174490

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, February 5, 2020 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Feb. 5, 2020 at 2:34 p.m. in the Council Chambers.

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

Councilwoman Pastor entered the Chambers and joined the voting body before the voice vote on Liquor Licenses, Bingo, and Off-Track Betting. Councilman Nowakowski joined the voting body via telephone during discussion on Item 45.

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

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6668 through G-6672, S-46331, S-46333, S-46336 through S-46357, and Resolutions 21806 through 21808 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

MINUTES OF MEETINGS

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

May 1, 2019

Summary
This item transmits the minutes of the Formal Meeting of May 1, 2019, for review, correction and/or approval by the City Council.

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

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

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

2 For Approval or Correction, the Minutes of the Formal Meeting on May 15, 2019

Summary
This item transmits the minutes of the Formal Meeting of May 15, 2019, for review, correction and/or approval by the City Council.

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

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

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

BOARDS AND COMMISSIONS

3 Mayor and Council Appointments to Boards and Commissions

Summary

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

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

Census Complete Count Committee

Appoint Yolanda Medina, replacing Liz Luna, for a term to expire July 1, 2020 as recommended by Mayor Gallego.

Mayor's Commission on Disability Issues

Appoint Jessica Hipskind, serving as Chair, for a term to expire Dec. 31, 2020 as recommended by Mayor Gallego.

Tourism and Hospitality Board

Appoint Ron Lindblad, replacing Mary Lambert, for a term to expire Sept. 30, 2021 as recommended by Councilwoman Williams.

Appoint Chris Baldwin, replacing Bruce Lange, for a term to expire Sept. 30, 2021 as recommended by Councilman Waring.

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

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

Mayor Gallego administered the oath of office to the following appointees:

Jessica Hipskind - Mayor's Commission on Disability Issues; and
Ron Lindblad and Chris Baldwin - Tourism and Hospitality Advisory Board.

The above individuals were invited to approach the dais so Council could

extend their appreciation.

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

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

Note: Councilwoman Pastor entered the Chambers and joined the voting body.

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

Carlos Horn - Agent, Item 6
Andrea Lewkowitz - Agent, Items 7 and 10
Theresa Morse - Agent, Item 8
Sean McBath - Applicant, Item 9

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 4-11 be recommended for approval. The motion carried by the following voice vote:

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

4 Liquor License - Special Event - Pheasants Forever-Valley of the Sun(AZ) Chapter 3162

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

Summary

Applicant
Walter Wittrock Jr.

Location
5060 W. Skeet St.

Council District: 1

Function
Dinner

Date(s) - Time(s) / Expected Attendance
March 7, 2020 - 4 p.m. to 10 p.m. / 230 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

5 Liquor License - Special Event - Lump Busters

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

Summary

Applicant
Terri Gall

Location
2601 E. Rose Garden Lane
Council District: 2

Function
Dinner

Date(s) - Time(s) / Expected Attendance
April 18, 2020 - 6 p.m. to 10:30 p.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

6 Liquor License - Las Tres Potrancas

Request for a liquor license. Arizona State License Application 88937.

Summary

Applicant
Carlos Horn, Agent

License Type
Series 12 - Restaurant

Location
7710 W. Lower Buckeye Road, Ste. 107
Zoning Classification: A-1
Council District: 7

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

The 60-day limit for processing this application is Feb. 17, 2020.

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

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

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I have 5 years Restaurant /Bar experience with an excellant work ethic, and, of good moral character. I am assertive of following laws and plan on being a positive addition in the community.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“My business will be adding Local commuty revenue and jobs. We also plan giving back to the community, including local non profits and including if possible donations with money and cook outs.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Las Tres Potrancas
Liquor License Map - Las Tres Potrancas

This item was recommended for approval.

7 Liquor License - Pa'La Downtown

Request for a liquor license. Arizona State License Application 88889.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
132 E. Washington St.
Zoning Classification: DTC-BC
Council District: 7

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

The 60-day limit for processing this application is Feb. 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
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Pa'La (Series 12)
2107 N. 24th St., Phoenix
Calls for police service: 0
Liquor license violations: None

Paquime Street Food of Mexico (Series 12)
17 E. Dunlap Ave., Phoenix
Calls for police service: 8
Liquor license violations: None

Tortas Paquime (Series 12)
7227 S. Central Ave. #1005, Phoenix

Calls for police service: 111
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Pa'La will open its second Phoenix location, offering menu items prepared in a forged-steel grill. Applicant would like the opportunity to serve alcoholic beverages to its guests 21 and over as an incident to the wood-fired dishes they enjoy."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Pa'La Downtown
Liquor License Map - Pa'La Downtown

This item was recommended for approval.

8 Liquor License - The Counter

Request for a liquor license. Arizona State License Application 89190.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
50 N. Central Ave.
Zoning Classification: DTC-BC
Council District: 7

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

The 60-day limit for processing this application is Feb. 15, 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:
“The owner of The Counter (Kahala Operations, LLC) is the owner of numerous restaurants. The company has experience selling alcohol in other states without incurring any violations. All staff members and the manager will receive liquor law training in early January to educate them on all city, state and county laws emphasizing valid identification, how to identify an obviously intoxicated individual and other mandatory laws. The company strives to provide a safe and enjoyable atmosphere for their clientele.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“This is an existing family oriented establishment. Many city, county and state employees along with families and guests from nearby hotels frequent this restaurant. It is an asset to the City of Phoenix. The primary purpose of this establishment is the service of high quality food for an enjoyable experience. The restaurant has limited business hours and will not have a negative impact on adjacent businesses. Therefore, the issuance of a liquor license to this restaurant is in the best interest of the community.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Counter
Liquor License Map - The Counter

This item was recommended for approval.

9 Liquor License - Special Event - Forty Eight Foundation

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

Summary

Applicant
Sean McBath

Location
401 S. 1st Ave.
Council District: 8

Function
Dance

Date(s) - Time(s) / Expected Attendance
April 3, 2020 - 7 p.m. to 2:30 a.m. / 1,000 attendees
April 4, 2020 - 7 p.m. to 2:30 a.m. / 1,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Pure Life Spirits

Request for a liquor license. Arizona State License Application 88890.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 4 - Wholesaler

Location
4239 S. 36th Place
Zoning Classification: CP/BP
Council District: 8

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

The 60-day limit for processing this application is Feb. 12, 2020.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Rookies Soccer Cafe (Series 12)
3555 W. Pinnacle Peak Road, Phoenix
Calls for police service: 9
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Applicant is an experienced wholesale distributor of alcoholic beverages committed to upholding all laws and regulations."

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

This item was recommended for approval.

11 Liquor License - Gary's Smoke Gift & More

Request for a liquor license. Arizona State License Application 89673.

Summary

Applicant
Ashor Haron, Agent

License Type
Series 10 - Beer and Wine Store

Location
2843 N. 24th St.
Zoning Classification: C-2
Council District: 8

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

The 60-day limit for processing this application is Feb. 18, 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 used to own gas station with convenience store where we were selling beer, wine and hard liquor. This experience gave me the opportunity of learning the importance and significance of obtaining a beer and wine license. I am assured to uphold the laws and regulations about beer and wine license. I have never been involved in any criminal activity, no record of getting in trouble with the law and authorities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This store will provide a safe and secure place for the neighborhood to buy beer and wine. The location will be convenient for the people in neighborhood who may not have access to transportation. Adding the long time experience of the owner with running a store while upholding all the laws and regulations, the store will be a safe, secure and convenience place for the customers to purchase quality liquor."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Gary's Smoke Gift & More
Liquor License Map - Gary's Smoke Gift & More

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Note: Comment cards were submitted by the following individuals indicating their position, wishing not to speak.

Spencer Isom - Item 30, In Favor

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 12-49 be approved or adopted, except for Items 13, 26, 29, 45, and 49; and continuing Item 16 to the Feb. 19, 2020 City Council Formal Meeting and Item 27 to the March, 4, 2020 City Council Formal Meeting. The motion carried by the following vote:

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

Items 12, and 14-15, Ordinance S-46336 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.

12 Settlement of Claim(s) Davis v. City of Phoenix

To make payment of up to $87,500.00 in settlement of claim(s) in *Davis v. City of Phoenix,* Maricopa County Superior Court, case number CV2018-007848, 17-0581-003 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

14 Wood Environment & Infrastructure Solutions, Inc.

For $19,515.42 in additional payment authority for Agreement 147769,

for Change Order 3 for Project ST87600121 Oak Street: 3rd Street to Grand Canal Bike and Pedestrian Improvements project for the Street Transportation Department. This change order is to provide additional design services including a change from a Rapid Rectangular Flashing Beacon to a three-way stop at 20th Street and Oak Street. The change of design is due to adjacent City and development projects along the project corridor and an additional design submittal at the request of City staff. This work was not included as part of the original proposal.

This item was adopted.

15 DNG Construction, LLC

For $104,343.32 in additional payment authority for Agreement 150123, for Change Order 1 (Project PA75200580), Pinnacle Park Soccer Fields and Restrooms project for the Parks and Recreation Department. This change order is to provide APS plan added work, APS street light addition, and utility (APS) allowance at the request of City staff. This work was not included as part of the original bid.

