172655

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, June 27, 2018 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, June 27, 2018, at 2:37 p.m. in the Council Chambers.

Present: 7 - Councilwoman Kate Gallego, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilman Daniel Valenzuela, Vice Mayor Jim Waring and Mayor Thelda Williams

Absent: 1 - Councilman Sal DiCiccio

Note: Councilman Valenzuela temporarily left the voting body during Item 38 and returned during Item 52. Councilwoman Gallego left the Chambers and rejoined the voting body via telephone during Item 65, then re-entered the Chambers during Item 66. Councilman Nowakowski declared a potential conflict of interest for Items 81 and 82. Councilman Valenzuela temporarily left the voting body during Item 81, returned during discussion on Item 83, and left the voting body and rejoined via telephone during Item 87.

Mayor Williams acknowledged the presence of Maria Garcia, a Spanish interpreter. In Spanish, Ms. Garcia announced her availability to the audience.

CITIZEN COMMENTS

Joanne Scott Woods presented Council with two citizen petitions, the first asking for transparency in the Phoenix Police Department for funded goals in the 2017-2019 Strategic Plan. She submitted the Tucson Police and Fire departments' chart and documents to be considered for use in Phoenix Police programs. She also asked Council to consider applying the model used by Las Vegas Metropolitan Police Department for transparency to the Phoenix Police Department, which allows the public to review official records on decisions, reports and internal review for each incident.

Leonard Clark expressed concern about the need to fund traumatic counseling for witnesses of police violence, and wanted the signs regarding indigenous people under Piestewa Peak Mountain to be changed. He said he was worried about garbage bins on the sidewalk being in the way of people using wheelchairs and wanted clarification on the best placement for those.

Brent Kleinman spoke about civility and asked Council to continue working in a decent and civil manner as difficult items arose. He expressed concern about the potential move of city elections to even years, and felt that it would risk the elections becoming more divisive. He mentioned that the First Lady would be visiting Phoenix and said he hoped that any protests were peaceful and respectful.

Wesley W. Harris reminded Council of the South Phoenix light rail conversations recently and said that Central Avenue was the economic engine of the area and the project would destroy that. He argued that long time residents and business owners were not approached and their voices needed to be heard. He suggested that 7th Street made more sense as there is a school there, but that he would rather the money be spent elsewhere altogether.

J.J. Johnson stated there has been an increase in violence, and said the Fire Department had responded to 489 calls for service due to gunshot wounds, of which there were 75 such calls since June 1. He expressed concern for the failure to stop gun violence creating a more hostile environment for police officers, and called for new leadership in public safety for Phoenix.

Lincoln Ragsdale, Jr. explained that he owns property on Central Avenue, that he is in favor of development and supported the light rail during the vote. He suggested a bicycle and vehicle shared use lane and submitted photographs of a similar situation in San Diego for Council to review. He asked that Council consider that plan to keep the project going and acknowledged the challenges to local businesses.

Blue Crowley recalled talking about the bike lane on Central Avenue several years ago and expressed concern that the bike lane would not be kept. He noted that there are taxes paid for buses and that he is not hearing about those funds. He stated that the bus shelters need improvement and wondered how

much of the funding would go to those projects.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6464, and G-6474 through G-6478, S-44749, and S-44824 through S-44863, and Resolutions 21649, and 21652 through 21653 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 items that were attached to the agenda.

BOARDS AND COMMISSIONS

1 Mayor's Appointments to Boards and Commissions

Summary

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

The following individuals were recommended for appointment/reappointment by Mayor Williams:

Human Services Commission
Reappoint Dr. Sala Webb, for a term to expire June 30, 2020
Reappoint Audrey Jenkins, for a term to expire June 30, 2020
Reappoint Jennifer Johnson, for a third term to expire June 30, 2020
Reappoint Arnold Jackson, for a third term to expire June 30, 2020
Reappoint Laura Guild, for a third term to expire June 30, 2020

Phoenix Business and Workforce Development Board
Reappoint Audrey Bohanan, for a second term to expire June 30, 2021
Reappoint Lisa Elowson, for a term to expire June 30, 2021
Reappoint Rachel Galusha, for a term to expire June 30, 2021
Reappoint Michelle Jameson, for a term to expire June 30, 2021

Public Safety Personnel Retirement System Local Fire Pension Board
Reappoint Brian Moore, for a fourth term to expire June 30, 2022
Reappoint Karen Peters, for a second term to expire June 30, 2022

Public Safety Personnel Retirement System Local Police Pension Board
Appoint Darrell Kriplean, replacing Will Vuividas, for a term to expire June 30, 2022
Reappoint Karen Peters, for a second term to expire June 30, 2022

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

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

No: 0

Absent: 1 - Councilman DiCiccio

2 City Council Appointments to Boards and Commissions

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

The following individuals were recommended for appointment by Councilwoman Gallego:

Central City Village Planning Committee
Appoint Zach Burns, for a term to expire Nov. 19, 2019

South Mountain Village Planning Committee
Appoint Perry Ealim, for a term to expire Nov. 19, 2019

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

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

No: 0

Absent: 1 - Councilman DiCiccio

Vice Mayor Waring administered the oath of office to the following Boards and

Commissions appointees:

Brian Moore, Public Safety Personnel Retirement System Local Fire Pension Board
Darrell Kriplean, Public Safety Personnel Retirement System Local Police Pension Board
Zach Burns, Central City Village Planning Committee
Perry Ealim, South Mountain Village Planning Committee

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

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

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

Note: A speaker comment card was submitted in favor of Item 4 by Maribel Gorostieta, who did not wish to speak.

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that Item 3 be withdrawn and that Item 4 be recommended for approval. The motion carried by the following voice vote:

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

3 (CONTINUED FROM JUNE 6, 2018) - Liquor License - Rosati's Pizza Baseline Phoenix

Request for a liquor license. Arizona State License Application 19323.

Summary

Applicant
Timothy Copley, Agent

License Type

Series 10 - Beer and Wine Store

Location
2320 E. Baseline Road, Ste. 158
Zoning Classification: C-2 BAOD
Council District: 8

This request is for a new liquor license for a beer and wine store. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow package liquor sales when located less than 300 feet from a residential district.

The 60-day limit for processing this application was June 19, 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 applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
One letter protesting the issuance of this license has been received and is on file in the Office of the City Clerk. The letter is from a neighboring business. They are concerned with the location. They believe there are sufficient existing liquor licenses to meet the need and convenience of the area. They are concerned with a beer and wine store license being approved in a plaza that is already struggling with significant issues

related to transients, loitering, and public intoxication. They believe the license will have a negative impact on the immediate surrounding area and do not support the issuance of the license.

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:
"49 year old business man, christion, I don't drink, pay my taxes, and pay any debts I owe. We've run the restaurant for 4 years now. My wife & I have lived in Phoenix since 2000 our kids & grand kids live here we aren't selling to minors ever. We own rental property in Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The golfing community next door would like to be able to pick up a 6 pack or bottle of wine when they come in to grab dinner or lunch. We also want to make the occasional delivery of alcohol beer and wine to private home events."

Staff Recommendation

Staff recommends disapproval of this application based on neighborhood protest. Staff also notes 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 - Rosati's Pizza Baseline Phoenix
Liquor License Map - Rosati's Pizza Baseline Phoenix

This item was withdrawn.

4 Liquor License - Mariscos Y Barbacoa La Bella

Request for a liquor license. Arizona State License Application 20689.

Summary

Applicant
Maribel Gorostieta, Agent

License Type
Series 12 - Restaurant

Location
3275 E. McDowell Road
Zoning Classification: C-2
Council District: 8

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 July 8, 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 applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I'm a very responsible person who is in the process of getting my liquor training. I will make sure all my employees get the course as well, and we will make sure we will not serve alcohol to a person who already shows signs of intoxication and always ask people for their identification to make sure they are over the age to consume alcoholic beverages."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"People come here to eat and have fun with family and friends as a leasure activity after a stressful week of work. We provide a safe environment where customers have a good time with family and friends eating their favorite food and drinking their favorite alcoholic beverages served by our professional waitreses who are trained and certified in handling alcoholic beverages."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Mariscos Y Barbacoa La Bella
Liquor License Map - Mariscos Y Barbacoa La Bella

This item was recommended for approval.

SPECIAL MEETING

5 Convening of Special Meeting of the City Council

In accordance with State statute, this item requests the City Council formally convene a special meeting for the purpose of considering adoption of the final 2018-19 budget.

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, to recess the City Council Formal Meeting and

convene a Special Meeting to consider adoption of the budget. The motion carried by the following voice vote:

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

6 Request for Reconsideration of Item 65 from the June 20, 2018 Formal Council Meeting

Request for reconsideration of Item 65 - Adoption of the Final 2018-19 Operating Funds Budget (Ordinance S-44749) from the June 20, 2018, City Council Formal Meeting pertaining to determining and adopting final estimates of proposed expenditures by the City of Phoenix for the fiscal year beginning July 1, 2018, and ending June 30, 2019, declaring that such shall constitute a budget of the City of Phoenix for such fiscal year.

Summary

At the June 20, 2018, meeting, the vote of the City Council on the Adoption of the Final 2018-19 Operating Funds Budget (Ordinance S-44749), was 4-4 with Vice Mayor Waring, Councilman DiCiccio, Councilman Nowakowski and Councilwoman Pastor dissenting. Therefore, the item failed to pass because it did not receive sufficient affirmative votes.

This reconsideration is being placed on the next available agenda in accordance with a motion made by Councilwoman Pastor and seconded by Councilman Nowakowski at the Formal Meeting on June 20, 2018.

Pursuant to the City Charter and the Rules of Council Proceedings, Item 65 from the June 20, 2018, Formal Council Meeting has been placed on the agenda immediately following this request for reconsideration. If this request is approved, the City Council will reconsider the item. If this request is not approved, the City Council will not reconsider the item and the original action on the item will stand.

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

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

No: 0

Absent: 1 - Councilman DiCiccio

7 **Reconsideration of Item 65 from the June 20, 2018 Formal Council Meeting - Adoption of the Final 2018-19 Operating Funds Budget (Ordinance S-44749)**

In compliance with requirements of the City Charter and Code and State statutes, request to adopt an ordinance (**Attachment A**) determining and adopting final estimates of proposed expenditures by the City of Phoenix for the fiscal year beginning July 1, 2018, and ending June 30, 2019, declaring that such shall constitute a budget of the City of Phoenix for such fiscal year.

Summary

The final operating funds budget ordinance reflects extensive public review through community hearings, information posted on the City website and actions taken by the Council on the budget at the May 22, 2018 Policy meeting and at the June 6, 2018 Formal meeting to adopt the tentative 2018-19 operating budget ordinance.

Discussion

Brent Kleinman stated he was in approval of passing the budget and urged Council to vote for the budget.

Viridiana Hernandez stated her opposition to the budget due to violence in the Phoenix Police Department. She claimed there was targeting by police and charged that there was a culture of cover-ups. She questioned what actions would be taken regarding a recent incident in District 5 and stated several cities nationwide are not collaborating with Immigration and Customs Enforcement (ICE). She said that taxpayers are giving money for police to hurt the residents and asked Council to reallocate the general funds to create both legal defense and trauma compensation funds for victims of police violence.

Alexa Banuelos said that it was not too late for Council to act regarding police violence and gave names of three individuals who she said had

been killed by police. She said there was a humanitarian crisis at the border with Mexico and asked if Council would continue to be complicit with police actions that assisted with family separations there. She implored Council to either allocate the requested funds within the budget or to not pass the budget at all.

J.J. Johnson expressed his frustration that Phoenix was collaborating with Immigration and Customs Enforcement. He claimed that it was not the best use of public funding and that the community did not want their money to be spent in that manner.

Wes Harris expressed his concern about deaths that occurred recently near his work and said that police are out there helping and the more there are, the better. He said he was opposed to the budget at the prior meeting because there was not a comparison to the previous year or indication of future plans. He said he wanted the budget passed, but that he wanted more information available to the public in advance of the votes.

Shawn Severud asked Council to vote against the budget unless they were going to listen to the community and place funds in the budget that were requested by community members.

Councilwoman Pastor noted that two years prior she had met with the City Manager and Budget Director regarding participatory budgeting. She said several community members were at that meeting as well, and she was concerned that the budget process was still happening as it had been for 25 years. She asked that the City Manager review the process for the future to include more community participation in the process. She also noted that she had not supported the budget because the community had asked for specific funding for witnesses of violence and traumatic incidents, for which she felt an analysis was needed to include that in the next budget. She thanked City staff and community members for their participation and input.

Mayor Williams agreed that the concerns are genuine, and stated as Mayor she would create a task force to work on those concerns. She asked for Councilwoman Pastor's suggestions and participation in the

creation of that task force. She said that there are resources available that people are unaware of and she would like to create a resource guide to assist in that process.

Councilman Nowakowski expressed concerns about the security at City parks after hours when it is dark outside. He said he was glad to see the addition of two more park rangers and shared his hope that the budget next year would bring additional rangers to return to the staffing levels before the recession. He thanked Councilwoman Pastor for her leadership in working towards additional youth recreation mobile units and noted the importance of those resources over the summer. He also commented that there are concerns about homeless individuals in Downtown parks and thanked City staff for the work getting Phoenix C.A.R.E.S. into this budget. He mentioned the addition of private security in the parks and thanked Arizona State University for their support in funding a portion of the costs. He noted the many partnerships that were possible with higher education and private organizations in the downtown area and his desire to expand those partnerships.

Councilman Nowakowski recounted asking the Chief of Police for data and research for police incidents to review at the Public Safety Subcommittee and reviewing the resources that are available to the community. He thanked staff for their work on the budget and expressed his support for the approval of this budget, as well as his desire to join the Mayor's task force.

Councilwoman Stark thanked City staff for their work on this budget and acknowledged the difficulty in gathering information from all of the hearings and meetings to hear and address every business and resident need.

Councilwoman Gallego thanked City staff for bringing forward the budget and acknowledged that the annual budget conversations are where many initiatives get their start. She praised the prioritization of resources for pension investments, public safety, and the homelessness resources for both neighborhoods and individuals. She thanked the City Manager and staff for their work in creating the budget.

Councilman Valenzuela thanked those who contributed and participated in conversations surrounding the expenditure of tax revenues in the City. He admitted there were difficulties in serving a city with the population and diversity of Phoenix, but supported the democratic and inclusive process of creating the budget. He commended staff on the addition of first responder funding, extended library hours, parks and shade trees, road improvements and information technology improvements. He noted the investments to address the homeless issues and pension debt in addition to enhancing existing services and gave his support for the budget.

Mayor Williams complimented the City Manager and the Director of Budget and Research on their willingness to work with Council and answer questions they raised. She said the process can always be improved upon, but that the budget reflected the openness shown by staff and she gave her support for the budget.

Note: Speaker comment cards were submitted for the record in favor to Item 7 by the following individuals:

Frank Piccia
Steve Beuerlein
Ken Crane
Maria Ayala
Frank Munoz
Joe Garcia

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

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

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that Items 8-87 be approved and/or adopted, except Items 9, 10, 31, 32, 34, 35, 38, 52, 55, 63, 65, 66, and 81-87. The motion carried by the following vote:

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

Items 8, 11-30, Ordinance S-44824, 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.

8 City of Goodyear - Annual

For $115,000.00 in payment authority for Phoenix Goodyear Airport (GYR) to pay the City of Goodyear for annual water utility charges, as provided in the GYR's annual operating budget. GYR is physically located in the City of Goodyear and the airport is required to pay for the monthly water utilities received from the City of Goodyear.

This item was adopted.

11 Settlement of Claim *Andrade, et al v. City of Phoenix*

To make payment of $7,500,000.00 in settlement of claim(s) in *Andrade, et al v. City of Phoenix*, Maricopa County Superior Court, Case CV2017-007246, 16-0262-001 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

12 Standard Printing Company, doing business as Information Outsource

For $36,000.00 in additional payment authority for Contract 141965 for

mailing services with e-transfer for the Neighborhood Services Department. Additional funds are needed through this date to continue to provide mailing services with electronic transfers, scrubbing addresses, printing, stuffing, mailing code enforcement notices and correspondence, and providing notice of City activities to neighborhoods, until an new solicitation can be conducted.

This item was adopted.

13 Stryker Sales Corporation, doing business as Stryker Medical Division

For $72,000.00 in additional payment authority for Contract 133093 through Dec. 31, 2018, to continue to purchase powered gurneys, parts, accessories and preventive maintenance services for the Fire Department. The powered gurneys reduce the number of firefighter back injuries and are a critical part of the Fire Department. Additional payment authority will allow continuation of uninterrupted services and as needed purchases, to allow Fire staff to safely move customers from standard, small, tight, or confined areas to provide life safety transport services to the public.

This item was adopted.

14 AHS Rescue, LLC, doing business as Arizona Hiking Shack

For $43,000.00 in payment authority for a new contract, entered on or about July 1, 2018 for a term of five years, for water rescue dry suits for the Fire Department, to meet Federal Emergency Management Agency requirements. The dry suits, socks, and liners are used for water rescues in extreme temperatures. The suits keep the users dry and prevent any cold from affecting the body in order to perform and execute rescue missions successfully.

This item was adopted.

15 City of Mesa

Request payment authority to reimburse the City of Mesa for work to be performed by an executive on loan in support of the Mayor’s Office. The amount will not exceed $115,000.00 over a 10-month period beginning on May 29, 2018.

This item was adopted.

16 CyberSource Corporation - Annual

For $250,000.00 in additional payment authority for Contract 97062 with CyberSource Corporation, through June 30, 2019, to continue to provide internet-based electronic credit card payment processing support services for the Finance and Information Technology Services departments. The CyberSource eCommerce solution provides the central infrastructure for processing credit card payments for City services. Additional payment authority is needed for the annual payment for these services, which are critical to the continuation of an electronic payment solution for residents and businesses.

This item was adopted.

17 Overdrive, Inc.

For $265,000.00 in additional payment authority for Contract 140329 to provide additional licensing of downloadable eBooks to be made available to the public through the Greater Phoenix Digital Library for the Library Department.

This item was adopted.

18 Salt River Project

For $30,000.00 in payment authority for irrigation services and repairs for the Papago Park irrigation system through Dec. 31, 2019.

This item was adopted.

19 American Society of Composers, Authors and Publishers doing business as ASCAP

For $11,000.00 in payment authority for music licenses to comply with public performances of copyrighted works when music is played at Parks and Recreation Department venues, for the Parks and Recreation Department.

This item was adopted.

20 Pro Rider, Inc.

For $20,000.00 in additional payment authority for Contract 147231 to purchase additional bicycle helmets for the Street Transportation Department. These helmets are provided to schools as part of the Traffic Services Division school safety program.

This item was adopted.

21 Sure Stop, LLC

For $20,000.00 in additional payment authority for Contract 147227 to purchase additional illuminated stop sign paddles for the Street Transportation Department. These hand-held illuminated stop sign paddles are issued as part of the Traffic Service Division's school safety program.

This item was adopted.

22 PC Links, LLC

For $51,300.00 in payment authority to purchase Rosemount sensors and parts for the Water Services Department. The Arizona Department of Health Services uses these sensors to monitor water quality for compliance at the water treatment plants.

This item was adopted.

23 Arizona Municipal Water Users Association - Annual

For $440,594.00 in payment authority to purchase the annual membership for the Arizona Municipal Water Users Association (AMWUA) for the Water Services Department. AMWUA supports the development of urban water policy and works collaboratively with water stakeholders to devise practical solutions to water problems to ensure sustainable growth for Arizona. This membership was approved by the Transportation and Infrastructure Subcommittee on June 19, 2018.

This item was adopted.

24 Association of Metropolitan Water Agencies - Annual

For $11,069.00 in payment authority to purchase annual membership in the Association of Metropolitan Water Agencies for the Water Services Department. The Association of Metropolitan Water Agencies conducts financial surveys across the major utilities in the country that allows Water Services to benchmark its performance on various issues. The Association also advocates at the federal level for the use of science-based drinking water quality standards. This item was approved by the Transportation and Infrastructure Subcommittee on June 19, 2018.

This item was adopted.

25 American Water Works Association - Annual

For $21,052.00 in payment authority to purchase annual membership in the American Water Works Association for the Water Services Department. American Water Works Association develops most of the standards and specifications used in the drinking water industry. Membership allows access to these standards, as well as current water industry research reports, professional training opportunities, public outreach efforts, access to a network of industry leaders, and ongoing updates regarding regulatory issues. This item was approved by the Transportation and Infrastructure Subcommittee on June 19, 2018.

This item was adopted.

26 NACWA - Annual

For $55,120.00 in payment authority to purchase membership in the National Association of Clean Water Agencies (NACWA) for the Water Services Department. NACWA provides information used by Water Services to formulate policy recommendations on national Clean Water Act issues and offers opportunities to collaborate with colleagues around the country to help shape national policy. This item was approved by the Transportation and Infrastructure Subcommittee on June 19, 2018.

This item was adopted.

27 Water Research Foundation - Annual

For $225,000.00 in payment authority to purchase annual membership in the Water Research Foundation for the Water Services Department. The Water Research Foundation sponsors research to assist water utilities in providing safe and affordable drinking water. Membership in this organization allows Water Services access to a variety of resources to address drinking water, wastewater, and water reclamation issues. This item was approved by the Transportation and Infrastructure Subcommittee on June 19, 2018.

This item was adopted.

28 WateReuse Association - Annual

For $9,927.50 in payment authority to purchase membership in the WateReuse Association for the Water Services Department. Participation in the WateReuse Association allows Water Services access to a variety of resources and information addressing drinking water, wastewater, water reclamation, watershed quality, and storm water

issues. This item was approved by the Transportation and Infrastructure Subcommittee on June 19, 2018.

This item was adopted.

29 Western Urban Water Coalition - Annual

For $35,000.00 in payment authority to purchase membership in the Western Urban Water Coalition (WUWC) for the Water Services Department. The WUWC is an organization of the western United States' largest urban water utilities. It helps secure sound national water policies, programs, and regulations impacting the unique challenges facing urban water supplies in the West. This item was approved by the Transportation and Infrastructure Subcommittee on June 19, 2018.

