risk Design Phase Services - WS90500272 (Ordinance S-44338)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Achen-Gardner Construction, LLC, to provide Construction Manager at Risk (CMAR) Design Phase Services in support of the 2017 PVC-lined concrete sewer pipe and manhole rehabilitation project in multiple locations within the City of Phoenix right-of-way or easements generally north of Dunlap Avenue. The fee for services will not exceed $300,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The PVC-Lined Concrete Sewer Condition Assessment Report dated April 2017 recommended rehabilitation of 71 sewer pipe segments totaling approximately 44,000 feet (8.3 miles) at various City locations and rehabilitation of 190 manholes. Sewer pipeline rehabilitation may include spot repairs of PVC lining or cured-in-place pipe (CIPP) lining of pipe segments from manhole to manhole. Manhole rehabilitation may include coating restoration, lining repair, structural inserts or replacement. In addition, complex wastewater bypass systems will be required to complete some of the work.

Achen-Gardner Construction, LLC, will begin in an agency support role for the design phase service and then hold the construction contract with the City for construction of the project. Services during the CMAR design phase include: reviewing design plans and specifications; developing cost models through detailed cost estimating and knowledge of marketplace conditions; project planning and scheduling; construction phasing and scheduling that will minimize interruption to the City; alternate systems evaluation and constructability studies; advising the City on ways to gain efficiencies in project delivery; long-lead procurement studies and initiating procurement of long-lead items; assisting in permitting processes; and protecting the owner's sensitivity to quality, safety, and environmental factors. A small business enterprise goal will be established for this project prior to the start of construction.

**Procurement Information**

Achen-Gardner Construction, LLC, was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of proposals until a contract has been awarded.

The PVC-lined concrete sewer pipe and manhole rehabilitation program was divided into north and south projects. Separate CMAR procurements were conducted for the projects. Contractors could submit for both projects; however, they could only be awarded one contract, not both. Achen-Gardner Construction, LLC, and B&F Contracting, Inc., ranked first and second, respectively, for both procurements. It was mutually agreed that Achen-Gardner Construction, LLC, would be awarded the

north project. The top three rankings follow:

Achen-Gardner Construction, LLC: Ranked #1
B&F Contracting, Inc.: Ranked #2
Sundt Construction, Inc.: Ranked #3

**Contract Term**
The term for services is expected to be 30 months after issuance of the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be agreed to by the parties and work may extend past the termination of the contract. No additional contract work scope may be executed after the end of the contract term.

**Financial Impact**
Achen-Gardner Construction, LLC's fee will not exceed $300,000, including all subconsultant, subcontractor, and reimbursable costs. Funding for these services is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

**Location**
City of Phoenix right-of-way or easements generally north of Dunlap Avenue.
City Council Districts: 1, 2, and 3

**This item was adopted.**

**96 2017 PVC-Lined Concrete Sewer Pipe and Manhole Rehabilitation, South - Construction Manager at Risk Design Phase Services - WS90500272 (Ordinance S-44339)**

Request to authorize the City Manager, or his designee, to enter into an agreement with B&F Contracting, Inc., to provide Construction Manager at Risk (CMAR) Design Phase Services in support of the 2017 PVC-lined concrete sewer pipe and manhole rehabilitation project in multiple locations within the City of Phoenix right-of-way or easements generally south of Dunlap Avenue. The fee for services will not exceed $300,000. Further request authorization for the City Controller to disburse all funds

related to this item.

**Summary**

The PVC-Lined Concrete Sewer Condition Assessment Report dated April 2017 recommended rehabilitation of 71 sewer pipe segments totaling approximately 44,000 feet (8.3 miles) at various City locations and rehabilitation of 190 manholes. Sewer pipeline rehabilitation may include spot repairs of PVC lining or cured-in-place pipe (CIPP) lining of pipe segments from manhole to manhole. Manhole rehabilitation may include coating restoration, lining repair, structural inserts or replacement. In addition, complex wastewater bypass systems will be required to complete some of the work.

B&F Contracting, Inc., will begin in an agency support role for the design phase service and then hold the construction contract with the City for construction of the project. Services during the CMAR design phase include: reviewing design plans and specifications; developing cost models through detailed cost estimating and knowledge of marketplace conditions; advising the City on ways to gain efficiencies in project delivery; project planning and scheduling; construction phasing and scheduling that will minimize interruption to the City; alternate systems evaluation and constructability studies; long-lead procurement studies and initiating procurement of long-lead items; assisting in permitting processes; and protecting the owner’s sensitivity to quality, safety, and environmental factors. A small business enterprise goal will be established for this project prior to the start of construction.

**Procurement Information**

B&F Contracting, Inc., was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of proposals until a contract has been awarded.

The PVC-lined concrete sewer pipe and manhole rehabilitation program was divided into north and south projects. Separate CMAR procurements were conducted for the projects. Contractors could submit for both projects; however, they could only be awarded one contract, not both. Achen-Gardner Construction, LLC, and B&F Contracting, Inc., ranked

first and second, respectively, for both procurements. It was mutually agreed that B&F Contracting, Inc., would be awarded the south project. The top three rankings follow:

Achen-Gardner Construction, LLC: Ranked #1
B&F Contracting, Inc.: Ranked #2
Sundt Construction, Inc.: Ranked #3

**Contract Term**
The term for services is expected to be 30 months after issuance of the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be agreed to by the parties and work may extend past the termination of the contract. No additional contract work scope may be executed after the end of the contract term.

**Financial Impact**
B&F Contracting, Inc.'s fee will not exceed $300,000, including all subconsultant, subcontractor, and reimbursable costs. Funding for these services is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

**Location**
City of Phoenix right-of-way or easements generally south of Dunlap Avenue.
City Council Districts: 4, 5, 6, 7, and 8

**This item was adopted.**

**97 Phoenix Convention Center Audio Visual Infrastructure Replacement, Design-Build Services Amendment - CP10400026 (Ordinance S-44353)**

Request to authorize the City Manager, or his designee, to execute two amendments to contract 145059 with AVAZ, Inc., dba Audio Video Resources (AVR), to provide continued design-build (DB) services for the Phoenix Convention Center (PCC) Audio Visual Infrastructure Replacement project. The fee for additional services will not exceed

$3,560,967.30. Further request authorization to execute amendments to the contract as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item.

**Summary**

This project is for the assessment, design, and replacement of the existing Audio Visual (AV) and lighting controls and network systems at the Convention Center North and West Buildings, including minor installation of new AV components at Symphony Hall and the South Building. During all phases of work, the PCC will remain open for business and in full operation. The DB team will be required to design and install an AV and lighting control system with a sustainable life-span of a minimum of 10 years for the PCC.

This amendment is for Phase I construction services of the Audio Visual Infrastructure Replacement project including, but not limited to: system reconfiguration, replacement of all amplifiers, installation of digital signal processing units, control system processors, computers, control system panels, network switches, speakers, monitors, racks and other related work in the North and West Buildings, and minor installation of new AV components at Symphony Hall and the South Building.

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

**Procurement Information**

AVR was chosen to provide Design-Build services for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes.

The Equal Opportunity Department has determined that no Small Business Enterprise goal will be established for this project.

**Contract Term**

The work covered under the first amendment is expected to be completed by Oct. 31, 2018. The term of the second amendment will be up to 30 months from the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the

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

**Financial Impact**
The total fee for contract services will not exceed $3,860,967.30, including all subconsultants, subcontractors, and reimbursable costs.

Staff executed the initial contract for DB design and GMP preparation services for a fee not-to-exceed $300,000.

The first amendment is for Phase I construction services of the Audio Visual Infrastructure Replacement project and will increase the contract by an additional $1,545,868.50, including all subconsultants, subcontractors, and reimbursable costs.

Future contract amendments may be executed for construction services for Phase II of the project or other contract services totaling an amount not-to-exceed the remaining $2,015,098.80, and will be reviewed and approved separately by the Budget and Research Department.

The additional $3,560,967.30 amount requested under this amendment is available in the Phoenix Convention Center Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

**Concurrence/Previous Council Action**
City Council approved Design-Build Contract 145059 on May 31, 2017.

**Location**
100 N. 3rd St.
Council Districts: 7, 8

**This item was adopted as corrected.**

**98 Large Valve Repair and Replacement Construction Administration and Inspection Services Amendment - WS85500347 (Ordinance S-44356)**

Request to authorize the City Manager, or his designee, to execute an amendment to increase the value of Contract 137454 with Brown and Caldwell, Inc., for large valve repair and replacement construction administration and inspection services. Further request authorization for the City Controller to disburse all funds related to this item. This amendment will increase the contract value by $350,000, for a new total contract value of $1,044,000.

**Summary**

The large valve repair and replacement project consists of repair or replacement of 16-inch to 108-inch valves throughout the City's water transmission system. Brown and Caldwell, Inc.'s services will include but are not limited to: project administration; construction inspections; special valve inspections; resident engineering services during construction; repair recommendations; interpretation and clarification of construction documents; and serving as the City's representative during work performed under the job order contract.

This increase in contract value is necessary to continue the inspection and replacement of large valves, because a new valve inspection and maintenance program was implemented in FY 2016-17; small valves are now assessed every three years and large valves every five years. As a result, about four times as many valves than usual were repaired, removed or replaced last year over previous years, in an effort to prevent pipeline leaks and breaks in the long term.

**Procurement Information**

Brown and Caldwell, Inc., was selected for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). The City entered into Contract 137454 with Brown and Caldwell, Inc., on March 7, 2014.

**Contract Term**

The contract had an initial three-year term with one, two-year option to extend. The contract is in year four with an expiration date of March 6, 2019. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the

contract term.

**Financial Impact**

The initial contract value was established at a not-to-exceed amount of $404,000; and Amendment 1 was approved for a not-to-exceed amount of $290,000, increasing the contract value to $694,000. If approved, Amendment 2 would increase the contract amount by $350,000, for a new total contract value of $1,044,000, including all subconsultant and reimbursable costs. Funds are available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**Concurrence/Previous Council Action**

The City Council approved:
Construction Administration and Inspection Services Contract 137454 (Ordinance S-40439) on Dec. 4, 2013; and
Amendment 1 (Ordinance S-43443) on April 19, 2017.

**This item was adopted.**

**99 Water Main Replacement: Area Bounded by Mountain View Road to Peoria Avenue and 15th to 7th Avenues - Design-Bid-Build - WS85509002 (Ordinance S-44357)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Action Direct, LLC, dba Redpoint Contracting to provide construction services in support of a water main replacement project in the area bounded by Mountain View Road to Peoria Avenue and 15th Avenue to 7th Avenue. Further request authorization for the City Controller to disburse all funds related to this item. The fee for services will not exceed $3,328,837.

**Summary**

The Water Main Replacement Program includes evaluation and replacement of aging water mains in Phoenix. The program is primarily focused on water mains in the alleys and easements which historically have had high break rates and are difficult to repair. Redpoint Contracting will provide construction services that will include: installing new 6-inch to 12-inch water mains, plugging abandoned mains, and installing or relocating fire hydrants.

**Procurement Information**
Seven bids were received according to section 34-201 of the Arizona Revised Statutes by the Street Transportation Department on Jan. 16, 2018. The bids were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and general contractor responsiveness in demonstrating compliance with the project's Small Business Enterprise (SBE) goal. A SBE goal of nine percent has been established for this project; all seven bidders were found to be responsive.

Bids ranged from a low of $3,328,837 to a high of $4,087,117. The engineer’s estimate and the three lowest-priced, responsive, responsible bidders are listed below:

Engineer's Estimate: $3,299,435
Redpoint Contracting.: $3,328,837
Kinkaid Civil Construction, LLC: $3,348,126.55
T&T Construction, Inc.: $3,915,332.40

**Contract Term**
Work is expected to be completed within 305 calendar days from issuance of the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

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

**Location**
Mountain View Road to Peoria Avenue and 15th Avenue to 7th Avenue
Council District: 3

**This item was adopted.**

**100 Authorization to Apply for, Accept and Disburse Federal Funding for Transportation Projects in Federal Fiscal Years 2019, 2021, and 2022 (Ordinance S-44394)**

Request to authorize the City Manager, or his designee, to apply for, accept and if awarded, enter into agreements for disbursement of federal transportation funding through grant applications to the Maricopa Association of Governments. The funding supports three different program areas including: Achieving Transit Accessibility Now, Safe Routes to School Non-Infrastructure Projects, and Highway Safety Improvement Program.

**Summary**

The Maricopa Association of Governments (MAG) is soliciting applications for the following three grant opportunities:

1. Achieving Transit Accessibility Now (ATAN) - The MAG Regional Council has approved $840,536 of transit funds to improve accessibility at transit stops in the MAG region. Applications from local jurisdictions are evaluated on a "rolling-application" cycle every six months. This is the third application cycle. The ATAN program will contribute a maximum of $40,000 per location, with a limitation that no single agency can be awarded more than 70 percent of available funding. The Street Transportation Department has 11 shovel ready projects that meet the application requirements, and plans to request $440,000 as part of a comprehensive grant application.

2. Safe Routes to School (SRTS) Non-Infrastructure Projects for Federal Fiscal Year (FFY) 21 and FFY 22 - MAG sent a formal call for Safe Routes to School grant applications to all school districts and charter schools in Maricopa County. A total of $93,103 is available in FFY 21, and a total of $163,309 is available in FFY 22. Applicants are required to submit grants through the city or town where the school is located. Only one school district in Phoenix expressed interest. The Street Transportation Department plans to request between $25,000 and $100,000 on behalf of the Wilson Elementary School District for traffic studies that will focus on parking and accessibility. As part of the FAST (Fixing America's Surface Transportation) Act, the City is required to receive Federal Highway (FHWA) grant monies on behalf

of participating schools. An Intergovernmental Agreement (IGA) will be drafted between the City and the Wilson Elementary School District that details the requirements to use the grant funds in order to receive reimbursement from the City.

3. Highway Safety Improvement Program (HSIP) for FFY 2021 and FFY 2022 - The goal of HSIP is to improve safety and reduce fatalities. A total of $23 million is available through MAG in FFY 2021 and $32 million in FFY 2022, of which a maximum of $2 million may be requested per project. The Street Transportation Department plans to submit up to three project applications for locations where there have been a high number of fatalities or serious injuries, totaling up to $6 million combined for FFY 21 and 22.

The Street Transportation Department aims to pursue federal funding whenever solicitations are made by MAG that align with the City's Transportation goals and objectives. These three funding programs are opportunities to leverage City dollars while increasing the City's ability to complete more transportation related projects that enhance the community. Each program funding has its own competitive review and ranking process that will happen under the MAG purview. For HSIP funding, the projects are first evaluated at the regional level and then compete for funding at the State level.

Between now and the application due dates, staff will continue to refine the locations, cost and scope of each grant submittal to be competitive with local and regional submittals. The only exception is the ATAN application which is nearly complete.

**Financial Impact**

ATAN requires local jurisdictions to contribute a minimum 20 percent match towards the eligible project costs per project (up to $50,000 federal participation per location). This equates to a $10,000 local match per project site, or a total of $110,000 for the 11 shovel ready projects. The total cost for these projects is estimated to be just under $1.8 million. These projects have already been programmed using Transportation 2050 (T2050) funds. If awarded, this will free up $440,000 to be used for other T2050 projects.

There is no cost to the City for the SRTS submittal. The Wilson Elementary School District will be responsible for contributing the local match if funding is awarded.