This item was adopted.

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

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

Summary

The additional amount will be used for citywide departments' software and annual software support and maintenance purchases. Examples of the software and enterprise agreements include the City's Microsoft Enterprise Agreement, which includes the Microsoft Office suite, as well as Outlook for email and SharePoint for the City's website. This contract will also be used to purchase new and continuing IT security software to protect the City’s systems, such as endpoint protection, security

monitoring, advanced email security tools, and multi-factor authentication/single-sign-on solutions. Additional software purchased through this contract includes mobile and desktop applications; databases; storage and backup; business intelligence solutions; software for servers and other IT infrastructure; and ongoing maintenance, support, and professional services for software implementation and upgrade projects. In addition to providing cost savings from volume discounts, utilizing the value-added reseller contract provides the City with additional benefits for implementing and upgrading software solutions, including providing evaluation copies, product comparisons, proofs-of-concept, needs analysis, product information and application recommendations.

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

Procurement Information
In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a process, as set forth in the Phoenix City Code, Chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts.The State of Arizona contract covers software value-added reseller services, and the City adopted the contract in 2016 with CDW Government LLC for an amount not to exceed $35 million. The State of Arizona awarded the contract to SHI International Corporation as well on Sept. 9, 2019.

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

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

This item was continued to the Feb. 19, 2020 City Council Formal Meeting.

17 Emulsified Asphalt - Requirements Contract - IFB 20-047 (Ordinance S-46339)

Request to authorize the City Manager, or his designee, to enter into a contract with Ergon Asphalt & Emulsions Inc. to provide cationic quick set (CQS) and polymer modified rejuvenating emulsion (PMRE) asphalt paving emulsion in an amount not to exceed $518,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Asphalt emulsions are environmentally friendly, energy efficient and cost effective products used for pavement preservation. Street Maintenance crews utilize emulsion products to pave, patch, repair and/or coat major, collector, and local streets and parking lots. The CQS and PMRE emulsion products are classified for use as fog seal treatments on asphalt pavement surfaces. Fog seals are applied on streets with narrow cracks to slightly restore lost flexibility of the pavement surface, provide a deep, rich black pavement color, and most importantly help preserve the underlying pavement structure.

Procurement Information

IFB 20-047 Emulsified Asphalt, was conducted in accordance with Administrative Regulation 3.10. The solicitation was sent via email to 79 vendors and was posted on the City's website for three weeks. One offer was received by the Finance Department Procurement Division on Dec. 6, 2019. The price has been determined to be fair and reasonable based on past purchases.

The Chief Financial Officer recommends the offer for the above vendor be accepted as the responsive and responsible offer.

Contract Term

The contract term will begin on or about March 1, 2020 through Feb. 28, 2025.

Financial Impact

The aggregate contract value will not exceed $518,000 and funds are available in the Street Transportation Department budget.

This item was adopted.

18 Dedication of Right-of-Way and Sidewalk Easement Over a Portion of City-Owned Vacant Land Located at 1825 E. Roosevelt St. (Ordinance S-46342)

Request for the City Council to dedicate right-of-way and sidewalk easement to public use for roadway and sidewalk purposes over a portion of City-owned vacant real property; further ordering the ordinance recorded.

Summary

The dedication is required to install improvements and Americans with Disabilities Act (ADA) compliant sidewalks along Roosevelt Street from 18th to 19th streets and ramps along Garfield Street at 18th and 19th streets. The right-of-way more fully described in the legal description on Exhibit A, to be recorded with the Ordinance, is approximately 6,022 square feet, and the sidewalk easement more fully described in the legal description on Exhibit B, to be recorded with the Ordinance, is approximately 30 square feet.

Location

1825 E. Roosevelt St., identified by Maricopa County Assessor's parcel number 116-11-001B.
Council District: 8

This item was adopted.

19 Commercial Vehicle and Equipment On-Site Wash Services - Requirements Contract - IFB 20-002 (Ordinance S-46344)

Request to authorize the City Manager, or his designee, to enter into a contract with DetailXPerts Franchise Systems, LLC. to perform Commercial Vehicle and Equipment On-Site Wash Services for Citywide departments. Further request authorization for the City Controller to disburse all funds related to this item. The five-year aggregate value of the contract shall not exceed $512,500.

Summary

This contract will provide on-site washing services for Citywide

commercial vehicles and equipment including flatbed, bucket, platform, and dump trucks, tractors, and trailers. This contract is needed to remove debris, mud, and dirt from the City's large fleet of commercial vehicles and equipment, as well as maintain a clean appearance when in use throughout the City. The contractor is required to comply with Federal and State storm water regulations, the Municipal Separate Storm Sewer System MS4 permit and Phoenix City Code chapter 32-103 (B), to prevent wastewater to enter the storm drain system. The majority user departments of this contract are Street Transportation, Water Services, and Parks and Recreation.

Procurement Information
IFB 20-002 was conducted in accordance with Administrative Regulation 3.10. There were four offers received by the Finance Department's Procurement Division on Dec. 6, 2019. Two offers were deemed non-responsive for failing to provide revised submittal and offer documents.

The Finance Director recommends that the offer from DetailXPerts Franchise Systems, LLC be accepted as the lowest-priced, responsive and responsible offer.

Contract Term
The five-year contract term will begin on or about Feb. 15, 2020.

Financial Impact
The aggregate contract value will not exceed $512,500, with an estimated annual expenditure of $102,500. Funds are available in various departments' Operating budgets.

This item was adopted.

20 Court Reporting Services - Requirements Contract (Ordinance S-46347)

Request to authorize the City Manager, or his designee, to enter into a contract with Donna DeLaVina Reporting, LLC, Glennie Reporting Services, LLC, Griffin & Associates, LLC and Ottmar & Associates, Inc. to provide court reporting services for the Law Department. The

aggregate contract value will not exceed $129,000 (including applicable taxes) with an estimated annual expenditure of $25,800. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Law Department requires certified court reporting services in order to obtain complete and accurate records of all legal proceedings. Currently, the Law Department has 75 active in-house litigation cases and the number of cases handled in-house rather than sending to outside counsel continues to increase. The Qualified Vendor List (QVL) will provide court reporting services related to civil and criminal depositions, courtroom transcription, expert witness testimony, etc. for cases handled by Law Department attorneys for legal matters involving City departments, commissions, boards, and agencies on an as-needed basis.

Procurement Information
Request for Qualifications (RFQu) 20-032 Court Reporting Services was conducted in accordance with Administrative Regulation 3.10 with the intent to establish a QVL to provide court reporting services. Seven offers were received by the Finance Department Procurement Division on Nov. 22, 2019. Two offers were deemed non-responsive. Five offers were evaluated by a committee which determined four offers met the City's minimum qualification criteria.

The following offers are recommended to be included on the QVL:

Donna DeLaVina Reporting, LLC
Glennie Reporting Services, LLC
Griffin & Associates, LLC
Ottmar & Associates, Inc.

The Chief Financial Officer recommends this list of responsive and responsible offers to be included on the QVL.

Contract Term
The five-year contract term shall begin on or about Feb. 23, 2020.

Financial Impact

The aggregate contract value will not exceed $129,000 (including applicable taxes) with an estimated annual expenditure of $25,800. Funds are available in the Law Department's budget.

This item was adopted.

21 Traffic Management System Maintenance - RFA 15-101 (Ordinance S-46348)

Request to authorize the City Manager, or his designee, to extend Contract 140177 with Transcore ITS LLC for traffic signal hardware and software maintenance and to authorize additional expenditures in an amount of $100,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract is used to provide maintenance services to support the City's traffic signal system managed by the Street Transportation Department. The City's traffic signal system is used in the assessment of traffic signal timing for existing and proposed signalized intersections and is critical in maintaining a safe and efficient traffic signal system. The system performs many functions critical to the management of pedestrian and vehicular traffic throughout the City as it communicates to over 1,200 signalized intersections and High-intensity Activated CrossWalks (HAWKs). Having an efficiently timed signal system reduces vehicle crashes, minimizes fuel usage and reduces pollution citywide. Maintenance and support services are necessary to ensure the system's availability and safe performance.

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

Contract Term

This request will extend the contract four months through June 30, 2020. During this time, staff will complete a new procurement for traffic signal hardware and software maintenance.

Financial Impact

With the $100,000 in additional funds, the contract's revised aggregate value is now $600,000. Funds are available in the Street Transportation Department Capital Improvement Program budget.

This item was adopted.

22 Authorization to Accept Special Warranty Deed from Arizona Department of Transportation for Land Located East of 43rd Avenue and Dusty Lane Alignments (Ordinance S-46350)

Request to authorize the City Manager, or his designee, to accept a Warranty Deed for Land located east of the 43rd Avenue and Dusty Lane Alignments. Further request authorization to designate land as Mountain Preserve in accordance with the provisions of Chapter XXVI via a separate recording instrument.

Summary

The parcel of land conveyed to the City of Phoenix by the Arizona Departmnent of Transportation (ADOT) replaces land acquired by ADOT for the State Route 202 Loop (Congressman Ed Pastor Freeway). The land is adjacent to the City's Mountain Preserve.