This item was adopted.

30 Rural Water Association of Arizona - Annual

For $15,000.00 in payment authority to purchase membership in the Rural Water Association of Arizona (RWAA) for the Water Services Department. RWAA will provide operators of the department water and wastewater systems with operator certification trainings. This item was approved by the Transportation and Infrastructure Subcommittee on June 19, 2018.

This item was adopted.

33 Proposed Avenida Del Sol Annexation (Ordinance S-44859)

Requests City Council authorization to extend and increase the corporate limits of the City of Phoenix, Arizona, by annexing an area not within the present limits of the City of Phoenix, designated as the Avenida Del Sol Annexation. Further request authority for current county zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

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

Public Outreach

A public hearing was conducted on May 16, 2018, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the *Arizona Business Gazette* newspaper, and was posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location

The proposed annexation area includes parcels 212-15-002X and 212-15-002W and is located north of Pinnacle Peak Road on 23rd Street (**Attachment A**). The annexation area is approximately 2.5 acres (0.0039 square miles) and the population is estimated to be five individuals. The Waiver of Claims for Diminution on Value of Property under Proposition 207 has been executed.

Council District: 2

This item was adopted.

36 Air Conditioning/Cooler Equipment and Parts, Contract Extension (Ordinance S-44830)

Request to authorize the City Manager, or his designee, to extend contracts 137347 (United Refrigeration, Inc.), 137348 (TRANE, US, Inc.), 137349 (American Refrigeration Supply, Inc.), 137350 (Ferguson HVAC - Air Cold) and 137351 (Refrigerator Supplies Distributor) and increase funding by an additional amount of $1,405,000 so that these vendors can continue to provide HVAC related equipment and parts to all City departments. Further request authorization for City Controller to disburse all funds related to this item.

Summary

The requested extension and additional funding of these contracts is critical and essential to the continued business and operations of the City of Phoenix's citywide building HVAC systems, including Public Works, Fire, Police, Water, Library, Human Services, Parks, Neighborhood Services, Information Technology, Aviation, Convention Center and Housing departments. Additional time is needed to review citywide needs in an effort to complete a competitive, multi-year solicitation for contract award.

Contract Term
The contracts will be on a month-to-month basis through Oct. 31, 2019.

Financial Impact
The contracts value will increase by an estimated $1,405,000 annual expenditure and the total revised aggregate contract value shall not exceed $4,857,842.58. The appropriate funding is available in the various departments budgets listed above.

Concurrence/Previous Council Action
These contracts were the result of IFB 14-037, and were formally funded through council, original payment authority (S-40303), and subsequent approved requests (S-41807-AB), (S-41897-BX), (S-42373-AY), and (S-42565-AB).

This item was adopted.

37 Real Estate Data - City of Scottsdale Cooperative Contract - 14PI005 (Ordinance S-44831)

Request to authorize the City Manager, or his designee, to access the City of Scottsdale Cooperative Contract 14IP005 and enter into a contract with NetValueCentral, Inc. in an aggregate amount not to exceed $19,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
This contract will allow the Finance and Neighborhood Services departments to access NetValueCentral's Maricopa County Assessor Information System Database to search commercial and residential properties that may be liable for Transaction Privilege Tax related to Construction Contracting and Speculative Building activities. The Construction Contracting business classification currently generates between $40-$50 million annual in Transaction Privilege Tax. This database offers unique information related to business operations, activities, addresses, ownership, sale amounts, rentals, property values and plant maps in the city of Phoenix in an organized, easily searchable manner allowing faster turnaround times with less research time for staff.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts. The City of Scottsdale contract covers Real Estate Data and was awarded on July 11, 2014.

Contract Term

The one-year contract term shall being on or about July 1, 2018.

Financial Impact

The aggregate contract value will not exceed $19,000. Funds are available in the Finance and Neighborhood Services departments' budgets.

This item was adopted.

39 Acceptance and Dedication of Deeds and Easements for Roadway, Sidewalk and Public Utility Purposes (Ordinance S-44834)

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

Summary

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

Deed (a)

Applicant: Hector Manuel Arreola Lopez and Maria Del Carmen Toledo, its successors and assigns
Purpose: Roadway
Location: 5222 N. 22nd Drive
File: FN 180055
Council District: 4

Easement (b)
Applicant: Hector Manuel Arreola Lopez and Maria Del Carmen Toledo, its successors and assigns
Purpose: Public Utilities
Location: 5222 N. 22nd Drive
File: FN 180054
Council District: 4

Easement (c)
Applicant: Alicetrievamollie, LLC, its successors and assigns
Purpose: Sidewalk
Location: 2834 N. 44th St.
File: FN 180031
Council District: 8

Easement (d)
Applicant: Mainpower, LLC, its successors and assigns
Purpose: Public Utilities
Location: 2211 W. Deer Valley Road
File: FN 180050
Council District: 1

Easement (e)
Applicant: Lucayan Properties, LLC, its successors and assigns
Purpose: Public Utilities
Location: 3332 W. Glendale Ave.
File: FN 180048
Council District: 5

This item was adopted.

40 Auctioneering Services (Ordinance S-44835)

Request to authorize the City Manager, or his designee, to allow the use of the State of Arizona contract with Sierra Auction Management, Inc. Authorization is also requested for the City Treasurer to accept and and the City Controller to disburse funds for the life of the contract.

Summary
Auction services are needed to meet the administrative controls required

by Administrative Regulation 5.13, to protect the City's investments in fixed, sensitive and low-value property. Fleet vehicles; obsolete computers, office furniture, appliances, and lawn equipment; and confiscated and unclaimed property are among the types of products auctioned. City departments will transfer the property to the Contractor for auction and the Contractor will collect auction proceeds and in turn remit the proceeds to the City.

This contract will be paid through proceeds received from the sale of the City's property and revenue will be deposited to the City's General and Enterprise Fund accounts.

Procurement Information
By utilizing the cooperative contract, the City benefits from the State of Arizona cooperative contract rates.

Contract Term
The contract will begin on or around Sept. 1, 2018 and will expire after five years.

Financial Impact
The aggregate contract value of the revenue generated for the City of Phoenix is approximately $9,500,000, with estimated annual revenues of $1,900,000.

This item was adopted.

41 Residential Construction Services - Requirements Contract - IFB 13-151 (Ordinance S-44836)

Request the City Manager, or his designee, to authorize additional expenditures for Contract 136596 with Swabs-AZ, Inc.; Contract 136591 with Performance Electric; Contract 136590 with Gryphon Companies, Inc.; Contract 136595 with Dretek Communications; Contract 136593 with Capstone Roofing, LLC; Contract 136627 with Andy's Plumbing, Inc.; and Contract 136598 with Adobe Energy Management Co. for the emergency and non-emergency services of plumbing, Heating, Ventilation, and Air Conditioning (HVAC), roof repairs, and electrical for the Neighborhood Services Department. Further request authorization for the City Controller to disburse all funds related to this item. Payment

authority is being requested to extend the current contract through Dec. 31, 2018, to provide more time to create a new solicitation. Upon approval of the additional expenditures of $375,000, the revised aggregate value will be $5,895,000.24 through Dec. 31, 2018.

Summary

The contracts will continue to provide services for different trades to eligible families and individuals who own their homes and qualify for home repair projects on emergency and non-emergency services.

Financial Impact

Upon approval of the additional expenditures of $375,000, the revised aggregate value will be $5,895,000.24 through Dec. 31, 2018. Funds are available in the Neighborhood Services Department's budget.

Concurrence/Previous Council Action

The contracts were originally approved by City Council on July 2, 2013.

This item was adopted.

42 Ready Mix Concrete - Requirements Contract - IFB 18-264 (Ordinance S-44837)

Request to authorize the City Manager, or his designee, to enter into a contract with CEMEX Construction Materials L.P. to supply ready mix concrete to City departments, including Aviation, Parks and Recreation, Street Transportation, and Water Services. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract is to purchase a wide variety of ready mix concrete materials to city departments, including the Aviation, Parks and Recreation, Street Transportation, and Water Services departments. This contract is necessary for maintenance and upkeep of sidewalks, curbs, gutters, concrete pavements, slabs, and construction projects throughout the City.

Procurement Information

An Invitation for Bid, IFB 18-264 Ready Mix Concrete, was conducted in accordance with Administrative Regulation 3.10. This solicitation was sent to 187 suppliers that are registered in the City's e-Procurement system and one bid was received by the Procurement Division on May

16, 2018.

The pricing from the offeror is deemed fair and reasonable based on comparisons with similar City contracts. Following is a tabulation of the one responsive and responsible bid received.

CEMEX Construction Materials L.P.: Annual Bid Prices, $404,816

The Deputy Finance Director recommends that the offer from CEMEX Construction Materials L.P. be accepted as the responsive and responsible offeror.

Contract Term
The five-year contract term will begin on or about July 1, 2018.

Financial Impact
The aggregate contract value will not exceed $2,024,080. Funds are available in City of Phoenix departments' budgets.

This item was adopted.

43 Welding Equipment and Supplies - Requirements Contract - IFB 18-244 (Ordinance S-44839)

Request to authorize the City Manager, or his designee, to enter into a contract with Matheson Tri-Gas, to provide welding equipment and supplies for the Parks and Recreation and Public Works departments. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value will not exceed $725,000, with an estimated annual expenditure of $145,000.

Summary
This contract will provide the Parks and Recreation and Public Works departments with a variety of welding related materials, tools and supplies for maintenance and repairs in City owned facilities. This equipment is used heavily at aquatic facilities, golf courses and public parks. This contract is also used to maintain the heating, ventilation and air conditioning (HVAC) and electrical systems as needed for citywide services.

Procurement Information

Invitation for Bid 18-244 was conducted in accordance with Administrative Regulation 3.10. Three offers were received by the Finance Department Procurement Division on May 11, 2018. The following offer is recommended for award as the one which offers the lowest overall cost to the City.

Matheson Tri-Gas: Unit Price Range $0.33 - $1,491.05.

It is recommended by the Deputy Finance Director that the bid from Matheson Tri-Gas be accepted as a responsive and responsible bidder.

Contract Term
The five-year contract term shall begin on or about July 1, 2018.

Financial Impact
The aggregate value will not exceed $725,000, with an estimated annual expenditure of $145,000. Funds are available in the Parks and Recreation and Public Works Departments' budgets.

This item was adopted.

44 Sport Uniforms and Promotional Items - IFB 14-020A (Ordinance S-44840)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contracts 137576, 137578 and 137575 with HP2, Inc., Awards by C&L, and LS Branding, Inc. to provide sport uniforms and promotional items for the Parks and Recreation, Human Services, and Community and Economic Development departments. Further request authorization for the City Controller to disburse all funds related to this item. Upon approval of $116,000 in additional funds, the revised value of the contracts will not exceed $598,556.05.

Summary
The contracts are used to provide sport uniforms and promotional items to support community classes, exercises and sporting events provided by these departments, in various community centers which offer services for youth and seniors. Additional funds are needed to ensure products are available, as needed, over the remaining life of the contracts, which expire on Dec. 14, 2018.

Financial Impact

Upon approval of $116,000 in additional funds, the revised value of the contracts will not exceed $598,556.05. Funds are available in the Parks and Recreation and Human Services departments' budgets. The Human Services and Community and Economic Development departments will use Workforce Innovation Opportunity Act (WIOA) grant funds for workforce development related purchases.

Concurrence/Previous Council Action

The contracts were originally approved by City Council on Dec. 18, 2013.

This item was adopted.

45 Library Department MACH1 Makerspace and CodePHX Educational Products - RFA 18-272 (Ordinance S-44841)

Request to authorize the City Manager, or his designee, to enter into a contract with Harvard Associates, Inc., doing business as Terrapin, to provide Beebots, Bluebots, Probots, and other robotics kits for use at the Library Department's MACH1 Makerspace and in CodePHX classes taught at various City of Phoenix library and community center locations. Further request authorization for the City Controller to disburse funds related to this item. The five-year aggregate value will not exceed $125,000, with an estimated annual expenditure of $25,000.

Summary

The MACH1 Makerspace program located at the Burton Barr Central Library is a no-cost, out-of-school learning environment for all ages which emphasizes the learning of Science, Technology, Engineering and Math (STEM) through play, hands-on activities, and in a relaxed and un-graded environment. Students who attend the MACH1 Makerspace program are able to learn 3D Modeling, Coding, and Robotics and are able to work at their own pace and meet like-minded enthusiasts. This contract will support the Library Department's MACH1 Makerspace program and CodePHX classes by providing the Massachusetts Institute of Technology (MIT) developed Terrapin Logo educational products, games and other supplies that encourage students to explore ideas in math, language, art, science, music, and beyond. While exploring ideas, students are able to develop programming, planning, problem-solving, and critical thinking skills.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of an approved determination memo citing that Harvard Associates, Inc., doing business as Terrapin, is the only authorized seller of Terrapin Logo robotics components and kits. The Deputy Finance Director recommends this contract be accepted.

Contract Term

The five-year term will begin on or about July 15, 2018.

Financial Impact

The five-year aggregate value will not exceed $125,000, with an estimated annual expenditure of $25,000. Funds are available in the Library Department's budget.

This item was adopted.

46 Acceptance of Traffic Control Easement Located at Northwest Corner of 24th Street and Grand Canal (Ordinance S-44843)

Request to authorize the City Manager, or his designee, to accept the conveyance of an easement for traffic control purposes at the northwest corner of 24th Street and the Grand Canal for the installation of a High-Intensity Activated Crosswalk (HAWK). There will be no cost for the easement.

Summary

2728 N. 24th St., LLC has agreed to donate a traffic control easement to facilitate the installation of a HAWK beacon as part of the Grand Canalscape Phase II project. The easement is approximately 35 square feet and is located at 2728 N. 24th St., identified by Maricopa County Assessor parcel number 117-01-117G.

Location

2728 N. 24th St., northwest corner of 24th Street and the Grand Canal, across from Cambridge Avenue.
Council District: 8

This item was adopted.

47 Purchase of Aircraft Fuel - RFA 18-233 (Ordinance S-44844)

Request to authorize the City Manager, or his designee, to enter into a contract with Cutter Aviation to provide aircraft fuel for the Police Department in an amount not to exceed $2,957,310. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will supply aircraft fuel to the Phoenix Police Department's fleet of helicopters and fixed wing aircraft at Deer Valley Airport and Sky Harbor International Airport on an ongoing basis. The Police Department's Air Support Unit has a critical role in ensuring public safety, such as providing support in pursuit situations, performing surveillance, and performing mountain rescues.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived due to the unique requirements of the Police Department. Cutter Aviation is a fixed-base operator (FBO) at Deer Valley Airport where the Air Support Unit is located, and also has a location at Sky Harbor International airport. Cutter Aviation has the infrastructure in place to supply Jet A fuel and aviation gasoline (AV gas) as needed, and dispensing it from mobile trucks into the aircraft. The Air Support Unit requires the FBO to provide fueling services 24-hours a day, 7-days a week and 365-days a year.

The Deputy Finance Director recommends the purchase of aircraft fuel from Cutter Aviation.

Contract Term

The contract term will begin July 1, 2018 and end on June 30, 2023.

Financial Impact

The purchase of aircraft fuel will not exceed $2,957,310. Funds are available in the Police Department's budget.

This item was adopted.

48 Library Department Robotics Educational Components - RFA

18-271 (Ordinance S-44847)

Request to authorize the City Manager, or his designee, to enter into a contract with Pitsco, Inc., doing business as Pitsco Education, to provide Tetrix pneumatic, drive, and electrical robotics educational components for the Library Department's MACH1 Makerspace program. Further request authorization for the City Controller to disburse funds related to this item. The five-year aggregate value will not exceed $125,000, with an estimated annual expenditure of $25,000.

Summary

The MACH1 Makerspace program located at the Burton Barr Central Library is a no-cost, out-of-school learning environment for all ages which emphasizes the learning of Science, Technology, Engineering and Math (STEM) through play, hands-on activities, and in a relaxed and un-graded environment. Students who attend the MACH1 Makerspace Program are able to learn 3D modeling, coding, and robotics and are able to work at their own pace and meet like-minded enthusiasts. This contract will support the Library Department's MACH1 Program by providing educational toys, games and other supplies that encourage students to learn about STEM, and expand the Library's current VEX IQ robotics kits. The goal of the MACH1 Makerspace program is to stimulate and amplify STEM interests and provide students and parents an opportunity to participate together.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of an approved determination memo citing that Pitsco, Inc., doing business as Pitsco Education, is the only authorized seller of Tetrix Robotics components and kits. The Deputy Finance Director recommends this contract be accepted.

Contract Term

The five-year term will begin on or about July 15, 2018.

Financial Impact

The five-year aggregate value will not exceed $125,000, with an estimated annual expenditure of $25,000. Funds are available in the Library Department's budget.

Location
Burton Barr Central Library, 1221 N. Central Ave.
Council District: 7

This item was adopted.

49 Automatic Gate Maintenance and Repair - Requirements Contract - IFB 18-274 (Ordinance S-44850)

Request to authorize the City Manager, or his designee, to enter into contract with Phoenix Fence Company for Automatic Gate Maintenance and Repair for citywide use, in an amount not to exceed $2,700,000 over the five-year contract term. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
This contract will provide the City of Phoenix with preventative maintenance, gate operator installation, routine and urgent labor during normal business hours and after hours, and routine and urgent repairs, to service approximately 600 automatic gates on an as-needed basis for citywide buildings/facilities protection and security. The contract will be utilized citywide with primary usage by the Fire, Public Works, and Water Services Departments.

Preventative Maintenance service frequencies for approximately 600 gates are:
quarterly for single and dual gates at 22 Water Services Department locations;
biannually for single and dual gates at five Housing, four Parks and Recreation, and 37 Public Works Department locations;
annually for single and dual gates at 72 Fire Department locations.

Procurement Information
IFB 18-274 was conducted in accordance with Administrative Regulation 3.10. Finance Department, Procurement Division received two offers on May 18, 2018:

Phoenix Fence Company: $32,782
DH Pace Company, Inc.: $45,929

The Deputy Finance Director recommends that the offer from Phoenix Fence Company be accepted as the lowest priced, responsive, and responsible offer.

Contract Term

The five-year contract term will begin on or about July 1, 2018.

Financial Impact

The aggregate contract value will not exceed $2,700,000 with an estimated annual expenditure of $540,000. The contract is available to all City departments. Fire, Public Works, and Water Services Departments will be the majority users; funds are available in each department's budget.

This item was adopted.

50 Heavy Equipment Rental - State of Arizona Cooperative Contract - ADSPO 13-00002899 (Ordinance S-44851)

Request to authorize the City Manager, or his designee, to access the State of Arizona Cooperative ADSPO 13-00002899 with Sunbelt Rentals, Inc., Herc Rentals Inc., and Earhart Equipment Corporation to provide citywide departments with heavy equipment rentals on an as-needed basis. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of this contract will not exceed $350,000.

Summary

These citywide contracts will provide short-term and long-term rental access to a complete line of operated and non-operated heavy equipment, road maintenance equipment, and construction equipment. Rental equipment such as generators serve as back-up power sources that can be deployed to any site that suffers an extended power outage, forklifts are rented to move heavy equipment and pumps around, and occasionally, specialized heavy equipment that is not currently in our fleet is needed for operational or special projects, such as repairing basins or plant upgrades.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating

agreement is required when the City uses a cooperative agreement from another public agency. The contracts were awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts.

Contract Term

The two-year contract will begin on or about July 1, 2018.

Financial Impact

This is a citywide contract. The two-year aggregate value of this contract will not exceed $350,000.

This item was adopted.

51 Legal Processing Services - State of Arizona - ADSPO15-00004494 (Ordinance S-44854)

Request to authorize the City Manager, or his designee, to add additional expenditures for Contract 142489 with Executive Process, LLC, doing business as EZ Messenger, in an amount of $56,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Legal processing services are used by the Law Department to complete daily findings, provide messenger services and complete service of process. The additional funds are needed to add the Neighborhood Services Department to the contract to use the legal processing services. Neighborhood Services uses EZ Messenger to obtain legal proof of service for civil citations that are issued to notify property owners of code compliance violations.

Financial Impact

With the $56,000 in additional funds, the contracts' revised aggregate value is now $156,000 (including applicable taxes) with new estimated annual expenditures of $31,200.

Concurrence/Previous Council Action

This contract is the result of Contract 142489 awarded by Formal Council

Action on March 2, 2016, with an original aggregate value of $100,000. The contract's value increased since its initial award and is now at an aggregate value of $156,000 with the additional amount.

This item was adopted.

53 Dental Plans and Services Vendor Recommendation (Ordinance S-44860)

Request to authorize the City Manager, or his designee, to enter into a contract with Cigna Dental for dental plans and services for employees and/or retirees. The projected annual cost for employee dental is $12.9 million. The City pays $10 million and the employees pay $2.9 million of this amount. Retiree dental is fully paid for by the retirees enrolled. Further request authorization for the Controller to disburse all funds related to this item.

Summary

The City issued a Request for Proposals (RFP) on March 28, 2018, seeking proposals for dental PPO administrative services for employees and fully-insured dental PPO and HMO plans for employees and retirees. Six firms submitted proposals: Aetna, Avesis, Cigna, Delta Dental, MetLife and United Concordia.

Procurement Information

The City retained Mercer to receive, review and summarize responses, including analysis of the financial offers, scope of provider networks, and coverage. Evaluation occurred by a committee composed of the Deputy HR Director, Health Care Trust Board Chair, Health Care Trust Accountant, Benefits Supervisor, and two labor representatives: PLEA and AFSCME Local 2960.

On May 8, 2018, the committee convened to review Mercer’s analysis and found that only two of the six proposers were able to provide both dental plan designs requested: a dental HMO and a dental PPO. The committee’s preference to have both plans offered by the same carrier narrowed down the proposers to Cigna Dental and Delta Dental. The committee asked for additional information and clarification and a second review meeting was scheduled for May 24, 2018.