For HSIP projects, the maximum federal participation rate is 94.3 percent of the total construction cost, while local agencies are required to contribute 5.7 percent of local funding for construction. The current regional process for federal funding allows the awarded dollars to be used for the construction phase only. If all three HSIP applications are awarded, the City of Phoenix will need to contribute $342,000. Funding is available in the Street Transportation Department's Capital Improvement Program budget.

**Concurrence/Previous Council Action**

This item was recommended for approval by the Transportation and Infrastructure Subcommittee at the March 13, 2018 meeting by a vote of 3-0.

**This item was adopted.**

**101 Salt River Project Construction Agreement for Substation Improvements at Val Vista Water Treatment Plant (Ordinance S-44386)**

Request to authorize the City Manager, or his designee, to enter into a Construction Service Contract agreement with Salt River Project (SRP) for payment of electrical design and construction costs. Further request authorization for the City Controller to disburse all funds related to this item. Additionally request the City Council grant an exception pursuant to Phoenix Code section 42-20 to authorize inclusion of indemnification and assumption of liability provisions in the documents pertaining to this transaction that otherwise would be prohibited by Phoenix City Code section 42-18.

**Summary**

The purpose of this agreement is to improve the reliability of the Val Vista Water Treatment Plant's power supply by allowing SRP to construct a firewall between existing substation transformers and add necessary main power disconnects. A 2016 study of the substation found: 1) a firewall barrier was needed between the two side-by-side substation

transformers to prevent equipment fire; and 2) an additional breaker needed to be installed to prevent failure of the main power substation due to fire or other catastrophic events, which would result in a complete plant shutdown.

**Financial Impact**

Funding for this agreement in the amount of $931,019 is available in the Water Services Department Capital Improvement Program budget.

**Location**

Val Vista Water Treatment Plant, 3200 E. McDowell Road, Mesa, Ariz.

**This item was adopted.**

**102 Planning and Development Department Plan Review and Inspection On-Call Services for Commercial Annual Facilities Permit Plans (Ordinance S-44342)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with the top three firms listed below to provide plan review and inspection on-call services of commercial annual facilities permits (AFP) from May 1, 2018 through April 30, 2020, for the Planning and Development Department. The fee for services will not exceed $500,000 for each contract. Further request authorization for City Controller to disburse all funds related to this item.

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

**Summary**

The firm's services will include, but are not limited to: reviewing plans and conducting inspections of new construction, alterations, and repairs as submitted by commercial property owners for compliance with the Phoenix Building Construction Code and Fire Code.

**Procurement Information**
The three firms were chosen using a qualifications-based selection process in accordance with section 34-604 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of proposers until a contract has been awarded. Four firms submitted proposals.The rankings are as follows:

Bureau Veritas Certification North America, Inc.: Ranked 1
Onsite Engineering, P.L.C.: Ranked 2
MZ Engineering, LLC: Ranked 3

Trevor Pan-Architect, PLLC: Ranked 4

**Contract Term**
The term of each contract is for two years, or up to the contract limit of $500,000, whichever occurs first. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**
The total fee for each contract services will not exceed $500,000, including all subconsultants and reimbursable costs. Funding is available in the Planning and Development Department's Development Services Fund. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**This item was adopted.**

**103 Planning and Development Department Civil Field Inspection On-Call Services for Grading/Drainage, Sewer, Water, Storm Drain, Concrete and Street Paving (Ordinance S-44343)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with the top three firms listed below to provide civil field inspection on-call services for grading/drainage, sewer, water, storm drain, concrete and street paving from May 1, 2018 through April 30,

2020, for the Planning and Development Department. The fee for services will not exceed $1.17 million each. Further request authorization for City Controller to disburse all funds related to this item.

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

**Summary**

The firm's services will include, but are not limited to: civil field inspections of site and civil infrastructure construction associated with private developments for grading and drainage, sewer, water, storm drain, concrete and paving projects submitted to the City by private property owners for permit issuance.

**Procurement Information**

The top three firms were chosen using a qualifications-based selection process in accordance with section 34-604 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of proposers until a contract has been awarded. Ten firms submitted proposals. The top five rankings are as follows:

Tristar Engineering and Management, Inc.: Ranked 1
Consultant Engineering, Inc.: Ranked 2
Quality Testing, LLC: Ranked 3

Dibble CM: Ranked 4
The CK Group, Inc.: Ranked 5

**Contract Term**

The term of each contract is for two years, or up to the contract limit of $1.17 million, whichever occurs first. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be

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

**Financial Impact**

The total fee for each contract services will not exceed $1.17 million, including all subconsultants and reimbursable costs. Funding is available in the Planning and Development Department's Development Services Fund. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**This item was adopted.**

**104 Planning and Development Department Civil Plan Review On-Call Services for Grading/Drainage, Sewer, Water, Storm Drain, Concrete and Street Paving (Ordinance S-44344)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with the five firms listed below to provide civil plan review on-call services for grading/drainage, sewer, water, storm drain, concrete and street paving from May 1, 2018 through April 30, 2020 for the Planning and Development Department. The fee for services will not exceed $500,000 for each contract. Further request authorization for City Controller to disburse all funds related to this item.

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

**Summary**

The firms's services will include, but are not limited to: civil review of plans as submitted to the City by private property owners for permit issuance, conducting code reviews or preparing plans for grading and drainage, sewer, water, storm drain, concrete and paving projects

submitted to local jurisdictions.

**Procurement Information**
The following top five firms were chosen using a qualifications-based selection process in accordance with section 34-604 of the Arizona Revised Statutes (A.R.S.) Pursuant to A.R.S. title 34, the City is not to release the scoring of proposers until a contract has been awarded. Nine firms submitted proposals. The top seven rankings are as follows:

Jacobs Engineering Group, Inc.: Ranked 1
Ritoch-Powell & Associates Consulting Engineers, Inc.: Ranked 2
Bowman Consulting Group, LTD: Ranked 3
The CK Group, Inc.: Ranked 4
Strand Associates, Inc.: Ranked 5

Entellus, Inc.: Ranked 6
EPS Group, Inc. Engineers, Planners, & Surveyors: Ranked 7

**Contract Term**
The term of each contract is for two years, or up to the contract limit of $500,000, whichever occurs first. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**
The total fee for each contract services will not exceed $500,000, including all subconsultants and reimbursable costs. Funding is available in the Planning and Development Department's Development Services Fund. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**This item was adopted.**

**105 Planning and Development Department Plan Review and Inspection On-Call Services for Elevators (Ordinance S-44345)**

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

separate agreements with the two firms listed below to provide plan review and inspection on-call services for vertical transportation equipment from May 1, 2018 through April 30, 2020, for the Planning and Development Department. The fee for services will not exceed $500,000 for each contract. Further request authorization for City Controller to disburse all funds related to this item.

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

**Summary**

The firm's services will include, but are not limited to: elevators, escalators, lifts and other vertical transportation equipment plan reviews and/or periodic inspections per the American Society of Mechanical Engineers Elevator Code for projects and work plans submitted to the City by private property owners for permit issuance.

**Procurement Information**

The following two firms were chosen using a qualifications-based selection process in accordance with section 34-604 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of proposers until a contract has been awarded. Two firms submitted proposals. The rankings follow:

Vertical Transportation Excellence (VTX): Ranked 1
National Elevator Inspection Services, Inc.: Ranked 2

**Contract Term**

The term of each contract is for two years, or up to the contract limit of $500,000, whichever occurs first. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be agreed to by the parties, and work may extend past the termination of the

contract. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**

The total fee for each contract services will not exceed $500,000, including all subconsultants and reimbursable costs. Funding is available in the Planning and Development Department's Development Services Fund. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**This item was adopted.**

**106 Planning and Development Department Plan Review and Inspection On-Call Services for Landscape, Hillside, Slope Analysis and Inventory/Salvage Plans (Ordinance S-44347)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with the top three firms listed below to provide plan review and inspection on-call services for landscape, hillside, slope analysis and inventory/salvage plans from May 1, 2018 through April 30, 2020, for the Planning and Development Department. The fee for services will not exceed $500,000 for each contract. Further request authorization for City Controller to disburse all funds related to this item.

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

**Summary**

The firm's services will include, but are not limited to: plan review and conducting inspections for landscape, hillside, slope analysis and inventory/salvage plans for work and projects submitted to the City by private property owners for permit issuance.

**Procurement Information**

The top three firms were chosen using a qualifications-based selection process in accordance with section 34-604 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of proposers until a contract has been awarded. A total of four firms submitted proposals. The rankings are as shown below:

TLC-Tarek Landscape Consulting, LLC: Ranked 1
Environmental Planning Group, LLC: Ranked 2
Waibel & Associates Landscape Architecture, LLC: Ranked 3

CMT Engineering Laboratories: Ranked 4

**Contract Term**

The term of each contract is for two years, or up to the contract limit of $500,000, whichever occurs first. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**

The total fee for each contract services will not exceed $500,000, including all subconsultants and reimbursable costs. Funding is available in the Planning and Development Department's Development Services Fund. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**This item was adopted.**

**107 Planning and Development Department Building Plan Review On-Call Services for Residential and Commercial Projects (Ordinance S-44348)**

Request to authorize the City Manager, or his designee, to enter separate agreements with the top five firms listed below to provide building plan review on-call services for residential and commercial projects from May 1, 2018 through April 30, 2020, for the Planning and Development Department. The fee for services will not exceed $500,000 for each

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

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

**Summary**

The firm's services will include, but are not limited to: review of plans for new construction, alterations, and repairs submitted by commercial and residential property owners for compliance with the Phoenix Building Construction Code and Fire Code.

**Procurement Information**

The top five firms were chosen using a qualifications-based selection process in accordance with section 34-604 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of proposers until a contract has been awarded. Eight firms submitted proposals. The top seven rankings are as follows:

Bureau Veritas Certification North America, Inc: Ranked 1
Onsite Engineering, P.L.C.: Ranked 2
Stantec Consulting Services, Inc.: Ranked 3
Willdan Engineering, Inc.: Ranked 4
MZ Engineering LLC: Ranked 5

Shums Coda Associates, Inc.: Ranked 6
West Coast Code Consultants, Inc.: Ranked 7

**Contract Term**

The term of each contract is for two years, or up to the contract limit of $500,000, whichever occurs first. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be

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

**Financial Impact**

The total fee for each contract services will not exceed $500,000, including all subconsultants and reimbursable costs. Funding is available in the Planning and Development Department's Development Services Fund. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**This item was adopted.**

**108 Planning and Development Department Building Field Inspection On-Call Services for Residential and Commercial Projects (Ordinance S-44349)**

Request to authorize the City Manager, or his designee, to enter separate agreements with the top four firms listed below to provide building field inspection on-call services for residential and commercial projects from May 1, 2018 through April 30, 2020, for the Planning and Development Department. The fee for services will not exceed $750,000 for each contract. Further request authorization for City Controller to disburse all funds related to this item.

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

**Summary**

The firm's services will include, but are not limited to: field inspections of new construction, alterations, and repairs submitted by commercial and residential property owners for compliance with the Phoenix Building Construction Codes and Fire Codes.

**Procurement Information**

Four firms were chosen using a qualifications-based selection process in accordance with section 34-604 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of proposers until a contract has been awarded. Five firms submitted proposals. The rankings are as follows:

Onsite Engineering, P.L.C.: Ranked 1
Bureau Veritas Certification North America, Inc.: Ranked 2
Shums Coda Associates, Inc.: Ranked 3
Willdan Engineering, Inc.: Ranked 4

CMT Engineering Laboratories: Ranked 5

**Contract Term**

The term of each contract is for two years or up to the contract limit of $750,000, whichever occurs first. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**

The total fee for each contract services will not exceed $750,000, including all subconsultants and reimbursable costs. Funding is available in the Planning and Development Department's Development Services Fund. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**This item was adopted.**

**109 Modification of Stipulation Request for Ratification of Feb. 21, 2018 Planning Hearing Officer Action - Z-32-06-4**

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 Feb. 21, 2018. This ratification requires formal action only.

**Summary**
Application: PHO-1-18--Z-32-06-4
Current Zoning: R-2
Acreage: 2.77

Applicant: Foundation for Senior Living
Owner: Alben LLC
Representative: Jennifer K. Boblick - Sender Associates

Proposal:
1. Modification of Stipulation 1 regarding general conformance to a site plan date stamped March 24, 2006.
2. Modification of Stipulation 2 regarding general conformance to elevations date stamped March 24, 2006 with specific regards to trellises and decorative garage doors.
3. Modification of Stipulation 3 regarding major amenities.
4. Deletion of Stipulation 4 regarding shade structures.
5. Modification of Stipulation 7 regarding the caliper size of the perimeter landscape trees.
6. Modification of Stipulation 8 regarding the number of dwelling units to not exceed 22 units.
7. Technical correction to Stipulation 5.

**Location**
Approximately 151 feet south of the southwest corner of 21st Avenue and Missouri Avenue.
Council District: 4
Parcel Address: N/A

**Concurrence**
Village Planning Committee (VPC) Recommendation: The Alhambra Village Planning Committee recommended approval by a 12-0 vote on Jan. 23, 2018.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with modifications and with an additional stipulation on Feb. 21, 2018.

**This item was approved.**

## 110 Modification of Stipulation Request for Ratification of Feb. 21, 2018 Planning Hearing Officer Action - Z-151-02-7

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 Feb. 21, 2018. This ratification requires formal action only.

**Summary**

Application: PHO-1-18--Z-151-02-7
Current Zoning: R-2 PRD
Acreage: 46.00

Applicant: Ashton Woods Homes
Owner(s): Ryan, Kendra R, Caleb, Robert, and Troy Moss
Representative: Norris Design (C/O Alan Beaudoin)

Proposal:
1. Modification of Stipulation 1 regarding general conformance to site plan date stamped Dec. 30, 2002.
2. Modification of Stipulation 3 regarding access on both 63rd Avenue and South Mountain Avenue.
3. Modification of Stipulation 4 regarding the applicant to provide a conceptual alignment loop from 63rd Avenue to the freeway.
4. Deletion of Stipulation 5 regarding 50 feet of added right-of-way for the south half of South Mountain Avenue.
5. Deletion of Stipulation 8 regarding connecting the east/west open space spine with the 63rd Avenue pedestrian walkway.
6. Modification of Stipulation 10 regarding a minimum of 3 pedestrian gates within gated area to the trail.
7. Modification of Stipulation 11 regarding 10-foot improved multi-use trails provided along the south property line.
8. Deletion of Stipulation 12 regarding signage at 63rd Avenue and South Mountain Avenue intersection.
9. Deletion of Stipulation 14 regarding a minimum of 20 additional non-exclusive parking spaces to be provided.
10. Deletion of Stipulation 15 regarding the treatment of access drives to the building clusters.

11. Deletion of Stipulation 16 regarding the development of the site as a multi-family development with view fencing.
12. Deletion of Stipulation 17 regarding the developer/builder work with the city and Maricopa County Flood Control to facilitate pedestrian crossings over the LACC.
13. Deletion of Stipulation 18 regarding wrap around architectural details and materials.
14. Deletion of Stipulation 19 regarding building elevations being submitted to the Laveen Village Planning Committee for review.

**Location**
Northwest corner of 63rd Avenue alignment and South Mountain Avenue.
Council District: 7
Parcel Address: N/A

**Concurrence**
Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee recommended approval with modifications and additional stipulations by a 8-2 vote on Feb. 12, 2018.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with modifications and with additional stipulations on Feb. 21, 2018.

**This item was approved as corrected.**

**111 Modification of Stipulation Request for Ratification of Feb. 21, 2018 Planning Hearing Officer Action - Z-90-06-7(8)**

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 Feb. 21, 2018. This ratification requires formal action only.