Financial Impact

There is no financial impact associated with this acceptance.

Location

East of the 43rd Avenue and Dusty Lane Alignments
Council District: 6

This item was adopted.

23 PeopleSoft Application Development Services (Ordinance S-46355)

Request to authorize the City Manager, or his designee, to enter into a contract with Envision, LLC to provide PeopleSoft application development services for the Information Technology Services and Human Resources departments. Further request authorization for the City Controller to disburse funds related to this item. The aggregate value will not exceed $200,000.

Summary

PeopleSoft is the City's recruiting and applicant tracking solution and delivers a full suite of tools for applicants, recruiters and hiring managers

which the City is licensed to use. The requested contract will allow the consultant to streamline the City's recruiting, application, and hiring processes. It also will help assist the Human Resources Department with further enhancing the Talent Acquisition Manager and Candidate Gateways modules within PeopleSoft by leveraging existing functionality within the application.

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

Procurement Information
In January 2020, the Human Resources Department solicited vendors from the Information Technology Professional Services Qualified Vendors List. Three vendors responded, with Envision LLC, being selected as the most qualified.

Contract Term
The contract will begin on Feb. 5, 2020, and will end Jan. 31, 2021, with one optional year.

Financial Impact
The aggregate value of the contract will not exceed $200,000 and funds are available in the Human Resources Department's budget.

This item was adopted.

24 Authorization to Apply for Local Judicial Collection Enhancement Fund Grant Funding to Replace Aging Hardware (Ordinance S-46352)

Request authorization for the Phoenix Municipal Court to apply for grant funding in an amount not to exceed $54,000 from the Arizona Supreme Court-administered Judicial Collection Enhancement Fund (JCEF) to replace aging hardware. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary
Funds will be used by the Phoenix Municipal Court to replace 24 aging network printers. Replacement of the hardware will help ensure reliability

of the Municipal Court business systems, minimize hardware failure, and support requirements and maintenance costs. In seeking out grant funding through JCEF, aging printers can be replaced with current, supported models without using general funds. Additionally, leveraging these funds for this purpose has helped to stretch the City's hardware budget as the Court will make older hardware available to other City departments.

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

Financial Impact

Funds will be made available in the Phoenix Municipal Court local JCEF account. The Phoenix Municipal Court must submit a funding plan and application to the Arizona Supreme Court Administrative Office of the Courts to secure approval for use of JCEF funds pursuant to Arizona Revised Statutes section 12-113. No General Fund dollars will be used.

This item was adopted.

25 Community Development Block Grant Neighborhood Enhancement Program - Various Park Improvement Projects (Ordinance S-46337)

Request to authorize the City Manager, or his designee, to reprogram $625,000 of available Community Development Block Grant (CDBG) program income to fund additional Neighborhood Enhancement Program park projects. Also request to authorize the City Manager, or his designee, to enter into contract with Doege Development, LLC for parking lot reconstruction projects at Marivue, La Pradera, and Perry parks. Further request to authorize the City Controller to disburse the funds for the purpose of this ordinance.

Summary

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

goals and strategies.

The Parks and Recreation Department applied to the CDBG Neighborhood Enhancement Program to fund the reconstruction of parking lots at Marivue, La Pradera and Perry parks. These projects are aligned with the Parks Board's Master Plan, and support the current infrastructure that sustains safe recreational and community-gathering public spaces across the City.

Procurement Information
One contractor responded to the Request for Proposal (RFP) issued on Jan. 23, 2019. The proposal was scored by a three-member evaluation committee based on the following criteria (1,000 points total):

Experience and Qualifications - (400 points)
Method of Approach - (350 points)
Cost of Services - (250 points)

The submittal was responsive and responsible. The evaluation committee reached a consensus and recommended entering into contract with Doege Development, LLC. The proposer and final score are as follows:

Doege Development, LLC: 692 points

Contract Term
The contract term will begin on or about Feb. 6, 2020 and end on June 30, 2020.

Financial Impact
The Neighborhood Enhancement Program park projects are funded by Community Development Block Grant program income; there is no impact to the General Fund.

Location
Marivue Park, 5625 W. Osborn Road
La Pradera Park, 6830 N. 39th Ave.
Perry Park, 2700 N. 32nd St.

Council Districts: 4, 5 and 8

This item was adopted.

27 Authorization to Issue Request for Proposals for Lease and Redevelopment of City-Owned Property Located at 1414 E. Jefferson St.

Request City Council authorization for staff to issue a Request for Proposals (RFP) for the lease and redevelopment of City-owned property located at 1414, 1418, 1422, 1426, 1430, 1434 and 1442 E. Jefferson St. for a mixed-use, mixed-income residential project, and authorization to begin negotiations with the recommended proposer. There is no impact to the General Fund as a result of this action.

Summary

The City owns approximately 1.1 acres of vacant land at 1414, 1418, 1422, 1426, 1430, 1434 and 1442 E. Jefferson St. (Site). The Site is located on the north side of Jefferson Street between 14th and 15th streets. Between 2002-16, these properties were acquired by the Aviation Department under the Voluntary Acquisition and Relocation Services Program.

The Site is within the Eastlake-Garfield Transit-Oriented Development (TOD) District, approximately 1,100 feet east of the 12th and Jefferson streets light rail station. In 2015, City Council adopted the Eastlake-Garfield Policy Plan (TOD Plan), a guide for transforming the district into a walkable, opportunity-rich community. The TOD Plan calls for the Site to be rezoned from R-5 to the Walkable Urban Code: T5:7, allowing for building height up to 56 feet. The successful proposer will be required to rezone the Site.

The Site is also located within the study boundary for the Aviation Department's Land Reuse Strategy (LRS). The LRS is focused on redeveloping properties west of Phoenix Sky Harbor International Airport. Its goals include stabilizing and strengthening neighborhoods, creating a sense of identity for and elevating perceptions of the study area, and expanding economic opportunity. The LRS has identified the Site as a key location (referred to in the LRS as Spark Area 1) that can further these goals and inspire the development of privately owned vacant land

along Jefferson Street. The LRS envisions the following for the Site:

A mixed-use project primarily consisting of residential use.
Mixed-income residential units, consisting of both market-rate units and non-market rate units (affordable and workforce).
Consistency with TOD Development Standards and Guidelines.
Amenities and uses that enhance the neighborhood and honor its history.

With approval, and consistent with the Implementation Phase of the LRS, the Community and Economic Development Department will issue an RFP seeking offers to lease and redevelop the Site into a mixed-use, mixed-income residential project. Proposals to purchase the Site will not be accepted. Proposers will be required to:

A member of the proposer's team must demonstrate experience successfully completing at least one vertical mixed-use development of at least three stories in the last five years.
Project must be mixed-income and offer both affordable and workforce housing units, which in aggregate must represent at least 50 percent of all units proposed.
Offer fair market value for the Site over the term of the lease.

Affordable housing units will be made available to households earning incomes of no more than 60 percent of the Area Median Income (AMI), while workforce units will be available to households earning incomes between 80 percent and 120 percent of AMI.

The final negotiated project will incorporate the following:

A variety of unit sizes across all proposed classifications of unit types (affordable, workforce and market-rate).
If multiple buildings are proposed, each building must include a mix of all proposed classifications of unit types.
Housing units across all proposed classifications of unit types must be available for occupancy within 36 months of escrow closing.
No demarcation between, or segregation of, proposed unit-type classifications.

The Site was appraised in January 2020 with an annual lease value of $24,000. While the appraisal establishes the Site's fair market value, in order to facilitate construction of non-market rate housing units, the ultimate return to the City will include both cash and other value to the City.

The RFP will include standard terms, conditions, and other necessary requirements, and the RFP will be evaluated according to the following evaluation criteria (1,000 possible points):

Return to the City (0-375 points)
Concept to Redevelop the Site (0-325 points)
Proposer's Qualifications and Experience (0-300 points).

Staff anticipates that the RFP will be issued in Spring 2020 and that it will remain open for at least 60 days. Responsive proposals will be evaluated by a panel that includes City staff and community representatives. Following negotiations with the recommended proposer, business terms will be brought to the Transportation, Infrastructure and Innovation Subcommittee for information, the Workforce and Economic Development Subcommittee for review and recommendation, and then to the full City Council for consideration.

Financial Impact
There is no impact to the General Fund as a result of this action.

Public Outreach
Staff notified residents and the community of the potential RFP through presentations at the City's Central City Village Planning Committee on Dec. 9, 2019 and the Eastlake Park Neighborhood Association on Dec. 17, 2019.

Location
The Site includes seven individual parcels, collectively known as 1414 E. Jefferson St. The parcel addresses range from 1414 through 1434 E. Jefferson St. and a non-contiguous parcel at 1442 E. Jefferson St.
Council District: 8

Previous Council Action
This item was recommended for approval by the Workforce and Economic Development Subcommittee at the Jan. 22, 2020 meeting by a vote of 3 to 1.

