City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, June 17, 2020 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, June 17, 2020 at 2:38 p.m. in the Council Chambers.

Present: 9 - Councilman Sal DiCiccio, Councilmember Carlos Garcia, Councilman Michael Nowakowski, Vice Mayor Laura Pastor, Councilwoman Debra Stark, Councilman Jim Waring, Councilwoman Thelda Williams, Vice Mayor Betty Guardado and Mayor Kate Gallego

The Mayor and Councilmembers attended the meeting remotely.

Councilmember Garcia joined the meeting during discussion on Item 2. Councilman Waring joined the meeting during discussion on Item 66. Councilwoman Pastor disconnected from the meeting prior to the second vote on Item 66, and rejoined the meeting during discussion on Item 68.

Mayor Gallego acknowledged the presence of Mario Barajas, a Spanish interpreter, was present and available to the audience to provide Spanish translation.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6701 and G-6706 through G-6707, S-46713 through S-46777, and Resolution 21837 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

Summary

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

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

Alhambra Village Planning Committee

Appoint Tracey Adams, filling a vacancy on the committee, for a term to expire Nov. 19, 2020.

Human Relations Commission

Appoint Rene Dario Herrera, filling a vacancy on the commission, for a term to expire June 17, 2020.

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

Yes:	7 -	Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	
Absent:	2 -	Councilmember Garcia and Councilman Waring

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

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

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that Items 3-4 be recommended for approval. The motion carried by the following voice vote:

Yes:	7 -	Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	

Absent: 2 - Councilmember Garcia and Councilman Waring

3 Liquor License - Little O's

Request for a liquor license. Arizona State License Application 109143.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
521 W. McDowell Road
Zoning Classification: DTC - McDowell Corridor
Council District: 4

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

The 60-day limit for processing this application is June 27, 2020.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license

in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I will make sure all of my employees attend the Title 4 liquor law training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like to offer our patrons a place to sit down relax and enjoy some amazing food and drinks."

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

Attachments
Liquor License Data - Little O's
Liquor License Map - Little O's

This item was recommended for approval.

4 Liquor License - Splash Food & Bar

Request for a liquor license. Arizona State License Application 100300.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
607 W. Osborn Road
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application was May 1, 2020. However, the applicant has submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona
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:
“Have managed several establishments and will ensure our employees attend Title 4 liquor law training.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“We would like to offer our patrons a place to sit down relax and enjoy some amazing food and specialty pizzas.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Splash Food & Bar
Liquor License Map - Splash Food & Bar

This item was recommended for approval.

2 (CONTINUED FROM JUNE 3, 2020) - Liquor License - South Mountain Distillery, LLC

Request for a liquor license. Arizona State License Application 105733.

Summary

Applicant
Phillip Carlson Jr., Agent

License Type
Series 1 - In-State Producer

Location
8831 S. 27th Ave.
Zoning Classification: S-1
Council District: 8

This request is for a new liquor license for an in-state producer. This location was not previously licensed for liquor sales and does not have an

interim permit. Distiller is not a permitted use in this zoning district. This business has plans to open in July 2020.

The 60-day limit for processing this application is June 14, 2020.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Myself and the owner are hard working, upstanding members of the community with no criminal records. We wish to produce distilled spirits and beer, and pay appropriate taxes on our product which benefit Phoenix."

The public convenience requires and the best interest of the community

will be substantially served by the issuance of the liquor license because: “We will gainfully employ Phoenix residents and produce a product which will increase the Phoenix tax base. Additionally, profits from our products will remain in the Phoenix area as we are residents."

Staff Recommendation

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

Attachments

Liquor License Data - South Mountain Distillery, LLC
Liquor License Map - South Mountain Distillery, LLC

Discussion

Mayor Gallego mentioned there were 3 individuals available to address the Council, and asked Councilmember Garcia if he would he would like to make a motion or start public comment.

Vice Mayor Guardado commented Councilmember Garcia was not online yet, and added Council should start with public comment.

Jeremy Schneider spoke in opposition, said he was a resident in the area directly across the street from this business. He commented the traffic on the street was not designed to sustain this type of business, and talked about how horseback riders who use the street have been hit by impaired drivers in the past. He suggested his neighbors and himself would have a difficult time getting out of their driveways, and highlighted potential fire emergency issues along with the proximity of this business to a school down the street.

Phil Carlson stated he addressed all of the mentioned issues on Monday, and asked if Council had any additional questions. He repeated all of the questions that were asked previously were answered by him.

Mark Doerflein clarified this license was for a distillery that was commercial only, and not a bar or restaurant. He mentioned this license would not be for public attendance or use.

Mayor Gallego asked for confirmation there would not be a tasting room or any public-facing activities on the site.

Mr. Doerflein responded there would be no public-facing parts of this business at this time.

Note: Councilmember Garcia joined the voting body.

Councilmember Garcia made a motion to recommend approval for Item 2. He stated his understanding was if the applicant decided to open a public-facing or bar, the applicant would have to come back to Council.

Vice Mayor Guardado seconded the motion.

Councilwoman Pastor asked about Mr. Schneider mentioning the issue of the difficulty of being able to leave his driveway.

Planning and Development Director Alan Stephenson clarified it would be better to ask License Services Manager Jennifer Wingenroth about that location, and he could provide input about the zoning perspective.

City Clerk Denise Archibald announced Ms. Wingenroth would provide Council the report.

Ms. Wingenroth said this was a new liquor license application for a location that was not previously licensed and did not have an interim permit. She noted a distiller was not a permitted use in this zoning district, and added staff recommended approval of the application noting the applicant would have to resolve any City building and zoning requirements and be in compliance with City Code.

Councilwoman Pastor thanked Ms. Wingenroth for the report, and asked if in the future the applicant would have to go through the rezoning process.

Mr. Stephenson replied that was correct, and mentioned the applicant would still be required to come in and rezone the property to meet City requirements. He said at that time traffic issues could be addressed and

worked out with the neighborhood.

Note: One electronic comment was submitted in opposition of Item 2.

A motion was made by Councilmember Garcia, seconded by Vice Mayor Guardado, that this item be recommended for approval. The motion carried by the following vote:

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

No: 0

Absent: 1 - Councilman Waring

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

Mayor Gallego requested a motion on the remaining agenda items. A motion was made, as appears below.

Note: Electronic comments were submitted for the following items indicating their positions.

Item 5 - 1 opposed
Item 7 - No position
Item 10 - 3 opposed
Item 13 - 1 in favor
Item 14 - No position
Item 50 - 1 neutral

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that Items 5-102 be approved or adopted except Items 22-28, 30, 40, 48-49, 52, 61-62, 66, 68, 73, 79, 83 and 88; noting Items 59 and 63 have been withdrawn; and Item 102 has been continued to the June 24, 2020 City Council Formal Meeting. The motion carried by the following vote:

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

No: 0

Absent: 1 - Councilman Waring

Items 5-21, Ordinance S-46713 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.

5 **Arizona Public Service Company**

For $21,900.00 in payment authority for the relocation of Arizona Public Service electrical equipment at Phoenix Sky Harbor International Airport to support the Sky Train Stage 2 Project AV10000011 for the Aviation Department. Arizona Public Service will remove two power poles and overhead electrical wiring along Buckeye Road and install a new steel power pole, new transformer, and wiring to a 100-amp meter pedestal. The utility work is required to accommodate widening of the intersection at Buckeye Road and Copperhead Drive for new entrance/exit roadways from Sky Harbor Blvd to the Sky Train 24th Street Station.

This item was adopted.

6 **SizeUp, Inc.**

For $75,000.00 in payment authority for a new subscription service, to be entered into, on or about June 20, 2020, for a term of one year, with four, one-year renewal options for SizeUp Local Business Intelligence (LBI), an online software service for economic development organizations to better serve small businesses and grow their local economy. SizeUp provides business intelligence and market research to companies so they can make smarter decisions through data. SizeUp LBI allows small business owners to: 1) compare their company with industry competitors; 2) identify locations of potential customers, suppliers, and competitors; and 3) determine the most impactful advertising options. Providing the service to the City’s small businesses will make Phoenix more competitive amongst other local jurisdictions that are already providing this service to its small businesses. The need for quality data has

intensified for Phoenix small businesses given the current economy and access to this data can help them in their efforts to navigate their way to recovery from the economic impact of COVID-19. SizeUp LBI will reside on the Phoenix.gov/econdev website. The annual subscription fee is $15,000.00. Funding is available in the Community and Economic Development Department budget.

This item was adopted.

7 American Conservation Experience

For $52,640.00 in payment authority for trail maintenance and construction services for the Parks and Recreation Department. The services are the result of a grant, awarded to the Parks and Recreation Department, from Arizona State Parks and Trails for routine trail maintenance and new trail construction. The variety of services include tread maintenance, repair and replacement of materials, trail realignment, construction of trail tread and construction of connector trails. These are grant dollars; no General Fund dollars are being used.

This item was adopted.

8 Crash Data Group, Inc.

For $12,500.00 in payment authority to purchase Bosch Crash Data Retrieval (CDR) 900 hardware to perform a Diagnostic Link Connector download. The service will allow the Vehicular Homicide Unit of the Phoenix Police Department to use the CDR to access the Airbag Control Module to obtain speed data and reconstruct accidents for precise imagery and calculations for vehicles involved in fatal collisions. The CDR 900 is needed to support more demanding performance and communication protocols on existing and new vehicles.

This item was adopted.

9 Settlement of Claim(s) Cox Communications v. City of Phoenix

To make payment of up to $45,000.00 in settlement of claim(s) in *Cox Communications v City of Phoenix*, 19-0864-001 GL PD, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

10 Settlement of Claim(s) Ortiz v. City of Phoenix

To make payment of up to $28,000.00 in settlement of claim(s) in *Ortiz v.*

City of Phoenix, Maricopa County Superior Court, case number CV2018-097368, 18-0141-001 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

11 City of Buckeye

For $570,000.00 in payment authority for Contract 100744 to continue the operation of the City of Phoenix landfill within the City of Buckeye, for the Public Works Department. Payment of royalties is based on 7.5 percent of the gate revenue generated from solid waste received at each transfer station and disposed of at the SR85 Landfill in Buckeye. The Intergovernmental Agreement requires Phoenix to reimburse Buckeye for its solid waste collection and disposal fees paid on behalf of the prison adjacent to the SR85 Landfill.

This item was adopted.

12 City of Scottsdale

For $46,000.00 in payment authority Contract 69310 with the City of Scottsdale for Fiscal Year 2020-21, pursuant to the Memorandum of Understanding of Overlapping Retail Sewer Services for the Water Services Department (WSD). The City of Scottsdale provides sewer services at a wholesale rate to Phoenix customers for sewer areas within Phoenix boundaries but outside the WSD distribution and wastewater collection area.

This item was adopted.

13 U.S. Environmental Protection Agency

For $113,000.00 in payment authority for reimbursement to the U.S. Environmental Protection Agency (USEPA) for oversight of the 19th Avenue Landfill for the Public Works Department. The payment request is necessary for the City to pay costs to the USEPA for compliance review and site inspections for the annual regulatory oversight process and the Five-Year Review.

This item was adopted.

14 State of Arizona, Arizona Department of Environmental Quality

For $257,000.00 in payment authority for annual payment of regulatory fees for the Public Works Department. The City operates and maintains

one open landfill, five closed landfills and two transfer stations that must meet regulatory requirements as mandated by the Arizona Department of Environmental Quality (ADEQ). The ADEQ requires the City pay a number of routine fees including: landfill and transfer station registration fees, quarterly landfill fees, storm water permit fees, superfund program oversight fees, aquifer protection permit administration fees and financial assurance fees.

This item was adopted.

15 Maricopa County Air Quality Department

For $118,000.00 in payment authority for annual payments of various mandated regulatory environmental permit fees for the solid waste landfill sites and transfer stations for the Public Works Department. The department is responsible for the maintenance and operations of the landfills and transfer stations and must maintain various permits, pay user fees and to adhere to regulatory requirements mandated by the Maricopa County Air Quality Department.

This item was adopted.

16 Maricopa County Air Quality Department

For $40,000.00 in payment authority for Fiscal Year 2020-21 for annual operating air permits for the Water Services Department. Air permits are required for any source or facility that releases contaminants into the air such as dust particles, smoke, carbon monoxide, or volatile organic compounds.

This item was adopted.

17 Maricopa County Animal Care & Control

For $2,783,482.00 for annual payment authority for Contract 142978 for enforcement of the City of Phoenix Animal Code for the Public Works Department. On May 18, 2016, Phoenix City Council approved a five-year Intergovernmental Agreement with Maricopa County Animal Care and Control Services to serve as the City of Phoenix's enforcement agent for the animal control provisions of the Phoenix City Code, including animal bite investigations, vicious animal petitions and similar actions. Payment authority is for the period July 1, 2020 through June 30, 2021.

This item was adopted.

18 Maricopa County Environmental Services Department

For $55,000.00 in payment authority for Fiscal Year 2020-21 for Phoenix Municipal Water System annual operating permits and for non-hazardous liquid waste hauler permits for the Water Services Department. The permits are required by the Maricopa County Environmental Services Department.

This item was adopted.

19 Arizona Blue Stake, Inc., doing business as Arizona 811

For $120,000.00 in payment authority to continue mandatory pre-excavation notification services for underground utilities in Fiscal Year 2020-21 for the Water Services Department (WSD). The contractor works with professional excavators and homeowners throughout Arizona to notify WSD Utility Locating staff of excavations near WSD underground utilities. WSD staff responds to notices by locating infrastructure and marking the street to prevent possible damage to the underground infrastructure.

This item was adopted.

20 Veolia North America, Inc., doing business as Veolia Water North America Operating Services, LLC

For $6,769,000.00 for annual payment authority for Contract 107745 from July 1, 2020, through June 30, 2021, for operating costs for the Lake Pleasant Water Treatment Plant for the Water Services Department. The water treatment plant came online in early 2007 and primarily serves the northwest area of the City. The City of Phoenix entered into a 15-year agreement for operation and maintenance of this facility, which is operational 24 hours-per-day, seven days-per-week, to treat raw water, produce and supply finished water, and transport and dispose of plant by-products and operating wastes.

This item was adopted.

21 EPCOR Water USA, Inc.

For $1,217,863.00 for annual payment authority for Contract 93040 to provide water and wastewater treatment services for the West Anthem service area for the Water Services Department.

This item was adopted.

29 Form of the Ballot for Nov. 3, 2020 Mayor and Council Election

(Ordinance S-46727)

This report requests City Council approval of an ordinance establishing the form of the ballot for the City of Phoenix Mayor and Council Election to be held on Tuesday, Nov. 3, 2020.

Summary

This ordinance establishes the language that will be printed on the ballot. In this election, registered voters who reside in the city of Phoenix will elect a Mayor and decide a ballot measure related to the locally controlled alternative expenditure limitation. The ballot measure, if approved, would continue a locally controlled alternative expenditure limitation. This alternative expenditure limitation would set the limit equal to the budget adopted by the City Council. The Council referred this measure to voters at the April 15, 2020 Formal Council Meeting. Additionally, voters residing in City Council Districts 1, 3, 5 and 7 will elect Council Members.

The form of the ballot for this election is consistent with the requirements for the State General Election ballot, as Maricopa County will be conducting the election.

Public Outreach

Voters on the Permanent Early Voting List (PEVL) will receive notification of the election and will automatically be sent a ballot by mail unless the voter requests that a ballot not be mailed. Households with one or more registered voters will receive a Publicity Pamphlet, which contains general information about the election, including key dates related to when early ballots by mail are due and when voting locations open. Several publications and news releases will be provided throughout the election process and shared on a variety of platforms, including print and social media. All election information will be provided in English and Spanish and is available on phoenix.gov/elections.

This item was adopted.

31 Authorization to Complete Land Exchange with Roosevelt Irrigation District for Traffic Signal Upgrades at 75th Avenue and Van Buren Street (Ordinance S-46717)

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

land exchange with the Roosevelt Irrigation District (RID) at the southeast corner of 75th Avenue and Van Buren Street for traffic signal upgrades. Further request authorization to dedicate land with roadway and/or public improvements to public use for right of way purposes via separate recording instrument. Further request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize inclusion in the documents pertaining to this transaction indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18, as RID's form documents include such provisions.

Summary

The land exchange with RID is required in order to accommodate traffic signal upgrades at 75th Avenue and Van Buren Street. RID will convey approximately 22 square feet of land to the City in exchange for approximately 16 square feet of land within existing right-of-way. The land exchange will be completed upon the abandonment of right-of-way by Phoenix City Council resolution.

The land to be conveyed to the City from RID is identified by Maricopa County Assessor's parcel number 104-10-003U (portion), and is located at 227 N. 75th Ave. The land to be conveyed to RID from the City is located at the southeast corner of 75th Avenue and Van Buren Street, within the existing 75th Avenue right-of-way.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

Southeast corner of 75th Avenue and Van Buren Street.
Council District: 7

This item was adopted.

32 Acquisition of a Temporary Construction Easement for Roadway Drainage Improvements Along Shangri La Road, West of 15th Street (Ordinance S-46719)

Request to authorize the City Manager, or his designee, to acquire a temporary construction easement by donation, purchase within the City's appraised value, or by the power of eminent domain required for roadway

drainage improvements along Shangri La Road, west of 15th Street. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The roadway drainage improvements will maintain drainage within the street and direct flow to an existing drainage conveyance. Acquisition of a temporary construction easement is required to facilitate construction of a new storm drain, headwall, curb and gutter, and street lights.

The parcel affected by this project and included in this request is identified by Maricopa County Assessor's parcel number 159-21-071 located at 1415 E. Shangri La Road.

Financial Impact

Acquisition will be funded with Arizona Highway User Revenue Funds (HURF) available in the Street Transportation Department's Capital Improvement Program budget.

Location

Along the south side of Shangri La Road, west of 15th Street
Council District: 3

This item was adopted.

33 Acquisition of Real Property for Roadway Improvements at Northeast Corner of Harrison Street and 35th Avenue (Ordinance S-46720)

Request to authorize the City Manager, or his designee, to acquire real property and related property interests from Union Pacific Railroad Company by donation, purchase within the City's appraised value, or by the power of eminent domain for roadway improvements at the northeast corner of Harrison Street and 35th Avenue. Further request authorization to dedicate land or easements with roadway and/or public improvements to public use via separate recording instrument. Further request authorization for the City Controller to disburse, and for the City Treasurer to accept all funds related to this item.

Further request the City Council to grant an exception pursuant to Phoenix City Code § 42-20 to authorize inclusion in the documents

pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code § 42-18.

Summary

Acquisition is required for the construction and installation of roadway improvements to provide a safe pedestrian access along the railroad crossing at the northeast corner of Harrison Street and 35th Avenue. Improvements include new asphalt pavement, curb, gutter and Americans with Disabilities Act accessible sidewalks.

The parcel affected by this project and included in this request is identified by Maricopa County Assessor's parcel number 109-39-038 located at the northeast corner of Harrison Street and 35th Avenue.

Financial Impact

Acquisition will be funded with Federal Railroad Section 130 funds available in the Street Transportation Department's Capital Improvement Program budget.

Location

Northeast corner of Harrison Street and 35th Avenue.
Council District: 7

This item was adopted.

34 Acceptance of Easements for Drainage Purposes (Ordinance S-46722)

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

Summary

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

Easement (a)
Applicant: Legacy Traditional School-Phoenix, its successor and assigns
Purpose: Drainage
Location: 4525 N. 98th Ave.

File: FN 200505
Council District: 5

Easement (b)
Applicant: Jenberly Distribution Center I, LLC., its successor and assigns
Purpose: Drainage
Location: 8181 W. Roosevelt St.
File: FN 200548
Council District: 7

This item was adopted.

35 Acceptance and Dedication of Deeds and Easements for Roadway, Sidewalk and Public Utility Purposes (Ordinance S-46731)

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 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: W.L. Gore & Associates, Inc., its successor and assigns
Purpose: Roadway
Location: 32212 N. Valley Parkway
File: FN 200521
Council District: 2

Deed (b)
Applicant: 2501 E. Cactus LLC., its successor and assigns
Purpose: Roadway
Location: 2515 E. Cactus Road
File: FN 200527
Council District: 3

Easement (c)
Applicant: 2501 E. Cactus LLC., its successor and assigns

Purpose: Sidewalk
Location: 2515 E. Cactus Road
File: FN 200527
Council District: 3

Easement (d)
Applicant: Zaida Noemi Cota Orduno, its successor and assigns
Purpose: Public Utility
Location: 221 W. Marguerite Ave.
File: FN 200525
Council District: 7

This item was adopted.

36 Grant of Irrigation Easement to Salt River Project for Ellison Trails at Elliot Road and 55th Avenue (Ordinance S-46732)

Request to authorize the City Manager, or his designee, to grant an irrigation easement to Salt River Project (SRP) within the Elliot Road right-of-way, west of 55th Avenue, for consideration in the amount of the appraised value and other consideration. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary
The irrigation easement is required to connect to SRP's existing irrigation lines and ditch along the south side of Elliot road for irrigation flow to accommodate the Ellison Trails single-family housing development at 55th Avenue and Elliot Road. The easement is approximately 1,200 square feet.

Financial Impact
Revenue will be reflective of the market value of the easement.

Location
Along the south side of Elliot Road, approximately 1,300 feet west of 55th Avenue
Council District: 8

This item was adopted.

37 Digital Library Reserve Access Agreement - Requirements Contract EXC 20-082 (Ordinance S-46733)

Request to authorize the City Manager, or his designee, to enter into an agreement with OverDrive Inc, to purchase Digital Library Reserve Access materials and technical support for the Library Department, in an amount not to exceed $5,000,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Library Department seeks to enter into an agreement with OverDrive Inc to provide Library cardholder access to OverDrive Inc's digital media collection of eBooks, eAudiobooks, and eMagazines, and technical support to the Library and its cardholders. The collection includes over 250,000 copies of 130,000 titles of best sellers, non-fiction, child and teen material, and international formats, and as of 2019 more than 30,000 Library cardholders accessed the collection every month. Digital media circulation continues to grow among library cardholders, increasing at an annual rate of approximately 15 percent, and the Phoenix Public Library system is one of the highest circulating digital libraries in the country. Providing OverDrive's collection to the City's Library cardholders enables 24/7 access to the digital media content and eliminates the need for items to be checked in, checked out and shelved by staff or housed at the library. It also allows an expanding collection that could not be housed in a physical library space.

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 an approved determination memo which stated that the OverDrive Inc is the only vendor that can provide the digital library reserve access and technical support to the Library Department.

Contract Term

The five-year agreement term will begin on or about July 1, 2020.

Financial Impact

The aggregate amount will not exceed $5,000,000, with an annual expenditure of $1,000,000. Funds are available in the Library

Department's budget.

Concurrence/Previous Council Action
The Phoenix City Council previous approved an agreement with OverDrive Inc on Oct. 15, 2014.