**Summary**
Application: PHO-1-17--Z-90-06-7(8)
Current Zoning: R1-6 BAOD, Approved R-2 BAOD
Acreage: .77

Applicant: Edward Chavez
Owner: The Domain Homes, LLC

Representative: Edward Chavez

Proposal:
1. Modification of Stipulation 1 regarding general conformance to a site plan.
2. Modification of Stipulation 2 regarding general conformance to elevations with enhanced four-sided architecture.
3. Modification of Stipulation 3 regarding allowed building heights.
4. Deletion of Stipulation 9 regarding efficiency unit.
5. Technical correction to Stipulations 4, 5 and 8.

**Location**
Approximately 337 feet east of the southeast corner of Central Avenue and South Mountain Avenue.
Council District: 8
Parcel Address: N/A

**Concurrence**
Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee choose not to hear this case.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval on Feb. 21, 2018.

**This item was approved.**

**112 Modification of Stipulation Request for Ratification of Feb. 21, 2018 Planning Hearing Officer Action - Z-179-86-6(8)**

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 Feb. 21, 2018. This ratification requires formal action only.

**Summary**
Application: PHO-5-18--Z-179-86-6(8)
Current Zoning: R1-6 SPVTABDO FCOD, R-3A SPVTABDO FCOD (Approved C-2, SPVTABDO FCOD)
Acreage: 7.48

Applicant: Zachary Pebler, PLLC
Owner: Presitage Capital, LLC
Representative: Zachary Pebler, PLLC

Proposal:
1. Modification of Stipulation 2 regarding general conformance to a site plan.
2. Deletion Stipulation 3 regarding pedestrian access between the residential and commercial portions of the site.
3. Technical correction to Stipulation 1.

**Location**
Approximately 540 feet south of the southwest corner of 24th Street and Broadway Road.
Council District: 8
Parcel Address: N/A

**Concurrence**
Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee recommended approval by a 11-2 vote on Feb. 13, 2018.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with modifications and with additional stipulations on Feb. 21, 2018.

**This item was approved.**

**113 Final Plat - Lot 1, Aero Industrial Park Amended - 170090 - South of Deer Valley Road and East of Central Avenue**

Plat: 170090
Project: 06-4597
Name of Plat: Lot 1, Aero Industrial Park Amended
Owner(s): One East Deer Valley, LLC
Engineer(s): S&W Land Surveying Services, Inc.
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Feb. 22, 2018
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 south of Deer Valley Road and east of Central Avenue.
Council District: 1

**This item was approved.**

**114 Final Plat - Just Foam - 170020 - East of 19th Avenue and North of Latham Street**

Plat: 170020
Project: 17-107
Name of Plat: Just Foam
Owner(s): Jesus Guerrero & Beatrice Guerrero Revocable Living Trust and Mana Family Limited Liability Limited Partnership, LLLP
Engineer(s): CEG Applied Sciences
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Jan. 30, 2018
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 83 feet east of 19th Avenue on the north side of Latham Street.
Council District: 4

**This item was approved.**

**115 Final Plat - The SWC of Bethany Home Road and 7th Street - 170098 - West of 7th Street and South of Bethany Home Road**

Plat: 170098
Project: 17-1743
Name of Plat: The SWC of Bethany Home Road and 7th Street

Owner(s): KR - 7th & Bethany Home, LLC
Engineer(s): Strategic Surveying, LLC
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Feb. 22, 2018
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 7th Street and south of Bethany Home Road.
Council District: 6

**This item was approved.**

**116 Final Plat - Estrella Business Park Lot 3 & 4 - 170105 - 65th Avenue North of Grant Street**

Plat: 170105
Project: 06-1357
Name of Plat: Estrella Business Park Lot 3 & 4
Owner(s): Chamberlain Development, LLC
Engineer(s): CEG Applied Sciences
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Feb.12, 2018

**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 65th Avenue, north of Grant Street.
Council District: 7

**This item was approved.**

**117 Abandonment of Easement - V170061A - Southeast Corner of 66th Street and Mayo Boulevard (Resolution 21619)**

Abandonment: V170061A
Project: 16-1496
Applicant: Kevin Ransil of JLB Partners, LLC
Request: To abandon a portion of the drainage easement located on Parcel 1 of the plat Paradise Ridge in Book 1336 Page 32 per the Maricopa County Recorder; easement located on the southeast corner of 66th Street and Mayo Boulevard.
Date of Decision: Oct. 30, 2017

**Location**
Southeast corner of 66th Street and Mayo Boulevard.
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.**

**118 Abandonment of Right-of-Way - V170077A - 30th Street to 31st Street and North of Whitton Avenue (Resolution 21618)**

Abandonment: V170077A
Project: 00-2967
Applicant: Shadi Molina Crofts
Request: To abandon the 18-foot to 16-foot alley right-of-way north of Whitton Avenue and south of Columbus Avenue, from 30th Street to 31st Street.
Date of Hearing: Jan. 30, 2018

**Location**
30th Street to 31st Street and North of Whitton Avenue
Council District: 6

**Financial Impact**
A fee was also collected as part of this abandonment in the amount of

$1,374.60.

**This item was adopted.**

**119 Closure of Right-of-Way - V170033C - Southeast of Central Avenue and Jefferson Street (Resolution 21621)**

Abandonment: V170033C
Project: 17-367
Applicant: CentriCity Real Estate, LLC
Request: To close the remaining 25-foot alley right-of-way bounded by Central Avenue and Jefferson, Madison, and 1st Streets.
Date of Hearing: July 18, 2017; taken out from under advisement and approved, with stipulations, on Sept. 7, 2017.

**Location**
Southeast of Central Avenue and Jefferson Street
Council District: 7

**Financial Impact**
Pursuant to Phoenix City Code Art. 5, Sec. 31-64 (e), 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, replatting of the area with alternate roadways and new development, and sale of the property after closure for a value acceptable to the City, as sufficient and appropriate consideration in this matter.

**This item was adopted.**

**120 Amend City Code - Ordinance Adoption - Rezoning Application Z-1-18-8 - Northwest Corner of 16th Street and Portland Street (Ordinance G-6439)**

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 adopting Rezoning Application Z-1-18-8 and rezone the site from R-5 to R-5 HP Acreage: 5.57 to allow Historic Preservation (HP) overlay zoning for Sacred Heart Home for the Aged (now Garfield Commons).

**Summary**
Current Zoning: R-5

Proposed Zoning: R-5 HP
Acreage: 5.57 acres
Proposed Use: Historic Preservation (HP) overlay zoning for Sacred Heart Home for the Aged (now Garfield Commons)

Owner: 1110 N 16th St, LLC
Applicant: City of Phoenix, Planning Commission
Representative: Kevin Weight, City of Phoenix, Planning and Development Department, Historic Preservation

Staff Recommendation:
VPC Action: The Central City Village Planning Committee heard the case on Feb. 12, 2018 and recommended approval per staff recommendation by a 15-0 vote.
Historic Preservation Commission: The Historic Preservation Commission heard the case on Feb. 12, 2018 and recommended approval by an 8-0 vote.
PC Action: The Planning Commission heard the case on March 1, 2018 and recommended approval per the Historic Preservation Commission and the Central City Village Planning Committee by a 7-0 vote.

**Location**
Northwest corner of 16th Street and Portland Street
Council District: 8
Parcel Addresses: 1110 N. 16th St. and 1510 E. Portland St.

**This item was withdrawn.**

**121 Amend City Code - Ordinance Adoption - Rezoning Application Z-88-17-8 - Southwest Corner of 29th Street and Van Buren Street (Ordinance G-6440)**

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 adopting Rezoning Application Z-88-17-8 and rezone the site from C-3 and R-5 to WU Code T5:3 GWY to allow multifamily housing.

**Summary**
Current Zoning: C-3 and R-5
Proposed Zoning: WU Code T5:3 GWY

Acreage: 2.21 acres
Proposed Use: Multifamily housing
Owner/Representative: Mark Klann, Cardinal Capital
Applicant: Doug McCord, Architectural Resource Team

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Central City Village Planning Committee heard the request on March 12, 2018 and recommended approval as per Planning Commission's approval recommendation by a 18-0 vote.
PC Action: The Planning Commission heard the request on March 1, 2018 and recommended approval per the staff recommendation and an additional stipulation by a 7-0 vote.

**Location**
Southwest corner of 29th Street and Van Buren Street
Council District: 8
Parcel Address: 2853 E. Van Buren St.

**This item was adopted.**

**122 Public Hearing - Certificate of Appropriateness - Appeal of Historic Preservation Commission Decision - 2330 N. 12th St. (Lot 11), Coronado District**

Request to hold a public hearing of the Certificate of Appropriateness Decision by the Historic Preservation Commission (HPC) for 2330 N. 12th St. (Lot 11) in the Coronado district due to two appeals submitted on Feb. 20, 2018.

**Summary**
Application Number: HPCA 1700451
A new single family residence (1,918 sf), detached carport (240 sf) and a pool (342 sf) on a vacant lot located at 2330 N. 12th St.

Applicant: Joel Contreras
Owners: Lilia and Lawrence Coburn
Owner Representative: Joel Contreras- Joel Contreras Design

First Appellant: Arthur (Artie) A. Vigil (Resident of the Coronado Neighborhood)
Reason for Vigil appeal: 1. Compatibility within context, 2. Parking in front

yard, 3. Front porch, 4. Roofline and, 5. No windows on facade "eyes on the street."

Second Appellant: Joel Contreras (Applicant)
Reason for Contreras appeal: Disagree with Commission's decision to force design team to put windows that are conventional on the front of the facade and forcing a porch cover.

Staff Recommendation: Staff recommends approval of the Certificate of Appropriateness with stipulations.
HP Hearing Officer Action: The Hearing Officer recommended approval of the Certificate of Appropriateness on Jan. 16, 2018 with two stipuations:
1. That the plans specify that the new CMU site wall will be 6 feet in height or lower; and
2. That a detail be provided of the proposed curb cut to ensure its compatibility with existing curb cuts on 12th Street.

HPC Action: Modified the HP Hearing Officer Decision to include two additional stipulations by a vote of 5-3 on Feb. 12, 2018.

Historic Preservation Commission Stipulations
1. That the plans specify that the new CMU site wall will be 6 feet in height or lower;
2. That a detail be provided of the proposed curb cut to ensure its compatibility with existing curb cuts on 12th Street;
3. That the design be modified to contain a front porch structure; and
4. That windows be added to the street-facing facade.

*Commissioner Scheel, who made the motion that was approved by the HP Commission, explained that the intent of Stipulation 4 was to provide windows that were approximately three to five feet tall, large enough for a person to see out of them, to allow "eyes on the street."

Action Requested
Uphold, modify or reverse the Certificate of Appropriateness decision of the Historic Preservation Commission.

**Location**
2330 N. 12th St. (Lot 11)
Council District: 4

**This item was continued to the April 18, 2018 City Council Formal Meeting.**

**124 ADD-ON - Loan Federal HOME Funds for Acacia Heights Apartments Affordable Housing Development (Ordinance S-44396)**

Request authorization for the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $780,000 in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with FSL Real Estate Services, through Acacia Heights Village LP, or a City-approved nominee, for the Acacia Heights Apartments affordable housing development, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

**Summary**
On Nov. 3, 2017, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 1, 2017. The Priorities are: 1) Projects that focus on homeless or special needs populations (such as veterans, persons with disabilities, and victims of domestic violence), and that provide appropriate services to assist and sustain these populations; 2) Projects submitted by qualified Community Housing Development Organizations (CHDO); 3) Rehabilitation projects owned by nonprofit developers, and currently or previously funded by the City; and 4) Down payment and closing cost assistance for households earning up to 80 percent of the Area Median Income (AMI).

**Procurement Information**
Thirteen proposals were received and reviewed by an evaluation committee comprised of City staff from the Human Services and Neighborhood Services departments, along with the City of Mesa Housing and Community Development Director, and the Director of National Operations for Cloudbreak Communities, a company that

specializes in special needs and veterans housing. The proposals were evaluated on a 500-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merit/Approach; and Financial Feasibility. The evaluation panel scored the proposals as follows:

Center Court (Native American Connections, Inc.): 470.75 points.
Stepping Stone Phase III (Native American Connections, Inc.): 458.75 points.
Northern Gardens II (WESCAP Investments, Inc.): 373.75 points.
Acacia Heights Apartments (FSL Real Estate Services): 363.75 points.
Courtyard at Mission Lane (Gorman Holdings, Inc. and Trellis): 338.75 points.
Rehoboth Place II (Gorman Holdings, Inc. and Rehoboth CDC): 310.00 points.
El Molino Place (Cardinal Capital Management and Arizona Housing, Inc.): 302.50 points.
South 7th Village (Helping Hands Housing Services/UMOM): 287.50 points.
St. Gerard House (Housing for Hope, Inc./Catholic Charities): 280.25 points.
Campesina Commons (Cesar Chavez Foundation): 238.75 points.
Garfield Veterans Housing (Garfield Veterans Housing, LLC): 208.75 points.
El Caro Townhomes (Gardner Capital, Inc.): 166.25 points.
19 Apartments (Camelback at the Stop, LLC): 126.25 points.

Based on funding availability, the five highest scoring proposals were recommended for funding, which includes Acacia Heights.

Acacia Heights Apartments, located at 615 W. Pierson St. (District 4), is the new construction of a 78-unit permanent housing community for seniors. FSL Real Estate Services, a nonprofit CHDO, through Acacia Heights Village LP, requested $780,000 to assist with this affordable housing project. All units will serve persons with incomes at or below 60 percent of the AMI. Other proposed funding for this project includes Low Income Housing Tax Credit (LIHTC) equity.

Project award is contingent on full underwriting, environmental release of funds, commitments of other financing, availability of federal funds and City Council approval. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

**Financial Impact**

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2017 HOME funds, a forward allocation of 2018 HOME funds, and available HOME Program Income funds. Funding commitments for projects with LIHTC equity are contingent upon receiving a LIHTC award from the Arizona Department of Housing in the 2018 competitive round. Funding is budgeted in the Housing CIP.

**Public Outreach**

All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development.

**Location**

615 W. Pierson St.
Council District: 4

**Concurrence/Previous Council Action**

This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on March 21, 2018.

**This item was adopted.**

**125 ADD-ON - Loan Federal HOME Funds for Center Court Affordable Housing Development (Ordinance S-44397)**

Request authorization for the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1 million in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Native American Connections, Inc. (NAC), or a City-approved nominee, for the Center Court affordable housing development, and to take all actions and execute all documents to complete the loan. Authorization is also

requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

**Summary**

On Nov. 3, 2017, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 1, 2017. The Priorities are: 1) Projects that focus on homeless or special needs populations (such as veterans, persons with disabilities, and victims of domestic violence), and that provide appropriate services to assist and sustain these populations; 2) Projects submitted by qualified Community Housing Development Organizations (CHDO); 3) Rehabilitation projects owned by nonprofit developers, and currently or previously funded by the City; and 4) Down payment and closing cost assistance for households earning up to 80 percent of the Area Median Income (AMI).