On May 24, 2018, the committee convened to review the additional

information gathered by Mercer. Scores were based on Price (300 points), Qualifications & Experience (250 points), and Method of Approach (450 points), for a total of 1,000 possible points. The results were as follows:

Cigna Dental: 886
Delta Dental: 806
Aetna: 528
MetLife: 498
United Concordia: 488
Avesis: 455

Contract Term
The contract term will be three years, starting Jan. 1, 2019. Provisions of the contract will include an option to extend the term for up to two years, in one-year increments, which may be exercised by the City Manager, or his designee.

Financial Impact
The dental carrier sets the fully-insured dental HMO rates and the Health Care Trust Board sets the self-insured dental PPO rates each year based on Administrative Services Only (ASO) rates and claims experience. The projected annual cost for employee dental is $12.9 million. The City pays $10 million and the employees pay $2.9 million of this amount. Retiree dental is fully paid for by the retirees enrolled.

Concurrence/Previous Council Action
This contract was recommended for approval by the Sustainability, Housing, Efficiency, and Neighborhoods Subcommittee on June 19, 2018, by a vote of 3-0.

This item was adopted.

54 Contract Extensions for Inbuilding Radio Frequency Coverage Enhancements (Ordinance S-44853)

Request to authorize the City Manager, or his designee, to amend contracts with Durham Communications, Wireless Signal Solutions, Inc., and Creative Communications, by extending the term of the contracts and

increasing the combined dollar amount by an amount not to exceed $300,000. The contracts are for radio frequency enhancements to City buildings and structures to help ensure radio coverage for first responders in the event of an emergency. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City has contracts with Durham Communication, Wireless Signal Solutions, Inc., and Creative Communications to provide inbuilding radio frequency (RF) coverage enhancements required by the Fire Code. These enhancements help ensure that radios used by the Police and Fire Departments, and their regional partners, operate properly in City-owned buildings and structures. The additional funds for this contract are needed to cover the needs identified by the Fire Department's Fire Prevention/Fire Life Safety team and the Public Works Department for buildings owned and operated by multiple City departments.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved determination memo to extend the current contract.

Contract Term

The term of the contract will be for one year, ending on or about May 31, 2019.

Financial Impact

The total cost of the one-year contract extension is for an amount not to exceed $300,000. Funds are available in various departments' operating budgets.

This item was adopted.

56 Revised Intergovernmental Agreement to Plan, Design, Construct, Operate, Maintain, and Finance the Regional Wireless Cooperative (Ordinance S-44842)

Request to authorize the City Manager, or his designee, to amend the Amended and Restated Intergovernmental Agreement to Plan, Design, Construct, Operate, Maintain and Finance the Regional Wireless Cooperative Network (Contract No. 124822-001) in order to replace the

existing RWC Governance Document with a new Governance Document. The parties wish to amend the rules and policies governing regulation and management of the RWC's internal affairs.

Summary

The RWC is a large public safety radio network serving the frontline needs of police, fire, first responders, and other governmental support personnel. The network operates in the 700 MHz frequency band and consists of over 80 strategically placed communication sites, providing seamless, wide area radio coverage across 11,000 square miles of the Phoenix metropolitan region. The City of Phoenix is the administrative managing member of the RWC.

The RWC’s Governance Document (Governance) was adopted and signed by all nineteen members' governing bodies. The Governance provides written direction and guidance -- setting forth term definitions, management processes; and financial, accounting and network management of the RWC. The Governance is the administrative and managerial “rule book” used by the Board of Directors, Executive Director, and operational and technical support personnel for managing the RWC.

In 2012, the RWC Board of Directors established a Governance Working Group ("GWG") tasked with undertaking a full, detailed review of the Governance Document in order to ensure that it was effectively meeting the needs for managing the RWC.

Since then, the GWG conducted over 80 meetings which included discussions and input with the RWC Board of Directors, fire and police chiefs, public safety committees, accounting staff, City of Phoenix Finance and Budget & Research departments, labor organizations, public safety and radio communications, technical and information technology subject matter experts. Also, as draft Governance documents were developed, legal staffs from every RWC Member were consulted and solicited for review and input.

The result of the process is a much improved Governance Document. Since the review focused primarily on structure and clarity, few substantive changes were necessary. The new Governance will become

effective Jan. 1, 2019.

Contract Term
The term of Contract 124822 shall remain in effect. The initial term of Contract 124822 will end on Oct. 31, 2018; thereafter, the Contract will automatically renew for ten years through Oct. 31, 2028.

Financial Impact
This item will have no financial impact to the City of Phoenix.

This item was adopted.

57 Authorization to Apply for, Accept and Implement U.S. Department of Housing and Urban Development Family Self Sufficiency Service Coordinator Grant (Ordinance S-44856)

Request to authorize the City Manager, or his designee, to apply for, accept, and, if awarded, enter into any agreements as necessary to implement a Family Self-Sufficiency (FSS) Service Coordinator grant from the U.S. Department of Housing and Urban Development (HUD). Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds for the life of the grant. There is no impact to the General Fund. This grant does not require matching funds.

Summary
The Housing Department is seeking to apply for a FSS Service Coordinator grant from HUD. If awarded, the FSS Service Coordinator grant is anticipated to provide up to $300,000 in funding for calendar year 2019 to fund up to four staff members. This ongoing program helps Public Housing and Section 8 residents transition from dependence on government benefits to an improved level of financial self-sufficiency.

Caseworkers coordinate support services offered by non-profit, governmental, and educational community partners; provide case planning and coordination, supportive counseling and referral and advocacy; assist with access to educational resources, vocational training and employment opportunities; and assist with budgeting, homeownership preparation, and transportation. Successful participants engage in training, improve employment outcomes, save money, and buy a home. In the past year, 24 residents graduated from the FSS program.

The Notice of Funding Availability (NOFA) is anticipated to be issued in summer 2018. Due to the timing of the NOFA and quick turnaround for grant submittal, the Housing Department is requesting authority to apply prior to receiving the NOFA.

Financial Impact

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

Concurrence/Previous Action

This item was recommended for approval at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on June 19, 2018 a vote of 3-0.

This item was adopted.

58 Authorization to Apply for, Accept and Implement U.S. Department of Housing and Urban Development Resident Opportunities and Self Sufficiency Service Coordinator Grant (Ordinance S-44858)

Request to authorize the City Manager, or his designee, to apply for, accept, and, if awarded, enter into any agreements as necessary to implement a Resident Opportunities and Self-Sufficiency (ROSS) Service Coordinator grant from the U.S. Department of Housing and Urban Development (HUD). Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds for the life of the grant. There is no impact to the General Fund. This grant does not require matching funds.

Summary

The Housing Department is seeking to apply for a ROSS Service Coordinator grant from HUD. If awarded, the three-year ROSS Service Coordinator grant is anticipated to provide up to $250,000 in total funding for calendar years 2019 to 2021 to fund one caseworker position for residents at the Aeroterra Community. This program helps Public Housing residents create opportunities for an improved level of financial self-sufficiency. The Notice of Funding Availability (NOFA) was issued May 31, 2018, and the application is due July 30, 2018.

ROSS caseworkers coordinate supportive services offered by non-profit, governmental, and educational community partners; provide supportive

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

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

Location
1775 E. McKinley St. and 1650 E. Villa St.
Council District: 8

Concurrence/Previous Action
This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee June 19, 2018 and approval was recommended by a vote of 3-0.

This item was adopted.

59 Approval to Apply, Accept and Disburse Early Head Start Child Care Partnership Grant Expansion (Ordinance S-44848)

Request to authorize the City Manager, or his designee, to apply for, accept and if awarded, enter into any necessary agreements for the Early Head Start Child Care Partnership Grant Expansion opportunity for Fiscal Year 2018-2019 from the Department of Health and Human Services in an amount not to exceed $4 million. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
The Administration for Children and Families will make available funding to be competitively awarded for the purpose of expanding access to high-quality, comprehensive early learning services for low-income infants and toddlers and their families. New or existing grantees can apply for Early Head Start Child Care Partnerships, Non-Partnership Early Head Start Expansion, or a combination of both. Applicants are expected to provide full-day, full-year models. The resulting partnerships will allow programs to leverage their funds to provide more high quality early learning slots for infants and toddlers in the community.

Early Head Start was established in 1995 as a program for low-income families with children ages birth to three years old and pregnant women. It is based on evidence that the time of conception to age three is critical for human development. The family-centered services are designed to promote early, continuous, intensive and comprehensive child development. Research shows these services improve school readiness outcomes for children.

The City of Phoenix Early Head Start currently serves nine school district areas within Phoenix. The Human Services Department intends to apply for expansion in the federal poverty areas as well as other zip codes in the City of Phoenix Early Head Start service area.

With the approval of this item, Human Services Department staff would apply for the combination program model with first priority going to child care partnerships. Early Head Start Child Care Partnership services must be partially funded by Arizona child care subsidies while the non-partner Early Head Start center-based services would be grant funded. The non-partnership model allows for the city to directly operate classrooms should child care capacity not be sufficient to cover these services.

Financial Impact

If awarded the funding would be for a period of five years. The level of funding available within each of the 10 Administrative for Children and Families Regions is based on the number of young children in poverty in that region. Our region is Region IX.

The non-federal share match required by the grant will be generated by community partners, contractors, volunteers and City in-kind services. No additional general funds are needed to operate programs as a result of this grant opportunity.

Concurrence/Previous Council Action

The Head Start Policy Council approved this item on May 29, 2018. The Parks, Arts, Education and Equality Subcommittee is scheduled to vote on this item on June 27, 2018.

This item was adopted.

60 Approval to Apply for and Accept Supplemental Head Start Birth to Five Funding (Ordinance S-44849)

Request to authorize the City Manager, or his designee, to apply for, accept and, if awarded, enter into any necessary agreements for the Head Start Birth to Five Supplemental Funding for the Fiscal Year 2018-2019 from the U.S. Department of Health and Human Services in an amount not to exceed $3 million. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to the item if awarded.

Summary

The Federal Fiscal Budget has appropriated funds to the Office of Head Start for the purpose of providing full school year and full school day programming to increase the total annual hours of high-quality early education services offered to children enrolled in Head Start and Early Head Start. There is strong evidence that Head Start children need greater exposure to high-quality early learning experiences than is currently provided under the Head Start minimum duration standards. Extending the duration of Head Start program services will enable sufficient time for teachers to conduct learning activities and intentional instruction that experts believe are important to later school success.

The City of Phoenix Head Start Birth to Five program currently serves 3,451 Head Start children that may have the opportunity for a total of six hours per day and an additional ten days per school year. The increase in services will require additional funding for start-up costs, salaries, and operations.

Financial Impact

If awarded the grant, funding would be for a period of five years. No additional general funds are needed to operate programs as a result of this grant opportunity.

Concurrence/Previous Council Action

The Head Start Policy Council approved this item on May 29, 2018. The Parks, Arts, Education and Equality Subcommittee is scheduled to vote on this item on June 27, 2018.

This item was adopted.

61 Authorization to Enter into Sale and Redevelopment Agreement with Trellis (Ordinance S-44855)

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 Trellis, or its City approved designee (Developer), for the sale and redevelopment of up to 10 vacant, City-owned lots in the Garfield Neighborhood Initiative Area (NIA) as affordable, single-family, owner-occupied residences. Further request authorization for the City Treasurer to accept all funds related to this item. The Developer shall purchase up to 10 lots in Package 2 for $5,000 per lot for a one-time total of up to $50,000; funds from the purchase 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 redevelopment 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 10 scattered individual lots. This request is for Package 2.

Package 2 is approximately 1.44 acres in total area, and consists of properties 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 with affordable, single-family, owner-occupied residential homes with covered spaces for off-street parking. The residences will offer approximately 855 - 1,225 square feet of living space, and meet the Silver rating of the National Green Building Standards, EnergyStar performance specifications, and the Environmental Protection Agency Indoor AirQuality+V3 certification. Additionally, the homes will utilize a fully accessible design standard with flexible and adaptable floor plans, and be built with the philosophy of being lifetime homes where families

can grow and homeowners will be comfortable aging-in-place. The homes will be built in the American Craftsman Bungalow-style, with designs previously approved by the Historic Preservation Commission. The Developer will seek Certificates of Appropriateness, as required, to mirror the character of the Garfield neighborhood.

The Developer's proposal was reviewed for project feasibility and recommended to progress to the negotiation of business terms. The project will bring an estimated value of investment up to $2.58 million to the Garfield neighborhood and create up to 60 construction jobs. 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 2 for $5,000 per lot.
The Developer shall provide the public benefit of selling seven homes in Package 2 to income eligible homebuyers at or below 120 percent of the area median income (AMI), and or three homes to income eligible homebuyers at or below 80 percent AMI. The Developer shall also provide down payment assistance as applicable, due to the proposed purchase price being below the appraised value.
The Agreements may include other terms and conditions deemed necessary by the City, including community outreach, mutually agreed construction timelines, and development deed restrictions, as required.
Prior to development, staff shall utilize one or more tools to ensure compliance with the development as presented, and prevent the developer from transferring lots without the City's consent.

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 two RFP property packages. Staff verified the proposal received for Package 2, submitted by Trellis, which met the requirements and minimum qualifications of the RFP. The Phoenix City Council authorized the Neighborhood Services Department to enter into a Sale and Redevelopment Agreement with

Diana James Community Partners LC to redevelop the three lots in Package 1 into single-family, owner-occupied homes during the May 16, 2018 Formal Meeting.

Financial Impact

This contract will have no impact to the General Fund. The sale of the Package 2 lots will generate a one-time sales proceed of up to $50,000 to the City of Phoenix, which will be distributed to the appropriate accounts.

The sale of these lots will put up to 1.44 acres of land back into private ownership, which will generate new property tax revenues. The project will bring an estimated investment value up to $2.58 million to the Garfield Neighborhood and create up to 60 construction jobs.

Concurrence/Previous Council Action

This item was recommended for approval by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on June 19, 2018 by a vote of 3-0.

Public Outreach

Public meetings were held Dec. 14, 2016 and Feb.13, 2017 in the Garfield Neighborhood prior to the RFP release, and on June 26, 2018 regarding the Developer's proposal for Package 2.

Location

The Garfield Lots in Package 2 are located within the general boundaries of the Interstate 10 and Van Buren Street, between 7th and 16th Streets, with the following street addresses and distinct Assessor Parcel Numbers (APN):

378 N. 15th St.; APN 116-18-012.
1210 E. Garfield St.; APN 116-24-076.
904 E. Pierce St.; APN 116-32-119.
1018 E. Pierce St.; APN 116-27-052.
1020 E. Pierce St.; APN 116-27-051.
1024 E. Pierce St.; APN 116-27-050.
1110 E. Pierce St.; APN 116-27-097.

1416 E. Pierce St.; APN 116-19-051.
1125 E. Taylor St.; APN 116-26-057.
1129 E. Taylor St.; APN 116-26-056.

Council District: 8

This item was adopted.

62 Community Development Block Grant, Neighborhood Enhancement Program, Coffelt Park Improvements (Ordinance S-44861)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) to award up to $205,000 to the Housing Authority of Maricopa County for improvements to the Coffelt-Lamoreaux housing development community park. This project is funded through the Community Development Block Grant (CDBG) Neighborhood Enhancement program and will not impact the General Fund.

Summary

The U.S. Department of Housing and Urban Development (HUD) funds the Neighborhood Enhancement Program to address community infrastructure needs and improvements including parks, playgrounds, landscaping, and other critical projects. The Neighborhood Enhancement program targets neighborhoods with active community-based organizations and areas that have developed basic neighborhood improvement goals and strategies.

Coffelt-Lamoreaux Homes (Coffelt) is the oldest and largest public housing development in the Housing Authority of Maricopa County's portfolio. Coffelt was the County's first manifestation of its commitment to providing affordable housing to low- and moderate-income populations. Within the Coffelt housing development is Coffelt Park, which is operated and maintained by the City of Phoenix through an IGA between the City and the County. While Coffelt Park had deteriorated over several decades, it is now experiencing a revitalization in conjunction with $28 million worth of physical improvements to the housing units, including a gut rehabilitation and reconstruction of the streets and site infrastructure; residents were engaged in a design charrette for the redesign of the Park.

The Housing Authority of Maricopa County applied for funds to make the final improvements to the Park through the Neighborhood Enhancement program. The project will provide shade canopies and trees to make high-use areas of the park more sustainable year-round, a mural on a sport court wall, outdoor musical instruments to engage youth, and fencing and curb improvements for the community garden.

Location
1510 S. 19th Drive
Council District: 7

Financial Impact
This project will be funded with Community Development Block Grant (CDBG) funds; it will not impact the General Fund.

Concurrence/Previous Council Action
This item was recommended for approval at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on June 19, 2018 by a vote of 3-0.

This item was adopted.

64 Authorization to Enter into a Contract with Aramark Sports and Entertainment, LLC (dba Aventura Catering) (Ordinance S-44828)

Request to authorize the City Manager, or his designee, to enter into a 10-year contract (with one option to extend for an additional five years) with Aramark Sports and Entertainment, LLC (dba Aventura Catering) for exclusive food and beverage services at the Phoenix Convention Center Department. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. This is a revenue-generating contract anticipated to generate approximately $90 million in revenue over the life of the contract. Aramark's proposal includes an initial capital investment of $6.5 million.

Summary
On Feb. 21, 2018, Phoenix City Council authorized the issuance of a Revenue Contract Solicitation (RCS) for Exclusive Food and Beverage Services at the Phoenix Convention Center Department. The Phoenix Convention Center Department's (PCCD) food and beverage (F&B)

catering and concessions program is a critical component of the department's overall operations. An important goal of the PCCD is to maintain its distinctive brand by offering premium level F&B services.

The RCS requested proposals from qualified firms to provide F&B services at the Phoenix Convention Center, Symphony Hall and the Orpheum Theatre. The successful respondent to provide full-service catering to meetings, banquets, and special functions, sell alcoholic beverages under certain conditions, operate kitchens and pantries and other food production/storage areas, operate fixed and mobile concession stands, restaurants, cafes and bistros, and vend various refreshments and other items as approved by the PCCD. In addition, PCCD requires the successful respondent to make a capital investment in F&B facilities. The successful respondent will provide PCCD with commissions from all activity generating revenue conducted at PCCD or utilizing PCCD equipment or facilities in exchange for the rights of exclusivity for providing F&B services.

Procurement Information

The RCS was issued March 5, 2018, with responses due April 5, 2018. The procurement was conducted in accordance with Administrative Regulation 3.10. Five firms attended the mandatory pre-proposal conference. Two responses were received and were reviewed for minimum qualifications, and all responses were found to be responsive and responsible. The evaluation panel interviewed all respondents on May 7, 2018. Panel members evaluated the responses based on the following criteria established in the RCS:

Investment and Financial Return to the City - Capital investments and commission structure offered (0 - 275 points)
Qualifications of Proposer - Experience and performance history of proposing firm in the public assembly industry (0 - 225 points)
Business Plan - Sales and marketing approach, retail outlets/concessions proposed, off premise catering, use of technology (0 - 200 points)
Operations Plan - Quality and service standards, sustainability efforts, staffing plan, staff training, ADA compliance (0 - 200 points)
Management Team - Qualifications and experience of proposed on-site managers (0 - 100 points)

Proposers were required in their business plans to identify and document potential business opportunities for local small businesses and describe planned outreach to encourage local small business participation in the proposers' proposed operations.

The evaluation panel recommendations were reached by consensus in consideration of the above criteria and the panel is recommending award to Aramark Sports and Entertainment (dba Aventura Catering). The results of the evaluation panel scoring are as follows:

#1 Aramark Sports and Entertainment, LLC (dba Aventura Catering): 887.50 out of a possible 1,000 points
#2 Volume Services, Inc. (dba Centerplate): 765.95 out of a possible 1,000 points

The City Transparency policy is in effect until the resultant Agreement from this RCS is awarded.

Contract Term
The term of this contract will be for 10 years covering Dec. 24, 2018, through Dec. 23, 2028, with an option to extend the term for an additional five years.

Financial Impact
This is a revenue-generating contract and is anticipated to result in approximately $90 million in revenue over the life of the contract, and an initial capital investment of $6.5 million.

Concurrence/Previous Council Action
The Downtown, Aviation, Economy and Innovation Subcommittee recommended this item for approval on June 6, 2018, by a vote of 4-0.

Public Outreach
The RCS was advertised on the City of Phoenix website, the Arizona Business Gazette, Arizona Informant, Record Reporter, Facilities and Destinations, International Association of Venue Managers weekly

electronic publication, VenueNet and Meetings and Conventions electronic publication.

Location
Phoenix Convention Center, Symphony Hall & Orpheum Theatre
Council Districts: 7 and 8

Note: A speaker comment card was submitted in favor of Item 64 by Thomas Barr, who did not wish to speak.

This item was adopted.

67 Contract Recommendation - Automotive Lifts Inspection, Maintenance and Repair (Ordinance S-44832)

Request to authorize the City Manager, or his designee, to enter into a contract with Mohawk Automotive Lifts Southwest, LiftPro, LLC, and Southwest Lift & Equipment, Inc. to provide annual inspections, maintenance and repair of automotive lifts for the Public Works Department. This contract will have a total aggregate total of $175,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Public Works Department is responsible for the safe and reliable operations of approximately 150 automotive lifts throughout the various Fleet Services Division Service Centers. These inspections are required to ensure the proper operation of all structural, electrical, hydraulic and mechanical components including lift controls. This service is performed by a third party provider as required by the American National Standards Institute.

Procurement Information
Invitation for Bid 19-FSD-003 was conducted in accordance with Administrative Regulation 3.10. Thirteen equipment manufacturers were included for bids based on estimated annual quantity of service needed, with a total price for each group to determine the lowest bid. Four offers were received with three vendors bidding on all groups, and one vendor bidding on two groups.

Mohawk Automotive Lifts Southwest: Groups 2-4, 6-12
LiftPro, LLC: Groups 5 and 13

Southwest Lift & Equipment, Inc.: Group 1

See **Attachment A** for the bid summary of offers submitted for Groups 1-13.