This item was adopted.

38 Reflective Bike Lane Green Thermoplastic Pavement Markings - Requirements Contract (Ordinance S-46735)

Request to authorize the City Manager, or his designee, to enter into a contract with Geveko Markings, Inc. to provide reflective bike lane green preformed thermoplastic pavement markings as required for the Street Transportation Department in an amount not to exceed $2,016,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Reflective Bike Lane Green Thermoplastic Pavement Markings will be utilized by Street Transportation Department crews for the installation and maintenance of bike lanes Citywide. The addition and maintenance of bike lanes is a goal of the voter-approved Transportation 2050 (T2050) plan. The reflective green markings are part of efforts to improve traffic and bicycle safety by increasing visibility of the bicycle lanes and better distinguishing the designated bicycle area from vehicular travel lanes.

Procurement Information
Invitation for Bid (IFB) 20-081 was conducted in accordance with Administrative Regulation 3.10. There were six offers received by the Finance Department Procurement Division on May 1, 2020. The following company is recommended for award:

Geveko Markings, Inc.

The Deputy Finance Director recommends that the offer from Geveko Markings, Inc. be accepted as the lowest-priced, responsive, and responsible offer.

Contract Term

The term of the contract will be five years and will begin on or about July 1, 2020.

Financial Impact

The aggregate contract value will not exceed $2,016,000, with an estimated annual expenditure of $403,200. Funds are available in the Street Transportation Department's budget.

This item was adopted.

39 Protective Footwear Contract (Ordinance S-46738)

Request to authorize the City Manager, or his designee, to add additional expenditures to Boot Barn Contract 148178, Foot Solutions for Life, LLC doing business as (dba) Foot Solutions Contract 148180, Uniforms, LLC dba Ace Uniforms of Phoenix Contract 148177, Red Wing Brands of America, Inc. Contract 148175, Industrial Safety Shoe Company dba Industrial Shoe of Arizona Contract 148919, and Jay R Rivin dba Jr's Shoes and Boots Contract 148179, to provide protective footwear to meet the City's requirements of Administrative Regulation 2.313 Personal Protective Equipment (PPE), in the amount of $1,350,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Additional funds are necessary for employee safety by minimizing exposure to hazards that cause serious workplace injuries and illnesses. The requested products are critical to safe Citywide operations and will aide in meeting the Administrative Regulation 2.313 requirements, that sets administrative controls to eliminate employee exposure to unsafe conditions. Vendors will provide protective footwear to meet the Occupational Safety and Health Act section 5(a)(1) General Duty Clause, which states each employer "shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees." The City has recently improved the process to track safety footwear purchases leading to a more accurate forecast of future spend amounts. Per the City Manager's Office, a contract audit was performed by the City Auditor to analyze contract spend, evaluate

department processes for ensuring accurate and appropriate issuance of protective footwear vouchers and review the voucher payment process. As a result of the contract audit, recommendations were made to improve payment processes, improve documented voucher procedures and an estimated annual contract spend of $450,000 was found to be accurate. With the contract expiration date of June 30, 2023, an additional $1,350,000 funds are required through the end of the contract period. Protective footwear purchases were charged to approximately 20 departments across the City, with the Water Services Department 32 percent and Public Works Department 20 percent making up over half of the yearly footwear purchases.

Financial Impact

With the $1,350,000 additional funds, the contract's revised aggregate value through June 30, 2023 is now $2,200,000, and the revised estimated annual expenditure is
$440,000. Water Services, Public Works, Street Transportation, Parks and Recreation and Aviation departments are the primary users and funds are available in each department's budget. The contracts are available to all City departments.

Concurrence/Previous Council Action

These contracts are the result of RFQu 18-184 awarded by Formal Council Action on the July 5, 2018 Council agenda with an estimated aggregate amount of $500,000.

This item was adopted.

41 Acceptance of Easements for Drainage Purposes (Ordinance S-46734)

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

Summary

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

Easement (a)

Applicant: Camel Square, LLC, its successor and assigns
Purpose: Drainage
Location: 4350 E. Camelback Road
File: FN 200526
Council District: 6

Easement (b)
Applicant: Suns Legacy Properties, LLC, its successor and assigns
Purpose: Drainage
Location: 5110 N. 44th St.
File: FN 200526
Council District: 6

This item was adopted.

42 Acceptance and Dedication of Deeds and Easements for Public Utility, Sidewalk, Traffic Control, and Alley Purposes (Ordinance S-46751)

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

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

Easement (a)
Applicant: US Relp Norterra East I, LLC, its successor and assigns
Purpose: Public Utility
Location: Southwest corner of 19th Ave and Jomax Road
File: FN 190094
Council District: 1

Easement (b)
Applicant: Washington Federal Savings, its successor and assigns
Purpose: Sidewalk
Location: 13648 N. Tatum Blvd.
File: FN 200536
Council District: 3

Easement (c)
Applicant: HSRE-MPCCA Phoenix MOB, LLC, its successor and assigns
Purpose: Traffic Control
Location: 926 E. McDowell Road
File: FN 190118
Council District: 4

Easement (d)
Applicant: Banner Health, its successor and assigns
Purpose: Traffic Control
Location: 1021 E. Willetta St.
File: FN 190119
Council District: 8

Deed (e)
Applicant: RC Patriots, LLC., its successor and assigns
Purpose: Alley
Location: 640 N. 32nd St.
File: FN 200522
Council District: 8

Easement (f)
Applicant: RC Patriots, LLC., its successor and assigns
Purpose: Sidewalk
Location: 640 N. 32nd St.
File: FN 200522
Council District: 8

This item was adopted.

43 Citywide Janitorial, Sanitation Supplies, Equipment, and Related Services (Ordinance S-46752)

Request to authorize the City Manager, or his designee, to allow additional expenditures and agreement extension with Waxie Sanitary Supply for janitorial and sanitation supplies, equipment, and related services in an amount not to exceed $700,000. Further request authorization for the City Controller to disburse all funds related to this

item.

Summary

The agreement with Waxie Sanitary Supply is used to purchase janitorial and sanitation supplies, equipment, and related services necessary to support the janitorial needs for City employees, City facilities, and the general public. Janitorial supplies include but are not limited to: hand soap, paper towels, tissue paper, toilet paper, general cleaning products such as window cleaner and disinfectants, dispensers for hand soap, toilet covers, carpet cleaning machines, floor buffers, and maintenance to service janitorial and sanitation equipment. The primary user departments are Aviation, Fire, Parks and Recreation, Phoenix Convention Center, and Public Works. The additional funds and contract extension will allow the Finance Department sufficient time to review newly awarded agreements and compare pricing discounts for highly purchased janitorial supplies items then select the agreement that will benefit the City with potentially higher cost savings. The Finance Department is reviewing expenditures to identify those that are COVID related and paid by COVID funds.

Contract Term

The contract extension will begin month-to-month Aug. 1, 2020 and end Jan. 31, 2021.

Financial Impact

The additional funds will not exceed $700,000, and the revised aggregate value of the contract will not exceed $16,450,000. Funds are available in the various departments' budgets.

Concurrence/Previous Council Action

This contract was originally approved by City Council on July 1, 2015.

This item was adopted.

44 Industrial, Building, Plumbing, Electrical, and HVAC Supplies and Materials - Requirements Contract (Ordinance S-46753)

Request to authorize the City Manager, or his designee, to enter into a contract with Border States Industries, Inc.; Voss Lighting; Electric Supply, Inc.; Rexel USA, Inc.; Lighting Unlimited, Inc.; Ledergy Lighting, LLC, to provide essential maintenance, repair, and operational supplies required by all Citywide departments in an amount not to exceed $7,000,000 over five years, or approximately $1,400,000 annually.

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

Summary

Adopting the new State of Arizona cooperative contract will allow the City to purchase maintenance, repair, and operational (MRO) supplies, from local small businesses, which support the needs of City employees, facilities, department warehouses, as well as the general public. MRO supplies include, but are not limited to: electrical supplies, including wire and cable for the City's traffic signals and street lights, and communication infrastructure citywide; lighting, motors, pumps, HVAC equipment, test instruments, safety equipment, and a wide variety of goods required for the City to remain operational on a daily basis. The primary departments utilizing the contracts are: Aviation, Fire, Phoenix Convention Center, Public Works, Street Transportation, and Water Services. Approximately 87 percent of the contract spend is used by enterprise funds.

Procurement Information

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

The State of Arizona contract covers the purchase of MRO supplies as required by departments citywide. The State of Arizona contract was awarded on Jan. 1, 2020. The use of this cooperative will provide the City with Statewide discounts on these products.

Contract Term

The five-year contract period for these vendors will begin July 1, 2020.

Financial Impact

The aggregate five-year contract value shall not exceed $7,000,000, or approximately $1,400,000 annually. The contract value is based on historical spend. Funds are available in all City of Phoenix departments' budgets.

This item was adopted.

45 Flexible Spending Account and COBRA Administration Services (Ordinance S-46757)

Request to authorize the City Manager, or his designee, to enter into a contract with ConnectYourCare, LLC to provide Flexible Spending Account (FSA) administration services in an amount not to exceed $200,000 and to provide Consolidated Omnibus Budget Reconciliation Act (COBRA) administration services in an amount not to exceed $20,000 over five years. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

FSA is a tax-favored program offered by employers which allows its employees to pay for eligible out-of-pocket health care and dependent care expenses with pre-tax dollars. This contract will continue to offer the same benefit to employees. Currently, there are approximately 850 employee healthcare FSA accounts and 300 employee dependent care FSA accounts.

COBRA requires employers with group health plans to provide temporary continuation of group health coverage (medical, dental and vision), when such coverage would otherwise be lost, to covered employees and their dependents. The City typically has 500 to 600 COBRA qualified participants.

Procurement Information

RFP HR 20-107 was conducted in accordance with Administrative Regulation 3.10. The solicitation included both FSA and COBRA administration services. Offerors could submit for one or both services. The Human Resources Department received eight proposals for both services, and one proposal for FSA only. The Notice of Solicitation was emailed to 335 vendors registered in ProcurePHX.

The offers were scored on the following criteria (1,000 total points): Qualifications and Experience (300 points), Method of Approach (400 points) and Price (300 points). The evaluation committee determined that two proposals were within the competitive range, and those proposers were invited to participate in interviews. At the completion of the

interviews, all proposals within the competitive range moved forward to the Best and Final Offer (BAFO) process. After reviewing the BAFO responses, it was the consensus of the evaluation committee to recommended awarding the contract to ConnectYourCare, LLC for FSA and COBRA.

The Finalists and their scores are listed below:

FSA
ConnectYourCare, LLC: 878.00 Points
ASIFlex: 796.84 Points

COBRA
ConnectYourCare, LLC: 845.5 Points
ASI COBRA: 744.00 Points

The Human Resources Director recommends the offer from ConnectYourCare be accepted as the highest scored, responsive, and responsible offeror.

Contract Term
The five-year contract shall begin on or about Jan. 1, 2021.

Financial Impact
The aggregate five-year FSA contract value shall not exceed $200,000; the aggregate five-year COBRA contract value shall not exceed $20,000. The contract value is based on current and projected enrollment. Funds are available in the FSA and COBRA Trust Accounts.

This item was adopted.

46 Employee Group Life, Accidental Death and Dismemberment and Occupational Life Insurance (Ordinance S-46758)

Request to authorize the City Manager, or his designee, to enter into a contract with Minnesota Life Insurance Company to provide Employee Group Life, Accidental Death and Dismemberment (AD&D), and Occupational Life Insurance benefits in an amount not to exceed $22 million over five years. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Employee group basic, AD&D, occupational life insurance and commuter benefits are employee benefits paid by the city and represent approximately one-third of the aggregate contract amount. Optional life insurance for employees, spouses, and children are paid by the employees via payroll deduction and represent approximately two-thirds of the aggregate contract amount.

Procurement Information

RFP HR 20-106 was conducted in accordance with Administrative Regulation 3.10. The Notice of Solicitation was emailed to 371 vendors registered in ProcurePHX. Four proposals were received by the Human Resources Department on March 16, 2020. An evaluation committee comprised of four voting members evaluated the offers. The offers were evaluated based on the following criteria (1,000 points total): Qualifications and Experience (400 points), Method of Approach (200 points) and Price (400 points). The evaluation committee determined that three proposals were within the competitive range. The three vendors were interviewed and given the opportunity to provide Best and Final Offers (BAFO). After reviewing the BAFO responses, the evaluation committee recommended awarding the contract to Minnesota Life Insurance Company.

The Offerors and final scores are listed below:

Minnesota Life Insurance Company: 871.81 points
The Hartford: 816.63 points
MetLife: 747.43 points
Voya: 435.78 points

The Human Resources Director recommends the offer from Minnesota Life Insurance Company be accepted as the highest-scored, responsive, and responsible offeror.

Contract Term

The five-year contract shall begin on or about Jan. 1, 2021.

Financial Impact

The aggregate five-year contract value shall not exceed $22 million over five years. The aggregate five-year cost for City-paid premiums is $8 million paid from the Life Insurance Trust. The $14 million balance is estimated employee-paid premiums.

This item was adopted.

47 Extension of Operation, Administration of City Prosecutor's Office Prostitution Diversion Program (Ordinance S-46756)

Request authorization for an extension of an existing three-year contract that has two one-year options for renewal with Catholic Charities Community Services, Inc. (Catholic Charities) for operation of the Prostitution Diversion program. Further request authorization for the City Controller to disburse funds related to this item.

Summary

The Prosecutor's Office's Prostitution Diversion Program provides and monitors rehabilitation services that focus on support, education, and treatment for participants who have been trapped in the life of prostitution. Both the offender and community benefit when the offender is rehabilitated. The City benefits by saving the costs the City would otherwise incur to prosecute and incarcerate the offender. For the period of July 2017 to March 2020, the City saved $509,170 in jail costs alone. These savings do not include the costs that would have been incurred by the Prosecutor's Office, the Municipal Court, and the Police Department to prosecute these cases. Additionally, these savings do not include the cost of the defendant's continuing to commit crimes or the value of the participants' return to the community as productive members.

In February 2017, the City issued a request for proposals (RFP) to seek offers from outside organizations to operate the City's Prostitution Diversion Program. Catholic Charities was the sole organization to respond to the RFP. Catholic Charities' proposal was reviewed by an evaluation committee. The committee determined that the proposal satisfied all requirements and Catholic Charities' was highly-qualified to continue providing the program services. The term of the contract is three years, July 1, 2017 through June 30, 2020, with two one-year renewal options. Staff is requesting to exercise the two one-year renewal options at this time for the period from July 1, 2020 through June 30, 2022.

Contract Term
Two one-year renewal options beginning July 1, 2020 through June 30, 2022.

Financial Impact
Funding is in the amount of $231,845.96 for each fiscal year of the contract. The funds have already been allocated in the Law Department budget. The contract would be contingent on the appropriation of funding each fiscal year.

Concurrence/Previous Council Action
City Council adopted Ordinance S-43620 on June 6, 2017, to authorize the City Manager, or his designee, to enter into a contract with Catholic Charities Community Services, Inc. to operate and administer the City's Prostitution Diversion Program, with funding not to exceed $231,845.96 per year over the life of the contract and further authorizing the City Controller to disburse funds related to this item.

This item was adopted.

50 Amendment to Pay Ordinance S-45840 Revising Date of One-Time Annual Base Wage Lump Sum Payments to General and Sworn Middle Managers and Executives (Ordinance S-46773)

Request City Council to amend the Pay Ordinance (S-45840) to revise the payment date of one-time annual base wage lump sum payments to General and Sworn Middle Managers and Executives to July 31, 2020.

Summary
The current Pay Ordinance (S-45840) includes one-time annual base wage lump sum payments to Middle Managers and Executives scheduled to be made no sooner than in the first pay period in October 2020. See Ordinance S-45840, Sections 5(t), 5(v) and 5(x). The City Manager recommends that the dates be revised to July 31, 2020.

The new payment date would align with that of all employees in Units 1, 2 and 3 (Ordinance S-45840 Sections 5(b), 5(d) and 5(f)) and Council Office Staff Salary Plan 023 (Ordinance S-45840, Section 5(z)).

Financial Impact

There is no financial impact. The payments were previously approved by City Council and budgeted accordingly.

Concurrence/Previous Council Action

The Pay Ordinance (S-45840) was approved by the City Council on June 19, 2019.

This item was adopted.

51 Authorization to Amend Intergovernmental Agreement and Accept COVID-19 Related Emergency Assistance Funding from Arizona Department of Economic Security (Ordinance S-46726)

Request authorization for the City Manager, or his designee, to amend the Arizona Department of Economic Security (ADES) Intergovernmental Agreement (IGA) 140755 to accept COVID-19 emergency assistance funding in the amount of $1,551,544 for a new contract total of $12,309,736 for the period of July 1, 2019 through June 30, 2020. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. There is no impact to the General Fund.

Summary

Funds provided to the City of Phoenix through ADES are used to assist low-income individuals and families by removing barriers to self-sufficiency through resources, emergency rental and utility assistance, eviction prevention services and case management. Approval to accept funds provided to the City of Phoenix through this request will allow the Human Services Department through its three Family Services Centers to provide immediate financial assistance and case management to households who are impacted directly or indirectly by the COVID-19 pandemic.

Contract Term

The term of this ADES IGA is July 1, 2019 through June 30, 2020. An extension of the term may be exercised by the City Manager or designee.

Financial Impact

Funding for Fiscal Year 2019-20 will be provided from various state and federal funding sources (see **Attachment A**). There is no impact to the

General Fund.

This item was adopted.

53 Laboratory On-Site Testing (Ordinance S-46775)

Request to authorize the City Manager, or his designee, to enter into an agreement with Equality Health Foundation (EHF), Sonora Quest Laboratories, LLC and Equality Care Center to provide on-site laboratory testing. Further request authorization for the City Controller to disburse all funds related to this item. Funding is available through the City of Phoenix's Coronavirus Relief Fund. There is no impact to the General Fund.

Summary

Equality Health Foundation, Sonora Quest Laboratories, LLC and Equality Care Center are offering to conduct sample collection and testing for the COVID-19 virus at Desert West Park in partnership with the City. The site is recommended to provide access to testing services to residents that may be under served with regard to testing access. This location will serve residents in their vehicles, as well as walk-up customers.

The initial COVID-19 testing events are targeted for June 20 and June 27, 2020. Subsequent events may be scheduled on a weekly basis, based on the collective participant demand for testing as determined by consensus between EHF and the City. This partnership may be immediately cancelled by any party, if in the best interest or convenience of any party. The City will provide access to the park; EHF will coordinate traffic management, use of shade canopies, tables, event publicity and site security; Sonora Quest Laboratories will provide onsite sample collection and transportation, COVID-19 testing and results processing ; and Equality Care Center ill provide onsite diagnosis screening for COVID-19, registration, and follow up with participants about their results.

Costs to the resident for the testing are expected to be billed to the resident's qualifying insurance. Alternatively, EHF has federal funds identified that may cover the costs of the collection and testing, for participants without eligible health insurance.

Contract Term

This agreement will begin on or about June 20, 2020, and will continue

30 days after the date of testing events, as set forth in the agreement.

Financial Impact

This testing will use resources of the Parks and Recreation Department in the amount of $30,000. Funding will be provided through the City of Phoenix's Coronavirus Relief Fund. There is no impact to the General Fund.

Location

Desert West Park, 6501 W. Virginia Ave.
Council District: 7

This item was adopted.

54 Amend Ordinance S-46598 to Provide a Payment Guaranty for Emergency Shelter Services for Vulnerable Seniors or Those at Risk for COVID-19 and Waiver of Phoenix City Code 42-18 (Ordinance S-46776)

Request to authorize the City Manager, or his designee, to amend Ordinance S-46598 to provide a payment guaranty by the City of Phoenix for the Facilities Use Agreement (FUA) relating to the City's contract with Central Arizona Shelter Services, Inc. (CASS) to provide emergency shelter services for vulnerable seniors or those at risk for COVID-19. Further request the City Council to grant an exception pursuant to Phoenix City Code (PCC) 42-20 to authorize the City to indemnify and be liable for CASS's contractual liability in the event the FUA is terminated early. This would otherwise be prohibited by PCC 42-18 as PCC 42-18 restricts the CIty's indemnity/liability obligations for another third parties' contractual liability. There is no impact to the General Fund.

Summary

On May 6, 2020, City Council authorized a contract with CASS to provide emergency shelter services for up to 100 vulnerable seniors or those at risk for COVID-19 in shelter or within the City to be placed in an alternate shelter location. As part of the services to be provided, CASS has entered into a Facilities Use Agreement (FUA) with a facility to house vulnerable seniors. CASS's contracted facility has requested that the City provide a guaranty for the contract should CASS not fulfill its contractual obligation to provide payment. If approved, the City would guarantee the payment and, should CASS not pay this portion of the contract, the City

would provide the payment for the emergency shelter service directly to the facility. Importantly, whether under the FUA or the guaranty, the City is at all times responsible for payment. This item does not add additional funding to the City's contract with CASS but would give the City the ability to pay the facility directly from the City Council authorized funding.

Contract Term

The facilities portion of the contract term began on June 5, 2020 and will expire June 4, 2021. This contract may be extended based on continuous need and available funding, which may be exercised by the City Manager or designee.

Financial Impact

The aggregate value of the emergency shelter facilities costs within the City's contract with CASS shall not exceed $1,740,000. There is no impact to General Fund. Funding for payment under the FUA or the guaranty will be provided with either the City's allocation of U.S. Department of Housing and Urban Development Emergency Solutions Grant, Community Development Block Grants, and/or the Coronavirus Relief Fund.

Concurrence/Previous Council Action

On May 6, 2020, City Council authorized staff to enter into a contract with CASS to provide emergency shelter, permanent housing and rapid rehousing services; and authorizing the City Controller to disburse funds.

This item was adopted.

55 Purchase of Plexiglas - Emergency Request (Ordinance S-46742)

Request to authorize the City Manager, or his designee, to enter into an agreement with Professional Plastics for purchase of Plexiglas for use in City facilities. This item will have an aggregate amount of $160,185. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Public Works Department staff performs maintenance and repair work at approximately 709 buildings throughout the City of Phoenix including City Hall, Calvin Goode Building, 438 Building, libraries, and police facilities. In March 2020, the Public Works Facilities operations began receiving

numerous requests to install protective plexiglas barriers at reception desks and work counters where staff engage in face-to-face contact with the general public. This item will allow facilities staff to fulfill those requests immediately while a competitive procurement process takes place. This purchase is directly related to mitigation of the COVID-19 virus in the workplace for the safety and benefit of residents and employees.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived citing a determination memo - emergency.

Contract Term
This agreement will begin on or about Council approval on June 17, 2020.

Financial Impact
This item will have an aggregate amount of $160,185. Funds are available in the Coronavirus Relief Fund.