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

28 Issuance of Multifamily Housing Revenue Bonds (Soluna II Project), Series 2020 (Resolution 21807)

Requests City Council approval for the issuance of Multifamily Housing Revenue Bonds (Soluna II Project), Series 2020, to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed $9,000,000.

Summary
Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Ariz. (the “Phoenix IDA”) has previously resolved to issue up to $9,000,000 of Multifamily Housing Revenue Bonds (the “Revenue Bonds”) for use by 19 Roosevelt Phase 1B, LLC (the “Borrower”), an Arizona limited liability company, to:
a) finance or refinance, as applicable, development, acquisition, construction, improvement, equipping, and/or operation of a multifamily residential rental housing facility in Phoenix, Ariz., and
b) pay certain costs related to the issuance of the Revenue Bonds.

Concurrence/Previous Council Action
The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on Jan. 22, 2020.

Location
The Project is located at 1825 E.Roosevelt St. in Phoenix, Ariz.

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

This item was adopted.

30 Ground Lease with Western Maricopa Education Center District No. 402 at Phoenix Deer Valley Airport (Ordinance S-46349)

Request to authorize the City Manager, or his designee, to enter into a ground lease (Lease) with Western Maricopa Education Center District No. 402 (West-MEC) to construct and use an automobile parking lot at Phoenix Deer Valley Airport (DVT). The Lease will not contain any option to extend the term of the Lease. The Lease is subject to prior approval by the Federal Aviation Administration.

Summary

West-MEC is a public school district that provides career and technical education to high school students and adults at campuses throughout Maricopa County. West-MEC's Northeast Campus is located near the northwest corner of DVT. The campus has a shortage of parking and West-MEC has asked the City to lease approximately 85,200 square feet of land at DVT for the construction and use of a parking lot. The parking lot will include at least 100 parking spaces for West-MEC employees, students, and visitors. West-MEC will construct the parking lot at an estimated cost of $600,000.

Contract Term

The term of the Lease will be 20 years, which includes a construction period of up to 24 months. Rent will commence after the construction period expires or 24 months after the effective date of the Lease, whichever occurs first.

Financial Impact

Rent will be $15-per-space per month over the term of the Lease. As an example, net rent will be $1,500 per month, or $18,000 per year, if 100 parking spaces are built. Rent will be offset by rent credits to be applied on a dollar-for-dollar basis each month over the term of the Lease. At the end of the term, the City will pay West-MEC the fair market value of the parking lot less the value of all rent credits received by West-MEC. The fair market value of the parking lot will be determined by the City and West-MEC.

Concurrence/Previous Council Action
This item was recommended for approval by the Transportation, Infrastructure and Innovation Subcommittee on Jan. 7, 2020 by a vote of 4-0.

Location
Phoenix Deer Valley Airport, 702 W. Deer Valley Road
Council District: 1

This item was adopted.

31 Portable Litter Fences - IFB 20-SW-029 - Requirements Contract (Ordinance S-46343)

Request to authorize the City Manager, or his designee, to enter into a contract with Metta Technologies, Inc. to provide portable litter fencing on an as-needed basis for the Public Works Department to be used at the City's Landfill. This contract will have an aggregate amount not to exceed $200,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
This contract will provide portable fencing at Arizona State Route 85 (SR85) Landfill for litter control. The fences are portable which will allow staff to move them where needed on the tipping area, open face, and the active part of the landfill depending on the wind direction. Due to regulatory requirements issued by the Arizona Department of Environmental Quality and commitments with the City of Buckeye through an Intergovernmental Agreement, it is critical to maintain compliance with litter control.

Procurement Information
Invitation for Bid (IFB) 20-SW-029 was conducted in accordance with Administrative Regulation 3.10. Four offers were received by the Procurement Division on Nov. 13, 2019. The following offers were received based on estimated linear foot requested:

Metta Technologies, Inc.: $48,975.00

Hawaii Drillers Inc. dba Coastal Netting Systems: $49,400.00
Wind and Sun Protection Inc.: $59,991.74
Arizona State Fence, LLC: $118,745.00

Public Works recommends that the offer from Metta Technologies, Inc. be accepted as the lowest-priced, responsive and responsible offer.

Contract Term
The initial contract term is for one year beginning on or about March 1, 2020. Provisions of the contract include an option to extend the term up to four years in one-year increments, which may be exercised by the City Manager or designee.

Financial Impact
This contract will have an aggregate amount not exceed $200,000 over the life of the contract including option years. Funds are available in the Public Works Department's budget.

Location
SR85 Landfill, 28361 W. Patterson Road, Buckeye, Ariz.
Council District: Out of City

This item was adopted.

32 Hydraulic Cylinder, Pumps, and Motor Rebuild or Replacement - Contract Recommendation (Ordinance S-46346)

Request to authorize the City Manager, or his designee, to enter into separate contracts with Cohone Technologies Sales and Service, LLC, Cliffco, LLC, and Empire Southwest, LLC to provide hydraulic cylinder, pumps and motor rebuild or replacement services for the Public Works Department. This contract will have a total aggregate value of $3,625,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Public Works Department is responsible for the safe, reliable operation and maintenance of City equipment including, but not limited to:

dump trucks, aerial equipment, excavators, tractors, fire apparatus, and refuse collection trucks. Malfunctioning or leaking hydraulic system parts render a piece of equipment out of service, therefore it is critical to get this equipment operational as soon as possible. This contract will provide Fleet Services the ability to expedite hydraulic and motor repairs to ensure continuous operation of City services.

Procurement Information
Invitation for Bid (IFB) 20-FSD-022 was conducted in accordance with Administrative Regulation 3.10. Three offers were received, with all three being deemed responsive and responsible with the low bid being determined by labor rate. Due to the volume of hydraulic cylinder and motor rebuilds and replacements, all three vendors listed below are recommended for award.

Cohone Technologies Sales and Service, LLC: $45.00
Cliffco, LLC: $70.00
Empire Southwest, LLC: $118.05

Contract Term
The initial one-year contract term shall begin on or about March 1, 2020, with four option years to be exercised in increments of up to one year, with a total contract option term of five years.

Financial Impact
This contract will have an estimated aggregate amount of $3,625,000 over the life of the contract. Funds are available in the Public Works Department's budget.

This item was adopted.

33 2019 Congestion Mitigation and Air Quality Alley Dustproofing - Design-Bid-Build Services - ST87400271 (Ordinance S-46338)

Request to authorize the City Manager, or his designee, to accept Cactus Transport, Inc., dba Cactus Asphalt, as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Cactus Transport, Inc., dba Cactus Asphalt, for Design-Bid-Build Services for the 2019 Congestion Mitigation and Air Quality Alley Dustproofing project. Further

request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $2,543,204.66.

Summary

The purpose of this project is to provide dustproofing treatment on approximately 29 miles of alleys for dust control using a Fractured Aggregate Surface Treatment.

Cactus Transport, Inc., dba Cactus Asphalt's, services include, but are not limited to: approximately 205,397 square yards of clearing, grubbing, and subgrade preparation, including removal, hauling, and disposal of deleterious materials and degraded asphalt millings; 188,281 square yards of single application of Liquid Asphalt (MC-250) and pre-coated fractured aggregate; weed control; traffic control; and other miscellaneous items as required in various alleys.

Procurement Information

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Three bids were received on Nov. 5, 2019, and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Disadvantaged Business Enterprise program requirements.

The Engineer's Estimate and the two lowest-priced, responsive and responsible bidders are listed below:

Engineer's Estimate: $2,717,149.84

Cactus Transport, Inc., dba Cactus Asphalt: $2,543,204.66
Cholla Pavement Maintenance, Inc.: $2,559,381.51

Bidders who were deemed non-responsive are listed below in alphabetical order:

VSS International, Inc.

The bid award amount is within the total budget for this project.

Contract Term
The term of the agreement is 180 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Cactus Transport, Inc. dba Cactus Asphalt will not exceed $2,543,204.66, including all subcontractor and reimbursable costs.

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

Public Outreach
Construction flyers and door hangers will be handed out prior to construction.

This item was adopted.

34 Central Core ARID - Central City - Design-Bid-Build Services - ST89360029 (Ordinance S-46340)

Request to authorize the City Manager, or his designee, to accept CS Construction, Inc. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with CS Construction, Inc. for Design-Bid-Build Services for the Central Core ARID - Central City project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $757,969.

Summary
The purpose of this project is to expand the current anonymous re-identification device (ARID) system to enhance congestion management capabilities along roadway corridors and intersections within the City of Phoenix.

CS Construction, Inc.’s services include, but are not limited to: installation of fiber optic equipment and installation of ARID devices at 102 locations. Forty-two locations will utilize an existing ethernet switch and 60 locations will require installation of a new ethernet distribution switch.

Procurement Information
The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Four bids were received on Dec. 3, 2019 and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Disadvantaged Business Enterprise (DBE) program requirements.

The Engineer's Estimate and the four lowest responsive, responsible bidders are listed below:

Engineer's Estimate: $1,144,500

CS Construction, Inc.: $757,969
Roadway Electric, LLC: $795,835
AJP Electric, Inc.: $810,844
Contractors West, Inc.: $835,995

The bid award amount is within the total budget for this project.