**Procurement Information**

Thirteen proposals were received and reviewed by an evaluation committee comprised of City staff from the Human Services and Neighborhood Services departments, along with the City of Mesa Housing and Community Development Director, and the Director of National Operations for Cloudbreak Communities, a company that specializes in special needs and veterans housing. The proposals were evaluated on a 500-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merit/Approach; and Financial Feasibility. The evaluation panel scored the proposals as follows:

Center Court (Native American Connections, Inc.): 470.75 points.
Stepping Stone Phase III (Native American Connections, Inc.): 458.75 points.
Northern Gardens II (WESCAP Investments, Inc.): 373.75 points.
Acacia Heights Apartments (FSL Real Estate Services): 363.75 points.
Courtyard at Mission Lane (Gorman Holdings, Inc. and Trellis): 338.75 points.
Rehoboth Place II (Gorman Holdings, Inc. and Rehoboth CDC): 310.00 points.
El Molino Place (Cardinal Capital Management and Arizona Housing,

Inc.): 302.50 points.
South 7th Village (Helping Hands Housing Services/UMOM): 287.50 points.
St. Gerard House (Housing for Hope, Inc./Catholic Charities): 280.25 points.
Campesina Commons (Cesar Chavez Foundation): 238.75 points.
Garfield Veterans Housing (Garfield Veterans Housing, LLC): 208.75 points.
El Caro Townhomes (Gardner Capital, Inc.): 166.25 points.
19 Apartments (Camelback at the Stop, LLC): 126.25 points.

Based on funding availability, the five highest scoring proposals were recommended for funding, which includes Center Court.

Center Court, located at 4201 N. 9th St. (District 4), is the rehabilitation of a 24-unit permanent housing community. NAC, a nonprofit CHDO, requests $1 million to assist with this project. All units will serve homeless youth between the ages of 18 and 24 with incomes at or below 50 percent of the AMI. Supportive services will be provided by NAC and will include benefits assistance, educational and vocational opportunities, family reunification, medical care, recreational and social programs, life skills, support groups and access to NAC's outpatient services. Other proposed funding for this project includes NAC equity, Federal Home Loan Bank Affordable Housing Program funds, Mercy Maricopa Integrated funds, Dignity Health funds, and a deferred developer fee.

Project award is contingent on full underwriting, environmental release of funds, commitments of other financing, availability of federal funds and City Council approval. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

**Financial Impact**

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2017 HOME funds, a forward allocation of 2018 HOME funds, and available HOME Program Income funds. Funding is budgeted in the Housing CIP.

**Public Outreach**
All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development.

**Location**
4201 N. 9th St.
Council District: 4

**Concurrence/Previous Council Action**
This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on March 21, 2018.

**This item was adopted.**

**126 ADD-ON - Loan Federal HOME Funds for Stepping Stone Phase III Affordable Housing Development (Ordinance S-44398)**

Request authorization for the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $620,000 in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Native American Connections, Inc. (NAC), through Stepping Stone Phase III, LP, or a City-approved nominee, for the Stepping Stone Phase III affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

**Summary**
On Nov. 3, 2017, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 1, 2017. The Priorities are: 1) Projects that focus on homeless or special needs populations (such as veterans, persons with disabilities, and victims of domestic violence), and that provide appropriate services to assist and sustain these populations; 2) Projects submitted by qualified Community Housing Development Organizations (CHDO); 3) Rehabilitation projects owned by nonprofit developers, and currently or previously funded by the City; and 4) Down payment and closing cost assistance for households

earning up to 80 percent of the Area Median Income (AMI).

**Procurement Information**

Thirteen proposals were received and reviewed by an evaluation committee comprised of City staff from the Human Services and Neighborhood Services departments, along with the City of Mesa Housing and Community Development Director, and the Director of National Operations for Cloudbreak Communities, a company that specializes in special needs and veterans housing. The proposals were evaluated on a 500-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merit/Approach; and Financial Feasibility. The evaluation panel scored the proposals as follows:

Center Court (Native American Connections, Inc.): 470.75 points.
Stepping Stone Phase III (Native American Connections, Inc.): 458.75 points.
Northern Gardens II (WESCAP Investments, Inc.): 373.75 points.
Acacia Heights Apartments (FSL Real Estate Services): 363.75 points.
Courtyard at Mission Lane (Gorman Holdings, Inc. and Trellis): 338.75 points.
Rehoboth Place II (Gorman Holdings, Inc. and Rehoboth CDC): 310.00 points.
El Molino Place (Cardinal Capital Management and Arizona Housing, Inc.): 302.50 points.
South 7th Village (Helping Hands Housing Services/UMOM): 287.50 points.
St. Gerard House (Housing for Hope, Inc./Catholic Charities): 280.25 points.
Campesina Commons (Cesar Chavez Foundation): 238.75 points.
Garfield Veterans Housing (Garfield Veterans Housing, LLC): 208.75 points.
El Caro Townhomes (Gardner Capital, Inc.): 166.25 points.
19 Apartments (Camelback at the Stop, LLC): 126.25 points.

Based on funding availability, the five highest scoring proposals were recommended for funding, which includes Stepping Stone Phase III.

Stepping Stone Phase III, located at 1325 N. 14th St. (District 8), consists of acquisition, demolition, and new construction of a 42-unit permanent housing community. NAC, a nonprofit CHDO, through Stepping Stone Phase III, LP, requested $620,000 to assist with this project. All units will serve households with incomes at or below 60 percent of AMI with five units serving chronically-homeless persons. Supportive services will be provided by NAC and will include benefits assistance, educational and vocational opportunities, family reunification, medical care, recreational and social programs, life skills, support groups and access to NAC's outpatient services. Other funding for this project includes Low Income Housing Tax Credit (LIHTC) equity, seller carryback note, and a deferred developer fee.

Project award is contingent on full underwriting, environmental release of funds, commitments of other financing, availability of federal funds and City Council approval. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

**Financial Impact**

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2017 HOME funds, a forward allocation of 2018 HOME funds, and available HOME Program Income funds. Funding commitments for projects with LIHTC equity are contingent upon receiving a LIHTC award from the Arizona Department of Housing in the 2018 competitive round. Funding is budgeted in the Housing CIP.

**Public Outreach**

All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development.

**Location**

1325 N. 14th St.
Council District: 8

**Concurrence/Previous Council Action**

This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on March 21, 2018.

**This item was adopted.**

**127 ADD-ON - Loan Federal HOME Funds for Northern Gardens II Affordable Housing Development (Ordinance S-44399)**

Request authorization for the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1 million in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with WESCAP Investments, Inc., through Northern Gardens II/Phoenix LP, or a City-approved nominee, for the Northern Gardens II affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

**Summary**

On Nov. 3, 2017, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 1, 2017. The Priorities are: 1) Projects that focus on homeless or special needs populations (such as veterans, persons with disabilities, and victims of domestic violence), and that provide appropriate services to assist and sustain these populations; 2) Projects submitted by qualified Community Housing Development Organizations (CHDO); 3) Rehabilitation projects owned by nonprofit developers, and currently or previously funded by the City; and 4) Down payment and closing cost assistance for households earning up to 80 percent of the Area Median Income (AMI).

**Procurement Information**

Thirteen proposals were received and reviewed by an evaluation committee comprised of City staff from the Human Services and Neighborhood Services departments, along with the City of Mesa Housing and Community Development Director, and the Director of National Operations for Cloudbreak Communities, a company that specializes in special needs and veterans housing. The proposals were evaluated on a 500-point scale, and were scored based on the following

evaluation criteria: Developer Experience; Project Merit/Approach; and Financial Feasibility. The evaluation panel scored the proposals as follows:

Center Court (Native American Connections, Inc.): 470.75 points.
Stepping Stone Phase III (Native American Connections, Inc.): 458.75 points.
Northern Gardens II (WESCAP Investments, Inc.): 373.75 points.
Acacia Heights Apartments (FSL Real Estate Services): 363.75 points.
Courtyard at Mission Lane (Gorman Holdings, Inc. and Trellis): 338.75 points.
Rehoboth Place II (Gorman Holdings, Inc. and Rehoboth CDC): 310.00 points.
El Molino Place (Cardinal Capital Management and Arizona Housing, Inc.): 302.50 points.
South 7th Village (Helping Hands Housing Services/UMOM): 287.50 points.
St. Gerard House (Housing for Hope, Inc./Catholic Charities): 280.25 points.
Campesina Commons (Cesar Chavez Foundation): 238.75 points.
Garfield Veterans Housing (Garfield Veterans Housing, LLC): 208.75 points.
El Caro Townhomes (Gardner Capital, Inc.): 166.25 points.
19 Apartments (Camelback at the Stop, LLC): 126.25 points.

Based on funding availability, the five highest scoring proposals were recommended for funding, which includes Northern Gardens II.

Northern Gardens II, located at 2223 W. Northern Ave. (District 5), consists of demolition and new construction of a 77-unit permanent housing community. WESCAP Investments, Inc., a for-profit affordable housing developer through Northern Gardens II/Phoenix LP, requested $1 million to assist with this project. All units will serve households with incomes at or below 60 percent of the AMI. A total of 30 units (39 percent of the project) will be set aside for chronically-homeless persons; of these, 20 units are designated for veterans with incomes at or below 30 percent of AMI. Supportive services will be provided by Arizona Housing, Inc., and will include benefits assistance, client support, case

plans, group programs, life skills training, financial literacy, collaborative treatment, job training, and 24-hour emergency on-call coverage. Other proposed funding for this project includes Low Income Housing Tax Credit (LIHTC) equity and Federal Home Loan Bank Affordable Housing Program funds.

Project award is contingent on full underwriting, environmental release of funds, commitments of other financing, availability of federal funds and City Council approval. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

**Financial Impact**
There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2017 HOME funds, a forward allocation of 2018 HOME funds, and available HOME Program Income funds. Funding commitments for projects with LIHTC equity are contingent upon receiving a LIHTC award from the Arizona Department of Housing in the 2018 competitive round. Funding is budgeted in the Housing CIP.

**Public Outreach**
All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development.

**Location**
2223 W. Northern Ave.
Council District: 5

**Concurrence/Previous Council Action**
This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on March 21, 2018.

**This item was adopted.**

**128 ADD-ON - Loan Federal HOME Funds for Courtyard at Mission Lane Affordable Housing Development (Ordinance S-44400)**

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

an Affordable Housing Loan Program agreement for up to $1 million in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Gorman Holdings, Inc., and Trellis, through Courtyard at Mission Lane, LLC, or a City-approved nominee, for the Courtyard at Mission Lane affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

**Summary**

On Nov. 3, 2017, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 1, 2017. The Priorities are: 1) Projects that focus on homeless or special needs populations (such as veterans, persons with disabilities, and victims of domestic violence), and that provide appropriate services to assist and sustain these populations; 2) Projects submitted by qualified Community Housing Development Organizations (CHDO); 3) Rehabilitation projects owned by nonprofit developers, and currently or previously funded by the City; and 4) Down payment and closing cost assistance for households earning up to 80 percent of the Area Median Income (AMI).

**Procurement Information**

Thirteen proposals were received and reviewed by an evaluation committee comprised of City staff from the Human Services and Neighborhood Services departments, along with the City of Mesa Housing and Community Development Director, and the Director of National Operations for Cloudbreak Communities, a company that specializes in special needs and veterans housing. The proposals were evaluated on a 500-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merit/Approach; and Financial Feasibility. The evaluation panel scored the proposals as follows:

Center Court (Native American Connections, Inc.): 470.75 points.
Stepping Stone Phase III (Native American Connections, Inc.): 458.75 points.

Northern Gardens II (WESCAP Investments, Inc.): 373.75 points.
Acacia Heights Apartments (FSL Real Estate Services): 363.75 points.
Courtyard at Mission Lane (Gorman Holdings, Inc. and Trellis): 338.75 points.
Rehoboth Place II (Gorman Holdings, Inc. and Rehoboth CDC): 310.00 points.
El Molino Place (Cardinal Capital Management and Arizona Housing, Inc.): 302.50 points.
South 7th Village (Helping Hands Housing Services/UMOM): 287.50 points.
St. Gerard House (Housing for Hope, Inc./Catholic Charities): 280.25 points.
Campesina Commons (Cesar Chavez Foundation): 238.75 points.
Garfield Veterans Housing (Garfield Veterans Housing, LLC): 208.75 points.
El Caro Townhomes (Gardner Capital, Inc.): 166.25 points.
19 Apartments (Camelback at the Stop, LLC): 26.25 points.

Based on funding availability, the five highest scoring proposals were recommended for funding, which includes Courtyard at Mission Lane.

Courtyard at Mission Lane, located at 619 W. Mission Lane (District 3), consists of new construction of a 40-unit permanent housing community. Gorman Holdings, Inc., a for-profit affordable housing developer, and Trellis, a nonprofit CHDO, through Courtyard at Mission Lane, LLC, requested $1 million to assist with this project. All units will serve households with incomes at or below 60 percent of the AMI. Supportive services will be provided by Trellis and include on-site computer training, financial literacy, and before and after school care. Other proposed funding for this project includes Low Income Housing Tax Credit (LIHTC) equity and Arizona Department of Housing gap funds.

Project award is contingent on full underwriting, environmental release of funds, commitments of other financing, availability of federal funds and City Council approval. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

**Financial Impact**

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2017 HOME funds, a forward allocation of 2018 HOME funds, and available HOME Program Income funds. Funding commitments for projects with LIHTC equity are contingent upon receiving a LIHTC award from the Arizona Department of Housing in the 2018 competitive round. Funds are budgeted in the Housing CIP.

**Public Outreach**

All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development.

**Location**

619 W. Mission Lane
Council District: 3

**Concurrence/Previous Council Action**

This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on March 21, 2018.

**This item was adopted.**

Note: All discussion pertaining to Item 31 can be found at the end of the meeting.

**41 (CONTINUED FROM FEB. 21 AND MARCH 7, 2018) - General Police Towing Services - Requirements Contract - RFP 17-182 (Ordinance S-44262)**

Request to authorize the City Manager, or his designee, to enter into contracts with DV Towing, LLC and Western Towing of Phoenix, Inc. to provide the Police Department with general police towing services. Further request authorization for the City Controller to disburse, and City Treasurer to accept, all funds related to this item. The aggregate amount will not exceed $531,500.

**Summary**

The Police Department requires general towing services to provide assistance to citizens involved in accidents, towing abandoned vehicles,

vehicles left in the roadways, illegally parked vehicles and other law enforcement impoundments. The Police Department also requires auctioning services when vehicles have been lawfully impounded and determined to be abandoned by the Arizona Department of Transportation Motor Vehicle Division (MVD).

The costs associated with this contract will be passed on to the citizens of the City of Phoenix, and the revenue portion allows the Police Department the ability to fund the towing program.

**Procurement Information**
RFP 17-182, General Police Towing Services was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 68 vendors and was posted on the City's website. Four offers were received by the Procurement Division on July 7, 2017. The proposals were scored by an evaluation panel based on the following criteria:

| | |
|---|---|
| Capacity / Experience of Offeror | 350 points |
| Cost (Includes Line Item Pricing and % of Sales Proceeds) | 350 points |
| Method of Approach | 300 points |

Following is a summary of the highest scored offers:

**Zone A**
DV Towing, LLC 929 Points

**Zone B**
DV Towing, LLC 940 Points

**Zone C**
Western Towing of Phoenix, Inc. 1,000 Points

**Zone D**
Western Towing of Phoenix, Inc. 901 Points

On Oct. 19, 2017, All City Towing submitted a protest of award recommendation. On Nov. 15, 2017, the City denied their protest. On

Nov. 27, 2017, ACT submitted an appeal on the protest denial, which was referred to the Office of Administrative Hearing (OAH). On Jan. 10, 2018, the City received a favorable review from OAH and was forwarded to the City Manager's Office for their review and final decision. On Jan. 24, 2018, the City Manager's Office agreed with the OAH and dismissed ACT's appeal and recommends the City Council award four agreements under RFP 17-182 to DV Towing, LLC and Western Towing of Phoenix, Inc.