Emergency Clause
Due to the COVID-19 pandemic, it is crucial for the City to ensure that employees have safe workplaces and adhere to the Centers for Disease Control and Prevention guidelines.

This item was adopted.

56 Property Management Services at Foothills Village Public Housing Community (Ordinance S-46729)

Request to authorize the City Manager, or his designee, to extend Contract 140710 with MEB Management Services for up to six months from July 1, 2020 through Dec. 31, 2020, or until the transition of ownership of Foothills Village Apartments to FVA, LLC, whichever comes first, and add additional funds in the amount of $500,000. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $6 million. There is no impact to the General Fund.

Summary

The Housing Department is in the process of converting Foothills Village Apartments using the U.S. Department of Housing and Urban Development, Rental Assistance Demonstration program. Under the new program, ownership of the property will transition to FVA, LLC who will then assume responsibility for providing these services. The Housing Department needs this extension to allow time to complete the transition and transfer ownership.

Financial Impact

With the $500,000 in additional funds, the contract's revised value is now $6 million. There is no impact to the General Fund. Funding for these services are available from federal resources.

Concurrence/Previous Council Action

City Council originally approved Contract 140710 on May 27, 2015.

Location

920 W. Alta Vista Road
Council District: 7

This item was adopted.

57 Request Authorization to Enter into Contract for Property Management Services at 2120 N. Central Ave. (Ordinance S-46724)

Request authorization for the City Manager, or his designee, to enter into a contract with Plaza Del Rio Management Corporation dba Plaza Companies (Plaza) to provide property management services for the City of Phoenix Human Services Department’s (HSD) Family Advocacy Center (FAC). The term of the initial contract will be for nine months beginning on or about Sept. 30, 2020 through June 30, 2021, with four one-year options to extend beginning on July 1, 2021. The contract total for the initial nine months will be $87,750. The annual contract total for each extension will be $117,000, subject to annual budget approval. The aggregate amount will not exceed $555,750 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item for the life of the contract. Funding is available in HSD's General Funds.

Summary

HSD requires third party property management services in connection

with the continued operations of the City's Family Advocacy Center located at 2120 N. Central Ave. The FAC is a City owned HSD facility. Plaza will be responsible for property management of the entire property and for the collection of operation and maintenance (O&M) expenses and non-city tenant rent. O&M expenses for the facility include utilities, cleaning, repairs and maintenance, fire/safety, security, management fees, and property taxes.

Procurement Information

Request for Proposals, RFP-19-MSD-34, was conducted in accordance with the City of Phoenix Administrative Regulation 3.10. HSD received 2 offers on March 13, 2020 and both were determined responsive and responsible to the solicitation requirements.

The Evaluation Committee assessed all proposals based on the identified evaluation criteria, responsiveness to all the specifications, terms and conditions, and responsibility to provide the required service. The evaluation criteria was as follows:

Evaluation Criteria:

Company History, Experience and Qualifications	400 Possible Points
Method of Approach	300 Possible Points
Proposed Pricing and Management Fee	150 Possible Points
Proposed Management Capacity	100 Possible Points
Additional Financial Documentation	50 Possible Points

Scoring:

Plaza Del Rio Management Corporation: 926 points
Colliers International: 876 points

The Evaluation Committee recommended Plaza del Rio Management Corporation for contract award.

Contract Term

The initial term of this contract will be for nine months beginning on or about Sept. 30, 2020 through June 30, 2021, with four one-year options to extend beginning on July 1, 2021, which may be exercised by the City Manager or designee. The purpose of the nine-month initial term is to

align the contract with the City's fiscal year which begins on July 1, 2020 and ends on June 30, 2021.

Financial Impact
Expenditures are not to exceed $555,750 over the life of the contract. Funding is available in HSD's General Funds.

Location
2120 N. Central Ave.
Council District(s): 4

This item was adopted.

58 Request Authorization to Extend Intergovernmental Agreement with Maricopa County Human Services Department for Strengthening Working Families Grant (Ordinance S-46744)

Request authorization for the City Manager, or his designee, to extend Intergovernmental Agreement (IGA) 143704 with Maricopa County Human Services Department (MCHSD), for one-year from July 1, 2020 to June 30, 2021. Further request authorization for the City Controller to disburse all funds related to this item for the period of July 1, 2020 to June 30, 2021. There is no General Fund impact. Funding is provided by the U.S. Department of Labor (DOL).

Summary
In July 2016, the DOL awarded the City of Phoenix the Strengthening Working Families Initiative (SWFI) grant. SWFI aims to give more working parents a career pathway to secure higher wage jobs by addressing the significant barriers to participating in and completing training, and in trying to find and acquire affordable, quality childcare while attending skills training programs.

The City has obtained a grant term extension from the DOL through June 30, 2021. City staff requests authorization to extend the IGA with MCHSD to align with the new extension term of the SWFI Grant. Without this extension, workforce preparedness services conducted by MCHSD will cease and the City will no longer provide these services to un/under-employed parents. The lack of these services will have a negative impact on the City's ability to meet the requirements of the grant,

potentially requiring the City to return funding to the DOL.

Contract Term
The term of the contract extension is for one-year from July 1, 2020 to June 30, 2021.

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

This item was adopted.

59 Fiscal Year 2020-25 Public Art Plan (Ordinance S-46728)

Request approval of the Phoenix Office of Arts and Culture's Fiscal Year (FY) 2020-25 Public Art Plan.

Summary
The Phoenix Office of Arts and Culture was established in 1985 to champion and sustain the City's arts and culture community to make Phoenix a great place to live, work, and visit. It manages the City's Public Art Program, funded through the percent-for-art ordinance that City Council adopted in December 1986. The ordinance requires one percent of City Capital Improvement Program funds to be invested to enhance the design and experience of public infrastructure, buildings and spaces through public art. These funds must be used for capital purposes.

The percent-for-art ordinance requires the Phoenix Office of Arts and Culture, upon the recommendation of the Phoenix Arts and Culture Commission, to submit an annual Public Art Plan in advance of each new fiscal year. The plan is developed by staff of the Phoenix Office of Arts and Culture in consultation with City departments, City Council offices and community groups. Projects must be sited at or near the City construction projects.

The $9,038,509 plan includes 33 public art projects funded in FY 2020-25 (**Attachment A**). This total includes 31 continuing and two new projects.The proposed FY 2020-25 Public Art Project Plan is $737,086 less than the $9,775,595 FY 2019-24 Public Art Project Plan approved

by City Council in 2019. It follows the priorities established in the Phoenix Public Art Program Master Plan, which designates a wide variety of opportunities for art to improve public spaces and infrastructure throughout Phoenix (**Attachment B**). In addition to these percent-for-art funds, the Water Services Department is providing up to $1,000,000 in capital funds to enhance the security and appearance of community well sites and other water facilities citywide.

Arizona Artist Involvement

Of the 33 projects in the FY 2020-25 Art Plan that will involve hiring artists and contractors, 21 (68 percent) either currently involve Arizona artists and design professionals or are expected to involve Arizona professionals. Arizona artists and designers are encouraged to apply for all projects.

Public Involvement

Public involvement is critical to the success of percent-for-art projects. Neighborhood organizations, Village Planning Committees, schools, and City departments are included as important participants in the public art process. The Phoenix Office of Arts and Culture staff works closely with City Council offices, and numerous City departments to ensure that neighborhoods near public art projects are involved in the project's development.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and unanimously recommended the FY 2020-25 Public Art Plan at its May 12, 2020 meeting. The Land Use and Livability Subcommittee reviewed and approved it at its May 20, 2020 meeting by a 3-0 vote.

This item was withdrawn.

60 2020 National Endowment for the Humanities Grant (Ordinance S-46743)

Request to authorize the City Manager, or his designee, to apply for and, if awarded, accept funds and enter into agreements for the 2020 National Endowment for the Humanities grant in an amount up to $75,000 to benefit Pueblo Grande Museum. Further request authorization for the City

Treasurer to accept, and for the City Controller to disburse, any grant monies awarded.

Summary

The National Endowment for the Humanities, Public Humanities Projects Grants: Exhibitions Planning can provide funding up to $75,000; and requires no formal match. Staff's intent is to engage humanities scholars with expertise in Hohokam archeology and/or tribal affiliations, an architectural firm and a professional exhibit design firm to create a new comprehensive exhibit design plan for the lobby, theatre and two main gallery spaces at Pueblo Grande Museum. Procurement components for this grant will be in compliance with Administrative Regulation 3.10. The grant application deadline is Aug. 12, 2020.

This grant can provide long-term tangible benefits by providing an improved visitor experience. This includes updated and relevant information about the prehistoric inhabitants of the Salt River Valley, their descendants currently residing in the Salt River Pima Maricopa Indian Community and the Gila River Indian Community; and connections to the history and development of Phoenix.

If successful, grant funds will be used to create an interpretive and design plan, based on current and relevant scholarship. The design plan will advise on prospective enhancements to the two permanent exhibition galleries that are now over 19 years old. The plan will include technology, object cases and exhibit design elements with updated interpretations to reflect current research findings and more appropriate terminology that reflects greater sensitivity to local, Native American communities.

Financial Impact

The grant application is an amount up to $75,000, with no formal match required. No City General Funds will be required.

Concurrence/Previous Council Action

This item was recommended for approval at the Land Use and Livability Subcommittee meeting on May 20, 2020, by a vote of 3-0.

Location

Pueblo Grande Museum, 4619 E. Washington St.

Council District: 8

This item was adopted.

63 First Things First Family Resource Centers (Ordinance S-46777)

This report requests City Council to approve an increase in funding and enter into an Intergovernmental Agreement (IGA) with First Things First to support Phoenix Families First Resource Centers in current City facilities. The new total amount will not exceed $657,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Human Services Department and the Youth and Education Office entered into an intergovernmental agreement with First Things First in July 2018 to create four Family Resource Centers in current City facilities controlled by in the Library, Housing and Parks Departments. The Phoenix Families First Resource Centers increase families' access to concrete supports and services in times of need; improve knowledge of parenting and child development; foster parental resilience, successfully connect families to supports in the community; and promote social and emotional competence in children.

Based on the continued challenge of recruiting and retaining part-time staff, the city proposed to First Things First to convert current part-time positions to full-time, grant-funded positions. The funding will provide two full-time position per Family Resource Center site to help families access resources and services and offer referrals to programs designed to meet their diverse needs First Things First site councils approved on May 14, 2020 to increase the contractual amount to $675,000 per year starting July 1, 2020.

Contract Term

The approved contract term started July 1, 2018, with five one year options to renew.

Financial Impact

The new contractual, grant-funded amount of $675,000 will support staff, supplies, and site costs for implementing Family Resource Centers in City facilities.

Concurrence/Previous Council Action
The contract was approved by Formal Council action on April 4, 2018.

Location
Goelet A Beuff Community Center - 3435 W Pinnacle Peak Rd, Phoenix, AZ 85027
Burton Barr Central Library - 1221 N Central Ave, Phoenix, AZ 85004
Cesar Chavez Library - 3635 W Baseline Rd, Laveen Village, AZ 85339
Aeroterra Housing Community - 675 N 16th St, Phoenix, AZ 85006
Council Districts 1,7,8

This item was withdrawn.

64 Adopt Computer Aided Dispatch Service Fees and Charges for Fiscal Year 2020-21 (Ordinance S-46760)

Request authorization for the City Manager to adopt the Fiscal Year (FY) 2020-21 Computer Aided Dispatch (CAD) fees to be charged to: (1) the cities of Avondale, Buckeye, Chandler, El Mirage, Glendale, Goodyear, Maricopa, Peoria, Scottsdale, Surprise, Tempe, and Tolleson; (2) the fire districts of Buckeye Valley, Daisy Mountain, Harquahala, and Sun City; (3) the Towns of Guadalupe and Paradise Valley; (4) Arizona Fire & Medical Authority; and (5) Dignity Health. Authorization also is requested to allow the City Treasurer to accept and, for the City Controller to disburse these funds.

Summary
In 2019, the City Council approved Intergovernmental Agreements (IGAs) with each of the above fire jurisdictions, which included CAD fees and charges to be updated annually as "Exhibit A" (attached). The City of Phoenix has Automatic and/or Mutual Aid Agreements with these jurisdictions and provides dispatching for their fire and emergency medical units. Each CAD member pays a dispatching fee for each call dispatched, as well as charges for equipment and network maintenance.

Financial Impact
The General Fund revenue to be generated from these IGAs for FY 2020-21 is estimated at $7,190,558 and is intended to offset a portion of

the operating costs of the City's Regional Dispatch Center, including salaries of Dispatch Center staff. The $5,021,348 balance of the funds collected pays for communications system and equipment maintenance and modernization.

This item was adopted.

65 Authorize Recommended Changes to the 2021 Neighborhood Block Watch Grant Program Process (Ordinance S-46749)

This report requests the City Council to approve the requested change to the 2021 Neighborhood Block Watch (NBW) grant application guide and program process to increase the maximum grant award from $10,000 to $12,000 beginning with the Fiscal Year (FY) 2021 grant application process.

Summary

The NBW Oversight Committee was established to solicit, evaluate, and recommend, to the Mayor and City Council, appropriate proposals to expend funds for the expansion of the Block Watch programs within the limits of the Neighborhood Protection Ordinance. This ordinance, known as Proposition 301, was adopted at a special election held on Oct. 5, 1993. The City Council adopted the format and guidelines for this process on April 26, 1994. The NBW program is administered by the Police Department.

Funding for this grant program comes from an increase in sales tax revenues that was adopted at the special election held on Oct. 5, 1993. As of Dec. 31, 2019, the fund currently had an available balance of $5.9 million. The sales tax revenue is estimated to be $1.8 million per year, the return of unused grant funds and interest is estimated to be $384,000 per year, resulting in an estimated total annual revenue of $2.2 million. The estimated expenditures include $1.5 million to fund new grants and $400,000 to fund a pilot gated alley program that was approved by City Council at the March 18, 2020 meeting, resulting in an estimated total annual expenditure of $1.9 million.

Currently, the grant award amount is capped at $10,000 per year as documented in the 2020 Neighborhood Block Watch Grant Program

Application Guide. On April 10, 2019, the City Council authorized the funding of $1.5 million annually for NBW grants. In FY 2018-19, 172 grant applications were approved. The total amount of the award was $1.45 million. If the $1.5 million annually remained constant, only 125 grants could be approved at the $12,000 award amount. The effect would be a recommendation to increase the amount of funding authorized per year from $1.5 million to $2.064 million per year (an increase of $564,000 per year).

Contract Term

The funding period for the 2021 NBW grants is July 1, 2021 through June 30, 2022.

Financial Impact

No matching funds are required.

Concurrence/Previous Council Action

A recommendation to increase the award amount to $12,000 per grant award was unanimously approved by the Public Safety and Justice Subcommittee at the May 13, 2020 meeting.

The NBW Oversight Committee voted to disapprove this request at the May 21, 2020 Neighborhood Block Watch meeting with a vote of 6 ayes and 3 nays due to the current financial situation that has arisen due to COVID-19.

This item was adopted.

67 Forensic DNA Analysis and Forensic Genealogy Services- RFQu PPD20-001 (Ordinance S-46768)

Request authorization for the City Manager, or his designee, to allow the Police Department's Laboratory Services Bureau (LSB) to enter into new contracts with the 10 companies listed below on an as-needed basis, for forensic DNA analysis and genealogy services. Further request authorization for the City Controller to disburse all funds related to this item. The five-year aggregate value of all contracts will not exceed $1.2 million.

Summary

The LSB applies for and receives grant funding on an annual basis for

the forensic DNA analysis of crime scene evidence and forensic genealogy services from associated criminal investigations. Each grant has specific and unique purposes including, but not limited to, capacity enhancement, backlog reduction, cold case resolution and sexual assault kit testing.

The vendors referenced below are qualified firms who will be placed on a Qualified Vendors List (QVL) to provide forensic DNA analysis and forensic genealogy services in pursuit of successfully executing grant objectives.

Procurement Information
Request for Qualifications (RFQu) PPD20-001 was conducted in accordance with Administrative Regulation 3.10, with the intent of establishing a list of qualified vendors to provide forensic DNA analysis and forensic genealogy services to the LSB. There were 10 offers received by the LSB on or before April 16, 2020. The offers were evaluated by a committee which determined that the following 10 offers met the City's minimum qualifications criteria:

Bode Technology
DNA Labs International
DNA Solutions, Inc.
Gene by Gene
Identifinders International
Marshall University
National Medical Services
Parabon NanoLabs, Inc.
Signature Science, LLC
Sorenson Forensics

The LSB recommends that the offers from the above vendors be accepted as responsive and responsible offers that are most advantageous to the Department.

Contract Term
The five-year contract term shall begin on or about July 1, 2020.

Financial Impact

Funds are available in the Police Departments budget. It is anticipated that up to $1.2 million in grant funds will be received for this purpose over the next five years. The aggregate value of all contracts will not exceed $1.2 million.

This item was adopted.

69 Authorization to Enter into Agreement with Arizona State University in Support of Research for Strategies for Policing Innovation Grant (Ordinance S-46770)

Request authorization for the City Manager, or his designee, to allow the Police Department to enter into an agreement with the Arizona Board of Regents on behalf of Arizona State University (ASU), that will act as a research partner in support of the Bureau of Justice Assistance (BJA), Strategies for Policing Innovation grant in an amount not to exceed $140,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Police Department was awarded $646,706 from the BJA through the 2019 Strategies for Policing Innovation grant. The grant and disbursement of grant funds was approved by City Council on Aug. 28, 2019, under Ordinance S-45985. The grant requires the Police Department to work with a research partner to analyze data and produce project-related reports regarding the grant project. The Police Department has partnered with ASU on similar projects in the past. This agreement will reimburse ASU, an amount not to exceed $140,000, during the contract term, to assist with problem assessment, strategy development, data collection and analysis, and monitoring and evaluating performance. The City will be reimbursed for applicable ASU expenses through the BJA grant.

Contract Term

May 1, 2020 through Sept. 30, 2022.

Financial Impact

The Strategies for Policing Innovation grant provides up to a maximum of $140,000 in funding to reimburse ASU as the grant research partner.

This item was adopted.

70 Heating, Ventilation and Air Conditioning Filter Supply, Installation and Maintenance Services - Contract Recommendation (Ordinance S-46736)

Request to authorize the City Manager, or his designee, to enter into a contract with American Air Filter Company, Inc. dba AAF International to provide Heating, Ventilation and Air Conditioning (HVAC) filter supply, installation and maintenance services for the Aviation Department, in an amount not to exceed $2.5 million for a five-year aggregate contract term. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will supply and install the air filter media, which includes all filters, equipment, and labor necessary for HVAC units throughout Phoenix Sky Harbor International, Deer Valley and Goodyear Airports. The contract also includes filter pricings for purchase filters to be installed directly by the City of Phoenix Aviation Department staff.

Procurement Information

An Invitation for Bid (IFB) 20-029 was conducted in accordance with Administrative Regulation 3.10. Three offers were received on April 29, 2020. Offers were evaluated based on minimum qualifications, price, responsiveness and responsibility to provide the required goods and services. The following is a summary of offers:

AAF International: $1,068,642.36
Waco Filters Corp: $1,542,625.75
DL Sales Corp: $1,742,703.05

The Aviation Department recommends that it is in the best interest of the City to award the contract to American Air Filter Company, Inc. dba AAF International as the lowest responsive and responsible offeror.

Contract Term

The contract will begin on or about July 1, 2020 for an initial one-year term, with four one-year options to extend for a five-year aggregate

contract term.

Financial Impact

The contract value will not exceed $2.5 million for the five-year aggregate contract term. Funds are available in the Aviation Department's budget.

Location

Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.
Deer Valley Airport, 702 W. Deer Valley Road
Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Arizona
Council Districts:1, 8, and Out of City

This item was adopted.

71 ABB Variable Frequency Drives Supply, Installation, Maintenance and Repair Services - Contract Recommendation (Ordinance S-46739)

Request to authorize the City Manager, or his designee, to enter into a contract with ThermAir Services, LLC (ThermAir) for supply, installation, replacement, maintenance and repair services for ABB Variable Frequency Drives (VFDs) for the Aviation, Phoenix Convention Center, and Water Services departments, in an amount not to exceed $1,205,000 for a five-year aggregate contract term. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will supply VFDs and provide full services including installation, replacement, maintenance and repair to the airport and City facilities. VFDs are special components for water handling and large Heating, Ventilation and Air Conditioning systems to regulate and reduce energy consumption based on the actual cooling needs. The Aviation, Phoenix Convention Center and Water Services departments require a qualified contractor to perform factory-trained services to meet daily operational needs.

Procurement Information

An Invitation for Bid (IFB) 20-031 was conducted in accordance with Administrative Regulation 3.10. One bid was received on April 29, 2020 from ThermAir. The offer was evaluated based on minimum

qualifications, price, responsiveness and responsibility to provide the required goods and services. The offer from ThermAir is deemed to be fair and reasonable based on the market and previous contract pricing.

Contract Term

The contract will begin on or about July 1, 2020 for an initial three-year term with two one-year options to extend for a five-year aggregate contract term.

Financial Impact

The contract value will not exceed $1,205,000 for the Aviation, Phoenix Convention Center and Water Services departments for the five-year aggregate contract term. Funds are available in the Aviation, Phoenix Convention Center, and Water Services departments' budgets.

This item was adopted.

72 Jet Fuel Remediation and Technical Dispute Environmental Consulting Services (Ordinance S-46750)

Request to authorize the City Manager, or his designee, to enter into a contract with Weston Solutions, Inc. to provide jet fuel remediation and technical dispute environmental consulting services for the Aviation Department in an amount not to exceed $250,000 for the five-year aggregate contract term. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Under this contract, the proposed consultant will provide jet fuel remediation and technical dispute environmental consulting services for the Aviation Department. The City of Phoenix and the Arizona Fueling Facilities Corporation executed a consent decree in 2005 to provide a collaborative review of new airport projects impacting the jet fuel remediation area. The consultant will provide technical support in the event of a dispute resolution that is critical to supporting the multiple projects proposed in the Aviation Department's Comprehensive Asset Management Plan. The Aviation Department's Planning and Environmental Division previously utilized an outside firm to provide jet fuel remediation and technical dispute environmental consulting services, but that agreement expired on April 30, 2020.

Procurement Information
Request for Proposal (RFP) 20-016 - Jet Fuel Remediation and Technical Dispute Environmental Consulting Services was conducted in accordance with Administrative Regulation 3.10. Two proposals were received and both were deemed responsive and responsible.

The proposals were evaluated by an evaluation panel and scored by consensus based on the following criteria, with a point range of 0-1,000 points:

Method of Approach to Scope of Services: 0-300 points.
Qualifications and Experience of Consulting Staff: 0-250 points.
Firm Qualifications and Experience: 0-250 points.
Fee Schedule Proposal: 0-200 points.