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

Financial Impact
This contract will have a $35,000 estimated annual expenditure, with a total aggregate amount not to exceed $175,000 over the life of the contract. Funds are available in the Public Works Department's budget.

This item was adopted.

68 Salt River Project Electrical Facilities Relocation Agreement for Grand Canalscape - ST87600114 (Ordinance S-44825)

Request to authorize the City Manager, or his designee, to execute a Facility Relocation Agreement with Salt River Project (SRP) to facilitate City of Phoenix Project - Grand Canalscape Phase 2, Segment 2, Grand Canal 16th to 36th Street (ST87600114). There is no cost to the City to execute this agreement.

Summary
SRP currently has electrical facilities along the Grand Canal that are in conflict with the proposed multi-use path of the Grand Canalscape Project. The SRP electrical facilities will be relocated to 26th Street north of the Grand Canal.

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

Further request the City Council to grant an exception pursuant to

Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18.

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

Location
North of the Grand Canal on 26th Street.
Council District: 8

This item was adopted.

69 Telecommunications Services and Interstate Telecommunications Services License with AT&T Corp (Ordinance S-44826)

Request to authorize the City Manager, or his designee, to execute a nonexclusive, revocable license with AT&T Corp to construct, install, operate, maintain, and use the Public Highways in the City in order to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of-way in the City of Phoenix subject to the terms and conditions contained in the license and Phoenix City Code. Also request that the Licensee sign the license within 60 days of Council action or this authorization will expire. There is no cost to the City for this license.

Summary
The license will be for a period of five years, contain appropriate insurance and indemnification provisions, require a performance bond and a security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

Contract Term
The request is for a five-year renewal of an existing five-year Telecommunications Services and Interstate Telecommunications Services License that was last granted on July 31, 2013 (City Contract 136502-0).

Financial Impact

There is no cost to the City. Licensee will pay an annual fee based on a formula using linear footage and the Consumer Price Index.

This item was adopted.

70 Development Agreement with Laveen Baseline, LLC, 59th & Baseline, LLC, Jaguar Premier Properties, LLP, Lines Brothers Land & Cattle, LLC, Sunwest Federal Credit Union, and Crosswalk Lutheran Ministries, Inc. for Roadway Improvements to Baseline Road (Ordinance S-44838)

Request to authorize the City Manager, or his designee, to enter into a Development Agreement with Laveen Baseline, LLC, 59th & Baseline, LLC, Jaguar Premium Properties, LLP, Lines Brothers Land & Cattle, LLC, Sunwest Federal Credit Union, and Crosswalk Ministries, Inc. for the design and construction of roadway infrastructure and other back-of-curb improvements on Baseline Road from 57th Avenue west to the 202 Freeway alignment. Further request authorization for the City Controller to disburse all funds related to this item. The City's contribution will not exceed $2 million.

Summary

The proposed ordinance authorizes the City Manager to execute a seven-party development agreement between the City of Phoenix, Laveen Baseline, LLC, 59th & Baseline, LLC, Jaguar Premium Properties, LLP, Lines Brothers Land & Cattle, LLC, Sunwest Federal Credit Union, and Crosswalk Lutheran Ministries, Inc. to make improvements on Baseline Road from 57th Avenue west to the Loop 202 South Mountain Freeway alignment. The improvements will include medians, asphalt pavement, signing and striping. The Development Agreement will establish the terms of the agreement and associated costs for each party for the design and construction of this segment of Baseline Road. The individual property owners will be responsible for constructing de-acceleration lanes, landscaping, sidewalks and other improvements on their properties outside of the curb. In addition, they are required to contribute to funding the traffic light at 59th Avenue and Baseline Road. The City will contribute an amount not to exceed $2 million. The City will be reimbursed through the collection of impact fee payments as this area develops.

The City will realize significant efficiencies through this agreement

including increased and more efficient access to and from the Loop 202 South Mountain Freeway, enhanced opportunities for economic development, and reduced traffic congestion by upgrading existing infrastructure to current City standards.

Financial Impact

The City will contribute an amount not to exceed $2 million for the City share of roadway infrastructure improvements. Project management, design and construction of the roadway will be the responsibility of the private property owners. Funding is available in the Street Transportation Department Capital Improvement Program budget.

Location

Baseline Road from 57th Avenue to the Loop 202 South Mountain Freeway alignment.
Council Districts: 7 and 8

This item was adopted.

71 Easement Encroachment Permit and Indemnification Agreement with Arizona Public Service - ST85110072 (Ordinance S-44852)

Request to authorize the City Manager, or his designee, to enter into an Easement Encroachment Permit and Indemnification Agreement with Arizona Public Service (APS) for the Riverview Drive: 18th Place to 22nd Street Improvement Project. There is no cost to the City to execute this agreement.

Summary

The purpose of this agreement is to allow the installation of storm drain, sidewalk and roadway improvements located in an existing APS easement. As part of the Agreement, APS will provide consent to the City to use and occupy certain areas within the existing APS easement for the proposed improvements associated with the Riverview Drive: 18th Place to 22nd Street Improvement Project.

Location

The project is located along Riverview Drive from 18th Place to 22nd Street.
Council District: 8

This item was adopted.

72 Maintenance, Repairs and Replacement Parts Contract for AA3 Segmented Flow Analyzers (Ordinance S-44827)

Request to authorize the City Manager, or his designee, to enter into a contract with Seal Analytical, Inc. for maintenance, repairs, and replacement parts for AA3 Segmented Flow Analyzers for the Water Services Department. The aggregate value will not exceed $350,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department currently uses two AA3 Segmented Flow analyzers to test drinking water and wastewater samples to ensure compliance with the Arizona Department of Health Services and with National Environmental Laboratory Accreditation Conference requirements.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, the competitive procurement process was waived as a result of a Determination Memo citing there is only one source for the required goods and services. Seal Analytical, Inc. is the only authorized company to provide certified parts, service, and technicians for AA3 Segmented Flow Analyzers.

Contract Term

The contract term is for 10 years effective July 1, 2018, through June 30, 2028.

Financial Impact

The aggregate value of the contract is not to exceed $350,000. Funding for this contract is available in the Water Services Department's operating budget.

This item was adopted.

73 Courier Services (Ordinance S-44845)

Request to authorize the City Manager, or his designee, to enter into a contract with Breason, Inc. dba First Delivery Service, for courier services for the Water Services Department (WSD). The aggregate contract value

is $40,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City is seeking a four-year service contract for courier services for pick up, transport, and delivery of water samples and associated paperwork at various WSD facilities. Samples are analyzed for regulatory compliance and require specific regulatory analytical hold times to be valid.

Procurement Information

Solicitation RFQ-1718-WES-180 was conducted in accordance with Administrative Regulation 3.10. Two offers were received from First Delivery Service and Hot Shot Logistics, Inc. The results are listed below:

Price for four-year term
First Delivery Service: $31,140
Hot Shot Logistics, Inc.: $41,000

In accordance with Administrative Regulation 3.10, selection was made on the basis of the lowest responsive and responsible bidder. A contract award will be made to First Delivery Service.

Contract Term

The contract term shall begin on or about July 1, 2018, for a four-year term, with an end date of June 30, 2022.

Financial Impact

The aggregate contract value is $40,000 (including applicable taxes). Funds are available in the Water Services Department's operating budget.

This item was adopted.

74 Salt River Project Design and Construction Agreement for Unified Substation Improvements at 91st Avenue Wastewater Treatment Plant (Ordinance S-44846)

Request to authorize the City Manager, or his designee, to enter into a contract with Salt River Project (SRP) for design and construction

services for the Unified Substation located at the 91st Avenue Wastewater Treatment Plant, in an amount not to exceed $1,340,000. Further request authorization for the City Controller to disburse all funds related to this item. Additionally request the City Council to 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 Code section 42-18.

Summary

The contract with SRP is for design and construction for installation of a 69kV bus divider breaker and associated equipment for the Unified Substation at the 91st Avenue Wastewater Treatment Plant, for the Water Services Department. This substation does not currently meet SRP standards for isolated redundancy and is at risk of experiencing power failure which would result in a complete plant shutdown. SRP responsiblilities under this contract include installation of new 69kV bus driver breaker including purchase of equipment, design and construction. The additional divider breaker will split the 69kV bus into two segments to provide relay protection per SRP standards for adequate redundancy and protection for the 69kV system.

Contract Term

The contract term is for two years starting on or about Aug. 1, 2018, through July 31, 2020.

Financial Impact

Funding in the amount of $1,340,000 is available in the Water Services Department's Capital Improvement Program budget.

Location

The 91st Avenue Wastewater Treatment Plant is located at 5615 S. 91st Ave.

Council District: 7

This item was adopted.

75 Ordinance of Intention to Form Gold Key Racquet Club Repaving Improvement District (ST87200002 ID 1308) (Ordinance S-44862)

Ordinance S-44862 of the City Council, declaring under Arizona Revised

Statutes (A.R.S.) section 48-576 its intention to form the Gold Key Racquet Club Repaving Improvement District (ST87200002 ID 1308) for the real property located within an area generally bounded by 2nd Street to the south, 1st Street and Dahlia Drive to the north, Central Avenue to the west, and 3rd Street to the east, and adopting the related preliminary plans.

The proposed improvements shown in the attached Gold Key Racquet Club Improvement District Map include, but are not limited to, resurfacing of the streets, installation of ADA ramps, installation of City street signs, relocation of existing improvements as needed, and performance of all items of work called for in the preliminary plans, final plans, specifications, or indicated by estimates of improvements costs. The proposed improvements may be constructed under one or more contracts.

Under A.R.S. section 48-577, preliminary plans that show the location, type, and character of the proposed improvements and an estimate of the costs and expenses of the proposed improvements are prepared and on file with the City Clerk. The assessment for any lot will not exceed its proportion of the cost estimate.

Improvement bonds will be issued under A.R.S. sections 48-571 to 48-621 to represent the costs and expenses of the work or improvements. The bonds will be payable out of a special fund collected by the City from the special assessments levied and assessed upon the lots, pieces, and parcels of land included within the above described district. The improvement bonds will bear interest at the maximum rate of six and nine-tenths percent (6.9%) per annum.

Summary

By petition and ballot, 87 percent of Gold Key Racquet Club property owners approved a request to form an improvement district and agreed to convey their property interests as conditions to accept the improved streets as public right-of-way. Forty-two property owners have executed documents to convey their property interests. Before construction of the improvements starts, the property owners are required to release all and any claims against the City related to this matter. These documents will be held in escrow until the improvement district is formed.

Financial Impact

Total proposed improvement costs are currently estimated at $275,000. The City of Phoenix will pay for approximately 12 percent of the proposed improvements, currently estimated to cost between $30,000 and $60,000, to acquire real property referred to as Tract C and to settle any and all claims related to this matter. Tract C (shown on map attachment) will become part of the Phoenix Mountain Preserve. Gold Key Racquet Club property owners will pay the remaining costs of the proposed improvements, currently estimated at $220,000.

Public Outreach

In March 2017, the affected property owners were polled by mail to determine the level of support for the proposed improvements. Poll results show 87 percent of the property owners support the project.

This Ordinance of Intention, if approved by Council, will be published in The Arizona Business Gazette on the following dates:
(July 5, 2018) (First Thursday after Ordinance Approval)
(July 12, 2018) (Following Thursday after first publishing)

Location

The proposed re-paving improvement district includes single-family residences and one commercial business located within an area generally bounded by 2nd Street to the south, 1st Street and Dahlia Drive to the north, Central Avenue to the west, and 3rd Street to the east.
Council District: 3

This item was adopted.

76 Modification of Stipulation Request for Ratification of April 18, 2018 Planning Hearing Officer Action Z-307-85-1(3)

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 April 18, 2018. This ratification requires formal action only.

Summary

Application: PHO-4-18--Z-307-85-1(3)
Current Zoning: R1-8

Acreage: 1.30
Applicant: MJQ Properties, LLC
Owner: MJQ Properties, LLC
Representative: Nick Labadie, Rose Law Group

Proposal:
1) Modification of Stipulation 1 to include site plan date stamped Feb. 1, 2018.
2) Modification of Stipulation 4 regarding amenities to be provided.
3) Deletion of Stipulation 6 regarding a 6-foot wall along the north and south boundaries, fencing the west boundary, and mature landscaping along the street.
4) Modification of Stipulation 11 regarding the maximum height shall not exceed 18 feet from finished floor for one-story units.
5) Deletion of Stipulation 19 regarding units being for sale and not rental units.

Location
Parcel Address: Approximately 335 feet north of the northeast corner of 29th Street and Nisbet Road.
Council District: 3
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Paradise Village Planning Committee recommended approval with modifications by a 11-0 vote on March 5, 2018.
Planning Hearing Officer Recommendation: The Planning Hearing Officer took the case under advisement to evaluate the technical requirements for the site plan. On May 17, 2018, the Planning Hearing Office took this case under advisement and approved with an additional stipulation.

This item was approved.

77 Map of Dedication - La Sagrada Familia Lutheran Church - 170003 - Northeast Corner of 25th Street and Campo Bello Drive

Map of Dedication: 170003
Project: 16-3002
Name of Map of Dedication: La Sagrada Familia Lutheran Church

Owner(s): Campo Bello Properties, LLC
Engineer(s): Strategic Surveying, LLC
Request: A 1 Lot Commercial Map of Dedication
Reviewed by Staff: Jan. 24, 2018
Map of Dedication requires Formal Action Only

Summary

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

Location

Generally located at the northeast corner of 25th Street and Campo Bello Drive.
Council District: 2

This item was approved.

78 Final Plat - Circle K Hatcher Road and 7th Street - 180046 - Northwest Corner of Hatcher Road and 7th Street

Plat: 180046
Project: 15-795
Name of Plat: Circle K Hatcher Road and 7th Street
Owner(s): Circle K Stores, Inc.
Engineer(s): Helix Engineering, LLC
Request: A 1 Lot Commercial Subdivision
Reviewed by Staff: May 31, 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 at the northwest corner of Hatcher Road and 7th Street.
Council District: 3

This item was approved.

79 Final Plat - Arrive Hotel - 180028 - North of Camelback Road and West of 3rd Avenue

Plat: 180028
Project: 17-1009
Name of Plat: Arrive Hotel
Owner(s): Arrive Camelback, LLC
Engineer(s): Survey Innovation Group, LLC
Request: A 1 Lot Commercial Subdivision Plat
Reviewed by Staff: May 31, 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. This plat needs to record concurrently with Abandonment V170057A.

Location
Generally located north of Camelback Road and west of 3rd Avenue.
Council District: 4

This item was approved.

80 Abandonment of Right-of-Way - V170057A - 400 and 444 W. Camelback Road (Resolution 21652)

Abandonment: V170057A
Project: 17-1009
Applicant: Venue Projects, LLC care of Ben Patton
Request: To abandon the north Camelback Road right-of-way adjacent to the parcels addressed 400 and 444 W. Camelback Road, APNs 162-26-050G and 162-26-054A, varying in width from 15 to 23 feet.
Date of Hearing: Nov. 14, 2017

Summary
The resolution of the abandonment and the subdivision plat Arrive Hotel, Plat 180028, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location
400 and 444 W. Camelback Road
Council District: 4

Financial Impact
A fee was also collected as part of this abandonment in the amount of $17,005.

This item was adopted.

A motion was made by Vice Mayor Waring, seconded by Councilman Valenzuela, to suspend the rules and take Items 85 and 86 out of order. The motion carried by the following voice vote:

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

85 (CONTINUED FROM JUNE 6, 2018) - Amend City Code - Public Hearing and Resolution Adoption - General Plan Amendment GPA-MV-1-18-5 - Approximately 1,300 Feet North of the Northwest Corner of 107th Avenue and Camelback Road (Resolution 21649)

Request to hold a public hearing on the General Plan Amendment request for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved.

Summary
Application: GPA-MV-1-18-5
Current General Plan Land Use Map Designation: Residential 1 to 2 dwelling units per acre and Residential 3.5 to 5 dwelling units per acre
Proposed General Plan Land Use Map Designation: Residential 2 to 3.5 dwelling units per acre
Acreage: 66.63
Proposal: Single-family residential

Owner: RLD II Loan, LLC
Applicant: Jordan Rose, Rose Law Group, PC

Representative: Jordan Rose, Rose Law Group, PC

VPC Action: The Maryvale Village Planning Committee heard the request on March 14, 2018 and recommended denial by a 7-1 vote.
PC Action: The Planning Commission heard the request on April 5, 2018 and recommended approval by a 4-2 vote.

Location
Approximately 1,300 feet north of the northwest corner of 107th Avenue and Camelback Road.
Council District: 5
Parcel Address: 5805 N. Ball Park Blvd.

Note: Items 85 and 86 were heard together and motions were taken separately.

Discussion
Mayor Williams asked for a staff report on Item 85. She also instructed that for the public hearing, the applicant could have up to 20 minutes to speak or present information and that they could use the time all at once, or could split into a rebuttal, after which the comments would be heard from the public.

Planning and Development Director Alan Stephenson commented that as Items 85 and 86 were related items, that they could be heard together and would only need separate motions after. He presented that Item 85 was a request to increase the number of residential dwelling units per acre from 3.5 to 5 units in one area of the land in question, and from 1 to 2 units in the other portion, creating a mixed total of 2 to 3.5 dwelling units per acre (du/ac). He displayed a map of the area and the existing general plan configuration. He noted that this was recommended for approval by staff, and that this was approved by the Planning Commission, but not approved by the Maryvale Village Planning Committee. He displayed the site plan and explained the traffic flow expectations for Ball Park Boulevard to be constructed.

Mayor Williams declared the public hearing open.

Jordan Rose presented as the applicant from Rose Law Group on behalf of Mattamy Homes. She explained that the request was to amend the current General Plan, under which there could be 208 homes built in that area, and that their site plan proposed 207 homes. She stated that they had received 155 signatures from the neighborhood to the south in support of the proposed project, and as there was the Glendale Airport, the Camelback Ranch ball park, and many similarly zoned areas surrounding the site, they felt this was compatible with the area. She noted the general plan had been set since 1985 to allow for more homes than were proposed now, and that the City of Glendale and the ball park and local teams were in support. She explained that as part of the development agreement, Mattamy Homes will help to build out Ball Park Boulevard from the property site to Maryland Avenue, which would help alleviate the traffic flow on Camelback Road and remove traffic from 107th Avenue, all without cost to taxpayers.

Ms. Rose addressed the list of requests from the neighborhood representative, including a request for a 50 foot buffer to include a 10 foot equestrian trail along 107th Avenue, which Mattamy agreed to build and maintain as well as extend further along the southern border of the development. She addressed the request for a reduced number of lots along 107th Avenue and explained that they reduced the proposed number from 46 to 16 lots and made them a minimum of 18,000 square feet. She added that there was a request to have a percentage of the homes be single story, and although the current general plan stipulates that all homes could be two story and could have access to 107th Avenue, Mattamy Homes has agreed to stipulate that at least 30 percent of the lots within 200 feet of 107th Avenue will be single story. She clarified that although the neighborhood representative had asked for no access to 107th Avenue, they proposed installing an emergency vehicle access only at the far southern end for safety reasons, with no egress by residents. She said the builder agreed to prohibit short term rentals and institute fines for noise complaints, as well as to show specific agreements with the cities, the ball park, the builder and work with the airport, all of which were requested by the neighborhood.

Ms. Rose stated that the neighborhood representative spoke at the April

5 Planning Commission meeting, stating that the building of Ball Park Boulevard up to Maryland Avenue and no ingress or egress except emergency vehicles on 107th Avenue, as well as the written agreement between all parties would be needed to come to an agreement, then they received an additional request to lower the density. She explained that the list of requests did not include that question along the process, and the home builder had addressed all of the requests given by the neighborhood. She further added that they recently met with Jack Lunsford and other neighbors who asked for one half acre lots on the entire project, then prior to this meeting, Mr. Lunsford suggested 150 total lots on the site. She explained that the site plan reduced the density of the project from their original numbers and that it would be lower than most of the surrounding areas in the general plan. She stated that the builder had committed to the requests given to them in good faith, not having any reason to think there would be additional requests and felt they had answered the concerns in a way that maintained the feel of the area. She expressed that Mattamy Homes was honored to participate in the solving of a regional issue with this project and thanked all involved for their work in bringing this project forward.

David Williams explained that he was the Planning Administrator and speaking as a representative for the City of Glendale. He agreed that they had sent a letter of support for the project, and had reached an agreement regarding the lights, noise and traffic regarding the ball park, and the completion of the roadway which they believed would reduce the pressure on Camelback Road and provide connectivity. He explained that this could alleviate future traffic issues and give relief during the spring training season and so Glendale was supportive of the proposal.

Councilwoman Pastor asked staff to clarify the current density in the proposal.

Mr. Stephenson replied that under the proposal, there is currently a request to build 207 dwelling units on the site.

John Kaites spoke on behalf of the Los Angeles Dodgers, the Chicago White Sox and Camelback Ranch baseball. He explained that they were initially not supportive of the project due to the lack of access to the north,

and that due to the agreement by Mattamy Homes to extend that road and the work of all groups involved, they were in support of the proposal. He acknowledged that although the neighbors to the east were not supportive of this project, they were great neighbors, as were those to the south, and the partners in this proposal. He thanked the City staff, City Manager and City Clerk, as well as the City of Glendale. He explained that the teams are also committed to assisting in the building of the road if the project moves forward and is built on time, and they are optimistic and in support of the proposal.

Jeff O'Toole introduced himself as a resident in the area directly south of the proposed site. He presented information explaining that the Phoenix General Plan was the way that zoning decision were made and that the Village Planning Committee system was critical to that process. He noted that the Maryvale Village Planning Committee voted 7-1 against the proposal. He showed that the characteristics of the only residential neighborhood that borders the property, which were large lots of horse properties. In rebuttal to Ms. Rose, Mr. O'Toole stated that the existing General Plan zoning is only for 1-2 units per acre for the entire site, and presented a map showing the difference between the proposal and the adjacent community, and stated that this would not be comparable in scale, design or appearance. He expressed concerns about the question of density and stated that it had always been the issue, and that the neighborhood had attempted to negotiate that several times with no movement from the applicant. He showed a map of flight paths over the site and stated there were safety concerns due to those paths. He explained that the neighborhood wanted to propose alternatives of either one half or one acre lots, light commercial, agricultural, or some other compatible use development that would enhance the existing community.