Contract Term
The term of the agreement is 120 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for CS Construction, Inc. will not exceed $757,969, including all subcontractor and reimbursable costs.

This project will utilize federal funds and is subject to the requirements of 49 Code of Federal Regulations Part 26 and the U.S. Department of

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

This item was adopted.

35 Intergovernmental Agreement with Maricopa Association of Governments with Indemnification Provision - Pre-Design Study (Ordinance S-46353)

Request to authorize 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 for an Intergovernmental Agreement (IGA) with the Maricopa Association of Governments (MAG) that was previously authorized by Ordinance S-44821.

Summary

This request relates to an IGA for a pre-design study through MAG to evaluate transportation improvements on 16th Street from Jefferson Street to Roosevelt Street with a focus on pedestrian safety as well as bicycle and transit connectivity. Authorization to enter into the IGA was previously approved by Ordinance S-44821 but did not include the authorization for an exemption from the indemnification prohibition. The IGA includes a provision for mutual indemnification.

Concurrence/Previous Council Action

The City Council previously approved the authorization to enter into an IGA with MAG (Ordinance S-44821) on June 20, 2018.

Financial Impact

This action will not change the amount previously authorized under Ordinance S-44821 for the City’s share not to exceed $25,100.

Location

16th Street between Jefferson Street and Roosevelt Street.
Council District: 8

This item was adopted.

36 Intergovernmental Agreement with Maricopa Association of Governments with Indemnification Provision - Bicycle Master Plan (Ordinance S-46354)

Request to authorize 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 for an Intergovernmental Agreement (IGA) with the Maricopa Association of Governments (MAG) that was previously authorized by Ordinance S-45828.

Summary
This request relates to an IGA associated with an update to the Bicycle Master Plan through MAG. The City will be updating the Bicycle Master Plan that was previously approved by City Council in 2014. Authorization to enter into the IGA was previously approved by Ordinance S-45828 but did not include the authorization for an exemption from the indemnification prohibition. The IGA includes a provision for mutual indemnification.

Concurrence/Previous Council Action
The City Council previously approved the authorization to enter into an Intergovernmental Agreement with MAG (Ordinance S-45828) on June 19, 2019.

Financial Impact
This action will not change the amount previously authorized under Ordinance S-45828 for the City's share not to exceed $100,000.

This item was adopted.

37 Serpentix IPS Incline Conveyor System, Parts and Equipment (Ordinance S-46341)

Request to authorize the City Manager, or his designee, to enter into an agreement with Serpentix Conveyor Corp., to provide parts and equipment for the IPS incline conveyor system (conveyor system) which is owned and operated by the Water Services Department (WSD). 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 agreement value will not exceed $78,000.

Summary
The purpose of this contract is to provide WSD with parts and equipment, on an as-needed basis, for the conveyor system located at the 23rd Avenue Wastewater Treatment Plant. The conveyor system is used to move debris from the pre-treatment bar screens to the waste containers for disposal. WSD maintenance staff require a supply of parts and equipment which will allow them to perform periodic maintenance and repairs on the conveyor system.

This direct selection is necessary because Serpentix Conveyor Corp., as the manufacturer of the conveyor system, is the only contractor that can provide the proprietary and patented parts and equipment.

Serpentix Conveyor Corp.'s services include, but are not limited to, the supply of parts and equipment for the conveyor system.

Procurement Information
The selection was made using a direct selection process set forth in City of Phoenix Administrative Regulation 3.10. A direct selection was made because Serpentix Conveyor Corp. is the sole source due to the unique nature of the goods.

Contract Term
The term of the agreement is five years and will begin on April 1, 2020.

Financial Impact
The agreement value for Serpentix Conveyor Corp. will not exceed $78,000.

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

Location
22nd Avenue and West Lower Buckeye Road
Council District: 7

This item was adopted.

38 Blower Fans and Spare Parts Contract (Ordinance S-46345)

Request to authorize the City Manager, or his designee, to enter into an agreement with Fluid Technology, LLC to provide blower fans and spare parts for the Water Services Department for a 10-year term. 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 value will not exceed $140,638.

Summary
The blower fans, which are used for odor control, are needed at the 23rd Avenue Wastewater Treatment Plant to draw air from the area within the influent channel above the wastewater surface and convey it to the headworks odor scrubber for treatment.

This process is required to maintain compliance with the permit issued by Maricopa County Air Quality Control Department.

Procurement Information
The selection was made using an Invitation for Bids procurement process in accordance with Administrative Regulation 3.10.

Two vendors submitted bids and one bidder was deemed non-responsive.

Selected Bidder
Fluid Technology, LLC

Contract Term
The term of the agreement is 10 years and will begin on or about Feb. 24, 2020.

Financial Impact
The agreement value for Fluid Technology, LLC will not exceed a total value of $140,638. Funding is available in the Water Services Department's operating budget.

Location
23rd Avenue Wastewater Treatment Plant
Council District: 7

This item was adopted.

39 Final Plat - Town and Country Place - 180148 - South of Ocotillo Road and East of 14th Street

Plat: 180148
Project: 16-3689
Name of Plat: Town and Country Place
Owner(s): LS-North Phoenix, LLC
Engineer(s): Clouse Engineering, Inc.
Request: A 13 Lot Residential Subdivision Plat
Reviewed by Staff: Oct. 21, 2019
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V190062A.

Location
Generally located south of Ocotillo Road and east of 14th Street.
Council District: 6

This item was approved.

40 Abandonment of Right-of-Way - V170059A - 1055 E. Indian School Road (Resolution 21806)

Abandonment: V170059
Project: 17-2192
Applicant: Stephen Azarik
Request: To abandon 25-foot right-of-way dedicated per Ordinance S-1480, Docket 2835 Page 501, MCR, from Lot 9, Block 1 of Kay Tract, addressed 1055 E. Indian School Road, APN 118-03-021.
Date of Hearing: Nov. 28, 2017

Location

1055 E. Indian School Road
Council District: 4

Financial Impact

A fee was also collected as part of this abandonment in the amount of $2,500.

This item was adopted.

41 Abandonment of Right-of-Way - V190062A - Southwest Corner of Ocotillo Rd and 14th Place (Resolution 21808)

Abandonment: V190062A
Project: 16-3689
Applicant: ASFR Town and Country, LLC
Request: To abandon public utility easement adjacent to lots 3, 4, and 11, per subdivision plat “Squaw Peak Heights”; recorded with Maricopa County Records, Book 042, Page 06.
Date of Decision: Oct.15, 2019

Summary

The resolution of the abandonment and the subdivision plat Final Plat for "Town and Country Place," Plat 180148, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location

Southwest corner of Ocotillo Rd and 14th Place
Council District: 6

Financial Impact

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

This item was adopted.

42 Demonstration Project Grant for First Baptist Church, 302 W. Monroe St. (Ordinance S-46356)

Request to authorize the City Manager, or his designee, to enter into necessary agreements and conveyances with Abbey Historic Restoration LP related to a Historic Preservation Demonstration Project grant of up to $200,000 for the First Baptist Church, located at 302 W. Monroe St. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Constructed in 1929, First Baptist Church was listed on the National Register of Historic Places in 1982 and Phoenix Historic Property Register in 1995. The building is significant for its architectural style--Italian Gothic with Modern influences--and for its progressive design, with an auditorium for religious events instead of a sanctuary, a stage with a proscenium arch and curtains replacing the altar, and individual seats rather than pews. The brick building with stucco consists of two parts: the main four-story 1929 building and a two-story 1949 addition to the west. The most notable features of the building are a 105-foot-tall corner bell tower and a large cast stone pointed arch and rose window centered on the south facade.

Although the building was originally of substantial construction with high quality materials, finishes, and detailing, it suffered serious damage in 1984. A fire destroyed a number of significant interior features and quickly moved to the attic, resulting in the building's Spanish tile roof collapsing into the auditorium. The roof structure over the west wing remained intact, while the bell tower's hipped roof was damaged such that it was eventually determined hazardous and its tiles had to be removed. Over the past three decades, exposure to the elements caused further deterioration. To address the safety issues resulting from a damaged and compromised structural support system, several sets of bracing have been installed to support the exterior walls. In 1999, an Arizona Heritage Fund grant provided monies to partially rehabilitate the exterior of the building.

In 2015, the City provided a Demonstration Project grant in the amount of $82,156 to repair the portions of the roof that remain on the building and

to reimburse for structural engineering expenses. In exchange for the grant funds, the City received a 25-year conservation easement on the exterior of the building, which remains in effect through Jan. 15, 2041. The conservation easement requires that the historic character of the property be preserved, and that the property be insured and maintained in good condition.

The property owner, Abbey Historic Restoration LP, is now requesting additional funding to continue rehabilitation of the historic building. The proposed work, which includes repair of the historic stucco and plaster and reconstruction of the historic doors and windows, will be the culmination of the initial phase of the rehabilitation. The work will be guided by a comprehensive study provided by Evergreen Architectural Arts. The larger rehabilitation project is being undertaken as a federal Historic Preservation Tax Credit project, so all work will conform to the Secretary of the Interior's Standards for Rehabilitation, as well as the City of Phoenix General Design Guidelines for Historic Properties.