The Deputy Finance Director recommends the offers from DV Towing, LLC and Western Towing of Phoenix, Inc. be accepted as the highest scored, responsive and responsible offers.

**Contract Term**

The three-year contract term will begin on or about April 1, 2018 and end on or about March 31, 2021. Provisions of the contract include an option to extend the term for one, two-year contract term of up to five years, which may be exercised by the City Manager or his designee.

**Financial Impact**

The expenditures against this contract shall not exceed the aggregate amount of $531,500. Funds are available in the Police Department's budget. This is a revenue contract that allows the Police Department to fund the towing program, however, there are some costs involved for improper tows. The cost submitted by the proposers are passed on to the citizens of the City of Phoenix.

**Concurrence/Previous Council Action**

The Public Safety and Veterans Subcommittee approved this item on Oct. 12, 2016. On Nov. 30, 2016, the City Council approved the issuance of RFP 17-182.

**Discussion**

City Manager Ed Zuercher stated this was a contract award recommendation through a request for proposal process administered on behalf of the Police Department by the Finance Department.

Chief Financial Officer Denise Olson explained the Finance Department went to two Subcommittee meetings as well as to Council at the Nov. 30,

2016 formal meeting where issuance of the RFP was approved. She pointed out the award recommendation was posted on Oct. 11, 2017 and ACT promptly submitted a protest of the award recommendation. In January 2018 an administrative law judge issued a decision to dismiss the protest and upheld staff's award recommendation. So, staff requested to enter into a contract with DV Towing for Zones A and B and Western Towing of Phoenix for Zones C and D.

Councilwoman Williams expressed this had been an interesting case with lots of testimony from staff and other folks. She did not think the City followed all the steps if could have but an administrative law judge reviewed this matter and upheld staff's award recommendation. Therefore, she moved approval of this item which was seconded.

Kevin O'Malley represented All City Towing and spoke in opposition. He conveyed the issue was whether or not to award contracts to two vendors that were out of compliance with NMVTIS which was the primary control of criminal or fraudulent use of VIN numbers. He said salvaged vehicles could be used for criminal activity if VINs were not properly reported to the federal government. During the course of this process the winning bidders were told towing companies were not subject to that statute. Also, an argument was made that reporting to the state was sufficient to comply with the federal statute. He pointed out staff reached out to the DOJ and found both points were inaccurate as towing companies did need to comply and that state reporting was not sufficient.

Mr. O'Malley remarked after various meetings with Councilmembers an admission was made from both vendors that they had not been reporting the last five years while holding a city contract. He emphasized the City was required, per its procurement code, to award a responsible bidder which meant they had to be in compliance with all federal and state law. The City Attorney sent a memo which cited the City needed verification of compliance before a contract award in order to determine a responsible bidder. He noted the Arizona Supreme Court said a decision to make an award without doing so was arbitrary and subject to being overturned.

He stated City staff went to the DOJ and MVD to obtain information about salvaged titles as well as to the City's own department. Mr. O'Malley had

enough information to know these parties were not in compliance now nor the last five years. He got the City's records which showed there were approximately 20,000 salvaged titles in the last five years by Phoenix. Each of the two winning bidders had one of the two zones while his client had the other two zones. He estimated there were about 5,000 salvaged titles for DV Towing over the past five years from Phoenix. Yet, they reported only 1,699 from all contracts with all cities for the last nine years which he did not think was correct. In fact, one of his client's owners had another salvage entity and bought 3,977 salvaged vehicles from DV Towing so he believed the evidence strongly suggested they were not in compliance. He continued under the NMVTIS statute anyone that had titles of salvaged vehicles could be subject to a $1,000 per vehicle fine. The City had taken the position in the past that it owned the vehicles as part of a revenue-sharing process in connection with these vendors so the City could be at risk by doing business with vendors that were not in compliance.

Mr. O'Malley remarked another concern dealt with an unfortunate event that took place in connection with this RFP process which was a smear campaign directed at a Councilman. It was alleged his client violated the transparency policy due to back-channel communications which he stressed was false. He noted when an investigation was conducted the allegation was retracted. He also found out confidential letters were sent to City staff in November and right before the Council vote was set when meeting with a number of Councilmembers. He did not think Council should countenance the smear campaign in connection with this RFP.

Jeffrey Dunn, general manager of All City Towing, spoke in opposition. He had heard through several meeting with Councilmembers that All City Towing was not in compliance with NMVTIS but he emphasized they were 100 percent compliant. He explained ACT used a third-party reporting company that was authorized by the DOJ, noting the information was uploaded subject to when the reporting company and DOJ updated their websites.

Mr. Dunn touched on the email that detailed salacious allegations directed toward a Councilmember, ACT owners and the company as well as a private citizen. In November 2016 he made a request for all

documentation related to this towing RFP that he felt was withheld by the City as it took over 100 days to get a copy of this particular email from the procurement file. Moreover, DV Towing doubled down the day before the expected vote for this contract on what he believed was their intent to pollute the system. He thought the process had been tainted and the only remedy was to reject staff's recommendation and start over.

Todd DeMasseo, one of the owners of All City Towing, spoke in opposition. His firm had participated in numerous RFPs, IFBs, RFQs, et cetera and he had not seen staff take such a biased approach at evaluating a contract. His company was one of the highest bidders but what was not mentioned was this was a revenue-sharing contract. In fact, ACT was over double the revenue back to the City compared to the other two competing vendors.

Mr. DeMasseo agreed the process was flawed, especially given the fact Phoenix had the most stringent transparency policy. He requested public meetings with Councilmembers and had met with most of the body; yet, staff circulated the letters prior to a vote which violated the policy. He thought irreparable harm had been caused due to confidential vendor information being released and a Councilmember was slandered. He urged Council to reject staff's recommendation for further study. Also, the City's document said vendors must be compliant with all local, state and federal laws and he thought not doing so set a dangerous precedent with future bids.

Paul Gilbert spoke in favor on behalf of DV Towing. He had not seen a bid more thoroughly vetted and reviewed than this one. He recited it had been approved by City staff as well as reviewed by City staff twice, an administrative law judge and the City Manager. He pointed out every reviewing agency charged with the responsibility of giving Council advice recommended approval of this contract. The City put the bid out to 68 towing companies and only four responded to it. He remarked the City evaluated the proposals and also gave the towing companies an opportunity to include additional criteria. He advised NMVTIS was not an issue until the disgruntled bidder was unsuccessful and filed a protest. He indicated five pages of the judge's report dealt with NMVTIS, noting the appeal was denied and staff's recommendation upheld. Therefore,

he thought his client should win the bid as this matter had been reviewed and upheld four times. Not to mention, DV Towing proposed a total contract price for the three-year period of approximately $569,000 in Zone A while All City Towing proposed about $3 million.

Mr. Gilbert expressed two attempts were made to confuse people about what was going on, especially when NMVTIS was raised. He stated the City staff report vetted that issue and found DV Towing had not violated it as did the administrative law judge. He explained NMVTIS was a reporting mechanism to stop VINs from being fraudulently used. The bulk of the towing industry made the assumption that if they reported to the state then the state would report to the feds. His client dutifully reported to the state and recently found out they should have reported directly to the feds. However, he read from the staff report the DOJ was satisfied that both DV Towing and Western Towing of Phoenix met the NMVTIS requirements. Thus, the issue had been heard, addressed and decided so it only confused the situation to bring it up now when his client was and would continue to be in compliance going forward.

Mr. Gilbert wished to address the alleged smear attempt, noting his client had no knowledge of such attempt nor had any conflict of interest in this case. He also made that known at all of the hearings and to the other side. He recalled ACT said it tainted the issue which did not make sense if it was something that took place before his client entered the picture, let alone before a vote was taken. He emphasized it was not an issue but was an attempt to cause confusion.

Elaine Hall worked at DV Towing and spoke in favor. She stated DV Towing was in compliance with NMVTIS and would continue to be in compliance with this new contract if awarded. She expressed if Council did not award them the contract it would go against the recommendations as well as throw out the integrity of the procurement process. In fact, if this went out for re-bid every party would have the ability to utilize the same argument for past NMVTIS non-compliance.

Ms. Hall remarked ACT based their protest on and claimed they were the only company in compliance with NMVTIS; yet, in their own protest documents showed they failed to report 38 times. She wondered why

ACT only made this an issue with Phoenix and not other government agencies, noting the MVD and Department of Justice did not agree on it. She mentioned once everyone was educated and granted reporting time to be compliant then DV Towing became compliant. Also, she indicated DV Towing only reported salvaged titles to NMVTIS, not abandoned titles.

Mayor Stanton confirmed Mitchell Cole, who submitted a speaker comment card with a neutral position, did not wish to speak.

Mayor Stanton understood one of the highest priorities as staff made their recommendation was which bidders had the lowest cost to people of Phoenix whose cars were towed. He recalled a speaker brought up revenue-sharing opportunities but that was not a priority.

Deputy Finance Director Jim Campion affirmed those were accurate statements. He recalled in the Subcommittee meetings that Council set the cost criteria at 350 points, noting part of that was revenue-sharing but wanted to have the lowest cost to citizens.

Mayor Stanton further confirmed per Council's direction that staff's recommendation was the lowest cost to citizens whose cars were towed with less account to the revenue-sharing concept. He wondered if Mr. O'Malley was suggesting Council take the NMVTIS issue into consideration or that they could not legally move forward.

Mr. O'Malley replied both and reiterated the City was required to only award bids to responsible parties under its procurement code. Further, the contracts themselves called for compliance with federal and state law. He added there was a case, Osborn versus Mitten, which required the City do an investigation to determine whether or not a bidder was responsible. However, in this case City staff did not know about the non-compliance with NMVTIS and did not look into it so an investigation was not done. He thought the City was prohibited by its own code from awarding contracts to vendors that were not in compliance.

Based on that response, Mayor Stanton wanted to know if staff's position was that Council could legally move forward.

City Attorney Brad Holm advised Council could move forward today. He explained the Osborn versus Mitten case was decided in the 1930s and involved a public contract with Maricopa County. He said the court held that the City had the broadest possible discretion to determine responsibility. He conveyed an investigation was conducted and it was determined that both bidders proposed for the award were responsible. He added no other Police Department responsible for towing services in the county followed NMVTIS nor were they required to prior to this procurement. He stated if that was a condition of responsibility then every towing company in the county was not responsible.

Councilman Nowakowski wondered if every governmental entity was breaking the law.

Mr. Holm responded no one was breaking the law, noting NMVTIS was not a requirement that would prohibit award of the contract to these two vendors.

Mayor Stanton expressed each Councilmember could give their own weight to that issue but for legal purposes there was no prohibition for Council moving forward today.

Councilman Nowakowski requested an explanation on the federal standard for NMVTIS.

Mr. O'Malley said it was described by Congress as a primary tool so VIN numbers were not used in criminal enterprises, plus it protected consumers from fraudulent transactions. It was set up through the Department of Justice and everyone was required to report the information. He had refuted the argument about reporting to the state as that was not good enough. In fact, he had materials from the DOJ that stated towing companies were required to report NMVTIS information. He emphasized it was an important statute that did apply in this circumstance that there be monthly reporting with respect to salvaged vehicles.

Mr. O'Malley continued he asked the administrative law judge to send a

subpoena to the other parties to stipulate they were not in compliance the last five years. However, no facts came out of that process nor was he allowed to get that information until four Councilmembers asked during a meeting and got a concession from the other vendors. He stressed he did not have a chance to vet this issue as it was done on the basis of documents submitted by the other parties which took the position they were in compliance.

In further response to Councilman Nowakowski, Mr. O'Malley stated there was a $1,000 per vehicle fine for non-compliance with NMVTIS. He noted the City's information quoted there were about 20,000 salvaged vehicles during the last five years which meant the City could have millions of dollars in fines along with the non-compliant parties. In January 2018 the DOJ thanked the other parties for their efforts to come into compliance with NMVTIS requirements, long after they had been serving the City. Further, in response to the DOJ requiring compliance verification, the City Attorney replied the City did not send notices absolving businesses from potential non-reporting penalties but would allow them to come into compliance and take it into account if the parties continued to not be in compliance. He conveyed the DOJ did not establish the other parties were ever in compliance, noting the City's data suggested they were non-compliant.

Mayor Stanton dismissed Ryan Zerbib from the dais.

Mr. Gilbert pointed out the Department of Justice was responsible for enforcing NMVTIS and had not cited anyone. Moreover, this was thoroughly vetted by the DOJ who did not find anyone in violation. He believed All City Towing brought it up because they were a disgruntled vendor who lost the bid and wanted Council to recognize that point.

Mayor Stanton understood both sides had been at various levels of non-compliance with the NMVTIS process; however, the City Attorney advised it was not a legal impediment for Council to move forward today.

Councilman DiCiccio thought the smear campaign was horrible and did not want to reward bad behavior. Also, he had expressed privately that he was unhappy with the way this was handled by staff. He would not be

supporting the motion and wished to address what occurred historically. He recalled one towing company used to hold the contract for towing services; however, he met with them and others to inform them that the City would be breaking the monopoly in order to create competition in the marketplace. He confirmed with staff these three companies were the same ones that held the current contracts with the City. He reiterated he was not supportive of the motion as this would move the City to less competition.

Councilman DiCiccio expressed the people who could afford it the least were the ones that would lose their vehicles while the City made money off of them. He believed the City was obligated to keep track of everything because for some people their car was an important asset. Again, he said he did not support the motion as he preferred that it be rebid.

Mayor Stanton confirmed Councilman DiCiccio supported the revenue sharing model as opposed to the low cost model though he did have concerns with it.

Mayor Stanton thought the unsuccessful bidder presented the City with a revenue model whereas the successful bidder offered a lower cost model to the end user. He requested staff explain how the City dealt with towed cars as well as the salvage process.

Executive Assistant Police Chief Michael Kurtenbach wished to clarify NMVTIS, National Motor Vehicle Title Information System, was the federal response to addressing motor vehicle fraud. Moreover, it looked to avoid the reintroduction of stolen vehicles or other vehicles into interstate commerce. He agreed the Phoenix Police Department was unaware of NMVTIS compliance as it was a vendor responsibility. However, he said the City followed state law which was more robust and prescriptive, especially the towing guidelines which required reporting within three days.

Executive Assistant Police Chief Kurtenbach concurred it was important for the City to track all impounded vehicles. He explained a sworn officer keyed information into their mobile data computer, such as the license

plate and vehicle identification number which then went to the vehicle impound unit and was reviewed to ensure that information was accurate. He continued after 10 days the vendor could apply for an abandoned title, but prior to that a detective goes to the vendor lot and does a physical inspection of the vehicle. He added the detectives did not wear uniforms as they looked for private VINs that were not as readily identifiable as the public VIN located on the dash.

He indicated the department surveyed 10 agencies, including the Department of Public Safety and Maricopa County Sheriff's Office and none of them conducted NMVTIS compliance monitoring. Executive Assistant Police Chief Kurtenbach emphasized out of the 10 agencies Phoenix had the most tows last fiscal year, 35,203 tows, and was the one agency that did a physical inspection of Level 1 vehicle tows which was prior to the application for an abandoned title.

Mayor Stanton announced the motion was in support of staff's recommendation based on the RFP criteria provided by Council which was the lowest cost to the individual getting towed.

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

| | | |
|---|---|---|
| **Yes:** | 3 - | Councilwoman Stark, Councilman Waring and Councilwoman Williams |
| **No:** | 5 - | Councilman DiCiccio, Councilman Nowakowski, Councilman Valenzuela, Councilwoman Gallego and Mayor Stanton |
| **Absent:** | 1 - | Vice Mayor Pastor |

Procedural Discussion
Prior to his no vote, Councilman DiCiccio expressed this was also about competition and opening up the door to more than just one vendor.