The evaluation panel recommends Weston Solutions, Inc. for contract award as the best value to the City based on the following consensus scores:

Weston Solutions, Inc. - 920 points.
Clear Creek Associates, LLC - 711 points.

Contract Term
The contract will begin on or about July 1, 2020 for an initial three-year term, with two one-year options to extend for a five-year aggregate contract term.

Financial Impact
The contract value will not exceed $250,000 for the five-year aggregate contract term. Funds are available in the Aviation Department's budget.

Location
Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.
Phoenix Deer Valley Airport, 702 W. Deer Valley Road
Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Arizona
Council Districts: 1, 8, and Out of City

This item was adopted.

74 **Worldwide Flight Services, Inc. Facility Lease at Phoenix Sky Harbor International Airport (Ordinance S-46763)**

Request to authorize the City Manager, or his designee, to enter into a Facility Lease agreement with Worldwide Flight Services, Inc. (WFS) to lease up to nine additional cargo bays at Phoenix Sky Harbor International Airport for five years. Estimated revenue to the City over the term of the contract is approximately $1,492,990. Further authorize the City Treasurer to accept funds related to this item.

Summary

WFS conducts cargo handling operations and ground service equipment maintenance for airlines at Phoenix Sky Harbor Airport. WFS currently leases 13 cargo bays at PHX's West Air Cargo Facility. WFS has requested up to nine additional cargo bays (approximately 17,280 square feet).

Contract Term

The term will be five years and can be cancelled by either party.

Financial Impact

Annual rent will be approximately $298,598 ($17.28 per square foot). Rates subject to annual Rates and Charges adjustments authorized by the Phoenix City Code.

Location

Phoenix Sky Harbor International Airport West Air Cargo, 1323 S. 27th St.

Council District: 8

This item was adopted.

75 **Amendment to Lease with Oxford Electronics, Inc. at Phoenix Sky Harbor International Airport (Ordinance S-46764)**

Request to authorize the City Manager, or his designee, to amend Lease 123530 with Oxford Electronics, Inc. (Oxford) to increase the leasehold from 1,920 to 3,840 square feet in West Air Cargo Building A at Phoenix Sky Harbor International Airport (PHX) on a month-to-month term. Estimated annual revenue to the City will be approximately $36,633. Further authorizing the City Treasurer to accept funds related to this item.

Summary

On March 19, 2008, Oxford and the Aviation Department (AVN) entered into an Airport Lease Agreement for ground service equipment space in West Air Cargo (WAC), Building A, Bay 13 (1,920 square feet) located at PHX. In August 2018, AVN issued Request for Proposal 19-001, Passenger Boarding Bridges Repair and Maintenance Requirements Contract (Contract), which sought a contractor to furnish labor, parts, equipment, and supplies necessary to maintain, inspect, and repair the passenger boarding bridges at the PHX. Oxford was the successful Offeror. On Dec. 14, 2018, Oxford and AVN entered into Contract 149032. The Contract provides that Oxford may store its supplies, materials, and equipment in a storage area at PHX. AVN designated WAC, Building A, Bay 13 (1,920 square feet) as that storage area.

Oxford has requested to relocate from Bay 13, to Bay 14 (1,920 square feet) located directly next to Bay 13 which is designated by Contract 149032 as storage. This amendment will reflect the new premises of approximately 3,840 square feet of space in Building A, Bays 13 and 14, at the WAC facility at PHX.

Contract Term

The term will be month-to-month as set by the original Airport Lease Agreement.

Financial Impact

Annual rent will be approximately $36,633 ($17.28 per square foot). Rates subject to annual Rates and Charges adjustments authorized by the Phoenix City Code. The use and occupancy of Bay 13 is reflected in Contract 149032, therefore this Amendment will reflect $0.00 Annual Rent for that space.

Location

Phoenix Sky Harbor International Airport, 1323 S. 27th St.
Council District: 8

This item was adopted.

76 United Parcel Service, Inc. Ground Lease for Exclusive-Use Ramp Space at Phoenix Sky Harbor International Airport (Ordinance

S-46765)

Request to authorize the City Manager, or his designee, to enter into a Ground Lease Agreement with United Parcel Service, Inc. (UPS) to lease approximately 46,000 square feet of exclusive-use ramp space for cargo processing within the South Air Cargo facility at Phoenix Sky Harbor International Airport for five years with no options to renew. Estimated revenue to the City over the term will be approximately $207,000. Further authorizing the City Treasurer to accept funds related to this item.

Summary

Currently, UPS leases 47,385 square feet of cargo space within the South Air Cargo facility. To increase capacity, UPS exclusively utilizes trade fixtures, installed by UPS, on the South Air Cargo ramp for cargo operations. This Ground Lease Agreement will provide UPS with approximately 46,000 square feet of exclusive ramp space around UPS's trade fixtures for their cargo processing.

Contract Term

The term will be for five years with no options to renew.

Financial Impact

Annual rent will be approximately $41,400 ($0.90 per square foot) plus applicable taxes. Rent will be adjusted annually thereafter by three percent or the Consumer Price Index using the Phoenix-Mesa-Scottsdale index, whichever is greater. The total anticipated revenue over the term will be approximately $207,000.

Location

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

This item was adopted.

77 United Parcel Service, Inc. Ground Lease within the East Tonto Lot at Phoenix Sky Harbor International Airport (Ordinance S-46766)

Request to authorize the City Manager, or his designee, to enter into a Ground Lease Agreement with United Parcel Service, Inc. (UPS) to lease approximately two acres for parking employee vehicles and tractor trailers in the East Tonto Lot at Phoenix Sky Harbor International Airport

(PHX) for one year with four, one-year renewal options. Estimated revenue to the City over the term, if all options are exercised, will be approximately $457,380. Further authorizing the City Treasurer to accept funds related to this item.

Summary

Annually, UPS has temporary licensed space within the East Tonto Lot located at 610 S. 24th St. during peak season for employee and tractor trailer parking. Since the beginning of 2020, UPS has been experiencing peak season numbers daily. Therefore, UPS is requesting year-round space within the East Tonto Lot. This new Ground Lease Agreement will provide UPS with approximately two acres of parking.

Contract Term

The term will be one year with four, one-year renewal options to be exercised at the sole discretion of the Director of Aviation Services.

Financial Impact

Annual rent will be approximately $91,476 ($1.05 per square foot) plus applicable taxes. Rent will be adjusted annually thereafter by three percent or the Consumer Price Index using the Phoenix-Mesa-Scottsdale index, whichever is greater. The total anticipated revenue over the term, if all options are exercised, will be approximately $457,380.

Location

610 S. 24th St. (East Tonto Lot), Phoenix, Arizona
Council District: 8

This item was adopted.

78 Building Property Management Services Contract for Public Transit Department Office Building (Ordinance S-46745)

Request to authorize the City Manager, or his designee, to extend Contract 139423 for property management services with Lincoln Property Company for a period of one year, from July 1, 2020 through June 30, 2021. Further request authorization for the City Controller to disburse funds in an amount not to exceed $420,000 over the one-year period.

Summary

In September 2014, a property management services contract was

awarded to Lincoln Property Company for management of the building located at 302 N. 1st Ave., which houses the Public Transit Department's administrative offices, as well as the offices of tenants Maricopa Association of Governments and the Phoenix Business and Workforce Development Center. The total authorization for the five-year contract term was $7.5 million. The contract scope of services included: administrative functions; general building maintenance; interior and exterior repairs; preparation of the annual operating budget, along with related financial accounting services, record keeping, and reports; and management of the below-ground parking levels and associated functions.

In May 2019, Contract 139423 was extended through June 30, 2020, with the intent to transitioning maintenance of the 302 N. 1st Ave. building into a consolidated facilities maintenance contract that included all of Public Transit Department's facilities. A separate facilities maintenance contract has been awarded as of April 15, 2020.

Procurement Information

In December 2019, a Request for Proposals (RFP) procurement process was conducted in accordance with Phoenix's Administrative Regulation 3.10. The scope of work retained the property management functions, but did not include the facilities maintenance function, which was procured in a separate RFP. The property management RFP resulted in just one proposer: Lincoln Property Company.

As a result, the evaluation panel determined it would be in the best interest of the City to cancel the solicitation and later reissue the RFP when other city-owned property management opportunities can be included in a future, multi-site solicitation that would generate commercial interest and ensure adequate marketplace competition. If approved, this requested extension would allow for seamless customer service at the Public Transit Department's administration building during these unprecedented times.

Contract Term

The extension will be for a one-year period, from July 1, 2020 to June 30, 2021.

Financial Impact

The total cost related to this item will not exceed $420,000 over one year. Funds are available in the proposed fiscal year 2020-21 operating budget for the Public Transit Building Fund.

Location

302 N. 1st Ave.
Council District: 7

This item was adopted.

80 Contract Change Orders for Jurisdictional Bus Service Revenue Agreements (Ordinance S-46747)

Request to authorize the City Manager, or his designee, to enter into contract change orders with the Gila River Indian Community (Agreement 147281), City of Glendale (Agreement 150473), City of Peoria (Agreement 146019), City of Tempe (Agreement 147554), and the Regional Public Transit Authority (Agreement 150638) for Phoenix's fixed route bus services purchased by these agencies, and for Phoenix's dial-a-ride services funded by regional funds managed by Regional Public Transportation Authority (RPTA), for fiscal year 2020-21.

Summary

Phoenix's Public Transit Department previously entered into agreements with these agencies for the provision of fixed route bus services on the following routes:
Gila River Indian Community: Route 51.
City of Glendale: Routes 51, 59, 60, 67, 80, 83, 90, 138, 170, and 186.
City of Peoria: Route 83.
City of Tempe: Route 32.
RPTA: Routes 3, 17, 29, 41, 50, 59, 67, 70, 80, 106, 138, 154, and 170.

These contract change orders establish the fiscal year 2020-21 cost estimates for the fixed route bus service provided to these agencies by Phoenix, plus Phoenix dial-a-ride services funded by RPTA.

Financial Impact

There is no cost to Phoenix. Each agency will pay Phoenix for these services. Below are the projected costs for each respective agency in

fiscal year 2020-21:

Gila River Indian Community (GRIC)
Gross Cost of Service: $992,295
CARES Act Funding Credit to GRIC: $433,401
Farebox Revenue: $32,808
Net GRIC Cost (Revenue to Phoenix): $526,086

City of Glendale
Gross Cost of Service: $5,116,746
CARES Act Funding Credit to Glendale: $2,119,432
Farebox Revenue: $389,621
Net Glendale Cost (Revenue to Phoenix): $2,607,693

City of Peoria
Gross Cost of Service: $1,496,890
CARES Act Funding Credit to Peoria: $653,792
Farebox Revenue: $45,661
Net Peoria Cost (Revenue to Phoenix): $797,437

City of Tempe
Gross Cost of Service: $224,178
CARES Act Funding Credit to Tempe: $89,357
Farebox Revenue: $10,553
Net Tempe Cost (Revenue to Phoenix): $124,268

Regional Public Transit Authority (RPTA)
Gross Cost of Fixed Route Bus Service: $12,819,832
CARES Act Funding Credit to RPTA: $6,219,306
Farebox Revenue: $737,265
Net Fixed Route Bus Service Cost: $5,863,261
Net Dial-a-Ride Cost (Revenue to Phoenix): $5,445,688
Net Combined RPTA Cost (Revenue to Phoenix): $11,308,949

This item was adopted.

81 Contract Change Order with Regional Public Transportation Authority for Purchase of Fixed Route Transit Service for Fiscal Year 2020-21 (Ordinance S-46755)

Request to authorize the City Manager, or his designee, to enter into a change order to Contract 143071 with Regional Public Transportation Authority (RPTA) to pay for RPTA's bus transit services on the City's updated revenue miles projected for Fiscal Year (FY) 2020-21. Further request authorization for the City Controller to disburse funds in an amount not to exceed $5,233,911.

Summary

Transit services are customarily purchased and sold between regional entities when adding service or continuing an existing bus route is most economical. Each fiscal year, Phoenix determines the level of service to be operated within its boundaries by RPTA and then executes a contract change order with RPTA to authorize funding for that year's service. In FY 2020-21, RPTA will provide the following fixed route service for Phoenix: Routes 30 (University Drive), 45 (Broadway Road), 56 (Priest Drive), 61 (Southern Avenue), 77 (Baseline Road), 108 (Elliot Road/48th Street), 140 (Ray Road), and 156 (Chandler Boulevard). Likewise, Phoenix also sells transit services to RPTA on various RPTA routes each fiscal year.

At the end of each fiscal year, Phoenix and RPTA assess the actual miles operated, gross costs incurred, federal funding credited (for preventative maintenance), and fare revenues collected. Phoenix and RPTA then reconcile the difference between the original estimates and actual costs through a credit memo or billing, as applicable.

Financial Impact

The estimated number of annual fixed route miles for FY 2020-21 is 1,407,671 miles at a cost of $9,838,750. The total estimated farebox revenue is $291,338 and the total estimated preventive maintenance credit is $449,800. In addition, Phoenix is estimated to receive $3,863,701 in CARES Act credit for services that RPTA provides for Phoenix. The total estimated net cost for RPTA's billing to Phoenix is $5,233,911. Funds are available in the Public Transit Department operating budget in the Transportation 2050 Fund.

Concurrence/Previous Council Action

Contract 143071 was originally approved by City Council on April 20, 2016, commencing on July 1, 2016 and continuing through June 2036.

This item was adopted.

82 Water Purification Systems Service and Parts for Laboratory and Humidification System and Equipment - Contract Recommendation (Ordinance S-46725)

Request to authorize the City Manager, or his designee, to enter into a contract with J. Harris Industrial Water Treatment, Inc. dba Puretec Industrial Water for maintenance, service and parts of City-owned water purification systems to be used on an as-needed basis. The total fee for services will not exceed $111,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is responsible for maintenance and proper operation of water purification systems at the Phoenix Art Museum and the Phoenix Police Crime Laboratory. The Water Services Department is responsible for maintenance and proper operation of water purification systems and deionized water systems at its laboratories. Phoenix Police and the Water Services Department laboratories require reagent grade water for analytical testing. The Phoenix Art Museum requires humidification equipment for preservation of artwork. This contract will provide regular maintenance and repair of water purification systems, leasing deionized water systems, and supply of related equipment and parts. This contract will also provide scheduled maintenance and repairs on these systems and parts on an as-needed basis.

Procurement Information

Invitation for Bid 21-FMD-009 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Public Works Department on April 1, 2020. The offer was evaluated based on price, responsiveness to all specifications, and the responsibility to provide the required services. The offer submitted by J. Harris Industrial Water Treatment, Inc. dba Puretec Industrial Water for requested services, deionized water systems leasing, and parts for water purification systems was deemed fair and reasonable.

Puretec Industrial Water: $5,998.34

Contract Term

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

Financial Impact

The aggregate contract value including all option years will not exceed $111,000, including applicable taxes, with an estimated annual expenditure of $22,200. Funds are available in the Public Works and Water Services departments' operating budgets.

This item was adopted.

84 Zone 3D and 4A Improvements Program: Water Treatment Plant Booster Pump Stations - Construction Manager at Risk Construction Services - WS85100047 and WS85110008 (Ordinance S-46718)

Request to authorize the City Manager, or his designee, to enter into an agreement with PCL Construction, Inc. (PCL) to provide Construction Manager at Risk (CMAR) Construction Services for the Zone 3D and 4A Improvements Program: Water Treatment Plant (WTP) Booster Pump Stations (BPS) project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $35.7 million.

Summary

The purpose of this project is for the City of Phoenix to provide reliable water supplies in north Phoenix in the event there are restrictions placed on Colorado River water delivered through the Central Arizona Project. The City of Phoenix treats Colorado River water at the Union Hills and Lake Pleasant WTPs, which supply water to north Phoenix. Construction of a new 76 million gallon per day BPS and Pressure Reducing Valve will allow water to be moved from the 24th Street WTP to water infrastructure in north Phoenix to provide resiliency.

PCL’s initial services will include preparation of a Guaranteed Maximum Price proposal for the Construction Services provided under the

agreement and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project. PCL will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. PCL will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. PCL may also compete to self-perform limited amounts of work.

PCL's services include, but are not limited to: constructing the selected final plans and specifications; soliciting of bids for major portions of the work; scheduling and managing site operations; acquisition and maintenance of required permits and licenses; and coordinating with various City of Phoenix departments, utility companies, and other agencies, as required.

This Agreement is essential to the health, safety, and welfare of the public and critical operations for the City.

Procurement Information
The selection was made using a qualifications-based selection process set forth in Section 34-604 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Preconstruction Services selection process.

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

Financial Impact
The agreement value for PCL Construction, Inc. will not exceed $35.7 million, including all subcontractor and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of

any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action
The City Council approved:
CMAR Preconstruction Services Agreement 148950 (Ordinance S-45170) on Dec. 5, 2018.

Location
24th Street Water Treatment Plant
Council District: 6

This item was adopted.

85 Zone 3D and 4A Improvements Program: Remote Facilities Booster Pump Stations - Construction Manager at Risk Construction Services with Hunter Contracting Co. and McCarthy Building Companies, Inc. - WS85100046, WS85110005 and WS85100053 (Ordinance S-46721)

Request to authorize the City Manager, or his designee, to enter into separate agreements with Hunter Contracting Co. (Hunter) and McCarthy Building Companies, Inc. (McCarthy) to provide Construction Manager at Risk (CMAR) services for the Zone 3D and 4A Improvements Program: Remote Facilities Booster Pump Stations (BPS) project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $33 million for Hunter and $27.5 million for McCarthy, for a total value of $60.5 million.

Summary
The purpose of this project is for the City of Phoenix to supply water in north Phoenix in the event there are restrictions placed on Colorado River water delivered through the Central Arizona Project. The City of Phoenix treats Colorado River water at the Union Hills and Lake Pleasant Water Treatment Plants (WTPs), which supply water to north Phoenix. Construction of a new 66-inch pipeline from the 24th Street WTP to 32nd Street and Bell Road is intended to allow the delivery of Salt and Verde River water into north Phoenix. Hunter will be responsible for the 60

Million Gallons per Day (MGD) Remote Facilities BPS and Pressure Reducing Valve Station at Central Avenue and Deer Valley Road. McCarthy will be responsible for the 40 MGD BPS at 32nd Street and Bell Road.

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

The Contractors' services include, but are not limited to: constructing the selected final plans and specifications; soliciting of bids for major portions of the work; scheduling and managing site operations; acquisition and maintenance of required permits and licenses; and coordinating with various City of Phoenix departments, utility companies, and other agencies, as required.

These Agreements are essential to the health, safety, and welfare of the public and critical operations for the City.

Procurement Information
The selection was made using a qualifications-based selection process set forth in Section 34-604 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Preconstruction Services selection process.

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

Financial Impact

The agreement value will not exceed $33 million for Hunter and $27.5 million for McCarthy, for a total value of $60.5 million, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved:
CMAR Preconstruction Service Agreements 148947 and 148948 (Ordinance S-45163) on Dec. 5, 2018.

Location

Near Central Avenue and Deer Valley Road
Near 32nd Street and Bell Road
Council Districts: 1 and 3

This item was adopted.

86 Zone 3D and 4A Improvements Program: Water Transmission Main - Construction Manager at Risk Construction Services with Sundt Construction, Inc. and Kiewit Infrastructure West Co. - WS85500442 (Ordinance S-46723)

Request to authorize the City Manager, or his designee, to enter into separate agreements with Kiewit Infrastructure West Co. (Kiewit) and Sundt Construction, Inc. (Sundt) to provide Construction Manager at Risk (CMAR) services for the Zone 3D and 4A Improvements Program: Water Transmission Main project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $15 million for Kiewit and $15 million for Sundt, for a total value of $30 million.

Summary

The purpose of this project is for the City of Phoenix to supply water in north Phoenix in the event there are restrictions placed on Colorado River water delivered through the Central Arizona Project. The City of Phoenix treats Colorado River water at the Union Hills and Lake Pleasant Water Treatment Plants (WTPs), which supply water to north Phoenix. Construction of a new 66-inch pipeline from the 24th Street WTP to 32nd Street and Bell Road is intended to allow for the delivery of Salt and Verde River water into north Phoenix.

This agreement is for the procurement of long-lead materials that will be required to begin construction. There will be additional amendments for planned construction activities, which will be submitted through separate requests to Council.

The Contractors' services will include preparation of a Guaranteed Maximum Price proposal for the Construction Services provided under the agreement and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project. Each firm will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. Each firm will be required to solicit bids from pre-qualified subcontractors to perform the work using the City’s subcontractor selection process and address all federal state and local permitting requirements, deal with owner issues and maintain a safe work site for all project participants. Each firm may also compete to self-perform limited amounts of work.

The Contractors' services include, but are not limited to: constructing the selected final plans and specifications; soliciting of bids for major portions of the work; scheduling and managing site operations; acquisition and maintenance of required permits and licenses; and coordinating with various City of Phoenix departments, utility companies, and other agencies, as required.

These Agreements are essential to the health, safety, and welfare of the public and critical operations for the City.

Procurement Information

The selection was made using a qualifications-based selection process

set forth in Section 34-604 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Preconstruction Services selection process.

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

Financial Impact
The agreement value will not exceed $15 million for Kiewit and $15 million for Sundt for a total value of $30 million, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved:
CMAR Preconstruction Service Agreements 148949 (Ordinance S-45170) and 148952 (Ordinances S-45171) on Dec. 5, 2018.

Location
24th Street WTP to 32nd Street and Shea Boulevard
Council Districts: 3 and 6

32nd Street and Shea Boulevard to 32nd Street and Bell Road
Council Districts: 2 and 3

This item was adopted.

87 Authorization to Apply for and Accept Transportation Funding for Design Assistance Grants through Maricopa Association of

Governments (Ordinance S-46754)

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into agreements, if necessary, for transportation funding through the Maricopa Association of Governments (MAG) Design Assistance Program. The Street Transportation Department (Streets) is requesting to apply for two separate grant submittals not to exceed a combined total of $250,000. A local agency match is not required for this grant opportunity, so there is no financial impact to the City.

Further request an exemption from the indemnification prohibition set forth in the Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20.

Summary

MAG has issued a Call for Projects for its Design Assistance Program, which provides funding to develop a project assessment or feasibility study up to a 15 percent design level on prospective bicycle and/or pedestrian projects. The goals of eligible projects under the Design Assistance Program should be focused on improving the quality of life, completing a regional shared use path and/or canal network, improving bicycle and pedestrian access to transit, or providing safety improvements for bicycle and pedestrian facilities. If funding is awarded for a City project, Streets staff will select a consultant from MAG's approved on-call list and MAG will enter into a contract for consulting services with the consultant and manage the contract. Streets staff will interact with MAG staff and the consultant to develop the project assessment or study for the project.

For fiscal year 2021, there is $500,000 available through MAG's Design Assistance Program and applications are due by July 10, 2020. Projects will be competitively scored and evaluated based on their individual merits.