Financial Impact
The amount requested for the Demonstration Project grant is $200,000. The cost of the proposed work is estimated to be $657,861. Funding for the grant is available through the Community and Economic Development Department. In exchange for the grant funds, the City will add 30 years to the term of the existing conservation easement, providing protection for the building through Jan.15, 2071. The other terms of the easement will remain the same.

Concurrence/Previous Council Action
The Historic Preservation Commission recommended approval of this item on Dec.16, 2019, by a vote of 7-0.
This item was recommended for approval at the Land Use and Livability Subcommittee meeting on Jan. 15, 2020, by a vote of 4-0.

Location
302 W. Monroe St.
Council District: 7

This item was adopted.

43 Warehouse and Threatened Building Grant for Arizona Sash, Door & Glass Company Warehouse at 850 W. Lincoln St. (Ordinance S-46351)

Request to authorize the City Manager, or his designee, to enter into necessary agreements and conveyances with Hello Lincoln, LLC, related to a Historic Preservation Warehouse and Threatened Building grant of up to $300,000 for the Arizona Sash, Door & Glass Company Warehouse, located at 850 W. Lincoln St. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The warehouse at 850 W. Lincoln St. was constructed in 1927 for the Arizona Sash, Door & Glass Company, which moved at that time from a smaller building at 411 S. 1st St. The new building, which measured approximately 80’ x 250’, was designed by the architectural firm of Fitzhugh & Byron and was constructed by G.F. Williams. Notable features of the building include brick construction, a gabled roof supported by wood trusses, a stepped parapet, a combination of steel and wood windows, and several large wood and metal doors on rollers. Additions to the building were completed in 1943 and circa 1965.

After acquiring the property in December 2018, Hello Lincoln, LLC, completed interior renovations including: structural truss repair and beam replacement; stabilization of the existing mezzanine; removal of drop ceiling offices, complete with asbestos abatement to expose original concrete floors and expose ceilings; addition of new restrooms; installation of new/upgraded electrical, LED lighting, and HVAC systems; fire sprinkler maintenance and replacement; installation of a security system; and general cleanup. The building is now occupied by Hello Merch, which began business in 2008 as an online store and touring merchandise operation, primarily for musicians; it has since branched out to form its own apparel lines and provides e-commerce, order fulfillment and screen printing for tech and retail establishments worldwide.

In September 2019, Sam Means, manager of Hello Lincoln, LLC, contacted Historic Preservation and Community and Economic Development Department staff to inquire about city historic designation and financial assistance to rehabilitate the exterior of the property. Later

that month, staff from both departments met with Mr. Means at the site and encouraged him to move forward with the process. At Mr. Means' request, the HP Commission voted to initiate HP zoning for the subject property on Oct. 21, 2019. The HP zoning application is scheduled for City Council ratification on Feb. 5, 2020.

Financial Impact

The amount requested for the Warehouse and Threatened Building grant is $300,000, which will come from Community and Economic Development funds. In exchange for the grant funds, the City will receive a 30-year conservation easement on the property. The easement will require that the property be preserved, insured, and maintained in good repair.

Concurrence/Previous Council Action

The Historic Preservation Commission recommended approval of this item on Dec.16, 2019, by a vote of 7-0.
This item was recommended for approval at the Land Use and Livability Subcommittee meeting on Jan.15, 2020, by a vote of 4-0.

Location

850 W. Lincoln St.
Council District: 8

This item was adopted.

44 Amend City Code - Official Supplementary Zoning Map 1193 (Ordinance G-6670)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1193. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-137-06-7 and the entitlements are fully vested.

Summary

To rezone a parcel located 1700 feet west of the southwest corner of 35th Avenue and Dobbins Road
Z-137-06-7 (Annexation 368)
Zoning: R1-10
Owner: Dobbins Foothills LLC

Acreage: 7.18

Location
1700 feet west of the southwest corner of 35th Avenue and Dobbins Road
Council District: 7

This item was adopted.

46 Amend City Code - Ordinance Adoption - Rezoning Application Z-298-84-5(6) - Approximately 350 Feet West of the Southwest Corner of 12th Street and Glendale Avenue (Ordinance G-6671)

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-298-84-5(6) and rezone the site from R1-6 to P-1 to allow surface parking.

Summary
Current Zoning: R1-6
Proposed Zoning: P-1
Acreage: 0.30
Proposed Use: Surface parking

Owner: WFC Glendale and 12th, LLC
Applicant: John Golston - Westwood Financial
Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval.
VPC Action: The Camelback East Village Planning Committee did not hear this case, as the case was referred to the Planning Commission from a City Council hearing on Oct. 1, 1984.
PC Action: The Planning Commission heard this case on Jan. 9, 2020, and recommended approval per the staff recommendation with an additional stipulation by an 8-0 vote.

Location
Approximately 350 feet west of the southwest corner of 12th Street and Glendale Avenue
Council District: 6
Parcel Addresses: 1125, 1135, 1137, 1139, 1141, 1143, 1145, 1147,

and 1149 E. Glendale Ave.

This item was adopted.

47 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-10-19-7 - Approximately 690 Feet East of the Northeast Corner of 19th Avenue and Southern Avenue (Ordinance G-6669)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-10-19-7 and rezone the site from C-2 to C-2 SP to allow a self-service storage facility and underlying C-2 uses.

Summary
Current Zoning: C-2
Proposed Zoning: C-2 SP
Acreage: 3.32 acres
Proposal: Special Permit for a self-service storage facility and underlying C-2 uses

Owner: Sunset Financial Planning Group, LP
Applicant: George Pasquel III - Withey Morris, PLC
Representative: George Pasquel III - Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on Dec. 10, 2019, and recommended approval per the staff recommendation by a 10-3 vote.
PC Action: The Planning Commission heard this case on Jan. 9, 2020, and recommended approval per the South Mountain Village Planning Committee recommendation by a 7-0 vote.

Location
Approximately 690 feet east of the northeast corner of 19th Avenue and Southern Avenue
Council District: 7
Parcel Addresses: 1710 W. Southern Ave.

This item was adopted.

48 Amend City Code - Ordinance Adoption - Rezoning Application

Z-59-19-8 - Northeast Corner of 9th Avenue and Lincoln Street (Ordinance G-6668)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-59-19-8 and rezoning the site from A-1 CCSIOD to A-1 CCSIOD HP to allow Historic Preservation Overlay for Arizona Sash, Door & Glass Company Warehouse.

Summary
Current Zoning: A-1 CCSIOD
Proposed Zoning: A-1 CCSIOD HP
Acreage: 1.87
Proposed Use: Historic Preservation Overlay for Arizona Sash, Door & Glass Company Warehouse

Owner: Hello Lincoln, LLC
Applicant: City of Phoenix Historic Preservation Commission
Representative: Kevin Weight, City of Phoenix

Staff Recommendation:
VPC Action: The Central City Village Planning Committee heard this case on Dec. 9, 2019, and recommended approval per staff recommendation by a 13-0 vote.
HPC Action: The Historic Preservation Commission heard this case on Dec. 16, 2019, and recommended approval by a 7-0 vote.
PC Action: The Planning Commission heard this case on Jan. 9, 2020, and recommended approval per the Historic Preservation Commission and the Central City Village Planning Committee recommendations by a 7-0 vote.

Location
Northeast corner of 9th Avenue and Lincoln Street
Council District: 8
Parcel Addresses: 850 W. Lincoln St.

This item was adopted.

Item 13, Ordinance S-46336 was a request to authorize the City Controller to disburse funds up to amount 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.

13 Articulate Global, Inc.

For $17,147.00 in payment authority to purchase 13 licenses for Articulate 360 for course creation for the Human Resources Department. This purchase is needed to develop custom, interactive courses to provide training to City employees. The training focus can be organizational, department or subject specific related to compliance, onboarding, professional and leadership development.

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

26 (CONTINUED FROM JAN. 29, 2020) Development Agreement and Lease with NIXDT, LLC for Development of Property Located at 117, 125, 133 and 141 E. Jackson St. in Downtown Phoenix (Ordinance S-46333)

Request to authorize the City Manager, or his designee, to enter into a development agreement, lease agreement, easements and other agreements as necessary (Agreements), with NIXDT, LLC, or its City-approved designee (Developer), for the development of a six-story hotel located at 117, 125, 133 and 141 E. Jackson St. that will incorporate and reactivate the historic Fuller (W.P.) Paint Company Warehouse as the hotel lobby, and for the City Treasurer to accept funds related to this item. The project will have no financial impact to the General Fund.

Summary

On July 1, 2019, the Developer submitted its proposal in response to the 2017-18 Downtown Development Request for Proposals (RFP) requesting the City's consideration of a Government Property Lease Excise Tax (GPLET) transaction for the development of a hotel project that will incorporate and reactivate the historic Fuller Paint Company Warehouse located at 117 E. Jackson St. as the hotel lobby. The new hotel will be built on a parking lot located east of the Fuller Paint Company Warehouse at 125, 133 and 141 E. Jackson St. The project will bring an additional hotel option to an area of downtown that has limited lodging options and support the renovation and rehabilitation of a historic building.