Councilman Nowakowski also said he was a no vote because he believed any entity doing business with the City needed to follow all federal, state and local laws. In fact, he had seen RFPs tossed out for lesser things than this so he thought it was an in-house issue that needed some work. Plus, his questions

were still not answered and could not vote yes until he received those answers.

Before voicing his vote, Mayor Stanton wanted to know what would happen if it was a tie vote.

City Attorney Brad Holm replied a tie vote would result in the failure of the motion to approve award of the contract.

Mayor Stanton confirmed a tie vote meant the entire item would have to be rebid. He supported staff's recommendation as he thought they followed the RFP process with fidelity. Also, he believed the case was handled properly before an administrative law judge in which both sides had a chance to fairly litigate these issues. Further, the administrative law judge supported staff's recommendation, so he wanted to be clear that he thought City staff and management made the appropriate recommendation.

Mayor Stanton stated the NMVTIS issue was important and should be given weight by the Council but also allowed this matter to move forward. However, he did not hear any argument on the merits that staff inappropriately weighed the point criteria. He also did not hear any arguments related to the cost to the consumer which was the direction Council gave to staff. In order to avoid a situation where this item would have to be rebid, he would vote on the prevailing side to preserve the ability to do a reconsideration for a full vote of the Council.

**42 Request Authorization to Issue Request for Proposals for Body Worn Video Cameras**

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for Body Worn Video Cameras for the Phoenix Police Department.

**Summary**

This proposal will allow the Police Department to increase deployment of body worn video cameras and enable future expansion to the entire patrol division. The body worn video cameras will demonstrate the Department's commitment to transparency, ensure the accountability of its members, increase public trust in officers and protect members from unjustified complaints of misconduct.

There are currently 300 body-worn cameras being worn by uniformed

police officers through a pilot program. These cameras were purchased using grant funds. The goal of the new RFP will be for the Police Department to purchase up to 2,000 cameras utilizing a phased-in approach over a five-year period. The new RFP contains a number of new technical requirements that will allow the City to procure the best hardware, software and storage solutions possible.

The Police Department has $5 million set aside in the current year in the City's contingency fund for body-worn cameras. At full deployment, it is anticipated a portion of that total will be needed annually, depending on the type of cameras in use, to support the staff costs associated with the management of video generated by the program.

An evaluation committee will be appointed to conduct detailed evaluations of the proposals, establish a competitive range, and select the proposer(s) to receive the contract award. A portion of this evaluation phase will include comprehensive testing that will be done at the Police Academy.

The evaluation criteria and corresponding points will be as follows:

| | |
|---|---|
| Vendor Qualifications | 300 Points |
| Solution Testing | 300 Points |
| Method of Approach | 200 Points |
| Price (Section V-Submittal) | 200 Points |

**Concurrence/Previous Council Action**
This item was recommended for approval by a unanimous vote at the Public Safety and Veterans Subcommittee on Feb. 14, 2018.

**Discussion**
A motion was made and seconded to approve this item.

Councilman DiCiccio said he supported this item as he thought body cameras were useful but he wanted to see more police officers wearing them which meant there were not enough officers on the streets. He expressed the Police Department needed to step up its hiring and wanted staff to do an analysis of how many officers were actually needed. He confirmed at one point there were 3,388 sworn officers but

currently the City had about 3,000 officers. He reiterated the City needed more officers on the ground wearing these cameras.

Councilman Waring indicated he would be voting against this but he was not opposed to body cameras. He recalled the last time this matter came up that $5 million translated to about 40 officers.

City Manager Ed Zuercher clarified it was approximately $150,000 an officer so 35 officers would be $5 million per year.

Councilman Waring thought it was more important to have officers on the street than the expense of the cameras which had more to do with people going back and redacting video and so forth. He was also concerned about whether the RFP had a guarantee to replace the cameras as technology improved.

Councilwoman Gallego stated she looked forward to this item moving on as it would be great for the community. She agreed with Councilman Waring and wanted the best and most modern technology as well as police resources focused on public safety, not editing video. She recalled staff said it took nine hours to edit one hour of footage but if technology could reduce that amount of time it would be a win for the budget and public safety. She asked staff to address how this item was good for public safety and officer accountability.

Executive Assistant Police Chief Michael Kurtenbach conveyed everything police officers did was scrutinized as it should be since they were civil servants. Yet, he thought it was important that what officers saw as well as their actions be captured from their point of view which a body-worn camera allowed. He remarked transparency was talked about in the law enforcement profession. Accordingly, it was important to cut through divergent viewpoints and to the extent possible this equipment could show what happened during an incident, especially critical incidents that polarized communities.

Councilman Valenzuela expressed this was the right thing to do and thanked staff for their work on this issue. He remembered the Maryvale area had a body camera pilot program when he first took office in 2012

and was excited to work toward having a citywide body camera program. He thought it was a win for everyone and was happy to support it.

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

| | | |
|---|---|---|
| **Yes:** | 7 - | Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton |
| **No:** | 1 - | Councilman Waring |
| **Absent:** | 1 - | Vice Mayor Pastor |

**60 Citywide Investigative Services (Ordinance S-44390)**

Request to authorize the City Manager, or his designee, to increase by $300,000 the total aggregate amount of the agreements with various selected vendors to provide investigation services to the City on an as-needed basis. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

On Jan. 6, 2016, City Council authorized the City Attorney to enter into agreements with one or more of several firms to provide investigation services to the Law Department. These services enable the City Attorney to investigate claims and litigation filed against the City. The City Attorney, as authorized, entered into a contract early in 2016 with Investigative Research, Inc. (IRI). IRI has investigated both claims handled in-house and claims defended by outside counsel.

The claims and litigation filed in the last two years have resulted in a higher-than-expected demand for investigation services. The Law Department now requests additional money to fund these services for the remainder of the authorized term of the agreement.

**Financial Impact**

With the $300,000 in additional funds, the revised aggregate amount is now $425,000 (including applicable taxes). The estimated annual expenditure going forward under the contract is $100,000. Funds are available in various department budgets, including the Law Department

and Self-Insurance Fund.

**Concurrence/Previous Council Action**

The Phoenix City Council authorized the agreement on Jan. 6, 2016, Ordinance S-42236, in the original aggregate amount of $125,000.

**Discussion**

Councilman Waring wondered if the intent of this item was to cut down on costs by spending a little money up front on investigators.

Assistant Chief Counsel Les Tuskai replied that was correct as this provided the City an opportunity to keep more larger, high-dollar exposure cases in-house.

Councilman Waring confirmed attorneys already on hand would handle these cases which was cheaper and more efficient.

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

| | | |
|---|---|---|
| **Yes:** | 8 - | Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton |
| **No:** | 0 | |
| **Absent:** | 1 - | Vice Mayor Pastor |

**61 Request Authorization to Extend Federal Representation Contracts with Murray, Montgomery & O'Donnell (Ordinance S-44393)**

Request authorization for the City Manager, or his designee, to extend Contract 134579 with HROD, Inc. doing business as Murray, Montgomery & O'Donnell, for a monthly amount of $6,666 for 12 months, for federal representation and consulting services under the guidance of the Office of Government Relations. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

Murray, Montgomery & O'Donnell (MMO) assists City departments to identify grant opportunities and successfully pursue funding that supports

important City services and projects. MMO also represents the City face-to-face with elected officials and agencies that make decisions about federal funding that directly affects crucial City programs and services. MMO has represented the City on community development issues since 2012. The City underwent a competitive procurement process to select and award new contracts for federal representation. Contracts were awarded by Council on Nov. 29, 2017. An extension of the current contract to MMO is needed to avoid a lapse in service and knowledge and ensure current work and projects are completed. These efforts include, but are not limited to, the City's Choice Neighborhoods grant application to the U.S. Department of Housing and Urban Development, and reaching an agreement with the Phoenix Job Corps Center and the U.S. Department of Labor to use its parking lot to support the further revitalization of the warehouse district.

**Contract Term**

The 12-month contract term shall begin on April 1, 2018, and end on March 31, 2019. Provisions of the contract include the option to extend the term up to one year, which may be exercised by the City Manager or his designee.

**Financial Impact**

The aggregate value of the contract will not exceed $79,992. Continued monthly payments under the Murray, Montgomery & O'Donnell contract of $6,666 will occur for the next 12 months. This includes all expenses, and funds are available in the Office of Government Relations' budget.

**Concurrence/Previous Council Action**

Contract 134579 with MMO was approved by City Council on Oct. 1, 2012.

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

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

**Absent:** 1 - Vice Mayor Pastor

**Discussion**

Councilwoman Gallego expressed this was a series of exciting votes as the City was committing more than $4 million in HOME funds toward affordable housing that addressed LGBT youth, the chronically homeless and veterans. She pointed out Council heard a lot about this from the community and found private sector partners to address these challenges. Moreover, a new way to package the vouchers was created which proved successful in getting partners to take advantage of them.

Councilman Waring wanted clarification as to where this money came from and how it was disbursed.

Housing Director Cindy Stotler replied these were federal funds the City received that were passed on to affordable housing developers.

Penny Vanderwall with Quadel submitted a comment card in favor of Item 63, but did not wish to speak.

The following individuals submitted comment cards in favor of Items 64-66 and 124-128, but did not wish to speak:

Joe Keeper - Native American Connections
Sheila Harris
Sally Schwenn

Also, Stephen Hastings submitted a comment card in favor of Items 124-128 not wishing to speak.

**A motion was made by Councilwoman Gallego, seconded by Councilwoman Williams, that Items 63 through 65 be adopted. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Vice Mayor Pastor

**63** **Authorization to Award Contract for Management and Operation of City's Section 8 Housing Choice Voucher Program (Ordinance S-44361)**

Request authorization for the City Manager, or his designee, to award and enter into a contract with Quadel Consulting and Training (Quadel) for an estimated $35 million over the life of the 10-year contract for the administration of the management and operation of the City's Section 8 Housing Choice Voucher (HCV) Program. Further request authorization for the City Controller to disburse funds over the life of the contract.

Additionally request authorization for the City Controller to disburse up to $550 million in Housing Assistance Payments (HAP) funding that the Housing Department receives from the U.S. Department of Housing and Urban Development (HUD), to Quadel Consulting and Training, as pass-through payments to the landlords of the Section 8 program over the life of the contract. There is no impact to the General Fund.

**Summary**

On Oct. 4, 2017, City Council authorized staff to issue a Request for Proposals (RFP) to contract out management of the Section 8 HCV Program to a private firm experienced in HUD regulations and program requirements.

Section 8 is HUD's largest program providing housing assistance to very low income individuals and families, the elderly, and disabled. The Housing Department, which serves as the Public Housing Authority for the City of Phoenix, has been administering the Section 8 program since 1978. The Section 8 program is a rental subsidy: Section 8 voucher holders pay 30 percent of their adjusted gross income toward rent, and the Housing Department directly pays private landlords the balance of the rent via HAP. In addition, HUD pays the Housing Department Section 8 Administrative fees to fund the operating costs of administering the program including staff salaries and overhead costs. Years of federal proration of Administrative fees have resulted in annual deficits that have depleted the Housing Department's reserves.

Due to the continued reduction of Administrative fees from the federal government, it was determined that to maintain local control and sustain the Section 8 HCV Program, the Housing Department would utilize a vendor to administer all operations and accounting while maintaining minimal City staff to manage contract and financial compliance. Quadel will administer the program for a percentage of the total Program Administrative fees received annually from HUD, and will also be responsible for making HAP of up to $550 million directly to landlords over the maximum 10 years of the contract. All Section 8 funding for HAP and Program Administrative fees will continue to be received by the Housing Department from HUD, and the Housing Department will pass the funding through to Quadel.

The Housing Department's Section 8 Program has 34 authorized full-time employees (FTEs), 13 of which are vacant. Temporary agency staff are currently utilized to offset the vacant positions. The Housing and Human Resources departments continue to work closely with staff and their respective bargaining units to reassign and place existing staff. The Housing Department will also require Quadel to interview all staff who are interested in employment with their organization.

**Procurement Information**
The RFP was issued in accordance with Phoenix City Code § 43-14 for Competitive Sealed Proposals on Oct. 13, 2017.

Three proposals were received. An evaluation panel, comprised of City staff from the Housing, Finance and Human Services departments, and the Housing Director from the City of Tucson, was convened to review the proposals. The panel evaluated all three proposals, including modifications made by each firm in their Best and Final Offers. The awarded scores were as follows:

Quadel Consulting and Training, LLC: 826
CVR Associates, Inc.: 796
Nan McKay and Associates, Inc.: 783

Based on these scores, the evaluation panel recommended that the City award the Section 8 HCV Program contract to Quadel. The Housing

Department concurs with the evaluation panel's decision and recommends awarding the Section 8 HCV Program contract to Quadel as the best value to the City based on the evaluation criteria.

**Contract Term**
The contract shall be effective for a period of five years, with options to renew for an additional five years in five, one-year increments.

**Financial Impact**
There is no impact to the General Fund. Funding is provided by HUD for all Section 8 HCV Program Administrative fees and HAP paid to landlords.

**Concurrence/Previous Council Action**
This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on Feb. 20, 2018, and approval was recommended by a vote of 3-0. On Oct., 4, 2017, City Council authorized the Housing Department to issue an RFP to contract out management of the Section 8 HCV Program to a private firm experienced in HUD regulations and program requirements.

**Location**
Quadel will manage the Section 8 HCV program at 830 E. Jefferson St., which is the current Section 8 office location.
Council District: Citywide

**This item was adopted.**

**64 Award Project-Based Veterans Affairs Supportive Housing Vouchers and Project-Based Housing Choice Vouchers for Dunlap Housing (Ordinance S-44362)**

Request to authorize the City Manager, or his designee, to award and enter into a contract with Native American Connections, Inc. (NAC), or a City-approved nominee, for the allocation of 36 U.S. Department of Housing and Urban Development (HUD) project-based Veterans Affairs Supportive Housing (VASH) vouchers and 18 project-based Section 8 Housing Choice Vouchers (HCV) for up to 20 years in accordance with federal VASH and Section 8 HCV guidelines and regulations, subject to future availability of funding of these voucher programs, and to take all

actions and execute all documents to effectuate the agreement. Further request authorization for the City Controller to disburse funds over the life of the contract. There is no impact to the General Fund.

**Summary**

In June 2017, City Council authorized the Housing Department to issue a Request for Proposals (RFP) to create affordable housing utilizing up to 100 project-based VASH vouchers and up to 50 project-based Section 8 HCV. VASH and Section 8 HCV are both rental subsidy programs: participants in both programs pay approximately 30 percent of their adjusted gross income toward rent, and the Housing Department directly pays the difference to landlords via Housing Assistance Payments (HAP). HUD provides the HAP to the Housing Department, which in turn, will pass-through this rental subsidy to NAC, as landlord for Dunlap Housing, NAC's proposed project-based affordable housing development.

**Procurement Information**

The RFP was issued in accordance with Phoenix City Code (PCC) § 43-14 for Competitive Sealed Proposals on Nov. 3, 2017.