Financial Impact

There is no impact to the general fund as a local agency match is not required for this grant opportunity.

This item was adopted.

89 **Horizontal Lifeline Inspection and Repair Services (Ordinance S-46761)**

Request to authorize the City Manager, or his designee, to enter into an agreement with American Inspection & Test, Inc., to provide horizontal lifeline inspection and repair services for the Water Services Department. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $225,000.

Summary

The City of Phoenix requires inspection, preventative maintenance, and repairs to horizontal lifelines on an annual basis. Horizontal lifelines connect to safety harnesses worn by Water Services Department employees to ensure their safety when performing job functions that require fall protection.

Procurement Information

The selection was made using an Invitation for Bid procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Selected Vendor:

American Inspection & Test, Inc.

Contract Term

The term of this agreement is five years, effective July 1, 2020.

Financial Impact

The agreement value for American Inspection & Test, Inc., will not exceed a total aggregate value of $225,000.

Funding is available in the Water Services Department's operating budget.

This item was adopted.

90 **Final Plat - Arabella - Parcel 3 - 190068 - West of 52nd Street and North of Bell Road**

Plat: 190068

Project: 18-482
Name of Plat: Arabella - Parcel 3
Owner(s): D.R. Horton, Inc.
Engineer(s): Brian J. Benedict, RLS
Request: A 199 Lot Residential Plat
Reviewed by Staff: May 12, 2020
Final Plat requires Formal Action Only

Summary

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

Location

Generally located west of 52nd Street and north of Bell Road.
Council District: 2

This item was approved.

91 Final Plat - Park Central Amended II - PLAT 200509 - West of Central Avenue and South of Osborn Road

Plat: 200509
Project: 00-1783
Name of Plat: Park Central Amended II
Owner(s): HPPC, LLC & HPPC II, LLC
Engineer(s): Brian J. Diehl, RLS
Request: A 4 Lot Commercial Subdivision Plat
Reviewed by Staff: May 20, 2020
Final Plat requires Formal Action Only

Summary

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

Location

Generally located west of Central Avenue and south of Osborn Road.
Council District: 4

This item was approved.

92 Final Plat - Rise Development - 200522 - West of 20th Street and

North of McDowell Road

Plat: 200522
Project: 18-3696
Name of Plat: Rise Development
Owner(s): Matthew Bingham, Luciano, LLC
Engineer(s): Eugene Cetwinski, RLS
Request: A 2 Lot Commercial Subdivision Plat
Reviewed by Staff: May 12, 2020
Final Plat requires Formal Action Only

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

Location
Generally located west of 20th Street and north of McDowell Road.
Council District: 4

This item was approved.

93 Final Plat - Lot 4 NEC of Northern Avenue and 35th Avenue - PLAT 200524 - East of 35th Avenue and North of Northern Avenue

Plat 200524
Project: 99-4678
Name of Plat: Lot 4 NEC of Northern Avenue and 35th Avenue
Owner(s): Simoncre Robert III LLC
Engineer(s): Superior Surveying Services Inc.
Request: A 2 Lot commercial plat
Reviewed by Staff: May 22, 2020
Final Plat requires Formal Action Only

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

Location
Generally located east of 35th Avenue and north of Northern Avenue
Council District: 5

This item was approved.

94 Final Plat - Village at Estrella - 170119 - 3618 S. 63rd Ave.

Plat: 170119
Project: 16-121
Name of Plat: Village at Estrella
Owner(s): Lennar Arizona, LLC
Engineer(s): Westwood
Request: A 113 Lot Residential Subdivision Plat
Reviewed by Staff: May 13, 2020
Final Plat requires Formal Action Only

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

Location
Located at 3618 S. 63rd Ave.
Council District: 7

This item was approved.

95 Final Plat - Pinchot 34 Townhomes- PLAT 190081 - North of Pinchot Avenue and West of 34th Street

Plat 190081
Project: #18-1891
Name of Plat: Pinchot 34 Townhomes
Owner(s): Pinchot 34 LLC
Engineer(s): 3 Engineering
Request: A 5 Lot residential subdivision
Reviewed by Staff: May 22, 2020
Final Plat requires Formal Action Only

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

Location
Generally located north of Pinchot Avenue and west of 34th Street

Council District: 8

This item was approved.

96 Abandonment of Easement - V190077A - 3300 W. Camelback Road (Resolution 21837)

Abandonment: V190077A
Project: 99-817
Applicant: Grand Canyon University
Request: To abandon the easement for street lighting conductor purposes, dedicated by Ordinance S-23091, over the south 3 feet of the north 420 feet of Lot 16, Block 3, "Homeland"; MCR, Book 15, Page 18. Generally located at the northwest corner of 29th Avenue and Camelback Road.
Date of Decision: Feb. 3, 2020.

Location
3300 W. Camelback Road
Council District: 5

Financial Impact
Pursuant to Phoenix City Code Art. 5, Sec. 31-64 (e) as the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls and by the elimination of third-party general liability claims against the city, maintenance expenses, and undesirable traffic patterns, also re platting of the area with alternate roadways and new development as sufficient and appropriate consideration in this matter.

This item was adopted.

97 Modification of Stipulation Request for Ratification of May 20, 2020 Planning Hearing Officer Action - Z-116-78-1- Northeast Corner of 33rd Avenue and Cochise Drive

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 May 20, 2020. This ratification requires formal action only.

Summary
Application: PHO-1-20--Z-116-78-1
Existing Zoning: R-4A

Acreage: 2.43

Applicant: Doug McCord, Architecture Resource Team
Owner: Arizona Housing, Inc.
Representative: Doug McCord, Architecture Resource Team

Proposal:
Deletion of the Stipulation permitting a maximum of 80 units.

Concurrence
Village Planning Committee (VPC) Recommendation: The North Mountain Village Planning Committee chose not to hear this request.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on May 20, 2020, and recommended approval with an additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location
Northeast Corner of 33rd Avenue and Cochise Drive
Council District: 1
Parcel Address: N/A

This item was approved.

98 Modification of Stipulation Request for Ratification of May 20, 2020 Planning Hearing Officer Action - Z-12-87-1(3) - Approximately 410 Feet Northwest of the Intersection of Moon Mountain Trail and Moon Spur Trail

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 May 20, 2020. This ratification requires formal action only.

Summary
Application: PHO-3-20--Z-12-87-1(3)
Existing Zoning: R1-8
Acreage: 2.02

Applicant: Dennis Newcombe, Beus Gilbert McGroder
Owner: Kulbhushan Sharma, Liquid Crystal Properties, LLC

Representative: Paul Gilbert, Beus Gilbert McGroder

Proposal:
Deletion of Stipulation 8 prohibiting two-story structures on five Moon Mountain lots.

Concurrence
Village Planning Committee (VPC) Recommendation: The North Mountain Village Planning Committee chose not to hear this request.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on May 20, 2020, and recommended approval with additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location
Approximately 410 feet northwest of the intersection of Moon Mountain Trail and Moon Spur Trail
Council District: 3
Parcel Address: N/A

This item was approved.

99 Modification of Stipulation Request for Ratification of May 20, 2020 Planning Hearing Officer Action - Z-84-04-7- Northeast Corner of 75th Avenue and Lower Buckeye Road

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 May 20, 2020. This ratification requires formal action only.

Summary
Application: PHO-3-20--Z-84-04-7
Existing Zoning: C-2
Acreage: 2.36

Applicant: Circle K Stores, Inc.
Owner: Demergasso Bonnie EVA as Trustee
Representative: Law Office of David Cisiewski, PLLC

Proposal:

Modification of Stipulation 1 regarding general conformance to site plan date stamped June 17, 2005 and elevations date stamped June 17, 2005 and June 28, 2015
Deletion of Stipulation 2 regarding Planning Hearing Officer approval of a landscape plan.
Deletion of Stipulation 2.A regarding shaded seating areas in circular courtyards.
Deletion of Stipulation 2.B regarding shaded seating in the plaza area.
Deletion of Stipulation 2.C regarding a 75-foot by 75-foot enhanced landscape area at the corner of 75th Avenue and Lower Buckeye Road.
Deletion of Stipulation 2.D regarding 50-foot by 50-foot enhanced landscape areas at entry drives.
Deletion of Stipulation 4 regarding a covered walkway and shading requirements.
Deletion of Stipulation 5 regarding shaded walkways and paving materials.
Deletion of Stipulation 6 regarding parking at rear of the site.
Deletion of Stipulation 12 regarding a Traffic Impact Study.
Deletion of Stipulation 12.A regarding additional right-of-way dedication as required by the approved Traffic Impact Study.
Deletion of Stipulation 12.B regarding traffic signals.
Technical corrections to Stipulations 3, 9, and 13.

Concurrence

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on April 21, 2020 and recommended approval by an 8-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on May 20, 2020, and recommended approval with a modification and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Northeast corner of 75th Avenue and Lower Buckeye Road
Council District: 7
Parcel Address: N/A

This item was approved.

100 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-20--Z-29-11-7(8) - Approximately 400 Feet North of the Northwest Corner of Central Avenue and Euclid Avenue (Ordinance G-6706)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 20, 2020.

Summary

Application: PHO-1-20--Z-29-11-7(8)
Existing Zoning: C-1
Acreage: 0.84
Applicant: Reece Satre
Owner: Luther Alkhasch & Kathleen Shepard
Representative: Andy Pitts

Proposal:

Modification of Stipulation 1 regarding general conformance with the site plan date stamped Jan. 17, 2012.
Deletion of Stipulation 1.a regarding a 10-foot landscape setback along the south property line.
Deletion of Stipulation 1.b regarding a 5-foot landscape setback along the building facade.
Deletion of Stipulation 1.c regarding parking spaces between Central Avenue and the front of the buildings.
Modification of Stipulation 2 regarding general conformance with the building elevations date stamped Jan. 27, 2012.
Deletion of Stipulation 4 regarding a minimum of 5,000 square feet of open space and landscaping.
Deletion of Stipulation 5 regarding trash receptacles along the west property lines.
Modification of Stipulation 6 regarding the construction of three pedestrian paths.

Concurrence

Village Planning Committee (VPC) Recommendation: The South

Mountain Village Planning Committee heard this case on March 10, 2020 and recommended denial by a 9-2 vote.
PHO Action: The Planning Hearing Officer heard this case on May 20, 2020 and recommended denial as filed and approval with modifications and additional stipulations.

Location
Approximately 400 feet north of the northwest corner of Central Avenue and Euclid Avenue
Council District: 8
Parcel Address: N/A

This item was adopted.

101 (CONTINUED FROM MAY 20, 2020) - Amend City Code - Ordinance Adoption - Rezoning Application Z-66-19-2 - Southwest Corner of Cave Creek Dam Road and the Desert Peak Parkway Alignment (Ordinance G-6701)

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-66-19-2 and rezone the site from C-O/G-O HGT/WVR DVAO and R1-6 DVAO to R1-6 DVAO to allow for a proposed single-family residential development.

Summary
Current Zoning: C-O/G-O HGT/WVR DVAO and R1-6 DVAO
Proposed Zoning: R1-6 DVAO
Acreage: 39.43 acres
Proposal: Single-family residential

Owner: DR Horton, Inc.
Applicant: Josh Robinson, Hilgart Wilson, LLC
Representative: Benjamin L. Tate, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: This case was scheduled to be heard at the Desert View Village Planning Committee meeting on March 3, 2020, but there was no quorum.
PC Action: The Planning Commission heard this case on May 7, 2020, and recommended approval per Exhibit A in the Staff Report by a 8-0

vote.

Location
Southwest corner of Cave Creek Dam Road and the Desert Peak Parkway alignment
Council District: 2
Parcel Addresses: N/A

This item was adopted.

102 Confirmation from Transdev of its Joint Venture Partnership Structure with Regards to Fixed Route Transit Service for North and South Transit Facilities in the City of Phoenix

Vice Mayor Betty Guardado and Councilmembers Sal DiCiccio and Michael Nowakowski requested the City Manager place an item on the June 17, 2020 Formal agenda for "Confirmation from Transdev of its Joint Venture Partnership Structure with regards to Fixed Route Transit Service for North and South Transit Facilities in the City of Phoenix" (**Attachment A**). This complies with the Rules of Council Proceedings, Council Rule 2c, regarding placement of items on an agenda.

This item was continued to the June 24, 2020 City Council Formal Meeting.

Mayor Gallego noted there were 75 individuals wishing to address the Council on the City budget, and asked councilmembers if they would be comfortable taking the other items on the agenda before the budget items.

A motion was made by Councilwoman Stark, seconded by Councilwoman Pastor, to hear Items 22-28 at the end of the agenda. The motion carried by the following voice vote:

Yes: **9 -** Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: **0**

30 Phoenix Heritage Commission Recommendation for Naming Shared Use Path

Request to authorize the City Manager, or his designee, for approval of the Phoenix Heritage Commission recommendation for naming a shared use path adjacent to the Congressman Ed Pastor/South Mountain Freeway.

Summary

As part of the new 22-mile Congressman Ed Pastor/South Mountain Freeway in the City of Phoenix, the Arizona Department of Transportation (ADOT) committed to build a six-mile shared use path south of the Loop 202 freeway in Ahwatukee. The 20-foot wide shared use path is located between 40th Street and 17th Avenue on the former Pecos Road, which was removed as part of the freeway construction. This stretch of Pecos Road had been used by groups of high-speed cyclists for training purposes. It had also been used by various organizations such as the Arizona Senior Olympics for their cycling events. This new facility is located within ADOT right-of-way and will be maintained by the City of Phoenix Street Transportation Department.

On Nov. 12, 2014, Mr. Highly Falkner was struck and killed by an impaired driver while cycling on Pecos Road. Mr. Falkner was an accomplished cyclist who was active in the southeast valley community. After his death, the cycling community came together to continue his legacy of improving bicycling infrastructure and advocating for safer cycling facilities. The community placed a “ghost bike” at the location of the accident. A ghost bike is a bicycle roadside memorial, placed where a cyclist has been killed or severely injured, usually by a motor vehicle. The ghost bike had to be removed for freeway construction.

Approximately three years ago, Mr. Falkner’s wife approached City staff and Council District 6 about finding a way to remember Highly and his accomplishments. After looking at various options, it was determined that naming the new shared use path facility after Mr. Falkner would be an appropriate legacy for the Falkner family and the cycling community who advocated for ADOT to build the shared use path.

On May 18, 2020, the Phoenix Heritage Commission voted unanimously to name the new facility the “Highly Falkner Shared Use Path.” The Heritage Commission Name Proposal Application included a biography

of Highly Falkner and his philanthropic work, support documents from his wife and children, as well as petitions, letters and emails from community members and cyclists who support the naming of the shared use path in his honor.

Location
The shared use path is located between 40th Street and 17th Avenue on the former Pecos Road which was removed as part of the freeway construction.
Council District: 6

Discussion
Mayor Gallego asked Councilman DiCiccio if he wanted to comment on Item 30 and make a motion.

Councilman DiCiccio discussed how the community came together to get this bike pathway named after an individual tragically killed in an accident on Pecos Road. He made a motion to approve Item 30, and thanked the Parks and Recreation and Planning and Development departments, Tom Remes, the Arizona Department of Transportation and the other individuals involved. He noted the pathway would be close to 11 miles in one direction without any stops, and would be one of the first in the nation built this way. He commented it was incredible that something beautiful could come from something so tragic.

Councilwoman Stark seconded the motion.

Councilwoman Pastor congratulated those involved for doing this for the family.

Mayor Gallego thanked the councilmembers, staff, the family and community for their work on this.

Councilman DiCiccio stated Mayor Gallego also did an amazing job helping with his office, and added without her leadership, this item wouldn't be on the agenda today.

Prior to his vote, Councilman Nowakowski thanked Councilman DiCiccio for making this happen.

Prior to her vote, Councilwoman Pastor thanked Councilman DiCiccio.

Prior to her vote, Councilwoman Stark told Councilman DiCiccio he did a good job.

Prior to her vote, Councilwoman Williams told Councilman DiCiccio he did a good job.

Prior to her vote, Vice Mayor Guardado congratulated Councilman DiCiccio and thanked him for his leadership.

After the vote, Mayor Gallego commented Item 30 was a nice success story for Phoenix, and for one family in particular who had given a lot.

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

Yes:	8 -	Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

40 Authorization to Adopt Update to Annual Pension Funding Policy Per State Law A.R.S. 38-863.01 (Ordinance S-46748)

Request to adopt a Pension Funding Policy applicable to City of Phoenix Employee Retirement System (COPERS) and Public Safety Personnel Retirement System (PSPRS). A policy to clearly communicate the City's pension funding objectives is a requirement adopted by the State Legislature as A.R.S. 38-863.01 **(Attachment A)** to be implemented on an annual basis by June 30. While the State law only applies to PSPRS, City staff recommends also adopting a funding policy for all employee pension plans, such as COPERS, as a transparent sound financial practice. The Council first approved a plan on May 15, 2019.

Summary

On an annual basis, the State law requires the City to:

1) Adopt a Pension Funding Policy;

2) Formally accept the Employer's share of the assets and liabilities under each
pension system based on the actuarial valuation report; and

3) Post the Policy on the City's website.

For review and discussion purposes, proposed pension funding policies for both PSPRS and COPERS can be found in **Attachments B and C**. A final City Pension Funding Policy must be adopted and posted on the website by June 30 and every year thereafter. The Council previously approved a Policy on May 15, 2019. The proposed City Pension Funding Policy is consistent with what was approved last year with minor additions related to actively monitoring the financial health of both plans. Staff seeks Council approval to post the required documents on the City's website by June 30, 2020.

Information
Over the last several years the Phoenix City Council and voters have taken responsible actions to ensure financially stable pension plans while maintaining services to the public. Increases in net pension liabilities (**Attachment D**) and annual pension costs (**Attachment E**) have placed significant budgetary constraints on the City's ability to provide employee wage and non-pension benefit increases, public services and infrastructure maintenance. While currently manageable, this pressure will continue into the foreseeable future. Further, credit rating agencies and lenders place strong consideration on the funding plan and funding levels of the City's pension systems when determining their view of the overall financial health of the City.

In prior years, City Council has asked management for various pension funding options, resulting in the following actions:

1) Maintained our legal commitment to employees and retirees to pay at least
100 percent of the actuarially required contribution (ARC) to each

plan;

2) Adopted a balanced budget based on 25-year amortization schedule for PSPRS, which is more aggressive than the 30-year amortization adopted through State law. However the 25-year amortization schedule allows capacity to continue providing quality services and fair compensation for employees;

3) Established a Pension Reserve Fund to stabilize future annual PSPRS payments; and

4) Advanced $70 million in Wastewater enterprise funds to pay down the COPERS liability.

These actions are in addition to the COPERS pension reform that the City Council and voters have implemented since 2013, saving the City more than $1 billion over 25 years, and the statewide PSPRS pension reform passed by the voters in 2016. Some of the City's reforms on employee vacation and sick leave pension spiking are still being litigated at the Arizona Supreme Court.

Results to Date

Implementation of the City Council's direction has stabilized the funded position of the plans. The funded ratio for COPERS was 60.43 percent for fiscal year ending 2019 and was 60.64 percent in fiscal year 2018 (**Attachment F**). The funded ratio for PSPRS was 40.34 percent for fiscal year ending 2019 and was 41.23 percent in fiscal year 2018 (**Attachment F**). However, the City's total Net Pensions Liability increased slightly to $4.8 billion. This is an indication that ongoing attention to the funded position of the plans and strategies to increase payments over a sustained period is necessary. This must be considered

in conjunction with the current needs of the community and employees.

Looking Ahead

In accordance with state law, the Council must formally accept the assets, liabilities, and current funding ratio of the City's pension funds as stated in the annual actuarial valuations for the City of Phoenix (**Attachments G and H**) and must approve funding goals (**Attachments B and C**) by June 30, 2020.

While the pension systems are not fully funded, the strategy to pay the ARC and pay down the liability over a set period (21 years remaining for PSPRS and 19 years remaining for COPERS) allows flexibility in providing services to the public while spreading the liability to our residents over a period of time.

Under current actuarial calculations and amortization periods, PSPRS will be 100 percent funded by June 30, 2041 (**Attachment I**) and COPERS will be 100 percent funded by June 30, 2039 (**Attachment I**). Under the leadership of the City Council, the City can continue to take steps to ensure the current actuarial determined funding expectations are achieved on this schedule, or even reach 100 percent funded within a shorter time frame.

Next steps to address pension liabilities include:

1) Continuing to balance the budget and pay the annual contribution required by actuaries;

2) Using a portion of excess cash to fund the pension reserve fund or directly pay down the liability;

3) Seeking opportunities to advance payments from enterprise and/or special revenue funds;

4) Evaluating appropriate timing and feasibility of Pension Obligation Bonds, while maintaining a structurally balanced budget;

5) Reviewing investment rate of returns on pension assets, actuary

assumptions and to forecast future annual required contributions; and

6) Compiling sensitivity and scenario analyses on proposed changes to the pension plans.

Conclusion and Next Steps

Over the past decade, the City Council has diligently managed the financial stability of the pension plans and will need to continue to remain vigilant in the future to ensure the long-term viability of the pension plans. However, pension funding is a long-term problem requiring constant evaluation until plans are fully funded. The City has successfully balanced its obligations to retirees and public services to keep Phoenix a desirable community. The proposed Pension Funding Policy for COPERS and PSPRS provides a roadmap for regular review and assessment of the City's pension obligations. Staff recommends adopting the attached policies in compliance with State law.

Previous Council Action

A Pension Plans Funding Policy was adopted at the City Council Formal Session on May 15, 2019.

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

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

48 Amendments to Classification Ordinance S-5815 in Accordance with Human Resources Committee 605 Recommendations (Ordinance S-46771)

As part of the Citywide organizational review process, the following amendments to the Classification Ordinance (S-5815) are recommended in accordance with Human Resources Committee 605, effective June 29, 2020. The amendments also require the City's Pay Ordinance (S-45840)

to be updated. Those will be processed under a separate ordinance.

Establish the classification of Court Security Officer, Job Code 80010, Salary Plan 006, Grade 325 ($16.67 - $24.29), Benefit Category 003, Labor Unit Code 003, EEO-4 Category/Group: Protective Service/4, Non-Exempt.

Establish the classification of Court Security Supervisor, Job Code 80020, Salary Plan 001, Grade 030 ($20.74 - $31.50), Benefit Category 007, Labor Unit Code 07, EEO-4 Category/Group: Protective Service/4, Non-Exempt.

Establish the classification of Court Security Systems Manager, Job Code 80030, Salary Plan 001, Grade 036 ($27.95 - $42.49), Benefit Category 007, Labor Unit Code 007, EEO-4 Category/Group: Technician/3, Exempt.