Bonnie Conrad stated that the neighborhood has continually stated their main concern as density and she is in opposition to changes to the General Plan. She said that as the existing neighborhood is made up of one half to two acre irrigated lots, she did not feel the proposal was compatible with the area. She argued that the development is not similar in scale or design, and that the neighbors to the east are an isolated large lot development. She expressed concern that if this was approved, the new residents could complain about the animals and agricultural sounds

and smells, and she wanted a stipulation similar to that for the airport so that the new residents would not try to change the existing neighborhood.

Jennifer Maxwell explained that she was a resident on a one half acre property near the proposed development that has night sky views. She said that an increase of even 50 homes would add more cars to the roads, and that as all of the shopping and destinations are on Camelback Road, the newly built road will not alleviate traffic there. She stated the residents there do not want a development that is so different from the existing landscape. She expressed concern that the airport is so close to the proposed development, and the existing residents already have challenges with the airplane and helicopter noise, that the proposed residents may not know what they have agreed to. She explained the road would not be costing Phoenix taxpayers, as it is in Glendale, and that would never have been a concern. She asked Council to consider maintaining the General Plan as written and to promote developments that matched the existing residential neighborhood.

Jack Lunsford thanked the City staff for their work on this issue and explained that the homeowners in the area are very passionate about the situation. He said that he did not have a false memory of the discussion or events, and that the list of requests from the neighborhood became the final list, without further discussion, when in his view those had been opening negotiations. He stated the neighbors asked that nothing be built vertically until Ball Park Boulevard was built through to the north, connecting to Maryland Avenue. He said Mattamy Homes agreed to speed up construction, but did not negotiate any further. He explained that the neighborhood asked that the lots along 107th Avenue be 19 in total, and Mattamy Homes moved it to 16 lots without discussion. He added they requested that no more than 30 percent of the homes were to be two stories in height, and the initial response was that there would be 20 percent single story.

Mr. Lunsford further contended that he neighborhood wanted no rentals at all, not simply a clause for no short term rentals. He addressed the issue of density, and said the neighbors had negotiated upward to agree with 150 dwelling units on the site, but that the road was not their concern. He contended that they were supportive with Mr. Kaites of the road being

built, but that density was their primary concern all along. He remarked that although Mattamy Homes agreed to many items, they did not negotiate on the difficult items, only parts that he felt were advantageous to them. He asked Council to oppose the zoning change request for this site.

Councilman Valenzuela asked for clarification on the number of lots along 107th Avenue, as Mr. Lunsford stated that the neighborhood wanted more homes than Mattamy was proposing, 19 lots instead of 16, and he wondered if that was what they meant.

Mr. Lunsford explained that the agreement had been 19 homes along that area all along and that the change to 16 lots was illustrative of how Mattamy Homes was making changes without input from the existing residents.

Councilman Valenzuela said it sounded like logically the neighborhood wanted less homes so he wondered why they would want 19 instead of 16 to be built along 107th Avenue.

Ms. Maxwell replied that the reason for the request for 19 homes instead of 16 was that the 16 homes would place the lot lines directly in connection to the existing small neighborhood roads, so they feared that eventually the development would push matching roads through 107th Avenue and they would line up with the smaller ones, causing traffic and egress issues later on.

Mr. Lunsford explained that the neighborhood had wanted no two-story homes on 107th Avenue, which later became half of the homes would be two-story. He added that the neighbors expressed their opposition to the change in that plan at the meeting with the developer the prior week.

Ms. Rose addressed the concerns, and stated that she believed the request from the neighborhood represented their wishes, and that she thought the density issue had been resolved. She added the total density proposed is the same as what is currently allowed in the General Plan. In response to the concerns raised by neighbors, she agreed that they could include a dark sky ordinance as well as a stipulation about

complaints regarding the animal and agriculture use in the existing neighborhood into the homeowner agreements, as with the airport. She noted that although she did not represent Mattamy during the Maryvale Village Planning Committee meeting, the opposition was due to there not being northern access, and the construction of Ball Park Boulevard would alleviate that issue. She explained that Glendale confirmed the flight paths go over the R-35 zoned neighborhood, but not over the proposed site. She said that Mattamy negotiated in good faith and they had done everything possible to answer the concerns of homeowners in the neighborhood, but that the half acre lots were not possible for this site. She reiterated there would be no additional traffic on 107th Avenue and that they had agreed to the equestrian trail despite their residents not having horse property and not having a use for that amenity.

Noting no one else wished to speak, Mayor Williams declared the public hearing closed.

Councilwoman Pastor asked staff to clarify the General Plan, as she had heard two different explanations of the numbers from the applicant and the neighborhood, and wanted guidance on what those differences were.

Mr. Stephenson explained that the General Plan has two components, the land use map as well as the goals and language of the land use. He clarified that for the site in question, there was a portion that was designated residential for 1 to 2 units per acre, and the other portion was designated for residential, for 3.5 to 5 units per acre, and that had been the land use designation since 1985. He further added that the land where Camelback Ranch baseball parks were located now still showed as residential on the map, as those were a special use consideration zoning case. At the time the idea was that the parcel in question would be commercial use for hotels and restaurants supporting the baseball park. He explained that the downturn in the economy stopped that commercial development from happening and the property had gone into receivership, with only residential development plans since then. He noted the General Plan language talks about compatibility of developments as well as economic growth challenges, and balancing property rights with land use. He stated that as Phoenix has stringent requirements about water access, streets and sidewalks, and other

infrastructure, that often those are the responsibility of the private sector developer, so the City does not have to outlay funds to support those projects in areas with large lots without those existing requirements.

Councilwoman Pastor asked for specifics on this case, as to why there were two different interpretations of the General Plan.

Mr. Stephenson explained that if you were to build as many homes as possible within the current General Plan, there could be five dwelling units per acre on one portion and two dwelling units per acre on the other, therefore totalling roughly 207 homes total on the site. He said that is why the applicant is saying they are consistent with the General Plan, they are simply spreading it out evenly over the whole parcel instead of exactly within the split parameters. He stated that the adjacent neighborhood contends there is only one to two units per acre allowed on a larger portion of the site, and only in the smaller portion could there be up to five units per acre.

Councilwoman Pastor referenced two recent zoning requests for this parcel that had been denied, and asked staff to clarify why this case had come before the Council prior to now and what the issue had been, as it seemed density was a problem before.

Mr. Stephenson replied that the two cases referenced were withdrawn before being heard by Council as there had still been opposition from the City of Glendale in addition to opposition from Council prior to the case being heard, largely due to the issue of road access to 107th Avenue and the need for northern exit access to the west. He explained that Mattamy Homes had come to agreements with the groups to address the issue and commit to building Ball Park Boulevard through to the north, and that was the key difference between those earlier cases and now.

Councilwoman Pastor said she had met with Mr. Lunsford and Mr. Kaites, and at that time the request was that Council not vote for the case, as they felt that all of the parts were not in place, and the case was then continued. She explained she then heard from the City of Glendale, that there had been an agreement with the builder, but that she had told the two sides to return when they had an agreement, and that did not happen.

She expressed concern about the density being the main issue and asked when the conversation on that item took place and what had been discussed.

Mr. Stephenson replied that he would have Mr. Lunsford and Ms. Rose answer that question, as they met over the past week and he had not been present at that meeting.

Ms. Rose answered that she contacted Mr. Lunsford to meet after the case was continued and they met the past Thursday, when he stated that the density was the primary concern. She argued that it would not be possible to build at two units per acre and also commit to all of the other concessions, some of which were key to the past zoning cases for this site, such as the access to 107th Avenue and extension of Ball Park Boulevard. She stated that as there was no access to 107th Avenue, and the lots along there would be so large, the density would not be noticeable to the community and would not impact the neighborhood. She expressed frustration at the changed request for the number of homes along 107th Avenue, and asked Council or staff to explain that the developer would not be able to put roads through at a later date.

Councilman Valenzuela asked staff to explain the point raised about the potential for future road construction.

Mr. Stephenson responded that the stipulation was for no access on 107th Avenue, except emergency vehicles, after Ball Park Boulevard was built was a permanent condition. He added there could be times when vehicles were on 107th Avenue, but once the road was built, there could not be any further access.

Ms. Rose added that the access on 107th Avenue was only before Ball Park Boulevard was built and only on game days at the ball park as well.

Mr. Stephenson confirmed that was correct, and if this was approved, the open space areas could not be converted in the future to create access out to 107th Avenue without going through a public hearing process again, as it is clearly stated in the stipulations.

Councilwoman Pastor questioned how that would be enforced.

Mr. Stephenson answered that the stipulation on the site plan would be in place, so when the site plan went under review, there would be no way for them to change one type of space to another, such as a road. He explained that the development would have to obtain permits to change the curb and gutters, which would expose that they were not adhering to the site plan, so they would be denied and told to go through the public hearing process to make modifications.

Ms. Rose explained that the proposal included a site wall along the road as well as a sidewalk and landscaped area, in addition to configuring the lots and drainage. She noted those improvements were costly, and that the developer did not wish to alter that once it was in place and did not anticipate ever wanting to change the plan.

Councilman Valenzuela asked Mr. Lunsford if, after hearing the staff explanation, if the neighborhood still wished to have the higher number of homes along 107th Avenue, or if fewer would be desirable.

Mr. Lunsford replied that he felt the number of homes in that area was not the core of the issue.

Councilman Valenzuela agreed, and stated that he needed to get through the items to assist in the negotiation process, as it was not progressing without Council involvement.

Mr. Lunsford responded that 16 homes there was agreeable, but his main concern was the discussions on density. He stated that the Planning and Zoning Commission raised the question to the community if they could choose between the completion of the road or improved density, what would they choose. He explained it was the same then as it would be now, that they care about the improved density and do not care if the road is completed. He said there had been conversation with Ms. Rose about density for the site, and he had given a figure of 150 homes for the site, for which the residents in opposition agreed would be amenable. He reiterated that the density had been the challenge all along, and that was the issue in the earlier cases as well.

Councilwoman Pastor said it was unfortunate that the parties could not come to an agreement on the density issue, and that she had received answers to her questions.

Councilman Valenzuela remarked these cases are always the most difficult as they are personal, because they are about where people live. He said he knew some of the people who spoke today as neighbors and that he was concerned, although many advancements were made, the communication stopped between the parties. He said that the conversation about density did not seem to be moving and there needed to be an agreement. He explained he had lived and raised his family in that community, and he heard the concerns of people looking for good jobs, for which there would need to be an investment in the infrastructure, education, and economic development projects. He admitted there are traffic issues in the area, and that although compromises were made, there was still a gap in the agreement. He said that his motion on this item was unlikely to please everyone or anyone, but as much as the growth was inevitable, the current neighborhood had to be preserved as well. He acknowledged that the case did not pass the Maryvale Village Planning Committee, and asked whether the stipulations added recently were presented when that case was heard at the Committee.

Mr. Stephenson confirmed there had been a number of stipulations added since it was heard by the Maryvale Village Planning Committee.

Councilman Valenzuela stated that there were some positive additions proposed, such as the 15 percent open space, which was three times the amount in surrounding areas, the 50 foot landscaped area along the western perimeter of the site along 107th Avenue, the 10 foot multi-use trail on the west side of 107th Avenue, the restrictions on access to 107th Avenue and the resolution to the issue of emergency vehicle access. He said he felt that the gate for emergency access was a good compromise.

He proposed that in order to move the negotiation forward, there could be a reduction in the number of lots along 107the Avenue to 11 lots, so that each could be approximately 20,000 square feet. He added that in the general plan he would propose that 107th Avenue be reclassified

from a minor collector to a local street, and motioned to approve this item per the memo from the Planning and Development Director dated June 27, 2018, and adopt the related ordinance, with modifications to the following noted stipulations. He requested that there be a dark skies lighting language addition to the agreement, as well as the stipulation regarding complaints about animals and agricultural use, as there was with the airport. He added there should be a modifiation to stipulation 21, to require the lots adjacent to 107th Avenue be a minimum of 20,000 square feet and no more than 11 lots. He requested a modification to stipulations 22 and 24, that all of those homes along 107th Avenue be limited to one story and no more than 20 feet in height. He also noted that the homes behind the first row of 11 adjacent to 107th Avenue had an original percentage of single story and asked staff to clarify.

Mr. Stephenson confirmed the homes were to be 30 percent single story, and that it looked like Councilman Valenzuela was intending to bring that to 50 percent single story.

Councilman Valenzuela agreed, he wanted language saying for that next row of homes, as they would be within 200 feet of the site perimeter, a maximum of 50 percent of those could be two story, in addition to all of the first row of 11 being single story homes. He gave additional direction to staff to initiate a General Plan amendment stating that 107th Avenue north of Camelback Road, in addition to being classified as a local street, should not connect north of the SRP canal in the future. He added that he would motion for the density total on this site to be 199 homes, to get under 200.

Mayor Williams asked if the applicant and neighborhood representative would accept those terms.

Ms. Rose agreed that she would accept them.

Mr. Lunsford agreed that although the neighborhood residents would strongly prefer a lower level of density, they would have to accept the terms, given that it was likely this would be approved.

Mr. Stephenson advised that the modifications to stipulations would be

attached to Item 86, and that the first order of business would be to motion for Item 85.

Councilwoman Pastor asked for clarification on the amendment to the General Plan, and whether that change was specific to the site in question or if that change would be made throughout the General Plan.

Mr. Stephenson replied that the General Plan has a component called the street classification map, and as 107th Avenue is currently designated as a minor collector, it is intended to gather traffic from the surrounding areas to take them north and south. He stated this change would route more traffic to Ball Park Boulevard, and protect the lifestyle and environment of those living near 107th Avenue by classifying that street as a local street only, and it would only be specific to this site.

Councilwoman Pastor questioned if this would improve the lifestyle for those residents.

Mr. Stephenson answered yes, it was intended to support their current quality of life, and to prevent from having this road connect later which would gather more traffic. He explained that by having this road come to a dead end it would protect those residents and have the road only serve that area. He also clarified that although the City does not have a template for a dark skies ordinance to refer to, language could be added to the residential development agreement to specifically address the minimum standards for light pollution from street lights to address the typical concerns. He added there was nothing to control house porch lights, but that street lighting in the development could be addressed.

Councilwoman Pastor asked staff to specify that language and be sure that it was included in the agreement.

Mayor Williams clarified her vote on Item 86, and said that as her son lives in the neighborhood and she is aware of the concerns, that she felt very protective of the equestrian properties, so she could not support the motion.

Note: Speaker comment cards were submitted by the following

individuals in opposition to Items 85 and 86, with no one wishing to speak:

Ariel Nuanez
Salvador Orona
Angel Nuanez
Rosa Diaz
Josue Diaz
Andres Martinez
Miguelina Martinez
Chris Martinez
David E. Conrad
Michele Combs
Jesselyn Ruiz
Jazmin Moreno
Joanne Lukacs
Michael Bounds
Melanie Bounds
Mario Gomez
Maria Gomez

The hearing was held. A motion was made by Councilman Valenzuela, seconded by Councilwoman Stark, that this item be adopted per Planning Commission recommendation. The motion carried by the following vote:

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

86 (CONTINUED FROM JUNE 6, 2018) - Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-7-18-5 - Approximately 1,300 Feet North of the Northwest Corner of 107th Avenue and Camelback Road (Ordinance G-6464)

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved. Request is to

rezone the site from S-1 SP to R1-10 for single-family residential use. This file has a companion case GPA-MV-1-18-5.

Summary

Current Zoning: S-1 SP
Proposed Zoning: R1-10
Acreage: 66.63 acres
Proposed Use: Single-family residential

Owner: RLD II Loan, LLC
Applicant: Jose Castillo, Mattamy Homes
Representative: Jordan Rose, Rose Law Group, PC

Staff Recommendation: Approval, per the Addendum B Staff Report (**Attachment B**).
VPC Action: The Maryvale Village Planning Committee heard this case on March 14, 2018. With the committee recommendation of denial of GPA-MV-1-18-5, no action for the companion case Z-7-18-5 was required.
PC Action: April 5, 2018: The Planning Commission heard the case on April 5, 2018 and recommended a continuance to the May 3, 2018 Planning Commission hearing.
PC Action: May 3, 2018: The Planning Commission heard the case on May 3, 2018 and recommended approval per the Addendum B Staff Report with an additional stipulation by a 4-2 vote.

Location

Approximately 1,300 feet north of the northwest corner of 107th Avenue and Camelback Road.
Council District: 5
Parcel Addresses: 5805 N. Ball Park Blvd.

Note: Items 85 and 86 were heard together and motions were taken separately. Please see Item 85 for discussion on Item 86.

The hearing was held. A motion was made by Councilman Valenzuela, seconded by Councilwoman Gallego, that this item be adopted per the Planning and Development Department memo dated June 27, 2018.

The motion carried by the following vote:

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

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that Items 9 and 34 be continued to the July 5, 2018 City Council Formal Meeting. The motion carried by the following voice vote:

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

Item 9, Ordinance S-44824, was a request to authorize the City Controller to disburse funds, up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

9 City of Glendale

For $27,273.00 in payment authority to pay the City of Phoenix's share of the agreement with Baker, Donelson, Bearman, Caldwell & Berkowitz to provide West Valley Partner Communities comprehensive federal legislative consulting services to protect and enhance Luke Air Force Base, for the Office of Government Relations and the Aviation Department.

Discussion

Leonard Clark stated that as Item 9 was being continued, he would wait for the next meeting to make a statement.

This item was continued to the July 5, 2018 City Council Formal Meeting.

34 Dockless Bikeshare Program (Ordinance G-6474)

Request to authorize the City Manager, or his designee, to amend chapters 31 and 36 of the Phoenix City Code to establish a dockless bikeshare program effective July 30, 2018. There is no cost to the City of Phoenix. All costs associated with the program will be recovered through proposed permit fees.

Summary

The proposed bikeshare program was developed in response to the emergence of dockless shared individual mobility systems. The primary intent of this program is to ensure safety and mobility for all users of the right-of-way, while maintaining aesthetics and preventing potential visual blight in the Phoenix community. In addition to bikeshare programs, ebike and electric scooter sharing models are appearing nationwide.

Dockless bikeshare is a fee-based service in which bikes are made available in public right-of-way for shared use on a short-term basis. Users of dockless bikeshare services typically use a smartphone app to locate and rent a bike. A dockless bike may be located in designated areas, or at an appropriate spot left by the previous user. This is different from a docked bikeshare system in that there are no fixed docking stations for the bikes. The bikes are secured with an electronic wheel-locking mechanism that is unlocked via the bikeshare operator’s smartphone app.

The proposed ordinance (**Attachment A**) establishes:

Definitions related to the dockless bikeshare program.

A permit requirement to operate a dockless bikeshare system in the City's right-of-way.

Regulations for parking bikeshare bicycles in the right-of-way.

The authority for the City (or its authorized representative) to assess a fee to relocate or repark dockless bikeshare bicycles parked in violation of City Code.

An opportunity to include additional dockless shared individual mobility options such as scooters and electric bicycles as part of this program. City Code 36-64 currently prohibits motorized skateboards (scooters) and motorized play vehicles (electric bicycles), which would need to be amended by future Council action if in the City’s best interest to do

so.

The program will allow dockless bikeshare operators to apply for permits and to initially deploy up to 500 bikes each. The City Manager, or his designee, may increase the maximum number of bikes allowed per operator if deemed in the best interest of the City. The permit will include requirements that address safety, parking, operations, maintenance, data sharing, as well as standard terms and conditions such as indemnification, insurance, and performance bonds.

The proposed program fees are intended to recover the City's costs of administering the program, and will be evaluated periodically and adjusted as appropriate.
Dockless Bikeshare Permit Application Fee: $500.
Bike Permit Fee: $20 per bike annually.
Relocation/Re-Parking Fee: $80 per bike relocated/re-parked.

During the first six months of the program, staff will evaluate its administrative efforts, and gather data from operators to determine if any revisions to the program are needed.

Financial Impact
There is no cost to the City of Phoenix. All costs associated with the program are intended to be recovered through the proposed program fees. Staff will evaluate the fee structure after six months to determine if the fee structure needs to be modified.

Concurrence/Previous Council Action
The Transportation and Infrastructure Subcommittee recommended this item for approval on May 8, 2018 by a vote of 4-0. The Subcommittee directed staff to speak with bikeshare vendors to learn more about their ideas to implement dockless bikeshare, to evaluate if there is a need to allow dockless bikes to be parked only in designated areas and to complete a cost analysis after the first six months of the program to ensure cost recovery.

Staff met with representatives of the various bike share companies interested in operating in Phoenix to explain the proposed ordinance and

permit process and answer questions. Overall, industry representatives indicated support of the proposed ordinance.

Discussion

Blaine Light stated that he was in agreement with the discussion for Item 34 taking place at the July 5, 2018 Formal meeting.

Note: A speaker comment card marked neutral was submitted for Item 34 by Shawn Severud, who did not wish to speak.

This item was continued to the July 5, 2018 City Council Formal Meeting.

Items 10, Ordinance S-44824, was a request to authorize the City Controller to disburse funds, up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

10 Sirchie Acquisition Company, LLC

For $35,100.00 in payment authority for a new contract, entered on or about Aug. 1, 2018 for a term of five years, to purchase marijuana drug test kits for the Police Department. The kits are vital for the Laboratory Services Bureau to test for different substances of marijuana in the field. In addition, these kits contain chemical ampoules to provide greater substance discrimination to accurately determine what drug was found for prosecution purposes for the courts. This equipment is a critical part of the Police Department's effort to provide life safety services to the public and for the use in critical incidents and complicated scenes.