If approved, the project will result in an approximately six-story, 140-room hotel; renovation and rehabilitation of the Fuller Paint Company Warehouse as the hotel lobby; and 23 parking spaces (Project) on the approximately 27,500 square foot property. An extensive renovation is necessary for the Fuller Paint Company Warehouse including a new roof and roof decking, paint removal, brick repair, overhaul of the building's structural support and window replacement. The rehabilitation costs are estimated between $1.17 million and $1.45 million. The Fuller Paint Company Warehouse and adjacent lot are currently vacant. The proposed Project will bring a capital investment of approximately $21 million to the downtown community and create approximately 100 construction jobs and 30 permanent jobs. Upon issuance of a Certificate of Occupancy for the Project, and other terms and conditions specified in the Agreements, the Developer will convey title of the property and improvements to the City, and the City will lease the property and improvements back to the Developer for a term not to exceed eight years for an annual rent as detailed below. The GPLET on the project will be abated for up to eight years from the date of the Certificate of Occupancy for the Project.

Procurement Information

An evaluation panel, consisting of a representative from the Warehouse District and City staff from both the Community and Economic Development Department and the Office of Historic Preservation, was convened earlier this summer to review the proposal. The panel

unanimously recommended the City begin negotiations with the Developer.

Contract Term
The lease will be for eight years upon issuance of the certificate of occupancy. There are no extensions to the proposed lease, and upon conclusion of the term, ownership of the property will be transferred back to the Developer. The Developer will have the ability to terminate the lease at any time subject to the terms of the Agreements.

Financial Impact
The Project will have no financial impact to the General Fund. The estimated one-time construction tax revenue to the City is approximately $175,000, plus an estimated annual hotel tax revenue generation of approximately $270,000 at stabilization. The Developer will pay an annual rent to the City starting at $10,000 in year one and escalating incrementally to a year eight annual rent of $65,000 for a total of $300,000 over the term of the lease. The rent payments will be deposited into the Downtown Community Reinvestment Fund.

Concurrence/Previous Council Action
This item was recommended for approval by the Workforce and Economic Development Subcommittee at the Dec. 3, 2019 meeting by a vote of 3-1.

Public Outreach
Staff presented to the Warehouse District on Nov. 19, 2019 and the Downtown Voices Coalition on Dec. 14, 2019. The Developer also met with the Phoenix Elementary School District No. 1 and the Phoenix Union High School District.

Location
117, 125, 133 and 141 E. Jackson St. (southwest corner of 2nd and Jackson streets)
Council District: 7

Discussion
Councilwoman Pastor asked City Attorney Cris Meyer if she needed to

declare a conflict of interest on this item.

Mr. Meyer replied because Councilwoman Pastor held a position on the Phoenix Union High School District Board, it was an elected volunteer position so she did not receive any pecuniary benefit or detriment from that position. He stated there was no legal conflict for Councilwoman Pastor's participation on this item.

Councilwoman Pastor asked for clarification on the impact of this Government Property Lease Excise Tax (GPLET).

Mr. Meyer responded this was a normal impact of a GPLET for both the elementary and high school district.

Mayor Gallego commented this was an agreement to protect the historic Fuller Paint Company warehouse, and noted the applicant was present if Council had any questions.

Note: Nick Wood submitted a comment card in favor of Item 26, noting he was available to speak if requested.

Lastly, 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 -	Councilmember Garcia, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	2 -	Councilman DiCiccio and Councilman Waring
Absent:	1 -	Councilman Nowakowski

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 -	Councilman DiCiccio, Councilmember Garcia, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 1 - Councilman Waring

Absent: 1 - Councilman Nowakowski

A motion was then made by Councilman DiCiccio, seconded by Councilwoman Pastor, that Item 26 be reconsidered. The motion carried by the following voice vote:

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

No: 0

Absent: 1 - Councilman Nowakowski

29 Repeal and Replace Phoenix City Code Section 8-15 Related to Establishment of Pounds; Impounding and Disposing of Dogs and Cats; Reclaiming Impounded Dogs and Cats and Pound Fees (Ordinance G-6672)

Request to amend Phoenix City Code (PCC) chapter 8, by repealing and replacing section 15 relating to the establishment of pounds; impounding and disposing of dogs and cats; reclaiming impounded dogs and cats and pound fees to add language that addresses situations where animals are seized by a peace officer under circumstances not amounting to animal cruelty.

Summary

At present, the City Code does not address the issue of animals seized for safekeeping purposes in non-cruelty cases, for example, where animal owners who have been arrested, hospitalized or have passed away leave behind an animal with no responsible person to care for it. The current policy has peace officers seizing these animals as if the seizure were a cruelty or neglect seizure under PCC section 8-3.01 rather than for the animal's benefit or welfare. The challenge is that this procedure triggers formal notification requirements to the owner that the animal has been seized and what the owner's due process rights are in this situation. The City, through its contracted vendor, the Arizona Humane Society (AHS), is then required to hold the animal for a period of

10 days to give the owner time to request an animal post-seizure hearing under PCC 8-3.02.

The draft ordinance language (**Attachment A**) would amend chapter 8 of the City Code by repealing and replacing section 15 to allow peace officers to seize displaced animals for safekeeping where the primary intent is to safeguard the animal for its benefit and welfare. Additionally, it would change the hold time for such animals to a minimum of 72 hours (three days) rather than 10 days or longer. The proposed change would give the City and its contracted vendor, AHS, the ability to place animals with an original or adoptive owner much sooner, thereby eliminating the need for an administrative hearing in cases where police officers do not suspect animal cruelty or neglect. The City of Tempe has a similar code provision (Tempe City Code section 6-32).

This proposed change to PCC 8-15 has important benefits for the seized animals, including:
• Decreased length of stay in the shelter.
• Less stress, leading to a decrease in potential illnesses.
• Psychological well-being.

It also benefits the City and its contracted vendor, AHS, by allowing for:
• Quicker response times.
• Increased capacity to care for additional animals.
• Authority to move animals through the system quicker.
• Maintain a focus on legitimate cases of animal cruelty.
• Eliminates unnecessary court procedures.
• Allows AHS to be direct point of contact for the owner to retrieve the animal.
• Decrease in officer overtime pay to attend unnecessary court appearances.
• Decreased use of Municipal Court resources.
• Keeps law enforcement out of court and on the streets protecting citizens.

The proposed change also preserves parts of section 8-15 that are still relevant to impoundment situations. When the City first enacted section 8-15, it authorized the City to establish its own pound system for stray

dogs and other animals. At present, the City does not operate its own pound. Instead, Maricopa County Animal Care and Control (MCACC) performs much of that particular function under contract with the City through an Intergovernmental Agreement (Contract 133632).

However, MCACC does not entirely perform that function. For example, MCACC will not respond to calls or impound sick or injured stray animals. AHS provides this service under its contract with the City. Therefore, it is recommended the general authority to impound stray animals be retained, but that the language be amended to reflect the current state of affairs. This will provide clear guidance and authority to the City and its vendors in matters involving stray animals impounded for their safekeeping.

Concurrence/Previous Council Action
The Public Safety and Justice Subcommittee recommended approval of this item on Dec. 11, 2019 by a vote of 4-0.

Discussion
Councilwoman Williams invited Tracey Miller of the Arizona Humane Society to be available for questions. She talked about how the Police Department and Animal Rescue Team had been experiencing abandoned animals from people who move out of their homes and leave animals behind. She noted neighbors would call because the animals were starving and said the police could not legally impound them because it was not cruelty.

Ms. Miller asked Councilwoman Williams if she would like her to focus on welfare seizures.

Councilwoman Williams replied absolutely.

Ms. Miller described the changes requested for the ordinance on welfare seizures, and said an animal is seized if the owner is hospitalized, deceased or arrested is different than cruelty cases. She mentioned the cruelty cases would remain at 10 days, but the welfare seizure would have a three-day turnaround time. She talked about the benefits of this, noting this would not require a judge to approve the release of the animal back to the owner, and added this would lessen the amount of time the

animal had to stay at the shelter. She discussed how the animal could be returned to the original owner, or a responsible party including a friend or family member. She stated this would release the animal back to the owner or their family quicker than a 10-day cruelty seizure.

Councilwoman Williams asked councilmembers to support this for protection of the animals, and mentioned the Police Department deemed this as beneficial to them.

Mayor Gallego thanked Councilwoman Williams for her hard work on this, and asked City Clerk Denise Archibald to read the title of the ordinance for this item.

Ms. Archibald read the title of the ordinance for this item.

Mayor Gallego thanked Councilwoman Williams again for her leadership on this issue to make Phoenix a great city for two-legged and four-legged residents.

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

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

45 PCD Major Amendment - Rezoning Application Z-104-I-75-3 - Northwest Corner of 19th Avenue and Grandview Road

Request to approve Rezoning Application Z-104-I-75-3 to allow commercial, commerce park, and industrial uses. This item requires Formal Action only.