Establish the assignment of Human Resources Aide, Job Code 05020, Salary Plan 012, Grade 726 ($17.86 - $26.58), Non-Exempt, of Municipal Court, Job Code 05022, Salary Plan 012, Grade 727 ($18.73 - $28.50), Benefit Category 008, Labor Unit Code 008 (Non-Represented Groups), EEO-4 Category/Group: Administrative Support/6, Non-Exempt.

Establish the assignment of Human Resources Analyst, Job Code 05110, Salary Plan 001, Grade 030 ($19.78 - $31.50), Non-Exempt, of Municipal Court, Job Code 05111, Salary Plan 001, Grade 031 ($21.80-$33.09), Benefit Category 007, Labor Unit Code 008 (Non-Represented Groups, EEO-4 Category/Group: Professional/2, Non-Exempt.

Establish the assignment of Human Resources Officer, Job Code 05220, Salary Plan 001, Grade 035 ($26.54 - $40.42), Exempt, of Municipal Court, Job Code 05221, Salary Plan 001, Grade 036 ($27.95 - $42.49), Benefit Category 007, Labor Unit Code 008 (Non-Represented Groups, EEO-4 Category/Group: Professional/2, Non-Exempt.

Summary

Security personnel in the Municipal Court Department require a higher degree of training and more complex duties. Creating a separate

classification series (Court Security Officer) will distinguish the specialized knowledge and duties from general Municipal Security Guards. Likewise, creating an assignment of “*Municipal Court” for the Human Resources classifications is appropriate because while the primary duties remain the same as the base class, they must be performed in accordance with the requirements and under the authority of the Arizona Administrative Office of the Courts (AOC).

Currently, Municipal Security Guards used throughout the City, are also used in the Municipal Court. However, that classification does not encompass the essential functions the AOC requires of Court Security Officers, including mandatory AOC 40-hour certification (which includes use-of-force training, certification to carry and use TASERs, use of metal detection devices and x-ray machines, among other areas) and the higher level duties (x-ray screening, pat downs to identify restricted items, confiscation of all illegal items including drugs and firearms) performed by court security personnel. A compensation review of other certified municipal court security job families in local jurisdictions found that the recommended grade increase for the Court Security Officer and Court Security Systems Manager reflects proper placement in the market for this job family.

It is common practice within the City of Phoenix to create assignment classifications when a classification requires some additional duties or skill level when assigned to a particular area. Creating the assignment of “*Municipal Court” for the Human Resources Aide, Analyst and Officer assigned to the Court maintains the functionality of each base class and recognizes the differences inherent in administering human resources functions within the judicial branch of government.

Financial Impact

The estimated cost of these actions for a full fiscal year, including benefits, is approximately $3,605. Funding is available in the Phoenix Municipal Court's budget.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 605 on May 13, 2020.

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

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

No: 1 - Councilman DiCiccio

Absent: 1 - Councilman Waring

49 **Amendments to Pay Ordinance S-45840 in Accordance with Human Resources Committee 605 Recommendations (Ordinance S-46772)**

As part of the Citywide organizational review process, the following amendments to the Pay Ordinance [S-45840] are recommended in accordance with Human Resources Committee 605, effective June 29, 2020. These amendments also require the City's Classification Ordinance (S-5815) to be updated. Those will be processed under a separate ordinance.

Establish the classification of Court Security Officer, Job Code 80010, Salary Plan 006, Grade 325 ($16.67 - $24.29), Benefit Category 003, Labor Unit Code 003, EEO-4 Category/Group: Protective Service/4, Non-Exempt.

Establish the classification of Court Security Supervisor, Job Code 80020, Salary Plan 001, Grade 030 ($20.74 - $31.50), Benefit Category 007, Labor Unit Code 07, EEO-4 Category/Group: Protective Service/4, Non-Exempt.

Establish the classification of Court Security Systems Manager, Job Code 80030, Salary Plan 001, Grade 036 ($27.95 - $42.49), Benefit Category 007, Labor Unit Code 007, EEO-4 Category/Group: Technician/3, Exempt.

Establish the assignment of Human Resources Aide, Job Code 05020, Salary Plan 012, Grade 726 ($17.86 - $26.58), Non-Exempt, of Municipal Court, Job Code 05022, Salary Plan 012, Grade 727 ($18.73 - $28.50),

Benefit Category 008, Labor Unit Code 008 (Non-Represented Groups), EEO-4 Category/Group: Administrative Support/6, Non-Exempt.

Establish the assignment of Human Resources Analyst, Job Code 05110, Salary Plan 001, Grade 030 ($19.78 - $31.50), Non-Exempt, of Municipal Court, Job Code 05111, Salary Plan 001, Grade 031 ($21.80-$33.09), Benefit Category 007, Labor Unit Code 008 (Non-Represented Groups, EEO-4 Category/Group: Professional/2, Non-Exempt.

Establish the assignment of Human Resources Officer, Job Code 05220, Salary Plan 001, Grade 035 ($26.54 - $40.42), Exempt, of Municipal Court, Job Code 05221, Salary Plan 001, Grade 036 ($27.95 - $42.49), Benefit Category 007, Labor Unit Code 008 (Non-Represented Groups, EEO-4 Category/Group: Professional/2, Non-Exempt.

Summary

Security personnel in the Municipal Court Department require a higher degree of training and more complex duties. Creating a separate classification series (Court Security Officer) will distinguish the specialized knowledge and duties from general Municipal Security Guards. Likewise, creating an assignment of “*Municipal Court” for the Human Resources classifications is appropriate because while the primary duties remain the same as the base class, they must be performed in accordance with the requirements and under the authority of the Arizona Administrative Office of the Courts (AOC).

Currently, Municipal Security Guards used throughout the City, are also used in the Municipal Court. However, that classification does not encompass the essential functions the AOC requires of Court Security Officers, including mandatory AOC 40-hour certification (which includes use-of-force training, certification to carry and use TASERs, use of metal detection devices and x-ray machines, among other areas) and the higher level duties (x-ray screening, pat downs to identify restricted items, confiscation of all illegal items including drugs and firearms) performed by court security personnel. A compensation review of other certified municipal court security job families in local jurisdictions found that the recommended grade increase for the Court Security Officer and Court Security Systems Manager reflects proper placement in the market for

this job family.

It is common practice within the City of Phoenix to create assignment classifications when a classification requires some additional duties or skill level when assigned to a particular area. Creating the assignment of "*Municipal Court" for the Human Resources Aide, Analyst and Officer assigned to the Court maintains the functionality of each base class and recognizes the differences inherent in administering human resources functions within the judicial branch of government.

Financial Impact

The estimated cost of these actions for a full fiscal year, including benefits, is approximately $3,605. Funding is available in the Phoenix Municipal Court's budget.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 605 on May 13, 2020.

Note: One electronic comment was submitted indicating a neutral position.

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

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

52 Arts and Culture Coronavirus Relief Program - Individual Artist Support Phase I (Ordinance S-46774)

Request authorization for the City Manager, or his designee, to enter into grant agreements with designated individual artists throughout the city of Phoenix. Further authorize the City Controller to disburse the funds for purposes of this ordinance. The total value of the agreements will not exceed $700,000. There is no impact to the General Fund.

Summary

The federal government allocated $293 million to the City of Phoenix in the Coronavirus Relief Fund component of Section 5001 of the CARES Act. During its May 12, 2020 meeting, the City Council approved allocating $2.6 million for an Arts and Culture Coronavirus Relief Program. Of that $2.6 million, $700,000 was designated for grants to individual artists negatively impacted financially because of the global health emergency.

Previously, in March, 2020, in response to the Coronavirus emergency, the Phoenix Office of Arts and Culture partnered with the Arizona Commission on the Arts and others with an investment into a statewide Emergency Relief Fund for Arizona Artists and Arts Professionals fund. The fund provided grants up to $1,500 for artists who had gigs/jobs/contracts canceled or terminated since March 1, 2020 because of the public health emergency. Over 500 artists applied, and the initial program funded 235 artists, including 79 Phoenix artists. The Office of Arts and Culture's initial contribution was $8,500, which funded 11 artists. The statewide fund supported the other 68 individual Phoenix artists.

During its May 12, 2020 meeting, the City Council voted to allocate part of the $700,000 from the Arts and Culture Coronavirus Relief Program to fund all of the 79 Phoenix artists from the first round of grants from the Emergency Relief Fund for Arizona Artists and Arts Professionals program, which entails repaying $50,250 to the Arizona Commission on the Arts to supplement the City's original $8,500 contribution. In addition to repaying the Arizona Commission on the Arts, the City Council also approved funding all eligible Phoenix artists who applied to the statewide program but weren't funded, as well as a process to allow new applicants to apply for emergency relief funding. The Office of Arts and Culture will manage these two new processes and distribute the balance of the $700,000 to eligible individual artists.

The Mayor and Council discussed and approved the plan to implement the full $2.6 million Arts and Culture Coronavirus Relief Program at their Policy Session on May 12, 2020 by a 6-2 vote.

Discussion

Mayor Gallego stated the Council made a leadership commitment to support arts and culture institutions and artists during this difficult time. She said they had given so much to help the City and were part of the vibrant community, and commented she was excited to support those artists during this time.

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

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

61 Authorization to Enter into Contract with Greater Phoenix Economic Council (Ordinance S-46737)

Request to authorize the City Manager, or his designee, to enter into a one-year contract with the Greater Phoenix Economic Council (GPEC) for Fiscal Year (FY) 2020-21 for business attraction and development services. Further request to authorize the City Controller to disburse all funds related to this item. The total fee will not exceed $792,013.

Summary

GPEC's mission is to attract and grow quality businesses and advocate for Greater Phoenix's competitiveness. Its efforts include marketing the region, coordination of regional prospect proposals and real estate tours, domestic and international sales missions and other strategic activities resulting in business investment in the region.

The City of Phoenix has been a member of GPEC since the organization's inception in 1989. The fee for each GPEC member in Maricopa County is calculated using the per capita rate of $0.4897, which is the same as last year, and is based on the most current population estimates from the Arizona Department of Administration's Office of Employment and Population Statistics. The 2019 population estimate for Phoenix is 1,617,344. Based on this formula, the FY 2020-21 contract amount is $792,013, which will be shared equally by the Aviation, Public

Works, Water Services, and Community and Economic Development (CED) departments.

GPEC specifically collaborates with CED every year to generate prospects and attract new business investment from outside the region. To date for FY 2019-20, GPEC has helped locate 29 companies to the region, expecting to create more than 6,000 jobs and make capital investments totaling more than $1.9 billion. So far, nine of those companies have chosen to locate in Phoenix.

GPEC represents 23 municipalities in the region including Maricopa County and conducts a variety of diverse and value-added services and activities on behalf of its members. In addition to the public sector members, more than 160 private investors contribute resources to support GPEC's efforts.

Contract Term
The term of this one-year contract is July 1, 2020 to June 30, 2021.

Financial Impact
Based on the formula, the FY 2020-21 contract amount is $792,013, which will be shared equally by the Aviation, Public Works, Water Services, and CED departments.

Discussion
Mayor Gallego commented she had been impressed with the work the Greater Phoenix Economic Council had done to help the Phoenix economy during these difficult times.

After the vote, Mayor Gallego commented the City needed the partnership with the Greater Phoenix Economic Council now more than ever.

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

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

No: 1 - Councilman DiCiccio

Absent: 1 - Councilman Waring

62 Authorization to Enter into Contract to Implement the Enhanced Municipal Services District with Downtown Phoenix Inc. (Ordinance S-46759)

Request to authorize the City Manager, or his designee, to enter into a five-year contract (calendar years 2021-25) with Downtown Phoenix, Inc. (DPI) to implement the Downtown Enhanced Municipal Services District (EMSD).

Summary

On Aug. 29, 1990, at the request of the downtown community, the City Council authorized the creation of an EMSD to provide greater services within the area generally bounded by 3rd Avenue and 7th Street, Fillmore to Harrison streets. These services are funded via an assessment on the properties within the district boundaries.

The City currently contracts with DPI, a nonprofit corporation, to implement the work program of the Downtown EMSD. The City previously contracted with Downtown Phoenix Partnership (DPP) from 1990 until the formation of DPI in 2015. DPI was formed to improve the effectiveness and efficiency of downtown organizations and maintains a relationship with DPP as an affiliate. DPI has been providing services to the district since 2015, and the organization’s current contract with the City will expire on Dec. 31, 2020.

On an annual basis, the City Council approves the Downtown EMSD work plan and budget, as recommended by the DPP Board of Directors, which includes City representation. Services funded through an assessment on properties within the Downtown EMSD include:

Downtown Ambassadors
Event support

Pedestrian way-finding
Sidewalk sweeping
Graffiti removal
Business assistance
Landscape maintenance

While the City Council authorizes the Downtown EMSD budget each year, the EMSD priorities, work plans and budgets are developed with guidance from DPP's volunteer Board of Directors. The City's current Downtown EMSD contract specifies that the DPP Board of Directors include a cross-section of downtown stakeholders, including property owners, tenants, merchants, cultural and nonprofit organizations, City and Maricopa County management, and elected officials. The new Downtown EMSD contract will include similar requirements for the DPP Board as well as other terms and conditions deemed necessary by City staff.

By contracting with DPI to implement the Downtown EMSD, the City can continue the positive momentum, streamlined coordination and communication that DPI has delivered for the benefit of the City and the downtown community.

Procurement Information
In compliance with Section I, Paragraph 6 of Administrative Regulation 3.10, this procurement is a Special Circumstance Without Competition. DPI was specifically created to serve the downtown area and provide these services.

Contract Term
The contract term will be for five years beginning on Jan. 1, 2021 through Dec. 31, 2025

Financial Impact
Property assessments fund the City's Downtown EMSD contract. City Council approves the Downtown EMSD budget, property assessments and the City’s contribution on an annual basis. Staff requests this City Council action prior to the start of each Downtown EMSD calendar year, with this process commencing in fall 2020.

Location
Council District(s): 7 and 8.

Discussion
Vice Mayor Guardado made a motion to adopt Item 62.

Councilwoman Williams seconded the motion.

Mayor Gallego announced there were two individuals who submitted comments on Item 62, noting one was in support and the other was neutral on the item not wishing to speak. She asked if any councilmembers wished to provide comments.

Councilman DiCiccio asked if this item was about Downtown Phoenix Inc.

Mayor Gallego replied this item also affected Downtown Phoenix Partnership as well.

Note: Two electronic comments were submitted on Item 62; one in support and one indicating a neutral position.

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

Yes:	8 -	Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

66 Authorization to Enter into Agreements with Various School Districts for Funding of School Resource Officers (Ordinance S-46767)

Request authorization for the City Manager, or his designee, to allow the Police Department to enter into Intergovernmental Agreements with various school districts for the placement of School Resource Officers (SROs). These agreements are for the 2020-21 school year. Further

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

Summary

The Police Department has entered into Intergovernmental Agreements with various school districts in the past to assist with the cost of SROs deployed in schools. Funding for these 76 SROs is provided through partnerships with the Arizona Department of Education and individual school districts. Through this partnership, school district funds reimburse the City for 75 percent of the SRO's salary, while the remaining 25 percent is paid by the City.

The total deployment for the 2020-21 school year will include agreements with 20 school districts, at 86 schools, for a total deployment of 76 SROs.

2020-21 SRO School Districts:

Alhambra Elementary
American Charter Schools Foundation
Cartwright Elementary
Cave Creek Unified
Creighton School District
Deer Valley Unified
Empower College Prep
Glendale Union High
Kaizen Education Foundation
Laveen Elementary
Murphy Elementary
Paradise Valley Unified
Phoenix Elementary
Phoenix Union High
Premier Charter High
Scottsdale Unified
Tempe Union High
Tolleson Union High
Washington Elementary
Wilson School District

Contract Term

The terms of these agreements are one year, with varying start and end dates to coincide with each school's 2020-21 school year.

Financial Impact

Cost to the City is the 25 percent match for the SRO salary and fringe benefits.

Discussion

Note: Councilman Waring joined the meeting.

Mayor Gallego noted Item 66 had been amended by the Council to remove Phoenix Union High School District from the partnership. She asked Vice Mayor Guardado to make a motion.

Vice Mayor Gallego made a motion to adopt Item 66.

Councilwoman Stark seconded the motion.

Mayor Gallego asked councilmembers if they had comments on Item 66.

Councilmember Garcia inquired if this item was about the school resource officers (SROs) contracts.

Mayor Gallego responded that was correct.

Councilmember Garcia said Council did not know when the schools would go back to in-class instruction, and added he was not sure if SROs would be needed or not on campus. He made a substitute motion to continue Item 66 to the Aug. 26, 2020 City Council Formal Meeting.

Councilwoman Pastor seconded the motion.

Mayor Gallego asked for staff to speak on Item 66.

City Manager Ed Zuercher announced Executive Assistant Chief Michael Kurtenbach would speak on behalf of the Police Department.

Mayor Gallego asked Mr. Kurtenbach to explain what the vote on Item 66 would do, and the timeline for entering into contracts with school districts.

Mr. Kurtenbach stated prior to the amendment in this item to remove Phoenix Union High School District, the Police Department was requesting permission to enter into agreements with 20 separate school districts. He noted this would provide 76 school resource officers to cover 86 schools, and said if this item was continued to August then the Police Department could not enter into new agreements with any of the

schools. He mentioned the Police Department would not be able to provide SROs to any of the other 19 school districts that have requested SRO services.

Councilman DiCiccio stated he supported the continuance, and explained that he had multiple conversations about this item. He talked about how he would get involved in fights during school, and said teachers would force him and other students to work out their differences with others. He suggested by having police officers at school, students can automatically end up having a record of some type, and added things that occur now would create worse situations for some students. He commented he was giving a different perspective on this, and mentioned he would rather see police officers on the street and to have schools choose if they want to have SROs or not. He said police officers do an amazing job, but noted when events happen young kids could end up in far more trouble than he could have ever been in school. He discussed how he was for sentencing reforms, and said it would hurt the students in the future with having records. He announced he would be supporting the motion to continue.

Councilwoman Williams inquired when schools would start.

Mr. Kurtenbach replied it depended on the school district, but most schools would start the first week of August.

Councilwoman Williams talked about her concern with weapons brought to schools, and said the SROs give teachers a lot of comfort. She stated it will depend on the school districts to tell the City if SROs are needed, and questioned if school districts could cancel their agreements.

Mr. Kurtenbach responded that was correct.

Councilman Nowakowski stated he had been the chair of the Public Safety and Justice subcommittee for the last eight years, and discussed how there was a process for implementing SROs and was not something the City would force on schools. He asked Mr. Kurtenbach to explain the process of implementing SROs and how schools invest in them.

Mr. Kurtenbach explained how SROs were considered a specialty position in the Police Department, and mentioned those officers have additional training every year. He said the officers are taken off line in the last week of July, and given a minimum of 40 hours of training. He stated the Police Department encourages SROs to develop a relationship with the schools to get to know the children and interact with students of all ages. He responded to a comment made by Councilman DiCiccio and said it is not any police officer's intent to create a school to prison pipeline, and clarified it was important to understand that school administrators and officials are mandatory reporters under state law. He said whether it be a SRO on campus who received information or a call to service that is placed to a patrol officer, crimes that are delineated would require a mandatory response and report from officers. He commented the SRO program was special because 20 school districts had requested officers and they have formed personal relationships between officers and students.

Councilman Nowakowski asked for clarification that 75 percent of the SRO salary is paid by the school.

Mr. Kurtenbach responded that was correct.

Councilman Nowakowski stated the City did not force SROs on campus, and said schools ask the City to provide SROs because of the safety need.

Mr. Kurtenbach replied that was correct.

Councilman Nowakowski inquired if police officers were not on campus, that would allow for more police officers to be out in the community.

Mr. Kurtenbach answered that was true, that 76 SROs would be available to work patrol or go to another specialty assignment. He noted this would not relieve the officers if something were to happen on campus, and they would have to come off the street to respond to that call for service.

Councilman Nowakowski talked about how during his time in school the country did not have to worry about the issues of shootings on campus,

and asked if Council action would not cut funding for the officers, but would increase more officers on the street if this item did not pass.

Mr. Kurtenbach replied that was correct, the officers would be reassigned to other duties.

Councilmember Garcia questioned who assigned the officers to the schools.

Mr. Kurtenbach asked for clarification about who assigned the officers, and noted he did not hear the second part of his question.

Councilmember Garcia clarified that was correct.

Mr. Kurtenbach mentioned the Police Department decentralized the SRO program about two years ago, and added it was previously housed in the Community Engagement Bureau. He said it was odd the SROs reported to a separate chain of command, and commented that is why they now report to the chain of command precincts in which they work. He stated this mattered because the precinct was responsible for conducting the selection process for SROs.

Councilmember Garcia inquired if those in charge of the precincts make the decision to hire SROs.

Mr. Kurtenbach responded each precinct had a Resource Lieutenant who was responsible for community engagement efforts within that precinct. He said the Resource Lieutenant worked in conjunction with the Precinct Commander to make the final selection.

Councilmember Garcia questioned if the Phoenix Law Enforcement Association (PLEA) had anything to do with that.

Mr. Kurtenbach answered no, not at all.

Councilmember Garcia asked where the $60 million in funding would come from, if it was from the General Fund or somewhere else.

Mr. Kurtenbach explained that police officers were expensive, and the school resource officer grants were a grant between the school districts and the Arizona Department of Education that paid for 75 percent of an officer's salary. He mentioned using fiscal year 2021 figures, that would be around $132,000 per-officer-per-year. He noted if an officer took time for vacation or training, that would be backed out of that figure. He commented the 76 SROs at $132,000 paid through these grants would be a little over $10 million total, which would then hit the General Fund.

Councilmember Garcia questioned what would happen if Phoenix Union High School District decided to not renew the contract, and how that would work between them and the City.

Mr. Kurtenbach answered that would be up to the school districts, and mentioned the school districts also had school safety officers (SSOs) who provided additional duties on campus. He stated if there was an incident that occurred on campus, the school would call 911 and the next available officer from patrol would respond to that call.

Councilmember Garcia inquired what would happen to SROs if class would not be able to happen in the fall because of COVID-19.

Mr. Kurtenbach replied because of the contracts, many school districts required that SROs stay on campus no matter the function. He noted the City would be required to reimburse the difference if the SROs were pulled from campus because of the contracts. He mentioned as far as what would happen for the upcoming school year and officers were not requested on campus, allowing for online services for students to report and follow-up if there were homes that had an allegation of child abuse or neglect would allow officers to be available to be redeployed elsewhere in the department.

Councilmember Garcia asked if it made sense for Council to wait longer to see if schools were coming back or not.

Mr. Kurtenbach answered the Police Department would take direction from the Council, and added his only concern was for school districts that would like to have SROs on campus at the start of the year for

onboarding and orientation.

Councilwoman Pastor commented onboarding would likely be through virtual meeting or WebEx, and asked if this item were continued to August, would that hinder students onboarding. She mentioned schools had several different plans regarding online learning, and questioned how that would affect the officers.