Note: A speaker comment card marked neutral was submitted for Item 10 by Leonard Clark, who did not wish to speak.

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

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

No: 0

Absent: 1 - Councilman DiCiccio

31 **Reappointment of Phoenix Municipal Court Judge and Chief Presiding Judge and Salary Consideration for the Chief Presiding Judge**

This item is for discussion and consideration of reappointment of a Phoenix Municipal Court Judge for a four-year term and Chief Presiding Judge for a four-year term as Judge and an annual Chief Presiding Judge term. Request to set the annual base salary for the Chief Presiding Judge at $173,250.

Summary

The Judicial Selection Advisory Board is recommending the reappointment of Judge Laura Lowery as a Judge of the Phoenix Municipal Court for a four-year term that would end on Sept. 30, 2022. The Judicial Selection Advisory Board also recommends reappointment of Chief Presiding Judge B. Don Taylor III as a judge of the Phoenix Municipal Court for a four-year term that would end Feb. 9, 2021 and an annual term as Chief Presiding Judge that will end on June 30, 2019.

On June 13, 2018, the Public Safety and Veterans Subcommittee unanimously recommended these reappointments to City Council as well as a five percent increase to the Chief Presiding Judge's base salary.

Discussion

Councilwoman Gallego thanked Chief Presiding Judge Taylor for his efforts in working with her on the compliance assistance program, which helps lower income individuals who are experiencing challenges paying their fines and fees, and to prevent further repercussions that only made it more difficult to pay. She thanked Judge Taylor for his leadership in the program and noted that there are now nearly 30,000 participants and has helped the City bring in revenue of more than $16 million. She explained a study by Arizona State University on this program showed that 53 percent of the participants obtained a new job as a result of getting their license back. She remarked what an accomplishment that was for Judge Taylor, the City and residents.

Councilman Nowakowski thanked Councilwoman Gallego for her work on the program, and remarked on the impact the program had for people who needed to drive to get to work. He noted that this helped not only the City improve their accounts receivables, but also citizens to improve their lives.

Leonard Clark commented that he was impressed with the court and their flexibility with payment plans, and hoped they would continue to appoint qualified judges such as Judge Taylor.

Vice Mayor Waring explained although it is in no way a remark on the judges, he has spoken in the past about his concerns regarding salaries, and for that reason was voting against the item today.

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

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

32 Proposed 107th Avenue and Broadway Road Annexation - Public Hearing

A public hearing, as required by Arizona Revised Statutes section 9-471, on the proposed 107th Avenue and Broadway Road Annexation. This public hearing allows the City Council to gather community input regarding this annexation proposal. The City Council will not act on the proposed annexation at this public hearing. Formal adoption of this proposed annexation will be considered at a later date.

Summary

This annexation was requested by Rick Jellies, with AMED Partners, LLC, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. Additionally, the annexation is recommended for adoption per the attached Task Force Analysis Report (**Attachment A**).

Public Outreach

Notification of the public hearing was published in the *Arizona Business Gazette* newspaper, and was posted in at least three conspicuous places in the area proposed to be annexed. Also, notice via first-class mail was sent to each property owner within the proposed annexation area.

Location

The proposed annexation area includes parcels 101-39-005D, 101-39-007C, 101-39-007D, 101-39-009B, 101-39-009E and 101-39-009G, located east of 107th Avenue and south of Broadway Road (**Attachment B**). The annexation area is approximately 102.65 acres (0.160 square miles) and the population estimate is zero.
Council District: 7

Discussion

Mayor Williams declared the public hearing open. Noting no one was present who wished to speak, she declared the public hearing closed.

Note: A speaker comment card was submitted in favor of this item by Richard Jellies, who did not wish to speak.

The hearing was held.

35 Acquisition of Real Property for Two Bus Bay Improvement Projects Located at Southwest Corner of 59th Avenue and Thomas Road, and Northeast Corner of 16th Street and Broadway Road (Ordinance S-44829)

Request to authorize the City Manager, or his designee, to acquire all real property rights needed by donation, purchase within the City's appraised value, or by the power of eminent domain, and to dedicate land with roadway improvements to public use for right-of-way purposes for two bus bay improvement projects. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The partial acquisitions are necessary for the construction of bus bay improvements located at two different street intersections. The two proposed bus bay projects will mitigate growing vehicular traffic congestion and safety concerns, and will include construction of curb

return enhancements, bus pads, and Americans with Disabilities Act (ADA) compliant sidewalks.

The parcels affected by acquisition and included in this request are identified by Maricopa County Assessor's parcel number (APN) and address:
APN 103-14-005A located at 5921 W. Thomas Road.
APN 122-39-085 located at 4221 S. 16th St.

Financial Impact
The project is funded by T2050 funds, available in the Public Transit Department Capital Improvement Program budget.

Location
West side of 59th Avenue, south of Thomas Road
Council District: 7

East side of 16th Street, north of Broadway Road
Council District: 8

Discussion
Blue Crowley said that although Proposition 400 passed 12 years ago, 30 percent of the bus stops in Phoenix were merely a sign. He stated sign stops were inadequate for a major metropolitan city, and due to the extreme heat, it compromised the health of bus riders. He questioned why there could not be funds spent to improve the bus stops and create shade shelters. He commented that there was no reason to have art installations at stops where no one could access them to appreciate it.

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

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

38 CovertTrack Global Positioning Units and Surveillance Equipment (Ordinance S-44833)

Request for the City Manager, or his designee, to enter into a contract with CovertTrack Group, Inc. to provide Global Positioning System (GPS) Trackers, Surveillance Equipment and Maintenance for the Police Department in an amount not to exceed $308,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The contract will provide the Police Department with electronic surveillance by using GPS Trackers, Surveillance Cell Phones, unlimited five-second updated monitoring, and maintenance for the devices. The equipment is used for felony investigations by the Police Department's Drug Enforcement Bureau, as well as other bureaus within the Department to aid in ensuring public safety.

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

Procurement Information

In accordance with Administrative Regulation 3.10 normal competition was waived as a result of a Special Circumstance Without Competition Determination Memo citing CovertTrack is the sole provider of the Stealth III GPS Tracker. A Special Circumstance Without Competition Determination Memo was completed and approved by the Deputy Finance Director recommending the procurement with CovertTrack Group, Inc. be accepted.

Contract Term

The contract term will being on or about July 1, 2018 and end on or about June 30, 2023.

Financial Impact

Expenditures against this contract shall not exceed the aggregate amount of $308,000. Funds are available in the Police Department's budget.

Discussion

A motion was made by Vice Mayor Waring, seconded by Councilman Valenzuela, that this item be adopted.

Leonard Clark expressed concern about the potential for violation of fourth amendment rights in surveillance with the money spent on the devices included in this item. He stated that he felt there could be issues with accountability, and questioned the expenditure on surveillance equipment when not matched by funding for police body worn cameras or other measures to counteract these actions.

Vice Mayor Waring asked staff whether the policy for Phoenix, in the areas Mr. Clark spoke about, complies with what the recent Supreme Court case upheld. He noted it had seemed to him that other states were going further than Phoenix in their use of the technologies.

Executive Assistant Chief of Police Michael Kurtenbach replied that was correct, the equipment would be used during felony criminal investigations. He offered that additional staff were present if there were any technical questions.

Vice Mayor Waring said he had no further technical questions, but that he had followed the recent legal decisions in that area and wanted to be sure Phoenix was in compliance with the courts.

Councilwoman Gallego commented that she received a briefing from a Phoenix police commander about the requirements to put someone under surveillance, and thought it would be helpful for the public to understand those restrictions.

Note: Councilman Valenzuela temporarily left the voting body during Item 38 and returned during Item 52.

Lieutenant Brian Freudenthal responded there would need to be a search warrant and investigative process in order to be able to use the surveillance equipment. He noted that due to the nature of undercover police work, the officers could not wear body worn cameras, so some of the equipment was critical for gathering information and capturing events on scene.

Councilwoman Gallego asked that the police give information on how the judiciary is a check on the use of this process, and what information would be needed.

Lieutenant Freudenthal replied a judge would need to review the investigative process details and that prior to the use of any of this type of equipment, the police would need to receive approval from the judge.

Councilwoman Gallego thanked Lieutenant Freudenthal for the information and noted that as most people value their privacy, it was important there be a convincing case for the need for this type of equipment and its uses.

Note: Councilman Valenzuela temporarily left the voting body prior to the vote on Item 38 and returned during Item 52.

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

Yes:	6 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	2 -	Councilman DiCiccio and Councilman Valenzuela

52 Implementing Public Safety Traumatic Event Counseling - HB 2502 (Ordinance S-44857)

Request to authorize the City Manager, or his designee, to amend contract number 145018-1 with ComPsych Corporation, the current City Employee Assistance Program (EAP) vendor, to provide Public Safety Traumatic Event Counseling as mandated by the State of Arizona - House Bill 2502. Due to the additional work required to administer this new program, approval also is requested to convert an existing part-time position to full-time. Further request authorization for the City Controller to disburse all funds related to this item throughout the life of the contract.

Summary

The Arizona State Legislature passed House Bill 2502 this year and

Governor Ducey signed it into law in May 2018. The bill, which becomes effective Aug. 3, 2018, requires public sector employers, such as the City of Phoenix, to pay for up to 36 counseling sessions with a licensed mental health professional of their choice, plus wages, when a police officer or firefighter witnesses or experiences one of six types of trauma while on duty:

Visually witnessing the death or maiming or visually witnessing the immediate aftermath of such a death or maiming of one or more human beings.
Responding to or being directly involved in a criminal investigation of an offense involving a dangerous crime against children as defined in section 13-705.
Using deadly force or being subjected to deadly force in the line of duty, regardless of whether the police officer or firefighter was physically injured.
Requiring rescue in the line of duty where one's life was endangered.
Witnessing the death of another firefighter or police officer while engaged in the line of duty.
Responding to or being directly involved in an investigation regarding the drowning or near drowning of a child.

The bill also requires public sector employers to track and report to the State of Arizona in September each year the following:

Total number of participants in the employer's program. (How many firefighters and police officers had at least one counseling visit for one of these reasons.)
Average number of visits per person. (Total number of visits divided by total number of participants.)
Average number of months the persons participated in the program.
Total number of persons deemed not fit for duty by a licensed mental health professional.
The percentage of persons who received more than 12 visits within one year after the first visit.
The amount of work missed by each category of persons who participated and how missed work was provided for: by the employer or through employee benefits, i.e. short-term disability.

Average number of days the persons who participated missed work.
Which employees subsequently filed a workers' compensation claim and the number of claims approved or denied.

Financial Impact

Based on recent national studies of the prevalence of trauma for all reasons within the public safety profession, it is estimated that two percent of the City's police officers and firefighters will fully utilize this program each year, at a cost of approximately $595,000. The total cost of this contract and all related services will be allocated to the Police and Fire departments' operating budgets.

Contract Term

This action is only adding funds to an existing contract, and will not change the previously approved contract terms.

Discussion

Note: Councilman Valenzuela returned to the voting body.

Leonard Clark expressed concern that although he was in favor of first responders receiving traumatic counseling, there was not a similar resource for citizens. He applauded Mayor Williams' statement regarding the formation of a task force to assist with resources for those in need of the same type of counseling, and stated that he thought it was the right direction and wanted to see additional funding for those efforts.

Shawn Severud stated that he supported this item and acknowledged the difficulties faced by first responders. He asked that Council pass this ordinance and also to consider the needs of those in the community in providing similar resources.

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

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

55 Amend Ordinance G-6453 Regulating the Licensing of Structured Sober Living Homes (Ordinance G-6477)

Request the City Council amend Ordinance G-6453 regulating the licensing of structured sober living homes to strengthen the ordinance, clarify enforcement and make additional technical corrections as necessary. This amendment will have no financial impact.

Summary

Ordinance G-6453 established a structured sober living home licensing program to be effective July 1, 2018, in response to City Council direction. The licensing program reflects the efforts of a working group representing a broad range of community and industry stakeholders convened by the Planning and Development Department in 2017 and the input of the Law, Planning and Development, Neighborhood Services and City Clerk departments. In consultation with the City Prosecutor's Office, it was recommended that the enforcement provision of Ordinance G-6453 be amended to strengthen and further clarify the City's authority to issue civil citations for failure to comply with licensing requirements for structured sober living homes and make any additional technical corrections that may also be necessary. All of the licensing requirements previously stated in Ordinance G-6453 will remain the same.

Financial Impact

This amendment will have no financial impact.

Concurrence/Previous Council Action

Ordinance G-6453 was adopted by the City Council on April 18, 2018.

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

Note: A speaker comment card was submitted in favor of this item by Linda Colina, who did not wish to speak.

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

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

No: 0

Absent: 1 - Councilman DiCiccio

63 **Authorization to Issue Request for Proposals for Tourism and Hospitality Advisory Board Funds**

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for Tourism and Hospitality Advisory Board (THAB) funds.

Summary

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

Procurement Information

With approval, the Phoenix Convention Center Department (PCCD) will conduct an RFP to select an organization to use FY 2018-19 THAB funds. The RFP will include standard terms and conditions and other necessary requirements. Responsive and responsible proposals will be evaluated by the THAB board. Respondents will be evaluated according to the following evaluation criteria:

1. Strength of Proposal - The Proposer should clearly show how it will: (a) promote the City of Phoenix as a destination; (b) attract visitors to Phoenix through conventions, trade shows, and special events; (c) promote general tourism for Phoenix; and (d) generate hotel room night bookings by visitors and/or tourists.

2. Funding Request/Scope of Work - The funding request/scope of work must clearly delineate how the funds will be used. Proposers must provide details about how proposed conventions, trade shows, special events, multiple-day events, programs, or projects will attract visitors to the City of Phoenix.

3. Proposer Qualifications and Experience - The Proposer must clearly delineate its firm's qualifications and experience with promoting tourism for a major city.

Following panel evaluation recommendation, the final award will be presented to City Council for approval prior to entering an agreement.

Contract Term
The contract term is for five years beginning approximately on or before Nov. 1, 2018, through Oct. 31, 2023. There are no extension options.

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

Concurrence/Previous Council Action
The Downtown, Aviation, Economy and Innovation Subcommittee recommended approval of this item by a vote of 4-0 at its June 6, 2018 meeting.

Public Outreach
With approval, PCCD will conduct a RFP to select a vendor for this contract. This process will include all standard and required advertising outreach efforts.

Discussion
Councilwoman Gallego explained that the funds for the proposed Tourism and Hospitality Advisory Board would come from excise taxes on lodging and rental cars. She commented there is a great deal of interest in Phoenix tourism for sporting events and that tourism is a large and important industry for the City. She stated that she would like to see additional types of tourism in Phoenix such as arts and culture, and asked staff to comment on the upcoming centennial celebration for the Grand Canyon and whether these funds present an opportunity for Phoenix to partner in that event.

Phoenix Convention Center Director John Chan replied yes, although the

funds are intended for programs and projects to promote tourism in the City of Phoenix, many times those visitors make trips to other parts of the state, so that would be appropriate to work with the Grand Canyon event.

Councilwoman Gallego thanked Mr. Chan and congratulated him on the recent announcement that Phoenix would be the site of another Super Bowl game.

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

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

65 Electronic Patient Care Reporting (ePCR) System - Requirements Contract - RFP 18-032 (Ordinance S-44863)

Request to authorize the City Manager, or his designee, to enter into a contract with ImageTrend, Inc., to purchase an electronic patient care reporting (ePCR) system for the Phoenix Fire Department. Further request the City Controller to disburse all funds related to this item.

Summary

The Phoenix Fire Department (PFD) has operated a fire-based emergency medical ambulance service since 1985, after successfully obtaining a Certificate of Necessity (CON) from the Arizona Department of Health Services (ADHS). The PFD provides fire and emergency medical services to approximately 1.5 million residents (plus visitors). For every EMS incident, the responding crew uses a standard paper-based quadruplicate form (EMS Incident Report) to document the location and nature of the the incident, the assessment and treatment of the patient and the additional pertinent information. PFD had over 170,000 EMS calls in 2016. If hospital services are needed for a patient, the transportation crew uses a second standard paper-based triplicate form (ETS Transport Ticket) to document the transportation details and additional treatment provided while the patient was en-route to the hospital. In 2016, PFD Rescue units transported more than 67,000

patients to Phoenix-area hospitals.

The new system will allow PFD to thoroughly and efficiently analyze incident and transportation information, which includes identification of public health trends, the monitoring and reporting of EMS performance and the effectiveness of emergency medical care.

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

Procurement Information
RFP 18-032 Electronic Patient Care Reporting (ePCR) System was conducted in accordance with Administrative Regulation 3.10. The procurement consisted of acquisition and deployment of an ePCR solution for every responding unit to transition from a paper-based to an electronic method of documentation. The RFP was issued on Sept. 7, 2017, and a mandatory Pre-Offer Conference was held on Sept. 20, 2017. Three offers were received on Oct. 6, 2017. One offer was deemed non-responsive.

An evaluation committee was appointed to conduct detailed evaluations of the offers, establish a competitive range and select the offer to receive the contract award. The committee included subject matter experts (SMEs), field evaluators and a qualified voting panel from the Information Technology Services, Fire and Parks and Recreation Departments. The offers were scored based on the following criteria: Requirements [Functional, Technical, Informational, Interface and Proposer Demonstrations] (400 Points), Implementation and Support [Implementation Plan, Operation, Maintenance and Support Plan, PFD ePCR Activities, Deliverables and Milestones Response Form] (200 Points), Qualifications, Experience, and References [Company Overview, Company History, Experience and Qualification Information] (100 Points), Pricing [Five-year Cost of Ownership] (200 Points) and Offeror Financial Viability [Audited Financial Statements, Annual Reports or equivalent] (100 Points). The evaluation committee invited the two firms to participate in demonstrations held on Dec. 12 and 13, 2017. After demonstrations concluded, the evaluation committee recommended moving forward with the Best and Final Offer (BAFO) process with the

two firms. During the final consensus held on Jan. 23, 2018, the evaluation committee recommended ImageTrend, Inc. for contract award.

The finalists and their scores are listed below.

ImageTrend, Inc.: 847.5
Starwest Associates, LLC: 777.5

The Deputy Finance Director recommends the offer from ImageTrend, Inc., be accepted as the highest scored offeror.

Contract Term
The five-year term shall begin on or about July 5, 2018.

Financial Impact
The aggregate contract value will not exceed $1,477,450. Funds are available in the Phoenix Fire Department's budget.

Discussion
A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that this item be adopted.

Toby Ritt introduced himself as the Vice President of Sales for ImageTrend, the recommended vendor for the electronic patient care reporting (ePCR) system on this item. He explained that his company had participated in a fair and competitive request for proposal process, that the request was issued Sept. 7, 2017, and that ImageTrend received the highest scores in several areas of that process. He said that his company serves 38 states and similar cities in size to Phoenix nationwide, as well as several cities here in Arizona. He noted that ImageTrend received the highest scores in financial viability as well as pricing, therefore providing the lowest risk and best value to the City.

Kevin O'Malley stated the ePCR system was a critical tool for first responders, ambulances and emergency rooms to gather and communicate information during medical emergencies for citizens. He presented that his client, Starwest Associates, had the contract with the majority of the surrounding communities, which allowed for automatic aid

partners who regularly cross City boundaries to use the same system. He stated the request for proposal that occurred in 2016 was reviewed and scored by a panel made up of first responders and in that process, Starwest received a very high score, and ImageTrend received a very low score. He explained that the 2016 procurement process was cancelled after the final scoring without any explanation, and the request for proposal was later re-issued.

Mr. O'Malley contended that during the new process, the first responders were largely removed from the review and scoring, and the scores are vastly different, with ImageTrend scoring the highest and Starwest scoring lower now. He clarified that in the area of prior experience, ImageTrend received higher scoring in the new process, although several cities had given positive comments in regards to changing to the Starwest product. He argued that although ImageTrend states they work with many cities and some in Arizona, they did not submit the required three references, and of the two submitted, one did not answer whether they would use ImageTrend again. He added that he takes issue with the first responders not being part of the process now, as they are the ones to use the system daily.

Mr. O'Malley addressed the issue of the protest timing, as there was a requirement to protest the award within seven days of the announcement of the award, and he claimed that his client submitted the protest one day late. He argued there was no notice to his client, and that since the process went on for two to three years, Starwest did not see the announcement in time. He asked Council to use their discretion as per City Code to cancel the request for proposal and reject all proposals received so that this process could be re-bid.

Bill Corn stated that the request for proposal process has a limitation in not showing the potential for hidden costs. He indicated that ImageTrend received a reference from Fort Worth that specifically noted others should be certain to get all information on features and costs upfront to avoid financial surprises. He said the request for proposals specified there could not be any additional costs that were not specified in the submission. He added that ImageTrend stated in their submission there were high priority items to meet critical technical requirements that they

could meet through later custom development for an additional unspecified cost. He said these items included the ability to cross reference old and new hospital names and codes, and the distance between a medical emergency and the nearest hospital. He argued these specifics were critical to emergency responders and billing, and that the Starwest product has those features as well as additional features to give alternative routes to hospitals. He stated that the potential for additional costs from ImageTrend was in direct conflict with the requirements of the request for proposal.

Note: Councilwoman Gallego left the Chambers and rejoined the voting body via telephone.

Pete Gorraiz reiterated that Council has the ability to cancel the process and stressed the disparity between the scores in the two processes was due to the change in reviewers, which went from 42 emergency responders to one or two. He stated that for the evaluation of the product, Starwest had received the highest scores, although ImageTrend received the higher scores on the submission. He expressed concern that in the first process, Starwest scored 5 out of 5 on functional and technical requirements, whereas ImageTrend scored 1. He added that ImageTrend replied in their own submission they were unable to meet functions identified by the City as high priority such as data protection in compliance with national standards, choosing software update timing, the ability to redact personal informaiton and scan insurance cards. He said there were 16 critical areas that ImageTrend scored themselves at zero, so he did not understand how that translated to a higher score than the Starwest product. He argued that ImageTrend accepted the request for proposal although they did not comply with the requirement to offer services that could meet or exceed the services listed in the solicitation, and as such they should not have been considered a responsive offeror. He reiterated the importance of the service and expressed frustration in not being able to contact anyone other than the procurement office.