Eight proposals were received and reviewed by an evaluation panel, comprised of City staff from the Human Services and Neighborhood Services departments, along with the City of Mesa Housing and Community Development Director, and the Director of National Operations for Cloudbreak Communities, a company that specializes in special needs and veteran housing. The proposals were evaluated on a 1,000-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merit/Approach; and Financial Feasibility. The evaluation panel scored the proposals as follows:

Dunlap Housing (Native American Connections, Inc.): 863 points.
Northern Gardens II (Northern Gardens II/Phoenix LP): 752 points.
Rehoboth Place Phase II (Gorman & Company, Inc. and Rehoboth CDC): 733 points.
25th and Bell Residential Development (Chicanos Por La Causa): 681 points.
El Molino Place (Arizona Housing Inc. and Cardinal Capital Management): 661 points.

South 7th Village (Helping Hands Housing Services): 655 points.
Garfield Veterans Housing (Garfield Veterans Housing LLC): 581 points.
Manzanita Village (Catholic Charities Community Services): 494 points.

The evaluation panel recommended awarding the top three scored proposals, which includes NAC. Award recipients will receive a combination of VASH vouchers and HCVs, with a ratio of two VASH vouchers to one HCV per award. Based on the number of vouchers requested by NAC, the Housing Department intends to award NAC 36 project-based VASH vouchers and 18 project-based HCVs.

Dunlap Housing, located at 1431 E. Dunlap Ave. (District 3), consists of new construction of 54 studio units and a community building to serve residents. All units will be subsidized with project-based vouchers. Supportive services will be provided by NAC and their agency partners to include recovery support services, life skills, financial literacy, access to transportation, and education/workforce development.

**Contract Term**
The term of the contract under the project-based voucher program will be up to 20 years in accordance with federal VASH and Section 8 HCV guidelines and regulations, and is subject to future availability of funding of these voucher programs. Any renewal of the contract will be determined at the time of expiration and is subject to future availability of funding.

**Financial Impact**
There is no impact to the General Fund. The VASH and Section 8 HCV programs are federally-funded. The City's allocation of VASH and Section 8 HCVs for projects with Low Income Housing Tax Credit (LIHTC) equity are contingent upon receiving a LIHTC award from the Arizona Department of Housing in the 2018 competitive round.

**Concurrence/Previous Council Action**
This item was heard at the Sustainability, Housing, Efficiency and Neighborhood Subcommittee on March 21, 2018. On June 20, 2017, City Council authorized the Housing Department to issue an RFP to create affordable housing utilizing up to 100 project-based VASH

vouchers and up to 50 HUD project-based Section 8 HCVs with supportive services.

**Location**
1431 E. Dunlap Ave.
Council District: 3

**This item was adopted.**

**65 Award Project-Based Veterans Affairs Supportive Housing Vouchers and Project-Based Housing Choice Vouchers for Northern Gardens II (Ordinance S-44364)**

Request to authorize the City Manager, or his designee, to award and enter into a contract with Northern Gardens II/Phoenix LP, or a City-approved nominee, for the allocation of 20 U.S. Department of Housing and Urban Development (HUD) project-based Veterans Affairs Supportive Housing (VASH) vouchers and 10 project-based Section 8 Housing Choice Vouchers (HCV) for up to 20 years in accordance with federal VASH and Section 8 HCV guidelines and regulations, subject to future availability of funding of these voucher programs, and to take all actions and execute all documents to effectuate the agreement. Further request authorization for the City Controller to disburse funds over the life of the contract. There is no impact to the General Fund.

**Summary**
In June 2017, City Council authorized the Housing Department to issue a Request for Proposals (RFP) to create affordable housing utilizing up to 100 project-based VASH vouchers and up to 50 project-based Section 8 HCV. VASH and Section 8 HCV are both rental subsidy programs: participants in both programs pay approximately 30 percent of their adjusted gross income toward rent, and the Housing Department directly pays the difference to landlords via Housing Assistance Payments (HAP). HUD provides the HAP to the Housing Department, which in turn, will pass-through this rental subsidy to Northern Gardens II/Phoenix LP, as landlord for Northern Gardens II, Northern Gardens II/Phoenix LP's proposed project-based affordable housing development.

**Procurement Information**
The RFP was issued in accordance with Phoenix City Code (PCC) § 43-14 for Competitive Sealed Proposals on Nov. 3, 2017.

Eight proposals were received and reviewed by an evaluation panel, comprised of City staff from the Human Services and Neighborhood Services departments, along with the City of Mesa Housing and Community Development Director, and the Director of National Operations for Cloudbreak Communities, a company that specializes in special needs and veteran housing. The proposals were evaluated on a 1,000-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merit/Approach; and Financial Feasibility. The evaluation panel scored the proposals as follows:

Dunlap Housing (Native American Connections): 863 points.
Northern Gardens II (Northern Gardens II/Phoenix LP): 752 points.
Rehoboth Place Phase II (Gorman & Company, Inc., and Rehoboth CDC): 733 points.
25th and Bell Residential Development (Chicanos Por La Causa): 681 points.
El Molino Place (Arizona Housing Inc., and Cardinal Capital Management): 661 points.
South 7th Village (Helping Hands Housing Services): 655 points.
Garfield Veterans Housing (Garfield Veterans Housing LLC): 581 points.
Manzanita Village (Catholic Charities Community Services): 494 points.

The evaluation panel recommended awarding to the top three scored proposals, including Northern Gardens II/Phoenix LP. Award recipients will receive a combination of VASH vouchers and HCVs, with a ratio of two VASH vouchers to one HCV per award. The Housing Department intends to award Northern Gardens II/Phoenix LP 20 project-based VASH vouchers and 10 project-based HCVs.

Northern Gardens II, located at 2223 W. Northern Ave. (District 5), consists of demolition and new construction of a 77-unit permanent housing community. Supportive services will be provided by Arizona Housing Inc., and will include benefits assistance, client support, case plans, group programs, life skills training, financial literacy, collaborative treatment, job training, and 24-hour emergency on-call coverage.

**Contract Term**

The term of the contract under the Project-Based Voucher program will be up to 20 years in accordance with federal VASH and Section 8 HCV guidelines and regulations, and is subject to future availability of funding of these voucher programs. Any renewal of the contract will be determined at the time of expiration and is subject to future availability of funding.

**Financial Impact**

There is no impact to the General Fund. The VASH and Section 8 HCV programs are federally-funded. The City's allocation of VASH and Section 8 HCV for projects with Low Income Housing Tax Credit (LIHTC) equity is contingent upon receiving a LIHTC award from the Arizona Department of Housing in the 2018 competitive round.

**Concurrence/Previous Council Action**

This item was heard at the Sustainability, Housing, Efficiency and Neighborhood Subcommittee on March 21, 2018. On June 20, 2017, City Council authorized the Housing Department to issue an RFP to create affordable housing utilizing up to 100 project-based VASH vouchers and up to 50 HUD project-based Section 8 HCVs with supportive services.

**Location**

2223 W. Northern Ave.
Council District: 5

**This item was adopted.**

**66 Award Project-Based Veterans Affairs Supportive Housing Vouchers and Project-Based Housing Choice Vouchers for Rehoboth Place Phase II (Ordinance S-44367)**

Request to authorize the City Manager, or his designee, to award and enter into a contract with Gorman & Company, Inc., and Rehoboth CDC (Gorman/Rehoboth), for the allocation of 44 U.S. Department of Housing and Urban Development (HUD) project-based Veterans Affairs Supportive Housing (VASH) vouchers and 20 project-based Section 8 Housing Choice Vouchers (HCV) for up to 20 years in accordance with federal VASH and Section 8 HCV guidelines and regulations, subject to future availability of funding of these voucher programs, and to take all

actions and execute all documents to effectuate the agreement. Further request authorization for the City Controller to disburse funds over the life of the contract. There is no impact to the General Fund.

**Summary**

In June 2017, City Council authorized the Housing Department to issue a Request for Proposals (RFP) to create affordable housing utilizing up to 100 project-based VASH vouchers and up to 50 project-based Section 8 HCV. VASH and Section 8 HCV are both rental subsidy programs: participants in both programs pay approximately 30 percent of their adjusted gross income toward rent, and the Housing Department directly pays the difference to landlords via Housing Assistance Payments (HAP). HUD provides the HAP to the Housing Department, which in turn, will pass-through this rental subsidy to Gorman/Rehoboth, as landlord for Rehoboth Place Phase II, Gorman/Rehoboth's proposed project-based affordable housing development.

**Procurement Information**

The RFP was issued in accordance with Phoenix City Code (PCC) § 43-14 for Competitive Sealed Proposals on Nov. 3, 2017.

Eight proposals were received and evaluated by an evaluation panel, comprised of City staff from the Human Services and Neighborhood Services departments, along with the City of Mesa Housing and Community Development Director, and the Director of National Operations for Cloudbreak Communities, a company that specializes in special needs and veteran housing. The proposals were evaluated on a 1,000-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merit/Approach; and Financial Feasibility. The evaluation panel scored the proposals as follows:

Dunlap Housing (Native American Connections): 863 points.
Northern Gardens II (Northern Gardens II/Phoenix LP): 752 points.
Rehoboth Place Phase II (Gorman & Company, Inc. and Rehoboth CDC): 733 points.
25th and Bell Residential Development (Chicanos Por La Causa): 681 points.
El Molino Place (Arizona Housing Inc. and Cardinal Capital Management): 661 points.

South 7th Village (Helping Hands Housing Services): 655 points.
Garfield Veterans Housing (Garfield Veterans Housing LLC): 581 points.
Manzanita Village (Catholic Charities Community Services): 494 points.

The evaluation panel recommended awarding to the top three scored proposals which includes Gorman/Rehoboth. Award recipients will receive a combination of VASH vouchers and HCVs, with a ratio of two VASH vouchers to one HCV per award. Based on the number of vouchers requested by Gorman/Rehoboth, the Housing Department intends to award Gorman/Rehoboth 44 project-based VASH vouchers and 20 project-based HCVs.

Rehoboth Place Phase II, located at 27th Avenue and Hazelwood Street (District 4), consists of new construction of a 64-unit community. All units will be subsidized with project-based vouchers. Supportive services will be provided by Rehoboth CDC and their agency partners to include on-site activities to enhance social connectivity, connections to resume writing and jobs, and caregiver services as needed, as well as transportation to special appointments.

**Contract Term**
The term of the contract under the Project-Based Voucher program will be up to 20 years in accordance with federal VASH and Section 8 HCV guidelines and regulations, and is subject to future availability of funding of these voucher programs. Any renewal of the contract will be determined at the time of expiration and is subject to future availability of funding.

**Financial Impact**
There is no impact to the General Fund. The VASH and Section 8 Housing Choice Voucher programs are federally-funded. The City's allocation of VASH and Section 8 Housing Choice Vouchers for projects with Low Income Housing Tax Credit (LIHTC) equity is contingent upon receiving a LIHTC award from the Arizona Department of Housing in the 2018 competitive round.

**Concurrence/Previous Council Action**
This item was heard at the Sustainability, Housing, Efficiency and

Neighborhood Subcommittee on March 21, 2018. On June 20, 2017, City Council authorized the Housing Department to issue an RFP to create affordable housing utilizing up to 100 project-based VASH vouchers and up to 50 HUD project-based Section 8 HCVs with supportive services.

**Location**
27th Avenue and Hazelwood Street
Council District: 4

Note: As listed in the previous item, the following individuals submitted comment cards in favor, but did not wish to speak:

Joe Keeper - Native American Connections
Sheila Harris
Sally Schwenn

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

| | | |
|---|---|---|
| **Yes:** | 7 - | Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton |
| **No:** | 1 - | Councilman DiCiccio |
| **Absent:** | 1 - | Vice Mayor Pastor |

**71 Authorization to Enter into Development Agreement with VisionGate, Inc. (Ordinance S-44358)**

Request to authorize the City Manager, or his designee, to negotiate and enter into a development agreement (DA), and to execute any other instruments or documents necessary, with VisionGate, Inc. (VisionGate), or its City-approved designee for its expansion at 10220 S. 51st St. (Site). Further request authorization for the City Controller to disburse funds related to this item.

**Summary**
On May 21, 2010, the City entered into Purchase and Operating Agreement 128669 with VisionGate for the establishment and operation of a public biomedical research lab and the purchase of two fully

patented Generation I Cell-CT research instruments at $600,000 each. As a result of this agreement, VisionGate relocated from the Seattle, Wash. area, bringing with it 20 high-wage jobs, and agreed to remain in Phoenix for the term of the agreement. The term of the agreement ended in May 2015.

VisionGate is a new generation biotech company dedicated to saving lives through early disease detection. VisionGate's first commercial product, LuCED, focuses on the early detection of lung cancer. LuCED is a non-invasive test utilizing sputum (phlegm). Currently, lung cancer is typically detected in its later stages and LuCED has had great success detecting lung cancer at stage 1.

VisionGate is expanding and retaining the economic and social impacts of the company in Phoenix and the region is significant. To facilitate this growth and keep VisionGate based in Phoenix, staff recommends the City enter into a new DA with VisionGate. Subject to City Council approval, the following major business terms have been negotiated with VisionGate and would be implemented through the DA:

VisionGate agrees to keep its headquarters in and expand its company within the city of Phoenix at the Site.

VisionGate agrees to create and maintain up to 125 high-wage jobs (average annual salary of at least $75,000), above and beyond VisionGate's pre-October 2015 number of high-wage jobs (Minimum Threshold), within five years of entering into the DA.

City will provide $2,000 from its Strategic Economic Development Fund (SEDF) to provide a performance based job training fund for each new hired employee above the Minimum Threshold, with a cap limit of 125 employees and certain other conditions to be finalized in the DA. Payment for each new hired employee would be paid in arrears, beginning no sooner than July 1, 2018, for a period not to exceed five years from entering into the DA. At no time will the annual payment exceed $50,000 per year.

City would work with VisionGate to provide up to $100,000 for incumbent worker training within the guidelines of the Incumbent Worker Training Program, utilizing Workforce Innovation Opportunity Act (WIOA) funds.

City agrees to work with VisionGate to create an on-the-job (OJT) training

program, where the Phoenix Workforce Board may provide up to $100,000 of WIOA funds to offset the expense of providing new employees on-the-job learning and mentorship. The OJT program would reimburse VisionGate for 50 percent of each new hire's hourly salary, up to $4,000 per person.

Use of Incumbent Worker Training Program and OJT would remain subject to review and approval through those program processes, and nothing in the DA would commit the City to providing these programs to VisionGate.

The DA will include other terms and conditions as needed.

**Financial Impact**

Approval of this action will have no impact on the General Fund. Dedicated federal Workforce Innovation Opportunity Act funds will be used in conjunction with funding available in the Strategic Economic Development Fund. The maximum amount of Strategic Economic Development funds to be used is $250,000 beginning no earlier than July 1, 2018.

**Concurrence/Previous Council Action**

This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee at its Feb. 7, 2018 meeting by a vote of 4-0.

**Location**

10220 S. 51st St.
Council District: 6

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

| | | |
|---|---|---|
| **Yes:** | 7 - | Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton |
| **No:** | 1 - | Councilman DiCiccio |
| **Absent:** | 1 - | Vice Mayor Pastor |

**93 Phoenix Key Corridors Master Plan Transportation Planning Services - ST85100398 (Ordinance S-44336)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Jacobs Engineering Group, Inc., to provide transportation planning services in support of the Phoenix Key Corridors Master Plan project. Further request authorization for the City Controller to disburse all funds related to this item. The total fee for contract services will not exceed $450,000, including all subconsultant and reimbursable costs.

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

**Summary**

The Key Corridors Master Plan (KCMP) project will analyze corridors of significant economic and social importance within the community to determine broad types of mode-specific potential transportation projects that are acceptable in each corridor. City staff will use the KCMP as a guiding document to define opportunities for further future study and transportation improvement project development and programming. The City is continually balancing the needs of neighborhoods with the needs of commuters who often travel variable distances between home and work on a daily basis. The development of defined functional roles for key corridors serving primary activity centers throughout the City will ensure corridors are developed and enhanced in a manner that does not conflict with the desired functional characteristics of the road, while preserving neighborhood character.