Mr. Kurtenbach responded the community was learning and adapting everyday, and suggested there would probably be a significant amount of online and virtual learning at the start of the school year. He stated he could not say with any certainty what the impact would be, and talked about what he mentioned to Councilmember Garcia earlier is that it is important to form relationships for following up on potential crimes. He cited there were approximately 350 abuse-type crimes every month when school was not in session, and about 430 abuse-type crimes every month when school is in session. He mentioned this suggested having an officer present to help identify if children in the schools are being victimized, and to connect with them to provide services as well as investigating those crimes. He commented in the virtual world it would be totally different, and he did not know what the impact would be.

Mayor Gallego announced Councilman DiCiccio would be next to speak, and added there was one individual from the public ready to address the Council.

Councilman DiCiccio said the Police Department was amazing, and noted he had concerns about individuals having records because of the officers enforcing the law. He mentioned Mr. Kurtenbach brought up a good point earlier, and asked for clarification if school districts had 430 abuse-type cases per month.

Mr. Kurtenbach replied that was correct.

Councilman DiCiccio inquired what the clearance rate was on those cases.

Mr. Kurtenbach responded he did not want to guess.

Councilman DiCiccio stated it was low from what he understood, and suggested there were individuals who were accused without any follow-up. He said these cases needed to be done quickly if they were guilty or not guilty, and asked how long some of these cases sat on a desk because there were not enough officers to investigate these crimes.

Mr. Kurtenbach answered the Police Department could use more officers throughout the department, especially in investigative detail, and added the department prided itself on properly staffing the child crimes unit. He mentioned all crimes were important, and noted crimes against children were critically important and should be investigated to not just sit in a queue. He said he did not have an answer for Councilman DiCiccio regarding clearance rates, and commented he did not want to create an illusion that these cases were sitting in a queue and not being followed up on.

Councilman DiCiccio said his understanding was the clearance rate was low, and added he would rather have SROs be at the schools. He clarified he wanted to know how many cases the Police Department still had outstanding, how many have been cleared and what the disposition of those cases were. He suggested if there were 430 cases-per-month, he guaranteed the Police Department did not have enough people covering it.

Mr. Kurtenbach asked for clarification from Councilman DiCiccio if his question was broad regarding clearance rates and what the Police Department was doing in regards to all crimes against children, or if it was specific to the cases that came out of schools.

Councilman DiCiccio clarified both.

Mr. Kurtenbach replied okay.

Councilman DiCiccio questioned why not, and added he was sure the Police Department had those numbers and how many detectives were there. He commented this would bring up other questions, and asked if it

was the number one priority in the City. He inquired how many people were there, and how big the caseload was for each officer. He said his understanding was there were eight officers in that one area of the department.

Mr. Kurtenbach responded he did not know how many officers were investigating child crimes at that time, and noted the Police Department understood the importance of reducing victimization and being responsive to victims of crime. He said the department was looking at rebalancing the investigations division and looking at ways to enhance customer service. He commented the department would redeploy existing resources so they could be more responsive and effective. He suggested it would be disingenuous to say there were enough detectives, and added he did not have an exact number for Councilman DiCiccio. He said the investigations division was going to be completely restructured with an emphasis on greater customer service, increasing clearance rates, reducing victimization and being responsive to victims of crimes.

Councilman DiCiccio commented he understood what Mr. Kurtenbach said, and added child crimes was another issue of contention for him. He mentioned he just wanted to know how many cases the Police Department had, how many police officers were there investigating, and whether or not this would be a better way of deploying those individuals.

Councilwoman Pastor asked Mr. Kurtenbach if Council did not continue this item to August, could Council continue it to the July 3, 2020 meeting.

Mr. Zuercher commented July 1, 2020 would be the meeting.

Councilwoman Pastor inquired if that would be an issue.

Mr. Kurtenbach answered that would not be an issue.

Councilwoman Pastor said she was only asking because there were lots of dialogue going on in the Phoenix Union High School District, and added she was trying to see if there would be some understanding or knowing what would happen with that district by July 1, 2020.

Mayor Gallego requested Councilwoman tell Council the schedule for Phoenix Union High School District, and said her understanding was they would not meet until July.

Councilwoman Pastor said there wasn't another meeting until July 22, 2020. She commented there were a lot of stakeholder meetings happening, and noted they should be able to get a sense of where the board was by July 1.

Councilman Nowakowski commented he thought Council would not be talking about Phoenix Union High School District so Councilwoman Pastor would not have a conflict-of-interest with the conversation. He asked for clarification from Mr. Kurtenbach that schools apply through the Arizona Department of Education, and then the department sends the City a notice for a request for Phoenix police officers.

City Manager Ed Zuercher clarified that was the process, and added the item before Council today did not include Phoenix Union High School District. He noted at the request of their superintendent earlier in the day, the City withdrew Phoenix Union High School District's portion of the item. He mentioned the item today was for 19 school districts rather than 20.

Councilman Nowakowski stated the conversation about waiting for Phoenix Union High School District until July was not a conversation for Council, and asked Mr. Kurtenbach about what would be affected by the SRO programs going away in regards to wake-up programs, drag racing and anti-graffiti programs.

Mr. Kurtenbach answered the wake-up programs were run by SROs, and if SROs were to go away then those programs would also go away.

Councilman Nowakowski said that meant the issues of drag racing and anti-graffiti programs would also be affected by it.

Councilmember Garcia commented he was fine with the July date, and added this was more about determining whether schools were going to be open. He said if schools could figure that out within the next two

weeks it would be more clear for Council on what the demand would look like.

Mayor Gallego stated Mr. Nunez was not connected before, but would try now to connect with him.

Mr. Nunez mentioned he was a black senior attending Mountain Point High School, and added students could agree their experiences were not defined by the classroom. He talked about how identities had been dividing the community, and said he wanted to address that every student was going through an emotional battle. He commented there needed to be changes made to prevent what had happened in other states from happening in Phoenix, and suggested effort must be placed in the right areas. He stated law enforcement needed to be held to a higher responsibility, and to make sure their training was efficient. He clarified removing SROs from schools would not be what he would advise, and added his understanding was the school board had the power to enable the contract that allowed the schools to make the decision. He said he was in favor of this because ultimately the students would decide if they felt safe, and suggested removing SROs would be removing the first line of defense and any initial interaction that could foster good relations between students and law enforcement. He commented he would hate to see that happen in the wake of what had happened in the country, and concluded the lives of students and everyone else is impacted on a much bigger issue.

Mr. Kurtenbach said he was able to get some information Councilman DiCiccio requested regarding the crimes against children unit, and asked Mayor Gallego if he could provide that information.

Mayor Gallego replied that would be very helpful.

Mr. Kurtenbach cited there were 42 detective positions in the crimes against children unit, with 38 of the 42 positions filled. He noted the detectives averaged 11 cases-per-month, and added he did not have the numbers for clearance rates at the time.

Councilman DiCiccio thanked Mr. Kurtenbach for the information.

Mayor Gallego said she would like to move forward with this item, and noted Mr. Nunez made a good point that this is up to the local school districts. She mentioned she trusted the school board members to have a good understanding of what made sense for their community, and expressed appreciation for the Police Department's commitment to continuing to look at best practices with the SRO program. She stated if school districts did not believe it was appropriate for their district, that she supported their ability to make that decision. She talked about stories she heard where young people felt more comfortable sharing their stories of abuse with an officer who was at their school and was more available. She commented she took the concerns raised by councilmembers seriously, and added Council could continue to work on the program to address those concerns.

Councilwoman Stark mentioned some of the school start in the first week of August, and added the City needed to work with those school districts.

Councilwoman Williams said the school down the street from her starts in the first week of August, and noted they were going to split classrooms between morning and afternoon sessions with 10 students in each class. She stated students would be in the building, and that school district really appreciated SROs. She asked for clarification on the current motion.

Mayor Gallego stated the motion on the floor was made by Councilmember Garcia to continue this item to the July 1, 2020 City Council Formal Meeting.

Councilmember Garcia commented that was correct.

Prior to his vote, Councilman Nowakowski mentioned he would be voting no because he believed each school district should have the right to choose what is best for their community. He said the City should provide that service to the schools that want SROs.

Prior to her vote, Vice Mayor Guardado commented she wanted the individual districts to make sure they had the flexibility to decide if they

wanted to continue with the program. She said there are areas of Council District 5 that love having their SROs, and added she would be voting no.

A substitute motion was made by Councilmember Garcia, seconded by Councilwoman Pastor, to continue Item 66 to the July 1, 2020 City Council Formal meeting. The motion failed, as appears below:

Yes: **3 -** Councilman DiCiccio, Councilmember Garcia and Councilwoman Pastor

No: **6 -** Councilman Nowakowski, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

Ms. Archibald stated they were now back to the original motion made by Vice Mayor Guardado, seconded by Councilwoman Stark.

Note: Councilwoman Pastor disconnected from the meeting.

Note: Two electronic comments were submitted on Item 66; one in opposition and one indicating no position.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that this item be adopted as amended per the June 17, 2020 memo from the City Manager that withdrew Phoenix Union High School District from the agreement. The motion carried by the following vote:

Yes: 7 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 1 - Councilmember Garcia

Absent: 1 - Vice Mayor Pastor

68 **Agreement with State of Arizona Attorney General's Office in Support of FY 2019 Enhanced Collaborative Model to Combat Human Trafficking Grant (Ordinance S-46769)**

Request authorization for the City Manager, or his designee, to allow the Police Department to enter into an agreement with the State of Arizona Attorney General's Office in support of the Fiscal Year (FY) 2019 Enhanced Collaborative Model to Combat Human Trafficking grant for an amount not to exceed $108,982. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Phoenix Police Department (PPD) was awarded the FY 2019 Enhanced Collaborative Model to Combat Human Trafficking grant on Oct. 1, 2019. Funding provided by the grant will be used to expand investigation and prosecution strategies and tools, broaden task force partnerships, provide ongoing task force assessments and use of data and to strengthen operational protocols in human trafficking investigations.

The Arizona Attorney General's Office (AAGO) will provide the services of a criminal analyst who will work closely with the PPD's human trafficking investigators and supervisors of the Human Exploitation and Trafficking Unit to meet the objectives of the grant. The PPD will reimburse the AAGO for the overtime and associated fringe benefits of the criminal analyst in an amount not to exceed $108,982.

Contract Term

Three-years beginning on Oct. 1, 2019 through Sept. 30, 2022.

Financial Impact

The aggregate value of this agreement will not exceed $108,982. Funding is available in the Police Department's budget under the FY 2019 Enhanced Collaborative Model to Combat Human Trafficking grant.

Discussion

Note: Councilwoman Pastor rejoined the meeting.

Mayor Gallego expressed appreciation for the leadership efforts made by Councilman Waring to combat human trafficking, and added this was an important issue for many councilmembers.

Councilman Waring made a motion to adopt Item 68.

Councilwoman Stark seconded the motion.

Councilman Waring thanked everyone on the Council, and predecessors on the Council for making this a priority to the city. He talked about how the Arizona Attorney General got involved in early 2015 to partner with the committee, and added Paul Boyer in the State Senate worked extensively on this as well. He mentioned he served on the State Human Trafficking Task Force along with Cindy McCain, and said a lot of good work had been done. He commented Arizona was a national leader on this issue, and stated Council should be proud of what had been done in this area. He discussed how it was unfortunate how victims were portrayed as criminals, and noted the victims were usually young people. He thanked Council for their support on this issue.

Councilman Nowakowski thanked Councilman Waring for his leadership on this, and mentioned this started back when the Super Bowl was here. He said there was a lot of human trafficking, and added this program was geared towards the issue of human trafficking around the Super Bowl.

Councilwoman Williams applauded Councilman Waring's efforts, and said she was proud to be on the Council that continued to recognize this ongoing problem. She stated she was hopeful the State Legislature would recognize the victims, and added Councilman Waring had really led the way for this topic.

Councilman DiCiccio said Councilman Waring did an amazing job chairing this committee, as well as Councilwoman Williams and Councilman Nowakowski. He commented this happened because many people came together, and added Cindy McCain did an amazing job pushing this to the national level. He stated this was a team effort, and suggested it was sick how people would be willing and able to destroy someone's life as a child. He noted many councilmembers have helped save these kids lives, and concluded he fully supported this.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

73 **Request to Issue Parking Management Services Request for Proposal and Extend Parking Management Services Contract (Ordinance S-46762)**

Request to authorize the City Manager, or his designee, to issue a Parking Management Services Request for Proposal (RFP), and extend the current Parking Management Services contract with ACE Parking Management, Inc. on a month-to-month basis, terminating no later than December 31, 2021. The Aviation Department (AVN) further requests payment authorization for the Parking Management Services Contract extended term. Further request authorization for the City Treasurer to receive funds related to this item.

Summary

Phoenix Sky Harbor International Airport provides parking services for the traveling public and employees of airport businesses. Phoenix Sky Harbor Airport Parking is comprised of 26,215 spaces, operates 24 hours per day, 365 days per year, and is budgeted to generate an approximate annual gross revenue of $91 million (pre-pandemic) in fiscal year ending June 2020. PHX's official on-airport parking convenience, reliability and value make it the preferred choice when traveling from America's Friendliest Airport.

The Parking Management Services RFP will be issued to ensure a fair and competitive process, the goal of which is to select a contractor with extensive experience operating a large airport-owned parking portfolio that will deliver innovative strategies to improve customer service, increase market penetration, and grow parking revenue. The selected contractor will manage the Public and Employee Parking Programs including the following services and programs:

Manage revenue generating services including online pre-book parking

reservations, loyalty point, premium parking, ancillary services, corporate parking, advertising, electric vehicle charging programs and may include valet parking
Coordinate Marketing and Revenue (Yield) Management and Pricing Programs
Procure, operate and maintain Parking Access Revenue Control System
Collect, deposit and report all revenue earned from parking and related services
Provide operations and services improving the customer experience
Procure, operate and maintain way finding systems for select facilities/areas
Staff and operate public and employee parking facilities efficiently
Provide circulator vehicle services in employee and public parking lots

The successful contractor must retain the current parking management services contractor's employees in similar job classifications for at least 120 days and prioritize hiring from that employee pool. Candidates outside the current employee pool may be interviewed when there are no longer any employees available in similar job classifications.

Parking Management Services Contract Extension:

The Parking Management Services Contract with ACE Parking will expire Dec. 31, 2020. This contract extension will allow continuous parking services to be provided to Phoenix Sky Harbor Airport customers during the Parking Management Services RFP process.

Procurement Information
Respondents must meet Minimum Qualifications including: company and general manager experience managing large airport parking facilities encompassing marketing, revenue management and pre-book parking reservation programs, and capability to procure or lease, and operate and maintain a Parking Access Revenue Control System. The respondents will also provide financial qualifications substantiating their ability to perform.

Responsive and Responsible Respondents will be evaluated on the following criteria: Qualifications and Experience, Financial Impact

including Parking Revenue and Earnings, Operations, Marketing, Revenue (Yield) Management, and Customer Experience.

The Parking Management Services Contract structure will be on a reimbursable expense plus management fee and will include revenue growth incentives. Aviation intends to issue the Parking Management Services RFP in Summer 2020 with an estimated contract award in the Winter 2020 or early 2021.

Contract Term
The term for the contract awarded through the RFP process will be for a seven-year term with one, three-year renewal option to be exercised at the sole discretion of the Director of Aviation Services. The term for the current contract extension will be month-to-month, terminating no later than Dec. 31, 2021.

Financial Impact
Parking Revenue is the Aviation Department's largest non-aeronautical source of revenue. Prior to the pandemic, the department was on track to generate $91 million in revenue for its fiscal year ending June 2020. The Parking Management Contract structure with revenue incentives will encourage revenue growth. Total aggregate payment for the twelve-month extension period from Jan. 1, 2021 to Dec. 31, 2021 will not exceed $9,284,580.

Public Outreach
This process will include all standard and required outreach efforts to attract interest for this contract opportunity including outreach to small businesses that desire to subcontract with potential parking management service respondents.

Location
Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
District: 8

Discussion
Vice Mayor Guardado made a motion to adopt Item 73.

Councilwoman Williams seconded the motion.

Vice Mayor Guardado inquired during the Request for Proposals (RFP) process, did the City score the companies based on employee benefit packages.

City Manager Ed Zuercher replied Aviation Director Jim Bennett was present and could describe those specifics.

Mr. Bennett stated there was a component under the operation plan where benefits and the way employees are treated as well as the categories of classifications of positions are scored as part of the evaluation.

Vice Mayor Guardado commented with everything going on with COVID-19, the new vote Council took yesterday to stop the spread of homelessness, and providing good jobs and affordable housing, that the City should not have airport workers being on State assistance. She noted there were airport workers who could not pay for the health insurance, and added she wanted to make sure these companies were scored on their benefits because it would be incredibly helpful.

Mr. Bennett replied that would be part of the scoring under this operational plan, and mentioned they would provide an exhibit that detailed in their contracts: medical, dental, vision, health care, dependent care, spending accounts, 401(k) contributions, paid vacation and other types of benefits. He stated the proposers with a better plan would score higher in the evaluation process.

Mr. Zuercher confirmed with Vice Mayor Guardado that benefits packages will be scored in the RFP.

Councilwoman Williams said she wanted to approve what is posted in the agenda, but noted it would be better to wait until September to get a better idea once the airport was functioning better.

Mr. Bennett responded if Council approved to move forward with this RFP, the package would be finalized over the summer break and to not anticipate issuing the solicitation until sometime in September.

Councilman DiCiccio inquired if part of this item was to extend this contract for another two years.

Mr. Bennett explained this would extend the existing contract to Dec. 31 of next year, and would be roughly 18 months.

Councilman DiCiccio asked if the full 18 months was needed with doing an RFP in September, and expressed concern this could be delayed.

Mr. Bennett stated the plan would be to issue this after the summer break sometime in September, and noted the desire would be to have a recommendation presented to Council before the Dec. 31, 2021 date. He mentioned because this was a large contract, it was important to have time to do this properly as it was a large contract and would have an enormous amount of interest.

Mr. Zuercher commented this specifically was called out as month-to-month basis, and explained if Council awarded the RFP by July next year it would not have to be extended to December of next year. He stated the month-to-month basis meant Council action could begin the new contract rather than having to wait until Dec. 31, 2021, and added if there was some sort of protest that delayed it, then the City had the ability to continue service uninterrupted.

Councilman DiCiccio asked if a protest occurred after the City makes a determination.

Mr. Bennett answered the protest could occur at the time when a recommended vendor is posted, and there would be a period of time where the protest period could be initiated. He said the protest would be adjudicated following the City's Procurement Policy.

Councilman DiCiccio inquired if it was possible to look for a June delivery to allow individuals the summer to file a protest.

Mr. Zuercher responded the City would accept that aspiration to have a goal for the contract to be awarded before the next Council break of

summer 2021.

Councilman DiCiccio stated he believed the City should be providing health benefits to employees or contract employees, and suggested some of these companies have been able to maximize profit at the expense of taxpayers. He talked about how companies that do business with the City put their employees on the State plan, and added that set a bad example. He mentioned he was interested in what type of health plan would be provided, and commented the City should require those that do business with the City to provide health care.

Councilman Nowakowski mentioned a scoring sheet is used during the RFP process, and asked if there was a way to include some type of health insurance in the scoring process. He expressed concern to also include community involvement in the scoring process.

Mr. Bennett replied benefit packages would be part of the scoring criteria as part of their operational plan, and added there were many sub-categories. He said the issue about requiring companies to participate in the community would need to be addressed by City Attorney Cris Meyer or other procurement attorneys.

Mr. Meyer responded the City could ask the companies about their community involvement, and noted he would have to look at it closer to determine what the City could require them to do.

Vice Mayor Guardado said she was glad this was only being extended for one year, and added she was glad to see a provision for worker retention in these crucial moments. She talked about how the City should think about ways to help create good jobs, and mentioned this contract would be a perfect place to raise the standard for workers. She noted prior to COVID-19 this contrcat made $91 million in revenue annually and was the largest non-aviation source of revenue for the entire airport. She stated she was glad this provision was included in the RFP, and discussed how the City could be supportive towards addressing homeless issues once the pandemic is controlled.

Mr. Zuercher clarified the extension was for 18 months on a

month-to-month basis, with the aspiration being within a year.

Councilman DiCiccio commented he was hearing all good ideas, and agreed with Vice Mayor Guardado there should be a community component in these contracts to work with groups in the community. He talked about how this was done prior with direction from Councilman Nowakowski and was a big bonus for the state and city. He repeated his concern with the employees having to use State insurance, and said he wanted to make sure employees would be covered and for community involvement to keep money locally.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

79 Enter into Agreement with Valley Metro Rail for Operational Costs for Light Rail Services (Ordinance S-46746)

Request to authorize the City Manager, or his designee, to enter into a contract with Valley Metro Rail, Inc. (VMR) to pay Phoenix's share of light rail operations and agency operating costs for Fiscal Year (FY) 2020-21, and authorizing the City Controller to disburse funds in an amount not to exceed $8,048,000.

Summary

The VMR operations and maintenance budget includes the costs of: transportation contractors, propulsion power, vehicle maintenance, systems and facilities maintenance/materials/supplies, VMR staff, security and fare inspection services, regional customer service, utilities, liability insurance, and general and administrative expenses.

Financial Impact

For FY 2020-21, Phoenix's estimated share of VMR's agency operating cost is $924,000 and Phoenix's estimated share of VMR's light rail

operations cost is $7,124,000. Phoenix's estimated share of light rail operations is significantly lower than usual as the result of VMR receiving $45.1 million through the Federal Transit Administration from the Coronavirus Aid, Relief, and Economic Security (CARES) Act to be used to fund transit operations. Funds are available in the Public Transit Department's proposed operating budget using Transit 2050 funds.

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

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

No: 2 - Councilman DiCiccio and Councilman Waring

83 Amend City Code - Section 36-158, Schedule I, Local Speed Limits at Five Locations (Ordinance G-6707)

Request to amend Phoenix City Code, section 36-158, Schedule I, Local Speed Limits due to changing land uses and traffic conditions.

Summary

Speed limits are established under Arizona Revised Statues, section 28-703, which requires an "engineering study and traffic investigation." The Phoenix City Code and Charter require that all local speed limits on City streets be approved by City Council in the form of an amendment to Phoenix City Code (**Attachment A**).

The Street Transportation Department (Streets) is recommending speed limit changes at five locations due to changing land uses and traffic conditions (**Attachment B**). As with all recommended speed limit changes, these five speed limit changes were based on traffic investigations conducted with the engineering judgment of Streets staff or are newly constructed streets.

Discussion

Mayor Gallego asked City Clerk Denise Archibald to read the title of Ordinance G-6707.

Ms. Archibald read the title of Ordinance G-6707.