Councilman Nowakowski said that as the Chair of the Public Safety Subcommittee, he felt that this was an important item to revisit and asked that Council receive a briefing.

Note: A motion was made by Councilman Nowakowski, seconded by Councilwoman Pastor, that this item be continued to the July 5, 2018, City Council Formal Meeting.

Vice Mayor Waring asked staff whether this was similar to the records management system (RMS) that the police department initiated the prior year, as he knew that was a difficult process as well and wondered if this would be a seamless transition.

City Manager Ed Zuercher explained that the police RMS system replaced a previous computer based system, and this would be going from written forms to a digital system for the first time and so he expected that there would be some difficulties.

Fire Chief Kara Kalkbrennerr replied that this service is separate from the RMS the police department uses, but would be an addition to the dispatch RMS process. She added it would enable first reponders to transition from 40 years of paper transactions to an electronic format that hospitals and billing centers could download.

Vice Mayor Waring asked staff whether the statement that there were 42 first responders on one proposal review process and then later just one or two was an accurate statement and what the explanation was for that.

Deputy Finance Director Jim Campion explained that in the first process there were 22 field evaluators on the first panel who were non-voting members of the panel, there were three firefighters as voting members of the panel, and one firefighter as a subject matter expert. He added that in the second process, there were two firefighters as voting members of the panel and two additional as subject matter experts. He explained that due to the highly technical nature of the systems, there were 300 requirements added on the second proposal process, so the Fire Department hired a project manager and added more technical representation to the panel to assess those components.

Vice Mayor Waring responded that although he believed he did receive a request for a meeting about this item, he was unable to take it on short notice. He asked staff to explain the difference in scoring between the

first process and the second process. He said that although changes could have been made to the programs in the interim, the implication was that the change in the makeup of the panel was the critical difference and asked if there was more information that could answer that.

Mr. Campion replied that contrary to the argument raised by Starwest, the processes were very different. He stressed that the second process, which took place one year after the first was canceled, involved a much more technical request and a project manager on the team. He explained that the scoring was different due to the voting makeup of the panel being much different. He continued that with the concerns for the technical components, they wanted a better representation from a technical perspective. He stated that the evaluators on the first panel were unable to give explanations for their scoring, and as such, the process had to be done over again.

Vice Mayor Waring asked for clarification that the cancellation of the first process was made by staff and not by Council.

Mr. Campion answered yes, that procurement consulted with the Fire and Law departments and the project manager, and determined that they could not move forward in that process.

Vice Mayor Waring summarized that it seemed the decision was made that the first panel did not have the right technical expertise and the second panel knew more about the subject, and therefore computed a more accurate score.

Mr. Campion replied yes, that the second panel had greater technical expertise as that was a challenge in the first procurement process. He explained that the change was due to the voting panel composition and a drastic increase in the technical requirements. He added the demonstrations were also done differently in the second process, as all of the companies had to demonstrate their services on the same device to have a consistent comparison.

Vice Mayor Waring stated that it sounded as if throughout the process, staff had changed the panel composition to have more subject matter

experts, refined and specified the particular requirements to add many technical components, and the second panel then reflected the people who could best evaluate those areas.

Mr. Campion agreed and stated that although Starwest was arguing differently, that the request had both critical and high priority items included, and any items that would have an additional cost would have required ImageTrend to list that cost in their submission. He explained that as all of the items deemed critical were given a cost, those were evaluated in the overall score for price.

Vice Mayor Waring asked staff about the reference that alluded to potential hidden costs and if they were confident the recommended vendor would be able to provide all of the services needed for the price they agreed upon.

Mr. Campion replied that yes, although Starwest argued the references were improperly scored, that the scoring in the first process was for qualifications, experience and references worth 150 points, and the second process only awarded a maximum of 100 points for those same items. He further explained that the scoring in the second process was an indication of a much different approach, different voting panel composition, the change in the demonstration process and revisions to scoring in other categories.

Vice Mayor Waring commented that it seemed unusual the reference from Fort Worth would mention hidden costs and then not indicate that they would use the vendor again. He expressed his concern about that as a reference for the potential vendor.

Mr. Campion acknowledged that he could not explain the reference from Fort Worth, and that he was unsure where it came from, as he did not recall that it was part of the submitted proposal in the process.

Bob Ramsey said that he and his family are lifelong residents of Arizona and that he is the President of Starwest Associates and President of the Ramsey Social Justice Foundation. He explained that the ePCR system needs to adapt to the workflow of the first responders and others using

the system. He said the reason for the system is to exchange information with automatic aid partners and to answer the need to download data from multiple programs containing historical billing, known issues for patients, as well as the ability to translate spoken information from languages other than English. He stated that the Starwest product does all of those things and that he believes his company has developed the best product for Arizona. He acknowledged that there were differences in the two proposal processes, but the data transfer created continuity of care and that too much was at risk without a seamless product, which he believed his company had.

Councilman Valenzuela asked if the continuation of this item for an additional week to gain more information would be a concern for staff in terms of what needed to be done for the contract.

Mr. Zuercher replied that since this process has been going on for quite some time, an additional week would not create any problems.

Mayor Williams noted that it appeared the process was thorough and that it was completed per City regulations, and asked if there was a protest made on this contract.

Assistant Chief Counsel Julie Kriegh replied yes there had been a protest made, and as referenced by the representative for Starwest, the protest was filed late. She explained that per City Code, any protest had to be filed within seven days of the announcement of recommendation for award and that timeline was not met. She added that Starwest also failed to state the legal and factual basis for the protest and so their protest was denied, which they had appealed. She continued that the appeal had gone to an administrative law judge, who recommended that the City Manager deny the protest and appeal.

Mayor Williams asked if it was customary, after the protest and appeal process happened, for the City to cancel the process and issue a new request for proposal, or to not accept the recommendation, as she wanted to determine what the next steps would be.

Ms. Kriegh explained that was correct, as the procurement had gone

through the full process, and was now at the request for approval of the contract recommendation, that the next step would either be to cancel the solicitation or approve the contract recommendation.

Mayor Williams asked Chief Kalkbrenner if she recommended approval of the contract award.

Chief Kalkbrenner responded that she was confident the process was followed correctly, and said that although there were not as many first responders involved in the review process, she felt that due to the technical nature of the systems and the requirements needed, she believed the panel was comprised of the appropriate people.

Councilman Nowakowski asked if Council needed to request a public hearing to listen to information from all sides or if there was still a blackout period in effect.

Mr. Zuercher stated that the transparency policy was still in effect and asked the Chief Assistant City Attorney to elaborate on the rules.

Chief Assistant City Attorney Dan Brown replied that yes, the blackout period would continue in effect until Council awards the contract.

Mr. Zuercher clarified that the term blackout could best be stated by saying there is a requirement that communication has to happen in a public setting.

Mr. Brown agreed that was correct, that a meeting would have to be posted in accordance with Arizona open meeting law, and be open to the public.

Mayor Williams asked if that meant the meetings would have to be done separately.

Mr. Brown replied there was precedent for the meetings to be held together, if that was the request of a Councilmember, or it could be held separately, just so long as it was publicly posted. He added that there could not be a quorum of either the relevant Subcommittee nor the

Council present.

Councilwoman Pastor commented that this was reminiscent of an issue Council heard several months prior. She stated that she received a request to meet from the protesting vendor, and chose not to meet with them. She asked the Chief Assistant City Attorney if this was the same process that Council saw before in the earlier case.

Mr. Brown answered yes, that a Councilmember may choose to meet or not to meet when they receive such a request and if they choose to meet, staff will post a notice of the meeting. He explained the difference between this case and the earlier one was that the other procurement involved in a hearing before an administrative law judge at the time. He continued that once the judge made their determination, the potential for involvement in litigation was no longer present. He confirmed that was the difference between the referenced prior case and the process in this case.

Councilwoman Pastor asked staff to confirm that there was a protest period and there was no protest received within that seven days.

Ms. Kriegh confirmed that was correct, that the protest received from Starwest was late, and was therefore denied. She reiterated that Starwest then appealed the denial and the City took the case before an administrative law judge who upheld the City's denial.

Councilwoman Pastor said she would prefer not to continue the item and so she withdrew her second on the motion.

Mayor Williams asked if there was currently not a second on the motion.

Mr. Brown replied that Councilwoman Pastor may withdraw her second and that it would then be up to another Councilmember to second the motion in order for it to continue.

Councilman Valenzuela said that as staff stated it would not create a hardship to continue the item, he felt it was important to have the time to gain additional information. He seconded the motion to continue and said

he would participate in an open meeting if one was held. He asked if Council could hear from the recommended vendor again to get his comments.

Mayor Williams clarified that as the motion on the floor was to continue the item, that he would have to speak in reference to the continuance.

Mr. Ritt stated that in regards to the continuance, it presented a burden on his organization as they had traveled to be present for the Council meeting on this item. He added the points raised about the original procurement in 2016 were irrelevant and that his company committed a great deal of money to research and development, and as such there was a great deal of change over a period of two years. He continued that the City of Goodyear, Ariz. had recently switched from the Starwest product to ImageTrend. He said that theoretically the item could be continued again and again, but as ImageTrend had completed two requests for proposal, and been through the protest and denial of the protest process in administrative court, he felt that Starwest would never accept any outcome that does not award them the contract. He stated that Starwest could keep coming back and continue adding people to speak and ImageTrend could do the same, but it would end in the same place and as such, they objected to the motion to continue this.

A motion was made by Councilman Nowakowski, seconded by Councilman Valenzuela, that this item be continued to the July 5, 2018 City Council Formal Meeting. The motion carried by the following vote:

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

66 October 2018 Proposed Bus Service Improvements

Request to authorize the City Manager, or his designee, to implement bus service changes effective Oct. 22, 2018. The recommended changes advance Phoenix's Transportation 2050 (T2050) Plan bus service improvements. The estimated annual net cost is $595,000.

Summary

The City of Phoenix, Valley Metro, and regional transit partners evaluate changes to transit service to be implemented twice each year, in April and October. Described below are bus service changes proposed to be implemented in October 2018.

Restoring Weekday Service Level on Five Holidays

In coordination with all cities under the Valley Metro system, staff proposes to restore weekday service levels for local bus routes and Light Rail on five holidays: Martin Luther King Jr. Day, Presidents Day, Veterans Day, the day after Thanksgiving, and Christmas Eve.

Before July 2010, local, Express/RAPID, and Light Rail were operating on weekday service levels on these five holidays. Due to budgetary constraints, these holidays were converted to operate Sunday service levels in July 2010 along with other service reductions. Sunday service levels have a narrower span of service and operate less frequently than weekday service levels. On weekdays, buses and Light Rail operate between 4 a.m. and midnight. Some routes have a peak frequency of eight minutes. On Sundays, buses and Light Rail operate between 5 a.m. and 11 p.m. Phoenix Sunday service levels operate at a maximum frequency of 30 minutes.

Since the service reductions on these five holidays in 2010, City of Phoenix and Valley Metro has seen an increase in customer complaints of overcrowding on local buses during these holidays. To address the need of having more bus service on these holidays, the region is proposing to restore weekday service levels on local bus routes and Light Rail. Express/RAPID service to Downtown Phoenix will continue to not operate on these holidays as most Downtown Phoenix workers continue to have these five holidays off.

If weekday service levels are restored for the five holidays, Dial-a-Ride service hours for these five holidays will also expand to match the local bus service span.

Frequency Improvement

Route 41 (Indian School) - Increase Off-Peak Frequency to 15 minutes
Staff proposes increasing the off-peak service frequency during weekdays in the higher ridership segment of the route. Route 41, the fourth busiest route in the region, operates on Indian School Road from near 107th Avenue on the west end to Granite Reef Road in Scottsdale on the east end. Currently, the high ridership segment (between 59th Avenue and 32nd Street) operates at 10-minute frequency during peak service periods and 20-minute frequency during off-peak times before 7 p.m. The proposed improvement is to increase the early evening frequency to 15 minutes until 7 p.m. With the improvement, Route 41 will have a minimum service frequency of every 15 minutes from 6 a.m. - 7 p.m. Monday through Friday between 59th Avenue and 32nd Street. Current 10-minute peak frequencies will remain unchanged. The overall impact will be reduced passenger wait times between bus connections in the off-peak period for the route.

Modify Routing

Route 8 (7th Avenue)
Staff proposes to modify the southbound Route 8 routing near Central Station in Downtown Phoenix. Currently the southbound Route 8 from 7th Avenue turns east on Fillmore Street, south on 1st Street, east on Van Buren Street before turning north to service the bus stop inside Central Station. Route 8 departs Central Station by turning west on Polk Street, south on 1st Avenue, west on Washington Street before returning on 7th Avenue. Staff is proposing to modify the southbound Route 8 routing from Fillmore Street to turn south on 1st Avenue, service the bus stop at 1st Avenue and Van Buren Street, then continue current routing from 1st Avenue to Washington Street and to 7th Avenue. With the reconfiguration, a bus stop would be installed at Fillmore Street and 1st Avenue to service the bus riders near the Westward Ho and the post office. The modified routing would reduce about 0.5 mile per trip on Route 8. All bus transfers would still be available at Central Station between Route 8 and other bus routes.

Route 56 (Priest)
The City of Scottsdale is proposing to eliminate Route 56 service in

Scottsdale. The proposal would impact Route 56 service in Phoenix by the Desert Botanical Garden. Currently the route is operated by Valley Metro and connects 48th Street and Ray Road in Ahwatukee and Skysong Transit Center in Scottsdale via Ray Road, Priest Drive, and McDowell Road. The route also provides bus service to Phoenix Zoo and the Desert Botanical Garden. With the elimination of Route 56 in Scottsdale, the route would have to terminate at the Desert Botanical Garden in Phoenix instead of continuing service to McDowell Road. The span and frequency of the service will remain unchanged.

Route 106 (Peoria Avenue)
Staff proposes to modify routing at Metrocenter to speed up bus service and reduce service cost. Route 106 currently offers bi-directional service on the Metro Parkway loop to the east of the mall. The proposed modification is to change the service on Metro Parkway to a clockwise loop. The new routing will continue to service the bus stop at Metro Parkway and 28th Drive as well as the Metrocenter Transit Center. The impacts of the route modification are faster travel times and cost savings for the route overall, while still providing the necessary passenger connections.

Public Input Process
The Public Transit Department used the locally-adopted public outreach process for the proposed October 2018 bus service changes. Staff coordinated closely with Valley Metro in communicating and conducting the public outreach process which included Phoenix and regional changes. The public comment period was open from April 30 through June 1, 2018. During this period, Public Transit and Valley Metro staff provided multiple opportunities for public comment on service changes. A webinar on the proposed changes was conducted on May 9, 2018. The public hearing was held on Tuesday, May 22, 2018. Outreach efforts included signs on major bus stops on Route 41; signs at the impacted bus stops on Routes 8, 56 and 106; in-person contacts along each affected route; and extensive outreach through social media and email.

During the public comment period, 141 comments were received from the public regarding the proposed changes.

As required, the Title VI analysis for the proposed service changes was prepared and finalized. Per the City's Title VI policies, the report identified 'major' service changes potentially impacting low-income and/or minority populations for restoring weekday service levels on five holidays. The impact on the proposed schedule modification is positive, thus no mitigation is necessary. As per Title VI protocol, no 'major' impacts were identified for the staff recommended service changes.

Additional Information

The process for successfully implementing the proposed service changes beginning Oct. 22, 2018 includes the following:

Conduct required public outreach and public hearing (regional effort) - April/May 2018 - Completed on June 1, 2018.
Obtain Citizens Transportation Commission approval: May 31, 2018.
Obtain Transportation and Infrastructure Subcommittee approval on June 19 and seek City Council approval of final proposed bus service changes by June 27, 2018.
Prepare transit books, develop operational logistics, and coordinate operators: July through October 2018.
Implement approved bus service improvements: Oct. 22, 2018.

Financial Impact

The annual cost of the proposed October 2018 bus service improvements is estimated at $595,000. With the changes to be implemented in October, the cost for FY 2018-19 is estimated to be $397,000. Funds are available in the Public Transit Department's operating budget, using T2050 funds.

Concurrence/Previous Council Action

On May 31, 2018, the Citizens Transportation Commission (CTC) recommended Transportation and Infrastructure Subcommittee and City Council approve the proposed bus service improvements to be implemented in October 2018 by a vote of 13-0.
On June 19, 2018, the Transportation and Infrastructure Subcommittee recommended City Council approve the proposed bus service improvements to be implemented in October 2018 by a vote of 4-0.

Discussion

Note: Councilwoman Gallego re-entered the Council Chambers and rejoined the voting body.

Blue Crowley expressed concern about the public outreach for the bus improvement plan. He said that as the City prepares to make bus changes for April of next year, the public outreach was insufficient. He noted there was information posted on the 41 bus line but felt there needed to be earlier input on the process. He asked about having buses run every half mile on Osborn Road in the busiest part of the City, and noted several places in Phoenix that he felt should have more buses running more frequently for a city of this size. He also stated that the interconnectivity between modes of transit was not present.

Councilwoman Gallego stated that she was a former member of the Transportation and Infrastructure Subcommittee and that she worked with the Street Transportation Director Maria Hyatt to make the changes to the holiday bus schedule. She thanked Ms. Hyatt for her leadership in getting the neighboring communities to work together on that change to get weekday service on those holidays. She noted that for those who work the holidays, the change in bus service was a great improvement.

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

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

81 Amend City Code - Ordinance Adoption - Rezoning Application Z-53-17-7- Southwest Corner of 27th Avenue and Lower Buckeye Road (Ordinance G- 6475)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-53-17-7 and rezone the site from A-1, A-1 SP, A-1 (Approved A-1 SP), A-1 LNDF/WVR, A-2, A-2 SP, A-2 LNDF/WVR to A-2, A-2 SP, A-2 LNDF/WVR to allow industrial uses and

retain existing waiver to allow a landfill, Special Permit for radio transmission facility and all underlying A-1 uses, and Special Permit for mechanical decomposition of garbage and refuse. This is a companion case to Z-SP-15-17-7.

Summary

Current Zoning: A-1, A-1 SP, A-1 (Approved A-1 SP), A-1 LNDF/WVR, A-2, A-2 SP, A-2 LNDF/WVR
Proposed Zoning: A-2, A-2 SP, A-2 LNDF/WVR
Acreage: 403.38
Proposed Use: Allow industrial uses and retain existing waiver to allow a landfill, Special Permit for radio transmission facility and all underlying A-1 uses, and Special Permit for mechanical decomposition of garbage and refuse.

Owner: City of Phoenix
Applicant: Brandie Barrett, Public Works Department
Representative: Brandie Barrett, Public Works Department

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee did not hear this case. There was no quorum at the May 22, 2018 VPC meeting.
PC Action: The Planning Commission heard this case on June 7, 2018, and recommended approval by a 7-0 vote.

Location

Southwest corner of 27th Avenue and Lower Buckeye Road.
Council District: 7
Parcel Address: 2800, 3030, and 3060 S. 27th Ave.; and 3525 and 3535 S. 35th Ave.

Discussion

Note: Councilman Nowakowski declared a potential conflict of interest on Items 81 and 82.

Note: Councilman Valenzuela temporarily left Council Chambers.

Mayor Williams asked if this item was for a public hearing.

Planning and Development Director Alan Stephenson clarified there was no public hearing on this item, and that the item was not appealed, it was simply taken out of the omnibus motion as Councilman Nowakowski had declared a potential conflict. He confirmed that Items 81 and 82 could be heard together.

A motion was made by Councilwoman Pastor, seconded by Councilwoman Gallego, that Items 81 and 82 be adopted. The motion carried by the following vote:

Yes:	5 -	Councilwoman Gallego, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams
No:	0	
Conflict:	1 -	Councilman Nowakowski
Absent:	2 -	Councilman DiCiccio and Councilman Valenzuela

82 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-15-17-7- Southwest Corner of 27th Avenue and Lower Buckeye Road (Ordinance G-6476)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-15-17-7 and rezone the site from A-1 (Pending A-2), A-1 SP (Pending A-2 SP), A-1 (Approved A-1 SP) (Pending A-2 SP), A-1 LNDF/WVR (Pending A-2 LNDF/WVR), A-2 (Pending A-2), A-2 SP(Pending A-2 SP), A-2 LNDF/WVR (Pending A-2 LNDF/WVR) to A-2 SP and A-2 SP LNDF/WVR to allow a Special Permit for a Resource Innovation Campus, circular economy resource developments, allow underlying A-2 uses, and retain existing waiver to allow a landfill, Special Permit for radio transmission facility and all underlying A-1 uses, and Special Permit for mechanical decomposition of garbage and refuse. This is a companion case with Z-53-17-7.

Summary

Current Zoning: A-1 (Pending A-2), A-1 SP (Pending A-2 SP), A-1 (Approved A-1 SP) (Pending A-2 SP), A-1 LNDF/WVR (Pending A-2 LNDF/WVR), A-2 (Pending A-2), A-2 SP (Pending A-2 SP), A-2 LNDF/WVR (Pending A-2 LNDF/WVR)
Proposed Zoning: A-2 SP and A-2 SP LNDF/WVR

Acreage: 403.38
Proposed Use: Allow Special Permit for Resource Innovation Campus, circular economy resource developments, allow underlying A-2 uses, and retain existing waiver to allow a landfill, Special Permit for radio transmission facility and all underlying A-1 uses, and Special Permit for mechanical decomposition of garbage and refuse.

Owner: City of Phoenix
Applicant: Brandie Barrett, Public Works Department
Representative: Brandie Barrett, Public Works Department

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee did not hear this case. There was no quorum at the May 22, 2018 VPC meeting.
PC Action: The Planning Commission heard this case on June 7, 2018, and recommended approval by a 7-0 vote.

Location
Southwest corner of 27th Avenue and Lower Buckeye Road.
Council District: 7
Parcel Addresses: 2800, 3030, and 3060 S. 27th Ave.; and 3525 and 3535 S. 35th Ave.