Summary

Current Zoning: PCD (Approved C-2 PCD), PCD (Approved Ind. Pk. PCD), and PCD (Approved A-1 PCD)
Proposed Zoning: C-2 PCD, CP/GCP PCD, and A-1 PCD

Acreage: 95.57
Proposed Use: Major Amendment to the Northgate PCD to allow commercial, commerce park, and industrial uses.

Owner: Sunbelt Land Holdings, LP
Applicant: Jeff Blilie - Beus Gilbert, PLLC
Representative: Jeff Blilie - Beus Gilbert, PLLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this case on Dec. 19, 2019, and recommended approval, per the staff recommendation by an 8-0 vote.
PC Action: The Planning Commission heard this case on Jan. 9, 2020, and recommended approval, per the Deer Valley Village Planning Committee recommendation with an additional stipulation by an 8-0 vote.

Location
Northwest corner of 19th Avenue and Grandview Road
Council District: 3
Parcel Addresses: 16246 N. 19th Ave.; 16245 N. 20th Ave.; 16611 N. 21st Ave.;16631 N. 31st Ave.;2001 and 2025 W. Bell Road;1902, 1940, 2002, 2072, 2120, and 2202 W. Grandview Road; and 1939, 1940, 2001, 2121, 2151, and 2201 W. Phelps Road

Discussion
Greg Stein spoke in opposition, and mentioned he was the attorney for the Northgate Homeowners Association that was located south of the proposed development. He talked about how the association felt there would be significant traffic impacts, and noted the two entry points into the community were directly on the southern boundary of this development along Grandview Road. He said there were other communities to the west and south of this community that were accessible through Greenway Road, and stated this homeowners association would be uniquely impacted. He suggested there were no traffic impact studies, and commented this association would not be able to assess the impact. He asked Council for additional studies from the developer before approving this item. He talked about how this rezoning classification of light industrial classification could include different storage and manufacturing buildings, and mentioned the association and

board members did not know what the developer had proposed.

Note: Councilman Nowakowski joined the voting body via telephone.

Angelina Branduen spoke in opposition, and stated she was a resident at Northgate. She noted her house was directly across the street from the proposed site, and said the area was considered home to many families. She talked about the community concern for traffic, and suggested there were no conceptual building plans provided. She discussed how air and noise pollution could make living there difficult, and asked to sit down with the developers.

Aijaz Ansari spoke in opposition, and talked about how this process had been rushed. He suggested the residents were told they should have checked the zoning before buying homes in the area, and added the developer made promises to talk about their plans and what they would build. He stated the Northgate community would be most impacted by this, and said there was a lack of transparency by the developer. He commented as a resident and the president of the association, there was not enough information to support this item. He discussed issues being dealt with along Grandview Road including illegal parking of trucks from existing business and transients residing in the neighborhood. He suggested the setback requirements for this development needed to be more than the minimum 30 feet, and repeated there was a lack of information and transparency. He commented this process was demeaning and disrespectful, and submitted letters signed by residents in opposition to this item.

Councilwoman Stark said the zoning there today would allow for many uses the neighborhood would not have control over, and noted the developers were doing reconfiguration and through rezoning they would add greater setbacks. She suggested this application would offer the community greater protection rather than it being not allowed, and mentioned she promised the developer would sit with the community to talk about their intentions. She stated the neighborhood was great, and added the reconfiguration would benefit the community. She also stated she would call the attorney to make sure something was set up with the neighbors.

A motion was made by Councilwoman Stark, seconded by Councilwoman Williams, that this item be approved per the Jan. 9, 2020 Planning Commission recommendation. The motion carried by the following 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

Item 49, Ordinance S-46357 was a request to authorize the City Controller to disburse funds up to amount 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.

49 Gateway Community College

For $35,000.00 in payment authority to fund a feasibility study on a culinary support services hub. The City, in partnership with the Center for Entrepreneurial Innovation at GateWay Community College of the Maricopa Community College District, seeks to facilitate a feasibility study for the adaptive reuse of a vacant commercial property into a culinary support services hub for K-12 and community college education, business incubation, workforce development, and training purposes. The goal of the feasibility study is to determine the market to support a commercial culinary hub and to prepare a preliminary business plan addressing the potential to convert a vacant property into a culinary incubation center. The study, which will conclude in summer 2020, will include key stakeholder interviews, potential user interviews, market data analysis, review of industry best practices, on-site tours of existing and successful food industry incubation programs. This study aligns with the Community and Economic Development Department's action plan to cultivate entrepreneurship and emerging enterprise ecosystems by supporting incubator and accelerator space, mentoring and business

planning to promote and facilitate business ownership, in addition to assisting in retaining and expanding food-related businesses in support of the City's 2050 Local Food System Sustainability Goal. There is no impact to the General Fund. Funding is available in the Downtown Community Reinvestment Fund.

Discussion

Vice Mayor Guardado said this item was important to her office, and added part of her committment to the residents of Council District 5 was that her office would work hard to bring good jobs and economic investment to the west side of Phoenix. She talked about how she had heard from residents in her district that travel to the east side of Phoenix for work and school, and noted she wanted the vacant K-Mart building at Interstate 17 and Northern Avenue to be transformed for community benefits. She thanked Jeff Spellman for presenting a great plan seven months ago and for his hard work that he did for the community every day, and also thanked Community and Economic Director Christine Mackay for making this project a priority for her team. She said she had a huge passion for good jobs and community opportunities, and expressed appreciation for everyone's dedication on this project. She made a motion to adopt Item 49.

Councilman DiCiccio seconded the motion. He congratulated Vice Mayor Guardado for how hard she worked on this project, and stated this was significant for Council District 5. He said Vice Mayor Guardado looked at getting this project done for a long time, and added this was a big accomplishment for her.

Mr. Spellman spoke in favor, and stated he represented the Violence Impact Project Coalition. He noted they have been working on this project for several years with City staff and councilmembers on a revitalization plan for 27th Avenue. He said this included Council Districts 1, 3 and 4, and mentioned their number one priority was getting something done with the K-Mart building. He mentioned they were fortunate to have an owner who was patient with them, and stated it was critical to move this forward now. He talked about how this building would be a food innovation center with an education component, and added the community colleges were also interested in this. He discussed his last meeting with stakeholders from school districts and community college districts, and noted they all

said that area of the city needed to grow opportunities for people. He commented that area was missing education, and said he appreciated Vice Mayor Guardado's assistance with moving this forward.

Mayor Gallego congratulated the coalition of those involved with the project.

Councilwoman Pastor declared a conflict of interest and withdrew from the voting body.

Councilman Nowakowski thanked Vice Mayor Guardado for thinking outside the box and creating something on that side of the freeway. He said people finally had an answer as to what would be built there, and suggested this was what the community really wanted because it would empower and educate people. He thanked her again for her hard work in bringing the community together.

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

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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Mayor Gallego asked City Attorney Cris Meyer to introduce Citizen Comments, and noted there was an individual who did not have a chance to speak during Citizen Comments at the prior formal meeting and therefore, they would be speaking first if they were present.

Mr. 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 councilmembers from discussing or acting on the matters presented.

Adam Decker talked about his concerns with two different Valley Metro bus drivers, and mentioned he felt like he was going to get assaulted by one of them. He stated he contacted Valley Metro staff, but they hung up on him. He asked if there was a way to fix this and make busses safer. He mentioned his concern with drivers violating the signal for pedestrians to walk, and added he had almost been hit twice in crosswalks. He inquired if there would be funds to put cameras at crosswalks, and added if nothing came of this he would be back in six months.

Mayor Gallego stated Deputy City Manager Mario Paniagua was available to meet with Mr. Decker to discuss his concerns.

Michael Pierce mentioned he had been released from prison around 10 months ago, and said he had been given a phone number for the Mayor's Office to talk to Community Relations Director Cepand Alizadeh. He stated he had been homeless since he had been released, and talked about how Mr. Alizadeh had helped him with a housing voucher and to get in contact with his family who he had lost contact with. He thanked Mr. Alizadeh and the Mayor's Office.

Mayor Gallego thanked Mr. Pierce.

Elizabeth Venable commented many people lose their housing vouchers because of police sweeps around the Central Arizona Shelter Services (CASS) building. She presented a citizen petition that requested money available be used for a 1,000-bed shelter at the Andre House. She talked about police sweeps in the area around CASS, and suggested the City should store everyone's belongings for 90 days. She stated the City had no other spending priorities other than for public safety, and said policing a 450-bed shelter for nearly 6,000 homeless residents in the area was not a solution. She asked Council to respond to her requests.

Diane Barker talked about events happening in downtown Phoenix, noting there was a free trolly that could take people to the Bohemian area on Grand Avenue. She said the Japanese Friendship Garden was free over the weekend along

with the Heard Museum. She mentioned she had enjoyed living in the downtown area for 10 years, and suggested using wind and sun to cool and power downtown. She discussed how their could be an e-scooter tour downtown to get people outside, and said downtown needed to be promoted more.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:14 p.m.

MAYOR

ATTEST:

CITY CLERK

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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 5th day of February, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5th day of May, 2021.

CITY CLERK