Jacobs Engineering Group, Inc.’s services will include, but are not limited to: provide transportation planning services that classify roadways throughout the City by function; make project recommendations for further study associated with employment centers; and identify feasible

project improvements, including provision of cost estimates and schedules for programming projects in the Street Transportation Department's Capital Improvement Program, and additional services as needed.

**Procurement Information**
Jacobs Engineering Group, Inc., was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City is not to release the scoring of firms until a contract has been awarded. Five firms submitted proposals. The three top rankings follow:

Jacobs Engineering Group, Inc.: Ranked 1
Kimley-Horn and Associates, Inc.: Ranked 2
Burgess & Niple, Inc.: Ranked 3

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

**Financial Impact**
The total fee for contract services will not exceed $450,000, including all subconsultant and reimbursable costs. Funding is available in the Street Transportation Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**Concurrence/Previous Council Action**
This item was heard at the Transportation and Infrastructure Subcommittee meeting on March 13, 2018 and approval was recommended by a vote of 4-0.

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

**Yes:** 6 - Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

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

**Absent:** 1 - Vice Mayor Pastor

**123 Consideration of Citizen Petition Related to Los Olivos Park Urban Working Farm and Concessions Proposal**

This report provides the City Council with information in response to a citizen petition submitted by Brian Stanley at the March 7, 2018 Formal City Council meeting regarding the establishment of an urban working farm and concessions at Los Olivos Park (Attachment A).

**Summary**

The petitioner requests that the City Council:

1. Instruct the Parks and Recreation Board (Board) that no change to Los Olivos Park is to be authorized until the Board has been able to establish that such change: (1) Does not violate any commitment made by the City when it applied for federal funding assistance in connection with Los Olivos Park; (2) Would not violate applicable federal law, including Section 6(f) of the Land and Water Conservation Act of 1965; and (3) Would not decrease City park space devoted to and available for public outdoor recreation use.

2. Resolve that it is the policy of the City that there should be no reduction in City park space devoted to outdoor recreation use, and that any plan that would convert City park space currently devoted to such use to other uses provide for the substitution of comparable, nearby replacement land for outdoor recreation use.

Parks and Recreation staff met with Arizona State Parks (State Parks) staff on Jan. 4, 2018 to discuss the project. A proposal citing the allowable stipulations from the Land and Water Conservation Fund State Assistance Program Federal Financial Assistance Manual (Manual) was submitted to State Parks on Jan. 10, 2018 to be forwarded to the National Park Service (NPS) for review.

The Manual contains the guidelines for the administrative procedures and requirements for Land and Water Conservation Fund (LWCF) federal assistance to the States by NPS. The Manual is intended to serve as a basic reference for those who are engaged in the administrative, financial management and stewardship responsibilities of the LWCF State Assistance Program.

Parks and Recreation staff, in consultation with State Parks, referred to this Manual in the context of the urban working farm and concessions proposal at Los Olivos Park. Parks and Recreation staff, using these guidelines, have submitted that the urban working farm proposal is public outdoor recreation use and meets the guidelines of the LWCF State Assistance Program.

Parks and Recreation staff is awaiting a response from NPS through State Parks. If NPS requires a conversion process in accordance with the Manual, Chapter 8, Section E., Conversions of Use -- and, specifically, Section 6(f)(3), 36 CFR Part 59 of the Land and Water Conservation Fund Act of 1965 -- staff is prepared to meet these requirements.

Under Chapter XXIII of the City Charter, the Board is given broad powers and duties over the use of City parks. It is also given the specific authority to enter into concession agreements for parks. Because these broad and specific powers are conferred on the Board, the City Council does not have the authority to direct the Board to take the policy actions requested in Mr. Stanley's citizen petition. The matter of entering into a letter of intent for the urban working farm and concessions proposal at Los Olivos Park is currently scheduled to be on the March 22, 2018 Board agenda.

Staff recommends the Council deny the petition since the matter is under the authority of the Parks and Recreation Board.

**Location**

Los Olivos Park, 2802 E. Devonshire Ave.
Council District: 6

**Discussion**

Mayor Stanton noted the Los Olivos Park urban working farm and concessions contract would go before the Parks Board which was a

separate body whose members were appointed by but not overseen by the Council. Therefore, the board would make its own independent decision, but he was willing to hear testimony based on that fact.

Nick Wood submitted a comment card in favor, but did not wish to speak.

Brian Stanley submitted exhibits and wished to amend the first bullet point of the petition so that Council would recommend to the City Manager that he instruct the Parks Board as it was not legal for Council to do so based on the City Charter. He indicated the question then became whether the legal opinion that Council had no authority in such matters was valid. He conveyed all powers of the city were vested in the Council who created the Parks Board which meant Council had the power to set policy. He stated the second bullet point requested there be no reduction of public outdoor recreation space in parks without substitution of equivalent space. He expressed the proposal would create a real estate giveaway and did not think voters would accept that Council had no control over it as the Parks Board was an independent body.

Mayor Stanton reiterated the Parks Board was created by the City Charter which was voted on by the citizens of Phoenix. He explained that Council appointed members to the Parks Board, and if Council influenced their decision-making it would be inconsistent with the spirit of what the Charter called for as well as the independence of the board. He further confirmed his statement was accurate with the City Attorney. He advised staff determined this was not an appropriate citizen petition and asked for a motion of Council, noting it might be appropriate there be no motion due to the unique situation. Since no motion was made he announced the petition failed due to lack of a motion.

**This item failed due to lack of a motion.**

**129 ADD-ON - Selection of Vice Mayor**

Request to permit the City Council to select one of its members to serve a one-year term as Vice Mayor, pursuant to Phoenix City Charter IV, section 3.

**Discussion**

Mayor Stanton stated a councilmember asked that the selection of Vice Mayor be placed on the agenda, noting the City Manager complied with

that request.

Councilwoman Stark mentioned Councilwoman Pastor was not present as she was away on City business but wanted to thank her for doing a tremendous job the past year. She made a motion to select Thelda Williams as Vice Mayor which was seconded by Councilman Nowakowski. Councilwoman Stark stated she had the utmost respect for Councilwoman Williams because she exhibited respect to the public, staff and to her fellow Councilmembers and knew she would do a terrific job.

Councilman Valenzuela inquired who added this item to the agenda.

City Manager Ed Zuercher replied he instructed staff to add this item to the agenda based on the request of a Councilmember. He explained the tradition in terms of Vice Mayor was different from other formal agenda items in that once the year of service was completed the selection of Vice Mayor was put on the agenda, especially when a Councilmember asked, since it was a voting matter for Council.

Councilman Valenzuela again asked who requested this item be added to the agenda.

Councilmen DiCiccio and Nowakowski affirmed they made the request.

Councilman Valenzuela conveyed the reason he asked was because the current Vice Mayor, Laura Pastor, was away on city business. He believed this could have been added to the agenda prior to her leaving or to the next agenda upon her return. He did not think this was the right way to go though he understood it was typically done on an annual basis. He thought Thelda Williams would be a great leader and looked forward to supporting her as interim Mayor in the future. However, his concern was how the Council decided to go about its business and wondered why this vote was not postponed in order to bring Laura Pastor into this conversation. Although he could not say enough good things about Thelda Williams' leadership he was not supportive of the motion. He asked that this item be continued to a later date when the full Council could have this discussion.

Mayor Stanton assumed the continuance would be the first available date when Vice Mayor Pastor would be present for a vote. He confirmed the date was April 4th and seconded the continuance request.

Councilman DiCiccio remarked the vote should have occurred in February, noting it was already the end of March. He indicated three Councilmembers can ask to put an item on the agenda per the rules so there was no unjust intent to proceed. He pointed out he would not be present on April 4th so it would not be the full Council but he supported the motion because he believed Council would do the right thing.

Councilwoman Williams expressed this was an unexpected pleasure and had recently communicated with Laura Pastor who was aware and offered to call in with her support. She added that Vice Mayor Pastor had been in conversations with several Councilmembers the last few days so she was aware of the issue.

Councilman Valenzuela said he was not sure how supportive Vice Mayor Pastor was of this item being placed on the agenda as an add-on. Again, he thought there was a better way of doing this and asked that it be done correctly.

Mayor Stanton announced the motion on the floor was to continue the item so testimony could only be taken on that basis. He confirmed Rebecca Wininger, who submitted a speaker comment card in opposition, and Ray Bradford, who submitted a comment card with no position marked, did not wish to speak.

Eric Nielson thought that Council should observe fairness and not vote on this matter today.

Mayor Stanton requested a voice vote on the continuance motion. Since the vote was unclear he asked for another voice vote and added this was not an easy decision as people felt strongly on both sides.

Councilwoman Stark remarked she did not disagree with Councilman Valenzuela but thought it might be uncomfortable to have another vote at

this point which was why she wanted this to move forward today. She clarified this was no reflection on Vice Mayor Pastor as she had done a wonderful job but did not think Council should go through this again.

Councilman Valenzuela conveyed he would have agreed had this been set on the agenda prior to Vice Mayor Pastor leaving on City business. He did not think this was the right thing to do and wished this had not been placed on the agenda.

Councilman Nowakowski suggested something be put in place on a regular basis related to voting on the one year term for Vice Mayor.

Mayor Stanton stated Council could vote earlier or later than the one year term, noting the request would be a substantive addition to the underlying motion. He pointed out if the continuance failed the suggestion of a presumptive term of a year could be added but Council could void it if needed.

Councilman DiCiccio indicated he was no longer supportive of the continuance based on further dialogue, especially since he was not going to be present on April 4th.

Councilman Waring expressed the vote for Vice Mayor was not that extraordinary. Further, he did not think a term date was appropriate now given the potential upcoming election. He wanted to vote on this today, especially since Councilwoman Williams talked to Vice Mayor Pastor which made that a non-issue.

Councilwoman Gallego said she served as the previous Vice Mayor and while she was out on maternity leave the Council voted on a new vice mayor. She was happy to see that happen as her time was up, plus she did not think being Vice Mayor was a big deal as there were many more important roles at the City.

Councilman Valenzuela interjected if it was not that big a deal then Council should wait on the vote. He reiterated this was a last-minute add-on and should have been done prior to Vice Mayor Pastor leaving on City business.

Mayor Stanton called for a voice vote on the continuance motion which failed.

Following the vote, Councilman Valenzuela requested a roll call.

**Yes:** 2 - Councilman Valenzuela and Mayor Stanton

**No:** 6 - Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Stark, Councilman Waring and Councilwoman Williams

**Absent:** 1 - Vice Mayor Pastor

Mayor Stanton confirmed the continuance motion failed 6-2. He announced the underlying motion to select Councilwoman Williams as Vice Mayor was now on the floor along with Councilman Nowakowski's suggestion to add a presumptive term limit.

Councilman Nowakowski remarked given the potential change in a few months he withdrew his term limit suggestion.

Councilman DiCiccio thought it should be added as it would make it more secure. He agreed it did not have to be now but thought Council should do a continuity vote at some point in the future to avoid this type of situation.

Mayor Stanton believed there might be a forthcoming request for a presumptive term of one year for the Vice Mayor role but for now it was withdrawn.

**A motion was made by Councilwoman Stark, seconded by Councilman Nowakowski, to select Councilwoman Williams as Vice Mayor. The motion carried by voice vote:**

**Yes:** 7 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**No:** 1 - Councilman Valenzuela

**Absent:** 1 - Vice Mayor Pastor

**31** **Settlement of Claim *Grigg v. City of Phoenix***

To make payment of $2,000,000.00 in settlement of claim in *Grigg v. City of Phoenix,* Maricopa County Superior Court, Case CV2014-015191, 13-1128-001 GL BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

**Discussion**

Note: The following discussion took place immediately following the omnibus motion.

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

JJ Johnson strongly recommended Council not vote to approve this settlement. He felt the City had disregarded Officer Sefranka who was shot in the line of duty while trying to arrest an armed robbery suspect when Mr. Grigg stepped in and caused the suspect to gain control of Officer Sefranka's weapon. He thought Mr. Grigg caused his own shooting and did not deserve a settlement; in fact, Mr. Johnson wanted this to go to trial as he did not believe Mr. Grigg would prevail on the facts.

Councilman DiCiccio had not heard that argument before and wondered if the item could be continued so he could obtain more facts.

A substitute motion was made by Councilwoman Gallego, seconded by Councilman Nowakowski, that this item be continued to the April 4, 2018 City Council Formal Meeting.

City Attorney Brad Holm advised the tentative settlement was achieved about a month ago and believed that court deadlines were suspended based on the funding of the settlement. He could not say if a continuance would jeopardize the case but knew there were pending deadlines that could be in peril.

Mayor Stanton conveyed this item would hold its place and be heard at the end of the meeting in order to determine if a decision was needed today. He added this item had come before Council in Executive Session a couple times.

Note: The following discussion took place at the end of the meeting after Item 129.

Mayor Stanton recalled that Councilman DiCiccio asked a question of staff and the City Attorney was ready with a response.

City Attorney Brad Holm restated the question was whether this item could be continued and the answer was yes. There were some deadlines in April that could be problematic but it could be continued as long a decision was made at the next formal meeting on April 4th.

Councilman DiCiccio remarked he wanted the continuance because Mr. Johnson brought up an argument he had not heard before and wished to explore it further.

**A substitute motion was made by Councilwoman Gallego, seconded by Councilman Nowakowski, that this item be continued to the April 4, 2018 City Council Formal Meeting. The motion carried by voice vote:**

| | | |
|---|---|---|
| **Yes:** | 8 - | Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton |
| **No:** | 0 | |
| **Absent:** | 1 - | Vice Mayor Pastor |

## REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

## CITIZEN COMMENTS

Note: Councilman Valenzuela temporarily left the voting body.

Benjamin McClellan expressed concern about the Chinese Cultural Center and requested Council ensure its future for generations to come.

Note Councilmen DiCiccio and Nowakowski left the voting body.

Dennis Yee, a member of the Arizona Chinese Historical Association, talked about the history of the Chinese in Arizona He wanted Council to stop True North from destroying the Chinese Cultural Center and instead preserve it

M. Check Yee, an officer of the Chinese United Association of Greater Phoenix, remarked the Chinese community was concerned about the lease renewal for Beijing Garden. Also, he conveyed a judge found the current landlord's actions were criminally wrong.

Note: Councilman Valenzuela returned to the voting body.

Kim Baker spoke on behalf of his son about a police incident that occurred on February 15. He said his son was stopped, pulled out and handcuffed while officers searched the car, yet only gave a civil citation. He stressed this behavior had to stop so kids were not terrified by people who were supposed to protect them

Thomas Simon, spokesman for Chinese United as well as representative for Szechwan Palace Restaurant and Charlie Lai's Super El Ranch Market, conveyed the Beijing Garden Restaurant and Chinese Cultural Center were under siege. He requested Council meet with them to discuss the activity that had taken place the past three weeks by the landlord.

Pasquale Labate expressed concern about the rezoning of property located at 1529 E. Willetta St as he had difficulty driving from his house because of people going to the clinic on that site.

**ADJOURN**

There being no further business to come before the Council, Mayor Stanton declared the meeting adjourned at 5:00 p.m.

Thelda Williams

MAYOR

ATTEST:

CITY CLERK

SC

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 21st day of March, 2018 I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 20th day of June, 2018.

CITY CLERK