Note: Items 81 and 82 were heard together, please see Item 81 for reference.

This item was adopted.

83 Amend City Code - Public Hearing and Resolution Adoption - General Plan Amendment GPA-SM-2-18-8- Northwest Corner of 27th Street and Baseline Road (Resolution 21653)

Request to hold a public hearing on a General Plan Map Amendment for the following item to consider the Planning Commission's recommendation and the related Resolution if approved.

Summary
Application: GPA-SM-2-18-8 (Companion Case Z-10-18-8)
Current General Plan Land Use Map Designation: Residential 1 to 2 dwelling units per acre and 5 to 10 dwelling units per acre
Proposed General Plan Land Use Map Designation: Commercial
Acreage: 15.55

Proposal: Commercial

Owner: Baseline 25, LLC; Vahik Sahakian and Sons, LLC; Margaret A. Rissi; Naijo Hicks; Mercy Hicks; Teresa M. Valencia; Noel Holdings, LP; and Baseline RITD, LLC
Applicant: Randall Raskin
Representative: Randall Raskin

Staff Recommendation: Approval.
VPC Action: The South Mountain Village Planning Committee heard this case on May 8, 2018, and recommended approval per the staff recommendation by a 10-5 vote.
PC Action: The Planning Commission heard this case on June 7, 2018, and recommended approval by a 6-0 vote.

Location
Northwest corner of 27th Street and Baseline Road
Council District: 8
Parcel Address: 7402, 7407, 7421, and 7435 S. 25th St.; 7420 S. 27th St.; 2450, 2456, 2460, 2462, 2470, 2620, and 2624 E. Baseline Road; and 2630 E. Ellis St.

Discussion
Mayor Williams asked if Items 83 and 84 could be heard together.

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

Planning and Development Director Alan Stephenson confirmed that yes, the items could be heard together, although they required public hearings, as they were for an amendment to the General Plan and the related zoning case and so they could be heard at the same time.

Mayor Williams asked staff for a presentation.

Mr. Stephenson explained that Item 83 was a request from the applicant for a General Plan Amendment at the northwest corner of 27th Street and

Baseline Road. He stated the request was for designation to commercial from residential with 1 to 2 dwelling units per acre and 5 to 10 dwelling units per acre and that staff recommended approval. He presented the map showing the area with residential and commercial surrounding the area, and explained that this would be a continuation of the existing adjacent commercial zoning. He noted that the General Plan Amendment had been through the hearing process and was approved at the South Mountain Village Planning Committee by a vote of 10-5 and passed the Planning Commission by a vote of 6-0. He explained that Item 84 was a zoning case requesting to go from a mix of current zoning in the proposed area to C-1 commercial retail and medical uses. He added that Item 84 was approved by the Village Planning Committee by a vote of 12-3 and by the Planning Commission by a vote of 6-0.

Mr. Stephenson showed the subject site map and proposed site plan and remarked that in discussions with the applicant, staff requested the applicant ensure that the driveway of the proposed site match up with the driveway across Baseline Road to eliminate safety concerns. He explained that vehicles directly across from one another can see each other better and the applicant has agreed to offset the driveway to match up to 27th Street across Baseline Road. He noted that staff recommended approval of Item 84 as well and displayed the elevation drawings proposed for the site. He added there was a memo related to Item 84 addressing some landscaping, street alignment and notification issues regarding neighborhood concerns as well.

Mayor Williams declared the public hearing open. She noted that the speaker comment cards received were all in favor of the item, except for Kay Gunther and asked Ms. Gunther if she wanted to speak as she had marked neutral.

Kay Gunther stated that in general she was not opposed to the project.

Brian Greathouse explained that his client had come to a compromise with the neighborhood over their concerns, namely regarding drive through facilities to be located on the site, and had crafted language with City staff on that. He asked that there be a modification to stipulation 1A in the memo changing the language to the quantity and configuration of

drive through facilities on the site, to specify those particular types of buildings. He stated that he believed the neighbors had accepted that change in the language.

Mayor Williams confirmed that she saw nodding in agreement and as no one wished to come forward to speak, she declared the public hearing closed.

Note: Speaker comment cards were submitted for the record in favor to Item 83 by the following individuals:

Tanis Earle
Jonathan Lee Green
Randy Raskin
Michael Moreines
Sandy Bawden
Heather Cannon

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

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

84 Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-10-18-8 - Northwest Corner of 27th Street and Baseline Road (Ordinance G-6478)

Request to hold a public hearing to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-10-18-8 and rezone the site from R1-14 BAOD, R1-14 BAOD (Approved C-1 BAOD), and R1-14 BAOD (Approved R1-10 BAOD) to C-1 BAOD to allow for commercial and medical uses. This is a companion case to GPA-SM-2-18-8.

Summary
Application: Z-10-18-8 (Companion Case GPA-SM-2-18-8)

Current Zoning: R1-14 BAOD, R1-14 BAOD (Approved C-1 BAOD), and R1-14 BAOD (Approved R1-10 BAOD)
Proposed Zoning: C-1 BAOD
Acreage: 10.55
Proposed Use: Commercial and medical uses

Owner: Baseline 25, LLC
Applicant: Randall Raskin, Partner Investments 7
Representative: Randall Raskin, Partner Investments 7

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on May 8, 2018, and recommended approval per the staff recommendation with additional stipulations by a 12-3 vote.
PC Action: The Planning Commission heard this case on June 7, 2018, and recommended approval per the original staff recommendation by a 6-0 vote.

Location
Northwest corner of 27th Street and Baseline Road
Council District: 8
Parcel Addresses: 7402, 7407, 7421, and 7435 S. 25th St.; 7420 S. 27th St.; 2450, 2456, 2460, 2462, 2470, 2620, and 2624 E. Baseline Road; and 2630 E. Ellis St.

Note: Items 83 and 84 were heard together. Please see Item 83 for discussion on Item 84.

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

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

87 REQUEST TO ADD-ON - Transportation 2050 Funding for Street Maintenance

Per Council rules, an item for the agenda was requested by Mayor Thelda Williams (co-signed by Vice Mayor Jim Waring, **Attachment A**). This item is for City Council discussion and possible action to direct staff about evaluating Transportation 2050 revenues, projects and expenditure schedules, and to evaluate how adjustments to future light rail or other transportation projects would allow expediting street pavement maintenance. This could include the use of financing to accelerate street paving.

Discussion

Mayor Williams asked for a staff briefing on this item.

Deputy City Manager Mario Paniagua explained that Item 87 was placed on the agenda at the request of Mayor Williams and Vice Mayor Waring to allow for discussion and possible action as well as direction to staff in regards to evaluating the Transportation 2050 (T2050) revenues, projects and expenditure schedules. He continued that this was to evaluate how adjusting future light rail or other transportation projects could allow expediting street pavement maintenance, possibly including the use of financing to accelerate the street paving.

Vice Mayor Waring stated that as he represents residents of North Phoenix, he hears a lot about road conditions and that he has spent time with Mark Glock, a City employee, and his constituents reviewing potholes and other road concerns. He stated that he was not a proponent of light rail and believed it would be many years away for his district, so it would not be an alternative to driving for 15 or 20 years. He said that this was an effort to review whether delaying some of the other projects, including light rail, could help in fixing the roads sooner than planned. He asked staff to confirm that there were three projects to discuss in terms of timing, and although there needs to be high capacity transit in those areas, it did not necessarily have to be light rail.

Mr. Paniagua replied that the T2050 plan approved by voters as Proposition 104 did include the approval of a comprehensive transportation plan that Council approved and further identified specific miles for light rail where Council had approved and action had been taken. He stated within that plan there were some locations identified for high capacity transit, however, Council had not approved a particular

mode. He explained that the plan was the one recommended by the citizens committee on future Phoenix transportation. He added that those locations included the northeast extension, which had not been approved at that point, the alignment to Arizona State University West campus for the future as well as the West Phoenix alignment.

Vice Mayor Waring agreed that those were the three areas he was referencing and noted that it seemed there was some flexibility with those, as opposed to the other four lines that were already in development by the time the vote occurred in 2015. He acknowledged that he attempted to get another vote on the ballot regarding the South Central light rail line and although that motion failed, he believed there was some opportunity to potentially make badly needed repairs to streets throughout Phoenix, or at least in North Phoenix, more quickly than under the current plan. He asked staff to give Council options on what would happen if it was decided to not go through with light rail on the three areas in question on the current schedule, although there was a commitment to voters that has to be kept there as well. He asked for clarity regarding the funding that could be reallocated, the timing of possible delays, what types of other modes would meet the need for high capacity transit and how much money that could leave to deal with necessary street repairs. He said that he believes staff is doing as much as possible with the limited resources available, but residents are relaying that the street conditions are not where they need to be.

Mayor Williams asked if Vice Mayor Waring used the word terminate.

Vice Mayor Waring replied he had used the word delay.

Councilwoman Stark suggested that perhaps the word is to adjust, as Vice Mayor Waring had mentioned that there could be alternatives to light rail in the northeast, such as rapid transit buses as they had discussed in the Transportation and Infrastructure Subcommittee, or other creative options for mass transit to connect.

Vice Mayor Waring agreed the goal would be to find a mode that is less expensive and moves a similar number of people that would leave money left over to repair streets, which move more people every day.

Councilwoman Stark stated that she would second such a motion.

Mayor Williams said that she fully supported the motion and believed that when these transportation plans were passed, the City was different. She explained since that time, the streets in the northern area have been in bad shape and there are not buses, and she thought it would be decades before that part of the City had alternative transportation options. She noted that the City of Glendale canceled their plans and decided not to build light rail and that there are things to consider with possible delays, although she does support light rail.

Vice Mayor Waring noted that he was aware of residents obtaining signatures for peititions to get items onto the ballot and that although his motion to get an item on the ballot in the previous light rail discussion failed, he would be supportive of such a petition. He remarked that although signing a petition is one way, he thought Council had an opportunity to review their options now and make an impact sooner.

Mayor Williams agreed and stated that she hoped staff could find resources to make major improvements to the streets and complete those within the next four to five years, as it would be greatly appreciated.

Sparky Smith noted that there was a debate at the time of the vote, when he believed former Phoenix Mayor Greg Stanton had made changes to some of the wording that would create an opportunity to make changes later on and asked staff if they had the wording available.

Mr. Paniagua replied that the ballot contained extensive language and pointed out the paragraph describing that funds would support a comprehensive multi-modal transportation plan providing Phoenix residents with more transportation choices including light rail, buses, and improving streets and roadways. He noted the statement makes clear that the purpose of the funds beyond the map and additional language.

Mr. Smith stated that he encouraged the approval of Item 87, and as a member of the Citizen Transportation Commission, he had regularly heard about staff trying to make repairs to extend the life of City streets.

He expressed concern about hearing the expected life cycle was 65 years for streets, as he thought that was unrealistic. He encouraged Council to explore this option to find more funding as it would benefit all Phoenix residents to improve the streets.

Councilwoman Gallego stated that when Proposition 104 started, the road repaving was planned for every 65 years, but that now the City is making improvements to roads every 10 years. She asked staff to confirm that change.

Street Transportation Director Maria Hyatt replied that yes, the goal is currently to protect the roads by performing some street maintenance treatment every 10 years to extend the life of the streets.

Councilwoman Gallego noted that the Citizens Transportation Commission is advisory, and so they were not able to fully weigh in on the matter, although many distinguished residents give their time to serve on the commission, as required in the language regarding transparency for Proposition 104. She expressed frustration that the Council was not getting as much public input on this matter as they had with previous initiatives, and she felt the transparency and public opportunity for input was very important. She argued that Proposition 104 was designed to have an extensive process for stakeholder input, and that process was only two and a half years along now. She noted that originally the Council asked the Citizens Transportation Commission to revise the process every ten years, and at the Commission's request, the process was to now be reviewed every five years. She added as that first five year milestone had not been met, it was critical that accountability to the voters be considered, and that the commitment be kept to honor their votes.

Councilwoman Gallego said that it was likely that Proposition 500, the Maricopa countywide infrastructure plan would be on the upcoming ballot and that voters would need to be able to trust their elected officials in order to vote for that. She continued in order to make any changes, it was necessary to get extensive public input and since this decision had not been through the Citizens Transportation Commission or the Transportation and Infrastructure Subcommittee before being at the Council, that review was still needed. She recalled that the Council sent a

strong message to the public when the Citizens Transportation Commission was approved unanimously, saying the commission would review and make recommendations to Council regarding projects funded in whole or in part by Transportation 2050, and that the performance would be measured and reviewed. She argued it was important to honor that commitment, and stated that although the streets are incredibly important to citizens, there are many ways to fund that. She commented that she would prefer to see the state legislature give more to transportation, including streets as well as transit and that there had been some recent court decisions that might open up additional forms of revenue for the City as well. She added pension responsibilities remained her top priority and that although she would like to see new opportunities for funding infrastructure, that would need to include thorough review involving the public and investing in transparency. She stated that she would not be supportive of this motion.

Vice Mayor Waring responded that he had acknowledged the need to work within the parameters set by the voters, and that his motion allowed for that. He argued the meeting was open to the public and that Council is being transparent about what is being discussed and that the idea still fits with what voters decided. He stated that he wanted to be respectful of what business owners along Camelback Road were concerned about, as far as the impacts light rail would have on them, and that he wanted to avoid situations like that in the northern part of the City. He said that his goal was to have a report back from staff in early September, and then to bring that recommendation to a vote. He stated this was an information gathering time, and voters would have two months to gather information from staff, as would Council. He stressed that this did not need to be a rushed process, this could be a chance to address what was possible in affecting every Phoenix resident positively. He said the roads in the northern part of the city were not in good shape and that they are trying to do what they can to fix it. He acknowledged that T2050 made things slightly improved, but driving in North Phoenix you would be able to see the problems.

Councilwoman Stark agreed with Councilwoman Gallego that the Council needed to respect the process, but stated she felt it was important to look at this and see what was possible, as there was some flexibility. She

recalled walking in a neighborhood in her district, where people voted for Proposition 104, and they wondered when their streets were going to be repaired. She asked if once this report came back from staff, if Councilwoman Gallego would be in support of taking the information to the proper meeting bodies and then thoroughly review it. She stated that she hears very often from her constituents who want their roads improved.

Concilwoman Gallego said she supported investing in roads, but she was concerned after the Council vote last week that there was not as much support for the light rail and the message that was sending. She expressed concern about other cities competing for federal funding and that Phoenix would appear less committed and could lose out on the funding. She said she wanted to show strong support for what the voters passed and to also look at other creative ways to fund the infrastructure, as this was an important decision about the future for Phoenix.

Vice Mayor Waring noted that during the campaign for the proposition, people expressed their desire to have the roads fixed, and that he hears quite often from residents asking when there will be something on the ballot to fix the streets. He explained that the transportation plan was set for 35 years, which is the rest of many people's lifetimes and he did not think that anything new was going to be put on the ballot in that time. He addressed the concerns that many voters felt as though they were misled and that they were going to get street repairs, and said this was a good faith effort to head off the issues and address a problem that is not getting any better. He thanked the Street Transportation Department for their efforts in trying to patch the problems, but said the complaints about roads are getting more frequent. He noted there had been some improvements, but as the roads were neglected for a long time, there is a lot of work to do still. He added that the expectation for a road to last 65 years was not realistic and he wanted to address that problem while respecting the wishes of the voters. He acknowledged that the proposition passed and there are confines to work within, but expressed hope that staff would be able to bring options that Council could share with the public in September.

Mayor Williams noted that this would not be the first time the dates for

projects were changed, as with the South Central light rail project, and asked staff to confirm.

Mr. Paniagua replied that yes, in January 2016, shortly after the passage of Proposition 104, Council had approved changes to the timing of projects. He noted there was an extension of I-10 planned that was moved to 2030, and that the South Central light rail was planned for 2034 and moved up to 2023, so there had been changes to the prioritization and the timing for those areas.

Mayor Williams noted that the 19th Avenue line to Metrocenter was planned for completion in 2012, and that it is now set for 2023.

Mr. Paniagua agreed that was correct.

Mayor Williams noted it was not unusual to move dates for projects, and that was what was proposed in this meeting, was that they look at delaying projects where possible. She asked staff to confirm the four projects that are already under way would continue.

Mr. Paniagua agreed that the South Central, the Northwest Phase II going to Metrocenter, the I-10 Capital West, and the I-10 West would all continue on schedule unless changes were made.

Mayor Williams said she was very comfortable looking for ways to change priorities for projects or implement delays so that the voters who approved the transportation plan in order to get their roads built would also get what they were promised. She remarked that she reviewed the four year plan and saw that Districts 1, 2, and 3 were not receiving as much in the way of construction, although there were more voters in those areas in support of the proposition. She expressed concern that there were many people who voted for the proposition and paid taxes for it, but will never get light rail, so they needed to have their vote respected. She added that once something was brought by staff, she supported that information going to the proper subcommittee and to the Citizens Transportation Commission for review, but that it was important to find a solution to this issue.

Councilman Nowakowski remarked that this item seemed strange to him, given the meeting last week about the South Central light rail was a long discussion with members of the community that wanted their voices heard. He stated that the majority of Council was concerned at that point with pausing the project for even 90 days to get additional input, as it could mean the City would lose federal funding for the light rail project. He expressed concern with this proposed plan to make changes to funding and timelines to build streets, when his district had the same road condition problems, including streets that do not go through and a lack of street lights. He explained that there is a lack of bus transportation in Laveen, even though there are more homes being built and the 202 freeway connection construction planned in that area. He stated that it was important to keep the transportation plan in place and to look for alternative solutions to the funding. He acknowledged that the plan had moved street improvement up from every 65 years to every 10 years, but said that needed to move up further to every five years or so.

Councilman Nowakowski expressed concern about tampering with the Transportation 2050 plan and that it could mean losing federal funding. He added that with the South Central issue, that was a conversation about changing the configuration to still have four lanes as well as the train, whereas this was talking about removing some lines altogether. He continued that the older neighborhoods and the downtown area have higher usage due to the higher density in Districts 4, 7, and 8 and that if there was to be any change that it should be to move up the I-10 project dates, as the traffic is so bad during rush hours there. He added that he wanted to see the transportation plan continue, and to review other means of improving the streets as well as reviewing street improvements with a formula that considers usage, not just the area in miles, as some neighborhoods that are over 100 years old need major infrastructure improvement. He stated that he would not be in support of this motion.

Mayor Williams stated that there was money in Proposition 104, and a percentage of that was in the plan for street improvements, so this proposed motion was really to have staff review whether delaying a few of those other projects and moving the money to street improvements would allow the City to bond the money in order to get more projects out of it. She emphasized that the light rail projects would go on, and asked

staff to confirm that the three potential projects mentioned are not yet at the stages where federal funds have been requested.

Mr. Paniagua answered that the West Phoenix extension along Camelback Road was scheduled to open in 2026, so the work that would need to be done to accomplish that date would need to happen in the near future.

Mayor Williams asked staff to confirm that the project had not yet been submitted for federal funding.

Mr. Paniagua replied that no, it had not.

Note: Councilman Valenzuela left the Chambers and rejoined the voting body via telephone.

Vice Mayor Waring stated that the South Central project discussed last week was much further along than the three projects that were referenced in this item. He noted that light rail was also not the only choice, as different alternative modes of transit that move people throughout the corridor and fit the framework of the voter approved plan might work better for different areas of the City, as the northern part is much different from South Central or Central Phoenix. He agreed that voters approved the existing plan in 2015 and said that in his district, street improvement was critical and that signs for the campaign focused on streets. He said that voters in those areas felt betrayed, as they are not going to get the improvements that areas with light rail are going to get. He reiterated that his district does not get light rail money, and that he does not foresee anyone driving from the Carefree Highway down to Cactus Road daily to use the light rail on crumbling streets 20 years from now. He asked staff if there was a route to Paradise Valley Mall yet, as he had heard about it for a long time.

Mr. Paniagua replied the analysis for that was still underway.

Vice Mayor Waring stated that there was no easy path for that, as 7th Street was not an option, nor was the State Route 51 freeway, and so it would have to be far out of the way to attempt that build.

City Manager Ed Zuercher suggested that perhaps Council would want to direct staff to review updating the streets on a five year cycle, and avoid the question of the light rail projects altogether, and not look at funding sources, just what the necessary resources would look like. He further suggested that Council could ask staff to identify whether that would be possible in terms of suppliers and contractors needed and then review what a funding stream could look like in numbers of dollars over the number of years and look into Arizona Highway User Revenue money or bonds. He explained that in doing so, staff could review what would be needed to improve the streets over a faster timeframe than is currently scheduled in Proposition 104.

Mayor Williams said that although she understood what Mr. Zuercher was proposing, she recalled there had been many hours of discussion about funding for streets and that there were no good sources of funding that had not already been used. She said the legislature did not seem to want to raise the gas tax or spend more money on streets and she expressed concern that this would need to be done from the transportation plan. She reiterated there was a percentage of those funds that was supposed to be used to improve roads and that would need to be the source of funding.

Councilman Valenzuela stated that he would not be in support of this motion.

Mayor Williams noted that she was voting no so that as a member of the prevailing side she could request this item, Transportation 2050 Funding for Street Maintenance, be reconsidered at a future date per the Rules of Council Proceedings.

Note: Speaker comment cards were submitted for the record in favor to Item 87 by the following individuals:

Peggy Neely
Don Luke
Dave Doherty

A motion was made by Vice Mayor Waring, seconded by

Councilwoman Stark, that this item be approved. The motion failed by the following vote:

Yes:	2 -	Councilwoman Stark and Vice Mayor Waring
No:	5 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilman Valenzuela and Mayor Williams
Absent:	1 -	Councilman DiCiccio

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

There were no additional Citizen Comments.

ADJOURN

There being no further business to come before the Council, Mayor Williams declared the meeting adjourned at 6:52 p.m.

Thelda Williams
MAYOR

ATTEST:

ACTING CITY CLERK

VB

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 27th day of June, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 19th day of September, 2018.

ACTING CITY CLERK