A motion was made by Vice Mayor Guardado, seconded by

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

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

No: 1 - Councilman Waring

88 **Vitrified Clay Pipe and Fittings Agreement (Ordinance S-46730)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Ferguson Waterworks, to purchase Vitrified Clay Pipe (VCP) and fittings for the Water Services Department. Further request to authorize execution of amendments to the agreement, as necessary, within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total agreement will not exceed $125,000.

Summary

The purpose of this agreement is to supply the City with VCP and fittings for repair and replacement of the City's sanitary sewer system. The City's sanitary sewer system is subjected to damage by other utilities, underground excavators and naturally occurring events. The Water Services Department Wastewater Collection Division uses VCP and fittings for repair and replacement of these damaged segments.

Procurement Information

The selection was made using an Invitation for Bid procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Two vendors submitted bids. The selected vendor is below.

Selected Bidder
Ferguson Waterworks

Contract Term

The term of the agreement is for five years and will begin on June 15, 2020.

Financial Impact
The agreement value for Ferguson Waterworks will not exceed $125,000.

Funding is available in the Water Services Department's operating budget.

Discussion
Vice Mayor Guardado made a motion to adopt Item 88.

Councilwoman Stark seconded the motion.

Mayor Gallego announced there were two members of the public available to address the Council on Item 88.

Claude Mattox stated he represented Building Products Company and the local clay pipe industry, and was in support of Item 88. He talked about how he was introduced to the clay pipe industry 20 years ago, and stated Phoenix has continued to use clay pipe because it was the industry standard. He suggested it was proven to last for hundreds and thousands of years, and added Phoenix has 100-year-old clay pipes still in use in the ground today. He cited the kiln-fired clay is similar to products archaeologists are finding dating back thousands of years, and noted clay pipe was the best value for the taxpayer because it was environmentally compatible.

Councilwoman Williams commented Mr. Mattox used to be the Chair of the Water Committee, and added he learned about this topic from a former councilmember.

Mr. Mattox responded he absolutely did, and said in a conversation with him the former councilmember was surprised the City was still dealing with this issue.

Jeremey Haskins mentioned he was a professional civil engineer working for Building Products Company in Council District 7. He said the company had been producing clay pipes for over 50 years, and noted the

materials for the pipe are entirely sourced in Arizona. He stated the industry standard practice was to make modifications with the same piping material that existed in the ground, and talked about the issues with using alternative materials that could cause irreversible damage. He said the City had 100-year-old pipes in the system that were backed by 100-year warranties, and suggested this would be the best investment using taxpayer money. He commented there was no comparison between 100-year warranty clay pipe and 1-year warranty PVC pipe, and added he supported this item as it matched National Engineering Standards for operations in maintenance of sewer systems.

Councilman Nowakowski talked about a time where he was given a tour of the facility where the clay pipes were made, and said most of the workers lived in Phoenix and gave back to the community. He thanked Mr. Haskins for being a great partner for the city of Phoenix.

Councilman DiCiccio stated he would vote yes on this item, and expressed appreciation for this business being in Phoenix. He noted the City should encourage competition, and discussed an incident with clay pipe at his home. He commented he would be voting yes, and said the City should be looking at all levels of competition to see different products. He asked if Mr. Mattox or Mr. Haskins would be open to competition.

Mayor Gallego mentioned Mr. Mattox and Mr. Haskins were not connected to the meeting.

Councilman DiCiccio commented he would be surprised if they fought competition, and added he would like to see everything available to make determinations.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

Discussion

Mayor Gallego announced that concluded agenda items beyond public comment and the budget, and said Council would now return to budget items. She mentioned earlier there were 75 speakers wishing to comment on budget items, and updated that to 75 speakers in total and 25 speakers wishing to comment on the budget. She thanked those wishing to comment on the budget for their patience and participation.

22 Public Hearing on Proposed Property Tax Levy, Truth in Taxation and Adoption of the Final 2020-21 Annual Budget

As required by State statute, this item requests the City Council hold a public hearing on the City's proposed Property Tax Levy and Truth in Taxation and the adoption of the final 2020-21 City of Phoenix Annual Budget (see **Attachment A** for State Budget Forms).

Discussion

Mayor Gallego declared the public hearing open. She stated all of the speakers were wishing to speak on Item 24 and not Item 22. She closed the public hearing.

The hearing was held.

23 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 2020-21 budget.

Discussion

Vice Mayor Guardado made a motion to approve Item 23.

Councilwoman Williams seconded the motion.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

Note: The Phoenix City Council recessed and convened into a special meeting.

24 Adoption of the Final 2020-21 Operating Funds Budget (Ordinance S-46715)

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, 2020 and ending June 30, 2021 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 phone, email, information posted on the City website and actions taken by the Council on the budget at the May 19, 2020 Policy meeting and at the June 8, 2020 Formal meeting to adopt the tentative 2020-21 operating budget ordinance.

Discussion

Vice Mayor Guardado made a motion to adopt Item 24.

Councilwoman Pastor seconded the motion.

Mayor Gallego announced Council would hear public comment.

Alfred Patino spoke in opposition of the budget, and asked Council to not give raises to the Police Department.

Leanna Williams spoke in opposition of the budget, and noted the Civilian Review Board would be a step in the right direction if fully funded at $3 million.

Anna Hernandez spoke in opposition of the budget, and asked Council to fund the community.

Brianna Burroughs spoke in opposition of the budget, and took issue with an increase in police funding.

DeJarra Johnson spoke in opposition of the budget, and asked Council to reallocate a percentage of funds from the Police Department to investment in mental health counselors, social workers, youth programs, affordable housing, public transportation and food pantries.

Ayesha Vohra spoke in opposition of the budget, and asked Council for an increase in mental health services, youth programs, affordable housing and affordable childcare.

Note: Councilwoman Pastor rejoined the meeting.

Laurel Langmade spoke in favor of the budget, and described the services provided by the City.

Marcus Reed spoke in opposition of the budget, and suggested he once supported the Police Department and said he understood the negative impact they had on building a vibrant community.

James Meza spoke in opposition of the budget, and discussed improvements that could be made in the Police Department.

Josh Bacopulous spoke in opposition of the budget, and asked Council to shrink the budget, size, scope, equipment and power of the Police Department.

Luisa Hall Valdez spoke in opposition of the budget, and requested Council fund the root cause of the community's problem and not the source.

Imad Lababidi spoke in opposition of the budget, and asked Council to consider moving funds from the Police Department and investing in the community.

George Romano spoke in opposition of the budget, and requested Council reallocated at least $25 million from the Police Department to other youth and mental programs.

Vickie Jaquez spoke in favor of the budget, and said Council should not reduce the budget for public safety.

Robert Doyle spoke in opposition of the budget, and took issue with allocating money to sports complexes and golf courses. He questioned the values of councilmembers, and advocated for investment in the community.

Mayor Gallego mentioned public testimony had concluded, and asked Ms. Archibald to repeat the motion on the table.

Ms. Archibald stated Vice Mayor Guardado made a motion to adopt Item 24, and was seconded by Councilwoman Pastor.

Councilmember Garcia thanked everyone that commented, and talked about how the first meeting he was a councilmember was the same budget meeting a year prior. He discussed the events that happened in Minneapolis with George Floyd, and suggested the City had turned a blind-eye to damage caused by police. He took issue with giving the Police Department an additional $25 million, and mentioned the Police Department had the highest rate of police shootings in 2018 in the country. He cited specific incidents involving the police and the public in Phoenix, and asked if these were things the City valued. He noted Council was ignoring the thousands of calls, emails and comments from the public, and stated this budget did not reflect what Phoenix residents want. He said he was grateful to have a fully-funded Office of Transparency and Civilian Review Board, and added the City needed to stop using police officers for every issue. He commented he would be voting no on the budget because it did not reflect the values of this city, and pledged moving forward to cut the Police Department budget before cutting other community services. He asked other councilmembers to make this pledge for the future if cuts are needed.

Councilman DiCiccio suggested the budget was not fiscally-sound to him, and said Deputy City Manager Jeff Barton did an amazing job. He stated Mr. Barton was the best budget director the City has had in a long time, and acknowledged the team Mr. Barton put together. He mentioned he appreciated everything Councilman Garcia said but they just do not

agree. He acknowledged there were problems in the Police Department with one or two bad apples. He suggested that what one or two officers did was not an indication of the Police Department, and took issue with name-calling police officers. He commented there were cultural differences that the City needed to work on because the City represented everyone. He talked about an incident involving a police officer, and added police officers do a miraculous job everyday in the city. He discussed how hard it was to be a police officer, and mentioned what the families had to go through with the negativity towards them. He announced he would be voting no on the budget.

Councilwoman Williams thanked Councilman DiCiccio for his comments, and noted she was a strong supporter of the Police Department. She mentioned her husband and son were Phoenix police officers, and described how life was for them. She talked about how response times had been increasing, and commented it was very important to understand the conditions police officers worked in. She mentioned she served on the Ad-Hoc Committee with Councilmember Garcia as Chair for almost a year, and listed the changes that had been made within the Police Department for training. She said the Police Department had an outstanding Chief, and mentioned some of the emails she received were from outside of Arizona. She stated she was proud of the Police Department and was proud to serve on the Council.

Councilwoman Stark mentioned she attended Coffee with a Cop routinely where she met many fine police officers, and stated the budget wasn't just about the Police Department. She noted there were many great City departments with great employees who had not received raises in 10 years. She said those employees made a lot of sacrifices to make sure the City operated efficiently and effectively, and added it was important to reward them. She stated this was an opportunity to do so, and commented she supported the budget.

Vice Mayor Guardado announced she would be voting yes on this budget, and pledged she wanted to continue dialogue about bringing communities closer. She said she wanted to continue working with councilmembers, Mayor Gallego and Police Chief Jeri Williams to continue this conversation. She noted Council was not in a good place a

year ago, and noted there had been changes to try and move forward.

Mayor Gallego declared the City received 39 electronic comments in support of the budget, 705 electronic comments in opposition, 24 electronic comments with no position and six electronic comments that were neutral for a total of 774 comments.

Councilman Nowakowski mentioned he accepted the position of Chair of the Public Safety Subcommittee eight years ago, and said the reason for this was because he wanted to make change and bring people together. He talked about the debate around body cameras, and stated every police officer on the street had body cameras because of the commitment from Council. He mentioned Memorial Day celebrations for fallen police officers and firefighters, and mentioned how powerful the testimonies were for those police officers and firefighters. He noted the leadership now would help bring people together, and cited the decrease in police shootings from this year to the previous year. He described the background of Police Chief Williams and her family, and suggested her leadership would help make those changes needed. He commented he understood what families of police officers were going through, and stated he would be voting yes on the budget not just because of the Police Department portion but because employees had been waiting for a 1 percent increase for the last 10 years. He mentioned the commitment from Mr. Zuercher for the $3 million in funding for the Office of Accountability and Transparency, and added this would not affect future layoffs.

Councilman Waring commented he agreed with the comments made earlier about golf courses and sports facilities, and suggested the City should not be spending money on those things because it wasn't core to the City's mission. He stated the money for that could be spent on other projects that were mentioned by those in the audience, and talked about how police officers by and large did an excellent job at almost every stop. He cited there were 1.2 million interaction with the public by the Police Department every year, and took issue with those criticizing the entire group of public servants. He mentioned Mr. Barton did a great job on the budget, and stated he did not agree with the name-calling culture. He said he would be voting against the budget because of certain programs in the

budget. He expressed support for police officers, and suggested his voting record showed that. He stated staff had done the best job they could with the budget under extremely trying circumstances, and thanked the Mayor for giving him the time to speak.

Councilwoman Pastor stated since she had been on Council, councilmembers had worked with the Police Department to look at de-escalation, training, and every year they had been able to make change. She said she was proud of the Office of Accountability and Transparency and the Citizens Review Board because generations of people had asked for that. She noted the City had been evolving and listening to the community, and added Council would continue to do the work they had been doing to make changes. She said she was committed to work with everyone to be an example for the rest of the country.

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

Yes:	6 -	Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	3 -	Councilman DiCiccio, Councilmember Garcia and Councilman Waring

Discussion

Mayor Gallego announced Council passed the annual budget that supported the important work for employees, and provided full funding for the Office of Accountability and Transparency.

25 Adoption of the Final 2020-21 Capital Funds Budget (Ordinance S-46741)

In compliance with requirements of the City Charter and Code and State statutes, request to adopt an ordinance (**Attachment A**) adopting the final Capital Funds Budget for the City of Phoenix for the fiscal year 2020-21.

This adopts the final 2020-21 Capital Funds Budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021. This capital funds

appropriation will be funded by property tax and revenue supported bond proceeds, federal and state participation funds, passenger facility charges, customer facility charges, participation by other governmental entities in certain projects, development impact fees, capital grants, capital reserves, solid waste remediation funds and other capital funding sources.

Concurrence/Previous Council Action

The final Capital Funds Budget ordinance reflects actions taken by Council at the June 8, 2020 Formal meeting to adopt the tentative budget ordinances and is consistent with the Five-Year Capital Improvement Program resolution approved by Council at the June 3, 2020 Formal meeting.

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

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

No: 1 - Councilman Waring

26 Adoption of the Final 2020-21 Reappropriated Funds Budget (Ordinance S-46716)

In compliance with requirements of the City Charter and Code and State statutes, request to adopt an ordinance (**Attachment A**) adopting the final reappropriation budget for items of expenditure previously adopted as part of the 2019-20 fiscal year operating and capital fund budgets of the City of Phoenix but remaining as unexpended funds as of June 30, 2020.

Concurrence/Previous Council Action

The reappropriated funds budget ordinance reflects the action taken at the June 8, 2020 Formal meeting to adopt the tentative 2020-21 reappropriated funds budget ordinance.

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

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

No: 0

Absent: 1 - Councilman Waring

Discussion

Mayor Gallego declared the special meeting was adjourned, and declared to reconvene the regular City Council Formal meeting. She mentioned Items 27 and 28 were legally required amendments to the current 2019-20 budget to allow the City to close out current fiscal years budgetary accounts and proceed with the annual independent audit.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, to adjourn the special meeting. The motion carried by the following voice vote:

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

27 Amend Ordinance S-45785 Adopting the 2019-20 Annual Budget for Operating Funds (Ordinance S-46714)

An ordinance (**Attachment A**) amending Ordinance S-45785 adopting the 2019-20 Annual Budget to authorize reallocating appropriations among lawfully available appropriations to ensure the continued operation of the City of Phoenix in the payment of necessary expenses.

Summary

This legally required amendment to the 2019-20 Operating Budget will allow the City to close out the current fiscal year's budgetary accounts and proceed with the annual independent audit. This is a standard end-of-year process required to close the books.

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

an appropriation. An appropriation is the formal recognition in the City's official accounting records that the City Council has approved spending authority. State law allows the City Council to transfer spending authority between line items in the adopted budget. This does not represent an actual transfer of funds, but rather, only transfers of spending authority between specific areas. As a result, the total bottom line budget amount for 2019-20 does not change.

To make sure all planned expenditures have appropriate spending authority, each year the Budget and Research Department brings to the City Council a request to amend the original budget amounts between specific areas at the end of each fiscal year. This is a normal part of the annual budget close-out process. Variances between estimated and actual expenditures that trigger the need to do these reallocated appropriations are usually caused by timing differences, such as expenditures originally planned for the early part of the 2020-21 fiscal year that actually occurred during the 2019-20 fiscal year. These timing variances can be quite large, especially when dealing with construction contracts. Allowing for these timing differences in our request for year-end budget amendments allows for bid awards and payments to vendors to proceed.

The amendments to the 2019-20 Operating Budget require City Council approval to move spending authority from areas where excess authority is available to other areas where insufficient authority was originally provided due to normal changes during the year.

Decreases in 2019-20 appropriation authority are requested in the following:

General Fund General Government Funds due to the carryover of funds for the Case Management System, the Ballot Tabulation System, and the Business License System from 2019-20 to next fiscal year.

Aviation Funds due primarily to project contingency funding that was not needed and the carryover of project costs to next fiscal year.

Transportation 2050 Funds due primarily to the carryover of light rail extension project costs from 2019-20 to next fiscal year.

Increases in 2019-20 appropriation authority are requested in the following:

General Fund Environmental Services due to unplanned facility and fleet maintenance needs.
General Fund Capital Improvement Funds as a result of increased funding for Police aerial fleet unit replacements.
Community Reinvestment Funds due to unanticipated legal expenses for various downtown projects.
Court Awards Funds as a result of unplanned Police equipment and vehicle expenses.
Federal and State Grant Funds primarily due to the receipt of Coronavirus Relief Funds and other various grant awards in Fire, Police, Public Works and other departments that were not included in the original budget.
Golf Course Funds due to unanticipated maintenance costs.
Human Services Grant Funds due to the receipt of Coronavirus Relief Funds and due to the reallocation of funding for Workforce Innovation and Opportunity Act (WIOA) grants from Federal and State to Human Services grants.
Sports Facilities Funds to provide contingency for Talking Stick Resort Arena renovation expenditures that may occur in 2019-20 rather than in 2020-21.
The following funds to provide for minor year-end variances: Cable Communications and Regional Wireless Cooperative Funds.

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

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

28 Amend Ordinance S-45820 Adopting the 2019-20 Capital Funds Budget (Ordinance S-46740)

An ordinance **(Attachment A)** amending Ordinance S-45820 adopting the 2019-20 Capital Funds Budget to authorize reallocating appropriations among lawfully available appropriations to ensure the continued operation of the City of Phoenix in the payment of necessary expenses.

Summary

This legally required amendment to the 2019-20 Capital Funds Budget will allow the City to close out the current fiscal year's budgetary accounts and proceed with the annual independent audit. This is a standard end-of-year process required to close the books.

State law precludes any expenditure not included in the budget even if additional funds become available. This means all expenditures require an appropriation. An appropriation is the formal recognition in the City's official accounting records that the City Council has approved spending authority. State law allows the City Council to transfer spending authority between line items in the adopted budget. This does not represent an actual transfer of funds, but rather, only transfers of spending authority between specific areas. As a result, the total bottom line budget amount for 2019-20 does not change.

To make sure all planned expenditures have appropriate spending authority, each year the Budget and Research Department brings to the City Council a request to amend the original budget amounts between specific areas at the end of each fiscal year. This is a normal part of the annual budget close-out process. Variances between estimated and actual expenditures that trigger the need to do these reallocated appropriations are usually caused by timing differences, such as expenditures originally planned for the later part of the 2018-19 fiscal year that actually occurred during the 2019-20 fiscal year. These timing variances can be quite large, especially when dealing with construction contracts. Allowing for these timing differences in our request for year-end budget amendments allows for bid awards and payments to vendors to proceed.

The amendments to the 2019-20 Capital Funds Budget require City Council approval to move spending authority from areas where excess authority is available to other areas where insufficient authority was originally provided due to normal changes during the year.

A $150,000 decrease in 2019-20 appropriation authority is requested in the Wastewater Program's Capital Funds Budget due to various capital improvement projects budgeted in 2019-20 with expenditures not expected until fiscal year 2020-21.

A $150,000 increase in 2019-20 appropriation authority is requested in the Planning and Historic Preservation Program's Capital Funds Budget due to due to unbudgeted expenditures planned for warehouse and threatened building grants in fiscal year 2019-20.

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

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

Yes:	9 -	Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	

Discussion

Mayor Gallego stated that concluded the budget proceedings for the Council agenda, and announced Council would now hear public comment.

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

City Attorney Cris Meyer stated during Citizen Comment, members of the public may address the City Council for up to three minutes on issues of interest or concern to them. The Arizona Open Meeting Law permits the City Council to

listen to the comments but prohibits council members from discussing or acting on the matters presented.

Elishya McKinley expressed concerns for the businesses downtown because the weather was getting really hot, and mentioned an incident involving the police.

Lucia Salinas mentioned she had been a cook at the airport for 18 years, and said she was recently called back to work. She stated HMS Host would cut her health insurance benefits if she did not come back, and talked about health issues her family had. She said she had no choice but to go back because she was worried about the health of her family. She asked Council what would be done to protect employees at the airport.

Laura Perez said she had worked at the Renaissance Hotel in downtown Phoenix for two years, and added she had been laid off for four months. She talked about communications issues with the hotel regarding insurance and unemployment, and mentioned her concerns for returning to work regarding COVID-19 because she did not feel safe returning to work.

Sandy Villatoro Poroj commented she had been working at the Sheraton Hotel in downtown Phoenix for over five years, and mentioned she had worries about returning to work because the hotel would not protect employees like they should. She expressed concern with contracting COVID-19 and being protected from losing her job. She said she loved her job, and noted she did not want to get sick just to take care of her family.

Mayor Gallego mentioned Ms. Brhane was no longer on the line, and said Yolanda Hernandez would be next to speak.

Mario Barajas stated he would provide Spanish translation for Ms. Hernandez.

Yolanda Hernandez noted she worked at a hotel in Tempe, and expressed concern with going back to work. She asked for her company to guarantee job security, and mentioned she was not able to get full unemployment which did not cover her insurance.

Mr. Barajas provided Spanish translation for Mireya Rosales.

Mireya Rosales stated she had worked at the Sheraton Hotel in downtown Phoenix for 10 years, and mentioned her concern going back to work. She said she received a letter she would not be going back to work until November, and noted she would only be receiving help until July. She commented she needed money for bills, insurance, and her family. She stated her greatest concern was if her employer would provide protection that would be greatly needed.

Kellen Wilson announced she was a former hotel hostess and server, and now worked with United Local 11. She mentioned tourism was important to the Phoenix economy, and talked about the struggles facing the hospitality industry workers for health care costs and to pay bills. She said the State pushed to reopen Arizona, which caused workers to face more uncertainty about reopening the workplace. She asked for a worker protection ordinance to be in place, and added it was the responsibility of the fifth-largest city in the country to protect both workers and visitors.

Mr. Barajas provided Spanish translation for Graciela Navarro.

Graciela Navarro said she worked at the Sheraton Hotel in downtown Phoenix for over 11 years, and mentioned her greatest fear was going back to work and not having protection. She talked about health issues in her family, and suggested her employer was not concerned about her health. She stated she could not live on $240 and added she was the only support for her family to bring money in. She asked Council to help her and her coworkers out.

Mr. Barajas provided Spanish translation for Luz Wellmen.

Luz Wellmen noted she had worked for the Hilton Hotel for 14 years, and said she did get infected with COVID-19. She mentioned she was recovering, and talked about the issues with paying bills. She stated her health insurance would end in July, and added the funding she received was not enough to support themselves.

Mr. Barajas provided Spanish translation for Maria de Jesus Lopez.

Maria de Jesus Lopez mentioned she worked for the Hilton Hotel for 14 years, and said she was proud to serve the city and visitors. She expressed concern

with the State rushing to reopen, and concern for families and guests. She asked for an ordinance to protect workers in the hospitality industry, and stated her greatest concern was the lack of equipment to protect workers when returning to work.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 6:13 p.m.

MAYOR

ATTEST:

CITY CLERK

TS

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 17th day of June, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 20th day of April, 2022.

CITY CLERK